

Agenda



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Date: 20 March 2019
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A meeting of the **Scrutiny Committee**

will be held on Thursday, 28 March 2019 at 7.00 pm
The Hanney Room, The Beacon, Wantage

Members of the Committee:

Councillors

| | |
|------------------------------|---------------|
| Debby Hallett (Chairman) | Vicky Jenkins |
| Chris Palmer (Vice-chairman) | Sandy Lovatt |
| Mike Badcock | Ben Mabbett |
| Matthew Barber | Judy Roberts |
| Robert Hall | |

Preferred Substitutes

| | |
|------------------|------------------|
| Yvonne Constance | Chris McCarthy |
| StJohn Dickson | Emily Smith |
| Anthony Hayward | Reg Waite |
| Dudley Hoddinott | Catherine Webber |
| Simon Howell | |

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A handwritten signature in black ink, appearing to read 'M Reed', written in a cursive style.

Margaret Reed
Head of Legal and Democratic

Agenda

Open to the Public including the Press

Council's Vision

The council's vision is to take care of your interests across the Vale with enterprise, energy and efficiency.

1. Apologies for absence

To record apologies for absence and the attendance of substitute members.

2. Minutes

(Pages 4 - 7)

To adopt and sign as a correct record the Scrutiny Committee minutes of the meeting held on 7 February 2019 (attached).

3. Declarations of interest

To receive any declarations of disclosable pecuniary interests in respect of items on the agenda for this meeting.

4. Urgent business and chairman's announcements

To receive notification of any matters which the chairman determines should be considered as urgent business and the special circumstances which have made the matters urgent, and to receive any announcements from the chairman.

5. Public participation

To receive any questions or statements from members of the public that have registered to speak.

REPORTS AND ISSUES FOR THE CONSIDERATION OF THE SCRUTINY COMMITTEE

6. Authority monitoring report 2017/18

(Pages 8 - 78)

To consider the report of the head of planning (attached).

7. Councillor budget task group update

(Pages 79 - 81)

To consider the report of Councillor Chris Palmer, task group chairman (attached).

8. Parliamentary report on the effectiveness of local authority overview and scrutiny committees.

(Pages 82 - 142)

The acting chief executive – transformation and operations to lead a presentation on the parliamentary report (attached).

Minutes

of a meeting of the

Scrutiny Committee

held on Thursday, 7 February 2019 at 7.00 pm

at the Meeting Room 1, 135 Eastern Avenue, Milton Park, Milton, OX14 4SB



Open to the public, including the press

Present:

Members: Councillors Debby Hallett (Chairman), Chris Palmer (Vice-Chairman), Mike Badcock, Matthew Barber, Robert Hall, Vicky Jenkins, Sandy Lovatt, Ben Mabbett and Judy Roberts

Officers:

Duncan Grainge, Simon Hewings, William Jacobs, Adrianna Partridge, Donna Pentelow, Ron Schrieber, Richard Spraggett, Mark Stone and David Wilde

Also present:

Councillors Alice Badcock, Ed Blagrove and Robert Sharp

Sc.56 Apologies for absence

None.

Sc.57 Minutes

The minutes of the meeting held on 29 November 2018 were agreed as an accurate record and were signed by the Chairman.

Sc.58 Declarations of interest

Councillor Mike Badcock declared that he would be stepping down from the committee for Agenda Item 7: 2017/18 performance report for The Beacon, Wantage.

Sc.59 Urgent business and chairman's announcements

None.

Sc.60 Public participation

None.

Sc.61 Budget 2019/20

The committee considered the head of finance's report. This brought together all relevant information to allow Cabinet to recommend to Council a revenue budget for 2019/20 and a capital programme for 2019/20 to 2023/24. The report also recommended the prudential indicators to be set by the Council in accordance with 'the Prudential Code', introduced as part of the Local Government Act 2003 and included the Medium Term Financial Plan (MFTP), which provided details of the forward budget model for the next five years.

William Jacobs, head of finance, introduced the report. Also present to answer questions were Councillor Robert Sharp, the Cabinet member for finance, Mark Stone, chief executive, Simon Hewings, strategic finance manager, and Richard Spraggett, senior finance business partner.

The report highlighted the uncertainty regarding future funding due to, amongst other things:

- whilst 2019/20 was the final year of the New Homes Bonus (NHB) scheme in its current form, it was not yet known what income would be receivable in future under a revised NHB scheme or a replacement scheme,
- future funding received from the retained business rates scheme would depend upon the outcome of the Government's "Fair Funding" review of local government funding.

The Government was currently consulting on the "Fair Funding" review and would be consulting on a replacement NHB scheme in due course.

Members expressed concern that the use of reserves to balance the MFTP was not sustainable beyond the medium term. In response the head of finance reported that the council had commissioned the Chartered Institute of Public Finance and Accountancy (CIPFA) to support it in challenging the budget, which had resulted in approximately £500,000 base budget reductions being identified. These savings did not affect frontline service delivery.

RESOLVED: to note the report

Sc.62 2017/18 performance report for The Beacon, Wantage.

Following the identification of incorrect financial data being presented to the committee in October 2018, the committee considered the report of the head of community services which updated the committee on actions taken in response to its recommendations in September 2017 and which set out progress towards The Beacon's 2018/19 targets.

Donna Pentelow, head of community services, introduced the report. Also present to answer questions were Councillor Alice Badcock, Cabinet member for community services, and Duncan Grainge, arts and community centres manager.

An addendum to the report set out the source of errors in the previous report and further action to be taken, as follows:

- The expenditure and income figures in the original report were not the most up to date figures on the general ledger. For all future reports, figures will be checked by both the service and accountancy against the general ledger.
- The original figures did not take into account the estimated contract costs for Vinci, which had not been calculated at the time the first report was written.
- All staff, not just at The Beacon, will seek appropriate training and guidance relating to financial management and financial controls, as directed by management.
- Where any local management information is held, a process is in place to regularly reconcile it to the general ledger.

In response to members' questions regarding the council contribution to The Beacon's expenditure, the committee was advised that it was expected to remain at its current level for the foreseeable future.

The committee requested that The Beacon's key performance indicators should be reviewed and suggested that the average cost per visit would be a better indicator of performance than the average cost per occupied hour.

Members complimented The Beacon's staff on their excellent, friendly and efficient service.

RESOLVED: to note the report

Sc.63 Corporate services contract changes and action plan update

The committee considered the report of the head of partnership and insight which gave an update on progress to date and next steps to address shortcomings in the council's IT or other corporate services provision and, in particular, the five change control notices raised to address specific concerns at the time.

Councillor Ed Blagrove, Cabinet member for corporate services, introduced the report. Also present to answer questions were Mark Stone, chief executive, and David Wilde, IT consultant.

The committee was informed that the five change control notices raised in July 2018 had been progressed as follows:

- Return of the counterfraud service to South and Vale councils – completed in December 2018
- Return of all strategic finance responsibilities to South and Vale councils – completed in December 2018.
- Transfer back of strategic HR responsibilities to South and Vale councils – this change is now being considered as part of a wider commercial conversation.
- Finance system upgrade or replacement for South and Vale councils – this change was split into two:
 - On Pay360 the new system went live in December 2018 and the old Civica system has been retired.
 - On the finance system, the project has been fully defined and is ready to begin but there are ongoing commercial matters which need to be resolved.

- Separation of active directories for South and Vale councils from the five councils shared platform – this change is now being considered as part of a wider commercial conversation.

In response to members' questions, the committee was advised that it was anticipated that commercial negotiations would be concluded by September 2019.

RESOLVED: to note the report.

Sc.64 Work schedule and dates for all South and Vale scrutiny meetings

The committee noted its work programme.

The meeting closed at 7.50 pm

Scrutiny Committee



Report of Head of Planning Services

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To: SCRUTINY COMMITTEE

DATE: 28 March 2019

Authority Monitoring Report 2017/18

RECOMMENDATION

To consider the Authority Monitoring Report and provide feedback to the Cabinet Member for planning.

PURPOSE OF REPORT

1. To inform Members of the progress for new development measured against the adopted Local Plan policies.

STRATEGIC OBJECTIVES

2. The production of the Vale of White Horse District Council's Monitoring Report provides evidence on the success of local plan planning policies that help to meet a number of the council's strategic objectives.
3. The Authority Monitoring Report measures the planning objectives set out in the Local Plan which include the level and distribution of development to 2031. The Local Plan will help to shape the future of the district, help to realise the potential of Science Vale and identifies sufficient homes and employment land to meet needs.

BACKGROUND

4. The Town and Country Planning Regulations 2012 require all local authorities to prepare an Authority Monitoring Report (AMR).

SUMMARY

5. The Authority Monitoring Report attached (Appendix 1) is produced annually and sets out the council's progress on Local Plan preparation and assesses the effectiveness of the policies and objectives contained in the Local Plan Part One, as well as reporting on a number of other statutory requirements.
6. The AMR provides data and statistics in line with the indicators in the adopted Local Plan Part One, for the 2017/18 monitoring year. The key areas are:
 - a. Housing - the AMR shows that housing delivery for 2017/18 was above the adopted housing requirement for the district, as well as meeting the targets for each sub-area. The district can currently demonstrate a strong district wide housing land supply of 6.8 years. However, this position will be updated in April/May 2019. The Housing Delivery Test results were released recently by Government, with the Vale of White Horse achieving a very positive result.
 - b. Employment - reasonable progress is being made towards achieving the Local Plan target of delivering 218 hectares of employment land in the district. Over the plan period so far 64.91 hectares of employment has been permitted on allocated sites, with 4.95 hectares being permitted in 2017/18. The majority of this employment land has been permitted in the South East Vale sub-area, in accordance with the strategy of supporting the growth of the Science Vale.
 - c. Infrastructure - In 2017/18 the Harwell Link road, which is part of an infrastructure package to improve access to the Enterprise Zone, was completed and opened. Several key infrastructure projects to support growth have now been completed in the district.
7. The AMR shows that development in the district is largely taking place in accordance with the development plan and the policies set out in the Local Plan Part One. There has been some speculative development which took place in the period when the district was suffering from a lack of five-year housing land supply. The AMR will monitor against the policies and indicators set out in the Local Plan Part Two once this has been adopted.
8. In addition to monitoring the progress of the emerging and adopted Local Plans, the AMR provides an update on:
 - a) The Local Development Scheme
 - b) Neighbourhood Development Plans
 - c) The Community Infrastructure Levy (CIL)
 - d) The Duty to Cooperate

FINANCIAL IMPLICATIONS

9. The preparation of the Authority Monitoring Report is undertaken by officers within the Planning Policy Team and is supported by an extensive evidence base. The activities of this team are met from the existing planning policy budget.

LEGAL IMPLICATIONS

10. Local authorities are required to prepare an Authority Monitoring Report. The Town and Country Planning Regulations 2012 provide full details on the information that should be contained in the Authority Monitoring Report and this frames the way in which our report is produced.

RISKS

11. Failure to progress an Authority Monitoring Report weakens the transparency of our performance against Local Plan policies.

CONCLUSION

12. The Council's Authority Monitoring Report provides an overview of the Local Plan's progress on an annual basis against which performance can be assessed.

BACKGROUND PAPERS

13. Authority Monitoring Report 2017-18 (Published December 2018)



**Vale
of White Horse**
District Council

Published
December 2018

Authority Monitoring Report 2017/18

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1.Introduction

PURPOSE OF MONITORING

- 1.1.The monitoring of a Local Plan enables local planning authorities to track progress towards meeting the district’s development needs and to establish whether adopted policies are being effectively implemented. It also allows communities and interested parties to be aware of the progress local planning authorities are making towards delivering their vision and objectives, as set out in their Development Plan, such as the Vale’s Local Plan 2031: Part 1 and Part 2.

REQUIREMENT TO MONITOR

- 1.2.The requirement to monitor annually was introduced under the Planning and Compulsory Purchase Act 2004 which placed a duty on local authorities to produce an Annual Monitoring Report. This Report outlined the timescale and progress of the implementation of the Development Plan, as detailed in the Local Development Scheme (LDS), and the extent the adopted policies have been successfully implemented.
- 1.3.Since the Planning and Compulsory Purchase Act 2004, the requirement to monitor has evolved with the publication of the Localism Act in 2011 and subsequent Town and Country Planning (Local Planning) (England) Regulations 2012. The requirement is now to prepare and publish an Authority Monitoring Report. This replaces the previous duty for local authorities to publish an Annual Monitoring Report and there is no longer a need to submit the Report to the Secretary of State. However, there is still a minimum requirement to annually produce an Authority Monitoring Report, which, in the interests of transparency, should be made publicly available and updated as and when the information becomes available.
- 1.4.As set out in the Local Planning Regulations 2012 and reiterated through the Planning Practice Guidance¹, a local planning authority must monitor the requirements set out in Table 1.

¹ Paragraph 54, Plan Making Guidance available from <https://www.gov.uk/guidance/plan-making#evidence-base>

Table 1: Requirement to monitor

| Requirement | Summary |
|---|---|
| Local Development Scheme (LDS) | The timescales and milestones for the preparation of documents as set out in the LDS, and progress towards meeting them. |
| Local Plan Policies | The status of adopted policies including the reason why any of the policies are no longer being implemented. |
| | How the adopted policies are being implemented and to what extent their objectives are being achieved. |
| Neighbourhood Development Plans and Orders | The progression of Neighbourhood Development Plans and Neighbourhood Development Orders. |
| The Community Infrastructure Levy (CIL) | The progression of CIL and how it will be implemented. |
| Duty-to-Cooperate | Details on how the Council are cooperating with other statutory authorities (NPPF) |
| Sustainability Appraisal | Details on predicted significant effects the policies are having on sustainability objectives identified by the Sustainability Appraisal. |
| Supplementary Planning Documents and Local Development Orders | The status and progress of any Supplementary Planning Documents and Local Development Orders |
| Self and Custom build register | To provide an indication of the demand for self and custom build in the Vale of White Horse and to allow the Council to develop its housing and planning policies to support self and custom build projects |

VALE OF WHITE HORSE DISTRICT COUNCIL MONITORING REPORT

1.5. This Monitoring Report covers the period 1 April 2017 to 31 March 2018 and details the progress of the Adopted Vale of White Horse Local Plan 2031 Part 1 policies for this timeframe unless otherwise specified. The Monitoring Framework is provided at Appendix D of this Report.

2. Vale of White Horse Profile

VALE OF WHITE HORSE CONTEXT

- 2.1. The Vale of White Horse District takes its name from the 3,000-year-old White Horse figure cut into the chalk downs, near Uffington. Lying between the River Thames to the north and the ridgeway to the south, including the North Wessex Downs Area of Outstanding Natural Beauty (AONB), the district covers an area of some 224 square miles (580 square kilometres).
- 2.2. The Vale of White Horse District is located between the larger centres of Oxford (to the north-east), and Swindon (to the south-west), with Didcot sited to the south-east boundary of the district, in neighbouring South Oxfordshire. The Vale of White Horse is largely rural by nature, with just over 70 settlements. The largest settlements are the historic market towns of Abingdon-on-Thames, Faringdon and Wantage. There are also two 'local service centres' at Botley and Grove, which provide essential services for the surrounding rural areas.
- 2.3. The high quality and rural nature of the district is borne out by the many designations that cover the area, such as the Oxford Green Belt, the North Wessex Downs Area of Outstanding Natural Beauty and 52 designated Conservation Areas. The district also has a long frontage to the River Thames and contains the River Ock, with tributaries including the Letcombe Brook, and contains a significant proportion of the route of the Wilts and Berks Canal.
- 2.4. The district is easily accessible from other parts of the UK. The A34 trunk road provides good access between the M4 to the south, and the M40 to the north. The A420 and A417 roads cross the district and provide links to Swindon in the west and Didcot in the east. Whilst there are two main railway lines (Bristol to London and Oxford to London) running through the district, there are only two stations situated on the Oxford line. Presently, there are no established stations on the Bristol line within the Vale of White Horse.

SCIENCE VALE

- 2.5. The district includes the majority of the Science Vale area, an internationally significant location for innovation, science-based research and business. It is one of the key growth areas for Oxfordshire, as identified within the Oxfordshire Strategic Economic Plan. The Science Vale area extends from Culham and Didcot to Wantage and Grove (east to west) and is a strategic focus, in terms of employment and economic growth, for both the Vale of White Horse and South Oxfordshire District Councils. There are also two designated Enterprise Zones: the 'Science Vale' EZ, which includes the Harwell Campus and Milton Park sites, and the newly designated 'Didcot Growth Accelerator' EZ.

DIDCOT GARDEN TOWN

2.6. Didcot was awarded Garden Town status in late 2015, after both the Vale of White Horse and South Oxfordshire District Councils prepared a joint bid to the UK Government. The new Garden Town status will provide access to government funding for infrastructure, such as the £6.2 million announced in August 2017². Fundamentally, the success of the bid gives Didcot a unique opportunity to grow in a number of ways and to become a better place to live and work.

2.7. The vision for Didcot Garden Town is to deliver a highly sustainable and economically viable location, where the very best of town and country living are brought together. The Council's aim is to provide affordable, attractive homes and living spaces, within a vibrant community. The Didcot Garden Town Delivery Plan was published as of October 2017 and is available on the Council Website³.

KEY STATISTICS FOR THE VALE OF WHITE HORSE

2.8. The key statistics shown in Table 2 provide a snapshot of the Vale's demographics and the context for the monitoring indicators.

² <http://www.southoxon.gov.uk/news/2017/2017-08/%C2%A362-million-government-boost-help-unlock-15000-new-homes-didcot-garden-town>

³ <http://www.whitehorsedc.gov.uk/business/didcot-garden-town-0>

Table 2: Key statistics

| Contextual indicator | | Vale of White Horse District | South East of England Region | Great Britain |
|--|--------|------------------------------|------------------------------|----------------|
| Population (2017) ⁴ | | 131,200 | 9,080,800 | 64,169,400 |
| Population aged 16-64 (2017) ⁵ | | 79,800 60.8% | 61.8% | 62.9% |
| Life Expectancy ⁶ | Male | 82.3 | 80.6 | 79.2 (UK) |
| | Female | 85.4 | 84 | 82.9 (UK) |
| Number of Households (2018) ⁷ | | 53,987 | 3,765,236 | 27,060,000 |
| Economically Active ⁸ | | 69,200 85.6% | 81.3% | 78.4% |
| Unemployment rate ⁹ | | 1,700 2.5% | 3.4% | 4.3% |
| Education - Attainment 8 results (2016-17) ¹⁰ | | 47.6 | 47.4 | 44.6 (England) |

⁴ Available from <https://www.nomisweb.co.uk/reports/lmp/la/1946157326/report.aspx#tabrespop>

⁵ Available from <https://www.nomisweb.co.uk/reports/lmp/la/1946157326/report.aspx#tabrespop>

⁶ Available from

<https://www.ons.gov.uk/peoplepopulationandcommunity/healthandsocialcare/healthandlifeexpectancies/datasets/lifeexpectancyatbirthandage65bylocalareasuk>

⁷ Based on the 2016 household projections, available from

<https://www.ons.gov.uk/peoplepopulationandcommunity/populationandmigration/populationprojections/datasets/householdprojectionsforengland>

⁸ <https://www.nomisweb.co.uk/reports/lmp/la/1946157326/report.aspx#tabrespop>

⁹ Available from <https://www.nomisweb.co.uk/reports/lmp/la/1946157326/report.aspx#tabrespop>

¹⁰ Revised 2016-17 figures, available from <https://www.gov.uk/government/statistics/revised-gcse-and-equivalent-results-in-england-2016-to-2017>

3. Vale of White Horse Planning Framework

INTRODUCTION

3.1. The Planning Framework for the Vale of White Horse District is made up of Development Plan Documents and other planning documents, as shown in Figure 1. In combination, these documents, alongside the National Planning Policy Framework (NPPF) and any other relevant national planning guidance and/or legislation, are used in the determination of planning applications and future infrastructure provision and/or investment.

Figure 1: Planning Framework



3.2. The Local Development Scheme (LDS) sets out the timetable for the production of the Council's Development Plan Documents (DPDs) and the Community Infrastructure Levy (CIL), including the Charging Schedule for CIL. This includes key production dates and public consultation stages. The Vale of White Horse LDS was updated in February 2018 and covers the period 2018-2020. The LDS provides information regarding the Local Plan 2031 Parts 1 and 2 and other related documents. Table 3 sets out the timetable for each of these documents and the progress that has been made.

Table 3: Progress of Development Plan Documents

| Document | Milestone | Date | |
|---|-------------------|-------------------------------------|--------------------------|
| | | LDS Timescale | Achieved |
| Local Plan 2031 Part 1: Strategic Policies and Sites | Submission | Mar-15 | Yes |
| | Hearings | September 2016 and February 2016 | Yes |
| | Adoption | Dec-16 | Yes |
| Local Plan 2031 Part 2: Detailed policies and additional sites | Preferred Options | February/March 2017 | Yes |
| | Pre-Submission | October/November 2017 | Yes |
| | Submission | February/March 2018 | Yes |
| | Adoption | Dec-18 | Expected Early 2019 |
| Community Infrastructure Levy (CIL) | Submission | Apr-15 | Yes |
| | Examination | Winter 2016 | April 2017 |
| | Adoption | Early 2017 | Adopted November 2017 |
| Didcot Garden Town Development Plan Document | Preferred Options | April 2019 | Delayed |
| | Pre-Submission | February 2020 | On course |
| | Submission | July 2020 | On course |
| | Adoption | Summer 2021 | On course |

ADOPTION OF LOCAL PLAN 1: STRATEGIC POLICIES AND SITES

3.3. The Local Plan 2031 Part 1 (Part 1 Plan) sets out the development strategy and key strategic policies for the district, including the need for housing, employment and infrastructure required to support development up to 2031. The spatial strategy makes provision for growth of around 23,000 new jobs, 218 hectares of employment land, and at least 20,560 new homes, to be delivered during the plan period from 2011 to 2031.

3.4. The Local Plan 2031 Part 1: Strategic Sites and Policies was adopted by Full Council on 14 December 2016. This is in accordance with the Local Development Scheme, as shown in Table 3 above.

THE LOCAL PLAN PART 2: DETAILED POLICIES AND ADDITIONAL SITES

3.5. To complement the Part 1 plan, the Local Plan 2031 Part 2: Detailed Policies and Additional Sites (The Part 2 Plan) will set out:

- Policies and locations for new housing to meet the Vale's proportion of Oxford City's unmet housing need, which cannot be met within the City boundaries;

- policies for the part of Didcot Garden Town that lies within the Vale of White Horse District;
- detailed development management policies to complement the strategic policies as set out in the Part 1 Plan, and where appropriate replace the remaining saved policies of the Local Plan 2011;
- and additional site allocations for housing.

3.6. In relation to the Vale's proportion of Oxford City's unmet housing need, this has been informed by co-operation with the Oxfordshire Growth Board¹¹ to apportion a 'working assumption' unmet need figure of 15,000 homes. The quantum of Oxford City's unmet housing need to be met within the Vale of White Horse is proposed to be 2,200 dwellings for the period up to 2031, as agreed in the 'Memorandum of Co-operation' between the local authorities in the Oxfordshire Housing Market Area. This figure will be subject to the plan making process.

3.7. The Preferred Options draft of the Part 2 Plan was published for consultation on 9 March 2017 for an 8-week period until 4 May 2017. This is in accordance with the Local Development Scheme, as shown in Table 3 above.

3.8. The Publication Version of the Part 2 Plan was published for consultation between 11 October 2017 and the 22 November 2017. This was the final opportunity for comments on the Part 2 Plan, with this consultation focused on the legality of the plan in accordance with the Town and Country Planning (Local Planning) regulations (Regulation 19).

3.9. The Part 2 Plan was submitted to the Secretary of State on the 23 February 2018 for independent examination. The Examination in Public (EiP) hearings took place in July and September 2018 and have now closed. The Inspector, Mr David Reed BSc DipTP DMS MRTPI, will now prepare his report with recommendations on whether the Part 2 Plan proceeds to Adoption which, may include modifications to the Part 2 Plan.

SUSTAINABILITY APPRAISAL SIGNIFICANT EFFECT INDICATORS

3.10. The role of a Sustainability Appraisal (SA), incorporating the Strategic Environmental Assessment (SEA), is to assess whether a Plan has integrated the principles of sustainable development and if there are likely to be any significant effects as a result of the Plan's policies. If the sustainability appraisal predicts any likely significant effects, it is essential that these effects are monitored to determine whether the implementation of a policy is causing the undue effect(s), and if so, whether the policy should be reviewed.

3.11. The SA report on the Part 1 Plan identified a few potential significant effects, in which the Plan was amended to ensure it mitigated against these effects.

¹¹ Available from <https://www.oxfordshiregrowthboard.org/>

The SA Adoption Statement stated the monitoring arrangements of these effects are included in the Council's Monitoring Framework (Appendix H of the Part 1 plan).

- 3.12. The SA report on the Part 2 Plan, published alongside the Publication Version of the Part 2 Plan, has predicted no 'significant negative effects', however it did conclude there were uncertainties regarding pollution and climate change adaptation. These will be monitored as part of the Monitoring Framework within the Part 2 Plan, which the SA has stated 'should provide a good basis for monitoring the effects of the Part 2 Plan'.

NEIGHBOURHOOD PLANNING

- 3.13. Under the Localism Act 2011, communities have been given the power to directly influence land use planning by preparing either a Neighbourhood Development Plan (NDP), Neighbourhood Development Order (NDO) and/or a Community Right to Build Order. It is a requirement of the AMR to include details of the progress and 'made' Neighbourhood Development Plans and Neighbourhood Development Orders.

COMMUNITY INFRASTRUCTURE LEVY

- 3.14. The Community Infrastructure Levy (CIL), is a charge that local planning authorities may choose to levy on new development to help fund the infrastructure needed to support growth of the area. The CIL Regulations 2010 came into force in April 2010, with further amendments in subsequent years.
- 3.15. A preliminary CIL Draft Charging Schedule for the Vale of White Horse was consulted on between 15 December 2016 and 26 January 2017. An Examination in Public was then carried out by Mr Malcolm Rivett, as appointed by the Secretary of State, who found the CIL charging schedule to be 'sound', subject to modifications. The charging schedule was then formally adopted by Council on the 27 September 2017 and came into effect on the 1 November 2017. This means any application decided on or after this date will be CIL liable, regardless of when the application was submitted.

OTHER DOCUMENTS

- 3.16. Supplementary Planning Documents (SPDs) provide the option for further detail and clarity to be published in regard to Local Plan policies. They can also provide further guidance on particular issues or regarding the development of specific sites.

3.17. As SPDs provide further detail to Local Plan policies, it is not necessarily a requirement for SPDs to be monitored, unless a local planning authority wishes to monitor the effectiveness of an SPD.

3.18. As of March 2018, the Council have 3 adopted SPDs, with none of them identifying specific monitoring arrangements. The SPDs are as follows:

- Design Guide 2015: The Design Guide was adopted on 10 March 2015 and sets out design principles to guide future development and encourage a design-led approach to development;
- Abbey Shopping Centre and Charter Area: The Abbey Shopping Centre and Charter Area SPD was adopted on 14 December 2011 and provides a guide to detailed applications and possible future development options for the area;
- Botley Centre SPD: The Botley Centre SPD was adopted on 18 January 2016. It provides direction on the shape of development at Botley Central Area in accordance with Local Plan 2031: Part 1, Core Policy 11: Botley Central Area. It is designed to create a flexible strategy to guide development that supports the existing and future local community and meet local regeneration aspirations, while attracting investment to serve the wider district.

3.19. The Council is currently preparing SPD's for Harwell Campus and Dalton Barracks in accordance with the draft Local Plan 2031 Part 2: Additional Sites and Detailed Policies. The SPDs will be a material consideration in assessing future planning applications for both sites.

LOCAL DEVELOPMENT ORDERS

3.20. Local Development Orders (LDOs) automatically grant planning permission for the development specified in an LDO (subject to conditions) and by doing so, removes the need for a planning application to be made. The main purpose of an LDO is to help to streamline the planning process for applications that comply with pre-set conditions. It is for the local planning authority to determine how LDOs are monitored.

3.21. The Vale currently have one LDO in place for Milton Park, which was adopted in December 2012. The aim of this LDO is to help deliver the planned growth of Oxfordshire's Science Vale UK Enterprise Zone. It allows a range of types of development to be fast tracked which will enable new and existing businesses to innovate, grow, and adapt to changing market opportunities, delivering additional jobs for the local economy. Details of the Milton Park LDO are available on the Council's website¹².

¹² Available from <http://www.whitehorsedc.gov.uk/services-and-advice/planning-and-building/milton-park-local-development-order>

4. Neighbourhood Plans

- 4.1 The Government is providing local communities with the opportunity to shape the area in which they live and work in by encouraging them to prepare Neighbourhood Development Plans. The Council strongly encourages and supports local communities who wish to prepare a neighbourhood development plan. The Localism Act 2011 sets out that Neighbourhood Development Plan(s) can be made by a parish or town council, or a neighbourhood forum(s), where a parish or town council does not exist.
- 4.2 Local communities wishing to play an active role in planning for their area and/or community, can:
- prepare a Neighbourhood Development Plan setting out the vision, objectives and planning policies to shape development of their neighbourhood, and/or
 - seek to grant permission directly for certain types of development in their neighbourhood, through a Neighbourhood Development Order (NDO) or a Community Right to Build Order (CRtBO).
- 4.3 To make a Neighbourhood Development Plan, there are formal stages set out in legislation that are the responsibility of the qualifying body and the local planning authority. The Localism Act also places a 'duty to support' on the local authority to guide Neighbourhood Development Plan preparation.
- 4.4 The Council takes a proactive and positive approach to neighbourhood planning, providing advice and support to those communities interested in producing Neighbourhood Development Plans, Neighbourhood Development Orders or Community Right to Build Orders. The aim is to produce high quality plans with a good level of community buy-in and to plan effectively for places.
- 4.5 Currently there are 6 made Neighbourhood Plans in the district, with the Radley Neighbourhood Development Plan being made on the 10 October 2018. Table 4 outlines the current stage of each Neighbourhood plan as of the 17 October 2018.

Table 4: Neighbourhood Plan progress

| Plan in preparation | Pre-submission consultation | Plan submitted | Plan made |
|----------------------|-----------------------------|------------------------------|----------------------------------|
| Appleton with Eaton | North Hinksey | Ashbury | Blewbury- Made 14 December 2016 |
| Chilton | Shrivenham | Wootton and St Helen Without | Drayton- Made 15 July 2016 |
| Cumnor | Uffington and Baulking | | Faringdon- Made 14 December 2016 |
| East Challow | | | Great Coxwell- Made 15 July 2015 |
| East Hanney | | | Longworth- Made 12 October 2016 |
| Stanford in the Vale | | | Radley- Made 10 October 2018 |
| Steventon | | | |
| Sunningwell | | | |
| Sutton Courtenay | | | |
| Wantage | | | |
| West Hanney | | | |

5. Duty to Cooperate

INTRODUCTION

5.1 Section 110 of the Localism Act 2011 introduced a statutory duty for local planning authorities to cooperate with neighbouring local authorities and other “prescribed bodies” in the preparation of development plans. In response, the Council has a duty to engage constructively with other councils and public bodies in England on a continuous basis, in order to maximise the effectiveness of the Local Plan.

5.2 The duty to cooperate is not a ‘duty to agree’. However, the Council will continue to make every effort to secure the necessary cooperation on strategic cross-boundary matters regarding the Part 2 Plan. The Council must demonstrate how they have complied with the duty at the independent examination of Part 2 Plan.

VALE OF THE WHITE HORSE NEIGHBOURING AUTHORITIES AND PRESCRIBED BODIES

5.3 The relevant bodies in which the duty to cooperate most directly applies to in the Vale of White Horse, are as follows:

- Neighbouring authorities:
 - West Oxfordshire District Council
 - South Oxfordshire District Council
 - Cherwell District Council
 - Oxfordshire County Council
 - Oxford City Council
 - West Berkshire Council
 - Swindon Borough Council
 - Wiltshire Council
 - Cotswold District Council
 - Gloucestershire County Council

5.4 Prescribed bodies as identified in Part 2 of the Town and Country Planning (Local Planning) (England) Regulations 2012:

- The Environment Agency
- Historic England
- Natural England
- Highways England
- The Civil Aviation Authority
- The Homes and Communities Agency
- Clinical Commissioning Groups

- The Office of Rail Regulations
- The Highways Agency
- Local Enterprise Partnership

KEY STAGES OF THE DUTY TO COOPERATE

5.5 For the period April 2017 to March 2018 the key stages of the duty to cooperate related to the Part 2 Plan and the Oxfordshire Growth Deal.

5.6 The Council formally consulted on the publication version of the Part 2 Plan in October and November 2017 and informed all neighbouring authorities, prescribed and other relevant bodies in accordance with legislation. Further detail on the responses received can be found in the Statement of Compliance with the Duty to Cooperate¹³ and the Regulation 22 Statement¹⁴. A number of statements of common ground were prepared to demonstrate that the legal requirement was met¹⁵. None of the relevant bodies raised an objection on the grounds that the legal duty had not been met.

5.7 On the 14 February 2018 the Vale of White Horse District Council formally signed up to the Oxfordshire Growth Deal. Throughout the period prior to this and since there has been regular engagement with other Oxfordshire authorities through the Oxfordshire Growth Board Officers Group.

5.8 On the 30 October 2018 the inspector noted in his post hearing letter that the Duty to Cooperate had been met in the preparation of the Local Plan Part 2¹⁶.

¹³ Available from

<http://www.whitehorsedc.gov.uk/sites/default/files/CSD04%20Statement%20of%20Compliance%20with%20the%20Duty%20to%20Cooperate.pdf>

¹⁴ Available from

<http://www.whitehorsedc.gov.uk/sites/default/files/CSD02%20Regulation%2022%20Consultation%20Statement,%20including%20Appendices%201%20and%202.pdf>

¹⁵ Statements of Common Grounds, the Part 2 Plan examination library, available from

http://www.whitehorsedc.gov.uk/java/support/Main.jsp?MODULE=FolderView&ID=950744698&CODE=1C9B149C854D073B0506367C46E88674&NAME=The%20Local%20Plan%202031%20Part%202:%20Detailed%20Policies%20and%20Additional%20Sites%20-%20Examination%20Library&REF=VALE_2031_3&REFERER_URL_IN=&SOVA_IN=VALE#exactline

¹⁶ Available from

<http://www.whitehorsedc.gov.uk/sites/default/files/PC03%20Inspectors%20Post%20Hearings%20Letter%20to%20VOWH%20dated%2030%20October%202018.pdf>

6. Spatial Strategy

CORE POLICY 4: MEETING THE HOUSING NEED

6.1 The Part 1 Plan identifies the district's housing requirement (20,560 dwellings) which is based on the district's objectively assessed housing need (OAN). The OAN was determined by the Oxfordshire Strategic Housing Market Assessment¹⁷ (SHMA), which was published in 2014. The Part 1 Plan also provides policies on housing density and mix (Core Policies 22 and 23 respectively).

6.2 The Part 2 Plan will complement the Part 1 Plan and sets out policies and locations for housing for the Vale's proportion of Oxford's housing need up to 2031 which cannot be met within the City boundaries. It contains policies for the part of Didcot Garden Town that lies within the Vale of White Horse District, and detailed development management policies to complement the Part 1 Plan, which will replace the saved policies of the Local Plan 2011. It also allocates additional development sites for housing. The policies contained in the Part 2 Plan will be monitored in future AMR's, once the plan is adopted.

6.3 Core Policy 4: Meeting the Housing Need, in the Part 1 Plan describes how the Council plans to meet the housing requirement of the district. Table 5 sets out the progress made towards this target, with the housing trajectory for the Part 1 Plan provided in Appendix A.

Table 5: Housing completions and permissions

| Policy | Indicator | 2017/18 | Progress |
|--------|---|---|--|
| CP4 | Number of dwellings completed district wide | 1,620 | So far 6,300 dwellings have been completed over the plan period. Over the remaining plan period 14,260 dwellings are required. |
| | Net Number of dwellings currently with permission (Outline or full Permission) as of 31/03/18 ¹⁸ | 9,867 | |
| | Number of Dwellings allocated through the Part 2 Plan and NDP's | On submission of the Part 2 Plan – 3,420 ¹⁹ NDP's ²⁰ - 0 | The Part 2 Plan and/or NDPs and/or development management process to allocate additional dwellings. |

¹⁷ Available from <http://www.whitehorsedc.gov.uk/services-and-advice/planning-and-building/planning-policy/new-local-plan-2031/evidence-base/strategi>

¹⁸ Does not include applications that have a Resolution to Grant

¹⁹ These figures are draft, and subject to the progress of the Part 2 Plan as it proceeds through the Examination process.

²⁰ Drayton Neighbourhood Plan allocated 3 sites of which one is now complete and 2 are under construction

6.4 The number of dwellings completed in 2017/18 was 1,620 dwellings which considerably exceeds the Part 1 Plan target of 1028 dwellings per annum, with positive progress made towards the overall housing target. The total completions for the first 7 years of the plan period (2011-2018) was 6,300 dwellings.

CORE POLICY 5: HOUSING SUPPLY RINGFENCE

6.5 Core Policy 5 sets out how the Council will employ a ring-fence approach to housing delivery in the Science Vale area. For the purposes of the assessment of housing land supply, the ring-fence area will be treated as a separate sub-area with a housing requirement of 11,850 homes in the plan period (593 homes per annum) in support of the 15,850 jobs planned in this Sub-Area and as a contribution towards the district's housing need set out in Core Policy 4.

6.6 Table 6 outlines the net completions within the Science Vale ringfence area and the rest of the district.

Table 6: Housing completions by housing supply area

| Year | Number of dwellings completed | | |
|--------------|-------------------------------|-----------------------------|-----------------------|
| | Whole District | Science Vale Ringfence Area | Rest of District Area |
| 2011/12 | 346 | 39 | 307 |
| 2012/13 | 268 | 140 | 128 |
| 2013/14 | 578 | 154 | 424 |
| 2014/15 | 740 | 204 | 536 |
| 2015/16 | 1,133 | 474 | 659 |
| 2016/17 | 1,615 | 486 | 1,129 |
| 2017/18 | 1,620 | 779 | 841 |
| Total | 6,300 | 2,276 | 4,024 |

6.7 The updated NPPF states "Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old. The supply of specific deliverable sites should in addition include a buffer (moved forward from later in the plan period) of:

- 5% to ensure choice and competition in the market for land; or the delivery of large scale developments may need to extend beyond an individual plan period, and the associated infrastructure requirements may not be capable of being identified fully at the outset. Anticipated rates of delivery and infrastructure requirements should, therefore, be kept under review and reflected as policies are updated.
- 10% where the local planning authority wishes to demonstrate a five-year supply of deliverable sites through an annual position statement

- or recently adopted plan, to account for any fluctuations in the market during that year; or
- 20% where there has been significant under delivery of housing over the previous three years, to improve the prospect of achieving the planned supply.”²¹

6.8 The Council published an updated housing supply statement in April 2018²². This shows that the Vale has a district wide supply of 6.8 years, with supply in the Science Vale being 5.3 years and in the Rest of District 9.7 years.

6.9 Appendices A, B and C provide the housing trajectories over the plan period for the district, and for the housing supply areas.

6.10 A key indicator for Core Policy 5 is jobs growth. As is shown by the indicators for Core Policy 6 and 15, there has been strong jobs growth in the district with significant employment land permitted over the plan period in the South East Vale, which largely aligns with the Science Vale area.

CORE POLICY 6: MEETING BUSINESS AND EMPLOYMENT NEEDS

6.11 The Part 1 Plan sets out the required employment land needed to support the delivery of new jobs, ensuring there is sufficient land available to support the projected employment growth.

6.12 Core Policy 6: Meeting Business and Employment Needs specifies the scale and location of opportunities for economic growth to ensure that sufficient land is provided across the district in appropriate locations. The Part 1 Plan identifies a need of 218 hectares of employment land, and it projects an additional 23,000 jobs over the Plan’s period. Table 7 set out the progress made towards these targets and shows that since 2011 there has been an increase of approximately 8,000 employee jobs have been delivered in the district. Table 7 also shows that almost 64 hectares of land has been permitted on strategic employment sites, with Table 8 providing a breakdown of this in regard to permitted use classes and net floorspace.

²¹ Paragraph 73, Revised NPPF, available from https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/740441/National_Planning_Policy_Framework_web_accessible_version.pdf

²² Available from http://www.whitehorsedc.gov.uk/sites/default/files/Vale%20YHLS%20Statement_FINAL.pdf

Table 7: Monitoring of employment land and jobs

| Policy | Indicator | 2017/18 | 2011-18 | Progress |
|--------|--|----------------------|-------------|--|
| CP6 | Amount of employment land permitted on allocated sites | 4.95 hectares (net) | 64.91 (net) | With 64.91 hectares of employment land permitted over the plan period. so far demonstrating good progress. There is 154.01 hectares of employment land remaining to be developed. |
| | Jobs growth | No Change | 8,000 | It is expected that there will be 15,000 additional jobs created in the district over the remaining years of the plan period. Good progress has been made so far towards the overall total of 23,000 jobs. |
| | Business counts | 12,545 ²³ | N/A | N/A |

6.1. Table 8 provides the total amount of land permitted on strategic sites in the district by use class²⁴. This demonstrates there has been substantial progress made towards the delivery of employment land.

Table 8: Net floorspace permitted by use class.

| Period | A Class | B Class | C Class | D Class | S/G |
|-----------|---------|---------|---------|---------|--------|
| 2017/18 | 0 | 11,698 | 0 | 523 | |
| 2011-2018 | 3,701 | 140,618 | 14,778 | 2,463 | 15,117 |

CORE POLICY 7: PROVIDING SUPPORTING INFRASTRUCTURE AND SERVICES

6.13 Core Policy 7: Providing Supporting Infrastructure and Services, specifies how all new development will be required to provide necessary on-site and, where appropriate, off-site infrastructure requirements arising from new housing and employment development. The type and level of infrastructure and service provision associated with development is set out in more detail in the Vale's Infrastructure Delivery Plan (IDP) and the site development templates in Appendix A of the Part 1 Plan. Monitoring of Core Policy 33 provides information on the progress of key infrastructure projects in the district. Table 17 provides an update on the key transport projects in the district.

6.14 The Community Infrastructure Levy (CIL) is a levy charged on new development in the Vale. The money raised will be used to fund infrastructure to support growth in the district, in accordance with our spending priorities. The CIL charging schedule which was adopted on the 27 September 2017, with

²³ Available from <https://www.nomisweb.co.uk/reports/lmp/la/1946157326/printable.aspx>

²⁴ This includes permissions for all types of land use other than C3 residential

implementation from the 01 November 2017. The total money received through CIL in 2017/18 (1 November 2017 to 31 March 2018) was £70,014.12. There was no CIL expenditure for this time period. More detailed information can be found in the CIL Annual Financial statement 2017/18, which is available on the Council's website²⁵. A total of £8,102,790.79 was received in 2017/18 from S106 contributions for infrastructure in the Vale of White Horse.

²⁵ Available from

http://www.whitehorsedc.gov.uk/sites/default/files/CIL%20Statement%202017_18%20Vale.pdf

7.Sub-Area Strategies

ABINGDON-ON-THAMES AND OXFORD FRINGE SUB-AREA STRATEGY

Core Policy 8: Spatial Strategy for Abingdon-on-Thames and Oxford Fringe Sub-Area

7.1. Core Policy 8 sets out the spatial strategy for the Abingdon-on-Thames and Oxford Fringe Sub-Area, with the aim being to maintain the service and employment centre roles for Abingdon-on-Thames and Botley. It sets out a housing requirement of 5,438 homes to be delivered and identifies 3.2 hectares of employment for future business and employment growth.

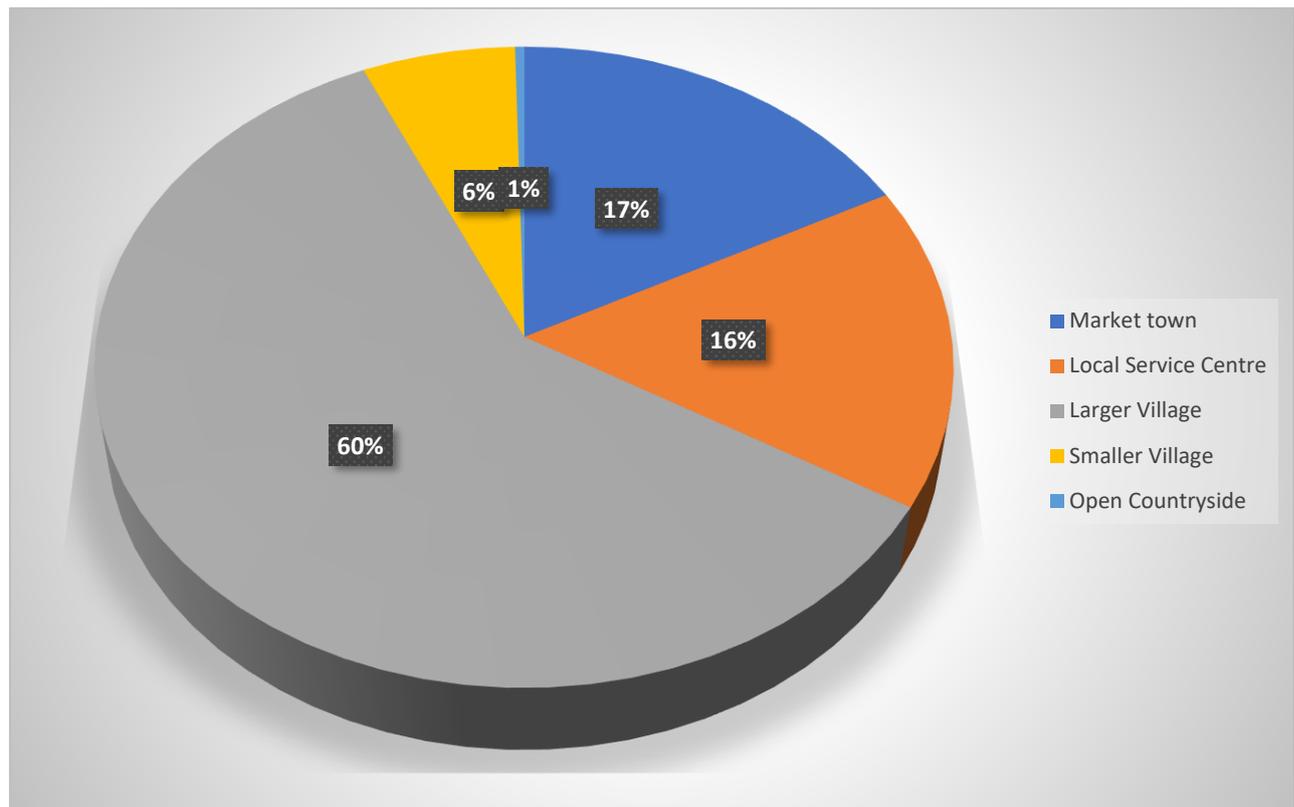
7.2. Table 9 shows the net housing completions in the Sub-Area since the start of the plan period. This shows that housing delivery in the Sub-Area is on track to meet the housing requirement and is currently over delivering on the annual requirement, with a surplus of 736 dwellings over the plan period.

Table 9: Ab' & Ox' Sub-Area housing completions

| Ab' & Ox' Sub-Area | Annual Housing completions | Annual Housing requirement |
|--------------------|----------------------------|----------------------------|
| 2011/12 | 77 | 272 |
| 2012/13 | 79 | 272 |
| 2013/14 | 304 | 272 |
| 2014/15 | 256 | 272 |
| 2015/16 | 444 | 272 |
| 2016/17 | 899 | 272 |
| 2017/18 | 580 | 272 |
| Total | 2,639 | 1,903 |
| Average | 377 | 272 |

7.3. Core Policy 8 sets out that development in the Sub-Area should be in line with the settlement hierarchy as set out in Core Policy 3. Figure 2 sets out the proportion of housing growth in each settlement category within the Sub-Area. This shows that the majority of growth has been delivered in the Market Town, Local Service Centre and Larger Villages, with very little in the open countryside, in accordance with the settlement hierarchy.

Figure 2: Housing growth by settlement category



7.4. Substantial progress is being made on strategic allocations in the Sub-Area, with all sites having at least a planning application that is under consideration and over half with either outline or full permission;

- North of Abingdon-on-Thames- Outline permission was granted in November 2017 for up 950 dwellings and an 80-bed care home, C2 use.
- North-West of Abingdon-on-Thames- Outline permission was granted in February 2018 for 200 homes on the site that is east of Wootton road.
- North-West of Radley- Planning application was submitted in July 2017, with a resolution to grant, granted at Planning Committee in May 2018.
- South of Kennington- Planning application was submitted in October 2017 for 240 homes, with a resolution to grant granted at Planning Committee in August 2018.
- East of Kingston Bagpuize with Southmoor- Full permission and is under construction, with 10 homes completed in 2017/18.

7.5. Core Policy 8 also sets out the amount of employment land to be delivered in the Sub-Area. Table 10 shows that there has been a net gain of nearly 1 hectare of employment land in the sub-area. As table 11 shows, there has been strong increases in the amount of employment floorspace on the allocated sites.

Table 10: Abingdon & Oxford Fringe Sub-Area employment permissions

| Policy | Indicator | 2017/18 | 2011-18 | Target |
|--------|--|---------------------|-----------|--------------|
| CP8 | Amount of employment land permitted on allocated sites | 0.09 hectares (net) | 0.9 (net) | 3.2 Hectares |

Table 11: Floorspace permitted at employment allocations, Abingdon & Oxford Fringe Sub-Area

| Employment allocation | A class (m ²) | B Class (m ²) | C Class (m ²) | D Class (m ²) | S/G class (m ²) |
|------------------------|---------------------------|---------------------------|---------------------------|---------------------------|-----------------------------|
| Abingdon Business Park | 0 | 1,038 | 0 | 547 | 427 |
| Abingdon Science Park | 0 | 4,735 | 0 | 0 | 0 |
| Cumnor Hill | 0 | 0 | 0 | 0 | 0 |
| Wootton Business Park | 0 | 0 | 0 | 0 | 0 |
| Total | 0 | 5,773 | 0 | 547 | 427 |

Core Policy 9: Harcourt Hill Campus

7.6. Oxford Brookes University's Harcourt Hill Campus Masterplan has been deferred, so the university can address some of the matters raised in public consultation.

Core Policy 10: Abbey Shopping Centre and the Charter, Abingdon-on-Thames

7.7. Core Policy 10 relates to the Abbey Shopping Centre and Charter Area in Abingdon-on-Thames. The policy states that proposals for retail led development will be supported in line with the adopted Supplementary Planning Document. During 2017/18 there were no applications permitted for retail development, or for the loss of current retail uses.

Core Policy 11: Botley Central Area

7.8. The West Way Shopping Centre in Botley is identified by the Part 1 Plan as in need of redevelopment to fulfil its potential. Core Policy 11 ensures that any proposals for redevelopment in the Botley Central Area will be supported as long as they support Botley's role as a Local Service Centre.

7.9. In September 2016 permission was granted for the redevelopment of the West Way shopping centre which will provide net additional retail floorspace of nearly 1,500m², along with residential and academic accommodation. The redevelopment will provide 20 retail units, a food store with other supporting commercial uses. There are also a range of community and leisure uses proposed including a hotel, replacement library, replacement community hall and replacement Baptist church. This all fits within the parameters defined by the policy.

Core Policy 12: Safeguarding of Land for Strategic Highway Improvements within the Abingdon-on-Thames and Oxford Fringe Sub-Area

7.10. Core Policy 12 sets out land to be safeguarded within the Sub-Area for strategic highway improvements. This ensures that no planning permissions will be granted on safeguarded land that will prejudice the delivery of key highway projects.

7.11. During 2017/18 no permissions were granted on safeguarded land that would impact the delivery of the identified schemes.

Core Policy 13: The Oxford Green Belt

7.12. The Oxford Green Belt was first conceived in 1956 and its boundaries approved in 1975, some 40 years ago. The purpose of the Oxford Green Belt in the Vale of White Horse District is to prevent urban sprawl around Oxford by keeping the land permanently open, and to preserve the rural setting and special character of the city of Oxford.

7.13. Core Policy 13 sets out that development can be permitted in a number of settlements within the Green Belt where the development is within the existing built area of the settlement and defines the types of development that are considered acceptable in the Green Belt.

7.14. During 2017/18 there were 84 permissions granted for new development in the Green Belt. These applications were all granted in line with Core Policy 13 and were considered to be appropriate development in the green belt.

Core Policy 14: Strategic Water Storage Reservoirs

7.15. Core Policy 14 safeguards land for a reservoir and ancillary works between the settlements of Drayton, East Hanney and Steventon, and to the north of Longworth unless subsequent publication of Thames Water's Resources Management Plan 2019 indicates that the location is not necessary for future reservoir provision. Development that might prejudice the implementation of a new reservoir on the safeguarded sites will be refused.

7.16. During 2017/18, there were two permissions granted on safeguarded land. They were permitted as temporary permissions for a duration of 3 years and thus will prejudice the delivery of the water reservoirs impact on the safeguarded land.

SOUTH EAST VALE SUB-AREA STRATEGY

Core Policy 15: Spatial Strategy for South East Vale Sub-Area

7.17. Core Policy 15 sets out the spatial strategy for the South East Vale, stating the overarching priority for the Sub-Area is to secure the aligned delivery of housing and employment growth together with the infrastructure required to achieve sustainable development. Development in the Sub-Area should also be in accordance with the settlement hierarchy set out in Core Policy 3.

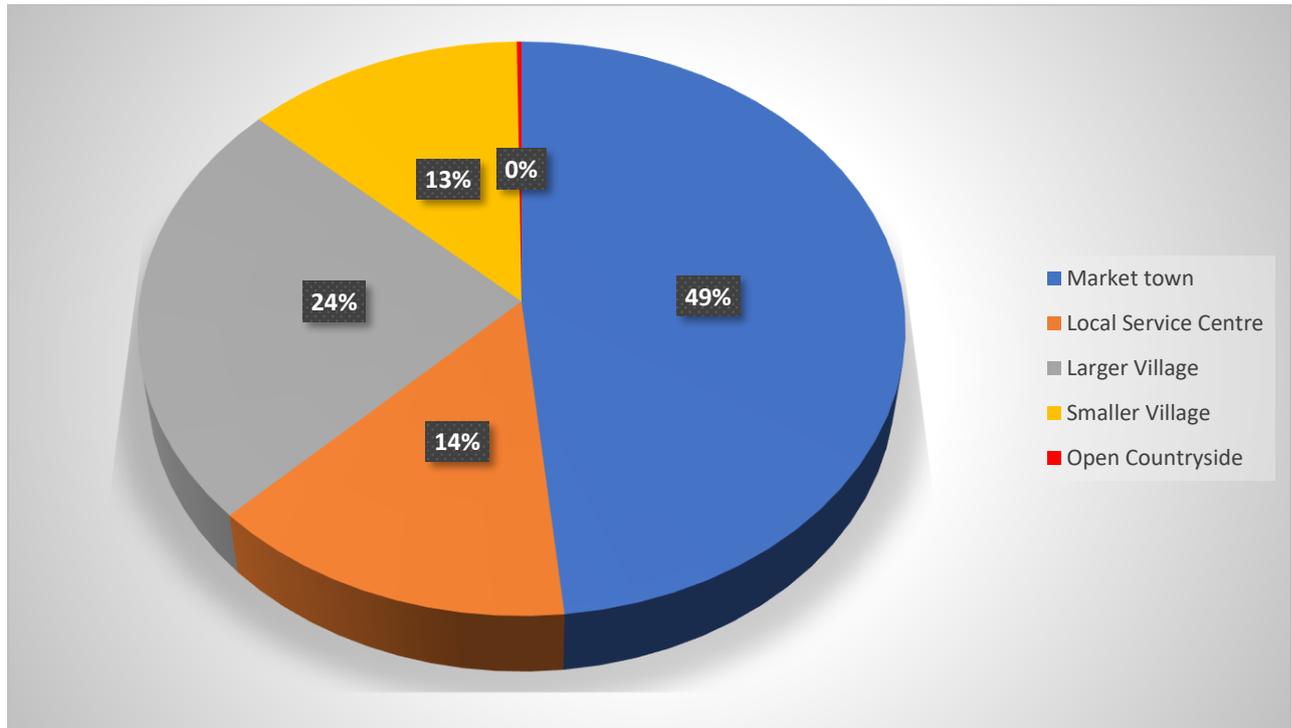
7.18. The policy sets out the requirement of at least 12,450 homes to be delivered in the plan period, with 9,055 homes to come through strategic allocations. CP15 also sets out the requirement of 208 hectares of employment land to be provided for business and employment growth in the Sub-Area. Table 12 sets out the housing completions in the Sub-Area since the beginning of the plan period.

Table 12: SE Vale housing completions, 2011-2018

| SE Vale Sub-Area | Annual Housing completions | Annual Housing requirement |
|------------------|----------------------------|----------------------------|
| 2011/12 | 53 | 623 |
| 2012/13 | 140 | 623 |
| 2013/14 | 154 | 623 |
| 2014/15 | 206 | 623 |
| 2015/16 | 479 | 623 |
| 2016/17 | 504 | 623 |
| 2017/18 | 802 | 623 |
| Total | 2338 | 4361 |
| Average | 334 | 623 |

7.19. The table shows that there has been an overall shortfall in housing delivery in the South East sub-area of 2023 dwellings. However, delivery has improved greatly especially since the Adoption of the Part 1 Plan. Figure 3 shows the housing growth in the Sub-Area according to the settlement hierarchy.

Figure 3: Housing growth by settlement category



7.20. This shows that housing growth in the SE Vale Sub-Area is in line with the settlement hierarchy, with the majority of housing being delivered in the Market Town and Local Service Centre. Of the 301 homes delivered in smaller villages in the sub-area a development at Land to the South of Chilton Field, which was allocated in the 2011 Local Plan, accounted for 275 of these. All other development in the smaller villages was of small scale. There is almost no housing being delivered in the open countryside in accordance with the Policy.

7.21. Table 21 shows the current status of the Part 1 Plan allocations in the Sub-Area. This shows that the allocated sites are making good progress towards delivery with the majority of allocated sites having full or outline permission, and construction has started on 2 sites;

- Milton Heights- Site received full permission in October 2017, with the first homes expected to be delivered in 2018/19.
- Valley Park- This site received a resolution grant permission, at planning committee in April 2016. Work on the completion of the S106 is ongoing, though it is expected to be finalised in the near future.
- North West Valley Park- No application has been submitted
- West of Harwell- This site has full permission and is currently under construction, with 30 units completed in 2017/18.
- Crab Hill- Outline permission was granted in July 2015 for 1,500 homes. A number of reserved matters applications have now been

submitted and permitted, and work has now commenced on site. Homes are expected to be delivered in 2018/19.

- Monks Farm- This site allocation has had a number of different applications submitted. There are 368 homes that have detailed permissions through 3 separate applications with some of these already built. An outline application submitted for close to 400 homes on another part of the site was given resolution to grant at planning committee in July 2018, subject to the signing of the S106.
- Grove Airfield- Outline permission was granted in July 2017 for 2500 homes on this site. Since April 2018 three reserved matters applications have been permitted, with the first homes expected to be delivered towards the end of 2018/19.
- East of Sutton Courtenay- Outline application was submitted on this site and was withdrawn prior to determination in August 2018.

7.22. Table 13 sets out the progress in the South East Sub-Area in regard to employment. There was sharp growth in the early years of the plan period, strongly influenced by the creation of the enterprise zones at Harwell and Milton. The growth is now maintaining a stable increase.

Table 13: SE Vale employment permissions

| Policy | Indicator | 2017/18 | 2011-17 | Target 2011-2031 |
|--------|--|-----------------------|------------------------|------------------|
| CP15 | Amount of employment land permitted on allocated sites | 4.86 hectares (gross) | 59.39 hectares (gross) | 208 Hectares |

7.23. Table 14 sets out the amount of net change of floorspace at each allocation by use class. As is shown, the vast majority of the floorspace permitted is B use class.

Table 14: Floorspace permitted on employment allocations, SE Vale

| Employment allocation | A class (m ²) | B Class (m ²) | C Class (m ²) | D Class (m ²) | S/G (m ²) |
|--|---------------------------|---------------------------|---------------------------|---------------------------|-----------------------|
| Milton Park | 884 | 34,948 | 7,508 | 216 | 13,875 |
| Harwell campus | 0 | 62,688 | 7,270 | 1,700 | 307 |
| Monks Farm, North Grove | 0 | 0 | 0 | 0 | 0 |
| Didcot A | 0 | 22,363 | 0 | 0 | 0 |
| Milton Hill Business and Technology Park | 0 | 11,070 | 0 | 0 | 268 |
| Grove Technology | 0 | 2,587 | 0 | 0 | 240 |
| Total | 730 | 133,656 | 14,778 | 1,916 | 14,690 |

7.24. The Milton Park LDO sets out the permitted uses of applications in the Enterprise Zone area. Table 14 provides the floorspace permitted for the LDO, which is in line with these permitted uses.

Core Policy 16: Didcot A Power Station

7.25. Core Policy 16 states the Council's support for the redevelopment of Didcot A power station to provide a high quality mixed use development and provides the key design principles for the development. At planning committee in July 2016 an application for a mixed-use development was given resolution to grant permission subject to the signing of the S106. Currently work is ongoing to complete the S106. In August 2016 a different permission was granted for the development on part of the site for a storage and distribution building. Approximately 6 hectares of the target of 29 hectares of employment land has currently been permitted.

7.26. The policy also safeguards land for the proposed route of the new Science Bridge and A4130 re-routing. No planning applications have been granted that would prejudice the construction or operation of this highway infrastructure.

Core Policy 17: Delivery of Strategic Highway Improvements within the South-East Vale Sub-Area

7.27. In order to deliver the growth in the South East Vale Sub-Area and the wider Science Vale area, the Science Vale Area Strategy has identified highways infrastructure to mitigate the impact of the planned growth across Science Vale and secure the future economic viability of the area. Other infrastructure needs will be considered through the development of the Local Transport Plan 4 being developed by Oxfordshire County Council, and the Part 2 Plan.

7.28. There has been progress on a number of infrastructure projects in the South East Vale. Improvements to Milton and Chilton interchanges, Backhill lane cycle and pedestrian scheme have been completed with a number of projects in the Access to Economic Zone²⁶ package also complete.

7.29. The CIL annual financial report²⁷ details the amount of CIL money received and spent and can be found on the Council website. As CIL contributions commenced on the 1 November 2017, no CIL money has currently been spent. The County and District Councils have received over £2.5 million from S106 funding related to allocated sites in the sub-area.

²⁶ As set out in table 5 of the Infrastructure Delivery Plan, available from <http://www.whitehorsedc.gov.uk/sites/default/files/Updated%20IDP.PDF>

²⁷ Available from http://www.whitehorsedc.gov.uk/sites/default/files/CIL%20Statement%202017_18%20Vale.pdf

Core Policy 18: Safeguarding of land for Transport Schemes in the South East Vale Sub-Area

7.30. Core Policy 18 sets out the land safeguarded to support the delivery of infrastructure schemes in the Sub-Area. There were no planning applications approved in 2017/18 that would prejudice the transport schemes.

Core Policy 19: Re-opening of Grove Railway Station

7.31. Core Policy 19 states the Council's support for the re-opening of Grove railway station and ensures that no planning applications that would prejudice the delivery of the station will be permitted on land identified for the development. As mentioned above, there have been no planning applications approved on the safeguarded land that would prejudice the station coming forward.

7.32. Detailed feasibility works are underway to inform the preferred location of the new station and has identified the need to safeguard a wider area for the provision of a new station. Core Policy 18a and 19a in the Part 2 Plan seek to update the Part 1 Plan policies relating to this²⁸.

WESTERN VALE SUB-AREA STRATEGY

Core Policy 20: Spatial Strategy for Western Vale Sub-Area

7.33. The spatial strategy for the Western Vale is set out in Core Policy 20 of the Part 1 Plan. It sets out that the overarching priority for the Sub-Area is to protect the service centre role of Faringdon and deliver a balance of housing and employment to improve the self-sufficiency of the area and to protect the vitality and viability of our rural communities. The housing requirement for the Sub-Area is set at 3,173 new homes, with 1,650 delivered through strategic allocations. 7.38 hectares of employment has been identified to provide for business and employment growth, whilst strategic employment sites have also been safeguarded.

7.34. Table 15 sets out housing delivery in the Sub-Area against the housing requirement since the start of the plan period. This shows that Western Vale has been meeting its housing requirement and has slightly over delivered in the previous plan years, with a surplus of 210 dwellings over the plan period.

²⁸Page 51,

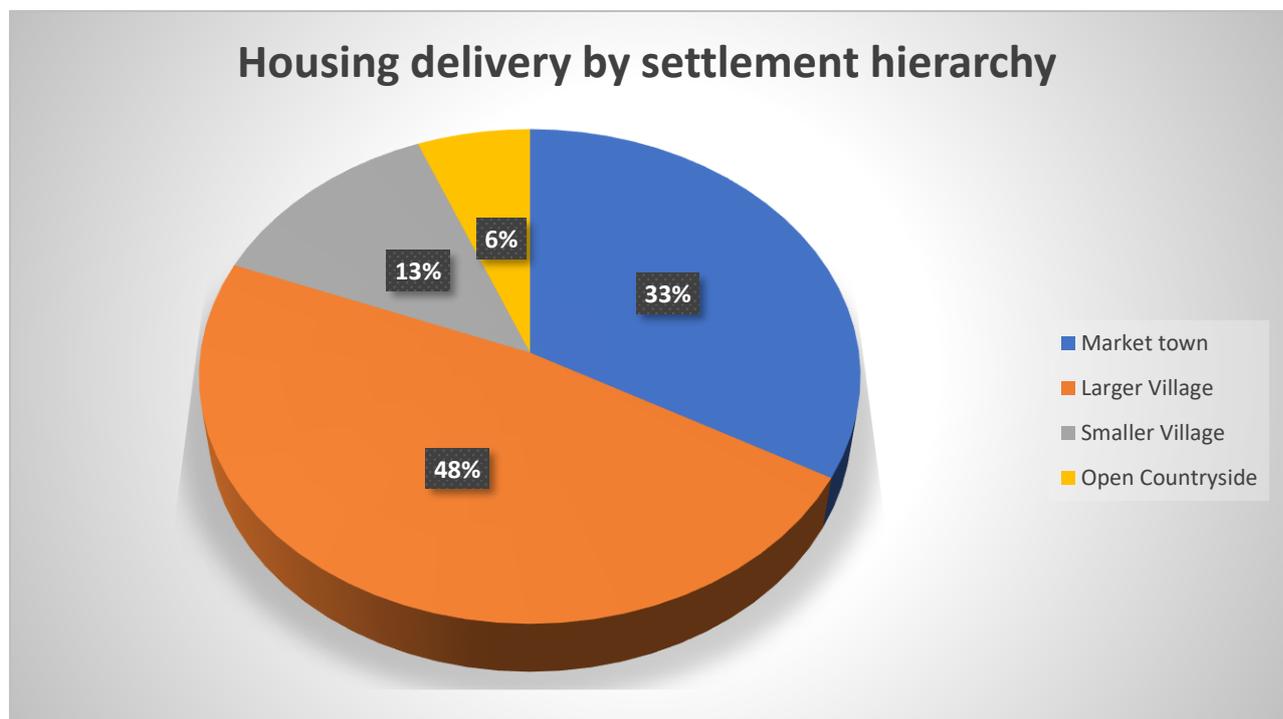
http://www.whitehorsedc.gov.uk/java/support/dynamic_serve.jsp?ID=961882223&CODE=A7CCE4B786B5EC90B866FD9194A937C4

Table 15: Western Vale completions, 2011-2018

| Western Vale Sub-Area | Annual Housing completions | Annual Housing requirement (3173/20) |
|-----------------------|----------------------------|--------------------------------------|
| 2011/12 | 216 | 159 |
| 2012/13 | 49 | 159 |
| 2013/14 | 120 | 159 |
| 2014/15 | 278 | 159 |
| 2015/16 | 210 | 159 |
| 2016/17 | 212 | 159 |
| 2017/18 | 238 | 159 |
| Total | 1323 | 1113 |
| Average | 189 | 159 |

7.35. Figure 4 illustrates the split of development according to the settlement hierarchy. The majority of growth has been in the Market Town and Larger Villages, in line with the settlement hierarchy. There has been a small amount of growth in the open countryside, which has largely come through the change of use and redevelopment of agricultural buildings, which is in accordance with the overall development plan.

Figure 4: Western Vale housing delivery by settlement hierarchy



7.36. The progress of the strategic allocations in the Western Vale is set out in below. This shows that substantial progress is made with strategic allocations in the Western Vale, with all sites having an application submitted and 5 of them having permission;

- Land South of Park Road- A hybrid application for 425 homes was submitted in April 2017. Detailed permission has been sought for 103

of these homes, with outline permission for the remaining 322. A resolution to grant the application, subject to the signing of the S106, was given at planning committee in September 2018.

- West of Stanford in the Vale- This site has been divided into two, with two outline permissions granted during 2016/17. Reserved matters applications for both parts of the site were received in August 2018 and are currently under consideration.
- South of Faringdon- Detailed permission was granted for this site in June 2017. Construction has commenced with 5 homes being completed during 2017/18.
- South West of Faringdon- An application on this site was submitted in March 2016, with. Outline permission granted in June 2018.
- East of Coxwell road- This site is divided into two, totalling 200 homes. Both parts of the site are under construction with a total of 50 homes were completed in 2017/18.
- North of Shrivenham- Another site that has two separate permissions, with outline permissions granted for 240 and 275 homes in April and October 2017 respectively. Reserved matters were submitted for 240 homes in April 2018.

7.37. Table 16 sets out the progress in the Sub-Area to meeting its employment land requirement. It shows that substantial progress is being made towards meeting the overall target for the plan period, having permitted over half of the target land amount.

Table 16: Western Vale employment permissions

| Policy | Indicator | 2017/18 | 2011-17 | Target 2011-2031 |
|--------|--|------------|-----------------------|------------------|
| CP20 | Amount of employment land permitted on allocated sites | 0 hectares | 4.62 hectares (gross) | 7.4 Hectares |

1.2. The floorspace permitted at each strategic allocation site is set out in table 17.

Table 17: Floorspace permitted on employment allocations, Western Vale

| Employment allocation | A class (m ²) | B Class (m ²) | C Class (m ²) | D Class (m ²) | S/G class (m ²) |
|--|---------------------------|---------------------------|---------------------------|---------------------------|-----------------------------|
| South of Park Road, Faringdon | 0 | 0 | 0 | 0 | 0 |
| Land adjacent to A420 (4 & 20 site), Faringdon | 2,817 | 1,189 | 0 | 0 | 0 |
| Land north of Park Road (HCA site), Faringdon | 0 | 0 | 0 | 0 | 0 |
| Total | 2,817 | 1,189 | 0 | 0 | 0 |

Core Policy 21: Safeguarding of Land for Strategic Highway Improvements within the Western Vale Sub-Area

7.38. Core Policy 21 sets out the safeguarded land in the Western Vale, with 2 areas around Shrivenham and one by Great Coxwell and Faringdon. Maps of the areas can be found in the appendices of the Part 1 Plan. There have been no relevant planning applications permitted that would prejudice the delivery of key infrastructure projects on this land.

8. District Wide Policies

BUILDING HEALTHY AND SUSTAINABLE COMMUNITIES

Core Policy 22: Housing Mix

- 8.1 Core Policy 22 details the mix of dwelling types and sizes to meet the needs of current and future households on all new residential development, in accordance with the Oxfordshire Strategic Housing Market Assessment. It is important to note that Core Policy 22 in the Part One Plan takes a flexible approach to the implementation of housing mix²⁹ to ensure the viability of schemes. The SHMA also identifies that when applying the housing mix targets regard should be had to “the nature of the development site and character of the area, and to up-to-date evidence of need as well as the existing mix and turnover of properties at the local level.”³⁰ This means that there will inevitably be some diversion from the SHMA targets.
- 8.2 Table 18 below provides information for the combined market and affordable housing mix on sites given permission during 2017/18. This does not represent all permissions in 2017/18, only permissions where bed split data was available, for example outline permissions do not generally include an agreed housing mix. It shows the total permission for 1 bed and 2 bed properties are largely in line with the SHMA target, with the number of 3 beds permitted being under the target and the number of 4 beds permitted being over the target, however on balance the appropriate mix of housing is being permitted overall.

Table 18: Housing permissions bed split, 2017/18

| | 1 bed | 2 bed | 3 bed | 4+ bed |
|------------------------|-------|-------|-------|--------|
| Percentage | 12% | 32% | 31% | 25% |
| SHMA Target Percentage | 15% | 30% | 40% | 15% |

- 8.3 Table 19 shows the bed split of market housing permitted in 2017/18. 1 bed and 2 bed unit provision are in line with the SHMA target, with 3 bed units having under provision and 4 bed units over provision.

Table 19: Market Housing permissions bed split, 2017/18

| | 1 bed | 2 bed | 3 bed | 4+ bed |
|--------------------------------------|-------|-------|-------|--------|
| Percentage | 6% | 23% | 34% | 36% |
| SHMA Target Percentage ³¹ | 6% | 22% | 43% | 29% |

²⁹ Core Policy 22, Page 106, available from http://www.whitehorsedc.gov.uk/sites/default/files/359975%20VWH%20Plan_Body_DIGITAL%205-7.pdf

³⁰ Paragraph 7.4, Page 137, Strategic Market Housing Assessment 2014, available from http://www.southoxon.gov.uk/sites/default/files/2014-04-14_Final%20SHMA%20Report.pdf

³¹ The percentage figures have been rounded to the nearest whole number

8.4 Table 20 shows the bed split of affordable housing permitted in 2017/18, against the targets set out in the SHMA. Welfare reform since the publication of the SHMA has resulted in a significant number of households being unable to access the smallest and largest units, with a corresponding increase in demand for 2 and 3 bed units. In accordance with CP22 housing register data is also being used to inform need, as part of a wider demand analysis. Affordable housing units permitted during 2017/18 have been in accordance with this need.

Table 20: Affordable housing permissions bed split, 2017/18

| | 1 bed | 2 bed | 3 bed | 4+ bed |
|--------------------------------------|-------|-------|-------|--------|
| Percentage | 12% | 56% | 31% | 1% |
| SHMA Target Percentage ³² | 27% | 35% | 34% | 4% |

8.5 Table 21 provides the percentage bed split of C2 dwellings permitted in 2017/18. As defined by the Town and Country Planning (Use Classes) order 1987³³ C2 uses represent

“the provision of residential accommodation and care to people in need of care (other than a use within class C3 (dwelling houses))”.

8.6 132 C2 units were approved in 2017/18. Of the 132 the majority of these were 1 bed units. An application for 80 extra care units has also been permitted, taking the total to 212 units, however details on the unit sizes have not yet been submitted.

Table 21: C2 permissions bed split, 2017/18

| | 1 bed | 2 bed | 3 bed | 4+ bed |
|------------------------|-------|-------|-------|--------|
| Percentage | 71% | 28% | 0 | 1% |
| SHMA Target Percentage | N/A | N/A | N/A | N/A |

Core Policy 23: Housing Density

8.7 Core policy 23 specifies the minimum density of 30 dwellings per hectare that the council will seek on all new housing development, unless material considerations and/or circumstances indicate otherwise.

8.8 The average density for all homes permitted in 2017/18 was 16 dwellings per hectare. However, this number includes many small developments. If we only consider major developments with a net gain of 10 homes or more, the

³² The percentage figures have been rounded to the nearest whole number

³³ Available from <http://www.legislation.gov.uk/ukxi/1987/764/schedule/made>

average density is 42 dwellings per hectare demonstrating efficient use of land is taking place in the district.

Core Policy 24: Affordable Housing

8.9 The 2014 SHMA assessed the affordable housing needs within the district and determined there was a need of 273 dwellings annually. To address this need, Core Policy 24 in the Part 1 Plan states that for housing developments providing a net gain of eleven dwellings or more the council will seek 35% provision of affordable housing, subject to viability³⁴. Core Policy 24 also states that the affordable housing provided should be split into rent (either social or affordable) and intermediate, with a 75:25 split respectively. Table 22 and Table 23 shows how the council is performing against these targets over the plan period.

Table 22: Delivery of affordable housing by type, 2011-2018

| Year | Affordable rent | Shared ownership | Total |
|-------------------------------|-----------------|------------------|-------------|
| 2011/12 | 51 | 12 | 63 |
| 2012/13 | 93 | 50 | 143 |
| 2013/14 | 42 | 25 | 67 |
| 2014/15 | 193 | 57 | 250 |
| 2015/16 | 241 | 85 | 326 |
| 2016/17 | 265 | 71 | 336 |
| 2017/18 | 200 | 111 | 311 |
| Total Percentage share | 73 | 27 | 1496 |

8.10 As Table 22 shows, the provision of affordable housing is in accordance with the policy requirements.

Table 23: Affordable housing delivery against 35% target

| Year | Total Dwellings (Sites with net gain of 11+) | Affordable units | Percentage (Target 35%) |
|--------------|--|------------------|-------------------------|
| 2011/12 | 223 | 63 | 28 |
| 2012/13 | 171 | 143 | 84 |
| 2013/14 | 469 | 67 | 14 |
| 2014/15 | 630 | 250 | 40 |
| 2015/16 | 947 | 326 | 34 |
| 2016/17 | 1150 | 336 | 29 |
| 2017/18 | 1339 | 311 | 23 |
| Total | 4929 | 1496 | 30 |

³⁴ Paragraph 63 of the updated NPPF states that “affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas”. A major development is defined as a site of providing 10 or more homes. This supersedes the threshold set out in adopted policy CP24 and will apply when monitoring this policy in 2018/19

8.11 Table 23 shows that the delivery of affordable is largely in accordance with the policy. It will always be a challenge to be at 35%, as for some sites it may not be viable for them to provide that level of affordable housing. However, against the target of 273 dwellings as put forward by the SHMA, the district has exceeded the target for the past 3 years.

Core Policy 25: Rural Exception Sites

8.12 Core Policy 25 relates to rural exception sites. Rural exception sites are defined in the NPPF as “Small sites used for affordable housing in perpetuity where sites would not normally be used for housing. Rural exception sites seek to address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection.”³⁵ No applications were made for rural exception sites during 2017/18 and therefore there were no permissions.

Core Policy 26: Accommodating Current and Future Needs of the Ageing Population

8.13 Core Policy 26 details the Council’s aim to increase the delivery of housing designed for older people. In 2017/18 an extension to Oakenholt Nursing Home, Cumnor was permitted, providing an additional 40 residential and nursing beds. There were a further 195 units permitted for elderly accommodation under C2 use. Over the period 2011-2018, 507 homes designed for the use of older people have been permitted.

8.14 The following strategic allocations are providing homes for an ageing population;

- Grove Airfield- An 80-bed care home is to be constructed as part of the development;
- Crab Hill- It has been agreed at outline stage that a care home will be built as part of the development;
- North of Abingdon-on-Thames- This strategic development will provide 50 retirement homes and an 80-bed care home;
- Land South of Park Road, Faringdon- The outline permission provides for an extra care facility of up to 60 units.

³⁵ Available from

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf

Core Policy 27: Meeting the Housing Needs of Gypsies, Travellers and Travelling Show People

8.15 Core Policy 27 states the Council will aim to provide at least 13 pitches for Gypsies and Travellers during the plan period. The following permission have been granted for gypsies and travellers, which has also been delivered:

- P12/V1901/FUL - on land at the south-western side of Highworth Road, Watchfield, for change of use of land for the stationing of caravans for residential purposes for eight gypsy pitches together with the formation of additional hard standing and utility/dayrooms ancillary to that use

8.16 The council produced an updated joint Gypsy, Traveller and Travelling Show People accommodation assessment with Cherwell district council, Oxford city council and South Oxfordshire District Council in 2017. The new assessment identifies that only one new pitch is required in the later part of the plan period (2027-2031). The Council is therefore currently meeting its requirements and future planning applications will continue to be considered against the criteria set out in CP27.

SUPPORTING ECONOMIC PROSPERITY

Core Policy 28: New Employment Development on Unallocated sites

8.17 Core Policy 28 supports Core Policy 6 by supporting appropriate B-Class employment development on unallocated sites across the district. During 2017/18 there was a total of 4.76 hectares of land permitted to provide employment uses on unallocated sites.

Core Policy 29: Change of Use of Existing Employment Land and Premises

8.18 Core Policy 29 seeks to ensure that employment use is maintained on land where it is viable and needed. In 2017/18 there was 1.8 hectares of employment land given permission to change its use. This is much less than the amount of land permitted for new employment uses. Of the 1.8 hectares of employment land lost, 1.71 hectares of this was to provide new homes. Changes through Permitted development rights, where CP29 does not come into effect, account for the majority of this at 1.13 hectares.

Core Policy 30: Further and Higher Education

8.19 Core Policy 30 supports improvements to further and higher education facilities to help ensure local people have opportunities to gain the skills

needed to access the jobs available and local employers have access to a suitably skilled local labour force.

8.20 Table 24 sets out the new education facilities planned for the district relating to new housing developments³⁶.

Table 24: New education facilities

| Location | Type of school | Opening date | Sponsor |
|--|--|---------------------------------|--------------------|
| Aureus Primary School, Didcot Great Western Park | 2 form entry primary school | September 2018 | GLF schools |
| Grove Airfield | All-through 2-16 free school (subject to final approval by Secretary of State) | 2020 | Vale Academy Trust |
| North East Wantage (Crab Hill) | 2 form entry primary school, being directly delivered by housing developer | 2021 (tbc) | To be decided |
| Didcot Valley Park | SEN school, 100 pupils | Housing dependent – early 2020s | To be decided |
| Didcot Valley Park | Two 2 form entry primary schools | Housing dependent | To be decided |
| Didcot North West Valley Park | One primary school | Housing dependent | To be decided |
| North Abingdon | 1.5-2 form entry primary school | Housing dependent | To be decided |
| Grove Airfield | 2 form entry primary school | Housing dependent | To be decided |

8.21 There were three applications approved in 2017/18 for extending existing education facilities in the district;

- Kingfisher School, Abingdon- Proposed demolition of temporary classroom buildings and construction of 3 classrooms;
- Faringdon Community College- New 3 story building to expand the college from 7 form entry to 9 form entry;
- King Alfred Academy- Placement of a modular building on site to provide a dance, drama and social building.

³⁶ Available from

<https://www2.oxfordshire.gov.uk/cms/sites/default/files/folders/documents/childreducationandfamilie/educationandlearning/schools/ourworkwithschools/pupilplaceplan/PupilPlacePlan.pdf>

Core Policy 31: Development to Support the Visitor Economy

8.22 Core Policy 31 encourages development that advances the visitor economy for leisure and business purposes and supports proposals that fit within the guidelines of the policy.

8.23 During 2017/18 there were 10 permissions approved which contribute to the visitor economy. The majority of these were for small scale developments in the smaller villages and open countryside, permitted in line with the policy. However, there was a major permission granted for a new 160 room hotel at Milton Park, which will provide key conference facilities for businesses in the local development zone. This hotel is under construction and nearing completion.

Core Policy 32: Retailing and Other Town Centre Uses

8.24 Core Policy 32 determines that the Market Towns and Local Service Centres, as defined by the settlement hierarchy, are the preferred locations for larger scale retail development or redevelopment. Proposals for retail developments intend to serve the day to day needs of the community in the larger and smaller villages which is also supported by this policy.

8.25 Table 25 shows the amount of retail floorspace permitted in settlements as defined by the settlement hierarchy.

Table 25: Retail floorspace

| Settlement Hierarchy | A1 floorspace (m²) |
|-----------------------------|--------------------------------------|
| Market Towns | 640 |
| Local Service Centres | 4,470 |
| Larger Villages | 2,300 |
| Smaller Villages | 397 |
| Open Countryside | 0 |

8.26 There have been two permissions during 2017/18 that meet the policy indicator criteria of being over 500m² (or 1000m² in Abingdon-on-Thames and Wantage), with both being in the Local Service Centres. For these applications it is expected that a retail impact assessment is submitted. The applications were as follows:

- P16/V3227/FUL- Part refurbishment and redevelopment of Seacourt Tower retail park. This application was accompanied by a retail impact assessment.
- P12/V0299/O- This is an outline application relating to the Grove Airfield development, which provides for nearly 3,500m² of retail floorspace. Currently no retail impact assessment has been received,

however this would be expected to be submitted along with the reserved matters for the relevant phase of development.

SUPPORTING SUSTAINABLE TRANSPORT AND ACCESSIBILITY

Core Policy 33: Promoting Sustainable Transport and Accessibility

- 8.27 The overall aim of Core Policy 33 is to ensure that the impacts of development on the road network are minimised, that key improvements to the transport network are supported and that new developments are designed in a way that promotes sustainable transport.
- 8.28 A key indicator for this policy is the change in average journey times, on areas that are monitored by the local Highways Authority. There has been no updated information on average journey times relating to the district.
- 8.29 All major developments approved in 2017/18 either contained a travel plan for the plan, or a condition requiring a travel plan to be provided. Travel plans will ensure residents of new developments are aware of sustainable transport options available to them and encourage them to use these.
- 8.30 Table 26 provides the status of key infrastructure projects in the district. During 2017/18 the Harwell Link Road, part of the Access to the Economic Zone Package, was completed and opened.

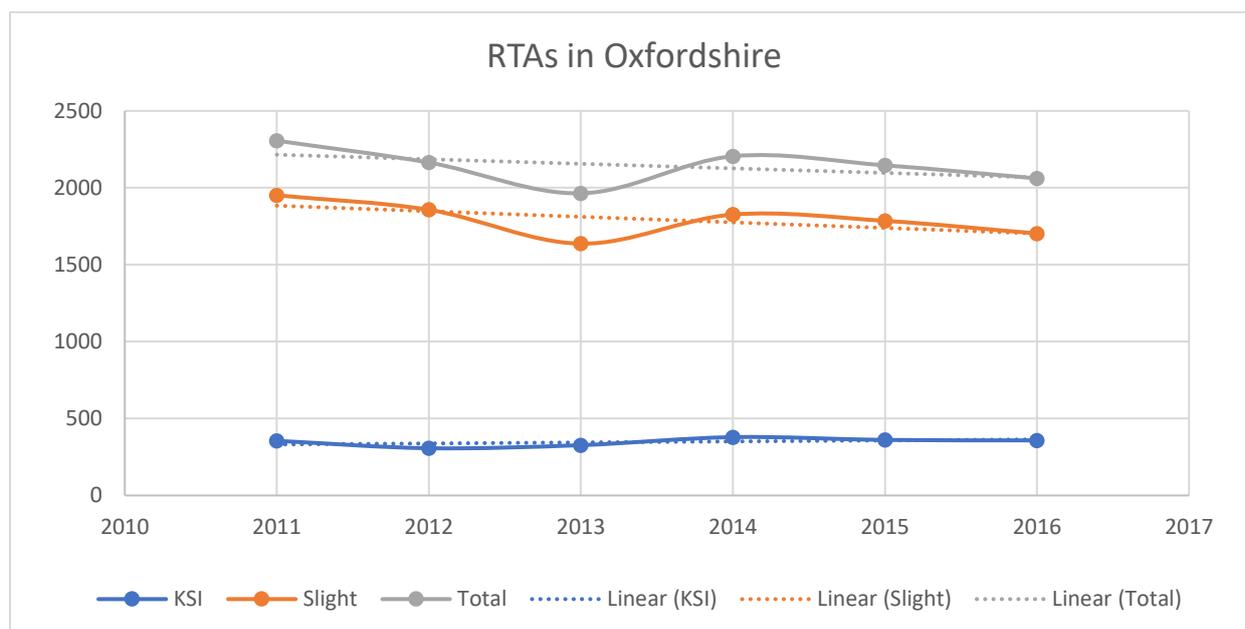
Table 26: Key infrastructure projects

| Project | Cost | Status |
|---|---------------------------|-------------------|
| Milton Interchange – Junction Improvements | £11,560,000 | Completed |
| Chilton Interchange Junction Improvements | £10,833,000 | Completed |
| Access to the EZ Package, including Hagbourne Hill, Featherbed Lane & Steventon Lights, Harwell Link Road | £30,000,000 - £40,000,000 | Under development |
| Backhill Lane cycle/pedestrian scheme | £1,200,000 | Completed |
| Sustainable Transport Package: Cycle maintenance and route improvements, upgrade to Didcot to Harwell Bus service | £1,000,000 | Completed |

- 8.31 Air quality is a key indicator in determining the sustainability of transport methods in the district. Further information on Air Quality can be found in the Environment and Climate Change section of the AMR.
- 8.32 Figure 5 below shows the number of road traffic accidents in the County³⁷. The general trend shows a slight decrease year on year for the number of total accidents and slight accidents.

³⁷ District level data is not available

Figure 5: Road Traffic Accidents in Oxfordshire



Core Policy 34: A34 Strategy

8.33 Core Policy 34 sets out the Council's aim to develop a route-based strategy for the A34 to enable it to function as a major strategic route, and therefore reduce consequential congestion on the local road network. It also sets out that air quality should be monitored to determine if there is a significant impact from the A34, this information can be found in the environment section of the AMR.

8.34 In 2016 the National Infrastructure Commission was asked to consider how to maximise the potential of the Cambridge-Milton Keynes-Oxford corridor. Accelerating the delivery of the Oxford to Cambridge expressway was a key recommendation and Highways England are taking forward more detailed development proposals. Details on the progress of the expressway and the Council's engagement can be found on the Council's website³⁸. The expressway could be a key development in relieving pressure on the A34.

Core Policy 35: Promoting Public Transport, Cycling and Walking

8.35 Core Policy 35 seeks to ensure that new development in the district promotes public transport, cycling and walking as sustainable modes of transport.

8.36 Table 27 below shows the Annual Average Daily Traffic (AADT) from areas in the Vale of White Horse that have automatic traffic counters. The trend

³⁸ Available from <http://www.whitehorsedc.gov.uk/services-and-advice/planning-and-building/planning-policy/delivering-infrastructure/oxford-cambridge>

appears to be a slight decrease in the number of journeys on bicycle. This information has been taken from Oxfordshire County Council's website³⁹.

Table 27: Journeys by Bicycle, AADT

| Site Number | Site Description | AADT | | | | |
|-------------|---|------|------|------|------|------|
| | | 2012 | 2013 | 2014 | 2015 | 2016 |
| 99000001 | Gibson Close, Abingdon | 117 | 112 | 110 | 92 | 88 |
| 99000002 | The Motte, Abingdon | 91 | 80 | 77 | 64 | 60 |
| 99000003 | Tesco's to Ladygrove Footpath, Abingdon | 85 | 57 | 76 | 80 | 68 |
| 99000004 | Peep-O-Day Lane, Sutton Courtney | 157 | 140 | 112 | 125 | 98 |
| 99000014 | A4185 North of North Drive, Harwell. | 109 | 129 | 144 | 153 | 104 |
| 99000024 | Abingdon Audlett Drive | 236 | 219 | 233 | 230 | 176 |
| 99000030 | B4017 North of Drayton | 151 | 145 | 179 | 159 | 131 |

8.37 A key indicator for this policy is the provision of new cycle schemes. As part of the Harwell link road scheme a new cycle route was opened in March 2018 providing connections between Didcot and Harwell.

8.38 Information from the 2011 Census shows that the majority of people in the district travel to work by motor vehicle, with only 8% using forms of public transport. This policy would hope to increase the proportion of public transport use by release of the next Census data in 2021.

8.39 During 2017/18 funds were secured towards the delivery of a footbridge crossing over the A34 to the north of the Milton Interchange. This was secured as a contribution from the Milton Heights allocations site.

8.40 Travel Plans for new developments contain targets for sustainable travel and the monitoring of these by the County Council determine whether these targets have been met. So far there are no monitoring results for Travel Plans that are in place. However, during 2017/18 there were six travel plans requested for developments in the district, with 2 of these requests discharged.

Core Policy 36: Electronic Communications

8.41 Core Policy 36 seeks to ensure that new development has the appropriate infrastructure provided which is sufficient to enable all properties to be connected to superfast broadband without any post development works.

³⁹ Available from <https://www.oxfordshire.gov.uk/residents/roads-and-transport/traffic/transport-monitoring>

During 2017/18 there were no enforcement cases relating to lack of provision of communication infrastructure.

PROTECTING THE ENVIRONMENT AND RESPONDING TO CLIMATE CHANGE

Core Policy 37: Design and Local Distinctiveness

8.42 During 2017/18 no applications were permitted against the advice of urban design officers. This is partly due to the 'illustrative commentary' based approach the design dialogue takes between officers and applicants, schemes have seen to amend them self to be more compliant with design policy and guidance through dialogue, improving the design quality of schemes.

Core Policy 38: Design Strategies for Strategic and Major Development Sites

8.43 Proposals for housing allocations and major development sites must be accompanied by a site-wide design strategy that includes a Masterplan and Design and Access Statement. All major sites approved in 2017/18 were accompanied by a Masterplan and Design and Access Statement.

8.44 During 2017/18 there were no applications for strategic and major development sites permitted against the advice of the urban design officer, in accordance with the policy.

Core Policy 39: The Historic Environment

8.45 One of the greatest assets of the Vale is its rich and varied built heritage, which contributes greatly to the distinctive character and cherished identity of its towns, villages and countryside. The district displays a subtle range of building types and materials reflecting the underlying geology of the area. The historic landscape also plays an important role in shaping the varied character of the district as a heritage asset in itself. Core Policy 39 sets out how the Council will seek to protect and enhance the historic environment in the district.

8.46 Currently in the Vale of White Horse there are 9 buildings on Historic England's at-risk register⁴⁰.

8.47 There were no new Conservation Area Character Appraisals in 2017/18, and currently there are no heritage partnership agreements in place in the district.

⁴⁰Available from <https://historicengland.org.uk/advice/heritage-at-risk/search-register/results/?searchType=HAR&search=vale+of+white+horse>

8.48 A key indicator for Core Policy 39 is the number of planning permissions granted contrary to technical advice. The vast majority of applications that were identified as relating to Core Policy 39 were in line with technical advice. There were 3 applications in 2017/18 for new developments where the application was approved against advice. In all of these cases it was concluded that the benefits of the scheme outweighed the harm and were therefore in line with the development plan and national policy.

Core Policy 40: Sustainable Design and Construction

8.49 Responding to climate change is one of our Strategic Objectives and has informed our Spatial Strategy, the location of our strategic site allocations and many of the Local Plan policies.

8.50 In 2017/18 there were a number of applications where adaptation and design methods were taken into account in line with Core Policy 40. As the policy details there are several ways that climate change mitigation can be incorporated into a development. Of particular note were developments approved including electric vehicle charging points;

- Land off Sheepstead Road, Marcham– Condition requiring homes to have an electric charging point prior to occupation;
- Land at Manor Farm, Drayton- Each market dwelling with a garage is required to have an external electric vehicle charging point prior to occupation;
- Milton Interchange Services- A condition is attached requiring scheme for a rapid charging point to be submitted and constructed.

8.51 Currently data is unavailable on the water usage of new developments, so no information can be provided on the indicator which requires developments to achieve a water usage of 110 litres per person per day. However, data provided by the Consumer Council for Water in England and Wales shows that average water usage for a one-person household is 149 litres per day⁴¹.

Core Policy 41: Renewable Energy

8.52 Core Policy 41 sets out the Council's support for renewable energy schemes in order to help the government meet its renewable energy targets, providing applications do not cause significant adverse effects. During 2017/18 there were 6 applications relating to new renewable energy installations. Of these 1 was for biomass and 5 were for solar panels.

⁴¹Available from <https://www.ccwater.org.uk/households/using-water-wisely/averagewateruse/>

8.53 Table 28 sets out the total number of renewable energy installations, capacity and energy generation for the past 3 years within the district.

Table 28: Renewable energy

| Year | Renewable energy installations | Renewable energy capacity (MW) | Renewable energy generation (MWH) |
|------|--------------------------------|--------------------------------|-----------------------------------|
| 2014 | 1,347 | 132.4 | 166,071 |
| 2015 | 1,654 | 170.2 | 255,340 |
| 2016 | 1,708 | 170.8 | 247,771 |
| 2017 | 1,755 | 171.5 | 238,082 |

Core Policy 42: Flood Risk

8.54 Core Policy 42 seeks to ensure that development provides appropriate measures for the management of surface water as an essential element of reducing future flood risk to both the site and its surroundings. In the district, during 2017/18, there were no applications that were approved contrary to the advice of the Environment Agency (EA).

Core Policy 43: Natural Resources

8.55 National planning policy underlines the importance of prudent use of natural resources, from using land effectively to encouraging the use of renewable resources. Core Policy 43 incorporates all elements of natural resources, including land, water and air quality, to ensure they are protected from decline.

8.56 Table 29 shows the amount of waste from households in the district, and the amount of that waste which was recycled⁴². It shows that there has been a steady increase in the proportion of waste recycled. The data for 2017/18 has not yet been published.

Table 29: Waste and Recycling in Vale of White Horse

| | 2010/11 | 2011/12 | 2012/13 | 2013/14 | 2014/15 | 2015/16 | 2016/17 |
|--|---------|---------|---------|---------|---------|---------|---------|
| Total waste collected (Thousand Tonnes) | 22,384 | 21,881 | 21,621 | 21,939 | 22,196 | 22,487 | 22,738 |
| Recycling rate | 41.9% | 43.3% | 43.9% | 44.5% | 44.7% | 44.4% | 45.1% |

⁴² Data available from <https://www.gov.uk/government/statistical-data-sets/env18-local-authority-collected-waste-annual-results-tables>

8.57 During 2017/18 there were no applications approved in the district contrary to Environment Agency advice on water quality grounds, which shows that this aspect of the policy is working positively.

8.58 The annual Air Quality Status Report⁴³ provides an annual update on air quality in the district. There are three Air Quality Management Areas (AQMAs) in the district. These are in Abingdon, Botley and Marcham. These were declared due to NO₂ levels which exceed national objectives, primarily due to traffic emissions. There is currently positive progress being made in the Abingdon AQMA area, with work being undertaken to determine how the situations in Botley and Marcham can be improved, as detailed below;

- In Abingdon, since the AQMA was declared there have been improvements to traffic management and a reduction in NO₂ levels. There are currently no exceedances of the NO₂ levels in the AQMA area.
- In Botley, the issue relates the proximity of houses to the A34 which is heavily trafficked, and there are regular exceedances of the objective. Additional monitoring is being undertaken and solutions being investigated. The Council's environmental health team will work with Highways England to consider any options to reduce air pollution in this area.
- In Marcham there are also regular exceedances within the AQMA, again due to the amount of traffic. The Air Quality report identifies road improvements as being part of the solution to improving air quality in Marcham. The County Council is in the process of reviewing previous work associated with a Marcham Bypass. The next steps will be to develop options to test what will be the best strategy to alleviate traffic issues and improve air quality within Marcham

8.59 During 2017/18 there were no applications granted contrary to the advice of technical officers regarding contaminated land. Where there were issues of contaminated land, conditions were imposed to ensure these were addressed in line with the policy.

8.60 Figure 6 shows that during 2017/18 there were significantly more applications⁴⁴ approved on previously developed land than on greenfield land. However, figure 7 does show that a higher proportion of the land permitted was on greenfield sites.

⁴³Available from [https://oxfordshire.air-quality.info/documents/VOWH_ASR_2018_finished_document\(1\).pdf](https://oxfordshire.air-quality.info/documents/VOWH_ASR_2018_finished_document(1).pdf)

⁴⁴ Approved applications relating to new housing, employment and facility class developments

Figure 6: Brownfield/Greenfield applications, 2017/18

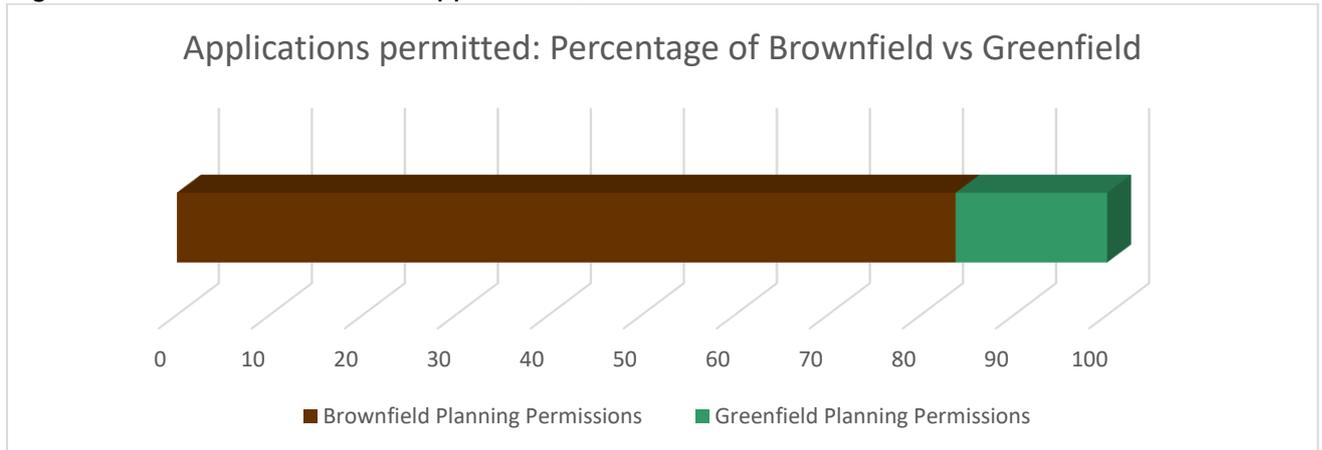
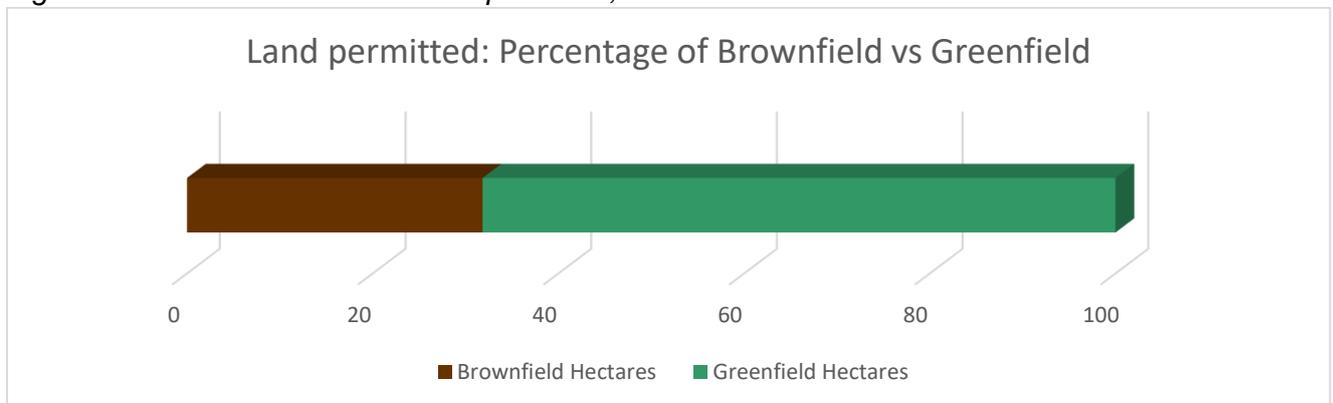


Figure 7: Brownfield/Greenfield land permitted, 2017/18



8.61 Core Policy 43 also restricts development on the best and most versatile agricultural land, unless it demonstrated to be the most sustainable choice from reasonable alternatives. In 2017/18 there were 44 applications approved where Core Policy 43 was taken into consideration. All applications approved were in line with the policy, with the majority of applications relating to redevelopment of previously developed land.

Core Policy 44: Landscape

8.62 The conservation of the intrinsic character and beauty of the countryside is a core planning principle of the NPPF, stating that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes. Core Policy 44 details how the key features that contribute to the nature and quality of the Vale of White Horse's landscape will be protected from harmful development.

8.63 During 2017/18 there were 23 permissions granted in the AONB in full. All of these were in line with Core Policy 44, with the majority being applications for redevelopments of sites. There were 2 applications approved on appeal, where the inspector found that there would be no significant harm caused by the developments.

Core Policy 45: Green Infrastructure

- 8.64 Green Infrastructure relates to the active planning and management of substantial networks of multifunctional open space. Such networks need to be planned and managed to deliver the widest range of linked environmental and social benefits, including conserving and enhancing biodiversity as well as landscape, recreation, water management, and social and cultural benefits to underpin community health and wellbeing. Core Policy 45 seeks to ensure that there is no net loss in the amount of Green infrastructure.
- 8.65 During 2017/18 there were 41 permissions granted that took account of Core Policy 45. All these permissions were granted in accordance with the policy.
- 8.66 CIL came into effect in November 2017, and information on CIL money received during 2017/18 can be found on the Council website⁴⁵. No CIL money had been spent as of the 31 March 2018 on green infrastructure.

Core Policy 46: Conservation and improvement of Biodiversity

- 8.67 The district contains a rich variety of semi-natural habitats including woodlands, hedgerows, rivers, streams, and meadows. Together they help secure the survival of many species. There are a number of important nature conservation sites, which are protected at international, national and local level. These include:
- International- Two Special Areas of Conservation (SAC);
 - National- One National Nature Reserve and 22 Sites of Special Scientific Interest (SSSI);
 - Local- 82 Local Wildlife Sites, Five Local Nature Reserves and Nine Geologically Important Sites.
- 8.68 Core Policy 46 seeks to provide a net gain in the amount of biodiversity land. The area of Local Wildlife sites has increased by 87 hectares since last year, increasing from 1729 to 1816 hectares. Further information on the status of sites is available from the Thames Valley Environmental Records Centre (TVERC)⁴⁶ and Natural England⁴⁷.
- 8.69 No planning permissions were granted in 2017/18 contrary to consultee advice on the impact on SAC's, in line with core policy 46.

⁴⁵ Available from

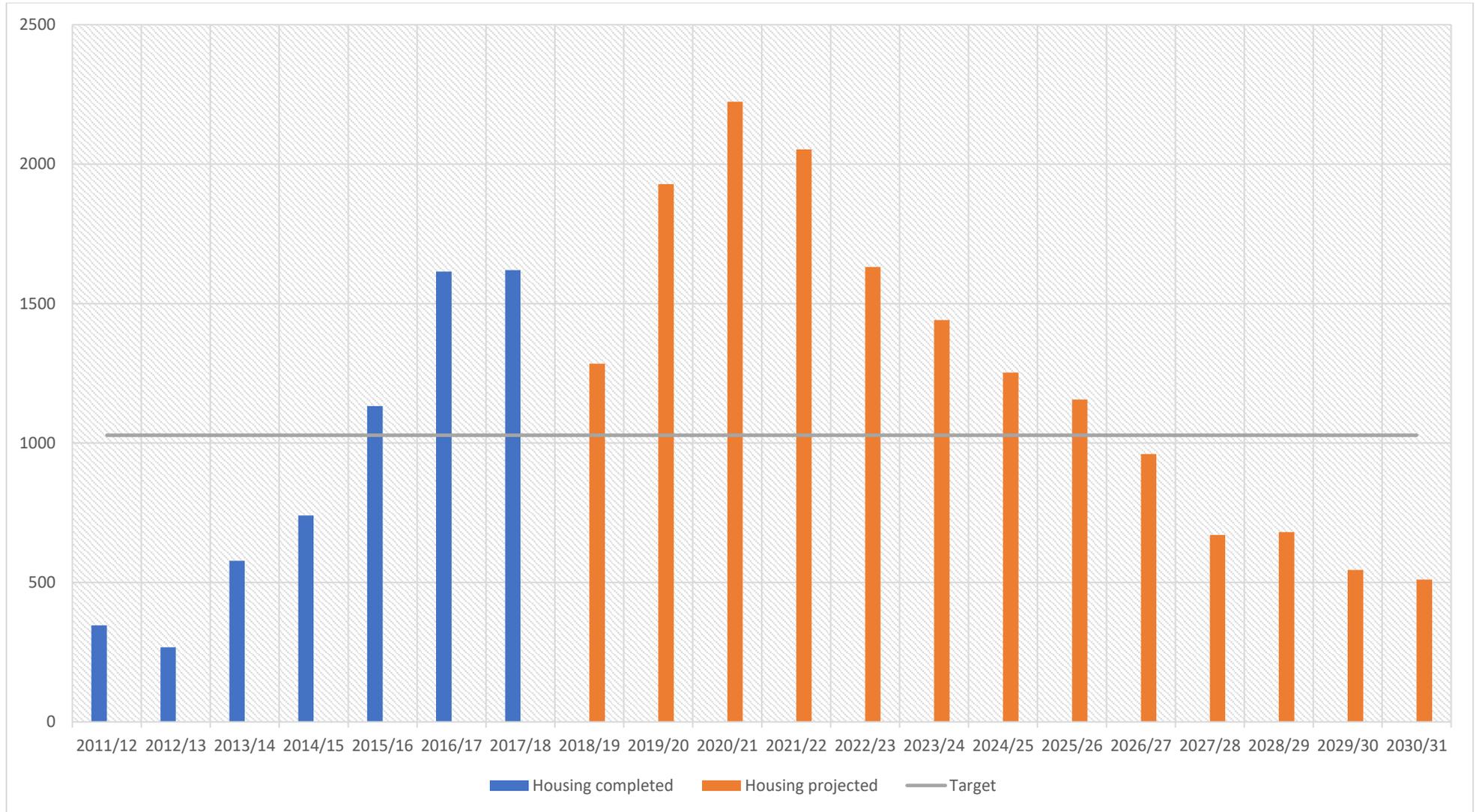
http://www.whitehorsedc.gov.uk/sites/default/files/CIL%20Statement%202017_18%20Vale.pdf

⁴⁶ Available from <http://www.tverc.org/cms/>

⁴⁷ Available from <https://designatedsites.naturalengland.org.uk/SearchCounty.aspx>

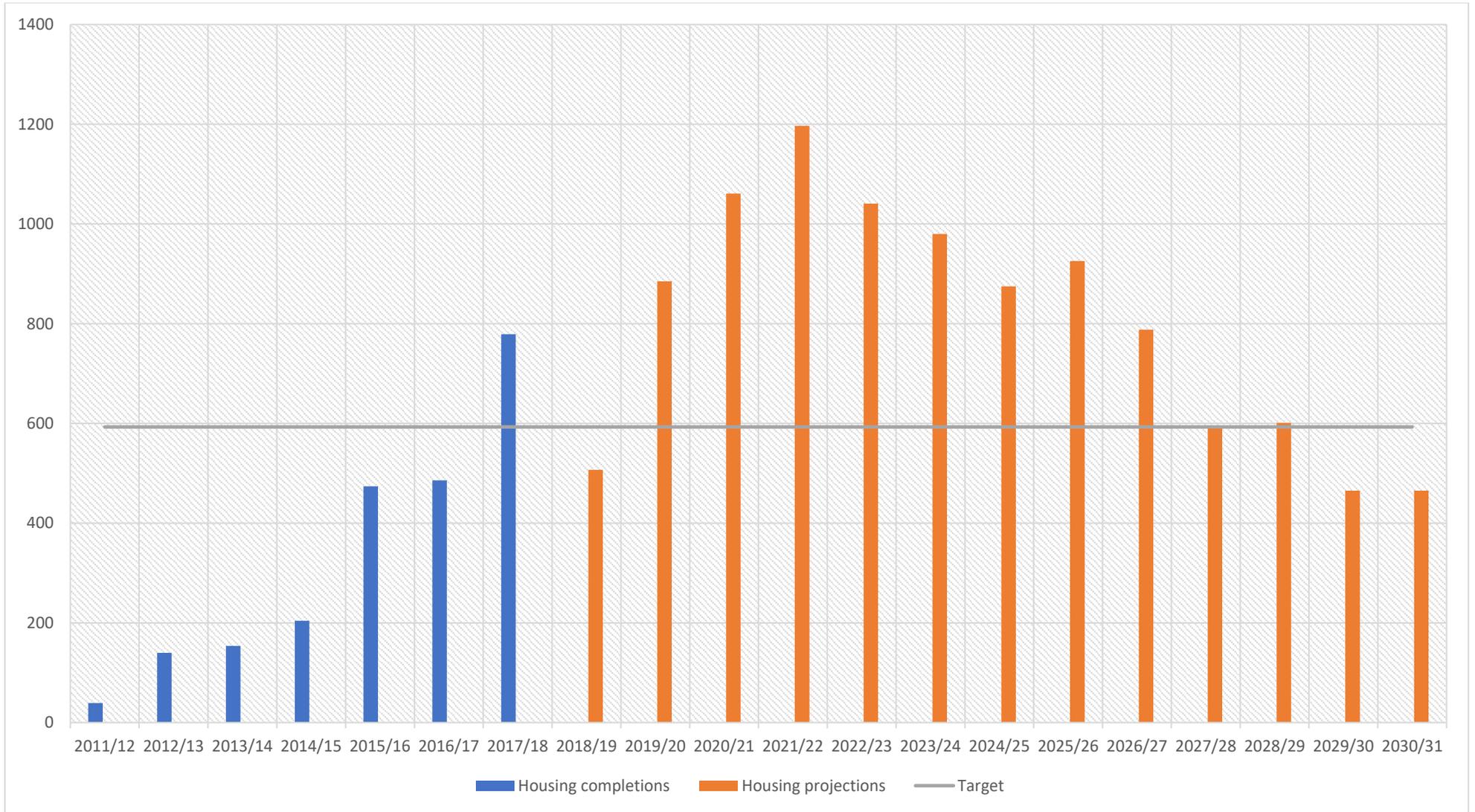
APPENDIX A: WHOLE DISTRICT HOUSING TRAJECTORY

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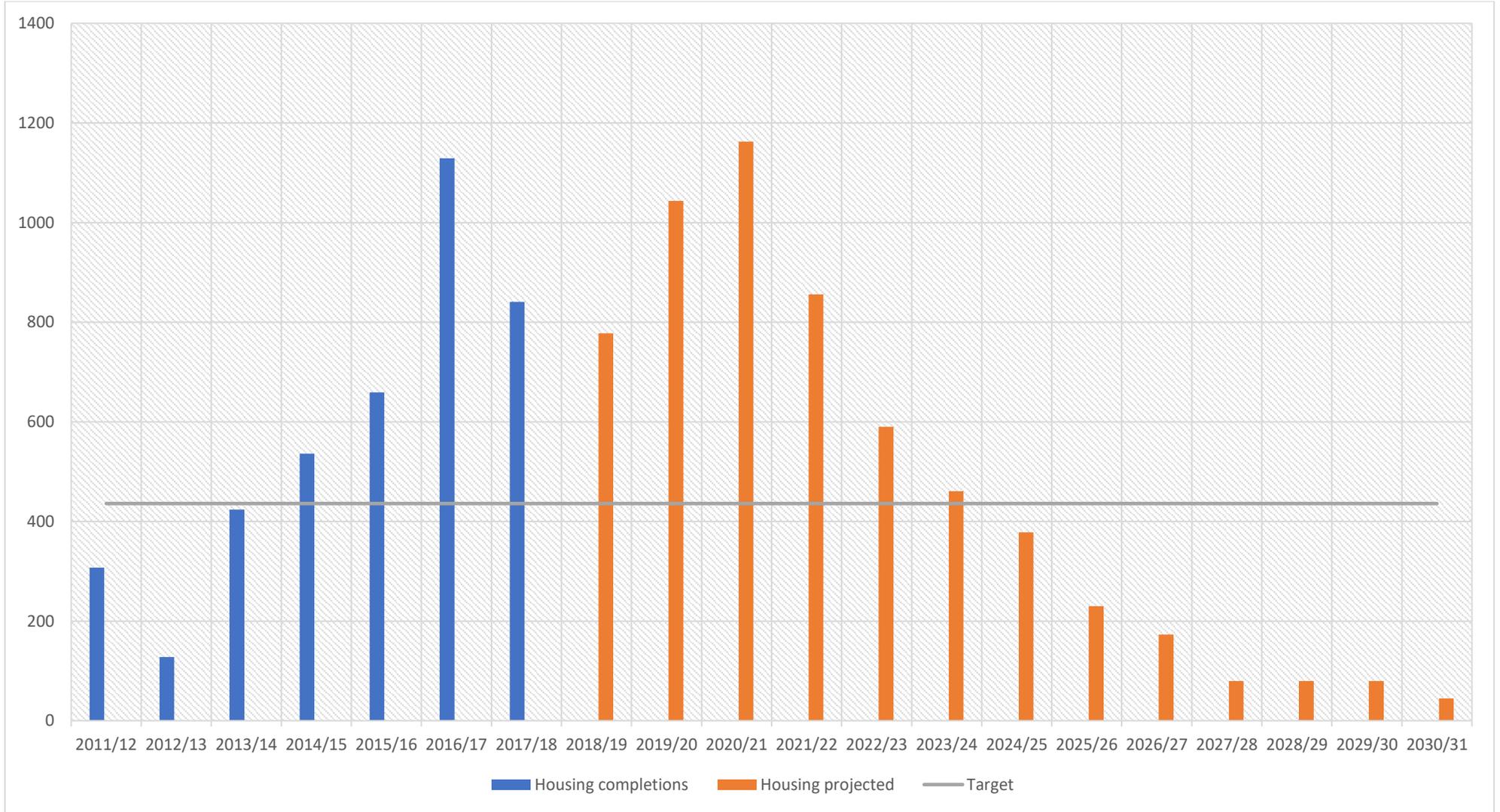
APPENDIX B: SCIENCE VALE RINGFENCE AREA HOUSING TRAJECTORY

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APPENDIX C: REST OF DISTRICT AREA HOUSING TRAJECTORY

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APPENDIX D: MONITORING FRAMEWORK

| Local Plan Policies | Indicators | Targets | Progress |
|--|--|--|--|
| CP1: Presumption of Sustainable Development | Covered by all other indicators within the Framework | Covered by all other targets within the Framework | Covered by all progress within the Framework |
| CP2: Cooperation on Unmet Need for Oxfordshire | Extent of progress of The Part 2 Plan or if more appropriate the full or focused partial review of the Local Plan in accordance with CP2 and the Local Development Scheme. | To progress The Part 2 Plan or if more appropriate the full or focused partial review of the Local Plan in accordance with CP2 and the Local Development Scheme. | Positive Progress |
| CP3: Settlement Hierarchy | Covered by indicators for Policies CP4, CP6, CP8, CP15, CP20, CP27, CP28, CP30, CP31, CP32 | Covered by targets for Policies CP4, CP6, CP8, CP15, CP20, CP27, CP28, CP30, CP31, CP32 | Covered by progress for Policies CP4, CP6, CP8, CP15, CP20, CP27, CP28, CP30, CP31, CP32 |
| CP4: Meeting our Housing Needs. | Number of dwellings permitted and completed by Sub-Area and strategic allocation. | To deliver the amount of dwellings planned for in each Sub-Area over the plan period. | Positive Progress |
| | Housing Trajectory showing: i. Annual dwelling completions, ii. Annual average no. of additional dwellings required to meet housing targets. | To deliver 20,560 dwellings over the plan period based on 1,028 dwellings per annum. | Positive Progress |
| | Number of dwellings allocated through Local Plan Part 2 and Neighbourhood Plans | Neighbourhood Plans and Local Plan Part 2 to cumulatively allocate 1,000 dwellings over the plan period. | Positive Progress |
| | Amount of land available that contributes to the 5-year housing land supply in both supply areas | To provide a 5-year housing land supply of deliverable sites based on Liverpool methodology | Achieved for 2017/18 |

| Local Plan Policies | Indicators | Targets | Progress |
|--|--|---|----------------------|
| | | for the ring fence supply area and Sedgefield methodology for rest of district supply area. | |
| CP5: Housing Supply Ring-Fence | Housing Trajectory showing for the ring fence area and the rest of district area: i. Annual dwelling completions, ii. Annual average no. of additional dwellings required to meet housing targets. | To provide 11,850 dwellings in the ring fence area over the plan period based on 593 dwellings per annum. | Positive Progress |
| | Amount of land available that contributes to the 5-year housing land supply in both supply areas | To provide a 5-year housing land supply of deliverable sites based on Liverpool methodology for the ring fence supply area and Sedgefield methodology for rest of district supply area. | Achieved for 2017/18 |
| | Jobs Growth | To provide for 15,850 jobs in the ring fence area over the plan period. | Positive Progress |
| CP6: Meeting Business and Employment Needs | Quantum of land permitted and completed for employment by strategic site and allocation. | To deliver 218 hectares of employment land over the plan period. | Positive Progress |
| | Jobs Growth | To provide for 23,000 jobs over the plan period. | Positive Progress |
| | Business Counts | Increase in Businesses | Positive Progress |
| CP7: Providing Supporting Infrastructure and Services. | Progress of essential strategic infrastructure items | To deliver strategic infrastructure items in accordance with the timeframes | Positive Progress |

| Local Plan Policies | Indicators | Targets | Progress |
|--|--|---|-------------------|
| | Progress of other strategic infrastructure items | identified within the Infrastructure Delivery Plan. | Positive Progress |
| | Funding and monies received and spent. | To progress the funding and expenditure of monies including S106 and CIL received in a timely manner to support new development as set out in the plan. | Positive Progress |
| CP8: Spatial Strategy for Abingdon-on-Thames and Oxford Fringe Sub-Area. | Number of dwellings permitted and completed by location and strategic allocation. | To permit and deliver the amount of dwellings planned for the Sub-Area. | Positive Progress |
| | Quantum of land and use permitted for employment at strategic sites and allocations. | To permit and deliver 3.20 net hectares of employment land as planned for the Sub-Area. | Positive Progress |
| CP9: Harcourt Hill Campus | Progress of masterplan for Harcourt Hill Campus Site | To agree a masterplan for Harcourt Hill Campus site which guides any subsequent planning application. | No Change |
| CP10: Abbey Shopping Centre and the Charter, Abingdon-on-Thames | Status and type of planning permissions granted at Abbey Shopping Centre and the Charter Area. | To permit and deliver planning permissions that provide a redevelopment scheme for the Abbey Shopping Centre and Charter Area that accords with the policy. | No Progress |
| CP11: Botley Central Area | Status and type of planning permissions granted at Botley Central Area | To permit and deliver planning permissions that provide a redevelopment scheme for the Botley Central Area that accords with the policy. | Positive Progress |

| Local Plan Policies | Indicators | Targets | Progress |
|--|---|--|----------------------|
| CP12: Safeguarding of Land for Strategic Highway Improvements within the Abingdon-on-Thames and Oxford Fringe Sub-Area | Status and type of planning permissions on land safeguarded. | To ensure all relevant planning permissions are only granted in accordance with the policy. | Achieved for 2017/18 |
| CP13: The Oxford Green Belt | Status and type of planning permissions granted within the Green Belt. | To ensure all relevant planning permissions are only granted in accordance with the policy. | Achieved for 2017/18 |
| CP14: Upper Thames Reservoir | Status and type of planning permissions granted on land safeguarded. | To ensure all planning permissions are only granted in accordance with the policy. | Achieved for 2017/18 |
| CP15: Spatial Strategy for South East Sub-Area. | Number of dwellings permitted and completed by location and strategic allocations. | To permit and deliver the amount of dwellings planned for the Sub-Area. | Positive Progress |
| | Quantum of land and use permitted for employment at strategic sites and allocations. | To permit and deliver 208 net hectares of employment land as planned for the Sub-Area. | Positive Progress |
| CP16: Didcot A Power Station | Status, type and amount of land permitted at Didcot A | To permit and deliver planning permissions that provide a mixed-use development including 29 hectares for employment uses. | Positive Progress |
| | Status and use of planning permissions on land safeguarded for the Science Bridge and A4130 re-routing. | To ensure all planning permissions are only granted in accordance with the policy. | Achieved for 2017/18 |
| CP17: Delivery of Strategic Highway Improvements within the | Progress of the infrastructure as identified within the Infrastructure Delivery Plan. | To deliver infrastructure items in accordance with the timeframes identified within the Infrastructure Delivery Plan. | Positive Progress |

| Local Plan Policies | Indicators | Targets | Progress |
|---|---|--|----------------------|
| South-East Vale Sub-Area. | Funding and monies received and disbursed. | To progress the funding and expenditure of monies including S106 and CIL monies received in a timely manner to support delivery of infrastructure items set out in the policy. | Positive Progress |
| CP18: Safeguarding of land for Transport Schemes in the South-East Vale Sub-Area. | Status and use of planning permissions on land safeguarded. | To ensure all planning permissions are only granted in accordance with the policy. | Achieved for 2017/18 |
| CP19: Re-opening of Grove Railway Station. | Progress of the Re-opening of Grove Railway Station | To maintain commitment to progress re-opening of the Railway Station. | Positive Progress |
| | Status and use of planning permissions on land safeguarded. | To ensure all planning permissions are only granted in accordance with the policy. | Achieved for 2017/18 |
| CP20: Spatial Strategy for Western Vale Sub-Area. | Number of dwellings permitted and completed by location and strategic allocations. | To permit and deliver the amount of dwellings planned for the Sub-Area. . | Positive Progress |
| | Quantum of land and uses permitted for employment at strategic sites and allocations. | To permit and deliver 7.38 net hectares of employment land as planned for the Sub-Area. | Positive Progress |
| CP21: Safeguarding of Land for Strategic Highway Improvements within the Western Vale Sub-Area. | Status and use of planning permissions on land safeguarded. | To ensure all planning permissions are only granted in accordance with the policy. | Achieved for 2017/18 |
| CP22: Housing Mix | Average housing mix of planning permissions | To ensure the cumulative delivery of planning permissions for housing developments | Positive Progress |

| Local Plan Policies | Indicators | Targets | Progress |
|---|--|---|----------------------|
| | | provides a housing mix that accords with the SHMA. | |
| CP23: Housing Density | Average density of housing planning permissions | To ensure the cumulative delivery of planning permissions for housing developments provides an average density that accords with the policy. | Positive Progress |
| CP24: Affordable Housing | Percentage of affordable housing provided on sites of more than 3 dwellings or larger than 0.1ha | To ensure all planning permissions for housing sites of 3 or more dwellings or sites larger than 0.1 ha to provide 35% affordable housing or in accordance with the policy. | Positive Progress |
| | Tenure split | To provide for around a 75:25 split between rented and intermediate housing tenures of affordable housing. | Positive Progress |
| CP25: Rural Exception Sites | Status of permissions granted for rural exceptions sites. | To ensure all planning permissions are granted in accordance with the Policy. | Achieved for 2017/18 |
| CP26: Accommodating Current and Future Needs of the Ageing Population | Amount and type of housing designed for older people permitted as part of strategic allocations and within the district. | To increase the delivery of housing designed for older people and ensure all planning permission are granted in accordance with the policy. | Positive Progress |
| CP27: Meeting the housing needs of | Net additional pitches and sites for gypsy and travellers. | To deliver 13 gypsy and traveller pitches (net) over the plan period. | Positive Progress |

| Local Plan Policies | Indicators | Targets | Progress |
|---|--|--|----------------------|
| Gypsies, Travellers and Travelling Show People. | Five-year supply of pitches | To maintain a five-year supply of pitches ⁴⁸ . | Achieved for 2017/18 |
| CP28: New Employment Development on Unallocated Sites. | Status and type of permissions granted for B uses on unallocated sites. | To ensure all planning permissions are granted in accordance with the policy. | Achieved for 2017/18 |
| CP29: Change of Use of Existing Employment Land and Premises. | Quantum of land permitted and completed for employment by strategic site. | To ensure all planning permissions are granted in accordance with the policy. | Positive Progress |
| | Status and use of permissions for the change of use of existing employment sites (that are not strategic) for non-employment uses granted. | To ensure all planning permissions are granted in accordance with the policy | Positive Progress |
| CP30: Further and Higher Education | Progress of further and higher education facilities. | To ensure delivery of further and higher education in accordance with the Infrastructure Delivery Plan. | Positive Progress |
| CP31: Development to Support the Visitor Economy | Status and type of permissions granted for visitor economic developments. | To deliver a net increase in development for visitor economy over the plan period in accordance with the policy. | Positive Progress |
| CP32: Retailing and Other Town Centre Uses. | Status, type and amount of floorspace granted for retail by location. | To deliver a net increase in retail development over the plan period in accordance with the policy | Positive Progress |

⁴⁸ As of April 2016, the five-year supply target is approximately 3.25 pitches.

| Local Plan Policies | Indicators | Targets | Progress |
|--|--|---|----------------------|
| | Number of permissions granted for retail developments over 1,000m ² (Abingdon-on-Thames and Wantage) and 500m ² (elsewhere in the District) accompanied by a Retail Impact Assessment. | To ensure all planning permissions granted for retail development over 1,000m ² or 500m ² in appropriate locations to be accompanied by a comprehensive Retail Impact Assessment. | Achieved for 2017/18 |
| CP33: Promoting Sustainable Transport and Accessibility. | Average Journey times ⁴⁹ | To ensure journey times do not significantly ⁵⁰ increase based on trend analysis | No data |
| | Monitoring of Travel Plans for developments over 80 dwellings. | To ensure developments meet sustainable travel targets in Travel Plans | Positive Progress |
| | Progress of transport schemes. | To help progress of transport schemes in a timely manner to support delivery of new development in accordance with the Infrastructure Delivery Plan. | Positive Progress |
| | To monitor designated quality Air Quality Management Areas. | To ensure development supports improvements to air quality and meets the AQMA's standards | Positive Progress |
| | Number of road accidents casualties ⁵¹ | To ensure development supports improvements to road safety | Positive Progress |

⁴⁹ On those areas that are monitored by the Highways Authority.

⁵⁰ Assessed on an individual area basis.

⁵¹ On a County-wide basis

| Local Plan Policies | Indicators | Targets | Progress |
|--|--|---|------------------------------|
| CP34: A34 Strategy | Progress of a Route Based Strategy for the A34. | To progress the Route Based Strategy for the A34 in a timely manner, in association with the Oxford to Cambridge Infrastructure Review. | Positive Progress |
| | Progress of air quality monitoring framework for the A34. | To help progress, in a timely manner, the Air Quality Monitoring Framework associated with the A34 | Positive Progress |
| CP35: Promoting Public Transport, Cycling and Walking. | Level of cycle movements ⁵² | To increase the proportion of journeys undertaken by cycling locally. | Decrease in travel movements |
| | New cycle schemes | To help facilitate the delivery of new cycle schemes | Positive Progress |
| | Bus patronage ⁵³ | To increase the proportion of journeys undertaken by in buses locally. | No Data |
| | Funding secured for sustainable transport schemes | To help secure funding to deliver sustainable transport schemes in accordance with the Infrastructure Delivery Plan. | Positive Progress |
| | Monitoring of Travel Plans for developments over 80 dwellings. | To ensure developments meet sustainable travel targets identified in Travel Plans | Positive Progress |
| | Number of permission granted for major development supported by a Transport Assessment and Travel Plan | To ensure all planning permissions granted for major development to be accompanied | Achieved for 2017/18 |

⁵² On those routes that are monitored by the Highways Authority

⁵³ On a County-wide basis

| Local Plan Policies | Indicators | Targets | Progress |
|---|---|---|----------------------|
| | | by a Transport Assessment and Travel Plan. | |
| CP36: Electronic Communications | Compliance with Building Regulations | To ensure delivery of dwellings is in compliance with Building Regulations. | Achieved for 2017/18 |
| CP37: Design and Local Distinctiveness | Number of planning permissions granted contrary to urban design officers advice. | To ensure all relevant planning permissions are granted in accordance with the policy | Achieved for 2017/18 |
| CP38: Design Strategies for Strategic and Major Development Sites | Number of planning permissions granted for major development contrary to urban design officers advice. | To ensure all major planning permissions are granted in accordance with the policy | Achieved for 2017/18 |
| | Number of permissions granted for major development supported by an appropriate masterplan and design and access statement. | To ensure all major development is accompanied by a masterplan and design and access statement. | Achieved for 2017/18 |
| CP39: The Historic Environment | Number of planning permissions granted contrary to technical advice. | To ensure all planning permissions are granted in accordance with the policy | Positive Progress |
| | Number of buildings on the 'Heritage at Risk' Register | To protect all buildings on the 'Heritage at Risk' Register and facilitate their subsequent removal from the Register. | No Change |
| | Number of new Conservation Area Character Appraisals. | To agree a programme of the review and production of Conservation Area Character Appraisals and deliver that agreed programme | No Change |
| | Progress of Heritage Partnership Agreements | To ensure the completion of Heritage Partnership | No Change |

| Local Plan Policies | Indicators | Targets | Progress |
|---|---|---|----------------------|
| | | Agreements where appropriate for any listed building on an 'at risk' register. | |
| CP40: Sustainable Design and Construction | Number of permissions granted that incorporate climate change adaptation measures | To ensure all planning permissions are granted in accordance with the policy. | Positive Progress |
| | Number of permissions granted that achieve the water use below 110 litres/person/day | To ensure all planning permissions to achieve a water use of 110 litres/person/day. | No data |
| CP41: Renewable Energy | Status and type of permission granted for renewable energy. | To deliver of schemes for renewable energy in accordance with the policy, thereby contributing to the UK's renewable energy target. | Positive Progress |
| CP42: Flood Risk | Number and detail of permissions granted contrary to Environment Agency advice on flooding | To ensure all planning permissions are granted in accordance with the policy. | Achieved for 2017/18 |
| CP43: Natural Resources | Percentage of household waste sent for re-use, recycling or composting. | To take the opportunities presented by new development to deliver a percentage increase of household waste sent for re-use, recycling or composting | Positive Progress |
| | Number of planning permissions granted contrary to Environment Agency advice on water quality grounds | To ensure all planning permissions are granted in accordance with the policy. | Achieved for 2017/18 |
| | To monitor designated quality Air Quality Management Areas. | To ensure all development supports improvements to air quality and meets the AQMA's standards | Positive Progress |

| Local Plan Policies | Indicators | Targets | Progress |
|----------------------------|--|--|----------------------|
| | Number of permissions granted contrary to technical advice on contaminated land | To ensure all planning are granted in accordance with the policy. | Achieved for 2017/18 |
| | Amount and detail of permissions granted on PDL. | To ensure the delivery of development schemes helps to maximise the reuse of PDL ⁵⁴ . | Positive Progress |
| | The amount of the best and most versatile agricultural land permissions are granted on for other uses. | To ensure no loss of the best and most versatile agricultural land unless in accordance with the policy. | Achieved for 2017/18 |
| CP44: Landscape | Number of permissions granted contrary to technical advice. | To ensure all planning permissions are only granted in accordance with the policy. | Achieved for 2017/18 |
| | Status and type of permissions granted in the AONB | | Achieved for 2017/18 |
| CP45: Green Infrastructure | Permissions granted and completions for change in Green Infrastructure | To deliver a net gain in green infrastructure. | Positive Progress |
| | Funding and monies received and spent for Green Infrastructure. | To progress funding and expenditure monies, including CIL and S106 monies in a timely manner to support delivery of green infrastructure projects set out in the Green Infrastructure Strategy or as otherwise agreed. | Positive Progress |
| | Change in biodiversity area and/or sites. | To deliver a net gain in biodiversity area. | Positive Progress |

| Local Plan Policies | Indicators | Targets | Progress |
|--|--|--|----------------------|
| CP46: Conservation and Improvement of Biodiversity | Number of permissions granted contrary to consultee advice on impact on Special Areas of Conservation. | To ensure all planning permissions are granted in accordance with the policy | Achieved for 2017/18 |

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Scrutiny Committee



Report of Cllr Chris Palmer

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Wards affected: All

To: Scrutiny committee

DATE: 28 March 2019

Councillor budget task group update

Recommendations

That Scrutiny Committee recommends to Cabinet that:

- a) Quarterly budget monitoring reports are presented to Cabinet and Scrutiny Committee.
- b) The council's corporate plan is revised as soon as possible, and following public consultation and formal adoption, its priorities should be used to shape future budgets.

Purpose of report

1. The purpose of this report is to provide an update on the councillor budget task group review, chaired by Cllr Chris Palmer, which considered how scrutiny members could be more actively involved in the council's budget setting process.

Background

2. The task group invited a number of councillors and officers to feed into the review, which included requesting an explanation on the reasons for significant slippages in the capital programme. The task group also had access to council and committee reports and other relevant documentation, noting that committee reports have a standard section setting out the financial implications of the report content. For ease of reference, key issues identified are summarised under topic headings below.

The budget

3. The task group was informed that approximately 86% of the council's annual budget comprised benefit payments, contracts with third parties and staff salaries, all of which were fixed costs. When costs relating to property, supplies and services

were added, there was little scope to make significant changes to the remaining expenditure.

4. The aim of the annual budget build process is to understand what new costs needed to be budgeted for. All variations to the base budget are reflected in the formal budget report presented to members, which is far more detailed than many other councils'.
5. The council's budget setting process is made up of four stages:
 - 5.1) Building the core base budget. Similarly to every other council in the country, this is almost exclusively an officer process carried out in September/October.
 - 5.2) Dialogue between Cabinet portfolio holders and officer budget holders about growth bids and/or service reductions. Some changes will be mandatory arising from legislative changes, whilst some will reflect political priorities.
 - 5.3) Gaining certainty on Government funding. There are currently three main funding streams: New Homes Bonus, business rate and council tax. The first two of these are volatile, as the number of properties and the way in which these schemes operate are liable to change. In addition, it is only when the Government announces the settlement that officers know how much funding is available. The announcement used to be made in November but now happens in late December.
 - 5.4) Formal budget report presented to members.

Public consultation

6. The task group was advised that although public consultation on the council's budget is not mandatory, where appropriate, the council will seek to obtain resident feedback on spending priorities – such as via the residents' annual survey and the full budget reports being publicly available on the council's website. It was noted that residents are formally consulted on the council's corporate plan priorities, which underpin and inform what is included in the budget.
7. However, it was noted that some of the objectives in the current corporate plan are the responsibility of other bodies, and whilst the council could encourage action, it could not implement it. In addition, recent changes to government policies/finances meant that some of the targets within the current corporate plan were no longer financially viable.
8. Accordingly, the task group recommended a review of the council's corporate plan as soon as it is feasible to ensure it can adequately inform the budget.

Budget monitoring

9. The task group was advised that, once growth bids and proposed savings had been approved as part of that year's budget, they were incorporated into the base budget in accordance with government accounting guidelines. The task group welcomed the proposed change that in the coming year, quarterly budget monitoring reports will be presented to Cabinet and Scrutiny.

South Oxfordshire's District Council's approach

10. The task group was advised that in 2017, the then South Cabinet member for finance had established a cross-party budget working group. Meetings were confidential, but officers reported that members had gained a greater understanding of the budget process.

Conclusion

11. Recent events at Northamptonshire County Council and the increasing pressures on local authority finances nationwide have served to demonstrate the importance of budget scrutiny. The Best Value Inspection report of Northamptonshire CC states "*The Inspection team noted that this year's draft budget had been subject to scrutiny albeit to a very compressed timetable...*" The Local Government Association Councillor workbook on the scrutiny of finance states "*Just as the budget process in your council is carried out on a cyclical basis throughout the financial year, budget scrutiny must also be carried out on a rolling programme.*" The task group concluded that, for this council's budget scrutiny to be effective, financial information needs to be available to all members earlier to ensure sufficient time for effective scrutiny through the budget setting process. The task group welcomed budget monitoring reports being presented to Cabinet and Scrutiny Committee.
12. The task group accepted that it was not always possible to publicly consult on budget matters, but there was a range of mechanisms in place to ensure resident feedback in spending priorities. The task group recommended that the council's corporate plan be revised as soon as possible to enable the opportunity for the council to consult residents on its priorities, and those priorities would then inform the budget.
13. The task group was impressed by information presented with regards to the SODC Budget Working Group and the degree of collaboration between the ruling group and the opposition.
14. Members of the task group have gained a greater understanding of the budget setting process.



House of Commons
Communities and Local
Government Committee

Effectiveness of local authority overview and scrutiny committees

First Report of Session 2017–19



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scrutiny committees**

First Report of Session 2017–19

*Report, together with formal minutes relating
to the report*

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Communities and Local Government Committee

The Communities and Local Government Committee is appointed by the House of Commons to examine the expenditure, administration, and policy of the Department for Communities and Local Government.

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Summary

Overview and scrutiny committees were introduced by the Local Government Act 2000 and were tasked with acting as a counterweight to the increased centralised power of the new executive arrangements. Whilst some authorities were not covered by the changes brought in by the Act, the Leader and Cabinet system is the predominant model of governance in English local authorities. However, since the Localism Act 2011, councils have had the option of reverting to the committee system of governance. Some authorities that have chosen to do so have expressed dissatisfaction with the new executive arrangements, including concern at the limited effectiveness of scrutiny. Noting these concerns, and that there has not been a comprehensive assessment of how scrutiny committees operate, we decided to conduct this inquiry. The terms of reference placed an emphasis on considering factors such as the ability of committees to hold decision-makers to account, the impact of party politics on scrutiny, resourcing of committees and the ability of council scrutiny committees to have oversight of services delivered by external organisations.

We have found that the most significant factor in determining whether or not scrutiny committees are effective is the organisational culture of a particular council. Having a positive culture where it is universally recognised that scrutiny can play a productive part in the decision-making process is vital and such an approach is common in all of the examples of effective scrutiny that we identified. Senior councillors from both the administration and the opposition, and senior council officers, have a responsibility to set the tone and create an environment that welcomes constructive challenge and democratic accountability. When this does not happen and individuals seek to marginalise scrutiny, there is a risk of damaging the council's reputation, and missing opportunities to use scrutiny to improve service outcomes. In extreme cases, ineffective scrutiny can contribute to severe service failures.

Our inquiry has identified a number of ways that establishing a positive culture can be made easier. For example, in many authorities, there is no parity of esteem between the executive and scrutiny functions, with a common perception among both members and officers being that the former is more important than the latter. We argue that this relationship should be more balanced and that in order to do so, scrutiny should have a greater independence from the executive. One way that this can be achieved is to change the lines of accountability, with scrutiny committees reporting to Full Council meetings, rather than the executive. We also consider how scrutiny committee chairs might have greater independence in order to dispel any suggestion that they are influenced by partisan motivations. Whilst we believe that there are many effective and impartial scrutiny chairs working across the country, we are concerned that how chairs are appointed can have the potential to contribute to lessening the independence and legitimacy of the scrutiny process.

Organisational culture also impacts upon another important aspect of effective scrutiny: access of committees to the information they need to carry out their work. We heard about committees submitting Freedom of Information requests to their own authorities and of officers seeking to withhold information to blunt scrutiny's effectiveness. We believe that there is no justification for such practices, that doing so is in conflict with the

principles of democratic accountability, and only serves to prevent scrutiny committees from contributing to service improvement. We have particular concerns regarding the overzealous classification of information as being commercially sensitive.

We also considered the provision of staff support to committees. Whilst ensuring that sufficient resources are in place is of course important, we note that if there is a culture within the council of directors not valuing scrutiny, then focussing on staff numbers will not have an impact. We are concerned that in too many authorities, supporting the executive is the over-riding priority, despite the fact that in a time of limited resources, scrutiny's role is more important than ever. We also consider the skills needed to support scrutiny committees, and note that many officers combine their support of scrutiny with other functions such as clerking committees or executive support. It is apparent that there are many officers working in scrutiny that have the required skills, and some are able to combine them with the different skill set required to be efficient and accurate committee clerks. However, we heard too many examples of officers working on scrutiny who did not possess the necessary skills. Decisions relating to the resourcing of scrutiny often reflect the profile that the function has within an authority. The Localism Act 2011 created a requirement for all upper tier authorities to create a statutory role of designated lead scrutiny officer to promote scrutiny across the organisation. We have found that the statutory scrutiny officer role has proven to be largely ineffective as the profile of the role does not remotely reflect the importance of other local authority statutory roles. We believe that the statutory scrutiny officer position needs to be significantly strengthened and should be a requirement for all authorities.

We believe that scrutiny committees are ideally placed and have a democratic mandate to review any public services in their area. However, we have found that there can sometimes be a conflict between commercial and democratic interests, with commercial providers not always recognising that they have entered into a contract with a democratic organisation with a necessity for public oversight. We believe that scrutiny's powers in this area need to be strengthened to at least match the powers it has to scrutinise local health bodies. We also call on councils to consider at what point to involve scrutiny when it is conducting a major procurement exercise. It is imperative that council executives involve scrutiny at a time when contracts are still being developed, so that all parties understand that the service will still have democratic oversight despite being delivered by a commercial entity. We also heard about the public oversight of Local Economic Partnerships (LEPs), and have significant concerns that public scrutiny of LEPs seems to be the exception rather than rule. Therefore, we recommend that upper tier councils, and combined authorities where appropriate, should be able to monitor the performance and effectiveness of LEPs through their scrutiny committees.

We recognise that the mayoral combined authorities are in their infancy, but given the significance of organisational culture in effective scrutiny, it is important that we included them in our inquiry to ensure that the correct tone is set from the outset. We are therefore concerned by the evidence we heard about an apparent secondary role for scrutiny in combined authorities. Mayors are responsible for delivering services and improvements for millions of residents, but oversight of their performance is currently hindered by limited resources. We therefore call on the Government to ensure that funding is available for this purpose. We also argue that when agreeing further

devolution deals and creating executive mayors, the Government must make it clear that scrutiny is a fundamental part of any deal and must be adequately resourced and supported.

Introduction

1. This inquiry was initially launched in January 2017 by our predecessor committee. However, the dissolution of Parliament and the General Election prevented any oral evidence sessions from taking place. Following the Committee's reconstitution, we considered carefully which issues we should initially pursue in our work and how best we could build on the work of our predecessors. It was clear to us from the level of interest and concern expressed in the evidence received that the effectiveness of overview and scrutiny committees in local authorities was something that we should investigate as an immediate priority. We therefore relaunched the inquiry in September 2017 and undertook to take account of the wealth of written evidence provided by councils, officers, members and stakeholders prior to the election.

2. We are extremely grateful to everyone who contributed to our inquiry. Scrutiny varies significantly across the country, and the level of interest in the inquiry has enabled us to hear from a wide range of authorities and form a representative picture of local authority scrutiny in England. To assist us in forming this picture, and to ensure we spoke with as many authorities as possible, we supplemented our oral evidence sessions with a less formal workshop event in October 2017. Our workshop was attended by over 45 councillors and officers working in scrutiny across the country and we thank them all for their attendance and contributions.

3. This report will consider why scrutiny is important and what the role of scrutiny committees should be in local authorities. We do not believe that certain models should be imposed on councils, but we do believe that there should be an organisational culture that welcomes constructive challenge and has a common recognition of the value of scrutiny, both in terms of policy development and oversight of services. In order to achieve this, we believe that scrutiny committees must be independent and able to form their own conclusions based on robust and reliable data, and that decision-makers should not seek to obstruct their role by withholding information. We also consider the role of the public in local scrutiny, both in terms of their participation in committees' work and in how scrutiny committees can represent their interests to service providers, even when those providers are external commercial organisations. The final chapter of this report considers the role of scrutiny in the recently created mayoral combined authorities in an attempt to help these organisations to establish positive working practices as early as possible. Throughout this report we call on the Government to revise the guidance on scrutiny that it issues local authorities. For clarity, the specific points that we believe should be covered by such a revision are listed below.

Proposed revisions to Government guidance on scrutiny committees

- That overview and scrutiny committees should report to an authority's Full Council meeting rather than to the executive, mirroring the relationship between Select Committees and Parliament.
- That scrutiny committees and the executive must be distinct and that executive councillors should not participate in scrutiny other than as witnesses, even if external partners are being scrutinised.
- That councillors working on scrutiny committees should have access to financial and performance data held by an authority, and that this access should not be restricted for reasons of commercial sensitivity.
- That scrutiny committees should be supported by officers that are able to operate with independence and offer impartial advice to committees. There should be a greater parity of esteem between scrutiny and the executive, and committees should have the same access to the expertise and time of senior officers and the chief executive as their cabinet counterparts.
- That members of the public and service users have a fundamental role in the scrutiny process and that their participation should be encouraged and facilitated by councils.

1 The role of scrutiny

4. Before considering whether scrutiny committees are working effectively, it is important to consider what their role is and what effective scrutiny looks like. Local authorities are currently facing a number of challenges and competing demands, from an ageing population to budget shortfalls to promoting local growth in an often-hostile economic environment. It is therefore imperative that all expenditure is considered carefully and its impact is measured. However, measuring the impact of overview and scrutiny committees can be a significant challenge. Whilst identifying ‘good’ scrutiny is not always possible, the consequences of ineffectual scrutiny can be extreme and very apparent.

5. The Francis Report¹ was published in 2013 following failings at the Mid Staffordshire NHS Trust. Whilst the failings were not attributed to local committees, the report was critical of local authority health scrutiny, highlighting a lack of understanding and grip on local healthcare issues by the members, little real interrogation and an over-willingness to accept explanations. Similarly, the Casey Report² in 2015 on Rotherham Council cited particular failings in Rotherham’s approach to scrutiny, noting that “Inspectors saw regular reports to the Cabinet and Scrutiny committees, but not the effective challenge we would expect from elected Members.”³ The report also found that scrutiny had been undermined by an organisational culture that did not value scrutiny and that committees were not able to access the information they needed to hold the executive to account. Mid Staffordshire and Rotherham are two of the most high-profile failures of overview and scrutiny committees, but the issues raised in the two reports can easily occur in other local authorities, and we consider some of them in this report.

6. Overview and scrutiny committees were created by the Local Government Act 2000 and were designed to off-set increased centralised power established by the new executive arrangements. The Act replaced the committee system whereby decisions were made either by meetings of the full council or in cross-party committees which managed council services. For proponents of the committee system, one of its strengths was that all members had an active role in decision-making. However, as Professor Colin Copus from De Montfort University told us, it was “an illusion of power. If you put your hands up at the end of a meeting you feel, “I am powerful. I am making something happen”. I am sure I am not giving any trade secrets away, but most of those decisions are made two nights before in the majority party group meetings.”⁴ With the exception of councils with a population under 85,000, the 2000 Act created a requirement for authorities to establish an executive of a leader, or elected mayor, and cabinet members.⁵ Mirroring the relationship between Parliament and government, the Act also required the non-executive members of councils to scrutinise the executive by creating at least one overview and scrutiny committee.

1 Report of the Mid Staffordshire NHS Foundation Trust Public Inquiry, [HC947](#), February 2013

2 Report of Inspection of Rotherham Metropolitan Borough Council, [HC1050](#), February 2015

3 Report of Inspection of Rotherham Metropolitan Borough Council, [HC1050](#), February 2015 p65

4 Q38

5 There was also initially an option for Mayor and council manager executive, but this was later repealed. Smaller authorities were able to retain the committee system, as long as there was at least one overview and scrutiny committee. The Localism Act 2011 extended this option to all authorities, but the requirement of a designated scrutiny committee was removed.

However, beyond some statutory requirements (for example designating committees to scrutinise health bodies, crime and disorder strategies, and flood risk management), how councils deliver scrutiny is a matter of local discretion.

7. Some councils have multiple committees that broadly align with departmental functions, while others have fewer formal committees but make greater use of time-limited task and finish groups. Similarly, as the Centre for Public Scrutiny (CfPS) identifies, different councils use different labels for their scrutiny work, including “select committees, policy development committees, or a number of other names. The use of different terminology can prove confusing [but] This is probably a good thing—it reflects the fact that scrutiny has a different role in different places, which reflects local need rather than arbitrary national standards”.⁶ Throughout this report references to ‘scrutiny’ and ‘scrutiny committees’ mean all committees and work associated with the overview and scrutiny committees required by the Local Government Act 2000.

8. Whilst acknowledging that scrutiny fulfils different roles in different areas, we believe that at its best, scrutiny holds executives to account, monitors decisions affecting local residents and contributes to the formation of policy. We therefore support CfPS’s four principles of good scrutiny, in that it:

- Provides a constructive “critical friend” challenge;
- Amplifies the voices and concerns of the public;
- Is led by independent people who take responsibility for their role;
- Drives improvement in public services.⁷

9. We believe that as well as reacting to decisions and proposals from local decision makers, effective scrutiny can also be proactive and help to set a policy agenda. For example, Birmingham City Council’s Education and Vulnerable Children Overview and Scrutiny Committee carried out a review of the council’s work to tackle child sexual exploitation. As a result of the Committee’s work, the executive responded and addressed the issues raised:

The committee heard much harrowing evidence but produced a hard hitting report containing 19 strong recommendations. As a result of the report extra resources were allocated to the team co-ordinating CSE on behalf of the city. The council also undertook to strengthen its approach to safeguarding children by reviewing its statement of licensing and being more pro-active in using its executive powers of “the protection of children from harm”.⁸

10. Pre-decision scrutiny is also a vital part of a committee’s role. By commenting on and contributing to a decision before it has been made, scrutiny committees are able to offer executives the benefit of their ability to focus on an issue in greater depth over a longer period of time. For example, the London Borough of Merton’s Children and Young People Overview and Scrutiny Panel considered a site proposal for a new secondary school. As a

6 Centre for Public Scrutiny ([OSG098](#)) para 6

7 Centre for Public Scrutiny ([OSG098](#)) para 38

8 Birmingham City Council ([OSG087](#)) part 3

result of its work, the Panel was “able to provide a detailed reference to Cabinet focusing on how to optimise use of the selected site and mitigate any negative impact”, helping the Cabinet to make a more informed and considered decision.⁹

11. The role of scrutiny has evolved since its inception. The 2000 Act empowers committees to review decisions made by the executive and to make reports and recommendations for the executive’s consideration. In the seventeen years since, the way in which scrutiny committees perform their function has understandably changed. One such way has been an increase in scrutiny of external bodies, most notably health bodies. Councils have delivered services through increasingly varied partnership arrangements - including contracting to private companies, creating arms-length bodies or working with other public bodies - and scrutiny has responded by adjusting how it scrutinises the issues that matter to local residents. The Department for Communities and Local Government (DCLG) highlights that “To support local councils adopting good practice, the Department for Communities and Local Government issues statutory guidance, to which councils must have regard when developing their localist scrutiny arrangements.”¹⁰ This guidance was last issued in 2006¹¹ and predates several legislative changes as well as changes to ways of working such as an increasing focus on external scrutiny and public participation (both discussed later in this report). When we asked Marcus Jones MP, Minister for Local Government, about the guidance, he told us:

It has been some time since we looked at the guidance on scrutiny ... The initial evidence that you have taken indicates that in many places scrutiny is working well, but there are also instances in which overview and scrutiny committees could improve. It is therefore important that once we see the outcome of this Committee in the report that you provide, I take those recommendations very seriously. If there are areas where it is sensible and pertinent to update the guidance, we will certainly consider that.¹²

12. We welcome the Minister’s willingness to consider our recommendations carefully. We believe that there are many instances across the country where scrutiny committees are operating effectively and acting as a voice for their communities, however there remains room for improvement for too many and we believe that updated guidance from the Department is long overdue. ***We therefore recommend that the guidance issued to councils by DCLG on overview and scrutiny committees is revised and reissued to take account of scrutiny’s evolving role.***

13. Throughout our investigations, we heard about a range of positive examples of effective scrutiny, some of which we have referenced in this report. ***We call on the Local Government Association to consider how it can best provide a mechanism for the sharing of innovation and best practice across the scrutiny sector to enable committees to learn from one another. We recognise that how scrutiny committees operate is a matter of local discretion, but urge local authorities to take note of the findings of this report and consider their approach.***

9 London Borough of Merton ([OSG037](#)) page 12

10 Department for Communities and Local Government ([OSG122](#)) para 5

11 Department for Communities and Local Government, [New council constitutions: guidance to English Authorities](#) (May 2006)

12 Q111

2 Party politics and organisational culture

Organisational culture

14. As discussed above, councils across the country deliver scrutiny in a wide range of different ways. We are of the view that whichever model of scrutiny a council adopts it is far less important than the culture of an organisation. Council leaders, both politicians and officials, have a responsibility to set the tone and create an environment that welcomes constructive challenge and democratic accountability. Jacqui McKinlay from the CfPS explained to us:

If you have buy-in to scrutiny at the top of the organisation—that is the leader, the cabinet and the chief executive—it tends to follow that scrutiny is resourced ... However, if you do not get buy-in to a scrutiny approach—that openness and transparency and the willingness to be questioned, seeing the value of scrutiny—it tends to follow that it is not resourced as well and you do not get that parity of esteem ... If your leadership is closed to that sort of challenge, it does not just affect scrutiny; it affects a lot of how the organisation is run.¹³

15. The Minister for Local Government echoed this view when he told us:

I think that where scrutiny is done properly in local authorities that have the right culture, and where scrutiny is taken seriously, it can perform an excellent function in relation to how the executive works by holding them to account and putting them in a position where they probably make decisions that are more in the interests of the people they represent and local residents than they otherwise might be.¹⁴

16. All of the examples of effective scrutiny that we have heard about have in common an organisational culture whereby the inherent value of the scrutiny process is recognised and supported. Senior councillors and officers that seek to side-line scrutiny can therefore miss out on the positive contributions that scrutiny is capable of, and put at risk a vital assurance framework for service delivery. The Nottingham City Council Overview and Scrutiny Committee explains that:

there can be a perception that overview and scrutiny is an ‘add on’ rather than an integral part of the organisation’s governance arrangements... [with the executive arrangements] there can be a tendency for council officers to feel that they are primarily accountable to one councillor which risks overlooking the important role of other councillors, including those engaged in scrutiny activities, within the decision making structure. As a result the function is not always afforded the prominence it deserves and opportunities to make the most of its potential can be missed.¹⁵

13 Q15

14 Q109

15 Nottingham City Council Overview and Scrutiny Committee ([OSG024](#)) para 1.3

The relationship between scrutiny and the executive

17. We are concerned that the relationship between scrutiny and the executive has a tendency to become too unbalanced. With decision-making powers centralised in the executive, scrutiny can be seen as the less-important branch of a council’s structure. Professor Copus highlighted that there is no parity of esteem in the eyes of many councillors:

One of the things I have noted in all of the work I have done on scrutiny since 2002 is I have only ever once come across a councillor who said, “If you offered me a place in the cabinet, I would reject it. I want to stay a chair of scrutiny”. I am sure there are more than the one I have met, but that is an indication.¹⁶

18. Professor Copus argued that this imbalance in esteem is also reflected in council officers:

I found many officers will know the council leader’s name and the name of the portfolio-holder for their particular area of interest, but they might not know the scrutiny chairperson’s name. Once you start to see that, you see the whole thing begin to crumble.¹⁷

19. If neither councillors or officers explicitly recognise the importance of the scrutiny function, then it cannot be effective. Part of the challenge lies in identifying what effective scrutiny actually looks like, as discussed earlier in this report, as councils are more likely to allocate diminishing resources to functions where there can be a quantifiable impact. **However, all responsible council leaderships should recognise the potential added value that scrutiny can bring, and heed the lessons of high profile failures of scrutiny such as those in Mid Staffordshire and Rotherham.**

20. Council leaderships have a responsibility to foster an environment that welcomes constructive challenge and debate. However, opposition parties also have a key role to play in creating a positive organisational culture. We agree with the Minister who told us that:

At the end of the day, if an opposition takes a reasonable view on these things and treats the executive with respect, but challenges them when challenge is necessary, rather than just for the sake of challenge, I think you can get to a situation where you have—not much of an agreement politically, probably, but there could be mutual respect. That would serve the scrutiny function well.¹⁸

The role of Full Council

21. Parliamentary select committees have a well-established independence from the executive in that they do not report to the Government, but to the House of Commons as a whole. In contrast, it is less clear where local authority scrutiny committees report to, with most reporting to the executive that they are charged with scrutinising. The Institute

16 Q4
17 Q15
18 Q137

of Local Government Studies (INLOGOV) at the University of Birmingham argues that it should be made clear in guidance that scrutiny reports and belongs to Full Council, not the executive:

As of now, most scrutiny committees report to the Executive—with only some inviting the scrutiny chair and members who have written a report to present it. A few present reports to the full council. When they do so, this has the opportunity to create a relevant and interesting debate on a matter of local concern which has been investigated in depth by a group of councillors. Such a debate enables other councillors to see what scrutiny has done, and to add their own experiences. Councils should be required to have Reports from scrutiny on all council agendas.¹⁹

22. Cllr Mary Evans told us that she welcomed the suggestion that scrutiny should be accountable to Full Council.²⁰ We also heard from Cllr John Cotton from Birmingham City Council, whose scrutiny committees do report to Full Council. He told us that:

speaking from Birmingham’s perspective, due to the fact that everything reports through to full council we have been able to preserve some of that independence of approach, but from the conversations I have been having that certainly needs to be echoed in other authorities.²¹

23. To reflect scrutiny’s independent voice and role as a voice for the community, we believe that scrutiny committees should report to Full Council rather than the executive and call on the Government to make this clear in revised and reissued guidance. When scrutiny committees publish formal recommendations and conclusions, these should be considered by a meeting of the Full Council, with the executive response reported to a subsequent Full Council within two months.

The impact of party politics

24. Scrutiny committees must have an independent voice and be able to make evidence-based conclusions while avoiding political point-scoring. In order to do this, they need to be sufficiently resourced, have access to information (both discussed in greater detail below) and operate in an apolitical, impartial way. Committees of local councillors will always be aware of party politics, but sometimes this can have too great an influence and act as a barrier to effective scrutiny. Jacqui McKinlay from the CfPS told us that “We often say that local government scrutiny is a perfect system until you add politics to it. In our last survey, 75% of people say that party politics affects scrutiny.”²² Professor Copus also recognised the party-political dynamic to scrutiny when he described to us:

members from opposing political parties, one seeing their role as using scrutiny to attack the executive and the other seeing it as a forum in which to defend the executive. If that is the interaction, you are not going to get executive accountability ... In terms of a lot of the issues that are problematic for overview and scrutiny, the interplay of party politics is often at the

19 Institute of Local Government Studies, The University of Birmingham ([OSG053](#)) page 6

20 Q68

21 Q68

22 Q12

heart of it. I will quite often hear councillors, even from majority groups, admitting that one of the reasons scrutiny is not as effective as it can be is because of the relationship between the opposing groups.²³

25. The Local Government Act 2000, and the guidance issued by DCLG, specifies that members of a council's executive cannot also be members of overview and scrutiny committees. A Private Members' Bill in 2009²⁴ made provisions to allow executive members to sit on committees during scrutiny of external bodies (on the basis that in such instances, it was not the executive that was being scrutinised). The Bill did not pass through the House of Commons, and we are wary of any such attempts to dilute the distinction between executive and scrutiny functions. We heard of instances at the workshop of executive councillors effectively chairing scrutiny committee meetings where the NHS was under scrutiny, and are concerned by such practices. **We believe that executive members should attend meetings of scrutiny committees only when invited to do so as witnesses and to answer questions from the committee. Any greater involvement by the executive, especially sitting at the committee table with the committee, risks unnecessary politicisation of meetings and can reduce the effectiveness of scrutiny by diminishing the role of scrutiny members. We therefore recommend that DCLG strengthens the guidance to councils to promote political impartiality and preserve the distinction between scrutiny and the executive.**

Committee chairing arrangements

26. Political impartiality can also be encouraged through the process for appointing chairs of committees. Overview and scrutiny committees are required to have a membership that reflects the political balance of a local authority, but there are a range of different approaches for appointing the chairs and vice chairs of committees. Many authorities specify that committee chairs must come from opposition parties, others allocate chair positions proportionally among the parties on the council and others reserve all committee chair positions for the majority party. The Centre for Public Scrutiny states that:

Legally, the Chairing and membership of overview and scrutiny committees is a matter for a council's Annual General Meeting in May. Practically, Chairing in particular is entirely at the discretion of the majority party. Majority parties can, if they wish, reserve all committee chairships (and vicechairships) to themselves ... the practice of reserving all positions of responsibility to the majority party is something which usually happens by default, and can harm perceptions of scrutiny's credibility and impartiality.²⁵

27. Chairs from a majority party that are effectively appointed by their executive are just as capable at delivering impartial and effective scrutiny as an opposition councillor, but we have concerns that sometimes chairs can be chosen so as to cause as little disruption as possible for their Leaders. **It is vital that the role of scrutiny chair is respected and viewed by all as being a key part of the decision-making process, rather than as a form of political patronage.**

23 Q12

24 [Local Authorities \(Overview and Scrutiny\) Bill 2009–10](#)

25 [Centre for Public Scrutiny \(OSG098\)](#) paras 130–132

28. Cllr Mary Evans, chair of the scrutiny committee at Suffolk County Council, told us of her efforts to keep party politics out of scrutiny as a chair from a party with a sizeable majority: “We do it by involving the membership of the scrutiny committee at every point of an inquiry ... we had a workshop just after our elections in May to look at what our forward work programme would be. The membership together has picked the programme.”²⁶ When asked whether the size of her party’s majority made this easier, Cllr Evans explained that “When I first chaired scrutiny, in 2015, we had a majority of only one. I wanted to work across the committee. I did not have the luxury of a large majority ... We try to be as open and transparent as scrutiny should be, so the membership is engaged and involved in every aspect of the inquiry.”²⁷ Cllr John Cotton, lead scrutiny member at Birmingham City Council, is also a scrutiny chair from a majority party and he told us that whilst it is important to acknowledge the role of party politics, scrutiny works best when non-partisan:

In terms of the discharge of the scrutiny function, certainly we proceed on a very non-partisan basis. All of our full scrutiny reports go to full council. I can only recall one occasion in the last 15 years where we have had a minority report because there has been a partisan division. Frequently those reports are moved by the chair and seconded by a member from an opposition party. You then have collective ownership of those recommendations, because they are taken by full council. The scrutiny process draws its strength from the fact that we have those inputs from members across the piece ... There is a little bit of grit in the system, if you like, which comes from the party-political roots of members, which you do not want to remove entirely.²⁸

29. Cllr Sean Fitzsimons, chair of the Scrutiny and Overview Committee at Croydon Council, echoed this view when he told us that as a chair from a majority party that made critical recommendations of his executive “you have to go along with it if you believe that scrutiny is a function of the backbenches and that you have to put aside your party loyalties in the short term.”²⁹ However, Cllr Fitzsimons argued that scrutiny is at risk of becoming more partisan and that the process for choosing a chair needed consideration:

My worry is that, as people have drifted away, over time, from what the original aspect of overview and scrutiny was, party politics have played a greater role. If I was looking at this issue, I would look at the political culture of each political party. In the Labour group, under the standing orders of the national party, [scrutiny chairs are] not appointed by the leadership of the Labour group, so I am independent of my leader, so I have a little bit of leeway. My two best chairs that I ever had from the opposition group were so good at scrutiny that they were sacked by their political leader when he was in power. Within the Conservative group, chairs of scrutiny can be appointed effectively by the leader of the council or by the cabinet, and I do think the political cultures of the parties really influence it.³⁰

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30. **We believe that there are many effective and impartial scrutiny chairs working across the country, but we are concerned that how chairs are appointed has the potential to contribute to lessening the independence of scrutiny committees and weakening the legitimacy of the scrutiny process. Even if impropriety does not occur, we believe that an insufficient distance between executive and scrutiny can create a perception of impropriety.** We note, for example, the views of the Erewash Labour Group:

The Scrutiny Committee in this Authority protects the Executive rather than holding them to account. If they are ever held to account it is within the privacy of their own Political Group Meetings which are not open to the public. Most of the important decisions are first made in the Group Meetings ... The opposition have made some very sensible suggestions during Scrutiny debates only to be told “We have already decided this.” Cabinet Members may not attend Scrutiny Meeting unless by the invitation of the Chair. This rule was brought in to stop Cabinet Members exerting any undue pressure on members by their presence. Now they simply exert pressure in other ways such as by the choice of member selection and also the selection of the chair.³¹

31. It is clear to us that scrutiny chairs must be seen to be independently minded and take full account of the evidence considered by the committee. We note the evidence from the Minister who outlined the Government’s prescription that chairs of scrutiny in the new mayoral combined authorities must be from a different political party to the executive mayor in order to encourage effective challenge.³² Similarly Newcastle City Council where all scrutiny chairs are opposition party members, states that:

This has taken place under administrations of different parties and we believe that it adds to the clout, effectiveness and independence of the scrutiny process; it gives opposition parties a formally-recognised role in the decision-making process of the authority as a whole, more effective access to officers, and arguably better uses their skills and expertise for the benefit of the council.³³

32. In 2010, recommendations from the Reform of the House of Commons Committee’s report ‘Rebuilding the House’³⁴ were implemented to change the way Parliament worked. One such recommendation was the introduction of elections for select committee chairs by a secret ballot of all MPs. In 2015, the Institute for Government published an assessment of parliamentary select committees and their impact in the 2010–15 Parliament. The report found that electing chairs had helped select committees to grow in stature and be more effective:

Every chair we spoke to told us that, since the introduction of elections for committee chairs, they had felt greater confidence and legitimacy in undertaking committee work because they knew they had the support of their peers rather than pure political patronage.³⁵

31 Erewash Labour Group ([OSG013](#)) page 1

32 Q131

33 Newcastle City Council ([OSG015](#)) para 10

34 Reform of the House of Commons Select Committee, First Report of Session 2008–09, *Rebuilding the House*, HC1117

35 Institute for Government, *Select Committees under Scrutiny: The impact of parliamentary committee inquiries on government* (June 2015), page 34

33. The positive impact of elected chairs for parliamentary committees has led some to suggest that local authority scrutiny chairs should also be elected by their peers. Under such a system scrutiny chairs, regardless of whether they come from the majority party or the opposition, are more likely to have the requisite skills and enthusiasm for scrutiny by virtue of the election process. Electing chairs would also dispel the notion that being appointed scrutiny chair is a consolation prize for members not appointed to the cabinet. The CfPS argue that:

such a process would encourage those seeking nomination and election as chairs to set out clearly how they would carry out their role; it would also mean that they would be held to account by their peers on their ability to do so. The legitimacy and credibility that would come from this election could also embolden chairs to act more independently³⁶

34. When we asked the Minister about the prospect of electing scrutiny chairs, he was concerned that doing so could actually increase political pressures, but stated that “The important thing is that we have the right person chairing a scrutiny committee with the requisite skills, knowledge and acumen to take on the functions and achieve the outcomes that the scrutiny committee needs to achieve.”³⁷

35. We believe that there is great merit in exploring ways of enhancing the independence and legitimacy of scrutiny chairs such as a secret ballot of non-executive councillors. However, we are wary of proposing that it be imposed upon authorities by government. We therefore recommend that DCLG works with the LGA and CfPS to identify willing councils to take part in a pilot scheme where the impact of elected chairs on scrutiny’s effectiveness can be monitored and its merits considered.

36 Centre for Public Scrutiny ([OSG098](#)) para 133

37 Q138

3 Accessing information

36. Fostering the positive organisational culture discussed in the previous chapter can also determine another important aspect of effective scrutiny: access to information. When we asked Jacqui McKinlay whether scrutiny committees are able to access the information they need, she told us that:

The very determined ones can. I met one last week that had put an FOI request in to its own organisation in order to get the information. You should not have to do that, but there are ways there. There needs to be persuasion and influence in order to say, “This is an issue around flooding”, or whatever it might be, “that is really important”.³⁸

37. **Scrutiny committees that are seeking information should never need to be ‘determined’ to view information held by its own authority, and there is no justification for a committee having to resort to using Freedom of Information powers to access the information that it needs, especially from its own organisation. There are too many examples of councils being uncooperative and obstructive.** For example a submission from a spouse of a scrutiny chair argues that it can seem to not be in council officers’ interests to divulge information freely:

There is an element of ‘silosism’ within the Authority whereby Directors or Heads of Service do not release, explain or otherwise divulge their operational objectives, strategies or tactics for fear of being challenged. This makes it almost impossible to scrutinise, for after all how can one scrutinise what you don’t know? There is also a reluctance by officers to divulge operational (in)efficiencies in case it shows that there is an excess of staff ratios for particular tasks. It leads to obfuscation of such measures in order to protect their fiefdom.³⁹

38. Similarly, the Minister told us of the example of an authority to which he used to belong and how culture can affect councillors’ ability to scrutinise:

When I was in opposition on the district authority of which I was a member, the controlling group at the time had this unfortunate situation where they used to bring out their budget at the budget-setting council in March. They used to bring it out through the cabinet at 4 o’clock. That mini-meeting used to finish at 5 and then we used to go straight into the full council at 6 to approve the budget. Where you have that type of culture, even if you have resource and access to information, you are not going to get the outcomes that are in people’s best interests.⁴⁰

39. Professor Copus highlighted to us another challenge for scrutiny committees seeking to understand an issue:

I often think, “If someone is willing to give you something you have just asked for, what are they hiding? Why are they being overly enthusiastic?” It is because it is not causing them any problems. The information that

38 Q31

39 Anonymous submission ([OSG006](#))

40 Q119

scrutiny really needs is the stuff that people are a little bit more reluctant to hand over, whether that is the council itself or an external body. I hear quite often ... of councillors using FOIs against their own council for the want of any other way. It is a sign of an immense frustration among members that they have to do that.⁴¹

Commercial confidentiality

40. A particular challenge for councillors wishing to access information in order to scrutinise an issue is related to commercial confidentiality. Jacqui McKinlay told us that “Every councillor I meet will talk about the barrier of commercial confidentiality. They will talk about, “We cannot give that information” and a lack of transparency.”⁴² Local authorities are required by statute to publish all information relating to decisions taken and service delivery, however there are certain categories of information that they can withhold. For example information relating to an individual’s circumstances is considered exempt, as is information relating to the financial or business affairs of any particular person - including the authority holding that information. As a consequence, many councils argue that publicly releasing specific details of a contract or a procurement framework such as cost or the details of rival bidders for a contract are withheld on the basis that such information is commercially sensitive and exempt from the access to information rules. Professor Copus told us that:

Commercial confidentiality is always another cloak behind which people who do not want to provide information can hide. There is a need for a much tighter definition of what is acceptable as an exemption for commercial confidentiality. It is not just not wanting to tell somebody what they have asked you. There needs to be a much tighter definition for scrutiny purposes.⁴³

41. Whilst we acknowledge that it is not always in the public interest for local authorities to publish all information and make it available to the public, we cannot see a justification for withholding such information from councillors. Councillors have regular access to exempt or confidential information, often distinguished on agendas by use of different colour paper. As Cllr Marianne Overton told us, “Councils are used to dealing with confidential information, and we recognise if it is on pink paper it is confidential. There is no question about it. There should not be any problem with sharing information with elected members. We are already under rules.”⁴⁴ **Councils should be reminded that there should always be an assumption of transparency wherever possible, and that councillors scrutinising services need access to all financial and performance information held by the authority.**

42. Legislation dictates what information should and should not be released to councillors. Regulations in 2012⁴⁵ clarified the position and granted additional access rights to members of overview and scrutiny committees. The Regulations state that

41 Q32

42 Q30

43 Q32

44 Q32

45 The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 ([SI2089](#))

scrutiny members can access any confidential material if they can demonstrate a ‘need to know’ in that it relates to any action or decision that that member is reviewing or scrutinising, or on any subject included on a scrutiny work programme. **We do not believe that there should be any restrictions on scrutiny members’ access to information based on commercial sensitivity issues. Limiting rights of access to items already under consideration for scrutiny limits committees’ ability to identify issues that might warrant further investigation in future, and reinforces scrutiny’s subservience to the executive. Current legislation effectively requires scrutiny councillors to establish that they have a ‘need to know’ in order to access confidential or exempt information, with many councils interpreting this as not automatically including scrutiny committees. We believe that scrutiny committees should be seen as having an automatic need to know, and that the Government should make this clear through revised guidance.**

Getting data from multiple sources and external advisors

43. Council officers are the primary source of information for many committees, however if they do not present the full picture, then those committees can get very limited assurances about the service they are scrutinising. Whilst scrutiny should be able have access to whatever information it needs, this also serves to emphasise the importance of scrutiny committees seeking to use data from multiple sources and challenge that which they are told. Professor Copus described to us how effective scrutiny should operate:

In some councils ... they are too reliant on officers and too reliant on a single source of advice. In too many councils the flexibility that scrutiny has over the committee system is not used ... sometimes, when you examine scrutiny agendas and scrutiny reports, and observe scrutiny meetings, what you see is a committee, and a one-off event that leads to not very much. In other councils, those that have really supported and understood scrutiny, you get a process ... Where you get scrutiny viewed as not a single event but a process, then the outcomes are much more effective, and there is a greater access to a wider range. What scrutiny should be doing is not taking one source of evidence and going, “That is from the officers. Great. That is okay. We agree the recommendations”. They should be looking at conflicting evidence. There is always conflicting evidence with big policy issues. They need to sift that evidence.⁴⁶

44. Cllr Marianne Overton, Leader of the Independent Group of the LGA, agreed that effective committees seek to triangulate data to build a fuller picture: “That is part of what scrutiny is about ... one of the issues about scrutiny is that the whole point is that you can call all kinds of different witnesses ... You are not just sitting, looking at the papers that you have been fed.”⁴⁷ We are concerned that too many committees are overly reliant upon the testimonies of council officers, and that they do not make wider use of external witnesses. Very few councils have the resources to provide independent support to both the executive and scrutiny, and in light of the uneven balance between the two functions discussed earlier, most resources are prioritised upon the executive. This means that officers working in a service department are supporting executive members to develop and implement decisions, and the same officers are then supporting scrutiny committees as

46 Q28

47 Q28

they seek to understand the impact of decisions and performance of departments. Whilst departmental officers may be able to distinguish the two roles and cater their support accordingly, we are concerned that too few councils are hearing alternative perspectives. However, we acknowledge that councils are operating on reduced budgets and that making use of specialist advisors can come at too high a cost for many committees. The LGA explains that:

Employing specialist external advice as part of oversight and scrutiny arrangements is not common ... Where councils do bring in external experts, it is because specific knowledge and skills are needed that are not available in house. Procuring specialist advice comes at a cost and, given the pressures on council budgets, not all committees have funding available to increase their standard staffing compliment, commission professional advice, secure external witnesses or even refresh recruitment of co-optees.⁴⁸

45. We are disappointed that committees do not make greater use of expert witnesses. At the informal workshop event hosted by the Committee, we spoke with councillors and officers on their use of experts such as local academics. One attendee told us that it could sometimes be possible to engage a local academic at the start of an inquiry to help members understand an issue, but it was seldom possible to sustain this engagement throughout the life of an inquiry. ***We note that few committees make regular use of external experts and call on councils to seek to engage local academics, and encourage universities to play a greater role in local scrutiny.***

Service users' perspective and public experiences

46. While recognising the constraints that committees operate under, we believe that it is possible to bring in a wider range of perspectives for limited expenditure, and that the benefits of doing so are significant. We note, for example, the case study presented by the LGA of Brighton & Hove City Council's scrutiny panel on equality for the transgender community:

The panel's review was underpinned by an effective and sensitive engagement strategy enabling the views of a hard to reach community to inform recommendations for action. The panel worked in partnership with the Council's Communities team, the city's LGBT Health Improvement Partnership, and a local charity which supported transgender people, co-opting experts to help better inform the process, and directly engaging through community events and specially designed workshops. A significant amount of time was devoted to the consultation process which was pivotal in helping to build up trust. The Panel's findings were well received by the transgender community and partners, with all 37 recommendations adopted by the Cabinet.⁴⁹

47. Bringing in the perspectives of service users undoubtedly leads to more effective scrutiny, both in developing policy such as the example from Brighton & Hove and in monitoring services. Officers from the London Borough of Hackney described an example of effective scrutiny in their monitoring of services for disabled children in the borough.

48 Local Government Association ([OSG081](#)) paras 10.1–10.3

49 Local Government Association ([OSG081](#)) paras 13.8 – 13.10

Rather than only using the testimony of the council officers delivering the service, “A major part of the evidence base for this review was the views of parents and carers of disabled children, as well as disabled children and young people themselves about the services they receive and the barriers they face in accessing current services.”⁵⁰ **We commend such examples of committees engaging with service users when forming their understanding of a given subject, and encourage scrutiny committees across the country to consider how the information they receive from officers can be complemented and contrasted by the views and experiences of service users.**

4 Resources

Reducing council budgets

48. Local government has experienced significant reductions in funding in recent years, leading many authorities to choose to reduce their scrutiny budgets. Whilst understandable in the context of wider reductions, it is regrettable that the resources allocated to scrutiny have decreased so much. The Centre for Public Scrutiny (CfPS) explains that:

There are now significantly fewer “dedicated” scrutiny officers employed by English councils. In 2015 this dropped below one full time equivalent officer post providing policy support to scrutiny per council. In many councils, there might be only 0.2 or 0.3 FTE to carry out this role—or nothing at all. (We would describe a “dedicated” scrutiny officer as one whose sole duties involve providing policy advice to scrutiny councillors.)⁵¹

49. Cllr John Cotton from Birmingham City Council also described a significant reduction in resources in recent years:

if I look at staffing for scrutiny in Birmingham, if we go back to 2010–11, we had 19.4 full-time equivalent staff. We are now working with 8.2, so there has clearly been a substantial reduction and we have seen a similar reduction in the number of committees and so forth ... it does come back to this issue that, if you value something, you have to invest in it.⁵²

50. Birmingham City Council explain that this reduction in resources has matched a reduction in the amount of scrutiny carried out:

Birmingham has had five standing O&S Committees for the last two years, whereas there were on average ten committees in the ten years prior to that. Whilst this is line with the reduction in council budgets overall, it should be noted that the main impacts are the negative effect on the breadth and depth of work that can be covered by each committee, plus the reduced capacity to research, reach out to external partners and to residents and service users—and so to “act as a voice for local service users”.⁵³

Officer support models and required skill sets

51. The CfPS also note that increasingly the officers providing day to day support to scrutiny committees are those whose role is combined with wider democratic services functions or with a corporate policy or strategy role.⁵⁴ Whilst those working in combined roles are able to provide effective support to scrutiny, there is a significant risk that non-scrutiny functions can take precedence. For example, democratic services officers supporting scrutiny must balance effective guidance, research and advice with the immediate time pressures and statutory deadlines of agenda publication and meeting administration. In such roles there is a risk that scrutiny is relegated to an ‘add-on’ that is only done once

51 Centre for Public Scrutiny ([OSG098](#)) para 100

52 Q46

53 Birmingham City Council ([OSG087](#)) page 6

54 Centre for Public Scrutiny ([OSG098](#)) paras 101–105

all other tasks are complete. Several officers attending our workshop expressed this view, with one officer explaining that she worked full time but her time was split with a wider corporate policy role and she estimated that no more than a quarter of her time was spent working on scrutiny matters. The ability of council officers to effectively support scrutiny can often depend entirely upon the personalities and enthusiasm of those officers. For example, when we asked Cllr Mary Evans from Suffolk County Council whether she felt that she had sufficient officer support, she told us: “I would say, “Yes, but”. Yes, we are adequately resourced, but it depends upon the fact that we have two extremely dedicated and experienced scrutiny officers who are working at full stretch.”⁵⁵

52. We heard evidence that the skill sets of officers is just as important as the number of officers allocated to support scrutiny. Professor Copus for example told us that when considering whether an authority’s scrutiny function is effective, he asks:

Is the scrutiny function well supported by officers and by the right sort of officers? I used to be a committee clerk, so I am not decrying that grand profession, but scrutiny committees need access to policy officers; they need access to people who can manipulate statistics, for example. They need the right sort of support.⁵⁶

53. Jacqui McKinlay also highlighted that certain skills are needed to effectively support scrutiny. She told us that:

We used to say a dedicated scrutiny officer [was the optimum approach, but] ... As long as they have the passion, dedication and commitment to the principle of scrutiny and the specialist skills to do it, I would say we should leave councils to configure how that happens. We do need to acknowledge that we do now have the internet, and the days of research and how that happens have changed. However, it is wrong to presume that councillors themselves will have the time and the capacity to do the level of research that is sometimes needed to do good scrutiny on complex issues. Fundamentally, it needs the bedrock of good scrutiny skills within the team to do that.⁵⁷

54. From speaking with officers and councillors at our workshop, it is apparent that there are many officers working in scrutiny that have these skills, and some are able to combine them with the different skill set required to be efficient and accurate committee clerks. However, we heard too many examples of officers working on scrutiny who did not possess the necessary skills. One councillor told us that in her authority scrutiny officers had become little more than diary clerks, with reports and data now coming from the service departments across the council, which were invariably overly optimistic about performance and unchallenging of the status quo.

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57 Q23

Scrutiny's profile and parity with the executive

55. Whilst we regret that the level of resources allocated to scrutiny has diminished, we believe that the bigger issue relates to our earlier conclusions on organisational culture. In this respect, we agree with Cllr Sean Fitzsimons from Croydon Council who told us:

Yes, it clearly does make a difference where the level of resource is, but it is too easy to put the blame on scrutiny not being at its best because we do not have the right officer or the right amount of resource in place. To me, it is clear that it is the power relationship between scrutiny, the executive and the officers. That really is the focus of where strengths and weaknesses are. You could have a very well-resourced scrutiny with officers who know their subject, but if you cannot get the chief executive or the executive director of a department to feel that you have a legitimate role, you can bang your head against the wall for as long as you like. For me, resources would come if we had that power balance right, rather than starting to look at resources first.⁵⁸

56. We are concerned that in many councils, there is no parity of esteem between scrutiny and the executive. Resources and status are disproportionately focussed around Leaders and Cabinet Members, with scrutiny too often treated as an afterthought. Professor Copus told us that:

in many councils, scrutiny lacks a parity of esteem with the executive. As a consequence, resources and focus are placed on the executive. For example, chief executives will find the time and have little problem in working directly with a council leader or with the cabinet. Expecting a chief executive then to work with the scrutiny process is always somewhat problematic. As soon as you differentiate between scrutiny and the executive with its officer base and its officer support, you start to chip away at the esteem that scrutiny has. One way around that, without expecting chief executives to work with every scrutiny committee, is to make sure that the scrutiny function has the resources to be able to produce evidence-based policy suggestions that the executive want to take on board, because they recognise scrutiny has done something they have not, which is spend three or four months looking at a particular issue in detail; cabinets cannot do that.⁵⁹

57. As well as the disproportionate allocation of resources, we are also concerned that the uneven relationship between executives and scrutiny committees means that those officers supporting scrutiny can find themselves conflicted. Scrutiny officers can find themselves in the position of having to balance corporate or administration priorities with the challenge role of scrutiny, conscious that those they are scrutinising can make decisions regarding future resourcing and their personal employment prospects. Advice from officers must be impartial and free from executive influence. Cllr Fitzsimons told us that:

You have to trust your officers and you also have to understand that they will have careers outside scrutiny ... We need to make certain that they do not become part of the rock-throwing contingent, and that they are not seen

58 Q45

59 Q15

as part of the group of officers supporting councillors who are making life difficult. I believe officers can be impartial, but they need to network and to network strongly within the council. If you really want to know what is going on in a department, you need an officer advising you in scrutiny who has those contacts within that highways department, as well as being good with the figures and being able to produce a report. You need impartiality, but you also need great networking skills.⁶⁰

58. We believe that if a local authority does not adequately resource the scrutiny function, such impartiality is harder to ensure. With officers supporting both the executive and scrutiny, there is a significant risk that real or perceived conflicts of interests can occur. For example, an officer from a London Borough explained that in her authority following reductions in scrutiny support, designated senior officers from service departments act as ‘scrutiny champions’:

The scrutiny champion’s role includes supporting the committee with finalising its work programme for the municipal year, and includes directing departmental officers to produce the scoping report for the area the Committee will undertake an ‘in-depth’ scrutiny review on in that year. As the same officers provide direct support to the executive, one can immediately see the defect in this model—officers supporting the scrutiny function are not independent of, and separate from, those being scrutinised.⁶¹

Allocating resources

59. Councils are under extreme budgetary pressures, but we are concerned that decisions regarding the resourcing of overview and scrutiny can be politically motivated. Professor Copus told us that:

In some councils, councillors have said to me, “It is a deliberate ploy that we under-resource scrutiny so that it cannot do anything and it cannot challenge the executive. It has very little role to play.” Because of the financial constraint, supporting scrutiny is a soft and obvious target for reductions. It is a false economy, because good, effective scrutiny can save councils money, and indeed save other organisations money as well.⁶²

60. When we asked the Minister about resourcing scrutiny committees, he told us:

What we have to consider here is that we have not got a scrutiny function that is in the pockets of the executive and the senior management team. We need a scrutiny function where those senior officers have a relationship with the scrutiny function and the people conducting the scrutiny get to see how the executive works and understand the executive, but that does not take away the fact that we need to make sure that scrutiny committees are properly resourced. That is not necessarily, in certain places, about having a

60 Q53

61 An officer from a London Borough ([OSG091](#)) para 3

62 Q22

dedicated officer; it is more about having access to the information, support and, at times, research, to make sure that they do a good job of scrutinising the executive.⁶³

61. We acknowledge that scrutiny resources have diminished in light of wider local authority reductions. However, it is imperative that scrutiny committees have access to independent and impartial policy advice that is as free from executive influence as possible. We are concerned that in too many councils, supporting the executive is the over-riding priority, with little regard for the scrutiny function. This is despite the fact that at a time of limited resources, scrutiny's role is more important than ever.

62. *We therefore call on the Government to place a strong priority in revised and reissued guidance to local authorities that scrutiny committees must be supported by officers that can operate with independence and provide impartial advice to scrutiny councillors. There should be a greater parity of esteem between scrutiny and the executive, and committees should have the same access to the expertise and time of senior officers and the chief executive as their cabinet counterparts. Councils should be required to publish a summary of resources allocated to scrutiny, using expenditure on executive support as a comparator. We also call on councils to consider carefully their resourcing of scrutiny committees and to satisfy themselves that they are sufficiently supported by people with the right skills and experience.*

The role of the Statutory Scrutiny Officer

63. The Localism Act 2011 created a requirement for all upper tier authorities to create a statutory role of designated scrutiny officer to promote scrutiny across the organisation. The Act does not require that the officer be of a certain seniority, or be someone that works primarily supporting scrutiny. The Institute of Local Government Studies (INLOGOV) at the University of Birmingham explains that:

The intention was to champion and embrace the role of scrutiny. In reality, in most councils, the designated post-holder, while willing, is a shadow of the other posts required by legislation—the Head of Paid Service, Section 151 Officer, and Monitoring Officer. It is seldom an officer with a level of seniority sufficient to ensure that scrutiny is taken seriously when the Executive (both cabinet members and senior council staff) seek to close ranks.⁶⁴

64. We believe that the role of a statutory 'champion' of scrutiny is extremely important in helping to create a positive organisational culture for an authority. However, we are concerned that the creation of this role has resulted in too many instances of Statutory Scrutiny Officers fulfilling the role in name only, with little actual activity. At our workshop, councillors described to us how Statutory Scrutiny Officers were often 'too low down the food chain', while officers told us of the need for a higher profile for the role, arguing that officers from across the council should know who their Statutory Scrutiny Officer is in the same way they do for monitoring officers. We agree with INLOGOV that the creation of the post has "proved largely ineffective"⁶⁵ and believe that reform

63 Q114

64 The Institute of Local Government Studies, The University of Birmingham ([OSG053](#)) page 6

65 The Institute of Local Government Studies, The University of Birmingham ([OSG053](#)), page 1

is needed in order to achieve the aspirations of the Localism Act 2011. The Association of Democratic Services Officers (ADSO) argue that the profile of the Statutory Scrutiny Officer role should be on a par with the Statutory Monitoring Officer⁶⁶ and the County and Unitary Councils' Officer Overview and Scrutiny Network argue that the requirement for a Statutory Scrutiny Officer should be extended to all councils.⁶⁷ We note the positive example of Stevenage Borough Council choosing to fund a scrutiny officer despite not being covered by the provisions of the Act:

Some years ago this authority created a post of Scrutiny Officer and this has greatly helped with the running of an effective scrutiny function. We have prioritised this over other funding options. It is increasingly difficult to do so as this is not a statutory function at a District level, and the further funding cuts we face over the next three years place extreme pressure on existing budgets.⁶⁸

65. We recommend that the Government extend the requirement of a Statutory Scrutiny Officer to all councils and specify that the post-holder should have a seniority and profile of equivalence to the council's corporate management team. To give greater prominence to the role, Statutory Scrutiny Officers should also be required to make regular reports to Full Council on the state of scrutiny, explicitly identifying any areas of weakness that require improvement and the work carried out by the Statutory Scrutiny Officer to rectify them.

66 Association of Democratic Services Officers ([OSG123](#)) page 7

67 Council and Unitary Councils' Officer Overview and Scrutiny Network ([OSG114](#)) para 8.1

68 Stevenage Borough Council ([OSG060](#)) page 1

5 Member training and skills

The importance of training

66. Unlike the quasi-judicial council committees of planning and licensing, members of scrutiny committees are not required to have any specialist skills or knowledge. We have heard evidence suggesting that this can hinder the effectiveness of committees, and are concerned that some councillors might not take their scrutiny role as seriously as others. For example, an anonymous spouse of a scrutiny chair states that:

Whilst most Authorities have educational classes for members they are not well attended for the following reasons. Members who are in full time employment are not willing to attend in their ‘nonworking hours’; those who are long standing members think it beneath them and those who work for a political party are ‘instructed’ by the party’s position on the subject.⁶⁹

67. If scrutiny members are not fully prepared and able to ask relevant questions, the committee will not be able to fully interrogate an issue and committee meetings can become little more than educational sessions for councillors to learn about a service, rather than scrutinise it. An officer from a London Borough explains that scrutiny meetings are:

typically between scrutiny members and senior officers where the temptation to ask questions to simply learn more about a subject matter is greater ... The Council’s Member Development Officer, together with Democratic Services Officers, do arrange training for scrutiny members when opportunities arise; but this has proved insufficient as members infrequently display the required level of listening and questioning skills to make scrutiny impactful. Too many discussions at meetings are based on requests for more information, without expressing why it is required or how it will facilitate good scrutiny.⁷⁰

68. Jacqui McKinlay from CfPS explained that training for scrutiny members usually fell into one of two categories:

One is the generic skills element—questioning skills, and understanding data and performance management information. We then also run training, which is around children’s services, understanding health and social care integration, whatever it might be. We are getting into the nitty-gritty then to give people enough knowledge... [However,] it is about who comes forward and accesses that. The people who come forward and access that tend to come from good organisations.⁷¹

The suitability of training provided

69. Without the legal requirement for training such as on quasi-judicial committees, councils are not able to ensure that scrutiny members have all of the skills or knowledge

69 Anonymous submission ([OSG006](#))

70 An officer from a London Borough ([OSG091](#)) para 10

71 Q30

that they need to deliver effective scrutiny, and those that need it most are the least likely to engage. However, we also note the view of Professor Copus, who highlighted that the value of councillors is that they are lay persons:

There is a danger that we end up training councillors to be elected officers, and that has to be avoided. Officers are there to do their role. Councillors require a different type of skill and training. I am a great fan of council officers and I am not unfairly criticising them, but in many cases the training that is provided to members is what officers need members to understand, rather than what members need to understand.⁷²

70. We agree that councillors require a different type of training from officers and that knowing a subject is not sufficient to ensure good scrutiny. The ability to question effectively, as well as actively listen to responses, is fundamental to successful scrutiny. Cllr Fitzsimons told us:

Indeed, some of the simpler questions are some of the most pertinent questions going. Someone coming in not knowing too much about a subject can almost get more from a session than someone who has drifted into data nirvana or something like that, where they are really drilling down and finding out why this figure does not match this other one.⁷³

The quality of training available and DCLG oversight

71. We are concerned that there is no mechanism to ascertain whether scrutiny councillors are able to fulfil their vital role or that the training they do receive is fit for purpose. We asked councillors about the training and support that they had received from the Local Government Association (LGA), and responses were mixed. Cllr Fitzsimons for example told us:

the LGA runs some really interesting courses, which I have attended. They outsource some of it to the Centre for Public Scrutiny. I am not particularly a fan of the way they do things, and their training has not really moved on for a long time. The skills training that a councillor has for a meeting about questioning-and-answering skills are good training sessions.⁷⁴

72. He argued that fundamental requirements for training included more emphasis on a self-reflective approach:

I remember going to do a training session with the London Borough of Richmond in 2006, and my challenge to the councillors who were doing scrutiny was, “How much backbone do you have?” and I just do not see that within the training. Are you willing to ask difficult questions? Are you willing, in your own political group, after you have done a scrutiny meeting, to have people say to you, “You were a bit harsh on the leader”? They do not get that self-reflective type training about, “What is your role? Are you really going to hold to account?”⁷⁵

72 Q32
73 Q59
74 Q64
75 Q64

73. Cllr Fitzsimons also criticised national conferences and networking events for having an insufficient emphasis on frontline scrutiny members:

You do not see ordinary councillors leading the events ... ultimately the LGA is focused on the executive and their whole setup. Scrutiny, I believe, is an add-on, and that is just a reflection of the way it works, because the people who are influential in LGA are more likely to be council leaders and cabinet members than the ordinary scrutiny people. Individual training is good, but overall I do not think it is hitting the mark.⁷⁶

74. The Minister told us that the Department allocated £21 million to the LGA “so that it could support various activities to improve the governance in local authorities; and it is why we are absolutely committed to working with the LGA and its delivery partners—organisations such as the Centre for Public Scrutiny”.⁷⁷ DCLG states that:

The Government does not monitor the effectiveness of overview and scrutiny committees—which is a matter for the authorities themselves. However, the Secretary of State may intervene in authorities which have failed in their best value duty, as happened in 2014 in Tower Hamlets and in 2015 in Rotherham.⁷⁸

75. We are concerned that DCLG gives the LGA £21 million each year to support scrutiny, but does not appear to monitor the impact of this support or whether this investment represents best value. When we questioned the Minister about his Department’s monitoring of scrutiny effectiveness and the extent to which this was delegated to the LGA, he told us that DCLG “will look very carefully at the recommendations that are made by the Committee.”⁷⁹

76. It is incumbent upon councils to ensure that scrutiny members have enough prior subject knowledge to prevent meetings becoming information exchanges at the expense of thorough scrutiny. Listening and questioning skills are essential, as well as the capacity to constructively critique the executive rather than following party lines. *In the absence of DCLG monitoring, we are not satisfied that the training provided by the LGA and its partners always meets the needs of scrutiny councillors, and call on the Department to put monitoring systems in place and consider whether the support to committees needs to be reviewed and refreshed. We invite the Department to write to us in a year’s time detailing its assessment of the value for money of its investment in the LGA and on the wider effectiveness of local authority scrutiny committees.*

76 Q64

77 Q113

78 Department for Communities and Local Government ([OSG122](#)) para 19

79 Q125

6 The role of the public

77. Earlier in this report, we discussed the need for scrutiny committees to have greater legitimacy and independence from their executives. A key way of delivering this is to ensure that members of the public and local stakeholders play a prominent role in scrutiny. By involving residents in scrutiny, the potential for a partisan approach lessens and committees are able to hear directly from those whose interests they are representing. Many local authorities have been very successful in directly involving their residents through open meetings, standing agenda items and public appeals for scrutiny topics. Other authorities, and indeed parliamentary select committees, can learn from such positive examples.

Case studies of public engagement

78. Devon County Council argues that “Scrutiny serves as almost the only bastion of opportunity for local people to voice an opinion on changes to a wide range of services, not just those provided by the Council.” The authority also cites an example where scrutiny considered a national issue which had a local manifestation. Search and Rescue services were previously provided by RAF Chivenor, but when this changed “Local People were very concerned about the loss of the service and scrutiny reviewed the evidence in an independent way. The subsequent report helped to reassure local people that the evidence supported the change as well as to establish a baseline from which to challenge future incidents.”⁸⁰

79. At its most effective, we believe that scrutiny amplifies the concerns of local residents and of service users. A positive example of this is in Exeter where the City Council established a ‘Dementia Friendly Council’ task and finish group. As part of its work, the group “invited members of the Torbay Dementia Leadership Group to visit the Customer Service Centre to observe the front line service and facilities from the point of view of a person with dementia and to see if the Council could make any improvements to the existing customer experience.” Subsequent recommendations to improve the service have since been made.⁸¹

80. At our workshop with councillors and officers, one councillor explained that she did not like the term ‘public engagement’ and instead preferred to think of it as ‘listen and learn’. This approach was evident in the example of Surrey County Council, cited by the LGA.⁸² Surrey conducted extensive pre-decision scrutiny of the authority’s cycling strategy to help inform the final strategy. Following an independent consultation, it was apparent that there were mixed views on the proposals within the strategy and a joint meeting of two scrutiny committees was held to consider them, with a public forum to allow residents to express their views. The outcome was a better-informed and more successful strategy:

Having heard and considered the voice and concerns of the public on the Council’s proposed Cycling Strategy, the committees made recommendations to ensure the final strategy was acceptable to Surrey residents. These included: ensuring benefits for local businesses; including

80 Devon County Council ([OSG008](#)) page 2

81 Exeter City Council ([OSG011](#)) para 7

82 Local Government Association ([OSG081](#)) paras 13.5–13.7

cycling infrastructure schemes on highways maintenance programmes; lobbying central government so that unregulated events were regulated; working with boroughs & districts to develop cycling plans; and amending the strategy to ensure roads would only be closed with strong local support.⁸³

Digital engagement

81. The examples above are illustrations of the value that greater public involvement can bring both to the scrutiny process and an authority's decision making process. However, we are also aware that the majority of scrutiny committees across the country are not well-attended by the public. Involving the public in scrutiny is time and resource intensive, but the rewards can be significant. In this context, it should also be noted that many members of the public do not want to engage with public services in the same way that they used to. Digital engagement is becoming increasingly important, with some councils embracing new media better than others (for example the twitter feed of Doncaster Metropolitan Borough Council recently received national attention for effective engagement regarding the naming of two gritters⁸⁴). Jacqui McKinlay told us:

There are some real challenges about what public engagement looks like in the future. It is not necessarily the village hall where we are expecting people to turn up on a wet Wednesday. We need to start to accept that when we engage with people they do not necessarily always speak the same language as we do, particularly on contentious issues. People are very angry. They are very upset. In scrutiny and public services generally, we have to think about what engagement looks like in the future. We are also in a digital and social media world where the conversations now, probably in the last six months, are happening in WhatsApp. They were happening in Facebook earlier. That is something that scrutiny is really going to have to manage if it is going to stay relevant and part of the dialogue.⁸⁵

82. *The Government should promote the role of the public in scrutiny in revised and reissued guidance to authorities, and encourage council leaderships to allocate sufficient resources to enable it to happen. Councils should also take note of the issues discussed elsewhere in this report regarding raising the profile and prominence of the scrutiny process, and in so doing encourage more members of the public to participate in local scrutiny. Consideration also need to be given to the role of digital engagement, and we believe that local authorities should commit time and resources to effective digital engagement strategies. The LGA should also consider how it can best share examples of best practice of digital engagement to the wider sector.*

83 Local Government Association ([OSG081](#)) paras 13.5–13.7

84 "[David Plowie or Spread Mercury? Council asks public to name its new gritters](#)", The Telegraph, 17 November 2017

85 Q39

7 Scrutinising public services provided by external bodies

The conflict between commercial and democratic interests

83. We heard a lot of evidence that scrutiny committees are increasingly scrutinising external providers of council services, both in an attempt to avoid politically ‘difficult’ subjects and as a reflection that services are being delivered in increasingly diverse ways.⁸⁶ We believe that scrutiny committees are ideally placed, and have a democratic mandate, to review any public services in their area. However, we have heard of too many instances where committees are not able to access the information held by providers, or the council itself, for reasons of commercial sensitivity (as further discussed in Chapter 3 of this report). Jacqui McKinlay from CfPS told us that there can be an “unbelievable barrier” with commercial organisations as they “do not recognise they are contracting with a democratic organisation that has democratic governance processes.”⁸⁷

84. The conflict between commercial and democratic interests means that many companies are not set up to accommodate public accountability. This is in contrast with health services, which have a more established history of engagement (backed up by legislative requirements). The London Borough of Hackney explains that:

Health scrutiny has been luckier than other areas in that the duties to attend meetings and engage with scrutiny are well established and accepted. For health scrutiny in Hackney there is an understanding that if invited to attend to be held to account on an issue, the invitation cannot be refused. Where service providers have appeared reluctant to attend scrutiny is often linked to their accountability to local government and whether their management structures are local. We have found where structures are regional or national and the organisation has very limited local accountability there can be difficulty with engagement in the local scrutiny function.⁸⁸

Scrutiny powers in relation to external organisations

85. Overview and scrutiny committees have a range of powers that enable them to conduct scrutiny of external organisations. The Health and Social Care Act 2012 gives local authorities the power to scrutinise health bodies and providers in their area or set up joint committees to do so. They can also require members or officers of local health bodies to provide information and to attend health scrutiny meetings to answer questions. Scrutiny also has powers with regard to the delivery of crime and disorder strategies, with those bodies which are delivering such strategies also being required to attend meetings and respond to committee reports. However, for all other organisations delivering public services, be they public bodies or commercial entities, their participation depends upon their willingness of both parties to do so and the ability of scrutiny committees to forge a positive working relationship. Attitudes to local scrutiny are varied, as Cllr Sean Fitzsimons from Croydon Council explained to us:

86 See for example Q9

87 Q30

88 Overview and Scrutiny Team, London Borough of Hackney ([OSG110](#)) para 11

I would say that the smaller the organisation the better they are at coming along. The most difficult one I ever dealt with was probably the Metropolitan Police. Borough commanders do not think we have any legitimacy. Sometimes, you can see they are thinking about other things. As someone who has sat on a riot review panel, led by a judge, to get someone there was an effort. They may want to come and talk about a certain thing, but the moment you ask them anything specific it is like, "I cannot talk about it". Policing is a really difficult area, and it is actually within our remit. The fire brigade has been quite a useful organisation, and they are quite keen. The ambulance service is desperate to turn up.⁸⁹

Scrutinising council contracts

86. A significant obstacle to effective scrutiny of commercial providers is an over-zealous classification of information as being commercially sensitive (as discussed in relation to council-held information in paragraph 40). Council officers are wary of sharing the terms of contracts as they do not want to prejudice future procurements, and contractors do not always see why they should share information. As discussed earlier in this report, we can see no reason for withholding confidential information from scrutiny councillors, who can then consider it in a private session if necessary. We believe that councils and their contractors need to be better at building in democratic oversight from the outset of a contract. We note for example the views of Cllr Fitzsimons, who argued that scrutiny often gets involved in contracting situations too late:

It is only when the major recommendations can go to cabinet that you can say, "I am unhappy with that and I will bring it in." My experience, particularly in my local authority, is that the failure of the authority, at the time, to engage in scrutiny early on in the process so that we could help shape the outcomes meant that a decision had been taken by the relevant cabinet member, and really it allowed itself to drift into party political flag-waving, to say, "We are just not happy with the letting of this contract." If we had been allowed to look at it six months or a year beforehand, we may have been able to have had some influence for the betterment of the service. I have found that contractors are quite keen to talk, but what it again goes back to is how comfortable the executive is having their decisions challenged, when they may have done 18 months or two years of private work on it and they think they already have the answer.⁹⁰

87. It is imperative that executives consider the role of scrutiny at a time when external contracts are still being developed, so that both parties understand that the service will still have democratic oversight, despite being delivered by a commercial entity. Scrutiny committees have a unique democratic mandate to have oversight of local services, and contracting arrangements do not change this. We therefore support the recommendations made by the scrutiny committee at Suffolk County Council, as described to us by Cllr Evans:

89 Q77

90 Q52

We had a task and finish group that did a lot of work on procurement and contracting, and we are asking that, in future, when the council signs any contracts, those people who are making the contract are aware that we could well expect to see them in front of scrutiny at some point. They cannot sign a contract with the authority and expect never to be put on the spot and be accountable.⁹¹

88. We heard examples where committees had successfully engaged external providers, such at Suffolk County Council where the contractors for highways and for social care come to scrutiny willingly.⁹² However this is not always the case and such variance is an issue of concern for us. We are of the view that scrutiny committees must be able to scrutinise the services provided to residents and utilise their democratic mandate and we therefore agree with the Minister, who told us:

When councils put contracts out to external bodies, they should look at that in the context of how open and transparent those arrangements can be. That can quite often be difficult because of commercial confidentiality, but, as I say, that should not be a cover-all for everything. I think that that should be considered in the context of when a contract is let, in terms of making sure that a particular provider can be called to a scrutiny committee. However, when a particular local authority lets a contract to a particular company, I do not think it should lead to a situation where that particular local authority is able to sit back and just blame its contractor. The local authority in question should, when tendering out, put together a process over which it has a level of control that enables it to scrutinise a particular contractor and take enforcement action should that contract not be fulfilled.⁹³

Following the ‘council pound’

89. The CfPS highlight the difficulties that scrutiny committees can have monitoring services delivered in partnership, and notes that scrutiny has been effective when its formal powers give it a ‘foot in the door’:

We would therefore like to see these powers balanced across the whole local public service landscape. We would like to see the law changed and consolidated, to reflect the realities that local authorities now face—particularly the fact that much council business is now transacted in partnership. We would like to see an approach which uses the “council pound” as the starting point for where scrutiny may intervene—that is to say, that scrutiny would have power and responsibilities to oversee taxpayer-funded services where those services are funded, wholly or in part, by local authorities.⁹⁴

91 Q50

92 Q52

93 Q148

94 Centre for Public Scrutiny ([OSG098](#)) paras 149–151

90. *Scrutiny committees must be able to monitor and scrutinise the services provided to residents. This includes services provided by public bodies and those provided by commercial organisations. Committees should be able to access information and require attendance at meetings from service providers and we call on DCLG to take steps to ensure this happens. We support the CfPS proposal that committees must be able to 'follow the council pound' and have the power to oversee all taxpayer-funded services.*

Scrutiny of Local Economic Partnerships

91. We are also extremely concerned at the apparent lack of democratic oversight of Local Economic Partnerships (LEPs). There are 39 LEPs in operation across England, tasked with the important role of promoting local economic growth and job creation. However, we fear that they vary greatly in quality and performance, and that there is no public assurance framework, other than any information they themselves choose to publish. LEPs have been charged with delivering vital services for local communities and do so using public money, and so it is therefore right and proper that committees of elected councillors should be able to hold them to account for their performance. LEPs are key partners of mayoral combined authorities and we note that the relationship in London seems established. Jennette Arnold OBE AM, Chair of the London Assembly, told us:

The responsibility for the LEPs falls within the Mayor's economic strategy, so for us the buck stops with the Mayor. He then has a LEP board. There are local authority councillors and businesspeople on that. There is a Deputy Mayor who is charged with business and economic growth in London. Both members of that LEP board and that Deputy Mayor have appeared in front of our Economy Committee. We also had questions about skills, because skills was linked, so our education panel raised questions. Business as usual for us is that where there is a pound of London's money being spent, we will follow that and we will raise any issues as relevant.⁹⁵

92. We applaud this approach and welcome the oversight of the London LEP provided by the London Assembly. In the next chapter we will consider the role of scrutiny in combined authorities, where we have concerns over the capacity of the newer organisations. Their relative infancy when compared to the London Assembly is reflected in unclear relationships with their local LEPs. Cllr Peter Hughes, Chair of the West Midlands Combined Authority Overview and Scrutiny Committee, told us:

There are non-voting LEP representatives on the board of the combined authority and there has been since the day it started. I have LEP representatives on the Overview and Scrutiny Committee. Again, they are non-constituent members, as are some of the rural authorities. Their commitment to overview and scrutiny and to audit is patchy, to say the least. There is one big authority or LEP area that does not contribute to scrutiny or audit ... We have not done so yet, but I am sure before the 12 months are up that the LEP involvement in the combined authority's work will be looked at.⁹⁶

95 Q103

96 Qq104-106

93. Whilst we welcome the established arrangements in London and the intentions of the newer mayoral combined authorities, we are concerned that there are limited arrangements in place for other parts of the country. We do note that examples exist, and call for such arrangements to be put in place across the country. Wiltshire Council states that:

Wiltshire Council is one of the few local authorities nationally to have a OS task group actively engaging with the region's Local Enterprise Partnership, providing extra public accountability to the LEP funding spent within the county. All LEP reports and expenditure are published to facilitate further scrutiny by members of the public.⁹⁷

94. In October 2017, a review of LEP governance arrangements was published by DCLG. The review makes a number of recommendations and noted that while many LEPs have robust assurance frameworks, approaches vary. For example, LEPs are required to publish a conflict of interest policy and the review found that "Whilst LEPs comply with this requirement, the content of policies and approach to publication varies considerably and is dependent on the overall cultural approach within the organisation."⁹⁸ The review also noted that:

A number of LEPs, but not all, refer to the role of scrutiny in overseeing their performance and effectiveness. Some LEPs are scrutinised from time to time by their accountable body Overview and Scrutiny function. This is an area for further development which would give increased independent assurance. Given the different structures across LEPs it is not appropriate to specify any particular approach to scrutiny. It is an area which could benefit from the sharing of good practice/'what works' to assist LEPs in shaping their own proposals.⁹⁹

95. When we asked the Minister about the democratic oversight of LEPs, he told us that local authorities will usually have representation on LEP boards and that expenditure will often be monitored by the lead authority's Section 151 finance officer. When we asked him about more public methods of scrutiny, he told us that:

in terms of the scrutiny there are ways in which a LEP can be scrutinised. At this point I do not believe that those arrangements need to be changed, but I will certainly be interested—I know you have asked this of a number of the witnesses at this Committee—in their views on local enterprise partnerships. Certainly that will be a Government consideration once the Committee has submitted its report.¹⁰⁰

96. In light of our concerns regarding public oversight of LEPs, we call on the Government to make clear how these organisations are to have democratic, and publicly visible, oversight. We recommend that upper tier councils, and combined authorities where appropriate, should be able to monitor the performance and effectiveness of LEPs through their scrutiny committees. In line with other public bodies, scrutiny committees should be able to require LEPs to provide information and attend committee meetings as required.

97 Wiltshire Council (OSG034) para 10

98 Department for Communities and Local Government, [Review of Local Enterprise Partnership Governance and Transparency](#) (October 2017), para 6.1

99 Department for Communities and Local Government, [Review of Local Enterprise Partnership Governance and Transparency](#) (October 2017), para 9.3

100 Q146

8 Scrutiny in combined authorities

97. We recognise that the mayoral combined authorities are in their infancy, but given how important organisational culture is, it is important that we include them in our inquiry to ensure that the correct tone is set from the outset. We are therefore concerned by the evidence we heard about an apparent secondary role for scrutiny. Mayors will be responsible for delivering services and improvements for millions of residents, but oversight of their performance will be hindered by limited resources.

The London Assembly

98. The London Assembly has 25 members elected to hold the Mayor of London to account and to investigate any issues of importance to Londoners. London Assembly Members are elected at the same time as the Mayor, with eleven representing the whole capital and fourteen elected by constituencies. The Mayor holds all executive power and the Assembly's ability to override decisions is limited to amending budgets and rejecting statutory strategies. The most visible accountability tool is Mayor's Question Time, when the Mayor of London is required to appear in public before the Assembly ten times a year to answer for decisions made and their outcome. Oversight is also provided by ten thematic scrutiny committees. In 2016/17 the London Assembly controlled a budget of £7.2 million, of which £1.5 million was allocated to scrutiny and investigations, with the remainder used for other member services and democratic services functions. This compares with the Mayor's budget of around £16 billion.¹⁰¹ The Chair of the Assembly, Jennette Arnold, told us:

You will see that we have been learning and changing over the last 16 years. I would say we are a much more robust body than we were, say, eight years previously because we have taken on learning. We set out to make sure that the centrepiece of our work, which is detailed scrutiny, is evidence-based, well resourced and is disseminated as widely as possible. We have two tracks: the first track is to follow the Mayor, i.e. we ensure mayoral accountability; and the other track we have is about any issue of public concern to London. I would say the combined authorities should look and see the clarity that we have. This is what good scrutiny looks like: it is separate; it has its own officers; it has its own budget; and there is money that is required to do that work.¹⁰²

The mayoral combined authorities

99. We welcome and applaud the approach of the London Assembly, however the wide discrepancy in the approach to scrutiny in the newer mayoral combined authorities which has come to light during our inquiry is an issue of concern. Combined authorities have a far smaller budget and do not have an equivalent body to the London Assembly, with scrutiny instead being performed by members of the constituent councils. The Local Government Research Unit at De Montfort University argue that:

101 London Assembly, [The London Assembly Annual Report 2016–17](#), page 57

102 Q83

An opportunity was missed in the creation of combined authorities—because of the focus on leadership—to recreate a London Assembly style directly elected body with the responsibility to hold the mayor of any combined authority (and other organisations) to account. A directly elected scrutiny body with its own staff and resources may seem an expensive innovation, but ... serious governance failures resulting in damage to public services and the public can occur where O&S is inadequate or fails.¹⁰³

100. In contrast with the London Assembly, Cllr Peter Hughes of the West Midlands Combined Authority told us:

The regulations for the combined authority actually state “a scrutiny officer”, as it stands at the moment. This has been the case for the last 18 months. The combined authority scrutiny chair, whether it is me or anybody else, is supported by a part-time person who is lent out from our own authority. That is the case across all of the other issues. Effectively, the West Midlands Combined Authority is run on the basis of good will and people, chief executives and directors, giving up their time. That is exactly the same with scrutiny. At the moment, we have a person who is lent, with no financial refund to Sandwell, to the combined authority. That has not yet been formalised.¹⁰⁴

101. We recognise that the resourcing levels are not necessarily decisions for the combined authorities themselves, with Government funding dictating that they be organisations with minimal overheads. However, we also acknowledge that the absence of an allocated budget or a directly-elected scrutiny body does not mean that the approach to scrutiny in combined authorities is necessarily wrong. Cllr Hughes for example told us how he will be measuring the effectiveness of his committee:

Part of scrutiny is not just the questioning and scrutiny aspect of it; it is also that we are adding value to the work of the combined authority. As you have just said, it is in the very early stages at the moment. We feel that we can actually add value to some of the policy decisions that are being taken or being formed by actually taking specific pieces of work and drilling down and calling upon evidence from the local authorities beneath us to add value to the work of the combined authority itself.¹⁰⁵

102. Susan Ford, Scrutiny Manager of the Greater Manchester Combined Authority, also told us that successful scrutiny in Greater Manchester will enable the Mayor and officers to:

understand the value that scrutiny can bring, and... sense-checking what might cause issues in particular districts and bringing that kind of wealth of in-depth knowledge that scrutiny members bring in with them. The scrutiny function also has a duty to the public to try to simplify some of what can be seen as a very complicated governance arrangement. Having different governance arrangements across different devolved areas has not helped. Mayors in different city region areas have different powers, so

103 Local Government Research Unit, De Montfort University ([OSG022](#)) para 4

104 Q87

105 Q85

there is a duty to members of the public. There is also a duty to broaden the engagement in terms of thinking about things like younger people and the way in which elected members actually engage with their constituents. We have to support them to be able to make devolution governance and decision-making intelligible.¹⁰⁶

103. We raised the issue of scrutiny of combined authority mayors with the Minister, who argued that the scrutiny arrangements were sufficient:

I consider that the scrutiny arrangements in that sense are stronger than they are for local authorities ... Certainly the powers that were being transferred to Mayors were generally powers that hitherto had been held by Secretaries of State and, therefore, on a virtually daily basis when this House was sitting there was a method, potentially, of scrutinising the decisions that were being made, and their outcomes ... That said, and I have mentioned this a number of times, I do not think there is any room, in this sense, for complacency. I would say that, in the same way as we are now talking about the scrutiny arrangements from the Local Government Act 2000 having bedded in ... the question is: should there now be more changes to update things because time moves on? There will legitimately be the question, as time moves on: how have those scrutiny arrangements worked? Do we need to change anything going forward to make sure that we are responding to circumstances that arise?¹⁰⁷

104. We welcome the approach to scrutiny by new mayoral combined authorities such as the West Midlands and Greater Manchester, but we are concerned that such positive intentions are being undermined by under-resourcing. This is not a criticism of the combined authorities - which have been established to be capital rich but revenue poor - as they do not have the funding for higher operating costs. However, we would welcome a stronger role for scrutiny in combined authorities, reflecting the Minister's point that the Mayors now have powers hitherto held by Secretaries of State. ***We are concerned that effective scrutiny of the Metro Mayors will be hindered by under-resourcing, and call on the Government to commit more funding for this purpose. When agreeing further devolution deals and creating executive mayors, the Government must make clear that scrutiny is a fundamental part of any deal and that it must be adequately resourced and supported.***

106 Q85

107 Qq131-132

Conclusions and recommendations

The role of scrutiny

1. *We therefore recommend that the guidance issued to councils by DCLG on overview and scrutiny committees is revised and reissued to take account of scrutiny's evolving role. (Paragraph 12)*
2. *We call on the Local Government Association to consider how it can best provide a mechanism for the sharing of innovation and best practice across the scrutiny sector to enable committees to learn from one another. We recognise that how scrutiny committees operate is a matter of local discretion, but urge local authorities to take note of the findings of this report and consider their approach. (Paragraph 13)*

Party politics and organisational culture

3. However, all responsible council leaderships should recognise the potential added value that scrutiny can bring, and heed the lessons of high profile failures of scrutiny such as those in Mid Staffordshire and Rotherham. (Paragraph 19)
4. *To reflect scrutiny's independent voice and role as a voice for the community, we believe that scrutiny committees should report to Full Council rather than the executive and call on the Government to make this clear in revised and reissued guidance. When scrutiny committees publish formal recommendations and conclusions, these should be considered by a meeting of the Full Council, with the executive response reported to a subsequent Full Council within two months. (Paragraph 23)*
5. We believe that executive members should attend meetings of scrutiny committees only when invited to do so as witnesses and to answer questions from the committee. Any greater involvement by the executive, especially sitting at the committee table with the committee, risks unnecessary politicisation of meetings and can reduce the effectiveness of scrutiny by diminishing the role of scrutiny members. *We therefore recommend that DCLG strengthens the guidance to councils to promote political impartiality and preserve the distinction between scrutiny and the executive. (Paragraph 25)*
6. It is vital that the role of scrutiny chair is respected and viewed by all as being a key part of the decision-making process, rather than as a form of political patronage. (Paragraph 27)
7. We believe that there are many effective and impartial scrutiny chairs working across the country, but we are concerned that how chairs are appointed has the potential to contribute to lessening the independence of scrutiny committees and weakening the legitimacy of the scrutiny process. Even if impropriety does not occur, we believe that an insufficient distance between executive and scrutiny can create a perception of impropriety. (Paragraph 30)
8. We believe that there is great merit in exploring ways of enhancing the independence and legitimacy of scrutiny chairs such as a secret ballot of non-executive councillors. However, we are wary of proposing that it be imposed upon authorities by government.

We therefore recommend that DCLG works with the LGA and CfPS to identify willing councils to take part in a pilot scheme where the impact of elected chairs on scrutiny's effectiveness can be monitored and its merits considered. (Paragraph 35)

Accessing information

9. Scrutiny committees that are seeking information should never need to be 'determined' to view information held by its own authority, and there is no justification for a committee having to resort to using Freedom of Information powers to access the information that it needs, especially from its own organisation. There are too many examples of councils being uncooperative and obstructive. (Paragraph 37)
10. Councils should be reminded that there should always be an assumption of transparency wherever possible, and that councillors scrutinising services need access to all financial and performance information held by the authority. (Paragraph 41)
11. We do not believe that there should be any restrictions on scrutiny members' access to information based on commercial sensitivity issues. Limiting rights of access to items already under consideration for scrutiny limits committees' ability to identify issues that might warrant further investigation in future, and reinforces scrutiny's subservience to the executive. *Current legislation effectively requires scrutiny councillors to establish that they have a 'need to know' in order to access confidential or exempt information, with many councils interpreting this as not automatically including scrutiny committees. We believe that scrutiny committees should be seen as having an automatic need to know, and that the Government should make this clear through revised guidance.* (Paragraph 42)
12. *We note that few committees make regular use of external experts and call on councils to seek to engage local academics, and encourage universities to play a greater role in local scrutiny.* (Paragraph 45)
13. We commend such examples of committees engaging with service users when forming their understanding of a given subject, and encourage scrutiny committees across the country to consider how the information they receive from officers can be complemented and contrasted by the views and experiences of service users. (Paragraph 47)

Resources

14. We acknowledge that scrutiny resources have diminished in light of wider local authority reductions. However, it is imperative that scrutiny committees have access to independent and impartial policy advice that is as free from executive influence as possible. We are concerned that in too many councils, supporting the executive is the over-riding priority, with little regard for the scrutiny function. This is despite the fact that at a time of limited resources, scrutiny's role is more important than ever. (Paragraph 61)

15. *We therefore call on the Government to place a strong priority in revised and reissued guidance to local authorities that scrutiny committees must be supported by officers that can operate with independence and provide impartial advice to scrutiny councillors. There should be a greater parity of esteem between scrutiny and the executive, and committees should have the same access to the expertise and time of senior officers and the chief executive as their cabinet counterparts. Councils should be required to publish a summary of resources allocated to scrutiny, using expenditure on executive support as a comparator. We also call on councils to consider carefully their resourcing of scrutiny committees and to satisfy themselves that they are sufficiently supported by people with the right skills and experience. (Paragraph 62)*
16. *We recommend that the Government extend the requirement of a Statutory Scrutiny Officer to all councils and specify that the post-holder should have a seniority and profile of equivalence to the council's corporate management team. To give greater prominence to the role, Statutory Scrutiny Officers should also be required to make regular reports to Full Council on the state of scrutiny, explicitly identifying any areas of weakness that require improvement and the work carried out by the Statutory Scrutiny Officer to rectify them. (Paragraph 65)*

Member training and skills

17. *It is incumbent upon councils to ensure that scrutiny members have enough prior subject knowledge to prevent meetings becoming information exchanges at the expense of thorough scrutiny. Listening and questioning skills are essential, as well as the capacity to constructively critique the executive rather than following party lines. In the absence of DCLG monitoring, we are not satisfied that the training provided by the LGA and its partners always meets the needs of scrutiny councillors, and call on the Department to put monitoring systems in place and consider whether the support to committees needs to be reviewed and refreshed. We invite the Department to write to us in a year's time detailing its assessment of the value for money of its investment in the LGA and on the wider effectiveness of local authority scrutiny committees. (Paragraph 76)*

The role of the public

18. *The Government should promote the role of the public in scrutiny in revised and reissued guidance to authorities, and encourage council leaderships to allocate sufficient resources to enable it to happen. Councils should also take note of the issues discussed elsewhere in this report regarding raising the profile and prominence of the scrutiny process, and in so doing encourage more members of the public to participate in local scrutiny. Consideration also need to be given to the role of digital engagement, and we believe that local authorities should commit time and resources to effective digital engagement strategies. The LGA should also consider how it can best share examples of best practise of digital engagement to the wider sector. (Paragraph 82)*

Scrutinising public services provided by external bodies

19. *Scrutiny committees must be able to monitor and scrutinise the services provided to residents. This includes services provided by public bodies and those provided by*

commercial organisations. Committees should be able to access information and require attendance at meetings from service providers and we call on DCLG to take steps to ensure this happens. We support the CfPS proposal that committees must be able to 'follow the council pound' and have the power to oversee all taxpayer-funded services. (Paragraph 90)

20. *In light of our concerns regarding public oversight of LEPs, we call on the Government to make clear how these organisations are to have democratic, and publicly visible, oversight. We recommend that upper tier councils, and combined authorities where appropriate, should be able to monitor the performance and effectiveness of LEPs through their scrutiny committees. In line with other public bodies, scrutiny committees should be able to require LEPs to provide information and attend committee meetings as required. (Paragraph 96)*

Scrutiny in combined authorities

21. *We are concerned that effective scrutiny of the Metro Mayors will be hindered by under-resourcing, and call on the Government to commit more funding for this purpose. When agreeing further devolution deals and creating executive mayors, the Government must make clear that scrutiny is a fundamental part of any deal and that it must be adequately resourced and supported. (Paragraph 104)*

Annex: summary of discussions at an informal workshop with councillors and officers

As part of the inquiry, the Committee hosted a workshop in October 2017 attended by over 45 council officers and councillors from across the country. Split into four groups, attendees discussed their experiences of overview and scrutiny, with each group considering three questions. The following provides an edited summary of the discussions held and is not intended to be verbatim minutes. Comments are not attributed to individuals or organisations, but seek to reflect the variety of statements made and opinions expressed. This summary and its content does not necessarily reflect the views of the Committee, or all of the attendees present at the workshop.

Q1) Do local authority scrutiny committees operate with political independence and in a non-partisan way

Officers:

- Scrutiny is only non-partisan on the surface: most of the discussion and debate takes place in group meetings, which officers and the public cannot see
- Scrutiny chairs often don't want to challenge their Leaders, so do more external scrutiny or pick 'safe' topics that are less controversial
- The ways that committee chairs are appointed means that chairs more likely to 'keep quiet', use the role as a way to prepare for a Cabinet position, or see it as a consolation prize for not being in the Cabinet
- Personalities of chairs and the ability to work well with executive colleagues is key
- Officers in combined roles struggle to adequately support scrutiny: the roles of scrutiny officer and committee clerk are fundamentally different with different skill sets needed
- Clerking a committee changes how officers are treated, with the value placed on their expertise and guidance lessened so they are treated as little more than admin assistants
- Task and finish groups are less partisan and work effectively cross-party. However, witness sessions are usually held in private with only the reporting of findings being in public. External scrutiny is also less partisan, and so can achieve much more while enthusing councillors
- Third party organisations can sometimes be reluctant to be scrutinised by lay persons. It takes significant time to build positive relationships
- There should be debate at Full Council for topic selection for scrutiny committees
- Committees need more power to force changes on executives

- There is too much executive control over what is scrutinised
- In some local authorities, cabinet members and the Leader attend health scrutiny meetings when the NHS is being scrutinised and sometimes lead the questioning of witnesses
- Appointment of members to scrutiny committees is in the hand of controlling political groups, so there will never be full independence

Councillors:

- Focussing on the impact we want, like improved health and wellbeing, gets rid of the party-political aspect because we've agreed on what we want to achieve
- The better the quality of the opposition, the better the contribution it makes. Currently, we have a very weak opposition and I don't think they understand the difference between scrutiny and opposition
- One problem is engagement of one's own backbenchers to participate in scrutiny. It's often the poor relation, and shouldn't be
- Is aiming for political independence realistic and necessary? If you have people from both sides on committee, as long as they challenge effectively, that's all that matters
- I want to know about value for money, so I ask awkward questions. Politics comes into it when members score points to get votes. It suits my nature to be challenging and ask probing questions. But you need knowledge of subject to do this. A lot of colleagues don't have this
- The role of the Leader is key: they have to believe in good governance. Scrutiny's success depends on the attitude of the Leader, who needs to recognise that good scrutiny reflects on the reputation of council. Too many Leaders seek to block scrutiny
- Scrutiny is improved in authorities where scrutiny reports go to Full Council and not the executive
- Officers have to be supportive of scrutiny. It's not just about the Leader
- Some chairs can be fiercely independent regardless of which party has control. An effective chair of a scrutiny committee need to be apolitical and work collaboratively across party lines. A lot depends on the group of individuals on the committee
- A lack of political independence is often more pronounced in small shire district councils where there is often too much domination by strong leaders and executives
- There is a problem with committees lacking teeth - the executive will often not listen regardless of what scrutiny committees say

- Joint scrutiny often works well, sometimes with different chairs. Working groups also increase political independence
- Decisions on who will chair a committee is often whipped vote, and there is considerable remuneration which binds chairs' approach
- The executive has control over scrutiny funding and budgets which is a big problem

Q2) Do officers and members working on scrutiny have sufficient resources, expertise and knowledge to deliver effective scrutiny?

Officers:

- Limited access to expertise is a bigger issue than resources: committees struggle to access expert advisors and find it hard to build relationships
- Scrutiny support is often combined with wider a corporate policy role, meaning officers often spend relatively little of their time actually working on scrutiny
- There is a tension in trying to scrutinise people with whom you might later seek to work with or for
- The reduced resources allocated to scrutiny has led to a corresponding reduction in scrutiny committees: local authorities cannot have committees that mirror each portfolio like in Parliament, leading to committees with extremely large remits
- Districts need to work better with upper tier authorities: on their own, districts are limited in what they can influence
- Scrutiny has fewer resources, but increasingly wide remits: it's not possible to do everything justice
- Health scrutiny has a huge workload so committees often struggle to do much more than the statutory requirements
- Scrutiny has become much leaner, but this is not necessarily a bad thing: it is more focussed now so that it achieves more impact and demands greater attention
- Accessing outside experts is easier in London as they are always relatively nearby
- Questioning skills for members are key, and remain the biggest training need
- Getting input from external experts such as academics is possible at the start of an inquiry, but sustaining this engagement throughout an inquiry is difficult
- There should be a separate budget for scrutiny, commissioning research and recommending options
- In authorities that are reducing staff numbers for budgetary reasons, more resources for scrutiny is often unrealistic

- In many councils, there are enough resources, but they aren't allocated appropriately: there needs to be a top-down reallocation of resources, with more priority given to the scrutiny team
- There is often a lot of resistance to scrutiny at the senior officer level. Many actively seek to keep scrutiny to a minimum, as they don't want to be challenged in what they're doing
- Information requested from senior officers is often sanitised or of limited usefulness. Officers need to realise they work for all councillors, not just the executive

Councillors:

- I'm not impressed by the quality of members. They need more training—it's only then they have the knowledge to ask probing questions
- We have people on our Committee with no expertise
- The way round the resource problem is to get members to do more work themselves.
- It is incumbent on members who chair committees and task and finish groups to take on knowledge and expertise and motivate other members to do so too
- The clerks don't prepare papers, someone from the relevant department (e.g. health and social care) does it
- We have found that scrutiny officers have taken on the role of being nothing more than glorified diary clerks. We need to motivate them to become more involved in the background and research. If you rely on reports from individual departments, they are too optimistic
- The key is understanding which questions to ask
- It's about the officers understanding the key role of scrutiny and not seeing it as a nuisance
- Commercial confidentiality is a big issue which impedes scrutiny committees
- Investment in member development is insufficient, but also hampered by large turnover of committee members
- Individual committees often have too wide a remit to cover individual issues sufficiently
- There is a growing trend to merge scrutiny function with corporate policy team. This negatively impacts on scrutiny because of conflicts of interest among officers
- Too many scrutiny committees remain talking shops. There should be more emphasis on measuring how effective scrutiny is in influencing policy and decisions
- Scrutiny staff must be completely separated from the executive

- There has been a trend towards fewer members on scrutiny committees in recent years. This has negatively affected good scrutiny
- To give scrutiny more agency scrutiny reviews should be regularly produced which go to the full council for consideration
- More focus of scrutiny committees should be placed on upstream policy formation

Q3) If you could make a single change, what would you change about the way scrutiny in your authority operates?

Officers:

- The whole process should be more independent of departmental officers: chairs are reluctant to challenge or disagree with senior officers
- Having opposition chairs would get much better engagement and input from other members
- More members need to actually read their committee papers—however some officers make the papers intentionally long to dissuade members from doing so
- There is a capacity issue for ‘double-hatted’ councillors, and those who work in outside employment
- With meetings being held in the evenings, discussions can go on quite late: with many of the best councillors having demanding day jobs, it’s unrealistic to expect high performance
- Scrutiny committees should share expected questions with witnesses before meetings to ensure all information is available in advance: it shouldn’t be a closed-book exam as some officers can deflect questions by promising to look into an issue and write back later
- Scrutiny in general needs a higher profile, including the role of statutory scrutiny officer: people across the council should know who it is with their status being far closer to that of the monitoring officer
- Scrutiny has become too broad and complex over the years: it is not achievable to do everything asked of it. There needs to be a clear remit for scrutiny with up to date guidance from Government
- Scrutiny will only succeed if the Leader and Chief Executive think it is important—strong scrutiny chairs and strong scrutiny managers are required when they do not
- Ensuring legislation is enforced regarding undue interference from the Leader and cabinet
- Resident-led commissions help to improve scrutiny. Broadening the scrutiny process out to involve the public and prominent campaign groups, inviting them onto task groups, or to serve as chairs of commissions

- There should be an independent secretariat for scrutiny committees with separate ring-fenced budget, independent of the council, to create greater organisational autonomy
- Councils should be able to compel witnesses to attend from publicly funded bodies, such as housing associations
- Legislation relating to scrutiny powers should be simplified, putting them all into one place
- Removing conflicts of interests where scrutiny committees are supported by officers responsible for the policies that are being scrutinised

Councillors:

- Better selection of candidates to be councillors, as well as improving their calibre through training
- We need full time councillors: the part time nature of the role means variable quality
- It should be constitutionally established that scrutiny is on a level with cabinet
- Greater public involvement: if you want to be effective, what really changes a Leader's mind is people and residents, and if you don't get them to meetings, you won't make changes
- Statutory Scrutiny Officers are too low down the food chain to influence people. This statutory post has to be a similar level and have access to the corporate management level
- We've also got to make use of modern technology. It's about getting the message out through facebook and twitter
- One of the changes is taking meetings out in the community
- Political groups need to treat each other with fairness and respect
- Completely disconnect all aspects of scrutiny (formation, governance, resources) from the executive
- Increase connection with residents and public through co-opted members. More witnesses and public evidence sessions
- Clearer feedback loops to quantify scrutiny influence
- Council leadership should be assessed on how they take into account work of scrutiny committees, for example through annual report on scrutiny considered by full Council or annual evidence sessions with cabinet members
- Allocate chairs on the basis of political proportionality
- All scrutiny work should be considered by Full Council, rather than the cabinet

Formal Minutes

Monday 11 December 2017

Members present:

Mr Clive Betts, in the Chair

| | |
|------------------|----------------|
| Mike Amesbury | Fiona Onasanya |
| Bob Blackman | Mark Prisk |
| Helen Hayes | Mary Robinson |
| Kevin Hollinrake | Liz Twist |
| Andrew Lewer | |

Draft Report (*Effectiveness of local authority overview and scrutiny committees*) proposed by the Chair, brought up and read.

Ordered, That the Draft Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 104 read and agreed to.

Summary agreed to.

Annex agreed to.

Resolved, That the Report be the First Report of the Committee to the House.

Ordered, That the Chair make the Report to the House.

Ordered, That embargoed copies of the Report be made available, in accordance with the provisions of Standing Order No. 134.

[Adjourned until Monday 18 December at 2.15 p.m.]

Witnesses

The following witnesses gave evidence. Transcripts can be viewed on the [inquiry publications page](#) of the Committee's website.

Monday 16 October 2017

Question number

Professor Colin Copus, Director of the Local Governance Research Unit, De Montfort University; **Jacqui McKinlay**, Chief Executive, Centre for Public Scrutiny (CfPS); **Councillor Marianne Overton**, Leader of the Independent Group, Local Government Association

[Q1-43](#)

Monday 30 October 2017

Councillor Mary Evans, Chair of Scrutiny Committee, Suffolk County Council; **Councillor Sean Fitzsimons**, Chair of Scrutiny and Overview Committee, Croydon Council; **Councillor John Cotton**, Lead Scrutiny Member, Birmingham City Council

[Q44-82](#)

Jennette Arnold OBE AM, Chair, London Assembly; **Ed Williams**, Executive Director, Secretariat, London Assembly; **Susan Ford**, Scrutiny Manager, Greater Manchester Combined Authority; **Councillor Peter Hughes**, Chair, Overview and Scrutiny Committee, West Midlands Combined Authority

[Q83-107](#)

Monday 6 November 2017

Marcus Jones MP, Minister for Local Government, Department for Communities and Local Government

[Q108-152](#)

Published written evidence

The following written evidence was received and can be viewed on the [inquiry publications page](#) of the Committee's website.

OSG numbers are generated by the evidence processing system and so may not be complete.

- 1 B4RDS (Broadband for Rural Devon & Somerset) ([OSG0006](#))
- 2 Birmingham City Council ([OSG0002](#))
- 3 Chester Community Voice UK ([OSG0022](#))
- 4 Councillor Tony Dawson ([OSG0019](#))
- 5 Dr Laurence Ferry ([OSG0017](#))
- 6 Dr Linda Miller ([OSG0018](#))
- 7 F&G BUILDERS LTD ([OSG0005](#))
- 8 Gwen Swinburn ([OSG0015](#))
- 9 Heston Residents' Association ([OSG0008](#))
- 10 Local Government and Social Care Ombudsman ([OSG0007](#))
- 11 MNRAG ([OSG0020](#))
- 12 Mr Bryan Rylands ([OSG0003](#))
- 13 Mr Mark Baynes ([OSG0009](#))
- 14 Mr Stephen Butters ([OSG0001](#))
- 15 Ms Christine Boyd ([OSG0013](#))
- 16 Ms Jacqueline Thompson ([OSG0012](#))
- 17 Nicolette Boater ([OSG0016](#))
- 18 North Lincolnshire Council ([OSG0021](#))
- 19 Research for Action ([OSG0014](#))
- 20 Susan Hedley ([OSG0004](#))

The following written evidence was received in the last Parliament by the previous Committee for this inquiry and can be viewed on the [inquiry publications page](#) of the Committee's website.

- 1 A Journalist ([OSG0004](#))
- 2 ADSO ([OSG0123](#))
- 3 An Officer from a London Borough ([OSG0091](#))
- 4 Anonymous ([OSG0006](#))
- 5 Anonymous ([OSG0065](#))
- 6 Anonymous ([OSG0103](#))
- 7 Bedford Borough Conservative Group ([OSG0069](#))
- 8 Birmingham City Council ([OSG0087](#))
- 9 Bournemouth Borough Council ([OSG0071](#))
- 10 Bracknell Forest Council ([OSG0010](#))
- 11 Bristol City Council ([OSG0082](#))
- 12 Broadland District Council ([OSG0014](#))
- 13 Cardiff Business School ([OSG0056](#))
- 14 Central Bedfordshire Council ([OSG0019](#))
- 15 Centre for Public Scrutiny Ltd ([OSG0098](#))
- 16 Charnwood Borough Council ([OSG0080](#))
- 17 Chesterfield Borough Council ([OSG0052](#))
- 18 Citizens Advice ([OSG0076](#))
- 19 Cllr Jenny Roach ([OSG0104](#))
- 20 Committee on Standards in Public Life ([OSG0027](#))
- 21 Cornwall Council ([OSG0051](#))
- 22 Councillor Ann Munn ([OSG0109](#))
- 23 Councillor Charles Wright ([OSG0088](#))
- 24 Councillor Chris Kennedy ([OSG0106](#))
- 25 Councillor James Dawson ([OSG0016](#))
- 26 Councillor James Dawson ([OSG0118](#))
- 27 Councillor Terence Neville ([OSG0075](#))
- 28 County and Unitary Councils' Officer Overview and Scrutiny Network ([OSG0114](#))
- 29 Debt Resistance UK ([OSG0094](#))
- 30 Department for Communities and Local Government ([OSG0122](#))
- 31 Devon County Council ([OSG0008](#))
- 32 Dr Laurence Ferry ([OSG0023](#))
- 33 Dr Linda Miller ([OSG0095](#))
- 34 Dudley MBC ([OSG0058](#))
- 35 Durham County Council ([OSG0079](#))
- 36 Ealing Council ([OSG0041](#))

- 37 East Devon Alliance ([OSG0040](#))
- 38 East Riding of Yorkshire Council ([OSG0061](#))
- 39 Epping Forest District Council ([OSG0012](#))
- 40 Erewash Labour Group ([OSG0013](#))
- 41 Exeter City Council ([OSG0011](#))
- 42 Federation of Enfield residents & Allied Associations ([OSG0097](#))
- 43 Gloucestershire County Council ([OSG0050](#))
- 44 Green group on Norwich City Council ([OSG0057](#))
- 45 Hereford and South Herefordshire Green Party ([OSG0119](#))
- 46 Herefordshire Council ([OSG0101](#))
- 47 INLOGOV ([OSG0053](#))
- 48 Institute of Local Government Studies, University of Birmingham ([OSG0115](#))
- 49 It's Our County ([OSG0124](#))
- 50 Julian Joinson ([OSG0112](#))
- 51 Ken Lyle ([OSG0032](#))
- 52 Leeds City Council ([OSG0043](#))
- 53 Leicestershire County Council ([OSG0036](#))
- 54 Lewisham Overview and Scrutiny Business Panel ([OSG0078](#))
- 55 Liberal Democrats on Wokingham Borough Council ([OSG0125](#))
- 56 Local Governance Research Unit, De Montfort University ([OSG0022](#))
- 57 Local Government Association ([OSG0081](#))
- 58 London Assembly ([OSG0117](#))
- 59 London Borough of Hackney ([OSG0110](#))
- 60 London Borough of Merton ([OSG0037](#))
- 61 London Borough of Tower Hamlets ([OSG0105](#))
- 62 Marc Hudson ([OSG0116](#))
- 63 Medway Council ([OSG0021](#))
- 64 Mr G M Rigler ([OSG0002](#))
- 65 Mr Gerry O'Leary ([OSG0092](#))
- 66 Mr John Galvin ([OSG0102](#))
- 67 Mr Martyn Lewis ([OSG0003](#))
- 68 Mr Peter Cain ([OSG0007](#))
- 69 Mrs Tracy Reader ([OSG0009](#))
- 70 Ms Christine Boyd ([OSG0086](#))
- 71 Ms Jacqueline Annette Thompson ([OSG0074](#))
- 72 Newcastle City Council ([OSG0015](#))
- 73 NHS Providers ([OSG0064](#))
- 74 Nicolette Boater ([OSG0107](#))

- 75 North East Combined Authority ([OSG0084](#))
- 76 North East Councils Scrutiny Officers Network ([OSG0083](#))
- 77 North Tyneside Council - Scrutiny Chairs/Deputy Chairs ([OSG0028](#))
- 78 North Yorkshire County Council ([OSG0018](#))
- 79 Nottingham City Council ([OSG0024](#))
- 80 Officer from a Fire & Rescue Authority ([OSG0121](#))
- 81 Pendle Borough Council ([OSG0020](#))
- 82 Rachel Collinson ([OSG0066](#))
- 83 Ryedale District Council ([OSG0030](#))
- 84 Scrutiny Committee of East Devon District Council ([OSG0035](#))
- 85 Sheffield City Council ([OSG0073](#))
- 86 Sheffield for Democracy ([OSG0025](#))
- 87 South Gloucestershire Council ([OSG0113](#))
- 88 Southampton City Council ([OSG0029](#))
- 89 St Albans City and District Council ([OSG0099](#))
- 90 Stevenage Borough Council ([OSG0060](#))
- 91 Stockton on Tees Borough Council ([OSG0077](#))
- 92 Suffolk County Council ([OSG0054](#))
- 93 Sunderland City Council ([OSG0067](#))
- 94 Susan Hedley ([OSG0038](#))
- 95 The Society of Local Authority Chief Executives and Senior Managers (Solace) ([OSG0068](#))
- 96 Trafford Council ([OSG0048](#))
- 97 Villages Focus Group ([OSG0063](#))
- 98 Walsall Council ([OSG0085](#))
- 99 West Sussex County Council ([OSG0026](#))
- 100 Westminster City Council ([OSG0039](#))
- 101 Wiltshire Council ([OSG0034](#))
- 102 Woking Borough Council Overview & Scrutiny Committee ([OSG0100](#))
- 103 Woodhouse Parish Council ([OSG0111](#))
- 104 Worcestershire County Council ([OSG0033](#))
- 105 Wyre Council ([OSG0047](#))
- 106 Wyre Council Labour Group Of Councillors ([OSG0042](#))