

# Scrutiny Committee



Report of Head of Planning

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To: Joint Scrutiny Committee

## Oxfordshire Plan 2050

### Recommendation(s)

(a) To consider the report, recommendations and attachments and provide comments to both Cabinets.

### Purpose of Report

1. To seek comments on the draft consultation document, timetable and changes to the Statement of Community Involvement for the Oxfordshire Joint Statutory Spatial Plan (JSSP). The recommendations to Cabinet are to

- (a) To adopt the Statement of Community Involvement (“SCI”) as amended following the close of consultation as attached at Appendix 1
- (b) To approve the amendment to Table 16 of the Local Development Scheme (“LDS”) as set out at paragraph 22 of this report
- (c) To approve the Regulation 18 (Part 1) Issues consultation document for public consultation as attached at Appendix 2
- (d) To authorise the Head of Planning, in agreement with the other councils equivalent, to make any necessary editorial corrections, minor amendments and presentational changes to the documents, and to agree the final publication for consultation version.

## **Background**

- 2. The six Oxfordshire Councils (five Districts and the County Council) and the Oxfordshire Local Enterprise Partnership (OXLEP) have agreed the Oxfordshire Housing and Growth Deal (“the Growth Deal”) with Government. Under the terms of the Growth Deal, the Local Planning Authorities have committed to producing an Oxfordshire Joint Statutory Spatial Plan (Oxfordshire Plan 2050, the “Plan”) for submission to the Planning Inspectorate for independent examination by 31 March 2020 and adoption by 31 March 2021, subject to the examination process.
- 3. When the councils agreed the Growth Deal through Council meetings in February 2018, one of the resolutions was to participate in the preparation of a Joint Statutory Spatial Plan, now referred as the Oxfordshire Plan 2050, in the timescales set out in the Growth Deal Delivery Plan and in accordance with S28 of the Planning and Compulsory Purchase Act 2004 (“PCPA 2004”).
- 4. The Plan will provide an Oxfordshire-wide, integrated strategic planning framework and associated evidence base to support sustainable growth across the county to 2050, including the planned delivery of the new homes and economic development, and the anticipated supporting infrastructure needed.
- 5. The Plan will be a formal Development Plan Document (DPD), prepared under S28 of the PCPA 2004, which enables two or more local planning authorities to agree to prepare a joint plan. Oxfordshire County Council will support the plan preparation process.
- 6. The scope of the Plan was agreed by Cabinet 27 Sept 2018 and all six Councils in Sept/Oct 2018. Further detail on the scope, policy context, structure, evidence base, links to other work programmes and governance arrangements of the Plan can be found in the Oxfordshire JSSP Scoping Document (Background Paper 1) which was approved by all District Councils and the County Council during Sep/Oct 2018.

## **The Statement of Community Involvement (SCI)**

- 7. This report recommends adoption of the amended SCI. Any amendments made are a result of the consultation, which took place between 30 Nov 2018 and 11 Jan 2019 (see Appendix 1). 38 responses were received to the SCI during this period, including from town and parish councils, the public, developers and other stakeholders. Appendix 1 shows the changes which have been made to improve

clarity and signposting to other relevant documents. Additional text acknowledges that consultation will be of wide interest and that engagement will be encouraged across the board. In response to comments on consultation methods, flexibility is offered, recognising that a variety of methods will be employed focussed on accessibility.

8. The SCI is a requirement of Section 18 of the PCPA 2004. It needs to comply with statutory requirements and Government policy for plan making and consultation on planning matters.
9. The SCI clearly sets out the key stages for preparing the Oxfordshire Plan and how the Oxfordshire LPAs intend to inform, involve and consult stakeholders on the preparation of the Plan. It will set out what is required from the partner authorities, how and when. This SCI only relates to, and is specific to, the production of the Oxfordshire Plan 2050. The partner LPAs will also have their own individual SCIs concerned with the production of their individual Local Plans and other planning documents.
10. The SCI for the Plan will ensure that it is shaped by early, proportionate and meaningful engagement between plan makers and communities, local organisations, businesses, infrastructure providers and statutory consultees.

### **Local Development Scheme (LDS)**

11. This report recommends an amendment to the LDS timetable for the Plan, namely an additional consultation at Regulation 18 stage. It does not however affect the overall timetable.
12. Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended) requires Local Planning Authorities to prepare and maintain an LDS setting out a timetable for the production of DPDs. The LDS must specify the timetable for the preparation and revision of the development plan documents.
13. The LDS will be used by officers, consultees, developers, agents and the public in determining when important milestones in the production of the Oxfordshire Plan and key stages of consultation can be expected. Implementation of the LDS will be monitored and periodically reviewed if there are significant changes in circumstances.
14. The LDS was approved by Cabinet on 27 Sept 2018 and all District Councils during Sept/Oct 2018. However, since then, considerable thought has gone into the approach towards the consultation stages. The aim is for the plan making process to maximise engagement, interest and 'buy-in' for the Plan. The Plan should also seek to be enriched by the consultation process from the wealth of interest and suggestions that will emerge.
15. The key to effective consultation on this Plan will be to explain the narrative of the Plan clearly so that interested groups can think about the reasons for the vision, aspirations and objectives of the Plan. There is a danger that launching into broad locations for growth would distract from the critical overarching discussions around the housing need and growth aspirations of Oxfordshire.
16. The proposal is therefore to have two Regulation 18 consultations where the first is an accessible discussion document concerning vision, aspirations and objectives, whereas the second consultation would look at broad locations for

growth. To support the identification of broad locations which is to be the subject of the Reg.18 Part 2 consultation document, a 'call for sites' will need to be undertaken to demonstrate that any broad locations for growth are 'deliverable'. There is no timetable for this at present.

17. The timetable below demonstrates how two Regulation 18 consultations can be accommodated without affecting the overall timetable of the Plan's production. The overall timetable for the Plan may need to be amended to take into account its alignment with other national or strategic proposals, for example the Oxford Cambridge Expressway, but this would not affect the first proposed consultation scheduled for Feb/March 2019.
18. The revised key milestones for production of the Plan are proposed as follows (new text in bold). This would replace the table at paragraph 16 of the LDS.

Early stakeholder engagement	Commenced
Consultation on Issues (Vision, objectives and level of growth) (Reg 18 Part 1)	Feb/Mar 2019
<b>Consultation on Issues (Broad locations for Growth) (Reg 18 Part 2)</b>	<b>Jun/Jul/Aug 2019</b>
Consultation on Proposed Submission Draft Plan (Reg.19)	Oct/Nov/ <b>Dec</b> 2019
Submission (Reg.22)	Mar 2020
Examination (Reg.24)	Sep 2020 tbc
Receipt and Publication of Inspector's Report	Dec 2020 tbc
Adoption (Reg.26) by each partner local planning authority	Mar 2021 (subject to examination)

### Regulation 18 (Part 1) Issues consultation

19. This report recommends approval of the Issues consultation document for the Oxfordshire Plan (see Appendix 2). Following approval of the document, it would be published for public consultation as part of the Regulation 18 requirements. This will be the first formal public consultation on the Oxfordshire Plan 2050.
20. The consultation document explores the context for the Plan (setting out the quality of life, economic, natural and built environment, housing, health and wellbeing and transport and movement contexts). It proposes a draft vision and objectives for the Plan and invites comments and improvements to those.
21. The document also sets out five aspirations for the Plan:
  - Improve housing availability/affordability

- Support economic growth
  - Strong and healthy communities
  - Protect environmental quality
  - Improve connectivity and movement
22. Each of these aspirations would offer real benefits to future generations if fully embedded in the Plan. Some of them however if taken to the extreme, or taken in isolation, would also likely result in real issues or have knock-on impacts for other elements of the plan. As with all complex planning issues there are choices to be made and balances that need to be struck. It is likely that different degrees of these aspirations, in combination, will be required and difficult decisions need to be made between them. We are keen to explore these issues with the public so that together, we can decide where the appropriate balances may lie.
  23. The consultation document also explores the potential spatial scenarios for accommodating growth in the Plan. The Plan could take any of a range of options, for example intensification of existing settlements, providing new settlements or dispersing growth or it could take a combination of these options.
  24. The intention is to prompt discussion (among stakeholders and the public) on these aspirations and scenarios and to invite input and feedback to improve and refine the approach when taking it into the next stage of the Plan. Future stages of Plan preparation will go on to consider broad locations for growth. By focussing the conversation at this this stage on the context, need and growth aspirations of Oxfordshire, this will be a vital step towards that further discussion.
  25. The formal public consultation is programmed to be held for a period of six weeks in February and March concluding ahead of the purdah period for the local elections (being held in Cherwell, South Oxfordshire, Vale of White Horse and West Oxfordshire). To support the consultation document, a series of topic papers will be produced and published. These topic papers are intended to provide additional clarity and signpost readers to other sources of evidence and information. They will not contain policy.

## **Financial Implications**

26. As part of the Oxfordshire Housing and Growth Deal, the government has agreed £2.5 million capacity funding over three years to support the development of the Plan. The business case will be reviewed in light of the scoping document and timescales set out in the Local Development Scheme, with the intention of delivering the project within this funding envelope. Any costs over and above this would be subject to further agreement by the Oxfordshire Authorities and met from existing Planning Policy budgets. The revised business case will also examine future savings that will result from the JSSP and its joint evidence base to the five local planning authorities in their work on future Local Plan reviews.
27. Any work directly commissioned by South Oxfordshire District Council will be claimed back from the capacity fund held by Oxfordshire County Council as the Accountable Body for the Growth Deal, or from other Local Plan Authorities over and above the capacity funding.

28. The cost of implementing the updated SCI 2018 as proposed will be met within existing budgets of the Oxfordshire Housing and Growth Deal.

## **Legal Implications**

29. The Council has a legal duty to produce an LDS and an SCI under sections 15 and 18 respectively of the Planning and Compulsory Purchase Act 2004 (as amended) and to carry out early engagement in the content of the Plan under Regulation 18 of The Town and County Planning (Local Planning) (England) Regulations (2012).

## **Risks**

30. The SCI is a requirement of Section 18 of the Planning and Compulsory Purchase Act 2004 (as amended). To not adopt an SCI would leave the production and the soundness of the development plan document, the Plan, open to challenge. The SCI has been produced having regarded to statutory and policy requirements for plan-making.
31. The Plan SCI seeks to ensure opportunities for participation in the plan making process, including fair access for all regardless of a person's protected characteristic as defined by the Equality Act 2010<sup>1</sup>. The way that officers consult on the preparation of the Plan could have an impact on people who may have challenges in accessing information, such as those that do not have English as their first language, disabled people or those who are unable to access the internet. Therefore, an Equality Impact Assessment will be produced when preparing the Plan documents for each stage of consultation.
32. A risk register is attached as Appendix 3.

## **Other implications**

33. A two-stage approach to the Equality Impact Assessments (EqIA) is being followed for the Oxfordshire Plan project. The first phase comprises of an initial assessment of the policy areas within the consultation document (attached as Appendix 4). Views on this assessment will be sought as part the Regulation 18 consultation.
34. The second phase of the EqIA will look at the policies as they will be drafted in the Proposed Submission Document. Consultation on that phase of the EqIA will be combined with the next round of public engagement for Regulation 19.

## **Conclusion**

35. The Council and its partner LPAs are at an early stage in the production of a Statutory Spatial Plan for Oxfordshire. Once adopted the Plan will form part of the Council's Development Plan against which formal planning decisions will be made and other local planning documents prepared. The Council has a statutory duty to prepare and maintain an LDS under Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended). The preparation of the plan will

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<sup>1</sup> A "protected characteristic" under the Act - age, disability, gender reassignment, marriage or civil partnership, pregnancy and maternity, race includes (colour, nationality, ethnic or national origin), religion, belief, sex and sexual orientation.

require community and stakeholder involvement and the production of a SCI is a legal requirement under Section 18 of the Planning and Compulsory Purchase Act 2004 (as amended) to ensure compliance with statutory requirements and Government policy for plan making and consultation on planning matters.

36. These documents, if agreed, will not replace the Council's existing SCIs, they will remain relevant to all other planning documents.

## **Background Papers**

- September 2018 Joint Statutory Spatial Plan Scope

## **Appendices**

Appendix 1: Statement of Community Involvement and schedule of amendments

Appendix 2: Regulation 18 (Part 1) Issues consultation document

Appendix 3: Risk Register

Appendix 4: Equalities Impact Assessment