

Written responses to questions – 23 October 2024

Council meeting

1. Question from Councillor Foxhall to Councillor Foulsham, Cabinet member for Policy and Programmes

We recently learnt that the government's Planning Inspectorate has recommended that Oxford City Council withdraw its local plan.

The government inspectors' main reason for this was that Oxford City had not satisfied the duty to co-operate, in large part referring to South and Vale. Inspectors stated that "we do not consider that the Council has engaged constructively, actively and on an ongoing basis in relation to the strategic matters of housing needs and unmet housing needs." [1]

In response, Councillor Susan Brown, Oxford City Council's leader has commented: "We have a longstanding history of working collaboratively with neighbouring councils and other stakeholders on planning issues affecting Oxfordshire - including during the preparation of this plan. The duty to cooperate is not a duty to agree." [2]

Which of these assessments does the Cabinet member consider most accurate?

[1] <https://www.oxford.gov.uk/downloads/file/3600/exam-20---inspectors-post-hearings-letter-to-council-september-2024>

[2] <https://www.oxford.gov.uk/news/article/1549/oxford-city-council-response-to-planning-inspectors-findings-on-its-draft-local-plan-2040>

Written response

The initial examination hearings of the Oxford City Local Plan 2040 held in June 2024 considered the evidence about the duty to co-operate. The conclusions of the Inspectors were published on 11 September. The Inspectors are both highly qualified and very experienced and we have no reason to disagree with their conclusions on this matter.

We also acknowledge that duty to co-operate is not a duty to agree and would emphasise that all Councils are required to engage constructively, actively and on an ongoing basis throughout the process of plan making.

The Duty to Co-operate Matter Statement submitted by South and Vale for the initial Oxford City Hearings can be viewed at this link:

<https://www.oxford.gov.uk/downloads/file/3374/matter-2-written-statement---south-oxfordshire-and-vale-of-white-horse-dc>

2. Question from Councillor James to Councillor Thomas, Leader of the council and Cabinet member for Climate Action, Nature Recovery, and Strategic Partnerships

In December 2023 this Council voted unanimously on a motion that noted the importance of Nature Recovery and made 12 resolutions towards delivering nature recovery in our district. They were:

1. Ask Cabinet to ensure that addressing the climate and ecological emergencies and nature recovery remain strategic priorities for planning policies and design guides for new development through proposals in the Joint Local Plan (JLP), whilst seeking to support the principle of increasing equality of access for people to natural, green spaces.
2. Ask Cabinet to consider proposing that nature recovery has equal priority with climate change as headline themes for the Vale of White Horse District Council Corporate Plan, 2024 – 2028.
3. Ask Cabinet to consider extending the remit of CEAC to support Cabinet in addressing the twin priorities of Climate Change and Nature Recovery.
4. Ask Cabinet to consider support for a higher than nationally set level of Biodiversity Net Gain (BNG) through the JLP and work with partners to support effective local use of any BNG offsetting arising from development in the Vale of White Horse.
5. Ask cabinet to consider and propose measurable targets and standards for biodiversity increase within our own Council's operations and land holdings, in the area managed for nature and in species diversity, seeking also to increase community engagement.
6. Support the work of the Cabinet Member for Climate Action and the Environment in engaging with partners and local charities and environmental organisations in supporting nature recovery and in opposing damage, such as that caused by sewage spills and other pollution incidents that damage nature in our district.
7. Work pro-actively with partners to develop and to support the production of a Local Nature Recovery Strategy for Oxfordshire.
8. Look for opportunities to extend partnership with local charities and environmental organisations to deliver nature recovery in Vale of White Horse.
9. Seek to identify further habitat bank sites to build on the success of the Duxford Old River project and support new opportunities for landowners to diversify their income streams and deliver nature recovery.
10. Ask Cabinet to consider the Council becoming a responsible body for Conservation Covenants as a possible route to securing biodiversity net gain.
11. Where relevant, continue to include advocating for nature and ecological diversity in our responses as consultee to major infrastructure projects.
12. Ask officers to continue to ensure that climate action and ecological initiatives are embedded within all council work areas.

Can the Cabinet member for Climate Action, Nature Recovery, and Strategic Partnerships please report back on the current status of these 12 resolutions and any further plans that have been made since last December that will deliver nature recovery in the Vale of the White Horse?

Written response

Thank you for your question and for the opportunity to highlight some of the work we have been doing since your motion in December. As was made clear during the debate, much of what was outlined in the motion was already in train, but the administration was happy to support the motion in order to highlight our shared commitment to nature recovery.

I believe specific updates should have already been distributed to members, and with your group's representation on CEAC, I hope you have been informed of much of this detail already. Of course, detailed actions are directed by high level policy which has been the focus of much of our work recently; for reference and without the need to go through each line specifically, here is a summary of some of the key activities that are either continuing or are in train to be developed.

The Joint Local Plan (JLP) is now at an advanced stage, undergoing its pre-submission publication period before submission for independent examination. The JLP's vision starts "Our vision is for carbon neutral districts, for current and future generations. For this to be a place where nature is thriving, and nature reserves are no longer isolated pockets." Objective 4 of the JLP is to "Help nature recover by protecting wildlife and expanding natural habitats, requiring developments to achieve the highest viable net gain in biodiversity so that it leaves the natural environment better than it was before the development". To this end, the JLP includes ambitious new planning policies including NH2 on nature recovery, which states that development in Vale must deliver at least a 20% biodiversity net gain, significantly stronger than the 10% mandatory biodiversity net gain set nationally under the Environment Act 2021.

The proposed new Council Plan, the Heart of the Vale, outlined one of its key priority themes as Supporting Climate and Nature Recovery when publicly consulted on earlier in the year. More information regarding that will come forward as the strategic plan is further developed alongside the budget setting process for 2025/2026.

The developing Nature and Climate Action Plan (NCAP) will set out the council's approach to nature recovery over the coming years. This cross-cutting action plan will seek to set new measures and targets across all council work areas. The NCAP will set out how the council will continue to support the delivery of the Oxfordshire Local Nature Recovery Strategy, what it will do to deliver nature recovery in our own operations and how we will work with local communities and with partners to deliver across the Vale of White Horse. CEAC have been closely involved in the development of the NCAP and will continue to review progress on agreed actions after its publication early next year.

Decision making on climate and nature recovery has also been given a boost with the introduction the climate impact assessment tool being more widely used by officers in committee reports and also considered during earlier stages of projects and work activity being developed.

As you can see, we have covered a lot, and much of this was already in progress. Further updates will continue to be communicated to all members when they come forward, through the regular channels including In-Focus and the monthly member updates; with this information available to all members, I hope there will be no need further for consideration of this motion at full Council.