

To: City Executive Board
Date: 18 September 2018
Report of: Patsy Dell
Title of Report: Oxfordshire Joint Statutory Spatial Plan Local Development Scheme and Statement of Community Involvement 2018 Scoping Document

Summary and recommendations	
Purpose of report:	To seek approval of draft project and programme documents for the Oxfordshire Joint Statutory Spatial Plan (JSSP) the preparation of which is a requirement of the Oxfordshire Housing and Growth Deal. These documents comprise: a, Draft Statement of Community Involvement 2018 b, Local Development Scheme c, JSSP Scoping Document
Key decision:	Yes
Executive Board Member:	Alex Hollingsworth, Portfolio Holder for Planning and Transport
Corporate Priority:	Relevant Corporate Plan priorities and a requirement of the Oxfordshire Housing and Growth Deal'.
Policy Framework:	none.
Recommendations: That the City Executive Board resolves to:	
<ol style="list-style-type: none"> 1. Approve the Local Development Scheme (LDS) for the JSSP presented at Appendix 1; 2. Approve the draft Statement of Community Involvement 2018 (Appendix 2) for the JSSP for a six week period of formal public consultation; 3. Approve the JSSP Scoping Document presented at Appendix 3; 4. Authorise the Head of Planning, Sustainable Development and Regulatory, after consultation with the Portfolio Holder for Planning and Transport, to make any necessary minor and presentational changes to the draft Statement of Community Involvement 2018 before formal consultation commences; and 5. Authorise the Head of Planning, Sustainable Development and Regulatory, after consultation with the Portfolio Holder for Planning and Transport, to make any necessary minor and presentational changes to the Local Development Scheme 2018 and JSSP Scoping Document before publication. 	

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Appendices	
Appendix 1	LDS for the JSSP
Appendix 2	Draft Statement of Community Involvement for the JSSP
Appendix 3	JSSP Scoping Document
Appendix 4	Risk Assessment

Introduction and background

1. The six Oxfordshire Councils and the Oxfordshire Local Enterprise Partnership (OXLEP) have agreed the Oxfordshire Housing and Growth Deal with Government. Under the terms of the Deal the local authorities have committed to producing an Oxfordshire Joint Statutory Spatial Plan (JSSP) for submission to the Planning Inspectorate for independent examination by 31 March 2020 and adoption by 31 March 2021, subject to examination process.
2. The JSSP will provide an Oxfordshire-wide, integrated strategic planning framework and supporting 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.
3. The JSSP will be a formal Development Plan Document (DPD), prepared under Section 28 of the Planning and Compulsory Purchase Act 2004 (as amended) which enables two or more local planning authorities to agree to prepare a joint Plan. Oxfordshire County Council will support the plan preparation process.

JSSP Local Development Scheme (LDS)

4. 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 (which would include the JSSP).
5. The LDS must specify:
 - the local development documents which are to be development plan documents;
 - the subject matter and geographical area to which each development plan document is to relate;
 - which development plan documents (if any) are to be prepared jointly with one or more other local planning authorities;
 - any matter or area in respect of which the authority has agreed (or propose to agree) to the constitution of a joint committee;
 - the timetable for the preparation and revision of the development plan documents; and
 - such other matters as are prescribed.

6. The Development Plan Documents must be prepared in accordance with the LDS and this must be demonstrated at public examinations. The LDS will be used by officers, consultees, developers, agents and the public in determining when important milestones in the production of the JSSP and key stages of consultation can be expected. Implementation of the LDS will be monitored and the LDS will be periodically reviewed if there are significant changes in circumstances.
7. The new JSSP LDS is presented in Appendix 1 for approval. This relates solely to the preparation of the JSSP for Oxfordshire, as part of the future statutory planning framework of the city. The partner Local Planning Authorities (LPAs) will also have their own individual LDSs concerned with the production of their individual Local Plans and other planning matters. The key milestones for production of the JSSP are as follows and as required by the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) :

Early Stakeholder Engagement	October 2018
Consultation on Preferred Strategy Options (Reg. 18)	February/March 2019
Consultation on Proposed Submission Draft Plan (Reg. 19)	October/November 2019
Submission (Reg. 22)	March 2020
Examination (Reg. 24)	September 2020 TBC
Receipt and Publication of Inspector's Report	December 2020 TBC
Adoption (Reg 26)	March 2021 (subject to examination)

8. CEB is recommended to approve the LDS.

JSSP Statement of Community Involvement (SCI)

9. The SCI is a requirement of Section 18 of the Planning and Compulsory Purchase Act 2004 (as amended). It needs to comply with statutory requirements and Government policy for plan making and consultation on planning matters. However, the Government no longer provides guidance on how to produce a SCI. It is for planning authorities to decide how they will prepare their own SCI.
10. As part of the preparation and adoption of the JSSP the Oxfordshire Authorities will be producing a number of documents, requiring consultation. It is therefore important to have an up-to-date SCI that sets out the requirements and strategy for engaging with communities and key stakeholders.
11. The draft SCI clearly sets out the key stages for preparing the JSSP and how the Oxfordshire authorities 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 JSSP. The partner Local Planning Authorities (LPAs) will also have their own individual SCIs concerned with the production of their individual Local Plans and other planning matters.
12. The SCI for the JSSP will ensure that the plan is shaped by early, proportionate and meaningful engagement between plan makers and communities, local organisations, businesses, infrastructure providers and statutory consultees.

13. The outcomes of the consultation processes set out in this SCI will be an important element of the considerations of the LPAs in developing the JSSP. However, they are one element of the considerations alongside other material matters such as the evidence base and the Sustainability Appraisal etc. Consultees and those engaged should recognise the multi-faceted considerations that will go towards the conclusions in the JSSP that are sent forward for Examination.
14. CEB is recommended to approve the Draft SCI for consultation. A six week period of consultation will assist in the production of a robust SCI.

JSSP Scoping Document

15. The JSSP Scoping Document is an informal document, not required by regulations, but which is a helpful project planning tool which seeks to set out the understanding between the various parties on the objectives of the JSSP and the processes that will be followed. This will form an agreed framework for the project and it will be used to inform the work programme for the plan.
16. The JSSP will provide an overall strategy for the scale and distribution of development up to 2050. It will be a strategic document which will identify future growth areas, and it is not intended that it will allocate specific sites itself. It will not contain detailed policies, as these will be covered by future Local Plan reviews as necessary. The JSSP will address the strategic and cumulative implications of growth and set out a long term framework covering the whole of Oxfordshire. A common evidence base will be developed to underpin the JSSP and future Local Plan reviews. This will include work on environmental quality and natural capital, as well as on strategic transport and other infrastructure requirements. The JSSP will take into account the commitments made in emerging and adopted Local Plans.
17. CEB is recommended to approve the JSSP Scoping Document.

Approval Processes

18. As the JSSP is a formal DPD which enables two or more local planning authorities to agree to prepare a joint Plan, it necessitates that approval of that plan and relevant stages of its production be formally agreed by all the individual partner authorities.
19. Oxford City Executive Board is one of five meetings at which the LDS, the Draft SCI and the JSSP Scoping Document will be considered during the month of September. These documents will be considered in parallel meetings at Cherwell District Council, South Oxfordshire District Council, Vale of the White Horse District Council and West Oxfordshire District Council. All meetings will be presented with the same documents and will be asked to agree the recommendations as detailed above.
20. Following that agreement the JSSP Project Team will commence consultation on the Draft SCI for a six week period in October 2018. Following this consultation period, a final SCI (amended as appropriate in response to comments received) will be reported to CEB for final approval in December.

21. The development of the JSSP under the s28 process will be overseen and informed by a sub-group of the Growth Board made up of member representatives of each of the local authorities.
22. Please note that these documents are part of the preparations that are on-going for the production of the JSSP. Approval of these documents and formal commencement of the JSSP process is subject to the delivery of the Planning Freedoms and Flexibilities that are part of the Deal with the Government. Consultation on the Draft SCI will not commence until the Government has confirmed the delivery of the 3 year land supply flexibility. The Ministry for Housing, Communities and Local Government have confirmed their intention to publish a Written Ministerial Statement granting this flexibility to Oxfordshire as soon as possible when Parliament returns in the Autumn.

Financial implications

23. As part of the Housing and Growth Deal, the government has agreed £2.5million capacity funding over three years to support the development of the JSSP. 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. 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.
24. Any work directly commissioned by Oxford City Council will be claimed back from the capacity fund held by the County Council as the Accountable Body for the deal, or from other Local Plan Authorities over and above the capacity funding.

Legal issues

25. The Council has a legal duty to produce an LDS and a SCI under sections 15 and 18 respectively of the Planning and Compulsory Purchase Act 2004 (as amended).

Level of risk

26. A Risk Register is attached as Appendix 4.

Equalities impact

27. The JSSP SCI seeks to ensure opportunities for participation in the JSSP process, including fair access for equalities groups. The way that the JSSP team consults on the preparation of the JSSP could have an impact on equalities groups who may have challenges in accessing information, such as those that do not have English as their first language or those who are unable to access the internet. Therefore, an Equalities Impact Assessment will be produced when preparing JSSP documents for each stage of consultation.

Conclusion

28. The Council and its partners are at an early stage in the production of a Statutory Spatial Plan for Oxfordshire. Once adopted the JSSP 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 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.

29. These documents will not replace the Council's existing LDSs and SCIs; they will remain relevant to all other planning matters.

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Background Papers: None