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To Members of the City Executive Board

05 September 2013

Dear Councillors

CITY EXECUTIVE BOARD - WEDNESDAY 11 SEPTEMBER 2013

Background papers for the following items:-

6. **Customer Contact Strategy (Pages 1 - 10)**

10. **Affordable Housing and Planning Obligations - Supplementary Planning Document - Adoption (Pages 11 - 28)**



INVESTORS
IN PEOPLE



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Customer Contact Consultation: January – April 2013 Summary

The good levels of satisfaction with the telephone service expressed in focus groups and mystery shopping is consistent with satisfaction levels from GovMetric

The service delivered via the phones is generally regarded as having improved overall during the past 18 months. CSOs are seen as pro-active, polite and helpful

Customers are aware of the changes made to SAC and feel the refurbishment has helped to improve the atmosphere and service

There is a willingness to channel shift, or to consider channel shift.

There is a willingness to do more online self-service (survey and focus groups)

In the survey (conducted mainly on-line)

- 64% were happy to receive statutory information, for example Council Tax mailing, by email.
- Only 20% of customers in the survey would not consider using a single-sign on customer account on the website
- 43% access the internet using a mobile phone
- Email and telephone are the top preferences for contact between the customer and Council.

The focus groups revealed some additional information

- Self-service needs to be pro-actively supported to encourage inexperienced customers to use the website more
- Printing facilities would make self-service more attractive
- Low income communities find web-based transactions attractive. These are effectively 'free' (either because a fixed subscription is paid, or access is via community facilities). This is better than running out of credit on the phone.
- Concerns were expressed about replacing emails with web forms (no record of input; quality of information in automated response).
- A strong preference was expressed for receiving a phone call rather than a letter, especially about debts, so that the issue could be understood and resolved quickly, perhaps avoiding court costs

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Methodology

Purpose of consultations and surveys

To

- Provide information on overall satisfaction with services provided by and via Customer Contact
- Identify customer use, views, and preferences regarding channels of communication
- Identify issues with service provision and channels as identified by customers

To inform and support

- The review of the Customer Contact Strategy
- Understanding of issues influencing customer satisfaction
- Understanding customers awareness and view of channel shift options

To develop Customer insight for future service improvement

Consultation methods

Focus Groups: January – March 2013

- specific groups in the community, targeting customers that might not normally participate in surveys or accept invitations to focus groups in the Town Hall
- 8 groups involving a approximately 66 people (group size ranged from 3 to almost 20)

Mystery Shopping: January - February 2013

- Ten residents were trained, and carried out a total of 65 shops
- 40 telephone
- 19 visits to SAC or TSQ
- 5 email
- 1 website

Survey: February – April 2013

- On-line
- Face to face
- 129 in total

GovMetric: ongoing, year round, feedback

- Compare themes and satisfaction levels with those from the other sources above

Headline Findings

Focus Groups

The feedback from participants who used the contact centre was overwhelmingly positive. Even when there was dissatisfaction with outcomes, in the main, CSOs were seen as proactively helpful and polite. Some long wait times were experienced, but lots of participants were pleased with how fast the phones were answered.

Shorter queues in Customer Service Centres were also noted.

*David Williams, Local Councillor (Donnington TRA):
'I have far fewer complaints about the City Council's service than I used to. Now I only hear about difficult or unresolved issues. Residents go straight to council officers to get things done'*

Mystery Shopping

The feedback from calls was good Over 50% on average chose 'Very good' when summarising all aspects of their call.

For visits, between 14 and 16 out of 19 shoppers summarised their experience as good or very good.

Email and website numbers were too small draw conclusions

Survey

The survey was piloted face-to-face at Templar Square and St Aldate's Customer Service Centres and in focus groups where appropriate. There were 28 responses.

The survey was slightly revised and put on the website. The survey was notified to everyone registered as interested in consultations. The link was emailed to individuals and organisations using the voluntary groups and Housing Associations on our 'partnership' list' and to other community and interest groups via the Neighbourhood and Communities team and other networks.

However, just over 100 responses were received direct to the website (face-to-face results were later added to econsult)

Channel-specific feedback from focus groups and mystery shoppers

5

	Focus Groups	Mystery Shoppers
Website	<ul style="list-style-type: none"> • More interactive website individual accounts, so that rent, council tax etc can be managed on-line. • Use of the website is perceived as free, in contrast to costly mobile calls <i>'Doing stuff on-line is easy, convenient and no-cost. Can we have more please?'</i> • GovMetric results published on the web regularly • Bulky waste service on-line 	<p><i>'Not confident about the change to 'email' webforms. You don't have a record of what you have written, no immediate confirmation, you have to wait for acknowledgement.'</i></p>
Contact Centres	<ul style="list-style-type: none"> • Freephone number for mobiles (from tenants used to the 0800 number) • Pro-active advice given about Council Tax benefit during a call about something else. Appointment made, and explained everything she needed <i>'Could there be a message to say how long you might wait (...you are number 4 in the queue...)?'</i> 	<p><i>'The phones are much, much more efficient now. I didn't have to wait for the phone to be answered. Found the options quick to use.'</i></p> <p><i>'Overall I was very satisfied with all the responses. The CSOs were happy to 'go the extra mile. I'm still waiting for a call back from Council Tax.'</i></p>
Customer Service Centres & Self Service	<ul style="list-style-type: none"> • Printing facilities for self-service pcs • Customer 'seen in seconds' in SAC. Approached by CSO and offered immediate help • SAC improved: 'hostility gone', shorter queues, shorter waiting times • Lots of leaflets, staff patient and well informed 	<ul style="list-style-type: none"> • Need to have printing facilities in receptions <p><i>'I have mystery shopped Templar Square before and it wasn't good, and staff didn't wear their badges. Now it's much better – really good. The service at TSQ is slightly quicker.'</i></p>
Emails and letters	<ul style="list-style-type: none"> • Clarity of letters: <i>'they tell you what your rent is, and your benefit, but not how much you owe or have to pay. It's confusing.'</i> <i>'I've had letters about £2 outstanding, and a court</i> 	<p><i>'I sent an email and didn't get an answer. Then I got all the information in the post. The note said my email bounced back. They bothered to trace my address from the email and post the information. I was really impressed – they went the extra mile.'</i></p>

	<i>summons for a debt of £7, Couldn't they just pick up the phone and remind me?</i>	
Complaints	<ul style="list-style-type: none">• Need to address perceptions that making a formal complaint may negatively affect out comes (in relation to benefits and repairs?)	<i>'I asked for a complaints leaflet [in SAC] and I was told there isn't one. Told to write or phone. Later, I looked and found one on the website'</i> <i>'I was given a complaints form at Templar Square when I asked for one.'</i>

Survey results: Summary

Contact preferences and frequency

Most customer want contacts by phone – which is already a good service with high satisfaction levels

Email and text very popular. Focus group discussions revealed less confidence in webforms

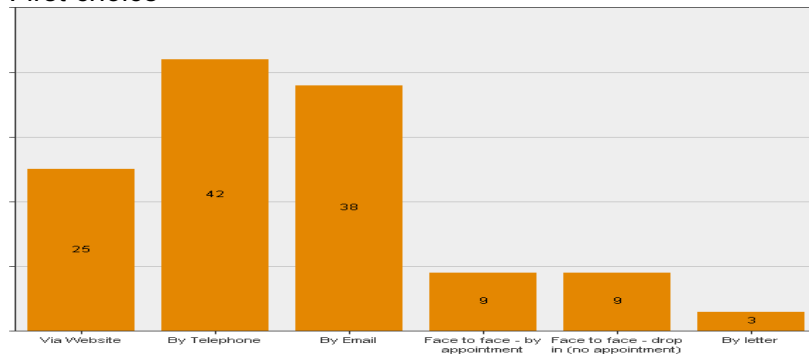
'you don't have a record of what you wrote'

'You don't know who it is going to – it's anonymous'

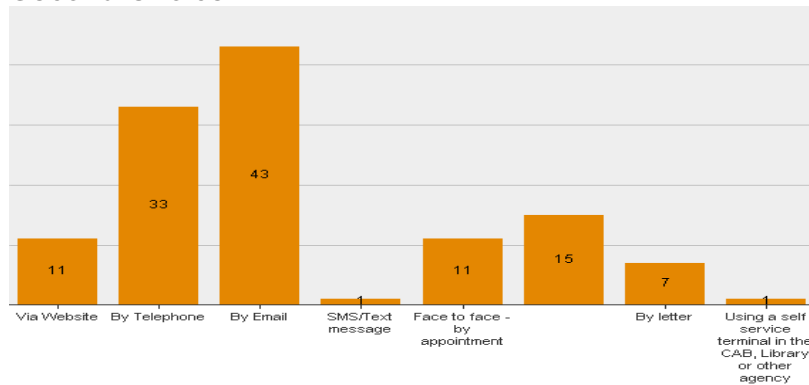
Most customer want contacts by phone – which is already a good service with high satisfaction levels

Q1 - How do you prefer to contact the Council?

First choice

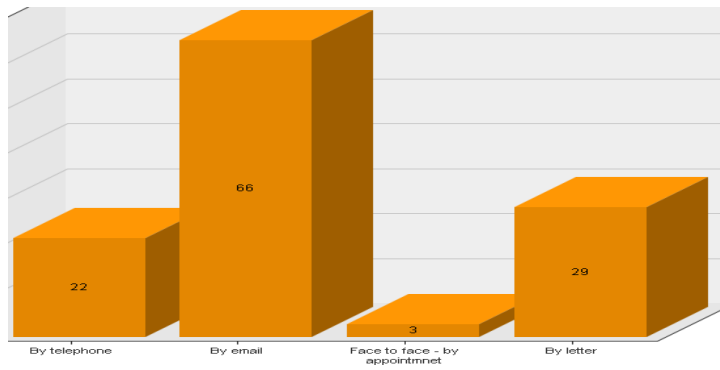


Second Choice

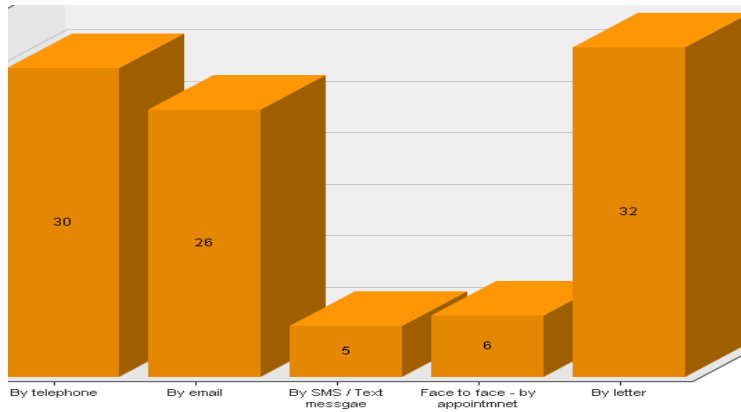


Q2 - How do you prefer the Council to contact you?

First Choice



Second Choice



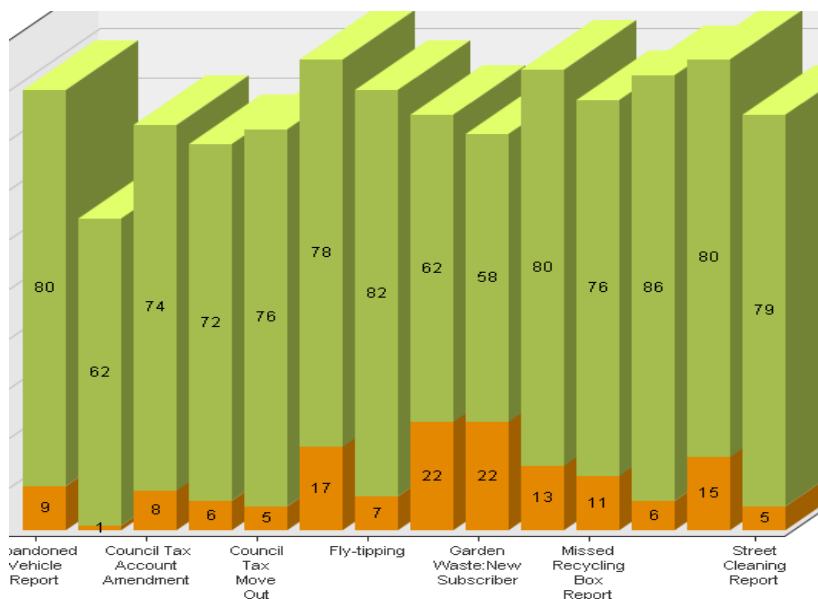
Q12 - What was your reason for contacting us?

Compare reasons for contact profiles in the survey with profile of actual calls received to check how representative the survey is in terms of call type.

Channel shift: willingness and barriers

Q5 - Have you used any of these on line services? If not, might you use them in the future?

The majority of respondents who chose to answer this question would consider using our on-line services



Q 6 - If you could sign-up to a secure online account on the City Council website that would enable you to check and manage services such as Council Tax, Rents, Consultations and other services, would you do this?

Only 20% said 'no' to this. 45% said 'yes' and 35% 'maybe'. It might be possible to turn the 35% into 'yes' responses if we understand the barriers.

Q8 – Do you have access to the internet? Please tick all that apply.

91% of respondents have access to the internet. However, as this was predominantly an online survey this result may be biased.

43% access the internet from a mobile phone, suggesting we should prioritise working on access to the website / council services via phones.

Awareness of online services – converting the 'maybes'

Q9 - Oxford City Council has a legal duty to communicate with city residents on topics such as Council Tax. Today this is done by post; in future would you be happy to receive these letters electronically?

64% said yes. Could this be provided as an opt-in alternative?

Lessons Learned & future actions

Survey and focus group methodology *(more to add here)*

- The survey combined questions on channel shift and customer satisfaction. These could have been better differentiated on the survey.
- The requirement to register may have acted as a disincentive to participate on-line
- The numbers participating are too small to be statistically significant

Ongoing work in Customer Contact:

- Customer Insight co-ordinators: introduced as part of restructure to support continued development and application of customer insight
- Customer Complaints Satisfaction Survey
 - Trial with past complaints
 - Rolling survey of future complaints
- Customer Satisfaction / Insight improvement plan. Based on:
 - Focus Group Feedback
 - Survey Feedback
 - GovMetric feedback
 - Complaints 'lessons learned'
- Ongoing Customer Contact Focus Groups
 - 'Standing' group, to act as sounding board for improvements, changes and communications
 - Community and hard to reach groups

Recommendations

- Consider providing corporate training on survey methodology
- Encourage standardisation of survey styles and questions, where ever possible and appropriate, to enable Council-wide comparison and analysis.
- Introduce annual or bi-annual overview and analysis of all (or most) surveys which cover key issues (eg: customer satisfaction, channel use and preferences), to reduce duplication and survey fatigue, and to provide corporate customer insight.
- Develop Customer Journey Mapping and Customer Experience Mapping. Use historical data to conduct 'virtual' journey mapping via Lagan and 'reality check' effectiveness of process change / improve procedures by actual mapping using groups of customers with recent experience of processes.

Affordable Housing and Planning Obligations SPD

Public Participation Statement (summarising representations) Regulation 12 (a) Town and Country Planning (Local Planning) (England) Regulations 2012

www.oxford.gov.uk



September 2013

1 Introduction

1.1 This Public Participation Statement sets out how Oxford City Council has engaged and consulted with stakeholders to date on the Affordable Housing and Planning Obligations Supplementary Planning Document (SPD) in accordance with Regulation 12 of the Town and Country Planning (Local Planning) (England) Regulations 2012¹, and the adopted Statement of Community Involvement (SCI). It updates the Interim Public Participation Statement published in April 2013, following the period of statutory public consultation (12th April – 24th May 2013). It includes summaries of the issues raised during the consultation period, and details how these issues have been addressed in the SPD.

2 Purpose of the SPD

- 2.1 The purpose of the Draft Affordable Housing and Planning Obligations SPD is to provide detailed advice regarding implementation of the affordable housing and planning obligations policies contained in the Oxford Core Strategy (March 2011), Sites and Housing Plan (February 2013), West End Area Action Plan (June 2008), Barton Area Action Plan (December 2012) and the Oxford Local Plan 2001-2016 (November 2005).
- 2.2 The City Council has an adopted Planning Obligations SPD (April 2007) and an adopted Affordable Housing SPD (November 2006). The Draft Affordable Housing and Planning Obligations SPD is intended to replace both these documents.

3 Early stage consultation

- 3.1 There has been early stage consultation on the topics of affordable housing and planning obligations in advance of the production of the Draft SPD. The policies that the SPD will support have been subject to thorough consultation and examination through their respective plan production processes. In addition, the work to produce the Community Infrastructure Levy Draft Charging Schedule has involved a wider discussion of the issues.
- 3.2 In particular, as part of the production process of the Sites and Housing Plan and the Community Infrastructure Levy Draft Charging Schedule, there has been significant consultation and wider debate of the issues addressed in the Draft SPD including developer contributions and development viability for example.

¹ With effect from 6th April 2012, the Town and Country Planning (Local Development) (England) Regulations 2004 (Statutory Instrument 2004 No. 2204) were replaced by the Town and Country Planning (Local Planning) (England) Regulations 2012 (Statutory Instrument 2012 No. 767). Therefore 2004 Regulation 18 was replaced by 2012 Regulations 12(b) and 13.

3.3 To aid the production of both the Sites and Housing Plan and the Draft Charging Schedule viability evidence gathering has been carried out at various stages since 2011. The following evidence base documents have been produced:

Residential development:

- Affordable Housing Viability Study (June 2011) King Sturge
- Community Infrastructure Levy Analysis (also referred to as: CIL Residential Addendum) (July 2012) Jones Lang LaSalle
- Update note to Affordable Housing Viability Assessment (also referred to as: Residential Sensitivity Testing) (September 2012) Oxford City Council and Jones Lang LaSalle
- Affordable Housing Viability Assessment (also referred to as: Additional Viability Testing – Smaller Sites) (October 2012) Jones Lang LaSalle
- Residential Community Infrastructure Levy Analysis – Addendum to Housing Viability Evidence Report (also referred to as Residential Update) (January 2013) Jones Lang LaSalle

Student accommodation development:

- Affordable Housing Viability Study – Student Accommodation (December 2011) CBRE
- Student Accommodation – Community Infrastructure Levy Analysis (also referred to as: CIL Student Addendum) (March 2012) CBRE

Non-residential development:

- Updated Viability Evidence Report Community Infrastructure Levy Assessment (also referred to as: CIL Non-residential Assessment) (January 2013) Jones Lang LaSalle (Please note this study updates the July 2012 JLL Study that was published at Preliminary Draft Charging Schedule stage.)

3.4 All these studies were subject to consultation through the Draft Charging Schedule consultation (January-February 2013). The studies produced prior to September 2012 were also subject to consultation through the Sites and Housing Plan process, undergoing detailed consideration and debate at the Sites and Housing Plan examination.

3.5 A further example of the consultation on the emerging work and draft policies is the workshops that took place with a range of stakeholders. For example two stakeholder briefing sessions were held in July 2011 to discuss the emerging housing policies of the Sites and Housing Plan, and a CIL stakeholder workshop was held in July 2012 to discuss the emerging work on the Charging Schedule and associated evidence base.

3.6 Prior to the consultation period, an early draft of the SPD was made available to Oxfordshire County Council for consideration.

4 Strategic Environmental Assessment Screening Consultation

4.1 A Strategic Environmental Assessment Screening Report has been produced to determine the need for a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004 for the Draft Affordable Housing and Planning Obligations Supplementary Planning Document.

4.2 The screening exercise established that the Draft SPD will not give rise to any significant environmental effects and that a Strategic Environmental Assessment is not required.

4.3 The City Council consulted with the three statutory environmental bodies (English Heritage, the Environment Agency and Natural England) over the findings of the SEA Screening Report to confirm its findings. The consultees agreed with the findings of the Screening Report and as such it was updated and published as the Screening Statement for the SPD (www.oxford.gov.uk/spd).

5 Consultation on the Draft SPD

5.1 Formal public participation on the Draft SPD took place for a six-week period between 12th April and 24th May 2013. The consultation comprised the following:

- the draft SPD and supporting information being made available
 - ✓ as an electronic document, on the City Council’s website,
 - ✓ in paper form, at St Aldate’s Customer Service Centre,
 - ✓ in paper form, at libraries within the city;
- the draft SPD and supporting information being made available using the City Council’s online consultation portal;
- an invitation to comment was sent to statutory bodies, known contacts within the development industry and Registered Providers of social housing, and those who have registered an interest in planning policy documents (approximately 1200 organisations and individuals), and
- a press release.

5.2 Responses received have been processed, analysed and are reported in this statement. Below is set out a summary of the main issues raised through the consultation, and how those issues have been addressed in the final SPD.

5.3 On adoption the Affordable Housing and Planning Obligations SPD will replace the adopted Planning Obligations SPD (April 2007) and adopted Affordable Housing SPD (November 2006).

6 Summary of consultation responses

6.1 The following table sets out a summary of responses to the SPD. It also sets out how the City Council has addressed the key issues, and what changes have been made to the SPD as a result.

Issue	Where it relates to in the SPD	Council’s response	Change to SPD
Urge that account is taken of heritage issues in respect of viability, and opportunities for funding recognised.	General	Comments duly noted, but do not necessitate any change to the SPD.	No change
The scale of planning obligations (including affordable housing) may delay the provision of housing, increasing demand in adjoining districts. Encourage flexible approach to implementing affordable housing policies that does not unduly compromise timely delivery of homes.	General	Comments duly noted, but do not necessitate any change to the SPD.	No change

Concerned that CIL may not raise enough money to satisfactorily provide for the mitigation of off-site educational impacts and would like to discuss potential to retain some flexibility to seek off-site contributions in exceptional circumstances.	General	While these concerns are recognised, legislation is clear that contributions cannot be secured from S106 Agreements for items of infrastructure included on the CIL regulation 123 list. Since school capacity improvements are likely to be on the regulation 123 list, it would not be possible to collect off-site contributions for such improvements.	No change
Student accommodation should not be treated as Use Class C3. It is Sui Generis. Applying C3 to student accommodation is ineffective in relation to Core Strategy objectives. Reference to 'self-contained' should be removed in absence of any definition of 'not self-contained'. Exceptions set out in Policy HP6 should equally apply to self-contained student residential.	Paragraphs 2.2, 2.3	"Self contained student accommodation" is defined in the Sites and Housing Plan. The SPD simply highlights what is already in the SAHP. The Sites and Housing Plan also makes clear that Policy HP6 does not apply to C3 self-contained residential development intended for student occupation.	No change
Policies HP3 and HP4 should only apply to the net increase in housing on a site.	Paragraph 2.4 & paragraphs 2.10-2.14	The SPD clarifies what is set out in the Sites and Housing Plan, i.e. that Policies HP3 and HP4 are applied on the basis of site capacity. Therefore it is the gross number of units, not net increase, that is relevant.	No change
There is no basis for adjusting the red line of an application site.	Paragraph 2.4	The SPD clarifies that the City Council will not accept artificial subdivision of a site, reflecting that Policies HP3 and HP4 will apply to the gross site capacity.	No change
Rules of thumb on site capacity, and floorspace for mixed-use development, are not an appropriate basis for considering affordable housing requirement. Clear thresholds should be set. Question practicality of providing 50% of housing on-site where a mix if uses proposed. The SPD should not imply that the Council will seek contributions for, or provision of, affordable housing for all mixed-use sites with a capacity for 4 or more dwellings.	Paragraphs 2.5-2.7	The SPD clarifies the Council's approach to judging whether a proposal makes efficient use of the site, and gives guidance in interpreting and applying Policies HP3 and HP4 to mixed use development, to aid consideration on a site-by-site basis. However it is agreed that the text of the SPD can be made clearer to reflect that the City Council will only seek provision of, or contributions towards, affordable housing from mixed-use development where reasonable to do so.	Amend paragraphs 2.6-2.8 to make clearer the circumstances in which the City Council will seek a contribution towards affordable housing from mixed-use development.
Affordable Rent tenures should be seen as equivalent to Social Rent tenures in new development, in line with the direction of the Homes and Communities Agency. The initial share of ownership for shared ownership units is too low. There should be more flexibility on tenure to ensure that sites come forward.	Paragraphs 2.15-2.21	The definitions relating to affordable housing, shared ownership and affordable rent are set out in the adopted Sites and Housing Plan, and the SPD definitions are consistent with this. Similarly the tenure split is already set out in the Sites and Housing Plan. It should be noted that Policy HP3 allows flexibility on the tenure split where viability is an issue (the cascade approach).	No change
The SPD sets out a cascade approach to reducing on-site affordable housing, but does not explain whether the financial contribution can be reduced below 15% of GDV until the scheme does become viable.	Paragraphs 2.22, 2.23.	Appendix 2 of the Sites and Housing Plan provides scope for a reduced contribution if viability evidence demonstrates this is justified.	Sentence added to paragraph 2.23 to cross-refer to Appendix 2.
Consideration could be given to subsidising provision of 40% affordable housing on a site that lacks viability, from financial	Paragraph 2.23	The cascade approach is set out in the adopted Sites and Housing Plan. This does not preclude alternative funding arrangements that may support on-site AH provision.	No change

contributions collected from other developments.			
There should be no requirement, or qualification, for affordable housing to be in small clusters throughout the development.	Paragraph 2.26	Clustering of affordable units is widely considered good practice for achieving a socially integrated community, and is similar in approach to the adopted Affordable Housing SPD. Other material considerations can be considered on a case-by-case basis.	No change
There should be further evidence for / a less prescriptive approach to the strategic mix of affordable unit sizes, and the minimum floorspaces for affordable units.	Tables 1-3	The strategic mix reflects discussions with the City Council's Housing Strategy and Affordable Housing Allocations teams. Tables 1 and 2 provide greater flexibility than the adopted Affordable Housing SPD (2006). Table 3 is sourced from the Homes and Communities Agency, and provides certainty for both developers and registered providers.	No change
Core Strategy Policy CS25 and Sites and Housing Plan HP5 should be referenced (relating to the universities and student accommodation). The exceptions to where HP6 applies should be mentioned in the SPD. There is no reference to the potential non-viability of student accommodation.	Paragraphs 2.30-2.35 & 1.4	Appendix 1 includes Policy HP6 as an extract and this need not be repeated further. Agreed that there should be reference to a reduced financial contribution being possible on viability grounds. There is no need to refer to Local Plan policies that are not directly related to affordable housing. The Local Plan should be read as a whole.	New sentence added to paragraph 2.30, to cross-refer to Sites and Housing Plan Appendix 4 in respect of non-viability.
Object to paragraph 2.32 on the basis that it relates to Sites and Housing Plan Policy HP5 and Core Strategy Policy CS25, which are themselves subject to question.	Paragraph 2.32	The paragraph relates specifically to Sites and Housing Plan Policy HP6 (part d). Policies in the Sites and Housing Plan are adopted and therefore not open to question.	No change
Affordable housing contributions should not be sought from University-related development.	Paragraph 2.36 & Appendix 4 (Table A7)	Table A7 clarifies which uses Policy CS24 (in relation to non-residential uses) applies to. The scale of contribution will depend on the number of employees, as set out in paragraph 2.41.	No change
There is no justification for the indicative thresholds relating to affordable housing contributions from commercial developments. An "indicative" threshold is too vague.	Paragraphs 2.37 & 2.38	The indicative threshold of 2,000 m ² for commercial development is consistent with the adopted Affordable Housing SPD, and reflects a scale of increase that is considered to generate a significant further need for affordable housing. An indicative threshold provides more certainty for applicants.	No change
Viability appraisals should be undertaken in accordance with the NPPF, which requires competitive returns for a willing landowner and willing developer. The Council should not prescribe the methodology and assumptions for viability appraisal. Method proposed is not appropriate (various points raised). Details should not be open to public scrutiny where information is commercially sensitive. Expectation of three independent RICS valuations is inappropriate, and will add delay to the planning process.	Appendix 3	The methodology for viability appraisal set out in Appendix 3 is considered appropriate and consistent with the NPPF, and provides clarity on what the City Council expects. There is no need to repeat the NPPF in the SPD. As part of the open book approach to viability, it is not normally necessary or appropriate to maintain full confidentiality. However the City Council will have regard to where information is considered commercially sensitive on a case by case basis. It is considered that three independent valuations by RICS qualified surveyors is appropriate. In most circumstances, these need not be full property valuations, provided they are prepared by a suitably qualified, independent professional and properly justified. Therefore this is not an overly onerous requirement.	Amend paragraph A.22 third bullet point to refer to site servicing <u>and</u> <u>infrastructure</u> costs (but also to make clear that infrastructure covered by S106 Agreement must not be double counted).
For commercial development, a change of use will not always generate a significant further need for affordable housing. Policy should be modified to ensure that contributions are only sought where there is a material impact.	Paragraphs 2.37 & 2.38	Agree that further clarification is appropriate.	Addition to first bullet point of paragraph 2.38, to except changes of use where it can be clearly shown that the change would result in no net

			increase in employees working on that site.
SPD states that CIL will replace obligations securing “ <i>off-site infrastructure</i> ”. We understand that all infrastructure works located outside a red line boundary are to be funded by the CIL and all within are to be provided by the development - a double levy. Seek clarification on how the relationship between CIL, S.106 and S.278 will be aligned to avoid double charging.	Paragraph 3.11	Arrangements to avoid double charging are already set out in the SPD. It is incorrect to state that the position of the red line on an application plan determines what will or will not be funded by CIL. This will be determined by what measures are included on the Council’s Regulation 123 list. In any event, it is the applicant for planning permission who decides where the red line is drawn.	No change
It may also be necessary for large scale development to secure public transport mitigation measures through S106.	Table 4	The SPD does not prevent such arrangements taking place, but in the future it is anticipated that CIL will be the mechanism for funding identified public transport improvements.	No change
Suggest clarification of the wording for biodiversity to avoid use of the term ‘minor’ in relation to instances of off-site mitigation, which we consider would be hard to define. Recommend that reference is included to the mitigation requirements outlined in the Sites and Housing Plan for Oxford Meadows SAC, which constitute planning obligations, in particular where mitigation is proposed for specific sites within that plan.	Table 4	Accept the point in principle, although not the entirety of the wording changes suggested. The text already refers to off-site mitigation of identified impacts on areas of high biodiversity interest. It is agreed that a brief additional cross-reference to the site specific requirements in the Sites and Housing Plan would be helpful.	Amend the wording of the second column (S106) in relation to biodiversity by removing reference to ‘minor’ off-site mitigation, and adding a cross-reference to measures in the Sites and Housing Plan. Add wording relating to ‘significant’ off-site measures in third column (CIL)
Request that unique nature of Westgate is explicitly acknowledged with reference to: site-specific constraints and requirement for a comprehensive approach to S106, S278 and CIL.	Paragraphs 4.1 - 4.4	The importance of the Westgate proposals to the future retail health of the City centre is acknowledged, and the City Council is conscious of the need to ensure that the viability and deliverability of the development is not compromised. However, it is inappropriate to include text about specific sites within the SPD. The SPD is intended to provide general advice to users of the planning system, not to address the circumstances/requirements of specific sites.	No change
There is no reason why unilateral undertakings should not be used for funding above £15K. There is no justification for the limit included in the draft SPD	Paragraph 4.12	A limit was included in the previous Planning Obligations SPD, but it is accepted that UU’s may be used for funding above the level set out in the draft SPD. This point is accepted	Delete limit of £15k
UUs can also be with the County Council	Paragraph 4.14	Agree that a reference to the County Council should be added as it is possible that a developer could offer UU’s to the County	Add sentence to paragraph 4.14 to indicate that applicants may also offer unilateral undertakings to the County Council
County should also be party to S106 agreements where substantial highway works are required that are integral to the development and cannot be secured by condition. The draft legal agreements only consider City S106s and not County requirements.	Paragraph 4.16	It is recognised that there may be cases, usually on large strategic sites, when the County Council (or a statutory undertaker) may be a signatory to a S106 Agreement. A change is proposed to this effect. However this will be the exception as most highways infrastructure will be secured under CIL or via planning conditions for on-site works.	Add new wording to paragraph 4.13 to clarify that the standard agreement relates to agreements between the City Council and the applicant, and that

			the City Council may request other authorities or statutory undertakers to be parties to relevant S106 agreement as and when required.
County also need to be party to S106s agreements where a planning obligation is appropriate to ensure that a S278 is entered into.	Paragraph 4.16	A S106 will not positively require that a S278 is entered into. It can provide the funding and/or prevent development/occupation until a S278 is entered into or works are carried out. However, the County Council does not need to be party to a S106 for that purpose. If development cannot commence or be occupied, either at all or per phase, until off site (or on site) highway works are complete that can be done by S106 enforceable by the City Council or, usually, by planning condition.	No change

Appendix 1 List of organisations consulted

Colliers CRE
David Ames Associates
Gerald Eve
Rapleys
Hives Planning Ltd
W S Atkins
Oxfordshire Community and Voluntary Action
Berkeley Homes
Home Builders Federation
Hinksey Park Area Residents' Association
Bellway Homes Ltd
Banner Homes Group
Building Design
Friends of Warneford Meadow
Architects Design Partnership
Magdalen College
Barton Willmore
Oxford University Estates
Cluttons Styles and Whitlock
RPS Group plc (Head Office)
Manches
Friends of Old Headington
TH Kingerlee
PCT
Rectory Homes
Darbys Solicitors LLP
Savills
CgMs
Ridge
Divinity Road Area Residents' Association
Oxford and Cherwell Valley College (OCVC)
McCarthy & Stone Plc
Friends of Iffley
David Wilson Homes Southern
TSH Architects
Highfields Residents' Association
Smiths Gore
Somerville College (Finance & Estates Bursar)
Oxford Science Park
Shaw Gibbs LPP
West Waddy
Galliford Try
HMG Law
Oxford Preservation Trust
Northway Tenants' & Residents' Association
Bellmark Homes Ltd
Nathaniel Lichfield And Partners
Turley Associates
Friends of Old Headington
Tanner and Tilley Planning Ltd
Blake Laphorn
Persimmon Homes
Blue Sky Planning Limited
Oxford Inspires
New Marston Residents' Association
The Anderson Orr Partnership
Riach Architects
University Hospital Trust
Lambert Smith Hampton
Shaw Gibbs LPP
St Cross College
Marriotts
Savills
Embling Associates Ltd
Ashley House plc
Oxford Architects
Unipart Logistics
John Philips Planning Consultancy (JPPC)
Architects Design Partnership
Highfield Resident's Association
Original Field of Architecture Ltd
Savills
Oxford Brookes University
Holmes Antill
Benedicts
The Anderson Orr Partnership
Oxford Brookes University
Stansgate Planning Consultants
Manches
ECS Consulting
Jones Day
Goodmans
ENGAGE Oxford
VSL and Partners
Stephen Bowley Planning Consultancy
Lambert Smith Hampton
Allied Design Partnership
Darbys Solicitors LLP
Kemp & Kemp LLP
Smith Stuart Reynolds
J A Pye (Oxford) Ltd
Oxford Civic Society
DPDS Consulting Group
University of Oxford
A H Munsey Construction Consultant
Homespace
Oriol College (Estates Bursar)
Gosford and Water Eaton Parish Council

Littlemore Parish Council
Sandford on Thames Parish Council
Woodeaton Parish Council
Kidlington Parish Council
Blackbird Leys Parish Council
South Hinksey Parish Council
Environment Agency
Scottish and Southern Energy
West Oxfordshire District Council
Old Marston Parish Council
Natural England
Office of Rail Regulation
Thames Water Property Services
National Grid UK
Oxfordshire PCT
Cherwell District Council
Homes and Communities Agency
Mono Consultants
Civil Aviation Authority
Elsfield Parish Council
Kennington Parish Council
Oxfordshire County Council
English Heritage
South Oxfordshire District Council
Vale of White Horse District Council
North Hinksey Parish Council
Horspath Parish Council
Secretary of State for Transport
Thames Valley Police Authority
The Coal Authority
Highways Agency
Risinghurst and Sandhills Parish Council
Stanton St John Parish Council
Wytham Parish Council
Network Rail
Garsington Parish Council
Gerald Eve
Hives Planning Ltd
Barton Willmore
RPS Group plc
Smiths Gore
West Waddy ADP
BNP Paribas Real Estate
Riach Architects
Carter Jonas
Oxford Architects

John Phillips Planning Consultancy
Savills
Stansgate Planning Consultants
Bloombridge
Stephen Bowley Planning Consultancy
Lambert Smith Hampton
Kemp & Kemp
DPDS Consulting Group
BP Oil (UK) Ltd
Sainsbury's Supermarkets Ltd
Unipart
Oxford High Street Business Association
BMW Group
CEREP
Costco Wholesale UK Ltd
Goodman
J A Pye (Oxford) Ltd
Oxford University Students Union
Oxford and Cherwell Valley College (OCVC)
Oxford Brookes University
EF International
Headington School
University Of Oxford
Oxford Brookes University Student Union
Oriell College and the Estates Bursars Committee
Department of Public Health
The Ridgeway Partnership
Oxfordshire PCT
Oxford Radcliffe Hospitals NHS Trust
Oxford Health NHS Foundation Trust
South Central Ambulance NHS Trust
Oxfordshire Fire & Rescue Service
Beckley & Stowood Parish Council
Bromford Housing Group
Jephson Housing Group
Anchor Trust
Thames Valley Housing Association
Greensquare Group
Paradigm Housing Group
Catalyst Housing Group
SOHA
A2 Dominion Group
Housing 21
Homegroup

In addition, a total of 1,102 further people and organisations were invited to participate in the consultation. These were people and organisations who had registered an interest in City Council consultations relating to planning and regeneration.

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Affordable Housing and Planning Obligations SPD

Strategic Environmental Assessment Screening Statement

Regulation 9(3) Environmental Assessment of Plans and Programmes Regs 2004

March 2013

www.oxford.gov.uk



Summary

This statement sets out the City Council's determination that the proposed Affordable Housing and Planning Obligations Supplementary Planning Document (SPD) does not require a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004.

The screening exercise (included at section 3 below) established that the proposed SPD would not give rise to any significant environmental effects. Therefore it is considered that a Strategic Environmental Assessment is not required for the proposed Affordable Housing and Planning Obligations Supplementary Planning Document.

1. Introduction

- 1.1 The affordable housing and planning obligations policy framework in Oxford is found in the Oxford Core Strategy (March 2011), Sites and Housing Plan (due for adoption in February 2013), West End Area Action Plan (June 2008), Barton Area Action Plan (December 2012) and the Oxford Local Plan 2001-2016 (November 2005). These plans provide the statutory planning framework for Oxford. Appendix 1 contains a list of the policies relating to affordable housing and planning obligations.
- 1.2 The City Council have an adopted Planning Obligations SPD (April 2007) and an adopted Affordable Housing SPD (November 2006). The new Affordable Housing and Planning Obligations SPD would replace both these documents and provide additional guidance on the application of the relevant policies.
- 1.3 The SPD will be subject to public consultation in accordance with the relevant regulations and the Council's Statement of Community Involvement (SCI) prior to its adoption.

2. Requirement for SEA

- 2.1 Previously all statutory land-use plans, including Supplementary Planning Documents, required a Sustainability Appraisal which incorporated the requirements for Strategic Environmental Assessment. This was a requirement under UK Government legislation. However, the 2008 Planning Act¹ and 2012 regulations² removed the UK legislative requirement for the sustainability appraisal of Supplementary Planning Documents. Despite no longer requiring sustainability appraisal, SPDs may still require SEA.
- 2.2 The requirement for a Strategic Environment Assessment (SEA) is set out in the regulations³. There is also practical guidance on applying European Directive 2001/42/EC⁴. These documents have

¹ Planning Act 2008 – paragraph 180(5d)

² Town and Country Planning (Local Planning) (England) Regulations 2012

³ Environmental Assessment of Plans and Programmes Regulations 2004 (no. 1633)

⁴ A Practical Guide to the Strategic Environmental Assessment Directive (2005) ODPM

been used as the basis for this screening report. Regulation 5 sets out 3 types of plan that require SEA:

- The plan is for town and county planning and sets the development framework for future consent of projects listed in annexes 1 or 11 of the EIA Directive⁵ (There is an exemption for a plan dealing with the use of a small area at a local level OR a minor modification of a plan⁶);
- The plan requires a Habitat Directive Assessment;
- The plan sets the future development consent framework that does not fall in the above two categories but has been determined to be likely to have significant environmental effects.

2.2 The proposed SPD will be for Town and Country Planning purposes and will apply to virtually all development projects (including those within annexes 1 and 11 of the EIA Directive) as such it falls within the first category of plan set out above and therefore would necessitate screening for SEA. However regulation 5(6) provides an exemption where the plan is either limited in use to a small area at local level or is a minor modification to a plan. The proposed SPD is by its nature constrained by the scope of the higher level plans and cannot set policy. In this regard the “minor modification to a plan or programme” exemption applies to the proposed SPD. Using this exemption means that an SEA Regulations Screening is required. The next section of this paper consists of the SEA Regulations Screening of the proposed SPD.

3. Screening

3.1 The ODPM practical guidance provides a checklist approach based on the SEA regulations to help determine whether SEA is required. This guide has been used as the basis on which to assess the need for SEA as set out below. The diagram below⁷ (taken from the government guidance, entitled Figure 2) illustrates the process that has been followed.

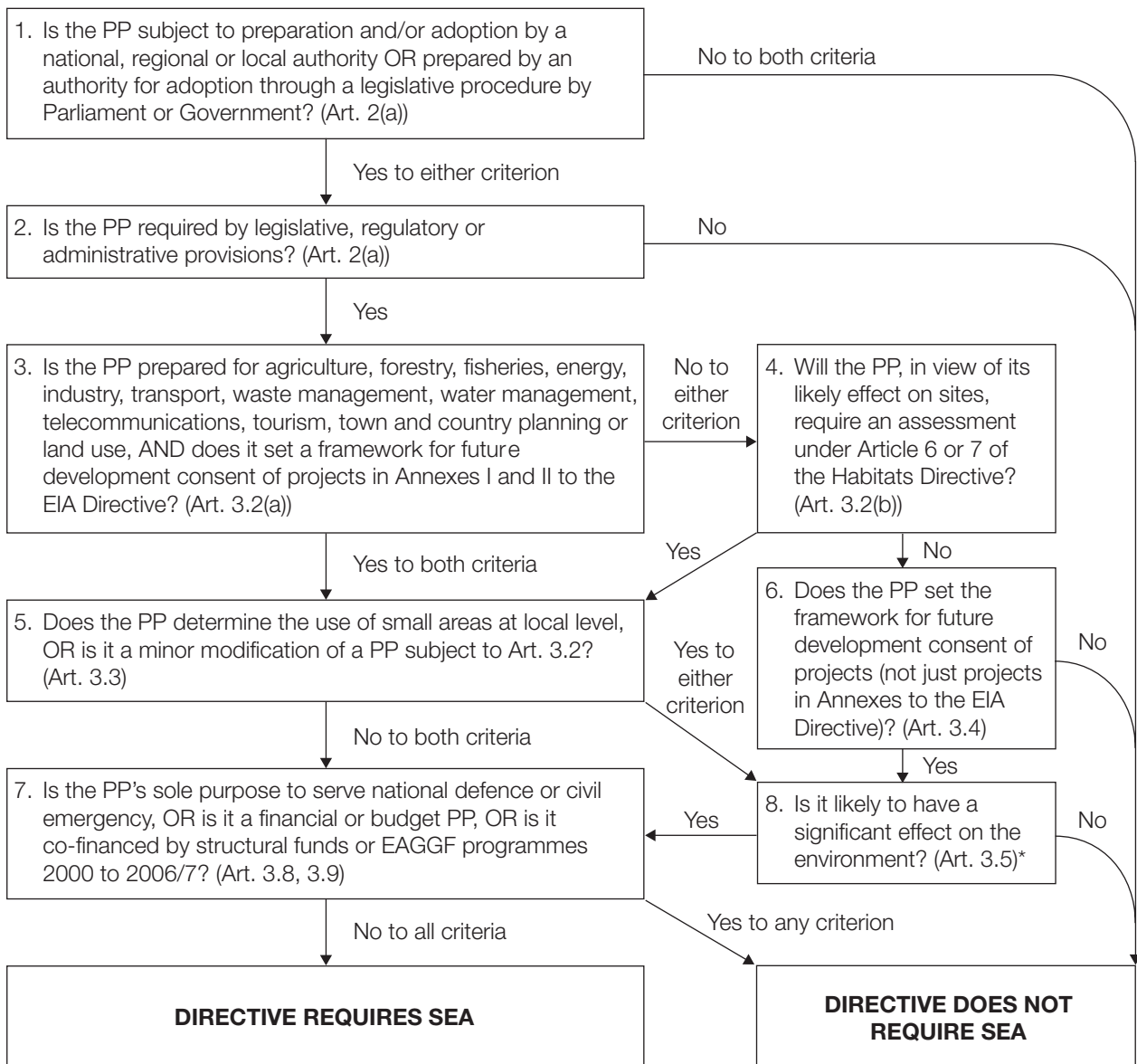
⁵ Regulation 5(2) of the Environmental Assessment of Plans and Programmes Regulations 2004 (no. 1633)

⁶ Regulation 5(6) of the Environmental Assessment of Plans and Programmes Regulations 2004 (no. 1633)

⁷ Taken from: A Practical Guide to the Strategic Environmental Assessment Directive (2005) ODPM – page 13

Figure 2 – Application of the SEA Directive to plans and programmes

This diagram is intended as a guide to the criteria for application of the Directive to plans and programmes (PPs). It has no legal status.



*The Directive requires Member States to determine whether plans or programmes in this category are likely to have significant environmental effects. These determinations may be made on a case by case basis and/or by specifying types of plan or programme.

3.2 **Table 1** below sets out the 8 questions identified in the diagram above and provides an answer with regard to the proposed Affordable Housing and Planning Obligations SPD.

Table 1 – Application to the proposed SPD

Establishing the need for SEA		Answer	Reasons	Next step
1	Is the SPD subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament of Government? (Article 2(a))	Yes	The SPD is to be adopted by Oxford City Council	Proceed to question 2
2	Is the SPD required by legislative, regulatory or administrative provisions? (Article 2(a))	Yes	The adopted plans refer to the need for the SPD (e.g. Sites and Housing Plan paragraph A2.22)	Proceed to question 3
3	Is the SPD prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Art. 3.2(a))	Yes	The SPD will be for town and country planning purposes and will set a framework for future development consent of projects listed in Annexes 1 and 2 of the EIA Directive ¹	Proceed to question 5
4	Will the SPD, in view of its likely effect on sites, require an assessment under Article 6 or 7 of the Habitats Directive? (Article 3.2(b))	N/A	The SPD, in view of its likely effect on sites has not been determined to require a HRA.	N/A
5	Does the SPD determine the use of small areas at local level, OR is it a minor modification of a plan subject to Article 3.2? (Article 3.3)	Yes	The SPD provides guidance on the application of existing plan policies and is therefore a minor modification.	Proceed to question 8
6	Does the SPD set the framework for future development consent of projects (not just projects in Annexes to the EIA Directive)? (Article 3.4)	N/A	N/A	N/A
7	Is the SPD's sole purpose to serve the national defence or civil emergency, OR is it a financial or budget plan, OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7? (Article 3.8, 3.9)	N/A	N/A	N/A
8	Is it likely to have a significant effect on the environment? (Article 3.5)	No	See Table 2 below for the detailed reasoning	Directive does not require SEA

¹ The EIA Directive (85/337/EEC) as amended in 1997, 2003 and 2009

3.3 **Table 2** below set out the criteria for determining the likely significance of effects on the environment taken from Schedule 1 of the Regulations² and applies them to the proposed Affordable Housing and Planning Obligations SPD.

Table 2 – Assessment against the criteria of Schedule 1 of the Regulations

Criteria		Oxford City Council's Assessment
1 Characteristics of the plan or programme		
1a	the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources	The SPD will provide additional guidance on existing policies (which have already been subject to SA and SEA) that set the broad framework. It will not affect the number, location, nature or size of projects, but may have some minor effect on operating conditions and allocation of resources
1b	the degree to which the plan or programme influences other plans and programmes including those in a hierarchy	The SPD will have less material weight than the Core Strategy, Sites and Housing Plan and Local Plan. It will only be able to expand on existing policies and will not be able to introduce new policies. The SPD will be at the bottom of the hierarchy and will have no impact on those documents above it
1c	the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development	The SPD will help with the delivery of Plan policies and help meet the City Council's objectives. It will promote sustainable development by ensuring development is supported by delivery of the relevant infrastructure and that affordable housing is provided to help create and sustain balanced communities
1d	environmental problems relevant to the plan or programme	The SPD itself will not result in any environmental problems beyond those already identified in the SAs of the Plans. It does not provide for any additional development
1e	the relevance of the plan or programme for the implementation of Community legislation on the environment (for example, plans and programmes linked to waste management or water protection)	The SPD will seek to provide further details on the implementation of policies in existing Plans, the existing Plans already comply with the regulations
2 Characteristics of the effects and of the area likely to be affected		
2a	the probability, duration, frequency and reversibility of the effects	The anticipated effects on the sustainability of the city are expected to be positive by providing guidance to support policies designed to create mixed communities with new development supported by the necessary infrastructure. The duration of the effects is difficult to define, the effects will be linked to a planning permission which is (usually) permanent unless superseded by

² Criteria taken from Schedule 1 of The Environmental Assessment of Plans and Programmes Regulations 2004

		another permission on the same site
2b	the cumulative nature of the effects	The cumulative nature of effects on the environment is likely to be positive although relatively minor other than at a very local level
2c	the trans-boundary nature of the effects	There will be no trans-boundary effects in the sense of between countries. On a much more local level, trans-boundary effects with neighbouring authorities are unlikely to result in significant environmental effects beyond those identified in the SAs of the Plans.
2d	the risks to human health or the environment (for example, due to accidents)	None identified
2e	the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	The SPD will cover the administrative area of Oxford City Council although the effects of the SPD will be more likely to be felt at a much more local scale (i.e. site or neighbourhood) than city wide
2f	the value and vulnerability of the area likely to be affected due to: i) special natural characteristics or cultural heritage ii) exceeded environmental quality standards or limit values; or iii) intensive land-use	The SPD will supplement the policies within the existing Plans and help deliver sustainable development. The SPD itself will not result in any additional development. It only affects the way in which affordable housing and other infrastructure is funded / provided
2g	the effects on areas or landscapes which have a recognised national, Community or international protection status	None identified; any applications for development will be required to satisfy the relevant policies for protection of the character of the area before permission is granted

4. Conclusions

- 4.1 The proposed SPD will supplement and provide further guidance on existing adopted policies as set out in Appendix 1. Any impacts on the environment are likely to be local and small in scale.
- 4.2 The same quantity and scale of development would take place with or without the SPD. It will simply provide guidance on the administrative arrangements for the provision of supporting infrastructure, including affordable housing. It will affect the mix of affordable housing in terms of the proportion of 1-bed, 2-bed, 3-bed etc, but not the location or overall number of units.
- 4.3 It is considered that the above screening exercise has established that the proposed SPD will not give rise to any significant environmental effects. Therefore it is considered that a Strategic Environmental Assessment is not required for the proposed Affordable Housing and Planning Obligations Supplementary Planning Document.
- 4.4 The City Council consulted with the three statutory environmental bodies, English Heritage, the Environment Agency and Natural England, over the findings of the screening exercise to confirm its determination. All three of the agencies confirmed that they concurred with the conclusions that no further SEA work was required in this case and that they were happy with the screening exercise.

Appendix 1 – list of policies likely to be referred to in the Section 106 and Affordable Housing Supplementary Planning Document:

Oxford Core Strategy 2026 policies:

CS5: West End
CS6: Northern Gateway
CS7: Land at Barton
CS8: Land at Summertown
CS11: Flooding
CS12: Biodiversity
CS13: Supporting access to new development (travel plans etc)
CS14: Supporting city-wide movement (cycle measures and public realm etc)
CS15: Primary healthcare (Barton on-site provision)
CS16: Access to education (strategic sites)
CS17: Infrastructure and developers contributions
CS20: Cultural and Community Development
CS21: Green spaces, leisure and sport
CS24: Affordable housing
CS25: Student accommodation
CS30: Hospitals and medical research (travel planning)

Sites and Housing Plan policies:

HP3: Affordable homes from large housing sites
HP4: Affordable homes from small housing sites
HP5: Location of student accommodation (management)
HP6: Affordable housing from student accommodation
HP9: Design, character and context
SP1-SP63: Site allocations policies (as appropriate)

West End Area Action Plan policies:

WE2: New links
WE3: Redesign of streets and junctions in the West End
WE5: Public spaces
WE7: Castle Mill Stream
WE8: Oxpens Field (?)
WE9: The Thames (Access to river frontage)
WE16: Affordable housing
WE17: Affordable housing from commercial development
WE18: Student accommodation (not used any more?)

Barton Area Action Plan policies:

BA1: The ring road (landscape buffer)
BA2: Recreation ground
BA3: Allotments
BA4: Public open space
BA5: Sustainable travel (parking)
BA7: Pedestrian and cycle links
BA8: Housing mix (?)
BA9: Affordable housing
BA10: Local centre
BA11: Community hub

BA14: Delivery

BA16: Surface water drainage (mentioned in BA14)

BA17: Water supply and wastewater drainage (mentioned in BA14)

Oxford Local Plan 2001-2016 policies:

CP.6: Efficient use of land and density

CP.9: Creating successful new places

CP.14: Public art

TR.1: Transport assessment

TR.2: Travel plans

TR.4: Pedestrian and cycle facilities

TR.5: Pedestrian and cycle routes

TR.6: Powered two-wheelers

TR.7: Bus services and bus priority

TR.8: Guided bus/local rail service

TR.9: Park and ride

TR.10: Oxford Station improvements

TR.13: Controlled parking zones

NE.6: Oxford's watercourses

NE.21: Species protection

NE.23: Habitat creation in new developments

ED.10: Private colleges – student accommodation

SR.2: Protection of open air sports facilities

SR.7: Provision of public open space as part of new business, commercial and institutional developments

SR.8: Protection of allotments

SR.9: Footpaths and bridleways

SR.10: Creation of footpaths and bridleways

SR.11: Recreational cycling

SR.16: Proposed new community facilities

RC.10: Environmental improvements to the city centre

RC.11: Environmental improvements to the district and neighbourhood shopping centres

TA.3: Tourist information