

To: Cabinet
Date: 13 July 2022
Report of: Head of Planning Services
Title of Report: Introduction of a Local Connection Test to the Self-build and Custom Housebuilding Register

Summary and recommendations	
Purpose of report:	To ask Cabinet to formally adopt a Local Connection Test to the Self-build and Custom Housebuilding Register following public consultation and updated government guidance
Key decision:	No
Cabinet Member:	Councillor Alex Hollingsworth, Cabinet Member for Planning and Housing Delivery
Corporate Priority:	Support thriving communities; Deliver more, affordable housing; Pursue a zero carbon Oxford
Policy Framework:	The Oxford Local Plan 2036; Council Strategy 2020-24

Recommendations: That Cabinet resolves to:	
1.	Approve the implementation of a local connection test in order to determine whether an applicant has a local connection to Oxford;
2.	Approve the criteria to be applied in considering applications for the Self-build and Custom Housebuilding Register as set out at paragraph 11 of the report; and
3.	Approve the splitting of the current Self-build and Custom Housebuilding Register into two parts which would differentiate between people with a local connection and those who do not have a local connection.

Appendices	
Appendix 1	Consultation responses summary
Appendix 2	Risk register

Introduction and background

1. Since April 1st 2016, it has been the statutory responsibility of the Council to keep a Self-build and Custom Housebuilding Register. This followed the introduction of the Self-build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016) and subsequent Self-build and Custom Housebuilding Regulations 2016.
2. Self-build and custom housebuilding is housing built by individuals or groups for their own use, either by building the home on their own or by working with builders. This means that anyone who wishes to build their own home within Oxford can record their interest in doing so with the City Council by signing up to the Register via the Council's self-build and custom housebuilding webpage.
3. Inclusion on the Register does not confer any form of entitlement in terms of the provision of serviced plots. Rather, its purpose is to provide local planning authorities with demand data that they can use to understand and plan for the future need for this type of housing in their area. Authorities may, at their discretion, advise people on the Register of relevant proposals for development.
4. Additionally, authorities are expected to meet the level of need indicated by the Register, by permitting an equal number of serviced plots within the following three years to the number of registrations that are made over the preceding three years. This is a rolling requirement, running from the end of October each year. In total, there have been 134 registrations on the Self-Build and Custom Housebuilding Register since its introduction (as of 29/04/2022). Unfortunately, Oxford City Council has not yet been able to provide a single self-build plot.
5. Oxford City Council could be seen to be in the minority as the use of a local connection test is now widely used by a large number of other local authorities. The current situation of not having a local connection test puts the City Council in a disadvantageous position as it is currently not possible to understand the local demand for self-build plots in the city.

Progress to date

6. Research into the implementation of a 'local connection test' was undertaken by the Planning Policy team, followed by a six-week consultation period involving current members on the register as to the scope of the local connection test.
7. Responses were received which all supported the principle of introducing a 'local connection test', however issues surrounding the way in which a 'local connection' should be established, the timescales involved and issues involving co-housing groups were highlighted. In light of the comments that we've received, as shown in Appendix 1, several adjustments have been made to the criteria that applicants must meet to be accepted onto the local connection part of the register (see point 11). The length of time that a resident must have resided in Oxford has increased from six months to two years. An element of discretion has also been added for co-housing groups to address the concern that not all members would meet a local connection test.

Case for a local connection test

8. Oxford Local Plan policy H7: Community-led housing and self-build housing does not include a local connection test and this is something we will address in the

review of the Plan to 2040. In the meantime, the City Council wishes to adopt the approach that other local authorities, such as Harrow, Reading and Fenland DC have taken in implementing a local connection test appropriate to Oxford.

9. The number of entries currently on the Register in the absence of a local connection test shows a demand for 134 self-build and custom housebuilding plots. This is clearly a substantial number, but introducing a local connection test will demonstrate the number of local applicants with an interest in a self-build or custom built plot.

Next steps

10. It is recommended that those who are currently on the self-build and custom built register will be assessed against the Local Connection criteria, and will subsequently be added to Part A or Part B of the register. Furthermore, those that apply to be on the register will then be placed either onto Part A or Part B of the register depending on the requirements they meet, if any.

Local connection test criteria

11. In order to demonstrate sufficient local connection, it is recommended that individuals and associations of individuals should meet **at least one** of the following local connection criteria¹ to be eligible for entry onto Part A of the Register:

- **Residency:** You have either lived within Oxford City Council administrative area (Oxford) continuously for at least 2 years, or for at least 3 of the last 5 years²;

This should be evidenced by, for example council tax statements, lease agreements utility bills or any other information that demonstrates residency.

- **Employment:** You are currently employed³ in Oxford and have been employed in Oxford for a minimum period of 3 out of the last 5 years;

This should be evidenced by, for example, pay slips, contract of employment or a letter from the employer on headed paper that includes your name and their address.

Or; you are currently self-employed⁴ and primarily based in Oxford with an on-going viable venture for a minimum period of 3 out of the last 5 years;

- **Family Connection:** You have an immediate family member who has lived in Oxford for the past 5 years. Immediate family are defined as a close relative (mother, father, brother, sister or adult child).

¹ Consistent with the Self Build and Custom Housebuilding Regulations 2016

² . A local connection through residence is not established in situations including, where the applicant is:

- in prison, a probation hospital or similar accommodation, detained in Oxford under the Mental Health Act; living in any form of accommodation considered “temporary” in nature, including hospital accommodation and other forms of supported accommodation.

³ Employment must be more than 16 hours per week or, where working hours fluctuate, an average of more than 16 hours per week taken over 12 months. The work is not of short-term, marginal or temporary nature. Employment ancillary to work in another District outside of Oxford and voluntary work is excluded.

⁴ Self-employment must be more than 16 hours per week or, where working hours fluctuate, an average of more than 16 hours per week taken over 12 months

This should be evidenced, for example with council tax statements or utility bills from an address in the district, accompanied by a statement setting out your relationship to the person named on the bills.

- **Armed Forces:** You are currently serving in the armed forces⁵ or have left the services within the last 5 years;

Evidence of armed forces service (within 5 years of discharge) such as a military ID card or military discharge record, including date of leaving services.

An association is eligible for entry onto Part A of the register if each member of the association meets the eligibility requirements for an individual set out above. Only in exceptional circumstances where the vast majority of members meet the requirements may an exception be made due to the complex nature of cohousing groups. An application can be refused if there is insufficient information or evidence provided. For associations, appropriate evidence must be provided for each individual. If the requirements are not met or cannot be demonstrated then an applicant can still be entered onto Part B of the register.

Health and safety

No health and safety issues arise as a result of this report.

Human resources

No further human resources have been identified as a result of this report.

Crime and disorder

No crime and disorder issues arise as a result of this report.

Financial implications

There are no financial implications.

Legal issues

The Council has a statutory duty to maintain a register of persons seeking to acquire land to build a home under the Self-build and Custom Housebuilding Act 2015 and can set criteria for eligibility for entry in the register. The local connection test recommended in this report satisfies the requirements of the Self-build and Custom Housebuilding Regulations 2016.

Level of risk

Please see Appendix 2 – Risk Register.

Equalities impact

The introduction of a local connection test seeks to protect anyone with a connection to Oxford in accessing community and self-build plots. The introduction of the local

⁵ Within the meaning of Section 374 of the Armed Forces Act 2006

connection test will prevent people with no connection to the city adding excess demand to a limited supply of plots that are available.

Carbon and Environmental Considerations

The introduction of the local connection test does not have an impact on Oxford City Council's policies and commitments relating to carbon reduction and safeguarding the environment.

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Background Papers: None

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