

# Minutes of an extraordinary informal remote meeting of the Scrutiny Committee on Monday 16 October 2023

## Committee members present:

Councillor Pegg (Chair)	Councillor Rowley (Vice-Chair)
Councillor Altaf-Khan	Councillor Arshad
Councillor Corais	Councillor Douglas
Councillor Jarvis	Councillor Smowton

## Officers present for all or part of the meeting:

David Butler, Head of Planning and Regulatory Services  
Rachel Williams, Planning Policy and Place Manager  
Sarah Harrison, Team Leader (Planning Policy)  
Lorraine Freeman, CIL, Data Analysis and Reporting Team Leader  
Lan Nguyen, Senior Data Analyst  
Alice Courtney, Scrutiny Officer

## Also present:

Councillor Louise Upton, Cabinet Member for Planning and Healthier Communities

## Apologies:

Councillor(s) Diggins, Fry, Lygo and Mundy sent apologies.

## 42. Declarations of interest

None.

## 43. Chair's Announcements

None.

*The Committee agreed to consider item 5 next on the agenda, followed by items 4 and 6.*

## 44. Community Infrastructure Levy (CIL) Charging Schedule Partial Review for Consultation

Cllr Louise Upton, Cabinet Member for Planning and Healthier Communities introduced the report, which sought Cabinet approval for the draft Community Infrastructure Levy (CIL) Charging Schedule to be published for public consultation following a partial

review. CIL was a fixed levy payable on new developments which funded the provision of infrastructure in the City; the amount charged was dependent on the area of the new development.

David Butler, Head of Planning and Regulatory Services added that it made sense to consult on the CIL Charging Schedule in tandem with the draft Local Plan 2040, as it would be more efficient for them to go through examination by the inspector at the same time.

In response to questions, the Committee was advised that:

- CIL rates varied across the country and were dependent on what their viability evidence found and when it had been gathered.
- The viability evidence used for Oxford utilised the latest data for the Oxford region.
- The use class for hotels was tested during the viability study, but it was deemed that the values of these developments could not absorb any additional CIL charge above annual indexation.
- There was no requirement for the CIL Charging Schedule and Local Plan 2040 to be adopted at the exact same time, but it was more efficient to do so as both documents used the same evidence base; there were no dependencies, therefore if one document was delayed the other could still be brought forward for adoption.

The Panel noted the contents of the report; no recommendations were agreed.

*Lorraine Freeman, CIL, Data Analysis and Reporting Team Leader and Lan Nguyen, Senior Data Analyst left the meeting and did not return.*

## **45. Oxford Local Plan 2040 Regulation 19 Consultation Document**

The Chair advised that she had approved a request to speak on this item and, in addition, all members of the Committee had received a representation via email from the Oxfordshire branch of the Campaign to Protect Rural England (CPRE) prior to the meeting.

Kaddy Beck addressed the Committee on the subject of Bertie Park; a copy of the address is attached to the minutes pack. The Chair thanked Kaddy Beck for her contribution and suggested that the Committee bear the address in mind during consideration of the item.

The Chair read out the email representation received from the Oxfordshire branch of CPRE, a copy of which is attached to the minutes pack. The Chair suggested that the Committee bear the representation in mind during consideration of the item.

Cllr Louise Upton, Cabinet Member for Planning and Healthier Communities introduced the report, which sought Cabinet approval for the Oxford Local Plan 2040 Proposed Submission Document to go out to public consultation, approval of the statutory supporting information and delegated authority for the Head of Planning and Regulatory Services to make minor changes as detailed in the Cabinet report. She highlighted that the Local Plan was an important document which set the context within which Oxford would develop over the next 15 years; it would form the basis for determining planning applications, including consideration of where homes were built; where jobs were located; the protection of blue and green spaces; and the protection of district centres to ensure they remained vibrant and thriving.

Responding to the public address, Cllr Upton stated that it was a technical issue which did not, in her view, preclude the Council from progressing the Local Plan 2040. In relation to the representation from CPRE, Cllr Upton added that there appeared to be some misunderstandings about some of the consultations and the level of responses received; Rachel Williams, Planning Policy and Place Manager set out the background to the plan-making process and the consultations that had taken place, particularly highlighting that the consultation which CPRE referred to was a supplementary single-issue consultation which, as was to be expected, had received a smaller number of responses.

The Committee asked a range of questions, including questions relating to site allocation; local and district centres; provision of healthcare infrastructure; pressures on services from other developments outside of the City boundary; collaboration and partnership working during the Plan making process (both in Oxford and neighbouring Districts); viability policies; affordable workspace; First Homes; parking standards; development density; and information contained in the Sustainability Appraisal (Appendix 2 to the report).

*Cllr Corais joined the meeting.*

In response to questions, the Committee was advised that:

- The Council worked with landowners in order to gain as clear an understanding as possible whether a particular site was to be put forward for site allocation; sites could only be included in the Local Plan when a landowner had committed to putting their site forward as the housing numbers set out in the Local Plan were required to be deliverable, so realistic assumptions were required.
- There was a fine line between a location being defined as a Local Centre or not; it was a difficult judgement call.
- The Council worked with the Buckinghamshire, Oxfordshire and Berkshire West Integrated Care Board (BOB ICB) around the Local Plan and anticipated levels of growth; it was up to the ICB to put in place a strategy for the provision of infrastructure to address healthcare need. The surrounding Districts also worked with the ICB, though collaboration between all the Districts and the ICB together was an area for improvement which was being considered by the Future Oxfordshire Partnership Planning Advisory Sub-Group; this issue could not be fixed in the Local Plan 2040 due to the complexity of the issue.
- The Council worked with a viability consultant on the viability policies; the viability cascade was a tool to help ensure viability policies were maximised; the policies around viability were extremely stringent and developers had to prove unviability – it was rare that unviability could be proven and this had only occurred once within the last 5 years.
- The affordable workspace policy was a new, ground-breaking policy which the Council was testing; it was hoped that the policy could be strengthened in future Local Plans once the evidence base was built up.
- Having sought advice from a barrister, the Council would argue through the Local Plan examination process that First Homes should not be a requirement in Oxford, as this approach was deemed relatively low risk; if the inspector disagreed, the Council would set the First Homes requirement at the minimum amount possible and adjust the affordable housing policy accordingly; beyond that policy there would be no knock-on effect for the rest of the Local Plan.

- No changes were proposed in terms of large destination parking (e.g. hospitals) as there had been no changes to the evidence base to justify changes since the inspector dismissed proposals previously.
- The minimum number of dwellings to be delivered on sites where there were existing dwellings was in addition to the number of dwellings already on that site.

*Cllr Jarvis left the meeting and did not return.*

The Committee resolved to make the following recommendations on the report for Cabinet:

1. That the Council seeks to facilitate increased engagement with the Integrated Care Board in relation to the provision of healthcare infrastructure to meet both new and existing unmet demand as a result of development within and outside the City boundary, to ensure that adequate plans are drawn up to meet existing and future demand, in collaboration with the neighbouring Districts to encourage good joined-up, cross-boundary working.
2. That the Council adds a requirement into Policy E3: Affordable Workspace Strategy and Affordable Workspace Provision on Commercial Sites that, in the event that a developer of any of the 8 sites listed does not propose the provision of affordable workspace within their affordable workspace strategy, that developer must include a justification within their strategy as to why not.
3. That the Council reassesses the list of Local Centres and locations not included in the list against the definition to see whether more locations can be included in this and future Local Plans.
4. That the Council clarifies the definition of a Local Centre within the draft Local Plan to aid understanding as to why some areas are not defined as such, in the event that recommendation 3 is not accepted for the current draft Local Plan.
5. That the Council clarifies the way in which housing numbers on sites are presented within the draft Local Plan, to make clear that the minimum number of dwellings to be delivered which are stated within policies are in addition to the number of existing dwellings on those sites.
6. That the Council amends the narrative around Templars Square and related Policy SPS12 to highlight the current significance and significant future potential of the site, more broadly than just the provision of housing, to a large number of people and communities across a large area of the City beyond Cowley alone – stressing the importance of redevelopment and reinvigoration of the site.
7. That the Council reviews the ward names used within the draft Local Plan to ensure that they correctly reflect the current wards of the City.
8. That the Council produces a list of changes between the Local Plan 2036 and Local Plan 2040 to publish alongside the Local Plan 2040 for public consumption.

*Cllr Louise Upton, Cabinet Member for Planning and Healthier Communities, David Butler, Head of Planning and Regulatory Services, Rachel Williams, Planning Policy and Place Manager and Sarah Harrison, Team Leader (Planning Policy) left the meeting and did not return.*

## **46. Dates of future meetings**

The dates of future meetings were noted.

**The meeting started at 6.00 pm and ended at 7.52 pm**

**Chair .....**

**Date: Monday 6 November 2023**

*When decisions take effect:*

*Cabinet: after the call-in and review period has expired*

*Planning Committees: after the call-in and review period has expired and the formal  
decision notice is issued*

*All other committees: immediately.*

*Details are in the Council's Constitution.*

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