

WEST OXFORDSHIRE DISTRICT COUNCIL

Minutes of the meeting of the **Economic and Social Overview & Scrutiny Committee**
held in Committee Room I, Council Offices, Woodgreen, Witney,
at 6.30pm on **Thursday 28 June 2018**

PRESENT

Councillors: A C Beaney (Chairman), Mrs E H N Fenton (Vice-Chairman), Ms R M Bolger, Mrs L C Carter, J C Cooper, H B Eaglestone, E J Fenton, A M Graham, N P Leverton and Mrs M L Mead

14. MINUTES

RESOLVED: That the minutes of the meeting held on 24 May 2018 be approved as a correct record and signed by the Chairman.

15. APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS

Apologies for absence were received from Mrs J M Doughty, P D Kelland and B J Woodruff and the following resignation and temporary appointment was received and noted:-

Mr J C Cooper for Mr J R Acock.

16. DECLARATIONS OF INTEREST

There were no declarations of interest from Members or Officers in items to be considered at the meeting.

17. PARTICIPATION OF THE PUBLIC

There were no submissions from members of the public in accordance with the Council's Rules of Procedure.

18. CHAIRMAN'S ANNOUNCEMENTS – ORDER OF BUSINESS

Mr Beaney advised that, for the convenience of those Officers present, he intended to take agenda item Nos. 8 and 9 (Cotswolds Garden Village Area Action Plan and Application of Developer Funding) as the first substantive items of business.

19. COTSWOLDS GARDEN VILLAGE AREA ACTION PLAN

The Committee received and considered the report of the Head of Planning and Strategic Housing which invited comment on the preliminary consultation paper regarding the Oxfordshire Cotswolds Garden Village Area Action Plan.

The Planning Policy Manager introduced the report and advised that the inclusion of the proposed Garden Village within the Local Plan was the Council's primary response to the requirement to meet Oxford City's unmet housing need. It was envisaged that the site would provide some 2,200 homes, together with associated schools, community and employment uses. Whilst the final report on the Local Plan was still awaited, the Planning Inspectorate had confirmed earlier in the year that the Plan was likely to be capable of being found sound and it was therefore now appropriate to take the first step in moving the Garden Village project forward.

The consultation paper formed part of the preliminary consultation which was to run for a six week period to 3 August and would be supported by exhibitions in Eynsham and Long Hanborough. As part of the process, the Council was seeking as many comments as

possible and Members were invited to put forward their views as part of the consultation process.

Mr Graham indicated that the provision of an integrated transport system both within and to serve the new development was an essential key principle of the project. There was some local concern that this and the impact of development upon the A40 were not being fully addressed. There was also concern that the existing rail network was not adequate.

In response, the Planning Policy Manager advised that properly addressing transport issues was a main theme of the project. As part of their strategic approach towards the A40 the County Council had previously considered a number of different options including reinstatement of the rail line but had opted for a road based solution involving various improvements to the A40 together with a new park and ride site. The question remained as how to best integrate the new development and to identify how other improvements could be made. As an example, consideration was given to the creation of a cycle link to Hanborough station along Lower Road.

In response to a question from Mr Fenton, the Planning Policy Manager confirmed that the sand and gravel deposits on the site would not be required to be removed through prior extraction. The most significant concentration of workable sand and gravel was to the east of the site and which has put forward for consideration to the County Council as part of their emerging Minerals Local Plan. Deposits within the site boundary were both less in volume and less workable.

Mr Graham asked how the indicative figure of 2,200 had been calculated. The Planning Policy Manager advised that, when the Local Plan had been updated in light of the Inspector's report in 2015, it required an increase in the number of new homes to be provided. Some 13,200 new properties were now required in West Oxfordshire within the Plan period to meet the District's own housing need together with a further 2,750 being identified through the Growth Board to meet the District's agreed share of Oxford City's unmet housing need through the duty to co-operate. A package of sites had been included in the Plan with this site having a working assumption of some 2,200 units based on a density of around 30 dwellings per hectare.

Mr Graham questioned whether the final figure could be higher or lower and the Planning Policy Manager confirmed that, as 2,200 was a working assumption, this could be the case depending on the density of development and the amount of non-residential uses. Mr Graham indicated that the project would only work as a garden village if the green spaces were protected from development and emphasised that these spaces should not be lost as the design evolved. He asked how these green spaces could be protected. The Planning Policy Manager advised that it was difficult to provide a definitive answer at this stage of the project as more detail of the density of development would be required but that the provision of significant areas of green space is a key garden village principle. The Planning Policy Manager advised that proposals would be firmed up when the master plan was devised. Mr Graham indicated that he would wish to see an upper limit of 2,200 units.

In response to a question from Mr Leverton, the Development Manager advised that the density of the Shilton Park development was around 40 units per hectare and the Government had at one stage encouraged higher densities of up to 70 units per hectare. The Madley Park development was built to a similar density to Shilton Park.

The Planning Policy Manager suggested that there could be scope at the garden village for a higher density of development in some parts of the site for example around any community hub or local centre and in relation to any employment uses. The Development Manager

suggested that, provided that open spaces were adequately protected, density was not necessarily an appropriate yardstick by which to judge a development provided that the green space remained sacrosanct.

In response to a question from Mrs Carter, the Planning Policy Manager advised that there were some constraints arising from existing uses within the site with valid planning permissions operating on the site including an aggregate recycling facility. The site was not a totally blank canvas as these would remain.

Turning to the mix of properties, Mr Beaney questioned whether more four bedroomed affordable properties would be required. In response, the Planning Policy Manager advised that the suggested mix of units set out in the consultation paper had been informed by the 2014 SHMA and that the proposed mix was only indicative, not prescriptive.

Mr Fenton questioned whether reference to the Eynsham Neighbourhood Plan remained relevant as it was not going to proceed to referendum. In response, the Planning Policy Manager advised that Officers had been aware of the Inspector's recommendation when drafting the consultation and had taken account of the work carried out in developing the Neighbourhood Plan. Whilst the weight that could be placed upon the Plan was limited, the consultation took account of the good ideas that it included.

In response to a question from Ms Bolger, the Planning Policy Manager agreed that it was hard to define or know what 'genuinely affordable' housing means and that in West Oxfordshire like most areas, market housing was beyond the reach of a large number of people. This was however a national issue and not easily resolved. He advised that the garden village would deliver a number of different types of affordable housing which should help increase the opportunities for different people to access it.

Mr Graham suggested that greater emphasis should be placed upon the quality of affordable housing and that this should be incorporated as a requirement as the project progressed. The Planning Policy Manager concurred.

Mr Beaney noted the proposed requirement to provide 25% of new homes as accessible and adaptable properties which could include 5% wheelchair adaptable homes. He suggested that many disabilities did not require the use of a wheelchair and other potential adaptations should be considered. In response, the Planning Policy Manager advised that wheelchair adaptability was one form of standard that the Council could require through Building Regulations but that the requirement for accessible and adaptable properties would address a wider range of different needs.

Mrs Carter emphasised the need to address different requirements given the District's ageing population and Mr Leverton suggested that there was a need for more bungalow accommodation. He also noted that properties could be constructed without standard fittings such as kitchen units to enable them to be tailored to individual requirements.

Mr Graham suggested that there was a tendency to cater for more physically apparent forms of disability and reminded Members of the recently approved project to address the needs of young dementia sufferers in Charlbury.

Mr Graham also welcomed consideration of the needs of the travelling community, indicating that these required serious consideration. He asked how these would be addressed and what data they would be based upon. The Planning Policy Manager advised that the project offered the opportunity to consider whether any land should be set aside for use by the travelling community and noted that there was already an existing showman's site at Cuckoo Wood Farm on the North West boundary of the site allocated

for a small extension in the emerging Local Plan. The emerging Local Plan did not identify any other specific sites for travelling communities but included a commitment to consider potential provision within larger strategic sites such as the Garden Village. Whilst the suggestion might not be universally welcomed, the possibility could be explored through the consultation process.

Mrs Carter welcomed the suggestion but expressed concern that the question in the consultation document had been framed in such a way as to encourage rejection and sustain prejudice. Mrs Carter stressed the importance of consultation with the travelling community and the Planning Policy Manager advised that the Council was in contact with various representative organisations.

Mrs Carter reiterated the importance of genuine dialogue and expressed concern that the current consultation smacked of tokenism. Mr Leverton suggested that this was an issue that should be considered independently from the Garden Village consultation.

Mr Graham asked whether the Council was meeting its statutory obligation with regard to gypsy site provision. The Development Manager advised that the last assessment had identified a requirement for between 12 and 16 sites in the District. The current Local Plan included a criteria based policy and the Council had been keeping up with need. He made reference to two existing sites in the District on which the number of caravans significantly exceeded the approved totals. Whilst there could be other communities, the Council was meeting its statutory duty.

Mr Beaney questioned whether the potential provision of student accommodation was consistent with the ethos of a Garden Village. In response, the Planning Policy Manager advised that a significant element of the project was based upon the requirement to address Oxford City's unmet housing need and that the university had recently confirmed that additional accommodation was required for staff and students. It was possible that such provision could be made for example close to the commercial element, transport hub and employment uses. Whilst such accommodation was generally of a higher density, this was not necessarily against the Garden Village ethos as an element of higher density development in an appropriate location could enable the provision of more green space whilst maintaining the overall housing numbers.

Mr Beaney noted the suggestion that a large number of different developers, including small and medium sized builders, should be encouraged to participate in the scheme and enquired whether this could make it more difficult to secure developer contributions. The Planning Policy Manager indicated that, whilst it was possible that it could do so, it was thought to be worth exploring the possibility to increase competition, innovation and the rate of housing delivery. The Development Manager suggested that this could be addressed through a single agreement with the site promoter which prescribed the way in which parcels were disposed of.

Mr Beaney indicated that proposals to reduce dependency on the private car would have to be tackled carefully as private vehicles were the dominant form of transport in the District.

Mr Leverton noted that parking arrangements on the Shilton Park development in Carterton were unsatisfactory and Mr Beaney noted that the increase in multi-drop deliveries exacerbated this problem.

In relation to public transport, Mr Cooper asked if the Council could seek developer contributions from various sites to contribute towards the dual tracking of the Cotswold

Line. The Planning Policy Manager advised that it could do so for example if the Community Infrastructure Levy was in place and it was identified as a CIL funded project. However, there would be other competing demands on what would be limited CIL funding. The Strategic Director – Commissioning advised that the question of dual tracking the Cotswold Line had been considered by the Growth Board and the Leader of the Council continued to apply pressure to see this project come to fruition. The matter remained very much on the Council’s radar.

Mr Graham noted that the project had the support of the Local Member of Parliament and suggested that the County Council may have been too quick to adopt a road based solution. The Planning Policy Manager advised that, whilst the County had discounted the option of reinstating a railway to address the A40 issue, dual tracking of the Cotswold Line formed a part of their strategic transport policy as set out in the Local Transport Plan.

With regard to biodiversity, Mr Beaney suggested that a measurable net gain in biodiversity should be assessed using a local metric rather than a national one and drew Members’ attention to the work carried out by local groups such as the Berks, Bucks & Oxon Wildlife Trust. Mr Beaney also noted that local allotments were well maintained and their provision fostered community spirit. The Planning Policy Manager concurred and indicated that this had been identified during the preparation of the Eynsham Neighbourhood Plan. Ms Bolger asked whether provision would be made for community allotments and drew attention to the increased popularity of ‘bus stop gardening’. The Planning Policy Manager advised that the question of food production and consumption was raised in the consultation and made reference to an innovative project in Todmorden. The Garden Village project offered a good opportunity to consider such issues.

In relation to sustainable design and construction Mr Beaney suggested that, in addition to the areas identified in the consultation, consideration should also be given to minimising the use of water.

Mr Graham stressed the importance of ensuring that local heritage and culture was not lost to generic development, suggesting that this should be given prominence. Mrs Carter noted that the consultation made no mention of the arts and the Planning Policy Manager agreed that this should be addressed as the project moved forward.

Turning to education, Mr Graham suggested that it would be preferable to have two new primary schools rather than one. Mr Beaney indicated that the County Council was wrong in looking to academies with a separate sixth form as this had proved to be problematic. Local academies should be party to the consultation.

Mrs Carter stressed the need for nursery provision and expressed some concern over efforts to create an artificial community. She suggested that the Council should specify the type of community infrastructure required and emphasised the importance of family centres. Mr Graham indicated that facilities for young people must not be left out.

(Mr Fenton left the meeting at this juncture)

Mr Beaney suggested that the success of healthcare facilities was dependant on the manner in which they were provided, contrasting those in Chipping Norton with The Wychwoods.

In relation to the promotion of social interaction, Mrs Carter questioned whether the employment of a community development worker had to be time limited. The Executive Director – Commissioning advised that this was standard practice and the Planning Policy Manager indicated that it was usual to employ a person in such a position until such time as the development achieved critical mass. The Development Manager advised that public art

was frequently used as a vehicle for community development and Mr Leverton suggested that a community development worker should be involved in the project from the design stage.

Mr Beaney questioned how if a new Parish Council was likely to be established and the Planning Policy Manager advised that this was a matter for much further on in the process but that the consultation paper identified a number of different forms of community stewardship that could be employed.

Mr Graham reiterated that he would wish to see 2,200 units as a maximum rather than a minimum and emphasised the need for quality affordable housing. In terms of a vision for the development, he suggested that it was something that was difficult to get right. A vision had to be shared and the Council was not equipped to do this on its own. The project offered a great opportunity to do something exciting and it was important that it did not fall foul of tokenism.

In response to a question from Mr Leverton, the Planning Policy Manager confirmed that existing buildings on the site would be retained and incorporated into the development.

Mr Beaney drew attention to the demographics of the District and indicated that it was important to provide inter-generational buildings, including leisure facilities. Mr Beaney congratulated Officers in preparing a comprehensive consultation document.

RESOLVED: that the comments set out above be conveyed as the Committee's response to the consultation paper

20. APPLICATION OF MONIES RECEIVED THROUGH SECTION 106 AGREEMENTS AND COMMUNITY INFRASTRUCTURE LEVY

The Committee received and considered the report of the Head of Planning and Strategic Housing which provided Members with information regarding the current application of developer funding and advised as to how matters might change in the future.

(Mr Fenton re-joined the meeting at this juncture)

The Development Manager summarised the information set out in the report and, in response to a question from Mrs Carter, advised that the distribution of CIL funding was likely to be carried out through the Council's committee system. Mrs Carter suggested that it would be useful to hold a key stakeholder event to identify and agree on key priorities.

Mr Eaglestone questioned whether the introduction of CIL would preclude a situation such as that encountered with regard to the Cogges Link Road where developer funding had been returned as the project did not progress. In response, the Development Manager advised that a similar situation would not necessarily be prevented as the Cogges Link Road project had failed when the planning consent had lapsed and the County Council had failed to secure all the necessary land within the relevant timeframe. Council's might need to review their position in relation to the use of compulsory purchase powers which had largely fallen into disuse in recent times.

Mr Leverton asked whether the pooling of funds secured through section 106 agreements relating to the development of the Garden Village could be prejudiced by employing a number of different developers, contributions towards any individual project being limited to five schemes. The Development Manager advised that this would depend upon how agreements were structured but would only be restrictive if too prescriptive.

(Mr Eaglestone left the meeting at this juncture)

Mr Cooper questioned how disputes as to the use of funding would be resolved as it was likely that residents would wish to see funding secured through development applied locally. The Development Manager advised that developer contributions had to be applied to support the development of the area, not to reduce a parish precept, but acknowledged that a method of dispute resolution would need to be explored further.

Mr Graham questioned why the examination of the Council's proposals for CIL had been separated from the Local Plan Examination when the scope of section 106 agreements was decreasing. The Planning Policy Manager advised that this decision had been taken by the Inspector and confirmed that every effort would be made to put CIL in place as soon as possible.

Mr Beaney questioned how much funding secured through section 106 agreements had been returned to developers. The Development Manager advised that West Oxfordshire had not returned any funds although the County Council had been compelled to return funding secured through the Deer Park development to support the Cogges Link Road.

Mr Beaney questioned whether priorities identified by local councils could be changed and the Development Manager indicated that the Council would need to assess these priorities through an open and transparent reporting process. Mr Beaney also questioned whether planning officers were best placed to operate what was effectively a taxation scheme and the Development Manager acknowledged that this was a question to be considered.

Whilst Officers were concentrating on the Local Plan at present, once this had been adopted, greater resources could be directed towards the introduction of CIL. Cotswold District Council had already brought CIL into operation and West Oxfordshire would be able to benefit from their experience in terms of implementation and resource requirements. Whilst, software had to be purchased by each authority independently, Officers would ensure that this would be in place when CIL came into operation.

The Development Manager advised that, as CIL funding accrued incrementally, some authorities were looking to borrow against future receipts to front fund infrastructure provision.

RESOLVED: that the information provided be noted.

21. COMMITTEE WORK PROGRAMME 2018/2019

The Committee received and considered the report of the Head of Democratic Services which gave an update on progress in relation to its Work Programme for 2018/2019.

21.1 RAF Brize Norton

The Executive Director – Commissioning advised Members that the meeting that the meeting with representatives of the Defence Infrastructure Organisation regarding the REEMA North site that was to have been held in July had yet to be rescheduled. Meetings of the Wider Liaison Group continued with the next due to take place on 25 July. Mr Beaney enquired which Members attended the Liaison Group meetings and the Executive Director – Commissioning undertook to provide a response.

(Post Committee Note: The Leader and, on occasion, the Deputy Leader of the Council attend the meetings, together with the Town Mayor of Carterton, the County Division Members and representatives of the Royal Air Force)

21.2 Oxfordshire Health Care Transformation Programme

It was noted that Mrs Hibbert-Biles was unable to attend this meeting but had been invited to attend the meeting in September.

21.3 Notice of Motion – Support for the LGBTQW+Community

It was **AGREED** that, having been completed, this item be deleted from the Work Programme.

21.4 Planning Enforcement

It was noted that a report would be submitted to the next meeting.

21.5 Affordable Housing and Housing Need

It was noted that a report would be submitted to the next meeting.

21.6 Citizens Advice West Oxfordshire

In response to a suggestion from Mr Graham it was **AGREED** that the Committee gives consideration to the work of Citizens Advice West Oxfordshire and the impact of the Council's adoption of a commissioning approach to funding the organisation.

21.7 Diversity Training

Mr Graham noted that a programme of diversity training was being introduced for Publica staff and suggested that this could usefully be extended to Members. It was indicated that, whilst the programme was initially directed towards staff, consideration was being given to its subsequent extension to Members. Mr Graham indicated that this was an important issue that needed to be addressed and which should be given greater priority. Mrs Carter concurred.

21.8 Mental Health and Domestic Violence

Whilst these were wide ranging and complex issues, Mrs Carter suggested that the Committee should include consideration of issues surrounding mental health and domestic violence in its Work Programme. The Executive Director – Commissioning advised that new arrangements had recently been put in place with the Council working in partnership with the County Council's Officers. She suggested that a report could be brought before Members once these arrangements had been in place long enough for their outcome to be assessed.

It was suggested that the question of domestic violence could be addressed in the first instance by Local Police area Commander who was scheduled to attend the next meeting. Representatives from the County Council and the Council's own housing service would also be able to provide information on the arrangements in place to assist those exposed to domestic violence.

Mr Leverton suggested that Mrs Hibbert-Biles could be able to provide further information on mental health issues at the next meeting

It was **AGREED** that these issues be included within the Work Programme.

21.9 Community Infrastructure Levy

It was **AGREED** that progress on the introduction of the Community Infrastructure Levy and arrangements for determining the distribution of funds be included within the Work Programme.

RESOLVED: That, subject to the amendments detailed above, progress on the Committee's Work Programme for 2018/2019 be noted.

22. CABINET WORK PROGRAMME

The Committee received and considered the report of the Head of Democratic Services, which gave members the opportunity to comment on the Cabinet Work Programme published on 19 June 2018.

RESOLVED: That the report be noted.

23. PERFORMANCE INDICATORS – YEAR END 2017/2018

The Committee received and considered the report of the Head of Leisure and Communities providing information on the Council's performance at the end of 2017/2018.

In response to a question from Mr Fenton, the Development Manager advised that the indicators at PSH3 and PSH4 relating to the proportion of planning decisions overturned at appeal were based upon the total appeals lost set against the number of such applications determined and not on the number of decisions overturned as a proportion of the number of appeals lodged.

Whilst this made the indicator questionable as a means of assessing the quality of planning decisions, it was a nationally prescribed performance indicator that all local planning authorities were required to provide.

RESOLVED: That the report be noted.

24. MEMBERS QUESTIONS

In response to a question from Mrs Carter, the Executive Director – Commissioning undertook to provide her with information on the ways in which charitable organisations could access the Council's various grants schemes.

The meeting closed at 8:35pm

CHAIRMAN