

Public Document Pack



Tuesday, 5 October 2021

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CABINET

You are summoned to a meeting of the Cabinet which will be held in the Council Chamber, Woodgreen, Witney on **Wednesday, 13 October 2021 at 2.00 pm.**

Giles Hughes
Chief Executive

To: Members of the Cabinet

Councillors: Michele Mead (Leader), David Harvey (Deputy Leader), Suzi Coul, Marilyn Davies, Jane Doughty, Jeff Haine and Norman MacRae MBE.

Recording of Proceedings – The law allows the public proceedings of Council, Cabinet, and Committee Meetings to be recorded, which includes filming as well as audio-recording. Photography is also permitted. By participating in this meeting, you are consenting to be filmed.

As a matter of courtesy, if you intend to record any part of the proceedings please let the Democratic Services officers know prior to the start of the meeting.

AGENDA

1. **Notice of Decisions (Pages 5 - 12)**
To receive notice of the decisions taken at the meeting held on 15 September 2021.
2. **Apologies for Absence**
3. **Declarations of Interest**
To receive any declarations from Members of the Committee on any items to be considered at the meeting
4. **Participation of the Public**
To receive any submissions from members of the public, in accordance with the Council's Rules of Procedure.
5. **Receipt of Announcements**
Purpose:
To receive any announcements from the Leader of the Council or Members of the Cabinet.
6. **Adoption of Affordable Housing Supplementary Planning Document (SPD) (Pages 13 - 130)**
Purpose
To consider the final version of the West Oxfordshire District Council Affordable Housing Supplementary Planning Document (SPD) and to recommend to Council that it be formally adopted.

Recommendations
 - a) That the content of the report be noted; and
 - b) That subject to any amendments the Cabinet may wish to make, Council be invited to formally adopt the final version of the West Oxfordshire District Council Affordable Housing Supplementary Planning Document (SPD).
7. **Introduction of Charges at the Public Conveniences at New Street Car Park, Chipping Norton (Pages 131 - 132)**
Purpose
To consider the introduction of charges at the Public Conveniences at the New Street Car Park, Chipping Norton.

Recommendation
That approval be given to the introduction of charging for the use of the New Street Car Park public conveniences, Chipping Norton at a charge of 20p as per all other units as soon as practicably possible to install the equipment.

8. **Consideration of the introduction of Waste & Recycling Container Delivery Charging** (Pages 133 - 150)

Purpose

To present the Cabinet with the results of a review which has been completed on the numbers and costs of delivering waste and recycling containers to households in the District, and propose options to introduce a charge for container deliveries.

Recommendation

- (a) That Cabinet considers the options and reviews whether or not delivery charges for waste and recycling containers should be introduced as set out in this report; and
- (b) That, subject to (a) above, Cabinet recommends to Council its preferred price point options (1, 2 or 3) in Annex A or any alternate charging rate with an effective date of 1 December 2021.

The Environment Overview & Scrutiny Committee met on 30 September 2021 to review the proposal and were supportive of the introduction, but put forward that the lowest rate of charge (Option 1), should be considered by Cabinet for the introduction.

9. **Review of Temporary Traffic Restrictions in Witney High Street** (Pages 151 - 160)

Purpose

To report the results of the consultation survey on the temporary restrictions in Witney High Street and for members to consider next steps in light of current pandemic situation.

Recommendation

It is recommended that Cabinet:-

- a) Support the retention of the temporary traffic restrictions in Witney High Street for a further period until January 2022;
- b) Support the immediate removal of the temporary pedestrian guard rails whilst retaining a measure of pedestrian/ vehicular separation through strategic use of planters;
- c) Supports the Oxfordshire County Council pursuing funding for design of public realm enhancements that could support more permanent changes to traffic movements;
- d) Requests that the Highway Authority undertakes additional public consultation on any design alternatives prior to any final decision on any scheme design or permanent changes.

10. **Options for the future of Witney Town Centre Shop** (Pages 161 - 170)

Purpose

The purpose of this report is to review the usage on the Town Centre Shop in light of changing customer preferences for receiving Council Services and consider future options.

Recommendations

It is recommended that Cabinet:-

- (a) Ask officers to work up an interim solution to relocate staff as part of the Agile Working project to the Town Centre Shop pending a longer term review of demand for face to face customer contact points and finalisation of the agile office outcomes; and
- (b) Ask officers to utilise the existing office footprint where possible with minimum refurbishment costs until the review is completed.

11. **Award of External Enforcement contract (Pages 171 - 178)**

Purpose

To consider the proposals to award a new Enforcement Agency contract.

Recommendation

That Cabinet:

- a) Approves the main contract award for the external provision of enforcement to Supplier A identified within Annex A to this report;
- b) Approves the secondary contract award for the external provision of enforcement to Supplier F identified within Annex A to this report; and,
- c) Approves the contract for a three-year period from 1 October 2021 (or a later date dependent on contract completion and sign off), on the terms indicated within this report and with the option to extend the contract for a further two years.

WEST OXFORDSHIRE DISTRICT COUNCIL

Minutes of the meeting of the

Cabinet

Held in the Council Chamber, Council Offices, Woodgreen, Witney at 2.00 pm on

Wednesday, 15 September 2021

PRESENT

Councillors: Michele Mead (Leader), David Harvey (Deputy Leader), Suzi Coul, Merilyn Davies, Jane Doughty, Jeff Haine and Councillor Norman MacRae MBE.

Others present, Councillors; Julian Cooper, Colin Dingwall, Andy Graham, Martin McBride and Alex Postan.

Officers: Amy Bridgewater-Carnall (Senior Strategic Support Officer), Mandy Fathers (Business Manager - Operations Support and Enabling), Elizabeth Griffiths (Chief Finance Officer, Deputy Chief Executive and Section 151 Officer), Chris Hargraves (Planning Policy Manager), Giles Hughes (Chief Executive), Bill Oddy (Group Manager - Commercial Development) and Frank Wilson (Group Finance Director - Publica).

27 Notice of Decisions

The notice of decisions taken at the meeting held on 21 July 2021 were noted.

28 Apologies for Absence

There were no apologies for absence received.

29 Declarations of Interest

There were no declarations of interest received.

30 Participation of the Public

Mr Charlie Maynard addressed Members on Agenda Item 6 - Update on the Community Infrastructure Levy and Item 7 - Creating a vision for the Oxford-Cambridge Arc. A copy of his submission is attached to the original copy of these minutes.

31 Receipt of Announcements

Expression of Gratitude to Ubico

Councillor MacRae addressed Members and paid tribute to the Council's colleagues at Ubico for their efforts in continuing to manage, deliver and maintain all of the waste streams across the District. He noted the difficulties being encountered across the country due to a shortage of HGV drivers and thanked all Ubico staff for their hard work.

Loyal Free West Oxfordshire

Councillor Coul announced that to date there were over two thousand registered users of the Loyal Free West Oxfordshire app, with 15 thousand interactions and 5.5 thousand trail interactions. She encouraged anyone who had not already done so, to download the app.

Afghan Resettlement Programme

Councillor Davies provided a summary update on the Afghan Resettlement Programme and reminded Members that a full report would be considered at Economic & Social Overview and

Scrutiny Committee on the following day. She advised that a Cabinet Support Group had been set up to assess how the Council would deliver its fair share of accommodation and wraparound services. Councillor Davies concluded by stating that the Council was actively working to support families and were proud to be working with partners across Oxfordshire.

Covid-19 Update and Council Newsletter

Councillor Mead addressed the meeting and reminded everyone that Covid-19 cases were rising with 99% of deaths being associated with unvaccinated individuals. She stressed the need to continue to encourage residents to take up the vaccine and for everybody to continue to follow government advice.

Councillor Mead announced that the Council would be producing a Newsletter later in the year, encouraged Members to sign up and to recommend this to all residents as well. She advised that there was an information banner on the Council's website directing visitors to sign up and the project was due to go live in a month or two.

Following a question from Councillor Graham, it was confirmed that Councillors would be able to contribute to the newsletter.

32 Update on Community Infrastructure Levy and decision to hold in abeyance in light of the Government's Planning Reforms

Members received a report from the Planning Policy Manager which provided an update on the introduction of the Community Infrastructure Levy (CIL) in West Oxfordshire, in light of the previous public consultation held in July 2020 and the Government's subsequent proposed planning reforms, announced through the Planning White Paper in August 2020 and Queen's Speech of May 2021.

The report reminded Members that the Community Infrastructure Levy (CIL) was a charge that could be levied on most forms of development, to help fund the infrastructure that was needed to support the future growth of an area. CIL was intended to complement the current system of Section 106 planning obligations.

Members had considered a charging schedule in February 2020, which was then the subject of a six week, public consultation. The consultation was deferred from July 2020 to 21 August 2020, due to the Covid-19 pandemic and the responses received were made available to Members.

During the consultation, the Government published its Planning White Paper "Planning for the Future" which set out proposals to improve infrastructure delivery and would ensure that developers played their part through a reform of developer contributions. The paper stated that CIL and the current system of planning obligations (Section 106 agreements etc.) would be reformed as a nationally set, value-based flat rate charge (the 'Infrastructure Levy').

Subsequently, the Queen's speech confirmed the Government's intention to take these proposals forward through a new Planning Bill, expected to be published in Autumn 2021.

Therefore, officers felt that it would be prudent to hold any further progress towards submission and examination of the Council's draft CIL charging schedule in abeyance, until the Planning Bill had been published.

An alternative option was that Cabinet could choose to continue as originally planned but, due to the lack of detail and information available from central Government at the present time, this was not considered to be an effective use of officer time.

The Cabinet Member for Strategic Planning, Councillor Haine, introduced the report and proposed the recommendations as laid out. This was seconded by Councillor MacRae.

In response to a question from Councillor Cooper relating to the impact this decision would have on the review of the Local Plan, Councillor Haine confirmed that work on the review was due imminently. Mr Hargreaves addressed the meeting and advised that the current programme of works on the Local Plan showed that the initial review was due to commence in November and it was hoped more information would be available on the Government Bill by then. However, he advised that the initial works would focus mainly on high level scoping, with officers seeking views on the process, therefore, the detailed work on the Local Plan would begin at a later date.

Councillor Graham asked for clarification on the term 'affordable housing' and queried if this included social housing. Councillor Haine advised that social housing was just one of many forms of affordable housing covered and agreed that a list, elaborating on the types of housing covered, could be included.

Having considered the report, and having heard from the Members present, Cabinet

Resolved that

- a) the report be noted; and
- a) any further progress in relation to the submission and examination of West Oxfordshire's draft CIL Charging Schedule be held in abeyance until further information on the Government's proposed planning reforms have been set out in the forthcoming Planning Bill.

33 Creating a Vision for the Oxford-Cambridge Arc

Members received a report from the Planning Policy Manager which asked Members to agree the District Council's formal response to the current MHCLG public consultation '*Creating a vision for the Oxford-Cambridge Arc*' which was running for twelve weeks from 20 July 2021 – 12 October 2021.

The report reminded Members of the background of this project which had started in 2016 with the Government asking National Infrastructure Commission (NIC) to look at how infrastructure development in the Cambridge-Milton Keynes-Oxford Arc could maximise the potential of the area. The Commission's final report, was published on 17 November 2017 and one of the key recommendations was the need for a long-term vision for the arc and its sub-regions. As a consequence, the government designated the Oxford-Cambridge Arc as a key economic priority.

This report related to the development of the Arc Spatial Framework which covered three core phases, the first of which was to develop a vision for the future of the Oxford-Cambridge Arc, utilising public engagement to shape a vision for the area, through consultation in summer 2021. Consultation on this paper was due to close on 12 October 2021 and comments would be taken into account in developing the Spatial Framework's vision for the Arc to 2050.

Members noted the suggested draft response attached at Annex A to the report and were asked to approve submission of this as the Council's formal response to the consultation.

An alternative option was that Cabinet could make comments or changes to the submission as laid out.

The Cabinet Member for Strategic Planning, Councillor Haine, addressed Members and proposed recommendation a) as laid out. He then proposed the following amendment to recommendation b):

b) That the suggested draft response attached at Annex A to the report be submitted as the Council's formal response to this consultation, *subject to authority being given to the Chief Executive, in consultation with the Cabinet Member for Strategic Planning, to consider any comments made at the Economic and Social Overview and Scrutiny Committee.*

Having considered the report, and having heard from the Members present, Cabinet agreed to the revised recommendations.

Resolved that

- a) the report be noted; and
- b) the suggested draft response attached at Annex A to the report be submitted as the Council's formal response to this consultation, subject to authority being given to the Chief Executive, in consultation with the Cabinet Member for Strategic Planning, to consider any comments made at the Economic and Social Overview and Scrutiny Committee.

34 Service Performance Report 2021-22 Quarter One

Members received a report from the Chief Executive which provided details of the Council's operational performance at the end of 2021-22 Quarter One (Q1), and enabled Councillors to assess operational performance.

The report reminded Members that a review of performance indicators was currently underway, Portfolio Holders were having discussions with relevant managers about priority areas and finding metrics that would be most representative and provide assurance as to how the Council was performing.

The report noted that in relation to Service Performance, the last two quarters had resulted in mixed performance but this was beginning to show a more positive outlook into quarter two. Details regarding the National Lockdown and the start of restrictions being lifted, and the impact this had on services were also included. The full Performance Indicator report was attached at annex A to the report.

Members also noted the information provided at section 4 of the report, which related to the Local Government Ombudsman Annual Review 2020/21. This set out the complaints made against the Council along with the relevant outcomes.

An alternative option was that

The Cabinet Member for Finance, Councillor Coul, addressed Members and explained that the report highlighted the areas that the Council had performed well in as well as some of the issues encountered. She proposed the recommendation as laid out and this was seconded by Councillor Harvey.

Following a query from Councillor Graham relating to Food Safety statistics, he was reminded that the quarter being scrutinised covered the last lockdown period and this may have an impact on the data. Councillor MacRae reminded Councillor Graham that the service area was working hard to support local businesses in the hospitality industry, in order to help them revitalise and recover.

Having considered the report, and having heard from the Members present, Cabinet

Resolved that the 2021/22 Q1 service performance be noted.

35

Finance Performance Report 2021/22 Quarter One

Members received a report from the Deputy Chief Executive and Section 151 Officer which provided details of the Council's financial performance at the end of 2021-22 Quarter One (Q1).

The report highlighted that the Quarter 1 results overall were as expected with a few notable outliers. Several budget lines had received grants which had created surpluses but would be spent over the year. Green waste was significantly exceeding budget but this was due to an error where the increase in fees was not reflected in the budget. Car parking penalty charges was the one area which was significantly worse than expected. Income was hugely down in 2020/21 but while the budget expected this to bounce back in 2021/22 this had yet to be seen. It was noted that restrictions were still in place.

One of the issues exacerbated by Covid was the Council's level of aged debt but the council had successfully engaged a credit controller on a fixed term contract and the issue was being addressed.

The report outlined significant variances and those worth noting in the main text, however a full list of variances by cost centre was included at Annex A to the report. Further detail was provided on the budget monitoring for each Service Area at section 1.5 of the report along with information on the Business Support Grants, GLL, Trade Waste income, Council Tax Support and Treasury Income. An overview of the Capital spend against the budget was provided at Annex B to the report.

There were no alternative options provided as this report was for information.

The Cabinet Member for Finance, Councillor Coul, addressed Members and stated that this quarter's reporting had covered the last lockdown period and, whilst the Council was on a stable footing, it was still important to remain prudent. She proposed the recommendation as written and this was seconded by Councillor Mead.

In response to a question from Councillor McBride, officers advised that the outstanding debt owed by GLL Ltd was just under £0.5 million, as agreed last year. It was anticipated that this would be cleared by the end of the financial year. Members agreed that it was important to encourage residents and visitors to use the District's leisure facilities.

Councillor Cooper queried if this was an indication that the outdoor swimming pool at Woodstock would be remain open. In response, Councillor Doughty advised that the pool had done very well over the summer, attracting over 1200 visitors. She assured Councillor Cooper that it was a positive sign but reminded him that Covid-19 was still a risk to the leisure industry.

Having considered the report, and having heard from the Members present, Cabinet

Resolved that the 2021/22 Q1 finance performance be noted.

36

Council Tax Section 13A Policy

Members received a report from the Group Manager for Resident's Services which outlined proposals to introduce a Council Tax Section 13A Policy to support the Council in making decisions when considering such applications from Council Tax payers in the District.

The report reminded Members of the discretionary powers provided to them by Section 76 of the Local Government Act 2003 which introduced Section 13A (Billing Authority's Power to Reduce Amount of Tax Payable) into the local Government Finance Act 1992. In accordance with Section 13(A)(1)(a) of the LGFA 1992 as amended, the Council had a Council Tax Support scheme which provided assistance to those deemed to be within financial need. Council Tax legislation also provided for a wide range of discounts, exemptions and reductions that had the effect of reducing the level of council tax due.

The Council Tax Section 13A Policy, attached at Annex A to the report, would require the applicant to have exhausted all other options before making an application under the policy. When applying this policy, officers would similarly consider whether alternative actions could be undertaken and any relief awarded under Section 13A (1) (c) would be intended only as short term assistance and not a means to reduce Council Tax liability indefinitely.

No alternative options were provided.

The Cabinet Member for Finance, Councillor Coul, addressed Members and proposed the recommendations as laid out. This was seconded by Councillor Davies.

Having considered the report, and having heard from the Members present, Cabinet

Cabinet

15/September2021


Resolved that

- a) the Council Tax Section 13A Policy included at Annex A to the report be adopted; and
- b) the decision making process detailed within paragraphs 4.2 and 4.3 of this report, be approved.

The Meeting closed at 2.26 pm

CHAIRMAN

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 WEST OXFORDSHIRE DISTRICT COUNCIL	WEST OXFORDSHIRE DISTRICT COUNCIL
Name and date of Committee	Cabinet: Wednesday 13 October 2021
Report Number	AGENDA ITEM NO. 6
Subject	Adoption of Affordable Housing Supplementary Planning Document (SPD)
Wards affected	ALL
Accountable member	Cllr Jeff Haine Cabinet Member for Strategic Planning Email: jeff.haine@westoxon.gov.uk
Accountable officer	Chris Hargraves, Planning Policy Manager Tel: 01993 861686 Email: chris.hargraves@westoxon.gov.uk
Summary/Purpose	To consider the final version of the West Oxfordshire District Council Affordable Housing Supplementary Planning Document (SPD) and to recommend to Council that it be formally adopted.
Annexes	Annex A – Consultation Summary Report (October 2021) Annex B – Affordable Housing SPD - final adoption version (October 2021)
Recommendation/s	<i>a) That the content of the report be noted; and b) That subject to any amendments the Cabinet may wish to make, that Council be invited to formally adopt the final version of the West Oxfordshire District Council Affordable Housing Supplementary Planning Document (SPD).</i>
Corporate priorities	Securing the provision of high quality affordable homes is a key aspect of the Council Plan 2020 – 2024.
Key Decision	No
Exempt	No
Consultees/ Consultation	<p>The SPD has been the subject of two separate periods of public consultation, an initial draft which was the subject of consultation from 10 July – 21 August 2020 and a revised draft which was the subject of consultation from 5 March – 16 April 2021.</p> <p>Attached at Annex A is a consultation summary report which sets out the comments received at both stages and how they have been taken into account.</p>

1. BACKGROUND

- 1.1.** Securing the provision of new affordable homes is a key priority for the District Council as set out in the West Oxfordshire Council Plan (2020 – 2024) and the West Oxfordshire Local Plan 2031.
- 1.2.** Policy H3 of the Local Plan seeks to boost the supply of new affordable homes in a number of ways including, on-site, as a proportion of larger market housing schemes of 11 or more units, through financial contributions from smaller market housing schemes of 6-10 units and through the provision of rural exception sites (RES).
- 1.3.** To provide further detail on the operation of Policy H3, the District Council has prepared a new Affordable Housing Supplementary Planning Document (SPD) to replace the previous Affordable Housing SPD published in 2007.
- 1.4.** The new SPD also provides the opportunity to clarify the District Council's position in relation to a number of recent national policy changes including the introduction of 'First Homes' as a specific type of affordable housing from 28 June 2021.

2. CONSULTATION TO DATE

- 2.1.** There have been two 6-week periods of public consultation on the Affordable Housing SPD to date, including an initial draft which was published for comment from 10 July – 21 August 2020.
- 2.2.** The initial consultation attracted comments from eight organisations and attached at Annex A is a consultation summary report which sets out the comments received and the District Council's response to these, including, where appropriate, any changes to the SPD itself.
- 2.3.** Taking into account the comments received, a revised draft version of the SPD was subsequently published for a second round of consultation which took place from 5 March – 16 April 2021. This attracted responses from nine organisations, including several who had previously commented on the initial consultation in 2020.
- 2.4.** The consultation summary report attached at Annex A sets out the comments received along with the District Council's response, including any agreed amendment to the final proposed adoption version of the SPD (see Annex B).

3. FIRST HOMES

- 3.1.** In February 2020, Government consulted on a new form of affordable housing referred to as 'First Homes' – these are a specific type of discounted market sale housing which meet the definition of affordable housing for planning purposes.
- 3.2.** A Written Ministerial Statement (WMS) and Guidance on First Homes were published on 24 May 2021 and confirmed a number of changes to planning policy which subsequently came into effect on 28 June 2021.
- 3.3.** Specifically, First Homes are discounted market sale units which:
 - must be discounted by a minimum of 30% against the market value;
 - are sold to a person or persons meeting the First Homes eligibility criteria (see below);
 - on their first sale, will have a restriction registered on the title at HM Land Registry to ensure this discount (as a percentage of current market value) and certain other restrictions are passed on at each subsequent title transfer; and,

- after the discount has been applied, the first sale must be at a price no higher than £250,000 (or £420,000 in Greater London).

- 3.4. In terms of eligibility, the basic criteria are that purchasers should be first-time buyers, have a combined annual household income not exceeding £80,000 (or £90,000 in Greater London) and should have a mortgage to fund a minimum of 50% of the discounted purchase price.
- 3.5. Local authorities are also able to stipulate their own eligibility criteria such as the use of a lower income cap (where this can be justified by local circumstances) the use of a local connection test, or use of criteria based on employment status such as giving priority to key workers.
- 3.6. The Government's planning practice guidance on First Homes encourages local authorities to ensure that First Homes work well in their area and clarify how the policy will apply. The most appropriate mechanism for doing so will depend on individual circumstances and might include for example, the publication of an interim policy statement or an update of relevant local plan policies.
- 3.7. In West Oxfordshire's case, the preparation of the new Affordable Housing SPD provides a timely opportunity to set out the Council's position on First Homes.

4. AFFORDABLE HOUSING SPD – FINAL ADOPTION VERSION

- 4.1. Attached at Annex B is the final, proposed adoption version of the Affordable Housing SPD. Key changes made since the revised draft version was published for consultation in March 2021 are summarised below.

Status of the SPD

- 4.2. The role and status of the SPD has been clarified with a number of factual/formatting updates made to reflect the fact that this is the final, proposed adoption version of the SPD.

Policy Context

- 4.3. Section 2.0 of the SPD outlines the relevant policy context within which the SPD has been prepared. This has been updated to include reference to a number of relevant considerations including the Oxfordshire Strategic Vision and the emerging Oxfordshire Plan 2050.

What is affordable housing?

- 4.4. This section of the SPD provides an overview of what affordable housing is with reference to the NPPF and West Oxfordshire Local Plan 2031. It has been updated to take account of the Government's Written Ministerial Statement (WMS) of 24 May 2021, in particular the introduction of First Homes but also to take account of other important policy changes which have been introduced in respect of shared ownership properties.

Broad Rental Market Areas (BRMA) and Local Housing Allowances (LHA)

- 4.5. Additional information has been included to explain what Broad Rental Market Areas (BRMA) are, the areas that apply in West Oxfordshire and how they influence Local Housing Allowance (LHA) rates which are used to calculate Housing Benefit for tenants renting from private landlords.

Affordable Housing Need

- 4.6. Up to date evidence of housing need has been included with reference to the Oxfordshire Growth Needs Assessment (OGNA) report which was published in July 2021 in support of the Oxfordshire Plan 2050. This estimates a need for almost 3,200 new affordable homes per year across Oxfordshire to 2030.

Preferred Tenure Mix

- 4.7. The SPD has been updated to set out the Council's position in respect of affordable housing tenure mix taking into account the introduction of First Homes. A number of worked examples are provided to illustrate what a typical breakdown of affordable tenures might look like.

First Homes Exception Sites

- 4.8. In its Written Ministerial Statement (WMS) of 24 May 2021, the Government confirmed the introduction of a First Homes Exception Sites policy to replace the previous Entry Level Exception Site policy referred to in the NPPF. The SPD has therefore been updated to reflect the current national policy approach.

Self-Build and Custom-Build Housing

- 4.9. The NPPF is clear that custom and self-build housing can comprise both market and affordable homes. However, during the previous consultation on the revised draft SPD, two respondents expressed concerns that the SPD was not aligned with Policy H5 of the West Oxfordshire Local Plan 2031 which does not specifically require a proportion of any self-build or custom-build plots to be affordable.
- 4.10. The text of the SPD has therefore been updated to make it clear that whilst there is no specific policy requirement, the District Council will explore with developers whether there is scope for some or all of the 5% self/custom build requirement on larger sites of 100 or more dwellings to contribute towards the relevant on-site affordable housing requirement for that site.

Tackling the Climate and Ecological Emergency

- 4.11. The SPD has been updated to reflect and cross-refer to the publication of the Council's Sustainability Standards Checklist and Net Zero Carbon Toolkit.
- 4.12. Whilst there have been some calls for the SPD to go further and stipulate specific net zero requirements for new affordable homes, it is important to note that the SPD cannot create new policy beyond the West Oxfordshire Local Plan 2031.

Delivery Mechanisms

- 4.13. The SPD includes a model Section 106 agreement at Appendix 3. This has been updated to reflect a number of concerns expressed during the previous consultation. The wording of the SPD itself has also been updated to clarify that the model agreement is an example only with individual heads of terms needing to be agreed for each development.

5. NEXT STEPS

- 5.1. Upon formal adoption, copies of the Affordable Housing SPD will be made available in accordance with legislative requirements including the publication of an adoption statement. Those who have previously responded to earlier consultations will be notified and sent a copy of the adoption statement.

6. FINANCIAL IMPLICATIONS

- 6.1. The report raises no direct financial implications.

7. LEGAL IMPLICATIONS

- 7.1. The report raises no specific legal implications.

8. RISK ASSESSMENT

- 8.1. The report raises no specific risks.

9. EQUALITIES IMPACT

- 9.1. The report raises no specific implications for any particular equality strand.

10. CLIMATE CHANGE IMPLICATIONS

- 10.1. The SPD includes a section addressing the climate and ecological emergency.

11. ALTERNATIVE OPTIONS

- 11.1. None.

12. BACKGROUND PAPERS

- 12.1. None.

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West Oxfordshire District Council
Affordable Housing Supplementary Planning Document (SPD)
Consultation Summary Report

1. Introduction

- 1.1 The District Council is in the process of preparing a new Affordable Housing Supplementary Planning Document (SPD) which, when adopted, will replace the Council's previous Affordable Housing SPD published in 2007.
- 1.2 To inform the new SPD, the District Council has undertaken two public consultations, firstly on an initial draft SPD in July 2020 and secondly, on a revised draft SPD in March 2021. The purpose of this consultation summary report is to provide an overview of who was consulted at both stages, the main issues raised by respondents and how those issues have been addressed in the final proposed adoption version of the SPD.

Consultation on initial draft Affordable Housing SPD (July – August 2020)

- 1.3 An initial consultation draft of the affordable housing SPD was published for a six-week period of public consultation from 10 July until 21 August 2020. In accordance with the District Council's adopted Statement of Community Involvement (SCI) a broad range of stakeholders were notified and invited to comment on the initial draft SPD, including elected Members, Town and Parish Councils, statutory and non-statutory consultees and individuals who have expressed a wish to be involved in such matters.
- 1.4 In response, consultation responses were received from eight organisations as follows:
- Tetlow King on behalf of the Aster Group
 - Tetlow King on behalf of Rentplus UK
 - Green Axis
 - AECOM on behalf of Grosvenor Developments Ltd
 - Irwin Mitchell on behalf of Inspired Villages
 - Defence Infrastructure Organisation
 - Turley on behalf of the North Witney Land Consortium
 - Oxfordshire County Council

- 1.5 Attached at Appendix 1 is a schedule of the comments received and how they were taken into account by the Council in preparing a revised draft version of the SPD which was then subject to further public consultation in March 2021.

Consultation on revised draft Affordable Housing SPD (March – April 2021)

- 1.6 Consultation on the revised draft version of the Affordable Housing SPD took place over a 6-week period from 5 March – 16 April 2021. As with the initial consultation in 2020, in accordance with the District Council’s adopted Statement of Community Involvement (SCI) a broad range of stakeholders were notified and invited to comment on the initial draft SPD, including elected Members, Town and Parish Councils, statutory and non-statutory consultees and individuals who have expressed a wish to be involved in such matters.
- 1.7 In response, consultation responses were received from 9 organisations and individuals as follows:
- Bloombridge
 - Cottsway
 - Crawley Parish Council
 - Gladman
 - Green Axis
 - Margaret Thompson
 - Oxfordshire County Council
 - Tetlow King on behalf of Aster and Platform Housing Group
 - Turleys
- 1.8 The revised draft SPD was also considered at a meeting of the District Council’s Economic and Social Overview and Scrutiny Committee on 8 April 2021.
- 1.9 Attached at Appendix 2 is a schedule of the comments received and how they have been taken into account by the Council in preparing the final proposed adoption version of the Affordable Housing SPD.

Appendix 1 – consultation responses received in response to the initial draft Affordable Housing SPD – July 2020

Tetlow King on behalf of the Aster Group	
Issues raised	WODC response
The production of an updated affordable housing SPD is long overdue as the previous version dates from 2007 and predates the original and revised National Planning Policy Framework (NPPF) its purpose was to supplement policy H11 of the West Oxfordshire Local Plan 2011 (adopted June 2006) which has now been superseded by a new local plan. It is appropriate that a new draft SPD has been prepared to supplement the West Oxfordshire local plan policy H3.	Comment noted.
We very much support the overall objectives of the SPD, in particular the objectives to improve the quality and range of affordable housing options in the District and to promote new and innovative approaches to the delivery of affordable housing. Aster is able to assist the Council in achieving these aims and we are pleased to see that Aster listed as a registered provider in Appendix 2.	Support noted.
As a general comment, we note that the SPD refers throughout to the NPPF (July 2018) this document was promptly superseded by NPPF (February 2019) and whilst the later version contains similar policies and wording of the NPPF July 2018, the earlier document was essentially revoked and it is no longer available on the MHCLG website. It is therefore more appropriate to refer to the NPPF (February 2019) as it is most up-to-date national planning policy advice.	Comment noted. The revised draft SPD has been amended to include reference to the NPPF 2019.
We note the comment in section 3.0 (page 7) that there is no singular definition of affordable housing which then follows with the West Oxfordshire definition. Whilst it is accepted that each local authority has a different approach to affordable housing in terms of priorities in addressing local housing need it is generally accepted that the NPPF definition takes primacy. However, we discourage local planning authorities from repeating the NPPF definition verbatim in an SPD as it makes the document less adaptable to future changes and updates to national policy.	<p>Comment noted. It is considered useful to include the NPPF definition in full for clarity and to save the reader having to cross-refer to the NPPF itself.</p> <p>A footnote has however been added to the revised draft SPD to make it clear that the District Council will have regard to any amendments to the definition of affordable housing in future iterations of the NPPF.</p>

Issues raised	WODC response
<p>The SPD is informed by the Oxfordshire SHMA (2014) which was the evidence base to the West Oxfordshire local plan 2031 and policy H3 affordable housing. It is an appropriate evidence base but in time it will need to be updated to ensure that provides an accurate reflect of the housing market and affordability indicators.</p>	<p>Comment noted. The SHMA (2014) remains the most up to date evidence available on housing need at this point in time.</p> <p>Additional text has however been added to the revised draft SPD to make it clear that the SHMA provides an indicative guide only in terms of, for example, the size of affordable homes needed.</p>
<p>We note the reference in section 5.2 about the local plan seeking an indicative size mix of affordable housing that includes 65% one and two bedroom homes. It is paragraph 5.64 of the local that refers to one and two bedroom homes but it stated that this required to meet the needs of younger single and couple households, older people and small family households and will be used as guide. We are pleased to note that the last paragraph of section 5.2 states that the Council will take account of local circumstance and any identified local needs with regards to this indicative requirement.</p> <p>Our main concern with this indicative requirement for 65% one and two bedroom homes is that it could generate more flatted development which are not always ideal from a management perspective. We therefore hope the indicative requirement is flexibly applied.</p>	<p>Comment noted.</p> <p>The text of the revised draft SPD has been amended to make it clearer that the indicative size mix is to be used as a general guide only and that a number of other relevant factors will be taken into account including the specific nature of the development and practical management considerations.</p>
<p>We note at page 16 that West Oxfordshire restricts affordable rents to the lower of either 80% of market rent or the Local Housing Allowance. This is acceptable as long as the guidance within the MHCLG policy statement on Rents for Social Housing is applied, which permits annual rent increases on both social rent and affordable rent properties of up to CPI+1 percentage point from 1 April 2020. However, there is no certainty as to whether LHA will increase annually or remain static as it did for four years prior to the recent raise in April 2020.</p> <p>Typically, when pursuing a new development, Registered Providers often cap affordable rents equal to Local Housing Allowance (LHA) on first let, assuming that rents will inflate in line with Government policy</p>	<p>Comment noted. Rent, and rent increases housing will follow MHCLG guidance. No change required.</p>

<p>on rent increases. By capping affordable rents in perpetuity, it prevents Housing Associations from increasing their affordable rents in line with Government policy.</p> <p>Preventing such inflation can have critical impacts on Registered Providers. For example, a Housing Associations long term assets may experience a static rent against a rise in all of their costs of management and maintenance in the face of inflation. In essence, this would give the effect of a rent cut for these businesses. The significant concern is that this scenario would be highly unsustainable and uncompetitive for Housing Associations and could potentially severely threat the delivery of affordable housing across West Oxfordshire.</p>	
<p>The draft SPD describes how shared ownership properties will be managed in West Oxfordshire, proposing a restriction of 50% of shared ownership homes to be sold at shares of 35% or less.</p> <p>Although it is recognised that imposing such restrictions would be beneficial in helping to address affordability, many housing associations would find comfort with the 50% being expressed as an aspirational target rather than an expectation to enable greater flexibility of the delivery of shared ownership housing.</p>	<p>Comment noted. The text of the revised draft SPD has been amended to state that the Council will 'seek to ensure' rather than 'expect' that at least 50% of each type and size of shared ownership units on each scheme should initially be sold at shares of 35% or below in order to help ensure affordability.</p>
<p>At the bottom of page 9 we notice that the affordable housing SPD seeks to secure all affordable housing in perpetuity. The NPPF's sole reference to retaining affordable housing in perpetuity is in Annex 2 where this is sought for affordable housing delivered on rural exception sites. This principle is appropriate and supported by Aster as this helps to secure land for delivery of affordable housing in rural areas where housing delivery would otherwise not be supported.</p> <p>Securing affordable housing in perpetuity more widely is not supported for a number of reasons, foremost of which is that it restricts lenders appetite to fund development, as mortgage provision becomes more difficult with greater restrictions on individual properties. We would therefore advise that the council removes any references to securing affordable housing in perpetuity unless referring to rural exception sites.</p>	<p>Comment noted. The text of the revised draft SPD has been amended to more accurately reflect the NPPF.</p>

Issues raised	WODC response
<p>The NPPF states that rural exception sites should provide affordable housing to meet 'identified local needs'. There is a lack of clarification through the draft SPD on how to demonstrate local affordable housing need when considering a rural exception scheme. As the SPD itself mentions that small scale affordable housing schemes will need to meet '<i>specific local housing needs</i>', the SPD should look to identify the parameters for demonstrating need, i.e. through parish needs surveys, but also for larger settlements where a parish needs survey may not be possible and other evidence may be needed to support a rural exception scheme.</p>	<p>Comment noted. Additional text has been added to the revised draft SPD to provide further clarification.</p>
<p>At page 21, the SPD states the following:</p> <p>"...the Council will require larger housing developments of 50 or more units to provide a percentage of new homes as accessible and adaptable housing designed to meet Building Regulations Requirements M4(2). This is broadly equivalent to Lifetime Homes Standards and affordable units should be built to provide suitable levels of internal space as set out in the nationally described space standards. As a minimum the council will seek the provision of at least 25% of market and affordable homes to this standard."</p> <p>This paragraph is poorly worded as it is not clear if the applicant should be looking to provide 25% of market housing to the NDSS or to the M4(2) requirements. The Local Plan does not seek a proportion of homes to meet the NDSS and it would be inappropriate for an SPD to impose new policy. Local Plan policy H4 does however require that 25% of homes are designed to meet M4(2) which is an appropriate requirement.</p>	<p>Comment noted. The text of the revised draft SPD has been amended to provide greater clarity.</p>
Tetlow King on behalf of Rentplus UK	
Issues raised	WODC response
<p>The Rentplus model of affordable rent-to-buy aims to help those hard-working families and households unable to access ownership either through shared ownership, starter homes or homes on the open market, to overcome the mortgage 'gap'. This is achieved through a defined period of affordable Intermediate Rent at no more than 80% of local market value (including service charge) during which all Rentplus residents are able to save towards a deposit to supplement the 10% gifted deposit received from Rentplus.</p> <p>It is important to note that in 2018 the National Planning Policy Framework (the 'Framework') was revised to incorporate a wider definition of affordable housing, now providing four categories; rent-to-buy is</p>	<p>Comments noted.</p>

<p>included within category d) Other affordable routes to homeownership. The revised Framework also expanded the scope of 'Affordable housing for rent' to include not just 'traditional' affordable and social rented housing, but any scheme which meets criteria where the rent is at least 20% below local market rents, where the landlord is a registered provider, and where any public subsidy is recycled for future provision. Rentplus (working with its partner Registered Providers (RPs)) meets each of these criteria; it does not rely on public subsidy and therefore there is no requirement to recycle it. The then-Planning Minister confirmed in a letter in 2019 that Rentplus meets the Government's expectation of rent to buy.</p> <p>In this context, the Rentplus model is a hybrid and falls within both categories of affordable housing, as either part of the 'affordable housing for rent' element, or as an 'affordable route to home ownership'. This has also been recognised by several councils across England with whom Rentplus has worked with to deliver homes in recent years. The Rentplus model offers the opportunity for the Council and RPs to diversify the local housing offer without further recourse to public subsidy. The affordable rented period provides families and households with security of tenure, with certainty of management and maintenance by a local partner RP, and critically the opportunity to save towards purchase. As affordable rent to buy meets needs for affordable rent (the only difference being marked by the expectation by all parties of purchase), it comes with a significant benefit of freeing up existing affordable rented homes for others in priority need, as demonstrated by Rentplus schemes across England.</p> <p>In diversifying the overall housing mix, Rentplus can help to create mixed and balanced communities. Rentplus tenants are on a clear path to homeownership, meaning they are more likely to remain in their property for the long-term and therefore better settle into their community. This helps to create a stronger sense of place in new developments in the long run.</p>	
<p>Paragraph 3.2 now sets out the broad categories of affordable housing and footnote 5 explains that they could be updated in future revisions of national policy. This is welcome as it allows the SPD to respond to changing circumstances should the Framework be amended in the future. Furthermore, Page 8 includes a useful table, providing further information regarding various forms of affordable housing such as Rent to Buy, this inclusion is welcomed. Similarly, the Council's identification of rent to buy as a rented product is welcome – as set out earlier in this representation, Rentplus meets the definition of 'affordable housing for rent' in Annex 2 of the Framework.</p>	<p>Comments noted. The text of the revised draft SPD has been amended accordingly.</p>

<p>However, we recommend updating the definition of Rent to Buy. There are various models of rent to buy and the Council's definition as drafted would only encompass a few of these. Revised wording is set out below:</p> <p><i>A government scheme to help first time buyers, or those returning to the market following relationship breakdown. Households are able to rent a home at 80% of the market value an affordable or intermediate rent, providing an opportunity to build up a deposit. If after the initial five years of letting the landlord wishes to sell the property, the existing tenant should have the right of first refusal to buy it. Similarly, if after the first five years the tenant submits a request to buy their home, it is expected that the landlord would agree. There are different models of rent to buy with different terms and conditions but generally households rent the property for a defined period with the expectation of purchase at the end of the period. Some rent to buy schemes include support towards purchase such as gifted deposits.</i></p>	
<p>Paragraph 4.1 outlines the Affordable Housing Need within West Oxfordshire. These figures are taken from the Oxfordshire Strategic Housing Market Assessment (SHMA). The SHMA was produced in 2014 and therefore does not reflect the latest NPPF definition for affordable housing and reflects housing needs as matters stood some six years ago. With this in mind, we urge the Council to commission an updated SHMA that addresses these. Rentplus has worked with Lichfields to produce a methodology for assessing needs for rent to buy, which we are happy to share with the Council.</p>	<p>Comment noted. The SHMA (2014) remains the most up to date evidence available on housing need at this point in time. However, additional text has been added to the revised draft SPD to ensure that the status and age of the SHMA is clearly understood.</p>
<p>Section 5.0 (Future Affordable Housing provision in West Oxfordshire) deals with instances where viability issues mean the affordable housing proportion is reduced. Page 14 explains what will happen where the full proportion cannot be achieved. The SPD 'misses out a step' in this respect since it does not cover the potential to change the mix of tenures first. Rentplus notes from recent experience that Councils have accepted adjustments to the overall mix of tenures, to ensure that the full proportion of affordable housing can be delivered. For example, some authorities have accepted Rentplus in place of affordable rented housing since the Rentplus model meets the Framework's definition of 'affordable housing to rent' (the only difference being the expectation of purchase by all parties) but generates higher rates of return than some other affordable products, therefore supporting development viability.</p> <p>The third paragraph on Page 14 should therefore be amended, and suggested wording is set out</p>	<p>Comment noted. The text of the draft SPD is reflective of Policy H3 of the Local Plan. The suggested text is effectively seeking to re-draft Policy H3 which would not be appropriate within the context of the revised draft SPD.</p> <p>Notwithstanding this, a minor amendment to the text of the revised draft SPD has been made to more closely align with Policy H3.</p>

<p>below:</p> <p><i>Policy H3 also recognises that in some instances, it may not be possible, even on larger market housing schemes, to deliver affordable housing on-site e.g. it is not physically possible or feasible, or there is evidence that a separate site may be more suitable to meet local need. Development proposals which seek to depart from these targets and tenure mix must be supported by evidence that explains why the affordable housing target is “not viable or otherwise appropriate” (Policy H3). If this is the case, the applicant should notify WODC as early as possible through pre-application discussions. In the first instance, the Council will consider adjustments to the tenure mix where this will maximise the overall proportion of affordable housing.</i></p>	
<p>Section 5.3 (Preferred Tenure Mix) outlines that the West Oxfordshire Local Plan highlights a significantly greater need for rented accommodation than for the various forms of intermediate housing, with a ratio of 2:1 in favour of affordable rented homes. Despite this, it also states that each proposal will be determined on a case by case basis. The draft SPD also provides further guidance with regards to each tenure mix which is welcomed.</p>	<p>Support noted.</p>
<p>The ‘A West Oxfordshire Living Rent’ section states that “WODC is currently undertaking a study to explore a Living Rent model for West Oxfordshire including the level of discount from market rent required to be realistic for local people having regard to typical household incomes.” With this in mind, Rentplus would welcome the opportunity to discuss this matter further. The above sections demonstrate that the Rentplus have considerable experience in this field and their affordable rent to buy model would be an ideal fit for West Oxfordshire.</p>	<p>Comment noted. The text of the revised draft SPD has been amended to provide a clear explanation of the current position in respect of the potential introduction of a Living Rent in West Oxfordshire.</p>
<p>We welcome the production of the Affordable Housing SPD and recommend some minor changes to the policy wording, in order to reflect the requirements of national policy in securing affordable home ownership. Changes are also needed to better reflect the range of rent to buy schemes, which include the Rentplus model which offers greater degree of flexibility and the benefit of a gifted deposit.</p>	<p>Support noted – see various amendments outlined above.</p>

Green Axis	
Issues raised	WODC response
It would be useful to add clarification that self <u>and</u> custom build are treated the same in terms of being a more affordable route to home ownership and hence classified as affordable under the SPD. We suggest including custom build in the 1000 homes site example on page 19 and perhaps include self and <u>custom</u> build in the tabulated definitions on pages 8 and 9.	Comment noted. The text of the revised draft SPD has been clarified in respect of self and custom build housing.
<p>It is encouraging to see the commitment to zero-carbon homes as part of the SPD, together with the extract from the LETI design guide. Our experience is that cost effective low energy housing can be delivered when there is a clear direction and expectation from early stages of a scheme development.</p> <p>As buildings become more energy efficient in operation, by combination of good fabric design and the increasing supply of renewable energy, embodied carbon increases as a proportion of the whole carbon picture and takes on more prominence. We would like to see the SPD recommending the embodied carbon be reviewed as part of the zero carbon design process. This is noted in item 4 of the LETI extract on page 21 but should be made more explicit in the body text.</p> <p>It would be useful to provide a hyperlink to the LETI climate emergency design guide alongside the one provided for the Passivhaus Trust.</p> <p>We would be please to review and offer comment on the Sustainable Design and Construction Checklist when this has reached a draft stage.</p>	Comments noted. The text of the revised draft SPD has been amended to address a number of other comments made on this section.
<p>We fully support the inclusion of MMC as part of the solution to increasing speed of housing delivery.</p> <p>This section primarily discusses the potential for MMC systems to contribute to energy efficiency and compliance with the Future Homes standard. For those readers unaware of the potential benefits which offsite construction brings, we would suggest that the content of this section be expanded to encourage MMC uptake and articulate some or all of the following:</p> <ul style="list-style-type: none"> • Reduced site waste and disposal. • Faster completion reduces impact on local residents. • Less reliance on site trades – improved quality from factory production. • Improved quality and clear stages for inspection to address thermal bridging and airtightness – key contributors to the industry wide gap between designed and as-built performance. 	Comment noted. The text of the revised draft SPD has been expanded to provide further explanation of the benefits of MMC.

<ul style="list-style-type: none"> • Typically lightweight – potential to build adjacent to or over existing buildings (per page 20). <p>It may be suitable to provide hyperlinks to appropriate trade/professional bodies for further information on MMC specification, design and certification.</p>	
AECOM on behalf of Grosvenor Developments Ltd	
Issues raised	WODC response
<p>We support the production of the SPD, which updates the previous Affordable Housing SPD completed in 2007, which provides an update on additional tenures, types of housing and evidence of need to help in the interpretation of Policy H3 and the refinement of affordable housing provision as a part of new development.</p>	<p>Support noted.</p>
<p>Whilst the SPD covers the entire District and will a material consideration for all planning applications within West Oxfordshire, the OPA for OGV will be determined based on the updated policies within the Area Action Plan (AAP) as this becomes part of the formal Development Plan. The AAP provides a separate affordable housing and overall housing policy (Policy 23, 24, 25 and 26). These policies are informed by a bespoke piece of evidence produced in the form of the Housing Strategy prepared by Iceni (as referenced in the draft SPD). The Reg 19 AAP therefore provides an ‘indicative guide’ for both affordable and market homes to aid the determination of the OPA and subsequent Reserved Matters Applications.</p> <p>Grosvenor has been liaising with the Affordable Housing Officers and as part of the planning application has produced an Affordable Housing Statement outlining the situation at the point of submission. Building on the pre- and post-submission working with WODC’s officer team, the Section 106 agreement will therefore outline the affordable housing contributions as part of the development. These discussions are referenced in the WODC affordable housing team’s initial response to the submitted outline planning application, which also outlines the need to include consideration of the wider viability work to help “agree the affordable housing percentage, tenure mix and dwelling mix”.</p>	<p>Comments noted. The Garden Village AAP and associated Outline Planning Application (OPA) are being taken forward through separate processes to the Affordable Housing SPD.</p>
<p>Grosvenor is currently working with WODC and Oxfordshire County Council (OCC) to bring forward an optimal solution for the Garden Village and its supporting Infrastructure, including provision to meet the sub area needs beyond the development itself. Much of this has been identified as a key element of placemaking, as part of the site-specific evidence base and to meet the ambitions for the Garden Village. This wider infrastructure outlined through the AAP and the OPA supporting documents, notably the site-</p>	<p>Comments noted. The Garden Village AAP and associated Outline Planning Application (OPA) are being taken forward through separate processes to the Affordable Housing SPD.</p>

<p>specific Infrastructure Delivery Plan, will be secured through the Section 106 agreement and Section 278 highway agreement mechanisms.</p> <p>The required infrastructure to support the Garden Village is likely to be extensive, such that the draft CIL charging schedule, currently also out for consultation, states that “it should be noted that the five strategic sites allocated in the West Oxfordshire Local Plan 2031 are ‘zero-rated’ for the purposes of CIL for reasons of viability”. This does not mean that the level of infrastructure provided is reduced based on this zero rating. The CIL work includes assumptions for typical section 106 agreements based on the Council’s evidence base provided and concludes that “the Strategic Site test results all indicate marginal negative viability due to the significant site opening up costs and the site specific S106 infrastructure contribution requirements”.</p>	
<p>Grosvenor fully agrees that Design Standards for affordable housing should be no lower than that for market housing and that all developments should be tenure blind.</p>	<p>Support noted.</p>
<p>The draft SPD outlines how any planning applications must take full consideration of the policy requirements of the Local Plan. However, it is clear that the type of housing supported under the Zero Carbon homes section far exceed these standards and are therefore not covered by the Local Plan viability assessment or the assumptions within the CIL viability assessments.</p> <p>Whilst WODC outline a position where they ‘support and encourage’ the delivery of this type of housing, it is clear that the full costs of delivering this should be considered for all sites, particularly those with large on and off site infrastructure associated with their delivery as outlined above. The draft SPD continues to say that those applications which “achieve exemplary standards in line with the Sustainable Design and Construction Checklist will be favoured in the determining of planning applications for affordable housing” although this is not clear how this relates to wider development or allocated sites.</p> <p>As a result it would be useful for the SPD to outline the different costs associated with a building regulations compliant form of affordable housing against one with exemplary standards of fabric-energy efficiency, net-zero carbon in operation and 100% of its annual energy demand provided for by roof mounted solar advocated in the SPD. If this is not available, the uplift in costs associated with these extra features to meet aims beyond the provision of affordable homes would also be very helpful, alongside any evidence that this can be delivered at scale. It would also be useful to outline these costs, both before and after the tenure type discount (Social rent/ shared ownership etc) is applied, and for WODC to be clear on if</p>	<p>Comments noted. The text of this section of the revised draft SPD has been amended accordingly.</p>

they are advocating accepting a lower level of affordable housing built to higher standards (ultimately the same cost to the developer of a site) or maintain the overall level of affordable housing but increase build costs. This is particularly important for those already identified to deliver 50% affordable housing.	
The future AAP, which again has different housing policies and Fabric Energy Efficiency Standards (FEES), should be supported by appropriate viability work which supports all of the policy requirements and is due to be imminently released for consultation. The supporting evidence base to support the policies of the AAP, in line with the standards advocated in the SPD, could be useful in informing in the SPD.	Comments noted. The Garden Village AAP is being taken forward through a separate process to the Affordable Housing SPD.
<p>The summary tables provided in the draft SPD provides a useful outline of the different types of affordable housing, both for sale and rent, which could form part of affordable housing provision across West Oxfordshire. Whilst not covering all forms, the below section refers to a number of forms of affordable housing referenced in the draft SPD:</p> <p><u>First Homes</u></p> <p>Whilst it was anticipated in the draft, the Government proposals on the introduction of 'First Homes' began during the consultation period for this SPD.</p> <p>Given the current consultation on First Homes and the Government's transitional proposals to include 25% of all affordable housing as First Homes, the indicative mix within the SPD may have to be amended to reflect this potential new tenure aimed at first time buyers (i.e. 1 & 2 bed homes). The indicative size mix for affordable housing appears to reflect the SHMA which was dated 2014, and may not consider current demand due to changes in welfare reforms. Furthermore, the dwelling size mix is not reflective of the waiting list which provides more up to date evidence. The choice based lettings evidence clearly shows that 85% of affordable housing should be 1 & 2 bed, not 65% as per the proposed split. This is further confirmed in the last 3 years waiting lists which all show the same data (over 85% needing 1 & 2 bed homes).</p>	<p>Comments noted. The text of the revised draft SPD has been amended to include clearer reference to the potential role of First Homes as part of the overall mix of affordable housing solutions in West Oxfordshire.</p> <p>With regard to the SHMA (2014) at the current time, it remains the most up to date evidence available on housing need in West Oxfordshire including affordable housing need. However, additional text has been added to the revised draft SPD to ensure it is clear that the SHMA provides an indicative size mix only and that the Council will have regard to more recent information including the latest housing register information.</p>
Local Housing Allowance - If Affordable Rent is capped at Local Housing Allowance (LHA) levels, Social Rent is not required as the LHA ensures that households on full benefits can afford the rent charged. As a result, the inclusion of Social Rent would not increase access to housing (i.e no additional households would be able to access a Social Rented tenure, who would otherwise not be able to access a Local Housing Allowance capped tenure).	Comment noted. Affordable rent even if capped at Local Housing Allowance Levels is still potentially less affordable than social rent. They are two different 'products' and one does not supersede the need for the other. No change.

<p>WODC living rent - Whilst the principle of Living Rent is supported, increasing the proportion of Shared Ownership in current policy may provide a simpler solution, with first refusal for existing tenants. Furthermore, if Living Rent is introduced, the increase in transfer value from Affordable Rent to Shared Ownership should be paid to the developer/landowner as this tenure offers a higher transfer value.</p> <p>Given the build out timescales associated with OGV, the uptake of Living Rent may alter the relationship between shared ownership and affordable rent at later stages of the project and could create uncertainty in delivering different tenures of affordable housing on site in the future.</p> <p>The SPD states that full details on the Living Rent will be available in Q3 2020. At mid-August, we are fairly advanced into Q3 and it would be useful to understand when this report will be available, what level of discount is envisaged and sufficient consideration given ahead of the next draft of the SPD.</p>	<p>Comment noted. The text of the revised draft SPD has been amended to provide a clear explanation of the current position in respect of the potential introduction of a Living Rent in West Oxfordshire.</p>
<p>Starter homes - In respect of Starter Homes it would be helpful to set out what level is sought on development sites. The 20% requirement is not consistent with WODC's proposed tenure ratio, as it would result in 30% rented and 20% starter homes (or 60/40 split), compared to WODC's proposed 2:1 ratio (66/33 split). Furthermore, this split does not include other affordable ownership tenures such as Shared Ownership, which WODC has stated as its preferred ownership tenure.</p>	<p>Comment noted. The text of the revised draft SPD has been amended to clarify that the District Council will consider the potential for starter home provision alongside consideration of other low cost affordable home ownership options.</p>
<p>Other Specialist Housing - The provision of key worker housing, particularly during the current climate, is supported and the clear identifier that WODC will "seek innovative methods to bring forward proposals to provide key worker accommodation and offer assistance in facilitating liaison with key contacts" is very helpful. Will these workers be given any priority in future lettings/sales and if so will the tenure mix be amended to reflect the need for affordable ownership tenures?</p> <p>It is also useful for the draft SPD to include specific reference to Community-led housing which is also an aspiration for OGV. It would be useful to provide additional detail on the forms of affordable (and market) community led housing forms WODC have listed in the SPD and the ways in which their delivery will be supported by WODC.</p>	<p>Support noted.</p> <p>The text of the revised draft SPD has been amended to make it clear that where new affordable homes are provided on the basis of them being made available to essential local workers/key workers, the District Council will take this into account in discussions with the developer/applicant and Registered Providers in determining the most appropriate tenure mix.</p>

<p>Furthermore, there is little reference towards extra care/elderly housing in the draft SPD. Given the growing and pressing demand for this form of housing. It would be useful to see how this has influenced the proposed housing mix to form the basis of future proposals for this form of housing across the District.</p>	<p>In addition, a weblink has been provided within the revised draft SPD to take the reader to the Council's community led housing web pages to provide further detail.</p> <p>Additional text has been included in the revised draft SPD in respect of potential specialist housing provision including extra-care.</p>
<p>Section 4 also needs to include affordable homes provided from grant funding, such as Homes England's Affordable Housing Programme, and the Oxfordshire Affordable Housing Programme, so that a full picture of affordable housing delivery is provided. This should also be broken down to sub areas and also include affordable ownership and other ownership tenures to provide the full picture. The information provided highlights the disparity between the high need for 1 bed accommodation and the majority of existing affordable provision which is 2 & 3 bed across the District. It would also be useful to have sub area housing need identified so that specific sites can consider specific affordable housing needs.</p>	<p>Comments noted.</p> <p>It is not considered necessary to include specific information on affordable homes provided from grant funding within the SPD.</p> <p>Affordable housing needs have not been defined on a sub-area basis either through the Oxfordshire SHMA (2014) or the West Oxfordshire Local Plan 2031 so it is not possible to provide this information within the SPD either.</p>

Section 8.3 of the draft SPD usefully outlines the nomination, choice based letting and allocation processes operating in West Oxfordshire. What is unclear however is the role of Oxford City, the agreement with West Oxfordshire to provide for some of their unmet need and their role in the allocation process. This would therefore likely influence both the OGV site and the West Eynsham Strategic Development Area which this SPD covers. This is something that the Reg 19 AAP indicates is 'ongoing'.	Comments noted. West Oxfordshire District Council and Oxford City Council is in the process of entering into a memorandum of understanding on this issue which will be made publicly available in due course. Additional text has been added to the revised draft SPD to explain this process.
Issues raised	WODC response
Under Shared Ownership, references made to Registered Providers (RPs) should be amended to 'the freeholder'. Whilst RPs are the normal owner, other organisations can now own Shared Ownership dwellings, and this should be reflected accordingly in the definition.	Comment noted. The explanation of shared ownership already refers to the freeholder, which is usually a registered provider. This is considered to adequately cover the point being made.
The reference that all affordable housing should be provided in perpetuity or for the sales/proceeds to be recycled is not in line with the National Planning Policy Framework, as this is only required in rural exception sites or grant funded sites. This would also make rent to buy tenures difficult to implement. It should be made clear in the SPD that where developer contributions enable affordable housing without grant funding, this restriction should be removed.	Comment noted. The text of the revised draft SPD has been amended to more accurately reflect the NPPF.
The different tenures proposed may impact viability and will need to be appropriately tested to conclude the levels of overall affordable housing. It will also be important for larger sites to be assessed on a site by site basis, considering both the existing affordable housing in the local area, along with demand from the waiting list based upon those who have stated a preference for the local area, and planned provision of affordable via grant funding and other nearby sites.	Comment noted. The text of the revised draft SPD has been amended to emphasise that the size and tenure mixes included are indicative only and that each proposal will be considered on an individual case-by-case basis.
Given the Government's recent proposals in 'Changes to the Current Planning System' and 'White Paper', the reference to s106 agreements and delivery of affordable homes may require an update to include the proposals and appropriate caveats accordingly.	Comment noted.

Irwin Mitchell on behalf of Inspired Villages	
Issues raised	WODC response
<p>Inspired Villages operates and develops retirement communities and are majority owned and funded by Legal & General. At the time of writing, there are six operational Inspired villages throughout England; which provide some 800 residents with an independent lifestyle, whilst also providing the care and support that may be required throughout retirement as they age in place.</p> <p>Inspired Villages is committed to expanding their provision in the UK and aim to be running 50 operational villages within the next ten years. In fact, they are proposing a new retirement community within West Oxfordshire, which is intended to provide up to 160 units of C2 accommodation along with associated communal and care facilities.</p> <p>We are concerned that the Council's draft SPD, as drafted, fails to take into account the different operating models that comprise housing for the elderly (and in particular the distinctions between retirement communities and sheltered housing).</p>	<p>Comments noted.</p>
<p>Retirement communities have higher levels of non-revenue generating floorspace than a typical sheltered housing scheme (or standard residential development), and higher operating costs due to staffing, maintenance, etc. By way of illustration the proposed retirement community for West Oxfordshire would have a gross internal area of approximately 17,000 sq.m of which approximately 4,200 sq.m would be communal facilities, communal areas, i.e. 25% of the floor space would be non-saleable. This does have an impact on the overall viability of such developments, which reduces their ability to provide affordable housing contributions at all.</p> <p>The Council has recognised this, in part, by reducing the level of affordable housing required from retirement communities, although we do remain concerned that the levels set in the Council's local plan do over-estimate the amount of financial headroom available on extra-care development schemes. This is particularly true when the impact of the proposals in the draft SPD are considered in combination with the proposed CIL charge for extra care schemes (which is also currently out for consultation).</p> <p>We welcome the SPD's recognition that not all developments will be able to provide a policy compliant level of on-site affordable housing because of their viability position. Unfortunately, despite the efforts the Council has already made to date, we are concerned that the policy level of provision for extra care</p>	<p>Comments noted. The viability of Local Plan Policy H3 including the requirement for affordable housing as a proportion of market-led extra-care housing schemes has already been independently tested and it is not the role of the SPD to revisit that analysis or the conclusions reached.</p> <p>Additional text has however been added to explain the conclusion reached through the Local Plan process.</p>

<p>developments has been set too high. As such, we suspect that most new extra-care developments that come forward within the district are likely to have concerns over viability that will need to be addressed through the planning application process.</p>	
<p>A key feature of an Inspired village is that, with the exception of the care services, the entire village is managed and looked after by a single operator. The single management structure is vital for ensuring an integrated service for our residents, so they can access the care and support that they require easily and efficiently. The facilities that form part of an Inspired village are funded through service charges, which are levied at a flat rate per unit – every household contributes the same amount regardless of the size or value of the unit. The service charge structure adopted by Inspired has been chosen to ensure that every incoming resident has a complete understanding of how the service charge is calculated, how it is spent and the value for money that it provides. For this reason, the way that Inspired's service charges are calculated is fixed centrally and broadly consistent across all Inspired villages.</p> <p>The importance of the single management structure to the operation of an Inspired Village, and the need to maintain certainty and transparency for all residents over service charges, means that it is very difficult to incorporate traditional rental tenures of affordable housing into a retirement community. The need to maintain the single management of the whole development does not sit easily with the requirements of a registered provider, who often like to retain control over the maintenance of their units and the services provided to them. Similarly, registered providers often seek a reduction in service charges for the units that they take. This is extremely difficult to facilitate on an Inspired development, as the changes to the service charge structure would need to be explained to all residents, which would not assist in the integration of any affordable housing units to the wider development. It would be inherently unfair if those residents of the private units were required to subsidise those in the affordable units, with the service charge paying towards the provision of all services and facilities on-site which all residents have equal access to.</p> <p>With this in mind, it is often preferable for any affordable housing contribution from retirement communities to be provided off-site; as it allows greater freedom of choice for the Council as to who is able to occupy the affordable housing units. On-site provision in a retirement community will necessarily be restricted to potential residents who are over 65 and either in need of care or likely to be in need of care in the foreseeable future.</p>	<p>Comments noted. Local Plan Policy H3 clearly sets out the circumstances in which a financial contribution towards off-site provision of affordable housing may be appropriate.</p> <p>This is considered to be adequately reflected in the SPD as is the fact that the precise nature of any on-site provision will be considered on a case by case basis.</p> <p>As such, no change is considered to be necessary.</p>

<p>Where on-site provision is required, the tenures of affordable housing which are more likely to integrate successfully are those which allow for the single overall management of the development – i.e. those types of discount market sale, discount market rent and shared ownership models which do not require the involvement of a registered provider and can be managed, maintained and sold/rented out by the operator.</p>	
<p>Whilst the Council's draft SPD does make reference to a wide range of potential forms and tenures of affordable housing being permitted, this is undercut by the Council's decision not to adopt Discretionary Social Housing Relief as part of its CIL consultation. If this decision is not amended, then all non-traditional forms of provision (such as discount market sale), will be charged CIL at the same rate as those units for sale on the open market. This is likely to negatively impact on the viability of those schemes that are best suited to non-traditional tenures, such as retirement communities, which will only serve to reduce the overall levels of affordable housing that these developments can provide.</p>	<p>Comment noted. The Council's CIL consultation is a separate process and the issue of discretionary social housing relief will be considered as part of that process.</p>
Issues raised	WODC response
<p>We would urge the Council to:</p> <ol style="list-style-type: none"> 1. Amend its affordable housing SPD to recognise retirement communities as a form of development which are: <ol style="list-style-type: none"> a. more likely to have viability concerns over the headline level of affordable housing provision required by the Council; b. more likely to need to provide contributions to off-site affordable housing provision; and c. Where on site provision is feasible, likely to need to adopt a mix of less-traditional tenures, such as discount market rent, discount market sale or shared ownership. 2. Adopt discretionary social housing relief from CIL so as to avoid penalising developers who do opt for less traditional tenures as part of their developments. 	<p>Comments noted. Additional text has been added to the revised draft SPD in respect of specialist housing including extra-care.</p> <p>With the viability of Local Plan Policy H3 already having been tested as part of the Local Plan examination (and reduced rates applied to extra-care housing accordingly) it would not be appropriate for the SPD to revisit issues of viability.</p> <p>As set out above, Policy H3 and in turn the SPD as currently drafted already adequately recognise the potential circumstances in which an off-site financial contribution may be appropriate as well as the fact that the precise nature of any on-</p>

	<p>site provision will be considered on a case by case basis.</p> <p>The Council's CIL consultation is a separate process and the issue of discretionary social housing relief will be considered as part of that process.</p>
Defence Infrastructure Organisation	
Issues raised	WODC response
We welcome the recognition in the document that military personnel are essential local workers so provision for their accommodation would count towards meeting affordable housing needs. We would also point to the proximity need for such provision and national guidance applicable which may mean that the mix being sought for other types of affordable housing may not be appropriate.	Comment noted.
Turley on behalf of the North Witney Land Consortium	
Issues raised	WODC response
<p>It is essential that the preparation of this SPD should not fetter or obstruct in any way, the ability of the Local Plan to support sustainable development over the period to 2036. More fundamentally, we note that the SPD seeks to establish new policy requirements and expectations which are not contained within Development Plan Documents. We note that the PPG explains the role of SPDs and states that:</p> <p>"Supplementary planning documents (SPDs) should build upon and provide more detailed advice or guidance on policies in an adopted local plan. As they do not form part of the development plan, they cannot introduce new planning policies into the development plan. They are however a material consideration in decision-making. They should not add unnecessarily to the financial burdens on development."</p> <p>Consequently, this SPD should only provide more detailed advice or guidance on policies in the adopted Local Plan. The SPD should not, as appears to be the case in some circumstances, seek to amend or change the requirements of the Local Plan.</p>	Comment noted.

<p>The Affordable Housing SPD seeks to build on the guidance contained within the adopted Local Plan 2031 which sets the overarching requirements in respect of affordable housing under Policy H3. It is clear from the consultation document that there continues to be a significant need for affordable housing in the District and that the SHMA identified need for 274 affordable dwellings per annum has only been met in 2019/20, with significant shortfalls in the preceding years of the Plan period.</p> <p>It is important therefore that the SPD helps to maximise the level of affordable housing which can be delivered and does not reduce the rates achieved by introducing additional requirements with an increased cost burden which may reduce the viability of schemes, particularly given the proposed move towards introducing CIL in the District.</p>	<p>Comment noted.</p>
<p>We support the recognition that the indicative size mix for affordable housing as set out in the Local Plan is a guide only and that consideration of local circumstances and any identified local needs will need to be taken account of. The same recognition is equally applied to the preferred tenure mix, whilst noting the higher need for rented accommodation. It is noted that the Council are currently undertaking further work on a potential Living Rent model and we will wish to review and provide comments on this when available as part of future work on the SPD.</p>	<p>Support noted. The text of the revised draft SPD has been amended to provide a clear explanation of the current position in respect of the potential introduction of a Living Rent in West Oxfordshire.</p>
<p>Custom and self-build. We consider that this section of the SPD should be deleted entirely. Policy H5 of the Local Plan requires that all housing developments of 100 or more dwellings to include 5% of the residential plots to be serviced and made available for custom and self-build housing. The SPD states that on qualifying sites, 5% of the affordable homes should also be made available for custom and self-build housing. It is considered that further evidence is required to demonstrate the support of the registered providers to enable this form of delivery to ensure this will not delay and restrict the delivery of much needed affordable homes. Policy H5 of the Local Plan states that if any of the serviced plots/units offered for custom/self-build/self-finish remain unsold after 12 months marketing, they may be built out by the developer. It is unclear within the wording of the SPD how this work in respect of the affordable housing element and whether the plots would revert to the developer (and revert to market housing) or to the registered provider. Currently concern is raised that the proposed approach will result in further delays and uncertainty in the delivery of affordable housing and reduce the viability of schemes accordingly.</p>	<p>Comments noted however the definition of self-build and custom-build housing set out in the NPPF makes it clear that such housing can be either market or affordable housing.</p> <p>Notwithstanding this, the text of the revised draft SPD has been amended to clarify the Council's approach and to make it clear that the provision of affordable custom and self-build opportunities on qualifying sites will be a matter for discussion on a case by case basis factoring in all relevant considerations. Further information has also been added in relation to the reversion of such plots to a developer/registered provider in the event</p>

	of insufficient interest from those on the Council's custom/self-build register.
<p>Design criteria. Whilst the proposed design criteria are generally supported, it is considered that they should recognise the likelihood of affordable housing being provided in clusters for ease of management. The third bullet should therefore be amended as follows:</p> <ul style="list-style-type: none"> • Affordable units should be distributed evenly <u>in clusters</u> throughout the development where practicable to promote social inclusion and mixed communities. The exception to this is in relation to the design and provision of housing for older people and developers will need to demonstrate why a deviation is required when seeking approval. 	<p>Comment noted. The text of the revised draft SPD has been amended to refer to 'clusters' of affordable housing units as suggested.</p>
Issues raised	WODC response
<p>Space standards - It is important to recognise that it will not be appropriate or achievable to meet the nationally prescribed space standards for housing in all instances. The design of developments will need to take account of individual site characteristics, viability and market demand. As such the proposed recognition of the SPD that these standards cannot be required on all developments is supported.</p> <p>Furthermore the NPPF and PPG make clear that the nationally prescribed space standard should only be required where the need for an internal space standard has been justified. No such justification has been provided in support of the SPD and as such reference to the standards should be deleted.</p>	<p>Comments noted. It is important to note that the SPD is not seeking to require the use of the Government's nationally prescribed space standards for new housing, rather it explains that this will be encouraged which is very different. No change.</p>
<p>Zero-carbon homes. We are unclear why the Affordable Housing SPD is considered to be the appropriate mechanism for seeking to introduce additional measures to seek to tackle the climate and ecological emergency the Council has declared.</p> <p>It is understood that at this stage these measures are proposed to be required in relation to affordable homes only, an approach seemingly at odds with the design criteria requirement for tenure blindness. From the consultation document it is unclear what discussions the Council has had with registered providers with regards to the additional costs required to go above and beyond in terms of delivering exemplary standards of sustainability and whether any viability assessment has been undertaken. Indeed it is noted that the requirement has not been assessed in the viability assessment to inform the current CIL Charging Schedule consultation. The proposed requirement to go above and beyond is also open to significant differences in interpretation and provides no clarity as to what is actually required by the Council.</p>	<p>Comments noted. The text of this section of the revised draft SPD has been amended accordingly.</p>

<p>In light of the above comments it is considered that this element of the SPD should be removed. If the Council wish to introduce greater sustainability requirements this should be in the form of a separate SPD and consider all forms of development, including non-residential, and should include the Sustainable Design and Construction Checklist currently proposed to be developed. The requirements of any future SPD should also be considered in a review of the Council's CIL to ensure it does not render developments unviable.</p>	
<p>Viability. We note the Council has highlighted that the viability of the level of affordable housing provision required was tested at the Local Plan stage. It is important to note however that the SPD is seeking to introduce a series of additional requirements which will add to the cost of delivery of affordable housing. These additional costs will need to be weighed in the development of proposals for the site to maintain viability, particularly in light of the proposed introduction of CIL. Policy H3 remains the relevant and appropriate policy context and it is considered unnecessary for this SPD to add to those requirements.</p>	Comments noted.
Oxfordshire County Council	
Issues raised	WODC response
<p>Oxfordshire County Council are broadly supportive of the SPD, but recommend a small number of amendments including reference to OCCs Market Position Statement 2019 and a statement requiring developers to consider the need for supported living developments within housing developments.</p>	Support noted.
<p>Section 5.1 page 12 - Support range of 35%-50% affordable housing on qualifying sites. Request explanation as to why this drops for Extra Care Housing as larger schemes are more viable than smaller ones and the greatest need for ECH units is for those at social or affordable rent.</p>	<p>Comment noted. The reduced affordable housing requirement for extra-care housing was considered and agreed as part of the examination of the West Oxfordshire Local Plan based on development viability considerations. Additional text has been added to the revised draft SPD to explain this.</p>
<p>Section 5.2 page 15 - Request increase in proportion of one bed properties in line with CBL data = 52% need for 1 bed properties. The pressure on one beds is exacerbated by the need to accommodate single young people, care leavers and homeless adults who are moving on from supported housing. Also request that WODC consider requiring that a proportion of affordable rented housing be provided in the form of HMOs to ensure a supply of shared accommodation for single people under the age of 35, particularly in market towns (on the basis that under 35s only qualify for the single room rate in terms of the housing costs covered by Universal Credit).</p>	<p>Comment noted. The text of the revised draft SPD has been amended to highlight the importance of 1-bed properties.</p>

Issues raised	WODC response
<p>Section 5.3 page 16 - Would like developers to be required rather than to explore to provide new homes at social rent levels rather than 'affordable' levels which are still out of reach of many single people and lower income households.</p>	<p>Comment noted. However, Policy H3 of the West Oxfordshire Local Plan and the viability evidence which underpins it is predicated on the basis of a combination of affordable rent and intermediate forms of affordable housing rather than social rent. As such, it would not be appropriate for the SPD to effectively introduce a policy requirement for social rent.</p>
<p>Section 6.0 page 20 - Support high design standard for affordable housing. Request that bedroom sizes in 3 bed properties adhere to the Housing Act to accommodate full size bed and furniture and avoid overcrowding.</p>	<p>Support noted. Additional text has been added to the revised draft SPD to address the issue of bedroom sizes in 3-bed properties.</p>
<p>Section 6.2 page 20 - Support need for 5% of homes to be wheelchair accessible with sufficient internal space. Request that in these homes the ceilings are strong enough to support track hoists and to allow stairlifts to be fitted where there is a need.</p>	<p>Support noted. The 5% requirement relates to wheelchair adaptable dwellings rather than wheelchair accessible dwellings, however some additional text has been added to refer to the issues of ceiling strength and stairlift provision.</p>
<p>Section 6.3 page 27 - Welcome wide definition of keyworkers and prioritised classification on choice based lettings. Welcome development of keyworker housing by Blenheim Estate. Suggest that these could be made available to key workers employed outside of Blenheim.</p>	<p>Comment noted. Blenheim key workers are not just for those employed by Blenheim and as such, no change to the revised draft SPD is considered necessary.</p>
<p>We would like to see reference made to Oxfordshire County Council's market position statement 2019 and a statement requiring developers to consider the need for supported living developments within housing developments. These are generally 4-8 unit blocks of accommodation for people with a learning disability and/or autism and need to be situated close to infrastructure and facilities. We have a significant shortage of this type of accommodation to meet current and future needs.</p>	<p>Comment noted. Additional text has been added to the revised draft SPD to address this issue.</p>

Issues raised	WODC response
<p>This is a supplementary planning document and as such sets out the supporting information in light of the adopted policy Local Plan policy H3. It provides clarification of what is considered affordable housing and other definitions relating to the policy including when and how financial contributions may be more appropriate than on site provision.</p> <p>On review there are no specific amendments which would be required in terms of the remit of the Estates team and their land interest within the West Oxfordshire District.</p> <p>It is noted however that with the recent release of the planning white paper and opening of consultation on various policy tools, including First Homes, the proposed SPD may require an early review or amendments.</p>	<p>Comment noted.</p>
<p>Section 2.1 page 6 - The SPD refers to NPPF revised in July 2018, there has since been the February 2019 update.</p>	<p>Comment noted. The revised draft SPD has been amended to include reference to the NPPF 2019.</p>

Appendix 2 – consultation responses received in response to the revised draft Affordable Housing SPD – April 2021

Bloombridge	
Issues raised	WODC response
<p>Thank you very much for inviting Bloombridge LLP to comment on your draft SPD. I have read the document in detail and would say that it is a thorough and commendable piece of work. Whilst I have a few minor comments I feel at this late stage in the preparation of the SPD it is only major points that will be of interest to you. I have just one major point. This relates to the guidance in the draft SPD set out at paragraph 5.3.6:</p> <p><i>5.3.6 Where affordable rent is provided, Affordable rent levels should be set with reference to Local Housing Allowance levels and at no more than 80% of market rental taking into account the local context for the rent levels. Full details can be found on the MHCLG Policy statement on rents for Social Housing.</i></p> <p>This is consistent with the definition of “Affordable Rent”, including Annex 2 of the NPPF19. However, the standard Section 106 clauses contained in Appendix 3 set a more stringent approach to Affordable Rent:</p> <p><i>1.3 “Affordable Rent” means a rent up to 80% of the local market rent for an equivalent property for the size and location, based on a valuation in accordance with a method recognised by the Royal Institution of Chartered Surveyors and not higher than the relevant local housing allowance maximum amount set for eligibility for housing benefit.</i></p> <p>The issue is that “with reference to” LHA levels (5.3.6) is wholly different to “not higher than the relevant local housing allowance maximum” (Appendix 3, 1.3). In fact, restricting Affordable Rent to LHA rates is not consistent with national government policy and this, therefore, causes a problem for the SPD (which must be corrected). We would suggest that the reference to LHA rates in 1.3 above is deleted; noting that this deletion does not preclude LHA rates being required as an output from negotiations (as LHA rates still fit, being less than 80% of the local market rent); but, crucially, the Section 106 should not mandate LHA rates as a standard in all cases.</p> <p>It may sound counter intuitive to not support the lowest possible Affordable Rent, but the rationale is set out in government policy. The idea is that Registered Providers, in certain circumstances, are enabled to charge rents at 80% MR so that the extra income/rent above LHA rates or Social Rent provides a surplus to</p>	<p>It is acknowledged that there is a degree of inconsistency between the main body of the SPD at paragraph 5.3.6 and the model Section 106 agreement attached at Appendix 3.</p> <p>The wording of the model agreement in the final proposed adoption version of the SPD has therefore been revised accordingly.</p> <p>The text of the SPD has also been revised at paragraph 3.2.22 to ensure greater consistency and clarity.</p>

<p>be spent on, for example, improving the RP's existing housing stock (especially with regard to energy efficiency matters) and increasing the overall supply/number of affordable units, including by innovative funding measures. The important point here is that there is a trade-off between increasing the supply of affordable housing and delivering fewer affordable units but at a lower rental. We feel that this trade-off is best settled on a case by case basis – and this balancing exercise should not be ruled out by standard Section 106 drafting (Clause 1.3 above).</p> <p>To illustrate the point further, the current property investment market includes a number of innovative funding mechanisms, for example the 'Income Strip' Model, where the differential between LHA rates and 80% MR can be combined with a strong covenant to deliver schemes of 100% affordable housing (say 250 units) at 80% MR. This could make a strong contribution to affordable housing supply, especially in the 1 and 2 bed market. In contrast, if Clause 1.3 is imposed, many smaller schemes may be non-viable and, for the larger schemes, only the standard percentage of affordable (and intermediate) will be delivered (being substantially less than 100%).</p> <p>In short, we feel Clause 1.3 should be amended by the deletion of the reference to LHA rates. This reference does not appear in the definition of Affordable Rent in the NPPF19 and its deletion is therefore merited on consistency grounds.</p>	
Cottsway	
Issues raised	WODC response
<p>We have now had a chance to review the affordable housing SPD and have the following comments:</p> <ul style="list-style-type: none"> • We note that here is an emphasis for one bed shared ownership units in the district. In our experience we have struggled to sell one bed units and we have found there is little demand for them. • Appendix 3 point 1.20.1 still shows 40-70% initial share for SO which contradicts the main body of the SPD document which now shows 25-75% with the Council supporting smaller shares. • Appendix 3, point 2.7 We would hope that this reflects the National Housing Federation standard Mortgagee Exclusion Clause as this is a requirement for our lenders. • Will there be any clarity on EV parking provision and whether this will be applied equally between affordable housing and private sale units? 	<p>The SPD provides broad information on the size of affordable homes likely to be needed in West Oxfordshire.</p> <p>This is drawn from a range of information sources including the Oxfordshire Strategic Housing Market Assessment (2014) Housing Strategy Advice prepared by ICENI in support of planned growth at Eynsham (2020) and information drawn from the Council's Choice Based Lettings database.</p>

	<p>Importantly, the information is indicative only and the SPD makes it clear that the Council will take into account other relevant considerations including specific evidence of local need, the nature of the development and any relevant practical management considerations.</p> <p>The comments made in relation to the model Section 106 template included at Appendix 3 are noted and the text has been amended to reflect the national policy position on initial equity share for shared ownership properties and also to reflect the National Housing Federation standard Mortgagee Exclusion Clause.</p> <p>In terms of electric vehicle (EV) parking, Section 6.1 of the SPD specifies that the same level of parking provision should be made for the affordable housing units as for market units.</p> <p>In addition, a footnote has been added to cross-refer to the Council's Sustainability Standards Checklist which requires consideration of EV charging in line with the requirements of the Oxfordshire Electric Vehicle Infrastructure Strategy (OEVIS).</p>
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Crawley Parish Council	
Issues raised	WODC response
<p>If the council wish to support home ownership (which is cheaper per month than private renting) It could consider the following.</p> <p>In brief At £1400 a sq mtr a 95sq mtr 3 bed can be built for £133k. Land at £400k 10 homes per acre = £40k per plot. Add 10k for infrastructure total house = £183k which would be affordable in this market to anyone with a family income of £43k.</p> <p>WODC planners and building control cooperating with an HA could manage and oversee a self-build scheme on behalf of buyers offering real help to provide homes.</p> <p>These homes could be conditioned to be for personal use not buy to rent providing real homes for real people.</p> <p>WODC or a local bank could provide up front finance of land / planning fees etc and charge a fee to cover costs.</p>	<p>Paragraphs 5.1.6 – 5.1.11 of the SPD explain how the District Council will secure and subsequently use financial contributions which are provided in lieu of on-site provision of affordable housing.</p> <p>Section 5.5 on self-build and custom-build housing explains that the District Council will seek to use such commuted sums to acquire land in order to promote affordable custom/self-build projects.</p> <p>No further amendment is considered to be necessary.</p>
Gladman	
Issues raised	WODC response
<p>Gladman take this opportunity to remind the Council that SPDs cannot be used as a fast-track mechanism to set policies and should not be prepared with the aim of avoiding the need for examination or reinventing existing planning policy. As acknowledged in the consultation documents, an SPD is not subject to the same degree of consultation and examination as policies contained in Local Plans and therefore should only be prepared to provide additional guidance to those bringing forward development proposals across the district.</p> <p>The National Planning Policy Framework (NPPF 2019) confirms this where it defines SPDs as: “documents which add further detail to the policies in the development plan. They can be used to provide further guidance for development on specific sites, or on particular issues, such as design. Supplementary Planning Documents are capable of being a material consideration in planning decisions but are not part of the development plan.”</p>	<p>The comments are noted and the role and status of the SPD is fully understood.</p>

<p>Gladman welcome the preparation of the SPD as it provides additional clarity beyond the policy wording contained within the Local Plan in relation to affordable housing provision. Nonetheless, Gladman have some concerns relating to affordable housing provision on self/custom-build plots.</p> <p>Firstly, Gladman consider that section 5.5 of the SPD seeks to deliver proposals that go above and beyond the policies contained within the Local Plan, specifically Policy H3 and Policy H5, leading to the creation of new policy requirements. While Gladman accept that Self/Custom-build housing can be either market or affordable, the wording of Section 5.5 appears to introduce a requirement for the Self/Custom-build element of a proposal to also deliver a policy compliant level of affordable housing provision.</p> <p>Indeed, paragraph 5.124 of the West Oxfordshire Local Plan notes that the Council will utilise affordable housing commuted sums secured under Policy H3 to acquire land in order to promote affordable custom/self-build projects. There is no specific requirement included in Policy H5 for custom and self-build housing to deliver affordable housing or for 'self-build affordable housing plots' to be provided.</p> <p>In this regard, the wording and content of Section 5.5 of the SPD should be reviewed to ensure closer alignment with the adopted policies of the West Oxfordshire Local Plan (2018).</p> <p>The delivery of a proportion of self-build plots as affordable housing is unlikely to be an efficient or practical way to deliver affordable housing due to the need for Registered Providers to bring forward such dwellings.</p> <p>More appropriate mechanisms may include, Registered Providers delivering stand-alone and entire sites as small-scale self/custom build housing which Policy H3 provides reference to.</p>	<p>The comments are noted and the wording of the SPD has been amended to more closely reflect the Local Plan including Policies H3 – Affordable Housing and H5 – Custom and Self-Build Housing and the supporting text contained therein.</p> <p>In particular, the final proposed adoption version of the SPD makes it clear that there is no specific policy requirement for on-site self and custom-build housing to include a proportion of affordable housing.</p> <p>Rather, it states that the District Council will explore with developers whether there is scope for some or all of the self/custom build element of the scheme to contribute towards the relevant on-site affordable housing requirement for that site.</p> <p>This is considered to be consistent with the NPPF which recognises that custom and self-build housing can include both market and affordable homes.</p>
Green Axis	
Issues raised	WODC response
<p>We are pleased to provide our comments and suggestion with respect to the revised affordable housing supplementary planning document.</p> <p>5.5 Self-build and custom-build housing</p>	<p>The comments are noted and the text regarding the provision of affordable custom and self-build opportunities has been revised to more closely reflect the Local Plan including Policies H3 – Affordable Housing and H5 – Custom and</p>

<p>5.5.13: The text points to a 3 month period of advertising to establish demand, after which the developer can complete the plots if insufficient interest exists. This seems too short a period in the lifecycle of a housing development project and has the potential to limit the provision of self and custom build housing to satisfy registered demand.</p> <p>This appears to present a contradiction with WODC Policy H5, which includes a 12 month marketing period, after which plots may be built out. We suggest that the 3 months period is removed and the text amended to recommend consultation with the Council on a project specific basis, or adoption of the H5 requirement.</p>	<p>Self-Build Housing and the supporting text contained therein.</p>
<p>6.4 Tackling Climate and Ecological Emergency</p> <p>We are disappointed to note the omission of the LETI graphical guidance, which was included in the first draft of the document. This gave clear signposting to assist with a holistic approach to design and construction of low carbon affordable homes. Can the headings and objectives of the 10 point approach be transposed as text in to the Affordable Housing SPD, with further detail provided in the forthcoming <i>Sustainable Design and Construction Checklist</i>?</p> <p>6.4.11: We hope that WODC is encouraged by the responses to the recent Future Homes Standard consultation where 78% of respondents were in favour of retaining local authority flexibility to set appropriate energy standards beyond the minimum requirements of Building Regulations. Can we urge and support that the content of the <i>Sustainable Design and Construction Checklist</i> takes the opportunity to go further in scope than the current proposals for the Future Buildings Standard, and sets out clear zero carbon objectives across operational and embodied energy.</p>	<p>The comments are noted. Section 6.4 of the proposed final adoption version of the SPD has been updated to include specific cross-references to the District Council's Sustainability Standards Checklist and Net Zero Carbon Toolkit.</p>
<p>Margaret Thompson</p>	
<p>Issues raised</p>	<p>WODC response</p>
<p>I write to comment on the 'Affordable Housing' consultation.</p> <p>From everything I can see any affordable housing appears to come last on the list of everything and the developers appear to be able to make excuses not to build the % they are supposed to.</p>	<p>The comments are noted. The SPD provides further guidance on Local Plan Policy H3 – Affordable Housing.</p> <p>Policy H3 stipulates the proportion of on-site affordable housing to be provided on larger market led developments ranging</p>

<p>Once an amount has been set this SHOULD be in concrete and cannot be changed, any attempts to reduce the numbers would actually mean the developers could have to provide more and not less affordable housing.</p> <p>As the parent of 2 sons in their early twenties who would like to be able to purchase a house in this area I cannot ever see them managing to do this and we are making it so hard for people with limited incomes who we NEED in the area to actually live here.</p> <p>I am talking care workers, nurses, teachers transport drivers and just the general population on whom we all rely to provide the services we need daily they cannot afford to live here so everyone's quality of life suffers.</p> <p>We need to be providing the types of housing the populus NEEDS not all these huge 4-5 bedroom estates they keep appearing, many people do not need these size properties, we need more diverse housing to fit the needs of our whole population and not the pockets of the developers!</p> <p>We are going to create a 'fantasy world' where most of us cannot actually live in reality so let us wake up and smell the roses before it is too late and we have created a concrete world where we cannot exist.</p> <p>We NEED REAL homes for real people to live in not estate agents brochures.</p> <p>Don't fail our young people any more.</p>	<p>from 35% in the lower value area up to 50% in the higher value area.</p> <p>Policy H3 includes reference to those requirements being subject to viability and the SPD provides further advice on this issue at Section 7.0.</p> <p>In terms of dwelling sizes, as set out at Section 5.2 of the SPD, the Council's main focus will be 1, 2 and 3-bed properties.</p>
Oxfordshire County Council	
Issues raised	WODC response
<p>Oxfordshire County Council welcomes the opportunity to comment on the revised draft Affordable Housing Supplementary Planning Document (SPD). The Affordable Housing SPD aims to set out how West Oxfordshire will seek to increase the supply of new affordable homes in West Oxfordshire through the application of Local Plan Policy H3 and Core Objective 6 and provides guidance on a number of related matters.</p> <p>Oxfordshire County Council previously provided comments (dated 20th August 2020) on the earlier draft document and welcome the changes made to the revised February 2021 SPD in light of our comments. OCC</p>	<p>The comments are noted. However, it is important to emphasise that the purpose of a supplementary planning document (SPD) is to provide additional guidance to relevant policies of the Local Plan – in this instance, Policy H3 Affordable Housing.</p>

remains broadly supportive of the SPD, but recommend a small number of further amendments including a firmer commitment to higher proportion of one beds for social rent, and to propose placing requirements on Developers, rather than encouraging them (which is unlikely to be effective). Detailed comments can be seen in Appendix 1.	Therefore, unless specified in the Local Plan, it is not possible for the SPD to impose specific policy requirements.
<p>Para 5.2 size of affordable homes needed.</p> <p>Evidence from three sources is cited regarding the need for one beds for social rent.</p> <ol style="list-style-type: none"> 1. ICENI need = 30-35% 2. CBL need = 52% 3. SHMA need = 28.4% <p>Would like to see a firmer commitment to higher proportion of one beds.</p>	<p>The SPD presents information from a number of sources and clearly indicates that there is a strong level of need for smaller affordable homes including 1-bed units.</p> <p>As with the Local Plan, the SPD provides an indicative mix only allowing for a degree of flexibility to take account of other relevant considerations including specific evidence of local need, the nature of the development and any relevant practical management considerations.</p> <p>It would be inappropriate for the SPD to seek to be more prescriptive in terms of the proportion of one bed units to be sought.</p>
<p>Para 5.3.8</p> <p>We would like to see developers “required” rather than “encouraged” to include a proportion of social rent.</p>	<p>The comment is noted however Local Plan Policy H3 – Affordable Housing and the supporting text make no reference to the specific provision of social rent and as such, it is not possible for the SPD to introduce this as a specific requirement.</p>
Para 6.2.5	Comment noted. Given the obvious potential safety issues this raises, the text

Would like to see developers “required” rather than “encouraged” to ensure ceilings are strong enough to support track hoists.	has been amended to require this issue to be addressed rather than encouraged.
We would like to see reference to the involvement of OCC in the nomination process for extra care housing.	Comment noted. The text at paragraph 8.7.5 of the final proposed adoption version of the SPD has been amended to refer to the District Council working with OCC in relation to the nomination process.
Tetlow King on behalf of Aster and Platform Housing Group	
Issues raised	WODC response
<p>Tetlow King Planning represent Aster Group and Platform Housing Group, both leading Housing Associations in England. Our clients’ principal concern is to optimise the provision of affordable housing through the preparation of consistent policies that help deliver the wider economic and social outcomes needed across the South East region and beyond.</p> <p>Aster and Platform are key partners in the delivery of new affordable homes in West Oxfordshire and are both listed as a registered providers in Appendix 2 of the SPD in recognition of their important role. Notable recent developments for Aster include Kingfisher Meadows, Witney and Centenary Way, Witney which have all helped address local housing needs. Platform has also made invaluable contributions to the District’s affordable housing stock including the Springfield Oval development in Witney. In addition, Platform currently has a planning application pending with the local planning authority for a site in Carterton which includes much needed affordable homes.</p> <p>We are pleased to note that the SPD acknowledges that affordable housing delivery has significantly improved in recent years through developments involving Aster and Platform and other registered providers.</p> <p>As significant developers and investors in local people, Aster and Platform are well placed to contribute to local plan objectives and act as long-term partners in the community. We therefore welcome the production of the draft affordable housing SPD and the opportunity to provide comments.</p>	Comments noted – see further responses below.

<p>TKP submitted representations to the 2020 consultation of the draft Affordable Housing SPD and we are pleased that the Council has taken on board our comments and incorporated many of our suggested changes into the revised Affordable Housing SPD.</p> <p>The consultation summary report published in February 2021 summarises each of the issues raised in the previous consultation and is very helpful in demonstrating which changes have been made to the revised SPD and for what reasons. We would like to take this opportunity to expand on some of our comments and provide a response to the WODC comments in the consultation summary report and revised Affordable Housing SPD.</p> <p>We have also taken a more thorough review of the example S106 Agreement Affordable Housing Schedule provided at Appendix 3 and make recommendations for several revisions which will provide greater certainty and clarity on the delivery of affordable homes.</p>	
<p>Capping of affordable rents</p> <p>Our comments on capping affordable rents are included in the consultation summary report. Capping affordable rents prevents Housing Associations from increasing their affordable rents in line with Government policy. This can become highly unsustainable and uncompetitive for Housing Associations and can severely threaten the delivery of affordable housing.</p> <p>In response to our comments, the council has specified that “Rent and rent increases will follow MHCLG guidance.” We are pleased to see that the council have understood our concerns and therefore welcome the fact that the MHCLG policy statement on Rents for Social Housing has been incorporated into the revisions is now featured as a footnote at paragraph 5.3.6 of the SPD.</p> <p>The footnote in the SPD implies that rents and rent increases for affordable housing in West Oxfordshire will follow MHCLG guidance with the adoption of the SPD, although for clarity, and in addition to the footnote, we would be reassured if the council would consider rewording paragraph 5.3.6 in line with the comments made by the council in the consultation summary report as follows:</p> <p><i>“Where affordable rent is provided, Affordable rent levels should be set with reference to Local Housing Allowance levels and at no more than 80% of market rental taking into account the local context for the rent</i></p>	<p>The comments are noted and paragraph 5.3.6 has been re-worded as per the suggested text.</p> <p>The model Section 106 agreement attached at Appendix 3 has also been updated – see further comments below.</p>

<p><u>levels at the time of letting. Full details can be found on the Rents and rent increases for affordable housing in West Oxfordshire will follow the guidance laid out in the MHCLG Policy statement on rents for Social Housing⁷ which permits annual rent increases on both social rent and affordable rent properties of up to CPI+1 percentage point from 1 April 2020.</u></p> <p>These amendments need to be reflected in the sample S106 Affordable Housing clauses in Appendix 3 and we comment further on this below.</p>	
<p>Securing affordable housing in perpetuity</p> <p>We previously commented that the affordable housing SPD seeks to secure affordable housing in perpetuity where it is not appropriate. This continues to be the case as paragraph 2.3.2 of the revised SPD states that “The NPPF 2019 definition of affordable housing outlined above makes it clear that most forms of affordable housing should remain affordable in perpetuity (i.e. for future occupants).” While it is true that the NPPF requires provisions for affordable rented properties to remain at an affordable price for future eligible households, it does not remove the right for housing associations to sell their affordable housing on non rural exception sites.</p> <p>The NPPF’s sole reference to retaining affordable housing in perpetuity is in Annex 2 where this is sought for affordable housing delivered on rural exception sites only. The Council correctly states at paragraph 5.4.5 of the SPD and in Policy H3 (shown in Appendix 1 of the SPD) that “All new homes on these sites will remain affordable in perpetuity to people in housing need who have a local connection with the parish or appropriate adjoining parishes” when referring to rural exceptions sites.</p> <p>We would therefore like to reiterate our point that the council should remove any references to securing affordable housing in perpetuity unless referring to rural exception sites.</p>	<p>Comments noted. Paragraph 3.2.23 of the final proposed adoption version of the SPD has been amended accordingly.</p>
<p>Nominations and Allocation of Properties</p> <p>Aster and Platform work closely with councils to ensure that they provide homes to people of greatest need. The majority of new tenants will come from the Council’s waiting list and let to people who are considered to be priority need. However, there needs to be some flexibility in the nomination process to allow Housing Associations to let properties to their own applicants to avoid properties being unoccupied</p>	<p>Comments noted. The model Section 106 agreement provided at Appendix 3 has been updated accordingly.</p>

<p>which is not financially viable. While we respect and recognise the Council's need to nominate people to the rented units, it is difficult to agree to formally signing a nominations agreement without reviewing its detail to fully understand its implications. It is critical that any nominations agreement, and the nomination/ allocation requirements in the s106 agreement, remains balanced to reflect the commercial realities that Housing Associations have a financial stake in the units and in order to support its business plan, the units must be easier to let.</p> <p>Therefore, we have some concerns about some of the Affordable Housing S106 clauses included in Appendix 3 particularly the requirement for registered providers to enter into nomination agreements, which we have not reviewed, and therefore cannot be sure that they allow for sufficient flexibility.</p>	
<p>Mortgage in Possession</p> <p>It is imperative that Mortgage in Possession clauses are included in all affordable housing Section 106 agreements to ensure that Register Providers are not restricted in their ability to borrow against the asset. Without Mortgage in Possession clauses Registered Providers borrowing potential can be unduly constrained which affects future development programmes resulting in fewer affordable homes in the District. The National Housing Federation (NHF) endorses this approach and has prepared standard wording for Section 106 Agreements which we include in the following section of this letter.</p>	<p>Comments noted. The model Section 106 agreement provided at Appendix 3 has been updated accordingly.</p>
<p>Section 106 Agreements</p> <p>The issuing of planning permissions is often significant delayed due to the drafting of Section 106 agreements, even though the application has received officer or committee approval. Appendix 3 is useful in consolidating examples section 106 clauses including definitions. However, we do have concerns that some of the clauses are out of date and need amending.</p> <p>Clause 1.1 provides a definition of Affordable Housing. It is considered that the last part of the definition is superfluous to the definition and we suggest that it is deleted as need for affordable housing is covered by eligibility criteria.</p> <p>"Affordable Housing"</p>	<p>Comments noted. The model Section 106 agreement provided at Appendix 3 has been updated accordingly.</p> <p>The postal address listed at Appendix 2 has also been updated.</p>

means dwellings that will be available to households who are otherwise unable to secure private sector housing for purchase or rent locally in prevailing economic circumstances such housing being provided for in conformity with the advice contained in the National Planning Policy Framework published by the Department for Communities and Local Government ~~and who have in the opinion of the District Council a need for such housing and which housing is to be constructed on the Site~~

Clause 1.6 provides a definition of Applicant which is also duplicated by the definition of Qualifying Person at clause 1.17. Both define the person/individual as being on District Council's waiting list. We recommend that one of these definitions be deleted and relating clauses be amended accordingly.

It is noted that several of the clauses refer to the Homes and Community Agency (HCA) which was replaced by Homes England in 2018. We would suggest that the following clauses are amended accordingly:

Replace existing clause 1.10 as follows:

"Homes England"

means Homes England of 110 Buckingham Palace Road, Victoria London SW1W 9SW or its statutory successors or agent.

Clause 1.11 should be updated as follows:

"HCA Homes England Model Lease"

means a lease in a form which has been approved and or prescribed by the HCA Homes England for shared ownership which allows a lessee to acquire up to and including 100% of the equity of the Shared Ownership Unit ~~and the freehold~~.

With reference to our above comments about the capping of affordable rents, clauses 1.3 and 1.4 need to be amended accordingly to refer to MHCLG Policy statement on rents for Social Housing which permits annual rent increases on both social rent and affordable rent properties (up to CPI+1 percentage point from 1 April 2020). We suggest clauses 1.3 and 1.4 are amended as follows:

"Affordable Rent"

means a rent up to 80% of the local market rent for an equivalent property for the size and location, based on a valuation in accordance with a method recognised by the Royal Institution of Chartered Surveyors and not higher than the relevant local housing allowance maximum amount set for eligibility for housing benefit

at time of letting and on terms complying with the MHCLG Policy statement on rents for Social Housing for future rent increases.

“Affordable Rented Units”

means (unless otherwise agreed in writing by the District Council) 70% of the Affordable Housing Dwellings let by a Registered Provider and offered at an Affordable Rent (and subsequently varied in line with those rents from time to time) and on terms complying with the ~~HCA’s good practice guidance~~ MHCLG Policy statement on rents for Social Housing for such rents and associated service charges.

Clause 1.20 which defines a shared ownership unit needs updating to refer to Homes England model lease instead of HCA. In addition, sub clause 1.20.1 should be amended to reflect the current Homes England Policy which permits shared ownership from 25% to a maximum of 75%.

Clause 1.7 refers to Building for Life which in 2020 was replaced by a new designed toolkit called Building for a Healthy Life, which has the endorsement of Homes England. Clause 1.7 should be amended accordingly:

“Build Standards”

means unless otherwise agreed by the District Council Dwellings that achieve at least the minimum requirements of ~~Building for Life 12~~ Building for a Healthy Life (which is a government endorsed industry standard for well-designed homes)

Clause 1.14 provides a definition of Mortgagee, we recommend that this deleted and replaced by the “Chargee” definition provided below in relation to the NHF standard definitions.

With reference to our above comments about the necessity for a Mortgage in Possession clause, we recommend that the following NHF standard definitions and clauses are included in all section 106 agreement relating to affordable housing:

“Chargee”

means a mortgagee, chargee or Receiver.

“Receiver”

means any receiver (including an administrative receiver) appointed by any mortgagee or chargee or any other person appointed under any security documentation to enable such mortgagee or chargee to realise its security or any administrator (howsoever appointed) including a housing administrator

“Protected Tenant”

means any tenant who:

- a) has exercised the right to acquire pursuant to the Housing Act 1996 or any statutory provision for the time being in force (or any equivalent contractual right) in respect of a particular Affordable Housing Unit, including their mortgagees or chargees, successors in title and their mortgagees or chargees;
- b) has exercised any statutory right to buy, including the preserved right to buy (or any equivalent contractual right) in respect of a particular Affordable Housing Unit including their mortgagees or chargees, successors in title and their mortgagees or chargees;;
- c) has been granted a shared ownership lease by a Transferee (or similar arrangement where a share of the Affordable Housing Unit is owned by the tenant and a share is owned by the Transferee) in respect of a particular Affordable Housing Unit and the tenant has subsequently purchased from the Transferee all the remaining shares so that the tenant owns the entire Affordable Housing Unit including their mortgagees or chargees, successors in title and their mortgagees or chargees;

The provisions of this Agreement/Deed shall not be binding on or enforceable against:

- (a) a Charge or any persons or bodies deriving title through such Chargee PROVIDED THAT such Chargee shall first give written notice to the Council of its intention to dispose of the Affordable Housing Units and shall have used reasonable endeavours over a period of three (3) months from the date of receipt of the written notice to complete a Disposal of the Affordable Housing Units to another registered provider or the Council for a consideration of not less than the amount due and outstanding under the terms of the relevant security documentation including all accrued principal monies, interest and costs

and expenses; and if such Disposal has not completed within the three (3) month period the Chargee shall be entitled to dispose of the Affordable Housing Units free from the Affordable Housing provisions in this Deed which provisions shall determine absolutely

- (b) any Protected Tenant

As we raised earlier in the letter we are concerned about the limited flexibility on the allocation of properties and that the Council's nomination scheme will be applied to rigidly. Draft clauses in Appendix 3 reinforces these concerns. Clause 1.18 expects registered providers to enter into formal nomination agreement. Whilst we accept the principle of accepting nominations from the Council, it is difficult to agree to it without seeing the detail of the nominations agreement to understand its implications. In relation to this point, clause 2.8 seeks to restrict all lets to the Council's nomination scheme, it usual for first lets to be 100% from Council nominations but for relets we would expect this to be 50%.

We have reviewed clause 2.7 which sets out the procedure for the disposal of Affordable Housing Dwellings and we are concerned that there is a requirement for all affordable housing units to be let/sold to Qualifying Persons, including shared ownership units. From our experience it very unlikely that qualifying person (i.e. people on the Council's waiting list) will be able to afford to buy shared ownership properties. As the obligation is ongoing, unless the property is staircased to 100%, then any resale is tied into the applicant having to be on the waiting list. This could cause an issue with the units being saleable as shared ownership units, as lender for shared owners need to ensure that the units can be sold by the shared owner, on the general shared ownership market (without undue restriction).

Please note that the address for Platform in Appendix 2 needs updating to 1700 Solihull Parkway, Birmingham Business Park, Solihull B37 7YD.

We very much welcome the production of the SPD and hope that you will consider these comments in the drafting of the final document. We would be happy to have a meeting to discuss these points in greater depth, particularly the issues relating to affordable housing legal clauses in Section 106 agreements.

Turleys	
Issues raised	WODC response
<p>I write regarding the revised Affordable Housing SPD, and note that there have been a number of changes made to the document in this latest revised draft.</p> <p>One specific remaining concern we have, which appears capable of resolving simply, relates to the approach to self-build plots and their role as affordable housing.</p> <p>We recognise that the NPPF and PPG guidance on self/custom build refer to the possibility of self/custom build forming part of the affordable 'package', but the emphasis and drafting in the Revised SPD is somewhat more assertive than in the stated national policy/guidance.</p> <p>In our experience, Register Providers (RP) are unlikely to take on self build plots to provide affordable housing, and similarly developers and the Council will want certainty of delivery. We understand that no RP's have commented on this aspect of the document. The SPD as drafted suggests that this is a matter for the developer to deal with alongside an EP, but in reality this is likely to be problematic if enforced rigidly and could cause delays and confusion as to the Council's requirements.</p> <p>It is unclear as to what would be required to be demonstrated at the application stage by a developer in order to satisfy paras 5.5.9 / 5.5.13 of the Revised draft document. It would appear appropriate for these paragraphs to state that some self build <i>COULD</i> be regarded as affordable housing, but the emphasis then changes in those two paragraphs to an expectation that self build <i>WILL</i> form party of the affordable. That is a different emphasis to that in the NPPF / policy H3 of the Local Plan.</p> <p>The Revised SPD should reflect national policy and we consider a slightly amended emphasis in paragraph 5.5.9 and 5.1.13 would allay our concerns, whilst still achieving the Council's aims to proactively consider the ability of self build schemes to contribute towards meeting affordable housing needs.</p> <p>Our suggested amendments are as follows:</p> <p>5.5.9 As such, on larger schemes of 100 or more homes, where the 5% self/custom build requirement applies, the District Council will enter into discussions with the relevant developer to agree how <u>whether</u> some or all of the 5% self/custom build requirement could contribute towards the relevant on-site</p>	<p>The comments are noted and the wording of the SPD has been amended to more closely reflect the Local Plan including Policies H3 – Affordable Housing and H5 – Custom and Self-Build Housing and the supporting text contained therein.</p> <p>In particular, the final proposed adoption version of the SPD makes it clear that there is no specific policy requirement for on-site self and custom-build housing to include a proportion of affordable housing.</p> <p>Rather, it states that the District Council will explore with developers whether there is scope for some or all of the self/custom build element of the scheme to contribute towards the relevant on-site affordable housing requirement for that site.</p> <p>This is considered to be consistent with the NPPF which recognises that custom and self-build housing can include both market and affordable homes.</p>

<p>affordable housing requirement for that site (which under Policy H3 of the Local Plan ranges from 35% to 50% depending on location).</p> <p>5.5.13 Where involvement of an RP is required to enable this form of delivery early consultation will be required. <u>The Section 106 Agreement will set out the site specific requirements and mechanisms in each individual case, but the following principles are likely to be applied.</u> It is envisaged that the Developer and RP will be required to undertake the marketing of the plots at any expenses incurred to promote self-build. Design elements will be controlled through creation of a 'plot passport' to ensure units are in keeping with the surrounding development. If after a period of 3 months advertising there is insufficient interest from the self-build register the affordable plots can be completed by the developer and form part of the RP's affordable housing provision.</p>	
WODC Economic and Social Overview and Scrutiny Committee – 8 April 2021	
Issues raised	WODC response
<p>The Committee considered the report of the Planning Policy Manager who gave a brief introduction to the supplementary planning document which was in need of updating with the previous version having been adopted in 2007. The draft document was currently the subject of consultation, which would close on 16 April 2021 after which point a final version would be prepared for adoption later in the year.</p> <p>Comments and queries from Members related to issues such as:</p> <p>The policy on working with travelling communities and whether this should be included in the document; making sure that local people with housing need were being provided with housing locally. Officers explained that the document would be of relevance to those members of the travelling community who are seeking affordable 'bricks and mortar' accommodation and that the issue of prioritising people for new affordable homes was determined through the Council's choice based lettings system. Officers also explained that the Local Plan includes a commitment to accommodate a proportion of unmet need from Oxford City.</p> <p>Concern was expressed over the size of houses being built, with larger houses such as four and five bedroomed houses dominating and not meeting the identified need for smaller 2 and 3-bed accommodation.</p>	<p>The SPD makes no specific reference to travelling communities but in seeking to facilitate the delivery of more affordable homes, will clearly help to meet the needs of the settled travelling community looking for affordable 'bricks and mortar' accommodation.</p> <p>It must be read in conjunction with Policy H7 of the Local Plan which seeks to meet identified needs through expansion of existing sites, an allocation at Cuckoowood Farm (now implemented) and a criteria-based approach for other proposals.</p> <p>The comments regarding house sizes are noted and as set out at Section 5.2 of the SPD, the Council's main focus will be 1, 2 and 3-bed properties.</p>

<p>Officers explained that there is a predominance of larger properties within West Oxfordshire's existing housing stock and that in permitting new developments, there is a need to encourage smaller units to help counter-balance this, with a number of recent instances where developers were revising schemes and applying for smaller houses.</p> <p>The question was also raised as to whether affordable unit size requirements could be broken down by the different bands that are used for the Council's choice based lettings system. Officers agreed to try and obtain this information outside of the meeting.</p> <p>It was also suggested that the Council should be encouraging people to register for self-build or custom building housing and requested that Officers should provide greater publicity of the Council's self-build register.</p> <p>The issue of 'pepper-potting' affordable homes amongst other market homes was also raised and whether this was addressed in the SPD. In response, Officers clarified that this issue is addressed with reference to 'clusters' of new affordable homes.</p> <p>The issue of Oxfordshire County Council's market position statement on supported living was raised and the question asked as to whether information was being captured on independent providers who were providing housing and supported day time care, on a small scale for people who would otherwise be on the housing list. Officers agreed to further consider this in discussion with Oxfordshire County Council.</p> <p>The approach to energy and sustainable housing was raised, with a concern expressed that the revised draft SPD was now less ambitious and rather more vague than the previous iteration in respect of energy efficiency and sustainable design. In response, Officers explained that the revised text reflects concerns raised by a number of previous respondents that the SPD cannot go beyond the adopted Local Plan in terms of stipulating requirements of new development (e.g. zero carbon).</p> <p>Keyworkers were mentioned in the housing for essential local workers, one category, of which was teachers. The Chair requested that keyworkers should also include support staff who play a vital role alongside teaching staff.</p>	<p>The SPD text regarding self and custom-build housing has been updated.</p> <p>The SPD text on the climate and ecological emergency has been updated to include reference to the Council's Sustainability Standards Checklist and Net Zero Carbon Toolkit.</p> <p>The comment regarding key workers is noted. The SPD includes a direct quotation from the NPPF definition of essential local worker which includes teachers but does not refer to support staff.</p> <p>The District Council does not have its own specific definition of key worker but paragraph 8.4.4 of the SPD recognises that any such definition should not be narrowly applied.</p> <p>The SPD also cross refers to Oxfordshire County Council's separate guide on key worker accommodation which specifically refers to support workers.</p>
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West Oxfordshire District Council

Affordable Housing Supplementary Planning Document (SPD)



October 2021

Contents

1.0	Preface	3
1.1	Background	3
1.2	Scope	4
1.3	Status	4
2.0	Policy Context	5
2.1	The NPPF	5
2.2	Oxfordshire Strategic Vision	6
2.3	Oxfordshire Plan 2050.....	6
2.4	The West Oxfordshire Local Plan 2031	7
2.5	The West Oxfordshire Council Plan (2020 – 2024)	7
3.0	What is affordable housing?	8
3.1	West Oxfordshire definition	8
3.2	NPPF definition	8
3.3	Broad Rental Market Areas (BRMA) and Local Housing Allowances (LHA)	17
4.0	Existing Affordable Housing Need and Provision in West Oxfordshire	19
4.1	Affordable housing need.....	19
4.2	Current affordable housing provision – supply and type by location.....	21
5.0	Future Affordable Housing provision in West Oxfordshire	25
5.1	‘Qualifying’ sites – when will affordable housing or a contribution towards affordable housing be required?	25
5.2	The size of affordable homes needed.....	28
5.3	Preferred Tenure Mix.....	30
5.4	Rural Exception sites and First Homes Exception Sites.....	34
5.5	Self-build and custom-build housing	36
6.0	Affordable Housing Standards and Design Requirements.....	38
6.1	Design criteria	38
6.2	Accessibility and adaptability.....	39
6.3	Space standards	40
6.4	Tackling the Climate and Ecological Emergency	40
6.5	Modern Methods of Construction (MMC).....	43
7.0	Viability	44
7.1	Approach to viability considerations in West Oxfordshire	44
8.0	Delivery Mechanisms	46

8.1	S106 agreements	46
8.2	Timing of provision	46
8.3	Occupancy:.....	46
8.4	Essential Local Workers (otherwise referred to as Key Workers)	47
8.5	Housing Options for Members of the Armed Services	48
8.6	Community-led housing.....	49
8.7	Supported Living	51
9.0	New routes to delivery.....	52
9.1	Blenheim approach	52
9.2	Partnerships with legacy landowners	52
10.0	Oxfordshire Housing and Growth Deal	53
11.0	Monitoring and Review.....	53
	Glossary.....	54
	Appendix 1 - Policy H3 Affordable housing.....	57
	Appendix 2 - Useful Contacts.....	59
	Appendix 3- Example S106 Agreement Affordable Housing Schedule.....	61

1.0 Preface

1.1 Background

1.1.1 The delivery of more affordable homes is a key priority for West Oxfordshire District Council as set out in the Council Plan 2020 – 2024¹ and the West Oxfordshire Local Plan 2031.²

1.1.2 Evidence prepared in support of the Local Plan identified the need for 274 affordable homes per year³ (excluding existing commitments) to 2031 and there are currently 3,074 households on the District Council’s affordable housing register.

1.1.3 The provision of more affordable homes is therefore a key issue and the purpose of this Supplementary Planning Document (SPD) is to provide detailed guidance on the delivery of new affordable housing in West Oxfordshire to support the Council, developers, housing providers and local communities. The SPD supplements the Local Plan and whilst this does not in itself make it policy, it is a material consideration in the determination of planning applications.

1.1.4 The overall objectives of the SPD are:

- To provide clear and transparent guidance on the application of Local Plan Policy H3 and Core Objective 6 (CO6) to assist those proposing developments to make successful planning applications and improve the delivery rates of affordable housing in West Oxfordshire.
- To deliver a better balance between the affordable housing need and the supply of affordable accommodation with particular reference to location, housing mix and tenure type proposed on developments.
- To improve the quality and range of affordable housing options available within the District.
- To ensure that new affordable housing addresses the climate change emergency.
- To secure improved housing affordability through the provision of a broad range of different forms of affordable housing.
- To promote new and innovative approaches to the delivery of affordable housing.
- To help sustain and improve the vitality, vibrancy and quality of life of local communities.

¹ <https://www.westoxon.gov.uk/media/vtnnfcjj/westoxoncouncilplan.pdf>

² <https://www.westoxon.gov.uk/media/fejympen/local-plan.pdf>

³ Oxfordshire Strategic Housing Market Assessment (SHMA) - 2014

1.2 Scope

1.2.1 This SPD provides detailed guidance on how Policy H3 and Core Objective 6 of the WODC Local Plan will be implemented in order to support proposed development and help deliver sustainable communities. In particular, it contains guidance on the following:

- Developments where affordable housing will be sought – qualifying sites and thresholds
- Quantity of affordable homes needed
- Size and Mix of Affordable Homes
- Off-site provision / Financial contribution
- Viability
- Standards and Design
- Section 106 Agreements
- Nominations, Key Worker and Local connection provision
- Timing of Provision
- Occupancy
- Delivery Mechanisms
- Alternative Affordable Housing delivery routes

1.3 Status

1.3.1 The SPD supplements the West Oxfordshire Local Plan 2031, providing more detailed guidance on the delivery of affordable housing. It does not form part of the Local Plan but is a material consideration in the decision-making process.

1.3.2 Please see the Glossary at the end of the document for an explanation of the abbreviations and terms used in this document.

2.0 Policy Context

2.1 The NPPF

2.1.1 The Government's National Planning Policy Framework – NPPF and associated Planning Practice Guidance (PPG) requires local authorities to deliver a sufficient number and range of homes to meet the needs of present and future generations.

2.1.2 The NPPF states at paragraph 62 that:

'Within this context, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes).'

2.1.3 And at paragraph 63 that:

'Where a need for affordable housing is identified, planning policies should specify the type of affordable housing required, and expect it to be met on-site unless:

a) off-site provision or an appropriate financial contribution in lieu can be robustly justified; and

b) the agreed approach contributes to the objective of creating mixed and balanced communities.

2.1.4 Paragraph 65 of the NPPF states that where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the total number of homes to be available for affordable home ownership (as part of the overall affordable housing contribution from the site) unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups.

2.1.5 Certain exceptions to the 10% requirement apply including build to rent, specialist accommodation (e.g. for the elderly or students) self/custom-build and sites that are 100% affordable housing, entry level exception sites and rural exception sites.

2.2 Oxfordshire Strategic Vision

- 2.2.1 The Oxfordshire Growth Board has developed a Strategic Vision for Oxfordshire⁴ which sets out the County's ambitions and creates an agreed set of long-term, strategic economic, infrastructure and environmental priorities designed to deliver the outcomes that local people want.
- 2.2.2 The vision identifies what 'good growth' will look like in Oxfordshire and identifies a series of guiding principles which include the following:

Guiding Principle 6

We will promote the development of new homes that will add to the vitality and vibrancy of our communities while positively contributing to our collective wellbeing. We will tackle the significant challenge of housing affordability in Oxfordshire by delivering more truly affordable homes both for rent and home ownership, and we will deliver homes that allow people to live healthily, happily and independently in their old age. The emphasis will be on place-shaping.

2.3 Oxfordshire Plan 2050

- 2.3.1 As part of its commitments under the Oxfordshire Housing and Growth Deal, the Oxfordshire local authorities are working collectively on the preparation of a new strategic plan for Oxfordshire – the Oxfordshire Plan 2050.
- 2.3.2 The plan is currently in preparation and once adopted, will form part of the statutory development plan, guiding future planning decisions in Oxfordshire. A draft consultation document published in July 2021 identifies a number of plan objectives including the following relating to the provision of more affordable homes:

7. To meet Oxfordshire's housing needs, including affordable housing, and to ensure that housing delivery is phased appropriately to support the needs of our communities.

- 2.3.3 In recognition of the evidence⁵ pointing towards a 'very significant scale of need for affordable housing in Oxfordshire' the consultation document identifies a preferred policy option which seeks to ensure maximum levels of affordable housing are delivered on new residential sites across Oxfordshire with detailed issues on specific requirements and tenure mix remaining a matter for individual Local Plans.

⁴ <https://www.oxfordshiregrowthboard.org/wp-content/uploads/2021/05/Strategic-Vision-full-document.pdf>

⁵ Oxfordshire Growth Needs Assessment (OGNA) – July 2021

2.4 The West Oxfordshire Local Plan 2031

- 2.4.1 The West Oxfordshire Local Plan was formally adopted in September 2018. It seeks to provide at least 15,950 homes in the period 2011 – 2031 and identifies a significant need for new affordable housing⁶.
- 2.4.2 Policy H3 relates to affordable housing and is set out in full at **Appendix 1**. In summary, the policy requires the provision of on-site affordable housing as part of larger market housing schemes of 11 or more units with the requirement varying by location from 35% - 50%.
- 2.4.3 Smaller market housing schemes of 6-10 units within the Cotswolds Area of Outstanding Natural Beauty (AONB) are required to make a financial contribution towards the provision of affordable housing within the District. The policy also addresses the issue of housing mix and the provision of affordable housing in rural areas including through Rural Exception Sites (RES).
- 2.4.4 Policy H3 is supported by Core Objective 6 (CO6) of the Local Plan which seeks to:

‘Plan for an appropriate mix of new residential accommodation which provides a variety of sizes, types and affordability with special emphasis on the provision of homes for local people in housing need who cannot afford to buy or rent at market prices including those wishing to self-build, as well as homes to meet the needs of older people, younger people, black and minority ethnic communities, people with disabilities, families and travelling communities’.

2.5 The West Oxfordshire Council Plan (2020 – 2024)

- 2.5.1 Part of the vision of the current West Oxfordshire Council Plan is to meet the housing needs of the District’s changing population, securing the provision of market and affordable housing of a high quality for the wide range of householders making their home in West Oxfordshire.
- 2.5.2 Key actions of particular relevance to this SPD include:
- Ensuring an adequate overall supply of housing to meet identified needs including those in need of affordable housing;
 - Measures to increase the number of affordable housing units delivered annually, including the promotion of innovative housing solutions, so that we can reduce the housing waiting list;

⁶ 274 units per year excluding existing commitments based on the Oxfordshire Strategic Housing Market Assessment (SHMA) 2014.

- The promotion and delivery of self-build and custom-build plots and opportunities to meet the needs of those on the Council's self-build register;
- Investigating a new West Oxfordshire living rent to ensure that affordable homes are truly affordable for local people and key workers;
- Using the planning system to ensure that new developments provide a range of housing products, including low-cost home ownership models and the right size and flexibility of properties and property types to meet the current and future needs of our residents; and
- Exploring and developing new partnerships (for example the Blenheim approach) to deliver on: modern methods of construction to reduce carbon footprints, more landowner provided housing and genuine community-led housing opportunities.

3.0 What is affordable housing?

3.1 West Oxfordshire definition

3.1.1 There is no singular definition of affordable housing.

3.1.2 The West Oxfordshire Local Plan 2031 defines affordable housing as:

'That which is affordable to those who cannot afford market priced housing locally to rent or purchase'. It is housing provided with either public or private subsidy for people who would otherwise be unable to resolve their housing requirements in the local housing market because of the relationship between housing cost and local incomes'.

3.2 NPPF definition

3.2.1 The NPPF provides the following, specific definition of affordable housing⁷:

Affordable housing: housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers); and which complies with one or more of the following definitions:

a) Affordable housing for rent: meets all of the following conditions: (a) the rent is set in accordance with the Government's rent policy for Social Rent or Affordable Rent, or is at least 20% below local market rents (including service charges where applicable); (b) the landlord is a registered provider, except where it is included as

⁷ It should be noted that the District Council will have regard to any amendments to the definition of affordable housing as set out in any subsequent iterations of the NPPF.

part of a Build to Rent scheme (in which case the landlord need not be a registered provider); and (c) it includes provisions to remain at an affordable price for future eligible households, or for the subsidy to be recycled for alternative affordable housing provision. For Build to Rent schemes affordable housing for rent is expected to be the normal form of affordable housing provision (and, in this context, is known as Affordable Private Rent).

b) Starter homes: is as specified in Sections 2 and 3 of the Housing and Planning Act 2016 and any secondary legislation made under these sections. The definition of a starter home should reflect the meaning set out in statute and any such secondary legislation at the time of plan-preparation or decision-making. Where secondary legislation has the effect of limiting a household's eligibility to purchase a starter home to those with a particular maximum level of household income, those restrictions should be used.

c) Discounted market sales housing: is that sold at a discount of at least 20% below local market value. Eligibility is determined with regard to local incomes and local house prices. Provisions should be in place to ensure housing remains at a discount for future eligible households.

d) Other affordable routes to home ownership: is housing provided for sale that provides a route to ownership for those who could not achieve home ownership through the market. It includes shared ownership, relevant equity loans, other low cost homes for sale (at a price equivalent to at least 20% below local market value) and rent to buy (which includes a period of intermediate rent). Where public grant funding is provided, there should be provisions for the homes to remain at an affordable price for future eligible households, or for any receipts to be recycled for alternative affordable housing provision, or refunded to Government or the relevant authority specified in the funding agreement.

- 3.2.3 In February 2020, the Government consulted on a new 'First Homes' policy designed to help first time buyers by offering a discount of at least 30% from market values. Further consultation took place in August 2020 and in a Written Ministerial Statement (WMS) published on 24 May 2021⁸ the Government confirmed its plans for the delivery of First Homes including a definition of the product and relevant changes to planning policy.

⁸ <https://questions-statements.parliament.uk/written-statements/detail/2021-05-24/hlws48>

Definition of First Homes

3.2.4 From 28 June 2021, a home meeting the criteria of a First Home will also be considered to meet the definition of 'affordable housing' for planning purposes.

3.2.5 The First Homes Criteria means:

- A First Home must be discounted by a minimum of 30% against the market value; and,
- after the discount has been applied, the first sale of the home must be at a price no higher than £250,000 (or £420,000 in Greater London).

3.2.6 Local authorities are able to set a deeper minimum discount at either 40% or 50% and impose lower price caps, if they can demonstrate a need for this through evidence. The same level of discount must apply to the home each time it is sold in perpetuity (subject to certain specific exclusions) with the discount being secured through a planning obligation.

Eligibility for First Homes

3.2.7 First Homes must be prioritised for first-time buyers (as defined in paragraph 6 of schedule 6ZA of the Finance Act 2003 for the purposes of Stamp Duty Relief for first-time buyers) and not be sold to any household with a combined annual income in excess of £80,000 (or £90,000 in Greater London).

3.2.8 Local authorities can apply additional criteria at a local level such as a lower income cap, giving priority to key workers (who also meet the first time buyer definition) and / or specifying a particular local connection requirement based on work or current residency. Such additional criteria can also be applied through Neighbourhood Plans.

3.2.9 Any such restrictions are however time-limited to the first three months from the start date of marketing of the property and upon expiry of the three-month period, any homes which have not been sold or reserved will revert to the national standard criteria set out above. This is to ensure that homes do not remain unsold if suitable buyers in the local area cannot be found.

3.2.10 As a deterrent against the use of First Homes for investment, all purchasers of First Homes must use a mortgage or home purchase plan (if required to comply with Islamic law) for at least 50% of the discounted purchase value.

Changes to planning policy

- 3.2.11 To support the delivery of First Homes, a number of policy changes were introduced from 28 June 2021 including the introduction of a new national threshold based on a requirement for a minimum of 25% of all affordable housing units secured through developer contributions to comprise First Homes.
- 3.2.12 In accordance with paragraph 62 of the NPPF, affordable housing is expected to be delivered on-site unless off-site provision or an appropriate financial contribution in lieu can be robustly justified; and the agreed approach contributes to the objective of creating mixed and balanced communities.
- 3.2.13 Where financial contributions for affordable housing are secured instead of on-site units, a minimum of 25% of these contributions should be used to secure First Homes. Where a mixture of on-site provision and financial contributions are secured, 25% of the overall value of affordable housing contributions should be applied to First Homes.
- 3.2.14 Importantly, under the new system, a policy compliant planning application should seek to capture the same amount of value as would be captured under the local authority's up-to-date published policy (in the case of West Oxfordshire – Policy H3 of the West Oxfordshire Local Plan 2031).
- 3.2.15 In addition to capturing the same amount of value towards affordable housing as the existing policy, where on-site affordable housing is required, a policy compliant application will have a minimum of 25% of affordable housing units on-site as First Homes.
- 3.2.16 In terms of the remaining 75% of affordable housing, the WMS states that local authorities should prioritise securing their policy requirements on social rent once they have secured the 25% First Homes requirement and where other affordable housing units can be secured, these tenure types should be secured in their relative proportions as set out in the Local Plan.

Exemptions from having to provide First Homes

- 3.2.17 Where specific developments are exempt from delivering affordable home ownership products under paragraph 65 of the NPPF, they shall also be exempt from the requirement to deliver First Homes.

First Home Exception Sites

- 3.2.18 The WMS explains that local authorities should support the development of First Homes exception sites suitable for first-time buyers, unless the need for such homes is already being met within the local authority's area.

3.2.19 First Homes exception sites should be on land which is not already allocated for housing and should:

a) comprise First Homes (as defined in the WMS)

b) be adjacent to existing settlements, proportionate in size to them, not compromise the protection given to areas or assets of particular importance in the National Planning Policy Framework, and comply with any local design policies and standards.

3.2.20 A small proportion of market homes may be allowed on the site at the local authority's discretion, for example where essential to enable the delivery of First Homes without grant funding. A small proportion of other affordable homes may also be allowed where there is significant identified local need.

3.2.21 Importantly, the First Homes Exception site approach does not apply within designated rural areas such as the Cotswolds Area of Outstanding Natural Beauty (AONB). Here, Rural Exception Sites (RES) will remain the sole type of exception site which is able to come forward.

3.2.22 A more detailed explanation of how each affordable housing tenure type works in practice in West Oxfordshire is given in the following table:

Rental Housing	
a) Social rented housing:	Social rented housing is housing owned and managed by registered providers, for which target rents are determined through the Government's rent policy for Social Rent. It may also include rented housing owned or managed by other persons and provided under equivalent rental arrangements to the above, as agreed with the local authority or with Homes England as a condition of grant. Typically social rented housing costs 50-60% of market rented housing.
b) Affordable Rent housing	Let by private registered providers of social housing to households who are eligible for social rented housing. Affordable Rent housing must meet all of the following conditions: i. The rent must be no more than 80% of the local market rent (including service charges, where applicable). Government policy restricts annual rent increases to CPI+1% and requires providers to have regard for local market context including the relevant Local Housing Allowance for the Broad Market Rental Area in which the property is located when setting

	<p>rents. Assuring the ongoing affordability of homes of this tenure is a priority, and the District Council may seek during the planning process information about how this regard will be observed, and may seek agreement to cap rents at LHA levels in Section 106 agreements. See also section 3.3 Broad Rental Market Areas and Local Housing Allowances</p> <p>ii. the landlord is a registered provider, except where it is included as part of a Build to Rent scheme (in which case the landlord need not be a registered provider); and for Build to Rent schemes, Affordable Private Rent housing is expected to be the normal form of affordable housing provision.</p>
c) Rent to Buy	<p>A scheme to help first time buyers, or those returning to the market following relationship breakdown. Households are able to rent a home at an affordable or intermediate rent, providing an opportunity to build up a deposit. There are different models of rent to buy with different terms and conditions but generally households rent the property for a defined period with the expectation of purchase at the end of the period. Some rent to buy schemes include support towards purchase such as gifted deposits.</p>
d) Build to Rent	<p>Build to rent refers to purpose built housing that is 100% rented and can form part of a wider multi-tenure development scheme comprising flats or houses. Schemes will usually offer longer tenancy agreements of 3+ years and will be part of a professionally managed stock in single ownership and management control. The Government's Planning Practice Guidance on Build to Rent states that <i>'20% is generally a suitable benchmark for the level of Affordable Private Rent homes to be provided (and maintained in perpetuity) in any Build to Rent scheme'</i>. The guidance also stipulates that Affordable Private Rent should be set at a level that is at least 20% less than the private market rent (inclusive of service charges) for the same or equivalent property. In addition affordable units within Build to Rent developments are not expected to be managed by a registered provider, but should be under common management control by the private operator managing the whole site / block.</p>

	<p>Affordable units should be distributed throughout the development and physically indistinguishable from the market rent homes within the development in terms of quality and size. Build to Rent developments will be secured under a S106 agreement.</p> <p>Build to Rent market rent assessments should be carried out by Build to Rent Developers using the definition of the International Valuation Standards Committee as adopted by the Royal Institute of Chartered Surveyors. The District Council reserves the right to benchmark this rate against evidence from a relevant local housing needs assessment and if necessary use this evidence to justify an amendment to the rate required. Equally, there is also provision for developers, in exception, to make a case seeking to differ from the benchmark.</p>
<p>Intermediate Housing - Homes for sale and rent provided at a cost above social rent but below market sale and rent levels. It includes a range of low cost home ownership products for households who are not able to access home ownership through the market:</p>	
a) Shared ownership:	<p>The purchaser buys a proportion of the value of the home, e.g. 50%, and the remaining share is kept by the freeholder which is usually a registered provider. A subsidised rent is paid on the remainder of the equity. The proportion offered for sale by the registered provider should not be fixed in advance, but tailored to the individual circumstances of the individual household.</p> <p>With effect from 28 June 2021, the initial equity share must be between 10% and 75% and the Council will seek to ensure that a good proportion of each type and size of shared ownership units are initially sold at shares at the lower end of this range in order to help ensure affordability. When they can afford to, purchasers have the opportunity to 'staircase', i.e. to buy further equity shares until they own 100% of the property⁹.</p> <p>Typically, shared owners purchase additional equity in increments of 5% or more but with effect from 28 June 2001, new shared owners are able to 'staircase' in 1%</p>

⁹ Note: specific restrictions on the ability to purchase 100% apply in rural and OPSO schemes (Older Persons Shared Ownership)

	increments over a period of 15 years, accompanied by reduced fees.
b) Shared equity	The purchaser acquires the whole of the property but effectively only pays a proportion of the value, e.g. 75%. The remaining 25% is secured by an equity loan without any rental obligation.
c) Discount market sale	Discount Market Sale is a low cost home ownership product where a new build property is purchased at a discounted price, usually around 80% of the market value (i.e. a 20% discount), and aims to help low and middle earners get onto the property ladder. See also First Homes below.
d) First Homes	<p>First Homes are a specific kind of discounted market sale housing and are the government's preferred discounted market tenure.</p> <p>Specifically, First Homes are discounted market sale units which:</p> <ul style="list-style-type: none"> a) must be discounted by a minimum of 30% against the market value; b) are sold to a person or persons meeting the First Homes eligibility criteria; c) on their first sale, will have a restriction registered on the title at HM Land Registry to ensure this discount (as a percentage of current market value) and certain other restrictions are passed on at each subsequent title transfer; and, d) after the discount has been applied, the first sale must be at a price no higher than £250,000 (or £420,000 in Greater London). <p>In accordance with the Government's Written Ministerial Statement (WMS) of 24 May 2021¹⁰, the District Council will seek to ensure that at least 25% of all affordable housing units delivered by developers through planning obligations comprise First Homes as defined in the WMS.</p>

¹⁰ <https://questions-statements.parliament.uk/written-statements/detail/2021-05-24/hlws48>

	<p>In accordance with the WMS, the Council will seek a minimum 30% discount against the market value and will consider the justification for imposing a deeper minimum discount through the forthcoming review of the West Oxfordshire Local Plan.</p> <p>In terms of eligibility for First Homes, at this point in time the Council does not intend to impose any additional local criteria over and above the national eligibility criteria. The justification for the potential use of additional local criteria will be further considered as part of the forthcoming review of the West Oxfordshire Local Plan.</p>
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- 3.2.23 The NPPF definition of affordable housing makes it clear that most forms of affordable housing should remain affordable to future occupants. Affordable housing for rent (affordable rent and social rent) for example must include provisions to remain at an affordable price for future eligible households, or for the subsidy to be recycled for alternative affordable housing provision. Similarly, in respect of discount market sales housing, provisions should be in place to ensure that housing remains at a discount for future eligible households.
- 3.2.24 Other affordable routes to home ownership such as shared-ownership, where public grant funding is provided, should also include provisions for the homes to remain at an affordable price for future eligible households, or any receipts to be recycled for alternative affordable housing provision.
- 3.2.25 In accordance with the NPPF, the Council will seek to ensure that where relevant and appropriate, affordable housing is secured as such for the benefit of future eligible households (for example by remaining at an affordable price or with subsidy/sale proceeds being recycled into alternative affordable housing provision).
- 3.2.26 Prospective developers are recommended to contact the Council's planning and housing services at an early stage for more detailed advice on the provision of affordable housing in connection with particular development proposals, prior to submission of a planning application. Early discussion with planning officers helps to ensure that better quality applications are submitted.

- 3.2.27 Full details on the District Council's pre-application advice including the application form and details of costs can be found on the Council website.¹¹
- 3.2.28 The provision of affordable housing also requires consultation with the Council's affordable housing development team. The team works closely with planning officers and registered providers to ensure new communities are sustainable and will input into the delivery, tenure mix, location and transfer arrangements with the chosen provider. Contact details for the team can be found in **Appendix 2**.
- 3.2.29 Where the affordable housing is to be transferred to a Registered Social Landlord (RSL) or Registered Provider (RP) detailed discussions should be held with them on the layouts and specifications e.g. Space standards. Any RSL / RP must be able to meet the Council's eligibility criteria, full details of which are available from the Council's Housing Services.¹²

3.3 Broad Rental Market Areas (BRMA) and Local Housing Allowances (LHA)

- 3.3.1 Local Housing Allowance (LHA) rates are used to calculate Housing Benefit for tenants renting from private landlords. LHA rates relate to the area in which people claim. These areas are called broad rental market areas (BRMA).
- 3.3.2 The Broad Rental Market Area (BRMA) and Local Housing Allowance (LHA) have a determining effect on the amount of benefit that people on low income can claim to support their housing costs.
- 3.3.3 The three BRMAs that cover the district of West Oxfordshire (Oxford, Cherwell Valley and Cheltenham) each have different LHA rates. The amount of benefit available to claimants therefore varies significantly between these areas. This is illustrated in the table below.

¹¹ <https://www.westoxon.gov.uk/planning-and-building/planning-permission/get-advice-on-your-application/>

¹² <https://www.westoxon.gov.uk/housing/>

2020 to 2021 Broad Rental Market Area weekly rates

Number of bedrooms Cherwell Oxford Cheltenham

Shared	£78.02	£118.87	£78.59
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1 bedroom	£149.59	£178.36	£126.58
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2 bedrooms	£178.36	£210.00	£159.95
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3 bedrooms	£207.12	£253.15	£195.62
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4 bedrooms	£298.61	£364.77	£275.01
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- 3.3.4 Government policy requires registered providers to have regard for the LHA when setting rents. Maintaining affordability of rented affordable housing is a priority and WODC advises that registered providers and developers take into account the relevant BRMA and LHA when appraising a scheme.
- 3.3.5 The WODC website¹³ contains more information about LHA and BRMA's. See also section **3.22 Rental Housing**.

¹³ <https://www.westoxon.gov.uk/council-tax-and-benefits/housing-benefits-and-universal-credit/apply-for-housing-benefit/>

4.0 Existing Affordable Housing Need and Provision in West Oxfordshire



Figure 1: Recently completed affordable housing in West Oxfordshire

4.1 Affordable housing need

- 4.1.1 The provision of new housing in West Oxfordshire is a critically important issue and a recurring theme in the Local Plan. The Oxfordshire Strategic Housing Market Assessment (SHMA) published in 2014 identified the need for 660 homes per year in West Oxfordshire over the plan period to 2031, of which 274 should be affordable.

- 4.1.2 The more recent Oxfordshire Growth Needs Assessment (OGNA) published in July 2021 in support of the emerging Oxfordshire Plan 2050 identifies that across Oxfordshire, the median cost of a home was 10.4 times income in 2019 with Oxford being ranked as one of the UK's least affordable cities. The OGNA report estimates a need for almost 3,200 new affordable homes per year across Oxfordshire to 2030.
- 4.1.3 Increasing delivery of the number, type and distribution of affordable housing for both rent and subsidised sale is therefore a key priority for West Oxfordshire.
- 4.1.4 Policy H3 of the West Oxfordshire Local Plan 2031 seeks to secure an increase in the supply of affordable homes by increasing the number of developments which support affordable housing and increasing the number of affordable homes on those developments.
- 4.1.5 The Council also aims to widen the choice of dwelling size and tenures available to redress the imbalance in the housing market. Local Plan Policy H4 – Type and Mix of New Homes is a particularly relevant consideration in this respect seeking to ensure that a good, balanced mix of new homes are provided within all new residential developments.
- 4.1.6 In addition to the level of affordable housing need identified in the SHMA (2014) and more recent OGNA report (2021) the Council's housing register provides an up to date indication of affordable housing need in the District.
- 4.1.7 The graph below shows the total number of applicants as of 28 September 2021 broken down by preference for particular property sizes. It is relevant to note that the main need is for 1 and 2-bed properties. The issue of affordable housing size requirements is further considered in Section 5.2 below.

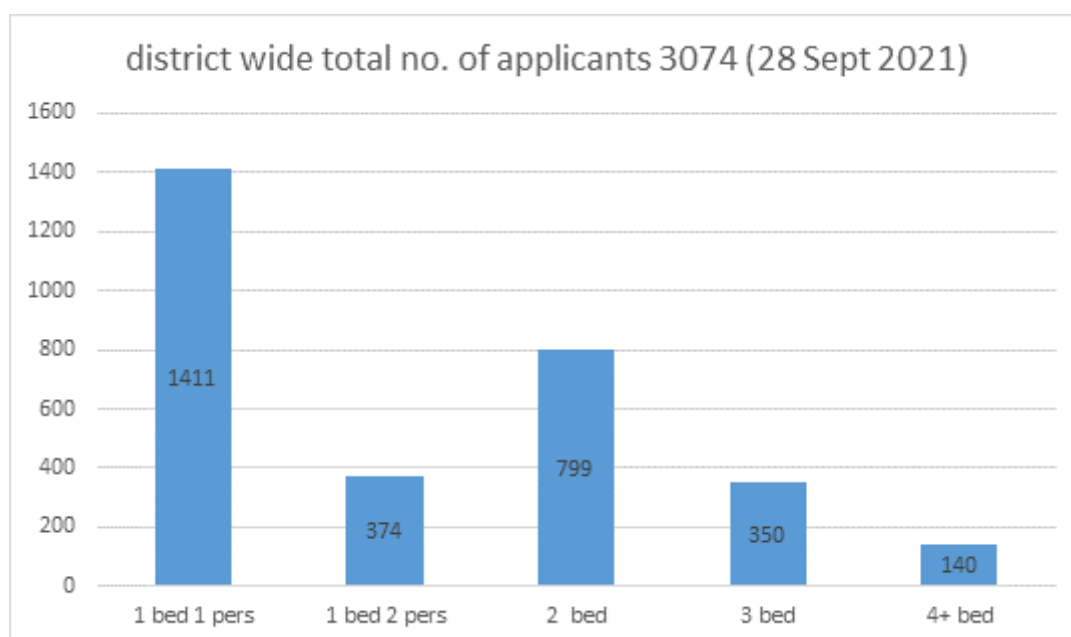
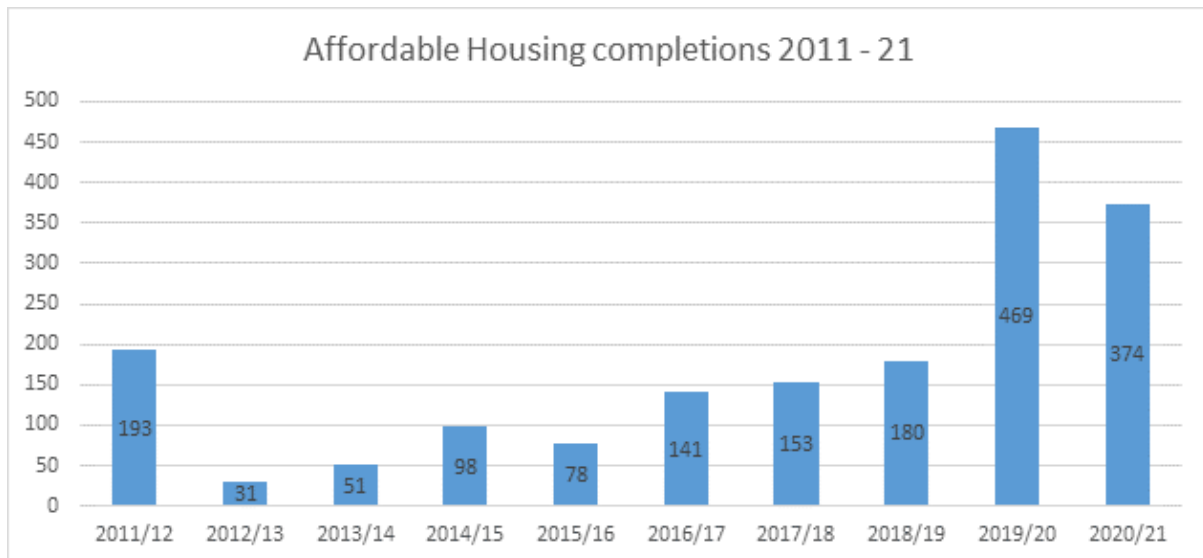




Figure 2: Affordable housing under construction

4.2 Current affordable housing provision – supply and type by location

- 4.2.1 Delivery of both affordable and market housing in West Oxfordshire has fluctuated since the start of the Local Plan period 2011. The lower rates of affordable housing delivery in the early years can be attributed to a number of factors including wider economic conditions, development viability and national policy changes.
- 4.2.2 WODC has continued to work closely with developers to accelerate delivery of housing in the district and there has been a steady increase in the number of affordable housing completions since 2012/13 as shown below. This is expected to continue, particularly as the larger strategic local plan allocations come forward in the second half of the Local Plan period i.e. from 2021 – 2031.



4.2.3 This increase in housing delivery demonstrates the positive approach to affordable housing by WODC and we will continue to seek innovative ways of working with developers to increase both the number and speed of affordable homes delivered across the District.

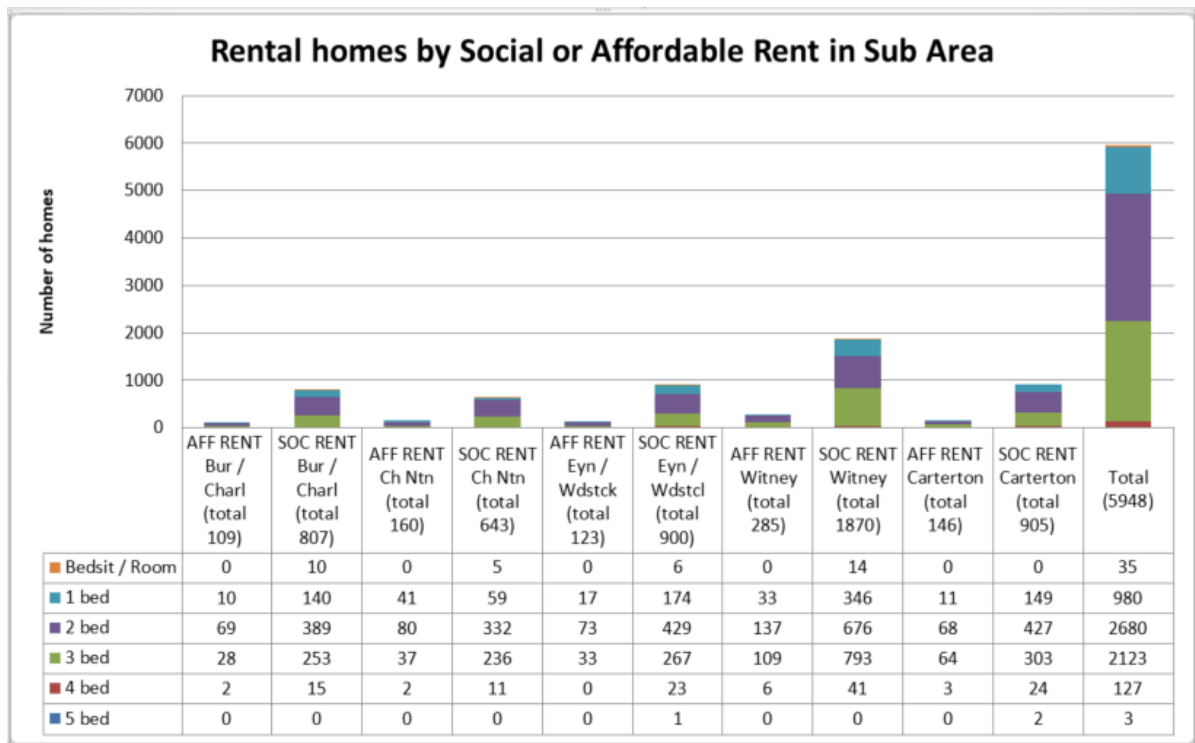
4.2.4 The West Oxfordshire Local Plan is based on five individual sub-areas:

- Witney sub-area
- Carterton sub-area
- Chipping Norton sub-area
- Eynsham – Woodstock sub-area
- Burford – Charlbury sub-area

Figure 9.1a: Sub-area plan



4.2.5 The table below shows the current levels of social and affordable rented properties in each of the five sub-areas. It can be seen that there is a predominance of social rented properties across all areas, in particular within the Witney sub-area.



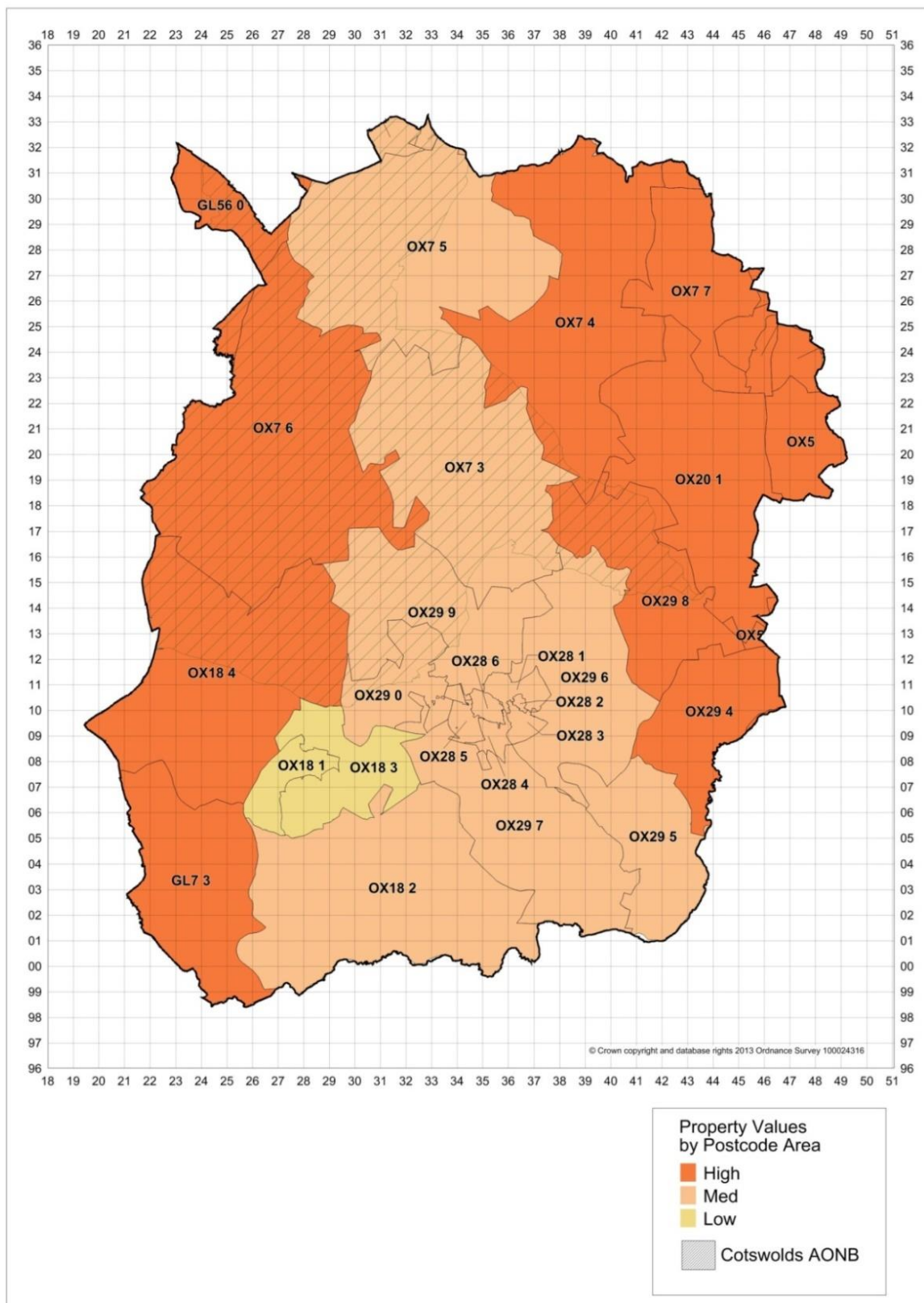
5.0 Future Affordable Housing provision in West Oxfordshire

5.1 'Qualifying' sites – when will affordable housing or a contribution towards affordable housing be required?

On-site provision of affordable housing

- 5.1.1 In accordance with the Local Plan, the Council will seek between 35% and 50% affordable housing on all qualifying sites except within the Cotswolds Area of Outstanding Natural Beauty (AONB), where a financial contribution in lieu of on-site provision applies.
- 5.1.2 Policy H3 states that housing schemes of 11 or more dwellings, or which have a maximum combined gross floor space of more than 1,000m² will be required to provide affordable housing on-site as a proportion of the market homes as follows:
- High value zone – 50%
 - Medium value zone – 40%
 - Low value zone – 35%
- 5.1.3 The above requirement also applies to sheltered housing but a reduced level of provision will be sought in respect of extra-care housing as follows:
- High value zone – 45%
 - Medium value zone – 35%
 - Low value zone – 10%
- 5.1.4 The lower requirement for extra-care housing was determined as part of the Local Plan examination and is based on the typical development viability of such schemes which tend to have large areas of communal space (i.e. non-saleable).

5.1.5 A map showing the extent of the three value zones is shown below:



Off-site Provision / Financial Contributions

- 5.1.6 There are a number of circumstances in which the Council will or may accept a financial contribution towards affordable housing in lieu of on-site provision.
- 5.1.7 Under Policy H3, within the Cotswolds AONB, market housing schemes of 6-10 units and which have a maximum combined floor space of no more than 1,000m² will be required to make a financial contribution for off-site affordable housing provision within the District. This amount is £100 per m² based on the Gross Internal Area (GIA) of the proposed market units.
- 5.1.8 Policy H3 also recognises that in some instances, it may not be possible, even on larger market housing schemes, to deliver affordable housing on-site e.g. it is not physically possible or feasible, or there is evidence that a separate site may be more suitable to meet local need and contribute to the creation of mixed communities.
- 5.1.9 In such circumstances, a financial contribution in lieu of on-site provision (or a combination of on-site provision and a financial contribution) may be appropriate. This will be determined on an individual site basis. In accordance with Local Plan Policy H3, affordable housing mix and tenure will be responsive to identified local needs and site-specific opportunities.
- 5.1.10 Financial contributions received from developers will be held in a specific affordable housing fund to support the provision of new affordable homes which will be administered by the Strategic Affordable Housing Team. In accordance with the Government's Written Ministerial Statement (WMS) of 24 May 2021, this will include the provision of First Homes.
- 5.1.11 The financial contributions will be ring fenced to enable the Local Authority to provide stimulus to the affordable housing market by:
- local authority development including estate renewal; WODC is currently developing a parcel of land at Langford for affordable housing and funding can be used to increase the % of affordable units delivered on the site.
 - support of a registered providers development; WODC is working with registered providers to promote small sites in rural locations to meet local need. In general these rural exception sites will be to meet local need and would not normally be considered for development. Commuted sums can be used to increase the % of affordable units delivered and will reviewed on a case by case basis.
 - housing purchased on the private market to be transferred to a registered provider; additionality is being sought from developers with funding through either the Growth Board or commuted sums.

- vacant properties bought back to use; WODC is interested in securing vacant properties to provide additional affordable housing particularly in the main service centres of Witney, Carterton and Chipping Norton.
- other housing schemes that qualify under planning policy.

5.2 The size of affordable homes needed

5.2.1 The existing housing stock in West Oxfordshire is dominated by larger properties and the Council's aim is to redress this imbalance by providing smaller family homes for younger households and those wishing to downsize.

5.2.2 The Oxfordshire SHMA (2014) provides an indication of the size of affordable homes needed (by bedroom size) in the period 2011 – 2031. The indicative mix of dwelling sizes is as follows:

- 1-bedroom 28.4%
- 2-bedroom 34.7%
- 3-bedroom 30.4%
- 4+ bedroom 2.6%

5.2.3 This is reflected in the West Oxfordshire Local Plan which includes the following indicative size mix for affordable housing:

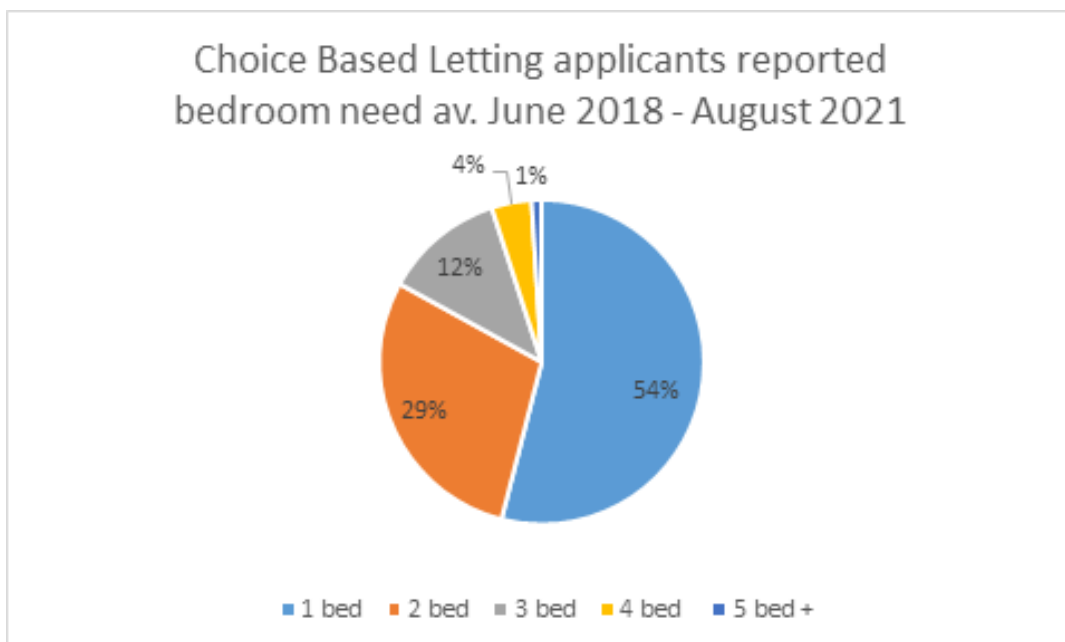
- 65% one and two-bedroomed homes
- 35% three and four-bedroomed homes

5.2.4 More recent evidence prepared by ICENI¹⁴ in support of planned growth at Eynsham, identifies a similar indicative affordable housing size mix as set out in the table below.

	1-bed	2-bed	3-bed	4-bed
Social/affordable rent	30-35%	30-40%	30-35%	5%
Affordable home ownership	20-25%	40%	25-30%	5-10%

¹⁴ <https://www.westoxon.gov.uk/media/mbwnzsw2/housing-strategy-advice-west-oxfordshire.pdf>

5.2.5 Further intelligence on the size of affordable homes needed in West Oxfordshire is provided by the Council's Choice Based Lettings database¹⁵ which shows that of those registered in need of affordable rented accommodation, the greatest requirement is for 1-bed properties (52%) and 2-bed properties (31%) as shown in the chart and table below.



1 bed	54%
2 bed	29%
3 bed	12%
4 bed	4%
5/6/7 bed	1%

5.2.6 In determining the most appropriate mix of affordable property sizes in any qualifying development, the District Council will have general regard to the indicative guidelines provided by the SHMA (2014) and in the case of growth in the Eynsham area, the more recent housing evidence prepared by ICENI.

5.2.7 Alongside this, the Council will consider registered property size requirements from the Council's Choice Based Lettings database as well as any other specific evidence of local need, the nature of the development and any relevant practical management considerations.

¹⁵ Homeseeker Plus data May 2020

5.3 Preferred Tenure Mix

- 5.3.1 WODC welcomes a mix of tenure for affordable housing to ensure a balanced community is delivered on each development. Developers are encouraged to commence discussions with Registered Providers at the earliest opportunity to understand the affordable housing type and tenure required for their proposed development to achieve this aim.
- 5.3.2 As an indicative starting point, the West Oxfordshire Local Plan 2031 highlights a significantly greater need for rented accommodation than for the various forms of intermediate housing, with a ratio of 2:1 in favour of affordable rented homes. This is however a general guide only and the precise mix will be determined on a case by case basis. Further guidance is provided below.

Rented Affordable Products

- 5.3.3 Due to the high property values in West Oxfordshire, access to affordable housing is a key challenge with the highest level of need being for rented accommodation. There are several forms of rented affordable products as outlined earlier, including affordable rent, social rent and affordable private rent (in the context of Build to Rent schemes).
- 5.3.4 The West Oxfordshire Local Plan 2031 and evidence which supports it, is predicated on the basis of new affordable housing schemes in the District comprising two-thirds affordable rent to one-third intermediate housing (shared ownership etc.).
- 5.3.5 The District Council will therefore continue to seek the provision of a high proportion of affordable rent as part of all affordable housing proposals although the precise proportion will be a matter for negotiation on a case by case basis, having regard to all relevant circumstances including identified needs, the specific characteristics and location of the site and where applicable, any issues of development viability.
- 5.3.6 Where affordable rent is provided, Affordable rent levels should be set with reference to Local Housing Allowance levels and at no more than 80% of market rental taking into account the local context for the rent levels at the time of letting. Rents and rent increases for affordable housing in West Oxfordshire will follow the guidance laid out in the MHCLG Policy statement on rents for Social Housing¹⁶ which permits annual rent increases on both social rent and affordable rent properties of up to CPI+1 percentage point from 1 April 2020.

¹⁶

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/781746/Policy_Statement.pdf

- 5.3.7 The West Oxfordshire Local Plan 2031 makes no specific reference to the provision of social rent in West Oxfordshire, however as it represents the most ‘affordable’ type of rented affordable housing, the District Council is keen to facilitate the provision of social rent wherever possible within the District to provide a balanced mix of options and to increase affordability.
- 5.3.8 The Government’s Written Ministerial Statement of 24 May 2021 recognises the importance of social rent as part of the affordable housing tenure mix.
- 5.3.9 Developers will therefore be encouraged to include a proportion of social rent as part of the overall mix of affordable homes in other schemes, particularly larger schemes which provide the opportunity for a greater mix of different tenure types. The pre-submission draft Area Action Plan for Salt Cross Garden Village for example, seeks to ensure that social rented homes are provided as part of the overall mix of affordable homes.
- 5.3.10 As a matter of principle, the Council will support the provision of purpose built, build to rent properties in sustainable, accessible locations. The pre-submission draft Area Action Plan for Salt Cross Garden Village for example, makes specific provision for a potential Build to Rent scheme as part of the overall housing mix, reflecting the suitability of the location for young professionals in close proximity to Oxford.
- 5.3.11 In accordance with national policy, affordable housing for rent (referred to as affordable private rent) will be the expected form of affordable housing provision in any Build to Rent schemes that come forward in West Oxfordshire.

A West Oxfordshire ‘Living Rent’

- 5.3.12 In August 2020, the District Council commissioned Oxford Brookes University to undertake a study on the merits of introducing a ‘Living Rent’ scheme in West Oxfordshire.
- 5.3.13 A Living Rent is one which is linked to a tenant’s income, meaning that more disposable income is left after paying housing costs for household essentials or, for example, saving for a deposit for a mortgage. The term is not new, it has been around since about 2015, but it has gained currency in recent years as house and rental costs have spiralled, particularly in the private sector, and new forms of ‘affordable’ rent for social housing have been introduced. Different rent thresholds are used but it is generally accepted that spending between 28% and 33% of median income on housing costs is seen as a ‘living’ rent.

5.3.14 The aim of the research was to provide recommendations on whether a Living Rent initiative is required with particular reference to those residents in the rent/buy gap and, if so, the structure and implementation methodology of such a model(s).

5.3.15 The main conclusions reached are as follows:

1. In WODC affordable rents are generally within a Living Rent range (28-33% of median wage) but not low enough to allow families in the private rental sector to save for a deposit in a reasonable timeframe.
2. There are significant geographical differences within the District in terms of both rent levels and house prices.
3. Introduction of a Living Rent would make accessing home ownership easier however this would be a long term process due to the high cost of houses in the district making saving for a suitable deposit still out of reach for many.
4. Unaffordability across the District may be driven more by high house prices than rent levels.
5. Availability of accurate data for WODC is a significant issue when calculating a suitable Living Rent level and further localised earning data is required.

5.3.16 The key recommendations from the report are:

1. In the review of the Local Plan in 2021 WODC should look to re-evaluate the current value zones applied to seeking affordable housing across the district.
2. WODC may also want to consider the amount of affordable housing sought on new developments based on the house prices and incomes differences highlighted in the report
3. WODC need to consider whether a Living Rent should be targeted at low-cost home ownership or more broadly across the rented sector
4. WODC to consider a pilot partnership with a developer / landowner /RP to test a Living Rent model.
5. WODC might look to secure a better rental product e.g. Build to Rent and look at affordable rent level differences across the district

- 5.3.17 On this basis, the Council proposes to take forward a pilot study as a next step forward in investigating the applicability of a living rent policy in West Oxfordshire.

Affordable Home Ownership

- 5.3.18 In addition to rented affordable products, there are various existing and emerging forms of affordable home ownership options including starter homes, discount market housing, shared ownership, relevant equity loans, rent to buy and other low cost homes for sale including First Homes, the requirement for the provision of which came into effect from 28 June 2021.
- 5.3.19 In accordance with Government policy, the District Council will seek to ensure that a minimum of 25% of affordable housing units secured through developer contributions comprise First Homes.
- 5.3.20 In terms of other intermediate products, WODC favours the provision of shared ownership as it provides a clear route to home ownership with occupants having the opportunity to increase their equity share over time. Typically, a person acquires a minimum 10% share initially (with rent paid on the remaining proportion) and can eventually 'staircase' up to 100% ownership.
- 5.3.21 Other shared ownership models at higher initial purchase levels (e.g. 40%) have been supported on some developments in West Oxfordshire and developers are encouraged to consider shared ownership in their viability modelling as WODC consider it is the most accessible route to home ownership.
- 5.3.22 Whilst the Council's preference is for the provision of First Homes and shared-ownership properties, WODC recognises the need to offer a balanced mix of tenures on all developments and welcomes early discussions between developers and RP's to ensure a suitable blend of tenures is provided to attract the widest mix of residents.
- 5.3.23 This will include consideration of all relevant options including shared equity, discount market sale properties starter homes and rent to buy.
- 5.3.24 To illustrate the Council's approach on affordable tenure mix, several worked examples are provided below. It is important to stress that these are **examples only** with the precise tenure mix for each site to be determined on a case-by-case basis.

Example 1 – 100 unit scheme with 50% affordable housing requirement

- Market housing – 50 units
- Affordable housing – 50 units comprising:
 - Rented affordable – 33 units (i.e. 66%)
 - First Homes – 13 units (i.e. 25%)
 - Other intermediate e.g. shared ownership – 4 units (i.e. 9%)

Example 2 – 1,000 unit scheme with 40% affordable housing requirement

- Market housing – 600 units
- Affordable housing – 400 units comprising:
 - Rented affordable – 264 units (i.e. 66%)
 - First Homes – 100 units (i.e. 25%)
 - Other intermediate e.g. shared ownership – 36 units (i.e. 9%)

5.4 Rural Exception sites and First Homes Exception Sites

Rural Exception Sites

- 5.4.1 The NPPF describes rural exception sites as follows:

‘In rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs. Local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs, and consider whether allowing some market housing on these sites would help to facilitate this’.

- 5.4.2 The WODC Local Plan defines rural exception sites as land whereby affordable housing is provided in locations that would not normally be allowed for new housing and recognises that such sites may come forward as speculative ‘windfall’ development.
- 5.4.3 The Council will continue to identify suitable sites for affordable housing through rural exception sites (RES). This is reflected in Policy H3 – Affordable Housing which states that West Oxfordshire District Council and its partners will work with parish councils, registered providers of affordable housing and local housing, community land and self-build trusts to identify additional suitable rural sites for small scale affordable housing schemes to meet specific local housing needs which cannot be met in any other way.

- 5.4.4 Evidence of the scale and quantum of need for individual Rural Exception Sites will be drawn from a variety of relevant sources including where available, local/parish housing needs surveys, parish and town neighbourhood plans, and the WODC choice based letting systems which can provide details on those on the housing waiting list with a local connection or who are key workers with accommodation requirements.
- 5.4.5 In accordance with national policy, all new homes on these sites will remain affordable in perpetuity to people in housing need who have a local connection with the parish or appropriate adjoining parishes. Sites will be well-related to the existing built-up areas of towns and villages. Where family homes are proposed priority will be given to locations within a reasonable walking distance of a primary school.
- 5.4.6 In accordance with the NPPF, Policy H3 recognises that an element of market housing may be appropriate as part of the overall mix within a rural exception site. In such cases, it will be for the developer or landowner to demonstrate not only why the site is suitable for housing, but also why a traditional rural exception site approach (i.e. 100% affordable housing) is not appropriate or achievable. Any market housing will be expected to be a subsidiary element of a predominantly affordable housing scheme.
- 5.4.7 Any such proposal will be considered against the relevant policies of the Local Plan including in particular Policy OS2: Locating development in the Right Places and Policy H2: Delivery of new homes.
- 5.4.8 Neighbourhood Plans provides a further opportunity to identify small-scale affordable housing sites again potentially with an element of market housing. The District Council will work proactively with local communities to identify any such opportunities.

First Homes Exception Sites

- 5.4.9 In its Written Ministerial Statement of 24 May 2021, the Government confirmed the introduction of a First Homes Exception Sites policy to replace the previous Entry Level Exception Site policy referred to in paragraph 72 of the NPPF.
- 5.4.10 First Homes exception sites should be on land which is not already allocated for housing and should:
- a) comprise First Homes (as defined in the Government's Written Ministerial Statement)
 - b) be adjacent to existing settlements, proportionate in size to them, not compromise the protection given to areas or assets of particular importance in the National Planning Policy Framework, and comply with any local design policies and standards.

- 5.4.11 In accordance with Government policy, the District Council will support the development of First Homes exception sites subject to consideration of whether the need for such homes is already being met within the District.
- 5.4.12 In considering any such proposal, the Council will take into account relevant policy considerations including in particular Policies OS2 and H2 of the West Oxfordshire Local Plan 2031.
- 5.4.13 A small proportion of market homes may be allowed on any First Homes exception sites at the Council's discretion, for example where essential to enable the delivery of First Homes without grant funding. Also, a small proportion of other affordable homes may be allowed where there is significant identified local need.
- 5.4.14 In accordance with Government policy, First Homes exception sites will not be able to come forward within those parts of the District which fall within the Cotwolds Area of Outstanding Natural Beauty (AONB). Here, Rural Exception Sites (RES) will remain the only type of exception site which is able to come forward.

5.5 Self-build and custom-build housing

- 5.5.1 The NPPF defines self-build and custom-build housing as '*housing built by an individual, a group of individuals, or persons working with or for them, to be occupied by that individual*'. Such housing can be either market or affordable housing¹⁷.
- 5.5.2 The Government is supportive of custom build housing which it sees as a more affordable route to home ownership and an opportunity to create bespoke, well-designed and sustainably constructed new homes. It also offers the opportunity for small local builders and contractors creating local jobs and contributing to the local economy.
- 5.5.3 West Oxfordshire District Council maintains a self-build register where those wishing to express an interest in self and custom build can register. The register allows the District to gauge the level of demand locally and the type of route they are interested in e.g. serviced plot, self-finish, custom build etc. and examine how many meet the locally applied criteria. These criteria include local connection, future occupation as sole residence, financial capability etc.
- 5.5.4 There is a clear level of interest in self-build and the Council is keen to promote greater diversity in the local housing stock, innovative design and more affordable and sustainable construction.

¹⁷ NPPF Annex 2: Glossary

- 5.5.5 In addition to maintaining an accurate picture of need/demand for self and custom build within West Oxfordshire, the Local Plan 2031 outlines a number of other measures which the Council will pursue in order to encourage such provision. These include:
- Offering support and advice to those wishing to undertake a custom/self-build project in the District;
 - Working with individuals and self-build groups to help identify suitable and deliverable sites including through the development of Neighbourhood Plans; and
 - Endeavouring to offer a suitable plot to those individuals/organisations within a reasonable period of time.
- 5.5.6 Whilst custom and self-build housing can be a cheaper option than mainstream housing this is not always the case and given the relatively high land and property prices that exist in West Oxfordshire, the District Council will endeavour to ensure that a range of affordable self and custom-build opportunities are made available. The possibility of self-build being used to meet the District's affordable housing need is recognised at paragraph 5.66 of the Local Plan.
- 5.5.7 The Council will therefore use financial contributions secured towards affordable housing to acquire land in order to promote affordable custom/self-build projects within the District¹⁸.
- 5.5.8 In addition, on larger development schemes of 100 or more dwellings where there is a requirement for 5% of the residential plots to be serviced and made available for the purpose of custom and self-build housing, the Council will explore with developers whether there is scope for some or all of the 5% self/custom build to contribute towards the relevant on-site affordable housing requirement for that site.
- 5.5.9 Whilst this is not a specific requirement of Local Plan Policy H3 – Affordable Housing or Policy H5 – Custom and Self-Build Housing, the Council will seek to further explore this possibility with developers and registered providers. Examples might include a serviced plot which is made available for the purpose of self-build being discounted from the full market value or a self-finish property being provided by a housing association and sold at below market value or on a shared-ownership basis.
- 5.5.10 The Council will also encourage the re-use of existing buildings through custom/self-build projects and welcome submissions from groups and individuals for the conversion / re-purposing of existing buildings.

¹⁸ West Oxfordshire Local Plan paragraph 5.124

6.0 Affordable Housing Standards and Design Requirements

- 6.0.1 Design Standards for affordable housing should be no lower than that for market housing and should be tenure blind i.e. not distinguishable by its external appearance. Housing supplied for a Registered Provider should be constructed to the standards approved by the RP and it is critical that the design process recognises at an early stage the need to accommodate a mix of affordable tenures.
- 6.0.2 This mix must meet the needs of, and be attractive to, RP's and applicants are encouraged to undertake early discussions with RP's, considering alternative designs where necessary in order to accommodate on site the affordable housing requirement. When designing new homes, developers should adhere to the Housing Act, ensuring that designs can accommodate suitable furniture in order to avoid overcrowding.

6.1 Design criteria

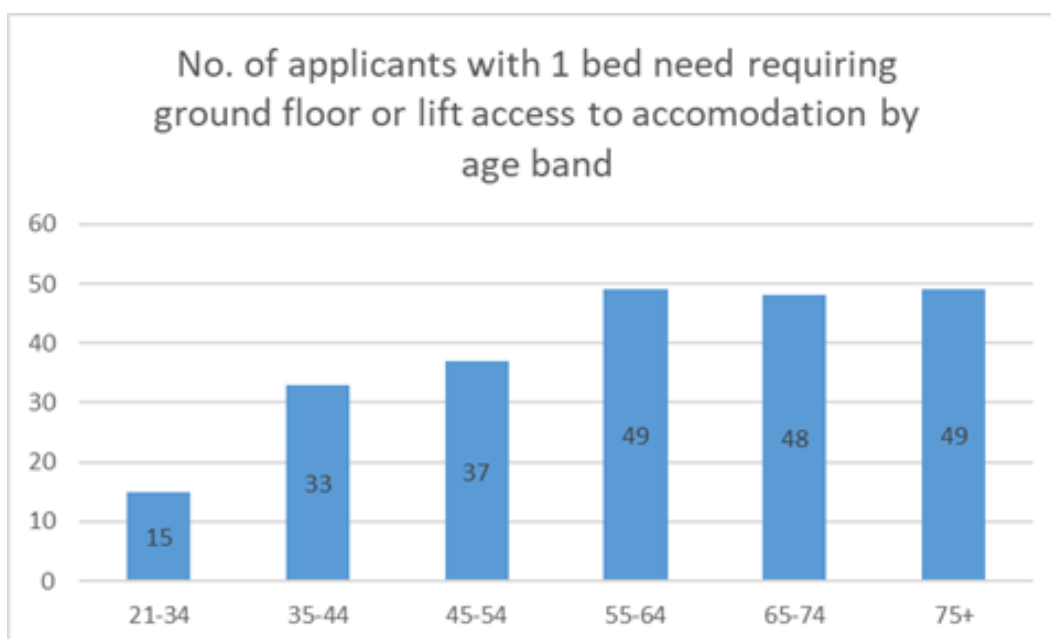
- 6.1.1 In order to achieve mixed and balanced communities, each development should look to meet the following design criteria:
- there should be no distinction between affordable units and market units, i.e. the development should be 'tenure blind';
 - the same level of parking provision should be made for the affordable housing units as for market units¹⁹, and;
 - affordable units should be distributed evenly in clusters throughout the development where practicable to promote social inclusion and mixed communities. The exception to this is in relation to the design and provision of housing for older people and developers will need to demonstrate why a deviation is required when seeking approval.

¹⁹ Regard should also be had to the District Council's Sustainability Standards Checklist which requires consideration of EV charging in line with the requirements of the Oxfordshire Electric Vehicle Infrastructure Strategy (OEVIS) – see Section 6.4 below.

6.2 Accessibility and adaptability

- 6.2.1 The Local Plan identifies a requirement for housing to meet the needs of different groups in the community including specialist housing provision such as housing for older people including sheltered and extra-care as well as housing for people with other specific needs including those with a disability and others who may have particular needs and requirements.
- 6.2.2 The Oxfordshire SHMA (2014) suggests that across Oxfordshire demographic trends are expected to lead to a growth in the number of households with disabilities and will seek to ensure that new homes are able to meet the changing needs of occupants as their needs change to enable them to remain in their homes as they age.
- 6.2.3 In recognition of this, under the Local Plan, the Council will require larger housing developments of 50 or more units to provide at least 25% of market and affordable homes to meet Building Regulations Requirements M4(2)²⁰ in relation to accessible and adaptable housing.
- 6.2.4 In addition, a minimum of 5% of market and affordable homes should be designed to meet Building Regulation Requirement M4(3) relating to wheelchair adaptability. Where wheelchair adaptable homes are provided they will be counted as contributing towards the 25% accessible and adaptable homes requirement.
- 6.2.5 Developers will be required to ensure that ceilings are strong enough to support track hoists and to allow stairlifts to be fitted where there is a need.
- 6.2.6 Furthermore, data from the WODC Homeseeker+ register shows an increasing demand for either lift access or ground floor properties increasing with age and developers are encouraged to consider this need when designing new developments.

²⁰ <https://www.gov.uk/government/publications/access-to-and-use-of-buildings-approved-document-m>



6.3 Space standards

- 6.3.1 In March 2015 the Government set out the nationally prescribed space standards for new housing²¹. The guidelines set out the gross internal floor area for new dwellings at a defined level of occupancy as well as dimensions for key parts of the home, notably bedrooms, storage and floor to ceiling height. Whilst it is not a policy requirement of the Local Plan, the Council supports the use of this guidance and encourages developers to apply these as a minimum when designing new homes.

6.4 Tackling the Climate and Ecological Emergency

- 6.4.1 WODC has declared a climate and ecological emergency. In the wake of that emergency, as part of a suite of overall measures, the Council now expects developers and applicants to take an ambitious approach towards energy and sustainable design to ensure new homes being delivered in West Oxfordshire are fit for the future.
- 6.4.2 Core objective 18 (CO18) of the Local Plan for example aims to *'improve the sustainable design and construction of new development, including improving energy, water efficiency and water management'*.
- 6.4.3 This is reflected in a number of Local Plan policies including Policy OS3 – Prudent Use of Natural Resources which requires all development proposals (including affordable

²¹https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/524531/160519_Nationally_Described_Space_Standard_Final_Web_version.pdf

housing) to show consideration of the efficient and prudent use and management of natural resources through various means including:

- Making the most efficient use of land and buildings;
- Minimising the need to travel;
- Minimising the use of non-renewable resources;
- Minimising impact on the soil resource;
- Minimising energy demands and energy loss;
- Minimising summer solar gain, maximising passive winter solar heating, lighting, natural ventilation, energy and water efficiency and reuse of materials;
- Maximising resource efficiency, including water with all new residential development will be expected to achieve the optional building regulations requirement for water efficiency of 110 litres/person/day;
- Minimising risk of flooding;
- Making use of appropriate sustainable drainage systems;
- Using recycled and energy efficient materials; and
- Minimising waste and making adequate provision for the re-use and recycling of waste and causing no deterioration and, where possible, achieving improvements in water or air quality.

6.4.4 Policy EH6 - Decentralised and renewable or low carbon energy development (excepting wind turbines) states that for all residential development for 100 dwellings or more and all residential developments in off-gas areas for 50 dwellings or more, that an energy feasibility assessment or strategy which assesses viability and practicability for decentralised energy systems, including consideration of the use of local wood fuel biomass and other renewable energy initiatives will be required.

6.4.5 Where feasibility assessments demonstrate that decentralised energy systems are practicable and viable, such systems will be required as part of the development, unless an alternative solution would deliver the same or increased energy benefits.

6.4.6 The Local Plan includes a range of other policies relating to the climate and ecological emergency including policies on biodiversity, green infrastructure, transport, flood risk, environmental protection and so on.

- 6.4.7 The Council will expect all applicants to take full consideration of these policy requirements and demonstrate, within their planning application, how the design of new affordable homes is consistent with the aims, objectives and where applicable, specific requirements of each policy.

Sustainability Standards Checklist

- 6.4.8 The District Council has a Sustainability Standards Checklist²² which complements the Local Plan 2031 and seeks to ensure that sustainability is a key consideration from the early stages of the design process, forming a 'golden thread' that runs through the development, linking water use and flood risk, biodiversity and green infrastructure, green and active travel, net-zero carbon, sustainable construction, materials and waste.
- 6.4.9 There are two versions of the checklist, one for larger development proposals of 10 or more dwellings and one for more minor and householder applications and applications will be expected to be accompanied by a Sustainability Statement explaining how the proposed development will fulfil the various requirements of the checklist.

Net Zero Carbon Toolkit

- 6.4.10 In addition to the Sustainability Checklist, the Council has published a Net Zero Carbon Toolkit²³ working in collaboration with Cotswold District Council and Forest of Dean District Council. The toolkit has been produced by leading technical experts from Etude, the Passivhaus Trust, Levitt Bernstein and Elementa Consulting.
- 6.4.11 The toolkit is aimed primarily at small or medium-sized house builders, architects, self-builders and consultants and covers a range of steps - from pre-planning right through to construction and provides practical design advice for delivering net-zero carbon, low-energy homes.

²² <https://www.westoxon.gov.uk/planning-and-building/planning-permission/make-a-planning-application/sustainability-standards-checklist/>

²³ <https://www.westoxon.gov.uk/environment/climate-action/how-to-achieve-net-zero-carbon-homes/>

- 6.4.12 The Council is committed to working in partnership with developers/landowners to support the wide-scale delivery of affordable housing designed to exemplary standards of environmental sustainability. This will include discussions around scope to deliver high standards of ultra-low energy homes fabric, the use of renewable energy and ways in which embodied carbon can be reduced through, for example, the use of modern methods of construction (see Section 6.5 below). House builders looking to accelerate the roll out of net-zero carbon standards as affordable housing exemplar schemes within the district are actively encouraged by the Council.
- 6.4.13 Nationally, there are a number of award winning affordable housing schemes, the most notable being the Goldsmith Street for Norwich City Council, a 100% affordable housing scheme which has been built to Passivhaus standards.
- 6.4.14 Further advice and guidance on the Sustainability Standards Checklist and Net Zero Carbon Toolkit can be obtained from the District Council's Climate Change Manager in the first instance and applicants are encouraged to discuss their proposals at the earliest stage.

6.5 Modern Methods of Construction (MMC)

- 6.5.1 Modern methods of construction (MMC) are homes built using a high proportion of components produced using modern and technologically driven methods of manufacture off site and then assembled on site.
- 6.5.2 Such homes can be built up to 30% quicker than by traditional methods of construction, and with potentially a 25% reduction in costs. Studies have also suggested that MMC can reduce embodied carbon by around 30% compared with traditional methods of construction.
- 6.5.3 Other potential benefits include:
- Reduced site waste and disposal;
 - Improved quality from factory production;
 - Clear stages for inspection to address issues such as thermal bridging and airtightness; and
 - Typically lightweight – potential to build adjacent to or over existing buildings to make the most efficient use of land.
- 6.5.4 WODC therefore very much welcomes the use of modern methods of construction including off site construction as a delivery mechanism to increase the speed of delivery and quality of new homes in the district and would welcome discussions with potential developers, applicants and registered providers on this basis.

7.0 Viability

7.1 Approach to viability considerations in West Oxfordshire

- 7.1.2 The provision of affordable housing will affect the value of land for residential development but will not generally render it uneconomic for residential development. The costs of delivering a workable, high quality development should be anticipated and reflected in the price paid for land and not reduce the ability of a site to provide what is required under the planning obligation.
- 7.1.3 This is reflected in the Government's practice guidance on viability which states that the total cost of all relevant policy requirements including contributions towards affordable housing should be taken into account when defining benchmark land values²⁴.
- 7.1.4 Policy H3 of the Local Plan has been subject to viability assessment through the preparation of the Local Plan 2031 and is a known requirement of residential development in West Oxfordshire. As such, there will be a presumption that developments will include full and appropriate provision for affordable housing unless it can be robustly demonstrated otherwise.
- 7.1.5 This is consistent with the Government's practice guidance on viability which states that 'where up-to-date policies have set out the contributions expected from development, planning applications that fully comply with them should be assumed to be viable'²⁵.
- 7.1.6 On this basis, it is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. Such circumstances could include, for example where development is proposed on unallocated sites of a wholly different type to those used in viability assessment that informed the plan; where further information on infrastructure or site costs is required; where particular types of development are proposed which may significantly vary from standard models of development for sale (for example build to rent or housing for older people); or where a recession or similar significant economic changes have occurred since the plan was brought into force.

²⁴ Viability Planning Practice Guidance - Paragraph: 012 Reference ID: 10-012-20180724

²⁵ Viability Planning Practice Guidance - Paragraph: 007 Reference ID: 10-007-20190509

- 7.1.7 In such instances, the onus is on the developer to demonstrate viability providing a full economic appraisal of the cost of development including returns from sale of housing, contribution to local infrastructure and services and required profit margin. The appraisal should be presented on a residual land value basis and include a valuation of the site in its current use, not the purchase price or hope value, and should accompany the planning application or form part of the pre-application discussions.
- 7.1.8 In accordance with the Government's viability practice guidance, where a viability assessment is submitted to accompany a planning application this should be based upon and refer back to the viability assessment that informed the Local Plan; and the applicant should provide evidence of what has changed since then.
- 7.1.9 Any viability assessment should reflect the government's recommended approach to [defining key inputs](#) as set out in National Planning Guidance.
- 7.1.10 Where the Council requires independent advice to validate a viability appraisal, the cost will be borne by the applicant.
- 7.1.11 Where the Council is satisfied that viability would be jeopardised by full provision of affordable housing it will consider supporting external subsidy to enable full provision. Consideration will also be given to altering the mix including size and tenure in accordance with Policy H3.
- 7.1.12 As a last resort the number of affordable dwellings sought will be reduced to make the development viable.

8.0 Delivery Mechanisms

8.1 S106 agreements

- 8.1.1 The Council will generally expect affordable housing to be secured by a S106 agreement. The Heads of Terms of any agreement will need to be established before determination of a planning application the cost of which will be borne by the applicant. An example of a standard S106 agreement can be found in Appendix 3. It should be noted that this is an example and is provided for guidance only. Individual heads of terms will need to be agreed for each development.

8.2 Timing of provision

- 8.2.1 Affordable housing should be provided at the same time as open market housing on a site to ensure that there is no imbalance in the supply of affordable housing in the creation of new communities. Developments that seek to delay provision of affordable housing to the end of the development will not be considered favourably.
- 8.2.2 Where infrastructure may be substantial the Council may permit the sale of an agreed percentage of market homes before the sale or transfer of affordable homes with the remainder to be provided in tranches alongside the market housing.
- 8.2.3 However no development should commence until the affordable housing scheme has been approved and a contract entered into with a Registered Provider and a copy of the contract provided to the Council.

8.3 Occupancy:

Nomination and allocation

- 8.3.1 All applicants seeking social housing will complete the same process and will be assessed against the same clear set of criteria. Depending on their circumstances, applicants will be placed into one of four bands Emergency, Gold, Silver or Bronze. Local connection will be applied to the majority of vacancies to help each local authority meet their housing demand or where it is a legal requirement.
- 8.3.2 Once a successful application has been made, applicants are advised of their banding and application date, together with details of how to access the Choice Based Lettings (CBL) system. This enables them to bid for affordable housing vacancies being advertised in West Oxfordshire.

Homeseeker Plus

- 8.3.3 West Oxfordshire District Council is one of seven local authorities that operate Homeseeker Plus, a CBL scheme run in partnership with the Social Housing Landlords operating within West Oxfordshire. Affordable homes made available for rental tenures in the district are allocated using this scheme.
- 8.3.4 Homeseeker Plus enables Social Housing landlords to advertise their homes and applicants are asked to bid for them. The majority of social rented housing vacancies are advertised as per local nomination agreements, however social housing landlords may choose to apply their own published allocation policies. WODC will require Registered Providers to enter a Service Level Agreement for advertising and nominating homes through the Homeseeker Plus scheme.
- 8.3.5 Once a bid is placed the computer system will place applicants in order of band, and whether they meet the criteria of the advert. Priority for properties goes to those who have a local connection with the local authority in which the property is located, then to those who have a local connection with any of the other Homeseeker Plus districts and finally to anyone else. Responsibility for letting each available property lies with the Social housing landlord. An application for sheltered and extra care housing for certain schemes may need an assessment of the support needs, prior to an offer being made.

8.4 Essential Local Workers (otherwise referred to as Key Workers)

- 8.4.1 The NPPF defines 'essential local workers' as including 'Public sector employees who provide frontline services in areas including health, education and community safety – such as NHS staff, teachers, police, firefighters and military personnel, social care and childcare workers'.
- 8.4.2 The NPPF definition of affordable housing includes housing that provides a subsidised route to home ownership and/or is for essential local workers.
- 8.4.3 WODC recognises that housing affordability is critical to attracting and retaining essential local workers/key workers in the district and participates in ongoing collaboration with Oxfordshire County Council in identifying and promoting opportunities for key worker accommodation. Oxfordshire County Council has published a document 'Finding A Home In Oxfordshire – A Guide For Key Workers'²⁶

²⁶ <https://www.oxfordshire.gov.uk/sites/default/files/file/adult-social-and-health-care/FindAHomeInOxfordshire.pdf>

- 8.4.4 Furthermore, WODC recognises that in addition to the health, education, emergency, police and military services traditionally associated with key workers, the definition should be expanded and not limited. Key workers can be employed in commercial, industrial, public bodies, care, farming/agricultural and transport industries as examples. Enabling people to live close to their place of work may also be considered a reason to award Key / Essential Worker status.
- 8.4.5 The Council seeks to attract investment and as a place for new businesses to grow. As part of the Oxford-Cambridge Innovation Arc future concentration of investment and growth is anticipated. Key workers are vital to the economic success of the district.
- 8.4.6 WODC is supportive of, and will seek, innovative methods to bring forward proposals to provide key worker accommodation and offer assistance in facilitating liaison with key contacts.
- 8.4.7 Legal agreements and supplementary documents such as Local Lettings Plans are suggested as platforms for promoting key worker accommodation on agreed schemes. Applicants to the Council's Choice Based Lettings system may be awarded a prioritised classification if they can demonstrate their Key / Essential Worker status. It is expected that those applying for key worker will be expected to meet other qualifying criteria for affordable housing.
- 8.4.8 Where new affordable homes are provided on the basis of them being made available to essential local workers/key workers, the District Council will take this into account in discussions with the developer/applicant and Registered Providers in determining the most appropriate tenure mix.

8.5 Housing Options for Members of the Armed Services

- 8.5.1 West Oxfordshire District Council supports the Oxfordshire Armed Forces Community covenant²⁷. We administer the waiting list for all housing association properties that are situated in West Oxfordshire and applications are prioritised according to housing need. Serving members of the Armed Forces are eligible to register on the list, they do not need to have a local connection to West Oxfordshire but if they do, their application will have more priority.
- 8.5.2 Former members of the Armed Forces are also eligible to register on the housing waiting list if they have a local connection to West Oxfordshire. However, even if

²⁷ <https://www.westoxon.gov.uk/housing/housing-advice/armed-forces-housing-options/>

there is no local connection, former Armed Forces members can register within five years from their date of discharge from the Forces.

- 8.5.3 Bereaved spouses or civil partners of those serving in the regular forces are also eligible to register where (i) the bereaved spouse or civil partner has recently ceased, or will cease to be entitled, to reside in Ministry of defence accommodation following the death of their service spouse or civil partner, and (ii) the death was wholly or partly attributable to their service.
- 8.5.4 Existing or former members of the reserve forces who are suffering from a serious injury, illness, or disability which is wholly or partly attributable to their service are also eligible.

8.6 Community-led housing

- 8.6.1 WODC is supportive of Community Led Housing Initiatives and has a long standing tradition of supporting this type of housing delivery. Stonesfield Community Land Trust in West Oxfordshire is one of the first CLT's in the country and has been supported by WODC to deliver a number of affordable housing schemes within the village since 1983. WODC is currently working with other local groups interested in delivering community led schemes in the district.
- 8.6.2 These schemes are set up and run by a local, independent, not-for-profit organisation which has often been specifically created for the purpose of building affordable homes for the community.
- 8.6.3 This can be a collection of individuals, a parish or town council, a developer or a registered provider looking to work in partnership with the community initially by providing a site and offering further support as the development progresses.
- 8.6.4 The organisation will ensure homes for rent, sale or shared ownership remain affordable for local people. The housing is usually developed by, with and for the community and the community group have the opportunity to develop skills and expertise along the way.
- 8.6.5 Community-led housing is highly flexible depending on the type of scheme required such as co-housing; self-help housing; Community Land Trusts and co-operative and resident-controlled housing.

What Issues can Community-led Housing Tackle?

- 8.6.6 Community-led housing can involve market sale, discount market sale, shared ownership, market rent, affordable rent, rent to buy or a combination of these. This way it can empower local communities, making them more resilient and able to

address issues and groups such as affordability; downsizing; an ageing population; first time buyers and fuel poverty.

What are the guidelines for Community-led Housing?

8.6.7 Community-led housing proposals should ensure that:

- Meaningful community engagement and consent occurs throughout the development process. The community does not necessarily have to initiate and manage the process, or build the homes themselves
- The local community group or organisation owns, manages or stewards the homes in a manner of their choosing. This may be done through a mutually supported arrangement with a registered provider that owns the freehold or leasehold for the property
- The benefits to the local area and/or specified community must be clearly defined and legally protected in perpetuity

Models of Community-Led Housing

Community Land Trusts (CLTs) - a form of community-led Housing, set up and run by people to develop and manage homes as well as other assets. They act as long-term stewards of land and housing. In this model they may delegate the development work and/or management of the asset to a project partner such as a housing association or the CLT may become a registered provider itself. For more information visit the National CLT Network²⁸.

Co-housing - groups of self-contained dwellings with the benefit of shared additional facilities all managed by a group. The facility may be a large kitchen where group meals are shared or a hall where meetings and classes may be hosted. It can be a communal garden facility. For more information visit UK Cohousing²⁹.

Co-operatives - a form of community-led housing where it is built (or renovated) and managed by members of a group with democratic collective control to influence the scheme and its management. The tenure would be shared ownership or affordable rent. For more information visit The Confederation of Co-operative Housing³⁰.

Community Custom and Self-Build - where an individual or an association of individuals, or persons working with or for individuals or associations of individuals,

²⁸ <http://www.communitylandtrusts.org.uk/>

²⁹ <https://cohousing.org.uk/>

³⁰ <https://www.cch.coop/>

build or complete houses to be occupied as homes by those individuals. For more information visit the National Custom and Self build Association³¹.

- 8.6.8 For more information about Community Led Housing in WODC please see the council web pages³²

8.7 Supported Living

- 8.7.1 'Supported living' provides support to help people live as independently as possible. It includes various accommodation options and can be suitable for a variety of different people including older people, adults with learning/physical disabilities or sensory problems, mental health problems and adults and young people with a disability who have spent time in residential care and are moving towards independent living or [transitioning to adulthood](#).
- 8.7.2 Policy H4 of the Local Plan (Type and Mix of New Homes) provides in principle support for the provision of specialist housing including for older people as well as those with a disability.
- 8.7.3 Oxfordshire County Council has produced a Market Position Statement³³ for care services in Oxfordshire aimed at existing and potential providers of care homes, home support, mental health services, Extra Care Housing, Supported Living, employment and daytime opportunities, and any other care services.
- 8.7.4 It highlights a number of specific priorities and future requirements in respect of extra-care housing, care homes and supported living including a significant shortage of accommodation for those with a learning disability and/or autism.
- 8.7.5 The District Council will therefore work closely with Oxfordshire County Council and developers/applicants and RPs to consider the provision of such specialist accommodation as part of the overall mix of market and affordable homes on residential schemes within West Oxfordshire. This will include discussions in respect of the nominations process for extra-care housing.

³¹ <https://nacsba.org.uk/>

³² <https://www.westoxon.gov.uk/housing/community-led-housing/>

³³ <https://www.oxfordshire.gov.uk/sites/default/files/file/adult-social-and-health-care/OxfordshireMPS2019-22.pdf>

9.0 New routes to delivery

- 9.0.1 West Oxfordshire District Council is interested in working in partnership with our neighbouring Oxfordshire Local Authorities and local landowners to accelerate the delivery of affordable housing in the District. Through potential partnership arrangements we will seek to establish a pipeline of suitable sites for development and look to increase the speed with which new homes can be constructed for the residents of West Oxfordshire.

9.1 Blenheim approach

- 9.1.1 WODC has a longstanding partnership with Blenheim Estate and has been working closely with Blenheim on an innovative model for delivering an increased level of affordable housing at between 60 – 80% of market rental costs. This model has been successfully implemented in Long Hanborough and will also be offered on their other sites for development in Woodstock. It is the intention of Blenheim to retain ownership of the rental properties so they can be held in perpetuity for local people, especially those within the key worker categories. Shared ownership properties are also available under the model and residents can staircase up to 100% ownership with Blenheim having first refusal on purchase if the properties subsequently come to the market.
- 9.1.2 All allocations for affordable housing properties are handled through WODC's Homeseeker Plus team for affordable rent and Help to Buy South³⁴ for shared ownership.

9.2 Partnerships with legacy landowners

- 9.2.1 WODC is also interested in partnering with other legacy landowners to accelerate delivery of affordable housing in the district and would welcome discussions with those landowners who are considering development as part of their long term legacy planning. Rural exception sites that would help meet the affordable housing needs of our smaller rural settlements are particularly of interest. Please contact the Strategic Affordable Housing Team for further discussion.

³⁴ <https://www.helptobuyagent3.org.uk/>

10.0 Oxfordshire Housing and Growth Deal

- 10.1 In 2017 Oxfordshire's six local authorities together with the Oxfordshire Local Enterprise Partnership began collaboration with the Government (Oxfordshire Housing and Growth Deal).
- 10.2 As part of this collaboration, Oxfordshire received £215 million of new funding to support provision of 100,000 new homes in Oxfordshire by 2031.
- 10.3 Of this total, £150 million focuses on infrastructure to help accelerate delivery of these new homes.
- 10.4 It also includes £60 million for a bespoke programme to deliver at least 1320 additional affordable homes by March 2021 (named the Oxfordshire Affordable Housing Programme) although this has now been extended to March 2022 – see below. This fund is additional to the existing Homes England Affordable Homes Programme which is ongoing and will continue alongside it.
- 10.5 Whilst use of the Growth Deal funding will not be a material consideration in planning applications, it is intended that it will help facilitate additional affordable housing to that secured through legal agreements.
- 10.6 By releasing its funds early in the development process, it is intended that Growth Deal becomes attractive to developers in the financing of their schemes.

Future West Oxfordshire Affordable Housing Programme

- 10.7 The Oxfordshire Housing and Growth Deal will work to secure further public and private funding to support the ambition of providing 100,000 new homes by 2031.
- 10.8 Post COVID-19 pandemic, an extension to the Growth Deal program to include a 4th year has now been agreed. Additionally, through collaboration and use of grant funding, West Oxfordshire District Council seeks to establish a lasting programme that will, via a pipeline of schemes, strategic partnerships and innovative delivery vehicles, provide a material uplift in the level of new affordable housing in Oxfordshire and seek to increase the pace of its delivery.

11.0 Monitoring and Review

- 11.1 The delivery of affordable housing will be monitored in the Council's Annual Monitoring Report and reported on through the Council's annual Infrastructure Funding Statement (IFS).

Glossary

Affordable Housing

Housing for sale or rent, for those whose needs are not met by the market.

Affordable Rent

A form of affordable housing where the rent is set at up to 80% of market rent (including service charges).

Annual Monitoring Report (AMR)

An annual report setting out Information on the implementation of planning policies in West Oxfordshire, typically published at the end of each calendar year.

Broad Rental Market Area (BRMA)

Broad Rental Market Area (or BRMA) boundaries are used to determine Local Housing Allowance (LHA) rates (see below).

Build to Rent

Purpose built housing that is typically 100% rented out.

Discount Market Housing

Affordable Housing which is wholly owned by the occupier but is always sold at a discount on full market price.

Essential Local Worker

Public sector employees who provide frontline services in areas including health, education and community safety – such as NHS staff, teachers, police, firefighters and military personnel, social care and childcare workers.

First Homes

A specific kind of discounted market sale housing which must be discounted by a minimum of 30% against the market value and sold to a person or persons meeting the First Homes eligibility criteria.

Homeseeker+

West Oxfordshire District Council's register of residents seeking affordable housing. Residents are required to register with Homeseeker+ to be eligible to apply for affordable housing units that become available within the district.

Infrastructure Funding Statement (IFS)

An annual report produced by local authorities setting out information on developer contributions secured and spent within the previous financial year.

Intermediate Housing

Affordable Housing which is wholly or partly owned by the occupier but acquired at below full market price. Shared Ownership and Discount Market Sale are types of intermediate housing.

Living Rent

A Living Rent is one which is linked to a tenant's income, meaning that more disposable income is left after paying housing costs for household essentials or, for example, saving for a deposit for a mortgage.

Local Housing Allowances (LHA)

Used to calculate housing benefit for tenants renting from private landlords.

Nominations Agreement

An agreement between the Council and a Registered Provider of affordable housing which allows the Council to specify key criteria for the occupiers of the housing.

National Planning Policy Framework (NPPF)

Sets out government's planning policies for England and how these are expected to be applied.

Planning Practice Guidance (PPG)

Additional guidance published by the Government to support the NPPF (see above).

Registered Provider

The term 'Registered Providers' includes both private registered providers of social housing (mainly housing associations) and local authorities that are registered with the Regulator³⁵ of Social Housing. Registered Providers

³⁵

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/801982/Becoming_a_registered_provider.pdf

Rent to Buy

A scheme to help first time buyers, or those returning to the market following relationship breakdown. Households are able to rent a home at an affordable or intermediate rent, providing an opportunity to build up a deposit.

Rural Exception Sites

Small sites used for affordable housing in perpetuity where sites would not normally be used for housing.

Section 106 agreement

A form of planning obligation to assist in mitigating the impact of unacceptable development to make it acceptable in planning terms.

Self and custom build housing

Housing built by an individual, a group of individuals, or persons working with or for them, to be occupied by that individual.

Shared Ownership

Affordable housing which is part owned by the occupier who also pays rent on the remainder of the property, usually a Registered Provider.

Shared equity

The purchaser acquires the whole of the property but effectively only pays a proportion of the value, e.g. 75%. The remaining 25% is secured by an equity loan without any rental obligation.

Social Rent

Housing owned and managed by registered providers, for which target rents are determined through the Government's rent policy for Social Rent.

Supplementary Planning Document (SPD)

A document that supplements and elaborates policies and proposals in the Local Plan document.

West Oxfordshire Local Plan 2031

Sets out the future planning framework for West Oxfordshire in the period 2011 – 2031.

Appendix 1 - Policy H3 Affordable housing

In order to address identified affordable housing needs, the Council will require 'qualifying' market housing schemes to make an appropriate contribution towards the provision of affordable housing within the District.

Within the Cotswolds AONB, housing schemes of 6-10 units and which have a maximum combined gross floorspace of no more than 1,000m² will be required to make a financial contribution towards the provision of affordable housing off-site within the District. This commuted sum will be deferred until completion of the development to assist with viability.

Across the District as a whole, housing schemes of 11 or more units or which have a maximum combined gross floorspace of more than 1,000m² will be required to provide affordable housing on-site as a proportion of the market homes proposed as follows:

- High value zone (50%)
- Medium value zone (40%)
- Low value zone (35%)

The following levels of affordable housing provision will be applied in relation to sheltered housing and extra-care housing:
Sheltered housing

- High value zone (50%)
- Medium value zone (40%)
- Low value zone (35%)

Extra-care housing

- High value zone (45%)
- Medium value zone (35%)
- Low value zone (10%)

In circumstances where it can be demonstrated that the level of affordable housing being sought would make a scheme unviable, a revised mix and type of housing will be considered before a lower level of affordable housing provision is accepted.

Where external funding is available it may be applied to schemes to ensure affordability of rental levels or to increase the number or to change tenure or type of homes to meet priority needs.

Affordable housing mix and tenure will be responsive to identified local needs and site specific opportunities. A financial contribution for the provision of affordable housing on other sites in West Oxfordshire in lieu of on-site provision may be appropriate if it can be demonstrated that:

- It is not physically possible or feasible to provide affordable housing on the application site; or

- There is evidence that a separate site would more satisfactorily meet local housing need and contribute to the creation of mixed communities.

In some instances, a combination of on-site provision and a financial contribution may be appropriate.

West Oxfordshire District Council and its partners will work with parish councils,

registered providers of affordable housing and local housing, community land and self-build trusts to identify additional suitable rural sites for small scale affordable housing schemes to meet specific local housing needs which cannot be met in any other way. All new homes on these sites will remain affordable in perpetuity to people in housing need who have a local connection with the parish or appropriate adjoining parishes. Sites will be well-related to the existing built-up areas of towns and villages. Where family

homes are proposed priority will be given to locations within a reasonable walking distance of a primary school.

The Council will consider the inclusion of an element of market housing in rural exception sites (RES) provided it is demonstrated to be necessary to delivery (eg. by subsidising the affordable element). In such cases, any market housing would be expected to be a subsidiary element of a predominantly affordable housing scheme.

Appendix 2 - Useful Contacts

West Oxfordshire District Council, Elmfield, New Yatt Road, Witney, Oxon OX28 1PB

<https://www.westoxon.gov.uk>

Strategic Housing Manager – for information on housing need and types of affordable housing

Planning Policy Manager – for general planning advice

Area Planning Manager – for site specific and pre-application advice.

Planning: 01993 861420

Email: planning@westoxon.gov.uk

Registered Providers

Cottsway Housing Association, Cottsway House, Heynes Place, Avenue Two, Witney, Oxfordshire, OX28 4YG	Tel: 01993 890000 Web: www.cottsway.co.uk
Sovereign, Woodlands, 90 Bartholomew Street, Newbury, RG14 5EE	Tel: 0300 5000 926 Web: www.sovereign.org.uk
Clarion Housing, Level 6, 6 More London Place, Tooley Street, London, SE1 2DA	Tel: 0300 500 8000 Web: www.clarionhg.com
Aster Group, Sarsen Court, Horton Avenue, Cannings Hill, Devizes, Wiltshire, SN10 2AZ	Tel: 0333 400 8222 Web: www.aster.co.uk
Sanctuary Housing Association, Chamber Court, Castle St, Worcester, WR1 3ZQ	Tel: 0800 131 3348 Web: www.sanctuary-housing.co.uk
GreenSquare, Methuen Park, Chippenham, Wiltshire, SN14 0GU	Tel: 01249 465465 Web: www.greensquaregroup.com
SOHA, Royal Scot House, 99 Station Rd, Didcot, OX11 7NN	Tel: 01235 515900 Web: www.soha.co.uk
Sage Housing, Orion House, 5 Upper St Martin's Ln, West End, London, WC2H 9EA	Tel: 020 3369 0431 Web: www.sagehousing.co.uk
Platform Housing Group, 1700 Solihull Parkway, Birmingham Business Park, Solihull, B37 7YD	Tel: 0333 200 7304 Web: www.platformhg.com
Stonewater Housing Association, Montpelier House, Southbank Rd, Kenilworth, CV8 1LA	Tel: 01926 859857 Web: www.stonewater.org
Hanover, The Heal's Building, Suites A&B, 3rd Floor, 22-24 Torrington Place, London, WC1E 7HJ	Tel: 0800 731 2020 Web: www.anchorhanover.org.uk

Housing 21, Tricorn House, 51–53 Hagley Road, Birmingham, B16 8TP	Tel: 0370 192 4000 Web: www.housing21.org.uk
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Appendix 3- Example S106 Agreement Affordable Housing Schedule

1. Definitions

In this Schedule

1.1 "Affordable Housing" has the meaning given to it in Annex 2 of the NPPF (the National Planning Policy Framework as amended or replaced from time to time).

1.2 "Affordable Housing Units" means (unless otherwise agreed in writing by the District Council) [insert number of dwellings] Dwellings to be built as part of the Development on the Site as Affordable Housing and constructed and provided on the Site in accordance with the Affordable Housing Plan and the provisions of this Deed

1.3 "Affordable Rent" means a rent up to 80% of the local market rent (including service charges where applicable) for an equivalent property for the size and location, based on a valuation in accordance with a method recognised by the Royal Institution of Chartered Surveyors and set in accordance with current Government policy for Affordable Rent and with regard to local market context including the relevant Local Housing Allowance provided that rent may be increased annually by CPI plus 1% or as agreed in writing with the Council

1.4 "Affordable Rented Units" means (unless otherwise agreed in writing by the District Council) [insert number of units] of the Affordable Housing Units let by a Registered Provider and offered at an Affordable Rent

1.5 "Affordable Housing Plan" means Plan [insert reference number] showing the location size type specification and Tenure of the Affordable Housing Units on the Site (or such other plan to be agreed in writing with the District Council)

1.6 "Contract" means a contract to transfer the Affordable Housing Units (together with all necessary rights of way and easements) to the Registered Provider

1.7 "District Council's Waiting List" means the list and procedure for allocating Affordable Rented Units and Social Rented Units as set out in the Homeseeker Plus Policy and Service Level Agreement Document or any equivalent or similar replacement from time to time in existence

1.8 "Homes England" means Homes England of One Friargate, Coventry, CV1 2GN who exercise the functions in relation to the funding of affordable housing and includes any successor body exercising similar functions

1.9 "Homes England Model Lease" means a lease in a form which has been approved and or prescribed by Homes England for shared ownership which allows a lessee to acquire up to and including 100% of the equity of the Shared Ownership Unit and the freehold as may be amended or updated from time to time

1.10 “Head of Planning and Strategic Housing” means the officer of the District Council who is responsible for the affordable housing in the District Council’s area or such other officer as may be appointed from time to time

1.11 “Help to Buy Agent” means the organisation appointed by Homes England responsible for providing to the Registered Provider a list of people interested in purchasing a Shared Ownership Unit or such other organisation exercising the same functions from time to time appointed by Homes England

1.12 “Homeseeker Plus Policy Document and Service Level Agreement” means the prevailing District Council choice based lettings scheme or such other housing allocation scheme as approved by the District Council which sets out eligibility for Qualifying Persons on the District Council’s Waiting List and the procedure for nominations from the waiting list to Affordable Rented Units and Social Rented Units within the District Council’s administrative area at the time when allocations are made as may be amended or updated from time to time

1.13 “Mortgagee” such mortgagee or chargee or any receiver (including an administrative receiver) appointed by such mortgagee or chargee or any other person appointed under any security documentation to enable such mortgagee or chargee to realise its security or any administrator (howsoever appointed) including a housing administrator (each a Receiver) of the whole or any part of the Affordable Housing

1.14 “Practical Completion” means actual completion of the construction of the Affordable Housing Units in accordance with the Contract which save for minor defects permits beneficial use and occupation of the same

1.17 “Protected Tenant” shall mean any tenant who:

(a) has exercised any statutory or voluntary right to buy (or any equivalent contractual right) in respect of a particular Dwelling; or

(b) has been granted a shared ownership lease by of a particular Dwelling and the tenant has subsequently purchased all the remaining shares so that the tenant owns the entire Dwelling;

(c) has purchased a Rent to Buy Unit; or

(d) any mortgagee chargee and or successor in title to anyone falling with categories (a) or (c) above

1.19 “Qualifying Person” means an individual who is on the District Council’s Waiting List and in need of Affordable Housing

1.20 “Rent to Buy Unit” means (unless otherwise agreed in writing by the District Council) [insert number of units] of the Affordable Housing Units provided by a Registered Provider where they are let at an Affordable Rent for a minimum period of five years during which period the Registered Provider has the option to:

1.20.1.1 sell the Affordable Housing Unit giving the existing tenant a right of pre-emption should they be in a position to buy the same;

1.20.1.2 sell part of the Affordable Housing Unit and convert the Rent to Buy Unit to a Shared Ownership Unit giving the existing tenant a right of pre-emption should they be in a position to buy the same; or

1.20.1.3 regain possession of the Rent to Buy Unit (which would then be let to a new tenant on a new tenancy (as either a Rent to Buy Unit or Affordable Rented Unit)

1.21 “Registered Provider” means an affordable housing provider as provided for in the Housing and Regeneration Act 2008 and which is registered with Homes England (or its replacement body) and which has been approved by the District Council PROVIDED ALWAYS that if Registered Providers shall have ceased to exist or have been superseded then the expression shall be taken to mean such nearest equivalent body whose objectives include the provision of low cost housing for renting or ownership by local people as the District Council may reasonably approve for the purposes of this Deed

1.22 “Tenure” means Affordable Housing Units which comprise one or more of the following tenure types

1.22.1 Affordable Rented Unit; and/or

1.22.2 Shared Ownership Unit

1.22.3 Social Rented Units

1.22.4 Rent to Buy Units

1.23 “Shared Ownership Unit” means (unless otherwise agreed in writing by the District Council) [insert number of units] of the Affordable Housing Units provided by a Registered Provider where a proportion of the equity is sold on a long lease to the purchaser and the remainder of the equity is initially retained by the Registered Provider subject to rent being charged on the retained equity on terms that are set out in the Homes England Model Lease or such other form of lease reasonably requested by the Registered Provider and which shall be first approved by the District Council and in accordance with the following:

1.23.1 the initial percentage of equity sold is between 10% (or such other percentage as may be agreed by the District Council) and 75% which shall be calculated to ensure the Shared Ownership Units are affordable to those in housing need with regard to local incomes and local house prices;

1.23.2 rent on unsold equity is initially set at no more than 2.75% or such other percentage as may be agreed by the District Council (acting reasonably) of the value of the equity retained by the Registered Provider or such other rent as complies with the requirements from time to time of Homes England; and

1.23.3 charges for services are levied in accordance with the good practice guidance issued by Homes England but provided always that this provision shall not prevent each such unit being responsible for contributing of a fair and reasonable proportion of any service charge levied for the Development and/or that part of the Development within which such each unit shall be situate

1.24 “Size Standard” means compliance with the Government’s Nationally Described Space Standard for each and every unit type of Affordable Housing Unit

1.25 “Social Rent” means a maximum weekly rent for a tenant who is granted a tenancy of the accommodation for the first time is formula rent calculated in accordance with the Government’s current Rent Standard guidance or equivalent thereof (exclusive of any service charges)

1.26 “Social Rented Units” means (unless otherwise agreed in writing by the District Council) [insert number of units] of the Affordable Housing Units let by a Registered Provider and offered at a Social Rent

2. The Owners covenant with the District Council as follows:-

2.1 Not to cause or permit the Implementation until a Contract has been entered into with a Registered Provider

2.2 To provide the Affordable Housing Units on the Site in accordance with the Affordable Housing Plan and the provisions of this Deed and unless otherwise agreed by the District Council the Affordable Housing Units shall comply with the requirements set out below:

[Example....]

Property Type	GIFA m2	Total no.	Tenure	Plot no.
[insert type]	[insert m2]	[number]	Rent to Buy	[add plot no’s]
[insert type]	[insert m2]	[number]	Affordable Rent	[add plot no’s]
[insert type]	[insert m2]	[number]	Social Rent	[add plot no’s]
[insert type]	[insert m2]	[number]	Shared Ownership	[add plot no’s]

2.3 Save as otherwise provided from the date of Practical Completion the Affordable Housing Units shall remain at an affordable price for future eligible households, or for the subsidy to be recycled for alternative affordable housing provision and in accordance with National Planning Policy Framework guidance

2.4 The Affordable Rented Units and the Social Rented Units shall on the first and any subsequent let be allocated to Qualifying Persons in accordance with the District Council’s Homeseeker Plus Policy Document and Service Level Agreement PROVIDED THAT if the unit has not been let on completion of 2 letting cycles the Registered Provider shall be permitted to allocate a vacant unit to someone from its own waiting list

2.5 The Rent to Buy Units shall managed and occupied in accordance with the requirements of Homes England

2.6 The Shared Ownership Units shall be sold to applicants that have registered with the Help to Buy Agent PROVIDED THAT where possible (and only if this does not contradict or breach the grant

funding conditions as set by Homes England) priority shall be given to people with a local connection to West Oxfordshire for a period of 6 weeks from when the Dwelling is first marketed (on initial and shared ownership resales)

2.8 The obligations in this Deed shall not be binding upon:


2.8.1 A Protected Tenant

2.8.2 A Mortgagee

PROVIDED THAT:

(i) such Mortgagee shall first give written notice to the Council of its intention to dispose of the Affordable Housing Unit(s) and shall have used reasonable endeavours over a period of three months from the date of the written notice to complete a disposal of its Affordable Housing Unit(s) to another Registered Provider or to the Council for a consideration not less than the amount due and outstanding under the terms of the relevant security documentation including all accrued principal monies, interest and costs and expenses; and

(ii) if such disposal has not completed within the three month period, the Mortgagee shall be entitled to dispose of the Affordable Housing Unit(s) free from the affordable housing provisions in this Deed (as set out in the First Schedule hereof), which provisions shall determine absolutely.

 WEST OXFORDSHIRE DISTRICT COUNCIL	WEST OXFORDSHIRE DISTRICT COUNCIL
Name and date of Committee	Cabinet: Wednesday 13 October 2021
Report Number	Agenda Item No. 7
Subject	Introduction of Charges at the Public Conveniences at New Street Car Park, Chipping Norton
Ward affected	Chipping Norton
Accountable member	Councillor Norman MacRae Cabinet Member for Environment Email: norman.macrae@westoxon.gov.uk
Accountable officer	Mrs Maria Wheatley- Parking Services Manager Email: maria.wheatley@publicagroup.uk
Summary/Purpose	To consider the introduction of charges at the Public Conveniences at the New Street Car Park, Chipping Norton
Annexes	None
Recommendation	That approval be given to the introduction of charging for the use of the New Street Car Park public conveniences, Chipping Norton at a charge of 20p as per all other units as soon is practicably possible to install the equipment.
Corporate priorities	Modern Council Services and Sustainable Finance: Delivering excellent modern services whilst ensuring the financial sustainability of the Council
Key Decision	No
Exempt	No
Consultees/ Consultation	Cabinet Member and Senior Officers

1. BACKGROUND

- 1.1. The Council introduced charges in public conveniences 2004/05. All 12 sites were considered and only one site was excluded at that time. It is not clear why this site was excluded.
- 1.2. The majority of the other 11 sites are accessed from the street straight into the individual cubicle, and are therefore described as direct access. The site at New Street has entrance doors into shared spaces. The male entrance goes into a shared space with handwash basins etc with separate cubicle doors. The female entrance goes into a similar shared space with handwash etc with separate doors to the cubicles.
- 1.3. In 2004/5 when the charge of 10p was introduced it was considered that users would hold the doors open for the next person and there would be little income.
- 1.4. In 2014 the charge was increased to 20p but the site at New Street was not considered at that time.

2. MAIN POINTS

- 2.1. The provision of public conveniences is not a statutory function.
- 2.2. The council charges at all other sites including the alternative site in the Town Hall Chipping Norton.
- 2.3. The New Street public conveniences were used 17,169 times during 2019/20 and 19,563 times during 2020/21. It is inequitable for the council to charge for all other sites except this one.

3. FINANCIAL IMPLICATIONS

- 3.1. A quote has been sought to install two charging units at a cost of £3,800 including purchase and installation. There will be an additional cost of £416 per annum to collect and bank the cash. The total costs £4,216 can be met from the existing revenue budget. The annual revenue is estimated to be in the region of £3,200, (assuming a slight drop in usage due to the introduction of the charge).

4. LEGAL IMPLICATIONS

- 4.1. There are no legal implications.

5. RISK ASSESSMENT

- 5.1. There is a risk that, if the doors are held open for the next person, the income may drop from the estimated annual income.

6. EQUALITIES IMPACT


- 6.1. This action will not impact any groups, as there is a separate unit for those with a disability which can be accessed free of charge with a RADAR key.

7. ALTERNATIVE OPTIONS

- 7.1. Cabinet can decide to keep these facilities free of charge.

8. BACKGROUND PAPERS

- 8.1. None

 WEST OXFORDSHIRE DISTRICT COUNCIL	WEST OXFORDSHIRE DISTRICT COUNCIL
Name and date	Cabinet: Wednesday, 13 October 2021
Report Number	Agenda Item No. 8
Subject	Consideration of the introduction of Waste & Recycling Container Delivery Charging
Wards affected	All
Accountable member	Councillor Norman MacRae, Cabinet Member for Environment; Email: norman.macrae@westoxon.gov.uk
Accountable officer	Scott Williams, Business Manager – Contracts Email: scott.williams@publicagroup.uk
Summary/Purpose	To present the Cabinet with the results of a review which has been completed on the numbers and costs of delivering waste and recycling containers to households in the district, and propose options (2.4-2.11) to introduce a charge for container deliveries.
Annexes	Annex A - Container Delivery Charging, Pricing Options Annex B - Container Delivery Charges in other Authorities Annex C – Equality impact Assessment
Recommendations	<p>(a) That Cabinet considers the options and reviews whether or not delivery charges for waste and recycling containers should be introduced as set out in this report; and</p> <p>(b) That, subject to (a) above, Cabinet recommends to Council its preferred price point options (1, 2 or 3) in Annex A or any alternate charging rate with an effective date of 1 December 2021.</p> <p><i>The Environment Overview & Scrutiny Committee met on 30th September 2021 to review the proposal and were supportive of the introduction, but put forward that the lowest rate of charge (Option 1), should be considered by Cabinet for the introduction.</i></p>
Corporate priorities	Climate Action - Leading the way in protecting and enhancing the environment by taking action locally on climate change and biodiversity.

Key Decision	No
Exempt	No
Consultees/ Consultation	Environment Overview and Scrutiny; Ubico

1. BACKGROUND

- 1.1. West Oxfordshire District Council (WODC) uses a twin stream method of recycling collection from households in the district, whereby residents present their recycling materials in different containers, with the items being collected by Ubico Ltd.
- 1.2. It's important that recycling materials are segregated from residual waste (refuse) in accordance with the waste hierarchy, in order to maximise the amount of material which can be recycled.
- 1.3. To facilitate the separation of recyclables and for households to be able to access the recycling collection services, the Council provides free of charge - 1 x recycling box (for the presentation of glass bottles & jars), a blue lidded 240 litre bin (for presentation of paper, cardboard, cartons, mixed plastic bottles, pots, tubs & trays and cans & tins, and foil), and 2 x food waste containers (1 x internal 7 litre caddy & 1 x external 23 litre food waste bin) per property. The Council also provides 1 x 240 litre wheeled bin for refuse and 1 x 240 litre wheeled bin for households wishing to subscribe to the garden waste collection service.
- 1.4. In addition, residents can request additional containers if their household is regularly producing more recycling than their containers will hold, and deliveries of all containers are made by Ubico Ltd.
- 1.5. Whilst many requests for additional recycling containers will be genuine, officers are aware that some requests are not and particularly recycling boxes and kitchen caddies have been witnessed being used for other purposes - such as removal boxes, garden tool boxes and outdoor toy boxes, and there is evidence that a substantial number of recycling boxes are used at allotments.
- 1.6. In addition, there is evidence to suggest that certain households make repeated requests periodically for the same containers at considerable cost annually (£413,360 in 2020/21) to the Authority and ultimately the council taxpayer. This has a negative impact on the environment due to an increase in CO2 emissions as a result of the delivery of the new containers.
- 1.7. The Council achieves a good level of recycling and composting performance at 61% (2020/21) which it wants to maintain and improve upon, so is keen to provide the necessary containers for residents to take part. However, it is clear from the sustained numbers of requests, that there is a significant ongoing cost to the Council (in the revenue requirement to purchase the containers and for the deliveries completed by Ubico), as detailed in this report.
- 1.8. This is an issue facing a significant number of Councils and as long ago as 2011, many were already charging for the provision (or delivery) of receptacles. Examples of the range of Councils charging for this service and their charging levels are set out at [Annex B](#), which includes Cotswold District Council which introduced container delivery charging earlier this year.

2. MAIN POINTS

Demand

- 2.1. The ongoing demand for containers and the financial impact of this demand has led officers to review how the Council manages and finances the container service, so that Councillors can make informed decisions to manage demand and promote awareness of the costs of the service.

- 2.2. In 2020/21, the Council received requests for and delivered/issued over 24,891 containers. Residents are usually able to collect smaller containers from the Town Centre Shop in Witney and a small proportion of customers do take up that option, but this was closed for a large proportion of 2020/21 due to the Coronavirus pandemic lockdowns, so none were issued. A breakdown of the numbers of each type of container delivered, is outlined in the table below.

2020/21	Green bins	Black bins	Recycling bins	External food caddy	Internal food caddy	Recycling Boxes	Total
Delivered	2650	1846	7143	5112	2982	5158	24,891

Options

- 2.3. Based on evidence of what other authorities charge for containers ([Annex B](#)), the Council could introduce a charge for container purchases and deliveries, or solely for deliveries. However, with the waste and recycling service redesign coming up in 2024 and the wider changes needing to be made to adhere to the forthcoming Environment Bill, there may be issues if the Council were to make changes to the service which meant that certain receptacles were no longer relevant for waste and recycling presentation, as residents who had 'purchased a container' would feel out of pocket. Therefore, for the purposes of this proposal, it is recommended that focus only be given to 'container delivery' charging where the Council still owns the containers.
- 2.4. The Council could introduce delivery charging for all refuse, recycling, food and garden waste replacement and additional containers. Alternatively, any combination of container deliveries for those waste streams could be charged for i.e. refuse, recycling and food waste containers.
- 2.5. As the Council already levies a charge for the garden waste service, it would be prudent not to charge for delivery of a bin to a new property which doesn't have one and purchases a licence.
- 2.6. It would be recommended that new developments receive a free delivery of refuse, recycling and food waste container provision or those subscribing to the garden waste service and not having a bin, so that those residents could access the services however, any additional container requests would be subject to the delivery charges.
- 2.7. Where a household was to request multiple containers such as 1 x 240l refuse bin, 1 recycling box, and 1 of each of the kitchen caddies in a single order, then it would be prudent for the customer to only be charged for the highest single delivery charge item i.e. the 240l refuse bin – particularly as the delivery vehicle would be making a single trip.
- 2.8. When a container was stolen or was damaged by the Ubico crew, while making a collection, then it would be recommended that those customers would not be charged for the replacement to be delivered.
- 2.9. A container collection option could be continued as an alternative for residents to delivery charges, but experience from other Councils suggests this would increase CO2 emissions through additional vehicular movements.
- 2.10. Alternatively, this option could be removed completely, which would free up some customer services resource and storage space. However, in which case, it would not be anticipated

that any savings made in this area would offer a cashable benefit to the authority as the function makes up only a part of the larger front of house role. On balance, it is recommended that the facility for containers to be collected, should not be included if the Cabinet is minded to introduce a charging scheme, as this only benefits residents who are able to travel to Witney and comes at an environmental disadvantage.

- 2.11. Having reviewed the charges being levied in other local authorities, there is a wide range within which the Council could choose to set delivery charges. For the purposes of this review and balancing the risks around not deterring residents from taking part in the recycling collection services, with offsetting some of the container purchase and delivery costs, pricing options with varying levels of income based on demand are presented at [Annex A](#).

Benefits

- 2.12. If approved, the introduction of container delivery charges would have the following benefits:
- Increase in income to offset some of the costs of container purchases and deliveries;
 - Likely reduction/removal of spurious requests for additional recycling containers and associated container revenue savings in lower demand;
 - Reduction in fuel usage by Ubico delivery teams and associated savings in delivery costs and a new reduction in CO₂ produced by Ubico, but also by residents if the option to collect smaller items from the Town Centre Shop is removed.

3. FINANCIAL IMPLICATIONS

- 3.1. In order to provide the containers and retain sufficient stock levels, the Council spent £214,804 on purchases in 2020/21. In addition, Ubico's costs of providing container deliveries were £198,556 in 2020/21. This means that the Council spent an estimated total of £413,360 on container purchasing and deliveries in 2020/21 and those costs don't take into account any administration or support costs undertaken by Publica.
- 3.2. Taking the 2020/21 usage numbers and assuming there would be a reduction in recycling and food waste container delivery demand, as a result of the implementation of delivery charges, through the predominant removal of spurious requests across the board (estimated at -10%), the delivery demand would be estimated to be;

2020/21	Green bins	Black bins	Recycling bins	External food caddy	Internal food caddy	Recycling Boxes	Total
Delivered	N/A	N/A	N/A	4140	2415	4178	10,733

- 3.3. Using the mid-point of charging rates as set out in [Annex A](#) multiplied by the numbers above, the estimated additional income would be;

2021/22	Green bins	Black bins	Recycling bins	External food caddy	Internal food caddy	Recycling boxes	Total
Delivered	N/A*	N/A*	N/A*	£31,050	£18,112	£31,335	£80,497

*assumes that the majority of requests for refuse, recycling and garden bins are from new customers and so delivery charge would not apply

- 3.4. If realised, the additional income derived from container delivery charging would contribute 40% to offsetting the costs of the Ubico container delivery service.
- 3.5. For comparison purposes, if the lower or higher charging rates presented in [Annex A](#) were used, then the estimated income would be £53,664 and £107,329 respectively.
- 3.6. With lower demand on containers, deliveries would be made in a shorter time period, thus improving the customer experience. However, as this resource would still be required, there are no identifiable cashable savings, which could be taken.

4. LEGAL IMPLICATIONS

- 4.1. The Council is required to collect household waste but it can dictate how the waste must be presented for collection. It can also introduce a charge for container deliveries as other Local Authorities have done and shown at [Annex B](#).
- 4.2. The current Environmental Services Policy does not have the facility to charge for the delivery of containers, however if approved by Cabinet, container delivery charges would be included and the policy updated.

5. RISK ASSESSMENT

- 5.1. The main risk associated with the introduction of container delivery charges as set out in this report would be to deter residents from participating in the recycling collection services to such an extent that it would negatively affect recycling performance and the income generated from recycling credits.
- 5.2. The majority of households already have provision of the necessary recycling containers and judging by the Council's performance, participation is high. So, whilst this is a risk to performance, in local authorities where similar schemes have been introduced there has not been a negative impact on recycling rates, so the risk is low and officers will monitor this risk and report any negative impact.
- 5.3. There is also a risk of increased work for the customer service team to process the payments however this would be largely if not completely offset by the reduction in calls as a result of the lower demand for additional containers with the predominant cessation of spurious requests. In addition, through effective use of the website, the ordering and payment process would be largely automated.
- 5.4. The introduction of the Environmental Services System with In-Cab technology will also allow for container deliveries to be managed more effectively.

6. EQUALITIES IMPACT

- 6.1. As part of the Environmental Services Policy, special dispensation can be given in certain circumstances to residents with disability/infirmity and already receiving an assisted collection. It is proposed that this clause be carried into any revision of the Environmental Services Policy to ensure that certain residents are not discriminated against with the implementation of container delivery charges as set out in this report.

7. CLIMATE CHANGE IMPLICATIONS

- 7.1. The introduction of container delivery charges is likely to reduce the mileage required to be completed by the Ubico container delivery crews through a reduction in demand, which would have a direct benefit in reducing the CO2 produced for this element of the service.

- 7.2. In addition, it is likely that the Council would see container demand decrease, as a result of the predominant abolition of spurious requests, meaning that there would be a carbon saving in fewer containers having to be purchased by the authority and therefore produced by the associated manufacturers.

8. ALTERNATIVE OPTIONS

- 8.1. The Council could continue with the current practice of delivering the containers at no charge. However, there is a high demand and significant ongoing costs associated with this service, and it is highly likely that a proportion of requests are not genuine, so this option is not recommended.

9. BACKGROUND PAPERS

- 9.1. None.

Annex A		Container Delivery Charging - Pricing Options						
Option 1	Container	Delivery Charge	No. of Requests			Estimated Income		
Food Waste	7L/23L Kitchen Caddy	£5	500	1000	2000	£2,500	£5,000	£10,000
Recycling	44L Recycling Box & Lid	£5	500	1000	2000	£2,500	£5,000	£10,000
	Blue Recycling Bin	£10	500	1000	2000	£5,000	£10,000	£20,000
Garden Waste	240L Garden Waste Bin	£10	500	1000	2000	£5,000	£10,000	£20,000
Refuse	240L Refuse Bin	£10	500	1000	2000	£5,000	£10,000	£20,000
	360/660/1100L Refuse Bin	£20	500	1000	2000	£10,000	£20,000	£40,000
Total						£30,000	£60,000	£120,000
Option 2	Container	Delivery Charge	No. of Requests			Estimated Income		
Food Waste	7L/23L Kitchen Caddy	£7.50	500	1000	2000	£3,750	£7,500	£15,000
Recycling	44L Recycling Box & Lid	£7.50	500	1000	2000	£3,750	£7,500	£15,000
	Blue Recycling Bin	£15.00	500	1000	2000	£7,500	£15,000	£30,000
Garden Waste	240L Garden Waste Bin	£15	500	1000	2000	£7,500	£15,000	£30,000
Refuse	240L Refuse Bin	£15	500	1000	2000	£7,500	£15,000	£30,000
	360/660/1100L Refuse Bin	£30	500	1000	2000	£15,000	£30,000	£60,000
Total						£45,000	£90,000	£180,000
Option 3	Container	Delivery Charge	No. of Requests			Estimated Income		
Food Waste	7L/23L Kitchen Caddy	£10	500	1000	2000	£5,000	£10,000	£20,000
Recycling	44L Recycling Box & Lid	£10	500	1000	2000	£5,000	£10,000	£20,000
	Blue Recycling Bin	£20	500	1000	2000	£10,000	£20,000	£40,000
Garden Waste	240L Garden Waste Bin	£20	500	1000	2000	£10,000	£20,000	£40,000
Refuse	240L Refuse Bin	£20	500	1000	2000	£10,000	£20,000	£40,000
	360/660/1100L Refuse Bin	£40	500	1000	2000	£20,000	£40,000	£80,000
Total						£60,000	£120,000	£240,000

Container Delivery Charges in other Authorities

Container Charge (including administration & delivery)

Authority	Container	Container Charge (including administration & delivery)	Recycling & Composting %
Wigan Council	Replacement Black Bin	£36	45%
	Replacement Blue Bin	£36	
	Replacement Brown Bin	£36	
	Replacement Green Bin	£36	
	Kitchen Caddy	free of charge	
	New Property Black bin	£66	
	New Property Recycling bins (without a Black Bin)	£66	
West Lindsey District Council	Black (refuse) wheeled bins	£33	36%
	Blue (recycling) wheeled bins	£33	
Cheshire East Council	240 litre bins	£30	54%
	140 litre bins	£25	
	360 litre bins	£40	

Administration & Delivery Charge (only)

Authority	Container	Administration & Delivery Charge (only)	Recycling & Composting %
Swindon Borough Council	44 litre recycling box with lid	£7.00	40%
	44 litre recycling box without lid	£5.00	
	Lid only	£2.00	
Stroud District Council	Green recycling wheelie bin	£10.00	59%
	Grey rubbish wheelie bin (replacement only)	£10.00	
	Recycling box	£10.00	
	Recycling bag	£10.00	
Warwick District Council	All containers	£5	56%

Authority	Container	Administration & Delivery Charge (only)	Recycling & Composting %
Southampton City Council	140 litre general waste bin	£30	28% (Recycling only)
	240 litre general waste bin	£40	
	360 litre general waste bin	£50	
Derbyshire Dales District Council	140 litre grey bin	£21.25	57%
	240 litre grey bin	£26.50	
	240 litre green bin	£15.90	
	240 litre blue recycling bin	free of charge	
	Kerbside or Kitchen Caddy	free of charge	
Cotswold District Council	Green recycling wheelie bin	£10	58%
	Grey rubbish wheelie bin	£10	
	Recycling box	£5	
	Recycling bag	£5	
	Kitchen caddy/food waste bin	£5	

Equality and Ruralty Impact Assessment Form

When completing this form you will need to provide evidence that you have considered how the 'protected characteristics' may be impacted upon by this decision. In line with the General Equality Duty the Council must, in the exercise of its functions, have due regard for the need to:

- a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

This form should be completed in conjunction with the guidance document available on the Intranet or by contacting the Corporate Support Team ext. 2607.

Page 143

Persons responsible for this assessment:

Names: Scott Williams

Date of assessment: 30th September 2021

Telephone:

Email: scott.williams@publicagroup.uk

2. Name of the policy, service, strategy, procedure or function:

Waste & Recycling container delivery charging

Is this a new or existing one? New

3. Briefly describe it aims and objectives

To implement a delivery charge for waste and recycling containers to residents

Are there any external considerations? (e.g. Legislation/government directives)

None

Source	✓	If ticked please explain what
Demographic data and other statistics, including census findings	<input type="checkbox"/>	
Recent research findings including studies of deprivation	<input type="checkbox"/>	
Results of recent consultations and surveys	<input type="checkbox"/>	
Results of ethnic monitoring data and any equalities data	<input type="checkbox"/>	
Anecdotal information from groups and agencies within Oxfordshire / Gloucestershire	X	Neighbouring authorities and other LA's charging for container deliveries

Comparisons between similar functions / policies elsewhere	X	Neighbouring authorities and other LA's charging for container deliveries
Analysis of audit reports and reviews	<input type="checkbox"/>	
Other:	<input type="checkbox"/>	

5. What evidence has helped to inform this assessment?

Please specify how intend to gather evidence to fill any gaps identified above:

N/A

7. Has any consultation been carried out?

No

Details of Consultation

None

If NO please outline any planned activities

None

8. What level of impact either directly or indirectly will the proposal have upon the general public / staff? (Please quantify where possible)

Level of impact	Response
NO IMPACT – The proposal has no impact upon the general public/staff	<input type="checkbox"/>
LOW – Few members of the general public/staff will be affected by this proposal	X
MEDIUM – A large group of the general public/staff will be affected by this proposal	<input type="checkbox"/>
HIGH – The proposal will have an impact upon the whole community/all staff	<input type="checkbox"/>
Comments: e.g. Who will this specifically impact? All residents who require delivery of an additional waste/recycling container	

9. Considering the available evidence, what type of impact could this function have on any of the protected characteristics?

Negative – it could disadvantage and therefore potentially not meet the General Equality duty;

Positive – it could benefit and help meet the General Equality duty;

Neutral – neither positive nor negative impact / Not sure

	Potential Negative	Potential Positive	Neutral	Reasons	Options for mitigating adverse impacts
Age – Young People			X		
Age – Old People			X		
Disability			X		
Sex – Male			X		
Sex – Female			X		
Race including Gypsy and Travellers			X		
Religion or Belief			X		
Sexual Orientation			X		
Gender Reassignment			X		
Pregnancy and maternity			X		
Geographical impacts on one area			X		
Other Groups			X		
Rural considerations: ie Access to services; leisure facilities, transport;					

education; employment; broadband.					
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10. Action plan (add additional lines if necessary)

Action(s)	Lead Officer	Resource	Timescale
If approved by Cabinet & Council, environmental services policy to be updated with charging mechanism details.	Scott Williams	N/A	ASAP

11. Is there is anything else that you wish to add?


None

Declaration

I/We are satisfied that an equality impact assessment has been carried out on this policy, service, strategy, procedure or function and where an negative impact has been identified actions have been developed to lessen or negate this impact. We understand that the Equality Impact Assessment is required by the District Council and that we take responsibility for the completion and quality of this assessment.

Completed By:	Scott Williams	Role:	Business Manager - Contracts	Date:	30.09.2021
Line Managers signature:	Bill Oddy			Date:	30.09.2021
Reviewed by Corporate Equality Officer Group:				Date:	

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 <p>WEST OXFORDSHIRE DISTRICT COUNCIL</p>	<p>WEST OXFORDSHIRE DISTRICT COUNCIL</p>
<p>Name and date of Committee</p>	<p>Cabinet: Wednesday 13 October 2021</p>
<p>Report Number</p>	<p>AGENDA ITEM NO. 9</p>
<p>Subject</p>	<p>REVIEW OF TEMPORARY TRAFFIC RESTRICTIONS IN WITNEY HIGH STREET</p>
<p>Wards affected</p>	<p>All Witney Wards</p>
<p>Accountable member</p>	<p>Cllr Suzi Coul –Cabinet Member for Finance Email: suzi.coul@westoxon.gov.uk</p>
<p>Accountable officer</p>	<p>Will Barton, Business Development Officer Will.barton@publicagroup.uk</p>
<p>Summary/Purpose</p>	<p>To report the results of the consultation survey on the temporary restrictions in Witney High Street and for members to consider next steps in light of current pandemic situation.</p>
<p>Annexes</p>	<p>Annex A – Results of Witney High Street survey</p>
<p>Recommendation/s</p>	<p>It is recommended that Cabinet:-</p> <ul style="list-style-type: none"> a) <i>Support the retention of the temporary traffic restrictions in Witney High Street for a further period until January 2022;</i> b) <i>Support the immediate removal of the temporary pedestrian guard rails whilst retaining a measure of pedestrian/ vehicular separation through strategic use of planters;</i> c) <i>Supports the Oxfordshire County Council pursuing funding for design of public realm enhancements that could support more permanent changes to traffic movements;</i> d) <i>Requests that the Highway Authority undertakes additional public consultation on any design alternatives prior to any final decision on any scheme design or permanent changes.</i>
<p>Corporate priorities</p>	<ul style="list-style-type: none"> • Healthy towns and villages • A vibrant district economy
<p>Key Decision</p>	<p>NO</p>
<p>Exempt</p>	<p>NO</p>
<p>Consultees/ Consultation</p>	<p>Public consultation survey – results attached at Annex A</p>

1. BACKGROUND

- 1.1.** The Council, using powers granted as part of the national Covid pandemic response, sought, and implemented, temporary traffic restrictions in Witney High Street and Market Square to enable improved social distancing for town centre users and external dining arrangements for the hospitality sector. As well as limiting access a temporary pedestrian guard rail was installed to increase pedestrian space as part of the 'Reopening High Streets Safely' campaign in June 2020.
- 1.2.** National restrictions were lifted on 19 July 2021 but cases of COVID have remained particularly high nationally and in West Oxfordshire with the current case rate at a level similar to that seen during heightened restrictions. Officers have followed advice from the Director of Public Health to only gradually ease restrictions as the economy has gradually reopened.
- 1.3.** The temporary restrictions have given the opportunity to assess how the town would function with reduced traffic along the High Street. This report sets out the results of a public consultation on the measures and options for the future of the High Street. Ultimately, any decision on permanent changes will be made by the Highways Authority (Oxfordshire County Council (OCC)) in close liaison with this Council but given the proximity of the end of the traffic order (January 2022) a view on the longer term arrangements so it can be shared with the highways authority.

2. MAIN POINTS

- 2.1.** The temporary measures in Witney comprise restricted traffic access to Witney High Street and Market Square, temporary pedestrian guard rail on the east side of the High Street to create pedestrian space and cordoned off parking spaces to create a seating area for the Angel near the Buttercross. Additional table licenses have also been provided for the Market Square area.
- 2.2.** The traffic restrictions allow buses, taxis, blue badge holders, cyclists and pedestrians to continue travelling along the High Street/Market Square. There is a lack of clarity on deliveries and enforcement has been light touch to date.
- 2.3.** A public survey was undertaken to gauge views on these measures. In total 1,346 people responded to the survey. The full results are attached in Annex A. In summary:
 - 60% (808 people) felt safer with the restrictions and 26% (351 people) did not;
 - 54% (729 people) thought they had a positive impact on the town and 32% (437 people) did not;
 - 64% (846 people) said the extra pedestrian space should be retained whilst 36% (484 people) would like the restrictions removed and the High Street returned to its pre-COVID state;
 - 85% (1,133 people) said the council should continue to support outdoor dining in appropriate places.

- 2.4.** Approximately 30 responses were from organisations or businesses. Of these responses 11 - Stagecoach, Oxfordshire Association for the Blind, the Woolgate Shopping Centre, Witney Library, Windrush Bike Project, Ace Taxis and five businesses (none of whom are located in the restricted part of the High Street) were in favour of the restrictions being retained.
- 2.5.** A further ten businesses (eight of whom are based on the restricted part of the High Street) are opposed to the restrictions and see them as a hindrance to their trade. This is based on concerns regarding footfall and other issues such as the enforcement of the measures and the Council would attempt to address these concerns as far as possible as part of a permanent scheme.
- 2.6.** We did not receive formal responses from either Witney Town Council or Oxfordshire County Council. However, the Witney Traffic Advisory Group did discuss the restrictions and there was a significant majority view in favour of retaining the restrictions in the High Street.
- 2.7.** Thames Valley Police did respond to the consultation and suggested that the restrictions should be kept but only if they are made permanent and are accompanied by requisite signage. They also suggested that the restrictions should apply to all vehicles.
- 2.8.** The results of the survey show general support for the measures. Common themes in the comments made include:

In support of retaining the restrictions

Town feels safer for pedestrians, improved air quality, better shopping experience.

In support of removing the restrictions

High Street has lost its 'buzz' without the traffic, not enforced so people not taking any notice, footfall is down, shops are losing out on passing trade.

General observations

The temporary pedestrian guard railing is ugly, blue badge parking in the High Street/Market Square needs improving, the traffic restrictions need to be enforced.

3. OPTIONS FOR FUTURE OF THE MEASURES

- 3.1.** In terms of the High Street/Market Square between Welch Way and the Buttercross there is a decision to be made regarding the temporary measures:

Option 1 - Remove all of the restrictions and re-open the High Street/Market Square to all traffic

All of the restrictions could be removed and the High Street/Market Square re-opened to all traffic.

This would alleviate the concerns raised by some local people and some of the High Street businesses around the impact of the restrictions on the High Street. However this presumes that footfall is impacted purely by the restrictions and this premise does not seem well founded. It also goes against the outcome of the consultation survey which shows that the restrictions are supported by the majority.

In addition allowing all traffic back through the restricted area would seem to be counter to the Climate Change commitments of the Council which seeks to reduce the dominance of cars and enhance active travel.

Given that 55% of respondents thought the traffic restrictions had a positive impact on the town and 64% thought we should retain the extra pedestrian space should this option be chosen the Council would need to work closely with local businesses and residents with an aim of increasing the attractiveness of the town centre for all to increase footfall.

Option 2 - Retain the restrictions

The consultation demonstrated general but not unanimous support for retaining the restrictions. It was clear from both those that supported the restrictions and those that opposed them that some improvements could be made in any event and it is clear that some of these could be done immediately without waiting for the end of the traffic order or indeed any decision on permanent changes:

- The temporary pedestrian guard railing in the High Street is perceived as ugly. This was installed to narrow the carriageway to provide a wider footway during social distancing. This test period has shown the carriageway could be narrowed to provide wider footways whilst still retaining two-way traffic flows, noting traffic levels are reduced due to the restrictions. There is potential to replace the guardrailing with more attractive alternatives, such as planters, but there needs to be clarity on what their purpose is. The kerb in the middle of the temporarily widened footway may act as a hazard to some pedestrians including those with mobility impairments and to wheeled users (wheelchairs, mobility scooters, pushchairs and prams).
- There are concerns about the enforcement of the traffic restrictions. However, if made permanent, the two ends of the scheme could be redesigned so that signage makes clear which vehicles are permitted to travel along the High Street. The design of these would also be more attractive and in keeping with the historic town centre character.
- There are concerns from businesses about deliveries. Some businesses in the High Street/Market Square do not benefit from a rear service yard and have to receive deliveries from the front. There needs to be clarity that delivery vehicles will not be penalised. The restriction could be revised to allow for access and loading.
- Concerns were raised by disabled drivers about the suitability of some of the disabled parking spaces in the High Street/Market Square. These could be reviewed to ensure they are fit for purpose.

- To retain the restrictions beyond 3 January 2022, the Council will need to apply for a permanent Traffic Regulation Order to replace the current Temporary Traffic Regulation Order which expires on 3 January 2022. This would involve consultation and a fee of £3,250. The decision would be delegated to OCC officers if no objections are received during the consultation or be made by OCC Cabinet Member for Highways Management if objections are received.

Temporary seating space for The Angel

- 3.2.** A number of parking spaces near the War Memorial are subject to a Temporary Traffic Regulation Order and have been cordoned off to create an outside seating space for The Angel. The area is still very well used despite the Angel being able to fully open inside. It is proposed to retain this area so the business can make full use of it until the TRRO expires in January irrespective of the decision on the High Street measures.

Long term future of the High Street

- 3.3.** Following the temporary closure, OCC is considering the long-term future of the High Street and Market Square. From the test environment that has been created by the temporary restrictions there is opportunity to make these permanent, most likely through a two-step approach and subject to appropriate consultation.
- 3.4.** The proposed vision emerging from the County Council is to alter the High Street from a car and motorised traffic dominated space, to one that puts walking, cycling and public transport at the heart of Witney town centre. This vision will assist in the aim of promoting active and healthy lifestyles and is in line with the Council's climate change commitments.
- 3.5.** The first step would be to make the current traffic restrictions permanent (Jan 2022) and follow on as soon as funding is available with significant environmental enhancements to the public realm to improve the attractiveness of the High Street/Market Square and to help make the restrictions 'self-enforcing'. This first step could happen now or it could be implemented at the expiry of the current temporary arrangements.
- 3.6.** OCC are at very early stages, working up a concept scheme to help determine cost estimates were the measures to be made permanent. OCC has submitted a bid for £1,988,545 to the DfT's Active Travel Tranche 3 (ATT3) fund to cover the costs of the public realm scheme. In summary, the proposed scheme would:
- Make the existing traffic restriction arrangement permanent (from Welch Way to Buttercross)
 - Provide improved pedestrian crossing facilities
 - Deliver footway widening, particularly between Welch Way and Boots Pharmacy (2-8 High Street) by at least 1.5m on each side where it is particularly constrained.
 - Rationalise taxi pick up/drop off and rank space / on-street blue badge parking, whilst ensuring these are appropriately located to aid access for those with reduced mobility.
 - Implement public realm enhancements
 - Retain and renew the bus stops at Market Square

- 3.7.** Once funding is secured, there would be comprehensive consultation with key stakeholders to work up the details of the scheme. If the ATT3 bid is successful works would be completed by March 2023.

4. FINANCIAL IMPLICATIONS

- 4.1.** Costs to implement the temporary restrictions have been met by the national Reopening the High Streets Fund (RHSS). Any further adaptations to the temporary scheme (such as replacing the crowd control barriers and clearer signage to aid enforcement) would also be met from this fund.
- 4.2.** In order to provide continuing and consistency it is recommended to implement the permanent restrictions before the temporary restrictions expire in January 2022, this would require:
- The cost of the Traffic Regulation Order (£3,250), which does not fit the eligibility criteria for the RHSS / Welcome Back fund and would need to be identified from other sources.
 - Costs for improved signage and planters – aim to be as cost effective as possible (currently awaiting costs)
- 4.3.** The public realm enhancement being explored by OCC would need to be met from another source. The outcome of the ATT3 funding application is expected in Autumn 2021.

5. LEGAL IMPLICATIONS

- 5.1.** There will be the requirement for appropriate consultation as part of any traffic order changes and this will be conducted by the highways authority.

6. RISK ASSESSMENT

- 6.1.** Given the clear split in public opinion on this matter whichever option is chosen will lead to a measure of public dissatisfaction with the outcome. Measures to support businesses that may be impacted could be considered through actions such as the Loyal Free App which seeks to increase footfall by improving the area as a destination. Other marketing of the town may also be helpful.
- 6.2.** Should the area be re-opened then other mitigation to reduce the negative impacts of traffic may be necessary such as widened footways where possible.

7. EQUALITIES IMPACT

- 7.1.** Any permanent changes to the scheme need to ensure that any displacement of disabled parking is properly considered and discussed with appropriate groups.

8. CLIMATE CHANGE IMPLICATIONS

- 8.1.** Permanent changes to the High Street will support Climate Change Strategy and approaches to active travel.

9. ALTERNATIVE OPTIONS

- 9.1.** Alternative options are considered in the main body of the report.

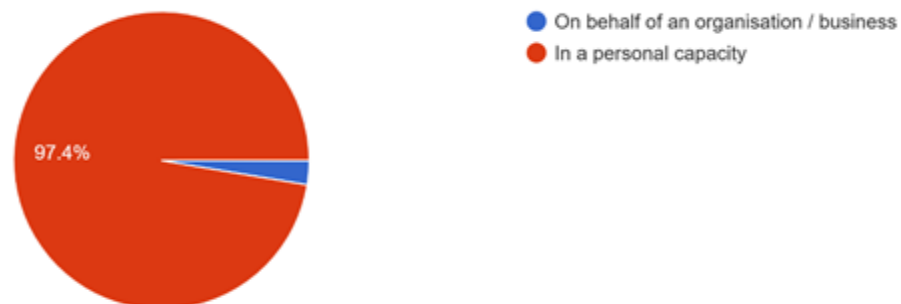
Annex A – Results of Witney High Street survey

The consultation survey closed on 4 July 2021. In total, 1,346 people responded to the consultation. The results are set out below:

Are you answering on behalf of an organisation or in a personal capacity as a resident / shopper / town centre user?

1,339 responses

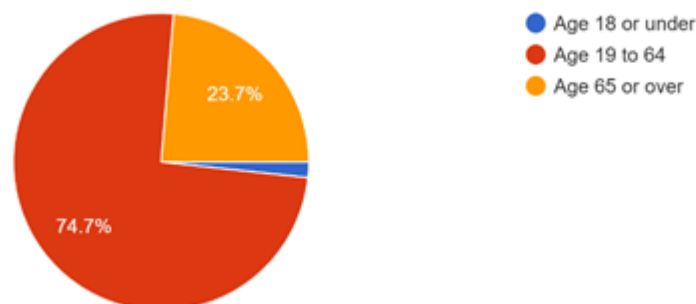
- 1,304 (97%) responded in a personal capacity
- 35 (3%) responded on behalf of an organisation or business



Are you age 18 or under, 19 to 64 or over 65

1,302 responses

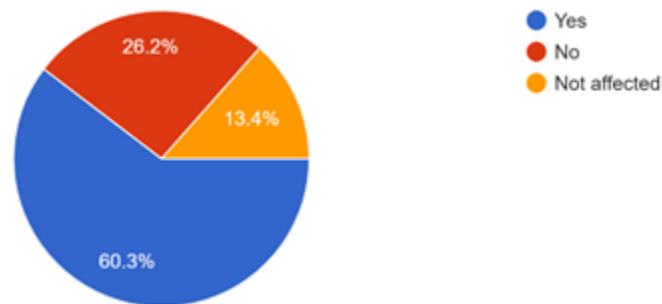
- 22 (2%) age 18 or under
- 972 (75%) 19 to 64
- 308 (24%) 65 and over



Do you feel safer having traffic restrictions in place and the extra pedestrian space?

1,339 responses

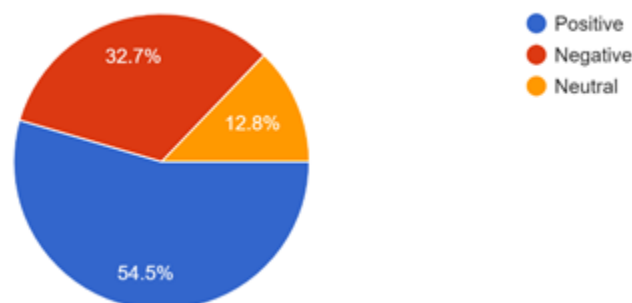
- 808 (60%) Felt safer
- 351 (26%) Did not feel safer
- 180 (14%) Were not affected



What impact do you think the traffic restrictions have had on the town?

1,337 responses

- 729 (55%) thought the restrictions had a positive impact
- 437 (33%) thought the restrictions had a negative impact
- 171 (13%) thought the impact of the restrictions was neutral



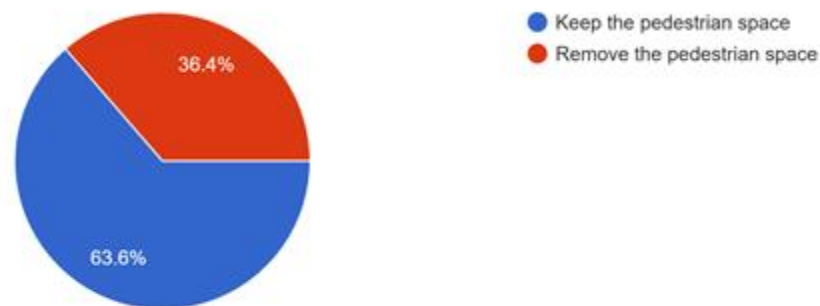
When asked for evidence to support their response, 677 left comments with the most common themes below:

- 258 (38%) said the High Street was nicer for pedestrians, shoppers & cyclists
- 103 (15%) were concerned that the measures displaced traffic problems elsewhere
- 60 (9%) were concerned they couldn't park near the shops they wanted to visit
- 41 (6%) thought the loss of traffic removed the hustle and bustle of the town centre

Do you think the extra pedestrian space along the High Street should be retained or removed when Step 4 of the Government's roadmap is reached?

1,330 responses

- 846 (64%) would like to keep the extra pedestrian space
- 484 (36%) would like to remove the extra pedestrian space

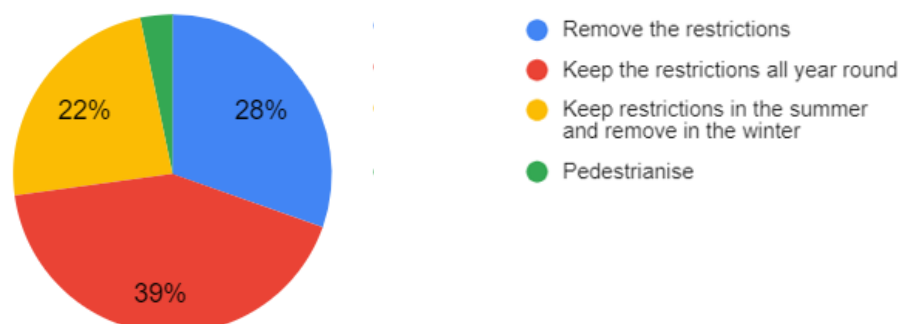


What do you think about keeping the restrictions for traffic in order to allow more space for pedestrians and hospitality businesses in summer and lifting the restrictions in winter?

1,206 responses

Of those that responded to this question:

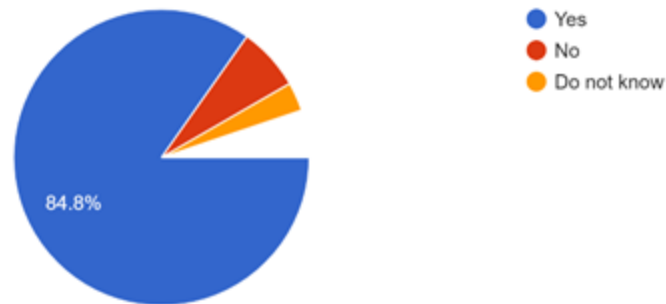
- 336 (28%) want the restrictions removed
- 461 (39%) want to keep the restrictions all year round
- 255 (22%) support keeping the restrictions in summer and removing them in the winter
- 39 (3%) support full pedestrianisation




Should the Council continue to support outdoor dining in appropriate spaces?

1,336 responses

- 1133 (85%) support space for outdoor dining in appropriate places
- 92 (7%) said the Council should not support outdoor dining in appropriate places



 WEST OXFORDSHIRE DISTRICT COUNCIL	WEST OXFORDSHIRE DISTRICT COUNCIL
Name and date of Committee	Cabinet: Wednesday 13 October 2021
Report Number	Agenda Item No. 10
Subject	Options for the future of Witney Town Centre Shop
Wards affected	All
Accountable member	Cllr Jane Doughty – Cabinet Member for Customer Delivery Email: jane.doughty@westoxon.gov.uk
Accountable officer	Jon Dearing, Group Manager for Resident Services Tel: 01993 861221; Email: jon.dearing@publicagroup.uk
Summary/Purpose	The purpose of this report is to review the usage on the Town Centre Shop in light of changing customer preferences for receiving Council Services and consider future options.
Annex	Annex A : Witney TCS footfall graph (Jan 2017 to March 2020) Annex B: Witney TCS footfall graph (Weekly Footfall from Dec 2020)
Recommendations	It is recommended that Cabinet:- (a) Ask officers to work up an interim solution to relocate staff as part of the Agile Working project to the Town Centre Shop pending a longer term review of demand for face to face customer contact points and finalisation of the agile office outcomes; (b) Ask officers to utilise the existing office footprint where possible with minimum refurbishment costs until the review is completed.
Corporate priorities	Modern Council Services and Sustainable Finance: Delivering excellent modern services whilst ensuring the financial sustainability of the Council. A Vibrant District Economy: Securing future economic success through supporting existing local businesses and attracting new businesses to deliver the economic ambitions of the Local Industrial Strategy
Key Decision	No
Exempt	No
Consultees/ Consultation	None

I. BACKGROUND

- I.1. The Council currently supports three face to face customer access points, all of which are in Witney (Elmfield, Woodgreen, Witney Town Centre Shop). As more customers have chosen to access services both remotely and digitally, the footfall at face to face access points has declined significantly. In light of this decline in customer demand, this report provides options for the future use of the Town Centre Shop both for Council Services or other uses; so that the Council can better meet the needs of its customers.
- I.2. The Town Centre Shop (TCS) has been located in Welch Way since 2003. Initially it was primarily a payments office and central cashiering function and associated customer contact centre. As demand for direct customer service contact and cash payments have shifted gradually from face to face to first phone and subsequently digital the use of the TCS has gradually changed.
- I.3. In 2007 to counter this progressive underutilisation and provide a more efficient use of space and capital the Council co-located its Witney Visitor Information Centre (VIC) into the TCS.
- I.4. This co-location initially proved very successful until more recently when the VIC sector also saw a shift from face to face activity to digital marketing and delivery. As part of the VIC review last year a decision was taken to close face to face VIC provision across the District with investment shifted to digital marketing services.
- I.5. During the main phases of the Covid pandemic, in line with the government restrictions, services that could be delivered remotely were done so. Consequently, the TCS, Elmfield and the Woodgreen reception were (except for a short period) closed until 12th April 2021, following a year of closure.
- I.6. Since 12th April the TCS has reopened and staffed by the customer service team except for two weeks in July and August when it was utilised (very successfully) as a walk in vaccination centre.
- I.7. The upstairs office space at the TCS is currently let and achieves a rental income of £10,300 per annum.

2. MAIN POINTS

- 2.1. As expressed above, prior to the pandemic, we experienced a prolonged and sustained reduction in footfall for both Customer Service functions and Visitor Information at the TCS (as illustrated in Annex A). Visits fell by 70% over the last three years as customers utilised telephone and digital solutions as their main means to access services. This experience was not unique to West Oxfordshire or indeed, local government, and has been a trend in customer contact in many sectors including of course retail.
- 2.2. Looking at the six month period prior to lockdown (i.e. September 2019 to February 2020) we had an average of 815 visits per month to the TCS. The top three reasons for visiting (accounting for 67% of all visits) were:
 - Making a payment at the payment kiosk (42% of visits). It should be noted that, as part of Cabinet's recent decisions, the Payment Kiosk has now been removed,

- Making a request for a new/replacement waste container (16% of visits). This can be done on-line or on the phone and this has been the case during lockdown, and
- Checking Council Tax balance or payment date/amount (9% of visits). Again this can be done on-line or over the phone.

All of these functions are available digitally and by phone.

- 2.3. Since reopening the TCS on 12th April 2021 we have received a total of 530 visits (see Annex B); which means that the average number of visits per day has, again, fallen to 17.
- 2.4. To enable us to further support our customers whilst the TCS was closed during the pandemic we added questions to our telephone customer satisfaction survey to establish the impact of the closure. A total of 1,183 WODC customers responded to the survey. Of those, 234 (19.7%) customers said that they would normally have come into the TCS with their enquiry; of which 220 (94%) said that they were satisfied with the resolution they experienced over the phone. The other 14 customers had their enquiry/issue resolved over the phone but said that it was simply their preference to interact with the Council face to face. It should also be noted that the WODC Telephone Customer Satisfaction performance is regularly in the top 10 in the Country (averaging around 98.5%).
- 2.5. During lockdown we offered a face to face appointment system for issues that cannot be dealt with remotely; and adapted a meeting room in the Elmfield building to enable safe customer interactions. In the nine month period that this was available we had no requests for this service.
- 2.6. It is worth noting that face to face enquiry services are more expensive than other access channels to support given uneven customer numbers. Based on our own data over the six months prior to the first lockdown (i.e. September 2019 to February 2020) the costs were:
 - £7.67 per face to face enquiry,
 - £1.76 per telephone enquiry,
 - £0.88 per Live Chat, and
 - Negligible cost per Web enquiry.
- 2.7. On the basis of the above it is clear that face to face is significantly the highest cost delivery channel for the Council and does not seem to attract a high level of demand. As a consequence officers have been exploring alternate use of the space at the Town Centre Shop and the main options are set out in section 3 below.
- 2.8. The concept of a Hub supporting multiple public / third sector uses has been explored providing a 'One Stop Shop' for residents. These access points generally host the District, County and Town Councils; the Police; the Job Centre Plus; and voluntary sector organisations such as CAB.
Currently, none of these organisations in West Oxfordshire have committed to this or displayed particular interest:

- The County Council have expressed an interest but have made no firm commitment and indeed the Library a short distance away provides them with a useful alternative. There is also little evidence around the level of demand for face to face County Council services within the District beyond direct provision such as Libraries and Registrars;
 - The Police have declined,
 - Job Centre Plus have declined (as they prefer not to be in Town Centres),
 - The CAB have declined, as they have much larger offices nearby.
 - Abingdon and Witney College have not responded to our contact.
- 2.9. Looking at other local government approaches to this, the host organisation typically provides quite a large space as the concept is to include as many organisations as possible. If WODC wanted to pursue this approach, the TCS is, in any event, not really a big enough space to accommodate multiple organisations.
- 2.10. The Communities Team understand that the Methodist Church is exploring this concept with other local partners.

3. OPTIONS FOR THE FUTURE USE OF THE TOWN CENTRE SHOP

- 3.1. Officers have developed a range of options for Cabinet to consider and these are set out below:
1. Retention of the TCS as a customer contact point;
 2. Alternate Council Use;
 3. Alternate private sector use ;
 4. Dispose of the asset .

Option 1 – Retention as customer contact centre

- 3.2. As set out above its use as a customer service centre in its traditional form is not the most efficient use of the asset and indeed those officers being fielded to this contact channel might be better utilised serving another channel such as telephony which remains under pressure and is the preferred form of contact of our service users.
- 3.3. Should this usage be retained there will be a requirement to provide sufficient staffing cover to enable continuity of service and this will continue to detract from the performance of other customer contact channels such as phone.

Option 2 – Alternate Council Use

- 3.4. It is possible that the Council could utilise this space for an alternate use. It could, for example, be used as a marketing and communication space for other Council services such as recycling, climate change or planning and economic development.
- 3.5. At certain times of change these services could find this space particularly useful although it is debatable whether there is a sufficient continuity of use requirement for such a purpose. There would also be a requirement for an on-site staff presence which would be difficult to deliver without impacting on other aspects of the service provision.

- 3.6. It could also possible to relocate alternate council services to the TCS such as car parking enforcement as this could provide a useful welfare location for officers although this would mitigate against its use as an exhibition space unless the two uses could be combined.
- 3.7. There also remains the potential to utilise the space as an alternative office to help deliver broader office rationalisation as part of the move to an Agile Office working environment. This could enable an opportunity to release a larger building such as Elmfield for alternative commercial use delivering a greater return. The project to assess revised space requirements should is due to report back shortly with potential opportunities. This option could be interim or permanent and could be done without a full refurbishment of the unit.

Option 3 – Alternate Private Sector Use

- 3.8. If the Council determined it did not have an alternate use of the TCS then it could make this available commercially to the private sector for utilisation either as retail or other usage.
- 3.9. A December 2020 valuation on the premises advises that the ground floor rental is in the order of £45,000 in addition to the current rental being achieved on the first floor.
- 3.10. This represents the best financial option available to the Council by some margin and fits with the approved Council Capital Investment Strategy and investment portfolio.
- 3.11. As an interim measure the marketing of the Town Centre Shop as a retail space could benefit from inclusion in the Oxfordshire Meanwhile project, who are working their way through empty retail properties in town centres, engaging landlords and helping occupy the properties with meanwhile businesses (e.g. pop up shops, community organisations etc).

Option 4 – Dispose of TCS

- 3.12. Should the Council determine that it has no suitable alternative use of the building and does not wish to retain it for commercial letting the it could choose to dispose of the building.

Impact on the town centre

- 3.13. The Council is working on a range of projects to support businesses and encourage footfall in the town. This includes the launch of the LoyalFree app, the Love West Oxfordshire (Be local, think local, shop local) campaign and our work with the Meanwhile in Oxfordshire Project.
- 3.14. If the decision is taken to cease Council operations at the TCS, members need to consider the reputational risk associated with an empty unit in the town centre and its impact on our other work. Many properties remain empty while negotiations take place with potential new tenants. The period from an occupier expressing interest to completion and occupation can take months during which time the property is empty.
- 3.15. The Meanwhile project is working with landlords to occupy town centre properties with 'meanwhile' uses such as pop-up shops, flexible workspace and community uses. This can be short or long term but, in the shortest term case, it can help to keep a

property occupied while negotiations take place with longer term tenants. The Meanwhile team has engaged local businesses and organisations (including hosting a successful webinar to explain the project) to build up a list of hopeful occupants for Witney. There is therefore a possibility that the TCS building could be kept occupied and contributing to the vitality of the town by engaging with the Meanwhile project.

4. FINANCIAL IMPLICATIONS

- 4.1. Continuing as we are currently operating would not change the ongoing cost of delivering the customer contact service.
- 4.2. The cost of alternative council use could require significant additional building changes depending upon the nature of the alternate use. At the extreme the removal of the cashiering area and all associated screens and security features could cost in the order of £80,000. However, there may be usage that requires significantly less alterations.
- 4.3. A Community Hub could change the ongoing cost of delivering the service (if partners contributed) but there would be a one-off remodelling/refurbishing cost of circa £80,000.
- 4.4. If the TCS were let commercially excluding the rent for the first floor (as this is existing income), the total saving/income opportunity of closure and rental would be circa £75,000 per annum.
- 4.6. There are other costs associated with the Councils ongoing use of the Ground Floor only. Based on 2019/20 expenditure, these are:
 - ICT Network Link costs at £3,900 per annum,
 - Business Rates at £19,460 per annum,
 - Utilities at £2,370 per annum, and
 - Maintenance at £4,800 per annum.
- 4.5. A sale could produce a capital receipt which could allow the Council to reduce its borrowing requirement for other activities saving principal and interest repayments. However a sale would run contrary to the Councils investment strategy which seeks additional investment opportunities to support Council priorities and assist closing the revenue budget gap identified in the Medium Term Financial Strategy.

Summary of Options

Option	Revenue Impact	Capital Impact	Achievability
1 Retain current use	Nil	Nil	High
2 Alternate council use	Nil	Up to £80,000	High
3 Private Sector Use	Savings up to £75,000 per annum – lesser if short term Meanwhile letting	Dependent upon lease arrangements. Potential cost to improve EPC ratings prior to letting	Medium
4 Disposal	Savings at least £30,000 per annum	Capital Receipt circa £500,000	High

5. LEGAL IMPLICATIONS

- 5.1. There are no legal implications associated with these recommendations.

6. RISK ASSESSMENT

- 6.1. There is a reputational risk associated with any change to face to face service delivery. A public consultation exercise could mitigate this risk; however, the footfall data clearly demonstrates that residents' use of the service in continual decline.
- 6.2. There is a reputational risk associated with the Council being responsible for an empty unit in the town centre which detracts from the vitality of the town.

7. EQUALITIES IMPACT

- 7.1. There is no equalities impact. All services will remain accessible through various channels, including face to face at the Woodgreen Offices; and the Customer Services Team, where it is necessary, will continue to offer home visits using our client support officers.

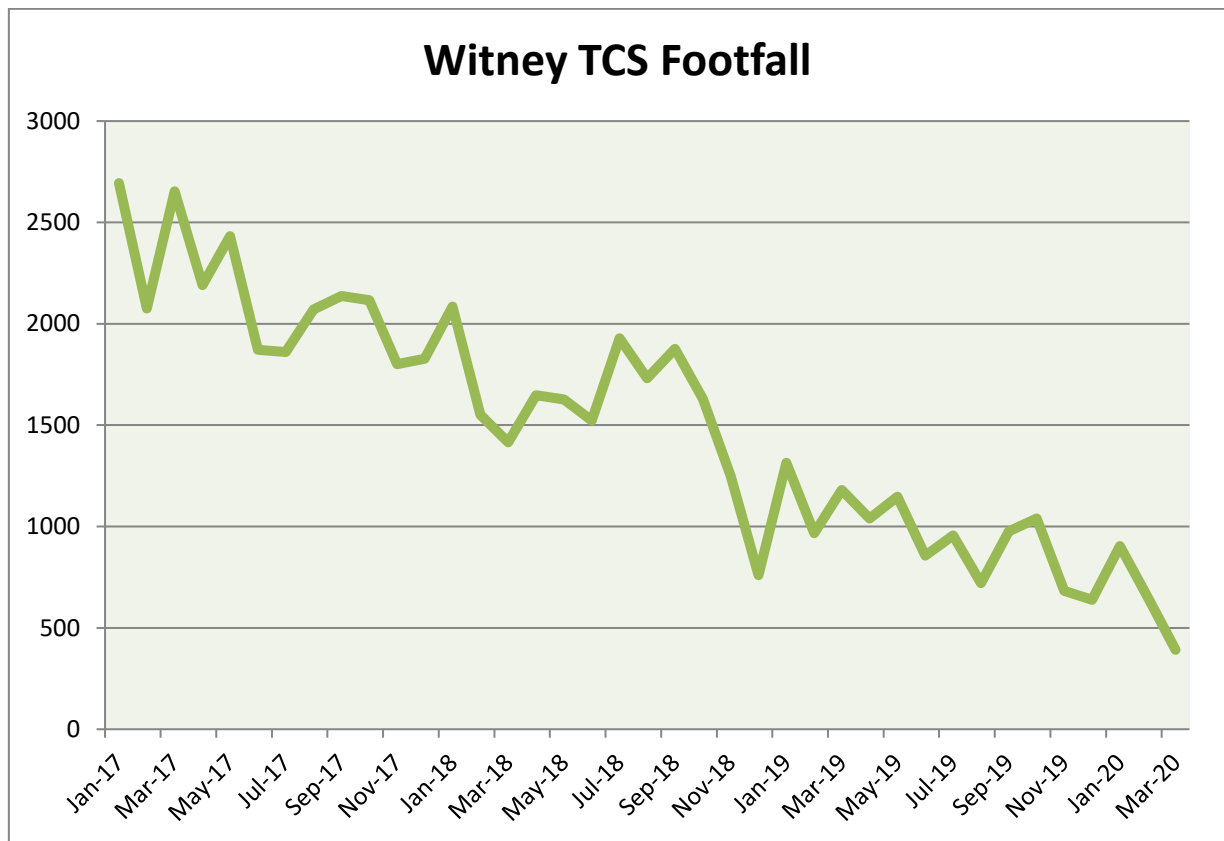
8. CLIMATE CHANGE IMPLICATIONS

- 8.1. Any potential letting is likely to require additional energy improvement works to comply with the Minimum Energy Efficiency Standards. These can be investigated should Cabinet indicate that is one of the routes to explore.

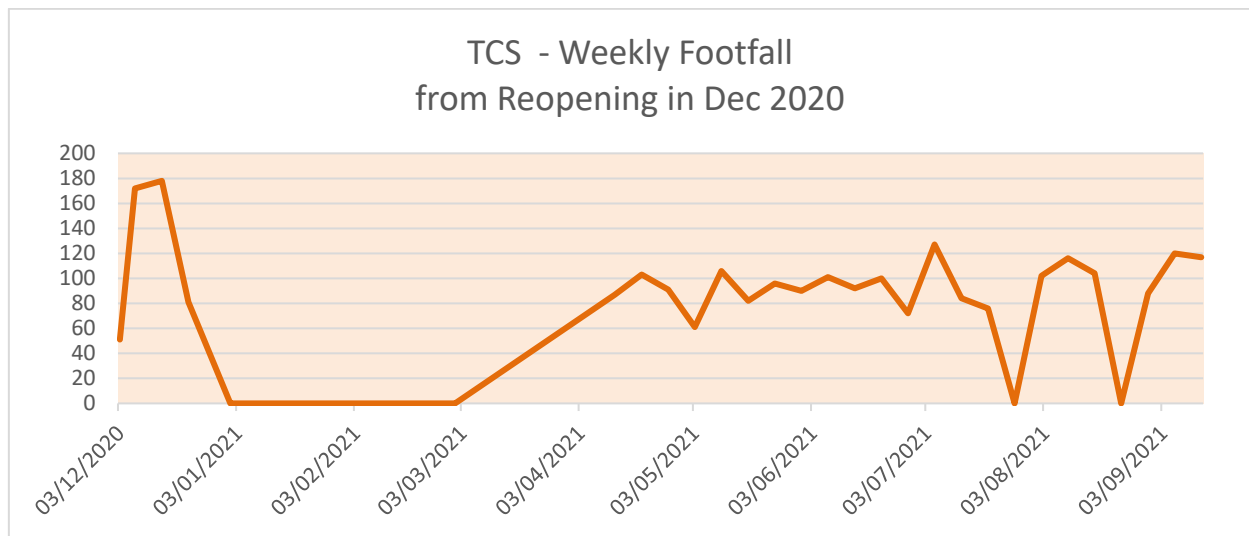
9. ALTERNATIVE OPTIONS

- 9.1. The options have been detailed within the body of the report.


Annex A



Annex B



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 <p>WEST OXFORDSHIRE DISTRICT COUNCIL</p>	<p>WEST OXFORDSHIRE DISTRICT COUNCIL</p>
<p>Name and date of Committee</p>	<p>CABINET – 13 OCTOBER 2021</p>
<p>Report Number</p>	<p>Agenda Item 11</p>
<p>Subject</p>	<p>AWARD OF EXTERNAL ENFORCEMENT CONTRACT</p>
<p>Wards affected</p>	<p>All</p>
<p>Accountable member</p>	<p>Cllr Suzi Coul –Cabinet Member for Finance Email: suzi.coul@westoxon.gov.uk</p>
<p>Accountable officer</p>	<p>Mandy Fathers – Business Manager for Operational Support and Enabling Email: mandy.fathers@publicagroup.uk</p>
<p>Summary/Purpose</p>	<p>To consider the proposals to award a new Enforcement Agency contract</p>
<p>Annexes</p>	<p>Annex A – Tender Evaluation Questions & list of submitted tenders</p>
<p>Recommendation(s)</p>	<p>That Cabinet:</p> <ul style="list-style-type: none"> <i>a) Approves the main contract award for the external provision of enforcement to Supplier A identified within Annex A to this report;</i> <i>b) Approves the secondary contract award for the external provision of enforcement to Supplier F identified within Annex A to this report; and,</i> <i>c) Approves the contract for a three-year period from 1 October 2021 (or a later date dependent on contract completion and sign off), on the terms indicated within this report and with the option to extend the contract for a further two years</i>
<p>Corporate priorities</p>	<p>Delivering excellent modern services whilst ensuring financial sustainability of the Council</p>
<p>Key Decision</p>	<p>NO</p>
<p>Exempt</p>	<p>NO</p>
<p>Consultees/ Consultation</p>	<p>Chief Executive, Chief Finance Officer, Monitoring Officer, Interim Head of Legal Services, Group Manager for Resident Services, Cabinet Member</p>

	with responsibility for Finance
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1. BACKGROUND

- 1.1** The Council's current Enforcement Agent and Debt Collection Services Contract is due to expire on 2 October 2021.
- 1.2** The initial Contract term was for a period of three years with the option to extend for a further two.
- 1.3** The services procured under the Contract was for the collection of debt in respect of:
 - Council Tax
 - Business Rates
 - Parking fines and Penalty Charging Notices (PCN)
 - Housing Benefit Overpayments
 - Sundry Debt
- 1.4** The initial Contract was procured in 2016 in partnership with four other Councils:
 - Cheltenham Borough
 - The Forest of Dean
 - Tewkesbury Borough
 - Cotswold

2. MAIN POINTS

- 2.1** The use of enforcement agents and debt collection agencies is an absolute last resort, but they are an essential resource to have available to ensure that debts due to the Council are paid. Multiple efforts to put in place affordable repayment arrangements are always offered, but these either fall into default and are not resumed or debtors choose to ignore them altogether.
- 2.2** In order to satisfy current legislative requirements in respect of contracting, the Council is required to undertake a tendering exercise to procure Enforcement Agent companies to ensure that continued recovery support is available for those debts detailed within paragraph 1.3 (above).
- 2.3** A tendering exercise was undertaken following a report being submitted and approved by the commissioning Board on 27 May 2021, via a Dynamic Purchasing System (DPS) let by the Yorkshire Purchasing Organisation (YPO) and in partnership with five other Councils:
 - Cheltenham Borough
 - The Forest of Dean
 - Stroud
 - Tewkesbury Borough
 - Cotswold

2.4 The DPS includes 24 Enforcement providers. In respect of this tender, 8 bids were received. The evaluation of these bids involved a two stage process of assessment:

- Stage 1 – suitability assessment, which was a ‘pass’ or ‘fail’;
- Stage 2 – a contract award evaluation criterion, based on a set of questions which was evaluated against the specification requirement

2.5 Annex A (attached) shows details of the contract award evaluation criteria. Responses and method statements were examined by a panel of officers and based upon the bids received, it is recommended that the contract(s) is awarded as follows:

Contract Lot	Contract Type	Chosen Supplier
Enforcement Agency Services - 953	Main Contract	A
	Secondary (Recycled Debt) Contact	F

2.6 The formal tendering process has been timetabled to put in place a new enforcement provision from on or around the expiration of the previous Contract(s). If the recommendations within the report are not approved the Council will not hold a valid Contract with an external Enforcement Agency for its provision of debt recovery.

3. FINANCIAL IMPLICATIONS

3.1 The award of any Contract for this purpose will have no financial costs associated with it. Enforcement Agents have responsibility for the collection for costs associated with enforcement action. All associated costs for this purpose are set within the Taking Control of Goods (Fees) Regulations 2014.

4. LEGAL IMPLICATIONS

4.1 The Enforcement processes are conducted under the Taking Control of Goods Regulations 2013.

4.2 On 7th February 2019 YPO placed a notice in the Official Journal of the European Union (“OJEU”) (reference 2019/S 030-067351), inviting potential service providers to express an interest in gaining acceptance on to a Dynamic Purchasing System (DPS) for the provision of Enforcement Agency Services.

4.3 Potential Service Providers who demonstrated that they met all YPO’s selection criteria were accepted onto the DPS.

5. RISK ASSESSMENT

- 5.1** The formal tendering process has been timetabled to put in place a new enforcement provision on or around the expiration of the previous Contract(s). If the recommendations within the report are not approved the Council will not hold a valid Contract with an external Enforcement Agency for its provision of debt recovery. This could lead to an impact on the level of debt collected.

6. CLIMATE AND ECOLOGICAL EMERGENCIES IMPLICATIONS

- 6.1** None

7. ALTERNATIVE OPTIONS

- 7.1** There are no alternative options. In order for the Council to be able to maximise its collection of debts an external enforcement agency is required.

Contract Evaluation Questions

Q1	Describe how you would maximise collections at compliance stage while meeting the demands of delivering excellent customer service. Please include details of payment methods that you will accept from debtors. Please provide an analysis of your collection performance for 2018/19 and 2019/20 for 3 current council clients.
Q2	Please describe you would deal with a vulnerable debtor with multiple debts.
Q3	Have you received any complaints in 2018/19 and 2019/20? Please provide details of your complaints procedure. Please describe the approach you would take if recurring complaints were being received by the Councils in respect of your service
Q4	Please provide a method statement which demonstrates a clear understanding of the aims and objectives stated in this tender documentation, compliance with the specification and an appreciation of the issues and risks arising from it.
Q5	Please provide details of at least two contracts, from either the public or private sector, that are relevant to the Council's requirement. Contracts should have been performed during the past five years.
Q6	Please outline how you propose to manage the performance of this contract against the contract conditions and specification. Also provide details of how you intend to monitor performance effectively to support your answer
Q7	Please provide examples of management and performance information we would receive and details of how the data can be clearly interpreted.
Q8	Please detail the Training and Development policies that you will implement for the purposes of the Contract. Please also state how you will monitor staff performance and quality of their work and provide details of the qualifications held by the enforcement agents who will be engaged in the delivery of the Contract. Bidders are advised that copies of professional qualifications must be provided for all staff.
Q9	Please confirm how you will ensure the confidentiality and security of data we transfer to you.
Q10	Please describe in detail the procedure to be followed for the appointment of enforcement agents and the basis on which they will be employed. Please also provide information on the level of experience and level of resources to be allocated to this Contract. Finally, please state whether there will be availability of enforcement agents on a daily basis within the Council's administrative areas.

Q11	<p>Please provide details of the IT systems you will utilise to support this contract. Details should include the following;</p> <ul style="list-style-type: none"> • How the council will access and update records on individual cases. • explain the arrangements you have in place to ensure access to the system is secure • Please list the processes/actions that Council officers would be able to perform. <p>Please provide screen shots to demonstrate at least two processes.</p> <ul style="list-style-type: none"> • Please provide an example of the screen council officers would see showing the summary of all financial transactions including details of case history/details. <p>State what other key processes, IT and other non-staff resources you have to service this requirement.</p>
Q12	<p>Please provide details of the methods available to the councils for transferring to and receiving information from you. This should include, but not exclusively, case details, payment details, return reports. Also provide an example of a typical return case report as an appendix, and explain with at least two examples how you are able to receive or provide electronic data in a bespoke format which allows the Council to use automated processing in business system.</p> <p>Please provide details of where you may have specific formatting requirements for electronic transfer of data</p>
Q13	<p>What is your overall Enforcement Agency capacity? Please demonstrate and evidence how you have flexibly met the demands of larger clients who can supply high volumes of cases?</p>
Q14	<p>Please provide details of any solutions or services you propose to include at no charge in addition to the requirements described, and the potential benefits of these services to the Council</p>

Award Criteria - Qualitative Scoring Matrix		
5	Exceeds expectations	Excellent response with requirements being met and exceeded in some areas. Showing a comprehensive understanding and the ability to deliver to a high standard. Evidence relating to the proposed services shows high quality.
4	Meets expectations	Good response with requirements being fully met. Understanding all requirements and the ability to deliver to a high standard. Evidence in relation to the proposed services shows good quality.
3	Satisfactory	Acceptable answer with requirements being met in parts but not fully. A reasonable understanding to have the ability to deliver the service. Evidence to show that the services is just suitable for the purpose but has not met the standard expected.
2	Unsatisfactory	Poor response where some requirements are being met but there are some large exceptions. Concerns that the services proposed would not be suitable for use.
1	Poor	Target requirements only met on a few occasions. Low standard response. Major concerns that the services proposed would be suitable for use.

LIST OF SUBMITTED TENDERS

Supplier & Score (Max score 100)							
A	B	C	D	E	F	G	H
96.40	82.80	76.40	84.40	75.40	92.80	82.80	63.80

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