

Public Document Pack



Tuesday, 11 July 2023

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COUNCIL

You are summoned to a meeting of the Council, which will be held in the Council Chamber, Woodgreen, Witney, Oxfordshire OX28 1NB on **Wednesday 19 July 2023 at 2.00pm.**



Giles Hughes
Chief Executive

To: Members of the Council.

Councillors: Andrew Coles (Chair), Elizabeth Poskitt (Vice-Chair), Joy Aitman, Alaa Al-Yousuf, Lidia Arciszewska, Thomas Ashby, Hugo Ashton, Andrew Beaney, Michael Brooker, David Cooper, Julian Cooper, Rachel Crouch, Colin Dingwall, Jane Doughty, Duncan Enright, Phil Godfrey, Andy Goodwin, Andy Graham, Jeff Haine, David Jackson, Edward James, Mark Johnson, Natalie King, Liz Leffman, Nick Leverton, Dan Levy, Andrew Lyon, Charlie Maynard, Martin McBride, Michele Mead, David Melvin, Lysette Nicholls, Mathew Parkinson, Rosie Pearson, Rizvana Poole, Andrew Prosser, Carl Rylett, Geoff Saul, Sandra Simpson, Alaric Smith, Ruth Smith, Harry St John, Tim Sumner, Dean Temple, Liam Walker, Mark Walker, Adrian Walsh, Alex Wilson and Alistair Wray.

Recording of Proceedings – The law allows the public proceedings of Council, Executive, 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.

West Oxfordshire District Council, Council Offices, Woodgreen, Witney, OX28 1NB
www.westoxon.gov.uk Tel: 01993 861000

AGENDA

1. **Apologies for Absence**
To receive any Apologies for Absence from Members of the Council.
2. **Declarations of Interest**
To receive any Declarations of Interest from Members of the Council on any items to be considered at the meeting.
3. **Minutes of Previous Meeting (Pages 7 - 12)**
To approve the minutes of the previous meeting, held on Wednesday 24 May 2023.
4. **Receipt of Announcements**
To receive any announcements from the Chair, Leader of the Council, Members of the Executive or the Chief Executive Officer.
5. **Participation of the Public**
Any member of the public, who is a registered elector in the District, is eligible to ask one question at this meeting, of the Chair of the Council, any Member of the Executive or the Chair of any Committee, on any matter in relation to which the Council has powers or duties or which affects the District.

Notice, together with a written copy of the question, must be provided by email to:

democratic.services@westoxon.gov.uk

or by post:

Democratic Services, West Oxfordshire District Council, Woodgreen, Witney OX28 1NB.

no later than 12.00pm on the seventh working day before the date of the meeting.

A response may be provided at the meeting, or provided within three clear working days of the meeting.

A total of 15 minutes is allowed for questions from members of the public.

6. **Questions by Members**
The following questions have been submitted by Members of Council to Members of the Executive, in accordance with the Council Procedure Rules (Constitution Part 5, rule 10).

Oral responses will be provided at the meeting.

Following receipt of the answer to their question, Members are entitled to ask one supplementary question at the meeting.

The Questions and Answers will be detailed in the minutes of the meeting.

Q1. Councillor Thomas Ashby to Councillor Joy Aitman, Executive Member for Stronger, Healthy Communities:

For some time, it has been the belief that both the play area and recreation ground on Raleigh Crescent would be transferred to Witney Town Council. It is disappointing that only the play area has been transferred. There is a significant amount of Section 106 Money from the Windrush Place development which is designated for an "Offsite MUGA" and the current location of the basketball court and green shelters would be ideal.

Enabling Witney Town Council to undertake a design and build procurement would mean that our young people in West Witney would have a new fantastic outdoor space built reasonably quickly. Now that West Oxfordshire District Council have not transferred the land, what are the plans to procure a MUGA for Raleigh Crescent?

Q2. Councillor Julian Cooper to Councillor Duncan Enright, Deputy Leader of the Council and Executive Member for Economic Development:

Can the Executive portfolio holder for Tourism (Visitor Economy) please update the Council as to what progress is being made to commemorate the 150th Anniversary of Sir Winston Churchill's birth in November 2024?

Q3. Councillor Jane Doughty to Councillor Alaric Smith, Executive Member for Leisure and Major Projects:

The Town Centre office has been closed since May with no indication displayed on the window as to when the office is reopening. Please can you tell me the reopening date?, and in the meantime, what provision is being made for residents who do not have access to the internet and need to speak to an officer in customer service face to face?

Q4. Councillor Martin McBride to Councillor Joy Aitman, Executive Member for Stronger, Healthy Communities:

The District Council owned Kilkenny Country Park is still closed to the public. Many people used to travel to this park and it had a fantastic reputation as a great destination to visit. This has very quickly changed and is disappointing that after several site visits by officers and members, the park is still out of use. Can you give a date for when the repairs will be carried out?

Q5. Councillor Michele Mead to Councillor Lidia Arciszewska, Executive Member for Environment:

Carterton has suffered with many streets not having their bins collected. This has gone on for four consecutive weeks. Why has this problem gone on for so many weeks, and what action are you taking to improve the service?

Q6. Councillor Hugo Ashton to Councillor Andy Graham, Leader of the Council:

With regards to the requirement for Voter ID at last May's elections, please could the Leader of the Council provide any data obtained on the following:

- The number and age profile of voters who were turned away from polling booths because they had not brought the appropriate ID with them?;

- The proportion of those turned away who subsequently returned to vote with their ID?;
- The number of polling stations where WODC employed somebody to address residents before they reached the polling area asking whether they had the necessary ID?;
- How many people were turned away by these greeters before being formally registered as being without the required ID?

7. **Recommendations from the Executive (Pages 13 - 144)**

Purpose:

To agree recommendations made to Council by the Executive from its meetings since 24 May 2023.

Recommendations:

The Executive Recommends that Council Resolves to:

1. Adopt the final version of the West Oxfordshire District Council Developer Contributions Supplementary Planning Document (SPD) (Annex B);
2. Amend the delegation arrangements to give authority to the Chief Finance Officer in consultation with the Executive Member for Finance and the Executive Member for Economic Development to approve future lettings at Marriott's Walk;

And, subject to the resolutions of the Executive on 12 July 2023, Council is recommended to resolve to:

3. Approve the carry forward of the Capital Budget of £2,372,557;
4. Approve the transfers to and between Earmarked Reserves as detailed in the [Financial Performance Report 2022/23 Year End (Q4)] report;
5. Adopt the final version of the Combe Village Design Statement as a Supplementary Planning Document (SPD), subject to any amendments the Executive may wish to make. (Annex C);
6. Recommend to Council to agree to proceed with investment in roof mounted solar PV based on the business cases in this report detailed in the updated Executive report (Annex D);
7. Recommend to Council to agree that funding for contingency costs of £27,634 is approved with delegation to the Chief Finance Officer for expenditure of contingency subject to the business case still being viable or expenditure being unavoidable due to structural condition of the building;
8. Agree to add £125,000 to the Capital Programme for [Funding for Landlord's Works and Approval of New Lease's at Investment Property in Cumnor] to be financed from the Property Improvement and Incentive Reserve.

8. **Appointment of Director of Finance (Section 151 Officer) (Pages 145 - 154)**

Purpose:

To consider the appointment of a Director of Finance (Section 151 Officer) for West Oxfordshire District Council, following interviews by the Performance and Appointments Committee, and to outline interim arrangements.

Recommendations:

That Council Resolves to:

1. Confirm the appointment of the Director of Finance set out in the draft minutes of the Performance and Appointments Committee meeting 17 July 2023 (Annex B, To Follow);

2. Delegate authority to the Chief Executive, in consultation with the Chair of the Performance and Appointments Committee, to agree final contractual details once references, medical clearance and eligibility checks (BPSS check) are concluded in accordance with the Council's policies;
3. Agree the appointment commences on a date to be mutually agreed between the successful candidate and the Chief Executive;
4. Confirm the appointment of an Interim Director of Finance, James Howse, who will undertake the role of Section 151 Officer, until the appointed, permanent Director of Finance is able to take up post.

9. **Establishment of Local Plan Cross Party Member Working Group (Pages 155 - 160)**

Purpose:

To consider the establishment of a cross-party Member Working Group to help inform the preparation of the new Local Plan 2041.

Recommendation:

That Council Resolves to:

1. Agree to the establishment of a new Local Plan Cross Party Member Working Group in accordance with the draft terms of reference attached at Annex A.

10. **Climate Bi-Annual Report (Pages 161 - 170)**

Purpose:

To update Council on the climate action taken by West Oxfordshire District Council, in response to the climate and ecological emergency, over the last 12 months (July 2022 to June 2023).

Recommendation:

That Council Resolves to:

1. Note the contents of the bi-annual report on climate action for West Oxfordshire.

11. **Motions on Notice**

No Motions were submitted by the deadline of 12.00pm on Monday, 10 July 2023.

(END)

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WEST OXFORDSHIRE DISTRICT COUNCIL

Minutes of the meeting of the **Annual Council**

Held in the Council Chamber at 2.00 pm on **Wednesday, 24 May 2023**

PRESENT

Councillors: Julian Cooper (Chair for 2022/2023), Andrew Coles (Vice-Chair for 2022/2023), Joy Aitman, Alaa Al-Yousuf, Thomas Ashby, Hugo Ashton, Andrew Beaney, Michael Brooker, David Cooper, Rachel Crouch, Colin Dingwall, Jane Doughty, Duncan Enright, Phil Godfrey, Andy Goodwin, Andy Graham, Jeff Haine, David Jackson, Edward James, Mark Johnson, Natalie King, Liz Leffman, Nick Leverton, Andrew Lyon, Charlie Maynard, Martin McBride, Michele Mead, David Melvin, Lysette Nicholls, Mathew Parkinson, Rosie Pearson, Rizvana Poole, Elizabeth Poskitt, Andrew Prosser, Carl Rylett, Geoff Saul, Sandra Simpson, Ruth Smith, Harry St John, Tim Sumner, Liam Walker, Mark Walker, Adrian Walsh, Alex Wilson and Alistair Wray.

Officers: Giles Hughes (Chief Executive), Elizabeth Griffiths (Chief Finance Officer, Deputy Chief Executive and Section 151 Officer), Jan Britton (Managing Director), Frank Wilson (Group Finance Director - Publica), Andrew Brown (Business Manager, Democratic Services and Interim Monitoring Officer, Max Thompson (Senior Democratic Services Officer), Anne Learmonth (Democratic Services Officer), Maria Harper (Democratic Services Assistant), Barry Clack (Communications Officer) and Michelle Ouzman (Democratic Services Officer).

Other Councillors in attendance: Nil.

CL.75 Election of Chair for 2023/24

The outgoing Chair of the Council, Councillor Julian Cooper, welcomed Members and Officers to the meeting of Annual Council.

The Chair asked Council for nominations to the position of Chair of the Council for the municipal year 2023/2024.

Councillor Andy Graham, proposed that Councillor Andrew Coles be appointed to the position of Chair of the Council for the municipal year 2023/2024. This was seconded by Councillor Mathew Parkinson and was put to a vote. The vote carried.

Council **Resolved** to:

- I. Appoint Councillor Andrew Coles to the position of Chair of the Council for the municipal year 2023/2024.

Following the appointment, Councillor Julian Cooper wished the new Chair of West Oxfordshire District Council, Councillor Andrew Coles, the very best of fortune for the forthcoming 12 months, and presented Councillor Coles with the Chair's Chain of Office.

Councillor Andrew Coles also signed an Acceptance of Office declaration form after taking his seat.

CL.76 Appointment of Vice-Chair for 2023/24

Councillor Andrew Coles, Chair of the Council, thanked the Council for his appointment to the position of Chair of the Council for the municipal year 2023/2024.

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The Chair thanked Council Officers, fellow Members and previous Chairs of the Council for their endeavours when previously holding the position of Chair. The Chair thanked all those for their support and guidance in the run up to the appointment, and reaffirmed his commitment to working with Council Members and Officers during his time in office.

The Chair also paid tribute to the support of his family, and also his husband, who observed proceedings in the public gallery of the Council Chamber.

The Chair asked Council for nominations to the position of Vice-Chair of the Council for the municipal year 2023/2024.

Councillor Liz Leffman, proposed that Councillor Elizabeth Poskitt be appointed to the position of Vice-Chair of the Council. This was seconded by Councillor Michael Brooker and was put to a vote. The vote carried.

Council **Resolved** to:

- I. Appoint Councillor Elizabeth Poskitt to the position of Vice-Chair of the Council for the municipal year 2023/2024.

Councillor Elizabeth Poskitt also signed an Acceptance of Office declaration form after taking her seat.

CL.77 Apologies for Absence

Apologies for Absence were received from the following Members:

L Arciszewska, A Smith, D Temple and D Levy.

CL.78 Declarations of Interest

There were no Declarations of Interest received from Members of the Council.

CL.79 Minutes of Previous Meeting

The minutes of the previous meeting of Council, held on Wednesday 22 March 2023, were unanimously approved by Council, and signed by the Chair as a true and accurate record.

CL.80 Receipt of Announcements

The Chair of the Council, Councillor Andrew Coles, welcomed the 12 new Members of West Oxfordshire District Council to their seats, congratulated them on their recent election and stated that they were most welcome. The Chair read aloud the names of the 12 new Members, who rose to introduce themselves to the Council.

The Chair also paid tribute to the 12 Members who had left Council at the end of the last municipal year, and stated that both the previous Chair and the Chief Executive had written to the former members, thanking them for their service to West Oxfordshire District Council and wishing them well for the future.

The Chair also welcomed the Council's incoming Director of Governance and Monitoring Officer, Andrea McCaskie, who attended proceedings. Mrs McCaskie would join the Council in June 2023. The Chair also paid tribute to the work of Andrew Brown, who had acted as Interim Monitoring Officer in conjunction with his work as Business Manager for Democratic Services.

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The Interim Monitoring Officer and Business Manager for Democratic Services, Andrew Brown, apologised for an error which had occurred prior to the previous meeting of Council in March 2023, where a Motion to Council had not been facilitated in the correct manner. The Interim Monitoring Officer and Business Manager for Democratic Services also personally apologised to Councillor Lysette Nicholls who had submitted the Motion to Council.

CL.81 Vote of Thanks to the retiring Chair and Vice-Chair

The Chair of the Council, Councillor Andrew Coles, paid further tribute to the work and contribution to Council by the former Chair, Councillor Julian Cooper, and highlighted memories of Councillor Cooper's time in office, such as a visit to the Oxfordshire Transport Museum.

In return, Councillor Cooper thanked all Officers for their support to him during his time in office, and highlighted the support of the Council's Executive Management Team, Public Officers, and the work of contractual partners such as Ubico.

The Chair also took the opportunity to present Councillor Cooper with a medal in recognition of his service to the Council.

CL.82 Election of the Leader of the Council

The Chair of the Council, Councillor Andrew Coles, asked Council for nominations to the position of Leader of the Council for a new four year term, which would extend to the Annual Council meeting in 2027.

Councillor Duncan Enright, proposed that Councillor Andy Graham be appointed to the position of Leader of the Council for a new four year term, extending to the end of the municipal year 2026/2027. This was seconded by Councillor Natalie King and was put to a vote. The vote carried.

Council **Resolved** to:

1. Appoint Councillor Andy Graham to the position of Leader of the Council for a new four year term, extending to the Annual Council meeting in 2027.

CL.83 Report of the Leader

The Leader of the Council, Councillor Andy Graham, rose to thank the Council for his re-appointment to the position of Leader, and to thank the Executive and Officers for their support as the term of the Leader was renewed.

The Leader also offered to work constructively with the opposition to achieve the common goals that the Council had previously set, and said that by working together, the Council can achieve great things.

The Leader informed the Council of the appointments to the Executive for the new municipal year, which were as follows:

- Councillor Andy Graham – Leader of the Council;
- Councillor Duncan Enright – Deputy Leader of the Council, and Executive Member for Economic Development;
- Councillor Dan Levy – Executive Member for Finance;
- Councillor Carl Rylett – Executive Member for Planning and Sustainable Development;

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- Councillor Joy Aitman – Executive Member for Stronger, Healthy Communities;
- Councillor Geoff Saul – Executive Member for Housing and Social Welfare;
- Councillor Lidia Arciszewska – Executive Member for the Environment;
- Councillor Andrew Prosser – Executive Member for Climate Change;
- Councillor Alaric Smith – Executive Member for Leisure and Major Projects.

The Leader explained that the new portfolio of the Executive, Leisure and Major Projects, would continue and complete the work of the Council's Agile Working Project, which would see a future refurbishment of the Council Chamber, and the installation of live-streaming & webcasting equipment, so that meetings of the Council are available to be watched over the Internet, adding openness and transparency to the Council's business. The Portfolio would also oversee enhancement to leisure provisions within the District, aiding diversity and improving the experiences of the service users.

The Leader also reaffirmed that the West Oxfordshire alliance would work hand in glove to put the residents of the District first, which would help to achieve social and climate justice, and help address a housing crisis, built up over recent years.

The Leader also confirmed the following joint Executive arrangements and appointments to external bodies:

- Councillor Andy Graham – Future Oxfordshire Partnership;
- Councillor Carl Rylett – Infrastructure Advisory Group;
- Councillor Geoff Saul – Housing Advisory Group;
- Councillor Andrew Prosser – Environment Advisory Group.

The Leader also drew the attention of the Council to the Executive Scheme of Delegations, covered in Part 4 of the Council's constitution.

Councillor Andy Graham proposed that Council notes the Report of the Leader. This was seconded by Councillor Andrew Coles, was put to a vote, and was unanimously agreed by Council.

Council **Resolved** to:

1. Note the Report of the Leader.

CL.84 Return of the Returning Officer

Councillor Andy Graham, Leader of the Council, introduced the report, which detailed and summarised the results of the local elections, held on 4 May 2023.

The Leader stated that the report was a factual representation of the results of the elections to West Oxfordshire District Council, and paid tribute to the work of the Returning Officer, Electoral Services Team and officers & staff that assisted with the delivery of the local elections.

Councillor Andrew Beaney rose to thank the Returning Officer and staff for their work in delivering the local elections held on 4 May 2023, adding that West Oxfordshire is the "Gold Standard" for local elections. This was further echoed by the Chair of the Council.

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Councillor Andy Graham proposed that Council note the Return of the Returning Officer. This was seconded by Councillor Duncan Enright, was put to a vote and was unanimously agreed by Council.

Council **Resolved** to:

1. Note to the Return of the Retuning Officer.

CL.85 Appointment of Members to the Council's Committees, including Substitute Members.

Councillor Andy Graham, Leader of the Council, introduced the report which established the Council Committees as defined in Part 3 of the Council's Constitution, for the Civic Year 2023/2024, established the allocation of seats to political groups based on political proportionality, appointed members to Council Committees for the Civic Year 2023/2024, made appointments to the positions of Chair and Vice Chair of Council Committees for the Civic Year 2023/2024, proposed that Committee meetings held in Committee Room I will be "livestreamed" using the Council's new webcasting system, agreed to a joint meeting of the Climate and Environment Overview & Scrutiny Committee and Economic and Social Overview and Scrutiny Committee being held on 8 June 2023 at 4.00pm to consider the West Eynsham Area Masterplan, and re-established the Constitution Working Group and sought a request that it considers options for the structure of the Council's Overview and Scrutiny Committees.

The Leader guided Council through the recommendations listed within the report, and paid particular attention to political proportionality to the Council's Committees, and updated Council that Councillor Elizabeth Poskitt was proposed to represent the Council on the Oxfordshire Joint Health Overview and Scrutiny Committee (rather than Councillor Joy Aitman as stated in the paperwork), and that Councillor Liz Leffman would not be serving on the Economic and Social Overview and Scrutiny Committee as stated in the paperwork. The Leader also highlighted a recommendation referring to the Constitution Working group, and the exploration of the structure of the Council's Overview and Scrutiny Committees. The Leader confirmed that the outcome of this work would be reported to Council at a future meeting.

Councillor Andrew Beaney rose to query the frequency of Overview and Scrutiny Committee meetings, restrictions on Committee Membership, and how the proposed Joint Scrutiny Committee of Climate and Environment and Economic & Social would be chaired.

The Business Manager for Democratic Services and Interim Monitoring Officer responded stating that a Chair for the extraordinary joint meeting would be appointed at the start of that meeting for that meeting only. The Interim Monitoring Officer further stated that the restrictions on membership of the Standards Sub-Committee were covered in a report to the next Audit and Governance Committee, and that the frequency of meetings of the Council's Overview & Scrutiny Committees would be referred to the Council's Constitution Working Group for consideration.

Councillor Andy Graham proposed that Council agree to the recommendations as listed in the agenda report. This was seconded by Councillor Duncan Enright, was put to a vote, and was unanimously agreed by Council.

Council **Resolved** to:

1. Agree to establish the Council's Committees as defined in Part 3 of the Council's Constitution, for the Civic Year 2023/2024;
2. Determine that, in accordance with Section 15 of the Local Government and Housing Act 1989 ("the Act"), the Council shall continue to apply the political balance provisions under the Act to committees as shown in Annex A;
3. Appoint Councillors to serve on the Council's Committees and working groups as set out in Annex B for a term of office expiring at the next Annual Meeting of the Council, with Councillor Leffman removed from the membership of the Economic and Social Overview and Scrutiny Committee and Councillor Poskitt replacing Councillor Aitman as the Council's representative on the Oxfordshire Joint Health Overview and Scrutiny Committee;
4. Appoint Chairs and Vice-Chairs to the Council's Committees and working groups as shown in Annex B;
5. Note the arrangements for substitutions, as set out in part 4 of the agenda report;
6. Agree that meetings held in Committee Room 1 will be live streamed to the Council's website for public viewing;
7. Agree that a joint meeting of the Economic and Social, and Climate & Environment Overview and Scrutiny Committees will take place on Thursday 8 June 2023 at 4.00pm, to consider the West Eynsham Area Masterplan.
8. Request that the Constitution Working Group considers options for the structure of the Council's Overview and Scrutiny Committees and reports back to a future meeting of Council.

CL.86 Scheme of Officer Delegations

Councillor Andy Graham, Leader of the Council, introduced the report that, as required by the Council's Constitution, adopted and agreed the Scheme of Officer Delegations, other than those relating to Executive functions.


Councillor Andy Graham proposed that Council adopt the Constitution, and agree the Scheme of Officer Delegations, other than those relating to Executive functions, as set out in Part 4 of the Council's Constitution. This was seconded by Councillor Duncan Enright, was put to a vote, and was unanimously agreed by Council.

Council **Resolved** to:

- I. Adopt the Council's Constitution and agree the Scheme of Officer Delegations, other than those relating to Executive functions, as set out in Part 4 of the Constitution.

The Meeting closed at 2.27 pm

CHAIR

 <p>WEST OXFORDSHIRE DISTRICT COUNCIL</p>	<p>WEST OXFORDSHIRE DISTRICT COUNCIL</p>
<p>Name and Date of Committee</p>	<p>COUNCIL – 19 JULY 2023</p>
<p>Subject</p>	<p>RECOMMENDATION FROM EXECUTIVE TO COUNCIL</p>
<p>Wards Affected</p>	<p>All</p>
<p>Accountable Member</p>	<p>Councillor Andy Graham – Leader of the Council. Email: andy.graham@westoxon.gov.uk</p>
<p>Accountable Officer</p>	<p>Andrew Brown – Business Manager, Democratic Services. Email: andrew.brown@publicagroup.uk.</p>
<p>Report Author</p>	<p>Max Thompson – Senior Democratic Services Officer. Email: max.thompson@westoxon.gov.uk.</p>
<p>Summary/Purpose</p>	<p>To agree recommendations made to Council by the Executive from its meetings since 24 May 2023.</p>
<p>Annexes</p>	<p>Annex A – Recommendations from the Executive to Council; Annex B – West Oxfordshire District Council Developer Contributions Supplementary Planning Document (SPD); Annex C – Combe Village Design Statement; Annex D – Updated Executive Report, Commercial Solar Photovoltaic Installations on Council Estate.</p>
<p>Recommendation(s)</p>	<p>The Executive Recommends that Council Resolves to:</p> <ol style="list-style-type: none"> 1. Adopt the final version of the West Oxfordshire District Council Developer Contributions Supplementary Planning Document (SPD) (Annex B). 2. Amend the delegation arrangements to give authority to the Chief Finance Officer in consultation with the Executive Member for Finance and the Executive Member for Economic Development to approve future lettings at Marriott’s Walk. <p>And, subject to the resolutions of the Executive on 12 July 2023, Council is recommended to resolve to:</p> <ol style="list-style-type: none"> 3. Approve the carry forward of the Capital Budget of £2,372,557;

	<ol style="list-style-type: none"> 4. Approve the transfers to and between Earmarked Reserves as detailed in the [Financial Performance Report 2022/23 Year End (Q4)] report. 5. Adopt the final version of the Combe Village Design Statement as a Supplementary Planning Document (SPD), subject to any amendments the Executive may wish to make. (Annex C). 6. Recommend to Council to agree to proceed with investment in roof mounted solar PV based on the business cases in this report detailed in the updated Executive report (Annex D). 7. Recommend to Council to agree that funding for contingency costs of £27,634 is approved with delegation to the Chief Finance Officer for expenditure of contingency subject to the business case still being viable or expenditure being unavoidable due to structural condition of the building. 8. Agree to add £125,000 to the Capital Programme for [Funding for Landlord's Works and Approval of New Lease's at Investment Property in Cumnor] to be financed from the Property Improvement and Incentive Reserve.
Corporate Priorities	<ul style="list-style-type: none"> • Putting Residents First • A Good Quality of Life for All • Working Together for West Oxfordshire
Key Decision	NO
Exempt	NO
Consultees/ Consultation	NONE

1. BACKGROUND

- 1.1 The Council is required to consider recommendations made to Council by the Executive from its meetings since 24 May 2023.

2. MAIN POINTS

- 2.1 The decisions recommended by the Executive to be agreed by Council, are detailed within Annex A. A number of these recommendations are subject to the resolutions made by the Executive on 12 July 2023. All other decisions of the Executive were in the Executive's gift to make and no other recommendations have been made to Council at this time.

3. FINANCIAL IMPLICATIONS

- 3.1 Any financial implications of the proposed decisions are as set out in the associated reports to the Executive.

4. LEGAL IMPLICATIONS

- 4.1 None.

5. RISK ASSESSMENT

- 5.1 Not Applicable.

6. EQUALITIES IMPACT

- 6.1 Not Applicable.

7. CLIMATE AND ECOLOGICAL EMERGENCIES IMPLICATIONS

- 7.1 Not Applicable.

8. BACKGROUND PAPERS

- 8.1 None.

(END)

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Annex A – Recommendations from Executive to Council.

<u>Date</u>	<u>Meeting</u>	<u>Recommendation</u>
21 June 2023	Executive	<p>Developer Contributions Supplementary Planning Document (SPD).</p> <p>Executive Resolves to:</p> <ol style="list-style-type: none"> 1. Recommend that Council be invited to formally adopt the final version of the West Oxfordshire District Council Developer Contributions Supplementary Planning Document (SPD).
21 June 2023	Executive	<p>Letting at Marriott's Walk, Witney.</p> <p>Executive Resolves to:</p> <ol style="list-style-type: none"> 2. Recommend that Council amend the delegation arrangements to give authority to the Chief Finance Officer in consultation with the Executive Member for Finance and the Executive Member for Economic Development to approve future lettings at Marriott's Walk.
12 July 2023 **	Executive	<p>Financial Performance Report 2022/23 Year End (Q4).</p> <p>Executive Resolves to:</p> <ol style="list-style-type: none"> 3. Recommend to Council to approve the carry forward of the Capital Budget of £2,372,557; 4. Recommend to Council to approve the transfers to and between Earmarked Reserves as detailed in the report.
12 July 2023 **	Executive	<p>Combe Village Design Statement.</p> <p>Executive Resolves to:</p> <ol style="list-style-type: none"> 5. Recommend to Council to formally adopt the final version of the Combe Village Design Statement as a Supplementary Planning Document (SPD), subject to any amendments the Executive may wish to make.

12 July 2023 **	Executive	<p>Commercial Solar Photovoltaic Installations on Council Estate.</p> <p>Executive Resolves to:</p> <ol style="list-style-type: none"> 6. Recommend to Council to agree to proceed with investment in roof mounted solar PV based on the business cases in this report detailed in the updated Executive report (Annex D). 7. Recommend to Council to agree that funding for contingency costs of £27,634 is approved with delegation to the Chief Finance Officer for expenditure of contingency subject to the business case still being viable or expenditure being unavoidable due to structural condition of the building.
12 July 2023 **	Executive	<p>Funding for Landlord's Works and Approval of New Lease's at Investment Property in Cumnor.</p> <p>Executive Resolves to:</p> <ol style="list-style-type: none"> 8. Recommend to Council to add £125,000 to the Capital Programme for this item to be financed from the Property Improvement and Incentive Reserve.

** Subject to the resolutions of Executive on 12 July 2023.



**WEST OXFORDSHIRE
DISTRICT COUNCIL**

ANNEX B

**West Oxfordshire District Council
Developer Contributions
Supplementary Planning Document (SPD)**

June 2023

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Part I – About Developer Contributions

I. Introduction

- I.1 Developer contributions are provided in order to mitigate the impact of new development. Typical examples include the provision of green space, school places and transport improvements. Such contributions are also sometimes referred to as planning obligations.
- I.2 This is reflected in Policy OS5 of the West Oxfordshire Local Plan which expects new development to deliver, or contribute towards the timely provision of essential supporting infrastructure.
- I.3 There are several forms of developer contributions and the purpose of this Supplementary Planning Document (SPD) is to explain what those are and more specifically, what contributions are likely to be sought in West Oxfordshire. (For a quick reference guide to these potential requirements, please refer to Appendix I – page 69).
- I.4 It should be noted that SPDs build upon and provide more detailed advice/ guidance on policies in an adopted Local Plan. As they do not form part of the development plan, they cannot introduce new policies but they are a material consideration in decision-making.
- I.5 This SPD is aimed at a broad audience including landowners and developers, statutory providers, partners, stakeholders, service providers, Town and Parish Councils and the local community.
- I.6 It has been developed following two periods of public consultation in November 2020 and October 2022. A consultation summary report has been published separately to show how the comments raised at each stage have been taken into account¹.
- I.7 The SPD should be read in conjunction with the [West Oxfordshire Local Plan 2031](#), the [West Oxfordshire Infrastructure Delivery Plan](#) (IDP) and Oxfordshire County Council's [Developer Guide to Infrastructure Delivery and Contributions](#) (April 2021).
- I.8 It also helps to support the new Council Plan which aims to enable a good quality of life for all by supporting a vibrant local economy, homes and infrastructure that meet people's needs, excellent health and wellbeing, tackling the climate emergency and ensuring equal access to opportunity for all.
- I.9 As the District Council is in the process of updating its Local Plan and introducing CIL, the SPD is likely to be updated at some point in the future to reflect any new policies/charges and supporting evidence.

¹ <https://www.westoxon.gov.uk/planning-and-building/planning-policy/supplementary-planning-documents/>

1.10 More general information on developer contributions is set out in the Government's Planning Practice Guidance on [Planning Obligations](#) and the [Community Infrastructure Levy](#) (CIL).

2. What are developer contributions?

2.1 Developer contributions are made by a developer to mitigate the impact of a proposed development. They can be provided directly, such as a new area of green space provided within a housing scheme, or through a financial contribution e.g. a payment towards increasing the capacity of a local school.

2.2 The main types of developer contributions include:

- Section 106 agreements
- Section 278 agreements
- Community Infrastructure Levy (CIL)

2.3 These are briefly summarised below.

Section 106 Agreements

2.4 A Section 106 agreement² is a legally binding deed entered into by a developer to mitigate the impact of a proposed development. Often these deeds address items such as the provision of new affordable homes, sports, leisure and play facilities, education, transport and health.

2.5 Generally speaking, S106 agreements are only used in relation to larger development proposals (typically 10 or more homes) because of their greater impact.

2.6 Importantly, S106 agreements are focused on site-specific mitigation and must meet three key tests³. In particular, they must be:

- a) Necessary to make the development acceptable in planning terms;
- b) Directly related to the development; and
- c) Fairly and reasonably related in scale and kind to the development.

Section 278 Agreements

2.7 Section 278 agreements⁴ are made between the highway authority (Oxfordshire County Council) and a third party to deliver improvements to the existing public highway such as the construction of a new access, junction improvements and traffic calming measures.

² Referred to as Section 106 agreements because they stem from Section 106 of the Town and Country Planning Act 1990

³ In accordance with Regulation 122 of the Community Infrastructure Levy (CIL) Regulations (as amended)

⁴ Stems from Section 278 of the Highways Act 1980

- 2.8 The general process for S278 agreements is similar to that for a Section 106 agreement although led by the County Council, with more limited scope for negotiation. Such agreements normally cover details of the works including an agreed design, details of how this will be managed, a programme of works and commuted sums and bonds.
- 2.9 Trigger points for entering into or completing a Section 278 agreement will often be specified as part of a Section 106 agreement. Like S106 agreements, Section 278 agreements generally relate to larger developments.

Community Infrastructure Levy (CIL)

- 2.10 CIL is an optional charge which local authorities can choose to impose on new development to help fund new and enhanced infrastructure. Unlike Section 106 agreements which tend to focus on larger developments and address site-specific matters, CIL can be sought from much smaller developments and can be spent more generally on infrastructure across a wider area.
- 2.11 Subject to viability evidence, different CIL rates can be charged based on the location, type and scale of development.
- 2.12 As CIL is optional, it only applies in areas where the Council has an adopted charging schedule in place setting out the agreed rate/s. CIL is not currently in place in West Oxfordshire although it is envisaged that consultation on a new draft CIL charging schedule will take place later in 2023.

Planning Conditions

- 2.13 Local authorities can also mitigate the impact of new development and enhance quality through the use of appropriate planning conditions. These typically cover required standards, further details, timeframes and works that must be carried out at prescribed stages.
- 2.14 When used properly, planning conditions can enhance the quality of development and enable development to proceed where it would otherwise have been necessary to refuse planning permission, by mitigating the adverse effects⁵. Planning conditions should be kept to a minimum and only imposed where they are '*necessary, relevant, enforceable, precise and reasonable*'.

⁵ MHCLG Practice Guidance – Use of Planning Conditions Paragraph: 001 Reference ID: 21a-001-20140306

How do Section 106 agreements, Section 278 agreements, CIL and planning conditions relate to each other?

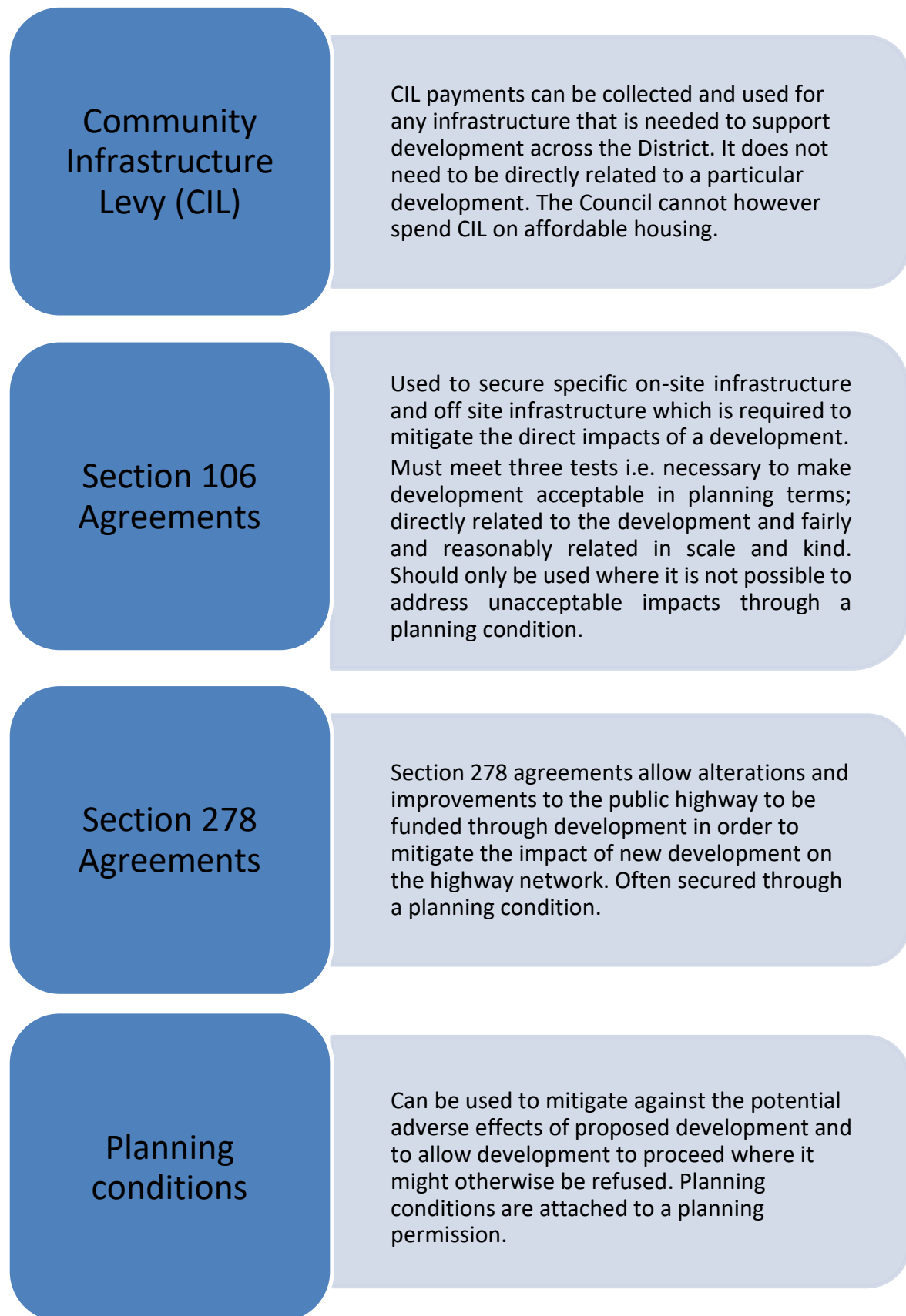
2.15 The various mechanisms outlined above are intended to co-exist and complement each other because they all do slightly different things.

2.16 In summary:

- Planning conditions are attached to a planning permission to help mitigate and enhance the quality of development;
- Section 106 agreements tend to be used on larger developments and stipulate certain requirements to help mitigate the impact of the development, focusing on site-specific matters such as the provision of affordable housing and new green space;
- Section 278 agreements focus specifically on improvements to the public highway;
- CIL is an optional charge which only applies where a charging schedule has been adopted. It is more 'general' in the sense that it is not tied to a particular development and can be spent on various projects over a wide area. It can also be sought from smaller developments subject to certain exemptions (e.g. self/custom-build housing).

2.17 As such, it is quite possible for a proposed development to be subject to all of these mechanisms or just some of them. This will depend on a number of factors including the type, size and impact of development and whether CIL is in place.

Figure 1 – Illustration of the different types of developer contribution and use of planning conditions



**Part 2 - What developer contributions will be sought in
West Oxfordshire?**

3. What developer contributions will be sought in West Oxfordshire?

3.1 Here we explain the main types of developer contributions that will be sought in West Oxfordshire, with cross-references to relevant national and local policy provided as appropriate.

3.2 The potential contributions are set out under the following headings:

- Affordable Housing
- Custom and Self-Build Housing
- Education
- Transport and Movement
- Sport and Leisure
- The Environment
- Community and Culture
- Health and Social Care
- Emergency Services
- Employment, Skills and Training
- Waste and Recycling/Waste Management
- Utilities

3.3 It should be noted that infrastructure related to topics such as climate change and healthy place shaping can be cross-cutting, with contributions helping to support the health and well-being of our local communities as well as tackling the climate and ecological emergency. Enabling walking and cycling by embedding healthy place shaping will, for example, help to encourage active travel and reduce reliance on the use of the private car.

3.4 A key component of healthy place shaping is shaping the built environment so that people can more easily access green space and encourage healthy exercise whilst securing biodiversity net gain which will help to address species decline and provide space for leisure and shade.

3.5 It is also important to note that not all of the potential contributions identified will be relevant to all development proposals and that the actual 'package' of developer contributions that is ultimately secured will depend on a number of factors including the type, scale and location of development. Ultimately, any Section 106 requirement sought must be necessary, directly related and reasonable.

- 3.6 The indicative requirements should be read in conjunction with Oxfordshire County Council’s Guide to Developer Contributions (April 2021)⁶ which provides detailed guidance in relation to transport and education as well as other matters including flood and water management, extra-care housing, archaeology, fire and rescue, the natural environment and energy efficiency.
- 3.7 Given that the District Council does not yet have CIL in place, the primary focus of this section is on the use of Section 106 agreements, Section 278 agreements and planning conditions. On the basis that the District Council remains committed to introducing CIL, Appendix I provides an indication of how the District Council may choose to spend any future CIL receipts. This will be further updated once CIL is in place.
- 3.8 Further information on the infrastructure projects or types of infrastructure that the District Council intends to fund via CIL or S106 agreements (or any other agreement that secures funding or infrastructure as part of any new development) must be included as part of the Council’s Infrastructure Funding Statement – IFS published annually⁷.
- 4. Affordable Housing**
- 4.1 The NPPF highlights the importance of providing for the needs of groups with specific housing requirements including, but not limited to, those who require affordable housing⁸.
- 4.2 We define affordable housing as that which is affordable to those who cannot afford market priced housing locally to rent or purchase. The West Oxfordshire Local Plan 2031 recognises that housing affordability is a key issue and increasing the number, type and distribution of affordable housing is a priority of the Council.
- 4.3 In accordance with Local Plan Policy H3, certain ‘qualifying’ market housing schemes will be required to make a contribution – either directly on-site by building a proportion of new homes as affordable properties or by making a financial contribution towards new affordable homes elsewhere in the District.

⁶ <https://www.oxfordshire.gov.uk/residents/roads-and-transport/transport-policies-and-plans/transport-new-developments/developer-contributions>

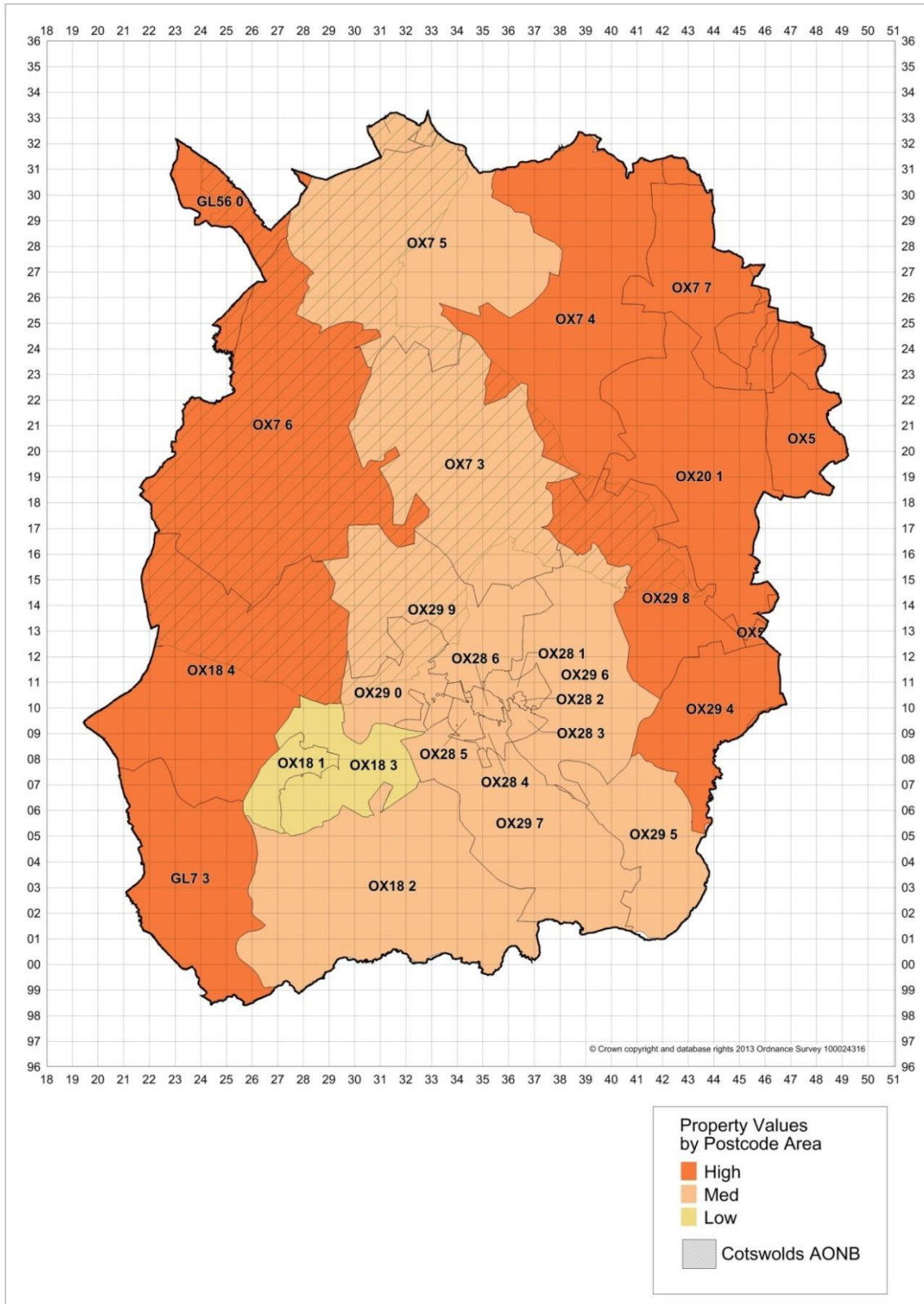
⁷ <https://www.westoxon.gov.uk/planning-and-building/community-infrastructure-levy/infrastructure-spending-and-funding/>

⁸ NPPF paragraphs 62 and 63 in particular

4.4 The full details are set out in Local Policy H3 – Affordable Housing but in summary:

- Within the Cotswolds Area of Outstanding Natural Beauty (AONB) smaller market housing schemes of between 6-10 units and which have a maximum combined gross floorspace of no more than 1,000 sqm are required to make a financial contribution towards the provision of affordable housing ‘off-site’.
- Across the District as a whole (including within the AONB) larger market housing schemes of 11 or more units or which have a maximum combined gross floorspace of more than 1,000 sqm, will be required to provide a proportion of affordable housing on site, with the amount required varying from 35%, 40% and 50% according to location (lower, medium and higher value areas respectively (see Figure 5a in the West Oxfordshire Local Plan 2031 – reproduced as Figure 2 below).
- In some instances on such larger schemes, a combination of on-site provision and a financial contribution may be appropriate.

Figure 2 – West Oxfordshire Local Plan 2031 'Value Zones'



Affordable Housing – summary of developer contributions to be sought:

Within the Cotswolds AONB, market housing schemes of between 6-10 units and which have a maximum combined gross floorspace of no more than 1,000 sq.m will be required to make a financial contribution towards the provision of affordable housing off-site within the District.

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%)

Relevant Policy Context:

NPPF – Paragraphs 62 and 63

West Oxfordshire Local Plan 2031: Policy H3 – Affordable Housing

- 4.5 Further information on the provision of new affordable housing including guidelines on preferred tenures and property sizes is set out in the District Council's separate [Affordable Housing Supplementary Planning Document \(SPD\)](#) which was formally adopted in October 2021.

5. Custom and Self-Build Housing

- 5.1 Custom-build and self-build housing is housing which is 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 housing⁹.
- 5.2 National policy¹⁰ requires local authorities to have an understanding of the housing needs of specific groups in the community including those who wish to commission or build their own homes.
- 5.3 More specifically, the Self Build and Custom Housebuilding Act 2015 requires local authorities to keep a register of those seeking to acquire serviced plots and to grant enough planning permissions to meet the identified demand. Further information is available on the District Council's website¹¹.
- 5.4 The importance of providing opportunities for those wishing to commission or build their own home is reflected in Local Plan Policy H5 – Custom and Self-Build Housing which requires all larger housing developments of 100 or more homes to make 5% of serviced residential plots available for the purpose of custom and self-build housing. This will typically be secured through a Section 106 legal agreement.
- 5.5 Policy H5 also supports individual custom and self-build housing schemes in suitable, sustainable locations. Where smaller residential schemes are specifically promoted as being provided for the purposes of self / custom-build housing, a Section 106 legal agreement or planning condition will be used to secure such provision as appropriate.
- 5.6 The District Council will also assist in helping to identify suitable and deliverable sites through Neighbourhood Plans and by encouraging the re-use of existing buildings (in accordance with Policies OS2, H2 and E3 of the Local Plan).

Custom and Self-Build Housing – summary of developer contributions to be sought:

Larger residential housing schemes of 100 or more homes will be required to include 5% of the residential plots to be serviced and made available for the purposes of self and custom build housing.

This will generally be secured by way of a Section 106 legal agreement.

Where smaller residential schemes are specifically promoted as being provided for the purposes of self / custom-build housing, a Section 106 legal agreement or planning condition will be used to secure such provision as appropriate.

Relevant Policy Context:

⁹ See NPPF Glossary

¹⁰ NPPF Paragraph 62

¹¹ <https://www.westoxon.gov.uk/housing/self-build-housing/>

6. Education

- 6.1 New housing development often increases the number of school age children, which can place strain on the capacity of existing schools. As such, the NPPF¹² stresses the importance of providing a sufficient choice of school places to meet the needs of existing and new communities.
- 6.2 In West Oxfordshire, there are a total of 48 primary schools, one infant school, one nursery, one special school and seven secondary schools¹³. The Local Plan highlights a lack of capacity at primary level as a particular issue.

Overall Approach

- 6.3 Oxfordshire County Council is the education authority and has a statutory responsibility to ensure sufficient school and childcare places including early years (0-4), primary, secondary, further education and special educational needs or disability (SEND).
- 6.4 Detailed guidance is set out in Oxfordshire County Council's [Guide to Developer Contributions](#) but in essence, the demand for school places associated with new development is assessed against school capacity and where there is (or expected to be) insufficient capacity to satisfactorily meet those extra demands, it may lead to a requirement for S106 contributions.
- 6.5 The County Council generally only assesses the education impacts from larger housing schemes of 10 or more homes, however in some instances, smaller schemes may be assessed depending on their relationship to other housing developments as well as potential cumulative impacts.

¹² Paragraph 95

¹³ Source: [Planning enough school places | Oxfordshire County Council](#).

Early Years

- 6.6 Early Years and Childcare provision includes nurseries, childminders, playgroups or pre-schools. A shortage of early education places, especially for 2-year-olds, was identified in the Council's Infrastructure Delivery Plan – IDP (2016). Pressure on places is growing in Witney, Eynsham and Carterton and the Local Plan Strategic Development Areas (SDAs) will increase demand further.
- 6.7 Where there is insufficient capacity to meet the needs of a new development, this should be increased by expanding existing facilities or through the creation of new facilities. New opportunities to provide early years or childcare places, either through private, voluntary or independent nurseries, will be sought within larger strategic developments.

Primary and Secondary School Provision

- 6.8 Oxfordshire County Council produces a Pupil Place Plan¹⁴ annually setting out how school provision is anticipated to change in the future and how the authority proposes to meet its statutory duties. The County Council is required to determine and plan, in consultation with schools, how sufficient capacity will be provided.
- 6.9 The potential need for a planning obligation is established by assessing the number of pupils generated by the development, whilst also taking into account factors such as other housing developments with planning permission and the capacity of existing schools¹⁵.
- 6.10 Where planning obligations are required, this may be on the basis of a solely financial contribution and/or may involve the provision of land and infrastructure e.g. for a new school or to enable expansion of an existing school.
- 6.11 For very large residential schemes (where the scale of pupils generated cannot be accommodated through school expansions) it may be necessary to provide a new school or schools on-site as part of the development. As a general guide, proposals involving 400 or more homes may require the provision of a new primary school (depending on existing provision).

¹⁴ https://www.oxfordshire.gov.uk/sites/default/files/file/children-and-families/Pupil_Place_Plan_2019.pdf

¹⁵ Note that temporary school accommodation is excluded when assessing existing school capacity.

- 6.12 When the scale of development necessitates a new school, the developer/s will be expected to provide an appropriate remediated and serviced piece of land free of charge. In some cases the County Council may seek an option for remediated expansion land which can be funded by another adjacent development. Where the development is not a host site for a new school it may be appropriate for an obligation to fund land acquisition. Where land is to be transferred, this must be 'freehold' land.
- 6.13 For the expansion of existing schools, the level of contribution will be calculated based on the anticipated pupil generation from the development set against standard £/per pupil rates, or where a feasibility study has been carried out, the estimated cost of the expansion. Where the expansion project requires the acquisition of additional land, the cost of this will be factored into the level of contributions sought.
- 6.14 For smaller residential schemes of 10 to around 400 homes (depending in part on local need) the County Council will seek an obligation towards increasing the capacity of an existing school or schools or towards an off-site new school serving multiple developments. In some cases, obligations may be required towards temporary accommodation, where the permanent accommodation cannot be delivered in time to meet the need from population growth.

Special Educational Needs and Disabilities Provision (SEND)

- 6.15 The County Council as an education authority has a duty to identify and assess the special educational needs and disabilities (SEND) of children and young people for whom they are responsible¹⁶. In fulfilling its statutory duty to secure sufficient schools in its area, it must consider the need to secure the necessary provision.
- 6.16 Any impact on SEND capacity and provision is taken into account by the County Council as part of their overall assessment of the impact of a new development. Financial contributions may be sought towards SEND either in relation to the provision of a new special school or towards the expansion of an existing facility. Further guidance on how such calculations will be determined is set out in the County Council's [Guide to Developer Contributions](#) (April 2021).

¹⁶ See Paragraph 42 of the Oxfordshire County Council Guide to Developer Contributions (April 2021).

Education - summary of developer contributions to be sought:

For larger residential schemes of 10 or more homes¹⁷, where necessary, directly, fairly and reasonably related in scale and kind to the development, the provision of educational facilities and associated infrastructure, including the provision of land (as appropriate) and extensions to existing facilities, will be secured through a Section 106 legal agreement.

Any such contribution will be considered on a case-by-case basis and will be calculated and agreed in accordance with the procedures and requirements of Oxfordshire County Council as the Local Education Authority.

Relevant Policy Context:

NPPF – Paragraph 95
West Oxfordshire Local Plan 2031: Policy OS5 – Supporting Infrastructure

7. Transport and Movement

- 7.1 The NPPF¹⁸ requires transport issues to be considered at an early stage so that the potential impacts of development can be addressed. The focus should be on locating development in the most sustainable places, limiting the need for travel and offering a genuine choice of transport modes.
- 7.2 Oxfordshire County Council is the local highway authority and local transport authority and works closely with the District Council to ensure that the transport network supports sustainable growth. The County Council provides co-ordinated advice on development proposals through its consultation response on planning applications. This may specify requirements for measures to mitigate the transport and other impacts of the development, which can be secured through legal agreements.
- 7.3 Detailed information and advice on these potential requirements is set out in the County Council's [Guide to Developer Contributions](#) (April 2021). An overview is provided below.

Highways and Access

¹⁷ Note: in some instances, smaller schemes may be assessed depending on their relationship to other developments as well as potential cumulative impacts.

¹⁸ Specifically Section 9 – Promoting Sustainable Transport

- 7.4 In considering development proposals, any significant impacts on the transport network or on highway safety will need to be mitigated to an acceptable degree. Developments that have significant transport implications will be required to include a Transport Assessment (TA) or Statement (TS) and Travel Plan – the scope of which should be agreed with Oxfordshire County Council at an early stage including any future transport scenarios required. The County Councils guidance information can be found [here](#):
- 7.5 This information will help the County Council determine the likely impact upon the highway and therefore the scope of any highway works, or other mitigation measures that may be needed. These will be negotiated on a case-by-case basis and may be funded through a financial contribution to the County Council or delivered directly by a developer.
- 7.6 Some items of infrastructure may be required to be delivered in the future if other targets and forecasts are not met (see [‘Decide and Provide’ requirements for Transport Assessment](#)). Delivery of these items may be needed after a period of monitoring and will be secured through a S106 agreement and associated bond.
- 7.7 Direct infrastructure provision required to mitigate development will be included in a planning obligation. Physical alterations to the highway network required to mitigate the effects of a development will be managed through a highways agreement with the Highway Authority (known as a Section 278 or S278 Agreement). Examples of such works include the construction of a new access, junction improvements, cycle and footways and safety related works such as traffic calming.
- 7.8 Where the cumulative impact of a number of developments requires a specific highway improvement project, the County Council may secure financial contributions through a S106 agreement or through S278/S38 contributions and procure the necessary works.

Highways and Access - summary of developer contributions to be sought:

For larger residential schemes of 10 or more homes¹⁹, where necessary, directly, fairly and reasonably related in scale and kind to the development, the provision of highway and access improvements (either directly delivered or through a financial contribution) will be secured through a planning obligation such as a Section 278 and/or Section 106 legal agreement.

The amount/nature of any contribution will be considered on a case-by-case basis and will be agreed with Oxfordshire County Council as the local highway authority.

¹⁹ Note: in some instances, smaller schemes may be assessed depending on their relationship to other developments as well as potential cumulative impacts.

Relevant Policy Context:

NPPF – Section 9

LTCP – Local Transport and Connectivity Plan. Adopted July 2022

West Oxfordshire Local Plan 2031: Policy OS5 – Supporting Infrastructure, T1 - Sustainable Transport, T2 - Highways Improvement Schemes, T3 - Public Transport, Walking and Cycling

Public Transport (services and infrastructure provision)

- 7.9 Improvements to public transport have a key role to play in encouraging fewer car journeys, reducing carbon emissions and encouraging active lifestyles. Maximising the opportunities for public transport is a core objective of the West Oxfordshire Local Plan 2031.
- 7.10 As the Local Highway Authority and Local Transport Authority, Oxfordshire County Council has statutory responsibility for public transport²⁰, although the District Council also has an important role to play, working in partnership with the County Council and other organisations such as Network Rail, to help to improve bus and rail services.
- 7.11 Oxfordshire County Council has developed a Bus and Rapid Transit Strategy (BRTS) which seeks to enhance the role of the bus as a key component of the overall public transport network in the county. The strategy aims to increase the frequency of existing bus routes and introduce new routes where different travel patterns are created in order to minimise car journeys and takes accounts of other plans and strategies prepared by key partners, including bus operators, Network Rail, GWR, and the North Cotswold Line Task Force.
- 7.12 Section 106 contributions may therefore be requested from developers in order to ‘pump prime’ new routes or incremental enhancements to existing routes. Contributions may be sought towards the following:
- supporting the development of new bus services;
 - increasing the frequency of existing bus services;
 - maintaining and developing existing bus services where these would otherwise be subject to reduced frequency or cease to operate; and
 - installation and maintenance of Real Time Passenger Information (RTPI) and other related bus stop infrastructure

²⁰ Under the Transport Act 1985, the Transport Act 2000, the Traffic Management Act 2004 and the Local Transport Act 2008

- 7.13 The focus will be on creating or enhancing services such that they do not require ongoing financial support from the County Council in the longer-term.
- 7.14 Contributions towards enhanced rail improvements including linkages to the stations may also be sought from new development.
- 7.15 Any contribution sought will be assessed on a case-by-case basis and shall have regard to the impact that the development is likely to have on the public transport system including relevant considerations such as the size and location of the proposed development.
- 7.16 The County Council has a standard approach to financial contributions for public transport services and infrastructure, dependent on the location of the development. Advice on this will be given at pre-application and application stages as appropriate. Further information is set out in the County Council's [Guide to Developer Contributions](#) (April 2021) and advice can be provided by the County Council at the pre-application stage on the level and type of provision which is likely to be sought.
- 7.17 Developers will not usually be permitted to procure public transport services directly with operators unless there is a compelling reason to do so. This is in the interests of public transport co-ordination and integration across the county.

Public Transport services and infrastructure provision - summary of developer contributions to be sought:

For larger residential schemes of 10 or more homes²¹, where necessary, directly, fairly and reasonably related in scale and kind to the development, financial contributions towards the provision of and/or improvements to public transport services will be secured through a Section 106 legal agreement.

Improvements to public transport infrastructure, where necessary, will usually be secured through a Section 278 legal agreement although complementary infrastructure will be secured via a Section 106 legal agreement.

The amount/nature of any contribution will be considered on a case-by-case basis and will be agreed with Oxfordshire County Council as the local highway authority.

Relevant Policy Context:

NPPF – Section 9

LTCP – Local Transport and Connectivity Plan. Adopted July 2022

West Oxfordshire Local Plan 2031: Policy OS5 – Supporting Infrastructure, T1 - Sustainable Transport, T2 - Highways Improvement Schemes, T3 - Public Transport, Walking and Cycling

²¹ Note: in some instances, smaller schemes may be assessed depending on their relationship to other developments as well as potential cumulative impacts.



Healthy and Active Travel

- 7.18 The West Oxfordshire Local Plan 2031 recognises the importance of enabling more active forms of travel including walking and cycling to reduce car based travel and improve health and wellbeing.
- 7.19 OCC's Local Transport and Connectivity Plan (LTCP) was adopted in July 2022 and covers the period to 2050. It replaces the previous Local Transport Plan (LTP4) and aims to make walking, cycling, public and shared transport the natural first choice to help achieve a net zero transport system.
- 7.20 One of the key themes of LTCP is to achieve 'improved health and wellbeing and reduced health inequalities, enabled through active and healthy lifestyles, improved road safety and inclusive communities'. The plan includes policies which aim to increase levels of walking and cycling to help to improve the mental and physical health of Oxfordshire's residents and make streets more welcoming and safe.
- 7.21 The District Council has a key role to play in ensuring that new development is supported by new and enhanced pedestrian and cycle infrastructure in liaison with Oxfordshire County Council and other providers. WODC will continue to work with these partners and developers to help deliver attractive and convenient routes including connections to key services such as public transport hubs.
- 7.22 In order to further promote active travel, the provision of high quality, well designed and well maintained connections and associated infrastructure including appropriate lighting, clear signage and secure cycle storage is essential. Developers should demonstrate through masterplanning and design how their site has been planned to prioritise walking and cycling. Developers are encouraged to use the Oxfordshire [Walking](#) and [Cycling](#) Design Standards.
- 7.23 Contributions may be sought for the upgrade of existing cycleway and footpaths and the provision of new connections as well as other relevant initiatives such as improved facilities along these routes.

Healthy and Active Travel - summary of developer contributions to be sought:

For larger residential schemes of 10 or more homes²², where necessary, directly, fairly and reasonably related in scale and kind to the development, contributions may be required towards measures including new and upgraded cycle & pedestrian infrastructure as well as initiatives to promote cycling and walking associated with travel to/from and at the development.

The amount/nature of any contribution will be considered on a case-by-case basis and will be agreed with Oxfordshire County Council as the local highway authority.

Any such contribution will be secured through a Section 106 legal agreement.

Relevant Policy Context:

NPPF – Section 9

LTCP – Local Transport and Connectivity Plan. Adopted July 2022

West Oxfordshire Local Plan 2031: Policy OS5 – Supporting Infrastructure, T1 - Sustainable Transport, T3 - Public Transport, Walking and Cycling

Travel Planning

- 7.24 Travel Plans are long-term management strategies which aim to help integrate sustainable travel options into developments by considering opportunities for walking, cycling and public transport.
- 7.25 Travel Plans typically include a range of measurable actions and targets which can be monitored throughout the lifetime of the development. Travel plans can be sought on a wide range of planning applications including retail, leisure, employment, residential and mixed use schemes as appropriate.
- 7.26 As a general rule, standard, simple Travel Plans tend to be secured via a planning condition whereas more complex and larger-scale Travel Plans tend to be secured via a Section 106 agreement which enables financial contributions and/or Travel Plan Monitoring fees to be secured. For smaller residential schemes of between 10-49 homes, a Travel Information Pack may be sufficient.
- 7.27 Further information on the scale of development that will trigger a Travel Plan and relevant monitoring fees is set out on the County Council's website.

Travel Plans - summary of developer contributions to be sought:

²² Note: in some instances, smaller schemes may be assessed depending on their relationship to other developments as well as potential cumulative impacts.

Where necessary, directly, fairly and reasonably related in scale and kind to the development, a Travel Plan may be required to be secured through either a planning condition or Section 106 legal agreement.

Relevant Policy Context:

NPPF – Section 9

LTCP – Local Transport and Connectivity Plan. Adopted July 2022

West Oxfordshire Local Plan 2031: Policy OS5 – Supporting Infrastructure, T1 - Sustainable Transport, T3 - Public Transport, Walking and Cycling

8. Sport and Leisure

- 8.1 Increased levels of physical inactivity has a negative impact on health systems, the environment, economic development, community well-being and quality of life. It's important to take action to provide everyone with more opportunities to be active which is possible by creating well-designed places where healthy behaviours are the norm.
- 8.2 The rural nature of the District lends itself to outdoor activities with water-based opportunities to the south of the District on the River Thames and on the lakes created though sand and gravel extraction in the Lower Windrush Valley.
- 8.3 In accordance with the Local Plan, new developments which generate a need for sport and leisure that cannot be met by existing provision will be expected to contribute towards the provision of new facilities or improvements/expansion of existing facilities.
- 8.4 Local Plan Policy EH4 – Public Realm and Green Infrastructure requires new development to provide opportunities for improvements to the District's multi-functional network of Green Infrastructure and open space with contributions to be sought where appropriate.
- 8.5 Policy EH5 – Sport, Recreation and Children's Play requires new development to provide or contribute towards the provision of necessary improvements to open space, sports and recreational buildings and land.

- 8.6 The circumstances in which developer contributions may be sought towards sport and leisure in West Oxfordshire are further explained below.
- 8.7 This includes the following types of provision:
- Indoor Sport and Leisure Facilities (e.g. Sports Hall and Pools)
 - Outdoor Sports (e.g. Playing Pitches and Courts)
 - Play Areas
 - Allotments and other community growing space
 - Other Green Space
 - Public Rights of Way
- 8.8 Appendix 2 includes some worked up S106 examples for sports and leisure provision.
- Indoor Sport and Leisure Facilities*
- 8.9 Indoor sports provision forms an important part of the overall sports and leisure ‘offer’ of the District and includes facilities such as swimming pools and sports halls. The District’s three main service centres Witney, Carterton and Chipping Norton all have leisure centres.
- 8.10 To provide evidence of the future needs for indoor sport and leisure facilities across the District, the Council commissioned a strategic assessment of the need for sports hall and swimming pool provision through Sport England’s Facilities Planning Model in 2020.
- 8.11 This identified current and future deficiencies in provision and contains recommendations for how these deficiencies can be met. In doing so, it provides the evidence base for facility requirements to inform requests for developer contributions in the period up to 2031.
- 8.12 As a general guide, smaller residential schemes of 10 or more dwellings will be expected to make a financial contribution towards off-site provision or enhancement of existing facilities within a 20 minute drive time catchment.
- 8.13 For large residential developments (typically around 500 or more homes) where there is a demonstrable need, the District Council may seek to secure the provision of on-site indoor sport and leisure facilities as part of the development.
- 8.14 Where this is not feasible or desirable, an appropriate financial contribution will be sought towards off-site provision to enhance or improve existing facilities within a 20 minute drive-time catchment of the development site.
- 8.15 Costs relating to the proposed improvements or expansion will be proportionate to the size or potential occupancy of the development, utilising the Sport England Facility Calculator model and evidence from the Facility Planning Model reports. All figures will be indexed linked to BCIS all in tender price index.

- 8.16 All facilities will require a commuted sum (maintenance) contribution and this is usually required to cover the cost of maintenance for 25 years, utilising Sport England's Lifecycle costings.
- 8.17 The quality and design of sports facilities should reflect current best practice, including design guidance from Sport England and the national governing bodies of the relevant sports. Early discussion with the District Council's leisure team at the pre-application stage is strongly encouraged.
- 8.18 Contributions from several sites may be pooled towards a specific facility.

Indoor Sport and Leisure - summary of developer contributions to be sought:

Smaller residential schemes of 10 or more homes will, where necessary, directly, fairly and reasonably related in scale and kind to the development, be expected to make a financial contribution towards new and enhanced indoor sport and leisure facilities off-site.

As a general guide, large residential developments of around 500 or more homes will, where necessary, directly, fairly and reasonably related in scale and kind to the development, be expected to provide indoor sport and leisure facilities as part of the development.

The Council will seek to ensure that any such facilities are provided at an early stage in the interest of healthy place shaping and community cohesion.

A commuted sum will be required to cover the cost of maintenance.

Where on-site provision is not feasible or desirable, an appropriate financial contribution towards off-site provision will be sought.

Both on and off-site provision will be secured by way of a Section 106 legal agreement.

Relevant Policy Context:

NPPF Section 8 - Promoting Healthy and Safe Communities
 West Oxfordshire Local Plan 2031: Policy OS5 - Supporting Infrastructure, EH5
 Sport, Recreation and Children's Play

Outdoor Sports (e.g. playing pitches and courts)

- 8.19 Outdoor sports provision forms an important part of the overall sports and leisure 'offer' of the District and includes school playing fields where they are open to the community, sports fields and pitches including but not limited to football, rugby, cricket, hockey and tennis. It also includes ancillary facilities such as parking, toilets, changing facilities and sports lighting.
- 8.20 In accordance with the Local Plan, in appropriate circumstances, developers will be asked to contribute towards outdoor sports provision either directly as part of the development, or through a financial contribution towards off-site provision.
- 8.21 In terms of the quantum of outdoor sports provision to be sought, as referenced in the Local Plan, the Council will have regard to the West Oxfordshire Playing Pitch Strategy (2014) which set a recommended standard of 1.6 ha per 1,000 people in line with more recent guidelines from Fields in Trust (2015).
- 8.22 To provide more up to date evidence of the future needs for outdoor sports across the District, the Council commissioned a Playing Pitch Strategy in 2022. This identifies current and future deficiencies in provision and contains recommendation for how these deficiencies can be met. In doing so, it provides the evidence base for facility requirements to inform developer contributions in the period up to 2031.
- 8.23 As a general guide, smaller residential schemes of 10 or more dwellings will be expected to make a financial contribution towards off-site provision or enhancement of existing facilities within a 20 minute drive time catchment.
- 8.24 For larger schemes, whether provision is made on or off-site will depend on a number of factors including the size of the proposed development, existing provision within the area and existing access to facilities. The West Oxfordshire Open Space Study (2013) suggests that on-site provision for outdoor sport will typically be sought on larger residential schemes of 50 or more dwellings.
- 8.25 Where this is not feasible or desirable, an appropriate financial contribution will be sought towards off-site provision to enhance or improve existing facilities within a 20 minute drive time catchment.
- 8.26 All costs will be proportionate to the size and potential occupancy of the development, evidence of need e.g. Playing Pitch Strategy and Sport England's playing pitch calculator. All figures will be indexed linked to BCIS all in tender price index.
- 8.27 All facilities will require a commuted sum (maintenance) contribution and this is usually required to cover the cost of maintenance for 15 years.

- 8.28 The quality and design of sports facilities should reflect current best practice, including design guidance from Sport England and the national governing bodies of the relevant sports. Early discussion with the District Council’s leisure team at the pre-application stage is strongly encouraged.
- 8.29 Contributions from several sites may be pooled towards a specific facility.

<p><u>Outdoor Sports - summary of developer contributions to be sought:</u></p> <p>Smaller residential schemes of 10 or more homes will, where necessary, directly, fairly and reasonably related in scale and kind to the development, be expected to make a financial contribution towards new and enhanced outdoor sport and leisure facilities off-site.</p> <p>As a general guide, larger residential developments of around 50 or more homes will, where necessary, directly, fairly and reasonably related in scale and kind to the development, be expected to provide outdoor sport facilities as part of the development.</p> <p>The Council will seek to ensure that such facilities are provided at an early stage in the interest of healthy place shaping and community cohesion.</p> <p>A commuted sum will be required to cover the cost of maintenance.</p> <p>Provision will be based on an indicative quantitative requirement of at least 1.6 ha per 1,000 population (applied on a pro-rata basis).</p> <p>Where on-site provision is not feasible or desirable, an appropriate financial contribution will be sought.</p> <p>Both on and off-site provision will be secured by way of a Section 106 legal agreement.</p>
<p><u>Relevant Policy Context:</u></p> <p>NPPF Section 8 - Promoting Healthy and Safe Communities West Oxfordshire Local Plan 2031: Policy OS5 - Supporting Infrastructure, EH5 Sport, Recreation and Children’s Play</p>

Play Areas

- 8.30 There are a number of different forms of outdoor play space including:
- Local Areas for Play (LAPs) - primarily for under-6s;
 - Local Equipped Areas for Play (LEAPs) – for children who are beginning to go out and play independently;
 - Neighbourhood Equipped Areas for Play (NEAPs) - mainly for older children but with play opportunities for younger children too.
- 8.31 Other outdoor play provision can include Multi-Use Games Areas (MUGAs), skate parks and exercise equipment for all ages.
- 8.32 In accordance with Local Plan Policy EH5, in appropriate circumstances, developers will be asked to contribute towards play provision either directly on-site as part of the development, and/or through an appropriate financial contribution towards off-site provision.
- 8.33 As with outdoor sports, whether provision for play is made on-site, or off-site through a financial contribution, will depend on a number of factors including the size of the development, existing provision and access to facilities.

Local Areas for Play (LAPs) and Local Equipped Areas for Play (LEAPs)

- 8.34 As a general guide, because they are relatively small²³ the Council may seek to secure the on-site provision of LAPs and/or LEAPs as part of housing schemes of 10 or more homes through a Section 106 legal agreement. This is consistent with the Council's Open Space Study (2013) which suggests that on-site play provision will normally be required for schemes of this size.
- 8.35 We recognise however that on-site provision will not always be appropriate or necessary and in such instances, a financial contribution may be sought as an alternative.

²³ LAPs minimum 0.01 ha and LEAPs minimum 0.04 ha in size

Multi-Use Games Areas (MUGAs) and other outdoor provision (e.g. skateparks)

- 8.36 Because MUGAs are larger (minimum 0.1 ha in size) these and other forms of outdoor provision such as skate parks, will generally be sought in relation to larger development schemes. The 2015 Fields in Trust publication; '[Guidance for Outdoor Sport and Play; Beyond the Six Acre Standard](#)' suggests that around 200 or more homes is an appropriate threshold for the on-site provision of a MUGA.
- 8.37 We will use this as a general guide but again recognise that on-site provision will not always be appropriate, in which case a financial contribution may be sought as an alternative.

Neighbourhood Equipped Areas for Play (NEAPs)

- 8.38 NEAPs have the same land take as a MUGA (minimum 0.1 ha in size) and whilst the Fields in Trust guidance suggests an indicative threshold of around 500 or more homes for on-site provision, the Council has previously secured on-site NEAP provision on smaller schemes of 250+ dwellings. We will therefore use this as an indicative threshold.

Accessibility, Quantity and Quality

- 8.39 Play space should be accessible in terms of comfortable walking distances. The Council's Open Space Study (2013) suggests 480m (10 minutes straight line walk time) for junior provision and 600m (12-13 minutes straight line walk time) for junior provision.
- 8.40 More recent Fields in Trust Guidance suggests that a LAP should be within 100m of any dwellings, a LEAP within 400m, a NEAP within 1,000m and other outdoor provision (e.g. MUGA or skatepark) within 700m.
- 8.41 In terms of the quantum of provision, in line with the Local Plan, the Council will have regard to the 2013 Open Space Study which identified a standard of 0.05 ha/1,000 population for children's play space and 0.02 ha/1,000 population for youth play space.
- 8.42 Regard will also be had to the 2015 Fields in Trust publication; '[Guidance for Outdoor Sport and Play; Beyond the Six Acre Standard](#)' which identifies suggested standards of 0.25 ha/1,000 population for equipped/designated play areas and 0.3 ha/1,000 population for other outdoor provision such as MUGAs and skateparks.
- 8.43 In terms of quality, the design of facilities should reflect current best practice. Further information regarding play design principles has been produced by [Play England](#) to help inform developers. These include the need for play areas to be well-designed, well located, accessible to all children and flexible in the way they can be used. Early discussion with the District Council's leisure team at the pre-application stage is strongly encouraged.

8.44 All play facilities will require a commuted sum (maintenance) contribution.

Play Areas – summary of developer contributions to be sought:

Where necessary, directly, fairly and reasonably related in scale and kind to the development, the District Council will seek to secure the provision of suitable outdoor play space.

The type of provision sought will vary according to a number of factors including the size of development.

As a general guide:

- Smaller play facilities such as Local Area for Play (LAPs) and Local Equipped Area for Play (LEAPs) will be sought on-site in relation to residential schemes of 10 or more homes;
- Multi-Use Games Areas (MUGAs) and other outdoor provision (e.g. skateparks) will be sought on-site in relation to residential schemes of around 200 or more homes;
- Neighbourhood Equipped Areas for Play (NEAPs) will be sought on-site in relation to residential schemes of around 250 or more homes.

Provision at Salt Cross Garden Village will be guided by the Area Action Plan (AAP) and any quantitative and qualitative requirements contained therein.

Where play provision is not made on site, an appropriate financial contribution will be sought towards new or enhanced play space provision in the locality.

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

Both on and off-site provision will be secured by way of a Section 106 legal agreement.

Relevant Policy Context:

NPPF Section 8 - Promoting Healthy and Safe Communities
West Oxfordshire Local Plan 2031: Policy OS5 - Supporting Infrastructure, EH5 Sport, Recreation and Children's Play

Allotments and other community growing space

- 8.45 In 2021, the National Food Strategy stressed the need for local areas to develop their own localised food strategies to tackle the ongoing fragility of food systems in the UK, affordability and the environmental and health impacts of the food we eat. The Oxfordshire Food Strategy is now in place and endorsed by all local authorities in Oxfordshire. Led by Good Food Oxfordshire, this strategy sets out four key priorities for action to make healthy and sustainable food a defining characteristic of living in Oxfordshire. Ensuring easy access to affordable healthy food, including allotment space and community gardens, is essential in the creation of healthy places.
- 8.46 As a general guide, the District Council will seek the on-site provision of allotments or other community growing space on larger housing schemes of 50 or more homes. This is consistent with the Council's Open Space Study (2013). In line with that study, the level of provision sought will be at least 0.25 ha per 1,000 population but in the interest of healthy place shaping, developers will be encouraged to provide at least 0.3 ha per 1,000 population in line with the 2015 Fields in Trust publication²⁴; [Guidance for Outdoor Sport and Play; Beyond the Six Acre Standard](#).
- 8.47 Where on-site provision is made, space should be provided in an accessible and suitable location within the site with the location to be agreed with the District Council at an early stage. Provision will typically be secured by way of a Section 106 planning obligation.
- 8.48 Where on-site provision is not feasible or desirable, financial contributions will be sought to allow for off-site upgrades/ extensions to local allotment sites or for the creation of new allotments or community growing space. Again, this will be secured by way of a Section 106 planning agreement.

Allotments and Other Community Growing Space - summary of developer contributions to be sought:

In respect of larger housing schemes of 50 or more homes, where necessary, directly, fairly and reasonably related in scale and kind to the development, provision of on-site allotments or other community growing space will be sought.

This will be based on an indicative quantitative requirement of at least 0.25 ha per 1,000 population (applied on a pro-rata basis).

Provision at Salt Cross Garden Village will be guided by the Area Action Plan (AAP) and any quantitative and qualitative requirements contained therein.

Where on-site provision is demonstrably not feasible, a financial contribution will be sought to enable off-site provision or enhancements to be made.

On and off-site provision will be secured by way of a Section 106 legal agreement.

²⁴ It should be noted that for Salt Cross Garden Village, the submission draft Area Action Plan (AAP) stipulates a slightly higher requirement of 0.39 ha/1,000.

Relevant Policy Context:

**NPPF Section 8 - Promoting Healthy and Safe Communities
West Oxfordshire Local Plan 2031: Policy OS5 - Supporting Infrastructure, EH4 – Public Realm and Green Infrastructure, EH5 - Sport, Recreation and Children’s Play**

Other Green Space

- 8.49 Other types of green space include formal parks and gardens, amenity green space and natural and semi-natural green space.
- 8.50 Formal parks and gardens include urban parks, country parks, forest parks, and formal gardens, amenity green space typically includes informal recreation spaces, communal green spaces in and around housing, and village greens, whilst natural and semi-natural green space includes woodland, scrub, grassland, wetlands, open and running water, and open access land.
- 8.51 In the interest of creating healthy communities, the District Council will seek to secure the provision of these types of other green spaces as an integral part of new development.
- 8.52 The nature of spaces sought will depend on the scale of development, with smaller proposals lending themselves to amenity green space and natural and semi-natural green space and larger developments, a mixture of different types of green space including formal parks and gardens.
- 8.53 As a general guide, amenity green space will be sought on-site as part of residential schemes of 10 or dwellings in line with the Open Space Study (2013). In terms of the quantum of provision, the study suggests 0.7 ha per 1,000 population which can be combined with natural and semi-natural green space (see below).
- 8.54 In relation to natural and semi-natural green space, the Open Space Study suggests on-site provision will normally be required on larger housing schemes of 200 or more homes. In some instances, on-site provision will be appropriate on smaller schemes and this will be considered on a case-by-case basis. In terms of quantum, the study suggests 2 ha per 1,000 population which for new provision can be combined with amenity green space – see above.
- 8.55 With regard to parks and gardens, the Open Space Study suggests on-site provision will normally be required on larger housing schemes of 200 or more homes and in terms of the quantum of provision, suggests a standard of 1 ha per 1,000 population of publicly accessible space.
- 8.56 Where on-site provision is not feasible, a financial contribution will be sought towards provision or enhancements off-site. Priority areas for off-site enhancements include

Conservation Target Areas and areas where stakeholder/partnership projects, such as the Lower Windrush Valley Project, already exist.

8.57 On and off-site provision will both be secured through a Section 106 legal agreement.

Other Green Space - summary of developer contribution to be sought:

Where necessary, directly, fairly and reasonably related in scale and kind to the development, the District Council will seek to secure the provision of other green space including amenity green space, natural and semi-natural green space and parks and gardens.

The type of provision sought will vary according to a number of factors including the size of development.

As a general guide:

- Amenity green space will be sought on-site in relation to residential schemes of 10 or more homes. This will be based on an indicative quantitative requirement of at least 0.7 ha per 1,000 population which may be combined with natural / semi-natural green space provision – see below;
- Natural and semi-natural green space will be sought on-site in relation to residential schemes of 200 or more homes although consideration will be given to the desirability/feasibility of provision on smaller residential schemes. This will be based on an indicative quantitative requirement of at least 2 ha per 1,000 population which may be combined with amenity green space provision – see above;
- Parks and gardens will be sought on-site in relation to residential schemes of 200 or more homes and this will be based on an indicative quantitative requirement of at least 1 ha per 1,000 population of publicly accessible space.

Provision at Salt Cross Garden Village will be guided by the Area Action Plan (AAP) and any quantitative and qualitative requirements contained therein.

Where the on-site provision of other green space is demonstrably not feasible, a financial contribution will be sought to enable off-site provision or enhancements to be made.

On and off-site provision will be secured by way of a Section 106 legal agreement.

Relevant Policy Context:

NPPF Section 8 - Promoting Healthy and Safe Communities
West Oxfordshire Local Plan 2031: Policy OS5 - Supporting Infrastructure, EH4 – Public Realm and Green Infrastructure, EH5 - Sport, Recreation and Children’s Play

Public Rights of Way (PRoW)

- 8.58 The NPPF states that planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users.
- 8.59 Policy EH5 of the West Oxfordshire Local Plan requires development to provide or contribute towards the provision of necessary improvements to open space and land where appropriate, including public rights of way.
- 8.60 Where developments affect Public Rights of Way, either within the development or off-site, Oxfordshire County Council should be contacted at the earliest possible stage. Particular regard should be had to the Oxfordshire Rights of Way Management Plan 2015 - 2025²⁵.
- 8.61 Oxfordshire County Council's priority is to protect existing countryside access and to mitigate the impacts of development to enhance the network for all users. In assessing the potential impact of development, the County Council will take into account potential effects both within the development site itself as well as off-site.
- 8.62 Consequently, the County Council may seek works and/or financial contributions from developers to ensure that the PRoW network is appropriate to accommodate the extra demands or user impacts arising from new development. This includes protecting and enhancing access on individual developments, securing mitigation measures linked to individual development sites and seeking pooled contributions where appropriate towards important local area countryside access route assets.

²⁵ <https://www.oxfordshire.gov.uk/residents/environment-and-planning/countryside/countryside-access/rights-way-management-plan>

- 8.63 Contributions may be sought towards mitigation measures on existing rights of way in the wider area that are likely to be affected by the development. Contributions will be indexed and based on an assessment of the anticipated costs of individual schemes linked to a specific development site, not calculated with a standard tariff. Such contributions will normally be spent on measures in an ‘impact’ area which could be up to 5km from the development site depending on site and network characteristics.
- 8.64 Oxfordshire County Council have prepared a PRoW Planning Information Note setting out the issues that developers should consider when undertaking works which might affect PRoW. Further information can be found in the County Council’s Developer [Guide to Developer Contributions](#).

Public Rights of Way - summary of developer contributions to be sought:

All development which will impact on an existing right of way will be required to mitigate the impacts to protect existing countryside access.

Where necessary, directly, fairly and reasonably related in scale and kind to the development, appropriate works and/or a financial contribution will be sought towards appropriate mitigation measures.

This will be secured by way of a Section 106 legal agreement.

Relevant Policy Context:

NPPF Section 8 - Promoting Healthy and Safe Communities
 West Oxfordshire Local Plan 2031: Policy OS5 - Supporting Infrastructure, EH4 – Public Realm and Green Infrastructure

9. Climate and Environment

- 9.1 The NPPF recognises the increasingly urgent need to support the transition to a low carbon future in a changing climate. Planners should help to shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.
- 9.2 The Government’s 25 year Environment Plan sets out goals for improving the environment within a generation and leaving it in a better state. It includes a range of targets for each of the environmental benefits and pressures identified such as clean air, clean water, wildlife, environmental hazards, climate change and waste.

- 9.3 A core objective of the West Oxfordshire Local Plan 2031 is to conserve and enhance the character and significance of West Oxfordshire’s high quality natural, historic and cultural environment – including its geodiversity, landscape, biodiversity, heritage and arts. Another core objective is to contribute to reducing the causes and adverse impacts of climate change, especially flood risk.
- 9.4 Whilst reducing the causes of climate change is vital, we also need to learn to adapt to a change in our future climate and Policy OS4 requires new development to be resilient to future climate change, particularly increasing temperatures and flood risk. Such measures should form an integral part of any development.
- 9.5 In this section we provide an overview of the Council’s approach to developer contributions in the following key areas which relate to the climate and environment:
- Biodiversity net gain
 - Air quality
 - Flood risk, water management and sustainable drainage
 - Archaeology

Biodiversity Net Gain (BNG)

- 9.6 The NPPF specifies the need to protect biodiversity, including designated sites and priority habitats and species, and emphasises the need to conserve, restore and recreate ecological networks to ensure that biodiversity is more resilient to current and future pressures, including climate change.
- 9.6 Local Plan Policy EH3 - Biodiversity and Geodiversity sets out the need for biodiversity to be protected and enhanced with a requirement for all major and minor applications to demonstrate a net gain in biodiversity where possible. This links closely with the need to protect and enhance green infrastructure as per Local Plan Policy EH4 - Public Realm and Green Infrastructure.
- 9.7 Since the Local Plan was adopted, the Environment Act 2021 has been published and lays the foundation for a Nature Recovery Network as well as introducing a mandatory requirement for biodiversity net gain of at least 10%. This must be based on a Defra’s biodiversity metric and habitats will need to be secured for at least 30 years.
- 9.8 There is currently a transitional period with the mandate for BNG expected to become operational in 2023. Once this occurs, applications will need to comply with the national BNG requirements. In the interim, schemes which wish to deliver BNG in advance of the mandatory requirements are positively encouraged.
- 9.9 The Thames Valley Environmental Records Centre (TVERC) provides the central point of contact for information on biodiversity and geodiversity within Oxfordshire. Therefore developers are advised to access the information held by TVERC in order to assess the impact of their development on the natural environment. TVERC also

provide a biodiversity metric assessment service to assist developers with their calculations of biodiversity net gain.

- 9.10 Where mitigation for the biodiversity impacts of a development and the delivery of biodiversity net gain can be achieved on site, the District Council will ordinarily secure these through planning conditions. However, arrangements for the long term management and maintenance of this mitigation and net gain may be secured through a S106 agreement where appropriate.
- 9.11 Where it can be demonstrated that it is not possible to achieve on-site mitigation or compensation, financial contributions may be sought towards a scheme that adequately offsets the impact of the development and provides a net gain in line with Government guidance.
- 9.12 In most circumstances, the financial contribution for off-site biodiversity net gain (offset) will be secured by planning condition based on the number of units required and the submission of an offset delivery provider certificate to confirm that the contribution required has been paid to them.
- 9.13 The Council will also consider the use of ‘conservation covenants’ to secure off-site BNG where appropriate. In some instances, there may be a need to secure this via a Section 106 agreement for example, where the development will occur over multiple phases.

Biodiversity - summary of developer contributions to be sought:

In accordance with Policy EH3 of the West Oxfordshire Local Plan, all new development must protect and enhance biodiversity, demonstrating a net gain in biodiversity where possible. In line with the Environment Act 2021 this net gain is expected to be at least 10%.

All development will therefore be expected to incorporate on-site mitigation and enhancement measures as appropriate. These will normally be secured by way of a planning condition and in the case of arrangements for long-term management and maintenance, potentially through a Section 106 legal agreement.

Where it is not possible to achieve adequate on-site mitigation or compensation, a financial contribution will be sought for off-site measures to adequately offset the impact of the development.

In most circumstances, the required financial contribution for off-site biodiversity net gain based on the number of biodiversity units and an agreed per unit cost will be secured by planning condition or a covenant unless there is a specific need to secure this via a S106 Agreement, for example, where the development will occur over multiple phases.

Relevant Policy Context:

**NPPF Section 15 - Conserving and Enhancing the Natural Environment
West Oxfordshire Local Plan 2031: Policy OS5 - Supporting Infrastructure, EH3 - Biodiversity and Geodiversity**

Air Quality

- 9.14 Air pollution is associated with a number of adverse health impacts and particularly affects the most vulnerable in society: children and older people, and those with heart and lung conditions. This is recognised in the Local Plan 2031 with Policy EH8 - Environmental Protection requiring the submission of an air quality assessment alongside appropriate applications to help understand and mitigate the impacts of development.
- 9.15 Areas within West Oxfordshire which don't meet National Air Quality Standards have been declared Air Quality Management Areas (AQMAs). The main air quality issues are related to vehicular density within relatively congested urban areas, thus nitrogen dioxide is the main pollutant of concern.
- 9.16 Areas not meeting the objective for Nitrogen Dioxide include Bridge Street, Witney and Horsefair/ High Street, Chipping Norton. Air Quality Action Plans for these areas have been produced (and are currently in the process of being updated) to help establish the best solutions for improving air quality in these zones.
- 9.17 All new major residential and non-residential development which will result in increased traffic movements within the AQMAs identified above will be required to pay a financial contribution to help introduce measures to offset the increase in pollutant measures in order to meet the objectives in the Air Quality Management Plans.
- 9.18 The level of contribution will be negotiated on a case by case basis depending on the level of additional traffic movements which is likely to result from the development.

Air Quality - summary of developer contribution to be sought:

For residential developments of 10 or more homes and larger non-residential developments of more than 1,000 sq.m, where necessary, directly, fairly and reasonably related in scale and kind to the development, an appropriate financial contribution will be sought towards measures to offset increases in local pollutant emissions.

This is anticipated to apply to developments which would demonstrably increase vehicular movements within an Air Quality Management Area (AQMA) and will be secured by way of a Section 106 legal agreement.

Relevant Policy Context:

**NPPF Section 15 - Conserving and Enhancing the Natural Environment
West Oxfordshire Local Plan 2031: Policy EH8 - Environmental Protection, OS5 - Supporting Infrastructure**

Flood risk, water management & quality and sustainable drainage

- 9.19 There are several rivers flowing through the District which are important corridors for biodiversity and recreation however they present a flood risk to communities including Witney which have suffered from flooding in recent years. In addition there are challenges which need to be tackled including poor water quality resulting from pollution including raw sewerage and water supply pressures due to a growing demand for water and climate change. These cannot be addressed through one organisation alone but need to be addressed as a collective to better help manage water for people and wildlife.
- 9.20 Oxfordshire County Council (OCC) is the Lead Local Flood Authority (LLFA) and has a duty to develop and maintain a strategy for the management of local flood risk in Oxfordshire. OCC works closely with the District Council and other key stakeholders, including the Environment Agency and Thames Water. The District Council will continue to work with these stakeholders to help address flood resilience, a significant betterment in water quality and improved water efficiency.
- 9.21 The Council strongly recommends that developers engage with Thames Water at the earliest opportunity in the development process and prior to the submission of an application to establish the following:
- The developments demand for water supply and network infrastructure both on and off site.
 - The developments demand for Sewage / Wastewater Treatment and network infrastructure both on and off site
 - The surface water drainage requirements and flood risk of the development both on and off site
- 9.22 In accordance with Local Plan Policy EH7, flood risk will be managed using the sequential risk based approach (and if necessary, the Exception Test) set out in the NPPF to reduce the risk of flooding to people and property.

- 9.23 All proposals for development will be required to ensure that all potential sources of flooding (including sewerage and surface water) are addressed with measures to manage or reduce their impacts on and off the site. Landowners and developers will need to ensure that appropriate flood resilient and resistant measures are incorporated, including sustainable drainage systems to manage run-off and support improvements in water quality. In some cases it may be appropriate to safeguard land required for flood management and this should be managed as part of the green infrastructure. It is expected that landowners/ developers will meet the costs of these measures including direct off-site flood risks and any indirect residual flood risks arising from their development.
- 9.24 Planning obligations will normally be sought where the development requires off-site works to manage any potential increase in the risk of flooding from fluvial sources arising from the development proposed. This will normally require the works to be undertaken and agreed by the appropriate Risk Management Authority, and appropriate contracts to be in place to secure the delivery of off-site work before the development can commence.
- 9.25 On-site infrastructure which is required to alleviate the risk of flooding and reduce the impacts on drainage infrastructure will normally form part of the detailed matters submitted and agreed through the planning application process and delivery can therefore be secured through a planning condition. However, the on-going maintenance of on-site infrastructure may need to be secured through a Section 106 Agreement. Such works should aim to maximise environmental and amenity benefits.
- 9.26 If the works are being undertaken by the developer, this work must be completed to a timetable or phasing plan agreed with the Local Planning Authority and must be completed in a timely manner. Any phasing requirements for planning obligations related to drainage and flood risk management infrastructure will be set out in a Section 106 agreement.
- 9.27 In terms of the maintenance of on and off-site flood risk management and drainage infrastructure, this will need to be maintained to ensure it continues to be effective. In some cases, this may be adopted by the appropriate authority but where this is not possible, the developer will need to ensure mechanisms are in place to secure on-going and effective maintenance in perpetuity. Typically this will be secured through a Section 106 Agreement.
- 9.28 When assessing wastewater, sewerage and water supply infrastructure, planning permission for developments which result in the need for off-site upgrades, will be subject to a Section 106 agreement or conditions to ensure the occupation is aligned with the delivery of necessary infrastructure upgrades to ensure that there is adequate water and wastewater infrastructure to serve the new development.

- 9.29 It is important not to underestimate the time required to deliver necessary infrastructure and therefore developers are encouraged to contact the water/waste water company as early as possible to discuss their development proposals and intended delivery programme to assist with identifying any potential water and wastewater network reinforcement requirements.
- 9.30 Where there is a capacity constraint, phasing conditions may be applied to a planning approval to ensure that any necessary infrastructure upgrades are delivered ahead of the occupation of the relevant phase of development.
- 9.31 Given the significance of flood risk, drainage, water quality and water supply, the District Council will consider using a proportion of any future CIL receipts to help fund appropriate improvements and mitigation measures. Further information on flood and water management and Sustainable Drainage Systems is set out in the County Council's [Guide to Developer Contributions](#)

Flood risk, water management and sustainable drainage - summary of developer contributions to be sought:

Where necessary, directly, fairly and reasonably related in scale and kind to the development, on-site flood risk management, associated drainage infrastructure, and any measures related to water quality, including the provision of land where appropriate, will be secured through a Section 106 legal agreement or through an appropriate planning condition.

Off-site flood risk management, drainage infrastructure and any measures related to water quality necessary to support a development will be sought as appropriate and secured through a Section 106 legal agreement.

The effective maintenance of on and off-site flood risk management, drainage infrastructure and any measures related to water quality will be secured through a Section 106 legal agreement.

Relevant Policy Context:

NPPF Section 14 - Meeting the challenge of climate change, flooding and coastal change
 West Oxfordshire Local Plan 2031: Policy EH7 - Flood Risk, OS5 - Supporting Infrastructure

Archaeology

- 9.32 The NPPF requires an ‘applicant to describe the significance of any heritage assets affected (by their development) including any contribution made by their setting’. This should normally be set out in a Heritage Statement submitted with the planning application. As a minimum the Historic Environment Record (HER) will need to be consulted which is maintained by the County Council.
- 9.33 Local Plan Policy EH15 requires development to conserve and enhance the significance of scheduled monuments and archaeological remains, including their setting. Any unavoidable harm should be minimised and mitigated in accordance with this Policy and in liaison with the Archaeology Team at Oxfordshire County Council.
- 9.34 As well as known archaeological sites and historic features, new sites continue to be discovered, often as a result of development activities. It is therefore important that measures are taken when planning permission is considered to investigate, record, analyse and protect these non-renewable assets, usually via a planning condition.
- 9.35 Developers should contact the Archaeology Team at Oxfordshire County Council at the pre-application stage so that they can be aware of any requirements that may be made prior to or when an outline or full application is made.
- 9.36 If there are areas of archaeological significance then the developer will be required to mitigate and plan how to protect assets in consultation with the Archaeology Team. Measures required may include site management, public access, interpretation schemes and open space provision designed into the development to protect remains.

Archaeology - summary of developer contributions to be sought:

Developers will be required to mitigate and protect archaeological assets which will be affected by development, both within the site boundary and off-site.

This will be secured via planning condition.

Relevant Policy Context:

**NPPF Section 16 - Conserving and enhancing the historic environment
West Oxfordshire Local Plan 2031: Policy EH15 - Scheduled monuments and other nationally important archaeological remains, OS5 - Supporting Infrastructure**

10. Community and Culture

Public Realm and Public Art

- 10.1 The NPPF states that the ‘creation of high quality beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities’.
- 10.2 The public realm can play an important role in enhancing the character of an area and improving the overall quality of space. The public realm relates to all those parts of the built environment, including privately owned spaces. The quality of the public realm is an important consideration in the design and layout of a development. High quality design and good management of the public realm is essential in creating successful and vibrant places and can help to establish an identity for an area.
- 10.3 Public art is an expression of cultural wellbeing and engages people with the economic, social and environmental development of places. It can be permanent or temporary and may include: the installation of artworks in the public realm; the involvement of artists in the planning and design of buildings and spaces; facilities for the arts and artists working creatively with communities in order to explore and articulate issues of local significance. Public art projects which engage existing and new communities and enable them to celebrate and/ or investigate local identity and/ or local issues will support social development, cohesion and wellbeing.
- 10.4 Local Plan Policy OS4 - High Quality Design makes clear that high design quality is central to the overall strategy for future growth in West Oxfordshire. Policies OS5 (Supporting infrastructure) and EH4 (Public Realm and Green Infrastructure) provide the policy basis for seeking contributions towards the public realm, including public art.
- 10.5 The [West Oxfordshire Design Guide](#) (adopted April 2016) is a Supplementary Planning Document and explains how the Council will require developers to support the provision of public art projects.
- 10.6 In general terms, this will comprise either:
- the funding, management, development, implementation and maintenance of public art projects, which form part of developments located within Strategic Development Areas and major development sites; or
 - a financial contribution towards the provision of or enhancement to public art projects/ public realm improvements located outside Strategic Development Areas and major development sites which should usually be within the vicinity of a site.

- 10.7 West Oxfordshire District Council has historically sought the provision of public art as part of major new developments, particularly in town centres, leisure centres and residential areas and will continue to do so.
- 10.8 The Council through its Public Art team will support developers in delivering public art and other public realm improvements in particular for larger residential development proposals of more than 10 homes. The contribution sought will reflect the character and scope of the works required and will be negotiated on a case-by-case basis. In some instances, contributions may be sought towards temporary installations and events co-ordinated by relevant specialists with such events having been successfully held on a number of occasions previously (e.g. Shilton Park, Carterton).
- 10.9 The implementation, management and maintenance of public realm improvements and public art will be secured through a Section 106 legal agreement and/or planning condition as appropriate.

Public Realm and Public Art - summary of developer contributions to be sought:

For larger residential developments of 10 or more homes, where necessary, directly, fairly and reasonably related in scale and kind to the development, the provision and maintenance of public realm improvements and public art will be sought as appropriate either directly or in the form of an appropriate financial contribution (or a combination of both).

This will be secured by way of a Section 106 legal agreement or planning condition.

Relevant Policy Context:

NPPF Section 12 – Achieving Well Designed Places
 West Oxfordshire Local Plan 2031: EH4 Public Realm and Green Infrastructure,
 OS5 - Supporting Infrastructure

Community facilities and community development

- 10.10 The NPPF²⁶ states that planning policies and decisions should plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments. Local Plan Policy OS5 - Supporting infrastructure provides the policy basis for seeking contributions towards the provision of community meeting space.
- 10.11 Community centres and community halls provide a wide range of opportunities for a variety of social, welfare and leisure activities that assist in the creation of sustainable communities. These include space for meetings, exhibitions and social events. There are a number of delivery partners involved in the delivery of new community facilities in the District including WODC, OCC, Parish Councils, local churches and the voluntary sector, alongside developers.
- 10.12 It should be noted that whilst this SPD addresses the need for community facilities within the context of community development, it does not specifically address places of worship, although we do recognise the importance of these spaces in providing community events more broadly.
- 10.13 On larger strategic sites such as the five strategic site allocations in the Local Plan (which vary in size from c. 450 homes – 2,200 homes) the Council will generally expect new community facilities to be provided on-site as an integral part of the development to promote social cohesion and activity.
- 10.14 Such facilities should be accessibly located (normally no more than 800 metre walking distance) with the scale of facility provided to be commensurate to the scale of the development. Meeting spaces should be flexible with storage facilities suitable for different user groups and able to be put to multiple uses and the developer should agree the specification of any new facility with the Council.
- 10.15 The Council will work with applicants to ensure that such facilities are provided at an early stage in the interests of healthy place shaping and community cohesion. A commuted sum for the future maintenance of the facility may also be sought and arrangements for the long-term stewardship of the facilities will need to be agreed.
- 10.16 On very large developments, the Council will also consider seeking a financial contribution towards the appointment of a community development officer to assist with community integration and health and well-being during the early stages as people move into new developments.

²⁶ NPPF paragraph 93

- 10.17 In some instances, it may also be appropriate to provide some sort of community space as part of smaller developments (e.g. to support the cumulative impact of growth or to support a particular need such as the provision of specialist housing for a particular group or groups). This will be considered on a case-by-case basis.
- 10.18 Where the on-site provision of new community facilities is identified as being necessary, the Council will seek to secure this by way of a Section 106 legal agreement.
- 10.19 Where new development gives rise to a need for additional community space but not a new freestanding facility, financial contributions will be sought for off-site provision such as the improvement/upgrade of existing facilities where appropriate.
- 10.20 The contributions sought will be calculated on a case-by-case basis with benchmarking exercises suggesting that a figure of 200 sq m per 1,000 population (applied on a pro-rata basis) may be an appropriate starting point²⁷. However, this will depend on a number of factors including the scale of proposed development, the level of local need/existing provision identified and accessibility to existing provision. As outlined above, a financial contribution towards the appointment of a community development role may be sought for larger residential schemes.

Community Facilities and Community Development - summary of developer contributions to be sought:

New community facilities will be sought on-site as an integral part of all strategic site allocations within the West Oxfordshire Local Plan 2031.

The Council will also consider on a case-by-case basis whether there is a demonstrable need for the on-site provision of community facilities in smaller developments, particularly to take account of any cumulative impact of growth in the area or to address a specific need (e.g. specialist housing provision).

In some instances, a financial contribution towards the appointment of a Community Development Officer may be sought.

In all instances, on-site provision will be secured by way of a Section 106 legal agreement including arrangements for long-term maintenance.

Where new development gives rise to a need for additional community space but not a new freestanding facility, a financial contribution will be sought from smaller schemes of 10 or more homes towards off-site provision such as the improvement/upgrade of existing facilities where appropriate.

This will be secured by way of a Section 106 legal agreement.

Relevant Policy Context:

²⁷ Para 5.1.21 Eynsham Area Infrastructure Delivery Plan Updated Draft Report July 2020

NPPF Section 8 – Promoting Healthy and Safe Communities
West Oxfordshire Local Plan 2031: Policy E5 – Local Services and Community Facilities, OS5 - Supporting Infrastructure

Community services (libraries, museums, adult and children support services)

- 10.21 Community services including libraries, adult and children support services and museums are essential in supporting community cohesion and learning opportunities for adults and children.
- 10.22 The NPPF requires local authorities to plan positively for the provision and use of shared spaces, community facilities and other local services to enhance the sustainability of communities and residential environments.
- 10.23 The West Oxfordshire Local Plan sets out the importance of local facilities in meeting the day to day needs of residents by providing social meeting places, sports venues and other essential local services. Policy E5 supports the retention of local services and community facilities to meet local needs and to promote social wellbeing, interests, interaction and healthy inclusive communities.
- 10.24 Oxfordshire County Council is responsible for social and community services, including libraries, museums, adult social care, family safeguarding and provision for children and young people. The County Council's Strategic Plan 2019 to 2022 confirms its commitment to providing libraries, museums, sports and leisure settings.
- 10.25 There are 11 libraries in West Oxfordshire which are the responsibility of Oxfordshire County Council (OCC). Carterton, Chipping Norton, Eynsham and Witney libraries have been designated as core libraries.
- 10.26 The level of growth proposed for Witney, Carterton, Chipping Norton, Eynsham and Woodstock will place additional pressures on those particular libraries. More general growth will place pressure upon all libraries and particularly the Central County Library in Oxford.
- 10.27 As such, the five strategic site allocations identified in the West Oxfordshire Local Plan 2031 will be expected to make appropriate provision for libraries by way of a Section 106 legal agreement. In the future, other options to provide facilities such as this may be explored. As an example, libraries may become an integrated part of a Community Hub that includes other elements of infrastructure.
- 10.28 In respect of potential contributions towards museum provision, the (former) Museums, Libraries and Archives (MLA) previously recommended a benchmark minimum standard floor space for museums of 28 sq m per 1,000 population for local

authorities. However, developers should contact the County Council regarding the likely level of contribution that may be required.

- 10.29 It is anticipated that other smaller developments will contribute towards the provision and enhancement of community services including libraries, adult and children support services and museums by way of the Community Infrastructure Levy (CIL) once introduced in West Oxfordshire.
- 10.30 For further information on developer requirements in relation community services, please refer to Oxfordshire County Council's [Guide to Developer Contributions](#).

Community Services - summary of developer contributions to be sought:

All strategic site allocations within the West Oxfordshire Local Plan 2031 will be expected to make appropriate contributions towards the provision and enhancement of community services including libraries, adult and children support services and museums.

This will be secured by way of a Section 106 legal agreement.

Relevant Policy Context:

NPPF Section 8 – Promoting Healthy and Safe Communities
West Oxfordshire Local Plan 2031: Policy E5 – Local Services and Community Facilities, OS5 - Supporting Infrastructure

Burial Space

- 10.31 Local Plan Policy OS5 - Supporting Infrastructure requires development to contribute to the timely provision of essential supporting infrastructure including burial grounds. Burial space comprises churchyards, cemeteries managed by Town or Parish Councils and natural burial grounds.
- 10.32 A significant proportion of burial capacity across West Oxfordshire is accommodated in Churchyards, however there is strict criteria to be fulfilled by the deceased to qualify for burials in a Churchyard and so adequate provision of burial space for those who do not qualify is a factor for consideration when assessing the impacts of additional growth.
- 10.33 Whilst a comprehensive study into the need for burial space in the District has not yet been undertaken, a survey was conducted with all West Oxfordshire Town and Parish Councils for two weeks in early May 2020. The analysis has been undertaken to reflect the five WODC Local Plan 'Sub-Areas' and the settlement hierarchy.
- 10.34 The need for additional burial space has historically been raised as an issue by some communities within the District, including Eynsham. The Council's survey undertaken

in May is a useful assessment is determining where there are particular gaps in provision, particularly for those communities who will be accommodating additional growth.

- 10.35 Due to the significant increases in population that will arise from the five strategic site allocations in the West Oxfordshire Local Plan, these developments may, subject to identified needs, be expected to make a direct contribution towards burial space capacity either through the direct provision of land, where appropriate and suitable, or through a financial contribution.
- 10.36 In addition, other larger residential developments may be required to make a financial contribution. As a general guide, we will use an indicative threshold of around 50 or more dwellings but this will depend on local circumstances including the level of identified need. Any such provision will be secured through a planning condition and/or Section 106 legal agreement as appropriate.

Burial Space - summary of developer contributions to be sought:

Where there is an identified need, the five strategic site allocations set out in the West Oxfordshire Local Plan 2031 and larger residential developments of around 50 or more homes will be expected to make a contribution towards burial space capacity either through the direct provision of land, where appropriate and suitable, or through a financial contribution.

This will be secured through a planning condition and/or Section 106 legal agreement as appropriate.

Relevant Policy Context:

NPPF Section 8 – Promoting Healthy and Safe Communities
West Oxfordshire Local Plan 2031: Policy OS5 - Supporting Infrastructure

11. Health and social care

- 11.1 A key aspect of the NPPF is the promotion of healthy and safe communities with planning policies expected to take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community.
- 11.2 Reflecting this, Local Plan Policy OS5 - Supporting Infrastructure requires development to contribute to the timely provision of essential supporting infrastructure including health care provision.
- 11.3 The overall concept of 'healthy place shaping' was adopted as a strategic priority for Oxfordshire's Health and Wellbeing Board in September 2018 and has since been taken forward through the Oxfordshire Strategic Vision. A key aspect of healthy place shaping is helping to develop local health and care services to deliver good local services.

Primary Care

- 11.4 Primary care services provide the first point of contact in the healthcare system and include general practice. Other aspects of primary care (community pharmacy, dental and optometry services) are now commissioned by the Integrated Care Board (ICB) which replaced Clinical Commissioning Groups in July 2022. Currently 10 GP practices are located in the West Oxfordshire District Council area. In addition there is one community hospital in Witney and one Outpatients unit in Chipping Norton.
- 11.5 The Integrated Care Board has recently published an Integrated Care Strategy (March 2023). The aim of the Strategy is to set the strategic direction for health and care services, including how commissioners in the NHS and local authorities can deliver more joined-up, preventative, and person-centred care for their local population.
- 11.6 Because of the relatively large population increases associated with the five strategic development areas allocated in the West Oxfordshire Local Plan, an appropriate financial contribution will be sought through a Section 106 legal agreement where there is insufficient existing capacity in primary care provision to serve the development.
- 11.7 In some cases provision may be sought by way of land and/or buildings where this is associated with one of the strategic allocations to enable the provision of accessible facilities or the upgrading/ extension of existing facilities in the locality. Again this will be secured by way of a Section 106 legal agreement.
- 11.8 It is anticipated that other smaller developments will contribute towards primary health care through the Community Infrastructure Levy (CIL) once introduced in West Oxfordshire.

Secondary care

- 11.9 Secondary care services are provided by health professionals through referral. Secondary care services are usually based in a hospital or clinic, though some services may be community based. They may include planned operations, specialist clinics, or rehabilitation services (e.g. physiotherapy).
- 11.10 The NHS aim to increase the commissioning of care types, which have traditionally been provided in acute hospitals, in GP surgeries and other community settings, to improve access for patients.
- 11.11 Financial contributions, and in some cases land, may be sought from the five strategic sites allocated in the West Oxfordshire Local Plan 2031 towards the provision of secondary health care where appropriate and proportionate. Any such provision would be secured by way of a Section 106 legal agreement.
- 11.12 It is anticipated that other smaller developments will contribute through the Community Infrastructure Levy (CIL) once introduced in West Oxfordshire.

Extra care

- 11.13 Extra care housing provides a form of accommodation where adults have access to care and support and this therefore supports primary and secondary care services. This often consists of a complex or cluster of individual homes with immediate access to a range of on-site care options, which can respond flexibly to increasing individual needs.
- 11.14 In addition, Oxfordshire County Council is responsible for adult social care (Community Support Service Centres) and family safeguarding (Children's Homes / Children & Family Centres).
- 11.15 Contributions towards extra care housing, care/nursing homes, adult and social care and family safeguarding will be sought from the five strategic allocations and will be negotiated on a case-by-case basis depending on the need generated and the level of provision already in place within the locality.

Primary and secondary health care and extra-care - summary of developer contributions to be sought:

The five strategic development areas allocated in the West Oxfordshire Local Plan 2031 will be expected to make a financial contribution towards primary health care. In some cases and where appropriate, provision may be sought by way of land or buildings.

Financial contributions and /or direct provision of land or buildings towards primary health care will be secured through a Section 106 legal agreement.

Where there is an identified need, a financial contribution towards secondary health care provision may also be sought from the five strategic development areas and this will be secured through a Section 106 legal agreement.

Contributions towards extra care housing, care/nursing homes, adult and social care and family safeguarding may be sought from the five strategic allocations and this will be negotiated on a case-by-case basis depending on the need generated and the level of provision already in place within the locality.

Relevant Policy Context:

**NPPF Section 8 – Promoting Healthy and Safe Communities
West Oxfordshire Local Plan 2031: Policy OS5 - Supporting Infrastructure**

12. Emergency Services

Fire and rescue

- 12.1 New development has the potential to increase fire risk and place additional demands on the fire and rescue service. It is therefore necessary to ensure that appropriate infrastructure is delivered alongside new development.
- 12.2 Oxfordshire County as the Fire and Rescue Authority has a statutory duty to respond to emergencies and to ensure that all development is provided with adequate water supplies for firefighting under the Fire and Rescue Services Act 2004.
- 12.3 A planning obligation towards new fire service infrastructure facilities may be requested where a specific need arising from a development is identified. This is anticipated to apply to the five strategic development areas identified in the West Oxfordshire Local Plan 2031. Any contribution will be calculated to be proportionate to the development and will be secured by way of a Section 106 legal agreement.
- 12.4 Contributions may be via land provision and/or financial contributions towards new infrastructure including emergency vehicles. The assessment of need for new

infrastructure will vary depending on the location of facilities and local response times to deal with emergencies.

- 12.5 New development may require the provision of fire hydrants and associated infrastructure. Where these are required the developer(s) will need to agree a scheme with the Water Authority and County Fire Service and be responsible for funding this. Planning conditions will be used as appropriate.
- 12.6 For further information on developer requirements in relation to Fire and Rescue, please refer to the Oxfordshire County Council's [Guide to Developer Contributions](#).
- 12.7 It is anticipated that other smaller developments will contribute through the Community Infrastructure Levy (CIL) once introduced in West Oxfordshire.

Fire and Rescue - summary of developer contributions to be sought:

The five strategic development areas allocated in the West Oxfordshire Local Plan 2031 will be expected to make an appropriate contribution towards fire and rescue infrastructure.

In some cases and where appropriate, provision may be sought by way of land or buildings.

Provision towards fire and rescue will be secured by way of a Section 106 legal agreement.

Planning conditions will also be used as appropriate.

Relevant Policy Context:

NPPF Section 8 – Promoting Healthy and Safe Communities
West Oxfordshire Local Plan 2031: Policy OS5 - Supporting Infrastructure

Policing/community safety

- 12.8 The NPPF requires planning policies and decisions to ensure that crime and disorder (and the fear of crime) does not undermine quality of life or community cohesion. Policies for the layout and design of developments should be informed by the most up-to-date information available from the police and other agencies about the nature of potential threats and their implications. This includes appropriate and proportionate steps, which can be taken to reduce vulnerability, increase resilience and ensure public safety and security (NPPF, paras 92 and 97).
- 12.9 West Oxfordshire Community Safety Partnership (WOCSP) bring together key partners including West Oxfordshire District Council (WODC), Thames Valley Police (TVP), Probation service, Oxfordshire County Council (Adult social care, Fire and rescue, Public health and Children's services), and the BOB Integrated Care Board

working towards a shared goal of creating safer communities in which to live, work and visit. The partnership uses shared intelligence to prevent and reduce crime, disorder and fear of crime, and to develop safer communities.

- 12.10 Thames Valley Police (TVP) is responsible for policing the Thames Valley area, which includes West Oxfordshire. TVP set out a list of potential infrastructure requirements relating to proposed growth in West Oxfordshire in 2018. The list included staff equipment, vehicles, Automatic Number Plate Recognition (ANPR) cameras, and premises. TVP also indicated that some of its requirements could be met through the provision of an on-site facility; e.g. space within a community building, or a shared facility with other blue light partners.
- 12.11 A planning obligation towards police service infrastructure may be requested where a specific need arising from a strategic site allocated in the West Oxfordshire Local Plan is identified. The assessment of need for new infrastructure will vary depending on the location of facilities and local response times to deal with emergencies.
- 12.12 Contributions may be via land provision and/or financial contributions towards new infrastructure including those listed above and will be secured by way of a Section 106 legal agreement.
- 12.13 It is anticipated that other smaller developments will contribute through the Community Infrastructure Levy (CIL) once introduced in West Oxfordshire.

Police and Community Safety - summary of developer contribution to be sought:

The five strategic development areas allocated in the West Oxfordshire Local Plan 2031 will be expected to make an appropriate contribution towards police and community safety infrastructure.

In some cases and where appropriate, provision may be sought by way of land or buildings.

Provision towards police and community safety infrastructure will be secured by way of a Section 106 legal agreement.

Planning conditions will also be used as appropriate.

Relevant Policy Context:

**NPPF Section 8 – Promoting Healthy and Safe Communities
West Oxfordshire Local Plan 2031: Policy OS5 - Supporting Infrastructure**

Ambulance Service

- 12.14 West Oxfordshire is covered by the South Central Ambulance Service (SCAS) NHS Foundation Trust. SCAS is a foundation trust of the National Health Service (NHS). It is responsible for providing twenty-four-hour 999 emergency service across the four counties of the South Central Region, including Oxfordshire.

- 12.15 SCAS has ambulance standby points in Witney and Chipping Norton. Standby points are strategically placed locations that enable a rapid response to patients. SCAS have indicated that a potential requirement for additional ambulance standby points across the District may be necessary which could be met through the provision of an on-site facility, shared with other blue light partners such as the police service.
- 12.16 A planning obligation towards ambulance service provision may therefore be requested where a specific need arising from a strategic site allocated in the West Oxfordshire Local Plan is identified. Contributions may be via land provision and/or financial contributions towards new infrastructure and will be secured by way of a Section 106 legal agreement.
- 12.17 It is anticipated that other smaller developments will contribute through the Community Infrastructure Levy (CIL) once introduced in West Oxfordshire.

Ambulance Service - summary of developer contribution to be sought:

The five strategic development areas allocated in the West Oxfordshire Local Plan 2031 will be expected to make an appropriate contribution towards ambulance services and infrastructure.

In some cases and where appropriate, provision may be sought by way of land or buildings.

Provision towards ambulance service infrastructure will be secured by way of a Section 106 legal agreement.

Planning conditions will also be used as appropriate.

Relevant Policy Context:

NPPF Section 8 – Promoting Healthy and Safe Communities
 West Oxfordshire Local Plan 2031: Policy OS5 - Supporting Infrastructure

13. Employment, skills and training

- 13.1 Paragraphs 81 - 83 of the NPPF makes clear that significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. This approach is reflected in the economic objectives of the Council's Local Plan and in particular Core Objective 7 which aims to support sustainable economic growth by adding value to the local economy, providing a diversity of jobs and improving skills and work readiness.
- 13.2 The Council is supported by the Oxfordshire Local Economic Partnership (OxLEP) who help deliver opportunities for economic prosperity across the County. They have produced a Strategic Economic Plan (2016), which is currently being reviewed and this commits to increasing apprenticeships and increasing skills in Science, Technology, Engineering and Maths. More recently they have also produced the Oxfordshire Local Industrial Strategy (2019) and Economic Recovery Plan (2021). In addition, The Oxfordshire Skills Strategy developed by the Skills Board sets out the strategic priorities necessary to support economic growth.
- 13.3 The District Council is committed to working with Oxfordshire County Council and the Oxfordshire Local Enterprise Partnership (LEP) to help provide opportunities for local people in terms of skills, training and employment and to develop the economy of Oxfordshire. As set out in the Local Plan²⁸, the District Council will seek to encourage the use of community employment plans (CEPs) in larger developments (typically 1,000 or more homes and/or 4,000 sqm of floorspace).
- 13.4 CEPs can be sought, where appropriate, for the construction phase of a development and, in some cases, for the end-use phase of development. Where a developer can justify to the Council that a CEP is not the best method to secure skills and training, then an alternative contribution may be sought to provide skills and training opportunities for the local community.

Community Employment Plans (CEPs) - summary of developer contributions to be sought:

Community Employment Plans (CEP) will be encouraged in respect of residential developments consisting of 1,000 or more dwellings and commercial developments of 4,000 sqm or more.

Where such plans are put in place, they will be secured through either a Section 106 legal agreement or planning condition as appropriate.

Relevant Policy Context:

NPPF Section 6 – Building a strong, competitive economy
West Oxfordshire Local Plan 2031: Policy OS5 - Supporting Infrastructure

²⁸ Paragraph 6.12



14. Waste and recycling/waste management

- 14.1 Paragraph 8 of the NPPF highlights environmental objectives which includes the need to minimise waste and pollution.
- 14.2 The Waste (England and Wales) Regulations 2011 requires local authorities to manage waste. The District Council is responsible for the collection of waste and recycling from domestic properties as the waste collection authority (WCA). The Council also provides all street cleansing services, including the provision of litter and dog waste bins.
- 14.3 Oxfordshire County Council is the Waste Disposal Authority (WDA) and is responsible for disposing of the waste that is collected by the District Councils, as well as having a duty to provide facilities for residents to deposit their household waste.

On-site waste provision

- 14.4 The District Council has prepared a guidance document entitled '[Requirements for refuse and recycling provision at new developments](#)'. This document aims to help developers by giving them the information they need to be able to provide refuse and recycling areas for new and existing dwellings.
- 14.5 The Council will seek a planning condition and/ or financial contribution for the provision of recycling/refuse containers on all residential developments where additional units are created in line with this guidance document.

Off-site waste provision

- 14.6 Where appropriate, the County Council will require developers to mitigate the impact of a development on Household Waste Recycling Centre (HWRC) sites by paying a financial contribution towards the cost of providing a new or enhanced HWRC site that will serve the development. This will be secured by way of a Section 106 legal agreement.
- 14.7 The calculation for any S106 contribution will be based on:
- The cost of increasing the required total HWRC network acreage;
 - The cost of increasing the building and hard infrastructure footprint costs;
 - The total number of new dwellings proposed across Oxfordshire that are contributing to the increase in waste.

- 14.8 Such a requirement is most likely to apply to larger residential development proposals of more than 10 dwellings but developers should liaise with OCC at an early stage

(preferably at the pre-application stage) to understand any likely requirements. In addition, OCC may wish to apply for CIL receipts to be used at waste and recycling centres where appropriate. Please refer to Oxfordshire County Council's [Guide to Developer Contributions](#) for further information.

Waste and recycling/waste management - summary of developer contributions to be sought:

The provision of on-site recycling/ refuse containers and any associated facilities to serve all residential developments will be secured via a planning condition and/or Section 106 Agreement.

For larger residential schemes of 10 or more dwellings, the Council will, where necessary, directly, fairly and reasonably related in scale and kind to the development, seek to secure contributions towards off-site waste recycling and management infrastructure including household waste recycling centre (HWRC) sites.

This will be secured through a Section 106 legal agreement.

Relevant Policy Context:

NPPF Section 8 – Promoting Healthy and Safe Communities
West Oxfordshire Local Plan 2031: Policy EH8 – Environmental Protection and Policy OS5 - Supporting Infrastructure

15. Utilities

- 15.1 The NPPF requires local planning authorities to work in liaison with other authorities and providers to assess the quality and capacity of a range of infrastructure including utilities and telecommunication infrastructure.
- 15.2 Funding for utilities at a strategic level is usually provided by the respective utilities company through their Asset Management Plans (AMPs). Each AMP identifies the capital investment which the undertaker has committed to make over the next five or ten years. Utility providers can use revenue from customer charges to fund the provision of strategic infrastructure. However utility providers may refuse to cover all the costs associated with some strategic infrastructure, if they are deemed to be excessive. In these cases developer contributions may be necessary.

- 15.3 Connection of developments to the non-strategic mains is not included in AMPs. Individual development proposals should provide the funding required to secure new utility services from a point of connection to the relevant site boundary, together with the delivery of on-site supplies. This will normally be secured through either planning conditions or a planning obligation where necessary.
- 15.4 Developers should work in partnership with utility providers to ensure adequate capacity of utilities such as gas, electricity, water supply and waste water treatment to serve a development. There may be some site specific requirements for larger sites depending on their scale, location and nature. Therefore the developer should liaise with utility providers at the pre-application stage to identify any capacity issues and how these can be met.
- 15.5 In respect of telecommunications, paragraph 114 of the NPPF requires Council's to prioritise full fibre connections to existing and new developments. The vital need for high quality telecommunication infrastructure became particularly apparent in 2020 due to the Covid-19 pandemic which has changed the way we work and communicate in the long term.
- 15.6 It is important for developers to liaise with the Council at an early stage to secure the provision of the necessary ducting and chambers throughout their developments to facilitate the provision of full fibre to each property. This will normally be secured through a planning condition.

Utilities - summary of developer contributions to be sought:

For larger residential proposals of 10 or more homes, where necessary, directly, fairly and reasonably related in scale and kind to the development, the provision of infrastructure for utilities which is not funded by utility providers will be secured through planning conditions or a Section 106 legal agreement as appropriate.

Infrastructure required to facilitate full fibre connections to new development, including the necessary ducting and chambers, will normally be secured through a planning condition.

Relevant Policy Context:

NPPF Section 10 – Supporting high quality communications
West Oxfordshire Local Plan 2031: Policy OS5 - Supporting Infrastructure

Part 3 - Specific Procedural matters

16. Viability

- 16.1 Developer contributions are an additional ‘cost’ to a developer alongside other costs such as land purchase, construction, interest, professional fees etc. It is important that such costs do not render development unviable as that could affect the rate of housing delivery and other forms of development, thereby having negative consequences.
- 16.2 National policy on viability is clear. The NPPF at paragraph 58 states that: *‘Where up-to-date policies have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable’.*
- 16.3 Given that the West Oxfordshire Local Plan was adopted relatively recently (September 2018), in line with the Government’s practice guidance, the Council’s starting point is that planning applications will be assumed to be viable and it will be for individual applicants to demonstrate that there are particular circumstances to warrant a bespoke viability assessment in support of a particular application.
- 16.4 Where an applicant is able to robustly demonstrate that the requirements of a planning obligation would cause a development to be unviable, the Council will consider whether there is a legitimate and demonstrable need to be flexible in seeking developer contributions. Other bodies (e.g. Oxfordshire County Council) will be involved in such discussions as appropriate.
- 16.5 In some instances, the Council may need to seek independent professional advice on viability matters, the cost of which will need to be borne by the applicant.

17. Legal and Administration Fees

- 17.1 Applicants will be required to pay the District Council’s legal costs incurred in drafting and completing any Section 106 legal agreement. The Council’s legal costs will be charged at an hourly rate and will become payable upon completion of the agreement. The Council’s Solicitor will require an undertaking from the solicitor acting on behalf of the applicant to pay the Council’s legal costs, whether or not the agreement is completed.
- 17.2 For large-scale agreements, periodic payment of legal costs may be required. The amount will inevitably vary depending on the nature and complexity of the agreement.
- 17.3 Unilateral undertakings will be subject to an administration charge to cover legal costs and the transfer of money to third parties where necessary.

17.4 Please note that financial contributions payable to Oxfordshire County Council will be subject to a different process and developers should refer to OCC's [Guide to Developer Contributions](#) or contact the Oxfordshire County Council Infrastructure Funding Team for further information.

17.5 Partners or key stakeholders e.g. Police or Health bodies (e.g. ICB) may be required to sign an indemnity agreement and ensure contributions are spent in accordance with the Section 106 Agreement. Appendix 3 provides an example of a draft indemnity agreement.

18. Timing / phasing of payments

18.1 The District Council will require financial contributions to be paid prior to the implementation of planning permission or as otherwise agreed as part of a programme of staged payments (e.g. affordable housing financial contributions which are deferred until completion of the development). Legal costs and administration charges will need to be paid prior to the completion of the agreement unless otherwise agreed in writing by the Council.

18.2 The Council will calculate the total financial contribution payable including interest and/ or indexation which will be made available to the developer. This calculation will be valid for 14 days from the date of issue unless otherwise agreed in writing.

18.3 On receipt, financial contributions will be transferred to the relevant internal department or third party such as Oxfordshire County Council or a parish council who is responsible for spending the contribution. Payments made to Oxfordshire County Council (OCC) will be subject to a different process as set out in OCC's Guide to Developer Contributions. It should be noted that OCC may require a bond as security for the payment of contributions or in relation to the delivery of infrastructure, as well as the potential need for forward funding.

18.4 All receipts and spending of financial contributions will be recorded and monitored by the District Council and reported annually through the Council's Infrastructure Funding Statement (IFS). There may be instances where financial contributions are required to be refunded, for example where infrastructure is delivered ahead of a planning obligation.

19. Indexation

19.1 It is appropriate for financial contributions secured through a planning obligation to be indexed so they retain their original value. The base date and index (normally index-linked to inflation) will be detailed within the legal agreement.

19.2 Payments will be subject to an inflation factor (normally RPI or CPI or BCIS all in tender price index) which will be adjusted according to the fluctuations between the date of the obligation and the quarter period in which payment is due to the Council.

19.3 Please be aware that payments made to Oxfordshire County Council may be subject to different measures of inflation.

20. Interest on late payments

20.1 At least 21 days prior to reaching a payment/ trigger date as specified in the agreement, the developer should notify the Council of their intention to pay the financial contribution. After the payment/ trigger date has elapsed, interest may be charged at a rate of 4% above the standard base rate, unless otherwise stated in the planning obligation. The developer may also be liable to additional monitoring and enforcement costs as a result of late payment.

20.2 The District Council will calculate the total financial contribution payable including interest and/ or indexation which will be made available to the developer. This calculation will be valid for 14 days from the date of issue unless otherwise agreed in writing. If this has not been paid within the agreed time period and the calculations are shown to be correct following the resolution of any dispute, then late payment interest will be charged at rate of 4% above the standard base rate.

21. Monitoring and enforcement

Monitoring

21.1 The Council monitors planning obligations and will work in collaboration with developers to help deliver financial contributions and other obligations on-time. In order to undertake this work, monitoring fees will be charged as appropriate. Further information on the fees that will be applied is set out at Appendix 3.

Enforcement

21.2 Where there is evidence of non-compliance with a planning obligation, the Council will instruct the Council's Legal Team to take appropriate action to secure compliance. The Council will aim to recover all reasonable administration costs incurred which may include administration, correspondence and site visits. Non-compliance with a planning obligation could include failure to comply with the obligation, failure to notify the Council of a due payment and non-payment.

21.3 Where it is clear that matters within a planning obligation are not being complied with, the Council's Legal Team will be instructed to take appropriate action to secure compliance which may include seeking a court injunction where appropriate.

22. Dispute resolution

22.1 The Town and Country Planning Act 1990 (as amended) gives the Secretary of State the power to appoint someone to resolve issues that are holding up the completion of a planning obligation.

23. The importance of early engagement and transparency

- 23.1 Developer contributions are an important issue locally because of the potential benefits that can accrue for local communities. In working up development proposals, developers are therefore encouraged to enter into early dialogue with Town and Parish Councils and other relevant stakeholders to understand any local ambitions and priorities that may be able to be facilitated through the development and to allow time for these bodies to engage at an early stage with the Local Authority.
- 23.2 The District Council will endeavour to work pro-actively and transparently with Town and Parish Councils and other relevant stakeholders including Oxfordshire County Council in terms of securing and spending contributions.
- 23.3 Details of monies and other contributions received, allocated and spent/delivered will be set out in the District Council's annual Infrastructure Funding Statement (IFS).

Appendices

Appendix I - Summary table of potential developer contributions by type and anticipated mechanism

Infrastructure item	Relevant thresholds/requirements	Developer contributions by anticipated mechanism			
		Section 106 agreement	Section 278 agreement	CIL	Planning Condition
Affordable Housing on-site (where applicable)	On-site provision on sites of 11 or more market units or which have a maximum combined gross floorspace of more than 1,000 sq.m). (50%, 40% and 35% in the high, medium and lower value zones respectively).	✓			
Affordable Housing off-site financial contribution (where applicable)	Within the Cotswolds AONB on sites of 6-10 units and which have a maximum combined gross floorspace of no more than 1,000 sq.m) provide a financial contribution towards off-site affordable housing. Current rate is £100 per sq.m based on gross internal area (GIA ²⁹)	✓			
Custom/self-build housing	5% provision of serviced residential plots for the purpose of self/custom-build on larger residential schemes of 100 or more homes	✓			
Custom/self-build housing – other smaller schemes put forward for the express purpose of custom/self-build	Other smaller schemes will be secured through an appropriate planning obligation or planning condition.	✓			✓

²⁹ Based on the definitions set out in the RIC Code of Measuring Practice

Infrastructure item	Relevant thresholds/requirements	Developer contributions by anticipated mechanism			
		Section 106 agreement	Section 278 agreement	CIL	Planning Condition
Education provision - both on-site and off-site	<p>Generally applies to larger residential schemes of 10 or more dwellings however in some instances, smaller schemes may be assessed depending on their relationship to other developments as well as potential cumulative impacts.</p> <p>Any such contribution will be considered on a case-by-case basis and will be calculated and agreed in accordance with the procedures and requirements of Oxfordshire County Council as the Local Education Authority.</p>	✓		CIL receipts may also be used where appropriate.	
Highways and access improvements both on-site and off-site	<p>Generally applies to larger residential schemes of 10 or more dwellings however in some instances, smaller schemes may be assessed depending on their relationship to other developments as well as potential cumulative impacts.</p> <p>The amount/nature of any contribution will be considered on a case-by-case basis and will be agreed with Oxfordshire County Council as the local highway authority.</p>	✓	✓	CIL receipts may also be used where appropriate.	

Infrastructure item	Relevant thresholds/requirements	Developer contributions by anticipated mechanism			
		Section 106 agreement	Section 278 agreement	CIL	Planning Condition
Public transport services and infrastructure provision both on-site and off-site through an appropriate financial contribution	<p>Generally applies to larger residential schemes of 10 or more dwellings however in some instances, smaller schemes may be assessed depending on their relationship to other developments as well as potential cumulative impacts.</p> <p>The amount/nature of any contribution will be considered on a case-by-case basis and will be agreed with Oxfordshire County Council as the local highway authority.</p>	✓	✓	CIL receipts may also be used where appropriate.	
Healthy and active travel provision both on-site and off-site	<p>Generally applies to larger residential schemes of 10 or more dwellings however in some instances, smaller schemes may be assessed depending on their relationship to other developments as well as potential cumulative impacts.</p> <p>The amount/nature of any contribution will be considered on a case-by-case basis and will be agreed with Oxfordshire County Council as the local highway authority.</p>	✓	✓	CIL receipts may also be used where appropriate.	

Infrastructure item	Relevant thresholds/requirements	Developer contributions by anticipated mechanism			
		Section 106 agreement	Section 278 agreement	CIL	Planning Condition
Travel Plans	<p>Travel plans can be sought on a wide range of planning applications including retail, leisure, employment, residential and mixed use schemes as appropriate.</p> <p>Generally applies to schemes of 10 or more dwellings where appropriate and larger non-residential schemes.</p> <p>Travel Plans typically include a range of measurable actions and targets which can be monitored throughout the lifetime of the development.</p>	✓			✓
Indoor sport and leisure facilities both on-site and off-site	<p>On-site provision of indoor sport and leisure facilities sought for larger schemes of around 500 or more homes unless not feasible or desirable, in which case an appropriate financial contribution towards off-site provision will be sought.</p> <p>Potential financial contribution towards off-site provision from smaller schemes of 10 or more homes.</p>	✓		CIL receipts may also be used where appropriate.	

Infrastructure item	Relevant thresholds/requirements	Developer contributions by anticipated mechanism			
		Section 106 agreement	Section 278 agreement	CIL	Planning Condition
Outdoor sports provision (e.g. playing pitches and courts) both on-site and off-site	<p>On site provision sought for larger residential schemes of around 50 or more homes unless not feasible or desirable, in which case an appropriate financial contribution towards off-site provision will be sought.</p> <p>Potential financial contribution towards off-site provision from smaller schemes of 10 or more homes.</p> <p>Provision based on an indicative quantitative requirement of at least 1.6 ha per 1,000 population (applied on a pro-rata basis).</p>	✓		CIL receipts may also be used where appropriate.	
Play areas both on-site and off-site	<p>Residential schemes of 10 or more homes to make appropriate provision for play.</p> <p>As a general guide:</p> <ul style="list-style-type: none"> Local Area for Play (LAP and/or Local Equipped Area for Play (LEAP) to be sought in relation to residential schemes of 10 or more homes; 	✓		CIL receipts may also be used where appropriate.	

Infrastructure item	Relevant thresholds/requirements	Developer contributions by anticipated mechanism			
		Section 106 agreement	Section 278 agreement	CIL	Planning Condition
	<ul style="list-style-type: none"> Multi-Use Games Area (MUGA) or other outdoor provision (e.g. skatepark) to be sought on-site for larger residential schemes of around 200 or more homes Neighbourhood Equipped Area for Play (NEAP) to be sought on-site for larger residential schemes of around 250 or more homes <p>Where provision for play is not made on site, an appropriate financial contribution will be sought towards new or enhanced play space provision in the locality.</p>				
Allotments and other community growing space both on-site and off-site	<p>On site provision sought for larger residential schemes of 50 or more homes unless not feasible in which case an appropriate financial contribution will be sought towards off-site provision or enhancements to be made.</p> <p>Provision to be based on an indicative quantitative requirement of at least 0.25 ha per 1,000 population (applied on a pro-rata basis).</p>	✓		CIL receipts may also be used where appropriate.	

Infrastructure item	Relevant thresholds/requirements	Developer contributions by anticipated mechanism			
		Section 106 agreement	Section 278 agreement	CIL	Planning Condition
Other Green Space both on-site and off-site	<p>Amenity green space sought on-site for residential schemes of 10 or more homes based on an indicative quantitative requirement of at least 0.7 ha per 1,000 population (applied on a pro-rata basis) which may be combined with natural / semi-natural green space provision – see below.</p> <p>Natural and semi-natural green space sought on-site for larger residential schemes of 200 or more homes with consideration given to the desirability/feasibility of provision on smaller residential schemes. Based on an indicative quantitative requirement of 2 ha per 1,000 population (applied on a pro-rata basis).</p> <p>Parks and gardens sought on-site for larger residential schemes of 200 or more homes based on an indicative quantitative requirement of at least 1 ha per 1,000 population of publicly accessible space.</p> <p>Where on-site provision of other green space is demonstrably not feasible, a financial contribution will be sought to</p>	✓		CIL receipts may also be used where appropriate.	

Infrastructure item	Relevant thresholds/requirements	Developer contributions by anticipated mechanism			
		Section 106 agreement	Section 278 agreement	CIL	Planning Condition
	enable off-site provision or enhancements to be made.				
Public Rights of Way	All development which will impact on an existing right of way will be required to mitigate the impacts to protect existing countryside access.	✓		CIL receipts may also be used where appropriate.	
Biodiversity mitigation and enhancement	All development will be expected to incorporate on-site mitigation and enhancement measures as appropriate. Where it is not possible to achieve adequate on-site mitigation or compensation, a financial contribution will be sought for off-site measures to adequately offset the impact of the development.	✓		CIL receipts may also be used where appropriate.	✓
Air Quality	Schemes of 10 or more homes and larger non-residential developments of more than 1,000 sq.m which demonstrably increase vehicular movements within an AQMA	✓		CIL receipts may also be used where appropriate.	
Flood risk, water management and sustainable drainage both on-site and off-site	On and off site flood risk management/ associated drainage infrastructure and water quality, including the provision of	✓		CIL receipts may also be used where appropriate.	

Infrastructure item	Relevant thresholds/requirements	Developer contributions by anticipated mechanism			
		Section 106 agreement	Section 278 agreement	CIL	Planning Condition
	land to support the development, as appropriate.				
Archaeology	Mitigation of potential impacts as appropriate.				✓
Public Realm and Public Art both on-site and off-site through an appropriate financial contribution	Provision and maintenance of public realm improvements and public art to be sought from larger residential developments of 10 or more homes.	✓		CIL receipts may also be used where appropriate.	✓
Community facilities both on-site and off-site through an appropriate financial contribution	<p>Requirement to make appropriate provision expected to apply to the five strategic sites allocated in the West Oxfordshire Local Plan 2031.</p> <p>In some instances, it may also be appropriate to provide some sort of community space as part of smaller developments (e.g. to support the cumulative impact of growth or to support a particular need such as the provision of specialist housing for a particular group or groups). This will be considered on a case-by-case basis.</p>	✓		CIL receipts may also be used where appropriate.	

Infrastructure item	Relevant thresholds/requirements	Developer contributions by anticipated mechanism			
		Section 106 agreement	Section 278 agreement	CIL	Planning Condition
	Potential financial contribution to be sought from smaller residential schemes of 10 or more homes.				
Community Services (libraries, museums, adult and children support services)	Requirement to make appropriate provision expected to apply to the five strategic sites allocated in the West Oxfordshire Local Plan 2031.	✓		CIL receipts may also be used where appropriate.	
Burial space both on-site and off-site	<p>Requirement to make appropriate provision expected to apply to the five strategic sites allocated in the West Oxfordshire Local Plan 2031 where there is an identified need.</p> <p>Larger residential schemes may also be expected to make a contribution towards burial space capacity either through the direct provision of land, where appropriate and suitable, or through a financial contribution.</p> <p>As a general guide, a threshold of 50 or more dwellings will be used depending on local circumstances including identified need.</p>	✓		CIL receipts may also be used where appropriate.	
Primary and Secondary Health Care and Extra-	Requirement to make appropriate provision expected to apply to the five	✓		CIL receipts may also be	

Infrastructure item	Relevant thresholds/requirements	Developer contributions by anticipated mechanism			
		Section 106 agreement	Section 278 agreement	CIL	Planning Condition
Care both on-site and off-site	strategic sites allocated in the West Oxfordshire Local Plan 2031.			used where appropriate.	
Fire and rescue both on-site and off-site through an appropriate financial contribution	Requirement to make appropriate provision expected to apply to the five strategic sites allocated in the West Oxfordshire Local Plan 2031.	✓		CIL receipts may also be used where appropriate.	✓
Policing /community safety both on-site and off-site through an appropriate financial contribution	Requirement to make appropriate provision expected to apply to the five strategic sites allocated in the West Oxfordshire Local Plan 2031.	✓		CIL receipts may also be used where appropriate.	
Ambulance service both on-site and off-site through an appropriate financial contribution	Requirement to make appropriate provision expected to apply to the five strategic sites allocated in the West Oxfordshire Local Plan 2031.	✓		CIL receipts may also be used where appropriate.	
Community Employment Plans (CEPs)	To be encouraged in relation to larger residential schemes of 1,000 or more dwellings and larger commercial developments of 4,000 sqm or more.	✓		CIL receipts may also be used where appropriate.	✓
Waste and recycling/waste management	All residential development to provide on-site recycling/ refuse containers and any associated facilities. Potential financial contribution to be sought from residential schemes of 10 or	✓		CIL receipts may also be used where appropriate.	✓

Infrastructure item	Relevant thresholds/requirements	Developer contributions by anticipated mechanism			
		Section 106 agreement	Section 278 agreement	CIL	Planning Condition
	more dwellings towards off-site waste recycling and management infrastructure.				
Utilities	Residential schemes of 10 or more dwellings homes should provide infrastructure for utilities which is not funded by the utility providers.	✓			✓

Appendix 2 - Sport and Leisure S106 worked up examples

Below are three worked up examples which can be used as a guide to estimate the approximate level of contribution required towards sport and leisure infrastructure from development.

150 new homes in the West Oxfordshire area is estimated to generate a population of 360 (using the average household size for the area of 2.4).

Sports Hall provision – This would all be backed up with the strategic need from the Facility Planning Model run conducted by Sport England in 2020.

Sport England's Sports Facility Calculator (SFC) assumes a 1 badminton court requirement for a population growth of 3600.

Therefore a population increase of 360 would generate a need of an additional 0.10 badminton courts ($1/3600 \times 360$).

Based on Sport England's latest costings* the SFC estimates that the cost of providing the identified need of 0.10 badminton courts is £73,328.

*Sport England Quarter 3, 2022 facility costs

Pool Provision - This would all be backed up with the strategic need from the Facility Planning Model run conducted by Sport England in 2020.

Sport England's Sports Facility Calculator (SFC) assumes a 1 25m swimming lane (53.18 m²) requirement for a population growth of 5000.

Therefore a population increase of 360 would generate a need of an additional 3.83 m² water space ($53.18/5000 \times 360$).

Based on Sport England's latest costings** the SFC estimates that the cost of providing the identified need of 3.83 m² water space is £81,078.

**Sport England Quarter 3, 2022 facility costs

Outdoor Sports provision - This would all be backed up with the strategic need from the Playing Pitch Strategy completed in 2022.

Based on the cost of provision and future maintenance of football pitches (the cheapest form of outdoor sports facility) over a 15-year period at a standard of 1.6ha per 1,000 population.

A football pitch of 0.742ha, a provision cost of £105,000 (Sport England Facility Costs third Quarter 2022) and a commuted maintenance cost of £240,975 per pitch (Sport England Life Cycle Costings Natural Turf Pitches second Quarter 2021), would equate to £746,038 per 1,000 population or £1,790 per dwelling (at an average occupancy of 2.4 persons per dwelling).

$$150 * 1,790 = 268,500$$

Based on Sport England Facility costs and lifecycle costings the cost for providing the required playing pitch provision is £268,500.

Appendix 3 – Monitoring Fees

Introduction

The completion of a planning obligation involves the District Council in various administrative /monitoring duties and responsibilities, which places a cost burden on the authority.

Part 10 of the Community Infrastructure Levy (Amendment) (England) Regulations 2019 permits the Council to secure fees to monitor and report on planning obligations contained within a section 106 planning agreement, especially where the scale of the development is complex and needs long-term monitoring.

The sum of any monitoring fee must not exceed the authority's estimate of its costs of monitoring the development over the lifetime of the planning obligation(s).

In addition, where the Community Infrastructure Levy (CIL) is in place, 5% of any CIL receipts are able to be spent on administrative expenses.

Monitoring fees applicable in West Oxfordshire

Below is the schedule of the monitoring fees that apply in West Oxfordshire:

Registration charge	£500
Monitoring charges:	
Less than 10 dwelling units	£500
10 - 100 dwellings units	£1,000
101 - 250 dwelling units	£5,000
251+ dwelling units	£10,000
Strategic Development Areas	To be negotiated on a case-by-case basis

(as identified in the West Oxfordshire Local Plan 2031)	
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The fee schedule follows a common approach of charging by housing numbers. A similar schedule is used by Cherwell District Council and also Cotswold District Council which is a partner authority to West Oxfordshire. It has the advantage of being simple, transparent and easy to calculate.

The fee schedule also meets both the tests set out in the CIL regulations as the fees are considered to be fair and reasonable and would not exceed the authority's estimate of its cost of monitoring the development over the lifetime of the planning obligations.

The schedule would not cover developments which are considered strategic sites as identified in the local plan. Such developments involve more complex monitoring. For each strategic site, the Council will negotiate the required fees based on the estimated cost of monitoring these sites. The fee will be calculated on a yearly basis and should be paid each year for the anticipated duration of the development. Note that the current local plan has five strategic sites (including Salt Cross Garden Village) for which the monitoring fee will be negotiated.

All S106 agreements, including Deeds of Variation, would be subject to a registration charge of £500 to cover the cost of registering the agreement and its obligation on the system. The majority of S106 agreements in the district relate to housing developments, where the monitoring work involved increases in relation to the size of the development. The remainder of the monitoring charge would therefore be based on the amount of houses being delivered.

Payment of the registration fee would be required upon completion of the agreement. The remainder of the monitoring fee would become due upon commencement of the development. The fees would not be refundable if the development does not go ahead or is halted halfway.

The monitoring fee will be reviewed on a regular basis (24 months) and the fee will be used in respect of the following:

- Updating and maintaining the District Council's planning obligations database;
- Ensuring that all the financial obligations in agreements are met (excluding taking enforcement/legal action);
- Providing calculations, sending invoices and receiving payments;
- Ensuring financial contributions are used for the specific purpose outlined in the obligation;
- Keeping and maintaining transparent accounting procedures;

- Providing regular updates for Councillors, Cabinet, Scrutiny Committees and the wider community
- Preparing and publishing the annual Infrastructure Funding Statement, which requires active monitoring of S106 agreements, reporting the securing, receipt and spending of contributions
- Tasks undertaken by the Housing team including resolving any issues arising which could impact on affordable housing delivery in line with agreed timescales and conditions.

APPENDIX 4

DRAFT PROPOSED INDEMNITY AGREEMENT

Dated 2023

WEST OXFORDSHIRE DISTRICT COUNCIL

AND

[]

**RECEIPT FOR MONIES ARISING UNDER PLANNING
AGREEMENT**

Pursuant to Section 106 of the Town and County Planning Act 1990

Relating to

[Development Site Planning Reference no.]

West Oxfordshire District Council

THIS AGREEMENT is made on the [insert date as number] day of [insert month] Two Thousand and Twenty Three

BETWEEN:

1. **WEST OXFORDSHIRE DISTRICT COUNCIL** of [insert address]
] (“the District Council”)
2. [insert name and address of the Recipient .] (“the Recipient”)

RECITALS

A. Planning permission was sought from the District Council to carry out the development of [insert the description of the development] and [insert the address of the site/land]

B. The District Council is the Local Planning Authority for the purposes of the Town and Country Planning Act 1990 (As Amended) for the District of West Oxfordshire within which the Application Land/Site is situated

C. On [insert date] the District Council resolved to grant planning permission in accordance with the planning application ref no. and subject to planning conditions and a Section 106 Planning Agreement/Unilateral Undertaking dated [insert date] (“the Deed”)

D. The Recipient [insert name & address] is in receipt of the [name the contribution e.g. Health Contribution or police contribution] which amounts to [£ insert figure and also describe in words and state if inclusive of indexation] and is for [insert the purpose/use of the contribution e.g. for the provision of and improvement of health facilities at Surgery]

E. The parties have agreed to enter this indemnity agreement with the intention that the obligations/covenants contained herein may be enforced by the District Council against the Recipient and their respective successors in title, where necessary.

THE DISTRICT COUNCIL COVENANTS

In accordance with [insert the relevant clause nos.] of the [Section 106 planning agreement dated] The District Council will serve written notice to [insert name and address of the recipient] . which :-

- a) Advises the [Recipient] that the Deed has been entered into and that it contains an obligation on the Owner to pay the [type of contribution]
- b) Advises the [recipient] of the purpose of the [type of contribution] as set out in the Deed
- c) Advises the [recipient] of the amount of the [type of contribution] and each tranche thereof together with details of the trigger dates for payment and
- d) Requests confirmation from the [recipient] as to which of them the Council should pay the contribution to in accordance with the Deed
- e) The District Council covenants with the Owner to pay the Contribution to the [relevant recipient]

THE RECIPIENT COVENANTS

The Recipient to provide a written undertaking for the benefit of the District Council and the Owner that it will:-

- a) apply the [Contribution] in accordance with the purposes set out in the Deed
- b) provide full details of the expenditure of the [Contribution] on demand to the District Council or the Owner PROVIDED that no such demand shall be made before the expiry of three years from the date of receipt of the [Contribution] by the District Council and such demands shall not be made more frequently than once a quarter thereafter and
- c) return any unspent or uncommitted part of the [Contribution] (with any required interest at the Bank of England Base rate from time to time that has accrued thereon in the period from the date of receipt by the District Council to the date of repayment) to the District Council after expiry of five years from the date of receipt of the Health Contribution by the District Council regardless of when the same was paid to the relevant Health Body.
- d) to co-operate fully and to provide such information as is reasonably requested by the District Council in the event that repayment of the [Contribution] is sought by the Owner under the terms of the Deed and
- e) to notify the District Council immediately in writing of any instances of fraud or misappropriation of the [Contribution] and
- f) to indemnify the District Council in respect of all claims made against the District Council for repayment of the [Contribution] including (but not limited to) legal costs and interest awarded against the District Council arising from the repayment of the [Contribution].

IN WITNESS WHEREOF this Agreement is executed as a DEED in the manner hereinafter appearing the day and year first before written

The COMMON SEAL of
WEST OXFORDSHIRE DISTRICT COUNCIL

was hereunto affixed in the presence of:-

Authorised Signatory

Signed as a deed by in the presence of

THE COMMON SEAL of The RECIPIENT e.g.

Signed as a deed by in the presence of

**West Oxfordshire District Council
Combe Village Design Statement
Consultation Summary Report**

June 2023

1. Introduction

- 1.1 A draft Village Design Statement (VDS) has been prepared by residents of Combe parish, under the auspices of the Parish Council. The purpose of the VDS is to *'provide design guidelines that can help to shape any future development so that it blends in with Combe's distinctive rural landscape and heritage'*.
- 1.2 The VDS underwent initial public consultation in 2019/2020 and was submitted to the District Council in November 2021.
- 1.3 The Council published the draft VDS for a further 6-week period of public consultation between Friday 3 February – Friday 17 March 2023.
- 1.4 The main purpose of this consultation summary report is to provide an overview of the February/March 2023 consultation: who was consulted; the main issues raised by respondents; and how those issues have been addressed in the final proposed adoption version of the SPD.
- 1.5 The responses received will now be considered and a view taken on whether the VDS should be formally adopted as a Supplementary Planning Document (SPD) and carry the weight as a 'material planning consideration' for determining planning applications within the Parish of Combe. If the VDS is taken forward for formal adoption as a SPD, this is likely to take place in July 2023.

2. Pre-submission consultation

- 2.1 As a community-led planning document, with the aim of reflecting the views of all local residents, the production of the VDS involved an extensive process of consultation and engagement with those living and working in the parish of Combe.
- 2.2 The first step in the process was to find out what residents felt about the character of Combe, what makes it special, and what priorities people have for the future. The consultation began with informal discussions and activities across the village, and ended with a household questionnaire survey. In June 2020 the Parish Council published a summary report of the findings from this six-month exercise which took place over the summer and autumn of 2019.
- 2.3 Appendix 1 sets out the summary report (which is also available on both the Parish Council and the West Oxfordshire District Council websites: <https://combec.org/2021/02/24/vds/> and <https://www.westoxon.gov.uk/media/e04jzwsd/combe-vds-consultation-summary-report.pdf>)

2.4 The findings from the public consultation work fed into the draft VDS, including three main messages:

'People told us that they loved the wide-open views across the countryside, the wooded approaches to the village, river walks, the dark night skies, and the generally well-kept appearance of Combe. The church, the stone cottages, the village green with its oak trees, and the traditional Cotswold buildings at the heart of the village stood out as particularly special.

One of the clearest messages from the findings was how much people value, and wish to protect, green open spaces within the village. This included not only the larger green areas, such as the village greens, Alma Grove field, the recreation ground, the church yard etc., but also the smaller spaces and verges that make up the open character of our village and provide a haven for wildlife. This links closely with people's growing concerns about protecting the countryside, the river and green spaces for the preservation and enhancement of biodiversity.

Residents were less happy with the impact of traffic and parked cars on the village's appearance. Overall, there was support for traffic calming measures. Respondents were realistic about the possibility of future housing development, but if this happens, most people would prefer affordable housing, built on a small scale, and in sympathy with the existing character of the village. The preservation of hedges and traditional dry-stone walls was seen as integral to the distinctive character of the parish.'

3. Submission draft consultation

3.1 The VDS was finalised in November 2021 and submitted to the District Council for consideration, with the Parish Council seeking a view on whether it would be possible for the VDS to be formally adopted as a Supplementary Planning Document.

3.2 Following internal consultation and positive feedback, the VDS was considered by the District Council's Cabinet on 12 October 2022 who agreed for the document to be published for public consultation. As part of the formal process, and in accordance with the District Council's adopted Statement of Community Involvement (SCI), a statutory 6-week period of consultation took place (3 February – 17 March 2023), involving the notification of a range of stakeholders and making the document available online and at 15 deposit locations at local council offices and libraries.

3.4 In response, consultation responses were received from eight organisations and individuals as follows:

- Malcolm Axtell

- Rosalind Kent
- The Coal Authority
- Wootton Parish Council
- Canal & River Trust
- Aidan Coates
- Sport England
- Historic England

3.5 Attached at Appendix 2 is a schedule of the comments received. These comments were passed on to Combe Parish Council and the second column of the schedule sets out how they were taken into account in preparing the final proposed adoption version of the VDS. . The final column in the schedule adds relevant District Council observations.

Appendix 1 – village consultation and questionnaire survey findings - draft Combe Village Design Statement – June 2020

COMBE VILLAGE DESIGN STATEMENT (VDS)

VILLAGE CONSULTATION AND QUESTIONNAIRE SURVEY FINDINGS



Steering group:

Deborah Phillips (898627), Paul Coffey, Jen Hurst, Margaret Moore, Alan Revell, Julia Sharpe, Elena Softley.

1. INTRODUCTION

Why do we need a Village Design Statement?

Given potential threats to Combe from increasing development in West Oxfordshire, the Parish Council decided to embark upon writing a Village Design Statement (VDS). A VDS is a community-led planning document that seeks to protect and enhance the visual character of a village and its surroundings. This is achieved by devising a set of design principles that will guide future planning decisions. A VDS aims to reflect the views of all local residents.

This report

The first step in this process has been to consult widely with residents to find out what they feel about the character of Combe, what makes it special, and what priorities people have for the future. This report gives a summary of the findings from a six-month period of consultation over the summer and autumn of 2019.

The consultation began with informal discussions and activities across the village, and ended with a household questionnaire survey. Over half (53 per cent) of the households in Combe responded to the survey, giving us a total of 169 questionnaires. We heard from people across different age-groups living in all areas of Combe.

What's next?

The VDS Steering Group is working with West Oxfordshire District Council planners to come up with planning design principles that reflect the values and priorities of Combe residents based on these findings. These principles will be incorporated into a formal planning document.

Acknowledgements

A big thank you to everyone who participated in the consultation process. We enjoyed talking to people of all ages at the cricket match barbeques held at the recreation ground, to children at Combe School, and to those walking the parish boundaries of Combe - thank you to Jonathan Ford for leading the walks and to David O'Brien for a photographic display in the Reading Room. We are also very grateful to everyone who completed the household survey and to the team of volunteers who helped to distribute and collect the questionnaires.

June 2020

2. CAPTURING THE ESSENCE OF COMBE



What words did residents use to describe Combe in the questionnaire?

peaceful

unspoilt

quintessential Cotswold village

picturesque

open spaces

outstanding natural beauty

beautiful

delightful

pretty

bucolic

charming

a gem

How would residents describe Combe to someone who didn't know it?

The best of English country living. Friendly, maintained with love and pride, beautiful, sleepy (on the surface), quiet.

[Combe is] high above the Evenlode valley, so there are lovely views – rural, fields. Many walks towards Blenheim. Lovely river and river views. Quiet, dark and peaceful. Not too big a village.

Rural village in Cotswold stone, around a village green. Steep sided river valley with flat meadows to the south of the parish. Intensive arable large fields to north of parish.

Beautiful small Cotswold village..... set in beautiful countryside surrounded by well managed farm land and woodland.

Small old English Cotswold village with a medieval church and cricket grounds in the centre and quaint cottages surrounded by farmland and countryside.

It is a real English village wrapped inside beautiful scenery.

What do people feel contributes most to the appearance and character of Combe?

The village green, the playfield/sports ground, the Cock Inn, the Reading Room, the way most homeowners take pride in the appearance of their homes and gardens, the spaciousness of the village (not built up), the history of the village with its old houses and buildings, the fact that it's so close to Blenheim.

The mixture of houses, old and new, and how they seem to fit together. The open airy feel of the village. Hearing the trains in the distance, the planes flying overhead, the church clock and bells, the cricket in the summer, and the football in the winter.

What did young people say about Combe?

The fields are lovely. It wouldn't be Combe without footpaths and endless fields. The wildlife in Combe plays a big role in its friendly and caring reputation ... [age 13]

Combe is nice, but I don't want them to build all over it. [age 12]

I love the surrounding unspoilt countryside, traditional buildings and the field in the middle (Alma Grove). [age 18]

3. FINDINGS - WHAT DO PEOPLE VALUE ABOUT COMBE?

The people of Combe told us that they value the following aspects of Combe's character and appearance, and would like to see them preserved and/or enhanced.

LANDSCAPE SETTING

Rural vistas

There was a strong desire to retain and preserve the rural integrity of the village and the surrounding landscape, with its open, uninterrupted views across the countryside. Views across the fields towards Blenheim and Long Hanborough, and across the Evenlode Valley, were particularly valued. This is captured in a quote from one survey respondent:

[I like] the views across the playing field towards the church clock tower, with the green of the countryside beyond, together with the wide endless view of the sky.

Approaches to the village

The wooded approaches to the village, together with the surrounding fields, were highlighted as important to the rural feel of the village and its special character. One participant during our informal consultations described the approaches as a 'portal into paradise' and another referred to them as 'setting the scene' for the village.

Settlement pattern

People would like to minimise settlement expansion in order to preserve the separate rural identity of Combe. Recurring comments highlighted the fate of surrounding villages (e.g. Stonesfield, Long Hanborough and Church Hanborough) that have succumbed to rapid development.

Survey respondents commented:

It would be nice if Combe could avoid becoming part of the extended conurbation around Oxford - a fate rapidly overtaking places like Church Hanborough.

Combe is a beautiful village, largely unchanged in visual character over many decades, yet still very much a living village. The most important thing is that it doesn't lose the glorious ring of rolling fields and woodlands that surround it. And that it does not succumb to the urban/suburban creep that is changing the nature of so many surrounding villages.

River and river walks

The river, river valley walks and historic water meadows were valued by all age-groups.

Landscape and wildlife/biodiversity

There was an interest in retaining and managing copses, hedgerows and field margins, using native species. This was valued for appearance and biodiversity (see section on biodiversity).

Footpaths through the surrounding countryside

People wanted to preserve, maintain and, where possible, extend the network of footpaths.

Dark night skies

With very few exceptions, people appreciated the dark skies of Combe and did not wish to see street lighting.

Proximity to Blenheim estate

Residents of Combe value, and are sensitive to, the role of the Blenheim estate in the surrounding landscape. The management of the estate and farmland within the parish has implications for Combe in terms of landscape appearance, traffic flows, the preservation and enhancement of biodiversity, and potential future housing development.

VILLAGE CHARACTER AND APPEARANCE***Old village heart, with village green***

The heart of the village is highly prized for its history, tranquility and spaciousness, and traditional features (e.g. stone cottages, village pumps, stone trough etc.). This historic heart is regarded as generally well-maintained and the key feature contributing to the appearance and character of Combe.

92 per cent of survey respondents (Table 1, appendix) thought that it was 'very important' to preserve the village green in the future. The Green was commonly described as the '*heart of the village*' and is spoken of with affection by many residents. Respondents told us that:

Protecting the village green and other open spaces is central to the character of the village.

[The village green is] essential to the character of the village - a precious resource.

It is a space for community events and celebrations. This helps to build relationships, unity and a sense of belonging and identity. It also brings all generations together.

Rurality of the village

Combe was described as a traditional, largely unspoilt, well-kept Cotswold village, comfortably integrated into its surrounding rural landscape. One person described it as '*nestling in the landscape*'. Another commented: '*It looks like it belongs in its landscape*'.

Green open spaces within the village

There is a widely held desire to preserve green spaces, such as the two village greens, Alma Grove field, the recreation ground, private gardens, allotments and the few remaining orchards within the village. People valued the proximity of grazing animals to the heart of the village (especially on Alma Grove field). Children emphasised the importance of nearby woods and open green spaces for the freedom to roam and play.

In answer to the question ‘What do you like best about the appearance of Combe?’, several respondents captured wider sentiments when they referred to:

The beautiful green open spaces in the very heart of the village; the Green, Alma Grove field and the playing field. They are like green lungs.

The scattered nature of the village with fields, orchards and trees interspersed between groups of buildings.

The open, rural aspect at the centre of the village, with its large, usually animal occupied field, village green, playing fields and the undulating countryside beyond.

Density of building

The emphasis on the importance of green spaces within the village is consistent with the traditional character of Combe as a dispersed village settlement. The importance of this characteristic is captured in the following comment:

It is important that in small villages such as Combe, infilling is really limited. The spaces that exist between areas of residential development are just as important as the buildings themselves in their contribution to the overall character of the village. They allow glimpses between spaces, views in and out of the village and enable the countryside and large trees to penetrate into the centre of the village. Areas such as the remnants of orchards, the village pound and allotments are all part of the historical character of the village and deserve to be retained.

This, and other comments, indicate support for maintaining low densities of building. For example, one person commented:

Combe is the perfect balance between old buildings and newer built ones in the traditional style. It is not over dense, with green spaces and the preservation of the ‘building line’ along the main roads, avoiding a ‘closed-in’ feeling.

Iconic views within the village

Respondents cited a wide range of favourite views, both within the village and across the surrounding countryside. Iconic views (in order of popularity) were:

- the view across the recreation ground towards the church (54 per cent of respondents mentioned this);
- the view from Akeman Street, across Alma Grove field, towards the church;
- views in all directions across the village green;
- the view along Church Walk.

Iconic buildings

The church and church yard, the Reading Room, the pub, the Cotswold stone cottages, Church Walk cottages, buildings clustered around the historic village green, and other historic buildings (e.g. the old chapel/Hub, the old school building, Old Vicarage and Combe House) were singled out for their contribution to the distinctive character of Combe.

Boundaries - dry stone walls and hedges

The preservation of traditional boundary walls and hedges was seen as integral to the distinctive character of the parish. Table 1 (see appendix) indicates that 75 percent of survey respondents think that it is 'very important' to preserve Combe's stone walls for the future and a similar proportion (74 per cent) regard hedgerows as 'very important'.

One respondent described the special character of the boundaries:

[I like] the mixture of stonewalls, hedges and boundaries and the different degree of colour they give through the seasons.

Tree cover

Trees, especially the oaks in the centre of the village, are regarded as an important visual component of Combe's landscape. The cedar tree in the grounds of the Old Vicarage is greatly admired and is felt to be integral to the landscape of the historic village centre. Nearly three-quarters (74 per cent) of respondents regarded protecting trees as 'very important' for Combe's appearance (Table 1) and for wildlife. As one respondent observed:

Trees and hedgerows help keep our wildlife and add to the beauty of Combe.

ARCHITECTURE AND MATERIALS

Traditional vernacular buildings

The Cotswold stone cottages and other historic vernacular buildings in the centre of Combe are highly valued for their contribution to what makes Combe special. Some people also appreciated the good mix of old and newer housing in the village, although there were some examples of newer housing developments that were less well received.

Materials

Use of materials that complement existing buildings was favoured. Table 1 indicates that 65 percent of survey respondents think that it is 'very important' to build with traditional, or similar, building materials in the future. Only 6 per cent thought it was 'unimportant'. Some people were happy to see the use of more modern materials, if of high quality.

Views on new development

People were realistic about the need for more housing, but stressed the importance of affordability and sympathetic scale and design. It was felt that any future housing development should be:

- in character/sympathetic to the existing mix of housing and historical legacy of the village;
- of modest scale, to protect the rural appearance and feel of the village.

One recent development in particular was frequently cited for its inappropriate scale and style, whilst three new houses on Akeman Street were appreciated for their sensitive design.

Tables 2 and 3 (see appendix) indicate that two-thirds of the survey respondents felt that it was 'very important' that the scale and design of any new developments should blend in with the surrounding buildings, particularly in the case of 'in-filling'. It should also be noted that, given the above comments on the importance of green spaces and low-density building, the idea of 'in-filling' in Combe is unlikely to be popular.

Comments by one respondent summed up the feelings of many people on development:

Villages such as Combe should be treated with sensitivity so as to keep that character, not as museum pieces, but as living villages that grow and expand in a sympathetic way, so that in years to come they still represent the history of our countryside and people.

HIGHWAYS

Traffic

Many people had observed an increase in the volume and speed of traffic in recent years. Just over half of the survey respondents (52 per cent) supported additional traffic calming measures, although there was ambivalence about the addition of more street furniture.

Verges

These were regarded as important for the visual appearance of Combe and as green spaces for wildlife. 62 per cent of survey respondents felt that it was 'very important' to preserve verges (Table 1).

Parking

Parking presents many challenges in the village, especially in its historic centre, where there is little off-street parking. This drew many adverse comments about the effect of parked cars on the appearance of the village and the destruction of grass verges in particular.

Pavements and footpaths

Just over one third (35 per cent) of respondents would like to see more designated pavements and footpaths. There were particular concerns about the absence of a safe path to Combe Halt. Others would like to see existing pavements and paths better maintained.

BIODIVERSITY

Although no specific questions were asked about biodiversity during the public consultations, several biodiversity-related themes emerged during informal discussions and in the questionnaire survey responses. People expressed a wish to:

Preserve open spaces for biodiversity

This was seen to be important both within the village and in the surrounding countryside areas (see comments on verges above).

Protect the countryside

References were made to the importance of trees, meadows, the river, field margins and hedgerows as eco-systems for biodiversity. Three-quarters of the questionnaire respondents thought it was 'very important' to preserve hedgerows and trees, both for the village's appearance and wildlife. Hedgerows were described '*as wildlife corridors*' and '*living barriers [that] provide home and protection and food to a diverse amount of wildlife*'.

Looking to the future, one survey respondent commented:

It will be important to retain the green and semi-wild spaces in order to maintain the range of wildlife (birds and mammals) that are so much a part of the magic of the village.

Younger residents showed particular concern for Combe's environmental wellbeing in their comments:

The fields are lovely. It wouldn't be Combe without footpaths and endless fields. The wildlife in Combe plays a big role in its friendly and caring reputation. It would be nice to add information boards in the woods to explain the wildlife and what grows. [age 13]

The environment of Combe is of unrivalled importance in this modern age of climate change. [age 15]

Enhance the river and river walks

There was some concern over the loss of water quality in the Evenlode river following adverse media reports, and a desire to enhance both the quality of the river and river walks.

Restore lost habitats

There was regret over certain habitat losses, particularly in areas of surrounding farmland. A few people favoured a policy of 'rewilding' and minimal trimming of verges.

Reduce lighting at night

Although many praised Combe's dark night skies, there were some who would like to see lighting levels reduced further, both for reasons of appearance and nocturnal wildlife. The light pollution from LED lighting at Combe Halt was singled out for particular criticism, and some would also like to see people's domestic external lighting arrangements moderated.

In summary, these concerns fit with Blenheim Estate's stated policy commitment to enhancing the area's 'natural capital' (i.e. nature, with its social, economic and cultural benefits) and biodiversity. This is encapsulated in Blenheim's 'Land Strategy' (launched in 2019), which has implications for the evolving landscape in and around Combe.

CONCLUSION – WHAT WERE THE MAIN MESSAGES?

People told us that they loved the wide-open views across the countryside, the wooded approaches to the village, river walks, the dark night skies, and the generally well-kept appearance of Combe. The church, the stone cottages, the village green with its oak trees, and the traditional Cotswold buildings at the heart of the village stood out as particularly special.

One of the clearest messages from the findings was how much people value, and wish to protect, green open spaces within the village. This included not only the larger green areas, such as the village greens, Alma Grove field, the recreation ground, the church yard etc., but also the smaller spaces and verges that make up the open character of our village and provide a haven for wildlife. This links closely with people's growing concerns about protecting the countryside, the river and green spaces for the preservation and enhancement of biodiversity.

Residents were less happy with the impact of traffic and parked cars on the village's appearance. Overall, there was support for traffic calming measures. Respondents were realistic about the possibility of future housing development, but if this happens, most people would prefer affordable housing, built on a small scale, and in sympathy with the existing character of the village. The preservation of hedges and traditional dry-stone walls was seen as integral to the distinctive character of the parish.

APPENDIX

Table 1 Looking to the future, how important do you think it is to

	Very important	Important	Quite important	Not important	Unsure
Protect verges	62%	21%	12%	4%	1%
Protect the village green	92%	6%	2%	<1%	-
Preserve traditional stone walls	75%	19%	4%	1%	<1%
Protect hedgerows	74%	20%	5%	1%	<1%
Protect existing trees	74%	20%	5%	1%	<1%
Build with traditional, or similar, building materials	65%	19%	9%	6%	1%

Which of these, if any, is the most important?

95 respondents picked out one of the above as particularly important to them, as follows:

Verges	9
Village green	48 - commonly described as the 'heart of the village'
Stone walls	2
Hedgerows	8
Existing trees	14
Traditional materials	14

Table 2 Where new housing is built between existing houses (so called in-filling), how important do you feel it is that the new housing blends in with the surrounding houses in terms of (i) design and (ii) scale?

	Very important	Important	Quite important	Not important	Unsure
(i) Design	66%	20%	9%	4%	<1%
(ii) Scale	63%	22%	11%	4%	<1%

Table 3 Where new housing is built at the edge of the village (so called linear development), how important do you feel it is that the new housing blends in with the surrounding houses in terms of (i) design and (ii) scale?

	Very important	Important	Quite important	Not important	Unsure
(i) Design	66%	20%	9%	4%	<1%
(ii) Scale	60%	22%	11%	5%	1%

Appendix 2 – consultation responses received in response to the draft Combe Village Design Statement – March 2023

Name	Representation	Combe Parish Council response and amendments to the draft VDS	District Council Comment
Malcolm Axtell	<p>This is an impressive work which captures the essence of this special village environment. It emphasises the importance of appreciating and protecting the multitude of invaluable historic and natural features of a typical Cotswold area settlement which can so easily be threatened by unattractive and unwelcome development trends of today.</p> <p>This same study could equally apply to a large number of similar village locations throughout the WODC area and beyond.</p>		Support noted.
Rosalind Kent	<p>Any buildings built in Combe need to be:</p> <ol style="list-style-type: none"> 1. Net Zero construction 2. South facing or larger windows on the south 3. Photovoltaic panels on roofs. 4. Generated electricity fed into a local grid, supplying local people first. 5. Houses in small groups, not long rows. 6. At least 50% affordable houses. 	<p>The revised draft VDS has been amended to include reference to the District Council’s Net Zero Carbon Toolkit on p.39, column 2, fourth bullet point; and again on p.41, Reference list, with link to the: https://www.westoxon.gov.uk/environment/climate-action/how-to-achieve-net-zero-carbon-homes/</p>	<p>The adopted Local Plan Policy H3 (Affordable housing) requires schemes of 11 or more homes to provide 50% as affordable housing on-site.</p>
Deb Roberts, Planning & Development	<p>As West Oxfordshire District Council lies outside the defined coalfield, the Coal Authority has no specific comments to make.</p>		<p>The Coal Authority is a non-departmental public body sponsored</p>


<p>Manager, The Coal Authority</p>			<p>by the Department for Energy Security and Net Zero. As a statutory consultee, the Coal Authority has a duty to respond to planning applications and development plans in order to protect the public and the environment in mining areas.</p>
<p>John Harwood Chair, Wootton Parish Council</p>	<p>Following the circulation of the draft Combe VDS by the Council and the invitation to comment, the consultation documents were discussed by Wootton Parish Council at its meeting on Monday 13 February.</p> <p>Village Design Statements are an important way in which local residents are able to exert some influence over building development in their local area. The Parish Council supports the adoption of VDSs, thanks Combe PC for taking the initiative and drafting one for their parish, and urges WODC both to approve the Combe VDS and encourage and help other parishes to develop their own Statements.</p>		<p>Support noted.</p>
<p>Jane Hennell, Area Planner, Canal & River Trust</p>	<p>Based on the information available, the Trust has no comment to make on the design statement as we do not own or maintain any canals within the plan area.</p>		<p>The Canal & River Trust is a statutory consultee in the Development Management process. It is a charity who looks after and brings life to 2000 miles of canals and rivers.</p>

<p>Aidan Coates, local resident</p>	<p>I would like to express support for the Combe Village Design Statement, agreeing with the content and thinking it is important for the feel of the village to be protected (particularly against aggressive developers).</p> <p>I would also like to be notified when the council has adopted the VDS as a supplementary planning document.</p>		<p>Support noted.</p> <p>A wide range of organisation are notified when a SPD is adopted, as are those who responded during the formal consultation period.</p>
<p>Bob Sharples, Principal Planning Manager - South Team, Sport England</p>	<p>I note that the village cricket pitch appears several times in the document, which highlights the importance of cricket to the village. The West Oxfordshire Playing Pitch Strategy identifies Combe cricket club's facilities as in need of improvement and there is a requirement for some fixed lane cricket nets.</p> <p>The cricket nets, if provided, may benefit from limited sports lighting. Sport England would advise that these improvements are taken into consideration within the VDS and the parish council should weigh up the social and health benefits, in particular to young people, when any planning applications come forth.</p> <p>I would be happy to discuss my comments with the authors of the draft VDS if that was helpful.</p>		<p>Bob Sharples' contact details have been shared with Combe Parish Council.</p> <p>Sport England's comments have been passed on to the District Council's Leisure Team.</p> <p>Local Plan Policies EH2 (Landscape character) and EH8 (Environmental protection) address lighting.</p>
<p>Guy Robinson, Historic Environment Planning Adviser, Development</p>	<p>As the Government's adviser on the historic environment, Historic England is keen to ensure that the protection of the historic environment is fully taken into account at all stages and levels of the local planning process. We applaud the work done to draft the Village Design Statement, and offer a small number of comments below, which we hope are useful.</p>	<p>Thanks to Guy Robinson (Historic England) for the helpful comments.</p>	<p>Support noted.</p>

<p>Advice – London and the South East Region, Historic England</p>	<p>Page 11: reference is made to the Blenheim Palace as a World Heritage Site. For completeness it should also be mentioned that area is designated as a Registered Park and Garden (GI). We suggest the following wording for consideration:</p> <p><u>“The panoramic view over the countryside from Combe Lodge Gate, and the remnants of ancient woodlands to the east and south of the parish, are highlighted as particularly special. In addition to its designation as a World Heritage Site, Blenheim Palace is also a Registered Park and Garden (GI).”</u></p> <p>Page 19: we suggest minor changes to the sentence that includes reference to “Historic England’s Listed Buildings” as follows:</p> <p>a) The phrase “Historic England’s Listed Buildings” could mistakenly imply that the Listed Buildings belong to Historic England in some way. So, we advise this reference is changed to the National Heritage List for England.</p> <p>b) We suggest adding the year which relates to the number of Listed Buildings, reflecting the fact that the ‘List’ changes over time.</p> <p>c) While protection (of significance) is important, designations also provide a stimulus for proposals, encouraging the design of a scheme to respond positively in a manner informed by that significance.</p> <p>Taking the above points together, we propose revised wording for consideration: <u>“Combe has 38 Listed Buildings on the National Heritage List for England (I’d suggest breaking this down in parenthesis in terms of the number of GI, GII* and GII and include the year this was checked). entries in Historic England’s Listed Buildings, which Designated status affords protection when development is proposed and is based on heritage significance.”</u></p> <p>Page 24: the text on green spaces and green infrastructure offers another opportunity to mention that Blenheim Palace is also a RPG i.e. “..., and the</p>	<p>All but one of the suggested amendments have been incorporated into the revised VDS on the pages indicated in the representation.</p> <p>The only exception is the insertion suggested for p11. It was felt that reference to the Blenheim Palace’s ‘Registered Park and Garden’ status did not contribute anything to an understanding of Combe’s iconic views. Reference is made on p.24 to Blenheim Palace’s designation as a Registered Park and Garden (GI), as suggested by Historic England.</p>	
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	<p>backdrop of the dense woodlands of the Blenheim Palace Great Park to the north (<u>which is also a GI Registered Park and Garden</u>)”.</p> <p>Page 27: we anticipate it would be more helpful to state that Fern Cottage, Rose Cottage and End Cottage are highlighted in their List entries by Historic England as a group of dwellings that form an integral part of the historic centre of the village and strongly define Combe’s vernacular tradition. “By Historic England” could be deleted if space is tight and to avoid re-setting the page.</p> <p>Pages 32-35: we welcome the section on the public realm. As the Council may know, a source of relevant advice on development in the public realm is ‘Streets for All’. The Village Design Statement could include a reference to this advice, if appropriate: https://historicengland.org.uk/images-books/publications/streets-for-all/</p> <p>Page 34: reference is made to further cabling being “placed under ground”. We acknowledge the importance of avoiding further “blight” as referenced in the draft VDS and simply would flag the potential to impact on the historic environment below ground too, if further cabling were proposed in an area of archaeological potential. This may merit a minor tweak such as: “Further cabling should be placed under ground, <u>where appropriate</u>”. If further advice is needed on this matter, we would suggest liaison with the Council’s archaeological adviser.</p> <p>Page 37: for completeness, we suggest reference is made also to the landscape’s contribution to the setting of nearby heritage assets e.g. adding a new bullet such as: “New development should respond sensitively to nearby designated heritage assets, avoiding unacceptable harm to their significance (and taking into account the contribution to that significance made by their setting)”.</p> <p>Page 37: it would strengthen the section on the historic core to refer to the village’s designated and non-designated heritage assets e.g.</p>		
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	<p>“Development within the Conservation Area should adhere to the pattern and character of existing settlement, and respect the historic heart of Combe <u>and conserve or enhance the village’s heritage assets</u>”.</p> <p>This response is based on the information provided by you in the document dated November 2021 and, for the avoidance of doubt, does not affect our obligation to advise you on, and potentially object to any specific development proposal which may subsequently arise from this or later versions of the Design Statement which is the subject to consultation, and which may have adverse effects on the environment.</p> <p>If you have any queries about any of the matters raised above or would like to discuss anything further, please do not hesitate to contact me.</p>		
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 <p>WEST OXFORDSHIRE DISTRICT COUNCIL</p>	<p>WEST OXFORDSHIRE DISTRICT COUNCIL</p>
<p>Name and date of Committee</p>	<p>EXECUTIVE MEETING 12 JULY 2023</p>
<p>Subject</p>	<p>COMMERCIAL SOLAR PHOTOVOLTAIC INSTALLATIONS ON COUNCIL ESTATE</p>
<p>Wards affected</p>	<p>All</p>
<p>Accountable member</p>	<p>Councillor Andrew Prosser, Executive Member for Climate Change Email: andrew.prosser@westoxon.gov.uk</p>
<p>Accountable officer</p>	<p>Claire Locke, Assistant Director Property and Regeneration Email: claire.locke@publicagroup.uk</p>
<p>Report author</p>	<p>Hannah Kenyon, Climate Change Manager Email: hannah.kenyon@publicagroup.uk</p>
<p>Summary/purpose</p>	<p>To seek agreement to invest in the installation of solar PV on the roofs of buildings owned and in some cases leased by the Council based on the business cases set out within this report. To agree to enter into a contract with the preferred contractor for the installation of the solar PV.</p>
<p>Annexes</p>	<p>Annex A - EXEMPT Procurement tender outcome summary Annex B - EXEMPT Business cases Annex C - Climate Impact Assessment Annex D - EXEMPT Lease risk summary</p>
<p>Recommendation(s)</p>	<p><i>That Executive resolves to:</i></p> <ul style="list-style-type: none"> <i>(a) Recommend to Council to agree to proceed with investment in roof mounted solar PV based on the business cases in this report, and that,</i> <i>(b) Agree to enter into sale agreements for the electricity generated, with the tenants, where financially viable and delegate decisions on whether or not to proceed with individual agreements to the Chief Finance Officer in consultation with the Executive Member for Finance.</i> <i>(c) Agree to enter into contract with the preferred contractor identified in Annex A, for the provision and installation of Solar PV</i>

	<p><i>and related equipment.</i></p> <p>(d) <i>Delegates to the Chief Finance Officer in consultation with the Executive Members for Finance and Climate Change the decision to exclude any tenanted sites based on further Due Diligence associated with energy usage or vulnerability around continued tenant occupation.</i></p> <p>(e) <i>Delegates to the Chief Finance Officer the decision to adjust the indicative electricity sale price to tenants as long as changes to the projected project returns are in-line with projections contained within this report.</i></p> <p>(f) <i>Recommend to Council to agree that funding for contingency costs of £27,634 is approved with delegation to the Chief Finance Officer for expenditure of contingency subject to the business case still being viable or expenditure being unavoidable due to structural condition of the building.</i></p> <p>(g) <i>That revenue funding of £11,200/year is allocated for the part-time shared Energy Manager post and included in the next budget update. Noting that this will be funded from Solar PV income.</i></p>
Corporate priorities	<ul style="list-style-type: none"> ● Responding to the Climate and Ecological Emergency ● Working Together for West Oxfordshire
Key decision	Yes
Exempt	<p>Yes (Annexes only)</p> <p>Exempt Annex A containing named bidders - commercially sensitive</p> <p>Exempt Annex B containing commercially sensitive information</p> <p>Exempt Annex D containing details of leases</p>
Consultees/ consultation	<p>Chief Finance Officer</p> <p>Procurement team</p> <p>Legal team</p>

I. EXECUTIVE SUMMARY

- I.1 This report seeks Executive approval to bring to Full Council a recommendation to invest in Solar Photovoltaic (Solar PV) electricity generation (including battery storage) at Woodgreen council offices, Des Roches Square in Witney, and Talisman Business Park in Bicester.
- I.2 In round numbers the total investment sums will be £50,972 for Unit 2 Des Roches Square (site 1), £22,318 for Unit 6 Des Roches Square (site 2), £65,015 for Woodgreen council offices (site 3), and £138,040 for Units 4-5 Talisman Business Park (£276,345 total, if all sites proceed).

- I.3 Making an investment in solar PV contributes to reducing the climate impact of electricity consumption within the council's estate (both council-occupied and tenanted). Benefits to the Council include a) delivering a part of its commitment to becoming carbon neutral by 2030, b) generating a return on investment (as per the financial model in the business case annex), and c) supporting a tenant organisation in their own carbon reduction journey.
- I.4 An open procurement process has been undertaken to establish accurate installation costs, and the winning contractor is an established PV installer. No substantive costs will be incurred and no contract for installation will be entered until full Council decision.
- I.5 A key investment decision factor is the likely future price of power, which affects the value of PV electricity consumed at Woodgreen, and the price of power sold to the tenants in the Des Roches Square and Talisman Business Park properties. Most power sector commentators expect power prices to remain firmly above the levels that were common a few years ago, but professional economic forecasters give a range of expectations. This lack of certainty must be considered when reviewing the financial model in Annex B.
- I.6 Investment has been modelled on an assumption of borrowing from the Public Works Loan Board (PWLB). The 25 year financial model at Annex B takes account of the cost of power to the Council which is largely known for the next two years, and from then on takes a reasonable central estimate of future power provided by a professional consultant. For the tenanted properties, there is uncertainty at this point whether the proposed price for selling power, necessary to support the Council's business case, will be acceptable to the tenants. A firm price proposal will be put to the tenants following the Executive decision. Solar panels have a realistic expected lifetime of 25 years or more.
- I.7 The business case for installing panels on Woodgreen appears strong, even with inevitable uncertainty over future power price. The business case for the tenanted properties is less strong, and depends on the agreement of the tenant to take the power. The investments in aggregate have a reasonable business case.
- I.8 This PV installation is viewed as a pilot project that should give the Council confidence and experience in replicating such installations in other council-owned and tenanted properties, subject to future business cases.
- I.9 To ensure that PV assets are maintained and their performance monitored, and that tenants are correctly charged for PV power consumed, additional technical / financial staff resources will be required. This report identifies in outline how such additional resources could service, and be combined with, other related energy needs.

2. BACKGROUND

- 2.1 West Oxfordshire District Council declared a Climate and Ecological Emergency in June 2019, with the aim of making the Council carbon neutral by 2030 and the District net zero by 2050. Following public consultation in May 2020, the Council adopted a Climate Action Plan in October 2020 and subsequently a Climate Change Strategy was adopted in February 2021.
- 2.2 The Council has identified a number of Priorities within its Corporate Plan which include climate action, supporting local businesses and ensuring the financial sustainability of the Council.
- 2.3 Solar PV, whilst not a panacea, is an important part of meeting the council's objective of becoming carbon neutral by 2030.
- 2.4 The Council owns a number of buildings which are let commercially to provide a return on investment which underpins the delivery of core services to the public. A number of these office and warehouse buildings have large roofs which could be suitable for the installation of Solar PV and could generate energy to power the activities within the buildings.
- 2.5 Tenants are responsible for paying their own utility bills but the Council could sell PV-generated energy to tenants in parallel with their existing supply arrangements, subject to suitable legal agreements being in place.
- 2.6 The capital investment is capable of providing a return on capital sufficient to meet the council's expectations and reflect future uncertainties, and this commitment to decarbonisation would align well with the council's Carbon Action Plan.
- 2.7 Viability for rooftop PV is highly site dependent, so the focus of this pilot phase is on larger buildings. Smaller properties could be considered in future phases.
- 2.8 A fully compliant open procurement has been undertaken, including a "meet the buyer" event at pre tender stage in order to attract both local and national PV installers to partake in the procurement exercise. Four bids were received and the summary of those bidders is set out in Annex A. Bidders were assessed on a combination of quality and price. The preferred bidder achieved a combined score of 78.75%.

3. ENERGY MANAGEMENT

- 3.1 The Council procures energy (gas and power) through a broker. Due to extreme market volatility since the invasion of Ukraine, the council's energy costs have risen dramatically in the last 12 months, with the estimated spend for WODC projected to be £86,000 for gas and £313,994 for electricity in 2023/24. Future energy costs are uncertain, but most energy sector commentators warn that prices are unlikely to fall to pre-Ukraine levels for many years. With this level of expenditure there is potential for significant savings if the contract

and billing can be carefully managed and usage can be analysed to identify areas where investment in improved systems could reduce usage and therefore costs.

- 3.2 Energy supply contracts are currently managed from existing resources across council and Publica teams. Given the complexity of the administrative arrangements associated with Solar PV and EVCPs (e.g. energy generation and general PV performance, sale to the grid and billing to tenants) a dedicated role is needed to support the Council and maximise investment performance and returns. There is also a wider requirement for the Council to review energy consumption and identify investment that could be made to provide energy efficiency and reduce usage in future years.
- 3.3 WODC plans to install new charging points at the Woolgate car park in the summer 2023 and are also exploring chargers for Burford to complement the network of charging points installed through the countywide Park and Charge project in 2022. These public charging points will have fees set which aim to recover costs (installation, electricity, maintenance and back office services) and generate a small surplus for reinvestment. With costs fluctuating careful management is required to protect the council's income and ensure costs do not exceed income. When the installation at Burford was approved, a contribution to additional staff resources for EVCP management of £3117 per annum was agreed as part of the business case (Executive 16 March 2022 Minute 97 refers). However challenges presented by the flood risk at this site has meant the charging point installation has not progressed and this staff resource has therefore not been actioned.
- 3.4 Considering the energy management required across these three activities, the level of investment and revenue cost involved and the need for this across Cotswold, Forest of Dean and West Oxfordshire district councils, a dedicated shared Energy Manager would be of significant benefit. It is recommended that some of the projected income from Solar PV is top sliced to fund a part-time post. If this post demonstrates significant savings, a recommendation may be made in the future to increase this resource. Each council is asked to fund 1 day per week, to provide a shared post of 3 days (22.5 hours). This post is estimated to have a salary of £42,500/year, this equates to £25,500 pro-rata and totals £33,600 with on-costs. The cost to each council would be £11,200.
- 3.5 As part of these works, contractors will access the roof spaces of buildings. This offers the opportunity to informally review the building fabric from an energy perspective and maximise surveying onsite.

4. BUSINESS CASE METHODOLOGY

- 4.1 Business cases have been prepared which set out the capital costs and anticipated revenue return (annex B). This is based on the sale of energy to tenants, or the avoidance of purchased electricity, to provide a return on investment. Borrowing is based on 20 years and the principal assets (the solar arrays) have an expected life of at least 25 years.

4.2 The cost of electricity for Woodgreen is known with high certainty for one year ahead, and known with slightly less certainty for two years ahead. Thereafter it is assumed that power cost will be in line with the central estimate of market price of power provided by a professional consultant. It is important to recognise that the confidence level on such industry economic forecasts is relatively low, and confidence decreases the further in the future the projection is made. It is nonetheless necessary to use such projections in order to derive the IRR, RoI etc. on a 20 year business case. The known rate for Woodgreen is £0.52/kWh, provided by our Energy Brokers.

4.3 This report seeks approval for the Section 151 officer, in consultation with others, to agree an appropriate sale price for PV-generated electricity to the council's tenants. It is proposed that such a sale price would seek a mid-point between:

- firstly, the minimum target return identified by the Section 151 officer that relates both to the council's project-specific cost of capital and future revenue risk, and
- secondly, the currently known, and estimated future, cost of grid electricity to the tenant.

Such a price mid-point would seek a balance between the objectives of achieving carbon reductions, supporting the viability of a tenant's business (which in turn reduces risk to the Council as landlord), supporting a tenant's journey towards decarbonisation, and maximising financial return to the Council. Clearly if no such mid-point is achievable (for example if a tenant has a current or expected future cost of electricity below the council minimum) then the site investment is very unlikely to proceed.

4.4 The business case has modelled a first year electricity sale price to the tenanted properties, with suitable inflation and future indexing, which provides (on average) a rate of return above the council's minimum target. Further clarity will be gained on tenants' expected future cost of electricity before a sale price is offered, and binding agreement from tenants will be obtained before proceeding with installation.

4.5 It has been difficult to generate interest from tenants, despite the opportunity to buy 'green' energy which should be attractive to businesses. Those who have indicated some interest have shared their energy costs which has shown a dramatic variance in current charges (14.86p - 52.44p). Some are paying very low tariffs but are likely to be on limited time offers which will expire and result in charges rising substantially in the current market. Fee setting will need to reflect the fact that 5 of the 10 buildings across all councils have tenants currently paying less than 20 p/kWh. Setting charges above their current rate will almost certainly result in them declining the offer.

4.6 Battery storage has been proposed by the successful tenderer for some WODC sites. The batteries enable excess solar electricity to be stored and used at times when there is little or no solar generation, thereby maximising the amount of solar electricity used on-site.

4.7 The supply and installation of Solar PV is a fixed price provided by the installer. Adding a contingency sum to cover any unforeseen costs is therefore likely to unfairly skew the business case. However there is a risk that unforeseen costs do occur principally associated with the building structure itself. For budgeting purposes a 10% contingency sum of £27,634 should be agreed and set aside but will only be incurred subject to agreement from the S151, that incurring the costs still delivers a positive business case, or ceasing the project at that point is not feasible, or costs are essential due to building defects and would have to be incurred anyway.

5. FINANCIAL IMPLICATIONS

5.1 The report proposes a methodology that will be used for assessing the financial viability for the installation of Solar PV on council-owned properties. The report recommends that in the first phase of properties to be assessed, Solar PV should be installed on four properties - council offices at Woodgreen, and tenanted properties in Witney and Bicester.

5.2 As discussed in the report, the principal driver for investment in Solar PV is to reduce the climate impact of the Council's energy consumption as part of the commitment to become carbon neutral by 2030. Solar PV installations will provide the Council with an ongoing financial benefit and return on investment, although members should note the volatility in energy prices over the last 12 months and projections of future prices does impact on the certainty of financial returns.

5.3 Initial capital expenditure of £276,345 is required to deliver Solar PV on the four properties in the first phase. The financial modelling undertaken by the project team (based on a number of assumptions around energy usage and future energy prices) indicates a return on investment of 10.5% with an average payback period of 9.5 years.

5.4 With significant volatility in the energy market over the last 12 months and a degree of uncertainty around when the market will stabilise over the medium-term, it is difficult to provide members with certainty around the financial returns on an annual basis. The financial modelling over a 25-year period shows positive cash flows from the investment taking into account running costs, annual inspections and routine maintenance. Where energy is sold to tenants, future electricity prices have been modelled based on market intelligence and an assessment of the size and scale of each Solar PV installation.

5.5 Whilst the business case has assumed capital financing costs, the Deputy Chief Executive and Section 151 Officer will consider the capital financing of the investment alongside the capital financing requirements associated with the wider capital programme. This will take into account the level and availability of internal resources (e.g. capital receipts) alongside external resources (e.g. prudential borrowing). Recent increases in the Bank of England base rate and expectations of further interest rate rises has led to increases in the Public Works Loan Board (PWLB) rates. Should the Council need to undertake prudential borrowing to support the capital programme over the immediate short-term, this may put

pressure on the revenue budget given the increased cost of capital and may make future capital expenditure and financing decisions more challenging.

- 5.6 The financial implications of the capital financing and treasury management decisions will be reported to members through the regular financial performance reports to the Executive and through the treasury management reporting to the Audit and Governance Committee.

6. LEGAL IMPLICATIONS

- 6.1 The responsibilities of the Council as landlord and its ability to alter buildings whilst tenants are in occupation will vary depending on individual lease agreements. Tenants will have existing energy contracts in place with third party providers. The Council cannot insist that existing tenants switch to the supply that the Council installs and therefore this needs to be mutually agreed, with a contract for the energy purchase put in place. Where PV is installed and a tenant ends their tenancy, the Council will market the property with green energy provision and would require that any incoming tenant purchases energy generated from the solar PV.
- 6.2 External legal support is being sought to amend the lease agreement and / or provide a side letter to the tenant setting out the terms of selling PV power. The cost of such external legal support is likely to be non-material in the context of the overall project investment cost, not least since such cost will be shared with Forest of Dean and West Oxfordshire district councils.
- 6.3 As a landlord, the Council will have a responsibility to meet the government's Minimum Energy Efficiency Standards (MEES) for non-domestic buildings. The current regulations require all tenanted non-domestic buildings to have an Energy Performance Certificate (EPC) of no lower than a rating of E. From 1st April 2018 any commercial property that has an EPC of lower than an 'E' cannot be rented out to new tenants, or renew any existing tenancy contracts until at least an 'E' rating is obtained. From 1st April 2023 all tenanted commercial properties must have an EPC rating of no lower than 'E' to continue being leased. There are exemptions to the MEES for properties such as listed buildings. The installation of Solar PV would therefore make a notable contribution to lowering the EPC. The Government is also currently reviewing the potential to introduce a further target of an EPC of B by 2030. The Council is currently preparing a plan to consider the works required in non-compliant buildings.
- 6.4 Save from the above there are no other legal implications arising directly from this report.

7. RISK ASSESSMENT

- 7.1 At a high level, key financial risks may be broken down into: a) uncertainty on quantity of electricity generated and either sold to tenant or consumed in Woodgreen; b) uncertainty

over whether electricity will continue to be consumed at the assumed rate (either by the tenant or Council), and c) uncertainty over the price charged to the tenant, or the value of displaced purchased electricity for Woodgreen.

- 7.2 On uncertainty over quantities of energy: Generation of solar PV is known to a high degree of confidence (typical variability of +/- 5-10% in an individual year, much less variability over the project length). Consumption of PV generated electricity can be modelled with a high level of confidence for Talisman (one year of half hourly consumption is available) and a lower level of confidence for Woodgreen and the Des Roches units (monthly consumption data). Where half hourly data is lacking, contractors have used standard industry estimates of daily consumption.
- 7.3 On uncertainty over maintaining consumption: The Council has a medium-long term commitment to Woodgreen. There is a level of uncertainty of tenant turnover across the council's tenanted estate. For all sites, electricity consumption in the future is more likely to rise than fall, since over time decarbonisation will push energy services (notably space heating and vehicle charging) away from gas and towards electricity.
- 7.4 On uncertainty over price / cost: For Woodgreen the financial modelling takes known (or close to known) prices for two years, and then assumes electricity cost will follow a central estimate provided by a professional consultancy. Nonetheless it should be noted that no economic models claim to accurately predict future energy cost. For the tenanted properties the tenants have disclosed their year-ahead electricity price. Agreements with the tenants would include both the starting price for PV power sold into the premises, and an escalator.
- 7.5 The business cases have been prepared based on capex costs provided by the preferred bidder. There is a risk that there are unforeseen costs, particularly relating to roof structures and therefore a contingency sum has been built into the business case to mitigate this risk. There is a risk however that an issue arises with significant costs that affect the viability of the scheme. Every effort will be made to avoid this and a decision to proceed would be made in consultation with the Section 151 Officer.
- 7.6 The current construction and materials market is volatile and inflationary pressures have seen costs rise dramatically in the last 12 months. Bidders have been asked to hold fixed prices for 90 days from bid submission, for the initial installations. Any delays in decision making or placing purchase orders could see prices rise. It should be noted that further phases of installations on additional buildings will be the subject of a re-tender process, with learning from this initial phase embedded. Further phases should be relatively quick and easy to tender as specifications, tender evaluation and the financial model are likely to stay fairly similar. It should be noted however that costs are likely to rise if inflation continues to increase material costs.
- 7.7 The business case is predicated on income being generated from the sale of energy to tenants (or for Woodgreen, purchased electricity cost being avoided). There is little income

from sale to the grid at tenanted premises at this point in time but this will continue to be reviewed. For Woodgreen any electricity 'spilled' to the grid will be able to attract a market value. There is risk around the continual purchase of the energy if the tenants breach the purchasing agreements, fail to pay invoices for energy, or terminate the tenancy and a prolonged void period occurs. As some of these risks will be largely determined by the demand for that unit, information on risk is provided on a building specific basis (see Annex D).

- 7.8 At present the volatile energy market means that purchase of green energy from the Council should be attractive to tenants. However, future market conditions are unknown and significant cost reductions could mean the council energy offer is less attractive to tenants.
- 7.9 The cost for a replacement battery at Units 4/5 Talisman Business Park has been included within future revenue costs at Year 15, in line with the expected useful life of a Tesla battery. Extended warranties will be explored but breakdown and repair or replacement costs will remain a risk.
- 7.10 Certain pre-investment risks cannot be resolved until further technical work is carried out as step one of the contract. These include gaining permission to connect from the electricity distribution operator, and confirming suitability of roof structures to support panels. Whilst unlikely, if such risks manifested and were unresolvable, installations would not be able to proceed. However the scheduling of activity means that any such blocks would precede any commitment of capital investment, and therefore capital would not be at risk.

8. EQUALITIES IMPACT

- 8.1 There is no identified Equalities Impact from this proposal.

9. CLIMATE AND ECOLOGICAL EMERGENCIES IMPLICATIONS

- 9.1 Installing Solar PV will reduce the use of fossil fuels in the council's estate (it will reduce 'Scope 2' emissions in the council's annual carbon emissions reporting). It will provide tenants with a renewable form of energy, which may also offer them cost savings.
- 9.2 Information on the estimated carbon savings from the commercial PV installations is shown below:

Site 1 Unit 2 Des Roches Square, Witney:

Annual avoided emissions impacts:			
Average avoided monthly kWh		2,992 kWh/month	
	Nitrogen Oxides	49	kg/yr
	Methane	23	kg/yr
	Carbon Dioxide	9,081	kg/yr
Annual avoided emissions equivalencies:			
Avoided	CO ² avoidance	22,477	average passenger vehicle miles
emissions	CO ² emissions	1.1	average home's annual electricity use
equivalencies	Carbon sequestered by	413	tree seedlings grown for 10 years

Site 2 Unit 6 Des Roches Square, Witney:

Annual avoided emissions impacts:			
Average avoided monthly kWh		2,128 kWh/month	
	Nitrogen Oxides	35	kg/yr
	Methane	17	kg/yr
	Carbon Dioxide	6,460	kg/yr
Annual avoided emissions equivalencies:			
Avoided	CO ² avoidance	15,991	average passenger vehicle miles
emissions	CO ² emissions	0.8	average home's annual electricity use
equivalencies	Carbon sequestered by	294	tree seedlings grown for 10 years

Site 3 Woodgreen council offices, Witney:

Annual avoided emissions impacts:			
Average avoided monthly kWh		3,829 kWh/month	
	Nitrogen Oxides	63	kg/yr
	Methane	30	kg/yr
	Carbon Dioxide	11,622	kg/yr
Annual avoided emissions equivalencies:			
Avoided	CO ² avoidance	28,768	average passenger vehicle miles
emissions	CO ² emissions	1.4	average home's annual electricity use
equivalencies	Carbon sequestered by	528	tree seedlings grown for 10 years

Site 4 Units 4-5 Talisman Business Park, Bicester:

Annual avoided emissions impacts:			
Average avoided monthly kWh		10,506 kWh/month	
	Nitrogen Oxides	173	kg/yr
	Methane	82	kg/yr
	Carbon Dioxide	31,888	kg/yr
Annual avoided emissions equivalencies:			
Avoided	CO ² avoidance	78,932	average passenger vehicle miles
emissions	CO ² emissions	3.9	average home's annual electricity use
equivalencies	Carbon sequestered by	1,449	tree seedlings grown for 10 years

9.3 The project has a number of climate and ecological impacts which have been considered and mitigated where possible. For a full breakdown, please see Annex C.

- While delivering renewable energy to the selected buildings and to the grid will reduce greenhouse gas emissions (GHGs), there will also be emissions produced from the manufacture, delivery and installation of the solar panels, known as the embodied carbon. However, research shows that carbon savings and energy generation across the lifetime of the solar panels will be significantly more than the carbon emitted or energy consumed in their manufacture and installation¹. Additionally, the Council have requested that contractors minimise the embodied carbon of the contract.
- The mining and material extraction processes associated with manufacturing the solar panels will affect soil and waterway health in manufacturing and mining locations.
- There are known issues around the sustainability of materials used for solar panels over which we do not have control. However, the Council has requested that consideration be given to decommissioning so that the panels can be repaired as needed and recycled at end-of-life.

10. ALTERNATIVE OPTIONS


10.1 The Council could decide not to install Solar PV for its commercial estate.

11. BACKGROUND PAPERS

11.1 The council's approach to carbon reduction can be found on the council's website: <https://www.westoxon.gov.uk/environment/climate-action/>.

(END)

¹ e.g. <https://www.carbonbrief.org/solar-wind-nuclear-amazingly-low-carbon-footprints/>

 <p>WEST OXFORDSHIRE DISTRICT COUNCIL</p>	<p>WEST OXFORDSHIRE DISTRICT COUNCIL</p>
<p>Name and Date of Committee</p>	<p>COUNCIL – 19 JULY 2023</p>
<p>Subject</p>	<p>APPOINTMENT OF DIRECTOR OF FINANCE (SECTION 151 OFFICER)</p>
<p>Wards Affected</p>	<p>All</p>
<p>Accountable Member</p>	<p>Councillor Andy Graham, Leader of the Council. Email: andy.graham@westoxon.gov.uk</p>
<p>Accountable Officer</p>	<p>Giles Hughes, Chief Executive Officer. Email: Giles.Hughes@westoxon.gov.uk</p>
<p>Report Author</p>	<p>Giles Hughes, Chief Executive Officer. Email: Giles.Hughes@westoxon.gov.uk</p>
<p>Purpose</p>	<p>To consider the appointment of a Director of Finance (Section 151 Officer) for West Oxfordshire, following interviews by the Performance and Appointments Committee, and to outline interim arrangements.</p>
<p>Annex</p>	<p>Annex A – Job Description and Employee Specification, Director of Finance. Annex B – Draft Minutes of Performance and Appointments Committee, 17 July 2023 (To Follow).</p>
<p>Recommendations</p>	<p>That Council Resolves to:</p> <ol style="list-style-type: none"> 1. Confirm the appointment of the Director of Finance set out in the draft minutes of the Performance and Appointments Committee meeting 17 July 2023 (Annex B, To Follow); 2. Delegate authority to the Chief Executive, in consultation with the Chair of the Performance and Appointments Committee, to agree final contractual details once references, medical clearance and eligibility checks (BPSS check) are concluded in accordance with the Council’s policies; 3. Agree the appointment commences on a date to be mutually agreed between the successful candidate and the Chief Executive; 4. Confirm the appointment of an Interim Director of Finance, James

	Howse, who will undertake the role of Section 151 Officer, until the appointed, permanent Director of Finance is able to take up post.
Corporate Priorities	<ul style="list-style-type: none"> ● Putting Residents First ● A Good Quality of Life for All ● A Better Environment for People and Wildlife ● Responding to the Climate and Ecological Emergency ● Working Together for West Oxfordshire
Key Decision	YES
Exempt	NO
Consultees/ Consultation	<p>The Performance and Appointments Committee were summoned to conduct interviews with candidates on Monday 17 July, following a recruitment campaign using Tile Hill Management Consultancy.</p> <p>The recommendations from the Committee are to be outlined at Council. A separate process was also underway with Tile Hill to identify an Interim Section 151 Officer to cover the period before a new permanent Director can start.</p>

I. BACKGROUND

- I.1** The Council's Deputy Chief Executive / Chief Finance Officer (CFO) role is due to become vacant due to the resignation of the post holder, Elizabeth Griffiths. The post is due to be vacant from 1st September 2023. This existing role is designated as the Council's statutory Section 151 Officer.
- I.2** Section 151 of the Local Government Act 1972, requires local authorities to make arrangements for the proper administration of their financial affairs, and appoint a Section 151 Officer to have responsibility for those arrangements. As such, the Section 151 Officer must lead on a local authority's financial functions and ensure they are fit for purpose. CFOs must be professionally qualified and suitably experienced.
- I.3** A Section 151 Officer must be a member of one of the following bodies in order to qualify as a responsible officer:
- a) the Institute of Chartered Accountants in England and Wales;
 - b) the Institute of Chartered Accountants of Scotland;
 - c) the Chartered Association of Certified Accountants;
 - d) the Chartered Institute of Public Finance and Accountancy;
 - e) the Institute of Chartered Accountants in Ireland;
 - f) the Chartered Institute of Management Accountants; and
 - g) any other body of accountants established in the United Kingdom and for the time being approved by the Secretary of State for this purpose.
- I.4** Following the receipt of the resignation, the Chief Executive carried out a review of the job description and employee specification, and discussed this with the Performance and Appointments Committee. The title of the role has been changed to Director of Finance, to be consistent with the Director of Governance role that also reports to the Chief Executive. The role will also act as the Council's Section 151 Officer.
- I.5** A copy of the revised job description and employee specification is attached in Annex A.
- I.6** The Council's Performance and Appointments Committee has delegated authority to consider the terms and conditions of the Council's statutory roles. It also makes recommendations to Council on the appointment of statutory roles. Decisions on appointments/designations to the statutory roles are responsibility of Council.
- I.7** The timetable for the recruitment process was as follows:
- Performance and Appointments Committee considered job description and salary, 15th June 2023;
 - Job Advert went live and Executive Search commenced on 19 June 2023;
 - Applications closed on 10 July 2023;
 - Shortlisting and technical interviews held during week commencing 10th July 2023;
 - Performance and Appointments Committee Interviews, 17th July 2023; and

- Council consideration, 19th July 2023

1.8 The Performance and Appointments Committee consists of:

- Cllr Andy Graham – Chair
- Cllr Duncan Enright
- Cllr Dan Levy
- Cllr Michele Mead
- Cllr Liam Walker

1.9 The Committee is supported by the Chief Executive.

1.10 Georgina Dyer, the Council's Chief Accountant is the current Deputy Section 151 Officer.

2. MAIN POINTS

2.1 The Director of Finance is a key role for the Council and will act as the Council's Section 151 Officer. The role will be part of the council's Corporate Management Team, working closely with the Chief Executive, the Director of Governance, Publica locality leads, elected members, and partners to help the Council to manage its finances and deliver on its priorities in the current challenging financial environment.

2.2 The recruitment process for the role nearing completion. Formal interviews with shortlisted candidates by the Performance and Appointments Committee are planned for 17 July 2023. Council will be updated on any recommendations from the Committee on suitable candidates for appointment.

3. ALTERNATIVE OPTIONS

3.1 The Council could decide not to appoint a Director of Finance. This would seriously reduce the statutory officer capacity, and would require an existing officer to be designated as the Section 151 Officer to allow the Council to fulfil its legal obligations. This course of action is not recommended.

4. FINANCIAL IMPLICATIONS

4.1 The Performance and Appointments Committee agreed that the salary for this position would be £85,000 per annum plus a pending pay award. The pay award is expected to take effect from April 2023 and to increase the salary to approximately £88,000.

4.2 The salary represents an increase from the existing salary of £80,000 for the Chief Finance Officer/Deputy Chief Executive in recognition of the competitive jobs market for this senior finance role. The increase in cost will represent growth in the revenue budget which will need to be financed from additional reserve utilisation in the first instance.

5. LEGAL IMPLICATIONS

- 5.1 The Council has a duty to appoint to the statutory role of Section 151 Officer. The Performance and Appointments Committee may recommend who to appoint to the Director of Finance and Section 151 Officer role, but no appointment can be made without the formal approval of Council.

6. RISK ASSESSMENT

- 6.1 If Council does not agree to appoint a Director of Finance, then there is a risk that the Council may not fulfil the statutory responsibilities covered by this role, which may also risk the delivery against the Council's Council Plan priorities.

7. EQUALITIES IMPACT

- 7.1 The recruitment is following best practice with a fair, equal and transparent process, reducing bias and designed to select the strongest candidate on merit.

8. CLIMATE AND ECOLOGICAL EMERGENCIES IMPLICATIONS

- 8.1 None.

9. BACKGROUND PAPERS

- 9.1 None

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Job description and employee specification template

Job title:	Director of Finance	Location:	Witney
Reports to:	Chief Executive	Working hours:	37 per week
Job number:		Salary range:	Circa £88,000
Supervises:	None directly, but may be required to deputise for the Chief Executive		
Purpose:	<p>To lead the development and implementation of the Council's financial strategy, taking Section 151 responsibility for ensuring the sound management of the Council's finances and resources.</p> <p>To support the Chief Executive in ensuring strong working relationships with key partners, and in providing strategic advice on policy, performance and commissioning, in order to enable the delivery of the Council's priorities, objectives and plans, in an efficient and effective way within the resources allocated.</p> <p>For guidance on the statutory and non-statutory duties associated with this role please see the additional document – CIPFA - The Role of Chief Finance Officer (CFO).</p> <p>The post holder may be required to act as Head of Paid Service in the absence of the Chief Executive.</p>		
Key responsibilities:	<p>This job description sets out the key outcomes required. It does not specify in detail the activities required to achieve these outcomes.</p> <p>Specific service areas which are the responsibility/oversight for this post are:</p> <ul style="list-style-type: none"> • Finance • Audit • Counter Fraud and Enforcement <p>As Director of Finance, the post holder will be responsible for:</p> <ol style="list-style-type: none"> 1) Leading the development of the Council's Medium Term Financial Strategy, the annual budgeting setting process, and budget monitoring processes, whilst working collaboratively with Elected Members, Publica colleagues and other partners; 2) Ensuring that the Council has effective policies and strategies that deliver the Council's priorities and long term financial sustainability; 3) Performing the statutory duties of the Section 151 Officer; 4) Providing the Council, Executive, Committees, Members and Officers with support and advice on finance matters; 5) Acting as the Council's Client Officer for internal audit services which are provided by SWAP Internal Audit Services and to support the Chair of the Audit and General Purposes Committee in the role of the Member Board of SWAP Internal Audit Services; 		

- 6) Acting as the Council's Client Officer for counter fraud services which are provided in partnership with the Counter Fraud Partnership Unit managed via Cotswold DC.

Statutory responsibilities of this post:

This post has the statutory responsibility as the Section 151 Officer, as defined by legislation and the Council's constitution

In addition the post holder will:


- Ensure that the Council fulfils its lawful obligations, statutory duties, and performs its functions and activities in accordance with the law and the principles of good financial governance;
- Help maintain a safe working environment and ensure as reasonably practicable that safe working practices are adopted by employees within this work environment;
- Work in compliance with the Codes of Conduct, Regulations and policies;
- Exercise proper and absolute integrity in respect of all confidential matters and the confidentiality of personal and sensitive information.

General Accountabilities

- Work collaboratively as part of the Council's Management Team to deliver the Council Plan's priorities;
- Provide advice and recommendations to the Council's Management Team and Elected Members on significant policy decisions, or complex and contentious matters, within the post holder's service areas and areas of expertise;
- Develop positive relationships both internally and externally to maximise opportunities for collaboration and integration;
- Contribute to the corporate management of the strategic risks facing the council;
- Represent the council at regional/national level within your service area and areas of expertise;
- Promote and exemplify robust decision making which is open, inclusive, flexible and responsive;
- Embed a culture that places customers first, adopts a can-do approach and focuses on good outcomes in our communities;
- Promote the Council's interests as a shareholder in Publica and Ubico Limited;
- Input into the Council's commissioning of services, ensuring the services provided by Publica, Ubico and other providers efficiently meet the Council's priorities;
- Promote good governance by upholding high standards of conduct and behaviour and ensuring there is transparency and accountability in decision-making;
- Ensure that corporate risks are identified and evaluated, and that internal control processes are in place;

	<ul style="list-style-type: none"> • Exercise proper and absolute integrity in respect of all confidential matters and the confidentiality of personal and sensitive information; • Carry out such other duties as the Council may reasonably require.
Essential requirements, qualifications, skills and abilities:	<p>Qualifications In addition to the qualifications, knowledge, and skills required for roles at this level, this role requires:</p> <ul style="list-style-type: none"> • CCAB recognised accounting qualification; • Educated to degree level or equivalent. <p>Experience</p> <ul style="list-style-type: none"> • Extensive post qualification experience at a senior level within an accountancy and audit environment; • Experience of providing strategic direction and leadership in a previous senior finance or management role; • Extensive experience of successful strategic financial management, financial planning and budget preparation; • Experience of providing advice, information and support to key decision makers and partners with minimal supervision; • Experience of working in a collaborative environment recognising the role of partners in delivering Council priorities; • Experience of working in a matrix style management approach; • Experience in project management activities. <p>Skills</p> <ul style="list-style-type: none"> • A high level of skill in working across a broad range of technical accounting subject areas; • Ability to interpret and analyse complex financial information at an advanced level; • Political awareness; • Communicates effectively at all levels (excellent verbal and written skills), including an ability to communicate complex financial information in plain English to non-financial colleagues and members; • Ability to work to tight deadlines, prioritise activity and meet conflicting demands • Can work collaboratively and achieve results through others; • Good practical level of IT skills - MS Office, Enterprise Wide Resource systems; • Demonstrate integrity, fairness and high personal and professional standards.; • Sound management judgement and personal credibility; • Is customer focussed, responsive, and co-operative with customers; • Proactive, self-motivated and with a flexible approach to work.
Desirable requirements qualifications, skills and abilities:	<ul style="list-style-type: none"> • Previous experience of undertaking duties of Chief Finance Officer as set out in section 151 of the Local Government Act 1972; • Experience of working within the local government/public sector environment; • Experience of transformation activities.
Special conditions:	<ul style="list-style-type: none"> • There may be a requirement to work at other locations to meet the needs of the business; • There will be a requirement to attend evening committee meetings, and work reasonable additional hours in line with the needs of the service; • BPSS check; • You will need use of a car for work purposes;

	<ul style="list-style-type: none">This post is designated as politically restricted in accordance with the Local Government and Housing Act 1989. Politically restricted post holders are restricted from canvassing on behalf of a political party or for a person who is, or seeks to be, a candidate for election to a local authority or the House of Commons.	
Date of Issue:	15/06/2023	
Date reviewed:		
Reviewed by	Name: Giles Hughes	Job title: Chief Executive

 <p>WEST OXFORDSHIRE DISTRICT COUNCIL</p>	<p>WEST OXFORDSHIRE DISTRICT COUNCIL</p>
<p>Name and Date of Committee</p>	<p>COUNCIL – 19 JULY 2023</p>
<p>Subject</p>	<p>ESTABLISHMENT OF LOCAL PLAN CROSS PARTY MEMBER WORKING GROUP</p>
<p>Wards Affected</p>	<p>All</p>
<p>Accountable Member</p>	<p>Cllr Carl Rylett – Executive Member for Planning and Sustainable Development. Email: carl.rylett@westoxon.gov.uk</p>
<p>Accountable Officer</p>	<p>Charlie Jackson – Assistant Director, Planning and Sustainability. Email: charlie.jackson@publicagroup.uk</p>
<p>Report Author</p>	<p>Chris Hargraves – Planning Policy Manager. Email: chris.hargraves@westoxon.gov.uk</p>
<p>Summary/Purpose</p>	<p>To consider the establishment of a cross-party Member Working Group to help inform the preparation of the new Local Plan 2041.</p>
<p>Annex</p>	<p>Annex A – Local Plan Cross Party Member Working Group Draft Terms of Reference</p>
<p>Recommendation</p>	<p>That Council Resolves to:</p> <p style="padding-left: 40px;">a) Agree to the establishment of a new Local Plan Cross Party Member Working Group in accordance with the draft terms of reference attached at Annex A.</p>
<p>Corporate priorities</p>	<p>The preparation of a new Local Plan for West Oxfordshire will help to support all of the Council’s corporate priorities including:</p> <ul style="list-style-type: none"> • Putting Residents First; • Enabling a Good Quality of Life for All; • Creating a Better Environment for People and Wildlife; • Responding to the Climate and Ecological Emergency; • Working Together for West Oxfordshire.
<p>Key Decision</p>	<p>NO</p>

Exempt	NO
Consultees/ Consultation	NIL

1. INTRODUCTION

- 1.1 West Oxfordshire District Council has committed to producing a new Local Plan covering the period up to 2041.
- 1.2 The plan is currently at the Regulation 18 'plan preparation' stage and is expected to take shape this year in response to further public consultation and supporting technical evidence.

2. LOCAL PLAN CROSS PARTY MEMBER WORKING GROUP

- 2.1 To ensure that the views of Members are taken fully into account during this formative stage of plan preparation, it is proposed that a new Local Plan Cross Party Member Working Group be established.
- 2.2 The Draft Terms of Reference for the proposed working group are attached at Annex A.
- 2.3 As per the terms of reference, the Group will comprise members of all political groups and will meet regularly over the next 12 months (e.g. every 8 weeks or more frequently as required) to discuss the emerging Local Plan and supporting evidence.
- 2.4 Key areas of focus in line with the emerging Local Plan are anticipated to be as follows:
 - 1. Tackling the climate and ecological emergency;
 - 2. Healthy, safe, strong and inclusive communities;
 - 3. An enhanced natural and built environment;
 - 4. Attractive, accessible and thriving places;
 - 5. Meeting the housing needs of all;
 - 6. A vibrant, resilient and diverse local economy.
- 2.5 The Group will be chaired by the Executive Member for Planning and Sustainable Development and primarily supported by the Council's Planning Policy Manager. Democratic Services will also provide support to the Group as appropriate.
- 2.6 The work of the Group will be complemented by all Member briefings/workshops to be held at appropriate junctures.
- 2.7 If Council agrees the recommendation to establish the working group then Group Leaders will be asked to nominate members to the working group.

3. ALTERNATIVE OPTIONS

- 3.1 Council could choose not to agree to the establishment of the Local Plan Cross Party Member Working Group.

4. FINANCIAL IMPLICATIONS

- 4.1 The report raises no financial implications.

5. LEGAL IMPLICATIONS

- 5.1 The report raises no legal implications.

6. RISK ASSESSMENT

6.1 The report presents no significant risks.

7. EQUALITIES IMPACT

7.1 N/A

8. CLIMATE AND ECOLOGICAL EMERGENCIES IMPLICATIONS

8.1 N/A

9. BACKGROUND PAPERS

9.1 None.

(ENDS)

ANNEX A

Local Plan Cross Party Member Working Group – Draft Terms of Reference

Background

The Council has committed to producing a new Local Plan covering the period up to 2041.

The new plan is currently at the Regulation 18 'plan preparation' stage during which the scope of the plan is determined and different options and alternatives considered and tested with a view to identifying a preferred approach.

Initial consultation took place in the autumn last year with further consultation proposed for late Summer 2023.

Taking account of this and emerging technical evidence, Officers will then work up a series of more detailed preferred policy approaches with a view to further consultation later in the year.

To ensure that the views of Members are taken fully into account during this formative stage, it is proposed that a new Local Plan Member Working Group be established.

Key Purpose

The group will meet to discuss the emerging Local Plan as it takes shape. This will include the consideration of technical supporting evidence as it is produced and the development of plan content and policies.

The group will provide input and a steer directly to the Planning Policy Manager and the Executive Member for Planning and Sustainable Development.

The Local Plan Member working group will be augmented with all Member briefings/workshops at appropriate junctures which provide a further forum for discussion on key issues arising.

Meetings

Meetings of the working group will take place regularly (e.g. every 8 weeks or more frequently as required) from summer 2023 to summer 2024.

Membership

The Group will comprise members of all political groups and the quorum for a meeting to take place will be any three members:

2 Liberal Democrat

2 Conservative

1 Labour

1 Green

The Group will be Chaired by the Executive Member for Planning and Sustainable Development.

Officer Support


The Group will primarily be supported by the Council's Planning Policy Manager.

Democratic Services will provide administrative and governance support to the Group.

Suggested Areas of Focus

In line with the emerging Local Plan, it is proposed that the Working Group will focus on the following main areas:

1. Tackling the climate and ecological emergency
2. Healthy, safe, strong and inclusive communities
3. An enhanced natural and built environment
4. Attractive, accessible and thriving places
5. Meeting the housing needs of all
6. A vibrant, resilient and diverse local economy

 <p>WEST OXFORDSHIRE DISTRICT COUNCIL</p>	<p>WEST OXFORDSHIRE DISTRICT COUNCIL</p>
<p>Name and Date of Committee</p>	<p>COUNCIL – 19 JULY 2023</p>
<p>Subject</p>	<p>CLIMATE BI-ANNUAL REPORT</p>
<p>Wards Affected</p>	<p>All</p>
<p>Accountable Member</p>	<p>Councillor Andrew Prosser, Executive Member for Climate Change. Email: andrew.prosser@westoxon.gov.uk</p>
<p>Accountable Officer</p>	<p>Hannah Kenyon, Climate Change Manager. Email: hannah.kenyon@publicagroup.uk</p>
<p>Report Author</p>	<p>Hannah Kenyon, Climate Change Manager. Email: hannah.kenyon@publicagroup.uk</p>
<p>Purpose</p>	<p>To update Council on the climate action taken by West Oxfordshire District Council, in response to the climate and ecological emergency, over the last 12 months (July 2022 to June 2023).</p>
<p>Annexes</p>	<p>None</p>
<p>Recommendation</p>	<p><i>That Council Resolves to:</i></p> <p style="padding-left: 40px;"><i>1. Note the contents of the bi-annual report on climate action for West Oxfordshire.</i></p>
<p>Corporate Priorities</p>	<ul style="list-style-type: none"> ● Putting Residents First ● A Good Quality of Life for All ● A Better Environment for People and Wildlife ● Responding to the Climate and Ecological Emergency ● Working Together for West Oxfordshire
<p>Key Decision</p>	<p>NO</p>
<p>Exempt</p>	<p>NO</p>
<p>Consultees</p>	<p>West Oxfordshire District Council Officers</p>

1. BACKGROUND

- 1.1 West Oxfordshire District Council declared a Climate and Ecological Emergency in June 2019, with the aim of making the council carbon neutral by 2030 and achieving net zero in the district by 2050.
- 1.2 Following public consultation in May 2020, the Council adopted a Climate Action Plan in October 2020 and a Climate Change Strategy 2021-2025 in February 2021. These documents provide the council’s framework for prioritising and taking forward a programme of work in relation to climate action and biodiversity land management.

2. CLIMATE ACTION AND BIODIVERSITY LAND MANAGEMENT PROGRESS

Table 1: Progress made over the last 12 months.

Climate Change Strategy for West Oxfordshire 2021-2025	
<p>Theme One: Protecting and restoring natural ecosystems.</p>	<p>Biodiversity land management Land management plans have been used to improve habitat management on council owned land to restore nature and enhance biodiversity through:</p> <ul style="list-style-type: none"> • Reducing the number of annual grass cuts across public open spaces. • Establishing historical grass cutting regimes on floodplain meadows. • Creating new wildflower meadow areas. • Additional support for volunteers, among others. <p>Parish and town council biodiversity project UK Shared Prosperity Funding (UKSPF) has been secured to engage with parish and town councils to deliver ecological enhancements on their land and promote nature restoration across the district. A series of case studies showcase best practice in habitat creation and enhancement that inspire other town and parish councils to take action. Guidance on how to set up and maintain community biodiversity groups and projects will be updated. The Council is partnering with Wild Oxfordshire, a leading local environmental charity.</p> <p>Deer Park South UKSPF funding has also been secured to improve public access at Deer Park South Wood in Witney. Works started earlier this year with the removal of redundant rabbit fencing around the site boundary to improve safety. Two footbridges are being installed across Colwell Brook and sections of the footpaths upgraded to make them accessible for all. Interpretation boards have been commissioned and these will be located at the main entrances of the site to educate visitors about the local wildlife. A new wooden bench will be installed overlooking</p>

	<p>the balancing pond. The Witney Woodland Volunteers that manage the site have been engaged throughout the process.</p> <p>Windrush in Witney The Windrush in Witney project aims to restore the River Windrush floodplain and increase appreciation of Witney’s local heritage. The Council is partnering with the Wychwood Forest Trust and the Lower Windrush Valley Project to secure funding from the National Lottery Heritage Fund. Potential works include terrestrial and riparian habitat creation and restoration; reinstatement of traditional meadow management techniques; increased access to nature and green spaces; revival of traditional skills; training in biological surveys and monitoring, and a series of public events and activities. An expression of interest has been submitted for the funding.</p> <p>Kilkenny Lane Country Park conservation A KLCP conservation group has been established by the Council and is actively improving grassland and woodland habitats at Kilkenny Lane Country Park through coppicing young woodland; removing tree guards; collecting and sowed wildflower seeds; and surveying flora.</p> <p>Hedgerow planting Around 1300 hedgerow whips were planted last winter to improve connectivity across the district and mark the Queen’s Green Canopy. The planting was organised by the Council with help from community groups, schools and Publica employees. Hedgerows are being monitored and maintained by local communities and have been growing well this summer.</p> <p>Bioblitz The first Bioblitz event was held at Kilkenny Lane Country Park last August, in partnership Thames Valley Environmental Records Centre (TVERC). Its purpose was to gather as many environmental records as possible over a 24-hour period to build a picture of the lives of the different insects, animals and flowers inhabiting the park and document the level of biodiversity. Expert-led activities included a morning bird identification walk; bug hunt; wildlife survey and evening bat walk. A total of 123 new records were collected of 57 species.</p>
<p>Theme Two: Energy.</p>	<p>Future Fit Oxfordshire Future Fit Oxfordshire approach includes utilising smart technology and design to enable businesses and residents to make changes to help reduce energy consumption and reduce the impacts of climate change. The scheme initially received funding from the Innovate UK Net Zero Living Programme for a feasibility to build a ‘one stop shop’ approach to remove the non-technical barriers to retrofit. Phase 2 of the Future Fit Oxfordshire will build and test the model across the county.</p>

Sustainable Warmth: HUG 1/LAD3

The Council joined both the Greater South East Net Zero Hub consortium and Oxfordshire County Council's bids for Local Authority Delivery 3 (LAD 3) and Home Upgrade Grant 1 (HUG 1) funding bids. The Council was awarded over £1 million to help upgrade energy inefficient homes. The LAD 3 energy grant funding was aimed at low income households living in homes with EPC E and lower to install energy efficiency measures such as solar and low carbon heating. The HUG scheme was aimed at low income homes in off gas grid areas to install low carbon heating alternatives such as air source heat pumps. Applications to the GSENZH Sustainable Warmth scheme closed in January with 26 LAD 3 measures installed in 22 homes and two HUG 1 measures installed in the district. Oxfordshire County Council's Sustainable Warmth programme resulted in 22 measures installed in 13 homes under LAD 3 and 40 measures were installed in 23 homes under HUG 1. In total, £572,522 of the Sustainable Warmth fund was spent in the district.

Sustainable Warmth: HUG 2

The Council is part of Oxfordshire County Council's HUG 2 funding bid which has been awarded £5.5 million of capital funding for retrofit. HUG 2 is aimed at low income households who do not have mains gas for their heating systems and will fund a whole house retrofit. HUG 2 delivery will run until March 2025 and the Council will be supporting communications to promote residents' applications to the scheme.

Better Housing Better Health

Better Housing Better Health (BHBH) service is currently managed by the National Energy Foundation (NEF). The service aims to reduce the number of households in fuel poverty. BHBH provides a telephone helpline to Oxfordshire residents offering impartial energy advice, access to energy efficiency grants and emergency heating vouchers and free home energy visits to vulnerable residents. The service works closely with both health and social services who refer clients vulnerable to the effects of a cold home. BHBH also works with third sector partners such as Citizens Advice and Age UK for help, for example, with income maximisation and benefit advice. Due to the cost of energy crisis over the last winter heating period, there was an unprecedented demand for the BHBH service. In West Oxfordshire, 241 Warm and Well assessments and 31 home visits undertaken. 31 households had energy efficiency installations and 63 households were referred to additional support services.

Energy advice

Cost of living events have been held across the district to offer energy advice to help residents reduce energy bills and save carbon.

Eynsham Smart and Fair Futures

	<p>The Eynsham Smart and Fair Neighbourhood trial has developed a Zero Carbon Energy Action Plan for the Eynsham primary substation area as well as plans for its long-term governance structure. The Council is on the local steering group chaired by Transition Eynsham Area (GreenTEA), the local low carbon group and founding community shareholder of the Low Carbon Hub CIC.</p> <p>Local Area Energy Planning The Council was one of lead authorities in developing the LEO Integrated Land Use mapping inform countywide energy planning. Oxfordshire Local Area Energy Planning (LAEP) aims to provide a geospatial view of energy use, generation and network capacity across Oxfordshire to help identify the most appropriate place-based and cost-effective options to deliver net zero. The LAEP is one of the priority actions of the Oxfordshire Net Zero Route Map and Action Plan and is being progressed with other councils, electricity and gas network operators, communities and other key external stakeholders.</p> <p>Nature-based carbon sequestration and offsetting Opportunities to enhance carbon sequestration through land use change, including targeted habitat restoration and creation, are being explored in partnership with the Oxfordshire Local Nature Partnership and other Oxfordshire local authorities. This is also being considered in the Local Plan call for sites.</p>
<p>Theme Three: Low-carbon transport and active travel.</p>	<p>Park and Charge Oxfordshire Fast 7-22kW electric vehicle (EV) charging hubs are being managed in five of the council's public car parks including:</p> <ul style="list-style-type: none"> • Black Bourton Road, Carterton • New Street, Chipping Norton • Back Lane, Eynsham • Woodford Way, Witney • Hensington Road, Woodstock. <p>The use of the EV chargers has continued to increase from 668 sessions (8,035kwh) last July to 1238 sessions in June (21,152kwh).</p> <p>District-wide rollout of electric vehicle charge points Local EV Infrastructure (LEVI) funding has been awarded to deliver further charge point infrastructure for West Oxfordshire residents without off-street parking. Proposals are being developed by the Council, with Oxfordshire County Council and other Oxfordshire authorities, to install EV car points in more council owned car parks and community micro hubs.</p> <p>Electric car club pilot scheme As part of an Oxfordshire wide car sharing pilot scheme, EVs are available to hire at Back Lane car park, Eynsham, and Woodford Way car park, Witney on an hourly or daily basis. The Council has partnered</p>

	<p>with car club providers Co Wheels and Enterprise CarClub to offer pay per use EVs on a 12 month trial basis.</p> <p>Local cycling and walking infrastructure plans The Council have shaped the Witney Local Cycling and Walking Infrastructure Plan (LCWIP), which identifies destinations in the town and surrounding area that are accessible by walking and cycling and makes suggestions for how to improve routes.</p>
<p>Theme Four: Standards in new development.</p>	<p>Sustainability Standards in planning The planning validation process has been improved to raise sustainability in new build and retrofit development. All applications are now required to submit a Sustainability Planning Statement which sets out the extent to which development meets the exemplary standards in the Sustainability Standards Checklist. Supplementary guidance and templates have been created to assist applicants in meeting this new requirement. The climate change manager is a non-statutory consultee on applications to encourage applicants to commit to exemplary sustainability standards.</p> <p>Salt Cross Area Action Plan A review of UK net zero policies was undertaken. Rights Community Action (RCA) has issued a High Court legal challenge to the Inspector’s decision to water down the net zero ambitions of the Council in its plan for Salt Cross Garden Village.</p> <p>Local Plan review A net zero evidence base for the Local Plan 2041 is being developed to ensure exemplary net zero policies for new build and retrofit are adopted. Carbon assessment of spatial options is likely to be undertaken over the next few months to direct growth in the most sustainable locations in the District.</p>
<p>Theme Five: Engage, support and educate.</p>	<p>Climate Impact Assessment Tool The purpose of the Climate Impact Assessment Tool (CIAT) is to embed climate, environmental and social considerations within the project development and decision-making processes. This aims to ensure decisions consider potential trade-offs, highlights areas for improvement, and ensures negative impacts are minimised as much as possible. In summer 2022, the CIAT was used on a number of pilot projects to test the functionality of the tool and get feedback on how and when it should be used. In November and December 2022, the outcomes of the pilot projects were presented to Informal Executive/Cabinet at West Oxfordshire, Cotswold, and Forest of Dean district councils. Approval was given to proceed with a 6-month</p>

	<p>trial period to test a wider roll-out of the tool. In January, use of the tool was embedded within Publica’s Project Management Framework and business manager briefings were carried out to ensure teams knew to use the tool on their upcoming projects and proposals. The trial period for projects will run from February 2023 to July 2023. Feedback will then be reviewed and recommendations will be made for the full roll-out of the tool. The project and recommendations will be presented to Cabinet in Autumn 2023.</p> <p>Greenlight online hub Greenlight, a dynamic nature and climate online hub, is going live this July. The digital platform provides a space where the local community can connect, collaborate and take action for a greener future. Parish and town councils, residents, community groups and businesses are invited to share ideas, celebrate projects and work together to combat climate change, restore nature and enhance biodiversity in our local environment.</p> <p>Parish and town events The Council hosted a climate change and nature event for parish and town councils on 8 March 2023, in partnership with Wild Oxfordshire and Wychwood Forest Trust. The event provided an opportunity to share knowledge and collaborate on carbon reduction measures to meet our ambitious net zero targets, climate change adaptation, and ecological enhancement across the district. The event was well attended by the council’s members and 18 parish and town councils. These initiatives are all part of the council’s drive to facilitate wider action across the district.</p>
<p>Carbon Action Plan: The Pathways to Achieving Carbon Neutral by 2030</p>	
<p>Council offices, property and sites.</p>	<p>Carbon account The annual carbon accounts are held on the climate pages of the council’s website. The data gathering process for the next council’s carbon account is underway. An officer working group has been established across Publica councils to agree on a reporting process and update emissions being accounted for, particularly in relation to Scope 3. Work has started with the Data team to streamline the data gathering process to improve reporting in future years.</p> <p>Decarbonisation of council offices In April, a bid was submitted as part of the Low Carbon Skills Funding, provided by the Government and delivered by Salix, to fund detailed assessment of the energy efficiency and heat decarbonisation options for Elmfield and 3 Welch Way. The Council has been successful in receiving £20,845 of grant funding to deliver these assessments by the end of March 2024, and are in the process of procuring a consultant</p>

	<p>for this work. The assessments will propose a fully costed programme of works to decarbonise the two sites, which will inform the viability of the sites for future funding opportunities like the Public Sector Decarbonisation Scheme (PSDS).</p> <p>Increased wall and roof insulation is being considered at Woodgreen council offices to improve the energy efficiency of the building.</p> <p>Roof mounted solar PV on council and tenanted buildings</p> <p>The commercial solar PV project for tenanted buildings in the council's portfolio has identified four sites in West Oxfordshire that might be suitable for roof mounted solar, subject to council approval and tenant agreement to proceed. Installation of solar panels on these buildings will reduce emissions from energy used onsite and positively contribute to the building's EPC rating.</p> <p>Minimum Energy Efficiency Standards compliance and decarbonisation of tenanted buildings</p> <p>A work programme is being developed to assess the council's portfolio of assets, to determine the level of investment that may be needed in the future to comply with the Government's Minimum Energy Efficiency Standards. It is expected that the standard will require an EPC rating of B or above by 2030.</p> <p>Reduction in staff's carbon footprint</p> <p>Staff have continued to combine home and office working as part of an agile working approach. Publica have provided information to staff on how to make energy and cost savings. Learning at work webinars were held with external partnerships, including Oxfordshire Greentech and Good Food Oxfordshire, to help staff reduce their carbon footprint in relation to food, home energy, waste, and sustainable travel.</p>
<p>Leisure centres and facilities.</p>	<p>Decarbonisation of Carterton Leisure Centre</p> <p>Carterton has been selected as the first leisure centre to decarbonise out of the council's leisure buildings as the main gas-fired heating system is approaching the end of serviceable life. In October 2023, the Council submitted a PSDS 3b bid and was successful in securing circa £1.6m of funding.</p> <p>To progress with the PSDS programme, an options appraisal for the low-carbon heating system was commissioned using a design and build contractor under the SCAPE framework. The purpose of the options appraisal was to have greater confidence in the long-term costs of the project, particularly operational costs given the high electricity prices during winter 2022/23.</p> <p>In January 2023, the delegated authority decision was taken to proceed with the PSDS 3b project and accept funding. The contractor is now in the process of developing an investment grade proposal for the</p>

	<p>design of the project, and once completed in autumn 2023 will be subject to Council and GLL approval.</p> <p>Decarbonisation of Witney and Chipping Norton leisure centres The Council was successful in securing Local Carbon Skills Funding for desktop energy assessments for the council's other leisure centres to establish the financial and energy implications of low-carbon heating technologies and solar PV. These assessments are expected to be completed in July and will inform funding applications for building decarbonisation.</p>
<p>Council vehicle fleet, machinery and transport.</p>	<p>Electric service vehicles Three electric vans (Maxus E 2022) have been leased on a two year contract since April 2023. Two of the EVs are utilised by the parking team and replace old diesel vans. The third van is used by the environmental health team to replace staff vehicles. Both teams have duties that require regular trips around the district and therefore the EVs will help to lower carbon emissions from travel.</p> <p>Electric road sweepers 2 new EV sweepers are being introduced to the council's vehicle fleet. This will reduce the reliance on diesel vehicles for street cleansing services performed by Ubico Limited.</p> <p>Waste Service Review Further modelling is being undertaken to feed into the review on carbon impacts of alternative waste collection systems. This will include the vehicles needed to collect different waste materials as well as the subsequent sorting and processing of materials.</p>

3. ALTERNATIVE OPTIONS

- 3.1 An alternative option is for the Council to take no climate action at all, which is a course of action not recommended.

4. FINANCIAL IMPLICATIONS

- 4.1 In 2019/20 the Council allocated £200,000 annual budget for climate action for three years. The allocated climate budget for 2022/23 was £112,786 and spend was £126,068.91 due to additional assessments for the decarbonisation of council buildings. For the current year (2023/24), the budget is £259,391 and spend for Q1 is £45,276.14).
- 4.2 The Biodiversity and Countryside Land Management Officer (BLMO) post has been made permanent and demonstrates the council's strong commitment to restoring nature and enhancing biodiversity in the district.

- 4.3 The BLMO has been on a paid secondment to the Lower Windrush Valley Project for 0.5 days a week over the last nine months. This has strengthened the council's connection with this conservation project, which aims to improve access and biodiversity on land to the south of Witney to Newbridge.
- 4.4 The Council has been successful in securing external funding for climate action, as highlighted in the sections above.

5. LEGAL IMPLICATIONS

- 5.1 There are no perceived legal implications associated with the actions in this report.

6. RISK ASSESSMENT

- 6.1 There are no immediate risks arising from the contents of this report.

7. EQUALITIES IMPACT

- 7.1 Projects in this report aim to address climate action for all. Individual projects which may have an equalities impact are evaluated on a project specific basis.

8. CLIMATE AND ECOLOGICAL EMERGENCIES IMPLICATIONS

- 8.1 Climate mitigation and adaptation are vital in tackling climate change and lessening its impacts.
- 8.2 Climate action has multiple co-benefits, for example increasing the efficiency of council operations and improving health and well-being in our local communities.

9. BACKGROUND PAPERS

- 9.1 The following documents have been identified by the author of the report in accordance with section 100D.5(a) of the Local Government Act 1972 and are listed in accordance with section 100 D.1(a) for inspection by members of the public:
- Carbon Action Plan to Full Council on 28 October 2020.
 - Climate Change Strategy to Full Council on 24 February 2021.
- 9.2 These documents will be available for inspection online at www.westoxon.gov.uk or by contacting democratic services democratic.services@westoxon.gov.uk for a period of up to 4 years from the date of the meeting.

(END)