

# The Organisational Framework of Planning in Oxfordshire



Oxford Futures Discussion Note

## **The Organisational Framework of Planning in Oxfordshire**



**Oxford Civic Society**  
Oxford Futures Group

December 2015

## PREFACE

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The Oxford Futures Report<sup>1</sup> noted that whilst Oxford and its wider region has the potential to become one of the key drivers of the regional and national economy in the 21<sup>st</sup> century, based primarily on the strength of its science-based industries, Central Oxfordshire is struggling to capitalize on its knowledge economy. The Report recommended eight actions to facilitate the realization of the development potential of the region:

- Set up an Oxford Futures Commission to further the debate (about growth) and win support for change
- Develop a spatial growth plan and a charter for sustainable development
- Establish a Quality Review Panel to assess important new development proposals
- Engage the public through a Development Forum
- Train and develop key decision makers
- Establish design competitions for key sites
- Model the impact of development and transport options
- Mobilise and coordinate investment through appropriate long-term mechanisms.

The Report was published as both a call to action and a stimulus to further debate. A direct follow-on was an Oxford Sustainable Futures Symposium<sup>2</sup> which was held in June 2015 with the objective of finding ways to implement the recommendations of the Oxford Futures Report. In his introductory address to the Symposium Lord Drayson reinforced the Oxford Futures Report recommendations and provided a challenging analysis of the urgent issues facing Oxford and Oxfordshire, based on his experience as an entrepreneur living and working in Oxford, through his involvement in the development of the Oxfordshire Innovation Engine Report<sup>3</sup> and as Minister of Science in the Department for Business, Innovation and Skills. Key points included:

- Oxford and the region are being held back by the lack of a unified voice presenting a shared vision of what truly sustainable growth can offer to everyone across the region;
- The globally-recognised Oxford brand has huge potential which should be developed intensively for the benefit of both the city and the county;
- The Cities and Local Government Devolution Bill could be an opportunity to create a Southern Powerhouse – a cross-county view from local councils in which both the universities and businesses help drive and direct sustainable growth

The Symposium also made recommendations, two of which were as follows:

- To address the need for a unified voice and effective leadership for the city and county it was noted that the Oxfordshire Growth Board, a statutory “Joint Committee,” allows the opportunity for Oxfordshire’s local authorities to make strategic decisions in support of the delivery of the SEP4. It is essential that a clearer understanding of the Growth Board’s role is provided to the wider community, including its operational remit, accountability and decision making process utilising local authority powers.
- To be able to support and influence decisions we need to ensure that we have wider engagement and better understanding of the opportunities and threats to Oxfordshire. The ‘refresh’ of the SEP provides a timely opportunity to widen engagement and reinforce a sustainable vision and future for Oxford and Oxfordshire with all who live and work across Oxfordshire. The Symposium partners agreed to ensure that all stakeholders have the opportunity to be engaged in the refresh of the SEP.

Subsequently the OCS Futures Group decided that to implement the Symposium recommendations a clearer understanding of the organizational and institutional context of development planning in Oxfordshire is required. This information note attempts to provide this. Based on the findings of the note, recommendations are also provided on tactics to achieve the Symposium recommendations (which in turn would lead to the achievement of at least some of the Oxford Futures recommendations).

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<sup>1</sup> Oxford Futures: achieving smarter growth in Central Oxfordshire, Oxford Civic Society, 2014 [www.oxfordfutures.org.uk](http://www.oxfordfutures.org.uk)

<sup>2</sup> The Oxford Sustainable Future Symposium – creating a vision for Oxford and Oxfordshire Monday, June 29th 2015, Wolfson College, Oxford. The Symposium was co-sponsored by the Oxford Civic Society, Oxfordshire Local Enterprise Partnership and the Oxford Strategic Partnership.

<sup>3</sup> The Oxfordshire Innovation Engine: Realising the Growth Potential, October 2013. Commissioned by University of Oxford and Science Oxford with support from Oxfordshire LEP and prepared by SQW.

<sup>4</sup> It was noted that discussions between OxLEP and local authority partners were leading to a bid for a Combined Authority which could address the Oxford Futures concerns.

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# 1 Review of existing development planning organisations and institutions in Oxfordshire

## 1.1 Strategic planning is now subordinate to 'localism'

1. Since 2010, the administration of planning and economic development at the regional scale has been usurped by "localism". From 2004 Regional Assemblies and from 2009 Leaders Boards had been responsible for preparing regional strategies. In 2011, the Localism Act<sup>5</sup> signaled the end of regional strategies and these were officially revoked in 2013.

2. In Oxfordshire strategic planning is now the responsibility of the city and district councils. The local authorities are expected to address strategic issues in their Local Plans and demonstrate how this has been managed through the 'duty to co-operate' set out in Section 110 of the Localism Act and amplified in Paragraphs 178-181 of the National Planning Policy Framework (NPPF)<sup>6</sup> and in the National Planning Practice Guidance (NPPG)<sup>7 8</sup>.

3. The 'duty to co-operate'<sup>9</sup> applies to all local planning authorities, national park authorities and county councils in England. The duty relates to sustainable development or use of land that would have a significant impact on at least two local planning areas or on a planning matter that falls within the remit of a county council and it requires that councils set out planning policies to address such issues. It requires that councils and public bodies 'engage constructively, actively and on an ongoing basis' to develop strategic policies and requires councils to consider joint approaches to plan making.

4. The NPPF (Paragraph 156)<sup>10</sup> also sets out the strategic issues where co-operation might be appropriate. Paragraphs 178-181 give further guidance on 'planning strategically across local boundaries', and highlight the importance of joint working to meet development requirements that cannot be wholly met within a single local planning area, through either joint planning policies or informal strategies such as infrastructure and investment plans. Further guidance on how the duty to co-operate should be applied in local planning is included in the National Planning Practice Guidance (NPPG)<sup>11</sup>.

5. The city and district councils in Oxfordshire are responsible for most planning matters, other than transport, minerals and waste planning which are functions of the county council<sup>12</sup>. Where they exist, parish and town councils play an important role in commenting on planning applications that affect their area<sup>13</sup>.

6. **Figure 1** shows the progression from the NPPF to Local Plans and from Local Plans to neighborhood plans, planning applications and decisions: it is clear that there is potential for a strategic planning gap to exist between the NPPF and the local plans, especially if the 'duty to cooperate' is not implemented effectively.

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<sup>5</sup> <http://www.legislation.gov.uk/ukpga/2011/20/section/109/enacted>

<sup>6</sup> <https://www.gov.uk/government/publications/national-planning-policy-framework>

<sup>7</sup> <http://planningguidance.planningportal.gov.uk/blog/guidance/dutyto-cooperate/>

<sup>8</sup> Decisions on 'infrastructure of national importance' continue to be made by the Secretary of State on the advice of the Planning Inspectorate (link below) and within the policy framework set by the National Policy Statements for major infrastructure.

<sup>9</sup> Readers are recommended the "Simple Guide to Strategic Planning and the Duty to Cooperate" prepared by the Planning Advisory Service and Local Government Association and occasional reference is made to the Plain English guide to the planning system, DCLG, 2015

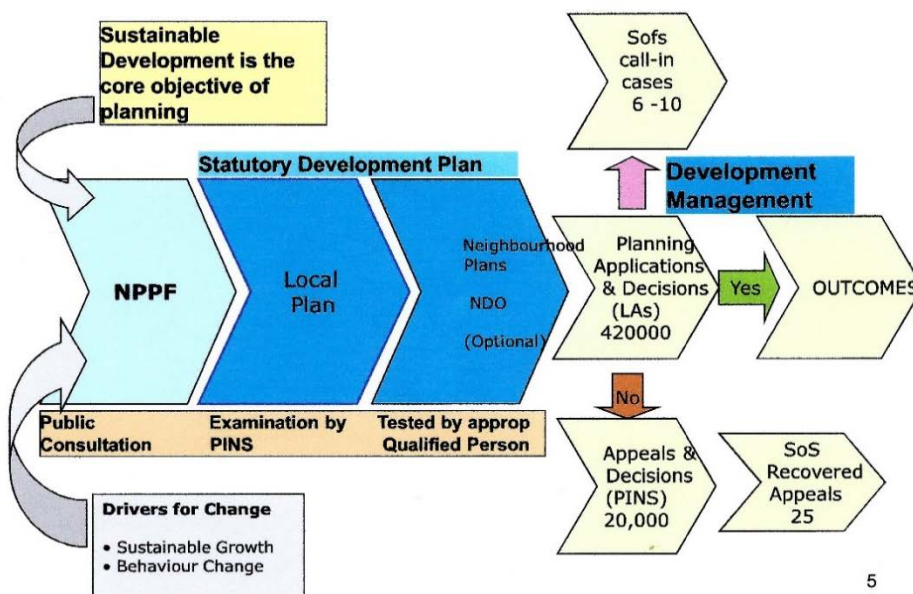
<sup>10</sup> <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

<sup>11</sup> <http://planningguidance.planningportal.gov.uk/blog/guidance/dutyto-cooperate/>

<sup>12</sup> The linked planning processes in social (including health) and other environmental sectors is discussed briefly in Paras. 84-87

<sup>13</sup> The government wants to see planning decisions taken at the lowest level possible and has introduced the ability for parish and town councils to produce neighbourhood plans which, once in force, will form part of the policies used to make decisions on applications, and neighbourhood development orders which grant permission for development directly. Where parish or town councils do not exist, representatives of the local community may apply to establish a neighbourhood forum to prepare a neighbourhood plan or order.

Figure 1: The Statutory Development Plan process, including, somewhere, strategic planning



Source: Department of Communities and Local Government

## 1.2 Local Plans are more important than they seem .....

7. The Local Plan<sup>14</sup> for an area is intended to set the rules for how the area will develop over time. The Local Plan, along with any neighborhood plans, should form the overall development plan for the local area. In Oxfordshire the impression is given that the rules are being set elsewhere.

8. The NPPF states that every local planning authority in England should have a clear, up to date Local Plan, which conforms to the framework, meets local development needs and reflects local people’s views of how they wish their community to develop. The NPPF also requires that the Local Plan should be clear in setting out the strategic priorities for the area and the policies that address these and which also provide the strategic framework within which any neighbourhood plans may be prepared to shape development at the community level.

### 1.2.1 What does a local plan contain

9. The Local Plan should make clear what is intended to happen in the area over the life of the plan (normally 15 years), where and when this will occur and how it will be delivered<sup>15</sup>. This can be done by setting out broad locations and specific allocations of land for different purposes; through designations showing areas where particular opportunities or considerations apply (such as protected habitats); and through criteria-based policies to be taken into account when considering development. A policies map must illustrate geographically the application of policies in a development plan. The policies map may be supported by such other information as the Local Planning Authority sees fit to best explain the spatial application of development plan policies.

10. Local Plans should be tailored to the needs of each area in terms of their strategy and the policies required. They should focus on the key issues that need to be addressed and be aspirational but realistic in what they propose. The Local Plan should aim to meet the objectively assessed development and infrastructure needs of the area, including unmet needs of neighboring areas where this is consistent with policies in the NPPF as a whole.

11. The NPPF provides a framework in which local people and their local councils can produce their own distinctive plans, reflecting their own priorities. The NPPF says Local Plans should:

<sup>14</sup> The main legislation that sets out the process for the preparation of Local Plans can be found in Part 2 of the Planning and Compulsory Purchase Act 2004 as amended and The Town and Country Planning (Local Planning) (England) Regulations 2012 as amended. Further guidance is available in Planning Guidance.

<sup>15</sup> Section 19 of the Planning and Compulsory Purchase Act 2004 sets out specific matters to which the local planning authority must have regard when preparing a Local Plan

- Be based on the objectively assessed needs of the local area
- Set out opportunities for development and clear policies on what will or won't be permitted and where
- Plan positively for the development and infrastructure required in the area to meet the objectives, principles and policies of the National Planning Policy Framework
- Reflect a collective vision for the sustainable development of the area
- Cover an appropriate time scale (preferably 15 years) and be kept up to date
- Be based on co-operation with neighbouring authorities, public, voluntary and private sector organisations
- Allocate sites to encourage development and the flexible use of land, identifying new land where necessary
- Contain a clear strategy for enhancing the natural, built and historic environment and supporting Nature Improvement Areas where they have been identified

12. Where sites are proposed for allocation<sup>16</sup>, sufficient detail should be given to provide clarity to developers, local communities and other interests about the nature and scale of development (addressing the 'what, where, when and how' questions).

- **Local plans and housing**

13. Local planning authorities should ensure that the policies in their Local Plan recognize the diverse types of housing needed in their area and, where appropriate, identify specific sites for all types of housing to meet their anticipated housing requirement. This could include sites for older people's housing including accessible mainstream housing such as bungalows and step-free apartments, sheltered or extra care housing, retirement housing and residential care homes. Where local planning authorities do not consider it appropriate to allocate such sites, they should ensure that there are sufficiently robust criteria in place to set out when such homes will be permitted. This might be supplemented by setting appropriate targets for the number of these homes to be built.

14. The local plan must be supported by a robust evidence base. For housing this means that it must plan to meet objectively assessed needs for market and affordable housing, as far as is consistent with national planning policy. This includes identifying a five year supply of specific deliverable sites that should be updated annually. The five year land supply should always have a 5% buffer moved forward from later in the plan period to ensure choice and competition in the market for land. Where there has been a record of persistent under-delivery of housing, this buffer should be increased to 20%.

15. The National Planning Policy Framework makes clear that relevant policies for the supply of housing should not be considered up-to-date if the authority cannot demonstrate a five-year supply of deliverable housing sites. Local planning authorities should also consider whether plan making activity by other authorities has an impact on planning and the Local Plan in their area. For example, a revised Strategic Housing Market Assessment will affect all authorities in that housing market area, and potentially beyond, irrespective of the status or stage of development of particular Local Plans.

16. Local planning authorities' responsibility to meet the housing needs of their areas must also be seen in the context of the other policies set out in National Planning Policy Framework. This means that the requirement to meet housing needs must be balanced against other important considerations, such as protecting the Green Belt or addressing climate change and flooding.

### **1.2.2 How is a local plan produced**

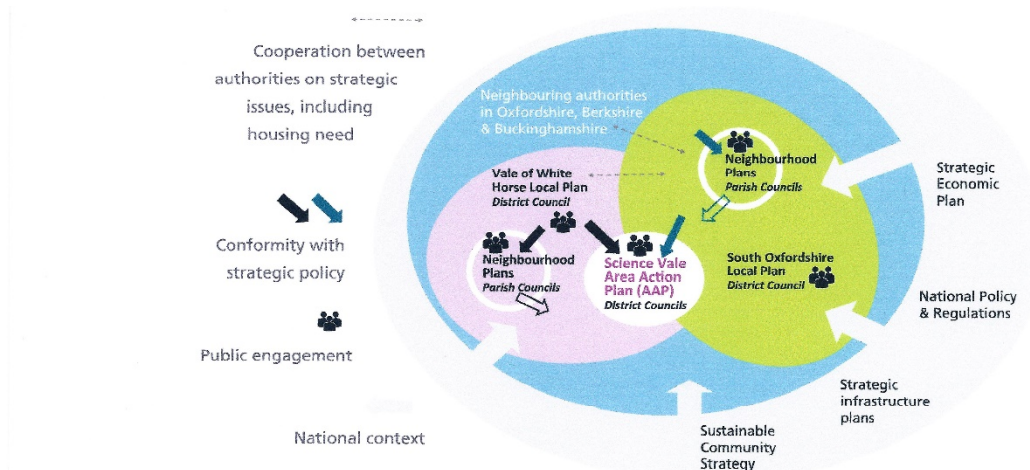
17. Local planning authorities develop a Local Plan by assessing the future needs and opportunities of their area, developing options for addressing these and then identifying a preferred approach. This involves gathering evidence, carrying out a Sustainability Appraisal to inform the preparation of the Local Plan and effective discussion and consultation with local communities, businesses and other interested parties.

18. **Figure 2** presents the context of the South Oxfordshire local plan preparation, as an example. It shows the range of inputs to be considered for a local authority to prepare a Local Plan which is strategically appropriate.

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<sup>16</sup> For example as will happen in the preparation of the various district Local Plans in Oxfordshire over the next 6 months or so.

**Figure 2: Example: South Oxfordshire District Council local plan arrangements**  
 (also showing the Joint Science Vale Area Action Plan being prepared with Vale of White Horse DC)



Source: South Oxfordshire District Council Local Plan Part 1

19. There is considerable flexibility open to local planning authorities in how they carry out the initial stages of plan production, provided they comply with the specific requirements in regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012 on consultation and with the commitments in their Statement of Community Involvement. Consultation exercises on emerging options are often termed “issues and options”, “preferred options” or “pre-publication”. Local planning authorities should always make clear how any consultation fits within the wider Local Plan process.

20. Local planning authorities must publicize the version of their Local Plan that they intend to submit to the Planning Inspectorate for examination to enable representations to come forward that can be considered at examination. This is known as the publication stage.

21. Local planning authorities must also publicize their intended timetable for producing the Local Plan. This information is contained within a Local Development Scheme<sup>17</sup>, which local planning authorities should publish on their web site and must keep up to date. Up-to-date and accessible reporting on the Local Development Scheme in an Authority’s Monitoring Report is an important way in which Local Planning Authorities can keep communities informed of plan making activity.

- **Keeping local plans up-to-date**

22. To be effective plans need to be kept up-to-date. Policies will age at different rates depending on local circumstances, and the local planning authority should review the relevance of the Local Plan at regular intervals to assess whether some or all of it may need updating. Most Local Plans are likely to require updating in whole or in part at least every five years. Reviews should be proportionate to the issues in hand.

### 1.2.3 Sustainability appraisal and strategic environmental assessments

23. A sustainability appraisal is a systematic process that must be carried out during the preparation of a Local Plan. Section 19 of the Planning and Compulsory Purchase Act 2004 requires a local planning authority to carry out a sustainability appraisal of each of the proposals in a Local Plan during its preparation. More generally, section 39 of the Act requires that the authority preparing a Local Plan must do so “with the objective of contributing to the achievement of sustainable development” (see Para 25 below for definition).

<sup>17</sup> These were reviewed for Oxfordshire and the results are presented in Table 1

24. This process is an opportunity to consider ways by which the plan can contribute to improvements in environmental, social and economic conditions, as well as a means of identifying and mitigating any potential adverse effects that the plan might otherwise have. By doing so, it can help make sure that the proposals in the plan are the most appropriate given the reasonable alternatives. It can be used to test the evidence underpinning the plan and help to demonstrate how the tests of soundness have been met. Sustainability appraisal should be applied as an iterative process informing the development of the Local Plan.

25. The NPPF confirms that the purpose of the planning system is to contribute to the achievement of sustainable development. The policies in paragraphs 18 to 219, taken as a whole, constitute the Government's view of what sustainable development in England means in practice for the planning system. There are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

- An economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
- A social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and
- An environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

26. The NPPF notes that these roles should not be undertaken in isolation, because they are mutually dependent. Economic growth can secure higher social and environmental standards, and well-designed buildings and places can improve the lives of people and communities. Therefore, to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system. The planning system should play an active role in guiding development to sustainable solutions.

27. Pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life, including (but not limited to):

- Making it easier for jobs to be created in cities, towns and villages;
- Moving from a net loss of bio-diversity to achieving net gains for nature;
- Replacing poor design with better design;
- Improving the conditions in which people live, work, travel and take leisure; and
- Widening the choice of high quality homes.

28. Sustainability appraisal is integral to the preparation and development of a Local Plan, to identify how sustainable development is being addressed, so work should start at the same time that work starts on developing the plan.

- **Is strategic environmental assessment required in addition to sustainability appraisal?**

29. Strategic environmental assessment considers only the environmental effects of a plan, whereas sustainability appraisal considers the plan's wider economic and social effects in addition to its potential environmental impacts. Sustainability appraisal should meet all of the requirements of the Environmental Assessment of Plans and Programmes Regulations 2004 so a separate strategic environmental assessment should not be required because it should be included in the Sustainability Appraisal.

- **What level of detail is required in a sustainability appraisal?**

30. The sustainability appraisal should only focus on what is needed to assess the likely significant effects of the Local Plan. It should focus on the environmental, economic and social

impacts that are likely to be significant. It does not need to be done in any more detail, or using more resources, than is considered to be appropriate for the content and level of detail in the Local Plan.

• **How does the sustainability appraisal relate to other forms of Impact Assessment?**

31. As noted, a sustainability appraisal should incorporate the requirements of the Environmental Assessment of Plans and Programmes Regulations 2004. The Local Plan may also require a Habitats Regulations Assessment, as set out in the Conservation of Habitats and Species Regulations 2010 (as amended) if it is considered likely to have significant effects on European habitats or species. The sustainability appraisal should take account of the findings of a Habitats Regulations Assessment, if one is undertaken.

**1.2.4 Local plans and the wider community**

32. Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012 sets out specific bodies or persons that a local planning authority must notify and invite representations from in developing its local plan<sup>18</sup>. The local planning authority must take into account any representation made, and will need to set out how the main issues raised have been taken into account. It must also consult the Strategic Environmental Assessment consultation bodies on the information and level of detail to include in the sustainability appraisal report.

33. In addition, Section 18 of the Planning and Compulsory Purchase Act 2004 requires local planning authorities to produce a Statement of Community Involvement, which should explain how they will engage local communities and other interested parties in producing their local plan and determining planning applications. The Statement of Community Involvement should be published on the local planning authority's website

34. Local plans are examined by an independent inspector whose role is to assess whether the plan has been prepared in line with the relevant legal requirements (including the Duty to Cooperate) and whether it is "sound". The National Planning Policy Framework sets out four elements of soundness that Local Plans are considered against when they are examined. Local Plans must be: (i) positively prepared; (ii) justified; (iii) effective; and (iv) consistent with national policy.

**1.2.5 The status of local plan preparation (updating) in Oxfordshire**

35. In Oxfordshire the city and district councils have Local Plans and are in the process of updating them to 2031. The current status is described in **Table 1**.

**Table 1: Oxfordshire Local Plans – consultations status**

City / district council	Local plan status	Notes
Vale of White Horse	<ul style="list-style-type: none"> <li>Part 1 (strategic policies and sites) submitted March 2015</li> <li>Part 2 (Detailed policies and local sites) public consultation (scope and issues) Sept/Oct 2015</li> <li>Public consultation on preferred approach April/May 2016</li> <li>Statutory consultation November/December 2016</li> <li>Submission March 2017</li> </ul>	<ul style="list-style-type: none"> <li>Joint Science Vale Area Action Plan with SODC is a component of the local plan</li> <li>Part 2 will consider Green Belt and AONB as part of detailed policies</li> </ul>
Cherwell	<ul style="list-style-type: none"> <li>Part 1 adopted in July 2015</li> <li>Partial Review – (Oxford's unmet</li> </ul>	<ul style="list-style-type: none"> <li>Inspector states that SHMA should be followed precisely.</li> </ul>

<sup>18</sup> (1) A local planning authority must: (a) notify each of the bodies or persons specified in (2) below, of the subject of a local plan which the local planning authority propose to prepare, and (b) invite each of them to make representations to the local planning authority about what a local plan with that subject ought to contain.

(2) The bodies or persons referred to in paragraph (1) Above) are: (a) such of the specific consultation bodies as the local planning authority consider may have an interest in the subject of the proposed local plan; (b) such of the general consultation bodies as the local planning authority consider appropriate; and (c) such residents or other persons carrying on business in the local planning authority's area from which the local planning authority consider it appropriate to invite representations. (3) In preparing the local plan, the local planning authority must take into account any representation made to them in response to invitations under paragraph (1).

	<p>housing need consideration) – consultation on proposed submission March – April 2016</p> <ul style="list-style-type: none"> <li>• Examination November 2017</li> <li>• Part 2 – detailed plans and sites – consultation January – February 2016</li> <li>• Examination August 2016</li> </ul>	<ul style="list-style-type: none"> <li>• Share of Oxford's housing need not yet incorporated and this could lead to Green Belt (Kidlington) issues.</li> </ul>
South Oxfordshire	<ul style="list-style-type: none"> <li>• Public consultation in March - April 2016</li> <li>• Examination in November 2016</li> </ul> <p>(Science Vale AAP consultations April-May 2016)</p>	<ul style="list-style-type: none"> <li>• Joint Science Vale Area Action Plan with VoWH is a component of the local plan</li> <li>• Results of Issues and Options consultation of February 2015 not yet available</li> <li>• Green Belt Study proposes some use of Green Belt.</li> </ul>
West Oxfordshire	<ul style="list-style-type: none"> <li>• Plan submitted in May 2015.</li> <li>• LP examination September 2015</li> <li>• LP Review: informal consultation February 2016</li> <li>• Submission November 2016</li> </ul>	<ul style="list-style-type: none"> <li>• Part 1 deals with strategic matters and Duty to Cooperate</li> <li>• Housing target is below that of SHMA</li> <li>• West Oxfordshire has challenged methodology of SHMA and is supported by CPRE</li> </ul>
Oxford City	Status uncertain – Local Development Scheme is not up-to-date	SHMA identifies shortfall in housing capacity of between 13,788 and 21,788 houses – neighbouring local authorities are being asked to incorporate this.

Source: Local Development Schemes of the Oxfordshire Districts. The published City Council Development Scheme is not up to date.

### 1.2.6 Strategic planning collaboration in Local Plans (where does vision come from?)

36. Whilst the local authorities in Oxfordshire are implementing a 'duty to collaborate' with some success, as far as is known the local authorities did not consider the production of a county wide local plan, which is permissible.

37. Section 28 of the Planning and Compulsory Purchase Act 2004 enables two or more local planning authorities to agree to prepare a joint Local Plan, which can be an effective means of addressing cross-boundary issues, sharing specialist resources and reducing costs (e.g. through the formation of a joint planning unit). There are many examples of local authorities preparing joint local plans and it would seem that the use of such an approach in Oxfordshire would ensure greater efficiency and effectiveness. It is too late to intervene in the current local plan preparation but could be considered when local plan updates are required and if a Combined Authority is established (see Paras. 92-97).

38. Although Local Plans are the strategic planning instruments none of the description of their scope and process gives the impression that they are the source of strategic vision – is an Uxcester likely to come out of this process? A joint Local Plan or the kind of plan a Combined Authority might produce could perhaps amass enough creative critical mass for innovation?

## 1.3 But then there is the Local Enterprise Partnership ...

39. A further innovation to fill the strategic planning void was put forward and implemented by the recent coalition government – an innovation intended to encourage enterprise and stimulate private sector led economic prosperity – Local Enterprise Partnerships (or LEPs).<sup>19</sup>

### 1.3.1 The simple picture ....

40. LEPs are intended to stimulate economic growth below national level, with LEPs intended to cover 'natural economic areas' – in Oxfordshire this has been assumed to be the area within the Oxfordshire County Council boundaries.

<sup>19</sup> Reference has been made to a number of studies of LEPs and planning – a subject on which there is a growing body of research: a particularly authoritative reference is - Planning for Growth: The Role of Local Enterprise Partnerships in England Final Report 2015, Lee Pugalis, Alan Townsend, Nick Gray and Ania Ankowska, Northumbria University and Durham University for the Royal Town Planning Association, 2015; Also of interest is the District Councils' Network publication *Our Priorities for Improving the Planning System*

41. Legally, LEPs are not public bodies or state-owned organizations<sup>20</sup>. LEPs are non-statutory entities without a clearly defined role in the formal planning system. They are voluntary public-private partnerships comprised of business, local government and (increasingly) other actors. Some local authority leaders sit on LEP boards *although it is possible that city and district councillors are not democratically elected to serve at a larger-than-local geography*<sup>21</sup>.

42. As a result, LEPs can simultaneously claim to be “official” and “un-official.” This presents LEPs with scope to manoeuvre across different policy areas such as strategic planning and to bring together different partners in what can be represented as a “neutral space” (putting into abeyance the fact that economic planning is extremely political, involving decisions about not only which priorities to select and fund, but also where). The LEP’s open menu of policy areas includes transport, tourism, economic development and business support, and housing – but, it is important to stress, always from an economic development point of view. Social and environmental<sup>22</sup> safeguards are left for the implementing agencies in their local plans.

43. As LEPs are not defined by statute, they are not covered by the 'duty to cooperate'. However, LEPs are identified in the regulations as bodies that those covered by the 'duty to cooperate' should have regard to' when preparing local plans and other related activities. Their role in supporting local authorities in plan preparation, particularly in developing the evidence base, is also highlighted in NPPF (Paragraph 160).

44. **Figure 3** presents the system of strategic planning which currently prevails in Oxfordshire, showing in the simplest terms the role of the LEP and the associated Oxfordshire Growth Board. The Figure shows that the LEP leads the way by setting strategic priorities and direction for the Oxfordshire economy and the Oxfordshire Growth Board is intended to facilitate collaboration between the constituent local authorities on economic development, strategic planning and growth. The local authorities are expected to implement this strategic economic planning policy through their local plans.

**Figure 3: The Oxfordshire Development Planning System at first glance**



Source: Oxford Futures Group

<sup>20</sup> Nor does the government intend to define LEPs in legislation.

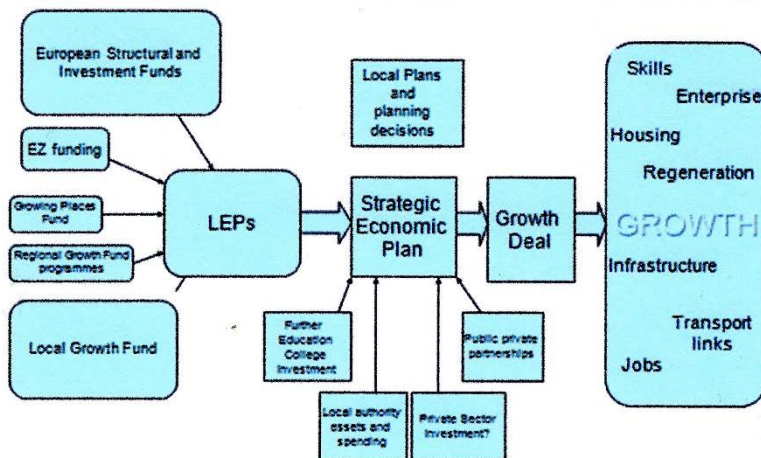
<sup>21</sup> It is understood that the no decisions can be taken which affect a local area without reference back to the concerned elected council

<sup>22</sup> For example the Strategic Economic Plan of the LEP does not require an environmental impact statement of any kind. It is noted that in the case of Oxfordshire this is being challenged by CPRE.

### 1.3.2 But LEPs are not that simple .....

45. As shown in **Figure 3**, the LEPs articulate strategic priorities and directions for economic growth in Strategic Economic Plans (SEPs). Importantly, the LEP then uses these SEPs to justify bidding for and allocating funds from various sources. The strength of the LEPs links to central government and other external agencies is demonstrated in **Figure 4** which shows how the LEP is the “impresario” identifying and allocating flows of major development funds (whilst not being a statutory body).

**Figure 4: The Role of the LEP as a Conduit of Major Development Funds**



Source: Department of Communities and Local Government

46. There is not set format for an SEP and guidance is permissive. But the SEP is central. On the basis of the SEP the central government and LEP negotiated a Growth Deal. In turn, it is intended by central government that through Growth Deals, LEPs can seek influence over resources from central government and a share of the Local Growth Fund to target identified growth priorities. In return, the government expects evidence of real commitment from LEPs to the growth agenda, including the development of ambitious, multi-year SEPs. Alongside the Local Growth Fund, every LEP is has responsibility for drawing up investment plans for European Structural and Investment Funds for England for the period 2014-2020.

47. Thus the LEP is not merely an economic advisor to the local authorities preparing local plans as suggested in Figure 3 ...it is a very powerful agency with access to central government and external funding agencies which leads to an investment programming function. The local authorities appear to be in the position of needing to respond to the SEP in a top-down process even though the LEP is an unelected body.

48. LEPs have a considerably greater role in driving the local growth agenda than that originally set out in 2010 and are playing an increasingly important role in the funding of infrastructure and other development to support long term sustainable growth.<sup>23</sup> This consolidates a role of strategic planner for the LEP. At first glance this has the appearance of the LEP gradually replacing regional strategies.

49. This “takeover” of the strategic planning function has a major risk: the overarching priority for the NPPF is to deliver long term sustainable growth, ensuring that councils positively take into account the three pillars of sustainable development – economic, environmental and social - in their local plans. But the Oxfordshire SEP (as is the case with other SEPs across the country) does not

<sup>23</sup> As examples: (i) Regional Growth Fund: <https://www.gov.uk/understanding-the-regional-growth-fund>; (ii) Growing Places Fund: <https://www.gov.uk/government/publications/the-growing-places-fund-investing-in-infrastructure>; (iii) Strategic Economic Plans: <https://www.gov.uk/government/publications/growth-deals-initial-guidance-for-local-enterprise-partnerships>; (iv) European Structure and Investment Funds Growth Programme: <https://www.gov.uk/government/publications/european-structural-and-investment-funds-strategiessupplementary-guidance-to-local-enterprise-partnerships>

include a sustainability appraisal (as required for local plans) and concern itself with social and environmental safeguards.

50. In Oxfordshire, the Oxfordshire Strategic Environmental Economic Investment Plan (SEEIP) is intended to provide direction and clarity on how investment in the Oxfordshire's environment will be delivered. It is one of a series of investment plans which will comprise the SEP. The SEEIP has been prepared by LEP in association with Oxfordshire County Council, the City and District councils, Wild Oxfordshire and Berkshire Buckinghamshire Oxfordshire Wildlife Trust (BBOWT). It is stressed that it is not a supporting document to the SEP in the sense that it assesses the environmental impact of the SEP: it is a component of the SEP in the sense that it demonstrates how the environmental assets of the county can be used to generate economic benefit.

51. Similarly the SEP also will produce a Creative, Cultural, Heritage and Tourism Investment Plan (CCHTIP) for Oxfordshire. The aim of the Investment Plan is to develop a clear vision and purpose that will strengthen and exploit investment opportunities and innovation, to enhance the current offer in Oxfordshire and create sustainable growth and prosperity throughout the county.

52. It is also added that the responsibility for the outcomes of individual City Deal program or other such funding stream rests with local or central government. The unelected LEP plays a big role in planning and programming but the financial risk of failure lies with council tax payers locally. This disconnect between decisions and who pays is a concern."<sup>24</sup>

- **LEP / SEP budgeting / expenditure and collaboration locally**

53. Although the SEPs are multiyear Local Growth Fund resources for 2015/16 are to be spent in that financial year wherever possible. LEP's track record of delivering spend against their plan in 2015/16 may be taken into account in allocating Local Growth Fund resources in future years. LEPs are under pressure to make an instant impact – deliver "quick wins" and this is not conducive to its essential partnership with implementing agencies. Other resources available to LEPs are not similarly constrained by central government budgeting rules, (for example European Structural and Investment Funds) and this will assist LEPs in planning to deliver in future years.

54. The expectation is that transportation authorities will have close collaboration with LEPs and the SEPs should include schemes identified in prioritised lists or, by exception, set out clearly why the LEP has taken a different view from the local transport authority. As a minimum the plans will need to include any scheme to which the transport authority has already committed funds following a scheme specific approval decision. SEPs should also set out how the local transport authority is integrated into decision making.

55. It would appear that the LEP has vested interest in both the way local plans are drawn up and the way development management decisions are processed and determined. Aligning or pooling the capital and revenue spending on growth by the Oxfordshire districts and county is essential. Whilst the city, districts and county decisions on capital and revenue spending should give weight to supporting the SEP, (specifically spending on housing, transport, economic development, regeneration, planning and infrastructure), the SEP should be aware of potentially different priorities being reflected in local plans.

- **LEP monitoring and evaluation – and the SEP 'refresh'**

56. The LEP characterizes its proposed investments as a series of key deliverables. Using a benefits management technique the LEP has constructed a matrix which aims to show the causal links between achieving the deliverables and achieving the benefits and SEP outcomes. The evaluation matrix of the current SEP suggests links between the deliverables and quality of life benefits i.e. "more engaged citizens"<sup>25</sup>. It is suggested that the connection between the deliverables and such quality of life benefits is very tenuous. This is unsurprising as the previous section has confirmed the economic determinism of the LEP. The LEP evaluation system, as designed, does not appear to be adequate in assessing social and environmental benefits or impacts.

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<sup>24</sup> Devolving responsibilities to cities in England: Wave 1 City Deals, Public Accounts Committee, 2015

<sup>25</sup> A quality of life impact of SEP deliverables, cited in the SEP M&E Framework.

57. The Oxfordshire LEP has also confirmed that it is intending to ‘refresh’ the current SEP in January to April 2016. The SEP, published in March 2014, is built on the approach developed as part of the City Deal<sup>26</sup> and set out our integrated approach of driving ‘economic growth through innovation’, and presented government and business with a compelling case for investment through the Local Growth Fund (LGF), a devolved pot of funding directed mainly towards transport infrastructure and business support (please refer back to Figure 4 for the relationships between these funding sources and the LEP and its SEP).

58. Now, in anticipation of additional devolved funding the LEP wishes to ‘refresh’ the SEP so that it reflects not only new government policy for local economic growth and changed local conditions, but takes into account a wide range of work that we have undertaken over the past 18 months.

59. A review of the ToR<sup>27</sup> for the consultants to be appointed to undertake this ‘refresh’ (please see text box) indicates:

- A limited approach to M&E as indicated in the LEPs own specified approach to SEP M&E;
- No recognition of the need to ensure that environmental and social safeguards are discussed with the wider community
- No recognition of the links between the SEP and the implementing Local Plans of the city and districts; and
- No acknowledgement of the need to involve the wider community in the process of justifying growth and decisions concern the distribution of growth.

60. In discussion with LEP OCS noted that there is evidence of significant opposition to growth throughout the county which the LEP did not address in the course of the preparation of the original SEP and that the refresh is an opportunity to engage the wider community in a discussion of the justification of growth and implications of the distribution of growth. LEP agreed that as the original SEP was prepared against tight deadlines, there was not time for such a debate with the wider community.

**Extract from SEP ‘refresh’ Terms of Reference**

*“We are not seeking a complete re-write of the SEP. Rather, we wish to pause, take stock, update the data, consider our options in the light of new devolved funding opportunities, and re-energise the text and graphics in the light of:*

- *The Oxfordshire European Structural Investment Fund (ESIF) Plan which sets out our ambitions for c€20 million to be allocated towards supporting our SMEs, fostering innovation and encouraging a move towards a low carbon economy, skill and labour market development, social inclusion, and specific projects aimed at our rural areas.*
- *The Oxfordshire Strategic Environmental Economic Investment Plan which articulates the positive role the natural environment plays in the continuing success of Oxfordshire’s economy, and sets out a programme of around £31 million of investment for environmental projects to further enhance Oxfordshire’s environmental offer.*
- *The Oxfordshire Creative, Cultural, Heritage and Tourism Investment Plan which outlines how this important and vibrant sector can be further strengthened across the county, and includes a portfolio of projects with a total value of £44 million.*
- *Continued progress in transport and digital infrastructure.”*

<sup>26</sup> The Oxford and Oxfordshire City Deal will: Invest in an ambitious network of new innovation and incubation centres which will nurture small businesses: The Harwell Innovation Hub: focused on open innovation; The UKAEA Culham Advanced Manufacturing Hub: focused on remote handling technologies; The Oxford BioEscalator: focused on the life sciences sector; The Begbroke Innovation Accelerator: focused on advanced engineering sectors. Invest in Growth Hub to help small and medium enterprises to grow through better business support – with a particular focus on supporting innovation; Accelerate the delivery of 7,500 homes across the county; and recognise that the provision of quality housing will be fundamental to the delivery of innovation-led growth.

To support this commitment, Oxford & Oxfordshire will propose an ambitious Local Growth Deal, including a request to lift the Housing Revenue Account debt cap; Enable three new transport schemes to support developments at the Enterprise Zone, Northern Gateway and the first phase of the “Science Transit” public transport scheme; Deliver over 500 new Apprenticeships for young people; Provide £95m of local and national public sector investment with a further £550m of investment from housing providers; Leverage in nearly £600m of private sector investment through site development, transport infrastructure, skills schemes; and business support services and innovation centres; Create 18,600 new jobs and a further 31,400 jobs during the construction phase.

<sup>27</sup> Request For Quotation, Refresh of the Oxfordshire Strategic Economic Plan (SEP), CPU 1704, Oxfordshire County Council

## 1.4 The Oxfordshire Growth Board – is it fit for purpose / does it have the right purpose?

### 1.4.1 Purpose of OGB

61. The position and role of the Oxfordshire Growth Board (OGB) is also summarized in **Figure 3**. It is a joint statutory body between several councils in Oxfordshire<sup>28</sup> and key partners to deliver the key local authority functions needed to achieve priorities as set out in the Oxfordshire Strategic Economic Plan. The OGB is intended to:

- Facilitate and enable collaboration between local authorities on economic development, strategic planning and growth;
- Deliver cross-boundary programmes of work including City Deal, Strategic Economic Plan and Local Transport Board programmes, within government timescales, including agreeing the detailed contents of specific priorities, plans, projects and programmes;
- Approve and monitor the implementation of a detailed work programme as laid out in the City Deal, Strategic Economic Plan and Local Transport Board programmes together with any future Growth Deals or other programmes as agreed;
- Bid for the allocation of resources to support the above purposes.

62. The OGB stresses that each constituent Authority retains the capability to exercise all executive functions generally and specifically in relation to economic development, strategic spatial planning and strategic transport planning and that membership of the OGB does not bind, either financially or contractually, any constituent Authority.

63. Such a Joint Committee enables plan-making and (potentially) development management functions in two or more authorities. Their main shortcoming is that elements of joint plans are not necessarily passed by planning machinery in the shape of the constituent separate planning committees, appeals and judicial reviews including Local Plan processes. This could also be major constraint to visionary strategic planning – does it pass the “Uxcester could happen here” test?

64. It is noted that the OGB is very much devoted to implementing the SEP of the LEP although it can be argued that the first cited purpose (*Facilitate and enable collaboration between local authorities on economic development, strategic planning and growth*) is a mandate to ensure collaboration between the LEP/SEP and the Local Plans.

### 1.4.2 The OGB in action

65. The OGB has recently received the “Post SHMA<sup>29</sup> Strategic Work Program Update” – a report which is of interest as it demonstrates how the “duty to cooperate” is coming into play in one of the more contentious areas of strategic planning in Oxfordshire – housing growth and allocation. The SHMA Update confirms that there is now agreement between all Oxfordshire authorities on a “working figure” for unmet housing need in Oxford City<sup>30</sup>. This was achieved by preparing a critique of the Oxford Strategic Housing Land Availability Assessment (SHLAA)<sup>31</sup>, the Cundall report commissioned by South, Vale and Cherwell<sup>32</sup>, the Oxford response to this and other relevant information. Following consideration of the report all authorities have agreed a working assumption of 15,000 homes for Oxford City’s unmet need. All authorities have now agreed to work towards this in good faith.

66. Although the OGB has issued a caveat that the working assumption of 15,000 is a working figure to be used by the Program only as a benchmark for assessing the spatial options for growth and is not an agreed figure for the true amount of unmet need, the Update does confirm that the OGB and the duty to cooperate is working. However it also suggests an implicit acceptance of the SEP economic growth driver of SHMA estimates and Oxford Futures would prefer this driver to be explicit.

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<sup>28</sup> From 1 July 2015 to 30 June 2016, the OGB is hosted by Cherwell District Council.

<sup>29</sup> Oxfordshire Strategic Housing Market Assessment

<sup>30</sup> All authorities have now agreed a working assumption of 15,000 homes for Oxford City’s unmet need. All authorities have now agreed to work towards this in good faith.

<sup>31</sup> Oxford Strategic Housing Land Availability Assessment, December 2013

<sup>32</sup> Unlocking Oxford’s Development Potential: Cundall, November 2014 (The report sets out a practical first step to releasing more land for meeting the needs of Oxford residents).

67. There is also a question of the synchronization of OGB strategic options development with Local Plan preparation. A list of potential sites for growth has now been drawn up by the OGB partners - this is a long list of all possible areas of search that will be subject to a number of tests to examine their potential suitability for consideration as growth options. The next stage will be carried out by consultants appointed to carry out the spatial options testing. It is anticipated that they will present findings to the OGB partners in the New Year and completion in March 2016. This spatial interpretation of the SEP may be in conflict with those Local Plans for which strategic options have been completed. Synchronization of the finalization the Local Plans with the OGB spatial planning decisions will also be difficult to achieve (please refer to Table 1).

68. An infrastructure assessment process has now been agreed by OGB partners with work to be completed by the end of April 2016. Detailed discussions have been held with key stakeholders such as the Environment Agency and power suppliers about the need for assessment of the implications for the various growth options as they emerge. Synchronization of this work with the finalization of the Local Plans will also be difficult to achieve unless the local plan scheduling is changed / slipped back.

### **1.4.3 OGB (and LEP) and 'the wider community'**

69. Given its interest in the Oxfordshire SEP 'refresh', the experience of SEP consultations in Oxfordshire and nationally<sup>33</sup> is of special interest to the OFG. Nationally all SEPs appear to have passed through a consultation process, although the extent and depth varies considerably. Some LEPs, for example, have attempted to embark on active forms of user involvement, whereas other LEPs appear to have reverted to what might be called tokenistic box-ticking exercises. Twenty-eight SEPs have prepared reasonably robust accounts or explanations of business input and involvement during the production process, although three SEPs fail to mention this and the remaining seven SEPs provide only brief accounts.

70. Notably, in terms of wider community engagement (that is, all those stakeholders beyond the business community), consultations performance was even weaker: 11 SEPs made no mention and a further eight SEPs provided only limited accounts. Much SEP consultation nationally has involved tightly defined groups of "key stakeholders" or "partners", which has often been stage managed through high-profile events and this has been the Oxfordshire LEP approach. In discussion with the Oxfordshire LEP it was admitted that the preparation schedule of the original SEP did not allow time for consultation with the wider community.

71. There is growing evidence<sup>34</sup> of dissatisfaction with the growth agenda in Oxfordshire by the "wider community." It is suggested that the lack of strategic vision in Oxfordshire as explained in the Oxford Futures Report is at least partly because managing the transition towards private sector-led local economies will require a long term and wide view to be taken in many communities and many communities are not used to this.

72. There is a risk that what lies ahead is conflict<sup>35</sup> between the districts and their civil society constituents during the final stages of local plan preparation, rather than a collective approach to seek and deliver solutions. The justification of the SEP vision of growth and the implications of growth have not been adequately disseminated and discussed with the broader community. Robust support for well-designed and well-managed economic growth will depend on successful wider engagement and better understanding of the opportunities and threats to Oxfordshire.

73. The local authority partners on the OGB have now signed a Memorandum of Understanding to respect the confidential nature of information and opinion shared within the SHMA Program. The MOU includes agreement on a common and shared approach to FOI requests coordinated through

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<sup>33</sup> Planning for Growth: The Role of Local Enterprise Partnerships in England Final Report 2015, Lee Pugalis, Alan Townsend + Nick Gray and Ania Ankowska, Northumbria University +Durham University prepared for the Royal Town Planning Association

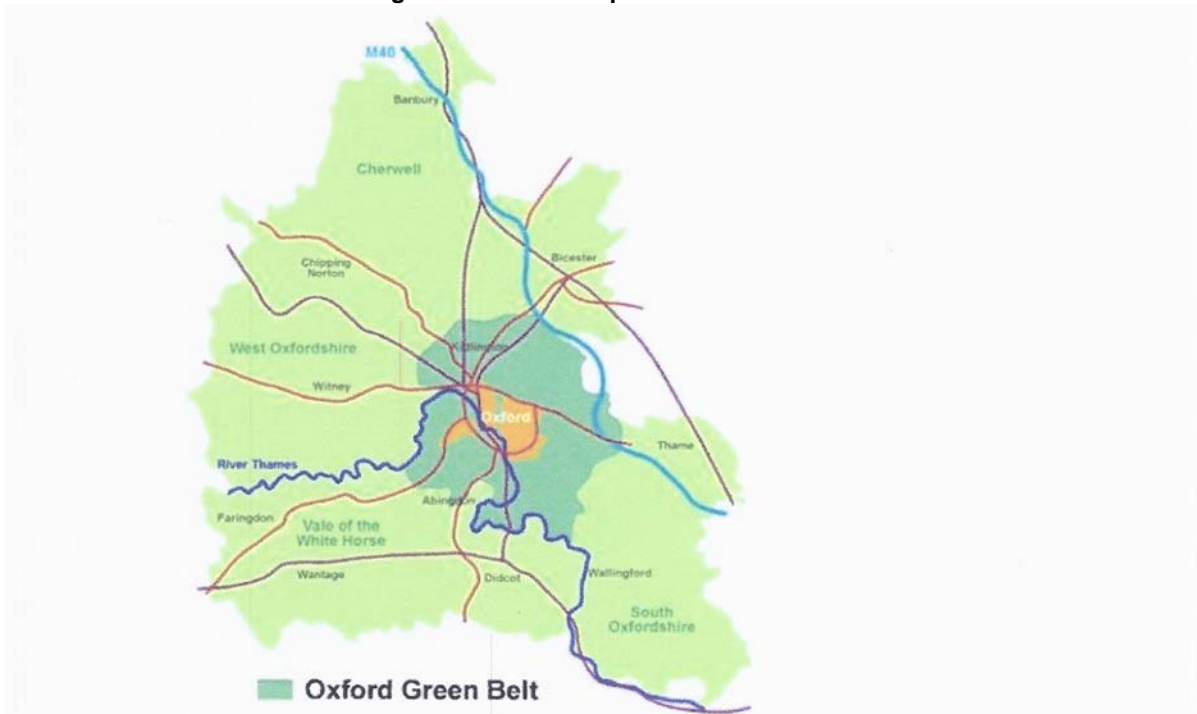
<sup>34</sup> Records of local plan consultations (also please refer to Table 1) show that national and local groups are resisting emerging local plan policies which are rooted in SEP employment generation projections (especially housing allocations and sites). CPRE is challenging Oxfordshire LEPs position that an environmental impact analysis of the SEP is not needed.

<sup>35</sup> For example a quick review of representations made to initial Local Plan consultations in all districts suggests that over one thousand written representations were made by organisations and individuals with concerns and objections.

the lead authority. All council partners on the Board have signed a communications protocol that sets out how the partners will collectively manage communication of the Program as it progresses.

74. This is not what is needed. It would be preferable if the SHMA agreement was based on a wide acceptance of a clearly understood LEP economic strategy and its implications for housing growth. Secrecy concerning the SHMA and its economic justification is the opposite of what is needed and what is prescribed in the Oxford Futures Report and endorsed in the Oxford Futures Symposium. The Green Belt<sup>36</sup> is a battlefield awaiting the armies.

**Figure 6: One of the potential battlefields**



75.

As noted in the introduction, “the refresh of the SEP provides a timely opportunity to widen engagement and reinforce a sustainable vision and future for Oxford and Oxfordshire with all who live and work across Oxfordshire. We will ensure that all stakeholders have the opportunity to be engaged in the refresh of the SEP.”

## **1.5 Not to mention the County Council**

### **1.5.1 Strategic transport planning**

76. All transport authorities are required to produce a Local Transport Plan (LTP) in which they set out their objectives and plans for developing transport in their area. “Connecting Oxfordshire”, is the new Local Transport Plan (LTP4), which sets out Oxfordshire County Council’s policy and strategy for developing the transport system in Oxfordshire to 2031.

77. The LTP4 has been developed with input from the city and district councils, businesses, MPs, stakeholder groups and through public consultation. It is noted in the LTP4 that it is consistent with “Oxfordshire 2030” the “Sustainable Community Strategy” (see section 1.6.3 below).

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<sup>36</sup> The Green Belt report has now been published and is available on the OGB website c/o the Cherwell District Council website

<http://modgov.cherwell.gov.uk/ecSDDisplay.aspx?NAME=Oxfordshire%20Green%20Belt%20Study&ID=426&RPID=7026870&sch=doc&cat=13638&path=13637%2c13638>

78. It also takes into account the plans and ambitions of the LEP and its SEP and the aspirations of the England's Economic Heartland Tri-Counties alliance<sup>37</sup>, and so identifies transport schemes that will support the Knowledge Spine growth area (a key feature of the SEP). The SEP'S focus on high tech economic activity means that Government funding for transport schemes will be largely focused on links within the area encompassing Bicester, Oxford and Science Vale, known as the Knowledge Spine, as well as improving access to it from important centres elsewhere in Oxfordshire, the UK and overseas.

79. Connecting Oxfordshire is nonetheless a plan for the whole county; it also sets out policy priorities for parts of the county less affected by the Knowledge Spine, thereby providing a basis for securing transport improvements to support development countywide. Connecting Oxfordshire has been developed with these over-arching transport goals:

- To support jobs and housing growth and economic vitality;
- To reduce transport emissions and meet our obligations to Government;
- To protect, and where possible enhance Oxfordshire's environment and improve quality of life; and
- To improve public health, air quality, safety and individual wellbeing

80. The LTP4 is to be used to seek external funding to support the delivery of transport infrastructure priorities as set out in the SEP Infrastructure Delivery Plan. It is noted that the SEP sets out the investment that will be required to realise this growth. It focuses on providing homes, developing skills and improving connectivity and is now the basis upon which the majority of central Government funding for transport improvements is awarded locally, via the Local Growth Fund (LGF).

81. In addition to funding which is available locally via the LGF, the Government is investing heavily in strategic transport infrastructure that will support Oxfordshire's economic development. These include important schemes such as railway electrification, East-West Rail, which will reconnect Oxford to Milton Keynes and Cambridge by rail, and direct rail access from the west into Heathrow. Additionally, Highways England is developing a route based strategy linking Southampton and the East Midlands, which will include improvements to the A34 and the development of an Oxford to Cambridge expressway. However, where a business case cannot be linked to the SEP and is neither a rail investment nor Highways England scheme, it will be more challenging to obtain central Government funding for transport schemes, and there will be more reliance on developer funding if the current situation continues.

82. The England's Economic Heartland Tri-Counties alliance provides the opportunity to seek a new regional Growth Deal through which we can implement a new delivery model: one which brings together a range of powers, responsibilities and resources in a way previously unseen. Through this alliance, we would be able to look across investment programmes – both locally and nationally – and best take advantage of the opportunities to fund transport and other strategic investment across the growth areas of the region.

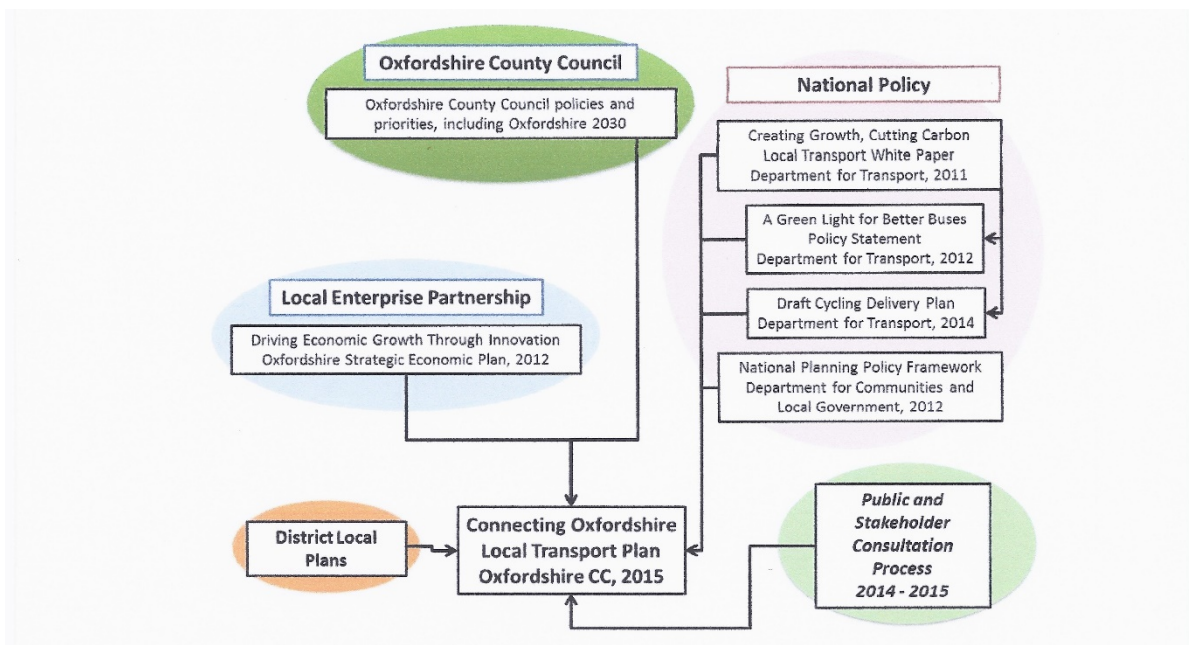
83. LTP4, therefore sets out our policy and strategy for the whole county, supporting the SEP but also setting out priorities for parts of the county less affected by growth in the Knowledge Spine. It thereby provides a basis for securing transport improvements to support development countywide, providing a basis to build our investment decisions on in the coming years.

84. Connecting Oxfordshire therefore closely links national and local land-use and transport planning policies, and aligns with the National Planning Policy Framework (NPPF). It also takes into account national and local transport and enterprise policies. This is shown in **Figure 7** which also shows what is perhaps an inappropriate relationship between the transport strategy and the Local Plans – it can be argued that coordinated Local Plans are the strategic plans and the transport strategy feeds into the Local Plans. This would also better reflect 'localism.'

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<sup>37</sup> Oxfordshire, Buckinghamshire and Northamptonshire have set out a proposal for a strategic alliance to harness the economic potential of the area by taking a coordinated approach to planning for, and delivery of, strategic infrastructure.

**Figure 7: The world according to LTP4**



Source: LTP4

85. Most importantly it is noted in the LTP4 that the situation with regard to local plans is still evolving, largely as a result of the 2014 Oxfordshire Strategic Housing Market Assessment (SHMA), and other spatial and related plans under development, for example the Science Vale Area Action Plan. It is stated that the Oxfordshire County Council in its capacity as infrastructure provider and enabler will continue to work with the district and city councils on spatial planning for the county to ensure efficient and effective allocations of future growth. Although the flexibility is welcome, the approval of LTP4 in 2015 would appear to be poorly synchronized with the local plan process and the SEP refresh. This process does not pass the “could Uxcester happen here” test.

**1.5.2 Strategic minerals and waste planning**

86. The Minerals and Waste Local Plan is being prepared – the core strategy was published for representations in August 2015 and submitted to the government for examination in November 2015. Examination hearings will be in February/March 2016 with an Inspector’s report published in June 2016 and the revised plan adopted in July 2016.

87. Part 1: the core strategy set out the vision, objectives, spatial planning strategy and policies for meeting development requirements for the supply of minerals and the management of waste in Oxfordshire over the period to 2031. It provides a policy framework for identifying sites for new minerals and waste developments in Part 2 of the plan - the site allocations document and for making decisions on planning applications.

88. The Plan is based on the SEP and notes that one of the key challenges is to make adequate provision for the construction materials that will be needed to be supplied and for the waste that will be produced to be dealt with in ways that are effective and sustainable. There is also a need to ensure that new developments reduce carbon emissions and are resilient to climate change. Key locations for development are noted although of course this precedes final site allocations in the local plans. The process is not well synchronized with the local plan processes.

**1.6 Environmental and social safeguards**

**1.6.1 Environmental safeguards**

89. It has been noted that giving too much authority to the SEP has a major risk: the overarching priority for the NPPF is to deliver long term sustainable growth, ensuring that councils positively take into account the three pillars of sustainable development – economic, environmental and social - in their Local Plans, but the Oxfordshire SEP (as is the case with other SEPs across the country) does

not include a sustainability appraisal (as required for Local Plans) and concern itself with social and environmental safeguards<sup>38</sup>.

90. It appears that the Local Plan process is the only way in which the SEPs role in contributing to protecting and enhancing the natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimize waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy can be assessed. This implies that if environmental safeguards are to be assessed in the SEP 'refresh' it is best undertaken in the course of reviewing the Local Plans.

### **1.6.2 Social safeguards**

91. Similarly it appears that the Local Plan process is the only way in which the SEPs role in contributing to and supporting strong, vibrant and healthy communities<sup>39</sup>, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being can be assessed.

92. This requires linking with health and social care agencies and their strategies and in particular the Oxford NHS Foundation Trust (OHFT) which has produced a strategic plan which includes services to Oxfordshire. The strategic plan notes that as Oxfordshire is the most rural county in the South East (over 50% of the population live in settlements of less than 10,000 people), the rural nature of these areas influences how OHFT designs its services, particularly given the move towards the provision of services in the community. Clearly redistributions of population driven by the SEP can have immense impacts on service delivery by OHFT. Similarly the demographic profile of Oxfordshire drives OHFT service planning – currently by 2026, Oxfordshire's total population is forecast to grow by 14%. The proportion of the population aged over 65 in Oxfordshire is forecast to increase from 16% in 2011 to over 20% by 2026.

### **1.6.3 Oxfordshire Partnership**

93. Local authorities were required by the Local Government Act 2000 to prepare and implement Sustainable Community Strategies. These strategies were intended to set the overall strategic direction and long-term vision for promoting or improving the economic, social and environmental well-being of a local area. The Deregulation Act 2015<sup>40</sup> repealed section 4 of the Local Government Act 2000, the effect of which was to remove the duty for local authorities to prepare a Sustainable Community Strategy and the linked duty to consult with and seek the participation of their partner authorities and such other persons as they consider appropriate.

94. The repeal was made as part of the localism agenda and gives local authorities the freedom to decide whether or not a Sustainable Community Strategy is needed for their area<sup>41</sup>. Typically Sustainable Community Strategies were prepared by strategic partnerships, ensuing collaboration between the public sector, voluntary sector and private sector, as well as local people, to agree the content.

95. There were six local strategic partnerships in Oxfordshire: the Oxfordshire Partnership, and partnerships in each district council. The Partnerships were intended to work together to achieve a

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<sup>38</sup> It is also noted that the Supplementary Guidance on European Structural and Investment Funds Strategies includes further guidance on the (legal) requirements around sustainable development and equality which arise from European and domestic regulation. This includes guidance on public reporting and accountability which LEPs should have regard to developing their Strategic Economic Plans.

<sup>39</sup> For example it needs to be shown how the Local Plan will contribute to eliminating Oxfordshire's areas of deprivation (in Oxfordshire, for example, eighteen Lower Super Output Areas (LSOAs) rank among the 20% most deprived in England).

<sup>40</sup> On 13 April 2011 the statutory guidance to local authorities on preparing a Sustainable Community Strategy was withdrawn, and the intention to repeal both duties once a suitable legislative vehicle had been identified was announced.

<sup>41</sup> For example there was agreement at the July 2012 Vale Partnership meeting to disband the partnership and instead of formal meetings to keep in touch informally. Partnership members will keep a database of partners' contacts' for the purpose of sharing information. The district council is exploring the idea of an online 'bulletin board' for partnership members to share information, discuss issues, publish relevant information and receive alerts when the site is updated.

shared vision for the future and all five district councils were members of the Oxfordshire Partnership Board. Towns and parishes are represented on the board by representatives nominated by the Oxfordshire Association of Local Councils. The Oxfordshire Partnership provided the forum for the development of Oxfordshire 2030, a long-term strategic vision for the county referred to as the Sustainable Community Strategy – a single strategic vision for Oxfordshire. The Terms of Reference is presented in the Text Box, below.

Oxfordshire 2030 is a Sustainable Community Strategy. It sets out a long-term vision for Oxfordshire's future with the ambition to:

- Create a world class economy for Oxfordshire building particularly on the high tech sector.
- Have healthy and thriving communities. To sustain what is good about the city, towns and villages but also respond to the needs of the 21st century including the impact of demographic and lifestyle changes.
- Look after the environment and respond to the threat of climate change and the potential for more extreme weather conditions. The threat of flooding is a particular concern.
- Break the cycle of deprivation by addressing the regeneration needs of disadvantaged communities; reducing the gap between the best and worst off and supporting people to maximise their talents and raise their aspirations.

The strategy has the support of all the key statutory agencies in the county as well as voluntary and business sector endorsement. The expectation is that key agencies will reflect the vision and priorities in their own corporate plans and in their resource allocation so we ensure that we deliver the vision

**The Oxfordshire Partnership: Terms of Reference:**

The Oxfordshire Partnership is the over-arching strategic partnership for the county and provides the forum for setting the strategic vision for the county and for capturing the vision in the Sustainable Community Strategy.

**Terms of reference:**

The Oxfordshire Partnership is responsible for the following:

Policy	<ul style="list-style-type: none"> <li>• To develop a Sustainable Community Strategy – a single strategic vision for Oxfordshire.</li> </ul>
Monitoring of outcomes	<ul style="list-style-type: none"> <li>• To monitor the outcomes of the Strategy and recommend remedial action.</li> </ul>
Horizon scanning	<ul style="list-style-type: none"> <li>• To raise awareness of, and debate on, the major emerging issues likely to affect the quality of life of people living in, working in or visiting the county.</li> </ul>
Raising the profile of Oxfordshire regionally and nationally	<ul style="list-style-type: none"> <li>• To lobby, campaign and champion the issues that are important to Oxfordshire to regional and national government and the media.</li> <li>• To communicate the priorities, activities and achievements of the Partnership (this includes the achievements of the thematic partnerships) to the public and across the wider partnership.</li> <li>• To have clear links and communication with the major thematic / delivery partnerships.</li> </ul>
Consultation and data sharing	<ul style="list-style-type: none"> <li>• To bring together, where possible, strategic consultation exercises.</li> <li>• To promote the use of the Oxfordshire Data Observatory and ensure that the partners share data and information and that data sharing protocols are in place.</li> </ul>
Relationship management, inclusion and equality	<ul style="list-style-type: none"> <li>• To work closely and supportively with the statutory / public sector service providers.</li> <li>• To maintain the best possible communication and understanding between the partners and sectors.</li> <li>• To ensure that the partnership is accessible.</li> </ul>
Accountability	<ul style="list-style-type: none"> <li>• To ensure that the Partnership's activities are accessible to the public.</li> <li>• To ensure strong governance and partnership agreements are in place and that these are reviewed annually.</li> </ul>

**1.6.4 Oxfordshire's Joint Strategic Needs Assessment**

96. The OHFT notes in its strategy document that the bedrock of its decision-making is Oxfordshire's Joint Strategic Needs Assessment. The Oxfordshire Joint Strategic Needs Assessment is a report that includes information from a different sources that cover the health and wellbeing of the population in its broadest terms. This information is shared between the NHS locally and local authorities and is available to the public. When added to local knowledge of services, it gives Oxfordshire a common and consistent evidence-base which allows monitoring of service delivery. During 2014-15 data collection was further improved and made more accessible on the Insight<sup>42</sup> web pages.

<sup>42</sup> Insight aims to provide evidence to support strategic policy development within Oxfordshire, across the full range of partners we work with: [www.insight.oxfordshire.gov.uk/](http://www.insight.oxfordshire.gov.uk/)

## 2 An emerging innovation for coordinated planning and service delivery .....

97. A Combined Authority is a corporate body with legal personality and powers in its own right, providing a stable mechanism for long term strategic collaboration between relevant local councils as well as other partners. Due to its statutory nature, it is not some form of collaborative venture that is entered into lightly.

98. In September 2015 the six Oxfordshire councils, the Oxfordshire LEP, the Oxfordshire Clinical Commissioning Group jointly submitted an expression of interest in Combined Authority status to the Department of Communities and Local Government. This was also endorsed by the University of Oxford and Oxford Brookes University. The expression of interest asks for greater local control over £4bn of funding for transport, skills training and health services. It was submitted in response to a call by government for local areas to propose new ways of working that will increase economic growth and improve services for residents. In return, government is prepared to devolve power and funding to local areas (as has already happened in greater Manchester).

99. The four main themes of the expression of interest are based on the perception that Oxfordshire has a globally significant economy that has grown rapidly over the past few years, particularly in science and technology, but major transport bottlenecks, difficulties in recruiting skilled staff and housing affordability are major local challenges – all issues highlight in Oxford Futures. The initial set of ideas submitted to government set out how Oxfordshire partners will work together to address these issues in return for long-term government funding and more local powers. The themes are:

- Delivering the infrastructure – particularly the roads network – that is required to support economic growth
- Helping people to get the necessary skills and benefit from good jobs created in hi-tech industries
- Tackling housing shortages and affordability
- Ensure health and social care services meet growing demand as the population ages and funding to public services is reduced.

100. These ideas build on the success of £56m City Deal and £118m Growth Deals agreed with Government last year and will strengthen the work that is already being undertaken to deliver Oxfordshire's Strategic Economic Plan.

101. The expression of interest also proposes to build on the effective joint working arrangements that already exist in Oxfordshire and to deliver better services for residents, including greater local control over health budgets.

102. Next steps will include further discussions between Oxfordshire partners and government departments to broker the deal. Very importantly, any final deal will be subject to public consultation and compliance with the full democratic process of each council.

OCS December 2015