

Agenda



Listening Learning Leading

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Date: 10 December 2018
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A MEETING OF THE

Cabinet

WILL BE HELD ON TUESDAY 18 DECEMBER 2018 AT 6.00 PM

DIDCOT CIVIC HALL, BRITWELL ROAD, DIDCOT, OX11 7JN

Members of the Cabinet

| Member | Portfolio |
|----------------------------------|--|
| Jane Murphy (Chairman) | Leader of the Council and Cabinet member for communications |
| Felix Bloomfield (Vice-Chairman) | Deputy Leader of the Council and Cabinet member for planning |
| Anna Badcock | Cabinet member for legal and democratic |
| Kevin Bulmer | Cabinet member for corporate services |
| David Dodds | Cabinet member for finance |
| Paul Harrison | Cabinet member for development and regeneration |
| Lynn Lloyd | Cabinet member for community services |
| Caroline Newton | Cabinet member for housing and environment |
| Bill Service | Cabinet member for partnership and insight |

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ITEMS TO BE CONSIDERED WITH THE PUBLIC PRESENT

Reports considered with the public present are available on the council's website.

1 Apologies for absence

To record apologies for absence.

2 Minutes (Pages 4 - 10)

To adopt and sign as correct records the minutes of the Cabinet meetings held on 27 September and 4 and 9 October 2018.

3 Declaration of disclosable pecuniary interest

To receive any declarations of disclosable pecuniary interests in respect of items on the agenda for this meeting.

4 Urgent business and chairman's announcements

To receive notification of any matters which the chairman determines should be considered as urgent business and the special circumstances which have made the matters urgent, and to receive any announcements from the chairman.

5 Public participation

To receive any questions or statements from members of the public that have registered to speak.

CABINET DECISIONS

6 Pyrton conservation area (Pages 11 - 32)

To consider the head of planning's report.

7 Budget setting 2019/20 (Pages 33 - 36)

To consider the head of finance's report.

RECOMMENDATIONS TO COUNCIL

8 Local Plan (Pages 37 - 57)

To consider the head of planning's report.

9 Chalgrove Neighbourhood Plan (Pages 58 - 61)

To consider the head of planning's report.

10 Little Milton Neighbourhood Plan (Pages 62 - 65)

To consider the head of planning's report.

11 Section 106 request by Thame Town Council

To consider the head of planning's report. (Report to follow)

12 Joint gambling policy (Pages 66 - 104)

To consider the report of the head of housing and environment.

13 Virement of surplus capital budgets for refurbishment works at Henley and Thame Leisure Centres (Pages 105 - 107)

To consider the head of community services' report.

14 Council tax empty homes premium (Pages 108 - 111)

To consider the head of finance's report.

15 Council tax base 2019/20 (Pages 112 - 115)

To consider the head of finance's report.

MARGARET REED

Head of Legal and Democratic

Minutes

OF A MEETING OF THE

Cabinet



Listening Learning Leading

**HELD ON THURSDAY 27 SEPTEMBER 2018 AT 6.00 PM
MEETING ROOM 1, 135 EASTERN AVENUE, MILTON PARK, OX14 4SB**

Present:

Cabinet members: Councillors Jane Murphy (Chairman), Felix Bloomfield, Anna Badcock, Lynn Lloyd, Caroline Newton and Bill Service

Officers: Steve Culliford, Andrew Down, Holly Jones, Ian Price and Tom Rice

27 Apologies for absence

Councillors Kevin Bulmer, David Dodds and Paul Harrison had sent their apologies for absence.

28 Minutes

RESOLVED: to approve the minutes of the Cabinet meetings held on 2 and 14 August 2018 as correct records and agree that the Chairman signs them as such.

29 Declaration of disclosable pecuniary interest

None

30 Urgent business and chairman's announcements

None

31 Public participation

Councillor Sue Biggs, the chairman of Kidmore End Parish Council and the Kidmore End Neighbourhood Plan, advised Cabinet of the work being carried out to prepare the neighbourhood plan. This included drafting a landscape sensitivity study, which Councillor Biggs asked Cabinet to take into account in the preparation of its Local Plan.

The chairman thanked Councillor Biggs for her statement and for the steering group's work on the neighbourhood plan.

32 Oxfordshire Joint Spatial Plan

Cabinet considered the head of planning's report on the Oxfordshire Spatial Plan, also known as the Joint Statutory Spatial Plan. The report sought approval of:

- the Local Development Scheme, which set out the timetable for the plan's production;
- the draft Statement of Community Involvement for public consultation; and
- the Scoping Document, setting out the role of the spatial plan.

The Cabinet member for planning outlined the role of the spatial plan and the documents under consideration. The spatial plan would set out the strategic plan for Oxfordshire but would not set out the detail. Cabinet called for meaningful consultation on the draft spatial plan.

In response to the draft documents under consideration, Cabinet noted that the head of planning would meet his counterparts at the other Oxfordshire principal councils to suggest some points of clarification to improve the documents; these are set out in the addendum to these minutes. In particular, he suggested that the wording of the scoping document in the first sentence of paragraph 3.10 should be amended to read: 'Whilst the Joint Statutory Spatial Plan will determine the spatial strategy and strategic growth areas, it will not allocate sites except at the request of the relevant local planning authority'. Cabinet concurred with this suggestion.

RESOLVED: to

- (a) approve the Local Development Scheme for the Joint Statutory Spatial Plan (as set out in Appendix 1 to the head of planning's report to Cabinet on 27 September 2018);
- (b) approve the draft Statement of Community Involvement 2018 (as set out in Appendix 2 to the head of planning's report to Cabinet on 27 September 2018) for the Joint Statutory Spatial Plan for a six-week period of formal public consultation;
- (c) approve the Joint Statutory Spatial Plan's Scoping Document (as set out in Appendix 3 to the head of planning's report to Cabinet on 27 September 2018); and
- (d) authorise the head of planning, in agreement with the other Oxfordshire councils' equivalent, to make any necessary minor and presentational changes to the draft Local Development Scheme 2018 and draft Joint Statutory Spatial Plan Scoping Document before publication, and the draft Statement of Community Involvement 2018 before formal consultation commences.

The meeting closed at 6.18 pm

Chairman

Date

Minutes

OF A MEETING OF THE

Cabinet



Listening Learning Leading

**HELD ON THURSDAY 4 OCTOBER 2018 AT 6.00 PM
MEETING ROOM 1, 135 EASTERN AVENUE, MILTON PARK, OX14 4SB**

Present:

Cabinet members: Councillors Jane Murphy (Chairman), Felix Bloomfield, Anna Badcock, David Dodds, Lynn Lloyd and Bill Service

Officers: Steve Culliford, Andrew Down, William Jacobs, Margaret Reed, Mark Stone and David Wilde

Apologies:

Kevin Bulmer, Paul Harrison and Caroline Newton tendered apologies.

Also present:

Councillor David Turner

33 Apologies for absence

Councillors Kevin Bulmer, Paul Harrison and Caroline Newton had all sent their apologies for absence.

34 Declaration of disclosable pecuniary interest

None

35 Urgent business and chairman's announcements

None

36 Public participation

Councillor David Turner requested to address Cabinet. His comments are recorded under the relevant minute below.

37 Five Councils Capita contract changes

Cabinet considered the report of the head of partnership and insight, which updated on implementing the changes to the Five Councils Partnership corporate services contract with Capita. The report also set out an action plan for the council to address immediate deficiencies in the council's IT systems.

Councillor David Turner addressed Cabinet, reporting on the positive feedback from the Scrutiny Committee's consideration of this matter. He believed that progress had been made in the spirit of mutual co-operation between the council and its contractor, Capita, in improving the corporate services provided through the partnership. He hoped this would continue.

The Cabinet member for partnership and insight believed that steady progress had been made to service provision to better meet the council's needs. Governance had also been improved across the partnership. This had driven service improvements for local residents. He proposed the recommendations set out in the report. Cabinet supported these.

RESOLVED: to

- (a) support the proposed changes being progressed with the Five Councils Partnership and to note the process required to enact them; and
- (b) confirm that the delegated responsibility for completing the proposed changes rests with the chief executive in line with the Five Councils Partnership Inter-Authority Agreement.

38 Technology strategy

Cabinet considered the head of corporate services' report, which proposed the adoption of a joint technology strategy, with Vale of White Horse District Council.

Councillor David Turner addressed Cabinet, praising the draft strategy; Scrutiny Committee had been supportive also.

Cabinet believed that the strategy would support the councils' business needs and would ensure high quality, affordable services to local residents and businesses. This would support flexible working and would provide IT support for councillors. Cabinet approved a virement of £38,000 of underspent contingency budget, totalling £76,000 across both councils, to allow for the provision of backfill and specialised resources to deliver the immediate priorities set out in the strategy.

RESOLVED: to

- (a) approve the joint technology strategy for South Oxfordshire District Council, endorsing the principles documented in the head of corporate services' report to set the direction for any investment in and use of technology and supporting the proposed approach for delivery; and
- (b) approve a virement of £38,000 from the council's contingency budget (totalling £76,000 across both councils) for the provision of backfill and specialised resources to aid delivery of the immediate priorities set out in the strategy, to be managed by the head of corporate services.

39 Treasury management outturn 2017/18

Cabinet considered the head of finance's report on the treasury outturn in 2017/18. The report had been considered by the Joint Audit and Governance Committee, which was satisfied that the treasury activities had been carried out in accordance with the treasury management strategy and policy.

Cabinet welcomed the report, noting that performance had exceeded targets.

Linked to longer term income from investments, Cabinet noted that the leader had asked officers to explore capital investments, linked directly to the benefit of residents and the council's statutory duties, that also returned an income for the council. Cabinet welcomed this but recognised that this would require an amendment to the treasury management and investment strategy.

RECOMMENDED to Council to:

- (a) approve the treasury management outturn report 2017/18; and
- (b) approve the actual 2017/18 prudential indicators within the report.

The meeting closed at 6.21 pm

Chairman

Date

Minutes

OF A MEETING OF THE

Cabinet



Listening Learning Leading

**HELD ON TUESDAY 9 OCTOBER 2018 AT 9.00 AM
MEETING ROOM 1, 135 EASTERN AVENUE, MILTON PARK, OX14 4SB**

Present:

Cabinet members: Councillors Jane Murphy (Chairman), Felix Bloomfield, Anna Badcock, David Dodds, Paul Harrison, Lynn Lloyd and Bill Service

Officers: Steve Culliford, Andrew Down, Adrian Duffield, Liz Hayden, William Jacobs, Holly Jones, Suzanne Malcolm, Adrianna Partridge, Donna Pentelow, Ricardo Rios, Margaret Reed and Mark Stone

40 Apologies for absence

Councillors Kevin Bulmer and Caroline Newton had sent their apologies for absence.

41 Declaration of disclosable pecuniary interest

Councillor Felix Bloomfield declared a personal interest in the Warborough and Shillingford Neighbourhood Plan item as he was a local ward member.

42 Urgent business and chairman's announcements

None

43 Public participation

None

44 The Baldons Neighbourhood Plan

Cabinet considered the head of planning's report on The Baldons Neighbourhood Plan. The report sought Cabinet's recommendation to Council to make the plan part of the council's development plan.

Cabinet noted that the plan was compatible with the current European Union obligations and complied with the Habitats Regulation Assessment. The plan would conserve and enhance the rural character of the villages and identified infill housing sites.

The referendum, held on 4 October 2018, had resulted in 90 per cent support for the neighbourhood plan. Therefore, the Cabinet member for planning recommended that

Cabinet supported a recommendation to Council to make the neighbourhood plan part of this council's development plan. Cabinet supported the recommendation.

RECOMMENDED to Council to:

- (a) make The Baldons Neighbourhood Development Plan so that it continues to be part of this council's development plan; and
- (b) authorise the head of planning, in agreement with the Qualifying Body, to correct any spelling, grammatical, typographical or factual errors, together with any improvements from a presentational perspective.

45 Warborough and Shillingford Neighbourhood Plan

Councillor Felix Bloomfield declared a personal interest in this item as he was a local ward member and stepped down from the table during its consideration.

Cabinet considered the head of planning's report on the Warborough and Shillingford Neighbourhood Plan. The report sought Cabinet's recommendation to Council to make the plan part of the council's development plan.

Cabinet noted that the plan was compatible with the current European Union obligations and complied with the Habitats Regulation Assessment.

The referendum, held on 4 October 2018, had resulted in 90 per cent support for the neighbourhood plan. Therefore, the Cabinet member for planning recommended that Cabinet supported a recommendation to Council to make the neighbourhood plan part of this council's development plan. Cabinet supported the recommendation.

RECOMMENDED to Council to:

- (a) make the Warborough and Shillingford Neighbourhood Development Plan so that it continues to be part of this council's development plan; and
- (b) authorise the head of planning, in agreement with the Qualifying Body, to correct any spelling, grammatical, typographical or factual errors, together with any improvements from a presentational perspective.

The meeting closed at 9.05 am

Chairman

Date

Cabinet Report



Listening Learning Leading

Report of Head of Planning

Author: Samantha Allen

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Wards affected: Watlington

Cabinet member responsible: Felix Bloomfield

E-mail: Felix.Bloomfield@southoxon.gov.uk

To: Cabinet

Date: 18 December 2018

Adoption of Pyrton Conservation Area Appraisal and Boundary Review

Recommendations

- (a) To designate the Pyrton Conservation Area boundary as shown in Appendix 1 to this report.
- (b) To adopt the Pyrton Conservation Area Appraisal, as amended following public consultation, as part of the Development Plan evidence base and as a material planning consideration.
- (c) To delegate authority to the Head of Planning in consultation with the Cabinet member for planning to make minor changes, typographical corrections or non-material amendments to the Pyrton Conservation Area Appraisal and associated documents prior to formal publication and to undertake the necessary statutory actions to implement agreed recommendations.

Purpose of Report

1. The purpose of this report is to provide a summary of the representations received during the public consultation on the Pyrton Conservation Area Appraisal and Boundary Review and to detail what changes have been made to the document and boundary as a result in order to seek formal adoption of the appraisal and designate the revised boundary.

Corporate Objectives

2. The Conservation Area Appraisal accords with 2016-2020 corporate objective; Housing and Infrastructure by seeking high quality, sympathetic design.

Background

Purpose of the Conservation Area Appraisal and Boundary Review:

3. Under Sections 69 & 71 of the Planning (Listed Buildings and Conservation Areas) Act 1990 local authorities have a duty to designate conservation areas and from time to time to review the boundaries. Such areas are defined as 'areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance'. This Conservation Area Appraisal Document is the mechanism by which the local authority defines the special interest of these areas and they form part of the Local Authority Development Plan evidence base.
4. Under Section 71 of the above act, we have exercised our duty to formulate and produce proposals for the preservation and enhancement of the conservation area. This appraisal for Pyrton forms part of our rolling programme of providing conservation area appraisals for all the South Oxfordshire designated conservation areas.
5. The appraisal document forms part of the evidence base for the Development Plan. It should be used in the development management process to manage positive change within the designated conservation area or its setting to minimise harm and encourage preservation or enhancement. The document provides a summary of the history of Pyrton's development, an assessment of its historic and architectural interest by character area, a gazetteer of local interest buildings (non-listed structures) and a map showing various details of spatial analysis.
6. This document was commissioned and produced by Pyrton Parish Council following on from work undertaken as part of their Neighbourhood Plan. The conservation and design team have assisted the Parish by reviewing draft versions of the document and advising on changes necessary to ensure the content is appropriate and compliant with current good practice for the production of appraisal and management plans as well as being consistent with the council's in-house documents and style guides.

Summary of consultation responses received

7. A period of public consultation on the draft document and proposed revised boundary ran from 11 July to 22 August 2018. During which the Conservation Officer attended an evening meeting at the Village Hall organised by the parish council, met with residents at the council offices whose properties were proposed to be included within the conservation area and with representatives of Watlington Parish Council and Neighbourhood Plan group, also at the council offices.
8. During the consultation period 12 responses were received.
9. The comments received were generally positive that an appraisal and boundary review had taken place and the content of the document was well received. Where detailed responses were received, these were by email or letter rather than via the online survey.
10. Detailed comments received were almost exclusively related to the proposed boundary alterations and identified view points on the spatial analysis map (Figure 21 within the draft appraisal document).

11. A summary of the comments received can be found in the Consultation Statement attached to this report (Appendix 3).

12. To summarise, the following specific points were raised:

- That the inclusion of the parkland associated with Pyrton Manor was a logical alteration to the boundary;
- That the land proposed for inclusion within the designated boundary to the south-east of the village is not of sufficient historic or architectural interest to warrant inclusion within the designated area (labelled Area A on map at Appendix 2);
- That the recently granted planning permission for two new dwellings on this area means that the character will change and reduce the contribution it makes to the 'unchanging tranquillity' that was identified in the document;
- That there is no new evidence to suggest that Old Vicarage Cottage has become of sufficient architectural or historic interest to include within the designated boundary and its inclusion is therefore not justified;
- The wall along the village lane proposed to be included within the boundary provides some contribution to the street scene but this is not more than a limited contribution;
- There is no apparent methodology for identification of significant views;
- That the significant view identified on Pyrton Lane which lies outside of the designated conservation area and looks away from it does not contribute to the special interest of the conservation area, to how the conservation area is experienced nor does it contribute to how the character and appearance of the conservation area is appreciated;

13. A number of comments were also received that specifically raised concerns that the boundary revisions were proposed only to restrict or prevent future or further development and not because areas warranted inclusion on the grounds of architectural or historic interest.

Summary of the Conservation and Design Team's response to representations received.

14. The Conservation and Design Team read and amended the draft appraisal document prior to issuing it for public consultation and were satisfied that there was reasonable evidence of sufficient historic associative interest of areas currently outside the designated boundary to present an extension for public consultation. New areas would not be included solely to prevent development as this is not the function of conservation areas and their designation does not preclude development.

15. It is considered that reasonable evidence has been provided within consultee responses that the significance of the land on the south east side of the village (Area A in Appendix 2) is not of such high historic or architectural interest to warrant inclusion within the designated area.

16. There is extant permission for two new residential dwellings on the area of land proposed for inclusion that sits on the north east side of the lane into the village. Given the evidence provided in consultee responses that this area has limited associative value to the development of Pyrton village conservation area as a whole, it is considered that the area makes a stronger contribution as part of the area's setting. The setting of the conservation area was a material consideration in the assessment of the recent planning application demonstrating it does not need to be within the boundary to contribute to significance. As such, this area is no longer proposed for inclusion within the designated area.
17. The existing brick and flint boundary wall that historically defined the land associated with the Vicarage and which forms the enclosing boundary to the land surrounding Old Vicarage Cottage is considered to make a positive contribution to the character of the area and forms a significant boundary characteristic of local vernacular and the settlement. As such, it is proposed to draw the designated boundary along the wall so that the wall falls within the designated area but the land to its east does not.
18. Views and vistas within the conservation area have been described within the document and identified on the spatial analysis map shown at Figure 21 within the draft document.
19. One view in particular sits outside the designated conservation area boundary and looks away from it. Whilst the countryside and glimpsed views towards the Chilterns contribute to the rural setting of the conservation area, this specific view does not better reveal the historic or architectural interest of the designated area and is not indicative of any intentional design of the development of the village as a whole. This view is no longer proposed to be shown within the document¹.
20. In response to the representations received during the public consultation, the following specific alterations have been made:
 - The proposed boundary has been reduced to exclude the land associated with the Vicarage and Old Vicarage Cottage;
 - The view point shown to the south of the conservation area has been removed from the map and the text amended accordingly to retain references to the landscape setting of the village but no specific reference to that view.
21. The proposed revisions to the existing boundary are as follows:
 - the rationalisation of the boundary where it crosses through Lothlorien on the west side of the main road through the village;

¹ It should be noted that a longer view from Pyrton Manor in this location is considered to be an important designed view specifically related to the listed building rather than the conservation area and is therefore not shown on the spatial analysis map.

- the inclusion of the domestic parkland to Pyrton Manor up to its southern boundary with Pyrton Lane;
- the inclusion of Gatehouse Cottage, the Gate House and associated land alongside Pyrton Lane and the brick and flint boundary wall which lines the north-east side of the road running through Pyrton at the southern approach to the village.

22. These areas are considered to meet the criteria as 'areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance' as per the Planning (Listed Buildings and Conservation Areas) Act 1990. The proposed boundary seeking designation is shown at Appendix 1 of this report.

Options

23. In respect of the proposal to extend the conservation area boundary and adopt the conservation area appraisal the options for Cabinet are;
- a) to find that the proposed extended area identified in the appraisal *is* of special architectural or historic interest the character or appearance of which it *is* desirable to preserve or enhance, then the Council should designate the whole area as a conservation area
 - b) to find that the proposed extended area identified in the appraisal *is not* of special architectural or historic interest the character or appearance of which it is *not* desirable to preserve or enhance, then the Council should not designate the proposed extension as a conservation area
 - c) To find that there is an area of special architectural or historic interest the character or appearance of which is desirable to preserve or enhance, but that the boundary should be different to that proposed and having identified and justified the difference, then to designate that area as a conservation area.
24. Based upon officers' assessment of the area as presented in the conservation area appraisal and the responses received during public consultation, it is recommended that the proposed extension to the boundary is adopted and the whole area is designated Pyrton Conservation Area, together with adopting the accompanying Appraisal, which is in line with Option (a).

Financial Implications

25. The process of designating a conservation area entails a small cost to advertise the designation of a new boundary, to meet the statutory notification requirements, as described in the legal implications section below.
26. Dwellings within the proposed extension once designated would be required to apply for planning permission for certain works no longer benefitting from permitted development rights. There will be some increased work to the council arising from the processing of those applications but some of the cost of processing these applications would be recovered from the planning fee. Additionally, there may be a small increase in overall workload for the service that might not be recovered because some cases

will be more complex than average. However, having regard to the very low number of additional properties that the extension would cover, this impact is likely to be very modest relative to annual workloads.

27. The modest costs associated with the above points will be met from existing budgets.

Legal Implications

28. The Appraisal meets the Council's obligations required by the Planning (Listed Building and Conservation Areas) Act 1990. Under Sections 69 and 71 of the Act, the Council should review conservation area boundaries from time-to-time and formulate and publish proposals for the preservation and enhancement of any parts of their area which are conservation areas. This appraisal for Pyrton forms part of the evidence base for the Local Plan, for Pyrton Neighbourhood Plan and contributes to the Council's rolling programme of assessment and review of all its designated conservation areas.

29. The principal legal effect of the designation of an area as a conservation area is control over demolition of buildings (including structures classed as buildings in planning legislation) and control over works to trees. In determining applications, the council also has a duty under the Planning Acts to have regard to the desirability of preserving or enhancing the character or appearance of the area and there are less generous permitted development rights, under the Town and Country Planning (General Permitted Development) Order 2015.

30. The Act requires that the designation of a new conservation area or variation to it be advertised in the London Gazette, a local newspaper and registered as a local land charge. The Secretary of State (DDCMS) and Historic England will also be notified.

Risks

31. No strategic or operational risks associated with the matters covered in this report have been identified.

Conclusion

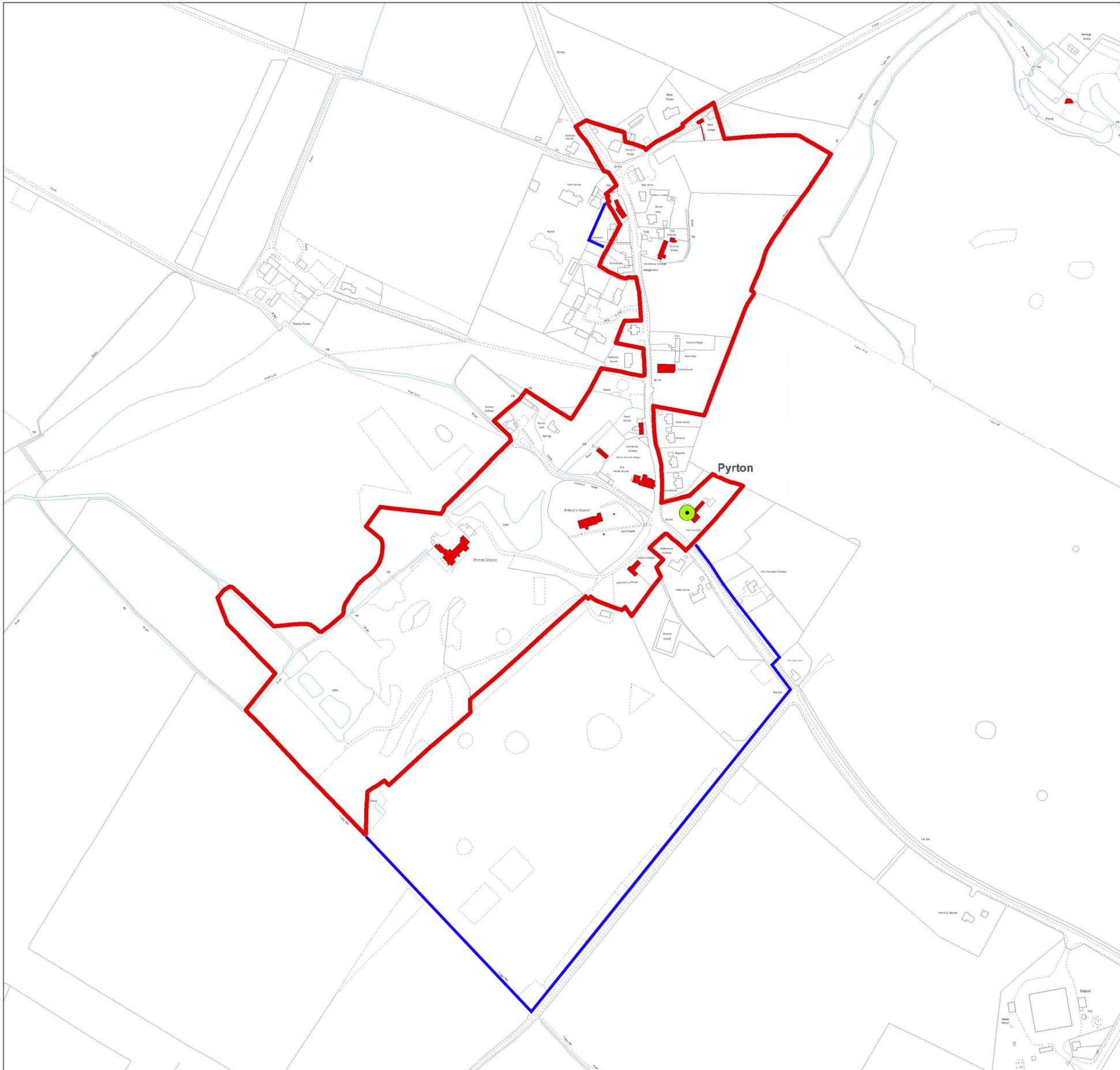
32. Having regard to the evidence collected and presented in the Pyrton Conservation Area Appraisal, and to the responses received during consultation, it is recommended that the appraisal is adopted for development management purposes. It is also recommended that the designated boundary of Pyrton Conservation Area be amended as proposed.

Appendices

- Appendix 1: Pyrton Conservation Area Proposed Boundary Map
- Appendix 2: Consultation Boundary showing area no longer proposed for inclusion
- Appendix 3: Consultation Statement

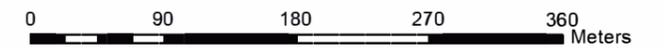
Appendix 1

Pyrton Conservation Area Proposed Boundary Map



Pyrton

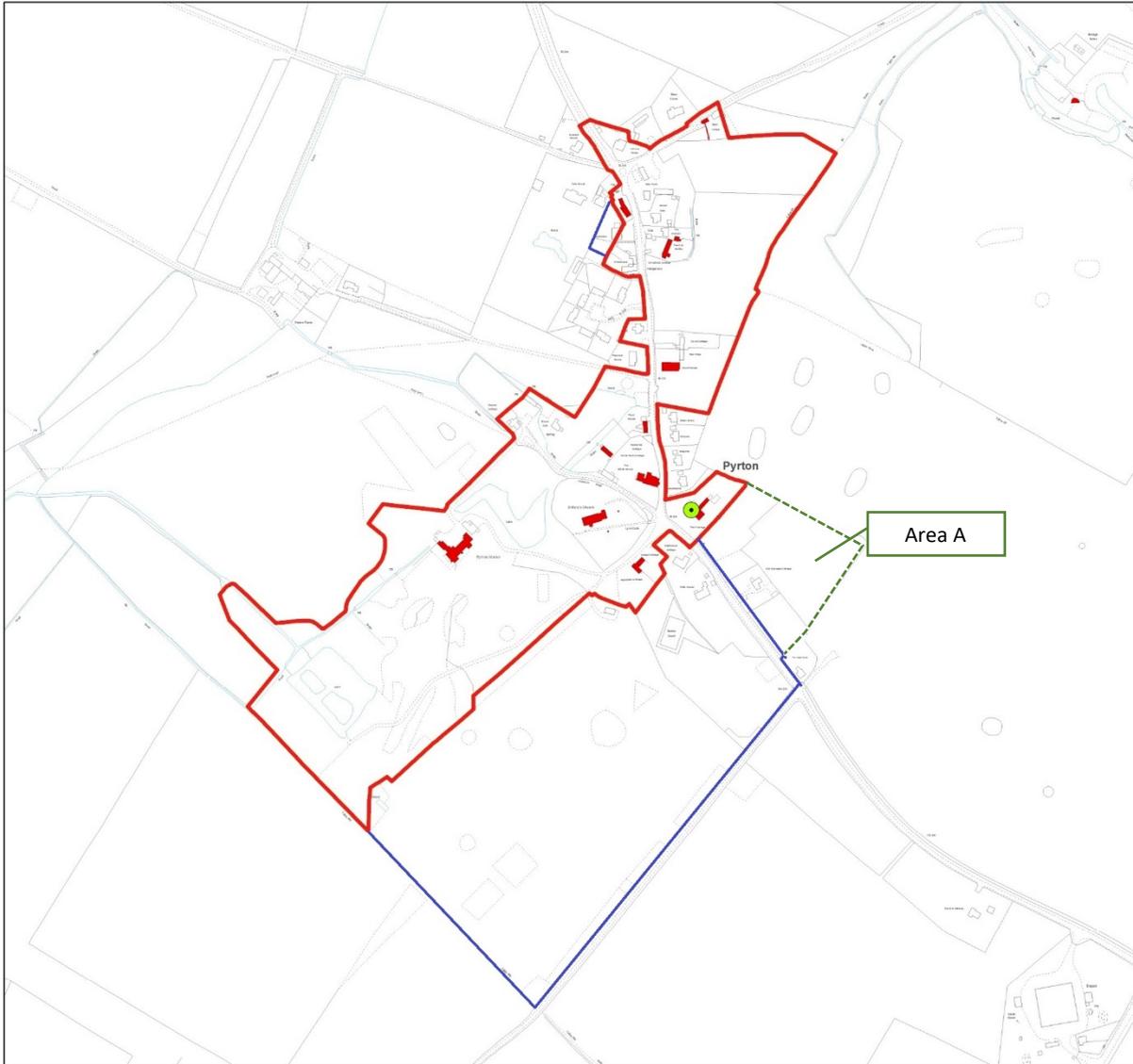
-  Designated Conservation Area
-  Proposed Extension to Conservation Area
-  Tree Preservation Orders
-  Listed Building Structures



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Appendix 2

Consultation Boundary showing area no longer proposed for inclusion



Pyrton Conservation Area

-  Existing Boundary
-  Proposed extension to boundary for Adoption
-  Area included at public consultation stage: no longer proposed for inclusion

Appendix 3

Consultation Statement

Pyrton Conservation Area Appraisal and Boundary Extension

Consultation Statement

Introduction

1. The purpose of this statement is to provide a summary of the representations received during the public consultation on the Pyrton Conservation Area Appraisal and Boundary Review held between Wednesday 11 July and Wednesday 22 August 2018.

Background

Purpose of the Conservation Area Appraisal and Boundary Review

2. Under Sections 69 & 71 of the Planning (Listed Buildings and Conservation Areas) Act 1990 local authorities have a duty to designate conservation areas and from time to time to review the boundaries. The Conservation Area Appraisal Document is the mechanism by which the local authority defines the special interest of these areas and they form part of the Local Authority Development Plan evidence base.
3. Under Section 71 of the above act, the Local Planning Authority has a duty to formulate and produce proposals for the preservation and enhancement of the conservation area. In this instance, this has been done in conjunction with the Parish Council who commissioned the first draft of this appraisal.
4. The appraisal document forms part of the evidence base for the Development Plan. It should be used in the development management process to manage positive change within the designated conservation area or its setting to minimise harm and encourage preservation or enhancement.

Summary of the Appraisal Document and alterations to the Proposed Boundary

5. The document provides a summary of the history of Pyrton, its development, an assessment of its historic and architectural interest by character area, a gazetteer of local interest buildings (non-listed structures) and an illustrative map showing various details of spatial analysis.
6. The Conservation and Design Team proposed revisions to the existing boundary. These include rationalisation of the boundary where it crosses through buildings or plots and an extension to include a wider area of the historic parkland to Pyrton Manor that is worthy of designation.

Summary of consultation responses received

7. In total, 12 responses were received during the public consultation period. 1 response was via the online web survey, 2 responses were paper copies and 9 responses were received via email.

8. Overall, the responses received were generally supportive of the overall content of the document. Nearly all respondents commented specifically on the proposed boundary revisions.
9. There was support for the proposed inclusion of the wider part of Pyrton Manor parkland towards Pyrton Lane.
10. There were a number of responses received that specifically requested that the area to the north-east of the road into the village not be included within the designated boundary. Following consideration of the arguments presented and consideration of the contribution that the area makes as part of the setting of Pyrton, the proposed boundary has been reduced in this area.
11. Detailed responses to these comments can be seen in the table below.

| | Name | Individual/Organisation | Comment Summary | Conservation and Design Team Response |
|---|--------------------|---|--|--|
| 1 | P. Boone | Individual | The Conservation area provides a "green buffer" between Pyrton and future expansion of Watlington, which is vital to maintain the character and appeal of the area. The descriptions within the document accurately reflect this and the character of the village and the area, and highlight the qualities of the wider area and landscape value. | No specific comments |
| 2 | P. Ducat-Hamersley | Individual | I fully support the extension of the conservation area boundary to protect Pyrton's heritage which is so greatly valued amongst residents. This is clearly a well researched document. My family on both sides have lived in the village for many generations and my mother formerly of the Gate House was totally supportive of the extension to the conservation area boundary to include her property and field. | No specific comments |
| 3 | G. Brittain | Individual | Agreed with the appraisal, boundary revision and management recommendations. Otherwise, no specific comments. | No specific comments |
| 4 | JPPC | Organisation on behalf of Mud Hut Management Ltd. | <p>Objection to the proposed boundary extension specifically the land south-east of the existing conservation area.</p> <p>On the face of it, the land is no more than open land, adjacent to parkland associated with Shirburn Castle. The Vicarage, its associated buildings and it's agricultural paddock are enclosed behind the wall and have a reduced historical significance.</p> <p>It is acknowledged that the land is enclosed with its roadside edge defined by an attractive brick and flint wall and that the land nearest The</p> | The land the subject of these comments is considered to make a positive contribution to the rural character of Pyrton and does form a distinct separation from the parkland landscape of the adjoining Shirburn Castle land. It is acknowledged that planning permission has been granted for development on this land, the nature of which was specifically amended to preserve the character of Pyrton village and ribbon development along this road. The evidence provided in this consultation response identifies that the land has changed with regard to its associated owners and use |

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| | | | <p>Vicarage is well maintained with recent attractive planting. However, the same cannot be said for the remaining roadside frontage land. This piece of land is unkempt and other than being free from built form (presently), it is overgrown and currently makes little contribution to the character of the area.</p> <p>It represents no more than a piece of green land on the approach to the village. We also note there is no suggestion in the draft CACA that there are considered to be important views across this land or that the land itself is important open space, contributing to the character of the area.</p> <p>The Council will of course be aware that planning permission has recently been granted for the erection of 2 detached dwellings on the land between Old Vicarage Cottage and The Lodge House (application P17/S4039/FUL relates) and we consider this to be material and of relevance to whether the Conservation Area boundary should be expanded to the south-east of the current boundary line.</p> | <p>throughout its history. It is considered that the contribution the land makes is better understood as part of the setting to the conservation area rather than within it.</p> <p>The existing wall is considered to be of some historic interest as a distinct boundary along the frontage and likely was historically associated to the Vicarage. It contributes positively to the character of the area as a feature of local vernacular and is proposed to be included within the designated boundary.</p> <p>ACTION: The proposed boundary has been revised to remove the area of land that extends from the garden of The Old Vicarage to the Lodge House but the historic boundary wall will be included within the designated boundary.</p> |
| 5 | S. Jenkins on behalf of Natural England | Organisation | No comments. | No comments. |
| 6 | CgMs | Organisation on behalf of Providence Land Ltd. | The appraisal includes an area of land that contributes to the special interest of the Conservation Area and is of historic interest in its own right. The mature hedgerow on the south boundary of this parkland provides a clear and robust boundary to the Conservation Area which clearly delineates it from the surrounding land, presenting a demarcation between the land and areas that are of historic interest (and are | Whilst it is considered that there are a number of attractive wide views towards the Chilterns from within and from the edge of the conservation area, it is agreed that there is not a distinct designed view from the point at which a view is shown on the appraisal map and this will be removed. |

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| | | | <p>included within the Conservation Area) and those that are not.</p> <p>The Draft Appraisal also identifies a number of 'Significant Views' which are mapped on Figure 21. This includes one identified view to the southeast of the proposed boundary extension. The location of the view from outside of the Conservation Area means that it is not possible to experience the character or appearance, to the overall special interest of the Conservation Area from here or how this special interest relates to its setting. Any views from within the proposed extension area to this agricultural field are extremely limited by virtue of the mature hedgerow and vegetation along its south boundary, which is marked as 'Significant trees/hedgerow' on Figure 21. This vegetation also limits views back into the Conservation Area from Pyrton Lane and, as such, it is not possible to experience the special interest of the Conservation Area from here.</p> <p>The identified view can only be experienced when facing away from the Conservation Area from outside of it. While it is acknowledged that the setting of the Conservation Area can and does contribute to its special interest, this is not experienced or appreciated within this view which is instead seen as a rural view from a lane located outside of, and well away from, a settlement. This view is not considered to be relevant to how the character and appearance of the Conservation Area is appreciated. As such it should be removed from the Appraisal.</p> | <p>The listed buildings which have been architecturally designed to benefit from landscape views and vistas are protected by separate legislation from the conservation area designation and as such views that relate specifically to listed buildings will not be shown on appraisal maps, only where the landscape or development of the conservation area has been more widely altered to create or alter views and vistas.</p> <p>ACTION: Update the spatial analysis map and relevant text.</p> |
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| 7 | Howard Sharp and Partners | Organisation on behalf of Providence Land Ltd. | <p>Our comments build on the extensive technical work by landscape and heritage experts supporting Providence Land Ltd's planning application P16/S2576/O at land off Pyrton Lane, Watlington.</p> <p>The proposed boundary extension which includes the parkland associated with Pyrton Manor is considered to be a logical alteration which clarifies the demarcation between the land which is of historical interest and that which is not. The mature hedgerow and trees along the boundary of the proposed extension would represent a robust boundary which already clearly separates the parkland from the surrounding land which is not of special interest.</p> <p>A number of 'Significant Views' are identified in the draft appraisal. There is no apparent methodology for the identification of these views. One identified view is that "...from Pyrton Lane towards the large arable field to its southeast, which forms an important part of the setting of the proposed CA extension in this direction". This view is well removed from the existing conservation area which is not visible from this point.</p> <p>Whilst the inclusion of this view is not justified it would appear to align with Pyrton Parish's emerging neighbourhood plan's lack of recognition of the edge road proposed in the Local Plan and the referendum version of the Watlington Neighbourhood Plan which received 80% approval in the referendum.</p> | See comments in response to similar representation from CgMs above. |
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| | | | In summary, whilst we do not object to the boundary amendment, the inclusion of a 'Significant View' from Pyrton Lane south eastwards is not justified and as advised by CgMs this should be removed from the draft Appraisal. | |
| 8 | N. Richmond | Individual | <p>As the Guidance says, before finalising the boundaries, it is worth considering whether the immediate setting requires the additional controls that result from designation, or whether the setting is itself sufficiently protected by national policy or policies in the local plan.</p> <p>An Article 4 Direction, if required, could achieve some of the controls imposed by a Conservation Area and seems to us a more appropriate method of retaining the character of the village, if that is seen to be a requirement.</p> <p>The Guidance does deal with the situation where the existing boundary may have been drawn too tightly, omitting areas "now considered as special interest, such as historic rear plots with archaeological potential, later phases of development such as more recent housing, or parks, cemeteries and historic green spaces." Again, we would suggest that [the proposed extension] does not fall within any of those categories, and in our view, the boundary does not need to be extended to promote the extension of the Conservation Area as a shield against inappropriate development.</p> <p>In fact the local authority has just approved the erection of two modern houses on an infill site. No objection was received from the Parish</p> | <p>The area of land to the north-east of the lane into the village and built form on it is consistent with the pattern of development in this part of Pyrton and is therefore considered to be of neutral impact to the character of the area. Existing built form, aside from the boundary wall, is not considered to be of particular architectural or historic merit.</p> <p>It is considered that the area is not of sufficient interest to include within the boundary but that it makes a relevant contribution to the character of the area by falling within its immediate setting.</p> <p>ACTION: Reduce the proposed extension to include only the historic boundary wall but not the open space which serves as an important part of the setting of Pyrton.</p> |

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| | | | <p>Council to the two houses so it would appear to be the case that existing planning policy and legislation is sufficiently robust to ensure that the character and appearance of the village is retained.</p> <p>We would respectfully suggest that the extended Conservation Area will not achieve this aim and is not, in our view, necessary or appropriate .</p> | |
| 9 | L. Parker | Individual | <p>The only difference between the land between the creation of the CAs in 1984 and 1993 and the present day is the planning permission for 2 new properties has been granted.</p> <p>Including this area does not appear to fit with the criteria for a Planning Authority to add it to a CA. Neither does it fit with the stated PPC aim of excluding modern property from their CA and their descriptions of the area seem to ignore that it is about to alter significantly. "No CA or associated appraisal should be viewed as a means of preventing appropriate development either within boundaries or in the immediate surrounding area."</p> <p>If the area within the dotted red line is added to the CA and a map of extended Pyrton CA is used as part of the evidence opposing any planning applications in the near future I think it will be reasonable to assume that the wording above has not been complied with.</p> | <p>It is acknowledged that planning permission has been given for two new dwellings on land in part now proposed to be included in the conservation area. In the determination of that application, the wider setting of listed buildings and the conservation area were material planning considerations. It is considered that reasonable evidence has been provided to judge this land as a positive contributor to the setting of the conservation area but not of sufficient historic or architectural merit to warrant inclusion within the designated boundary.</p> <p>ACTION: Reduce the proposed extension to include only the historic boundary wall but not the open space which serves as an important part of the setting of Pyrton.</p> |
| 10 | T. Parker | Individual | <p>This is not a genuine application being done on the basis of concern to preserve historical or architectural features within the area of the application but is a device to try and prevent planning permission from being granted. I confirm</p> | <p>Land would not be included solely to prevent development as this is not the function of conservation areas and their designation does not preclude development.</p> |

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| | | | my objection to the inclusion of land in the proposed conservation area. | |
| 11 | R. Fletcher, Historic England | Organisation | No specific comments to make but welcome the regular reviewing of conservation areas together with their appraisal and proposals for future management. | No comments. |
| 12 | Watlington Parish Council | Organisation | <p>1. There are no objections in principle to the proposed extensions in the Consultation Draft (July – August 2018).</p> <p>2. The increase in the Conservation Area (CA) is very considerable in relation to its present size. However, it is understood that the proposed extension to include all the parkland of Pyrton Manor recognises the character of the parkland as it relates to the setting of Pyrton Manor, a Grade 2* listed building.</p> <p>3. The extension of the CA boundary along Pyrton Lane and along the boundary with Site C in the Watlington Neighbourhood Plan is noted.</p> <p>4. It is also noted that this area already has protection because it forms a significant part of the setting of the Grade 2* listed building.</p> <p>5. The Pyrton Conservation Area and the Grade 2* listed Manor House as well as the registered Park and Garden at Shirburn Castle all comprise material considerations in relation to planning applications in the nearby area. It is understood that no additional planning constraints arise from the proposed extension to the Conservation Area. This is of key importance to Watlington as Site C, which shares a boundary with Pyrton Manor, is allocated for development in the Neighbourhood Development Plan which gained full weight from the Referendum on 28th June.</p> | <p>The listed buildings which have been architecturally designed to benefit from landscape views and vistas are protected by separate legislation from the conservation area designation and as such views that relate specifically to listed buildings will not be shown on appraisal maps, only where the landscape or development of the conservation area has been more widely altered to create or alter views and vistas.</p> <p>ACTION: Update the spatial analysis map and relevant text.</p> |

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| | | | <p>6. It is noted that the effect of the designation of a Conservation Area is not to prevent development but to ensure that sustainable heritage conservation is taken into account in determining planning proposals. The Planning Policy for Site C in the NDP takes account of heritage assets in the wider locality of the site and, specifically, makes provision for a suitable buffer zone between housing development and the Pyrton Manor estate.</p> <p>7. Proposals for essential infrastructure, including the new edge road for Watlington, will also be unaffected by the proposed extension to the CA as they will already be required to provide appropriate mitigation for any harm to heritage assets.</p> <p>Proposal:</p> <p>1. The viewpoint on Pyrton Lane included in Figure 21 on page 27 of the Consultation Draft should be deleted for the following reasons:</p> <ul style="list-style-type: none"> • This viewpoint is important in relation to views of the Chilterns AONB from Pyrton Lane but not to the proposed extension to the Pyrton CA. • From this point there are no views into or out of the CA. Views are obscured by mature trees and recent shelter belt planting. • Although there are no public views from Pyrton Manor, there is evidence that the building was designed to face the hills and that there are important views of the escarpment and slope from the first and second storey windows. <p>2. The viewpoint should be re-located at the Manor House.</p> | |
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Cabinet Report



Listening Learning Leading

Report of Head of Finance

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To: CABINET

Date: 18 December 2018

Budget setting update

Recommendation

Cabinet is recommended to note the report.

Purpose of Report

1. The purpose of this report is to update Cabinet on changes to the local government finance landscape that have occurred since Cabinet and Council approved the revenue budget 2018/19 and capital programme to 2022/23 in February 2018, ahead of budget setting in February 2019.

Corporate Objectives

2. The allocation of financial resources within the revenue and capital budgets needs to match the objectives agreed by the council.

Background

3. The revenue budget for 2018/19 and capital programme to 2022/23 was approved by Cabinet and Council in February 2018. In addition to the in-year revenue budget, Cabinet and Council approved a Medium Term Financial Plan (MTFP). The aim of the MTFP is to demonstrate financial viability over a five-year period.
4. As part of the budget setting report, the Head of Finance as the council's Section 151 officer is required to comment on the robustness of the budget estimates and the adequacy of the reserves. In the conclusion to his report, the Head of Finance commented that:

“Overall, the level of reserves is adequate in relation to the proposed revenue budget and capital programme and the budgets are sustainable although the council now needs to review its medium term financial strategy as government funding continues to remain tight.”

5. The 2018/19 revenue budget and five-year MTFP reflected the fact that 2018/19 was the third year of a four-year settlement and assumed that the fourth year of the settlement would be honoured. It also assumed the receipts under the business rates retention scheme would remain at the baseline level under the scheme.
6. The one significant risk to the five-year MTFP was identified as being possible changes to the New Homes Bonus scheme. The report noted that *“should further changes occur a fundamental review of the council’s budget may be necessary”* as *“over £9 million of expenditure budgeted for within the MTFP and the capital programme from 2018/19 onwards is dependent on the receipt of NHB not yet received or confirmed as payable by the government.”* The MTFP also identified that *“from 2019/20 onwards more NHB monies are being used to support revenue expenditure than are being received”*. This means that to balance the budgets in those years New Homes Bonus monies earned in earlier years and held in reserves are being used. Overall, in each financial year across the MTFP period between £4.2 million and £5.8 million of reserves was budgeted to be used to balance the revenue budget.
7. The New Homes Bonus scheme has already undergone change since its inception in 2011/12. Initially, New Homes Bonus payments were to be made for six years and were based primarily on the movement in the tax base. However, following a consultation exercise launched in December 2015, this was reduced to four years. In addition, a “baseline” was introduced so that New Homes Bonus would only be payable where growth in tax base exceeded a baseline, set initially at 0.4 per cent.

Developments since February 2018

8. On 24 July 2018 the government issued its Technical Consultation on the 2019/20 Local Government Finance Settlement. The consultation stated that *“the Government’s current intention is that the 2019-20 settlement will confirm the final year of the multi-year settlement that has provided certainty for 4 years”*.
9. The consultation sought responses on what level the council tax referendum principles should be set, and on the concept of eliminating so-called “Negative RSG”, which amounted to a reduction of government grant funding identified in future year settlements. In terms of the council’s 2018/19 MTFP, the matters on which consultation was being undertaken are not of material impact to the council’s financial sustainability.
10. One area where the government chose not to consult on was New Homes Bonus. The consultation document however did refer to New Homes Bonus in two key respects. Firstly, in respect of the baseline referred to above, it noted:

“In 2018-19 the baseline remained at 0.4 per cent. Due to the continued upward trend for house building, the Government expects to increase the baseline in 2019-20”.
11. If this is to occur in 2019/20 then the council will face a financial pressure as the New Homes Bonus payment will be lower than forecast. Secondly, it made the following comment in respect of *“New Homes Bonus 2020 onward”*:

“2019-20 represents the final year of funding agreed through the Spending Review 2015. In light of this, it is the Government’s intention to explore how to incentivise housing growth most effectively, for example by using the Housing Delivery Test results to reward delivery or incentivising plans that meet or exceed local housing need. Government will consult widely on any changes prior to implementation”.

12. This is of even greater concern than the potential change in baseline as it effectively means that, at this time, we do not know whether New Homes Bonus will even exist in its current form after 2019/20.
13. More generally, the Technical Consultation document commented on the future of local government finance as follows:

“The 2019 Spending Review will confirm overall local government resourcing from 2020-21, and the Government is working towards significant reform in the local government finance system in 2020-21, including an updated, more robust and transparent distribution methodology to set baseline funding levels, and resetting business rates baselines”.

14. This means that our level of government funding excluding New Homes Bonus after 2019/20 is also uncertain, making planning future budgets very difficult.

The wider local government picture

15. Against this backdrop of uncertainty over future local government funding, 2018 has seen a number of councils identify that they face severe financial pressures. The most extreme example of this is Northamptonshire County Council, whose Section 151 officer had to issue a Section 114 notice earlier this year as the council was in danger of running out of money. Much of the comment has focussed on the increasing costs of adult and childrens’ social care for which demand continues to increase. Although not dealt with by this council, the increasing costs of this work for unitary and county councils will need to be met within the overall local government funding envelope. To meet this need for increased funding in these areas, the amount of money for other local government services may be reduced.
16. During the year, there has been a noticeable drive by the Chartered Institute of Public Finance & Accountancy (CIPFA), the public sector accountancy body, to focus attention on longer term sustainability of councils. In guidance on preparing a capital strategy, which the council is required to prepare, the emphasis is on preparing a “Long Term Financial Plan” (LTFP), in addition to the MTFP. The expectation is that an LTFP will be for at least 10 years. In addition, CIPFA has consulted on the introduction of a “resilience index”. This would focus on, for example, a council’s reliance on government grant funding, including New Homes Bonus, for financial sustainability.

Impact on this council

17. There is no risk to the council’s financial viability in the immediate future. At 31 March 2018, the council held over £110 million in usable reserves, including government grants and other sums ring fenced for specific purposes. This included reserves funding a capital programme in excess of £60 million. However, the council’s medium to long term financial sustainability faces an at present unquantifiable risk from changes to government funding, particularly but not exclusively New Homes Bonus. Given the reliance on New Homes Bonus identified above, any significant change to that funding stream will have a detrimental impact on the council finances.

18. In light of potential future financial pressures, the council has already instigated a number of actions that will help ensure it is best placed to respond to the challenges. These actions are:

- A line-by-line review of all council base budgets is underway to strip out any over-budgeting and ensure profiling is accurate
- Curtailment of the discretionary growth bid process during budget setting for revenue and capital spending
- To commission CIPFA to assist with work on benchmarking the base budget with other councils and on a commercial strategy

Next steps

19. Ahead of the budget being finalised in February, officers will continue to work with cabinet on further understanding the council's financial position and its financial sustainability.

Financial Implications

20. These are set out in the body of the report.

Legal Implications

21. The cabinet needs to make recommendations to the council on its spending proposals. Under the Local Government Act 2000 it is the council that must agree the revenue and capital spending plans, and then set the council tax. Council will meet on 13 February 2019 in order to set the budget, and the council tax including amounts set by the town and parish councils, Oxfordshire County Council and the Police and Crime Commissioner for Thames Valley.

Risks

22. These are set out in the body of the report.

Other implications

23. None

Conclusion

24. Recent developments have shown that local government finances continue to be under pressure. The council's own financial sustainability is now subject to uncertainty over the medium to long term. In the event of significant changes to New Homes Bonus action will be needed so that sustainable budgets can be set over the medium term to long term.

Background Papers

None

Cabinet Report



Listening Learning Leading

Report of Head of Planning

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To: CABINET

Date: 18 December 2018

Local Plan Publication Version (2034)

Recommendation

To recommend to Council

1. To approve the publication version of the South Oxfordshire Local Plan and associated documents, for publication under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 as the version of the South Oxfordshire Local Plan proposed to be submitted to the Secretary of State for independent examination.
2. To delegate authority to the Head of Planning, in consultation with the Cabinet Member for Planning, to make any necessary minor amendments and corrections to the Local Plan and its associated documents including the identification of any saved plan policies as considered appropriate prior to;
 - a) publication of the South Oxfordshire Local Plan; and
 - b) submission of the South Oxfordshire Local Plan to the Secretary of State for independent examination and leading up to and during the examination.

Purpose of Report

1. The purpose of this report is to outline the contents of the South Oxfordshire Local Plan Publication Version (2034) and its associated documents listed in the Background Papers and appended to this report.
2. Subject to Council approval, it is proposed to commence consultation (under Regulation 19 of the Town and Country Planning Regulations) on 7 January 2019, for a period of 6 weeks until 18 February 2019.

Background

3. At the Council meeting on 15 May 2018, the recommendations from Cabinet of 10 May 2018 were moved and seconded, which were:

“(a) subject to the Ministry of Housing, Communities and Local Government confirming that submission of the South Oxfordshire Local Plan in January 2020 would not significantly impact on the Oxfordshire Housing and Growth Deal or the freedoms and flexibilities proposed as part of it, to ask officers to reassess all sites capable of forming a strategic allocation promoted through the Local Plan (to 2033) process up to the end of the Regulation 19 publication period (including all strategic sites proposed in the October 2017 Regulation 19 document) and to bring a draft Regulation 18/Regulation 19 document (as required) to Cabinet and Council to seek approval for publication for consultation; and

(b) in the event that such confirmation from the Ministry of Housing, Communities and Local Government is not forthcoming to the satisfaction of the Head of Partnership and Insight and the Head of Planning, in consultation with the Leader of the council and the Cabinet members for planning and partnership and insight by no later than completion of the site filtering exercise (expected July 2018), to adopt Option 3, set out in the report of the Head of Planning to Cabinet on 10 May 2018, and to ask officers to bring the Regulation 19 (October 2017) document including proposed additional reserve site(s) to Cabinet and Council to seek approval for publication for consultation.”

4. Since that Council decision on 15 May, the following actions have been taken:

- a) A dialogue with the Ministry of Housing, Communities and Local Government (MHCLG) to advise them of the position with the South Oxfordshire Local Plan and the Council recommendation; and a subsequent update on the progress of the site assessment work. MHCLG advised they were pleased that South Oxfordshire remained committed to the terms of the Housing and Growth Deal and will submit its Local Plan before the deadline specified in the Deal delivery plan;
- b) Welcomed support from the Planning Advisory Service and an advisory visit from a Planning Inspector;
- c) The undertaking of a comprehensive strategic site selection process alongside the production of the draft Site Selection Background Paper to review the potential strategic allocations that the Local Plan can allocate. The strategic allocations are proposed within the Draft Local Plan Publication Version (2034);
- d) Officers have been reviewing and responding to the comments received during the previous Local Plan Publication Version consultation under Regulation 19 in October 2017 and any suggested changes to the Local Plan have where necessary been incorporated into the Draft Publication version (2034);
- e) The Local Plan Publication Version has been adapted to respond to changes required in light of the introduction of the National Planning Policy Framework (NPPF) 2018 (and its associated guidance). The Local Plan will be submitted for examination *after* the transitional arrangements that are in place for six months after the NPPF publication are coming to an end;

- f) The gathering of a comprehensive evidence base to assist with the site selection process and to respond to changes in light of the introduction of the NPPF;
 - g) The Local Plan Publication Version 2034 has been adapted to respond to changes in circumstances since the last Publication Version of the Local Plan e.g. Oxford to Cambridge Arc and the progression of adjoining Local Authorities plans. In order to help discharge the Council's legal duty to cooperate, the draft Local Plan Publication Version 2034 suggests a change to the way in which the unmet housing need arising from Oxford City are reflected in the Local Plan.
 - h) The Local Plan needs to have a lifespan of 15 years, therefore with the adoption of the Plan estimated for the end of 2019, the end of the Plan period needs to be extended from 2033 to 2034.
5. At its meeting on 2 August 2018, Cabinet considered an update report on the work that had been carried out since the Council meeting on 15 May 2018. This explained that officers had written an initial letter to MHCLG and had been in dialogue with them on it. It also explained the work being done with the support of the Planning Advisory Service and following discussion at the advisory visit from a Planning Inspector. As a result, a revised Local Development Scheme timetable had been prepared which provided a route forward to submission to meet the Oxfordshire Housing and Growth Deal milestones.
6. Cabinet approved the Local Development Scheme in August 2018 and also endorsed the work programme set out to progress the Local Plan and bring this publication version to Council as set out in the timetable.
7. In essence, circumstances changed between May and August 2018 such that officers and the Cabinet believed they were able, within the Growth Deal deadlines and therefore without being dependent on MHCLG agreement, to carry out Council's primary request to reassess all sites capable of forming a strategic allocation and to bring a draft document to Cabinet and Council to seek approval for publication for consultation.
8. The 15 May Council resolution set out in paragraph 3 at part b was intended as a fall-back position if the primary request in resolution a could not be achieved (See <http://democratic.southoxon.gov.uk/documents/g2307/Printed%20minutes%20Tuesday%2015-May-2018%2018.00%20Council.pdf?T=1>). In the event and in circumstances that could not have been anticipated at Council on 15 May, the fall-back position is not required.

Proposed Consultation

9. The consultation for the Local Plan is proposed as a second Regulation 19 Consultation, effectively replacing the previous October 2017 version.
10. Subject to Council's approval, the proposed dates for the formal consultation on the Local Plan are 7 January 2019 to 18 February 2019. There have been a number of emails and letters already received relating to the site selection process for strategic allocations, and a particularly high volume of correspondence relating to the site at Northfield (230 to date). Our responses to those letters have all indicated that the formal consultation does not commence until Council approves the Local Plan for consultation on 7th January. These responses will not be treated as formal representations to the Publication version of the Local Plan.

Local Plan Publication Version Key Changes

Vision and Objectives

11. There have been no substantial improvements suggested for the vision of the Local Plan except for a reference to meeting the unmet housing needs of Oxford City.
12. There have been some slight amendments to some of the Local Plans objectives, as a result of comments received during the Regulation 19 consultation in 2017. These improvements provide clarity to the purpose of the objectives.

Spatial Strategy

13. There have been some improvements proposed to the spatial strategy and Policy STRAT1 in the Local Plan. These suggested improvements were necessary to ensure that it can be expressed that the Local Plan is able to deliver its preferred strategy.
14. Despite the addition of a new element to the spatial strategy at Oxford City, the Council's preferred strategy of development within Science Vale and sustainable settlements (towns and larger villages) remains a significant focus for housing, employment and other growth within this Plan period. Those sites proposed as allocations that are adjacent to the city at Grenoble Road, Northfield and North of Bayswater relate well to the city and they are well located to meet some of the city's unmet housing needs. This provides housing close to where the need for it arises.
15. The spatial strategy proposed growth is concentrated primarily within Science Vale and sustainable settlements but the strategy also relies upon complementary, but not substantive growth options that would promote growth in the district, but this is done without undermining the principal aim of this Local Plan's spatial strategy.
16. A key diagram has been introduced into the spatial strategy to provide readers with a clear visual representation of the pattern of growth proposed in the Plan.
17. The spatial strategy has also changed to include a necessary reference to the influence that Government's plans for the Oxford to Cambridge Arc has on the Local Plan, including the proposed Expressway.
18. The strategies for Henley on Thames, Thame and Wallingford remain largely unchanged from the previous version of the Local Plan.

Strategic Allocations

19. Officers have produced a draft Site Selection Background Report which details all the background, the methodology and both the general and detailed appraisals of the potential strategic housing allocations.
20. The re-assessment process has been an opportunity to review the sites in light of the need to consider the potential for an alternative(s) to the proposed allocation of Chalgrove Airfield, as well as to undertake a review process applicable to all of the proposed Local Plan strategic allocations in the last version of the Local Plan. This will ensure consistency is applied when selecting the allocations, which the Plan promotes. By undertaking this review consistently, it allows greater transparency of the allocations decision-making process.

21. Fifteen sites that were assessed to be capable of forming a strategic allocation were assessed. Those are sites were:

- 1) Berinsfield
- 2) Chalgrove
- 3) Culham
- 4) Grenoble Road
- 5) Harrington
- 6) Land at North Weston, Thame
- 7) Land at Palmers Riding Stables
- 8) Land South of Great Western Park
- 9) Northfield
- 10) Playhatch - Reading
- 11) Reading Golf Club
- 12) Chalgrove
- 13) Thornhill
- 14) Wheatley Oxford Brooks University
- 15) Wick Farm/Lower Elsfeld (Later combined to be known as Land North of Bayswater Brook)

22. The recommendations arising from the assessment in the Site Selection Background Paper indicates that the Local Plan allocates eight of the above sites. The total amount of development from these allocations exceed the requirements for housing by 4,032 dwellings but it is important to achieve this to ensure that the Plan continues to deliver a five-year housing land supply and delivers growth throughout the plan period.

23. Improvements since the last version of the strategic allocation policies or key issues with the proposed additional allocations are described for each proposed allocation below. Some of the sites will not deliver their full housing capacity within the plan period and so the figures for homes we expect to come forward by 2034 have been provided.

- a. Grenoble Road for approximately 1,700 homes within this plan period:
 - i. There is an assumption that the density of this site can achieve 70 dph;
 - ii. The site and policy would require the delivery of a park and ride;
 - iii. The necessary mitigation for the sewage treatment works is referenced in policy to mitigate for the issues raised in the evidence base.
- b. Culham for approximately 1,850 homes within this plan period (previously 3,500):
 - i. The policy introduces an explicit policy requirement for a pedestrian/cycle bridge across the River Thames to link with Abingdon;

- ii. The policy introduces greater clarity for the provision of a range of onsite and offsite infrastructure;
 - iii. There are more stringent requirements to account for environmental constraints within and around the strategic allocation;
 - iv. The density of the development has been assumed as 45dph.
 - v. SSSI at Culham brake has been excluded for the allocated area and this helps form a more defensible and permanent green belt boundary.
- c. Berinsfield for approximately 1,600 homes within this plan period (Previously 1,700):
- i. The updated policy includes strong emphasis on the creation of permanent defensible green belt boundaries and the need for extensive Green Infrastructure provision to mitigate the significant effects noted in the latest evidence base;
 - ii. There is a risk to the delivery of this site. Since the last version of the Plan it has been evidenced that additional education capacity both on and off site is required as well as a new additional non-strategic access to the north of Berinsfield. This is to be developer funded and there are specific contributions towards off-site infrastructure upgrades. The delivery of the access may require the developer to work with third party landowners to deliver it, and this adds additional delivery risk to this site.
 - iii. The density of the development has been assumed as 45dph.
- d. Wheatley Oxford Brooks University for at least 300 homes (previously also 300):
- i. The updated evidence on Green Belt supports the case for the Wheatley site to be removed from the Green Belt;
 - ii. The density of the site would be approximately 45 dph if not utilising those parts of the site not appropriate for development.
- e. Northfield for approximately 1,800 homes:
- i. There is an assumption that the density of this site can achieve 70 dph;
 - ii. The boundary of the site has been established and the policy requires a permanent defensible Green Belt boundary to be created along Northfield Brook. The new boundary looks to address the constraints that the larger Northfield boundary (as proposed by the site promoters) have identified in terms of the impact on the Green Belt, landscape and Flood Zone 2 and 3.
- f. Chalgrove airfield for approximately 2,025 homes within this plan period (previously 3000):
- i. The area of the runway reserved for the continued operation of Martin Baker has been clearly established and safeguarded, and the policy includes more reference to the mitigation needed to account for its new location and its operation;
 - ii. The B480 has an indicative re-routing through the allocation;
 - iii. There is specific referral to employment land being provided to the East of the site to complement Monument Business Park;

- iv. The density across the site has been proposed at 45dph, there was no specific density assumed previously;
 - v. The benefits to the existing village of Chalgrove of surface water management to be provided on site has been strengthened in the policy;
 - vi. There have been improvements to the references made to infrastructure provision and additional clarity about the provision of public transport;
- g. Land north of Bayswater Brook for approximately 1,100 homes:
- i. There have been some helpful suggestions from Oxfordshire County Council on potential transport mitigations needed for this site:
 - 1. A new road connection from the site with the A40 at locations to the east and west of the strategic allocation;
 - 2. Significant enhancements to existing junctions at Oxford City;
 - ii. There is a need for more evidence on ecology;
 - iii. There is significant risk about the ability of us being able to demonstrate the deliverability of this strategic allocation.
24. The development arising from these strategic allocations will not all be achieved and delivered simultaneously. This does not include other planned growth at sustainable settlements.
25. All proposed strategic allocation policies have undergone a substantial re-write. This is predominantly to provide consistency across the policies, but also to ensure that the policies reflect the comments received during the Regulation 19 consultation that sought greater clarity of the policies and the related infrastructure proposed by key stakeholders.
26. Each of these strategic allocation policies will be accompanied by a concept plan. These concept plans visually represent some of the fundamental elements of what each Policy is expected to achieve for the site layout on an indicative plan. However, they are indicative and they do not form part of the policy itself.
27. Each of the strategic allocation policies now has three elements to it. Firstly, they set out what the development has to provide for in terms of number of houses, amount of employment etc. Secondly, they list the specific things that the development of each site needs to have delivered. Thirdly, they list what a collaborative masterplan for each site would be expected to consider and plan for.
28. The maps for the strategic allocations continue to be represented within the Local Plan at its Appendix 2. These have been amended in light of the introduction of concept plans to establish an indicative developable area rather than a fixed developable area which may change as schemes develop with a masterplan, and to reflect all key constraints that stakeholders requested at the Regulation 19 consultation in October 2017.

Housing

29. Policy STRAT2 sets out housing and employment requirements. This policy has been updated to take into account the need to plan for an additional year to 2034. It also sets out the provision of a level of housing that aligns with the Oxfordshire Housing

and Growth Deal for the County. Consequentially Policy STRAT3 (which was previously a policy referring to the Council’s position on Oxford City’s unmet housing need) is no longer necessary and has been deleted.

30. The supply of homes to come forward has been amended to reflect the allocations proposed, the most up to date completions and commitments and a suggested increase to the Council’s windfall allowance. The Local Plan is therefore supplying a total of **28,459 homes between 2011 and 2034**. Table 5c of the draft Local Plan (Chapter 5: Delivering New Homes) is provided below that sets out how this supply is established:

| Breakdown of new housing supply | Net number of dwellings to 2034 |
|---|--|
| Completions (1 April 2011 to 31 March 2018) | 4,364 |
| Commitments (as at 30 September 2018) | |
| <i>Sites under construction, with planning permission and allocations carried forward from the Local Plan 2011 and Core Strategy and from made NDPs</i> | 11,362 |
| New strategic allocations delivering in the plan period * | 10,415 |
| Outstanding Market towns housing requirement (provided through Neighbourhood planning) | 519 |
| Outstanding Larger villages housing requirement (provided through neighbourhood planning) | 499 |
| Windfalls (including within smaller villages and potential neighbourhood plan allocations) | 1,300 |
| | |
| Total | 28,459 |

*strategic allocations continue to deliver housing beyond the plan period and will deliver a total of 14,400 homes.

31. Policy H3 Housing in the towns of Henley-on-Thames, Thame and Wallingford (Chapter 5: Delivering New Homes) now sets a housing requirement of 3,873 homes; originally the requirement was 1,155 homes. This is to account for the large numbers of completions of commitments that have occurred in these towns over the past few years. The towns cannot be expected, as sustainable locations in the district, not to plan for future growth (although we recognise that some of the commitments have not

yet been built out). This would not be positive planning and it would not reflect the Plan’s spatial strategy to principally rely on growth in Science Vale and sustainable settlements. If Neighbourhood Plans wish to plan for more than their requirement the policy encourages that, but the Plan does not factor this into the housing supply calculations.

32. Policy H4 Housing in Larger Villages (Chapter 5: Delivering New Homes) has been updated. The housing requirement for this tier of settlements has changed from 1,041 to 3,991 homes. This is to account for the large numbers of completions of commitments that have occurred in some of these larger villages over the past few years. If Neighbourhood Plans wish to plan for more or less than their requirement the policy supports that where it is evidenced, but the Plan does not factor this into the housing supply calculations. For each larger village an extract from the Local Plan is provided below to reflect the updates:

| Larger Village | Core Strategy + 15% growth | Up to date Completions and commitments | Outstanding housing requirement for NDP |
|--|-----------------------------------|---|--|
| Villages without allocations in this Local Plan | | | |
| Benson | 383 | 854 | 0 |
| Chinnor | 594 | 796 | 0 |
| Cholsey | 612 | 585 | 27 |
| Crowmarsh Gifford | 312 | 494 | 0 |
| Goring-on-Thames | 329 | 96 | 233 |
| Sonning Common | 377 | 269 | 108 |
| Watlington | 262 | 305 | 0 |
| Woodcote | 225 | 94 | 131 |

| Villages with allocations in this Local Plan | | | |
|---|-----|-----|---|
| Berinsfield | 274 | 7 | 0 |
| Chalgrove | 248 | 339 | 0 |
| Nettlebed | 70 | 15 | 0 |
| Wheatley | 305 | 129 | 0 |

33. Policies H5, H6 and H7 propose housing allocations for Nettlebed. This section of the Plan has been updated to reflect the new evidence base on landscape issues but all allocations and capacities of the sites at Nettlebed remain as they were in the previous version of the Local Plan.

34. Policy H8 Housing in the Smaller Villages has been substantially re-written to remove a requirement for housing from these settlements that Neighbourhood Plans would be expected to deliver. This would not diminish the supply of housing that was proposed in the previous version of the Local Plan (500 homes from smaller villages and windfalls) because there is a proposed increase of windfalls from 500 homes to 1,300 homes.

35. Policy H9 Affordable Housing has been re-structured, but essentially now refers to a split provision for the sites adjacent to Oxford City and direct provision of affordable housing within villages in the AONB, rather than the previous policy stance suggesting that these should be provided as financial contributions, though there remains an option if justified.
36. Policy H12 Self-Build and Custom Housing has been strengthened to refer to additional ways in which the local plan or neighbourhood plan can provide for these types of houses.

Employment Policies

37. Policy STRAT2 also sets out employment requirements. This has been updated to take into account the need to plan for an additional year to 2034.
38. To plan for the economic growth forecast in the 2014 Strategic Housing Market Assessment (SHMA), the South Oxfordshire Employment Land Review Addendum' (SOELRA) published in August 2017 forecasts that between 33.2 and 35.9 hectares of additional employment land is required in the district over the period 2011 to 2033. The Council has previously published a 'South Oxfordshire Employment Land Review' (ELR) in 2015 which forecasts a requirement of 24.4 hectares of employment land for the period 2014 to 2031 or approximately 31.6 hectares if extrapolated over the previous plan period to 2033. Therefore, the SOELRA set a slightly higher requirement in line with the 2014 SHMA. Further to this, as the above employment forecast ends at 2033, to account for the additional year in the plan period beyond the date of the evidence base, an additional requirement of between 1.5 to 1.63 hectares is required (based on a pro-rata calculation over the previous plan period). This results in an employment requirement of between 34.7 and 37.5 hectares of employment land in the district over the period 2011 to 2034.
39. Policy EMP1 accordingly plans for 37.5Ha of employment land, with an identified supply of 37.2Ha; however, there is an additional proportion of employment to be delivered as part of the Grenoble Road strategic allocation which satisfies the employment requirement for District.
40. Policy EMP9 now includes an allocation at Monument Business Park owing to the lack of provision for employment within the draft Chalgrove Neighbourhood Development Plan. Without this allocation the employment evidence that suggests the business park requires expansion could not be achieved. Part of this site allocation has planning permission.

Retail Policies

41. The NPPF 2018 has introduced greater flexibility to the use of buildings within town centres, and it has removed the requirement for primary and secondary shopping frontages and creates a need for a primary shopping area, which SODC has not identified previously.
42. This exercise was undertaken in house and the Primary Retail Areas proposed largely reflect the original primary retailing frontage, but with some improvements suggested around Didcot to account for changes occurring with the development of the Orchard Centre.

43. The Retail Needs Update (2017) does set out that it can quickly become dated, but the evidence contained within it and the response suggested by officers to amend the policy account for changes to the retail market and potentially population change since that Retail Needs Update was completed. The retail evidence was predicated on the delivery of just four strategic allocations and a different delivery trajectory for those allocations. It is also clear that requiring strategic allocations to provide for an element of comparison retailing was onerous and unnecessary given the extent of development that has been provided for within the Plan period at the Orchard Centre in Didcot and also it was unlikely to be delivered, reflecting market changes. There are therefore suggested improvements to remove requirements for comparison retail to be delivered at strategic allocations.
44. The retail requirements policy has been reorganised to reflect a deficiency in its previous format. The purpose of the policy is to set out the district's evidenced requirements and then our proposed locations to meet them. However, this was not clear in the previous policy. The plan period extension of a year has increased the requirements slightly, and the monitoring of completions to offset that requirement has been updated and clearly indicated within the policy.

Environment Policies

45. All policies in this section have been reviewed for compliance with the NPPF 2018 and some policies have required more improvements than others. There were also a number of amendments proposed to the policies following the Regulation 19 consultation on the Publication Version of the Local Plan.
46. STRAT11 Green Belt has been amended to include reference to the additional Green Belt amendments being made to account for the proposed strategic allocations at Wheatley, North of Bayswater Brook, Northfield and Grenoble Road. These are in addition to the previously referred to allocations that are proposed to be removed from the Green Belt at Culham and Berinsfield. There is also now proposed removal of Green Belt at Wheatley at the strategic allocation, but not in relation to further growth at Wheatley that could come forward in the NDP. There has been an updated Green Belt Study prepared to support the revised publication of the Local Plan and the suggestions for the change of approach at Wheatley is evidenced within this Green Belt Study.

Transport and Infrastructure Policies

47. The Plan must recognise the work undertaken by the National Infrastructure Commission on developing plans for the Oxford to Cambridge Arc, their recommendations on progressing growth along this corridor as set out in their 2017 report 'Partnering for Prosperity: a new deal for the Cambridge-Milton Keynes-Oxford corridor' and the Government's response to this report in the Autumn 2018 budget¹.
48. The Local Plan will be able to demonstrate that it already makes a positive contribution towards delivering the ambitions set out for the Oxford to Cambridge Arc, but it is recognised that the key infrastructure schemes, namely the Oxford to Cambridge Arc and East-West Rail, are currently in the development stage, and their impacts on South Oxfordshire are currently not known. In particular, the decision on a route for the Oxford to Cambridge Arc round Oxford is not due until 2020. The Plan adequately

¹ <https://www.gov.uk/government/publications/cambridge-milton-keynes-oxford-arc-study-government-response>

recognises the need to work with partners to understand the longer-term implications of the Government Plans.

49. A new policy TRANS1a (Chapter 7: Infrastructure) has been included stating that the Council intends to plan for and understand the impacts of changes to rail infrastructure and service improvements linked to East-West rail and to plan for and understand impacts and required mitigation associated with the Oxford to Cambridge Arc if required.
50. Policy TRANS1b Supporting Strategic Transport Investment and TRANS2 Promoting Sustainable Transport and Accessibility now refers to the need to support sustainable transport measures and improvements around Oxford and around the Didcot Garden Town area.
51. Policy INF1 and INF4 has been amended to reflect comments received during the Regulation 19 consultation in October 2017. The change to INF4 requires more upfront consideration of how planning applications will remedy capacity constraints to serve their development.

Monitoring and Review

52. This section of the Local Plan has been revised and is more comprehensive, providing a policy by policy approach to monitoring the delivery or achievement of the Local Plan.

Local Plan appendices

53. Appendix 1: Glossary has been reviewed and there are consequential improvements mostly as a result of new definitions introduced from the revised NPPF 2018.
54. Appendix 2: Strategic Allocations maps includes new maps for the new strategic allocations. These have been amended in light of the introduction of concept plans to establish an indicative developable area, and to reflect all key constraints that stakeholders requested at the Regulation 19 consultation in October 2017. Officers have suggested a slight amendment to the Culham strategic allocation boundary that would remove the part of the site adjacent to the SSSI at Culham Brake.
55. Appendix 3: Site Allocations that are non-strategic remain unchanged.
56. Appendix 4: Green Belt proposed changes includes new maps for the new strategic allocations that are within the Green Belt and a change to Culham Green Belt boundary to reflect the change made in Appendix 2 that warranted the allocation being removed from the SSSI.
57. Appendix 5: Safeguarding Maps has been updated because there has been further development of infrastructure planning for certain road schemes for which land is proposed to be safeguarded. This has led to proposed changes to the safeguarding area for four schemes, drawn-up in consultation with the County Council. Minor changes have been made to the safeguarding plans for the proposed new Thames road crossing between Culham and Didcot Garden Town and the Didcot Northern Perimeter Road. The safeguarding area for the proposed Watlington bypass has also changed to take into account the latest plans for this scheme, whilst the proposed area for A4074/ B4105 Golden Balls Junction improvements has been changed to reflect the latest transport modelling evidence which indicates that a more significant improvement scheme may be needed at this junction in the longer-term. The safeguarding area for

the proposed Stadhampton bypass has been removed, including its reference in Policy TRANS 3. Options for this mitigation will be reviewed in more detail by Homes England and the County Council as part of the transport mitigation required for Chalgrove, taking into account the relevant constraints including archaeology, flooding and environmental impacts.

58. Appendix 6: Didcot Garden Town Principles remain unchanged.

59. Appendix 7: Settlement Hierarchy and the background paper associated with it assesses each of the District's settlements sustainability against a number of criteria and categorises them on their suitability for growth. The hierarchy was reviewed following comments and advice received during and since the last consultation. The following changes have been made which have impacted on the scoring:

- a. Additional facilities/services counted; allotments, petrol stations, ATMs and places of worship. They were added as they are considered to have community/social value;
- b. Greater emphasis given to facility score multiply (x2) added to score for Pubs/Restaurants and Take Away. In line with how retail services are scored.
- c. The score for bus services has been halved to provide more balance in the scoring, as it was considered too much emphasis had been placed on it meaning settlements were being scored higher than would otherwise be expected. It also takes into account of the vulnerability of bus services in the district particularly in rural areas.
- d. The threshold for each category has changed to account for improvements to the scoring.
- e. Swyncombe has been removed from the hierarchy as had previously been scored as the parish as a whole.
- f. Cuddesdon and Berrick Salome have been reclassified from being 'Other Villages' to 'Smaller Villages', due to improvements in the scoring they have moved above the threshold. They were both categorised as 'Smaller Villages' in the Core Strategy 2012 which was scrutinised through examination.

60. Appendix 8: Local Plan Development Trajectory has been both improved for clarity and it has been updated to reflect the most up to date data.

61. Appendix 9: Designed sites for nature conservation has required updating to include a revised set of Local Wildlife Sites as opposed to County Wildlife Sites.

62. Appendix 10: Scheduled Monuments remain largely unchanged.

63. Appendix 11: Register of Parks and Gardens of Special Historic Interest in South Oxfordshire reference to English Heritage and now includes 'Friar Park (Grade II)'.

64. Appendix 12: Listed Buildings, Heritage at Risk and Conservation Areas in South Oxfordshire remain unchanged. However, the Policies Map accompanying the Local

Plan will require a change to reflect the Conservation Area boundary changes approved since the last version of the Plan was published.

65. Appendix 13: Town Centre boundaries have been amended to include Primary shopping area rather than primary shopping frontages.
66. Appendix 14: List of Core Strategy (2012) and Saved Local Plan 2011 policies and Strategic or Non-Strategic policy includes a new column to explicitly indicate whether each policy in the Local Plan is a strategic policy or a non-strategic policy. This is a requirement of the NPPF 2018.

Financial Implications

67. The cost of the additional assessment of sites and the supporting evidence base has all been met from the existing Planning budget, recognising that it had been anticipated that the cost of the Examination would be borne in this financial year. It will now be necessary to ensure the appropriate carry overs to 2019/20. The decision to commence consultation will incur some costs associated with the editing, printing and couriering of documents for consultation as well as the production costs of leaflets and display boards. These costs can all be met from within existing budgets.

Legal Implications

68. All aspects of the Local Plan preparation have been undertaken in accordance with the relevant Planning legislation and is deemed to be legally compliant with relevant regulations. We have sought to ensure that the appropriate legal advice has informed the production process of the Local Plan throughout to ensure compliance with relevant regulations.

Risks

69. There would be significant risk for the Council should the Oxfordshire Housing and Growth Deal deadline of 31 March 2019 for Local Plan submission not be achieved.
70. If the Local Plan is not approved by Council, and if consequently the consultation on the Local Plan does not commence on 7 January as proposed in this report, the Council would not be able to meet the deadline imposed through the Growth Deal of the 31 March 2019. This would be a threat to the entire housing and growth deal for Oxfordshire and would put at risk up to £215 million of agreed government funding.
71. There would also be consequential risks for the Council for the Housing Infrastructure Funding bid for Didcot Garden Town, representing a further £171 million of potential funding towards road improvements including a new river crossing. The final business case for this bid must be submitted to Homes England by early March at the latest, and the case depends upon clarity over the proposed local plan site allocations, in particular those at Culham and Berinsfield.

Conclusion

72. The background and implications outlines in this report clearly establish the need for the local plan to be published now for Regulation 19 consultation in order to ensure it is possible for the local plan to be submitted before the end of March 2019 and to meet the milestones established through the Oxfordshire Housing and Growth Deal.

Appendices (all published on the councils' website)

- Appendix 1 - Draft Local Plan Publication Version (2nd) 2034
- Appendix 2 - Log of amendments to be made to Appendix 1 since the scrutiny version was published (attached to this report)
- Appendix 3 - Draft Sustainability Appraisal Main report
- Appendix 4 - Draft Habitats Regulations Assessment
- Appendix 5 - Draft Equalities Impact Assessment

| Appendix 2 - Amendments to be actioned to Appendix 1 after the scrutiny version | |
|--|--|
| Description of change | Reason for change |
| Appendix 14 replacement | No Appendix 14 contained in previous version |
| Housing trajectory replacement | To reflect last minute updates |
| Primary Retail Areas map replacement | To reflect the NPPF changes to the PRA |
| Equalities Impact assessment changes | Recommendation from EqIA completed after scrutiny version was sent |
| PARA Y42 - In planning terms there is no difference between the use of a dwelling as a permanent home or as a holiday home unless conditions restricting the use of the property have been imposed on the planning permission. Purpose-built... | Suggestion from enforcement as statement is wrong as established by case law - Moore vs SSCLG and Suffolk Coastal District [2012] EWCA (iv 1202 (2013) JPL 192 |
| Update reference from Oxford to Cambridge Arc to Oxford to Cambridge Expressway in parts of Policy Trans 1a and supporting text | Clarity of definition of Arc and Expressway |
| EMPLOYMENT - Self-catering definition within employment chapter incorrect - make reference to Moore V SSCLG and Suffolk Coastal District (2012) | To address an enforcement case law decision |
| Addition of reference to 'air quality' in what the highway interventions will need to mitigate in criterion ix (b) STRAT policy for Chalgrove Airfield | change suggested by barrister |
| Policy STRAT 8 - Berinsfield: Change VI A - refer to new access to Berinsfield - but don't specify to the north - keep open | Consistency with IDP following further conversations with OCC |
| Policy STRAT 8 - Berinsfield: Change Criterion I - Chiltern Hills - not chilton hills | Typographical error |
| Para D.122 (Wheatley NDP) Officers are reviewing the following wording - "Wheatley neighbourhood Plan will make detailed amendments to ensure that the removed land is allocated for mixed use development in their NDP." | Barrister recommendation. |
| Policy ENV1 (Landscape and Countryside) Amend first sentence of the second paragraph: South Oxfordshire's landscape, countryside and rural areas will be protected against inappropriate <u>harmful</u> development. | Clarification |
| Policy ENV1 and Para H.12 Move para H.12 into the bottom of the ENV1 policy box. | Change suggested by barrister – clarify that this is a policy requirement. |

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| Policy ENV2 and Para H.17 Move para H.17 into the bottom of ENV2 policy box. | Change suggested by barrister – clarify that this is a policy requirement. |
| Para H.14 Officers are reviewing the meaning of “wholly exceptional circumstances” | Barrister recommendation. |
| Policy ENV4 Officers are reviewing requirements related to distances to watercourses to ensure consistency. | Barrister recommendation. |
| Policy ENV4 and Para H.29 Move para H.29 into the bottom of ENV2 policy box. | Change suggested by barrister – clarify that this is a policy requirement. |
| Policy ENV7 (Listed buildings) - add 'will be expected to', to end of first policy wording after '...or affecting the setting of a a listed building' | missing words from policy, highlighted by barrister and in line with policy ENV8 text |
| Policy ENV6 - add apostrophe to 'District's' | typo |
| policy ENV6 (ii) add '(internal or external to the fabric of the building' after '...ensure that alterations...' | provide clarity to the policy text |
| Policy ENV 6 (iii) delete '-' after 'and' | typo |
| Policy STRAT 13 - Grenoble Road Refer to 2x2 form entry primary school only - do not refer to 1x3 form entry primary school | OCC update |
| D.27: At that time, South Oxfordshire District Council did not sign the Memorandum of Cooperation and proposed that it would plan for a lower amount of unmet need. However, t The Council now considers that it can meet the full 4,950 homes apportioned to South Oxfordshire through this agreement and proposes to monitor this between 1 April 2021 and 31 March 2031 in accordance with the memorandum. | change suggested by barrister |
| D.75: The tenure mix of housing in berinsfeld is more unbalanced than in other parts of the district, with higher levels of social rent. releasing land for development could will help to rebalance the mix as well as provide further opportunities for employment and service provision; and | change suggested by barrister |
| D.76: The expansion of Berinsfield is considered acceptable only if it will lead directly to the implementation of the a masterplan for the regeneration of the village and the funding of the entire cost of the regeneration package identified by the council through the community Investment Scheme, including the requirements set out in Policy Strat8. | change suggested by barrister |

| | |
|---|--|
| <p>The following text changes to paragraph 4.33 are required to clarify the strategy for Science Vale: "...A "step change" in travel choices away from car travel towards public transport, cycling and walking with Didcot at the heart of a fully connected Science Vale. <u>Didcot's role as a major rail interchange strengthened, including aspirations for rail services direct from Grove and Wantage.</u> <u>Didcot Parkway Railway Station and its role as a major rail interchange improved.</u> Culham railway station to be improved and transformed into a focal point for the new community <u>A new railway station at Grove in the longer term</u> <u>Improvements to capacity of the rail lines</u> <u>A cycle strategy for Science Vale that enables people to reliably travel between their homes and their jobs by means other than the private car linking Didcot with the key employment centres at Culham Science Centre, Milton Park and Harwell</u> <u>Convenient bus services throughout the area</u> <u>More and better cycling and walking links to encourage reliable, active and healthy travel"</u></p> | <p>Consultation response from OCC.</p> |
| <p>Policy H4: Sonning Common target should be 108 dwellings (not 1108)</p> | <p>Typo</p> |
| <p>Appendix 2 - Culham Boundary</p> | <p>Culham Boundary incorrect - contains a previous version - Should contain the version saved here - S:\South\Policy_South\MAPS MAPS MAPS SOUTH\Local Plan mapping 2033\Appendix 2 - Strategic Sites</p> |
| <p>Appendix 4 - Culham Green Belt Boundary</p> | <p>Culham Boundary incorrect - contains a previous version - Should contain the version saved here - S:\South\Policy_South\MAPS MAPS MAPS SOUTH\Local Plan mapping 2033\Green Belt inset maps</p> |
| <p>STRAT Policies require re-numbering and re-ordering as per agreed</p> | <p>The STRAT policies have not been re-numbered as per that agreed. The policies map is correct so needs to marry up with this. Re-numbering is saved in the modifications file here - S:\South\Policy_South\Local Plan 2033 (GDPR)\15b Pre-submission (Regulation 19 stage (2))\Modifications\Policy Changes</p> |
| <p>Green Belt Strategic Policy - PAGE 67 OF SCRUTINY VERSION - Supportive text - The last paragraph of the supportive text to be deleted.</p> | <p>As we are not removing from the Green Belt -</p> |

| | |
|--|--|
| <p>D71 - The Strat7 STRAT 9 site allocation is located adjacent to the Culham brake Site of Special Scientific Interest (SSSI) at the north-east corner of the site. The Culham Brake SSSI is protected due to its national importance as one of the largest populations of the summer snowflake leucojum aestivum. High level assessments suggest that strategic development at Culham is unlikely to have any negative hydrological effect on the Culham brake SSSI, as the SSSI is watered directly by the river Thames. appropriate consideration should be given to the SSSI in developing detailed proposals for this site which should be in compliance with the concept plan below.</p> | <p>change suggested by barrister</p> |
| <p>POLICY BOX - STRAT 8: CULHAM SCIENCE CENTRE - SECOND PARAGRAPH - In combination with the adjacent strategic allocation (Policy STRAT 7) Policy STRAT 9...</p> | <p>Change suggested by barrister - REORDERING ISSUE - SEE ABOVE</p> |
| <p>PARA D120 - The exceptional circumstances for the NDP to release the land at Wheatley are as follows:</p> <ul style="list-style-type: none"> • to support the Neighbourhood Development Plan and to ensure that future allocations can be made through the NDP; • Wheatley is a Larger Village and benefits from a number of services and facilities and represents an appropriate location for accommodating additional development; • there are limited alternatives for accommodating additional development at Wheatley other than through Green belt release; • to contribute towards meeting housing needs including affordable housing needs; • to contribute towards the provision of employment land; • to enable the relocation of existing employment uses in Wheatley so that land can be developed for housing; • to enable development to take place to provide for a mix of uses to the benefit of existing and future residents; and • the location of this land is recognised to be positioned between existing residential development to the west and industrial buildings to the east and has limited essential characteristics of the Green belt. | <p>Change suggested by barrister - to minimise the exceptional circumstances</p> |
| <p>PARAGRAPH Y21 - In order to meet the diverse need for employment across South Oxfordshire, the policy below encourages requires...</p> | <p>Change suggested by Barrister</p> |
| <p>Policy EMP2 - POLICY BOX - Proposals for employment use should will provide a range and size of premises, including flexible business space to meet current and future requirements. The Council will encourage support proposals for premises suitable for small and medium sized businesses, including start-up/incubator businesses (up to 150sq.m) and grow-on space (up to 500sq.m). Proposals for employment use will be considered against this criteria and the overall employment distribution strategy at EMP1.</p> | <p>Change suggested by Barrister</p> |

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| <p>POLICY EMP 3 POLICY BOX - second paragraph - In addition to the criteria above, where there is no reasonable prospect of land or premises being used for continued employment use, a mixed use enabling development which incorporates employment space should first be considered. If a mixed-use scheme is not viable, the extent to which the proposed use generates new employment will be considered in determining the relevant planning application.</p> | <p>Changes suggested by Barrister</p> |
| <p>POLICY BOX EMP10 - SECOND PARAGRAPH - The Council may will require, where appropriate...</p> | <p>Changes suggested by Barrister</p> |
| <p>POLICY BOX EMP10 - THIRD PARAGRAPH - The CEP should be prepared in partnership with South Oxfordshire District Council, and any other appropriate partners...</p> | <p>Changes suggested by Barrister</p> |
| <p>POLICY BOX EMP13 - criteria (ii) - delete</p> | <p>Changes suggested by Barrister</p> |
| <p>POLICY BOX EMP14 - first bullet point - business is no longer viable and has no reasonable prospect of continuing and alternative visitor accommodation businesses have been fully explored;</p> | <p>Changes suggested by Barrister</p> |
| <p>PARAGRAPH Y52 - BULLET POINT 4 - alternative visitor accommodation business models have been tried explored and discounted;</p> | <p>Changes suggested by Barrister</p> |
| <p>Policy INF 1- SECOND PARAGRAPH- Planning permission will only be granted for development where infrastructure and services...</p> | <p>Changes suggested by Barrister</p> |
| <p>Policy Trans 4- SECOND PARAGRAPH, second sentence, Careful Consideration should be given.</p> | <p>Changes suggested by Barrister</p> |
| <p>Policy Trans 4- LAST PARAGRAPH- In accordance with the guidance, travel plans will be required, implemented and monitored for all developments that will generate significant amounts of movement i) for all large-scale major developments comprising residential, employment, shopping or leisure uses or services; and ii) for other small developments comprising residential, employment, shopping, leisure, or education facilities which would generate significant amounts of travel where relevant.</p> | <p>Changes suggested by Barrister</p> |
| <p>Policy Trans 5: para xiii) provide for the parking of vehicles in accordance with...and xiv) provide facilities to support the take up of electric and/or low-emission vehicles</p> | <p>Changes suggested by Barrister</p> |
| <p>Policy Trans 7- para iii) the development does not result in serious and adverse environmental effects on the surrounding area.</p> | <p>Changes suggested by Barrister</p> |
| <p>INF 3, para iii) Such evidence should accompany any application made to the council</p> | <p>Changes suggested by Barrister</p> |

| | |
|--|---|
| <p>INF 4, first sentence, All development proposals must demonstrate that there are is or will be adequate water supply, surface water, foul drainage and sewage treatment capacity to serve to serve the whole development.</p> | <p>Changes suggested by Barrister</p> |
| <p>INF 4, third sentence, When there is a capacity constraint and improvements on to off-site infrastructure are not programmed.</p> | <p>Changes suggested by Barrister</p> |
| <p>The first section of policy H19: Re-use of rural buildings appears to be missing.</p> | <p>Check whether the policy text from page 87 of the publication version of the plan has been missed off.</p> |
| <p>Re-ordering and renumbering of STRAT Policies and amending the references to those policies</p> | <p>For clarity</p> |
| <p>Insertion of retail requirements within all site specific allocation policies</p> | <p>This was incomplete in the scrutiny version of the Local Plan</p> |
| <p>All typos identified and corrected as per barrister's suggestions</p> | <p>Typos listed by barrister in his proof read</p> |
| <p>All spelling, grammar and references corrections made by editor between 05/12/18 and 10/15/18</p> | <p>Errors found by the editor during their editing process</p> |

Cabinet Report



Listening Learning Leading

Report of Head of Planning

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To: CABINET

Date: 18 December 2018

Making the Chalgrove Neighbourhood Development Plan

That Cabinet recommends to Council:

1. To make the Chalgrove Neighbourhood Development Plan so that it continues to be part of the council's development plan.
2. to delegate to the Head of Planning, in agreement with the Qualifying Body, the correction of any spelling, grammatical, typographical or factual errors together with any improvements from a presentational perspective.

Purpose of Report

1. To update the Cabinet on progress of the Chalgrove Neighbourhood Development Plan and to present the relevant considerations in relation to whether this plan should be made (formally adopted).

Corporate Objectives

2. Strongly supporting the development of neighbourhood plans for our towns and villages.

Background

3. Chalgrove Parish Council successfully applied for the its entire parish area to be designated as a Neighbourhood Area under the Neighbourhood Planning (General) Regulations (2012).

4. The preparation of the plan was led by the parish council ('the qualifying body') and a group of volunteers from the local community.
5. Following the formal submission of the Chalgrove Neighbourhood Development Plan (the Plan) to the council, the council publicised the Plan and invited comments from the public and stakeholders.
6. The council appointed Mr. John Slater to examine the Plan. Examiners are tasked with reviewing whether a neighbourhood plan meets the basic conditions required by legislation and whether it should proceed to referendum. The examiner's report concluded that the Plan meets the basic conditions, and that subject to the modifications proposed in the report, the Plan should proceed to referendum.
7. The modifications proposed by the examiner are largely minor in nature; re-wording and restructuring for clarity and to ensure the basic conditions are met. The Plan, as modified by the examiner, may influence development brought forward by the council's emerging Local Plan, such as the potential strategic allocation at Chalgrove Airfield, provided there is no conflict between the policies in the neighbourhood plan and the emerging Local Plan, when adopted. Should there be any conflict, section 38(5) of the Planning and Compulsory Purchase Act 2004 requires that the conflict must be resolved by the decision maker favouring the policy which is contained in the last document to become part of the development plan. Therefore, when adopted, the emerging South Oxfordshire Local Plan will supersede any conflicting policies in the made neighbourhood plan.
8. Having considered the examiner's recommendations and reasons for them the Cabinet Member for Planning decided on 11 October 2018:
 1. To accept all modifications recommended by the Examiner;
 2. to determine that the Chalgrove Neighbourhood Development Plan, as modified, meets the basic conditions, is compatible with the Convention rights, complies with the definition of a neighbourhood development plan (NDP) and the provisions that can be made by a NDP; and
 3. to take all appropriate actions to progress the Chalgrove Neighbourhood Development Plan to referendum. A date for the referendum is set for Thursday 22 November 2018.
 4. the referendum area should not extend beyond the neighbourhood area approved by the District Council on 21 December 2012. The referendum area should not extend beyond the neighbourhood area approved by the District Council on 04 August 2016.
9. The modifications to the plan were made and the referendum version of the Plan was published on 11 October 2018 alongside the decision statements required under Regulation 18(2)(a) of the Neighbourhood Planning (General) Regulations (2012).

Options

10. The council's options are limited by statute. Paragraph 38A (4)(a) of the Planning and Compulsory Purchase Act 2004 sets out that the council must make a neighbourhood plan if more than half of those voting at the referendum have voted in favour of the plan being used to help decide planning applications in the plan area.
11. The only circumstance where the district council should not make this decision is where the making of the plan would breach, or would otherwise be incompatible with, any EU obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998).

12. Section 3 of the Neighbourhood Planning Act 2017, which came into force on 19 July 2017, amends section 38 of the Planning and Compulsory Purchase Act 2004 to ensure that neighbourhood plans have full legal effect once they have passed their local referenda. In the very limited circumstances that the council might decide not to make the neighbourhood development plan, it will cease to be part of the development plan for the area.
13. The council's decision on 26 September 2018 (referred to in paragraph 8), published in the decision statement issued on 11 October 2018 (referred to in paragraph 9), confirmed that the Chalgrove Neighbourhood Development Plan, as modified by the Examiner's recommendations, would not breach, and be otherwise incompatible with EU obligations or human rights legislation.
14. Therefore, if the majority of those voting have voted in favour of the Chalgrove Neighbourhood Plan being used to help decide planning applications in the plan area, to not make the plan would be in breach of these statutory provisions.

Referendum

15. A referendum relating to the adoption of the Chalgrove Neighbourhood Development Plan was held on Thursday 22 November 2018.
16. The question which was asked in the Referendum was: *"Do you want South Oxfordshire District Council to use the Neighbourhood Plan for Chalgrove to help it decide planning applications in the neighbourhood area?"*
17. The result was as follows:
 - a. Yes = 773 votes (94.38%)
 - b. No = 46 votes (5.62 %)
 - c. Turnout = 38.85%
18. The majority of local electors voted in favour of the plan; therefore, the Chalgrove Neighbourhood Plan has become part of the council's development plan.
19. As the plan was approved at the local referendum and the council is satisfied it would not breach and be otherwise incompatible with EU obligations or human rights legislation, the council is required make the Chalgrove Neighbourhood Development Plan so that it continues to be part of the council's development plan.

Financial Implications

20. Any financial implications can be accommodated within the existing planning budget.

Legal Implications

21. The decision to make the Chalgrove Neighbourhood Plan is a legal requirement in the Planning and Compulsory Purchase Act 2004. The only circumstance where the district council should not make this decision is where the making of the plan would breach, or would otherwise be incompatible with, any EU obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998). There is a requirement that the district council will publish a formal decision statement as required under the Neighbourhood Planning (General) Regulations 2012.

22. It is not considered that the Chalgrove Neighbourhood Development Plan would breach, or would otherwise be incompatible with, any such obligation or rights. Therefore, the council should now proceed to make the plan.

Risks

23. The council is required to comply with the statutory requirements (to consider whether the Chalgrove Neighbourhood Development Plan should be made following successful local referendum), which this recommendation seeks to achieve. In view of the considerations referred to elsewhere in this report, as the majority of those voting have voted in favour of the plan at its local referendum, a decision not to make the plan would place the council at risk of a legal challenge.

Conclusion

24. On the 11 October 2018, the council decided:

1. To accept all modifications recommended by the Examiner;
2. to determine that the Chalgrove Neighbourhood Development Plan, as modified, meets the basic conditions, is compatible with the Convention rights, complies with the definition of a neighbourhood development plan (NDP) and the provisions that can be made by a NDP; and
3. to take all appropriate actions to progress the Chalgrove Neighbourhood Development Plan to referendum. A date for the referendum is set for Thursday 22 November 2018.
4. the referendum area should not extend beyond the neighbourhood area approved by the District Council on 21 December 2012. The referendum area should not extend beyond the neighbourhood area approved by the District Council on 04 August 2016.

25. The local referendum was held on 22 November 2018 to meet the requirements of The Localism Act 2011 and The Neighbourhood Planning (Referendums) Regulations 2012.

26. As the majority of those voting have voted in favour of the Plan being used to help decide planning applications in the plan area, it is recommended that the Chalgrove Neighbourhood Development Plan is made.

Background Papers

Declaration of results of the Chalgrove Neighbourhood referendum

Cabinet Report



Listening Learning Leading

Report of Head of Planning

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Date: 18 December 2018

Making the Little Milton Neighbourhood Development Plan

That Cabinet recommends to Council:

1. To make the Little Milton Neighbourhood Development Plan so that it continues to be part of the council's development plan.
2. to delegate to the Head of Planning, in agreement with the Qualifying Body, the correction of any spelling, grammatical, typographical or factual errors together with any improvements from a presentational perspective.

Purpose of Report

1. To update the Cabinet on progress of the Little Milton Neighbourhood Development Plan and to present the relevant considerations in relation to whether this plan should be made (formally adopted).

Corporate Objectives

2. Strongly supporting the development of neighbourhood plans for our towns and villages.

Background

3. Little Milton Parish Council successfully applied for the its entire parish area to be designated as a Neighbourhood Area under the Neighbourhood Planning (General) Regulations (2012).

4. The preparation of the plan was led by the parish council ('the qualifying body') and a group of volunteers from the local community.
5. Following the formal submission of the Little Milton Neighbourhood Development Plan (the Plan) to the council, the council publicised the Plan and invited comments from the public and stakeholders.
6. The council appointed Mr. Andrew Ashcroft to examine the Plan. Examiners are tasked with reviewing whether a neighbourhood plan meets the basic conditions required by legislation and whether it should proceed to referendum. The examiner's report concluded that the Plan meets the basic conditions, and that subject to the modifications proposed in the report, the Plan should proceed to referendum.
7. The modifications proposed by the examiner are largely minor in nature; re-wording and restructuring for clarity and to ensure the basic conditions are met. More significant modifications recommended by the examiner include:
 - (a) Replacing the wording 'will be permitted' with 'will be supported' in various policies to provide the appropriate flexibility to take into account all material planning considerations in determining any planning applications.
 - (b) Modifications and additional supporting text introduced to Policy LM1 (Spatial Strategy and Development Pattern) to ensure the wording in the policy gives more clarity and context in terms of the development plan and its connection with the other elements of this policy. The modifications also future proofs the policy as is the ambition of the Plan. The additional supporting text addresses the emerging Local Plan in general terms in case it is materially different from that envisaged when the Plan was being prepared, ensuring continued conformity with the Development plan.
8. Having considered the examiner's recommendations and reasons for them the Cabinet Member for Planning decided on 26 September 2018:
 1. To accept all modifications recommended by the Examiner;
 2. To modify the neighbourhood plan's Terminology definition of National Policy on page 4 (of the Plan);
 3. To determine that the Little Milton Neighbourhood Development Plan, as modified, meets the basic conditions, is compatible with the Convention rights, complies with the definition of a neighbourhood development plan (NDP) and the provisions that can be made by a NDP;
 4. To take all appropriate actions to progress the Little Milton Neighbourhood Development Plan to referendum. A date for the referendum is set for Thursday 22 November 2018.
 5. The referendum area should not extend beyond the neighbourhood area approved by the District Council on 04 August 2016.
9. The modifications to the plan were made and the referendum version of the Plan was published on 11 October 2018 alongside the decision statements required under Regulation 18(2)(a) of the Neighbourhood Planning (General) Regulations (2012).

Options

10. The council's options are limited by statute. Paragraph 38A (4)(a) of the Planning and Compulsory Purchase Act 2004 sets out that the council must make a neighbourhood

plan if more than half of those voting at the referendum have voted in favour of the plan being used to help decide planning applications in the plan area.

11. The only circumstance where the district council should not make this decision is where the making of the plan would breach, or would otherwise be incompatible with, any EU obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998).
12. Section 3 of the Neighbourhood Planning Act 2017, which came into force on 19 July 2017, amends section 38 of the Planning and Compulsory Purchase Act 2004 to ensure that neighbourhood plans have full legal effect once they have passed their local referenda. In the very limited circumstances that the council might decide not to make the neighbourhood development plan, it will cease to be part of the development plan for the area.
13. The council's decision on 26 September 2018 (referred to in paragraph 8), published in the decision statement issued on 11 October 2018 (referred to in paragraph 9), confirmed that the Little Milton Neighbourhood Development Plan, as modified by the Examiner's recommendations, would not breach, and be otherwise incompatible with EU obligations or human rights legislation.
14. Therefore, if the majority of those voting have voted in favour of the Little Milton Neighbourhood Plan being used to help decide planning applications in the plan area, to not make the plan would be in breach of these statutory provisions.

Referendum

15. A referendum relating to the adoption of the Little Milton Neighbourhood Development Plan was held on Thursday 22 November 2018.
16. The question which was asked in the Referendum was: "*Do you want South Oxfordshire District Council to use the Neighbourhood Plan for Little Milton to help it decide planning applications in the neighbourhood area?*"
17. The result was as follows:
 - a. Yes = 134 votes (97.81%)
 - b. No = 3 votes (2.19%)
 - c. Turnout = 35.31%
18. The majority of local electors voted in favour of the plan; therefore, the Little Milton Neighbourhood Plan has become part of the council's development plan.
19. As the plan was approved at the local referendum and the council is satisfied it would not breach and be otherwise incompatible with EU obligations or human rights legislation, the council is required make the Little Milton Neighbourhood Development Plan so that it continues to be part of the council's development plan.

Financial Implications

20. Any financial implications can be accommodated within the existing planning budget.

Legal Implications

21. The decision to make the Little Milton Neighbourhood Plan is a legal requirement in the Planning and Compulsory Purchase Act 2004. The only circumstance where the

district council should not make this decision is where the making of the plan would breach, or would otherwise be incompatible with, any EU obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998). There is a requirement that the district council will publish a formal decision statement as required under the Neighbourhood Planning (General) Regulations 2012.

22. It is not considered that the Little Milton Neighbourhood Development Plan would breach, or would otherwise be incompatible with, any such obligation or rights. Therefore, the council should now proceed to make the plan.

Risks

23. The council is required to comply with the statutory requirements (to consider whether the Little Milton Neighbourhood Development Plan should be made following successful local referendum), which this recommendation seeks to achieve. In view of the considerations referred to elsewhere in this report, as the majority of those voting have voted in favour of the plan at its local referendum, a decision not to make the plan would place the council at risk of a legal challenge.

Conclusion

24. On the 26 September 2018, the council decided:

1. To accept all modifications recommended by the Examiner;
2. To modify the neighbourhood plan's Terminology definition of National Policy on page 4 (of the Plan);
3. To determine that the Little Milton Neighbourhood Development Plan, as modified, meets the basic conditions, is compatible with the Convention rights, complies with the definition of a neighbourhood development plan (NDP) and the provisions that can be made by a NDP;
4. To take all appropriate actions to progress the Little Milton Neighbourhood Development Plan to referendum. A date for the referendum is set for Thursday 22 November 2018.
5. The referendum area should not extend beyond the neighbourhood area approved by the District Council on 04 August 2016.

25. The local referendum was held on 22 November 2018 to meet the requirements of The Localism Act 2011 and The Neighbourhood Planning (Referendums) Regulations 2012.

26. As the majority of those voting have voted in favour of the Plan being used to help decide planning applications in the plan area, it is recommended that the Little Milton Neighbourhood Development Plan is made.

Background Papers

Declaration of results of the Little Milton Neighbourhood referendum

Cabinet Report



Listening Learning Leading

Report of Head of Housing and Environment

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Date: 18 December 2018

Joint Gambling Policy

Recommendations

Cabinet is recommended to consider the recommendations of the Licensing Acts Committee and to recommend Council to:

- (a) adopt the proposed Joint Gambling Policy
- (b) authorise the Head of Housing and Environment to make minor editorial changes to the Joint Gambling Policy
- (c) authorise the Head of Housing and Environment to publish the Joint Gambling Policy in accordance with the Gambling Act 2005 (Licensing Authority Policy Statement) (England and Wales) Regulations 2006.

Purpose of Report

1. To consider the recommendations of the Licensing Acts Committee on the Joint Gambling Policy following the statutory consultation.

Strategic Objectives

2. The Joint Gambling Policy will further the council's role in building thriving communities and investing in the district's future. The policy will also ensure the council is meeting its statutory responsibilities.

Background

3. The gambling policy is subject to statutory review every three years. The policy is due for review by 31 January 2019.

Proposed policy

4. There are no significant changes to the gambling policy.
5. There have not been any changes in legislation or guidance within the last three years, therefore there are no significant changes to the gambling policy.
6. Minor changes to the policy are as follows:
 - Information is included on the detail that we require for premises risk assessments, including for them to be kept at the premises.
 - Paragraphs 2.7.2 and 2.7.3 refer to the local area profiles are now available on the council websites to assist operators in developing their risk assessments which are required for the application process.
 - The policy has been updated to refer to refer to GDPR and Data Protection Act 2018 and the councils' Licensing enforcement policy
 - Annex 4 now refers to the recent government review of gaming machines and social responsibility measures and the decision that maximum stakes on fixed odds betting terminals will be reduced from £100 to £2.

Consultation results

7. The consultation ran four weeks from 10 September to 7 October 2018. This was a public consultation and went to all councillors and responsible authorities as defined under the Gambling Act 2005.
8. The overall response level was very low. The Gambling Commission suggested we include information about the local area profile and risk assessments within the policy. This has been included in section 2.7. We have also updated the policy to refer to both the Human Rights Act 1998 and Equality Act 2010 in section 2.3
9. These changes are minor but do provide some additional clarification for operators.
10. The low level of consultation responses show that the policy can be recommended for adoption subject to the identified responses and minor wording changes which have been incorporated into the policy at appendix 1.

Licensing Acts Committee recommendations

11. The Licensing Acts Committee considered the Joint Gambling Policy on 30 November 2018 and decided to recommend Cabinet to recommend Council on 20 December 2018 to adopt the policy and to authorise the Head of Housing and Environment to make minor editorial changes and to publish the policy as required by regulations.

Implementation

12. Once the Council has adopted a new gambling policy it must publish a notice of intention to adopt the new policy four weeks before the new policy comes into force. The policy will be due for renewal by 31 January 2022.

Financial Implications

13. There are no financial implications arising from the adoption of the proposed policy.

Legal Implications

14. The policy has been drafted to reflect current legislative requirements and guidance. All applications for licences and permits under the Gambling Act 2005 have to be made and determined in accordance with the council's gambling policy.

Risks

15. Failure to reflect the requirements of the Gambling Act 2005 and associated regulations could result in the councils not complying with the legislation. Having a clear policy helps to ensure that licensing decisions comply with the legislation and are made fairly and consistently.

Other Implications

16. There are no other implications arising from the adoption of the proposed policy.

Conclusion

17. Cabinet is recommended to consider the outcome of the consultation and recommend Council to:
- (a) adopt the proposed Joint Gambling Policy
 - (b) authorise the Head of Housing and Environment to make minor editorial changes to the Joint Gambling Policy.
 - (c) authorise the Head of Housing and Environment to publish the Joint Gambling Policy in accordance with the Gambling Act 2005 (Licensing Authority Policy Statement) (England and Wales) Regulations 2006.

Background Papers

none

APPENDIX 1



Statement of Principles

Gambling Act 2005

Joint statement of licensing policy

This policy was adopted by the Vale of White Horse District Council at the meeting of Council on 12 December 2018 and South Oxfordshire District Council at the meeting of Council on 20 December 2018 and comes into force from 31 January 2019 and will be reviewed by 31 January 2022.

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GLOSSARY

Adult gaming centres

Adult gaming centres (AGCs) are a category of gambling premises contained within the Act. Persons operating an AGC must hold a gaming machines general operating licence from the Gambling Commission and must seek a premises licence from the licensing authority. The holder of an adult gaming centre premises licence may have up to four category B3 or B4 machines available for use and any number of category C or D machines.

Amusement arcades

These are not referred to as such in the Act. See adult gaming centres and licensed and unlicensed family entertainment centres.

Betting

Betting means making or accepting a bet on the outcome of a race, competition, or any other event; the likelihood of anything occurring or not occurring; or whether anything is true or not true.

Bingo

Bingo has no statutory definition in the Act. It has its ordinary and natural meaning. There is no distinction between cash bingo, where cash prizes are derived from the stakes, and prize bingo, where prizes were not directly related to the stakes paid. The holder of a bingo operating licence will be able to offer any type of bingo game, whether cash or prize. This also applies to alcohol-licensed premises, club and miners' welfare institutes (up to a total weekly prize value of less than £2,000).

Prize bingo is traditionally played in arcades or travelling funfairs. For these operators, prize bingo is subsumed within the allowances for prize gaming in the Act. This means that adult gaming centres, both licensed and unlicensed family entertainment centres, travelling fairs, and any premises with a prize gaming permit will be able to offer prize gaming, which includes prize bingo.

Casino

A location where people can participate in one or more casino games.

Casino games

Games of chance not being equal chance gaming. i.e. games in which players stake against a "bank".

Councils

The licensing authorities. Vale of White Horse District Council in its capacity as the licensing authority for the area of Vale of White Horse and South Oxfordshire District Council in its capacity as the licensing authority for the area of South Oxfordshire.

Equal chance gaming

This is a game where the chances of winning are equally favourable to all participants, and which does not involve playing or staking against a “bank”. It is immaterial how the “bank” is described and whether it is controlled by a player.

Exempt activities

The following are exempt under the Act:

- Private betting - betting which takes place between inhabitants of the same premises or between employees of the same employer.
- Private gaming - gaming that takes place in private dwellings and on domestic occasions providing that no charge is made for participating; only equal chance gaming takes place; and it does not occur in a place to which the public have access.
- Non-commercial gambling - when no part of the proceeds/profits will be for private gain. The proceeds/profits are the sums raised by the organisers, for example, by way of fees for entrance or participation, or by way of stakes, minus an amount deducted by the organiser in respect of costs reasonably incurred in organising the event including the provision of a prize. The following conditions would also have to apply:
 - the profits will be for a purpose other than that for private gain
 - the players are informed that the purpose of the gaming is to raise money for a specified purpose other than that of private gain
 - the event must not take place in premises which either have a premises licence or on premises relying on a temporary use notice under the Act
 - the gaming must not be remote.

Any regulations made by the Secretary of State will need to be complied with and will include for example regulations limiting the amounts staked and limiting participation fees. If the profits from the activity are used for a purpose other than that which was specified, an offence would be committed.

Gambling

Gambling is defined as: gaming, betting or participating in a lottery.

Games of chance

This covers games that involve both chance and skill. This includes games in which skill can eliminate an element of chance and includes games that are presented as involving an element of chance. It does not include a sport. Playing a game of chance need not involve other participants.

Gaming

Gaming means playing a game of chance for a prize.

Guidance

Under section 25 of the Act, the Gambling Commission is required to issue guidance on the manner in which local authorities are to exercise their functions under the Act, in particular, the principles to be applied by local authorities in exercising their functions under the Act.

Interested parties

Interested parties are defined under section 158 of the Act. To accept a representation from an interested party, the council must take the view that the person:

- lives sufficiently close to the premises to be likely to be affected by the authorised activities
- has business interests that might be affected by the authorised activities
- represents persons in either of these groups.

Interested parties can also be a councillor or an MP.

Licensed family entertainment centres

These premises require operating licences from the Gambling Commission. They will be able to offer gaming machines in categories C and D. Gaming machines are a form of gambling which is attractive to children and Licensed Family Entertainment Centres may contain machines of the Category D machines on which they are allowed to play as well as category C which they are not permitted to play.

Lottery

A 'lottery' is where persons are required to pay in order to take part in an arrangement, during the course of which one or more prizes are allocated by a process which relies wholly on chance.

Operators

Individuals or companies who provide facilities for gambling.

Operating licence

The Act requires individuals or companies who intend to provide facilities for certain types of gambling to obtain an operating licence from the Gambling Commission.

Operating licences may be issued for the following forms of gambling:

- casino operating licence
- bingo operating licence
- general betting operating licence
- pool betting operating licence
- betting intermediary operating licence
- gaming machine general operating licence (for an adult gaming centre)
- gaming machine general operating licence (for a family entertainment centre)
- gaming machine technical operating licence (to manufacture, supply, install, adapt, maintain or repair a gaming machine or part of a gaming machine)
- gambling software operating licence (to manufacture, supply, install or adapt gambling software)
- lottery operating licence.

Premises licence

A premises licence issued by a licensing authority authorises the provision of facilities on casino premises, bingo premises, betting premises, including tracks, adult gaming centres and family entertainment centres.

Representations

In dealing with applications the council is obliged to consider representations from two categories of person, referred to in the Act as interested parties and responsible authorities.

Tracks

A track is any premises where a race or sporting event may take place. Facilities for betting on tracks may be permitted by a track premises licence, a temporary use notice or an occasional use notice.

Unlicensed family entertainment centres

These premises can provide category D machines providing prizes of up to £5 cash or £8 in goods. Stakes are limited to 10p (or 30p for a goods prize). They can also offer prize bingo.

1.0 INTRODUCTION

1.1 Scope

1.1.1 Gambling activities are regulated by the Gambling Act 2005 ('the Act'). Vale of White Horse and South Oxfordshire District Councils are licensing authorities for the purposes of the Act. This 'Statement of Principles' ('policy') covers the districts of the Vale of White Horse District Council and South Oxfordshire District Council ('the councils'). The Act requires the councils to produce a statement of principles concerning their duties under the Act every three years.

1.1.2 The Act gives the councils various regulatory functions in relation to gambling. The councils' main functions under the Act are:

- licensing premises for gambling activities
- considering notices given for the temporary use of premises for gambling
- granting permits for gaming and gaming machines in clubs and miners' welfare institutes
- regulating gaming and gaming machines in alcohol licensed premises
- granting permits to family entertainment centres (FECs) for the use of certain lower stake gaming machines
- granting permits for prize gaming
- considering occasional use notices for betting at tracks
- registering small societies' lotteries
- maintaining a register of premises licences (for casinos, bingo halls, adult gaming centres, family entertainment centres, betting shops and race tracks).

The councils are required to provide information annually to the Gambling Commission on the of licences, permits and registrations issued.

The councils maintain statutory registers of premises licensed under the Act. The registers can be viewed on the relevant council's website or by prior request at the council offices.

2.0 BACKGROUND

2.1 Purpose of policy

It is expected that the councils regulate gambling in the public interest. The purpose of this policy is to ensure the councils' compliance with the Act, to protect the health and welfare of the general public and to assist businesses by ensuring they are aware of the councils' requirements and the way in which the councils carry out their regulatory functions.

2.2 Persons consulted

The following bodies/persons were consulted on this policy and their views taken into consideration:

- the Chief Constable of Thames Valley Police
- businesses and individuals in the councils' areas who held a premises licence granted under the Act at the time consultation commenced
- one or more persons who appeared to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority's functions under the Act. A list of persons/bodies responding to the consultation is attached at Annex 1

2.3 Declaration

This policy has been produced with due regard to the licensing objectives, the Gambling Commission's 'Guidance to Licensing Authorities 5th edition' and the responses received as part of the consultation process. The consultation ran for a four week period from 10 September 2018. The policy will be in force for no longer than three years and it may be reviewed and amended at any time within the three year period. The policy does not override the right of any person to make an application, make representations about an application or apply for a review of a licence. Each application and representation will be considered on its own merits and in accordance with the Act. The policy has been agreed taking into account the Human Rights Act 1998 and the Equality Act 2010. The councils will consider the need to balance the legislation and the principles contained within the policy with the human rights of all parties, be they licence holders, applicants or interested parties.

2.4 Responsible authorities

2.4.1 Under the Act responsible authorities are public bodies who must be notified of applications and who are entitled to make representations to the licensing authority in relation to applications for and in relation to, premises licences. The responsible authorities for both councils are:

- the licensing authority
- the Gambling Commission
- the Chief Constable of Thames Valley Police
- Oxfordshire Fire and Rescue Service
- the planning authority (within the relevant council)
- the local town council, parish council or parish meeting
- the environmental protection team (of the relevant council)
- a body designated in writing by the licensing authority as competent to advise about the protection of children from harm (see 2.4.3)

- HM Revenue & Customs
- any other persons prescribed in regulations by the Secretary of State.

Contact details for the above authorities are included at Annex 2.

2.4.2 In the event that the premises are a vessel, the following bodies are also responsible authorities:

- the Environment Agency
- the British Waterways Board
- the Secretary of State for Transport (who acts through the Maritime and Coastguard Agency)

2.4.3 In exercising the councils' powers under section 157(h) of the Act to designate a body competent to advise them about the protection of children from harm the following principles have been applied:

- the need for the body to be responsible for an area covering the whole of a licensing authority's area
- the need for the body to be answerable to democratically elected persons, rather than any particular vested interest group

Having regard to the above principles, the councils have designated the Oxfordshire Safeguarding Children Board at Oxfordshire County Council for this purpose.

2.5 Interested Parties

2.5.1 Interested parties can make representations about licence applications, or apply for a review of an existing licence. The Act defines interested parties as persons or bodies who, in the opinion of the licensing authority:

- (a) live sufficiently close to the premises to be likely to be affected by the authorised activities;
- (b) have business interests that might be affected by the authorised activities; or
- (c) represent persons who satisfy (a) or (b) (see 2.5.4)

2.5.2 Whether a person is an interested party is a decision that will be taken by the relevant council on a case-by-case basis, judging each case on its merits. However, the following factors will be taken into account:

- the size of the premises (for example, larger premises may affect people over a wider geographical area)
- the nature of the activities planned or already taking place
- the distance of the premises from the location of the person making the representation
- the potential impact of the premises (number of customers, routes likely to be taken by those visiting the establishment)
- the circumstances of the complainant (which may be relevant to the distance from the premises, for example, it could be reasonable for an authority to conclude that 'sufficiently close to be likely to be affected' could have a different meaning for (a) a private resident (b) a residential school for children with truanting problems and (c) a residential hostel for vulnerable adults
- the catchment area of the premises (i.e. how far people travel to visit); and whether the person making the representation has business interests in that catchment area, that might be affected (this is particularly relevant when representations are made by another gambling business who state their business interests may be affected, however whether there is demand for the premises shall not be taken into account).

2.5.3 This list is not exhaustive and other factors may be taken into consideration if the councils deem it necessary.

2.5.4 The councils consider the following people / bodies to fall within the category of those who represent persons living close to premises, or having business interests that might be affected by the authorised activities: -

- trade associations
- residents' and tenants' associations
- district, county, town and parish councillors
- MPs
- school headteachers
- community groups
- charities
- faith groups
- medical practices
- bodies that exist to help people with gambling addictions such as GamCare or Gamblers Anonymous.

2.5.5 In other cases, the councils shall require written evidence that the person / association / body represent an interested party.

2.6 Licensing objectives

In exercising their functions under the Act, the councils must have regard to the licensing objectives as set out in section 1 of the Act. The licensing objectives are:

- preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime
- ensuring that gambling is conducted in a fair and open way
- protecting children and other vulnerable persons from being harmed or exploited by gambling.

The councils will aim to permit the use of premises for gambling as required by section 153 of the Act.

- 2.6.1 The councils can only make decisions based on the licensing objectives and not for unrelated moral, ethical or business reasons, for example, a general dislike of gambling, nuisance or expected demand.

2.7 Local area profile and operator risk assessments

- 2.7.1 The councils will maintain a local area profile (LAP) containing information on the makeup of their area and any actual or potential risks from gambling premises that the councils have identified by observation, data or consultation. The local area profiles are available on the relevant council's website to assist operators in developing their risk assessments as required under the revised code of practice published by the Gambling Commission.
- 2.7.2 Operators are required to submit their risk assessments as part of an application for a new premises licence, variation to existing licence or on request from the licensing authority.
- 2.7.3 The risk assessments should consider actual and potential risks to the licensing objectives posed by the provision of gambling facilities at a premises. The licensing authority has an expectation that all local risk assessments will take into account the local social profile of the area. The assessment should detail the policies, procedures and control measures to mitigate those risks.
- 2.7.4 Operators will be made aware of any significant changes in the local area profile during the life of this policy so that their risk assessments can be updated.

2.8 Decision making and delegation of powers

2.8.1 All applications for the grant or review of a licence or permit will be considered on their own merits. The Act makes it clear that neither issues of demand for a premises nor compliance with planning or building regulations are to be considered when councils make decisions about applications. With regard to premises licences, the councils will consider all applications in accordance with the principles contained in section 153 of the Act. Responsible Authorities and Interested Parties may only make representations relevant to the licensing objectives listed at paragraph 2.6. For clarification, these are different to the licensing objectives of the Licensing Act 2003.

2.8.2 The councils expect applicants to show that they have policies and procedures in place to support the licensing objectives, for example; exactly how they intend to ensure that children cannot gamble in their premises. Applicants are required to consider the following steps in promoting all three objectives:

- proof of age schemes
- Closed Circuit Television (CCTV)
- supervision of entrances / gambling areas
- physical separation of areas (for example when gaming machines are provided in pubs where children are permitted or in gaming centres where children may be permitted to play on some but not all of the machines)
- location of and entry to premises
- notices / signage
- training for staff on challenging persons suspected of being under-age
- training for staff on how to recognise someone with or developing a gambling addiction and what action to take
- training for staff on the types of crime that may occur as part of gambling and what action to take
- specific opening hours (for example if the premises are sited near a school or job centre)
- self-barring schemes
- provision of information leaflets / helpline numbers for organisations such as GamCare.

2.8.3 All new applicants are required to submit a risk assessment for their premises as part of their application.

2.8.4 The councils will not automatically refuse an application for the grant of a licence because a responsible authority or interested party has concerns relating to one of the licensing objectives; they will take into account any measures the applicant may offer to put into place to overcome the concerns.

2.8.5 The Act defines at what level decisions may be made within councils – see Annex 3. Where representations have been received and remain unresolved to the satisfaction of all parties, a Licensing Acts Panel will hold a hearing to decide whether a licence, statement or club gaming permit will be granted.

2.8.6 Guidance on making applications for licences or permits, to make representations regarding application or to request a review can be found on the relevant council website or by contacting the licensing team.

2.9 Reviews of Premises Licences

2.9.1 Section 197 of the Act provides that an application for a review of a premises licence may be made by a responsible authority or interested party. There are regulations governing reviews (The Gambling Act 2005 (Premises Licences) (Review) Regulations 2007) which state that the person applying for the licence to be reviewed must do so in writing using a prescribed form, stating the reasons why a review is being requested and submitting it to the relevant council with any supporting documents. They must then send the same information to all (other) responsible authorities within seven days. Failure to do this will mean that the review process is halted until the documents are received by all parties.

2.9.2 The relevant council must grant the application for a review unless it thinks the grounds on which it is sought:

- are not relevant to this policy, or any guidance or codes of practice issued by the Gambling Commission, or the licensing objectives
- are frivolous
- are vexatious
- 'will certainly not' cause the council to revoke or suspend a licence or to remove, amend or attach conditions to the premises licence
- are substantially the same as the grounds cited in a previous application or substantially the same as representations made at the time the licence was granted, depending on how much time has passed (the licence should not be reviewed based on the same arguments that have already been considered by the relevant council).

2.9.3 Within seven days of receiving the application to review a premises licence, the relevant council will publish notice of the application in accordance with the regulations mentioned in paragraph 2.9.1.

2.9.4 Representations in response to the application must be made within the 28 days which follow publication of the notice and the relevant council must carry out the review as soon as possible after the 28 days has ended.

2.9.5 If the relevant council deems action is justified, its options are to:

- add, remove or amend a licence condition imposed by the relevant council
- exclude a default condition imposed by the Secretary of State (relating to for example, opening hours) or remove or amend such an exclusion
- suspend the premises licence for a period not exceeding three months
- revoke the premises licence.

2.9.6 The relevant council will notify the licence holder, the applicant for the review, any person who made representations, the Gambling Commission, the Chief Constable of Thames Valley Police and HM Revenue and Customs of the outcome of the review as soon as possible.

2.10 Appeals against a decision of the councils

2.10.1 The Act details the process for appeals against the councils' decisions regarding licences, permits, provisional statements and temporary use notices. In all cases appeals are to the local Magistrates' Court within 21 days of the appellant's receipt of the councils' decision.

2.10.2 Any party may apply for a judicial review if they believe that a decision taken by the relevant council is:

- beyond the powers available to it
- subject to procedural impropriety or unfairness
- irrational (a decision so unreasonable no sensible person could have reached it).

2.11 Enforcement

2.11.1 The councils seek to secure compliance with the law in a variety of ways. Most contact with individuals and businesses is informal; providing advice and assistance over the telephone, during visits and in writing. Formal measures will include warnings, licence reviews and prosecution. The objective of these measures will be to ensure compliance with the licensing objectives including any general or specific licence conditions. Any enforcement action will be taken in accordance with our enforcement policy which is based on the principles of the Regulators' Code.

2.11.2 Part 15 of the Act details inspections that may be made to check for compliance with the Act. The councils will adopt a risk-based approach to the inspection of gambling premises which will be operated in conjunction with the councils' current enforcement policy. This will allow for the targeting of high-

risk premises or those where a breach would have serious consequences. Premises that are low risk and / or well run will be subject to a less frequent inspection regime.

- 2.11.3 Section 346 of the Act gives the councils the power to instigate criminal proceedings in respect of the offences specified in that section. The councils will ensure that enforcement is carried out in a fair and consistent manner in accordance the councils' enforcement policy.
- 2.11.4 The councils will endeavour to work with, and avoid duplication with, other regulatory regimes so far as possible.
- 2.11.5 Concerns about manufacture, supply or repair of gaming machines will not be dealt with by the councils but will be referred to the Gambling Commission.

2.12 Exchange of information

- 2.12.1 The councils regard the lawful and correct treatment of information as important to the successful and efficient performance of their functions, and to maintain the confidence of the people / bodies they deal with. The councils will ensure that information is kept and shared lawfully and correctly and in accordance with the General Data Protection Regulations.
- 2.12.2 The councils may share information in accordance with the following provisions of the Act:
 - sections 29 and 30 (with respect to information shared between the councils and the Gambling Commission)
 - section 350 (with respect to information shared between the councils and the other persons listed in Schedule 6 to the Act).
- 2.12.3 The purpose of information exchange is not only to fulfil the requirements under the Act, but also to enable both the Gambling Commission and the councils to carry out work related to their regulatory functions in a risk-based manner, using the best available information.
- 2.12.4 In the exercise of the above functions, consideration shall also be given to the common law duty of confidence, the law relating to defamation, the guidance issued by the Gambling Commission and to the councils' policies in relation to data protection and freedom of information.
- 2.12.5 Any information sharing between the councils and Thames Valley Police must also be carried out in accordance with the information sharing protocol under the Oxfordshire memorandum of understanding.
- 2.12.6 Any person wishing to obtain further information about their rights under the Data Protection Act 2018 and the General Data Protection Regulation or the Freedom of Information Act 2000 may view the councils' policies at

www.whitehorsedc.gov.uk or www.southoxon.gov.uk or alternatively members of the public and businesses can also access information and advice regarding licensing by obtaining independent legal advice or contacting the following bodies:

- Local Government Regulation (formerly LACORS)
www.local.gov.uk
- DCMS (Department for Digital, Culture, Media and Sport)
www.culture.gov.uk
- Citizens Advice Bureau
www.citizensadvice.org.uk

2.13 Application procedure

Applications for family entertainment centres, prize gaming and licensed premises gaming machine permits are to be made on the relevant council's forms available at either

www.whitehorsedc.gov.uk/services-and-advice/business/licensing/gambling

or

www.southoxon.gov.uk/services-and-advice/business/licensing/gambling

For all other types of licences and permits, the standard forms are available from the Gambling Commission at:

<http://www.gamblingcommission.gov.uk/Licensing-authorities/Information-for-licensing-authorities/DCMS-LA-forms/DCMS-Licensing-authority-forms.aspx>

Applicants must ensure that they are aware of what should accompany each application (for example a plan of the premises). Each of the websites mentioned detail these requirements.

2.14 Fees

Maximum licence fees are set by the government; however each council sets its own fees up to these maximums. Fees set by the councils are subject to annual review. A list of current fees to accompany the different licence / permit applications can be found by accessing the councils' websites at either:

www.whitehorsedc.gov.uk/services-and-advice/business/licensing/gambling

or

<http://www.southoxon.gov.uk/services-and-advice/business/licensing/gambling>

3.0 PERMITS

- 3.0.1 Please refer to www.gamblingcommission.gov.uk for the latest details on machine categories including maximum stakes and pay-outs permitted and the entitlement of certain premises to certain categories and numbers of

machines. A summary of gaming machine categories is included at Annex 4 for information, however the stakes are subject to change.

- 3.0.2 The councils will expect applicants to be able to demonstrate a full understanding of the maximum stakes and prizes of the gambling that is permitted in their premises and that staff are trained to have a full understanding of them.
- 3.0.3 The holder of a permit must comply with any code of practice issued by the Gambling Commission about the location and operation of any machine(s).

3.1 Unlicensed family entertainment centre gaming machine permits (FECs)

- 3.1.1 Unlicensed FECs are able to offer category D machines if granted a permit by the relevant council. If an operator of a family entertainment centre wishes to make category C machines available in addition to category D machines, they will need to apply for an operating licence from the Gambling Commission and a premises licence from the relevant council.
- 3.1.2 The councils can grant or refuse an application for an FEC permit, but cannot attach conditions.
- 3.1.3 As unlicensed family entertainment centres appeal to children and young persons, the councils expect applicants to pay particular attention to the example measures detailed in paragraph 2.8.2.
- 3.1.4 In considering the protection of children, the councils will expect the applicant to show not only how they intend to protect children from gambling but also that they have taken into account wider child protection considerations in their policies and procedures. The efficacy of such policies and procedures will be considered on their merits.
- 3.1.5 The councils will not grant a permit for unlicensed family entertainment centres if the applicant has a relevant conviction (as set out in Schedule 7 to the Act). Applicants will be required to undergo an enhanced Disclosure and Barring Service (DBS) check.

3.2 (Alcohol) licensed premises gaming machine permits

- 3.2.1 The Gambling Commission has published several useful leaflets and guidance about gaming machines and other types of gambling specifically to provide information to premises authorised to sell alcohol. This can be found at: <http://www.gamblingcommission.gov.uk/pdf/Advice-on-gaming-in-pubs-and-alcohol-licensed-premises.pdf>
- 3.2.2 Premises licensed to sell alcohol for consumption on the premises are automatically entitled to two gaming machine permits, of categories C and/or

D. The holder of the premises licence authorising the sale of alcohol will need to notify the council and pay the prescribed fee.

3.2.3 The councils can remove the automatic authorisation in respect of any premises if:

- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives
- gaming has taken place on the premises that breaches a condition of section 282 of the Act
- the premises are mainly used for gaming; or
- an offence under the Act has been committed on the premises.

3.2.4 If the holder of the premises licence wishes to have more than two machines in the premises, they will need to apply for a permit.

3.2.5 As children may be present in alcohol licensed premises, the councils expect applicants to pay particular attention to the example measures detailed in paragraph 2.8.2. to protect the children.

3.2.6 It is recognised that some alcohol licensed premises may apply for a premises licence for their non-alcohol licensed areas. Any such application would need to be applied for and dealt with under the Gambling Act, not the Licensing Act.

3.2.7 The councils can decide to grant the application with a smaller number of machines and / or a different category of machines than that applied for, however conditions cannot be attached to the permit.

3.3 Club gaming and club machine permits

3.3.1 The numbers and categories of machine permitted are different to non-clubs. Please refer to www.gamblingcommission.gov.uk for the latest maximum stakes and pay-outs permitted for each machine category and numbers of machine(s) permitted.

3.3.2 The councils may grant members' clubs and miners' welfare institutes (but not commercial clubs) club gaming permits which authorise the establishments to provide gaming machines, equal chance gaming and games of chance.

3.3.3 If a members' club or a miners' welfare institute does not wish to have the full range of facilities permitted by a club gaming permit, they may apply to the councils for a club machine permit under section 273 of the Act.

3.3.4 To qualify, members' clubs must have at least 25 members and be established and conducted 'wholly or mainly' for purposes other than gaming, unless the gaming is permitted by separate regulations. A members' club must be

permanent in nature, not established to make commercial profit and controlled by its members equally. Examples include working men's clubs, branches of the Royal British Legion, sports and social clubs, bridge and whist clubs and clubs with political affiliations.

3.3.5 The councils must satisfy themselves that the club genuinely meets the requirements of the Act to obtain a club gaming permit and therefore may ask for supporting documents. The following is a list of matters that will be considered:

- the procedures for guests accepted into the club
- how the club is advertised
- the running of the club, for example committee meetings, financial accounts and election of committee members.

This list is not exhaustive and the councils may ask for any documents they feel are necessary in determining whether a club is genuine, even if it has already been granted a club premises certificate under the Licensing Act 2003.

3.3.6 An application may only be refused on one or more of the following grounds:

- the applicant does not fulfil the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which it has applied
- the applicant's premises are used wholly or mainly by children and / or young persons
- an offence under the Act or a breach of a condition of a permit has been committed by the applicant while providing gaming facilities
- a permit held by the applicant has been cancelled in the previous ten years; or
- an objection has been lodged by the Gambling Commission or the police.

3.3.7 Under section 72 of the Act there is a 'fast-track' procedure available for clubs which hold a club premises certificate under the Licensing Act 2003. Under the fast-track procedure there is no opportunity for objections to be made by the Gambling Commission or the police and the grounds upon which a council can refuse a permit are reduced.

3.3.8 The grounds on which an application under the fast track procedure may be refused are:

- that the club is established primarily for gaming, other than gaming prescribed under schedule 12 of the Act

- that in addition to the prescribed gaming, the applicant provides facilities for other gaming; or
- that a club gaming permit or club gaming machine permit issued to the applicant in the last ten years has been cancelled

3.3.9 The councils may grant or refuse an application for a club gaming or club machine permit but cannot attach any conditions to it. However there are a number of conditions in the Act that the holder must comply with. These are contained in the Gaming Machine Permits Code of Practice issued by the Gambling Commission. This can be found on the Gambling Commission's website www.gamblingcommission.gov.uk

3.4 Prize gaming permits

3.4.1 Section 288 of the Act defines gaming as prize gaming if the nature and size of the prize is not determined by the number of people playing or the amount paid for, or raised by the gaming.

3.4.2 Casinos, bingo premises, adult gaming centres and licensed family entertainment centres do not require a permit in order to offer prize gaming.

3.4.3 Travelling fairs do not require a permit to offer equal chance prize gaming, provided that taken together the facilities for gambling are ancillary to the fair.

3.4.4 Children and young persons may only participate in equal chance prize gaming.

3.4.5 Applicants for a prize gaming permit should set out the types of gaming that they intend to offer. The applicant should be able to demonstrate:

- that they understand the limits on stakes and prizes that are set out in regulations; and
- that the gaming offered is lawful.

3.4.6 The councils can grant or refuse an application for a permit, but cannot attach any conditions to it. However, there are four conditions in the Act that permit holders must comply with. These are:

- the limits on participation fees, as set out in regulations, must be complied with;
- all chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day; the game must be played and completed on the day the chances are allocated; and the result of the game must be made public in the premises on the day that it is played;

- the prize for which the game is played must not exceed the amount set out in regulations (if a money prize), or the prescribed value (if non-monetary prize); and
- participation in the gaming must not entitle the player to take part in any other gambling.

3.4.7 Councils can only grant a permit if they have consulted the chief officer of police about the application. Applicants must disclose any relevant convictions they may have to the council and the council will consider any objections that the police make about the suitability of person or the premises, including its location and the potential for disorder.

4.0 PREMISES LICENCES

4.1 Primary gambling activity

4.1.1 Premises licences authorise the provision of gambling activities in:

- casinos
- bingo premises
- betting premises (including tracks and premises used by betting intermediaries)
- adult gaming centres and
- family entertainment centres.

4.1.2 Premises licences will be considered in accordance with the principles set out in paragraph 2.8.

4.2 Premises

4.2.1 In the Act a premises is defined as 'any place'. No more than one premises licence can apply to any place, however one premises may hold more than one premises licence so long as the building can be genuinely separated. In determining whether the separation is genuine, the councils will base their decisions on the following:

- are the premises registered separately for business rates?
- are the premises owned by the same person?
- can each of the premises be accessed from the street or is access to one only via the other or another gambling premises?

4.2.2 Roping off and different coloured carpets are examples of methods used by some proprietors to artificially sub-divide premises and the councils will not consider premises 'divided' as such as two separate premises.

4.2.3 Where two or more licences are applied for within the same building and the council does consider separation genuine, the applicant(s) must still demonstrate how they will uphold the licensing objectives, with particular reference to how they plan to control the access from one part of the building into the other, in order to protect children from accidentally or otherwise accessing types of gambling to which they are not authorised.

4.3 Location

4.3.1 The location of premises may be relevant to the promotion of the licensing objectives. In particular, premises located in close proximity to the following may give rise to concern

- schools
- vulnerable adult centres
- residential areas with a high concentration of children.

4.3.2 The councils will consider the location on a case-by-case basis and will take into account the type of gambling that is proposed. If the location does pose a risk to the promotion of the licensing objectives, the applicant must demonstrate how they will overcome such concerns.

4.4 Conditions

4.4.1 Conditions may be imposed upon a premises licence in a number of ways. These are:

- (a) mandatory – set by the Secretary of State, some set out in the Act and some to be prescribed in regulations, for all, or classes of licence
- (b) default – to be prescribed in regulations made by the Secretary of State, to be attached to all or classes of licences unless excluded by the licensing authority
- (c) specific – conditions that can be attached to an individual licence by the licensing authority

4.4.2 Conditions will only be imposed to address specific risks under the licensing objectives. Any conditions imposed by the councils will only be considered where there is evidence of a risk to the licensing objectives and be

proportionate to the circumstances that they are seeking to address. In particular, the councils will ensure that premises licence conditions:

- are relevant to the need to make the proposed building suitable as a gambling facility
- are directly related to the premises and the type of licence applied for
- are fairly and reasonably related to the scale of premises and
- are reasonable in all other respects.

4.4.3 Certain matters may not be the subject of conditions. These are:

- any condition on the premises licence which makes it impossible to comply with an operating licence condition
- conditions relating to gaming machine categories, numbers, or method of operation
- conditions which provide that membership of a club or body be required and
- conditions in relation to stakes, fees, winnings or prizes.

4.5 Door supervisors

4.5.1 It is not a mandatory to impose conditions relating to door supervision. However, if the councils consider it necessary to impose a condition on a premises licence requiring the presence of door supervisors they shall be licensed by the Security Industry Authority (SIA).

4.5.2 There is an exemption for 'in house' employees working as door supervisors at licensed casino or bingo premises, however 'contract' staff employed as door supervisors will need to be licensed by the SIA. The councils may still impose specific requirements on these unlicensed door supervisors if they consider it necessary at particular premises.

4.6 Adult gaming centres

4.6.1 Operators of an adult gaming centre must obtain an operating licence from the Gambling Commission and a premises licence from the relevant council. This will allow the operator to make category B, C & D machines available to their customers.

4.6.2 In considering licence applications for adult gaming centres, consideration will be given to the need to protect children and vulnerable persons from harm or

being exploited by gambling. The councils will therefore expect applicants to demonstrate that there will be sufficient measures in place to promote this objective.

4.7 Licensed family entertainment centres

4.7.1 Operators of a licensed family entertainment centre will require an operating licence from the Gambling Commission and a premises licence from the relevant council. This will allow the operator to make category C and D machines available to their customers.

4.7.2 Children and young persons will be able to enter licensed family entertainment centres and play category D machines. They will not be permitted to play category C machines.

4.7.3 As family entertainment centres will particularly appeal to children and young persons, consideration shall be given to child protection issues. Where category C machines are available in licensed family entertainment centres the councils will require that:

- all such machines are located in an area of the premises separated from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance
- only adults are admitted to the area where the category C machines are located
- access to the area where the category C machines are located is supervised
- the area where the category C machines are located is arranged so that it can be observed by staff of the operator or the licence holder; and
- at the entrance to, and inside any such area there are notices prominently displayed indicating that access to the area is prohibited to persons under 18.

4.8 Tracks

4.8.1 Tracks are sites (including racecourses and dog tracks) where races or sporting events take place. Operators of tracks will require a premises licence from the relevant council, but they do not need to obtain an operating licence from the Gambling Commission (although they may have one).

4.8.2 Tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track.

- 4.8.3 It is a mandatory condition of all track licences that children and young persons are excluded from any areas where facilities for betting are provided and any area where a gaming machine, other than a category D machine, is situated. In relation to the areas used for betting, special dispensation from this rule is provided for dog tracks and horse racecourses on days when racing takes place. On these days families will be entitled to attend a track or racecourse and children may enter the areas where facilities for betting are provided. This race day dispensation does not apply to the areas where gaming machines of category B & C are provided and the councils will therefore expect that suitable measures are in place to prevent children from entering such areas.
- 4.8.4 Holders of betting premises licences in respect of tracks who also hold a pool betting operating licence may make up to four gaming machines available (categories B2 to D) on the track. The councils will therefore expect the applicant to demonstrate that suitable measures are in place to ensure that children are prevented from entering areas where machines (other than category D machines) are made available.
- 4.8.5 The councils will attach a condition to track premises licences requiring the track operator to ensure that the rules are prominently displayed in or near the betting areas, or that other measures are taken to ensure that they are made available to the public, for example, the rules could be printed in the race card or made available in leaflet form from the track office.
- 4.8.6 The councils will require the following information from applicants for premises licences in respect of tracks:
- detailed plans for the racetrack itself and the area that will be used for temporary 'on-course' betting facilities (often known as the 'betting ring')
 - in the case of dog tracks and horse racecourses, details of the fixed and mobile pool betting facilities operated as well as any other proposed gambling facilities.
- 4.8.7 Plans submitted with the application should be clearly marked to show what licensable activities will take place where and how children will be separated from category C machines.
- 4.8.8 The councils will accept occasional use notices for tracks in accordance with section 39 of the Act.

4.9 Casinos

- 4.9.1 The Act states that operators of a casino must obtain an operating licence from the Gambling Commission and a premises licence from the relevant council.

4.9.2 In July 2012 a Culture, Media and Sport Select Committee reviewed the Act and recommended that any local authority should be able to make its own decision about whether to have a casino in its district. The Committee also recommended that the licences for casinos that were licensed under the pre-existing Gaming Act of 1968 be made portable, allowing operators to relocate to any local authority (with the authority's consent).

4.9.3(a) **Vale of White Horse District Council:** Policy not to allow applications for a casino.

Section 166 of the Act gives the council the power to pass a 'no casino' resolution, meaning that applications for a casino would not be considered. The council has adopted a 'no casino' resolution on the basis that this rural district with market towns is an inappropriate place for a casino, that casinos are better located in large towns or cities, and the council should also protect the most vulnerable people from gambling in casinos. This resolution is required to be renewed within three years.

4.9.3(b) **South Oxfordshire District Council:** Policy to allow applications for a casino

Section 166 of the Act gives the council the power to pass a 'no casino' resolution, meaning that applications for a casino would not be considered. The council has not adopted a 'no casino' policy. As such, all applications received for a premises licence to operate a casino in the council area would be judged on their own merits, in accordance with paragraph 2.8 and the requirements set out in paragraph 4.9.4.

4.9.4 Applicants for casino licences are required to:

- submit a procedure with their application for the reporting of any suspicious activity
- follow a policy of requiring proof of identification to be shown on entering the casino in order to act as a deterrent to those considering using the casino for criminal activities (such as money laundering) and to effectively support gambling self-exclusion schemes
- detail any entertainment to be provided
- submit details of employee training to promote the licensing objectives
- submit a policy to promote the protection of children and vulnerable persons
- submit a policy regarding the identification of and interventions in force to aid problem gamblers
- set aside at least one 'training room' where customers can learn how to play the various games offered in a non-threatening environment. The room shall clearly display information on how and where help for problem gambling can be sought
- set aside a quiet area as a refuge from gambling. The room shall clearly display information on how and where help for problem gambling can be sought.

4.10 Betting premises

- 4.10.1 Betting premises are those premises which take bets other than at a track (commonly known as a licensed betting office). Operators of betting premises will require an operating licence from the Gambling Commission and a premises licence from the relevant council.
- 4.10.2 It is unlawful for anyone under the age of 18 to place a bet. Persons under the age of 18 shall not be permitted to enter a premises licensed for betting.
- 4.10.3 The councils expect applicants to demonstrate how they will ensure that neither children nor vulnerable persons are able to place a bet, for example by detailing proof of identification and self-barring schemes and staff training.
- 4.10.4 At the time of writing, the holder of a betting premises licence may make available for use up to four gaming machines of category B (B2, B3 or B4), C or D.
- 4.10.5 The councils may, in accordance with section 181 of the Act, enforce the number of betting machines, their nature and the circumstances in which those machines are made available for use. When considering whether to impose such conditions, the councils will take into account the following:
- the size of the premises
 - the number of counter positions available for person-to-person transactions and
 - the ability of staff to monitor that machines are not used by children and young persons or by vulnerable people.

4.11 Bingo

- 4.11.1 Operators of premises offering bingo (cash or prize bingo) will require a bingo operating licence from the Gambling Commission and a premises licence from the relevant council.
- 4.11.2 The council will need to be satisfied that bingo can be played in any premises for which it grants a bingo premises licence. This is a relevant consideration where the operator of an existing bingo premises applies to vary their licence to exclude an area of the existing premises from its ambit and then applies for a new premises licence, or multiple licences for that or those excluded areas.
- 4.11.3 The councils note the unusual circumstances in which the splitting of a pre-existing premise into two adjacent premises might be permitted and that it is not permissible to exceed 20 percent of the total number of B3 machines available for use in the premises.

4.11.4 Children and young people are allowed into bingo premises, however they are not permitted to participate in the bingo and if category B or C machines are present, these must be separated from areas where children and young people are allowed. Where category C or above machines are available in premises to which children are admitted the councils will require that:

- all such machines are located in an area separate from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance
- access to the area where the machines are located is supervised
- the area where the machines are located is arranged so that it can be observed by staff of the operator or the licence holder and
- at the entrance to and inside any such area there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.

4.12 Temporary use notices

4.12.1 Temporary use notices allow the use of premises for gambling where there is no premises licence but where a person or company holding a relevant operator's licence wishes to use the premises temporarily for providing facilities for gambling.

4.12.2 There are a number of statutory limits concerning the use of temporary use notices. Please refer to www.gamblingcommission.gov.uk for details of the maximum numbers of days premises may be used and for other restrictions.

4.12.3 If objections are received to a temporary use notice (from the police, Gambling Commission, HM Revenue & Customs or any other licensing authority in whose area the premises are situated), the council must hold a hearing to consider the representation (unless all the participants agree that a hearing is unnecessary).

4.12.4 If the council, after a hearing has taken place or been dispensed with, considers that the temporary use notice should not have effect, it must issue a counter-notice which may:

- prevent the temporary use notice from taking effect
- limit the activities that are permitted
- limit the time period of the gambling or
- allow the activities to take place subject to a specified condition.

- 4.12.5 The councils will apply the principles set out in paragraph 2.6 of this statement to any consideration as to whether to issue a counter-notice.

4.13 Provisional statements

- 4.13.1 Section 204 of the Act provides for a person to make an application for a provisional statement in respect of premises they expect to be constructed, altered or expect to acquire the right to occupy. For example, a developer may wish to apply for a provisional statement to see whether a premises licence would be issued prior to entering into a contract to buy or lease the premises. Equally, a provisional statement may be applied for where there is already a premises licence but the application is for a different type of gambling.
- 4.13.2 An applicant need not hold an operating licence from the Gambling Commission before applying for a provisional statement and the councils shall not consider the likelihood of an operating licence being granted in determining whether to grant the provisional statement.
- 4.13.3 If a provisional statement has been granted, the fee for the subsequent premises licence application will be less and the councils are constrained in considering matters; no further representations from responsible authorities or interested parties may be considered unless they concern matters which could not have been addressed at the provisional statement stage or they reflect a change in the applicant's circumstances.
- 4.13.4 The councils may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:
- which could not have been raised by way of representations at the provisional statement stage
 - which, in the council's opinion, reflect a change in the operator's circumstances
 - where the premises has not been constructed in accordance with the plan and information submitted with the provisional statement application. (There must be a substantial change to the plan and the council shall discuss any concerns with the operator before coming to a final decision).

4.14 Travelling fairs

- 4.14.1 The Act defines a travelling fair as, 'wholly or principally' providing amusements.
- 4.14.2 To be exempt from requiring a permit for gaming machines, the fair must be on a site that is not used for a fair for more than 27 days per calendar year

(regardless of whether it is the same or different travelling fairs which occupy the land).

- 4.14.3 Fairs may provide an unlimited number of category D machines provided the facilities for gambling amount to no more than ancillary amusement to the fair.
- 4.14.3 Whilst the gaming machine providers may be exempt from the requirement to hold a permit, they must comply with the legal requirements about how the machines operate.
- 4.14.4 The councils will liaise with neighbouring authorities to ensure that land used for fairs which crosses local authority boundaries is monitored.

ANNEX 1

List of persons / bodies responding to the consultation on this policy

| Organisation Details | Responding as: |
|--|-----------------------|
| Gambling Commission | Regulator |
| Gamcare | Charity |
| GambleAware | Charity |
| Equalities Officer – South Oxfordshire and Vale of White Horse District Councils | Equalities Officer |
| Watchfield Parish Council | Councillor |
| Councillor Cox | Councillor |
| Councillor Vicky Jenkins | Councillor |
| Cllr. St.John Dickson | Councillor |

ANNEX 2

List of responsible authorities

The Responsible Authorities for the council areas under the Act, and their contact details are as follows.

Contact details may change, and other responsible authorities may be designated by regulations by the Secretary of State. For latest information, please check with the relevant council's licensing team.

| | | Contact details for preliminary discussions or follow-up enquiries |
|---------------------------|--|--|
| Responsible Authority | Address | Telephone, e-mail and website |
| The licensing authorities | Licensing Team Vale of White Horse District Council 135 Eastern Avenue, Milton Park, Milton, OX14 4SB | 01235 422556 licensing.unit@whitehorsedc.gov.uk www.whitehorsedc.gov.uk/services-and-advice/business/licensing |
| | Licensing Team South Oxfordshire District Council 135 Eastern Avenue, Milton Park, Milton, OX14 4SB | 01235 422556 licensing@southoxon.gov.uk www.southoxon.gov.uk/services-and-advice/business/licensing |
| The planning authorities | Planning Vale of White Horse District Council 135 Eastern Avenue, Milton Park, Milton, OX14 4SB | 01235 422600 planning@whitehorsedc.gov.uk www.whitehorsedc.gov.uk/services-and-advice/planning-and-building |
| | Planning South Oxfordshire District Council 135 Eastern Avenue, Milton Park, Milton, OX14 4SB | 01235 422600 planning@southoxon.gov.uk www.southoxon.gov.uk/services-and-advice/planning-and-building |
| Environmental health | Environmental Health Vale of White Horse District Council 135 Eastern Avenue, Milton Park, Milton, OX14 4SB | 01235 422403 env.health@southandvale.gov.uk www.whitehorsedc.gov.uk/services-and-advice/environment |
| | Environmental Health South Oxfordshire District Council 135 Eastern Avenue, Milton Park, Milton, OX14 4SB | 01235 422403 env.health@southandvale.gov.uk http://www.southoxon.gov.uk/services-and-advice/environment |

| | | |
|---|--|--|
| Gambling Commission | Gambling Commission Victoria Square House Victoria Square Birmingham B2 4BP | 0121 230 6666 info@gamblingcommission.gov.uk www.gamblingcommission.gov.uk |
| Thames Valley Police | Chief Constable, Thames Valley Police Headquarters Oxford Road Kidlington OX5 2NX | 01865 266000 licensing@thamesvalley.pnn.police.uk www.thamesvalley.police.uk |
| Fire and Rescue Service | Oxfordshire Fire and Rescue Service Sterling Road Kidlington OX5 2DU | 01865 842999 fire.service@oxfordshire.gov.uk www.oxfordshire.gov.uk/cms/public-site/fire-and-rescue-service |
| Oxfordshire Safeguarding Children Board | Oxfordshire Safeguarding Children Board c/o Children, Young People & Families Directorate Oxfordshire County Council, County Hall, New Road Oxford OX1 1ND | 01865 815843 oscb@oxfordshire.gov.uk www.oscb.gov.uk |
| HM Revenue and Customs | HM Revenue and Customs Excise Processing Teams Gambling Duties BX9 1GL | 0300 200 3700 |

ANNEX 3

Licensing authority delegations

| Matter to be dealt with | Full Council | Licensing Acts Panel | Officers |
|---|--------------|---|---|
| Final approval of three year licensing policy statement | X | | |
| Policy not to permit casinos | X | | |
| Fee setting (when appropriate) | X | | |
| Application for premises licence | | X Where representations have been received and not withdrawn | X Where no representations received or all have been withdrawn |
| Application for a variation to a licence | | X Where representations have been received and not withdrawn | X Where no representations received or all have been withdrawn |
| Application for a transfer of a licence | | X Where representations have been received from the Commission | X Where no representations received from the Commission |
| Application for a provisional statement | | X Where representations have been received and not withdrawn | X Where no representations received or all have been withdrawn |
| Review of a premises licence | | X | |
| Application for club gaming/ club machine permits | | X Where objections have been made and not withdrawn | X Where no representations received or all have been withdrawn |
| Cancellation of club gaming/ club machine permits | | X | |
| Applications for other permits | | | X |
| Cancellation of licensed premises gaming machine permits | | | X |
| Consideration of temporary use notice | | | X |
| Decision to give a counter notice to a temporary use notice | | X | |

X indicates the lowest level to which decisions can be delegated

ANNEX 4

Summary of gaming machine categories

| Category of Machine | Maximum stake (from January 2014)* | Maximum prize (from January 2014)* |
|--|---|--|
| A | Unlimited | Unlimited |
| B1 | £5 | £10,000 |
| B2 | £100 (in multiples of £10) * | £500 |
| B3A | £2 | £500 |
| B3 | £2 | £500 |
| B4 | £2 | £400 |
| C | £1 | £100 |
| D – non-money prize (other than a crane grab, coin pusher, penny fall machines) | 30p | £8 |
| D – non-money prize (crane grab machine) | £1 | £50 |
| D - money prize (other than coin pusher or penny falls machines) | 10p | £5 |
| D – combined money and non-money prize (other than a coin pusher or penny falls machines) | 10p | £8 (of which no more than £5 may be a money prize) |
| D – combined money and non-money prize (coin pusher or penny falls machine) | 20p | £20 (of which no more that £10 may be a money prize) |

* The Government has published its review of gaming machines and social responsibility measures. As part of the review the Government has decided that the maximum stakes on Fixed Odds Betting Terminals (FOBTs) will be reduced from £100 to £2. No change in prize level has been proposed.

ANNEX 5

Summary of machine provisions by premises

| | Machine Category | | | | | | | |
|--|------------------|---|-----------|-----------|--|--|--|---------------------------------|
| | A | B1 | B2 | B3 | B4 | C | D | |
| Large casino (machine/table ratio of 5-1 up to maximum) | | Maximum of 150 machines: Any combination of machines in categories B to D (except B3A machines), within the total limit of 150 (subject to machine/table ratio) | | | | | | |
| Small casino (machine/table ratio of 2-1 up to maximum) | | Maximum of 80 machines: Any combination of machines in categories B to D (except B3A machines), within the total limit of 80 (subject to machine/table ratio) | | | | | | |
| Pre-2005 Act casinos (no machine/table ratio) | | Maximum of 20 machines categories B to D (except B3A machines) or any number of C or D machines instead | | | | | | |
| Betting premises and tracks occupied by Pool Betting | | Maximum of 4 machines categories B2 to D (except B3A machines) | | | | | | |
| Bingo Premises | | | | | Maximum of 20% of the total number of machines available for use on the premises category B3 or B4 | No limit on category C or D machines | | |
| Adult gaming centre | | | | | Maximum of 20% of the total number of machines available for use on the premises category B3 or B4 | No limit on category C or D machines | | |
| Family entertainment centre (with premises licence) | | | | | | | No limit on category C or D machines | |
| Family entertainment centre (with permit) | | | | | | | | No limit on Category D machines |
| Clubs or miners' welfare institute (with permit) | | | | | Maximum of 3 machines in categories B3A or B4 to D* | | | |
| Qualifying alcohol licensed premises | | | | | | | 1 or 2 machines of category C or D automatic upon notification | |
| Qualifying alcohol licensed premises (with gaming machine permit) | | | | | | Number as category C or D machines on permit | | |
| Travelling Fair | | | | | | | No limit on category D machines | |
| | A | B1 | B2 | B3 | B4 | C | D | |

*It should be noted that members' clubs and miners' welfare institutes are entitled to site a total of three machines in categories B3A to D but only one B3A machine can be sited as part of this entitlement. Commercial clubs are entitled to a total of three machines in categories B4 to D.

Cabinet Report



Listening Learning Leading

Report of Head of Community Services

Author: Chris Webb

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Wards affected: Henley and Thame

Cabinet member responsible: Lynn Lloyd

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To: CABINET

Date: 18/12/2018

Virement of surplus capital budgets for refurbishment works at Henley and Thame Leisure Centres

Recommendations

Recommend to Council to approve:

- (a) The creation of a new capital scheme within the councils approved capital programme to refurbish the dry side toilets at Thame Leisure Centre.
- (b) The virement of **£22,135** from the existing Thame Wet side changing room refurbishment budget into that new capital budget.
- (c) The creation of a new capital scheme within the councils approved capital programme to refurbish dry side changing rooms at Henley Leisure Centre.
- (d) The virement of **£19,271** from the existing wet side changing room refurbishment budget into that new capital budget.

Purpose of Report

1. To seek approval from cabinet to use surplus budget for the refurbishment of the dry side facilities at Thame and Henley Leisure Centres. Making improvements to these areas will bring them in line with the recently improved wet side change

facilities and in doing so, improve the user experience at the centres and extend the life of the facilities.

Corporate Objectives

2. Deliver high performing services with emphasis on achieving excellent levels of recycling, keeping streets and public spaces clean and attractive, and ensuring good quality sports and leisure provision.

Background

3. During 2018 the leisure client team undertook the refurbishment of the wet side changing rooms at both Thame and Henley leisure centres. Capital budgets were approved and subsequently tendered through the Capita Portal. Tenders were obtained from the open market which were within the available budget. Orders and contracts were placed, and works were completed to time. Having now completed both projects to the required standards, officers have identified that additional planned improvements could be delivered using the underspend from these budgets.
4. Cabinet is requested to consider whether to undertake further refurbishment works at the two centres to enhance the service to customers and maintain the asset, or to return the balances to the main capital budget.
5. Customers made both verbal and written complaints to the press regarding the condition at Henley Leisure Centre where the wet side improvements have taken place on how much better those facilities are compared to the dry side. And that they would wish to see the dry side facilities match the wet side. This has been repeated for Thame but without the press engagement.
6. The dry side toilet facilities at Thame are in a poor state decoratively and are the original cubicles and fittings from when the centre was built in the 1980's. There is an opportunity to refurbish the toilet facilities at Thame which are in a poor condition thereby improving the overall customer experience consistent with other areas of the centre.
7. The dry side changing facilities at Henley were refurbished in 2004/5 but have left several on-going issues. Most importantly water from the dry side showers is seeping into the sports hall from adjoining walls and degrading the structure of those walls and possibly the sports hall floor. This is due to the poor laying of the floor tiles and the grout used to waterproof the area. There is an opportunity to resolve the failing dry side facilities at Henley.

Options

8. Approval of the virement of surplus budgets into two new capital budgets, which will allow the procurement of suitable contractors to refurbish the dry side toilets at Thame and dry side changing rooms at Henley Leisure Centres.
9. These works are unlikely to be funded from the general repairs and maintenance budget as this budget is being prioritised for major roof and boiler replacements.

10. The balances within both budgets can be returned to the council capital reserves and the works can be planned for completion at a later date as and when finances can become available.

Financial Implications

11. Financially there are no additional cost implications to the Council. The funds are from existing approved capital budgets (A296) for Thame and (A305) for Henley. Surplus funds would be removed from the two existing budgets and new capital budgets will need to be created for the new projects.

Legal Implications

12. None

Risks

13. Failure to deliver the dry side toilets refurbishment at Thame will mean that the facilities continue to deteriorate in a high traffic area of the centre.
14. Failure to deliver the improvements to the dry side change area at Henley Leisure Centre will lead to further deterioration of the floor tiles and grouting in the showers, allowing more water ingress into the adjacent sports hall walls and potentially causing damage to the sports hall floor.
15. Failure to deliver these improvements will reduce customer satisfaction and overall customer experience that in time could lead to a reduction in usage and loss of revenue.

Other implications

16. None

Conclusion

17. Approval from cabinet for the virement of the surplus capital funds into two new capital budgets, will enable the procurement of suitable contractors to deliver the projects at Thame and Henley Leisure Centres and bring the dry side toilets and changing areas up to the consistent high standard that customers expect at the respective centres.

Background Papers

None

Cabinet Report



Listening Learning Leading

Report of Head of Finance

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Wards affected: All

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To: CABINET

Date: 18 December 2018

Council Tax Empty Homes Premium

Recommendations

That the Council be recommended

That in accordance with the Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018, the Long Term Empty Property Premium (currently set at a 50%) is:

- (i) Increased to 100% from 1 April 2019 for those properties which are empty for 2 years and over
- (ii) Increased to 200% premium from 1 April 2020 for those properties which are empty for 5 years and over
- (iii) Increased to 300% premium from 1 April 2021 for those properties which are empty for 10 years and over

Purpose of Report

1. The purpose of this report is for Cabinet to recommend to Council the level of premium to be applied to long-term empty dwellings.

Corporate Objectives

2. By reviewing and varying the levels of discount that can be applied to long term empty properties it may encourage owners to bring dwellings back into use and therefore contribute the strategic objective of “homes and jobs for everyone”.

Background

3. Long-term empty dwellings that have already received any relevant discounts or exemptions are currently charged an additional 50 per cent of the council tax due, where that dwelling has been empty for at least two years.

Options

4. The Government introduced new legislation on 1 November 2018 (Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018) to allow councils to:
 - apply from 1 April 2019 a premium to long-term empty dwellings of up to an additional **100 per cent** of the council tax due, where that dwelling has been empty for at least two years
 - apply from 1 April 2020 a premium to long-term empty dwellings of up to an additional **200 per cent** of the council tax due, where that dwelling has been empty for five years and over
 - apply from 1 April 2021 a premium to long-term empty dwellings of up to an additional **300 per cent** of the council tax due, where that dwelling has been empty for ten years and over
5. There are currently **183** properties which have been unoccupied and unfurnished for over two years and are already subject to a **50 per cent** long term empty homes premium.
6. There is a lack of available housing within the district and long-term empty dwellings could be put to better use in easing the pressure on housing stock. Applying a premium to long-term empty dwellings should encourage owners to bring them into occupation. At the time the 50 per cent premium was introduced in 2013 there were **504** long-term empty dwellings. As mentioned above this has now reduced to **183**.
7. Additionally, by applying the premiums it will increase the district “council taxbase”. This will mean that the council can decide to either lower the Band D rate of council tax, without reducing the total amount of tax raised, or keep the Band D council tax at the same rate and raise more tax, without increasing the burden on individual households. This equally applies to both the local precepting authorities (towns and parishes) and the major precepting authorities (Oxfordshire County Council and the Police and Crime Commissioner).
8. There are however certain exemptions to this premium being applied. These include premises owned by members of the armed forces; annexes; and, properties that are genuinely on the market for sale or let.

Financial Implications

10. As stated above, by applying premiums it will increase the district “council taxbase”, which, in turn, will increase the taxbase for both the local precepting authorities (towns and parishes) and the major precepting authorities (Oxfordshire County Council and the Police and Crime Commissioner).

11. If the long term empty homes premium was increased to **100 per cent** from the current 50 per cent from 1 April 2019 then, based on the 2018 charge, it could potentially bring in an extra **£181,495** of council tax revenue, meaning from South's point of view the annual financial benefit of applying the premium would be **£11,647** based on current property figures. Other principle preceptors such as the County Council will see a more significant additional benefit. See **Appendix 1**.

Legal Implications

12. The recommendations to vary existing discount levels and apply a premium are in accordance with proposed regulations under the Local Government Finance Act 1992 (as amended) and The Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018. Where a determination is made to amend the premium, the council will be required to publish notice of it in at least one newspaper circulating in its area before the end of the period of 21 days beginning with the date of the determination.

Risks

13. There is a risk of owners avoiding the premium on long term empty properties by just moving furniture into the property and claiming they are occupied (which will pay 100% council tax). This being the case, **it is prudently recommended that the taxbase is not adjusted for 2019/20 and any additional income will be absorbed and distributed to the collection fund recipients at year end.**

Conclusion

14. It is hoped that the adoption of higher premiums may encourage the owners of the remaining long term empty properties to bring them back into use, as well as increase the supply of dwellings generally by discouraging second home ownership, thus contributing to the strategic objective of "homes and jobs for everyone". At the same time, the new flexibility to increase the premium provides additional revenue to the council and other principle preceptors, where owners choose not to bring properties back into use.

Background Papers

- None

Appendix 1

| SOUTH OXFORDSHIRE DC | | | | | | | | | | |
|--|---------------------------------|------|------|------|------|------|------|------|------|-------------------|
| LTE premium % - band D Equivalent | | A | B | C | D | E | F | G | H | No. of Props |
| SODC | 100% LTE (IF NO PREMIUM CHARGE) | 32 | 26 | 31 | 27 | 18 | 17 | 19 | 13 | 183 |
| | Ratio to band D | 6/9 | 7/9 | 8/9 | 9/9 | 11/9 | 13/9 | 15/9 | 18/9 | |
| | Band D = | 21.3 | 20.2 | 27.6 | 27.0 | 22.0 | 24.6 | 31.7 | 26.0 | 200.3 |
| SODC | 150% LTE Premium (CURRENT) | 48 | 39 | 46.5 | 40.5 | 27 | 25.5 | 28.5 | 19.5 | 274.5 |
| | Ratio to band D | 6/9 | 7/9 | 8/9 | 9/9 | 11/9 | 13/9 | 15/9 | 18/9 | |
| | Band D = | 32.0 | 30.3 | 41.3 | 40.5 | 33.0 | 36.8 | 47.5 | 39.0 | 300.5 |
| SODC | 200% LTE Premium (IF INCREASED) | 64 | 52 | 62 | 54 | 36 | 34 | 38 | 26 | 366 |
| | Ratio to band D | 6/9 | 7/9 | 8/9 | 9/9 | 11/9 | 13/9 | 15/9 | 18/9 | |
| | Band D = | 42.7 | 40.4 | 55.1 | 54.0 | 44.0 | 49.1 | 63.3 | 52.0 | 400.7 |
| Difference between 150% & 200% equates to (band D props) | | | | | | | | | | 100.2 |
| Charge | | | | | | | | | | Extra income |
| OCC 2018 charge £1,426.19 | | | | | | | | | | extra £142,904.24 |
| Police £ 182.28 | | | | | | | | | | extra £ 18,264.46 |
| SODC £ 116.24 | | | | | | | | | | extra £ 11,647.25 |
| Town £ 86.62 | | | | | | | | | | extra £ 8,679.32 |
| 2018 Band D change £1,811.33 | | | | | | | | | | extra £181,495.27 |

Cabinet Report



Listening Learning Leading

Report of Head of Finance

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To: CABINET on 18 December 2018

To: Council on 20 December 2018

Council tax base 2019/20

Recommendations

1. That the report of the head of finance for the calculation of the council's tax base and the calculation of the tax base for each parish area for 2019/20 be approved
2. That, in accordance with The Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012, the amount calculated by South Oxfordshire District Council as its council tax base for the year 2019/20 be 56,793.3
3. That, in accordance with The Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012, the amount calculated by South Oxfordshire District Council as the council tax base for the year 2019/20 for each parish be the amount shown against the name of that parish in Appendix 1 of the report of the head of finance to Cabinet on 18 December 2018.

Purpose of Report

1. The purpose of this report is to ask Cabinet to recommend the council tax base for 2019/20 to Council for approval.

Corporate Objectives

2. The calculation of the tax base is a legal requirement and an essential part of the tax setting process which helps to achieve the council's corporate objectives.

Background

3. Before the council tax can be set by the council, a calculation has to be made of the council tax base, which is an estimate of the taxable resources for the district as a whole and for each parish area.
4. The council tax base for the district has to be notified to Oxfordshire County Council and the Police and Crime Commissioner by 31 January 2019. Each parish and town council is also notified of the figure for its area.
5. The legislation requires that the council tax base is approved by full council or a non-executive body with delegated powers. No such delegation exists, so cabinet is therefore asked to recommend to council the schedule set out in **Appendix 1** as the council tax base for the district as a whole and for each parish area.

Calculation of the tax base

6. The starting point for the calculation is the total number of dwellings and their council tax band.
7. The council then allows for the following information, for each band:
 - (a) dwellings which will be entirely exempt so no tax is payable (e.g. those occupied entirely by students)
 - (b) dwellings which will attract a 25 per cent reduction (e.g. those with a single adult occupier)
 - (c) dwellings which will attract a 50 per cent reduction (e.g. those where all of the adult residents qualify for a reduction)
 - (d) dwellings which will be treated as being in a lower band because they have been adapted for a severely disabled person. The regulations provide methodology to take account of the reduction available to those in band A dwellings
 - (e) dwellings which will be on the valuation list but which attract discounts or disablement relief or are exempt, for only part of the year
8. Each band is then converted into "band D equivalents" by applying the factor laid down by legislation. For example, a band A dwelling is multiplied by 2/3 to arrive at the band D equivalent figure, whilst a band H dwelling is multiplied by two. All these are then added together to give a total of band D equivalents.
9. A final adjustment is required to allow for non-collection. The council is required to decide what its collection rate is likely to be and apply this to its council tax base. For the 2018/19 tax the council assumed 98 per cent would eventually be collected and it is proposed to use 98 per cent again in 2019/20.

Taxbase for 2019/20

10. Based on the assumptions detailed above the council tax base for 2019/20 is 56,793.3.

11. Similar calculations are required for each parish in order to calculate the proportion of the district's tax base which relates to its area. A schedule of the tax base for each parish is set out in **Appendix 1**.
12. To calculate the council tax amounts payable per property band for the council, its council tax requirement (i.e. the amount of council tax to be raised) is divided by the Band D equivalent (taxbase). This will be finalised during January and February, culminating in the council tax being set by council on 14 February 2019 (this date is subject to the council being notified of the major precepting authorities' council tax requirements).

Financial Implications

13. These are set out in the body of the report.

Legal Implications

14. These are set out in the body of the report.

Risks

15. The council's methodology for calculating the taxbase involves basing the calculation on actual dwellings at a certain point in time, rather than forecasting on potential new dwellings that may be built in the future. Because of this the risk exposure is considered to be low.

Background Papers

None

**Agenda Item 15
Appendix 1**

| PARISH COUNCIL TAX BASES - | | | | 2019-20 (After boundary change) | | | |
|----------------------------|--------------------------------------|----------------------------------|----------------------------------|---------------------------------|--------------------------------------|----------------------------------|----------------------------------|
| PARISH/TOWN COUNCIL | NUMBER OF DWELLINGS 2019-20 | PARISH TAX BASE 2019-20 | PARISH TAX BASE 2018-19 | PARISH/TOWN COUNCIL | NUMBER OF DWELLINGS 2019-20 | PARISH TAX BASE 2019-20 | PARISH TAX BASE 2018-19 |
| Adwell | 14 | 13.3 | 11.7 | Sandford on Thames | 581 | 491.7 | 489.2 |
| Aston Rowant | 349 | 431.0 | 429.2 | Shiplake | 706 | 969.9 | 998.2 |
| Aston Tirrold & Upthorpe | 225 | 266.5 | 261.2 | Shirburn | 54 | 57.7 | 57.1 |
| Beckley & Stowood | 251 | 279.3 | 277.6 | Sonning Common | 1,621 | 1,606.0 | 1,594.4 |
| Benson | 1,777 | 1,721.3 | 1,693.2 | South Moreton | 131 | 125.9 | 126.9 |
| Berinsfield | 1,101 | 657.9 | 647.1 | South Stoke | 219 | 225.2 | 227.3 |
| Berrick Salome | 124 | 167.9 | 165.0 | Stadhampton | 323 | 322.6 | 321.9 |
| Binfield Heath | 282 | 320.9 | 312.1 | Stanton St John | 190 | 217.3 | 221.0 |
| Bix & Assendon | 256 | 329.7 | 326.0 | Stoke Row | 275 | 335.5 | 323.1 |
| Brightwell Baldwin | 83 | 104.2 | 103.1 | Stoke Talmage | 24 | 29.1 | 27.4 |
| Brightwell cum Sotwell | 621 | 656.1 | 645.4 | Swyncombe | 117 | 137.9 | 136.7 |
| Britwell Salome | 86 | 100.9 | 100.3 | Sydenham | 147 | 161.2 | 159.6 |
| Chalgrove | 1,135 | 1,065.1 | 1,061.9 | Tetsworth | 295 | 305.4 | 302.9 |
| Checkendon | 212 | 238.0 | 237.6 | Thame | 5,426 | 4,691.6 | 4,547.6 |
| Chinnor | 2,705 | 2,512.8 | 2,467.2 | Tiddington with Albury | 278 | 262.8 | 259.8 |
| Cholsey | 1,703 | 1,509.3 | 1,499.5 | Toot Baldon | 58 | 69.8 | 70.0 |
| Clifton Hampden | 253 | 281.7 | 281.0 | Towersey | 181 | 184.8 | 183.7 |
| Crowell | 47 | 58.7 | 58.0 | Wallingford | 3,682 | 3,021.6 | 2,986.0 |
| Crowmarsh | 709 | 680.9 | 679.2 | Warborough | 437 | 480.9 | 475.7 |
| Cuddesdon & Denton | 201 | 164.9 | 164.7 | Waterperry with Thomley | 79 | 86.3 | 87.3 |
| Culham | 173 | 180.2 | 177.1 | Waterstock | 40 | 46.5 | 44.2 |
| Cuxham with Easington | 60 | 62.0 | 62.1 | Watlington | 1,220 | 1,165.6 | 1,171.6 |
| Didcot | 12,176 | 9,393.0 | 9,206.4 | West Hagbourne | 112 | 120.2 | 120.6 |
| Dorchester | 486 | 559.8 | 552.4 | Wheatfield | 11 | 14.1 | 14.9 |
| Drayton St Leonard | 118 | 130.1 | 132.3 | Wheatley | 1,894 | 1,748.5 | 1,714.2 |
| East Hagbourne | 496 | 506.9 | 503.1 | Whitchurch on Thames | 336 | 406.9 | 397.6 |
| Elsfield | 48 | 54.7 | 55.7 | Woodcote | 1,050 | 1,037.5 | 1,040.3 |
| Ewelme | 426 | 362.2 | 364.7 | Woodeaton | 29 | 38.0 | 38.0 |
| Eye & Dunsden | 148 | 182.3 | 181.5 | | | | |
| Forest Hill with Shotover | 383 | 349.1 | 335.3 | TOTAL | 60,419 | 56,793.3 | 56,163.3 |
| Garsington | 773 | 690.3 | 689.6 | | | | |
| Goring | 1,532 | 1,687.3 | 1,686.0 | | | | |
| Goring Heath | 498 | 592.4 | 586.4 | | | | |
| Great Haseley | 243 | 254.3 | 254.1 | | | | |
| Great Milton | 340 | 307.5 | 311.9 | | | | |
| Harpsden | 157 | 222.3 | 234.3 | | | | |
| Henley on Thames | 5,831 | 5,745.6 | 5,701.3 | | | | |
| Highmoor | 135 | 163.7 | 166.6 | | | | |
| Holton | 161 | 180.7 | 178.9 | | | | |
| Horspath | 614 | 609.3 | 610.7 | | | | |
| Ipsden | 156 | 169.4 | 166.9 | | | | |
| Kidmore End | 532 | 681.8 | 669.4 | | | | |
| Lewknor | 288 | 305.6 | 305.1 | | | | |
| Little Milton | 206 | 218.2 | 212.0 | | | | |
| Little Wittenham | 28 | 33.4 | 33.6 | | | | |
| Long Wittenham | 362 | 352.3 | 354.2 | | | | |
| Mapledurham | 130 | 126.0 | 124.0 | | | | |
| Marsh Baldon | 115 | 119.9 | 123.0 | | | | |
| Moulsford | 217 | 248.1 | 248.8 | | | | |
| Nettlebed | 339 | 358.9 | 360.9 | | | | |
| Newington | 47 | 60.1 | 59.6 | | | | |
| North Moreton | 156 | 192.0 | 191.4 | | | | |
| Nuffield | 217 | 234.7 | 236.5 | | | | |
| Nuneham Courtenay | 97 | 100.4 | 100.0 | | | | |
| Pishill with Stonor | 143 | 186.4 | 183.7 | | | | |
| Pyrton | 92 | 113.1 | 113.3 | | | | |
| Rotherfield Greys | 156 | 208.0 | 209.2 | | | | |
| Rotherfield Peppard | 690 | 930.4 | 923.1 | | | | |