

# Minutes

## OF A MEETING OF THE

# Cabinet



Listening Learning Leading

**HELD ON TUESDAY 18 DECEMBER 2018 AT 6.00 PM  
DIDCOT CIVIC HALL, BRITWELL ROAD, DIDCOT, OX11 7JN**

### **Present:**

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

Officers: Samantha Allen, Emma Baker, Steve Culliford, Adrian Duffield, Diane Foster, Liz Hayden, William Jacobs, Holly Jones, Ian Price, Mark Stone and Chris Webb

### **Also present:**

Councillors: Elizabeth Gillespie, David Nimmo-Smith, David Turner and John Walsh

## **46 Minutes**

**RESOLVED:** to approve the minutes of the Cabinet meetings held on 27 September, 4 and 9 October 2018 as correct records and agree that the Chairman signs them as such.

## **47 Declaration of disclosable pecuniary interest**

David Dodds declared a personal interest in item 11, the section 106 funding request by Thame Town Council, as he was a member of that council.

## **48 Urgent business and chairman's announcements**

None

## **49 Pyrton conservation area**

Cabinet considered the head of planning's report on the Pyrton Conservation Area appraisal and boundary review. The report set out the consultation outcome and the consequent proposed revisions.

The Cabinet member for planning supported the recommendations set out in the report to designate the Conservation Area boundary and adopt the appraisal. This would allow the council to manage development in the Conservation Area and preserve and enhance the character of the area. Cabinet concurred.

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**RESOLVED:** to

- (a) designate the Pyrton Conservation Area boundary as shown in Appendix 1 to the head of planning's report to Cabinet on 18 December 2018;
- (b) 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; and
- (c) 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.

## **50 Budget setting 2019/20**

Cabinet considered the head of finance's report, which updated on changes to the local government financial landscape.

The Cabinet member for finance reported that the government funding known as New Homes Bonus would not continue in its current form beyond the 2019/20 financial year. This had a potential material impact on the council's medium to long term financial position.

**RESOLVED:** to note the report.

## **51 Public participation**

Eighteen members of the public addressed Cabinet on the South Oxfordshire Local Plan:

- Bev Hindle, on behalf of Oxfordshire County Council, spoke in support of the Local Plan proposals.
  - Ian Goldsmith spoke on behalf of Cuxham with Easington Parish Meeting, urging Cabinet to remove Chalgrove Airfield from the list of housing allocations in the Local Plan.
  - Michael Tyce, on behalf of the Campaign to Protect Rural England, believed none of the strategic housing sites were required in the Local Plan as the current plan provided adequate housing numbers.
  - Mr Harris, on behalf of Horspath Parish Council, urged Cabinet to remove the housing allocation at Northfields from the Local Plan.
  - Gill Bindoff urged Cabinet to change the Local Plan's emphasis to reduce greenhouse gas emissions and require carbon neutral buildings and schemes to provide low carbon renewable energy.
  - Richard Roberts, on behalf of South Oxfordshire Sustainability, questioned the vision for sustainable development in the Local Plan.
  - Ann Pritchard spoke on behalf of Chalgrove Parish Council urging Cabinet to remove Chalgrove Airfield from the list of housing allocation sites in the Local Plan.
  - Vicky Fowler spoke on behalf of Martin-Baker Aircraft Company Limited, which held a business tenancy at Chalgrove Airfield, and urged Cabinet to remove Chalgrove Airfield from the list of housing allocation sites in the Local Plan.
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- Simon Reynolds, on behalf of the Chalgrove Airfield Action Group, asked Cabinet to remove Chalgrove Airfield from the list of housing allocation sites in the Local Plan.
- Ian Gifford, a Chalgrove resident, asked Cabinet to remove Chalgrove Airfield from the list of housing allocation sites in the Local Plan.
- John Storrs, on behalf of Save Culham Green Belt, asked Cabinet to remove Culham from the list of housing allocation sites in the Local Plan.
- Caroline Baird, a Culham resident, asked Cabinet to remove Culham from the list of housing allocation sites in the Local Plan.
- Steven Sensecall spoke on behalf of the United Kingdom Atomic Energy Authority (UKAEA) and the Commercial Estates Group (CEG) to support the Local Plan proposals, including those to allocate land for housing at Culham.
- Robert Gardner spoke on behalf of Oxford Brookes University to support the Local Plan proposals, in particular allocating land for housing at the university's Wheatley Campus.
- Alan East spoke on behalf of Holton Parish Council in support of the housing allocation site at Oxford Brookes University's Wheatley Campus but expressing concern at the site's removal from the Green Belt. He believed that the new homes should be on the eastern part of the site.
- Doug Lamont spoke on behalf of Wheatley Parish Council objecting to the removal of the Oxford Brookes University's Wheatley Campus site from the Green Belt.
- Ginette Camps-Walsh, on behalf of Beckley and Stowood Parish Council, spoke against the Local Plan, the planned urban sprawl of Oxford, and the proposed inclusion of land in Elsfield parish as a housing allocation site.
- Ann Henman, a resident of Beckley and Stowood parish, spoke in objection to land within the Green Belt being allocated for housing rather than housing being provided in Oxford.

Cabinet also received addresses from the following district councillors:

- Councillor Elizabeth Gillespie believed there were no exceptional circumstances to remove land from the Green Belt to allocate it for housing and opposed the Local Plan proposals.
- Councillor John Walsh believed that Oxford Brookes University's Wheatley Campus site should not be removed from the Green Belt and should be limited to 300 homes, and that the Bayswater Brook housing site allocation should be removed from the Local Plan.
- Councillor David Nimmo-Smith welcomed the exclusion of the housing sites near Reading, and he urged Cabinet to reduce the housing densities in the Local Plan to provide better homes.
- Councillor David Turner urged Cabinet to remove Chalgrove Airfield from the list of housing allocation sites in the Local Plan as it would not meet Oxford's housing need, there was no evidence of how the road infrastructure would be funded, Martin Baker intended to retain its use of the site, and the airfield was used by the RAF for emergency landings.

## **52 Local Plan Publication Version (2034)**

Cabinet considered the head of planning's report on the South Oxfordshire Local Plan Publication Version (2034).

The report proposed Cabinet recommend to Council to approve the plan and its associated documents for publication, under Regulation 19 of the Town and Country

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Planning (Local Planning) (England) Regulations 2012, and for submission to the Secretary of State for independent examination. Subject to Council's approval, the plan would be subject to Regulation 19 consultation from 7 January 2019 for six weeks.

The Cabinet member for planning reported that, since the Council's decision on 15 May 2018, there had been a thorough assessment of all possible housing site allocations. Three new housing sites had been added to the draft plan. The sites selection background paper had been made available to councillors prior to the meeting and would be published in January. The plan was prepared in accordance with the revised National Planning Policy Framework and provided a strengthened approach to the duty to co-operate with neighbouring councils. It planned for housing, employment, retail and infrastructure. Any significant amendments to the plan as proposed would impact upon the Oxfordshire Housing and Growth Deal and the milestones contained therein.

Officers provided Cabinet with the following updates to the report:

- The housing trajectory would be updated
- Policy EMP1 - additional text would be added to refer to the 'distribution proposed within the strategic allocation at Grenoble Road for approximately 10 hectares to extend the Oxford Science Park'
- STRAT13: Land North of Bayswater Brook - additional wording to be added to refer to either providing for all necessary highways infrastructure as set out in the infrastructure delivery plan, which was likely to include a new road access between the site and the A40/B4150/Marsh Lane junction, and either a new road link between the site and the A40 between the Thornhill Park and Ride junction and the Church Hill junction for Forest Hill, or significant upgrades to the existing A40 Northern Oxford Bypass road including at the A40/ A4142 Headington Roundabout
- there needed to be an update to table 5F in the local plan. The completions and commitment figure for Crowmarsh Gifford required updating to state 570 rather than 494 homes. As Crowmarsh had met its growth target already, this did not affect the number of homes left to plan for
- the Scrutiny Committee had met on 13 December and recommended that the Oxford Brookes University site at Wheatley Campus should remain in the Green Belt and should be for '300 homes', not 'at least 300 homes'
- the Scrutiny Committee had also recommended the text in Chapter 5 of the draft plan being amended to more accurately reflect the existing activities at Chalgrove Airfield and the tenant's (Martin Baker) unwillingness to negotiate with Homes England. Suggested amended text was tabled at the Cabinet meeting
- in Table 7.10 to the report's Appendix 3, the reasons for selecting Lower Elsfield/Wick Farm as a combined housing allocation site (now referred to as Bayswater Brook) were shown in the row for the Thornhill site in error
- in paragraph 30 of the report, the table would be updated to include the missing housing allocations at Nettlebed. The same table was included in the local plan: Table 5c
- **the number of letters received by the Planning Service in relation to the Northfield proposed housing allocation was in excess of 300**

Cabinet debated the proposals, noting that an evidence base had been prepared to support the draft local plan. For example, the site selection background paper contained an analysis of each site under consideration and set out their rankings. Cabinet recognised that not all sites would be deliverable in the early years of the local plan; some sites would take longer to complete. The site selection background paper also set out the reasons for releasing land within the Green Belt to form new housing allocation sites.

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These were to meet the housing needs of neighbouring councils and where the sites were sustainable and deliverable.

In answer to a question why the proposed housing numbers were greater than the target, Cabinet noted that the plan included sufficient land to meet this council's housing target and land to assist in meeting Oxford's housing need, under the duty to co-operate with neighbouring councils contained within the Oxfordshire Housing and Growth Deal. The housing numbers in the draft local plan were required to provide the council with a rolling five-year housing land supply throughout the fifteen-year plan period to 2034.

Cabinet concluded that, as required by the resolution of the Council in May 2018, officers had undertaken a thorough re-assessment of all sites capable of forming a strategic housing allocation promoted through the local plan. The draft local plan was based on the professional recommendations of planning officers. Cabinet supported the proposals set out in the report to recommend Council to approve the local plan for publication under Regulation 19.

**RECOMMENDED** to Council to:

- (a) 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, subject to:
  - (i) the updates provided by officers to the report to Cabinet on 18 December 2018, as appended to these minutes;
  - (ii) the changes to the Local Plan text on land at Chalgrove Airfield, as appended to these minutes; and
- (b) 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:
  - (i) publication of the South Oxfordshire Local Plan; and
  - (ii) submission of the South Oxfordshire Local Plan to the Secretary of State for independent examination and leading up to and during the examination.

## **53 Chalgrove Neighbourhood Plan**

Cabinet considered the head of planning's report on the Chalgrove Neighbourhood Plan.

The plan had been prepared with the intention of preserving the look and character of Chalgrove village, while allocating two housing sites for approximately 320 new homes. The plan was supported at the referendum on 22 November 2018.

Cabinet welcomed the plan.

**RECOMMENDED** to Council to:

- (a) make the Chalgrove Neighbourhood Development Plan so that it continues to be part of this council's development plan; and
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- (b) 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.

## **54 Little Milton Neighbourhood Plan**

Cabinet considered the head of planning's report on the Little Milton Neighbourhood Plan.

The plan had been prepared to safeguard the character of Little Milton and had achieved support at the referendum on 22 November 2018. Cabinet welcomed the plan.

**RECOMMENDED** to Council to:

- (a) make the Little Milton Neighbourhood Development Plan so that it continues to be part of this council's development plan; and
- (b) 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.

## **55 Section 106 request by Thame Town Council**

David Dodds declared a personal interest in this item, as he was a member of Thame Town Council, and left the meeting during its consideration.

Cabinet considered the report of the head of development and regeneration. This set out a request for the council to release section 106 funding to Thame Town Council towards the replacement of the cricket pavilion in Thame.

Cabinet supported the request, noting that it required formal approval by the Council due to the amount of funding involved.

**RECOMMENDED** to Council to:

- (a) create a budget for £168,915.00 for the replacement cricket pavilion project in Thame;
- (b) agree to pay Thame Town Council £148,951.72, subject to completion of building regulations;
- (c) agree to pay Thame Town Council the balance of £19,963.28, once equivalent funds have been received from developers under the S106 agreements; and
- (d) agree to secure a legal agreement with Thame Town Council for the use of these S106 monies.

## **56 Joint gambling policy**

Cabinet considered the head of housing and environment's report on the review of the gambling policy. This was a joint policy with Vale of White Horse District Council and was subject to review every three years.

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The Cabinet member responsible for the licensing service reported that the review had not brought any significant policy changes, nor changes required by legislation. The minor changes included:

- additional information on the detail required for premises risk assessments, including for the risk assessments to be kept at the premises
- paragraphs 2.7.2 and 2.7.3 referred to the local area profiles that were now available on the council's website to assist operators in developing their risk assessments required for the application process
- the policy had been updated to refer to the General Data Protection Regulations and Data Protection Act 2018 and the council's Licensing Enforcement Policy
- Annex 4 referred to the recent government review of gaming machines and social responsibility measures, and the decision that maximum stakes on fixed odds betting terminals would be reduced from £100 to £2

The revised policy had been supported by the Licensing Acts Committee; Cabinet concurred.

**RECOMMENDED** to 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; and
- (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.

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

Cabinet considered the head of community services' report. This set out plans for refurbishment works at Henley Leisure Centre's dry side toilets, and to Thame Leisure Centre's dry side changing rooms. The report recommended the virement of capital funds from unused refurbishment budgets to allow the dry side refurbishments to take place at the two leisure centres.

Cabinet supported the proposals.

**RECOMMENDED** to Council to:

- (a) create a new capital scheme within the council's approved capital programme to refurbish the dry side toilets at Thame Leisure Centre;
  - (b) vire £22,135 from the existing Thame wet side changing room refurbishment budget into that new capital budget;
  - (c) create a new capital scheme within the council's approved capital programme to refurbish dry side changing rooms at Henley Leisure Centre; and
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- (d) vire £19,271 from the existing wet side changing room refurbishment budget into that new capital budget.

## **58 Council tax empty homes premium**

Cabinet considered the head of finance's report on a council tax premium on empty homes.

The Cabinet member for finance reported that new legislation had been passed that allowed councils to apply a higher premium on council tax due on long-term empty homes. He advised Cabinet to recommend Council to charge the premiums permitted by the legislation.

Cabinet supported the recommendation, believing that this would encourage the owners of empty homes to bring them back into occupation and increase the supply of homes available.

**RECOMMENDED** to Council:

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 two years and over;
- (ii) increased to 200% premium from 1 April 2020 for those properties which are empty for five years and over; and
- (iii) increased to 300% premium from 1 April 2021 for those properties which are empty for ten years and over.

## **59 Council tax base 2019/20**

Cabinet considered the head of finance's report regarding the setting of the council tax base for 2019/20. Before the council tax could be set by Council, a calculation had to be made of the council tax base: an estimate of the taxable resources for the whole district and for each parish.

Cabinet noted how the council tax base was calculated and noted the assumptions made as part of that calculation. Cabinet was asked to recommend the council tax base to Council. Once set by Council in December, the council tax base would be notified to Oxfordshire County Council, the Police and Crime Commissioner, and each parish and town council to allow them to set their budgets for 2019/20.

Cabinet supported the recommendations.

**RECOMMENDED** to Council:

- (a) that the report of the head of finance to Cabinet on 18 December 2018 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;



- (b) 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; and
- (c) 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.

The meeting closed at 8.30 pm

Chairman

Date

## Updates to the Cabinet report, provided by planning officers at the Cabinet meeting on 18 December 2018

### UPDATE 1:

Appendix 2 to the Cabinet report contained a log of changes required to the draft local plan. The following changes are additional to appendix 2:

The housing trajectory requires an up to date replacement in Appendix 8 of the plan with an up to date version.

Policy EMP1 - Additional text needs to be added to refer to the 'Distribution proposed within the strategic allocation at Grenoble Road for approximately 10 hectares to extend the Oxford Science Park'.

STRAT13: Land North of Bayswater Brook - additional wording to be added to refer to either:

Section ix: provide for all necessary highways infrastructure as set out in the infrastructure delivery plan, which is likely to include a new road access between the site and the A40/B4150/Marsh Lane junction, and either a new road link between the site and the A40 between the Thornhill Park and Ride junction and the Church Hill junction for Forest Hill, or significant upgrades to the existing A40 Northern Oxford Bypass road including at the A40/A4142 Headington Roundabout.

There needs to be an update to table 5F in the local plan. The Completions and commitment figure for Crowmarsh Gifford requires updating to state 570 rather than 494. As Crowmarsh had met its growth target already, this does not affect the number left to plan for.

Scrutiny Committee made the following recommendations to Cabinet:

- 1) that the Wheatley Oxford Brookes University site remains in the Green Belt and the requirement for "at least 300 homes" be amended to "300 homes" on this site;
- 2) request officers to amend the text in Chapter 5 of the draft Local Plan regarding Land at Chalgrove Airfield to more accurately reflect (i) the activities on the airfield and (ii) Martin Bakers Ltd's unwillingness to negotiate with Homes England

Officers would advise that such a recommendation like 1 above, would be inconsistent with other strategic allocations which the council seeks to remove from the Green Belt. This was not supported by the evidence base. There was no evidence to support the site's retention in the Green Belt.

Regarding recommendation 2 above, officers circulated proposed wording, which Cabinet supported; this is appended to this decision notice.

### UPDATE 2:

Appendix 3 to the report, the Draft Sustainability Appraisal, requires a correction to Table 7.10. The reasons for selecting Lower Elsfield / Wick Farm as a combined site were put in the row for the Thornhill site in error.

Existing insertion in the Draft Sustainability Appraisal:

Option	Reason for Rejection	Reason for Selection
Thornhill		The site provides an opportunity to deliver new homes in a sustainable location adjoining a major urban area, within close proximity to employment and other services and facilities. This site is considered in conjunction with the adjoining site at Lower Elsfield.

to be amended to:

Option	Reason for Rejection	Reason for Selection
Thornhill	The council is of the view that exceptional circumstances do not exist for the release of this site from the Green Belt.	

### UPDATE 3:

Paragraph 30 of the Cabinet report explains that the housing supply is 28,459 homes between 2011 and 2034. A table is provided setting out the components of housing supply. The table is missing the allocations at Nettlebed. The same table is included in the local plan, Table 5c. This missing element for Nettlebed is one of the proposed changes listed in the log of amendments (the updated version). The amended table is below:

Supply of new homes to come forward	New number of dwellings
<b>Committed components of housing supply</b>	<b>15,726</b>
Completions 1 April 2011 to 31 March 2018	4,364
Commitments as at 30 September 2018 (Sites under construction, with planning permission and allocations carried forward from the Local Plan 2011 and Core Strategy)	11,362
<b>New components of housing supply in this Local Plan</b>	<b>12,739</b>
New strategic allocations delivering in the plan period *	10,375

Outstanding market town allocations to be made through Neighbourhood Development Plans	519
Outstanding larger village allocations to be made through Neighbourhood Development Plans	499
Nettlebed allocations	46
Windfall allowance	1,300
<b>Total</b>	<b>28,465</b>

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

#### UPDATE 4:

Paragraph 10 of the Cabinet report referred to a number of letters being received by the Planning Service before consultation has been approved. These letters were primarily related to the Northfield proposed allocation and now total in excess of 300 letters.

## **Land at Chalgrove Airfield – amendments to the Local Plan text**

4.59 Chalgrove Airfield is a former Second World War airfield located directly north of the village of Chalgrove, north east of the b480, approximately 11 miles to the east of central Oxford and approximately 5 miles south of junction 7 of the M40 motorway.

4.60 The airfield opened in 1943 and was closed in July 1946 when it was leased to the Martin-Baker company for development and testing of aircraft ejection seats. Martin-Baker Aircraft Company Limited ("Martin-Baker") undertake the development and testing of aircraft ejection equipment and the operation of a pyrotechnic facility at Chalgrove Airfield and also use the runway at Chalgrove for the landing and take-off of its own aircraft as well as the aircraft of customers. The site contains three runways and a perimeter track surrounded by security fencing, with managed grass across the rest of the site. buildings, including the war-time t-2 hangers, are located to the east of the site. The site is currently owned by Homes England, but leased and used by Martin-Baker Ltd. Chalgrove Airfield has a CAA Ordinary Licence (number P683) that allows flights for the public transport of passengers or for flying instruction as authorised by the licensee (Martinbaker (engineering) Limited). The site of the Monument Industrial estate to the southeast of the airfield was once part of the airfield. The Local Plan safeguards land for Martin-baker's continued operations and it supports opportunities for increased employment at Monument Business Park.

RAF Benson were consulted on the disposal of the airfield site and its transfer from the Ministry of Defence to Homes England. The MoD has confirmed that it has not held flying or landing rights since Martin Baker's occupation of the site. Any existing arrangements has been agreed between RAF Benson and the tenants Martin-Baker, not the landowners. It has also stated that its disposal would not have proceeded if operations at Benson were impacted.

4.61 Homes England, as land owner, had been working with their tenant Martinbaker aircraft Company Limited (MbacL) to bring forward proposals for development. Homes England has confirmed that they Homes England will continue to try to work with Martin-Baker to agree terms to facilitate the development. In the event that this continues to be unsuccessful, they will seek to use their statutory powers of Compulsory Purchase Order (CPO) to bring this site forward for development. They have advised that their objective is to retain Martin-Baker on site. Martin-Baker have advised that they will resist Chalgrove Airfield being allocated as a strategic housing site and will resist any use of compulsory purchase.

It is recognised that there exists uncertainty of this site and the outcome of a CPO. The housing trajectory clarifies that the Plan is not reliant on development coming forward on this site in the first five years of the Plan period and indeed, no completions have been identified on the site until 2026/2027 at the earliest. The future of this site and the allocation will be monitored, and if circumstances change the allocation can be revisited through the first review of the Local Plan.