

Council



Listening Learning Leading

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Date: 3 April 2019

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Summons to attend a meeting of Council

to be held on

THURSDAY 11 APRIL 2019 AT 6.00 PM

at

**THE FOUNTAIN CONFERENCE CENTRE, HOWBERY PARK, CROWMARSH
GIFFORD**

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MARGARET REED
Head of Legal and Democratic

Note: Please remember to sign the attendance register.

Agenda

1 Apologies for absence

To record apologies for absence.

2 Declarations of disclosable pecuniary interest

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

3 Minutes (Pages 6 - 15)

To adopt and sign as a correct record the Council minutes of the meeting held on 14 February 2019 attached.

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.

6 Cholsey Neighbourhood Plan (Pages 16 - 19)

At its meeting held on 9 April 2019, Cabinet will consider the head of planning's report on the Cholsey Neighbourhood Development Plan.

A copy of the report is attached. Cabinet's recommendations will be circulated to all councillors on Wednesday 10 April 2019.

7 East Hagbourne Neighbourhood Plan (Pages 20 - 24)

At its meeting held on 9 April 2019, Cabinet will consider the head of planning's report on the East Hagbourne Neighbourhood Development Plan.

A copy of the report is attached. Cabinet's recommendations will be circulated to all councillors on Wednesday 10 April 2019.

8 Pyrton Neighbourhood Plan (Pages 25 - 29)

At its meeting held on 9 April 2019, Cabinet will consider the head of planning's report on the Pyrton Neighbourhood Development Plan.

A copy of the report is attached. Cabinet's recommendations will be circulated to all councillors on Wednesday 10 April 2019.

9 OVO Energy Women's Tour (Pages 30 - 33)

On 19 March 2019 Councillor Lynn Lloyd, Cabinet member for community services, took a decision to support Oxfordshire being a host venue for the OVO Energy Women's Tour in 2019, 2020 and 2021 and to agree the funding arrangements for the council's share of the hosting fee for 2019.

A copy of the Individual Cabinet Member Decision is attached.

RECOMMENDATION TO COUNCIL: To agree to fund the council's share of the hosting fee a sum of £26,666 for years two and three (2020 and 2021).

Additional recommendation(s) from the Cabinet member or Cabinet on this issue to follow.

10 Report of the leader of the council

To receive the report of the leader of the council.

11 Motions on notice

To consider motions from councillors in accordance with Council procedure rule 38.

1. Motion to be proposed by Councillor Ian White, seconded by Councillor Lynn Lloyd

Council asks that the Leader of Council write to the Secretary of State for Housing Communities and Local Government, James Brokenshire MP, and the Minister for Housing, Kit Malthouse MP, confirming this council's support for the Chancellor's announcement in the Spring Statement that ' following consultation, the government will use the forthcoming Environment Bill to mandate biodiversity net gain for development in England ensuring that the delivery of much-needed infrastructure and housing is not at the expense of vital biodiversity.'

2. Motion to be proposed by Councillor Bill Service, seconded by Councillor Jane Murphy

Council notes and welcomes the significant funding announced for infrastructure and economic activity across Science Vale in the Chancellor's recent Spring Statement.

The Housing and Infrastructure Fund funding for the Science Bridge in Didcot, the enhanced link between Didcot and the Milton interchange, a new Thames crossing to better link Didcot to Culham and beyond and the Clifton Hampden bypass will deliver once in a generation improvements to our transport infrastructure. The Housing Infrastructure Funding of £218million is not just about motorised transport though, it will also support enhanced cycle and foot travel as an integral part of these developments and this approach is fully supported by Council.

The combined funding announcements, totalling over £350million, are a strong

and clear statement of support for the needs of South Oxfordshire residents by Government and the Leader is asked to write to Government confirming our support.

3. Motion to be proposed by Councillor Felix Bloomfield, seconder to be notified

Council notes that:

- a) the recent 2018 Intergovernmental Panel on Climate Change (IPCC) report states that we have just 12 years to act on climate change if global temperature rises are to be kept within the recommended 1.5 degrees Celsius;
- b) all governments (national, regional and local) have a duty to limit the negative impacts on climate breakdown, and local governments that recognise this should not wait for their national governments to change their policies. UK county, district and city councils need to commit to aggressive reduction targets and carbon neutrality as quickly as possible;
- c) districts are well placed to lead the world in reducing carbon emissions, as their responsibility for planning policies opens up a range of sustainable transport, buildings and energy opportunities;
- d) Council has already shown foresight when it comes to addressing the issue of Climate Change, having signed the Nottingham Declaration on Climate Change in 2007. Between 2008 and 2013, this council collaborated with the Carbon Trust, to produce a Carbon Management Plan which set out how the council planned to reduce energy and fuel use in its own buildings and vehicles. All of this has led to a 28% drop in greenhouse gas emissions up to 2018;
- e) notes that work has commenced on a review of the council's Carbon Management Plan in collaboration with the Oxfordshire Energy Strategy, with the aim of bringing a report to Cabinet as soon as possible, and no later than Autumn 2019, the review to come forward to include the feasibility of adopting an early carbon neutral target for South Oxfordshire.

In light of the above, the Council therefore agrees to:

- 1. Join other councils in declaring a Climate Emergency.
- 2. Ask the leader to write to the Secretary of State to seek confirmation of the Government's intention to work with local government on climate change strategies.
- 3. Ask that as officers, as per the council's policies, are currently reviewing policy and strategies, that specific consideration be given to how policies, and our related decisions and actions, affect our contribution to climate change, and where necessary, update these policies to reduce our impact wherever possible. As far as possible, the reporting templates for Council, Cabinet and committees to be amended to include an 'Environmental Impact' section.
- 4. Ask officers to provide the cost and availability of the most appropriate training options for members and officers about how to promote carbon neutral policies for future consideration by Cabinet.
- 5. Request the Cabinet member for environment to bring to council a report on the activities of the Oxfordshire Environmental Partnership, of which South

Oxfordshire is a member.

6. Continues the positive collaborative work with partners across the district, county and wider region to deliver widespread carbon reductions.

MARGARET REED

Head of Legal and Democratic Services

Minutes

OF A MEETING OF THE

Council



Listening Learning Leading

HELD ON THURSDAY 14 FEBRUARY 2019 AT 6.00 PM

**THE FOUNTAIN CONFERENCE CENTRE, HOWBERY PARK, CROWMARSH
GIFFORD**

Present:

Lorraine Hillier (Chairman)

Anna Badcock, Charles Bailey, Joan Bland, Felix Bloomfield, Kevin Bulmer, Nigel Champken-Woods, Steve Connel, Sue Cooper, Pat Dawe, Anthony Dearlove, David Dodds, Stefan Gawrysiak, Paul Harrison, Mocky Khan, Lynn Lloyd, Jane Murphy, Toby Newman, Caroline Newton, David Nimmo-Smith, Ian Snowdon, Alan Thompson, David Turner, John Walsh and Ian White

Apologies:

John Cotton, Elizabeth Gillespie, Will Hall, Tony Harbour, Elaine Hornsby, Imran Lokhon, Jeannette Matelot and Bill Service tendered apologies.

Officers:

Steven Corrigan, Simon Hewings, William Jacobs, Margaret Reed. Richard Spraggett and Mark Stone

54 Minutes

RESOLVED: to approve the minutes of the meeting held on 20 December 2018 as a correct record and agree that the Chairman sign them as such.

55 Declarations of disclosable pecuniary interest

None.

56 Urgent business and chairman's announcements

On behalf of Council the Chairman wished Councillor Harbour well following his recent hospital treatment.

57 Public participation

No members of the public had registered to address Council.

58 Petitions

None.

59 Treasury management mid-year monitoring report 2018/19

Council considered Cabinet's recommendations, made at its meeting on 31 January 2019, on the treasury management activities for the first six months of 2018/19.

The Joint Audit and Governance Committee had considered the report at its meeting on 28 January 2019 and had not recommended any adjustments to the strategy as a result of the first six months' activities. That committee and Cabinet had concluded that the treasury management activities had operated within the agreed parameters set out in the approved treasury management strategy.

The Cabinet member advised that following a request from the Joint Audit and Governance Committee there is an amendment to the table at paragraph 10 on page 21 of the report. An updated table was circulated at the meeting which showed that forecast investment interest for the year is likely to come in under budget primarily as a result of interest rates rises being slower than predicted.

RESOLVED: to approve the head of finance's treasury management mid-year monitoring report 2018/19 to Cabinet on 31 January 2019 subject to the amended table attached to these minutes.

60 Treasury management and investment strategy 2019/20

Council considered Cabinet's recommendations, made at its meeting on 31 January 2019, on the council's treasury management strategy for 2019/20.

The Joint Audit and Governance Committee considered the report at its meeting on 28 January 2019 and had not recommended any adjustments to the strategy. Cabinet agreed to recommend Council approve the strategy.

RESOLVED: to

1. approve the treasury management strategy 2019/20, as set out in appendix A to the head of finance's report to Cabinet on 31 January 2019;
2. approve the prudential indicators and treasury limits for the period 2019/20 to 2021/22, as set out in appendix A to the head of finance's report to Cabinet on 31 January 2019; and
3. approve the annual investment strategy 2019/20, as set out in appendix A (paragraphs 40 to 81), to the head of finance's report to Cabinet on 31 January 2019, and the lending criteria detailed in table 5.

61 Capital strategy 2019/20 to 2028/29

Council considered Cabinet's recommendations, made at its meeting on 31 January 2019, on the council's capital strategy 2019/20 to 2028/29.

Council noted that the adoption of a capital strategy ahead of the 2019/20 financial year is a requirement of the updated CIPFA prudential code and that Council will be required to review the strategy on an annual basis. The strategy will provide the overall policy framework for capital expenditure and investment although there are a number of key building blocks that underpin the strategy that are still being developed, including:

- An asset management strategy and maintenance plan
- Medium term service planning, and
- Consistent management of projects and programmes

Council welcomed the strategy as a key document for the council going forward.

RESOLVED: to approve the capital strategy 2019/20 to 2028/29 which is contained in appendix one of the report of the head of finance to Cabinet on 31 January 2019.

62 Revenue Budget 2019/20 and Capital Programme to 2023/24

The Chairman referred to regulations that require councils to record the names of those councillors voting in favour, against or abstaining from any vote on the budget, including amendments, and the council tax. In accordance with the regulations she would call for a named vote on each of these matters at this meeting.

The Chairman reminded councillors that they were not entitled to vote on any issue affecting the level or administration of the council tax or other decisions which might affect the making of any such calculation such as the budget, if they were over two months in arrears with their council tax payments. Where such circumstances applied, councillors were under a statutory obligation to disclose the restriction placed on them and refrain from voting at the relevant meeting. No councillor made any such declaration.

Council noted the report of the chief finance officer on the robustness of the budget estimates and the adequacy of the reserves.

Councillor Dodds, Cabinet member for finance, presented the Cabinet's proposals for the revenue budget 2019/20 and capital programme to 2023/24. On behalf of the council he thanked officers for their part in continuing to control costs and in preparing the draft budget.

Councillor Dodds moved and Councillor Murphy seconded a motion to approve Cabinet's recommendations as follows: to

1. set the revenue budget for 2019/20 as set out in appendix A.1 to the head of finance's report to Cabinet on 31 January 2019;

2. approve the capital programme for 2019/20 to 2023/24 as set out in appendix D.1 to the head of finance's report, together with the capital growth bids set out in appendix D.2 of the report;
3. set the council's prudential limits as listed in appendix E to the head of finance's report;
4. approve the medium term financial plan to 2023/24 as set out in appendix F to the head of finance's report;
5. allocate £500,000 to fund the Communities Capital and Revenue Grant Scheme;
6. ask officers to review the Medium Term Financial Strategy following the 2019 spending review and Ministry of Housing, Communities and Local Government announcements of changes to the council's future funding streams.

In moving the recommendation Councillor Dodds drew attention to the funding issues facing the council – rising expenditure with lower central government funding and lower investment returns. As a result only essential growth items are included in the budget and the communities capital and revenue grant scheme is reduced to £500,000.

A number of councillors spoke against the budget proposals. A failure to increase council tax in previous years had placed pressure on the council's reserves to support the revenue budget and there were no plans to address the gradual decline in these reserves. Others did not support the reduction in the budget for grants which local communities rely on to fund community projects.

However, the majority of councillors supported the budget proposals. The inclusion of funds to support the development of a more commercial approach for the council would bring in additional revenue. The reduction in the grants budget, whilst regrettable, was necessary and should not detract from the financial support provided to many organisations over recent years. In light of the uncertainty over New Homes Bonus and in anticipation of the government's review of local government funding it was necessary to set a prudent budget recognising the current pressures on funding.

In accordance with regulations requiring councils to record the names of those councillors voting in favour, against or abstaining from any vote on the budget the Chairman called for a recorded vote which was carried with the voting being as follows:

FOR	AGAINST	ABSTAIN
Anna Badcock	Sue Cooper	
Charles Bailey	Stefan Gawrysiak	
Joan Bland	Mocky Khan	
Felix Bloomfield	David Turner	
Kevin Bulmer		
Nigel Champken-Woods		
Steve Connel		
Pat Dawe		

FOR	AGAINST	ABSTAIN
Anthony Dearlove		
David Dodds		
Paul Harrison		
Lorraine Hillier		
Lynn Lloyd		
Jane Murphy		
Toby Newman		
Caroline Newton		
David Nimmo-Smith		
Ian Snowdon		
Alan Thompson		
John Walsh		
Ian White		
21	4	0

RESOLVED: to

1. set the revenue budget for 2019/20 as set out in appendix A.1 to the head of finance's report to Cabinet on 31 January 2019;
2. approve the capital programme for 2019/20 to 2023/24 as set out in appendix D.1 to the head of finance's report, together with the capital growth bids set out in appendix D.2 of the report;
3. set the council's prudential limits as listed in appendix E to the head of finance's report;
4. approve the medium term financial plan to 2023/24 as set out in appendix F to the head of finance's report;
5. allocate £500,000 to fund the Communities Capital and Revenue Grant Scheme; and
6. ask officers to review the Medium Term Financial Strategy following the 2019 spending review and Ministry of Housing, Communities and Local Government announcements of changes to the council's future funding streams.

63 Council Tax 2019/20

Council considered the report of the head of finance on the setting of the Council Tax for the 2019/20 financial year.

In accordance with regulations requiring councils to record the names of those councillors voting in favour, against or abstaining from any vote on the council tax the Chairman called for a recorded vote which was carried with the voting being as follows:

FOR	AGAINST	ABSTAIN
Anna Badcock		Sue Cooper
Charles Bailey		Stefan Gawrysiak
Joan Bland		Mocky Khan
Felix Bloomfield		David Turner
Kevin Bulmer		
Nigel Champken-Woods		
Steve Connel		
Pat Dawe		
Anthony Dearlove		
David Dodds		
Paul Harrison		
Lorraine Hillier		
Lynn Lloyd		
Jane Murphy		
Toby Newman		
Caroline Newton		
David Nimmo-Smith		
Ian Snowdon		
Alan Thompson		
John Walsh		
Ian White		
21	0	4

RESOLVED:

1. To note that at its meeting on 20 December 2018 the council calculated the council tax base 2019/20:
 - (a) for the whole council area as 56,793.3 [Item T in the formula in Section 31B of the Local Government Finance Act 1992, as amended (the “Act”)]; and
 - (b) for dwellings in those parts of its area to which a parish precept relates as in column 1 of appendix 1.
2. That the council tax requirement for the council’s own purposes for 2019/20 (excluding parish precepts) is £6,885,620

3. That the following amounts be calculated for the year 2019/20 in accordance with Sections 31 to 36 of the Act:
 - (a) £81,226,555 being the aggregate of the amounts which the council estimates for the items set out in Section 31A(2) of the Act taking into account all precepts issued to it by parish councils.
 - (b) £69,196,498 being the aggregate of the amounts which the council estimates for the items set out in Section 31A(3) of the Act.
 - (c) £12,030,057 being the amount by which the aggregate at (3)(a) above exceeds the aggregate at (3)(b) above, calculated by the council, in accordance with Section 31A(4) of the Act as its council tax requirement for the year. (Item R in the formula in Section 31B of the Act).
 - (d) £211.82 being the amount at (3)(c) above (Item R), all divided by Item T (1(a) above), calculated by the council, in accordance with Section 31B of the Act, as the basic amount of its council tax for the year (including parish precepts).
 - (e) £5,144,437 being the aggregate amount of all special items referred to in Section 34(1) of the Act, as set out in column 2 of appendix 1.
 - (f) £121.24 being the amount at (3)(d) above less the result given by dividing the amount at (3)(e) above by Item T (1(a) above), calculated by the council, in accordance with Section 34(2) of the Act, as the basic amount of its council tax for the year for dwellings in those parts of its area to which no parish precept relates.

4. That for the year 2019/20 Oxfordshire County Council has stated the following amounts in precepts issued to the council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below:

Band A	£979.22
Band B	£1,142.42
Band C	£1,305.63
Band D	£1,468.83
Band E	£1,795.24
Band F	£2,121.64
Band G	£2,448.05
Band H	£2,937.66

5. To note that for the year 2019/20 the Police and Crime Commissioner for Thames Valley has stated the following amounts in precepts issued to the council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below:

Band A	£137.52
Band B	£160.44
Band C	£183.36
Band D	£206.28
Band E	£252.12
Band F	£297.96
Band G	£343.80
Band H	£412.56

6. That the council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the aggregate amounts shown in appendix 3 as the amounts of council tax for 2019/20 for each part of its area and for each of the categories of dwellings shown in appendix 3.
7. To determine that the council's basic amount of council tax for 2019/20 is not excessive in accordance with principles approved under Section 52ZB Local Government Finance Act 1992.

64 Pay Policy Statement 2019/20

Council considered the report of the head of corporate services on the adoption of a pay policy statement to meet the requirements of the Localism Act.

RESOLVED: to approve the pay policy statement for 2019/20 attached to the report of the head of corporate services to Council on 14 February 2019.

65 Questions on notice

Question from Councillor Sue Cooper to Councillor Jane Murphy, Leader of the council:

“What has South Oxfordshire District Council done in terms of analysing the potential impact of Brexit on those who live or work in the district, particularly EU nationals or those who work for organisations which depend on EU member status which will be impacted by Brexit”?

Answer

Councillor Murphy responded as follows:

South Oxfordshire District Council is engaging with national and regional organisations, other local authorities and the business community to analyse the impact of exiting the EU. Officers have attended cross-government workshops detailing central government preparations and key issues for local government by senior civil servants. Engagement at the sub regional level has been through officer networks and the Local Resilience Forum.

The Home Office are leading on the settled and pre-settled status scheme and have devised an application process for EU residents to complete. Information is available online (gov.uk) Oxfordshire County Council have had contact about the role they can play to support local EU residents when the application system goes live. In January 2019 HM Government removed the £65 fee for EU citizens who wish to stay in the UK after Brexit.

Some organisations rely on EU member status to enable European co-operation and access to funding streams to play a significant part in Oxfordshire's innovation economy. However, the largest EU funding stream for science and innovation, Horizon 2020 is, by design 'open to the world' and has agreements in place for detailed co-operation with a range of non-EU countries.

Supplementary question

In response to a supplementary question, Councillor Murphy responded that she could not provide any assurance regarding the impact of Brexit on individuals but repeated that officers were engaged in an analysis of the impact of exiting the EU.

66 Motions on notice

No motions were submitted by councillors under Council procedure rule 38.

67 Report of the leader of the council

Councillor Jane Murphy, Leader of the council, provided an update on a number of matters. The text of her address is available on the council's [website](#).

The meeting closed at 7.05pm

Chairman

Date

Treasury activity

10. The mid-year performance of the two councils is summarised in the tables below¹.

	South	Treasury investments £000	Non-treasury loan £000	Sub Total £000	Property investment £000	Overall total £000
1	Average investment balance	149,265	15,000	164,265	5,075	169,340
2	Budgeted investment income	1,160	311	1,471	194	1,665
3	Actual investment income	818	312	1,130	196	1,326
4	surplus/(deficit) (3) - (2)	(342)	1	(341)	2	(339)
5	Annualised rate of return	1.10%	4.16%	1.38%	7.72%	1.57%

	Vale	Treasury investments £000	Property investment £000	Overall total £000
1	Average investment balance	73,370	8,442	81,812
2	Budgeted investment income	225	225	450
3	Actual investment income	400	323	723
4	surplus/(deficit) (3) - (2)	175	98	273
5	Annualised rate of return	1.09%	5.33%	1.77%

For property, the balance shown is the fair value of investment properties as at 31 March 2018.

Cabinet Report



Listening Learning Leading

Report of Head of Planning

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Wards affected: Cholsey

Cabinet member responsible: Cllr. Felix Bloomfield

Tel: 01491 832690

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To: CABINET

Date: 9 April 2019

Making the Cholsey Neighbourhood Development Plan

Recommendations:

That Cabinet recommends to Council:

1. To make the Cholsey 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 Cholsey 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. Cholsey Parish Council successfully applied for the 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 Cholsey 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) The deletion of Policy CNP H6 as the policy wording is considered to be unduly restrictive and as such does not have regard to national policy. The modification also included the deletion of the associated supporting text.
 - (b) Separating the two components of the policy CNP H3 (range and mix of homes required and support for self-build). This approach will focus the range and mix element of the policy on the allocated sites and will naturally allow self-build and custom build homes to come forward on other sites in the neighbourhood area.
8. Having considered the examiner's recommendations and reasons for them the Cabinet Member for Planning decided on 24 January 2019:
 1. To accept all modifications recommended by the Examiner;
 2. to determine that the Cholsey 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 Cholsey Neighbourhood Development Plan to referendum.
9. The modifications to the plan were made and the referendum version of the Plan was published on 31 January 2019 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 24 January 2019 (referred to in paragraph 8), published in the decision statement issued on 31 January 2019 (referred to in paragraph 9), confirmed that the Cholsey 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 Cholsey 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 Cholsey Neighbourhood Development Plan was held on Thursday 14 March 2019.
16. The question which was asked in the Referendum was: *"Do you want South Oxfordshire District Council to use the Neighbourhood Plan for Cholsey to help it decide planning applications in the neighbourhood area?"*
17. The result was as follows:
 - a. Yes = 931 votes (95.6%)
 - b. No = 43 votes (4.4%)
 - c. Turnout = 32.7%
18. The majority of local electors voted in favour of the plan; therefore, the Cholsey 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 Cholsey Neighbourhood Development Plan so that it continues to be part of the council's development plan.

Financial Implications

20. The Government makes funding available to local authorities to help them meet the cost of their responsibilities around neighbourhood planning. A total of £20,000 can be

claimed for each neighbourhood planning area. The council becomes eligible to apply to receive this single payment once a date is set for the referendum, after a successful examination. The Government grant funds the process of progressing neighbourhood plans through the formal stages, including the referendum. Any costs incurred in the formal stages in excess of £20,000 is borne by the council. Staffing costs associated with supporting community groups and progressing neighbourhood plans through the formal stages are funded by the council.

Legal Implications

21. The decision to make the Cholsey 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 Cholsey 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 Cholsey 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 24 January 2019, the council decided:

1. To accept all modifications recommended by the Examiner;
2. to determine that the Cholsey 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 Cholsey Neighbourhood Development Plan to referendum.

25. The local referendum was held on 14 March 2019 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 Cholsey Neighbourhood Development Plan is made.

Cabinet Report



Listening Learning Leading

Report of Head of Planning

Author: Ricardo Rios

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Wards affected: Cholsey

Cabinet member responsible: Cllr. Felix Bloomfield

Tel: 01491 832690

E-mail: felix.bloomfield@southoxon.gov.uk

To: CABINET

Date: 9 April 2019

Making the East Hagbourne Neighbourhood Development Plan

Recommendations:

That Cabinet recommends to Council:

1. To make the East Hagbourne 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 East Hagbourne 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. East Hagbourne Parish Council successfully applied for the 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 East Hagbourne 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) The deletion of Policy VC1b and supporting text as there isn't sufficient justification for the application of a specific policy beyond the range of national and local policies that are available to safeguard the matters identified within the proposed local gap.
 - (b) Modifications to Policy VC5 to distinguish between Designated Heritage Assets and Non-Designated Heritage Assets within the policy. This is to ensure the policy has regard to advice contained in the National Planning Policy Framework.
 - (c) Modifications to Policy CF2 to identify the key East Hagbourne community facilities in the policy.
8. Having considered the examiner's recommendations and reasons for them the Cabinet Member for Planning decided on 24 January 2019:
 1. To accept all modifications recommended by the Examiner;
 2. to determine that the East Hagbourne 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 East Hagbourne Neighbourhood Development Plan to referendum.
9. The modifications to the plan were made and the referendum version of the Plan was published on 31 January 2019 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 24 January 2018 (referred to in paragraphs 8), published in the decision statement issued on 31 January 2019 (referred to in paragraph 9), confirmed that the East Hagbourne 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 East Hagbourne 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 East Hagbourne Neighbourhood Development Plan was held on Thursday 14 March 2019.
16. The question which was asked in the Referendum was: *"Do you want South Oxfordshire District Council to use the Neighbourhood Plan for East Hagbourne to help it decide planning applications in the neighbourhood area?"*
17. The result was as follows:
 - a. Yes = 360 votes (93.5%)
 - b. No = 25 (6.5%)
 - c. Turnout = 41.3%
18. The majority of local electors voted in favour of the plan; therefore, the East Hagbourne 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 East Hagbourne Neighbourhood Development Plan so that it continues to be part of the council's development plan.

Financial Implications

20. The Government makes funding available to local authorities to help them meet the cost of their responsibilities around neighbourhood planning. A total of £20,000 can be claimed for each neighbourhood planning area. The council becomes eligible to apply to receive this single payment once a date is set for the referendum, after a successful examination. The Government grant funds the process of progressing neighbourhood plans through the formal stages, including the referendum. Any costs incurred in the formal stages in excess of £20,000 is borne by the council. Staffing costs associated with supporting community groups and progressing neighbourhood plans through the formal stages are funded by the council.

Legal Implications

21. The decision to make the East Hagbourne 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 East Hagbourne 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 East Hagbourne 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 24 January 2019, the council decided:

1. To accept all modifications recommended by the Examiner;
2. to determine that the East Hagbourne 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 East Hagbourne Neighbourhood Development Plan to referendum.

25. The local referendum was held on 14 March 2019 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 East Hagbourne Neighbourhood Development Plan is made.

Background Papers

None

Cabinet Report



Listening Learning Leading

Report of Head of Planning

Author: Ricardo Rios

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Wards affected: Watlington

Cabinet member responsible: Cllr. Felix Bloomfield

Tel: 01491 832690

E-mail: felix.bloomfield@southoxon.gov.uk

To: CABINET

Date: 9 April 2019

Making the Pyrton Neighbourhood Development Plan

Recommendations:

That Cabinet recommends to Council:

1. To make the Pyrton 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 Pyrton 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. Pyrton Parish Council successfully applied for the 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 Pyrton 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. Timothy Jones 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) A number of modifications have been made to ensure the Plan does not promote excessively low density development. The changes made to the Plan ensure it promotes efficient use of land as required by national and local strategic policies whilst also being able to adequately address development in sensitive locations, where lower densities may be justified.
 - (b) The Plan has been factually updated in various places following the recent adoption of the Pyrton Conservation Area Appraisal and the revised Conservation Area boundary.
 - (c) The Plan has also been factually updated in various places to acknowledge the fact that the council can demonstrate a 5 Year Housing Land Supply.
8. Having considered the examiner's recommendations and reasons for them, the Cabinet Member for Planning decided on 24 January 2019:
 1. To accept all modifications recommended by the Examiner;
 2. to determine that the Pyrton 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 Pyrton Neighbourhood Development Plan to referendum.
9. The modifications to the plan were made and the referendum version of the Plan was published on 31 January 2019 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 24 January 2019 (referred to in paragraph 8), published in the decision statement issued on 31 January 2019 (referred to in paragraph 9), confirmed that the Pyrton 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 Pyrton 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 Pyrton Neighbourhood Development Plan was held on Thursday 14 March 2019.
16. The question which was asked in the Referendum was: *"Do you want South Oxfordshire District Council to use the Neighbourhood Plan for Pyrton to help it decide planning applications in the neighbourhood area?"*
17. The result was as follows:
 - a. Yes = 76 votes (98.7%)
 - b. No = 1 vote (1.3%)
 - c. Turnout = 49.04 %
18. The majority of local electors voted in favour of the plan; therefore, the Pyrton 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 Pyrton Neighbourhood Development Plan so that it continues to be part of the council's development plan.

Financial Implications

20. The Government makes funding available to local authorities to help them meet the cost of their responsibilities around neighbourhood planning. A total of £20,000 can be claimed for each neighbourhood planning area. The council becomes eligible to apply to receive this single payment once a date is set for the referendum, after a successful examination. The Government grant funds the process of progressing neighbourhood plans through the formal stages, including the referendum. Any costs incurred in the formal stages in excess of £20,000 is borne by the council. Staffing costs associated with supporting community groups and progressing neighbourhood plans through the formal stages are funded by the council.

Legal Implications

21. The decision to make the Pyrton 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 Pyrton 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 Pyrton 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 24 January 2019, the council decided:

1. To accept all modifications recommended by the Examiner;
2. to determine that the Pyrton 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 Pyrton Neighbourhood Development Plan to referendum.

25. The local referendum was held on 14 March 2019 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 Pyrton Neighbourhood Development Plan is made.

Background Papers

None



Listening Learning Leading

Record of Cabinet portfolio holder decision

Local Government Act 2000 and the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

Decision made by	Councillor Lynn Lloyd
Key decision?	No
Date of decision (same as date form signed)	
Name and job title of officer requesting the decision	Donna Pentelow, Head of Community Services
Officer contact details	Tel: 01235 422683 Email: donna.pentelow@southandvale.gov.uk
Decision	<ol style="list-style-type: none"> 1. To support Oxfordshire being a host venue for the OVO Energy Women's Tour in 2019, 2020 and 2021. 2. To agree a virement from contingency of £26,666 to pay the council's share of the hosting fee for year one of the event in 2019. 3. To agree that any delivery costs for year one (2019) that cannot be funded through existing budgets, will be met from in year underspends or, if required, by further virement from contingency. 4. To recommend to Council to agree to fund the council's share of the hosting fee a sum of £26,666 for years two and three (2020 and 2021). 5. To authorise the Head of Community Services, in consultation with the Cabinet Member for Community Services, to engage with the event organisers and multi-agency delivery team to facilitate the OVO Energy Women's Tour in 2019, 2020, and 2021.
Reasons for decision	Oxfordshire have secured an agreement with the event organisers of the OVO Energy Women's Tour. The OVO Energy Women's Tour is the UK's biggest and most prestigious women's bike race. A founder member of the UCI Women's WorldTour, the race attracts the world's top cyclists - including Olympic and World Champions - to compete on British roads over five days each June.

	<p>All the councils in Oxfordshire have agreed in principle at an Oxfordshire Leaders meeting on 4 March to Oxfordshire being a host venue for the next three years. This will include hosting the overall start and finish in 2020 and 2021 and hosting a stage in 2019. This is being led by Oxfordshire County Council (OCC) who will contract with the event organiser, SweetSpot.</p> <p>The OVO Energy Women's Tour presents an exciting opportunity to showcase the county, and to maximise the potential economic value, building on the successes of Science Vale UK, and the recent government announcement of significant investment in transport infrastructure for southern Oxfordshire. SweetSpot estimate the economic benefits of their 2018 events (which include The Tour of Britain, the Women's Tour and RideLondon) as being in excess of £32million.</p> <p>The OVO Energy Women's Tour will also bring energy and focus to engage with local communities around the health and wellbeing agenda.</p>
Alternative options rejected	<p>Do not agree to be part of the host venue (Oxfordshire) This has been rejected due to the economic and social benefits of this major event coming through our districts.</p> <p>The tour provides an exciting opportunity to engage with local communities and cycling groups particularly around the health and wellbeing agenda.</p> <p>SweetSpot estimate the economic benefits of their 2018 events (which include The Tour of Britain, the Women's Tour and RideLondon) as being in excess of £32million, so South and Vale have the opportunity to maximise the potential value the tour can bring both economically and socially.</p>
Legal implications	<p>This is being led by Oxfordshire County Council (OCC) who will contract with the event organiser, SweetSpot. The contract between OCC and SweetSpot is being finalised.</p> <p>The council will need to enter into a funding agreement with OCC to protect the council.</p>
Financial implications	<p>South Oxfordshire's share for year one of the event, 2019, will be £26,666 to be funded via a virement from contingency. Officers are not expecting significant additional delivery costs. However, sponsorship will be sought for the event, which would offset any delivery costs should they be incurred.</p>
Other implications	<p>As well as the event delivery, officers will be engaging with local communities and cycling groups particularly around</p>

	volunteering and the health and wellbeing agenda and so South and Vale can maximise the potential value the tour can bring economically and socially. SweetSpot estimate the economic benefits of their 2018 events (which include The Tour of Britain, the Women's Tour and RideLondon) as being in excess of £32million.			
Background papers considered	None			
Declarations/conflict of interest? Declaration of other councillor/officer consulted by the Cabinet member?	None			
List consultees		Name	Outcome	Date
	Ward councillors			
	Legal	Pat Connell	Suggested modifications incorporated	15.03.19
	Finance	Simon Hewings	Suggested modifications incorporated	15.03.19
	Human resources			
	Sustainability			
	Diversity and equality	Cheryl Reeves	Agreed	14.03.19
	Communications	Andy Roberts	Agreed	14.03.19
	SMT	Andrew Down Adrianna Partridge	Suggested modifications incorporated	18.03.19
Confidential decision? If so, under which exempt category?	No			
Call-in waived by Scrutiny Committee chairman?	N/A			
Has this been discussed by Cabinet members?	Yes @ Cabinet Briefing 19/3/19			
Cabinet portfolio holder's signature To confirm the decision as set out in this notice.	Signature <u>h. Lloyd</u> Date <u>19/3/19</u>			

ONCE SIGNED, THIS FORM MUST BE HANDED TO DEMOCRATIC SERVICES IMMEDIATELY.

For Democratic Services office use only		
Form received	Date: 19-3-19	Time: 12:00
Date published to all councillors	Date: 19-3-19	
Call-in deadline	Date: NOT APPLICABLE	Time: —