

# Cabinet Report



Listening Learning Leading

Report of Head of Policy and Programmes

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To: CABINET

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## **Oxfordshire Plan 2050 ceasing production and implications for the Joint Local Plan and Local Development Scheme**

### **Recommendations**

That Cabinet:

- (a) Formally note the cessation of work on the Oxfordshire Plan 2050.
- (b) Approve the updated Joint Local Development Scheme (December 2022) attached at Appendix 1.
- (c) Subject to recommendation (b), authorise the Head of Policy and Programmes in consultation with the Cabinet member for Planning, to make any updates to the Joint Local Development Scheme.

### **Purpose of Report**

1. To provide an update on the Oxfordshire Plan 2050, noting that that the production of the Oxfordshire Plan has ceased, and that as a result, the emerging Oxfordshire Plan will not form part of the development plan for South Oxfordshire.
2. As a consequence the Local Development Scheme (LDS), which sets out what the development plan consists of and contains the timetable for the production of new

development plan documents, needs updating. The proposed changes are made in the updated Joint Local Development Scheme (December 2022), included at **Appendix 1**.

## Corporate Objectives

3. Protect and restore our natural world – the Oxfordshire Plan 2050 would have included a strategic policy on enhancing biodiversity and nature recovery. These policies will now be developed at a local level through the Joint Local Plan and neighbourhood plans.
4. Action on the climate emergency – the Oxfordshire Plan 2050 would have included a strategic policies on zero carbon targets, mitigating and adapting to climate change, enhancing biodiversity, circular economy, nature recovery, air quality and active travel. These policies will now be developed at a local level through the Joint Local Plan and neighbourhood plans.
5. Improved economic and community well-being – the Oxfordshire Plan 2050 would have included strategic policies including economic recovery of centres, connected communities with sustainable transport and green infrastructure. These policies will now be developed at a local level through the Joint Local Plan and neighbourhood plans.
6. Homes and infrastructure that meet local need – the Oxfordshire Plan 2050 would have included strategic policies setting the housing requirement to 2050, and the broad locations for strategic scale development in Oxfordshire. To establish the housing need, an Oxfordshire Growth Needs Assessment was in development to inform decision making in the Oxfordshire Plan. This project was not completed. The evidence will now be developed at a local level, and policies to address homes and infrastructure that meet local need will be developed through the Joint Local Plan and neighbourhood plans.

## Background

7. The council had previously authorised our participation in the development of the Oxfordshire Plan 2050 alongside other districts.
8. At a Council meeting of 15 February 2018, it was agreed:

*to participate in the preparation of a Joint Statutory Spatial Plan (the previous name for the Oxfordshire Plan) for Oxfordshire in accordance with the timescales set out in the Delivery Plan and in accordance with Section 28 of the Planning and Compulsory Purchase Act 2004. The milestones for progressing the JSSP being contingent on Government delivering the Planning Freedoms and Flexibilities as described in the Delivery Plan.*

9. At a Cabinet meeting of 27 September 2018:

*a Local Development Scheme (LDS) was approved for the Joint Statutory Spatial Plan.*

10. Between late 2018 and summer 2022, work took place to develop the Joint Statutory Spatial Plan (later re-named the Oxfordshire Plan 2050). This included establishing a

core team of officers who were mostly seconded from the local authorities, commissioning evidence studies on strategic planning matters, and holding two public consultations (Introducing the Oxfordshire Plan - February 2019, and the Oxfordshire Plan Regulation 18 (Part 2) Consultation - July 2021). The work was overseen by a Member Advisory Group made up of a councillor from each authority, which reported progress at Future Oxfordshire Partnership meetings.

11. The next planned step was to have a further Oxfordshire Plan Regulation 18 (Part 3) consultation in autumn 2022, which would have preferred options for housing need and broad locations for development.
12. On 3 August 2022 all District and City leaders of the Oxfordshire Councils agreed that they were unable to reach agreement on the approach to planning for future housing needs within the framework of the Oxfordshire Plan. This meant that the Oxfordshire Plan 2050 work programme ended, and we have commenced our transition to a process focused on Local Plans. This was confirmed in a Joint Statement published on each Council's website as follows:

*Joint statement from the leaders of South Oxfordshire District Council, Vale of White Horse District Council, Cherwell District Council, Oxford City Council, and West Oxfordshire District Council*

*"The five Local Planning authorities in Oxfordshire have been working together on a joint plan for Oxfordshire to 2050. It is with regret that we were unable to reach agreement on the approach to planning for future housing needs within the framework of the Oxfordshire Plan.*

*Local Plans for the City and Districts will now provide the framework for the long term planning of Oxfordshire. The Oxfordshire Plan 2050 work programme will end and we will now transition to a process focused on Local Plans. The issues of housing needs will now be addressed through individual Local Plans for each of the City and Districts. The Councils will cooperate with each other and with other key bodies as they prepare their Local Plans."*

13. The process of preparing a submission version consultation (a Regulation 19 version) of the Oxfordshire Plan 2050, and submitting that plan for an examination, will no longer be progressed, and no further Council scrutiny and approval for the Oxfordshire Plan will be progressed.
14. A key implication of the decision to stop progress on the Oxfordshire Plan is that the Joint Local Plan timetable will need to be reconsidered. Some of the important pieces of evidence that were being prepared with the Oxfordshire Plan 2050 such as the evidence on housing need and employment need, will now need to be commissioned and prepared by us. The Oxfordshire Plan 'call for ideas' submissions will need to be incorporated into the Joint Local Plan's Housing and Economic Land Availability Assessment. This means that additional time is required for the procurement and development of evidence at a local level and involve members through steering group and roundtable sessions before the next consultation can take place.
15. Our current Local Development Scheme was approved in May 2022. It included the Oxfordshire Plan preparation timetable within it, as well as the Ox-Cam Arc Spatial Framework timetable, which appears to be on hold. When we last updated our LDS in

May 2022, the latest version of the separate Oxfordshire Plan LDS was the 15 June 2021 version, therefore our current LDS included that timetable.

16. The Local Development Scheme needed to be revised to remove references to the Oxfordshire Plan and the Arc Spatial Framework and their timetables. Since the last LDS was approved there have also been other changes such as new made Neighbourhood Plans or progress on Neighbourhood Plans, and these parts of the LDS need to be kept up to date. For completeness the Conservation Area Character Appraisal SPDs have been added to the Supplementary Planning Document list. The proposed changes are made in the updated Joint Local Development Scheme (December 2022), included at **Appendix 1**.
17. On the Joint Local Plan timetable, to allow for new studies to be commissioned and progressed and to take account of the local election period, the planned early 2023 Regulation 18 consultation on the Joint Local Plan is recommended for August/September 2023 instead. Submission of the Joint Local Plan is now recommended for January 2025 rather than January 2024, and adoption of the Joint Local Plan is recommended for September 2025 rather than October 2024. In total this is an extension of the LDS timetable for the Joint Local Plan of 11 months.

## Options

18. There are no other options to ceasing production of the Oxfordshire Plan 2050. The cessation of work in August 2022 was a unanimous decision of the district and city councils in Oxfordshire, as set out in the joint statement (paragraph 12 above). All partners have ceased their participation in its development.
19. There is a '**do-nothing**' option for the LDS approval, because the LDS update can be rejected and not approved. We are legally required to have a LDS (see Legal Implications at paragraph 29 below) but the do-nothing option could be a rejection of Appendix 1 in favour of sticking with the out-of-date timetable that is published on the Council's website (not recommended).
20. There is an **alternative** option of approving an LDS with a different timetable for the production of the Joint Local Plan. This is not recommended because the proposed timetable reflects the work that needs to be carried out resulting from the end of the Oxfordshire Plan before the next public consultation can take place. This work includes commissioning some new evidence and developing preferred policy options. The revised timetable takes account of all likely influences on the timetable (like elections) to the best of our current knowledge.

## Climate and ecological impact implications

21. Addressing climate change was a core theme of the emerging Oxfordshire Plan 2050 and we had much influence over the development of that as a strong, central part of the plan, as shown for example in the Oxfordshire Plan 2050 Regulation 18 Part 2 consultation document. However, the scope in the Joint Local Plan to shape and develop policies which are leading the way nationally on climate and ecological action is even stronger under the Joint Local Plan.
22. Cross-boundary work on climate and biodiversity will continue, including through the Future Oxfordshire Partnership's Environment Advisory Group, the Local Nature Partnership for Oxfordshire, and the responsibilities for the County Council arising

from the Environment Act to draw up a Local Nature Recovery Strategy and a mapped Nature Recovery Network. On climate action, joint work is already underway to develop the Pathways to a Net Zero Carbon Oxfordshire work. Although strategic planning policies will not be developed to achieve policy consistency across Oxfordshire, this is offset by the opportunity to create policies for the district that mesh with the corporate plan. There are therefore no significant implications of the decision to cease the Oxfordshire Plan production.

23. There are no climate or ecological implications resulting from the changes to the LDS.

## **Financial Implications**

24. The council has already set aside funding to cover the costs of preparing the Joint Local Plan (so too have Vale Council), and for consulting on it at key stages. No additional funding is envisaged to support the recommendations.

25. There will also be some additional financial costs because we now need to commission new studies to support the Joint Local Plan, to replace studies that were being done Oxfordshire-wide for the Oxfordshire Plan. However, it was looking likely that districts would be asked to contribute funding for some remaining Oxfordshire Plan studies, a cost which will no longer be required.

26. We also have avoided the risk of any abortive costs on evidence that may not have been agreed by all Districts if the Oxfordshire Plan had been continued.

27. The decision to add an 11 month longer timescale for the production of the Joint Local Plan will increase staffing costs associated with the plan. This is because the planning policy team will continue to work on the Joint Local Plan project for longer, which will mean that other smaller projects need to wait until the Joint Plan is adopted (an opportunity cost).

28. This is balanced against the savings of staff and councillor time from not having a heavy commitment of Oxfordshire Plan work. The return of planning policy team members from their secondments to the Oxfordshire Plan core team is welcomed. These were staffing costs that had not been reimbursed since the end of March 2021.

## **Legal Implications**

29. The Planning and Compulsory Purchase Act 2004 (as amended) requires local planning authorities to produce a local plan for their area. The Local Development Scheme sets out the timetable for the production of that Local Plan (the Joint Local Plan).

30. Legal support and advice have been received where required to inform the progress of both the Oxfordshire Plan and the Joint Local Plan.

## **Risks**

31. We are preparing a Joint Local Plan with Vale of White Horse District Council, and an accompanying Joint Local Development Scheme. As one of two cabinets considering the revisions to the LDS for approval (Vale Cabinet is Friday 2 December), there is a risk that Vale's Cabinet does not approve the LDS. If so, this would require further

discussions between the Head of Service and Cabinet Members to resolve any outstanding issues. This is considered a low and manageable risk.

32. There is no clarity yet about the timing of a potential general election in 2024, which could impact on the delivery of the Joint Local Plan timetable. This could either cause a delay, or more positively, provide the opportunity for the Regulation 19 consultation to be brought forward. This depends on the timing of the general election and the progress of the Plan.

### **Other implications**

33. The government could make reforms to the planning system, through the Levelling-up and Regeneration Bill (currently at the report stage in the House of Commons) and also through changes to national policy, including amendments to the National Planning Policy Framework. These include possible changes to the way local plans are produced, and their scope. If that happens there is a risk of needing further updates to the LDS. Until we know what these changes are, we would not advise any specific contingency measures, however officers will monitor this and will keep councillors briefed.

### **Conclusion**

34. The decision to stop the production of the Oxfordshire Plan does not impact on our ability to achieve any relevant corporate plan objectives because we can prepare policy at the local level. The new Local Development Scheme provides an important update for the public and stakeholders on how and when the Council will develop policy in a post-Oxfordshire Plan era.

### **Background Papers**

None