



County Council

4 May 2020

Agenda

*If you wish to view proceedings please click on this [live stream link](#).
However, that will not allow you to participate in the meeting.*

Declarations of Interest

The duty to declare.....

Under the Localism Act 2011 it is a criminal offence to

- (a) fail to register a disclosable pecuniary interest within 28 days of election or co-option (or re-election or re-appointment), or
- (b) provide false or misleading information on registration, or
- (c) participate in discussion or voting in a meeting on a matter in which the member or co-opted member has a disclosable pecuniary interest.

Whose Interests must be included?

The Act provides that the interests which must be notified are those of a member or co-opted member of the authority, **or**

- those of a spouse or civil partner of the member or co-opted member;
- those of a person with whom the member or co-opted member is living as husband/wife
- those of a person with whom the member or co-opted member is living as if they were civil partners.

(in each case where the member or co-opted member is aware that the other person has the interest).

What if I remember that I have a Disclosable Pecuniary Interest during the Meeting?.

The Code requires that, at a meeting, where a member or co-opted member has a disclosable interest (of which they are aware) in any matter being considered, they disclose that interest to the meeting. The Council will continue to include an appropriate item on agendas for all meetings, to facilitate this.

Although not explicitly required by the legislation or by the code, it is recommended that in the interests of transparency and for the benefit of all in attendance at the meeting (including members of the public) the nature as well as the existence of the interest is disclosed.

A member or co-opted member who has disclosed a pecuniary interest at a meeting must not participate (or participate further) in any discussion of the matter; and must not participate in any vote or further vote taken; and must withdraw from the room.

Members are asked to continue to pay regard to the following provisions in the code that *“You must serve only the public interest and must never improperly confer an advantage or disadvantage on any person including yourself”* or *“You must not place yourself in situations where your honesty and integrity may be questioned.....”*.

Please seek advice from the Monitoring Officer prior to the meeting should you have any doubt about your approach.

List of Disclosable Pecuniary Interests:

Employment (includes *“any employment, office, trade, profession or vocation carried on for profit or gain”*.), **Sponsorship, Contracts, Land, Licences, Corporate Tenancies, Securities.**

For a full list of Disclosable Pecuniary Interests and further Guidance on this matter please see the Guide to the New Code of Conduct and Register of Interests at Members’ conduct guidelines.

<http://intranet.oxfordshire.gov.uk/wps/wcm/connect/occ/Insite/Elected+members/> or contact Glenn Watson on **07776 997946** or glenn.watson@oxfordshire.gov.uk for a hard copy of the document.

If you have any special requirements (such as a large print version of these papers or special access facilities) please contact the officer named on the front page, but please give as much notice as possible before the meeting.

To: Members of the County Council

Notice of a Meeting of the County Council

Monday, 4 May 2020 at 10.30 am

***Due to guidelines imposed on social distancing by the Government
this meeting will be held remotely***

*Due to the current guidelines regarding social distancing this meeting of the County Council will be held remotely. Normally requests to speak at a public meeting are requested by 9 am on the preceding day to the published date of a meeting. However, during the current situation and to facilitate these new arrangements we are asking that requests to speak are submitted by 9am **four** working days before the meeting i.e. 9 am on Wednesday 29 April together with a transcript of your presentation emailed to deborah.miller@oxfordshire.gov.uk*

***If you wish to view proceedings please click on this [live stream link](#).
However, that will not allow you to participate in the meeting.***



Yvonne Rees
Chief Executive

April 2020

Committee Officer: **Deborah Miller**
Tel: 07920 084239; E-Mail: deborah.miller@oxfordshire.gov.uk

In order to comply with the Data Protection Act 1998, notice is given that the meeting will be recorded. The purpose of recording proceedings is to provide an *aide-memoire* to assist the clerk of the meeting in the drafting of minutes.

AGENDA

1. Minutes (Pages 1 - 14)

To approve the minutes of the meeting held on 11 February 2020 (CC1) and to receive information arising from them.

2. Apologies for Absence

3. Declarations of Interest - see guidance note

Members are reminded that they must declare their interests orally at the meeting and specify (a) the nature of the interest and (b) which items on the agenda are the relevant items. This applies also to items where members have interests by virtue of their membership of a district council in Oxfordshire.

4. Chairman's Announcements

5. Petitions and Public Address

6. Constitution Changes (Pages 15 - 26)

Report by the Director for Law & Governance (CC6)

The report sets out for information proposed temporary changes necessary for the effective running of remote meetings during the restrictions brought about by the corona virus pandemic. The changes are in line with, and give practical effect to, The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 that came into force on 4 April 2020. The Regulations enable all local authority meetings before 7 May 2021 to be held remotely and removes the requirement for the annual meeting this year.

Council is RECOMMENDED to:

- (a) Note the amendments set out in the Annex that the Monitoring Officer has made following publication of the Regulations to give effect to the principles of open decision making and public engagement;**
- (b) Determine whether an Annual Council meeting be held remotely;**
- (c) Note the emergency powers set out at Annex 3;**
- (d) Agree that the Director of Law and Governance in consultation with the**

Chairman of the Council be authorised to make minor changes to the process and, as necessary, the Constitution in the light of practical experience of remote working.

7. Appointment of Monitoring Officer on an Interim basis

Report by the Chief Executive (CC7) **REPORT TO FOLLOW**

As a result of the current Monitoring Officer, Nick Graham, leaving the Council it is necessary for the Council to re-appoint an officer to this statutory role. The report sets out the procedural requirements in making such an appointment.

8. Members' Allowances Scheme 2020/21 (Pages 27 - 28)

Report by the Director for Law and Governance (CC8)

Each year, the Council must approve a Members' Allowances Scheme. Before doing so it must consider the views of its Independent Remuneration Panel.

The COVID-19 restrictions on holding meetings have legally prevented Council from meeting until now to consider adopting a Scheme for 2020/21. The report sets out proposals for approving a scheme this year in light of the pandemic.

Council is RECOMMENDED to:

- (a) to agree that the Members' Scheme of Allowances for 2020/21 should be the same as that which applied during 2019/20;***
- (b) to hold a further review of allowances once the business of the Council has sufficiently returned to normal following the COVID-19 pandemic, and in any case ahead of the May 2021 County elections.***

9. Oxfordshire Minerals And Waste Local Plan: Review Of Oxfordshire Statement Of Community Involvement (Pages 29 - 70)

Report by the Director for Planning & Place (CC9)

The Statement of Community Involvement (SCI) is a statutory planning document that sets out how Oxfordshire County Council will involve the community (consultees, stakeholders and other interested parties) in preparing and reviewing the Minerals and Waste Local Plan and making decisions on planning applications for minerals, waste and County Council developments. The Council must comply with its SCI in preparing local plan documents.

The current SCI was adopted by the Council in March 2015. The Town and Country Planning (Local Planning) (England) Regulations 2012(as amended) requires SCI's to be reviewed every 5 years. In view of these Regulations, and the legislative changes that have been made under the Neighbourhood Planning Act 2017, it is now an appropriate and relevant time to update the Statement of Community Involvement to incorporate these changes.

Council is RECOMMENDED to:

- (a) adopt the Oxfordshire Statement of Community Involvement with the amendments as shown in Annex 1; and**
- (b) delegate to the Corporate Director for Place and Growth the approval of the Oxfordshire Minerals and Waste Statement of Community Involvement at Annex 1, subject to any further minor changes to be made in consultation with the Cabinet Member for Environment.**

10. Dispensations

Section 85(1) Local Government Act 1972 requires a member of a Local Authority to attend at least one meeting of the Authority within a six month consecutive period, in order to avoid being disqualified as a Councillor.

Whilst no notification has been received by the Monitoring Officer seeking approval for an extension to the usual six month attendance rule, if at the date of the meeting there are any Councillors that, by virtue of not be able to attend, would fall foul of that rule, then Council is **RECOMMENDED** to grant a dispensation pursuant to S85(1) Local Government Act 1972 for such a Councillor.

OXFORDSHIRE COUNTY COUNCIL

MINUTES of the meeting held on Tuesday, 11 February 2020 commencing at 10.30 am and finishing at 3.30 pm.

Present:

Councillor Les Sibley – in the Chair

Councillors:

John Howson	Mike Fox-Davies	Charles Mathew
Jamila Begum Azad	Stefan Gawrysiak	Glynis Phillips
Hannah Banfield	Mark Gray	Susanna Pressel
David Bartholomew	Carmen Griffiths	Laura Price
Dr Suzanne Bartington	Pete Handley	Eddie Reeves
Tim Bearder	Jane Hanna OBE	G.A. Reynolds
Maurice Billington	Jenny Hannaby	Judy Roberts
Liz Brighthouse OBE	Neville F. Harris	Alison Rooke
Paul Buckley	Steve Harrod	Dan Sames
Kevin Bulmer	Damian Haywood	Gill Sanders
Nick Carter	Mrs Judith Heathcoat	John Sanders
Mark Cherry	Ian Hudspeth	Emily Smith
Dr Simon Clarke	Tony Ilott	Roz Smith
Yvonne Constance OBE	Bob Johnston	Lawrie Stratford
Ian Corkin	Liz Leffman	Dr Pete Sudbury
Arash Fatemian	Lorraine Lindsay-Gale	Alan Thompson
Neil Fawcett	Mark Lygo	Emma Turnbull
Ted Fenton	D. McIlveen	Michael Waine
Nicholas Field-Johnson	Kieron Mallon	Liam Walker
Mrs Anda Fitzgerald-O'Connor	Jeannette Matelot	Richard Webber

The Council considered the matters, reports and recommendations contained or referred to in the agenda for the meeting, together with additional papers circulated prior to the meeting and a Schedule of Addenda and decided as set out below. Except insofar as otherwise specified, the reasons for the decisions are contained in the agenda, reports, additional papers and schedule, copies of which are attached to the signed Minutes.

1/20 MINUTES
(Agenda Item 1)

The Minutes of the Meeting held on 5 November 2019 were approved and signed as an accurate record.

2/20 APOLOGIES FOR ABSENCE

(Agenda Item 2)

Apologies for absence were received from Councillor Sobia Afridi and Councillor Hilary Hibbert-Biles.

3/20 DECLARATIONS OF INTEREST

(Agenda Item 3)

Councillors Bartholomew, Gawrysiak, E. Smith, Thompson, Fawcett, Hannaby, Johnston, Webber, Rooke and Roberts, for the sake of transparency, declared non-pecuniary interests in Agenda Item 9 (Arrangements for SODC Local Plan following Holding Direction by the Secretary of State) on the basis that they were dual hatters.

4/20 OFFICIAL COMMUNICATIONS

(Agenda Item 4)

Council welcomed Councillor Pete Sudbury, newly elected County Councillor for Wallingford.

Council received a statement which outlined the latest guidance in relation to the Corona Virus.

Council sent its thoughts and warm wishes to Keith Mitchell and his family.

Council paid tribute and held a minute's silence in memory of former County Councillor and Chairman of the Council, Ann Spokes Symonds and former County Councillor Phillip (John) Baston.

The Chairman thanked members for their attendance at his Charity Concert which had raised money for the Soldiers of the Museum and the ABF Soldiers' Charity. The Chairman thanked Tim Stimpson and Sara Lenihan for their help in making the evening such a success.

5/20 APPOINTMENTS

(Agenda Item 5)

RESOLVED: Council noted the following appointments:

Performance Scrutiny Committee

Councillor Jeanette Matelot in place of Councillor Liam Walker.

Councillor Hudspeth had given notice of a number of changes to Cabinet Member portfolios and membership as set out in the Schedule of Business to the Meeting. The changes would come into effect come into effect on 1 February 2020.

6/20 PETITIONS AND PUBLIC ADDRESS

(Agenda Item 6)

Council received the following Petition and Public Address:

A Petition from Mrs Beverley Darlison, on behalf of the Milton Heights Action Group requesting that the Council take all necessary steps to preserve and maintain the care and support of those at Hft Milton Heights who were threatened with the impending closure of the site.

Public Addresses – Agenda Item 9

The Leader of South Oxfordshire District Council, Sue Cooper urged the Council to reject the officer recommendations on the basis that the Secretary of State removing of a statutory power from one local authority to another would have a very serious impact on local Democracy and working relationships. Within local government. There was no formal public decision of SODC to withdraw the emerging local plan; the directive from the SoS had delayed any further work on the plan and the housing infrastructure funding on much needed roads in Didcot. SODC agreed with the SoS that the Local Plan was unsatisfactory, so she was therefore bemused that the SoS had said that the local plan should proceed, it was inconsistent. SODC residents had voted against the plan in the elections in May. She further outlined concerns regarding the financial implications of the Council taking over the Local Plan in that Oxfordshire would get the money, but that it would come from SODC and they had no idea how much it would be. She reminded Council that they were all part of the Housing & Growth Deal and that they needed to work together in the interests of the residents of Oxfordshire and that SODC intended to recognise that and go along with the numbers in the deal.

Professor Richard Harding spoke against the recommendations on behalf of CPRE, who contended the plan on the basis that it was flawed. They believed the allocation of housing was far higher than was needed by any scientific or rational method, but crucially that the draft plan had no recognition of the climate emergency facing the country; no targets for emission reductions; it had no plans to protect and enhance the natural environment. The proposed housing around Oxford would severely damage the greenbelt. The plan was for a car-based society completely unsuited to the 21st century and would do immeasurable damage to the local environment and social fabric of South Oxfordshire. The last district election result of the ruling party being overturned was as a direct result of people objecting to the overdevelopment of SODC set out in the plan. SODC had a valid plan to 2027.

He believed the SoS Holding Direction which meant that SODC could not even debate their local plan, let alone withdraw or start a new plan was a complete denial of freedom of speech and local democracy.

Ms Alice Bragg, speaking on behalf of A Better South Oxfordshire against the recommendations to take over control of SODC local plan which would affect thousands of residents in SODC. The take over would not be because the Council had been deemed unfit such as Rotherum, although this intervention would suggest that they were. The recommendations would strip locally elected councillors of their ability to do their duty. She suggested that there needed to be very serious grounds to take this course of action and requested that the Council ask themselves the question of what it was SODC councillors had done to have their powers stripped from them, and that if they could not answer this question honestly and with all the information laid bear and that if they could not justify the enormity of what they were being asked to do to reject the recommendation.

Mr Mark Stevenson, The Clays Organic Market Garden spoke against the recommendations on the basis that the recommendation would have a profound impact on local democracy and the climate emergency. Residents of SODC elected councillors to act on their behalf. The previous Council had not, they had promised to protect the greenbelt and then didn't and the plan proposed more housing than was desired or required. The plan seemed to be more about creating profit for businesses than providing thriving sustainable communities. Therefore, local residents voted a new council in on the basis that they would fight against unsustainable development and work together to achieve it. In relation to Climate change he explained that building a new house on average omitted about 50 tonnes of CO₂. There was no room for unnecessary building. The poor energy performance of the current stock of houses, was in his opinion completely unnecessary as zero carbon development had been around since 2002. There was no attempt in LTP 2034 to recognise any bioregional awareness, water resilience or food security.

Ms Mandy Rigault, spoke against the recommendations on behalf of all the local residents who had rejected the Plan, on the basis that the recommendation was only about Money. The newly elected administration had voted against the previous administrations plan in which 6 out of the 7 proposed developments were in the Greenbelt. This had frustrated the County Council as the £215 million promised by the growth deal was contingent on every district having a local plan. She believed that the proposal was because central government wanted to control SODC and that if the Council agreed it would be striking a blow at the principal of democracy itself. It would set a dangerous precedent for the Government to change the rules every time a local authority dared to adopt a course of action in opposition to the Government. She believed that if the County Council chose Money over Democracy it would be a historical moment.

Mr Ian Ashley spoke as a member of A Better South Oxfordshire urging the Council to reject the recommendations, on the basis that to accept the invitation would be completely undemocratic. He refuted the suggestion that SODC did not have a plan that would prevent speculative development; the plan that was adopted in 2012 provided adequate protection until such time that a suitable replacement for the 2034 could be adopted. He believed the

risks to the County Council would be substantial, including legal challenge, the distraction from the day to day job the council had to perform, and disenfranchised SODC electorate and the knock-on effect to the rest of the districts in the County wondering if they are next. He suggested that, rather than undermine SODC Councillors, the Council should liaise with Government to find a way how to secure the necessary infrastructure and public service funding before new houses are built and without pre-conditions.

Dr Sue Roberts spoke against the recommendations on the basis that she believed that there was more housing per person in this county than there ever had been; that homelessness was not caused by a lack of housing and that building more homes did not reduce their price. In 2014 the Strategic Housing Market Assessment doubled the previous allocation set down by Labour to two whole new Oxfords by 2031, well in excess of need according to Dominique Raab. The SODC Plan for 2034 allocated land for 10,000 more than that target, which would cause carbon dioxide damage, cutting up the landscape and killing off wildlife and eating up high grade farmland - she warned that once the natural land was gone so were we. She believed what was proposed was illegal and that for the County Council to take over the Plan it must first be withdrawn.

Mr Robin Bennett, Chair of the Green Group SODC spoke against the recommendations on the basis that in the elections in the Green Group had gone from 0 to 6 in May 2019 with SODC voters responding to the Green Group's message regarding the over-development of the Greenbelt. This was not Nimbyism. Voters saw a planning system that delivered car dependent sprawl at unaffordable prices. The SoS had said at the launch of the 'Building Better' report that" we must have the confidence to say no to schemes that we know in our hearts are bad for the people destined to live in them and the surrounding community... We were in a Climate Crisis which required a different set of actions to those proposed in the old set of Local Plans. In April SODC declared a Climate Emergency which demanded a review of the council policies and the Plan had had no such review. He questioned why thousands of homes were being built now that would need to be retro-fitted tomorrow? Mr Jenerick had said that he wanted to Zero Carbon houses being built as standard in the next five years. The pressure on the plan was the need for roads to connect Culham Science Centre and the Growth Deal, the Plan including thousands more houses than required by the Growth Deal. He believed it was up to the SoS to use Political will to turn positive discussion with officials at MHCLG into a solution and that a method to allow SODC to work on a new plan that made commitments around the Growth Deal and HIFF ought to be possible or alternatively a clear indication should be given on how significant changes could be made to the submitted Plan in the inspection process beyond the limited scope so far permitted.

Mr Peter Emery spoke against the recommendations on the basis that the recommendation represented a 'disturbing power grab' by Mr Jenrick to remove Statutory planning powers from SODC Council. SODC had recently gone from being Conservative Led to Liberal Democrat/Green control. He

believed the Local Plan housing numbers were at the heart of the election and that Mr Jenerick now wanted to pass those powers onto the Conservative led County Council. In doing so, he had sighted the White Paper which was still not passed 3 years later. He believed there was no legal basis on which to accuse SODC of not carrying out their responsibilities correctly and there was no planning reason to remove powers from SODC. SODC had a mandate from the residents of South Oxfordshire to review the local Plan. OCC had no such powers. He urged the Council to vote against the proposal.

Mr Ian Middleton, speaking as a SODC Councillor against the recommendations, spoke of his concern over the precedent being set if the County were to accept the recommendation. The Local Plan was not a County matter, only district councils had the democratic mandate to develop local plans and the role should not be traded between councils as a matter of political expediency. Last year councillors were voted in on the basis of what they would do if they got in. The Council were now keeping their promise by looking again at their local plan – they were not saying they would scrap the plan only re-examine it. By preventing that, the SoS was telling those people that their votes counted for nothing. He believed this was only happening because the Council was no longer ruled by the Conservatives and the SoS wanted to give it to a Conservative led Council that would tow the line which was pre-determination. Localism only mattered if councils followed a rigid national dogma. He warned the Council against taking this route. Instead he asked that they send a message that Oxfordshire councils should not be set against each other and are united in their support of a truly representative local democracy.

SODC Councillor Leigh Rawlins spoke as a local resident and a SODC Councillor urging the Council to reject the recommendations which he believed to be an attempted coup against local democracy. He stood in the last elections so he could rectify the ELP 2034 plan. The new councillors had a strong mandate for change and there was broad agreement that the HIFF infrastructure was necessary and that the OGD commitment to the supply of 22.8k homes would be honoured and committed to, the truth of which had been grossly misrepresented. The Plan provided for more than 32.6k, there were a lot of site issues; too much greenbelt released; it was dramatically weak on climate change – far worse than the core strategy; density policy was grossly in error and inflexible and the mix continued to provide the ongoing market housing as 4+ bedroom homes – which did not meet the need and the delivery was not achievable and would have led to speculative development. Oxfordshire did not want driven mass inward migration; over-heating of Oxford City; more imbalance of jobs and homes; more long-distance commuting and the associated social cleansing and electoral remodelling implied. He asked the Council to protect the basis of mutual respect on which all Oxfordshire cooperation must be based.

Dr Peter Kirby spoke against the recommendations and expressed his concern regarding the strong erosion of democracy the meeting represented. He believed there had been a three-year campaign of misinformation by the

Department of Business, Energy and Industrial Strategy in order to influence local planning decisions. Outrageous claims had been made in the national and local press by the department's atomic energy, that nuclear fusion research at Culham would provide a commercial nuclear reactor in 20 years. This was to enable an attack on the Greenbelt, under the false flag of exceptional circumstances. He believed fusion research was being used to justify commercial property portfolio in the greenbelt; the construction of a new small town in the greenbelt and further road irrespective of the damage to human health. The claims of fusion were not supported by reality. SODC was a valid fully functioning part of local government and its present political constitution was determined by a lawful democratic process. Interference by Central Government was contrary to that process. He urged the Council to vote against it.

Ms Claire Bird spoke as a local resident against the recommendations on the basis that her community had voted for the present administration because of the local plan and their views on climate change, believing they could make a difference and now that was being taken away from them as they dared to be bold. She felt that although the experience of speaking to the Council was daunting, her overriding fear was about the destruction of green spaces; climate change and how we hadn't fully woken up to it yet and the loss of democracy. She urged the Council that however tangled up they felt in the detail and however much fear they felt about the money, party politics or on this planet power play to step back and look at the bigger picture. The things that really mattered were a sustainable future on this planet and democracy. She had been brave, and she urged the Council to be brave for all of them too.

7/20 PAY POLICY STATEMENT - REPORT OF THE REMUNERATION COMMITTEE

(Agenda Item 7)

In 2012, a stand alone Remuneration Committee was set up to report each year directly to full Council and to make recommendations regarding the Council's Pay Policy Statement. The Council had before it a report of the Remuneration Committee which updated the Council's Pay Policy Statement and set out future proposals of the Remuneration Committee in relation to this area.

RESOLVED: (on a Motion by Councillor Hudspeth, seconded by Councillor Brighthouse and carried nem con) to:

- (a) receive the report of the Remuneration Committee;
- (b) approve the revised Pay Policy Statement at Annex 1 to this report;
- (c) approve the Gender Pay Gap Data Summary at Annex 2 to this report.

**8/20 CORPORATE PLAN AND SERVICE & RESOURCE PLANNING
2020/21 - 2023/24**

(Agenda Item 8)

Before the Council was the Corporate Plan and Service & Resource Planning reports and annexes, an Addenda setting out the changes to the Cabinet's proposed revenue budget for 2020/21 and Medium Term Financial Plan for 2021/22 to 2023/24 arising from information received after the publication of Council papers on 3 February; the Labour and Liberal Democrat Group's joint amendment and the Leader's Budget Speech as set out in Annex 2 to the Schedule of Business.

With the consent of Council, Councillor Hudspeth moved and Councillor Brighouse seconded his motion, amended at the suggestion of the Labour and Liberal Democrat Group as set out in bold italics below:

The Council is RECOMMENDED (in respect of revenue) to approve a budget for 2020/21 and a medium term financial plan for 2020/21 – 2023/24 including the amendment as proposed by the Labour Group & Liberal Democrat Group to approve the allocation of £200k in 2020/21 to develop an up to date assessment of the services young people in Oxfordshire want and need. To identify whether these services are currently being delivered and to investigate future service delivery options to meet that need. This funding will be met from the Budget Priorities Reserve.

Following debate, the motion as amended was put to the vote and carried by 60 votes to 0, with 1 abstention.

Voting was as follows:

Councillors voting for the motion (60)

Azad, Banfield, Bartholomew, Bartington, Bearder, Billington, Brighouse, Buckley, Bulmer, Carter, Cherry, Clarke, Constance, Corkin, Fatemian, Fawcett, Fenton, Field-Johnson, Fitzgerald O'Connor, Fox-Davies, Gawrysiak, Gray, Griffiths, Handley, Hanna, Hannaby, Harrod, Haywood, Heathcoat, Howson, Hudspeth, Johnston, Ilt, Leffman, Lindsay-Gale, Lygo, Mallon, McLLveen, Matelot, Mathew, Phillips, Pressel, Price, Reeves, Reynolds, Roberts, Rooke, Sames, Gill Sanders, John Sanders, Sibley, Emily Smith, Roz Smith, Stratford, Sudbury, Thompson, Turnbull, Waive, Walker, Webber,

Councillors voting against the motion (0)

Councillors abstaining on the motion (1)

Harris

It was accordingly:"

RESOLVED: (60 votes to 0, with 1 abstention) to:

(in respect of revenue) to approve a budget for 2020/21 and a medium term financial plan for 2020/21 – 2023/24 including the amendment as proposed by the Labour Group & Liberal Democrat Group to approve the allocation of £200k in 2020/21 to develop an up to date assessment of the services young people in Oxfordshire want and need. To identify whether these services are currently being delivered and to investigate future service delivery options to meet that need. This funding will be met from the Budget Priorities Reserve.

- (a) approve the Corporate Plan 2020-2024 as set out in Section 2 and delegate authority to the Corporate Director Customers and Organisational Development in consultation with the Leader and relevant portfolio holder(s) to make appropriate changes to the priorities framework.
- (b) have regard to the statutory report of the Director of Finance (at Section 3) in approving recommendations c to e below;
- (c) (in respect of the budget and medium term financial plan) approve:
 - (1) the council tax and precept calculations for 2020/21 set out in Section 4.3 and in particular:
 - (i) a precept of £391,445,480;
 - (ii) a council tax for band D equivalent properties of £1,527.44;
 - (2) a budget for 2020/21 as set out in Section 4.4;
 - (3) a medium term plan for 2020/21 to 2023/24 as set out in Section 4.1 (which incorporates changes to the existing medium term financial plan as set out in Section 4.2);
 - (4) virement arrangements to operate within the approved budget for 2020/21 as set out in Section 4.5;
 - (5) the Financial Strategy for 2020/21 at Section 4.6;
 - (6) the Earmarked Reserves and General Balances Policy Statement 2019/20 at Section 4.7 including
 - (i) the Chief Finance Officer's recommended level of General Balances for 2020/21 (Section 4.7), and
 - (ii) the planned level of Earmarked Reserves for 2019/20 to 2023/24 (Section 4.7.1)
 - (7) the use of Dedicated Schools Grant (provisional allocation) for 2020/21 as set out in Section 4.8.
- (d) (in respect of capital) approve:
 - (1) the Capital & Investment Strategy for 2020/21 – 2029/30 including the Prudential Indicators and Minimum Revenue Provision Methodology Statement as set out in Section 4.9;
 - (2) a Capital Programme for 2019/20 to 2029/30 as set out in Section 4.9.1 which includes new capital proposals set out in Section 4.9.2 and the Highways Maintenance Programme to 2024/25 set out in Section 4.9.3; and

- (3) the Investment Strategy for 2020/21 set out in Section 4.9.4.
- (e) (in respect of treasury management) approve:
 - (1) the Treasury Management Strategy Statement and Annual Investment Strategy for 2020/21 at Section 4.9.5 including the Treasury Management Prudential Indicators and the Specified Investment and Non-Specified Investment Instruments.
 - (2) the continued delegation of authority to withdraw or advance additional funds to/from external fund managers to the Treasury Management Strategy Team;
 - (3) that any further changes required to the 2020/21 strategy be delegated to the Chief Finance Officer in consultation with the Leader of the Council and the Cabinet Member for Finance;
- (f) delegate authority to the Leader of the Council, following consultation with the Director of Finance and the Cabinet Member for Finance, to make appropriate changes to the budget for 2020/21.

9/20 ARRANGEMENTS FOR SODC LOCAL PLAN FOLLOWING HOLDING DIRECTION BY THE SECRETARY OF STATE.

(Agenda Item 9)

South Oxfordshire District Council had submitted its Local Plan to the Planning Inspectorate for examination in March 2019. In October 2019, following a period in which the new South Oxfordshire administration were considering either withdrawing or significantly amending their Local Plan, they were issued with a Holding Direction by the Secretary of State. This had the effect of preventing them from withdrawing their plan. Since October discussions had been taking place between the District Council and the Ministry of Housing, Communities and Local Government to try and find a way to allow the due process of examining the Local Plan to continue. The holding direction remained in place.

In his most recent letter to South Oxfordshire District Council on the 7 January 2020, the Secretary of State reiterated that the Government was committed to ensuring every area had an up to date and suitably ambitious Local Plan in place. In addition to considering Local Plan intervention under section 21 and 27 the Planning and Compulsory Purchase Act 2004 (“the 2004 Act”), he also stated that he was considering whether it was appropriate to exercise powers under section 27A of, and paragraph 7B of Schedule A1 to, the 2004 Act and invite Oxfordshire County Council to prepare the South Oxfordshire Local Plan.

Paragraph 7B of Schedule A1 to the 2004 Act provides:

“If the Secretary of State—

- (a) thinks that a lower-tier planning authority are failing or omitting to do anything it is necessary for them to do in connection with the **preparation, revision or adoption** of a development plan document, and

- (b) invites the upper-tier county council to **prepare or revise** the document, the upper-tier county council may **prepare or revise** (as the case may be) the development plan document.”

Paragraph 44 of the Explanatory Notes as set out in the Neighbourhood Planning Act 2017 (the amending legislation) states: “Where a county council accepts the invitation, they are responsible for preparing the document and having it examined. They may then approve the document (or approve it subject to modifications recommended by the inspector)”.

The Secretary of State’s letter of 7 January asked South Oxfordshire District Council to outline, by 31st January 2020, any exceptional circumstances as to why they did not have a plan in place that should be taken into account when a decision on next steps was made. The Secretary of State’s decision was awaited as to how he now intended to proceed, including whether to formally invite the County Council to prepare the South Oxfordshire Local Plan. Should the County Council agree to accept any such invitation then it would require satisfactory assurances that, as set out under the provisions of the 2004 Act, its costs would be fully recovered.

Council were asked to consider whether or not it would accept an invitation by the Secretary of State, to prepare or revise the South Oxfordshire Local Plan pursuant to powers under section 27A of, and paragraph 7B of Schedule A1 to, the Planning and Compulsory Purchase Act 2004.

Councillor Liz Brighouse moved and Councillor Laura Price seconded the following amendment to the recommendations as shown in bold italics below:

Given that:

1. ***SODC had not been able to come up with suggestions which would change the previously agreed Local Plan in a way which would honour the promises made to residents when they were elected.***
2. ***The SODC Local Plan had implications beyond the District.***
3. ***The houses proposed in the Plan to be developed in Grenoble Road and the associated opening of the Cowley Branch Line would meet both the desperate need for housing close to Oxford and the need for such a development to be cognisant of the Climate Emergency.***
4. ***The traffic issues in Didcot need to be addressed urgently:***

In the event of the receipt of an invitation by the Secretary of State to prepare or revise the South Oxfordshire Local Plan pursuant to powers under section 27A of, and paragraph 7B of Schedule A1 to, the Planning and Compulsory Purchase Act 2004, Council is RECOMMENDED to accept such an invitation subject to satisfactory assurances being received in relation to the recovery of its costs.

Following debate, the amendment was put to the vote and was carried by 43 votes to 16, with 2 abstentions.

During debate on the substantive Motion Councillor Harris moved that the matter be referred back until a full legal and risk assessment could be carried out. The Chairman ruled that the motion was not a procedural motion and therefore not allowed.

During debate on the substantive motion, Councillor Hanna moved and Councillor Harris seconded a procedural motion in line with section 15.10.3 of the Council Procedural Rules to adjourn the debate pending further legal advice.

The Motion was put to the vote and was lost by 38 votes to 16, with 5 abstentions.

Councillor Roz Smith and 6 other members stood in their seats to require that the vote be recorded in the minutes.

The substantive motion as amended was put to the vote and was carried by 39 votes to 16, with 4 abstentions.

Voting was as follows:

Councillors voting for the motion (39)

Azad, Banfield, Bartholomew, Bartington, Billington, Brighthouse, Bulmer, Cherry, Clarke, Constance, Corkin, Fatemian, Fenton, Fitzgerald O'Connor, Fox-Davies, Gawrysiak, Griffiths, Handley, Harrod, Haywood, Heathcoat, Hudspeth, Ilot, Lygo, Mallon, McLLveen, Phillips, Price, Reeves, Reynolds, Sames, Gill Sanders, John Sanders, Sibley Stratford, Thompson, Turnbull, Waine, Walker.

Councillors voting against the motion (16)

Bearder, Buckley, Fawcett, Grey, Hanna, Hannaby, Harris, Howson, Johnston, Leffman, Mallon, Roberts, Rooke, Emily Smith, Roz Smith, Sudbury.

Councillors abstaining on the motion (4)

Carter, Field-Johnson, Lindsay-Gale, Matelot.

It was accordingly:"

RESOLVED: (by 39 votes to 16, 4 abstentions)

Given that:

1. SODC has not been able to come up with suggestions which would change the previously agreed Local Plan in a way which would honour the promises made to residents when they were elected.
2. The SODC Local Plan has implications beyond the District.

3. The houses proposed in the Plan to be developed in Grenoble Road and the associated opening of the Cowley Branch Line will meet both the desperate need for housing close to Oxford and the need for such a development to be cognisant of the Climate Emergency.
4. The traffic issues in Didcot need to be addressed urgently:

In the event of the receipt of an invitation by the Secretary of State to prepare or revise the South Oxfordshire Local Plan pursuant to powers under section 27A of, and paragraph 7B of Schedule A1 to, the Planning and Compulsory Purchase Act 2004, Council is to accept such an invitation subject to satisfactory assurances being received in relation to the recovery of its costs.

..... in the Chair

Date of signing

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Division(s): N/A

COUNCIL – 4 MAY 2020**CONSTITUTION CHANGES**

Report by Director of Law & Governance

RECOMMENDATIONCouncil is **RECOMMENDED** to:

- (a) Note the amendments set out in the Annex that the Monitoring Officer has made following publication of the Regulations to give effect to the principles of open decision making and public engagement;**
- (b) Determine whether an Annual Council meeting be held virtually;**
- (c) Note the emergency powers set out at Annex 3;**
- (d) Agree that the Director of Law and Governance in consultation with the Chairman of the Council be authorised to make minor changes to the process and, as necessary, the Constitution in the light of practical experience of virtual working.**

Introduction

1. This report sets out for information proposed temporary changes necessary for the effective running of virtual meetings during the restrictions brought about by the corona virus pandemic. The changes are in line with, and give practical effect to, The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 that came into force on 4 April 2020. The Regulations enable all local authority meetings before 7 May 2021 to be held virtually and removes the requirement for the annual meeting this year.
2. The proposed Annex relates to both full Council, Cabinet and other committee meetings that are held in public. It sets out changes made by the Monitoring Officer to the annual meeting, appointments, virtual attendance at Council, Cabinet and other meetings of the Council, public attendance and public speaking. The Annex also includes a protocol on the running of virtual meetings. The changes are also consistent with the constitutional purposes outlined in Article 1 of the Constitution.
3. Annex 2 sets out for information the emergency powers already in the Constitution for the Chief Executive to act where necessary when urgent decisions are needed

The Changes

Virtual attendance at Local Authority meetings

4. The Regulations give the Council the flexibility to hold meetings at a time, day and frequency to suit their own needs, without the requirement for further notice. The Minister for Housing, Communities and Local Government (MHCLG) has advised the Association of Democratic Services Officers (ADSO) that this permits authorities to make changes to their meeting arrangements with immediate effect.
5. The regulations allow appointments normally made at an annual meeting to be continued until the next annual meeting or until such time as the authority determines. The Council therefore has the option to delay the annual meeting until such time as it determines or to hold it virtually. If an Annual Meeting is delayed, then all positions remain as they are today.
6. The Regulations allow for meetings to be held without the need for all, or indeed any of the members to be physically present in the room. In effect, it replaces all legislation and standing orders with the new provisions relating to virtual attendance. Annex 1 sets out arrangements for virtual meetings.
7. Virtual attendance by members counts for the purpose of the six-month rule on attendance, and for allowances. Where there is absence for illness the Council can continue to deal as now and pass the necessary resolution to approve the absence.

Other Standing Order Changes

8. In allowing virtual attendance at meetings councils are also given the flexibility to make standing orders on other matters such as voting, and rights of members of the public to attend and speak at meetings held virtually. It also covers access to information rules on the publication of papers.
 - (a) Rights of the Public to Attend and Speak
9. A meeting open to the public is redefined to include virtual meetings that the public can hear and where possible see. Physical attendance is not required to meet the need for those meetings that must be held in public. For this reason the technology being used (Microsoft Teams) is capable of live broadcast to members of the public.
10. This Council has always chosen to allow members of the public the right to speak on agenda items and the intention of the proposed Annex is that members of the public are not disadvantaged by virtual meetings taking place. Technology allows public speakers to happen virtually. However, some changes are needed to the way in which speakers are handled in order that they can happen effectively. The proposed Annex brings forward the deadline for speakers to request to speak

and introduces a requirement to provide a written summary prior to the meeting. This allows views to be taken into account even if the technology were to fail on the day. It is also proposed that there is provision for a written statement to be submitted where people do not have access to the technology or would prefer to provide a written submission. This is an extension of current rights which generally does not allow for written submissions.

(b) Public Access to Meeting Papers

11. Publication of documents has been extended to include publication on a website. This removes the necessity to provide a paper copy in County Hall at a time when the public do not have access.
12. For Executive meetings open to the public, meeting notices, agendas and reports are to be available on the council's website in addition to the council offices.
13. In respect of executive decisions, background documents will be published on the website rather than being made available at Council offices.

(c) Voting

14. Previously only members physically present were permitted to vote but now voting rights also include members attending virtually.

(d) Other matters

15. Given the complexity of holding virtual meetings, it is proposed that for Full Council meetings held virtually, motions on notice from members will not be allowed.

Support for Members

16. In introducing virtual meetings this Council is committed to provide Councillors with appropriate support and training. A dry run through of the meetings process will be arranged in the week before the meeting so that councillors can feel comfortable and confident with the technology and the protocol for these meetings.

NICK GRAHAM

Director of Law & Governance

Contact officer: Glenn Watson, Principal Governance Officer, 07776 997946.

April 2020

VIRTUAL MEETINGS PROCEDURE RULES

To set out temporary arrangements for the effective management of virtual meetings. These arrangements override any provision made in other parts of the Constitution and in the event of any conflict these temporary arrangements should take precedence. These rules have been made by the Monitoring Officer in accordance with Article 2 Rule 5.2(a) of the Council's Constitution in order to implement The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panels Meetings) (England and Wales) Regulations 2020 (the 'Regulations') and will remain in force until those Regulations are repealed. These rules are consistent with the purposes of the Constitution outlined in Article 1.

Listed in Appendix 1 are provisions in the Constitution that are affected by or disapplied by these Rules.

Appendix 2 provides a protocol for members on the running of meetings where there is virtual attendance.

1. General

- 1.1 A virtual meeting is a meeting of the Council, Cabinet, Committee or Sub-committee of the Council held by remote access and where virtual attendance by Members of the Council is by way of MSTeams Live Event or such other platform as provided.
- 1.2 Attendance of the public and public address at virtual meetings open to the public will be via the platform provided.
- 1.3 The Council, Cabinet and all Committees of the Council may hold all such virtual meetings that are deemed necessary and where such meetings are held these rules of procedure shall apply

2. Annual Meeting of the Council

The Annual Meeting of the Council will not be held in May and appointments to the Chairman, Deputy Chairman of the Council and appointments to other Committees will remain the same until the Annual meeting is held or until such time as the Council determines

3. Notice of and Summons to the Meeting

- 3.1 The Proper Officer will give notice to the public of the time and place of any meeting by publication of the details on the website. At least five clear days before a meeting, the Proper Officer will send a summons signed by him or her by electronic mail to every member of the Council. The summons will give the

date, time and place of each meeting and specify the business to be transacted and will be accompanied by such reports as are available.

3.2 Calling Urgent Virtual Meetings

The Proper Officer may, following consultation with the Chair of the Overview and Scrutiny Management Board, call an urgent virtual meeting without notice. The reasons for calling an urgent virtual meeting shall be clearly stated at the beginning of the urgent virtual meeting.

3.3 Moving or cancelling virtual meetings

The Proper Officer may, following consultation with the Chair of the relevant virtual meeting move or cancel a virtual meeting without notice.

4. Access to Virtual Meetings

4.1 Press and members of the public will be able to access virtual meetings using MS Teams Live Event or such other platform provided.

4.2 The press and members of the public will not be able to access those parts of the meeting considering exempt information.

5. Petitions and Public Address

5.1 Where a meeting is held virtually, members of the public will be able to participate in the following ways.

5.2 Public Speakers

Any person may address via the platform provided the Council, Cabinet or other Council Committee or an item in the agenda for not more than 5 minutes provided that

- (i) notice of the request and the reasons for wishing to address the Council is received by the Proper Officer not later than 9.00 am **four** working days before the meeting;
- (ii) a written copy of the statement is provided not later than 9.00 am **two** working days before the meeting.

Where a meeting is held virtually, and the addressee is unable to participate remotely their written submission will be accepted. This should be no longer than 1 A4 sheet. Notification requirements remain the same as set out above.

5.3 Petitions

Any person (other than a member of the Council) may present a petition at a Council meeting provided that

- (i) notice of the desire to present the petition and the wording of the petition is given to the Proper Officer not later than 9.00 am on **four** working days before the meeting;
- (ii) the Petition is emailed to the Committee Officer named on the agenda 2 working days prior to the meeting.

When petitions are presented the presenter shall have the right to address the Council for not more than 3 minutes in support of the petition. Where a meeting is held virtually, and the addressee is unable to participate remotely their written submission will be accepted. This should be no longer than 1 A4 sheet. Notification requirements remain the same as set out above.

6. Motions

Where Full Council meetings are held virtually the provision for members to submit a Motion will be disapplied.

7. Voting

- 7.1 At a meeting using virtual meeting technology any matter will be decided by a clear majority of those in attendance, physically or virtually by an electronic vote which shall record each member and how they have voted.
- 7.2 Recorded Vote - If the chairman or seven members, indicate after an electronic vote, but before the next business has commenced) a named vote shall be taken when each member shall be called upon to register his/her vote electronically: for or against the motion (or, if required by the Chairman, saying 'yes 'no' or 'abstain'). The Chairman will clarify with Council that all members have voted prior to closing the vote. The method to indicate a named vote will be via the electronic solution provided by the broadcast system.
- 7.3 Where under Rule 7.2 above, a named vote is taken after an electronic vote, the named vote is a separate vote for the purposes of Rule 10.2 above and shall take precedence over the earlier determination.

Review

These rules will be kept under regular review and updated as necessary by the Monitoring Officer under Article 2 Rule 5.2(a).

Rules		Impact/Amendment of Virtual Meeting Procedure Rules
General		
Throughout	Attendance	Attendance to include access virtually
Annual Meeting Provisions		
Council Procedure Rules (CPR) – 1	Annual meeting provisions	Remove
Article 5 Chairman of the Council	Annual meeting provisions	Remove provision relating to annual election.
Article 8 Oxfordshire Health Overview & Scrutiny Committee	Annual meeting provision	Disapply reference to the Council's annual meeting.
Notice of and Summons to a Meeting		
CPR 6		Remove by post
CPR 5	Place of Meetings	Amended to allow virtual meetings
Access to Virtual meetings		
Access to Information Rules	Access to Agenda Paper	Remove provision by post and access via Council buildings and replace with publication on the web site
Access to Agenda and Report		
Access to Information Rules (AIR) 5	Inspection of agenda and reports at County Hall	Disapplied
AIR 8	Access to background documents	Remove provision for physical access and replace with electronic access
AIR 14 and 15	Access to Forward Plan and related Notices	Physical provision at County Hall replaced by electronic access.
Petitions and Public Address		
- petitions		
CPR 10 Also Article 3 Rule1(b) (ix) Petitions Article 3 Rule 1(c) Speakers	Ability for the public to submit petitions	Additional provision amending deadlines and making provision for virtual attendance and written submission

- public address		
CPR 10 Also Article 3 Rule 1(c) Article 8 Rule 11	Ability for the public to make a public address	Additional provision amending deadlines and making provision for virtual attendance and written submission
- questions from the public		
CPR 11	Ability for the public to ask written questions	Disapplied
Motions		
CPR 13	Provision for Members to submit a motion on notice	Removed
Voting		
CPR 17 Also Article 8 Rule 10 Article 10 Rule 5 Article 12 Schedule 4 Annexes 2 & 3	Requirement to be present in the room in order to vote	Replaced by provision for attendance and voting to be permissible virtually.
Other Provisions		
CPR 2 Also Cabinet Procedure Rules 2	List of Ordinary items	Disapplied
CPR 17.9	Division bell	Disapplied
CPR 19	Signing of attendance book	Disapplied
CPR 21	Requirement for a member of the public to leave the room in the event of a public disturbance and for clearance of the room	Leaving the room to include removal from the virtual meeting.
CPR 22	Standing to speak	Disapplied
CPR 23	Suspension of standing orders	Present to include attendance virtually

Councillor Protocol for Virtual Public Meetings (including public attendance)

Additional protocol for virtual meetings, to be considered alongside standing orders:

General points about councillors joining and participating in a virtual meeting

- Councillors are encouraged to join the meeting well in advance (i.e. at least fifteen minutes before the scheduled start time) in order to avoid disrupting the meeting and to ensure any technical issues can be resolved with ICT.
- Where using video-enabled equipment, councillors should leave their cameras on throughout the meeting as far as practicable.
- Councillors should try to go to a quiet location for the Meeting with minimum disruptions and blur their backgrounds.
- **In all cases councillors will need to unmute their microphone before speaking and mute when they have finished speaking.**
- The Chairman will remind councillors to mute their microphones when not speaking. This is done in order to reduce feedback and background noise.
- Councillors are reminded that virtual meetings are generally public meetings and members of the public will be able to view them and Councillors should be mindful of this in their conduct and dress code.
- Non-verbal communication such as body language may be picked up and broadcast even when not speaking.
- Please be patient with one another and your Chairman.

Protocol for councillors speaking at meetings

- The Council will endeavour to put in place a technological solution that will enable councillors participating in meetings virtually to indicate their wish to speak.
- Notwithstanding this, in the case of Council and Cabinet meetings, councillors who wish to speak on a particular item should indicate their wish to speak to the Chairman and to Democratic Services in advance of the meeting through the normal Schedule of Business Process. Political groups are encouraged to coordinate this activity where possible. The Chairman will follow the rules set out in the Constitution when determining who may speak, as well as the order and priority of speakers. The Chairman's ruling in this regard shall be final.
- **At the end of the debate, when all speakers have been heard, the Chairman will ask those present if anyone else wishes to speak.**
- Speeches will be timed in accordance with the Constitution, however, the Democratic Services Officer shall give the 30 second warning.
- Interruptions, such as 'point of order' should be kept to an absolute minimum and raised at the end of a speech not during.
- In the case of other meetings, the Chairman may ask each person in turn if they have any points they wish to raise on a particular item before completing the discussion on that item.
- When referring to reports or making specific comments, councillors should refer to the report and page number so that all members have a clear understanding of what is being discussed at all times.

Dealing with Disclosable Pecuniary Interests (DPI)

- Where a member has disclosed a DPI or other declaration in an agenda item that requires them to be absent from the meeting for that item, the member should leave the virtual meeting for the duration of the item. Failure to do so would be a breach of the council's code of conduct.
- At the conclusion of the item, the Chairman and Democratic Services Officer will ensure that any member who has absented themselves from the meeting has re-joined the meeting before moving to the next agenda item

Voting

- Councillors participating in meetings virtually will indicate their vote by way of an electronic poll and must wait for the Chairman to indicate that members should vote. Your voting option will appear on the screen in front of you. **Thirty seconds will be given prior to the vote to ensure everyone is ready.**
- Should there be technical difficulties, where a vote is required on a particular item, the Chairman may ask each member (of the committee) to vote in turn. Councillors should express their vote verbally. This will not be included as a recorded vote in the minutes.
- The Democratic Services Officer will record the outcome of votes and announce the decision to the meeting.

Participation by members of the public

- Members of the public who wish to observe the proceedings of a committee are able to do so by watching the live stream. The Council will make a live stream available on an appropriate channel and will publicise this on the agenda for that particular meeting.
- Public participation will be permitted in line with the procedures set out in the Constitution. A member of the public who has been given permission by the Chairman to address a meeting in accordance with the Council's Meeting Procedure Rules will be invited to participate in the virtual meeting for the purpose of speaking to the meeting. The Chairman may re-order the agenda in order to facilitate this participation at the beginning of the meeting.
- Members of the public who have been given permission by the Chairman to address a meeting may read out their written statement, of which prior notice will have been given in line with the public participation procedure in the Constitution when invited to do so by the Chairman.
- The public must provide the written statement to the relevant office 2 working days prior to the meeting. As an alternative, if a member of the public who wishes to address the meeting but is unable to join for technological reasons, they may submit a written statement that can be read out by the Chairman or Democratic Services Officer at the appropriate time.

Dealing with exempt items of business

- There are times when council meetings are not open to the public, when confidential, or "exempt" information – as defined in Schedule 12A of the Local Government Act 1972 – is under consideration.

- Any councillor in virtual attendance who fails to disclose that there are in fact persons present who are not so entitled will be in breach of the Council's Code of Conduct.

Dealing with technical difficulties

- In the event that the Chairman or Democratic Services Officer identifies a failure of the virtual participation facility, the Chairman will declare a recess while the fault is addressed.
- If it is not possible to address the fault and the meeting is inquorate, the meeting will be abandoned until such time as it can be reconvened. If the meeting is quorate, the meeting will continue. Those attending virtually would be aware and accept that the meeting would continue, and a vote would be taken without their attendance.
- If the meeting was due to determine an urgent matter or one which is time-limited and it has not been possible to continue because of technical difficulties, the Chief Executive, in consultation with the Monitoring Officer and where appropriate/possible the relevant cabinet member, shall explore such other means of taking the decision as may be permitted by the Council's constitution.

Interpretation of standing orders

- Where the Chairman is required to interpret the Council's existing standing orders in light of the requirements of virtual participation, he or she shall take advice from the Monitoring Officer prior to making a ruling. The Chairman's decision in all cases shall be final.

Emergency Provisions

Under Part 7.1 of the Constitution the following emergency provision exists.

Rule 2.1(d):

The Chief Executive and the other officers are empowered to take all necessary decisions in cases of emergency¹.

Additionally:

Rule 6.3(c)

Any function of the Cabinet or of a Council committee or sub-committee, after consultation with the appropriate other officer and thereafter:

- (i) in the case of an executive function, with the Leader of the Council or, in his/her absence, the Deputy Leader of the Council; or
- (ii) in any other case, with the Chairman of the relevant committee or sub-committee or, in his/her absence, the Deputy Chairman of the relevant committee or sub-committee.

Any exercise of these functions shall be reported to the Cabinet or other relevant committee or sub-committee and shall be published on the website as soon as possible.

¹ For the purposes of this scheme, emergency shall mean any situation in which the relevant officer believes that failure to act would seriously prejudice the Council's or the public's interests. Such interests are to be interpreted widely and include (but are not limited to) the risk of damage to property or threat to the health or wellbeing of an individual.

Division(s): N/A

COUNCIL – 4 MAY 2020

MEMBERS' ALLOWANCES SCHEME 2020/21

Report by Director of Law and Governance

RECOMMENDATION

Council is **RECOMMENDED** to:

- (a) to agree that the **Members' Scheme of Allowances for 2020/21 should be the same as that which applied during 2019/20;**
- (b) to hold a further review of allowances once the business of the Council has sufficiently returned to normal following the COVID-19 pandemic, and in any case ahead of the May 2021 County elections.

Introduction

1. Each year, the Council must approve a Members' Allowances Scheme. Before doing so it must consider the views of its Independent Remuneration Panel.
2. The COVID-19 restrictions on holding meetings have legally prevented Council from meeting until now to consider adopting a Scheme for 2020/21. Councillor and senior manager resources have also been necessarily diverted on addressing the demands of the pandemic. Given the critical work facing the Council and our communities at this time, a fuller review by a Panel, and then consideration of that by Council, is not feasible.
3. However, in law, a Scheme now needs to be adopted.

Adopting a scheme – status quo

4. The views of the Independent Remuneration Panel have been sought. Given the current situation, the Panel is supportive of a 'status quo' arrangement to meet the legal requirement. This would mean that the nature and levels of allowances applicable during 2019/20 should be adopted again and 'roll over' to form the 2020/21 Scheme until such time as the Council is able to conduct a fuller review, post-COVID.
5. That being the case, Council is being invited to agree to this. Annex 1 indicates what these allowances would therefore be. A roll-over of the 2019/20 scheme would mean that the basic and special responsibility allowances, the travel and subsistence arrangements, the carer and childcare allowances, and the indexing to the pay award for staff, would continue unchanged.
6. The Independent Remuneration Panel stands ready and willing to undertake a fuller review, which would otherwise have been required, once circumstances allow.

NICK GRAHAM

Director of Law and Governance

Contact Officer: Glenn Watson, Principal Governance Officer 07776 997946

glenn.watson@oxfordshire.gov.uk**Annex 1 – Members’ Allowances 2020/21**

Allowances	Annual Allowance
Basic Allowance	10,719.00
Leader of the Council	31,086.00
Deputy Leader	21,438.00
Cabinet Member	17,151.00
Chairman of the Council	9,111.00
Opposition Leader	8,575.00
Audit & Governance Committee Chairman	6,432.00
Audit Working Group Chairman	6,432.00
Planning & Regulation Committee Chairman	6,432.00
Pension Chairman	6,432.00
Scrutiny Chairman	6,432.00
Horton Health Overview & Scrutiny Committee Chairman	4,824.00
Shadow Cabinet Member	2,680.00
Vice Chairman of the Council	2,278.00
Locality Chairman	536.00
Police & Crime Panel Chairman	6,432.00
Police & Crime Panel Vice-Chairman	3,216.00
Police & Crime Panel Member	1,608.00

Carers Allowances:

- Child care - £6 per hour;
- Care for an adult dependent relative - £17 per hour.

Travel & subsistence and index:

“The amounts payable shall be the amounts which are for the time being payable to officers of the Council in respect of travelling and subsistence undertaken in the course of their duties”; “The basic and special responsibility allowances and the co-optee’s allowance (to the Chairman of the Audit Working Group), shall be amended annually by reference to the annual pay settlement for local government staff.”

Division(s):N/A

COUNCIL – 4 MAY 2020

OXFORDSHIRE MINERALS AND WASTE LOCAL PLAN: REVIEW OF OXFORDSHIRE STATEMENT OF COMMUNITY INVOLVEMENT

Report by Director for Planning and Place

RECOMMENDATION

Council is **RECOMMENDED** to:

- (a) adopt the Oxfordshire Statement of Community Involvement with the amendments as shown in Annex 1; and
- (b) delegate to the Corporate Director for Place and Growth the approval of the Oxfordshire Minerals and Waste Statement of Community Involvement at Annex 1, subject to any further minor changes to be made in consultation with the Cabinet Member for Environment.

Executive Summary

1. The Statement of Community Involvement (SCI) is a statutory planning document that sets out how Oxfordshire County Council will involve the community (consultees, stakeholders and other interested parties) in:
 - i. preparing and reviewing the Minerals and Waste Local Plan;
 - ii. making decisions on planning applications for minerals, waste and County Council developments.The Council must comply with its SCI in preparing local plan documents.
2. The current SCI was adopted by the Council in March 2015. The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) requires SCI's to be reviewed every 5 years. In view of these Regulations, and the legislative changes that have been made under the Neighbourhood Planning Act 2017, it is now an appropriate and relevant time to update the Statement of Community Involvement to incorporate these changes.
3. In view of these changes, a revised draft SCI was prepared and considered by Cabinet on 18th June 2019. Cabinet agreed the draft and authorised the publication of that document for public consultation. The revised draft Statement of Community Involvement 2019 can be seen at Annex 1.
4. Consultation on the revised draft took place between Wednesday 24th July and 2nd October 2019. We received four responses to the consultation. Only one of which made comment on the content of the Statement of Community

Involvement. This report sets out our response and implications for the revised draft SCI.

5. This report recommends a revised draft Statement of Community Involvement 2020 for adoption. This will ensure that an up to date SCI is in place before the Minerals and Waste Local Plan: Site Allocations Plan is submitted to the Secretary of State for examination later in 2020.

Introduction

6. The Statement of Community Involvement (SCI) is a statutory planning document that sets out how Oxfordshire County Council will involve the community (consultees, stakeholders and other interested parties) in:
 - i. preparing and reviewing the Minerals and Waste Local Plan;
 - ii. making decisions on planning applications for minerals, waste and County Council developments.
7. The Council must comply with its SCI in preparing local plan documents.
8. The first Oxfordshire Statement of Community Involvement was adopted by the County Council in November 2006. A revised SCI was adopted at the Full Council meeting on 24 March 2015. Since then there have been a number of changes in legislation that affect SCIs, including a new requirement for them to be reviewed every five years. In view of these changes, a review of the current adopted SCI has been undertaken.

Review of the Statement of Community Involvement

9. Amendments made in 2017 to the Town and Country Planning (Local Planning) (England) Regulations 2012 require that SCIs now be reviewed every 5 years. This means the current Oxfordshire SCI will need to be reviewed by March 2020. In addition, there have been other recent legislative changes that affect the content of SCIs and mean that revisions should be made to the existing SCI.
10. The Neighbourhood Planning Act 2017 introduced a requirement for local planning authorities to set out their policies for giving advice or assistance to qualifying bodies to facilitate proposals for neighbourhood plans within their SCI. This requirement includes County Councils in respect of minerals and waste planning, even though neighbourhood plans should not include policies or proposals on minerals or waste.
11. The July 2018 changes to the National Planning Policy Framework brought in a requirement for local planning authorities to prepare Statements of Common Ground in relation to the preparation and review of their local plans. Again, this applies equally to County Councils in respect of minerals and waste local plans. Statements of Common Ground should document the cross-boundary matters being addressed in plan making and progress in cooperation between authorities and other bodies on addressing these. They are a way of

demonstrating that plans are deliverable; and they also form part of the evidence required to demonstrate compliance with the duty to cooperate. This new requirement should be referred to in the SCI.

12. Changes to consultation arrangements on planning applications, as now specified in Article 15 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, include small amendments to the list of consultees required to be consulted on planning applications. These amendments should be reflected in the SCI.
13. To ensure the SCI is up to date, it should also now include the Oxfordshire Vision and Objectives; and it should make reference to the Oxfordshire 2050 Plan which is in preparation.
14. A draft revision of the SCI was considered by the Minerals & Waste Cabinet Advisory Group on 25th April 2019 and a draft SCI for consultation was approved by Cabinet on 18th June 2019.
15. This draft SCI was consulted on between Wednesday 24th July and 2nd October 2019. It was considered by Cabinet on 17th March 2020, and no changes were required. However, since that meeting there has been government guidance on the planning system in light of Covid 19 social distancing. An additional paragraph has been added to set out how the County will seek to maintain community involvement in such extraordinary circumstances.
16. The revised draft SCI closely follows the format of the 2015 SCI and covers:
 - What the SCI is; why it is being revised; and how to comment on the draft;
 - The Council's vision and values for Oxfordshire;
 - The Council's principles of community involvement;
 - The Council's planning responsibilities;
 - The Minerals and Waste Local Plan and how consultees and interested parties will be involved in the preparation of plan documents;
 - Planning applications and how consultees and interested parties will be involved in the determination of applications for minerals, waste and County Council developments;
 - Monitoring and review of the SCI.
17. The main changes from the 2015 SCI are:
 - Updates and consequential amendments to section 1 Introduction;
 - A new section 2 on the Council's Vision and Values for Oxfordshire;
 - A new paragraph 4.3 on the Oxfordshire 2050 Plan;
 - A new paragraph 4.12 on the requirement for Statements of Common Ground;

- A new section at paragraphs 4.14 – 4.17 on Neighbourhood Plans;
 - New paragraphs 5.1 – 5.2 on the Council's Minerals and Waste Development Scheme;
 - Updates to paragraph 5.16 to reflect changes in the Council's methods of communication and engagement;
 - New paragraph 7.4 to reflect how the Council will seek to adhere to the SCI in extraordinary circumstances such as the current Covid 19 social distancing; and
 - Updates to Appendix 3 to reflect legislative changes to statutory consultees on planning applications.
18. To make it easier to see where changes have been made from the 2015 Statement of Community Involvement, the changes have been underlined or ~~deleted~~ where amendments were made.
19. The revised draft SCI complements the Council's corporate policy on communicating and consulting with the public. Where appropriate, it goes beyond the minimum requirements of the relevant regulations in relation to community involvement in the planning processes, and it seeks to promote best practice and effective partnership working with community and other relevant interest groups.

Consultation Responses and Amendments

20. We notified all those on our consultation database. This includes all Parish and Town Councils, surrounding Councils, local groups, industry, and anyone that has registered to be kept informed of the production of the Minerals and Waste Local Plan.
21. We received four emails to the consultation, only one of which contained specific comments on the content of the revised draft SCI. The responses are recorded in Annex 2 and are accompanied by an explanation of how these have been taken into account.
22. From the responses received it is not that felt we need to make any amendments to the revised draft Statement of Community Involvement as a result of the consultation.

Financial and Staff Implications

23. The Minerals and Waste Local Plan is included within the work priorities of the Planning and Place Directorate and funding provision for this project is held in the Minerals and Waste Plan Project earmarked reserve. The adoption of the SCI can be undertaken within existing resources and it does not raise any additional financial or staffing implications.

Equalities Implications

24. The revised Statement of Community Involvement is not expected to create any negative equality implications. By having an adopted SCI, it ensures that a clear process to community involvement and consultation is enabled within the planning process in the County and sets out the many different methodologies/approaches to engagement that are tailored to individual and group needs.

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Oxfordshire Minerals and Waste Local Plan

REVISED OXFORDSHIRE STATEMENT OF COMMUNITY INVOLVEMENT

**Draft for Public Consultation
July 2019**

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1. Introduction

What is the Statement of Community Involvement?

- 1.1 The effective involvement of the community is an essential part of positive planning for high quality sustainable development in Oxfordshire. The Oxfordshire Statement of Community Involvement sets out the County Council's policy, and the standards it will seek to achieve, to ensure meaningful and effective consultation, engagement and involvement of consultees, stakeholders and other interested members of the community in:
- (i) the preparation, alteration and review of the minerals and waste (local) development documents that make up the Oxfordshire Minerals and Waste Local Plan; and
 - (ii) the consideration of planning applications for mineral, waste and County Council developments that are determined by the County Council.

Why has the Statement of Community Involvement been revised?

- 1.2 The County Council is required by statute¹ to prepare a Statement of Community Involvement, as a statement of the authority's policy on the involvement of interested persons in local planning and the control of development. In preparing local plan documents, the Council must comply with the Statement of Community Involvement (SCI).
- 1.3 The first Oxfordshire Statement of Community Involvement was adopted by the County Council in November 2006 and was revised in 2015. The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) require SCIs to be reviewed every 5 years.
- 1.4 Therefore in view of these Regulations, and the legislative changes that have been made under the Neighbourhood Planning Act 2017 with respect to plan-making and neighbourhood planning, it is now an appropriate and relevant time to update the Statement of Community Involvement to incorporate these changes. Upon adoption, this revised SCI will replace the County Council's current adopted Statement of Community Involvement 2015.
- 1.5 This revised draft of the SCI shows the changes that are proposed to be made to the current adopted Statement of Community Involvement 2015 as insertions and deletions.

2. Our Vision and Values for Oxfordshire

2.1 Oxfordshire County Council's vision and values underpin our Statement of Community Involvement and how we serve the people of Oxfordshire and how

¹ Planning and Compulsory Purchase Act 2004 S.18 (as amended)

we work and behave with each other. Our Vision and Objectives are set out within the Council's Corporate Plan 2019-2022 – Thriving communities for everyone in Oxfordshire.

2.2 Our Vision

Thriving people:

- We strive to give every child a good start in life, and protect everyone from abuse and neglect;
- We enable older and disabled people to live independently and care for those in greatest need.

Thriving communities:

- We help people live safe, healthy lives and play an active part in their community;
- We provide services that enhance the quality of life in our communities and protect the local environment.

Thriving economy:

- We support a thriving local economy by improving transport links to create jobs and homes for the future;
- To achieve our vision, we will listen to residents so we can continuously improve our services and provide value for money.

2.3 Our Values

- We do the best we can for residents.
- We work together in a supportive and honest way.
- We strive to find the best solutions.
- We are open to change and doing things differently.

3. Principles of Community Involvement

- 3.1 Oxfordshire County Council believes it is very important that people have a say on how council services are planned and run. Consultation helps us to stay in touch with what people need and want. This is especially important when we need to make difficult decisions that affect the people of Oxfordshire.
- 3.2 The Council follows six key principles of consultation:
- keep an open mind and run consultations in an open and honest way;
 - be clear about what we are consulting on and what we will do with the findings;
 - give all relevant parties the chance to have their say;
 - provide sufficient time and information to enable people to engage;
 - take views expressed in consultations into account when we make decisions;
 - provide effective and timely consultation feedback.
- 3.3 The County Council has adopted the Oxfordshire Compact (September 2004) as its policy for guiding and improving its relationship with the voluntary and community sector. The Compact is a framework against which the relationship between the statutory and the voluntary, community and faith sectors can be monitored and evaluated. It will also assist the development of effective partnerships between statutory, voluntary, community and faith organisations by: providing a context for each to define their needs and expectations and achieve mutually acceptable outcomes; and facilitating the development of a strong and independent voluntary and community sector, including by improving consultation procedures. A code on consultation and policy appraisal has been developed under the Compact. The Council will have due regard to the Oxfordshire Compact in engaging with and involving the voluntary and community sectors on planning issues.
- 3.4 We believe that strong community involvement is a key factor in the preparation of the Minerals and Waste Local Plan. This should strengthen the evidence base for plan and help in producing more robust planning proposals and decisions; increase understanding of the need for and impact of new development; foster community ownership of the plan; and help the delivery of appropriate new developments that are needed by dealing with contentious issues early in the planning process.

4. County Council Planning Responsibilities

Oxfordshire County Council's responsibilities

- 4.1 The County Council is responsible for:
- producing a Minerals and Waste Local Plan, which set policies and proposals for minerals and waste development in Oxfordshire; and
 - determining planning applications for minerals and waste developments and for the Council's own service developments.
- 4.2 Local plans and planning applications for general types of development, such as housing, shops, offices and industry, are the responsibility of the City and District Councils.
- 4.3 The six Oxfordshire authorities, through the Housing and Growth Deal, secured by the Oxfordshire Growth Board are preparing the Oxfordshire Plan 2050. This is a strategic planning document that will collectively consider the needs of the County and align its strategies so that future housing and infrastructure is more joined up. The Plan will not allocate sites for housing and employment, instead it will identify key areas for sustainable growth with associated housing/employment numbers. This will then be used by the City and District Councils to provide a detailed view of how housing and infrastructure will be delivered. For more information on Oxfordshire 2050 please visit www.oxfordshireplan.org.

National Planning System

- 4.4 The County Council must exercise its planning responsibilities within the structure of the national planning system of legislation, policy and guidance. This sets out the planning policy documents that authorities should produce and how this should be done; and how authorities should deal with planning applications and undertake other development management responsibilities within their areas.
- 4.5 A number of changes have been made to the national planning system in recent years with the aims of reducing central government influence, streamlining the amount of legislation, policy and guidance and promoting localism. These changes include the Localism Act 2011, National Planning Policy Framework ~~2012~~ 2019 and Planning Practice Guidance ~~2014~~ 2019. This has further emphasised the need for community involvement in planning.
- 4.6 The national system recognises that early engagement with communities during both the preparation of local plans and the determination of planning applications is essential to good planning. This makes local plans more likely to represent a collaborative vision for the area and gives local people the opportunity to influence the shape of development proposals for the benefit of the whole community. Early and continued community involvement is a key element in achieving sustainable development, which is the government's purpose of the planning system. This draft revised SCI takes into account the changes in the national planning system since 2006.

Minerals and Waste Local Plan

- 4.7 The County Council will prepare, and subsequently monitor and review, the local development documents that will make up the Oxfordshire Minerals and Waste Local Plan. These documents will together provide a policy framework to guide the amount, type and location of minerals and waste development in Oxfordshire. They will set the development plan policies against which planning applications will be considered.
- 4.8 The Minerals and Waste Local Plan must be prepared in accordance with relevant planning legislation and national planning policy and having due regard to national planning guidance. It also needs to take account of relevant strategies and plans produced by other authorities and organisations in and beyond Oxfordshire. These include the Sustainable Community Strategy, Oxfordshire 2030, produced by the Oxfordshire Partnership, and the Oxfordshire Strategic Economic Plan, produced by the Oxfordshire Local Enterprise Partnership and, upon adoption, Oxfordshire 2050, produced by the six Oxfordshire Authorities. The Minerals and Waste Local Plan will seek to reflect any aspects of the Sustainable Community Strategy and other relevant strategies and plans that have implications for minerals and waste planning.

County Matter Planning Applications

- 4.9 The County Council processes and determines planning applications for minerals and waste developments and for the Council's own service developments, such as schools, libraries and roads. In determining applications, the Council must take into account all material considerations. In addition to the Minerals and Waste Local Plan and the adopted local plan of the relevant City or District Council, this will include representations made by consultees, local residents and any other interested parties.

Duty to Co-operate

- 4.10 The Localism Act 2011 introduced a duty to co-operate, under which the County Council must work with other local authorities and other prescribed bodies (such as the Environment Agency) on strategic matters in preparing the Minerals and Waste Local Plan. This duty overlaps with the pre-existing requirements for engagement with these bodies in the preparation of the plan.
- 4.11 The Duty to Co-operate will, in effect, formalise many of the Council's existing relationships with other bodies. The County Council has a history of partnership working with the City and District Councils within Oxfordshire; of working with other minerals and waste planning authorities through technical working groups like the South East England Aggregates Working Party and South East Waste Planning Advisory Group; and of working closely with statutory bodies such as the Environment Agency. The duty to co-operate will strengthen these existing relationships and, where appropriate, build new relationships to assist in strategic planning.

4.12 The National Planning Policy Framework (NPPF) 2018 introduced Statements of Common Ground as part of the Duty to Co-operate. The County Council now has a requirement to produce, maintain and keep up to date a Statement or Statements of Common Ground (SoCG) to highlight agreement on cross boundary strategic issues with neighbouring authorities and other relevant organisations. The SoCG documents where effective co-operation is and is not happening throughout the plan-making process and is a way of demonstrating at examination that a local plan is deliverable over the plan period. The SoCG also forms part of the evidence required to demonstrate that the Council has complied with the Duty to Cooperate.

4.13 The County Council will therefore seek to integrate the engagement with other bodies that is necessary to meet the duty to co-operate with the more general need for involvement in the plan preparation process. In doing so, the Council will be mindful of how engagement with specific bodies under the duty to co-operate may be relevant to the involvement of other consultees, stakeholders and interested persons in the plan preparation process.

Neighbourhood Plans

4.14 Neighbourhood Planning was introduced by The Localism Act 2011. This gives communities the power to shape their area and deliver sustainable development. Parish/Town Councils or Neighbourhood Forums (authorised groups of local individuals in areas with no parishes) can now prepare statutory Neighbourhood Development Plans and Orders against which planning applications will be assessed.

4.15 Neighbourhood Plans have to be in general conformity with strategic policies contained within the Development Plan for their area and this includes the Minerals and Waste Local Plan as well as Local Plans prepared by the Districts.

4.16 Neighbourhood Plans and Orders are not prepared by the County Council and the Oxfordshire Minerals and Waste SCI has no role in saying what methods of community engagement should be used in preparing them. However, we will expect organisations and groups preparing Neighbourhood Plans to meet the requirements set out in legislation.

4.17 Oxfordshire County Council has a role to play in supporting the preparation of Neighbourhood Plans in the county and can provide strategic advice and comments on any significant potential impacts on minerals and waste planning interests and on County Council services.

5. Community Involvement in the Minerals and Waste Local Plan

5.1 The timetable for the Minerals and Waste Local Plan preparation is set out in the County Council's Minerals and Waste Development Scheme (MWDS) which is reviewed regularly and is available on the Council's website.

5.2 The MWDS sets out when documents will be produced and when people can get involved. Up-to-date information showing the current status of plan preparation against the MWDS timetable is reported in the Council's Minerals and Waste Annual Monitoring Reports, which are also available on our website. The MWDS is reviewed and amended as and when required to ensure that the most up to date timetable is available for those who are interested or wish to get involved in the preparation of the Minerals and Waste Local Plan.

Production of Minerals and Waste Plan Documents

5.3 The local development documents that the Council produces as part of the Minerals and Waste Local Plan must be prepared in accordance with the requirements of the Planning and Compulsory Purchase Act 2004, as amended by the Planning Act 2008 and the Localism Act 2011; and the Town and Country Planning (Local Planning) (England) Regulations 2012.

5.4 The production of local development documents will involve the following stages:

A. Evidence Gathering – to form the evidence base for the plan – this could include surveys; assessment of need for minerals; assessment of need for waste management; environmental assessment of location strategies and site options; strategic flood risk assessment.

B. Regulation 18 Consultation – the Council must notify specific and general consultation bodies and other appropriate persons in the area about the plan they propose to prepare and invite them to make representations about what the plan ought to contain; this stage may involve more than one phase of consultation and may include consultation on a draft plan.

C. Preparing the Plan – the Council must take into account any representations that are made in response to the Regulation 18 consultation.

D. Publication and Regulation 19 Consultation – the Council must publish a proposed submission version of the plan for consultation, to enable representations to be made on the soundness and legality of the plan.

E. Submission – the Council submits the plan to the Secretary of State, together with representations received in response to the Regulation 19 consultation.

F. Independent Examination – an independent Planning Inspector appointed by the Secretary of State holds an examination of the plan to consider

whether it is sound and legally prepared; the Inspector may hold public hearings where interested parties can speak about the plan; the Inspector may recommend modifications to the plan that have been suggested by the Council, which are subject to consultation.

G. Adoption – if the Inspector finds the plan legal and sound, the Council can adopt it, subject to any modifications the Inspector recommends.

Who we will Involve in Preparing Plan Documents

- 5.5 The ‘community’ includes all individuals, groups, organisations and statutory bodies living, working or operating in Oxfordshire, or close to the county boundary, or having a particular interest in minerals and/or waste development in the county. We will consult communities on the development of plan documents at the earliest possible stage to allow meaningful engagement in the process. If difficulties and conflicts are addressed at an early stage, both time and money can be saved in the final stages of plan production.
- 5.6 Legislation requires the Council to consult certain organisations at particular stages in the preparation of local plans. The 2012 Local Planning Regulations set out specific consultation bodies, which must be consulted if the planning authority thinks the plan affects them, and general consultation bodies, to be consulted as the planning authority considers appropriate. These bodies are listed in Appendix 2.
- 5.7 The Council’s Duty to Co-operate and Statements of Common Ground with other local authorities will also ensure that the City and District Councils within Oxfordshire and neighbouring and (where relevant) more distant local authorities will be involved throughout the plan preparation process.
- 5.8 Where appropriate we will go beyond the requirements of the Regulations. We will seek to involve all individuals, groups, organisations and bodies that we think have an interest in the minerals and waste development documents being prepared or who have expressed an interest in being involved or consulted. In doing this, as appropriate we will take into account those sections of the community that are more difficult to involve than others, including older people, young people, ethnic minorities, people with disabilities and those who are not connected into local community networks.
- 5.9 Involvement and consultation will be focused on the key target groups listed below. This is not an exclusive list and we may add to it if appropriate. A fuller list of bodies that will be involved and consulted as appropriate is set out in Appendix 2. The County Council will maintain a detailed consultation list of individuals, groups, organisations and bodies to be involved and consulted. People can contact the Council’s Minerals and Waste Policy Team to ask to be added to or removed from the list at any time.

Key Target Groups to be Involved and Consulted

- Specific interest groups (national, regional and local);
- Environmental groups (national, regional and local);

- Local community, residents and civic groups including community led planning groups;
- Local action groups;
- Minerals and waste management companies and related businesses;
- Developers, agents and landowners;
- The Local Economic Partnership;
- District councils in Oxfordshire;
- Parish and town councils and parish meetings within Oxfordshire;
- County, unitary, district and parish and town councils adjoining Oxfordshire;
- Other relevant minerals and waste planning authorities;
- Government departments and agencies;
- Statutory bodies;
- Service agencies, public utilities and statutory undertakers;
- Relevant members of the Oxfordshire Partnership;
- Other organisations and individuals expressing an interest.

5.10 The statutory requirements for consultation on local plans are set out in Appendix 1.

How and When we will Involve People in Preparing Plan Documents

5.11 There are three levels at which we will, as appropriate, engage with people in the production of Minerals and Waste Local Plan documents:

- (i) **Informing** – providing relevant information and keeping people up to date on the process of producing minerals and waste plan documents, to enable them to make comments and/or become further involved at appropriate stages.
- (ii) **Consulting** – asking individuals and organisations what they think about particular approaches, options and proposals being considered and put forward in producing minerals and waste plan documents; this is usually done through a formal period of consultation when interested and affected parties are invited to make representations on a draft version of a document.
- (iii) **Involving** (participation) – providing opportunities for and encouraging active involvement from individuals and organisations in the process of producing minerals and waste plan documents, to further the discussion of issues and options and bring forward views and ideas for consideration and debate; parties are encouraged to be involved in making a positive contribution to the debate rather than reacting to particular proposals.

- 5.12 The community involvement process should ensure that people:
- Have access to information;
 - Can put forward their own ideas and feel confident that there is a transparent process for considering and responding to ideas;
 - Can take an active part in developing proposals and options;
 - Can comment on formal proposals;
 - Get feedback and are informed about progress and outcomes.
- 5.13 We will seek to involve and consult people throughout the process of preparing minerals and waste plan documents, including at the early, informal stages of plan preparation. The process of continuous involvement will include:
- Providing regularly updated information about the Minerals and Waste Plan process and making this available to interested people and organisations;
 - Maintaining a dialogue with stakeholders and other participants in the Minerals and Waste Plan process;
 - Encouraging comments and proposals to be made throughout the formative stages of the plan-making process and at the specific consultation stages;
 - Providing feedback on how representations made in response to consultations have been taken into account.
- 5.14 The Council will use the most appropriate methods of communication and engagement to provide communities and other stakeholders with sufficient opportunities for meaningful involvement in the plan making process before and during preparation of plans, particularly at the Regulation 18 and 19 stages of consultation. In addition, during the independent examination of development plan documents, the Council may decide that changes to plans are needed and that the views of communities and stakeholders on the proposed changes should be obtained. We will draw on a range of techniques to inform, consult and involve people and organisations, and will use those techniques that are considered most appropriate to the stage in the process, the subject matter and the people or organisations involved.
- 5.15 In undertaking consultations under Regulations 18 and 19, the Council will use the following communication and engagement methods, as appropriate, to ensure as many people as possible can take part:
- a) Maintain a GDPR compliant database of general, specific and other consultees to be consulted at each stage and send notifications of consultations to everyone on the database by email or letter. The database may also be used to send updates or newsletters on the preparation of plan documents and other relevant information at other times.
 - b) Run consultations for a minimum of six weeks. This may be extended where it is considered a longer period is appropriate or to allow for holiday periods.

- c) Make consultation documents and other relevant material available for inspection on and downloading from the County Council website throughout the consultation period. Documents will be retained on the website for future reference after the consultation period for as long as they continue to be relevant to preparation of the plan.
- d) Make consultations available through the County Council's consultation portal. People who have registered as being interested in consultations on this topic will be notified.
- e) Make consultation documents and other relevant material available for inspection at County Council offices throughout the consultation period. This may be extended to other locations such as city and district council offices, libraries and parish and town councils where this is considered appropriate.

5.16 Other methods of communication and engagement that may be used, as and when considered appropriate, include:

- a) Maintain up to date information on the preparation of plan documents on a dedicated webpage on the County Council website, including what plan documents are being prepared, the timetable for preparation, the documents and other information available and details of when and how people can engage in the plan preparation process.
- b) Hold stakeholder group meetings or workshops to enable relevant organisations and other interested persons to consider, discuss and debate together issues, options or proposals at appropriate stages in the plan preparation process and provide direct input to the Council's work in preparing plan documents.
- c) Hold face to face meetings with organisations, individually or in sector groups, to discuss specific issues. Meetings with individuals may also be appropriate in certain circumstances.
- d) Attend, by invitation, open meetings organised by parish and town councils or local groups, subject to staff resources.
- e) Provide information about plan proposals and invite participation in consultations through the County Council's ~~monthly e-newsletter "Your Oxfordshire"~~ digital channels, including e-newsletters and social media.
- f) Place advertisements in local newspapers and through digital channels and issue ~~other media releases~~ packages including targeted at local press, radio and television.
- g) Produce and make available leaflets to provide non-technical information for a wider audience.

- h) Hold public exhibitions or roadshows at selected venues, either staffed to enable on-hand explanation, discussion and feedback; or unstaffed small displays to provide general publicity or information.
- 5.17 The Council may use these methods of consultation, as considered appropriate. This will depend on the subject of the proposals, the affected communities, the issues raised, the level of public interest and the resources involved.
- 5.18 Any person may request a copy of a consultation document in a variety of different formats in order to participate. The Council will provide a copy as soon as is reasonably practicable but may have to make a reasonable charge for the document.
- 5.19 Plain English will be used in all documents to ensure everyone who wishes to engage with the planning process can do so without confusion and misunderstanding. However, in some cases, it will be necessary to use specific or technical terminology or 'jargon'. Where this happens, we will endeavour to provide an easy to understand explanation in the document or on the website. Planning staff will be available by telephone during standard office hours to answer questions and provide relevant information during consultations.

Sustainability Appraisal

- 5.20 The Council will undertake Sustainability Appraisal (SA), where required, at each relevant stage of plan production. This is required by planning legislation and must also incorporate the requirements of the European Strategic Environmental Assessment Directive. SA integrates considerations of social, environmental and economic impacts into the plan preparation process by identifying and reporting on the likely effects of a plan and determining the extent that it will contribute to sustainable development.
- 5.21 Comments will also be invited on the SA process and reports, and SA documents will be made available alongside the related plan consultation documents.

Supplementary Planning Documents

- 5.22 The Council may, if necessary, also produce Supplementary Planning Documents (SPDs) related to the Minerals and Waste Local Plan. SPDs expand on policies or provide greater detail than can be included in a development plan document. Whilst they must undergo public consultation, they do not need to pass through all the stages required for development plan documents.
- 5.23 Prior to adopting an SPD, the Council must:
- Make relevant documents and material available for inspection at County Council offices and other locations that the local planning authority consider appropriate for a minimum four weeks consultation period; and
 - Make relevant documents and material available for inspection on the County Council website for a minimum four weeks consultation period.

- 5.24 The County Council will do more than these minimum requirements when it is appropriate. The consultation period may be longer than 4 weeks, for example, where it overlaps with a public holiday or involves a particularly sensitive or controversial issue. The initial consultation on the form of the SPD would be undertaken using appropriate methods from those listed in paragraph 4.13 5.15 and 5.16 above.
- 5.25 The SPD would be adopted by the County Council following any necessary changes identified during the consultation period. SPDs are not subject to independent examination.

Providing feedback

- 5.26 At each stage of consultation on a local development document, following the consultation the Council will produce and publish a report on the comments and representations received. This may be in the form of a summary of the responses. We will also publish the Council's responses and any changes to be made to the document and/or actions to be taken. The Council will consider all the comments and representations received and will respond on the basis of the merits of the planning arguments and evidence put forward.
- 5.27 Where stakeholder group or face to face meetings are held, the Council will produce a summary report of the proceedings. This will be made available and will be sent to those who attended the meeting.
- 5.28 Reports of consultations and meetings will be published and made available on the Council's website and in hard copy (on request). The Council will seek to ensure wide a dissemination of this information so that it is available to interested organisations and individuals. The County Council reserves the right to make a charge for copies of reports in appropriate circumstances.
- 5.29 Where formal decisions have to be taken on a document or other material by the County Council as part of the plan preparation process, a report will be considered, and a decision made by the Cabinet Member for Environment, the Cabinet, or the full Council as appropriate. This is in accordance with legal requirements and the County Council's constitution.

6. Community Involvement in Planning Applications

- 6.1 The types of planning application that Oxfordshire County Council deals with are:
- Minerals development (for example quarrying);
 - Waste development (for example landfill and incineration);
 - Development which is to be carried out by the County Council itself (known as Regulation 3 development, for example applications relating to schools, libraries, youth centres or highways).

All other planning applications are dealt with by the relevant District or City Council.

- 6.2 Different methods of engaging local communities will be appropriate depending on the scale and nature of the proposed development. Minerals and waste developments have the potential to affect a large number of people and are often contentious. Regulation 3 developments also have the potential to cause concern locally, although a higher proportion of these applications are small scale and do not provoke high levels of local interest. In all cases efforts will be made to inform, consult and engage the local community in applications which have been submitted to us for determination.
- 6.3 The appropriate level of notification and consultation will be determined in relation to the characteristics of each planning application and we aim to be flexible in our approach to community involvement in order to ensure that we can involve the public appropriately on the range of different applications which we determine.
- 6.4 There are minimum statutory requirements for notification and consultation in relation to planning applications, which we will meet in every case. Notwithstanding the need to be flexible to respond to the circumstances of individual applications, we seek to ensure that communities are involved in a consistent and meaningful way on every application and therefore minimum levels of community involvement, which exceed the statutory minimum, will be met for each planning application determined by Oxfordshire County Council. Specifically, we will write to the occupants of any nearby properties for all planning applications, not just in relation to the types of planning applications where this is a requirement. Details of the statutory minimum requirements and our additional commitments in relation to notification and publicity are provided in Table 1 below.
- 6.5 Each planning application will be assigned to a named case officer and their contact details will appear on consultation letters and on the internet. This will ensure that the local communities know who to speak to about any planning application in their area. The case officer will use the local County Councillor and Parish/Town Councils as appropriate to reach the wider local community; however, they will also be available to respond to individual members of the public throughout the application process.

Table 1: Notification and Publicity for Planning Applications

Planning Application Type	Statutory minimum	What OCC will additionally do
<p>'Major' planning applications:</p> <ul style="list-style-type: none"> – all minerals applications; – all waste applications; – applications with a site area over 1 hectare; – applications to create 1000sq m or more floorspace. 	<p>A notice must be placed in a local newspaper;</p> <p>And either:</p> <ul style="list-style-type: none"> – At least one site notice must be displayed for at least 21 days near the application site; or – Any adjoining owner or occupier should be notified. 	<p>A site notice will be put up for every application to meet the statutory minimum and additionally notifications will be sent to neighbouring properties – <u>usually</u> within 350 metres for minerals and waste development and those considered likely to be affected by the development for other major planning applications.</p>
<p>Planning applications which:</p> <ul style="list-style-type: none"> – are accompanied by an EIA; or – which are a departure from the development plan; or – which would affect a public right of way. 	<p>At least one site notice must be displayed for at least 21 days near the application site; and</p> <p>A notice must be placed in a local newspaper.</p>	<p>Notifications will be sent to neighbouring properties – <u>usually</u> within 350 metres for minerals and waste development and those considered likely to be affected for other planning applications.</p>
<p>Planning applications which would affect the setting of a Listed Building, or the character or appearance of a Conservation Area.</p>	<p>At least one site notice must be displayed for at least 21 days near the application site; and</p> <p>A notice will be placed in a local newspaper.</p>	<p>Notifications will be sent to neighbouring properties – <u>usually</u> within 350 metres for minerals and waste development and those considered likely to be affected for other major planning applications.</p>
<p>All other applications.</p>	<p>Either:</p> <ul style="list-style-type: none"> – At least one site notice must be displayed for at least 21 days near the application site; or 	<p>A site notice will be put up for every application to meet the statutory minimum and additionally notifications will be sent to any neighbouring properties considered likely to be affected by the development.</p>

	<p>– Adjoining owner or occupier to be notified.</p>	
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Flexibility in notification and publicity depending on proposals

- 6.6 350 metres is our standard neighbour notification zone. However, this will be increased as considered appropriate for individual applications. A wider area for neighbour notifications may be appropriate depending on the circumstances, for example in order to include a neighbouring property amongst a group of properties when the others are consulted, or when there is a clear line of sight between a property and a proposed development.
- 6.7 Although only one site notice is required, we will increase the number of site notices where appropriate, taking into account the size of the site, any public access to the site and the locations where people are mostly likely to see a site notice.

Consultations

- 6.8 In addition to notifying neighbours and publicising applications through notices on site and in newspapers, we will write directly to consultees to seek their views on planning applications. Some consultees must be consulted as a statutory requirement. However, we will also maintain a list of other bodies and organisations who wish to be consulted on certain applications and consult them as appropriate. We will consult the relevant Parish or Town and District Council on every planning application. Appendix 3 contains a list of consultees who will be consulted as appropriate when considering planning applications.

Other application types

- 6.9 In addition to planning applications, there are a number of other types of application on which we make decisions which can affect local communities. In many cases there is no statutory requirement to notify the public or to hold consultations. However, we will seek the views of the public as appropriate as set out below.

Details Pursuant applications

- 6.10 When planning permission is granted it is usually subject to conditions, some of which may require the submission of further details. These submissions are known as details pursuant applications. There is no statutory requirement to publicise, provide notification or consult on these details before approving them. However, we will seek to engage the local community in the approval of details pursuant in cases where it is considered that their views would be valuable. For example, if a planning condition was added to the consent at the suggestion of a consultation body such as a Parish or Town Council we would usually consult that body on the details once they were submitted. When a details pursuant submission is approved we will publish the submission on our website and anyone who was consulted on the submission will be notified of its approval.

Non-material amendment applications

- 6.11 Planning permissions may be amended by a non-material amendment application, also known as a Section 96a application. By definition this type of application can only be used to approve changes to the development which are not considered to be material in the context of the approved development. If the proposed changes were to lead to a greater impact on neighbours, we would request that the changes should be applied for through a planning application rather than a non-material amendment application. Therefore, there are no statutory requirements for notification, publicity or consultation. However, although this is unlikely to be necessary in the majority of cases we will consult Parish and Town Councils and other consultees as considered appropriate in cases where the main development or the part of the development to which the proposed amendment relates was particularly controversial or otherwise likely to generate a high level of interest amongst the public. In all cases Parish and Town Councils and local County Councillors will be notified when non-material amendment applications are approved.

Certificate of Lawfulness applications

- 6.12 We also deal with two types applications to determine whether a development is lawful – applications for a Certificate of Lawfulness of Existing Use or Development (CLEUD) and applications for a Certificate of Lawfulness of Proposed Use or Development (CLOPUD.) We are the determining authority when the development in question relates to minerals or waste. There is no statutory requirement to publicise, notify or consult on these applications and they must be determined on the basis of the evidence, rather than the impact they would have on local communities or compliance with planning policy.
- 6.13 CLEUD applications are made when an applicant wishes to establish whether a use or development which they are already carrying out is lawful. Evidence of the existence of the development or continuation of the use for a number of years is often very important to the determination. The applicant will usually submit evidence to demonstrate that the use or development has been ongoing for a number of years. Therefore, engagement with the local Parish or Town and District Council can be important as they might have evidence either to support or refute the applicant's claims regarding the length of the use or development. We will therefore usually consult Parish or Town and District Councils on these applications. Other consultees will also be included where they might also have useful evidence.
- 6.14 CLOPUD applications relate to a development or use that has not yet taken place and therefore historical evidence is not required. The decision must be made on the basis of the legal situation. In all cases the Parish or Town Council would be notified of the decision, however in the majority of cases there would be no consultation during the course of processing the application.

Review of Old Mineral Permissions

- 6.15 Mineral permissions with long timescales are subject to a regular review of the conditions to ensure that the site is worked with modern conditions. The timing of this is at our discretion but is usually every 15 years. Although in these cases the principle of the development has been accepted, it is important to ensure that any new planning conditions which are attached adequately protect communities and the environment. Therefore, although applications for review of old mineral permissions are not applications for planning permission, we will engage the public and consult on them in the same manner as we do for planning applications, seeking the views of all interested parties.

Requests for an EIA Scoping Opinion

- 6.16 Before submitting a planning application an applicant might request a formal scoping opinion from us. This is where we set out what should be covered by an Environmental Impact Assessment to accompany the application. We will consult statutory consultees as required and will also extend this to non-statutory consultees as considered appropriate. We will include Parish and Town Councils in consultations on Scoping requests.

Requests for further information to accompany a planning application

- 6.17 During the course of consulting on a planning application it sometimes becomes clear that further information about the proposals, or the effects of the development, is necessary before the application can be determined. Similarly, the applicant may choose to amend their proposals in response to comments made during the consultation period.
- 6.18 In these cases we will re-consult as appropriate, depending on the scale and materiality of any amendments to the proposals. If the further information has been submitted further to a consultation response, then the body that provided that information will be consulted on the further information.
- 6.19 If further information is requested in relation to the Environmental Statement, under Environmental Impact Assessment Regulations, then there are statutory requirements for letting people know about the submission of the additional information and we will meet all statutory requirements and also consult all parties who were consulted on the original application or who had responded to the consultation.

Additional methods of community engagement

- 6.20 There are further ways of involving communities which are not necessary for every application but may be appropriate in certain cases due to the scale and complexity of the proposals or the sensitivity of the site. These may include public meetings, one to one meetings with stakeholders and newsletters sent to properties close to an application site to update on the progress of a high profile planning application. Often this is primarily the responsibility of the applicant, particularly at pre-application stage. However, it is likely that there will be occasions where it is appropriate for the County Council to engage the community in these ways.

- 6.21 It is after a planning application has been determined and the permission implemented that local communities experience the main impacts of a development. In the case of minerals and waste in particular, the impacts may change over time as the development reaches different stages and different parts of the site become operational. On sites where it would be useful we will use informatives on the planning permission to request operators to set up and attend local liaison meetings. These provide a forum for engagement with the community throughout the life of a development. The frequency and attendees for these meetings will depend on the specific details of the development and site and are usually established at the initial meeting. In most cases it will be appropriate for a representative from the County Council's development management planning team to attend to advise on planning matters and share information with the community about the outcome of ongoing monitoring visits.
- 6.22 Different parts of the community will benefit from different methods of engagement. For example, some people may not have internet access, or much spare time, or any pre-existing knowledge of how the planning system works. We will be sensitive to the differing requirements of different groups of people and offer a range of engagement methods to ensure that no groups are discouraged from taking part on the process. Consideration will be given to ensuring that 'hard to reach' groups, who might be difficult to engage using traditional methods, are included.

Information on the website

- 6.23 The Oxfordshire County Council website is an important way of sharing information about planning applications with the public. It allows for large volumes of information to be viewed by anyone who is interested and for new information to be shared quickly. There is a statutory requirement to publish information on the website for all planning applications. However, we will publish additional information on our website for each planning application to allow the public to easily access full application details. Table 2 below sets out the application details which we will publish online.
- 6.24 In addition to using the website to publish information, users are able to use the online system to submit comments on planning applications if they wish, which many find more convenient than posting comments. This ensures that the website facilitates engagement with local communities, as well as simply providing information.
- 6.25 Some people may not be able to access information over the internet or find it difficult. All information published on the website is available to view using computers at Oxfordshire County Council libraries for those who do not have their own internet access. We will also ~~keep~~ make a paper copy of ~~every~~ applications available at our Oxford offices for public inspection by appointment during office hours when there is public demand for this, to ensure that people who find using computers difficult can still access information in order to engage with the planning process.

Table 2: Information Available on County Council Website

Statutory minimum requirements	What the County Council will additionally publish on the website for every application
<ul style="list-style-type: none"> – the address or location of the proposed development; – a description of the proposed development; – the date by which any representations about the application must be made, which shall not be before the last day of the period of 14 days beginning with the date on which the information is published; – where and when the application may be inspected; – how representations may be made about the application. 	<ul style="list-style-type: none"> – the application documents and plans; – consultation responses as they are received; – the date the application was received and the date it was validated; – the District and Parish or Town Council area and division which the site is in; – details of the applicant; – a list of those consulted; – decision notice; – EIA screening and scoping opinions (also online at the pre-application stage, if requested before an application is submitted).

Letting people know how we have taken their views into account

6.26 It is important that the public can see how their views have been taken into account in the process of determining a planning application. Where a consultation response has highlighted the need for additional information to support a planning application, this information will be shared with the consultee who requested it once it is received from the applicant. A further period of consultation may be held, as necessary. Either a delegated or committee report is written for each planning application determined and each report will set out a summary of the points raised during the consultation period and will also address those points. If applications are taken to committee for decision, objectors are able to address the meeting. Once a decision is made the decision notice is available on the website. Reports to the Planning and Regulation Committee will be made available on the website one week prior to the meeting at which an application is due to be considered.

Encouraging applicants to engage with communities

- 6.27 We will do what we can to facilitate meaningful public engagement with the planning process. However, the applicant also has an important role, especially at pre-application stage. Where a proposal is likely to have an impact on local communities, we encourage applicants to liaise with those communities as early as possible. By engaging the public prior to formally submitting a planning application, there is more scope for the details of the proposals to be adjusted to take into account local views. The applicant also has a role in helping the public to fully understand proposals, as having a good knowledge of what is being proposed is essential for effective participation in the consultation process.
- 6.28 Our validation requirements for planning applications require that where an application meets the criteria set out in Table 3, developers must submit their own Statement of Community Involvement demonstrating how they have complied with our requirements for pre-application consultation.
- 6.29 For the application types set out in Table 3, applicants must show that they have actively engaged communities which may be affected by the development and how the views emerging from that engagement have affected the final proposals. We do not wish to be prescriptive about the best methods for applicants to use to engage the community as this will vary depending on the proposed development. However, exhibitions and presentations to local meetings can be very effective in explaining a development and sending out written information can be a useful approach in ensuring that a large number of people are aware of a proposal.
- 6.30 Applicants will need to carefully consider the timescales for public engagement to ensure that views and suggestions which emerge from the process can be taken into account in formulating the final design of the development.

Table 3: Developments requiring pre-application engagement by the applicant

Waste Applications	<ul style="list-style-type: none"> • Applications for disposal of degradable wastes with a capacity of 500,000 tonnes or more and/or a disposal life of 10 years or more; • Applications for a waste processing plant having a throughput of 100,000 tpa or more; • Applications for the disposal to land of air pollution control residues (APCRs) from the incineration of waste for periods in excess of five years; • Applications for new developments;
Mineral Applications	<ul style="list-style-type: none"> • Application for a new quarry; • Applications for extensions of existing quarries of 25 hectares and/or with a production capacity of 250,000 tpa or more;

Other Applications	<ul style="list-style-type: none">• School or other education establishment with six classes per year group on a greenfield site and with significant transport implications;• Road proposal with a length of 2km or more in an urban environment or a length of 5km or more in a rural environment and all bypasses.
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7. Monitoring and Review of the Statement of Community Involvement

- 7.1 The County Council will monitor the implementation of the Statement of Community Involvement and will include this as part of its Annual Monitoring Report. We will use feedback from stakeholders, community groups and others as well as evidence from consultations and involvement on local plan documents and planning applications. The results will be used to review and where necessary update the methods of community involvement and other procedures.
- 7.2 Monitoring of the Statement of Community Involvement will include assessing:
- Whether it sets out the processes of engagement and consultation in a relevant and accessible way;
 - Whether it ensures effective involvement of the community;
 - Whether it includes appropriate engagement and consultation techniques;
 - Whether there have been significant changes to regulations or guidance; and
 - Whether it accords with the County Council's principles of consultation.
- 7.3 If significant change is needed to the Statement of Community Involvement, a review will be carried out.
- 7.4 The Covid 19 pandemic and the resulting government guidance on social distancing has shown that there can occur short term requirements to amend the way in which we continue to carry out consultation in extraordinary circumstances. In those circumstances the County will set out on its website the measures it will take in the short term to adhere as best it can with the SCI while at the same time complying with Government guidance and regulations.

Appendix 1: Statutory Requirements for Consultation on Local Plans

A1.1 The Town and Country Planning (Local Planning) (England) Regulations 2012 set out the statutory requirements for consultation on local plans. In particular Regulations 18 and 19 specify what must be done at the plan preparation and plan publication stages.

A1.2 Under **Regulation 18** on preparation of a local plan states that a local planning authority must:

- a) notify each of the following of the subject of a local plan which the local planning authority propose to prepare: specific consultation bodies; general consultation bodies; and such residents or other persons carrying on business in the local planning authority's area from which the local planning authority consider it appropriate to invite representations; and
- b) invite each of them to make representations to the local planning authority about what a local plan with that subject ought to contain;
- c) in preparing the local plan, take into account any representations made to them in response to those invitations.

Specific and general consultation bodies are defined in the Regulations and are listed in Appendix 2.

A1.3 Under **Regulation 19**, before submitting a local plan to the Secretary of State for independent examination, the local planning authority must:

- a) make a copy of each of the proposed submission documents and a statement of the representations' procedure available in accordance with regulation 35; and
- b) ensure that a statement of the representations' procedure and a statement of the fact that the proposed submission documents are available for inspection and of the places and times at which they can be inspected, is sent to each of the general consultation bodies and each of the specific consultation bodies invited to make representations under regulation 18.

A1.4 **Regulation 20** on representations relating to a local plan states that:

- a) Any person may make representations to a local planning authority about a local plan which the local planning authority propose to submit to the Secretary of State.
- b) Any such representations must be received by the local planning authority by the date specified in the statement of representations procedure.

Appendix 2: Consultation Bodies and other Consultees in the Preparation of Local Plans

A2.1 The specific and general consultation bodies listed below are drawn from The Town and Country Planning (Local Planning) (England) Regulations 2012. These bodies will, as the Council considers appropriate, be consulted at the different stages in the preparation of the Minerals and Waste Local Plan.

Specific Consultation Bodies

- The Coal Authority;
- The Environment Agency;
- English Heritage;
- The Marine Management Organisation;
- Natural England;
- Network Rail;
- ~~Highways Agency~~; Highways England;
- Parish, Town and District Councils within Oxfordshire;
- Parish, Town, District, Unitary and County Councils adjoining Oxfordshire;
- Police and Crime Commissioner within Oxfordshire;
- Police and Crime Commissioner adjoining Oxfordshire;
- Any person to whom the electronic communications code applies by virtue of a direction given under section 106(3)(a) of the Communications Act 2003;
- Any person who owns or controls electronic communications apparatus situated in Oxfordshire;
- Oxfordshire Clinical Commissioning Group;
- The National Health Service Commissioning Board;
- Any person to whom a licence has been granted under section 6(1)(b) or (c) of the Electricity Act 1989;
- Any person to whom a licence has been granted under section 7(2) of the Gas Act 1986;
- Sewerage undertakers;
- Water undertaker
- Homes England

General Consultation Bodies

- Voluntary bodies some or all of whose activities benefit any part of Oxfordshire;
- Bodies which represent the interests of different racial, ethnic or national groups in Oxfordshire;
- Bodies which represent the interests of different religious groups in Oxfordshire;
- Bodies which represent the interests of disabled persons in Oxfordshire;
- Bodies which represent the interests of persons carrying on business in Oxfordshire.

A2.2 A more detailed list of these organisations, together with other organisations and groups (see list below) and individuals who have expressed a wish to be kept informed about the preparation of the Minerals and Waste Local Plan, will be maintained and updated by the County Council. This will provide the basis for consultation at the different stages of preparation of the plan.

Other Organisations and Groups that may be Consulted

- Age UK;
- Airport operators;
- Areas of Outstanding Natural Beauty:
 - Chilterns Conservation Board;
 - Cotswold Conservation Board;
 - North Wessex Downs AONB Partnership;
- British Geological Survey;
- Canal and River Trust, canal owners and navigation authorities;
- Chambers of Commerce, Local CBI and local branches of Institute of Directors;
- Church Commissioners;
- Civic Societies;
- Civil Aviation Authority;
- Community Groups;
- Crown Estate;
- Design Council;
- Diocesan Board of Finance;
- Electricity, Gas, and Telecommunications Undertakers, and the National Grid Company;
- Environmental groups at national, regional and local level, including:
 - Campaign to Protect Rural England;
 - Friends of the Earth;
 - Royal Society for the Protection of Birds; and
 - Berkshire, Buckinghamshire & Oxfordshire Wildlife Trust;
- Equality and Human Rights Commission;
- Fire and Rescue Service;
- Forestry Commission;
- Freight Transport Association;
- Gypsy Council;
- Health and Safety Executive;
- Home Builders Federation;
- Local Liaison and Action Groups;
- Local Transport Authorities and Operators;
- National Playing Fields Association;
- Police Architectural Liaison Officers/Crime Prevention Design Advisors;
- Rail Companies and the Rail Freight Group;
- Residents Associations;
- Road Haulage Association;
- Sport England.

A2.3 The Town and Country Planning (Local Planning) (England) Regulations 2012 also sets out the bodies that are prescribed for the purposes of the duty to co-operate, as listed below.

Duty to Co-operate Prescribed Bodies

- Environment Agency;
- ~~English Heritage~~; Historic England;
- Natural England;
- Mayor of London;
- Civil Aviation Authority;
- Homes and Communities Agency;
- Clinical Commissioning Group;
- National Health Service Commissioning Board;
- Office of Rail ~~Regulation~~ and Road;
- Transport for London;
- Integrated Transport Authorities;
- Highway Authorities;
- Marine Management Authority;
- Local Enterprise Partnerships;
- Local Nature Partnerships

Appendix 3: Bodies and Persons who will be Consulted as Appropriate in the Consideration of Planning Applications

A3.1 Consultation arrangements for planning applications are as set out in ~~Part 3 and Schedule 5 of The Town and Country Planning (Development Management Procedure) (England) Order 2010~~ Article 15 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. ~~This sets out~~ The online Planning Practice Guidance on 'Consultation and pre-decision matters' Table 2 identifies a number of consultees who must be consulted if certain criteria are met. These are set out below and will be consulted in line with the requirements of the legislation.

Statutory Consultees

- ~~• Health and Safety Executive;~~
- ~~• Highways Agency;~~
- ~~• Rail network operators;~~
- ~~• Local Highway Authority;~~
- ~~• The Coal Authority;~~
- ~~• Environment Agency;~~
- ~~• English Heritage;~~
- ~~• Natural England;~~
- ~~• The Theatres Trust;~~
- ~~• Defra;~~
- ~~• Department for Culture, Media and Sport;~~
- ~~• Department of Energy and Climate Change;~~
- ~~• Sport England;~~
- ~~• The Canals and River Trust;~~
- ~~• Toll Road Concessionaires;~~
- ~~• Crown Estate Commissioners;~~
- ~~• Forestry Commission;~~
- ~~• Garden History Society;~~
- ~~• City and District Councils;~~
- ~~• Parish and Town Councils.~~
- Adjoining landowners
- Canal and River Trust
- Coal Authority
- Control of major-accident hazards competent authority
- Crown Estates Commissioners
- Department for Business, Energy and Climate Change
- Designated Neighbourhood Forum
- Environment Agency
- Forestry Commission
- Garden History Society
- Health and Safety Executive;
- Highways Authority
- Highways England;
- Historic England

- City and District Councils
- Natural England
- Parish and Town Councils
- Rail Infrastructure Managers
- Rail Network Operators;
- Sport England
- Theatres Trust
- Toll Road Concessionaries;

A3.2 Additional consultees for each application will be selected from the lists of bodies in Appendix 2 above, as appropriate.

Alternative Formats of this publication can be made available on request. These include other languages, large print, Easy read, Braille, audio cassette, CD, memory stick or e-mail

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Annex 2

Report on Consultation Statement of Community Involvement January 2020

Introduction

The current Statement of Community Involvement was adopted by the Council in March 2015. The Town and Country Planning (Local Planning) (England) Regulations 2012(as amended) requires SCI's to be reviewed every 5 years. In view of these Regulations, and the legislative changes that have been made under the Neighbourhood Planning Act 2017, it is necessary to update the Statement of Community Involvement to incorporate these changes.

The main changes from the 2015 SCI are:

- Updates and consequential amendments to section 1 Introduction;
- A new section 2 on the Council's Vision and Values for Oxfordshire;
- A new paragraph 4.3 on the Oxfordshire 2050 Plan;
- A new paragraph 4.12 on the requirement for Statements of Common Ground;
- A new section at paragraphs 4.14 – 4.17 on Neighbourhood Plans;
- New paragraphs 5.1 – 5.2 on the Council's Minerals and Waste Development Scheme;
- Updates to paragraph 5.16 to reflect changes in the Council's methods of communication and engagement; and
- Updates to Appendix 3 to reflect legislative changes to statutory consultees on planning applications.

To make it easier to see where changes have been made from the 2015 Statement of Community Involvement, we underlined or ~~deleted~~ where amendments were made.

Consultation Period

The revised draft SCI was consulted on between Wednesday 24th July and 2nd October 2019.

Consultation

The draft revised Statement of Community Involvement and response form was available to view and download at:

<https://www.oxfordshire.gov.uk/cms/content/new-minerals-and-waste-local-plan>

We also placed the consultation on the Oxfordshire County Councils E-consult portal.

We also contacted all those respondents on our Minerals and Waste Database, either via email or by post. This database contains over 1100 contacts and includes all Town and Parish Councils within Oxfordshire, surrounding Councils, local and national groups, industry and individuals.

We also placed copies of the document at the following libraries across Oxfordshire.

Abingdon	Berinsfield	Didcot	Kennington	Wallingford
Bampton	Bicester	Eynsham	Kidlington	Wantage
Banbury	Burford	Faringdon	Oxford County	Witney
Benson	Carterton	Henley	Sonning Common	Woodstock

Respondents

We received four emails to the consultation, only one of which contained specific comments on the content of the draft SCI. No one responded via post or the online portal. The full emails are available on request from Minerals and Waste Policy Team.

Respondent	Comment	County Council Response
A Parish Council	Requested a copy of the SCI be sent to their local library.	Copy sent to library
A Parish Council	Found the document too lengthy and complex. Also requested a map showing the changes.	We responded with apologies for them finding the document too lengthy and complex. Explained why Oxfordshire County Council prepared the SCI and it's requirements. Also highlighted where changes were made from the previous Statement of Community Involvement. We clarified that the document did not relate to any specific pieces of land nor does it designate any mineral or waste sites and explained that these would come through the Site Allocations Plan. We also offered to meet with the Parish to go through the document.
Buckinghamshire County Council	Buckinghamshire County Council welcomes the opportunity to comment on Oxfordshire's Revised Statement of Community Involvement. We recognise that in section 5.15, subsection E, you mention that Oxfordshire CC 'may' extend the availability of consultation documents to locations like local government offices and the library. We would like to recommend that if it is possible, you do this so as to make the document accessible to as many people as possible, thus making the consultation	We acknowledge Buckinghamshire's comment, however all consultation documents are made available online at all times. There is access to the internet within Local Government offices and Libraries within Oxfordshire for people to be able to view the consultation documents. We do recognise that not everyone wishes to use computers or has internet access and we therefore we do provide a paper copy to the libraries if requested. At section 5.18 of the SCI we also offer to provide a copy in a variety of different formats to any person in order for them to be able to participate (though we may have to make a reasonable charge). Therefore, sending paper copies of all the documents to Local Government buildings and Libraries across Oxfordshire is not considered resource efficient and we do not feel a change in the text is necessary. No change required

	process more meaningful and yielding greater results.	
Surrey County Council	Have no comments to make on this document	Acknowledged

Conclusion

There were few responses to this consultation, as there were only minor changes to this document and the previous consultation during the preparation of the Statement of Community Involvement 2015 received only sixteen responses

No changes are required to the Revised draft Statement of Community Involvement as a result of the consultation.

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