

Public Document Pack

Committee: Oxfordshire Growth Board

Date: Wednesday, 29 March 2017

Time: 2.00 pm

ADDENDA

5. Public Participation (Pages 1 - 8)

The attached schedule contains written questions and responses.

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**Oxfordshire Growth Board
Wednesday 29 March 2017
Agenda Item 5: Public Participation**

In accordance with the public participation scheme, requests to address the meeting and questions submitted have been listed in the order submitted. The time limit for public participation is 30 minutes.

Restrictions on requests to address the Board:

- Must be on a substantive agenda item
- May speak for up to 3 minutes.
- With the leave of the Chairman, any questions of clarification asked of the speaker by Growth Board members should be duly answered.
- There will be no debate on any representations made except to the extent that they are considered when the relevant agenda item is considered later in the meeting.

Restrictions on questions submitted to the Board:

- Questions shall be directly relevant to some matter in which the Growth Board has powers and duties and which directly affects the area of Oxfordshire.
- Submitted questions shall be dealt with in the order of receipt by the host authority.
- The questioner may read his/her question, but the Chairman will do so if the questioner wishes for that, or is not present at the meeting. No supplementary question may be asked.
- The Chairman will answer submitted questions. This may take the form of an oral statement, or may be given subsequently in writing to the questioner. A written copy of the response will be circulated to all Growth Board Members. It is intended the written response will be given within ten working days of the meeting.
- No discussion shall take place on the question or the answer.

Public Participation Requests

None.

Question:

1. Helen Phillips, Programme Manager, Wild Oxfordshire

Wild Oxfordshire is a local conservation charity building partnerships to improve Oxfordshire's nature. We are interested to note the Growth Board's discussions with regards to an Oxfordshire Infrastructure Strategy, including green infrastructure, and the proposed Oxfordshire Spatial Plan that will include 'Securing strategic environmental and biodiversity gains to complement growth and achieve sustainable development'. We would like to draw the Growth Board's attention to the [Oxfordshire State of Nature 2017 Report](#), published by Wild Oxfordshire earlier this month, and thank all our local authorities for their support in making this possible.

Based on input from over 60 different organisations, it offers the first ever comprehensive review of the situation for nature in the county. Whilst there are real success stories, such as the water vole, otters and bitterns, the overall picture is one of serious decline. The Report supports previous national calls for more, bigger, better and joined up natural habitats which will require action across all sectors, not just conservation organisations. One of the key recommendations from the report is that sustainable development that invests in nature is put at the heart of local decision-making. Will the Growth Board note and welcome the report and undertake to consider its findings as part of the Board's ongoing work, particularly in relation to the Infrastructure Strategy and any future Spatial Plan?

In particular, Wild Oxfordshire note that in document OBG_MAR2917R01, Oxfordshire Spatial Plan project outline, section 8 "Making the Most of Environmental and Historic Assets" states that it will be essential to consider "SACs, SSSIs and Nature Reserves; Areas of Outstanding national Beauty and Flood zones". In our report these assets are mapped on page 2, alongside [Conservation Target Areas](#) (CTA's). CTAs identify some of the most important areas for wildlife conservation in Oxfordshire, where targeted conservation action will have the greatest benefit. They provide a focus for coordinated delivery of biodiversity work, agri-environment schemes and biodiversity enhancements through the planning system. Will the Growth Board specifically note CTAs in section 8 of the Oxfordshire Spatial Plan, and consider them in relation to the Infrastructure Strategy and any future Spatial Plan?

Response

A number of partners to the Growth Board supported the development of the State of Nature Report, recognising that it's useful to examine the best available evidence of how biodiversity is doing around the county.

The question specifically mentions consideration of Conservation Target Areas or CTAs. CTAs identify the most important areas for wildlife conservation in Oxfordshire, where targeted conservation action will have the greatest benefit. The main aim of CTAs is to maintain or restore biodiversity through the maintenance, restoration and creation of priority habitats. The CTAs are useful to planning authorities as it helps to identify where the 'best stuff' is to help us protect it in planning terms. Consequently all Oxfordshire local planning authorities have planning policies relating to CTAs within local plans that flag up areas where we need to be extra specially careful in decision-making.

So rest assured that the Oxfordshire Spatial Plan will at the very least reflect current policy on CTAs. However officers are considering ways that we could build on this policy base and to this end, officers met a senior director from Natural England a few weeks ago, to see what the latest thinking is from them.

2. Helen Marshall, Director, CPRE

CPRE Oxfordshire supports the development of the Oxfordshire Infrastructure Strategy and now welcomes the proposed Spatial Plan for the county, both of which we believe are needed to ensure appropriate strategic planning and the proper consideration of cumulative environmental and social impacts, as well as opportunities for improvements. However, these Plans will stand or fall by the level of genuine public engagement. Already we have seen a subtle but important shift in language with regards to OXIS, moving from *'an open public consultation process to help facilitate a more informed dialogue with communities, developers and stakeholders on the impact of growth and related infrastructure priorities'* to *'The completion of a final OXIS report'* which will only then go out *'for wider engagement and consultation'* in a process that is not yet described. Therefore, in relation to the Spatial Plan, we seek reassurance from the Growth Board that it is committed to full public engagement in the process. Specifically:

a) How will Oxfordshire residents be engaged in the development of the Plan? Any information on this is curiously lacking from the Overview presented, yet should be a fundamental part of the process, with clear ambitions established from the start.

Response

The Growth Board made a commitment in May 2016 that the development of the OXIS would be the subject of public consultation and engagement and this commitment remains.

As the report on today's agenda highlights the project is only part finished and consultation is concentrated in the later stages once there is a product that we can consult upon. We have nearly completed the base line report, called a Stage One Report that sets out all the infrastructure proposals, intentions and challenges drawn from across all Growth Board partners and other key stakeholders. This will form the basis of detailed consultation with key stakeholders to test the information in the report, its assumptions and draft conclusions. Once this is complete the report will be published on the Board's website and comments invited.

Finally once the report is completed in the summer we will carry out wider engagement and consultation, prior to its final consideration by the Board. This consultation exercise has yet to be described in detail; however officers will be seeking wide engagement with the public and interested groups in line with commitments given by the Board at the project's inception.

b) Will the Spatial Plan be subject to full and independent public examination?

Whilst the status of the Spatial Plan, and therefore its examination obligation has yet to be decided, the questioner can rest assured that the Plan will be the subject of public examination, either as a supporting plan in Local Plan examinations or in an examination of its own right.

c) Will the Spatial Plan be subject to Strategic Environmental Assessment, including consultation to establish the scope of the assessment?

The preparation of the Spatial Plan will comply with all applicable plan-making regulations.

d) How can the Plan be effective if it is hamstrung by Local Plans running until the 2030s? Would it not be more appropriate to confirm that the Spatial Plan will override all Local Plans and that therefore the Government should be asked to agree that Local Plans presently in preparation should be suspended without penalty, e.g. of losing their five year supply?

The Board do not recognise this as a problem. The Spatial Plan will be in large part- a summary of local plans and will therefore complement these. The added value of the Spatial Plan will be in knitting together these plans into a cohesive strategic whole, enabling decisions on infrastructure and growth to be considered in the context of all of Oxfordshire.

3. Colin Thomas, Need Not Greed Campaign

Need Not Greed Oxfordshire, a coalition of over 30 campaigning groups all concerned over the growth strategy being pursued by Local Authorities and the Local Enterprise Partnership, tentatively welcome the preparation of the Joint Spatial Plan – subject to an independent examination in public.

Specifically, paragraph 3 of the paper states *“Most JSP’s include the full range of planning topics, including housing, employment, commercial, leisure and other uses, transport and infrastructure, and environment.”* We note that there is no standard template but urge your working group to fully consider and address the areas of obvious omission such as Education, Health, Social Services, Utilities and Emergency Services and particularly Green Infrastructure. No doubt there are other omissions.

You also state that the plan should *“Consider infrastructure challenges and show their relationship between growth areas and infrastructure needs. The OxIS infrastructure assessment will be kept up to date as the basis for a countywide strategy for funding to close the gaps. It will consider the potential for increased new development in key growth corridors.”* The words “consider infrastructure challenges” are considered totally inadequate and will continue the chronic infrastructure deficit that we all endure. The NPPF states that infrastructure provision must match development. Therefore the Joint Spatial Plan must require full infrastructure planning to match development

plans in both timing and capacity. The JSP must recognise that without the necessary infrastructure being in place that development must be curtailed.

1. How, when Local Growth Fund funding is being withheld due to the current "Local governance impasse" is the Growth Board intending to ensure that it provides the necessary infrastructure, including that needed to address the current infrastructure deficit?
2. Will the Growth Board confirm that it recognises the people's concerns over continual development without the necessary infrastructure being made available and commit to finding mechanisms to prevent excessive growth in the absence of the required infrastructure?

Response

A key purpose, both of OXIS and the proposed Spatial Plan is to provide a narrative on the sustainable development of Oxfordshire, one that both residents and government can recognise as beneficial ambitions for Oxfordshire and one that demonstrates a clear relationship between growth and the infrastructure required to support that growth. Clearly both pieces of work will be key in our discussions with government over how the future requirements of Oxfordshire are financed.

4. Katherine Jones, Senior Planner Burton Willmore

Further to the Oxfordshire Growth Board meeting of 26th September 2016, what position has been reached regarding the unmet housing need of Oxford City being apportioned in full across the other Oxfordshire authorities? If South Oxfordshire District Council is not proposing to meet its proposed apportionment figure of 4,950 in full, where else is the shortfall proposed to be met?

Response

The outcome of the September 2016 Growth Board provided an apportionment of Oxford City's unmet housing need- based upon an interim figure to be used for this purpose- until the City adopts a new Local Plan. The Board acknowledges that SODC are not choosing to accept that apportionment but has not considered what response, if any is appropriate to this decision

5. Ian Green, Oxford Civic Society

The consultation was a welcome opportunity for us to set out what parts of the current OGB public participation scheme are inadequate and what improvements we would like to see.

In our response to the OGB's request for comments we noted that the current OGB public participation scheme focuses on the participation of the public in OGB meetings. We emphasised that this focus needs to be complemented

with a scheme to explain the OGB governance model to councillors, professionals and the public at large.

We are convinced that such transparency is fundamental to building trust and confidence in the political process: we are not convinced that the OGB purpose and governance model are understood at least by some councillors, professionals and the public at large. At many public meetings on Oxfordshire development issues, questions have been asked by the public about who is making strategic decisions, on what issues, when, why and how.

We also noted that when officers considered the design of the OGB public participation scheme reference was made to the public participation scheme that was operated by the West Northamptonshire Joint Strategic Planning Committee. The OGB has also noted (in a written reply to a question from the public at an OGB meeting) that it has undertaken to continue to 'scan the horizon' and to consider participation schemes being used elsewhere and to make amendments as appropriate. We are interested to know what potential improvements this scanning has identified although we cannot see evidence of the use of any additional comparative experience.

From our own research we consider that there is much to learn from the public participation experience of further similar joint strategic planning committees and the evolving arrangements for Combined Authorities and LEPs.

We emphasised that our Oxfordshire Futures Group would be delighted to collaborate with OGB on making sure that the work of the OGB is better understood and to assist with a review of good practice from elsewhere in England. We said that we would be happy to discuss this with the OGB chair at any time, but have received no acknowledgement of our response to the consultation or of our offer to collaborate.

Our hope is that the evolution of the OGB public participation scheme is considered as part of the evolution of Oxfordshire's devolved governance structure. The evolution of the scheme must ensure that there is proper public debate about important public policy choices.

We will much appreciate your answers to the points raised,

Response

The report on the agenda is the result of a review by officers of the current arrangements for public engagement and is offered to the Board as a recommendation. The Board notes that the civic society, together with other participants at today's meeting, were offered the opportunity to propose changes to the current protocol and where these were received they are included in the report.

The Board suggests that all today's respondents might wish to consider the report and if they feel that they have practical suggestions that add value that they write to us through the Growth Board Programme Manager and we will undertake to consider their proposals and respond.

6. Colin Thomas, Sunningwell Parishioners Against Damage to the Environment.

SPADE first submitted a question on the Public Participation Protocol in November 2015. Since then we have either asked a question or participated in the drafting of other organisations questions for a number of meetings. Universally, the key issue in engaging meaningfully with the Growth Board is the inadequate timetable for the submission of questions.

We note that once again the Board have chosen to impose the original timetable which prevents meaningful engagement with matters under debate. This meeting and process is supposedly the democratic face of either the LEP or actions commissioned on behalf of the 6 local Authorities. We find the arrangements deeply unsatisfactory. Bearing in mind Growth Board Papers become available on the Wednesday in the week preceding the meeting the requirement for submission three clear working days before the meeting excluding the day of submission and the meeting, it requires submissions before midnight on the Thursday, i.e. probably no more than 36 hours since the papers became available. This simply does not provide sufficient time for papers to be read and understood. Cllr Wood may have been "sympathetic" to the issue raised and committed to endeavour to maximise the time that is available between publication of the agenda and the question submission deadline but we can find no evidence that this has indeed transpired. Therefore:-

Q1. Please can the Board evidence the fact that such earlier publication has been undertaken, by providing details of the dates of publication of Board Agendas for all meetings since November 2015?

We note that Para 5.1 states that "no more than 5 petitions and/or questions shall be presented/submitted to any one meeting." We consider this an arbitrary limit which we oppose in principle as no justification has been given to this limit. Therefore:-

Q2. On what objective basis was 5 chosen?

We presume that "no more than 5 petitions and/or questions shall be presented/submitted to any one meeting" in fact means "presented" at the meeting but there is no limit to the number of questions that can be "submitted" to the Growth Board and later answered in writing, even if not featured in the meeting itself. We understand that because of your chosen limit they may not be included in the content of the meeting but we are confident that the Board would not want to be seen to prevent the opportunity for legitimate questioning of our elected representatives. Therefore:-

Q3. Please can the Board confirm that there is no restriction on the number of questions that can be "submitted" to a meeting and confirm that they all will be responded to in writing?

Reports received at Board meetings are the culmination of strands of work that can stretch back over several months and that will need to have been considered by all the partners- both collectively and individually- to ensure that the Board is in a position to consider and reflect on the issues before it.

For this reason, whilst the Board has been sympathetic to the points raised it has proved difficult to publish agendas any earlier than that required by statute. Board members remain sympathetic however to the point and recognise that there will be occasions when additional time for the public to consider submissions to the Board would be appropriate. For this reason there is a standing instruction to work towards the earliest publication of the agenda where possible.

Finally, you ask about restrictions on the number of questions asked. The Board needs to balance the importance of public participation against the finite time it has to consider the matters before it. For that reason there is a limit of 30 minutes for public participation at any one meeting. This is contained in the latest version of the participation scheme on the website

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