

**Planning Policy**

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**Oxford Local Plan 2040**

**General Statement of Common Ground  
For Duty to Co-operate- live document**

**August 2023**



## 1. Introduction

### **Purpose of this document**

This document seeks to identify the issues relevant to the Oxford Local Plan 2040 that are strategic matters and which therefore fall under the duty to co-operate. It also identifies those bodies with which co-operation is necessary and outlines key meetings where these matters are raised.

This document is kept updated as the project continues, as discussions progress and evidence is produced. It will form part of the evidence base for the Local Plan. New strategic issues identified as discussions progress may be added and it is noted which matters had previously been identified, which it is considered no longer constitute 'strategic issues'.

### **Keeping the document updated**

In addition to formal consultation periods, the document is updated as we continue to discuss strategic matters with the duty to co-operate bodies.

## 2. Requirements of the Duty to Co-operate

### ***Duty to co-operate bodies***

The Duty to Co-operate is a requirement of the Localism Act 2011 and the National Planning Policy Framework. It requires Local Planning Authorities and other prescribed bodies to engage, with a view to maximising the effectiveness of the preparation of development plan documents and other activities so far as they relate to strategic matters. This is normally most important in considering strategic issues such as the location of development and availability of strategic infrastructure.

It requires on-going, constructive and active engagement on the preparation of development plan documents and other activities. It is a 'duty to co-operate' not a 'duty to agree', but there must be genuine, positive and continuous dialogue with the intention of reaching agreement.

The legal basis for the Duty is set out in Section 110 of the Localism Act, which inserts Section 33A into the Planning and Compulsory Purchase Act 2004. It applies to all local planning authorities, National Park authorities and county councils in England, and to a number of other public bodies. The Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2012 specify which bodies this duty applies to.

Local planning authorities are bound by the statutory duty to co-operate. Plan making bodies are expected to co-operate with each other when preparing or supporting the preparation of policies which address strategic matters including those policies of Local Plans. The NPPF states that these authorities should produce, maintain and update one or more statements(s) of common ground throughout the plan-making process. A number of statements of common ground will be produced following consultation on the draft plan, on particular issues and with particular bodies who are most relevant to the duty to cooperate. The bodies that will be part of a or individual Statement/s of Common Ground will include:

- Oxfordshire County Council
- Cherwell District Council
- West Oxfordshire District Council
- South Oxfordshire District Council
- Vale of White Horse District Council

In addition to the adjoining authorities, the bodies prescribed for the purposes of section 33A(1)(c) of the Act, as set out in The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) and relevant to Oxford are:

- The Environment Agency;
- Historic England;
- Natural England;
- Homes England;
- Buckinghamshire, Oxfordshire and Berkshire West Integrated Care Board (replaces the role of the Oxfordshire Clinical Commissioning Group, which was previously listed);
- The National Health Service Commissioning Board (NHS England);
- The Office of Rail and Road;
- The Highways Authority (Oxfordshire County Council);
- National Highways (was Highways England)

The Planning Policy Guidance states that Local Enterprise Partnerships and Local Nature Partnerships are not subject to the requirements of the duty, but local planning authorities and county councils in England, and prescribed public bodies must cooperate with them. Local planning authorities must have regard to their activities when they are preparing their local plans, so long as those activities are relevant to plan-making.<sup>1</sup>

- Oxfordshire Local Enterprise Partnership;
- Oxfordshire Local Nature Partnership.

Other Duty to Co-operate bodies specified in the Regulations but considered not to apply in the context of Oxford are: Mayor of London, Transport for London, Integrated Transport Authorities, the Civil Aviation Authority (which has previously said they do not consider there are issues relevant to them in Oxford) and the Marine Management Organisation.

In addition to the legal requirements set out above, the National Planning Policy Framework emphasises the importance of joint working and co-operation between local authorities and other agencies on cross boundary issues and issues of shared interest. The NPPF sets out:

- that local planning authorities *“are under a duty to cooperate with each other, and with other prescribed bodies, on strategic matters that cross administrative boundaries.”* (paragraph 24)
- that strategic policy-making authorities should *“collaborate to identify the relevant strategic matters which they need to address in their plans.”* (paragraph 25)
- that *“effective and on-going joint working between strategic policy-making authorities and relevant bodies is integral to the production of a positively prepared and justified strategy. In particular, joint working should help to determine where additional infrastructure is necessary, and whether development needs that cannot be met wholly within a particular plan area could be met elsewhere.”* (paragraph 26)
- that, *“in order to demonstrate effective and on-going joint working, strategic policymaking authorities should prepare and maintain one or more statements of common ground, documenting the cross-boundary matters being addressed and progress in cooperating to address these.”* (paragraph 27)

There is further practical guidance in the Planning Practice Guidance.

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<sup>1</sup> Paragraph: 030 Reference ID: 61-030-20190315

### **3. Strategic issues**

Strategic matters applicable to the Oxford Local Plan 2040 have been identified as follows. These were set out in the Duty to Cooperate Scoping Statement and no comments were received proposing additional matters, or to suggest that any of these were not strategic matters. Some of these issues will be subject to specific statements of common ground to cover more detail and where there are areas of disagreement and agreement that need to be explained.

#### **Housing needs**

##### ***Housing need, including homes needed in the area***

Housing needs and provision is one of the top issues that the Local Plan must address, and where the duty to co-operate is essential. The NPPF states that authorities must work to address their housing needs. It also expects authorities to co-operate on meeting one another's housing needs if it cannot be accommodated within the authority where it arises.

The City Council has published the Housing and Economic Needs Assessment (HENA) which assesses housing need in the city. A second Regulation 18 consultation took place from 13<sup>th</sup> February 2023 until 27<sup>th</sup> March 2023 where the methodology was summarised and the housing need determined was compared to the interim calculation of housing capacity. This showed that the capacity for housing in the city is lower than the housing need, meaning there is unmet housing need. The City's Housing and Economic Land Availability Assessment has been updated in summer 2023 to further inform discussions around unmet need.

The City Council has opened discussions with the County Council and adjoining districts about our housing need. The points of acceptance and disagreement vary between each district. A separate Statement of Common Ground or individual Statements will be produced for this matter specifically, setting out clearly the points of agreement and disagreement.

##### ***Specialist accommodation needs***

The matter of need for specialist accommodation types is also of strategic interest in some cases, in particular the need for extra care and similar housing types is a matter of discussion with the County Council and the nature of provision for gypsies and travellers means that it is often a cross-boundary matter. Oxford currently has no Gypsy & Traveller sites; however there are several sites close to Oxford's boundary. In recent years, the Oxfordshire authorities have co-operated on planning for gypsies and travellers, and this co-operation is continuing through the joint procurement of a county-wide needs assessment that will form part of the evidence base for all the Oxfordshire planning authorities.

#### **Economic needs**

##### ***Jobs needed in the area***

Another issue for the Local Plan will be economic growth, ensuring that the city can continue to play its role in the local and national economy. The City Council is a board member of the Oxfordshire Local Enterprise Partnership (OxLEP) which has developed the Oxfordshire Local Industrial Strategy (LIS) in partnership with the business community, academic institutions and the other Oxfordshire Local Authorities. It has also signed a City Deal in 2014 with partners and the government to bring around £55.5 million of government funding (over £1.2 billion including private finance) that can be used locally to boost innovation and business growth, create jobs and help secure Oxfordshire's place as a world leader in technology, knowledge and expertise. Close working with the other Oxfordshire authorities and the LEP will be required in this area. However, Oxford's reach as a

location to work goes beyond the Oxfordshire authorities, and co-operation with a wide range of other local authorities and other bodies occurs through meetings relating to the [Oxford to Cambridge Partnership](#).

### ***Provision of retail, leisure and other commercial development***

Oxford city centre plays an important sub-regional role and co-operation with neighbouring authorities is essential as current and future populations will not shop exclusively in their own areas, but will travel to others. An update of the retail and leisure study has been completed to understand likely need in the plan period. There is very limited need for additional retail and all of this need can be met within the city, which limits the need to discuss this matter further as a strategic issue.

## **Infrastructure needs**

### ***Provision of infrastructure for transport***

Strategic transport infrastructure requires cross boundary co-operation. Oxfordshire County Council is the highways authority who is responsible for producing the Local Transport Plan. Neighbouring authorities also have an important role to play in these matters. National Highways is responsible for the strategic road network including the A34. Oxford has an important location on the rail network and there are significant improvement works taking place and planned in the area and so the Office of Rail and Road are engaged with in this regard.

Discussions with Duty to Cooperate bodies have centred around what the impacts of the Plan's proposals will be on the road network, what kind of modelling is needed to establish that and the Plan's approach to parking, travel plans and transport strategy. A Statement of Common Ground between the City and County Council will set out the position on these matters in more depth.

### ***Provision of utilities infrastructure (including telecommunications, waste, water and energy)***

A range of Duty to Co-operate bodies including the County Council, neighbouring authorities and the Environment Agency are involved in framing the policies and proposals of the Local Plan in this regard. In addition, other bodies (outside of the duty to co-operate) including Thames Water and energy and telecoms providers are involved. Updates to the Infrastructure Delivery Plan (IDP) reflect the discussions that have taken place and the conclusions drawn in relation to utilities infrastructure needs and delivery.

### ***Provision of health infrastructure and local facilities***

Oxford is a regionally (and nationally) important location for health and medical research. Its hospitals serve a very wide catchment area. At the local level Oxfordshire County Council has responsibility for public health and has been consulted whilst framing the policies of the Local Plan. Discussions have been held with The Buckinghamshire, Oxfordshire and Berkshire West ICB and well as with the NHS hospital trusts.

### ***Provision of security, community and cultural infrastructure and other local facilities***

Oxfordshire County Council has been involved in discussions on policy drafting in this field. Thames Valley Police (outside of the Duty to Co-operate) were consulted at the preferred options stage.

## **Environment Issues**

### ***Climate change mitigation and adaptation including flood risk***

Managing flood risk (discussed above) will be a key element of Oxford's climate change mitigation plans. Large parts of the city of Oxford are at risk of flooding so careful attention has been paid to

this when drafting policies and proposals of the Local Plan. The Environment Agency is a key Duty to Co-operate body in this regard and has been consulted throughout. Oxfordshire County Council (as lead drainage authority) and Thames Water (although not a Duty to Co-operate body) also have important roles regarding this issue. There are plans for a major flood alleviation scheme in the Oxford (Oxford Flood Alleviation Scheme) area, and co-operation with the Environment Agency and County Council is required on this matter.

***Conservation and enhancement of the natural and historic environment, including landscape***

Oxford has a wealth of historic buildings and valuable landscapes that need careful consideration in the Local Plan. Historic England has a key role to play in terms of the built heritage and also the views into and through the city and the famous spires and they have advised on policy drafting and background evidence. Oxford has a Special Area of Conservation at Oxford Meadows, this a European level protection and as such Natural England will be key to inputting into and assessing policies and proposals that may have an impact on that site. The Local Nature Partnership also have a role to play in the wider natural environment topic.

**4. Mechanisms for co-operation**

***Regular partnership meetings***

The City Council is actively involved in a number of cross boundary and joint partnership relationships which will inform the preparation of the Local Plan. Many of these are formalised, regular meetings or forums where a variety of topics are discussed, some of these may be tailored for the purposes of producing the Local Plan.

These existing partnerships are an invaluable mechanism for facilitating Duty to Co-operate discussions. They enable regular direct contact with a range of Duty to Co-operate bodies and other bodies relevant to strategic priorities. It is likely that several of these partnerships will actively follow progress of the Local Plan, making it a standing agenda item at meetings and dedicating significant agenda time to discussing emerging work.

Table 1 sets out details of regular partnership meetings (including their frequency and role) that have a direct relevance to the Local Plan project. Meetings that include at least one of the Duty to Co-operate bodies are shaded in grey in the first column. In future versions of this document, this table will be updated to include details of specific conversations related to the project.

<b>Table 1a: Regular partnership meetings (at August 2023)</b>			
<b>Group / Meeting</b>	<b>Regularity</b>	<b>Includes</b>	<b>Role</b>
Future Oxfordshire Partnership	Every two months	Six Oxfordshire Councils • OxLEP • Environment Agency • BOB Integrated Care Board • University of Oxford • Oxford Brookes University • Homes England	The Future Oxfordshire Partnership is a joint committee of the six councils of Oxfordshire together with key strategic partners working together to deliver the bold and ambitious outcomes of the Oxfordshire Strategic Vision (OSV)  There are also 4 sub-groups:  Housing Advisory Group; Infrastructure Advisory Group; Strategic Planning Advisory

			Group (quarterly); and Environment Advisory Group
Future Oxfordshire Partnership Advisory Groups	Quarterly	Lead Members of the six Oxfordshire Authorities (supported by key officers)	Act in an advisory and consultative capacity to the FOP, and provide strategic oversight in the development and delivery of key projects and programmes aligned to the OSV.
Pan regional partnership		A group of leaders from local government, Local Enterprise Partnerships, the Arc Universities Group and England's Economic Heartland	This partnership is still forming, an interim Shadow Board Chaired by Cllr Wood, Leader of Cherwell is in place in the meantime This Partnership will champion the Oxford to Cambridge region as a world leader of innovation and business, acting to achieve environmentally sustainable and inclusive growth that brings benefits to communities now and in the future.
England's Economic Heartland	Strategic Leadership Board leads approximately quarterly.	Jointly funded by the Department of Transport and the local authorities (transport authorities, so Oxfordshire County Council rather than the LPAs, who represents Oxfordshire's interests). The Strategic Transport Leadership Board contains the elected leaders and portfolio holders of the local authorities.	The subnational transport body for the area from Swindon to Cambridge
Oxfordshire Local Enterprise Partnership (LEP)	Executive Board meets monthly	The Oxfordshire Local Enterprise Partnership is a voluntary body made up of representatives from business, academia and the wider public sector	The Partnership is business led with senior academic figures and local authority members. It provides leadership and champions growth and innovation, helping to break down barriers and providing support mechanisms. Prepared the Local Industrial Strategy.
Oxford Strategic Partnership (OSP)	Every two months	City and County Councils, universities, Police, health bodies, local business and community organisations.	The Local Strategic Partnership helps to provide direction for the city's future, and respond to local priorities. Produced the Oxford Economic Growth Strategy
Oxfordshire Skills Board	Every two months	Board is made up of public and private employers, secondary, further and higher education skills providers and stakeholder groups.	Charged with understanding and communicating the needs of employers and providers in Oxfordshire relating to business development, employment and skills issues which impact on the economic well-being of the area. Works closely with the LEP.
Health and Wellbeing Board	Every two months	Includes local GPs, District and County Councillors, Oxfordshire Clinical Commissioning Group, Healthwatch Oxfordshire, and senior council officers	The Board seeks to provide strategic leadership for health and wellbeing across Oxfordshire, ensure that plans are in place and that action is taken to realise those plans. The Board produces the Oxfordshire Joint Health and Wellbeing Strategy.

Oxfordshire Leaders Group	Approximately six times a year	The Leaders of all the Oxfordshire Local Authorities	Key elements of the group's work include consideration of impacts of changes in government policy and guidance; agreement of county wide programmes; monitoring the impact on resources and services due to changes; implementing savings.
Oxfordshire Chief Executive's Group	Approx. six times a year	The Chief Executives of all the Oxfordshire Local Authorities	Advises and supports the Oxfordshire Leaders Group on the above issues
City and County Bilateral Meetings	As required	Senior officers and Members of both authorities	Used to discuss current work and emerging issues that affect both authorities. The group is used to sound out senior people on major issues and in turn allocates actions to officers of each council.
City and County Transport Bilateral Meetings	Approximately every two months	Senior officers of both the City Council and County Council together with cabinet members of both authorities.	Used to discuss important transport issues for example relating to emerging policies and programmes of work.
Oxford Green and Blue Spaces Network	Quarterly	City and County officers (several departments), Wild Oxfordshire (Local Nature Partnership), BBOWT (Wildlife Trust), Oxford University and additional amenity groups	The Green & Blue Spaces Network focuses on enabling partners to work collaboratively to improve Oxford's green spaces and blue corridors. The partnership has agreed three priority areas that support the delivery of the city's Green Space Strategy and also meet the objectives of individual partners: to ensure everyone living, working and visiting Oxford has easy access to open space; to increase and support volunteers; and to develop a meaningful PR campaign. These three objectives are underpinned by the two determinants of Funding and Biodiversity.
Oxfordshire Heads of Planning Group	Approximately quarterly	Heads of Planning of all Oxfordshire Authorities	Regular forum for Heads of Planning to share news, learning and discuss strategic matters collectively
Oxfordshire Planning Policy Officers Meetings (OPPO)	Six times a year but more frequent if specific tasks required	Planning Policy Officers of all Oxfordshire authorities	Regular forum for authorities to provide update on plan progress to monitor joint strategy progress and to discuss other cross boundary issues.

**Table 1b: Previous regular partnership meetings that informed earlier stages of plan making**

Group / Meeting	Regularity	Includes	Role
Oxfordshire Growth Board  Now re-branded and re-structured as the Future Oxfordshire Partnership	Every two months	Oxfordshire authorities and non-voting members (CCG, Environment Agency, Homes England, two universities, Oxfordshire Skills Board and Oxfordshire LEP)	The Oxfordshire Growth Board is a Joint Committee charged with co-ordinating local efforts to manage economic, housing and infrastructure delivery, support the development of policy, and secure funding in the pursuit of these aims and oversee the delivery of related work programmes



Oxford-Cambridge Arc Leadership Group  Succeeded by the Oxford to Cambridge Partnership		Local authorities from across the Oxford Cambridge Arc. Chief Executives meet and Leaders meet.	Various groupings help develop and co-ordinate the work to feed into the government's planned Spatial Framework for the Oxford Cambridge Arc.
Oxfordshire Plan 2050 (JSSP)  Work on the JSSP has finished. Member Sub-group now re-structured as Strategic Planning Advisory Group of FOP. Heads of Planning grouping continues to meet regularly albeit with a different remit	Liaison Group (fortnightly); Heads of Planning (monthly); Member Sub-group of the Growth Board (monthly)	All district and city councils in Oxfordshire and representatives of the County Council and LEP. Liaison Group of planning officers; Heads of Planning; and Member Sub-group (actually a sub-group of the Growth Board)	These groups provide regular input, advice and leadership to the Oxfordshire Plan 2050 project.

### ***Joint working on strategies and infrastructure planning***

Many of the partnerships detailed above have produced and adopted/published joint strategies as part of their work consistent with the requirements of the Duty of Co-operate. This illustrates that the process of engagement and co-operation has been effective in those cases in the sense that it has resulted in outcomes that all parties considered they could sign up to. Many of these strategies have direct relevance to the Local Plan. In addition, several of the partnerships have/will jointly commission studies or evidence base work which will influence the policies of the Local Plan.

Table 2 details many of the jointly produced strategies and jointly commissioned studies that relate to the Local Plan. Strategies and documents that were produced by or commissioned by at least one prescribed body for the Duty to Co-operate are shaded grey in the first column. In future versions of this document, this table will be updated to include new strategies and evidence base documents related to the project.

<b>Table 2: Joint working on strategies and infrastructure planning</b>		
<b>Project/ document</b>	<b>Produced by/ involved</b>	<b>Role/purpose</b>
Oxfordshire Local Industrial Strategy (July 2019)	Oxfordshire Local Enterprise Partnership (as table 1 above)	This LIS sets out an ambition for Oxfordshire to leverage its existing strengths to become one of the top three innovation ecosystems globally by 2040. It sets out how Oxfordshire's strengths and assets are to be built on, to deliver transformative growth, which is clean and sustainable and delivers prosperity for all communities across the county. The LIS is intended to deliver the aims of the National Industrial Strategy, which is the government's long term plan to boost productivity. The LIS notes <i>'Oxfordshire has been at the centre of innovation in the UK for centuries. National and local investments have built up a network of science parks and innovative firms across the county, and now wider investments in the region offer the opportunity to cement the area's reputation as one of the best locations in the world to innovate.'</i>
Oxfordshire Local Industrial Strategy- Oxfordshire Investment Plan (August 2020)	Oxfordshire Local Enterprise Partnership (as table 1 above)	Prepared by the LEP, it translates the ideas and aspiration of the Local Industrial Strategy into a programme of delivery. This programme initially covers the 10 years until 2030.

Oxfordshire Housing and Growth Deal (2018)	All Oxfordshire councils and Oxfordshire LEP  Approved and signed off by central government (Ministry of Housing, communities and Local Government)	The Oxfordshire authorities signed a Housing and Growth Deal with the Government which comprised £215 million of new funding to be granted to support the ambition to plan for and deliver 100,000 homes in Oxfordshire by 2031. This was linked to a number of other commitments from Government and the Oxfordshire councils, on affordable housing and infrastructure delivery and the adoption of an Oxfordshire-wide statutory joint plan (the Oxfordshire Plan 2050).
Oxfordshire Strategic Housing Market Assessment (SHMA) (April 2014) and Oxfordshire Growth Needs Assessment	Jointly commissioned by all Oxfordshire districts with County Council in support. To be replaced by the Oxfordshire Growth Needs Assessment, commissioned as part of work on the Oxfordshire Plan 2050.	The SHMA was a technical study to help the Oxfordshire districts understand how many homes will be needed in the period 2011 – 2031. It also considers the housing needs of specific groups such as older people, minority groups and people with disabilities.  The OGNA sets out the growth needs for the county for housing and employment. Through the Oxfordshire Plan 2050 process, this will be distributed between the districts according to the spatial strategy.
Oxford Economic Growth Strategy (January 2013)	Produced by the Oxford Strategic Partnership	This strategy seeks to establish a shared narrative on the future direction of the Oxford economy; and define clear strategic priorities, objectives and actions for delivering and managing economic growth in Oxford over the next ten years.
Oxfordshire Strategic Vision (March 2021)	Produced by the Oxfordshire Growth Board/Future Oxfordshire Partnership	The Future Oxfordshire Partnership has developed a Strategic Vision for Oxfordshire that sets out our ambition for the county and puts us on the right path for long-term change so that we can secure the best possible future for Oxfordshire's residents. The Vision will be used to help create an agreed set of long-term, strategic economic, infrastructure and environmental priorities designed to deliver the outcomes that local people want. This will help us create the kind of places that people want and ensure we are investing in the right way
Oxfordshire Infrastructure Strategy (OxIS) (March 2022)	Produced by Future Oxfordshire Partnership on behalf of Oxfordshire Local Authorities	The Oxfordshire Infrastructure Strategy (OxIS) is an Future Oxfordshire Partnership commissioned project involving all six Oxfordshire Local Authorities. Its purpose is to identify, map and prioritise Oxfordshire's infrastructure requirements to 2040 and beyond.  OxIS Stage 1 report has now been completed, and this was considered at the Future Oxfordshire Partnership meeting on 25th January. The Stage 1 report provides an up to date infrastructure picture that complements adopted local plans. It is proposed to build on this with a Stage 2 report which will look beyond into the next plan period.

**Table 4: Summary of strategic issues and relevant Duty to Co-operate bodies**

	Homes needed	Gypsy & traveller needs	Jobs needed	Retail/leisure /commercial development	Infrastructure for transport	Utilities infrastructure	Flood risk & climate change	Health infrastructure and local facilities	Security/community/cultural infrastructure	Climate change mitigation & adaptation	Natural and historic environment/landscape
Oxfordshire County Council	X	X	X	X	X	X	X	X	X	X	X
Cherwell District Council	X	X	X	X	X	X	X	X	X	X	X
West Oxfordshire District Council	X	X	X	X	X	X	X	X	X	X	X
South Oxfordshire District Council	X	X	X	X	X	X	X	X	X	X	X
Vale of White Horse District Council	X	X	X	X	X	X	X	X	X	X	X
Environment Agency						X	X			X	
Historic England											X
Natural England							X			X	X
Homes England	X	X									
BOB ICB								X			
NHS England								X			
Office of Rail and Road					X						
National Highways					X						
Oxfordshire Local Enterprise Partnership	X		X	X	X						