

## Oxford City Council

## Response to Inspectors'

## Matters

## Issues and Questions

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Matter 2: The  
duty to co-  
operate

[Issue: whether the Council has complied with the duty to co-operate in the preparation of the Local Plan](#)

**HOUSING NEEDS AND THE HOUSING REQUIREMENT**

**Question 1: Who has the Council engaged with in terms of housing needs and the housing requirement? When did this take place and what form did it take?**

***Who has the Council engaged with in terms of housing needs and the housing requirement?***

1. As part of a wider engagement strategy, the City Council has engaged with all the Duty to Co-operate bodies on multiple occasions through the plan making process. This includes on strategic matters related to housing, and on those matters specifically involved significant additional engagement in drawing up the policies on need and requirement. The approach to preparing the emerging Local Plan 2040 has adequately met the policy and legal requirements of the Duty to Cooperate, including the relevant paragraphs of the NPPF.
2. Furthermore, the City Council has submitted a General Statement of Common Ground for the Duty to Co-operate – live document (COM.001). That document has been kept up to date as plan preparation progressed, detailing the matters and bodies with which co-operation is necessary and outlining the key meetings where those matters have been raised. Housing matters (including need and requirement) were identified at the start of the process as strategic issues for the Duty to Co-operate in that document. Those bodies who it was considered particularly relevant to were identified (see Table 4) as follows:
  - Oxfordshire County Council
  - Cherwell District Council
  - West Oxfordshire District Council
  - South Oxfordshire District Council
  - Vale of White Horse District Council
  - Homes England
  - Oxfordshire Local Enterprise Partnership

***When did this take place and what form did it take?***

3. The General Statement of Common Ground (COM.001) also contains a list of the meetings (see Tables 1a and b) that were held and the pieces of joint work and strategy (see Table 2) that were being carried out with Duty to Co-operate Bodies and other

partners. Meetings with a range of groupings with these partners have taken place throughout the plan-making process, many of which have focused either specifically on housing or on linked issues. The City Council has close working relationships with all its Duty to Co-operate partners and a range of conversations and meetings have been held as and when work programmes and strategy development and project delivery have required them.

4. Particular attention is drawn to the Future Oxfordshire Partnership (FOP) (previously known as the Oxfordshire Growth Board) governance structures which include the formal joint committee and its range of advisory sub-groups (including specifically on Housing and Planning (previously on the Oxfordshire Plan). The FOP voting members are senior elected members of each of the five district and the county councils, these are supported by a non-voting member from the Oxfordshire Local Enterprise Partnership and other organisations including the ICB, The Environment Agency and the two universities. There are strong links from the FOP into the OxLEP as each of the OxLEP Board Members are also Board Members of OxLEP.
5. The FOP structure has been the primary governance structure for managing the Oxfordshire Housing and Growth Deal and associated project delivery and it regularly takes reports from OxLEP on areas of this work where they are the lead body (please see BGP.016 for further details). Alongside and partly linked into this structure, for a significant proportion of the time during which the Oxford Local Plan 2040 has been under-development, the governance arrangements for the (now former) Oxfordshire Plan 2050 were key for county-wide co-operation on strategic planning matters. Whilst decision making responsibility on the Oxfordshire Plan lay with Oxfordshire's districts, Oxfordshire County Council and OxLEP were fully integrated into the Oxfordshire Plan meeting structures with seats at every table. Full details on those Oxfordshire Plan structures are also provided in BGP.016.
6. In combination the meetings of the FOP and just the housing and planning advisory groups total an average of 18 meetings a year, the majority of the advisory groups agendas are focused on housing matters and some of the FOP main agendas. In combination, whilst the Oxfordshire Plan was underway its own structures totalled around 44 meetings a year, the vast majority of which would have considered housing matters at least in part. Outside of these additional meetings of the Oxfordshire Planning Policy Officers (the managers responsible for delivering Local Plans and the Strategic Planning Team Leader of Oxfordshire County Council) have also been meeting regularly as the co-operation needs demanded, sometimes this was meeting every other

month, during the conclusion of the OGNA work and the development of the (now aborted) OGNA Update work, this increased to weekly meetings, and for the last year has been monthly and housing matters have been on the agenda every time.

***The City Council's approach to engagement on housing needs and housing requirements***

7. The City Council's focus on addressing housing issues has been very clear through all these forums, meetings, plans and strategies at least since the Joint SHMA (GRO.001) set the framework for the adopted Local Plan 2036 around a decade ago. Throughout that decade the City Council has engaged fully in every process or forum open to it to explain and further its aims.
8. The draft policies of the Local Plan 2040 on housing very clearly flow from the options which the City Council consulted on widely in the Regulation 18 Part 2 consultation (Feb-Mar 23) see PCD.046, which themselves flowed from the policy options on housing requirement and need in the Regulation 18 Part 1 consultation (Oct-Nov 22) see PCD.022 and PCD.031. Even at the earlier Issues and Options consultation (June-Sep 21) these matters were highlighted and consulted on (please see section 2.3 of PCD.001 and PCD.006). At each of these consultation stages Duty to Co-operate bodies were notified and notified of the published material. Following each stage a Consultation Report was produced and published.
9. More specifically, the City Council's approach to housing needs is primarily based on the HENA. This is jointly commissioned with Cherwell District Council. However, most notably all Oxfordshire authorities were asked if they would like to join in that work at the commissioning and scoping stage. This was a joint piece of work involving close working between parties and both took the same approach in their draft plans.
10. Additionally, the HENA follows the same approach, methodology and assumptions taken in the earlier OGNA (GRO.014) and the (now discontinued OGNA Update work). This had already been undertaken as an agreed joint approach for the Oxfordshire Plan by all the Oxfordshire parties and so it was appropriate in the local context, and a series of decisions were made on that basis as well as for expediency when the Oxfordshire Plan ended<sup>1</sup>. The OGNA workstream and discussions are relevant to the development of the methodology utilised in the HENA, because all Oxfordshire authorities needed to endorse each stage of work and agreed to publish the report as a joint evidence base alongside the Regulation 18 Part 2 consultation in July 2022. This was as a result of the

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<sup>1</sup> Please refer to the discussion on this point in the Matter 3 statement.

Oxfordshire Plan governance arrangements that had been put in place by agreement with all of the Oxfordshire authorities.

11. Whilst no decision had been taken on which of the growth scenarios would be taken forward, all parties had agreed that the OGNA range was the most appropriate basis for moving the project forward and it was published in that context. OxLEP were also fully engaged in the development of the OGNA which drew from the Oxfordshire Local Industrial Strategy (OxIS) and the OGNA Covid Addendum was produced by the same consultants in parallel with their work on OxLEP's economic recovery (post-covid) plan.
12. Consultation Regulation 18 Part 2 demonstrated a good level of support for the scenarios and more support specifically for the transformational (upper) than the lower ones (see the consultation statement GRO.018), although the greatest number of respondents said an 'other' scenario would be most appropriate. Some respondents queried the OGNA assumptions, most notably a group of amenity groups who commissioned an alternative piece of work from ORS. A review of the ORS findings and other criticisms of the OGNA formed an explicit deliverable of the update of the OGNA which again was signed off by all Oxfordshire authorities and commenced work in 2022 (see BGP.017 for more details).
13. Alongside the technical work on the OGNA and the (discontinued) OGNA update, significant efforts were taking place within the Oxfordshire Plan partnership governance arrangements to get partners prepared and aligned (as far as possible) to make the collective decision that would be needed on level of growth. Please see BGP.017 for details of workshops at Chief Executive, Leader, Cabinet Member, Head of Planning, and other officer levels.
14. The City Council was very disappointed when in Summer 2022 one of those workshops resulted in the ending of the Oxfordshire Plan project. The failure of the joint strategic plan meant each authority had to make a decision about their own Local Plan and those considerations were shared in particular at Heads of Planning meetings that Summer. Oxford City Council and Cherwell District Council decided that quick progress with their plans to fill the gap in strategic planning policies (including housing need) that would have been filled by policies in the Oxfordshire Plan was essential and recommissioned the same OGNA consultants to carry out a Housing and Economic Needs Assessment, to provide an output quickly to inform Local Plans directly.

15. After the Oxfordshire Plan (and related OGNA) had been discontinued, both authorities (Oxford and Cherwell) were very clear on their intentions within the Oxfordshire partnership and publicly through regular cabinet reports (please see BGP.017 for more details). Indeed, throughout 2023 Oxford City Council and Cherwell District Council updated the Oxfordshire partners and authorities about their plans for their Local Plans and on progress on HENA. Discussions with OxLEP also helped inform the scope and assumptions of the HENA. The primary mechanism for this was through OPPO. At OPPO meetings throughout 2023, the City kept checking with other parties on the best mechanism for conversations on the topic (see BGP.17 paragraphs 7.8, 7.15 and 7.16).
16. In addition to the more formal meetings, the City Council also liaised directly with Duty to Co-operate bodies on a bi-lateral basis, at specific points in the programme where material was emerging or had been published to enable more detailed discussion. For example, this can be summarised as follows:
- When the City published the HENA and the proposed policy approach and implications of that work in February 2023 as part of the Regulation 18 Part 2 consultation, a meeting on that material was held with South and Vale District Councils in March 2023.
  - By June 2023 further work had been carried out on the City's HELAA (supply side evidence) and so a series of bi-lateral meetings with SODC and Vale, WODC and Cherwell were held to work through that material together (see answer to Q7 Matter 2 for more details).
  - In August 2023 a note on the City's housing calculations was drafted and shared and discussed; in October 2023 a workshop on the City's HELAA was held.
  - Legal advice on points raised by SODC/Vale and a draft background paper on exceptional circumstances were shared in November 2023.
  - A formal letter on unmet need was sent from the City's Chief Executive in December 2023.
  - Work also began on a Joint Statement of Common Ground on housing matters in June 2023 and was signed in March 2024.

***Engaging with neighbouring authorities on their Local Plans***

17. In addition to engaging with the Duty to Co-operate bodies on the development of the Local Plan 2040, the City Council has also been engaging with neighbouring authorities on development of their own Local Plans including with regard to the City's housing need and requirement.

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18. In response to Cherwell District Council’s consultation on their Regulation 18 document in November 2023 the City Council stated: *“The City Council welcomes the continued commitment in Chapter 3, to delivering the 4,400 homes to help Oxford’s housing needs as established in the Cherwell Partial Review. It is welcomed that those site allocations and supporting policies from the Cherwell Local Plan Partial Review 2020 are proposed to be retained (Appendix 1 of the consultation document, Retained Policies List). It is noted that there has already been very positive progress in implementing and delivering the unmet needs sites, and this consultation document seeks to continue that approach, which is welcomed.”*
19. Shortly after the City’s Regulation 19 consultation, in February 2024 the City responded to the Regulation 18 consultation on the Joint South Oxfordshire and Vale of White Horse Local Plan. That response stated: *“Whilst HOU1 states that provision is being made for the “existing agreed unmet need from Oxford City”, you will be aware that the City Council’s work on our own Local Plan demonstrates that there is additional unmet need for the period to 2040. The proposed approach of your joint plan goes a long way to meeting the total unmet to 2040 that Oxford believes it has demonstrated, but it does not address any of the additional unmet need we have identified in our emerging Local Plan 2040. Continued discussions about this matter with the City Council will be essential.”*
20. West Oxfordshire are yet to publish a full Regulation 18 consultation document, the City Council understands that this is due in the Summer and intends to respond as such.
21. Oxford City Council has complied with all relevant policy and legal requirements in respect of the Duty to Cooperate.

The table below summarises these points of engagement:

*Table 1.1: Summary of engagement with neighbouring districts and Oxfordshire County Council*

	O C C	C D C	W O D C	S O D C	V W H D C	H E	O x L E P
<b>Formal consultation stages on Local Plan 2040 development</b>							
Issues and Options Consultation including on first iteration of Duty to co-operate Statement (PCD.001) June-Sept 21	X	X	X	X	X	X	X
Regulation 18 Part 1 consultation (PCD.021-028) Oct-Nov 22	X	X	X	X	X	X	X
Regulation 18 Part 2 consultation (PCD.046) Feb-Mar 23	X	X	X	X	X	X	X
Publish new iteration of Draft General Statement of Common Ground	X	X	X	X	X	X	X

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(COM.001) (August 2023)							
Regulation 19 consultation (CSD.001) Nov 23-Jan 24	X	X	X	X	X	X	X
<b>Partnership working as part of multi-lateral/bi-lateral bodies</b>							
FOP meetings (formerly Growth Board) (every two months)	X	X	X	X	X		X
FOP Planning Advisory Group (every quarter)	X	X	X	X	X		
Oxfordshire Leader's Group (monthly)	X	X	X	X	X		
Oxfordshire Chief Executive's Group (every week)	X	X	X	X	X		
Heads of Planning meetings (post OxPlan) (every quarter)	X	X	X	X	X		
OPPO meetings (varies – monthly 2023/24, weekly during OGNA) (more details on specifics provided at Question 8 below)	X	X	X	X	X		
City / County Officer Liaison meeting (monthly)	X						
<b>Working arrangements previously operational under Oxfordshire Plan governance</b>							
Oxfordshire Plan Liaison Group (every fortnight)	X	X	X	X	X		
Heads of Planning meetings (monthly)	X	X	X	X	X		X
Member Sub-Group (of the Oxfordshire Growth Board) (monthly)	X	X	X	X	X		
<b>Engagement with partners on their own Local Plans</b>							
Responding to Cherwell Local Plan – Reg 18 consultation (Nov 23)		X					
Responding to Joint SODC & Vale Local Plan – Reg 18 consultation (Feb 23)				X	X		

**Question 2: What factors led to the decision to cease work on a joint plan for Oxfordshire?**

22. The preparation of a strategic development plan for Oxfordshire in joint working arrangements was seen as having a wide range of benefits. At the time work started on the joint Oxfordshire Plan (in 2018), it was considered that it would allow for a comprehensive and long-term spatial development strategy in the form of a statutory plan to shape the future of Oxfordshire. Indeed, it was agreed that both the process and final plan would allow key stakeholders to contribute towards securing a sustainable future for the county.
23. All of the authorities were committed to the process and contributed significant resources reflecting their desire to making it work. Despite some initial delays with the complexities of agreeing key decisions through five different Councils (and their committee systems), significant progress was made between the period of 2018 and Summer 2022.
24. A key achievement was jointly producing the Oxfordshire Growth Needs Assessment (OGNA) which established the parameters for levels of housing and employment growth for Oxfordshire (see answers provided at Matter 2 for more details). This assessment, when complete was signed off by all partners as a shared evidence base for the Oxfordshire Plan and therefore the basis of the strategic decisions which would define each authority's next Local Plans. The OGNA was approved by all the partner authorities and published alongside the Regulation 18 Part 2 consultation for the Oxfordshire Plan in July 2021 (see BGP.017 paragraphs 5.8-5.11).



25. The next key stage for the Oxfordshire Plan was for the partners to consider further the responses to the consultation. Views expressed at consultation were mixed on this issue, in contrast to some of the narrative which has developed subsequently, it was not the case that the majority of respondees criticised the OGNA, or the approach to assessing housing need. There was actually real variation in the responses received and indeed a large movement towards supporting the highest of the tested scenarios. The Consultation Statement at the time states: *“There were also many comments received that related to the OGNA. A number of comments received questions a number of the assumptions used in the OGNA, with some respondents considering that its findings require review”* (see BGP.017 paragraph 5.12-5.15). Partners also needed to consider the potential policy implications of the OGNA work in order to determine what level of growth from within those parameters, to plan for. Work continued on the Oxfordshire Plan throughout 2021 and into 2022. With the passage of time since the original demographic analysis in the OGNA and with queries raised in the consultation (including from an alternative consultancy which had been commissioned by an interest group) which needed to be considered, an update to the OGNA was commissioned.
26. By March 2022 a brief was drafted for the update work. Significantly, this was not intended to replace the OGNA which was still relevant and sound, but simply to review and test it, in order to ensure that any newly released data was incorporated, and that the analysis and conclusions remained reasonable and up to date. The brief also included a task to review the queries and alternative methodology submitted during the consultation, to check that those queries raised had been addressed where appropriate. To carry out this work the same consultancy team as the original OGNA was commissioned in May 2022, on behalf of all the partner authorities.
27. In the summer of 2022, several workshops at senior officer and councillor level were undertaken to both brief them on the OGNA update, and to progress the co-operative work necessary to help establish an appropriate level of growth, from within the parameters set out in the OGNA. As the OGNA had set out the technical assessment and parameters (i.e. anywhere within the approved parameters would be a reasonable planning judgement), it was then that plan-making and policy choices were needed to settle on the level and type of growth that met the objectives of the Oxfordshire Plan agreed by the partners. It is at that point it became evident that decisions on strategic matters couldn't be progressed any further via a joint plan. At one of those workshops in August 2022 the partners (at Leader and Chief Executive level) decided that agreement on the approach to planning of future housing needs through the framework of the Oxfordshire Plan was not possible. The crucial matter being the basis for the required decision on what level of growth should be catered for in the Oxfordshire Plan. The City Council and others remained committed to the joint plan process, but

unfortunately the project could only continue with all partners, and so the project ended.

28. A joint statement was released by the leaders of South Oxfordshire District Council, Vale of White Horse District Council, Cherwell District Council, Oxford City Council, and West Oxfordshire District Council, on 3<sup>rd</sup> August 2022:

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

*“Local Plans for the City and Districts will now provide the framework for the long term planning of Oxfordshire. The Oxfordshire Plan 2050 work programme will end and we will now transition to a process focused on Local Plans. The issues of housing needs will now be addressed through individual Local Plans for each of the City and Districts. The Councils will cooperate with each other and with other key bodies as they prepare their Local Plans.” (BGP.017 paragraph 6.4)*

29. It is not insignificant that in the time since embarking on the Oxfordshire Plan (from 2018 to 2022), there were significant changes in the political administrations of some of the partner councils (see Appendix 2 of Background Paper 16 (BGP.016)). The Oxfordshire Housing and Growth Deal (and the Oxfordshire Plan as part of that programme of work) had been set up at a time when there was a clear unanimity between the partners on their vision for the county:

*"Oxfordshire's plans are focused on placing economic growth at the heart of a drive to provide more housing – meeting both current and projected need. And housing delivery across the county is up over 75% in the last three years (up to 2015/16)." (GRO.007 paragraph 22).*

30. Even with some differences between the varied administrations of the partner authorities (Conservative administrations in the districts and at the County Council and Labour in Oxford), the commitment to the objectives of the Deal and Oxfordshire Plan were clear across the board.

31. By the Summer of 2022 however, when work on the Oxfordshire Plan ended, it was a very different picture with changes in administration at South Oxfordshire (Con to Lib Dem/Green), Vale of White Horse (Con to Lib Dem), West Oxfordshire (Con to Lib Dem/Labour/Green) and the County Council (Con to Lib Dem/Labour/Green), whilst Cherwell was still held by the Conservatives and Oxford by Labour. Indeed, some of the new Liberal Democrat and Green district councillors who were elected during that time, had campaigned on a platform of reducing growth.

32. This change in outlook is illustrated by the journey of the South Oxfordshire Local Plan 2034 from submission to adoption during this period. As part of the commitments by all of the authorities in signing the Oxfordshire Housing and Growth Deal (alongside the work on the Oxfordshire Plan) the Oxfordshire authorities had also committed: *“The Oxfordshire authorities are committed to planning to meet the 100,000 housing requirement for Oxfordshire set out by the Oxfordshire Strategic Housing Market Assessment (SHMA) by 2031”* and *“All Local Plans submitted for examination 1 April 2019”* (GRO.008 paragraphs 3.1.3 and 3.2.2). The South Oxfordshire Local Plan 2034 was thus drafted on the basis of the agreed Oxfordshire Growth Deal position. It was submitted in March 2019, and became a focus of the 2019 local election campaign.
33. This was described in Planning Magazine at the time: *“After the Lib Dems gained 12 seats, the party plus the Greens are set to takeover South Oxfordshire District Council. The Lib Dems appear to have picked up support due to the party’s vocal opposition to the councils’ local plan, which was passed by cabinet in December but has only just been submitted for examination. The Lib Dem campaign claimed the plan is based on heavily inflated housing figures that won’t deliver the houses local people can afford” and said it should be withdrawn and redrafted using up-to-date housing need data. One unnamed consultant said the local plan is now likely to be withdrawn from examination.”* (Planning Magazine May 2019)<sup>2</sup>
34. As the new administration considered withdrawing the Local Plan however, a holding direction was issued by the Secretary of State and it was ultimately adopted in December 2020. Similarly, also in the wake of the local elections in 2019, at the Vale of White Horse the newly elected Liberal Democrat administration had hoped to amend the Vale of White Horse Part Two Local Plan despite the Planning Inspector finding it sound as reported in Planning Magazine: *“Emily Smith, the newly-elected Liberal Democrat council leader, said: “We were elected on a platform that opposed a number of the proposals in this plan. Frustratingly, the inspectors’ letter makes it harder for us to deliver what the public elected us to try and do”* (Planning Magazine 5 July 2019)<sup>3</sup> The Vale of White Horse Local Plan Part Two was adopted in October 2019.
35. In this context, it is demonstrated by the time decisions needed to be made within the partnership on the level of growth for the Oxfordshire Plan in Spring/Summer 2022, the position of some of the councils had changed significantly from that when the project

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<sup>2</sup> [What the local election results mean for planning | Planning Resource](#)

<sup>3</sup> [New council leader 'frustrated' after inspector blocks changes to Oxfordshire local plan housing target | Planning Resource](#)

had been embarked upon. The agenda had shifted from that originally set out in the signed Housing and Growth Deal with the government: *"The ambition to plan for and support the delivery of 100,000 new homes by 2031 is recognised as significantly in excess of the Local Housing Need figures set out in the Government consultation paper 'Planning for the right homes in the right places' (DCLG September 2017)<sup>4</sup>."* (GRO.007 paragraphs 22 and 25).

**Question 3: How did engagement with other authorities in Oxfordshire change after this decision?**

36. Engagement between the authorities in Oxfordshire continued without any pause after the decision to end work on the Oxfordshire Plan. This is consistent with the pattern of working relationships in Oxfordshire over a long period of time. Whilst some governance arrangements were formalised or added during the period of work on the Oxfordshire Plan, they had already been in place well ahead of that project and outlived it. More details are provided in BGP.016 which sets out the engagement over the past decade.
37. As one project ended, some of the Oxfordshire working arrangements, those directly and specifically related to the Oxfordshire Plan, also came to an end. This is most evident in the case of the Oxfordshire Plan project team. This team of officers had been made up in large part by secondees from the districts solely to work on the development of the Oxfordshire Plan. When the project came to an end that team was disbanded, and those officers returned to their substantive roles. This also meant that the monthly Liaison Group meetings (the primary link between the Oxfordshire Plan project team and the planning teams of the districts) ended. Beyond those two arrangements however, none of the other forms or governance arrangements ended.
38. All partners were clear that the work carried out to date should not be lost and that as stated in a report to the Future Oxfordshire Partnership on 27.9.22: *"...continued collaborative working on spatial planning matters will be valuable"* (see BGP.016 section 5). The other governance arrangements within Oxfordshire continued, albeit those most directly related to the Oxfordshire Plan were in an amended format (see COM.001: General Statement of Common Ground for Duty to Co-operate for further details). In summary:

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<sup>4</sup> Planning for the right homes in the right places' (DCLG September 2017) proposed the establishment of the standard method for calculating local authorities' housing need:

- Future Oxfordshire Partnership – continues to run to a schedule as it had before, during and after the Oxfordshire Plan project; meeting every other month.
- Oxfordshire Plan Member Advisory Sub-Group – this grouping took a short break while new terms of reference were established to remove the Oxfordshire Plan oversight from its responsibilities and broaden its planning liaison remit; a re-formatted grouping has since meet on a quarterly basis as the FOP Planning Advisory Group.
- Less directly related to planning but with significant overlapping interests, the other FOP Member Advisory Groups on Environment, Housing, and Infrastructure also continue quarterly as they had during the period of the Oxfordshire Plan).
- Other groups such as Oxfordshire Leaders’ Group and Oxfordshire Chief Executives’ Group continue to meet as they had before, during and after the Oxfordshire Plan; CE’s meeting weekly and Leaders monthly).
- Heads of Planning from across the county continue to meet regularly to discuss the wide range of planning matters (this grouping now meets less frequently than had been the case during the Oxfordshire Plan but still quarterly and with a broadened agenda than before).
- Oxfordshire Planning Policy Officers Group (OPPO) is long established, well before the Oxfordshire Plan. During the time of Oxfordshire Plan it offered additional support for the Oxfordshire Plan team, meeting at one point weekly as work demanded it. OPPO continues to meet every month.

39. OPPO particularly has been valuable in providing links and liaison between authorities and was the key forum for progressing conversations on housing need (see answer to question 1 above). It also leads joint work such as on the Joint Statement of Common Ground and commissioning joint evidence base work such as on Gypsy, Traveller and Travelling Showpeople needs.

40. Despite the difficult circumstances surrounding the end of work on the Oxfordshire Plan these wide and varied points of contact and forums for engagement between partners were maintained and continue to work well.

**Question 4: How and when did the Council engage with other authorities in Oxfordshire in relation to the housing and Economic Needs Assessment (HENA)? Why was it only commissioned by Oxford City and Cherwell District Councils?**

41. The intention had been that the Oxfordshire Plan would set the overall strategy and level of growth across the county and that a suite of new Local Plans would implement that in terms of site allocations and detailed policies to aligned plan periods. With the fall of the Oxfordshire Plan in August 2022 largely due to disagreements on planning for housing, each authority had a choice to make about the progress of their own Local Plans. The options available were either to pause all plan-making work or to adapt the current approach to Local Plan development in a world where there would be no Oxfordshire Plan setting the strategy. The absence of a joint strategic spatial plan is normal in the English planning system, and as by that point Oxford City Council were already making good progress, the decision was taken to move forward and adapt.
42. Officers had already prepared and were securing member sign off for a Regulation 18 document for the Local Plan 2040 without options on housing or employment need, as those were to have been delivered through the Oxfordshire Plan. In this context, the Council decided to progress with that Local Plan consultation and then to supplement it with a Regulation 18 Part 2 consultation focussed on housing matters to follow as soon as possible. It was felt that the loss of the Oxfordshire Plan meant that good progress with the Local Plan was even more necessary than before.
43. The City Council were keen to work with as many Oxfordshire partners as were willing, believing that the co-ordinated joint approach to planning more strategically added real value to the work. After all the Oxfordshire Plan was not the first time that Oxfordshire authorities had worked together to try and address strategic housing matters (see BGP.017 sections 2 and 3 for details of the approach and agreement prior to the Oxfordshire Plan).
44. At the 12<sup>th</sup> August 2022 Heads of Planning meeting the City Council informed the other parties that the intention was to continue to work on the Local Plan, that they would seek to fill the evidence base gap with regards to housing needs that had been created by the loss of the Oxfordshire Plan, and that they would be happy to work with whichever partners would like to work with them on that.
45. Cherwell were in a similar position to Oxford preparing at the time to consult on a Local Plan Regulation 18 document, in the form of a draft plan. Cherwell were thus similarly keen to progress this work to produce the housing needs evidence base. Later in August, Oxford and Cherwell were progressing conversations with the consultants who had worked on the OGNA about a new commission with the two authorities as commissioners.

46. Oxford and Cherwell remained happy with the OGNA and had been pleased with how work was progressing on the (by then ended) OGNA update work. Both authorities regarded the basis of that work as sound and convincing albeit that future conversations would still be needed around the application of the work to Local Plans. As a good deal of work had already been carried out on the OGNA update and both parties were keen to progress a new commission, it was decided to do so with a new brief largely based on the same approach and methodology of the OGNA, but with the detailed elements such as specialist housing needs only being delivered for the two commissioning authorities. This new commission would become known as the Housing and Economic Needs Assessment (HENA). See BGP.017 for more details.
47. At the Heads of Planning meeting on 9<sup>th</sup> September 2022 Cherwell and Oxford explained to the other districts that they had jointly commissioned the HENA, largely based on the OGNA and using the same consultants. At that point it would still have been possible for others to join the commission, and they would have been welcomed to (see BGP.017 paragraph 7.2), but they chose not to.
48. The City Council's attitude towards and desire for a co-ordinated approach to was set out in the Cabinet report seeking approval for the Regulation 18 Part 1 consultation approved on 14<sup>th</sup> September 2022: *"It was also anticipated that the Oxfordshire Plan's evidence base would form part of that required for the Local Plan. However, the Oxfordshire Plan is no longer being progressed. As such the Local Plan will need additional evidence on issues which would previously been covered by the Oxfordshire Plan. For example, an Oxfordshire-wide assessment of housing needs had been an integral part of the Oxfordshire Plan work, this assessment will not now progress. Therefore, a detailed assessment of the specific housing needs for Oxford will be commissioned to support the Local Plan; ideally working with as many of our neighbouring districts as possible. This evidence base and any implications for the housing needs options for the City, will form part of an additional consultation in 2023"*. (CSD.011 and BGP.017 paragraph 7.2)
49. Oxford and Cherwell updated Oxfordshire partners about their plans for the LP and on progress on HENA at subsequent OPPO meetings (Oxfordshire Planning Policy Officers, attended by Planning Policy managers). A standing agenda item at each of these meetings is a Local Plan update. At the OPPO meeting on 12<sup>th</sup> January 2023, "Housing evidence" was a named item on the agenda. The City Council asked when and how the other authorities would want to have a more detailed discussion on the HENA.



50. The City Council were keen to understand whether this would be preferred ahead of the City's consultation on Regulation 18 Part2, or as part of it. South and Vale responded that it would be preferable to have that discussion when their own housing needs consultant was in place and in practice that would be likely to be during the consultation period. The meeting was then arranged for and took place on 27<sup>th</sup> March 2023, this meant that it could discuss the response from South and Vale District Councils to the City's consultation. The meeting discussed points raised including points of principle over the approach taken (e.g. the Oxfordshire-wide basis, the continued use of the OGNA methodology, whether the HENA would be revisited post-consultation and the City Council had not yet set out its exceptional circumstances case).
51. Further discussions on the HENA were held at OPPO meetings and in between as email correspondence, details on these are provided in response to Question 8 below.
52. When completed, both Oxford and Cherwell considered the outcomes of the HENA to be sound and locally appropriate and both incorporated them into their own Local Plan consultations alongside the HENA report itself.
53. The City Council considers there was substantial value to be gained from working collaboratively and strategically to truly understand the level of housing need in Oxford and Oxfordshire as a whole. The council continues to consider that understanding true housing need is especially vital in a city such as Oxford, where other calculations of housing need have demonstrable flaws and fail to meet the needs of the city. The City Council believes that the OGNA and subsequent HENA provide a more appropriate way to achieve this.

**Question 5: Why was the decision taken to assess housing needs on an Oxfordshire wide basis and then set out a distribution of this by individual district authorities? Were the other authorities involved in this decision?**

54. The response to Question 1 of Matter 3 summarises the reasoning behind the decision to assess housing need on an Oxfordshire basis and then to determine Oxford City and Cherwell District Councils' needs from that. The response to Question 4 of Matter 3 explains the basis of the distribution method in more detail. This approach was considered necessary to accurately understand need in the individual authorities, for the reasons set out in the answers to Matter 3. Therefore, this answer focuses on the involvement of other authorities (excluding Cherwell, who are partners in the HENA) element to explain why the decision was taken.



55. To understand the involvement of other authorities, it is necessary to understand the context of joint working at the time. The Oxfordshire district authorities and the County Council had been working in partnership on the Oxfordshire Plan 2050. The Oxfordshire Plan was not intended to replace local plans, but to set a strategic framework to inform local plans. Work began on the Oxfordshire Plan 2050 in 2018, when the Oxford Local Plan 2036 was still being drafted. The Oxfordshire Plan 2050 was intended to inform, shape and assist with an evidence base for the next round of Local Plans, including the Oxford Local Plan 2040. Work continued in tandem, with continuous dialogue about how the plans would fit together in preparation and implementation.
56. The Issues document for the Oxford Local Plan 2040 (PCD.001, August 2021) is very clear that the expectation was that the housing need for the Local Plan would be set in the Oxfordshire Plan 2050 (paragraph 2.3.3). The Regulation 18 plan was being drafted on this basis, but during the drafting of that plan, work on the Oxfordshire Plan came to an end. To avoid significant delays to the Oxford Local Plan 2040, the Regulation 18 document was drafted and consulted on without the housing need figure. Because all indications were that a capacity-based housing requirement would be necessary (i.e. the capacity had been assessed as less than even the standard method), this did not undermine any other policy approach. However, the city council was committed to a second Regulation 18 consultation, focused entirely on housing need and requirement. This was widely known and was reported to the City Council's Cabinet when seeking approval of the Regulation 18 Part 1 consultation on 14.9.2022 (CSD.011), and on 08.02.23 when seeking approval of the Regulation 18 Part 2 consultation (CSD.012).
57. Oxford City Council and Cherwell District Council were further ahead in their plan-making than the other Oxfordshire councils and so had a particular need to move quickly in gathering new evidence of housing need. Oxford City Council takes decisions to ensure it repeatedly and continuously has an up-to-date Local Plan to shape development in the city as part of the plan-led system. It was the view of Oxford City Council and Cherwell District Councils that, whilst the Oxfordshire Plan was no longer going ahead, all the circumstances that justified the approach of the OGNA were still in existence, including Oxfordshire operating as a FEMA, the strong and important economic function of the county and the failure of housing delivery to keep up with this demand, leading to severe negative impacts on the functioning of businesses and services, commuting distances and most of all access to decent homes.

58. Oxford City and Cherwell District Councils made it very clear that they consider housing evidence is needed to appropriately understand housing issues, including need, in the City. Moreover, it was considered that continuing to explore the suitability of the previously agreed methodology of the published OGNA was an appropriate approach, given that there was no other change in circumstances except for the cessation of the Oxfordshire Plan. The commissioning was carried out openly and transparently. All of the other district councils in Oxfordshire were specifically asked if they wanted to be part of the commissioning of the HENA (including for example, at a Heads of Planning Meeting 12<sup>th</sup> August 2022, BGP.017).
59. Furthermore, Background Paper 17 (BGP.017) sets out in detail that there was discussion about the HENA throughout its development. The background paper gives details of times when it became publicly available (for example when published ahead of Cherwell District Council's Scrutiny Committee). Throughout the period of development of the HENA, all Oxfordshire authorities continued to meet monthly through Heads of Planning meetings and weekly to bi-monthly OPPO (planning policy officer meetings attended by planning policy managers). These meetings were updated with local plan process, including the HENA.
60. Particularly relevant meetings include the OPPO meeting on 12<sup>th</sup> January 2023, following receipt by the commissioning authorities of the draft HENA, where 'Housing Evidence' was an agenda item. The City Council asked when and how the other authorities would like a more detailed discussion on the HENA. South Oxfordshire and Vale of White Horse District Councils responded that it would be preferable to them to have the discussion about the HENA when their own housing needs consultant was on board and that was likely to be during the consultation period (Regulation 18 part 2). On the 27<sup>th</sup> March 2023 a bi-lateral meeting was held between the City Council and South Oxfordshire and Vale of White Horse District Councils to discuss their response to Oxford's Housing Need (Regulation 18 part 2) consultation. Key areas of discussion were the approach taken (such as the Oxfordshire-wide basis, the continued use of OGNA methodology, and why the city had not yet fully set out an exceptional-circumstances case for moving beyond the standard method).
61. Whilst, from the outset, there was disagreement from South Oxfordshire and Vale of White Horse District Councils on the principle of building on the OGNA work, the principle of using the same consultants, and on the detail of many aspects of the work, the duty to co-operate has been met throughout. The methodology was a progression of what had been previously agreed in the OGNA. Clear lines of reporting were

established and maintained, including through formal meetings and correspondence as described above. All authorities were specifically asked if they wished to be part of the commissioning. Comments received as part of the consultation were considered in detail. The methodology was not altered as a result of the comments, because following reflection on those comments it was still considered that the approach taken was robust and justified. In addition, the methodology already accounted for comments made in the ORS report commissioned to critique the OGNA.

62. Whilst South Oxfordshire and Vale of White Horse have disagreed with the methodology used by the Oxford City Council, it is a strong and robust method of assessing housing need and has been taken forward by Oxford City Council in the context of the methodology having been agreed in principle as part of the OGNA and on a fully transparent and engaged basis since the collapse of the Oxfordshire Plan 2050. Indeed, Cherwell District Council also agreed the methodology and West Oxfordshire District Council have been more neutral in their stance towards it, keen that the process continues and that Oxford's examination provides clarity on the matter. Oxford City Council understands the positions of the respective authorities as it has engaged in open and transparent dialogue with them. Where concerns have been raised, these have been carefully considered as progress has been made on the preparation of the Oxford Local Plan 2040.

**Question 6: What was the response of the other authorities to the Regulation 18 consultation on the issue of housing need and the housing requirement? How did the council take this into account going forward?**

63. This answer focuses on the representations received in response to the Regulation 18 part 2 consultation. That consultation took place alongside publication of the HENA and also included an interim capacity estimate from the HELAA and an estimate of the housing requirement figure that would be put forward in the draft plan. It estimated a capacity of 9,147, compared to 9,612 in the draft submission document and 9,851 put forward as a Main Modification to Policy H1 (CSD.009).

64. At Regulation 18 part 2 stage Cherwell District Council was supportive of the HENA approach. They were partners in the commission and have based their own Regulation 18 consultation on the outcomes of the HENA. In summary, the issues raised were:

- **HENA:** Support the use of the jointly commissioned Housing and Economic Needs Assessment (HENA)

- **Capacity and AH:** Support the City Council's commitment to maximising capacity within the City and the need to increase the supply of affordable housing
- **Relationship:** Support the City Council's commitment to work closely with neighbours to continue to refine proposals for our respective local plans

### **South Oxfordshire and Vale of White Horse District Councils**

65. South Oxfordshire and Vale of White Horse District Councils have always been clear that they disagree with the HENA, in principle and in detail. In summary, their key concerns at Regulation 18 part 2 were:

- Use of consultants and methods that are known to be a point of discord, and without any offers of engagement.
- Need to set out exceptional circumstances more clearly- they are not justified and inconsistent with the reasons given in the PO consultation (which SODC disputed) about Oxfordshire's role in local and national economy. It is not for the city to set out exceptional circumstances for whole of Oxfordshire. The circumstances, especially the need to plan collaboratively to meet the requirements for 100,000 homes as part of the Oxfordshire Housing and Growth Deal, no longer exist. Disagreeing with the SM is not an exceptional circumstance.
- The three additional scenarios tested are unnecessary and inappropriate because there is no robust justification for departing from the Standard Method to determine housing need.
- Do not agree with the 'census-adjusted SM' - Standard Method is not adjustable.
- NPPF doesn't recognise HMAs or FEMAs as the basis for calculating housing need.
- Lack of engagement fails the duty to cooperate.
- Attempting to divide Oxfordshire's housing need is beyond the City Council's remit or authority to determine the needs for the whole county or to unilaterally apportion that need. The HENA should only identify need for Oxford, which it fails to do.

66. In summary, the issues raised on the HELAA were:

- The ambitions for zero carbon should influence the HELAA too with more accessible sites and efficient use of land being promoted. It is therefore concerning to see its unlikely the HELAA will see significant changes to the capacity estimate when new policies are applied.
- The exceptional circumstances for Green Belt review and release of Green Belt should be clarified. Wolvercote Social Club could be an opportunity to make more efficient use of land.
- Clarify any windfall assumptions.

**West Oxfordshire District Council**

67. West Oxfordshire District Council expressed some concerns about the HENA methodology:

- Whilst WODC Officers were loosely aware that further housing needs evidence was being commissioned by OCC and CDC to inform their respective Local Plans, no opportunity was provided to input into the report in terms of the overall approach and geographic scope.
- Whilst we appreciate the desire of the City Council to move its new Local Plan forward in the absence of the Oxfordshire Plan 2050, the unilateral approach which has been taken is simply not appropriate and is not helpful to the development of our own new Local Plan for West Oxfordshire.
- In terms of the reasons provided for departing from the standard method, there is further evidence or justification needed. Availability of 2021 Census data does not in itself represent justification for departing from the 2014-based SM;
- HENA should not look at need on an Oxfordshire-wide basis, nor be apportioning need. This is beyond the remit and authority of the City Council and its planning function.
- Any uplift from the economic strategy scenario should be applied only to Oxford City and Cherwell, as they have not been agreed by the other authorities.
- Suggest further discussions needed to reach an agreed position on the level of identified housing need for Oxford, and the extent and apportionment of any need which is unable to be met within the City's boundaries.

68. In summary, the issues raised on the HELAA were:

- City must leave no stone unturned and seek to maximise delivery of housing within the city boundaries before looking to adjoining districts to assist with any unmet housing requirement figure.
- Providing more homes in Oxford will have the most benefit for people who want to live and work in Oxford, it is where the best transport connections are and encourages the maximum use of previously developed land in preference to sensitive, undeveloped greenfield sites, including those within the Oxford Green Belt.

69. Meetings were held with all the neighbouring authorities to discuss further the implications of these comments. The City Council explained that, just because the Oxfordshire Housing and Growth Deal was a key reason given for exceptional circumstances for the Oxford Local Plan 2036, its ending didn't mean that there were no longer exceptional circumstances. What the City Council believe to be the exceptional

circumstances are now set out explicitly in the Housing Need Including Exceptional Circumstances Background Paper BGP.001. It was explained in a meeting with South and Vale that the HENA was not intended to set housing need for any district other than Cherwell District or Oxford City Councils. The reasoning for looking at the whole of Oxfordshire was explained again. The intention from Oxford City had always been to be clear about this, but we agreed that we could be clearer that the other districts would gather their own evidence and set their own needs, and we have endeavoured to make that point more prominent in all documents following the Regulation 18 part 2.

70. Ultimately, significant changes were not made to the approach in the HENA, because fundamentally we continued to disagree with the objections. We consider we have taken an appropriate approach, and have explained this approach from the outset and has been fully transparent throughout. The response to question 7 gives more details about how the other authorities were engaged as regards housing capacity.

**Question 7: How has the Council engaged with the other authorities in relation to the capacity of Oxford City to accommodate housing?**

71. The City Council has engaged with the other authorities on the matter of assessing capacity, throughout the preparation of the Plan, including through the Oxfordshire Plan process and other forums, meetings and correspondence. As has been extensively described elsewhere in the answers to questions in Matter 2, initially the LP2040 was being prepared alongside the Oxfordshire Plan 2050. At that time, the authorities in Oxfordshire were keen to have more closely aligned assessments of capacity across the districts, as a shared evidence base to support OP2050 including identifying strategic site allocations for OP2050, as well as to support the next round Local Plans.
72. The intention was that each authority would still produce its own district-wide HELAA, and also a joint HELAA document would be produced to provide a more standardised methodology and assumptions, resulting in a more consistent picture of land availability across Oxfordshire to help the evidence base for the Oxfordshire Plan. As part of that process, each authority nominated an officer for a steering group to oversee the preparation of the joint document, starting with preparing an agreed HELAA methodology for Oxfordshire (HEA.005). The Oxfordshire Plan team also facilitated a “Call for Ideas” (which was broader in scope than simply a call for sites, because it also allowed for people to submit ideas for designations such as nature designations) and the submissions from this were additionally provided to the authorities for the district HELAAs.

73. The HELAA officer group met at regular intervals (every 1-2 months) between summer 2020 and autumn 2021, with Oxford City taking an active part in the process including lead-authoring the Joint Methodology (HEA.005), and taking into account any suggested sites in the Oxford HELAA.
74. The Joint Methodology primarily focusses on Stage 1 of the process, which includes determining the assessment area and site size, a desktop review of the existing information, a call for sites and site survey. The officer group agreed that the data each authority needed to consider for sourcing potential sites from the desktop identification, as well as in the initial survey (Call for Ideas), was a minimum and that other sources, if appropriate, could also be used. Aspects of the HELAA Stage 2 were also reviewed and the evidence considered, such as estimating the development potential of a site.
75. It was also agreed and documented in the Joint HELAA Methodology that the councils would assess development potential on a case-by-case basis, taking account of each site and broad location's unique characteristics, constraints and relevant planning history. It was agreed that all councils would engage with each other as part of making density/developable area assumptions to ensure that a thorough and robust process has been undertaken. This iterative, collaborative and detailed process was agreed. A similar approach was agreed with Stages 3-5 of the HELAA process, (Windfall Assessment, Assessment Review and Final Evidence Base) where individual authorities would base processes, such as windfall allowance, on local circumstances but in accordance with national planning policy and guidance.
76. The two main examples where the Oxford HELAA has varied the approach compared to the districts are summarised in the table below, specifically residential size threshold and the approach to flood risk in the initial sift of sites, particularly in relation to Flood Zone 3b. This is an example of where local circumstances and evidence indicate a slight modification was required, which was reflected in the Joint Methodology.

*Table 7.1 Examples from Joint Methodology (HEA.005) where variation in approach is noted as appropriate*

<b>Process</b>	<b>Oxford City</b>	<b>Oxfordshire districts</b>	<b>Reason</b>
Residential size threshold	Sites and broad locations with an area of at least 0.25 hectares.	Sites and broad locations capable of delivering 5 or more dwellings or with an	This is due to the large number of small sites in Oxford, many of which are infill developments that are



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		area of at least 0.25 hectares.	hard to identify.
Initial sift of sites – flood risk	Reject if 50% or more of the site (or a percentage higher than 50% set by Oxford City) is within undeveloped Flood Zone 3b.	Reject if the site or broad location has 50% or more of its site area within Flood Zone 3b. (Districts may choose a percentage higher than 50% if considered more appropriate in their area).	Due to the highly constrained nature of Oxford’s land supply, and based upon existing evidence, it is clear that in applying a sequential approach, Oxford City will be unable to meet development needs within the areas of the lowest flood risk (Flood Zone 1).

77. The iterations of the Oxford HELAA produced since the agreement of the Joint Methodology, have applied the agreed principles and been consistent with the agreed approach. For example, the City Council has applied a site size threshold of 0.25ha (or capacity for 10+ dwellings), however where sites have been submitted as part of a call for sites or there is tested evidence that they are capable of providing 10 or more residential units, they have been included in the assessment. In respect of the approach to Flood Zone 3b, the City Council has gone further by not simply rejecting sites where Flood Zone 3b is present on 50% or more of the site, but again taking account of local circumstances and evidence for example so that brownfield sites are not sterilised. The approach and assumptions are explained in more detail in the HELAA (HEA.003 and HEA.004).

78. Stage 1 of the City Council's HELAA was completed in autumn 2021. Oxford City Council continued to lead the joint officer working group, bringing forward a number of issues for discussion, including: how green spaces including Green Belt were to be treated in the assessment; estimating the development potential of sites including a discussion on density assumptions, particularly the variance in different types of locations; and welcoming feedback from the group about emerging findings, whilst encouraging others to do the same.

79. When work on the Oxfordshire Plan ended in August 2022, the City Council continued to apply the agreed Joint Methodology as well as national planning policy and requirements, in the preparation of the Oxford HELAA. As the Oxfordshire joint HELAA officer grouping disbanded, Oxford City Council continued to provide regular updates to the authorities via the monthly ‘OPPO’ meetings (attended by planning policy managers)



as the assessment progressed. A full Interim HELAA (September 2022) was published as part of the evidence base for the LP2040 Regulation 18 Part 1 consultation.

80. When the final HELAA (2023) was being prepared to support the Regulation 19 LP2040, the Council shared with the authorities a full draft version in advance (August 2023) together with a workshop to discuss any queries or concerns (September 2023) prior to the assessment being finalised and published. This gave further opportunities to challenge assumptions and emerging conclusions. By this point, South Oxfordshire and Vale of White Horse District Councils had announced their intention to commission consultants to critique the HELAA and that those findings would only be submitted as part of their Regulation 19 comments (so there was no opportunity to respond to those findings in the final document).
81. Oxford City Council has therefore responded to the findings in the review via some adjustments to the HELAA as set out in the HELAA Addendum produced for Submission (HEA.004) and explained more fully in the Appendix to Matter 3. In addition to all of the engagement set out above, Oxford's HELAA work also builds on previous engagement with the authorities on earlier HELAAs preceding the Local Plan 2040. This is important because a HELAA doesn't start from scratch but builds on the previous assessments and agreement between Councils. For example, the HELAA includes sites which the relevant authorities had identified in earlier critiques of previous Oxford HELAAs, such as "the Cundall Report" (see BGP.016 Section 3). In addition to the engagement with the authorities as planning authorities, the Council also engaged where applicable with the authorities as landowners, in particular with Oxfordshire County Council which owns several sites identified in the HELAA. The methods of engagement have been extensive and wide-ranging, as has also been highlighted throughout other answers to the three matters relevant to the initial hearings.

**8. How and when did the council discuss the conclusions of the HENA, the estimate of capacity, the resultant housing requirement and the implications for unmet need?**

***The conclusions of the HENA***

82. As set out at question 4 above, there was dialogue from the inception of the HENA and as it was being drafted. The aims of the HENA were shared at the Heads of Planning meeting on 9<sup>th</sup> September 2022 and Oxford and Cherwell updated Oxfordshire partners about their plans for their Local Plans and on progress on HENA which developed through the Autumn/Winter of 2022, at OPPO meetings (Oxfordshire Planning Policy Officer meetings, attended by managers). As the HENA commission started to deliver draft findings and as the City Council started to consider these in terms of their

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implications for the Local Plan, the City Council sought to engage with Oxfordshire partners through the following means:

*Table 8.1 Summary of the type and timing of discussions on the conclusions of the HENA:*

<b>Date</b>	<b>Type of engagement</b>	<b>Purpose and actions agreed</b>	<b>Actions completed</b>
12 Jan 23	OPPO meeting	Housing evidence is a named item on the agenda. City asks when and how other authorities wanted more detailed discussions on the HENA	S&V request a conversation once their consultant was on board (this took place on 27 March 23)
<i>(19 Jan 23)</i>	<i>(Publication)</i>	<i>(Cherwell publish HENA as part of report to Cabinet seeking approval of their Reg 18 draft document)</i>	The consultation did not go ahead until 2 September 23 and the City Council responded
8 Feb 23	Publication	Oxford publish HENA alongside the Regulation 18 Part 2 consultation	All districts were contacted and made aware of publication
27 Mar 23	Meeting between City, South and Vale	Meeting held as agreed to discuss their response to Regulation 18 Part 2 consultation	South and Vale raised points of principle HENA, technical comments on HENA, and matters of capacity. Some of these were later returned to at July OPPO
19 July 23	OPPO meeting	South and Vale brought an additional officer to present slides with queries on the HENA	Meeting discussed those queries and also returned to them at September OPPO
<i>(2 Sep 23)</i>	<i>(Publication)</i>	<i>(Cherwell publish Reg 18 consultation with HENA)</i>	City Council respond to consultation
5 Sep 23	OPPO meeting	<ul style="list-style-type: none"> <li>• South and Vale asked if legal advice had been taken on points raised at July OPPO</li> <li>• South and Vale say there is an issue with not sharing exceptional circumstances</li> </ul>	<ul style="list-style-type: none"> <li>• City reported barrister advice was sought and they remained comfortable; South and Vale wished to see this in writing; City agreed to secure this (as circulated 16 October)</li> <li>• An emerging background paper on exceptional circumstances is shared on 16 October</li> </ul>
16 Oct 23	Email	<ul style="list-style-type: none"> <li>• Oxford share legal advice which had been requested by South and Vale on the points they raised in July's OPPO meeting</li> <li>• Oxford share an emerging background paper on what it considered to be its exceptional circumstances</li> </ul>	<ul style="list-style-type: none"> <li>• Legal advice is later discussed at November OPPO</li> <li>• That paper later became BGP.001</li> </ul>
7 Nov 23	OPPO meeting	Discussion about the legal advice as circulated on 16 October	South and Vale state that they'll take their own legal advice and there were

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			still issues. City recognised that this was always likely
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***The estimate of capacity***

83. As set out at Question 7 above, the City Council worked to be transparent in the development of a capacity figure as established in the HELAA. The City’s HELAA work is based on the on the agreed Oxfordshire Joint HELAA Methodology (HEA.005). Interim work and emerging drafts were shared and discussed in workshop sessions. This engagement took a range of forms as summarised in the table below:

*Table 8.2: Summary of the type and timing of discussions on the estimate of capacity:*

<b>Date</b>	<b>Type of engagement</b>	<b>Purpose and actions agreed</b>	<b>Actions completed</b>
3 Oct 22	Publication	Oxford publish a full Interim HELAA at Reg 18 Pt 1 consultation ( <a href="https://www.oxford.gov.uk/helaa-interim-report-september-2022">helaa-interim-report-september-2022 (oxford.gov.uk)</a> ) illustrating total capacity 2020-2040 of 9,147	All districts were contacted and made aware of publication
26 June 23	Meeting between Oxford and South and Vale	Meeting to discuss Oxford’s HELAA work.	City explained updates to HELAA, how employment land demand and value dissuades transfer to housing. Headline working assumption on capacity and therefore unmet need was shared – capacity of 10,736 and noted that on that basis Oxford could not meet its own need in full and will have some unmet need. South and Vale stated intention to commission consultants to review both the HELAA and the HENA, to reach their own conclusions about level of need, capacity, and unmet need for Oxford.
27 June 23	Meeting between Oxford and Cherwell	Meeting to discuss Oxford’s HELAA work and progress on Cherwell’s unmet need sites.	City explained updates to HELAA. Headline working assumption on capacity and therefore unmet need was shared – capacity of 10,736 and noted that on that basis Oxford could not meet its own need in full and will have some unmet need. Next step would be OPPO conversations. Cherwell updated on progress on unmet need sites
28 June 23	Meeting between	Meeting to discuss Oxford’s HELAA work.	City explained updates to HELAA. Headline working assumption on

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	Oxford and West Oxfordshire		capacity and therefore unmet need was shared – capacity of 10,736 and noted that on that basis Oxford could not meet its own need in full and will have some unmet need.
30 June 23	OPPO meeting	City confirmed to the meeting that things had moved on with HELAA showing increased capacity from that included in the Reg18pt2 consultation	N/A
2 Aug 23	Email	Oxford share early draft of the final HELAA illustrating total capacity of 10,298	The workshop held on 13 September was an opportunity to hear feedback and discuss any queries or concerns about the draft, before the work was finalised
13 Sep 23	Workshop	Oxford hold a workshop on the HELAA approach (methodology, assumptions, outputs) prior to publication	City answered questions on issues raised and clarified wording in the published HELAA report in response to queries raised
10 Nov 23	Publication	Oxford publish the final HELAA 2023 as part of the consultation on the Regulation 19 Draft Plan (HEA.003); this illustrates a capacity of 9,612	All districts were contacted and made aware of publication
28 Mar 23	Publication	Oxford publish a HELAA Addendum (HEA.004) as part of the examination library supporting the Submission Local Plan illustrating a capacity of 9,851	This addendum had been produced in response to the South and Vale critique provided as part of their Regulation 19 consultation response, in response to comments from others on the Reg19 stage, and also from landowner updates. All districts were contacted and made aware of publication

***The resultant housing requirement and the implications for unmet need***

84. By early 2023, the work on both the HENA and the HELAA had developed to a stage at which the resultant housing requirement and implications for unmet need could start to be considered. At the January OPPO meeting, “Housing Evidence” was a named item on the agenda, the City Council were keen to understand when and how the other authorities wanted to have more detailed discussions on the HENA (see table below for more details). On 8<sup>th</sup> February 2023 the City Council launched the Regulation 18 Part 2 consultation. At OPPO meetings throughout 2023, the group of policy managers tried to move the conversation forward as had been agreed would be appropriate by senior officers. As other districts raised issues or concerns with the HENA approach or the outputs used in the Regulation 18 Part 2 document at these meetings, Oxford tried to address them. Outside of OPPO meetings, other opportunities were additionally taken to engage in the more detailed work of the HELAA. Together, this included sharing

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emerging work and attempting to resolve identified issues as they arose as set out in the table below:

*Table 8.3: Summary of the type and timing of discussions on the resultant housing requirement and the implications for unmet need*

<b>Date</b>	<b>Type of engagement</b>	<b>Purpose and actions agreed</b>	<b>Actions completed</b>
26, 27 and 28 June 23	Series of bilateral meetings detailed above under "capacity"	Oxford share their calculations on unmet need	See table above
30 June 23	OPPO	<ul style="list-style-type: none"> <li>City asked for ideas on how to progress the housing conversation</li> </ul> Meeting discussed a possible Statement of Common Ground	Meeting responded that setting out what the numbers look like in practice would be helpful; City agreed to share a note, circulated on 11 August
19 July 23	OPPO meeting	<ul style="list-style-type: none"> <li>City asked "how their authority would like to take forward the conversation on Oxford's need and unmet need?"</li> <li>City agreed to circulate paper on housing calculations to facilitate the conversation</li> <li>South and Vale brought an officer to present slides with queries on the HENA</li> </ul>	<ul style="list-style-type: none"> <li>Meeting agreed OPPO but with senior officers involved at appropriate stages</li> <li>Note was circulated on 11 August</li> <li>Meeting discussed queries and were returned to at September OPPO</li> </ul>
28 July 23	Email	Oxford's Chief Executive emails South and Vale Deputy Chief Executive to explain next steps would involve further OPPO discussions	South and Vale Deputy Chief Executive replies to confirm and requests to be copied into next correspondence to check the right people are included
11 Aug 23	Email	Oxford share a note on their housing calculations in following format: HENA – HELAA = unmet need and: Unmet need – allocated unmet needs = additional unmet need Projected additional unmet need approximates: 2,528, a difference of 126 dwellings per annum compared to previous plan period (Appended in full to BGP.017)	Comments were asked for; these were reported back to and discussed at September OPPO
5 Sep 23	OPPO meeting	<ul style="list-style-type: none"> <li>City had collated received comments on note of 11 August onto a single version and circulated</li> <li>South and Vale shared an annotated version</li> </ul>	<ul style="list-style-type: none"> <li>Full discussion was had on feedback received</li> <li>South and Vale presented their additional comments for discussion</li> <li>Others agreed to provide County</li> </ul>

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		<ul style="list-style-type: none"> <li>County shared a note on housing numbers</li> <li>South and Vale asked if legal advice had been taken on points raised at July OPPO</li> <li>exceptional circumstances (logged at "HENA" Sept OPPO)</li> </ul>	<p>additional data to refine the note</p> <ul style="list-style-type: none"> <li>City reported barrister advice was sought and they remained comfortable</li> <li>(logged at HENA Sept OPPO)</li> </ul>
5 Dec 23	Meeting between City and Cherwell	Oxford call a series of bi-lateral meetings to cover queries on the HENA and HELAA ahead of the districts submitting their Regulation 19 consultation responses before the January 2024 deadline	Discussed the need for a letter of formal request on unmet need (issued on 22.12.23) and work on Joint SoCG
6 Dec 23	OPPO	Oxfords updated meeting that meetings have been booked to discuss housing in more detail, we will be sending a formal letter requesting help with unmet need very shortly	Meetings were held on 5 and 19 December. Formal letter was sent on 22 December
19 Dec 23	Meeting between City and South and Vale	Oxford call a series of bi-lateral meetings to cover queries on the HENA and HELAA ahead of the districts submitting their Regulation 19 consultation responses before the January 2024 deadline	South and Vale stated intention to append their consultants reviews of HELAA and HENA to their Reg 19 response City confirmed intention to issue formal request letter on unmet need (issued 22.12.23)
19 Dec 23	Meeting between City and West	Oxford call a series of bi-lateral meetings to cover queries on the HENA and HELAA ahead of the districts submitting their Regulation 19 consultation responses before the January 2024 deadline	Discussion around likely content of Reg 19 response
22 Dec 23	Letter	Oxford's Chief Executive writes to all districts formally requesting help to meet unmet need	All authorities reply to the letter: 19 Jan 24: South and Vale 30 January 24: West 8 March 24: Cherwell (these letters are appended to the Joint Statement of Common Ground COM.002)
9 Jan 24	OPPO	City ask meeting if there are any thoughts or comments on the Chief Executive's letter of 22 December	Meeting agrees to pick this back up at the next OPPO meeting, after the date requested for responses
28 Mar 24	Publication	A Joint Statement of Common Ground on housing matters was agreed and signed by all the parties and published at submission of the Oxford Local Plan	

85. More details of these meetings and correspondence are available in BGP.017. The City Council is aware that in their responses to the Regulation 19 consultation (January

2024), South Oxfordshire and Vale of White Horse District Councils have set out as they see it, a lack of engagement from the City Council throughout this process. To the contrary, the City Council believes that the details provided in the tables above, do demonstrate: *“on-going, constructive, and active engagement”* and that far more than: *“the one meeting with SODC and VWHDC shortly afterwards (on 27 March 2023)”* was held, as is claimed.

**9. How and when did the council directly request the other authorities to assist in accommodating unmet housing need? What implications did this have for co-operation?**

86. Unmet need arising from Oxford’s housing pressures are a long-standing feature of local and regional planning. It has long been recognised that these housing pressures show themselves locally as some of the worst affordability statistics in the country both for sale and private rent, with knock on pressures for Council waiting lists and on inward commuting.
87. These pressures combined with a tight administrative boundary which incorporates large areas of flood plain and Special Areas for Conservation amongst other constraints, mean that there has been a need to both make most efficient use of the land available, and also for several plan cycles (including the now-defunct Regional Spatial Strategy, Core Strategy and Local Plan cycles) to look beyond the boundaries to accommodate the identified need. Of course, every plan requires its own calculations of need, capacity and any unmet need and that process has taken place for the 2040 Local Plan.
88. This has been a lengthy process due to the complexity involved. The starting point for the City Council has been to calculate accurately the appropriate level of need. Much of this preliminary work took place under the arrangements for the Oxfordshire Plan but when that work came to an end a new commission on need was commissioned following the same fundamental approach (the reasons for continuing that approach are addressed in Matter 3). Whilst establishing the level of need through the HENA (and engaged with the other authorities on that as described at questions 4 and 8 above), Oxford also sought to establish the capacity of Oxford to accommodate housing (and engaged with the other authorities on that as described at questions 7 and 8 above). Oxford was keen (even whilst work on the capacity developed in detail and more capacity monitoring data was added over time) to start to engage with its neighbours on the potential for there being unmet need arising from these calculations.
89. By June 2023 a series of bi-lateral meetings was held between the City Council and each of the districts primarily to discuss the City Council’s Housing and Employment Land

Availability Assessment (HELAA); the capacity/supply side of the City’s evidence base. An additional conversation was had with Cherwell about progress on the existing unmet needs sites. These meetings were held as follows: S&V-26.6.23; WODC-28.6.23; Cherwell-27.6.23. At these meetings the emerging City calculations were shared as follows (extracted from the meeting note):

*“Current draft working assumptions (final figures still being refined eg monitoring data for 2022/23 is not yet finalised, and still pending landowner site capacity estimates for some sites):*

- *Oxford’s need 2020-2040 is 26,440, or 1,322 pa (HENA)*
- *Oxford’s capacity is c. 10,736 (537pa) (HELAA)*
- *Resulting in an unmet need for Oxford of c.15,704 (785pa)*

*“In the context of:*

- *Total of existing unmet need sites from last round of plans 14,300 to 2036*
- *Additional unmet need 2036- 2040: 1,404”*

90. At the same time, work was still evolving on capacity and the other districts (except Cherwell) had not accepted the HENA work on need either, nonetheless the City Council felt it was important to initiate a conversation on potential unmet need given the inevitable challenge there would be in dealing with that outcome.

91. Two months later, on 2<sup>nd</sup> August 2023 Oxford City shared the draft HELAA documents with the districts (see para 7.18 of BGP.017 for more details).

92. On 11<sup>th</sup> August the City Council shared a note with all the Oxfordshire authorities on its housing number calculations. The value of a note setting out the City’s calculations on housing need and capacity to inform districts own internal conversations had been discussed at the July 2023 OPPO meeting and this was issued as a response to that. The note was shared in the full knowledge that some of the districts intended to challenge the work behind the constituent parts of the City Council’s evidence base, but was intended to provide a helpful outline of the City’s work to date. This note (appended in full at Appendix 1 of BGP.016) set out:

A)	Housing Need (the HENA)	<i>minus</i>	Housing Capacity (the HELAA)	<i>equals</i>	Oxford’s Unmet Need
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And then:

B)	Oxford’s Unmet Need	<i>minus</i>	Sites previously allocated in	<i>equals</i>	Additional Unmet Need for Oxford
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		Oxfordshire Districts for Oxford’s unmet need (Current Local Plans)		Local Plan 2040
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93. The 11<sup>th</sup> August note concluded that:

*“Whilst the overall unmet need for Oxford over the plan period (2020-2040) totals 16,828. 14,300 of those homes have already been allocated in Local Plans, the vast majority of which did not (or will not) deliver before the current plan periods. These allocations could therefore be re-allocated to meet the new unmet need. The additional unmet need beyond this, to cover the whole period to 2040 is 2,528. For comparison, the sites allocated for Oxford’s unmet need in the last round of plans was 14,300 or 715 dwellings per annum. Oxford’s unmet need calculated for the period 2020-2040 is 16,828, or 841 dwellings per annum, which is a difference of 126 dwellings per annum compared to the previous plan period.”*

94. The note was discussed in detail at the OPPO meeting on 5<sup>th</sup> September 2023. The City Council had collated all the comments received to date on a single version of the note and circulated it. At the meeting the County Council shared a note on housing numbers (focussed on the status of the allocated unmet needs sites) and South and Vale shared an annotated copy all of which were discussed by the meeting.

95. At OPPO on 6<sup>th</sup> December the group returned to discuss the County’s note on housing numbers and unmet need sites and the City Council updated the group on the series of bilateral meetings that had been booked in to cover any queries with the HELAA and HENA work ahead of the districts submitting their representations to the City’s Regulation 19 consultation. At the same meeting the City Council confirmed that a formal letter on unmet need would follow shortly. Those bilateral meetings were held as follows: Cherwell-5.12.23; S&V-19.12.23; WODC-19.12.23.

96. On 22<sup>nd</sup> December 2023 the Chief Executive of the City Council wrote to all the other districts’ Chief Executives to ask formally for assistance in meeting Oxford’s unmet housing need. Responses were received from all the other districts; all those letters are appended to the Joint Statement of Common Ground (COM.002), which focuses on the strategic matters of housing need, housing capacity and unmet housing need. This statement was itself drafted by OPPO (as had been agreed by senior officers) and was discussed at each of the OPPO meetings between June 2023 and March 2024. Whilst

that statement identifies a number of specific disagreements between each of the parties, every effort has been made by the City Council to address concerns as they arose and to narrow the gaps between the City's position and that of each of our neighbouring authorities.

97. The City Council is confident that in difficult circumstances and with complex relationships the submitted plan is the product of continued engagement and over a protracted period of time significant co-operation.

**Question 10: What is the position of the other authorities in terms of the duty to co-operate in relation to this issue?**

98. In response to the Regulation 18 consultation, South Oxfordshire and Vale of White Horse District Councils stated that they do not consider that Oxford City Council has met the duty to co-operate in relation to the assessment of housing need, and they have also repeated the same in numerous meetings held with them, in response to the Regulation 19 consultation, and in the Statement of Common Ground.

99. South Oxfordshire and Vale of White Horse in response to Regulation 18 Part 2 consultation:

*We are disappointed that our response to your preferred options consultation from 18 November 2022 hasn't resulted in a change to the way housing need is considered. We responded to the consultation stating that Oxford City Council cannot determine housing need for the other authorities in Oxfordshire, we asked that you restrict exploration of exceptional circumstances to Oxford City and confirmed that we remained open to engage on methodology. This latest consultation continues to try to justify a housing need above the standard method. It has also published unsubstantiated housing need evidence for other areas in Oxfordshire using consultants and methodologies that are known to be a point of discord, and without any offers of engagement...If Oxford City Council wants to use the County of Oxfordshire as an economic entity (a FEMA) to help determine business needs across the area, this needs some engagement with the other Oxfordshire authorities which so far hasn't been attempted. As we have responded to previous consultations about this lack of contact, as well as there being unsubstantiated exceptional circumstances to depart from the standard method, we must conclude that this is a failure of the duty to cooperate in your plan making process.*

100. In the Statement of Common Ground with West Oxfordshire, West Oxfordshire's position is set out in summary in paragraph 4.3: "*West Oxfordshire District Council was not involved in the scoping or preparation of the HENA and has expressed a number of methodological and procedural concerns as set out in its Regulation 19 response.*" West Oxfordshire notes concerns over the HENA methodology. West Oxfordshire were invited to take part in the commissioning of the HENA. Several conversations were held at officer level and the possibility was also raised between senior officers at the time. Indeed, as their own potential involvement was being considered internally, an invite was extended to their officers to attend an early scoping meeting with the HENA consultants as observer, so that they could stay conversant with what was happening. However, West Oxfordshire took the decision not to become a commissioning partner of the HENA. The City Council does not consider that further direct involvement in shaping the methodology by a non-commissioning body would be expected or appropriate. West Oxfordshire has not stated that there has been a failure in the duty to co-operate.

101. Cherwell District Council were joint partners in commissioning the HENA and have not raised duty to co-operate issues. No other authorities have raised any duty to co-operate issues.

### **OTHER STRATEGIC MATTERS**

**Question 11: Are there any other genuinely strategic matters as defined by S33A (4) of the Planning and Compulsory Purchase Act 2004, including any site allocations that may have cross boundary implications?**

102. S33A (4) of the Act defines strategic matters as the development or use of land that would have a significant impact on at least two planning areas, and this includes sustainable development or use of land for or in connection with infrastructure that is strategic and has or would have significant impact on at least two planning areas. In a two-tier authority such as Oxford, this includes development that is a county matter, and this represents the majority of strategic matters in the city.

103. In Oxford, there are no large strategic sites that directly have a notable cross-boundary impact. However, cumulatively, there are cross-boundary, strategic implications of development. The General Statement of Common Ground (Comm.001, August 2023) identifies strategic matters applicable to the Oxford Local Plan 2040. These were first set out in an earlier iteration of this document as the Duty to Co-operate Scoping

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Statement, which was consulted on initially during the Issues consultation in summer 2021.

*Table 11.1 In addition to the need for new homes, the following issues were identified as potentially being strategic matters:*

Strategic matter	Relevant bodies	Comments- why this was considered as a strategic matter
<b>Housing needs (other than overall need)</b>		
Specialist accommodation needs	County Council, surrounding district councils.	Gypsy and Traveller needs have potential to be cross-boundary matters, and Oxford has worked jointly with the other Oxfordshire districts on commissioning a needs assessment. However, Oxford does not have sites or need arising. The need for extra care and similar housing types is a matter of discussion with the County Council.
<b>Economic needs</b>		
Jobs needed in the area	OxLEP, Oxfordshire County Council, surrounding district councils, Oxford to Cambridge Partnership	Economic growth is a key strategic issue, given the city's role in the Oxfordshire, regional and national economy. The spatial strategy of the plan, from calculating housing need to policies relating to employment sites, have a significant influence on this strategic matter.
Provision of retail, leisure and other commercial development	Surrounding districts	Oxford city centre plays an important sub-regional role. However, the retail and leisure study shows limited need for additional retail and this can be met within the city, so this limits need to discuss this matter further as a strategic issue.
<b>Infrastructure needs</b>		
Provision of infrastructure of transport	National Highways, Oxfordshire County Council, neighbouring authorities, Office of Rail and Road, Network Rail	Strategic transport infrastructure requires cross boundary co-operation. Development in Oxford has potential to impact the road network, and modelling was jointly commissioned with Oxfordshire County Council to assess impacts. The Plan's approach to parking, travel plans and its spatial strategy overall all have an impact on this matter. Oxford has an important location on the rail network and there are significant improvement works taking place and planned in the area, including upgrades to Oxford station that are needed to accommodate improvements

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		to the network.
Provision of utilities infrastructure (including telecommunication s, waste, water and energy)	Range of duty to co-operate bodies including county council, neighbouring authorities and Environment Agency, and bodies outside the duty to co-operate including Thames Water and energy and telecoms providers are involved.	Updates to the infrastructure Delivery Plan (IDP, CSD.006) 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	Buckinghamshire, Oxfordshire and Berkshire West ICB, County Council, NHS hospital trusts	Oxford's hospitals serve a very wide catchment area and are at the heart of Oxford's nationally important role in health and medical research. New homes cumulatively create additional demands on primary healthcare, which may be met cross-boundary.
Provision of security, community and cultural infrastructure and other local facilities	Oxfordshire County Council, Thames Valley Policy (outside the duty to co-operate)	Although cultural facilities in the city do attract people from outside, this is focused mainly on local facilities and internal provision of the city, and therefore is not seen as a significant strategic matter.
<b>Environment issues</b>		
Climate change mitigation and adaptation including flood risk	Environment Agency, Oxfordshire County Council	Large parts of the city of Oxford are at risk of flooding and development has potential to be affected by and to affect this, inside Oxford and beyond its boundary. There are plans for a major flood alleviation scheme in the Oxford area, and co-operation with the Environment Agency and County Council
Conservation and enhancement of the natural and historic environment,	Environment Agency, Historic England, Natural England	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. Oxford has a Special Area of

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including landscape		Conservation at Oxford Meadows. This is 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.
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104. Whilst there are no specific large sites that themselves result in the above matters being considered strategic matters, the impact of development in Oxford as a whole means that these have been considered as strategic matters, and engagement on a duty to co-operate basis has taken place with relevant bodies.

**Question 12: If so, taking each in turn, who has the council engaged with? How and when did this engagement take place? What is the outcome of this engagement?**

105. There are a number of regular meetings that provide opportunities to engage on strategic matters for the local plan, at various levels. These are outlined in Table 1a of COMM.006. In addition, engagement took place with all the stakeholders listed at the formal stages of public engagement. This is set out in the below table, which notes only engagement additional to the stages of public engagement and generally only refers to officer-level meetings specific to the matter, rather than the formalised meetings listed in Table 1a of COMM.006. The Statements of Common Ground found in the COMM folder of the examination library outline in more detail areas of discussion with these bodies, particularly discussions carried out following the Regulation 19 consultation. The Statements of Common Ground with the neighbouring authorities (COMM.002-005 and COMM.012) give dates of particularly relevant meetings that took place during production of the plan. All the Statements of Common Ground outline the current position of the parties.

*Table 12.1: Engagement on strategic matters*

Strategic matter	Key relevant bodies engaged with on the matter	How and when engagement took place on this matter	Outcome of engagement
<b>Housing needs (other than overall need)</b>			
Specialist accommodation needs	County Council.	Continued general discussion. Key officer meeting 12 <sup>th</sup> May 2023- HENA outputs on specialist needs discussed and County Council's planned work	Discussions around suitability of criteria-based policy approach, which it has been agreed is suitable in Oxford.

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		on need.	No outstanding duty to cooperate issues
<b>Economic needs</b>			
Jobs needed in the area	OxLEP, Oxfordshire County Council, Oxford to Cambridge Partnership	In addition to regular partnership meetings, OxLEP have been engaged with about key employment policies ahead of consultation periods, as have the County Council.	OxLEP's advice helped understanding of the employment context, which helped inform the HENA scenarios and also the employment policies (BGP.006a-c). No outstanding duty to co-operate issues.
Provision of retail, leisure and other commercial development	Surrounding districts	Informally raised at various meetings. Referenced in Statements of Common Ground.	Evidence showed needs can be met within Oxford, so this does not remain as a strategic issue.
<b>Infrastructure needs</b>			
Provision of infrastructure of transport	Oxfordshire County Council, National Highways	Modelling was jointly commissioned with Oxfordshire County Council to assess impacts. Modelling needs discussed many times as plan developed. Meetings on 10 <sup>th</sup> and 18 <sup>th</sup> May 2023 to discuss scope and review proposal. Transport infrastructure projects and local plan discussed at monthly City/County officer liaison meetings. The Plan's approach to issues that affect transport discussed in	Modelling outputs informed HRA. Showed no significant impacts on highways network from plan proposals. Detailed comments on access to sites and specific transport infrastructure responded to when drafting plan, and in some cases further issues raised responded to by proposed Main Modifications in SoCG. No duty to

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		<p>depth with County Council, including sharing policy drafting ahead of Regulation 19 consultation and making amendments.</p> <p>The draft Duty to Cooperate Statement (latest iteration COMM.001) was shared with Highways England in the early stages of plan production, and they were consulted on at all three stages of public involvement, but they did not raise any issues that needed further discussion.</p>	<p>co-operate issues raised.</p>
	<p>Network Rail, County Council</p>	<p>Frequent meetings at various levels about Oxford station and Cowley Branch Line.</p>	<p>Engagement with Network Rail has informed drafting of Oxford Station Policy and Cowley Branch Line requirements and references in relevant site allocation policies.</p>
<p>Provision of utilities infrastructure (including telecommunication, waste, water and energy)</p>	<p>Range of duty to co-operate bodies including county council, neighbouring authorities and Environment Agency, and bodies outside the duty to co-operate including Thames</p>	<p>The early stages of the Local Plan development included a comprehensive research and engagement exercise by consultants Arup to refresh the IDP to ensure a good understanding of infrastructure needs to inform the new Local</p>	<p>Updates to the infrastructure Delivery Plan (IDP, CSD.006) reflect the discussions that have taken place and the conclusions drawn in relation to utilities infrastructure needs and delivery.</p>



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	<p>Water and energy and telecoms providers are involved.</p>	<p>Plan. This included engagement with key infrastructure stakeholders as well as officers from neighbouring authorities in 2021 as detailed in Section 6 of the IDP (CSD.006). The Council has undertaken follow up engagement in 2023 via ad hoc meetings/email as needed, especially to inform the submitted IDP. The intention has been to keep the IDP as a 'live' document. Emails were sent to key utilities providers (including SSE, SGN and Thames Water) in 2023 to inform the proposed submission consultation document and IDP. The Council has been involved in on-going</p>	
<p>Provision of Wastewater Treatment Infrastructure</p>	<p>Thames Water and Environment Agency</p>	<p>Following on from the Regulation 19 Consultation, an issue came to light over the timing of the delivery of improvements and upgrades to the Oxford Waste-Water Treatment works (WWTW) located wholly within South Oxfordshire District Council's administrative boundary. The Environment Agency expressed concerns with Thames Water regarding these ongoing issues</p>	<p>The tripartite Statement of Common Ground (COM.011) sets out the position reached and highlights a commitment to continued joint working and engagement to resolve the issues through the examination process and beyond.</p>

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		involving the capacity of the Oxford WWTW and the quality of the local water environment in the vicinity of the oxford WWTW. Meetings were held involving all parties in February and March 2024 which informed the position reached within the signed Statement of Common Ground (COM.011).	
Provision of health infrastructure and local facilities	Buckinghamshire, Oxfordshire and Berkshire West ICB	Various meetings were held with the ICB to inform the IDP and policy approach. It was explained to the ICB the level of growth within the city and their plans for meeting primary health care needs were discussed. A series of meetings was held with the ICB from July-December 2022 and on December 2022 the ICB was asked to submit a list of primary healthcare schemes to inform the IDP.	The ICB did not suggest at any point plans for new primary healthcare facilities that needed to be accommodated within the city, but they have now as part of their Regulation 19 representations. The list will need to be reviewed to see whether anything should be included in the next IDP update.
	Hospital trusts.	Hospitals contacted frequently by email. Variety of meetings on a range of issues, including hospital needs. Discussions following Regulation 19 consultation to develop SoCGs.	No outstanding issues in terms of the Local Plan and the trusts' ability to provide their key services.
<b>Environment issues</b>			
Climate change	Environment	Officer meetings, emails	The draft policies in

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mitigation and adaptation including flood risk	Agency, Oxfordshire County Council	and phone calls took place when drafting the policies, commissioning the SFRA and carrying out sequential test. Emails and meetings, including meeting in March 2023 to discuss involvement, SFRA, water cycle study. Following this, drafts of relevant policies sent 13 <sup>th</sup> June 2023. 9 <sup>th</sup> June checked approach to sequential test. Significant discussion following the Regulation 19 when drafting the Statement of Common Ground.	the Regulation 19 document reflected what we had managed to discuss whilst drafting. The SFRA used information from the EA. The sequential test took the advice given to use up-to-date data, consider impacts of climate change. The SoCG puts forward a number of Main Modifications to address the EA's comments.
Conservation and enhancement of the natural and historic environment, including landscape	Historic England	Meeting on 27 <sup>th</sup> June 2023 to discuss drafting of policies. Drafts of Reg 19 chapters shared ahead of consultation period and comments taken on board. Further detailed engagement to draft statement of common ground ahead of submission.	Agreement in most areas. No duty to co-operate concerns raised. The Statement of Common Ground suggests a number of Main Modifications to deal with issues raised at Regulation 19.

**OVERALL**

**Question 13: In overall terms has the council engaged constructively, actively and on an ongoing basis in maximising the effectiveness of the preparation of the Local Plan?**

106. The answers above demonstrate Oxford City Council has engaged constructively and actively through the preparation of the proposed Local Plan 2040. The timetable of engagement since 2020 has formed a key component in the strategy for preparing a soundly based and legally compliant Local Plan for the city. The City Council's

engagement programme has included the Issues/Scoping stage, the Preferred Options Consultations (Regulation 18 Part 1 and Part 2) and most recently the proposed submission document consultation (Regulation 19). Each of these consultation stages were carried out in line with the Statement of Community Involvement (DPL.007) which sets out consultation requirements and guiding principles. It should be noted that the Council's approach goes above the minimum statutory requirements for consultation and promotes best practice in the delivery of our service.

107. Key elements of the consultation approach have been the timely sharing and presenting of information, active reviewing all of the comments and stakeholder responses received and being transparent in the subsequent actions that have been taken. A summary of the actions, consultation periods and responses received can be found in the submitted Consultation Statement (CSD.003) which provide a detailed record of how the Local Plan has progressed and be shaped by constructive and active engagement. For example, the Preferred Options consultation included many engagement events that aimed to engage a diverse group of people by attending a variety of locations including farmers markets, shopping centres and a local parkrun. Over this six-week period we actively engaged with the city's residents and discussed Local Plan Policy. It should also be noted that the Planning Policy team runs an email inbox and phonenumber where residents and stakeholders can engage directly with the team.
108. In addition to our engagement with local communities we have also engaged with various groups and bodies to meet the legal and policy requirements of the Duty to Cooperate. As has been described and considered at length in the answers to these questions, the stakeholders include Oxfordshire Local Enterprise Partnership (OXLEP) and Oxfordshire Local Nature Partnership (OLNP), our neighbouring districts and the city's infrastructure providers and stakeholders. Engagement with these bodies has been throughout the plan making progress and the conversations and outcomes can be seen within our Statements of Common Ground that have been published (006 COM). Moreover, the strategy with regard to infrastructure can be found within our Infrastructure Delivery Plan (IDP) (CSD.006). The IDP is a 'live' document that details the strategic infrastructure required in order to deliver the growth planned for within the Local Plan.
109. In conclusion, working effectively in cooperation with our key partners has allowed us to create a positively prepared and justified strategy for the proposed Oxford Local Plan 2040. This is demonstrated by the submitted background papers, Consultation

Statement and other evidence base documents, which have all been shaped by substantial engagement. Furthermore, we stress there is not a duty to agree but a duty to co-operate. We completely respect our neighbours' rights to raise concerns as to the level of unmet need and we have co-operated with them in respect of such issues.

Where fundamental issues have been raised in consultation, meetings and discussions, they have been responded to. This demonstrates the Council has maximised the effectiveness of the preparation of the Local Plan. For the reasons outlined above, within the Plan itself and the supporting General Statement of Common Ground for Duty to Co-operate (COM.001), we are confident that the statutory and policy requirements have been met in relation to the Duty to Co-operate.