

**OXFORD CORE STRATEGY
PROCEDURAL MEETING
TUESDAY 9 FEBRUARY 2010 - 11.00am**

BACKGROUND NOTE

1. Revised date of meeting

- 1.1 The Procedural Meeting originally planned to take place on Monday 11 January 2010 has been re-scheduled. The meeting will now be held on Tuesday 9 February 2010, at the Assembly Room, Town Hall, St Aldates, Oxford, starting at 11.00am. If necessary, it will continue after lunch. An agenda has been circulated previously.

2. Purpose of the Procedural Meeting

- 2.1 The purpose of this Procedural Meeting is to:

- Outline the current position with the examination of the Oxford Core Strategy;
- Outline the current position on the High Court challenges to the South-East Plan Regional Spatial Strategy relating to the South of Oxford Strategic Development Area (SOSDA);
- Discuss whether any progress can be made in completing the examination of the Core Strategy pending resolution of these legal challenges;
- The City Council will be asked to summarise their views on:
 - whether any progress can be made with the examination;
 - the extent and nature of any further amendments to the Core Strategy;
 - the likely consultation arrangements and timescale for any resumption of the hearing sessions of the examination;
- Other participants will also be asked for their views on these matters.

- 2.2 At this meeting, no final decision on the future progress of the examination of the Oxford Core Strategy will be made. It is essentially an information gathering procedure, to see whether any positive progress can be made in the completion of the examination.

- 2.3 The purpose of this Procedural Meeting is **NOT** to:

- Reopen any of the issues or matters previously discussed during previous hearing sessions of the examination;
- Discuss the merits of any policies or proposals in the Core Strategy, including the Northern Gateway and South of Oxford Strategic Development Area;
- Discuss the content of the legal challenges to the South East Plan RSS for the Core Strategy;
- Discuss the previous consultation arrangements for the Core Strategy;
- Discuss the Inspector's Report into the examination of the Core Strategy:
 - this report is incomplete because the examination is not concluded;
 - The Planning Inspectorate has determined that the report will not be released¹;
 - it is the inspector's responsibility to complete the report with binding recommendations, and submit it to the City Council when the examination is concluded.

¹ Regulation 12(4)(d) of the Environmental Information Regulations

3. Core Strategy – current position

- 3.1 Key dates in the publication, submission and examination of the Oxford Core Strategy are:
- Published: September 2008
 - Submitted to the Secretary of State: 21 November 2008
 - Exploratory Meeting: 20 January 2009
 - Proposed Changes to Core Strategy: April 2009
 - Consultation period finished 15 May 2009
 - Pre-Hearing Meeting: 2 June 2009
 - Hearing sessions: 14-29 July & 10-11 September 2009
 - Inspector's report due to be submitted to the Council by end of October 2009
 - Secretary of State published the final version of the South-East Plan RSS in May 2009.
- 3.2 At the time the hearings into the Oxford Core Strategy were being held, it was known that legal challenges had been made to the South East Plan RSS relating to the South of Oxford Strategic Development Area. However, in early October 2009, shortly before the Inspector's report on the Oxford Core Strategy was due to be submitted to the Council, it was confirmed that the Secretary of State had decided not to defend these challenges and would submit to judgement.
- 3.3 In these circumstances, on 14 October 2009, Inspector Fenton decided to suspend the examination into the Oxford Core Strategy until the legal challenges are concluded. On 20 October 2009, following the retirement of Inspector Fenton, Inspector Stephen J Pratt was appointed to complete the examination into the soundness of the Oxford Core Strategy.
- 3.4 On 2 November 2009, the Inspector wrote to the City Council asking:
- Whether any progress could be made with the examination of the Core Strategy pending resolution of the legal challenges to the South East Plan relating to the South of Oxford Strategic Development Area;
 - What were the likely implications for the Core Strategy if the SOSDA were to be deleted or not come forward within the current plan period;
 - What minimum alterations would need to be made to the revised Core Strategy to deal with this possibility
 - Whether any meetings had been held with key stakeholders (such as GO-SE, SODC, developers and landowners) about this issue;
- 3.5 Oxford City Council responded to the inspector on 19 November 2009. This response, along with the inspector's requests and letters from Inspector Fenton and the Planning Inspectorate, are on the City Council's web-site and have been made available to all participants. Most participants have submitted statements to this meeting on these issues (see below).

4. High Court challenges

- 4.1 Legal challenges have been made to the South East Plan RSS relating to South of Oxford Strategic Development Area (South Oxfordshire District Council, CPRE (Oxfordshire Branch), University of Oxford & J A Pye (Oxford) Homes Ltd). The Inspector has not seen any details of these challenges.
- 4.2 The challenges relate to the issue that, in publishing the final version of the South East Plan RSS, the Secretary of State failed to undertake proper environmental assessment of the proposals and reasonable alternatives to the South of Oxford SDA.

- 4.3 The Secretary of State has decided not to defend these challenges and to submit to judgement. In so doing, it seems that he has accepted that the procedures relating to Strategic Environmental Assessment were not properly followed in that there was a failure to adequately address reasonable alternatives to the South of Oxford SDA as required in the SEA Directive.
- 4.4 The Inspector understands that draft Consent Orders have been issued to the claimants proposing that the relevant policies in the South East Plan RSS are remitted to the Secretary of State so that they can be reconsidered. These Consent Orders are currently with the claimants and are being considered by their legal advisers. There is no stipulated period within which they must respond. If no agreement can be reached, the issue will pass to the High Court for a judgement to be issued.
- 4.5 The University of Oxford has indicated that the Consent Orders may be finalised during January. The Consent Orders will set out the extent and nature of the policies to be amended. When the Consent Orders are finalised, the Secretary of State will identify the process he intends to follow for the redetermination of the relevant parts of the South East Plan RSS. DCLG/GO-SE is currently commissioning consultants to undertake the necessary work under the SEA Directive to assess whether there are any reasonable alternatives to the South of Oxford SDA. The Inspector understands that this work will be undertaken by 31 March 2010, and the Secretary of State will then decide whether any further amendment to the South East Plan RSS are required and undertake the necessary public consultation.
- 4.6 The Procedural Meeting will consider:
- Likely timescale of agreement to the Consent Order
 - Likely outcome of the Consent Order
 - Likely timescale of any additional work needed as a result of the Consent Order
 - Implications of the Consent Order for the Oxford Core Strategy

5. Written Statements

- 5.1 Written statements to the Procedural Meeting have been submitted by:
- Oxford City Council
 - Government Office for the South East
 - Oxfordshire County Council
 - South Oxfordshire District Council
 - Vale of White Horse District Council
 - Northern Gateway Consortium
 - University of Oxford
 - Oxford Brookes University
 - Magdalen College/Thames Water Property
 - Hallam Land Management/Bloor Homes
 - CPRE Oxford City
 - Engage
 - Oxford Green Belt Network
 - Oxfordshire Green Party
 - Bus Users UK Oxford Branch
 - Horspath Parish Council
 - Headington & St Clements Residents Association
 - Wolvercote Commoners Committee
 - Southfield Golf Club
 - Cllrs Stuart McCreedy & Jean Fookes
 - Cllr Elizabeth Gillespie
 - Nicola Blackwood
 - Peter Thompson
 - John Goddard

- Richard Escritt
- Lorna Logan
- Sean Feeney
- Jacqueline Gray
- Jo Curtis
- Robert Goddard
- Rosemary Harris
- SEEDA
- Highways Agency
- Homes & Communities Agency
- Thames Valley Police
- English Heritage
- Jean Fooks

5.2 These written statements will be taken as read at the Procedural Meeting, although participants will be able to refer to the points made in their statements. No further written statements will be accepted following the previous deadline of 6 January 2010. However, the Inspector has asked the City Council to submit a brief written response to the points raised in the statements, which it is hoped will be circulated prior to the Procedural Meeting.

5.3 Copies of the statements are on the City Council's web-site, along with the agenda for the Procedural Meeting.

6. Representation at the Procedural Meeting

6.1 Those who have submitted a written statement to the Procedural Meeting and confirmed that they are attending, or who have asked to participate by 6 January 2010, will be entitled to a seat at the main table. Each party/organisation will be entitled to one seat at the table (and another seat behind, if space permits). At the end of the meeting, there may an opportunity for others who made duly made representations or were previously involved in the examination to speak.

6.2 Although the Procedural Meeting is held in public, it is not a "public meeting" in the normally accepted sense. In line with the legislation and development plan regulations², only those parties who made duly-made representations to the published and/or post-submission versions of the Oxford Core Strategy, or who were previously involved in the examination (hearings/written representations), are entitled to participate at the meeting.

SJP/HW 18.01.10

² Planning & Compulsory Purchase Act 2004 (Section 20(6)); Town & Country Planning (Local Development) (England) Regulations 2004 & 2008 (Regs 28-34); Planning Policy Statement PPS12 – Local Spatial Planning; Local Development Frameworks – Examining Development Plan Documents: Procedure Guide [Planning Inspectorate; August 2009]