

Rt Hon R Jenrick MP  
Secretary of State for Housing, Communities and Local Government  
Ministry of Housing, Communities and Local Government  
4<sup>th</sup> Floor  
Fry Building  
2 Marsham Street  
London  
SW1P 4DF

16 October 2019

Dear Rt Hon Robert Jenrick,

**RE: South Oxfordshire Local Plan 2034 – Temporary Direction**

I write further to our correspondence last week.

The Council remains unclear as to your intention in this matter as Secretary of State for Housing, Communities and Local Government.

The Director General's letter of 10 October 2019 states that you are considering whether to require the Plan to be submitted to you for approval under Section 21(4) of the Planning and Compulsory Purchase Act 2004. I am advised that Section 21(4) needs to be read in context. In particular, s.21(1) only allows you to require the Local Planning Authority to modify its Plan where you consider the Plan is unsatisfactory (which you have accepted does not apply here). Your power to require a Plan to be withdrawn under s.21(9) clearly also relates to the situation where you think the Plan is unsound (again, you have accepted this does not apply here).

The council therefore believes that s.21(4) must relate to circumstances where you (as Secretary of State) have concerns about the content of a Plan. As far as I am aware you do not have any concerns about the Council's Plan, particularly given your stated position, within your letter of 9 October 2019, that you consider it essential that the Plan is progressed through examination. It is thus unclear as to why you are considering making a direction that you should approve the Plan at this time.

The current uncertainty is impacting on our day to day ability to provide services and information to our residents and I would appreciate it, if you could please clarify your position as a matter of urgency and in any event no later than Monday 21 October 2019.

Notwithstanding the above, the council has acted in accordance with your temporary direction. At the Council meeting on 10 October 2019, I advised that Council cannot take any step in connection with the adoption of the Plan and that would include hearing representations, responding to questions, debating or making a decision on the emerging South Oxfordshire Local Plan.

Officers have updated the Planning Inspectors appointed to examine the Local Plan to advise of the temporary direction and that they are unable to take any step in connection with the Plan. Officers had previously advised that they would respond to the Planning Inspectors'

initial questions this week, but this will not now be done. No further work will be progressed on the Plan.

For decision taking on planning matters, your temporary direction means that the emerging plan has 'no effect whilst the direction is in force', this is set out in section 21A(2) of the Planning and Compulsory Purchase Act 2004. This has implications for live planning applications and the delivery of much needed housing and all other development.

Officers have also advised the Planning Inspectorate of the temporary direction as it will be relevant to all Inspectors currently considering South Oxfordshire planning appeals.

I am sure you are aware that Oxfordshire County Council considered its position on the Housing and Infrastructure Fund at a meeting of its Cabinet yesterday and were recommended to:

*“(a) Subject to the confirmation from Homes England that the contract preconditions relating to South Oxfordshire District Council’s Local Plan have - 3 - been met, authorise the Chief Executive, in consultation with the Leader of the Council and the Cabinet Member for Environment to: (i) approve any final detailed amendments of the drafted Heads of Terms. (ii) approve the grant determination agreement.*

*(b) Subject to the satisfactory completion of recommendation (i.) approve the inclusion of all four projects into the Capital Programme and report the governance of these projects at a HIF1 programme level with an overall budget provision of £234m subject to the implementation of the grant determination agreement with Homes England.*

*(c) Note the draft Heads of Terms which form the basis for grant determination agreement between Homes England and Oxfordshire County Council for Didcot Garden Town Housing Infrastructure Fund Grant Award.*

*(d) Note the Assurance Framework which sets out the background to the Housing Infrastructure Funding process and establishes the approach to reporting and monitoring implementation.”*

I understand this recommendation was approved by Oxfordshire County Council’s cabinet at that meeting. I wish therefore to reiterate my council’s support for the delivery of the proposed infrastructure to be funded by the Didcot Garden Town HIF proposal.

Following contact from your officials, I have confirmed that we would be happy to meet on Wednesday 23 October 2019 which is why I would be grateful for a response by Monday 21 October 2019, as mentioned earlier in this letter.

Yours sincerely



Mark Stone  
Chief Executive Officer