



**Ministry of Housing,
Communities &
Local Government**

Cllr Sue Cooper
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Rt Hon Robert Jenrick MP
*Secretary of State for Housing, Communities
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7th January 2020

Dear Sue,

Consideration of Local Plan intervention under sections 21, 27 and 27A of the Planning and Compulsory Purchase Act 2004

Following South Oxfordshire District Council Cabinet's decision on 3 October to recommend withdrawing the emerging South Oxfordshire Local Plan ("the Plan"), I wrote to you on 9 October notifying you that I was exercising my powers under section 21A of the Planning and Compulsory Purchase Act 2004 ("the 2004 Act"), to direct South Oxfordshire District Council not to take any step in connection with the adoption of the Plan, while I consider whether to give a direction in relation to the Plan under section 21 of the 2004 Act. This direction will remain in force until I withdraw it or give a direction under section 21 of the 2004 Act in relation to the Plan. My officials are continuing to gather evidence to support me to make a decision as to whether I should give a direction under section 21.

I am also considering the use of powers under section 27 of the 2004 Act. Section 27(1) and (2) of the 2004 Act provides:

"(1) This section applies if the Secretary of State thinks that a local planning authority are failing or omitting to do anything it is necessary for them to do in connection with the preparation, revision or adoption of a development plan document.

(2) The Secretary of State may—

(a) prepare or revise (as the case may be) the document, or

(b) give directions to the authority in relation to the preparation or revision of the document."

Paragraph A9, of the 2017 Housing White Paper, Fixing Our Broken Housing Market, provides that the Government intends to make decisions on intervention on the basis of the following criteria. Where:

- the least progress in plan-making has been made
- policies in plans had not been kept up to date
- there was higher housing pressure; and
- intervention would have the greatest impact in accelerating Local Plan production

Decisions on intervention will also be informed by the wider planning context in each area (specifically, the extent to which authorities are working cooperatively to put strategic plans in place, and the potential impact that not having a plan has on neighbourhood planning activity).

I am also considering whether it is appropriate to exercise powers under section 27A of, and paragraph 7B of Schedule A1 to, the 2004 Act and invite Oxfordshire County Council to prepare the Plan. Paragraph 7B of Schedule A1 to the 2004 Act provides:

“If the Secretary of State—

- (a) thinks that a lower-tier planning authority are failing or omitting to do anything it is necessary for them to do in connection with the preparation, revision or adoption of a development plan document, and
- (b) invites the upper-tier county council to prepare or revise the document,

the upper-tier county council may prepare or revise (as the case may be) the development plan document.”

In this context, I would like to take this opportunity to ask you to outline by 31st January 2020, if there are any exceptional circumstances as to why you do not have a plan in place that I should take into account when I make a decision on next steps.

Finally, I would like to reiterate that this Government is committed to ensuring every area has an up to date and suitably ambitious Local Plan in place. As such I would welcome your thoughts on any alternative options beyond those outlined above that would allow the Plan to proceed without the need for formal Government intervention.

I remain committed to working with you constructively to ensure that South Oxfordshire is able to deliver the high-quality homes and infrastructure required to support jobs and growth in the local community. My officials will be in touch with your officers to discuss next steps.

A handwritten signature in black ink that reads "Robert Jenrick". The signature is written in a cursive style with a horizontal line underneath it.

RT HON ROBERT JENRICK MP