



**Summary of the decisions taken at the meeting  
of the Executive held on Monday 7 November 2016**

1. Date of publication of this summary: 8 November 2016
2. Decisions (if any) taken as a matter of urgency under Overview and Scrutiny Procedure Rules as set out in the Constitution (and not therefore subject to the call-in procedure): None
3. Date by which notice of call-in of any of the following decisions must be received in writing by the Chief Executive (see notes below):- Noon on Friday 11 November 2016
4. Notes:-
  - (a) For background documentation to the following decisions, please refer to the agenda and supporting papers (copies of which are available on the Council's website ([www.cherwell.gov.uk](http://www.cherwell.gov.uk)) or from Democratic Services);
  - (b) Notice of call-in must be submitted in writing, by email or text to the Chief Executive by the deadline specified above, and must state the reason or reasons why "call-in" has been requested;
  - (c) Call-in can be requested by any six non-executive members of the Council.  
However, if at any point during a municipal year the total number of opposition councillors is six or less the total number of non-executive members required to call-in a decision shall be the total number of opposition councillors less two.
  - (d) Decisions not called-in by the deadline specified above will become effective immediately the deadline has expired (unless they are recommendations to the Council).
  - (e) The Council has stipulated that the call-in procedure should not be used to challenge decisions as a matter of course and should be used only when fully justified.

**Sue Smith  
Chief Executive**

Agenda Item and Recommendation	Decision	Reasons	Alternative Options	Conflicts of Interest Declared and Dispensations Granted by Head of Paid Service
<p><b>Agenda Item 7</b>  <b>Partial Review of the Cherwell Local Plan 2011-2031 (Part 1): Oxford's Unmet Housing Need Options Consultation Paper</b></p> <p>Report of Head of Strategic Planning and the Economy</p> <p><b>Recommendations</b></p> <p>The meeting is recommended:</p> <p>1.1 To note the Oxfordshire Growth Board's decision to apportion 4,400 homes to Cherwell District in the interest of meeting Oxford's agreed unmet housing need.</p> <p>1.2 To approve the Options Paper (Appendix 1) for</p>	<p><b>Resolved</b></p> <p>(1) That the Oxfordshire Growth Board's decision to apportion 4,400 homes to Cherwell District in the interest of meeting Oxford's agreed unmet housing need be noted.</p> <p>(2) That the Partial Review of the Cherwell Local Plan 2011 – 2013 (Part 1): Oxford's Unmet Housing Need Options Consultation Paper be approved for formal public consultation.</p> <p>(3) That the Head of Strategic Planning and the Economy be</p>	<p>An Options consultation paper for the Partial Review of the adopted Cherwell Local Plan Part 1 (2011-2031) is presented for approval. The Options Paper presents alternatives on how Cherwell District might accommodate its 'share' of the unmet housing need arising from Oxford, as apportioned by the Oxfordshire Growth Board. The Options Paper concerns:</p> <p>1) the level of housing the district is being asked to accommodate; 2) a draft vision and draft objectives; 3) 'areas of search'; 4) potential strategic development sites; and, 5) the emerging evidence base. The Executive's approval of the Options Paper is sought to proceed to public</p>	<p>Option 1: To delay the Options Paper to enable further evidence to be considered</p> <p>A consultation now will provide officers the opportunity to consider whether the options / alternatives identified are reasonable, to acquire further information in testing options / alternatives, and to meet the deadline for Submission for examination (20 July 2017). A delay would make it very difficult to meet the two year review programme that the Council has committed to within paragraph B.95 of the adopted Cherwell Local Plan 2011-2031 (Part 1).</p>	<p>None</p>

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<p>formal public consultation.</p> <p>1.3 To authorise the Head of Strategic Planning and the Economy to make any necessary minor and presentational changes to the Options Paper before formal consultation commences.</p> <p>1.4 To authorise the Head of Strategic Planning and the Economy to produce a summary booklet to support public consultation.</p>	<p>authorised to make any necessary minor and presentational changes to the Partial Review of the Cherwell Local Plan 2011 – 2013 (Part 1): Oxford’s Unmet Housing Need Options Consultation Paper before formal consultation commences.</p> <p>(4) That the Head of Strategic Planning and the Economy be authorised to produce a summary booklet to support public consultation.</p>	<p>consultation.</p>	<p>Option 2: To reconsider the content of the Options Paper</p> <p>The Options Paper has been produced having regard to national policy and guidance, the county-wide work for the Oxfordshire Growth Board, public consultation on issues, site submissions, engagement with prescribed bodies, emerging evidence and Local Plan Part 1. It is considered by officers to be an appropriate consultation document.</p>	

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<p><b>Agenda Item 8 Community Infrastructure Levy (CIL) Draft Charging Schedule and Developer Contributions Supplementary Planning Document (SPD)</b></p> <p>Report of Head of Strategic Planning and the Economy</p> <p><b>Recommendations</b></p> <p>The meeting is recommended:</p> <p>1.1 To approve the CIL Draft Charging Schedule (Appendix 1), which also includes a Draft CIL Regulation 123 list and Draft Instalments Policy, for a six week public consultation.</p>	<p><b>Resolved</b></p> <p>(1) That the Community Infrastructure Levy (CIL) Draft Charging Schedule, which also includes a Draft CIL Regulation 123 list and Draft Instalments Policy, be approved for a six week public consultation.</p> <p>(2) That the Draft Developer Contributions Supplementary Planning Document be approved for a six week public consultation.</p> <p>(3) That the Head of Strategic Planning and</p>	<p>A Draft Charging Schedule and a Draft Developer Contributions SPD are presented for approval to proceed to formal consultation.</p> <p>Once adopted and subject to consultation, CIL and the Developers Contributions SPD will operate alongside each other forming the package of contributions or obligations expected to come forward from development proposals to mitigate the impact of development and help fund infrastructure needed to support growth. They are not intended to provide all the funding needed but could help maximise resource income which would otherwise not be</p>	<p><i>Option 1: Not consulting on the proposed documents</i></p> <p>Officers consider that without proceeding with this consultation the Council will not be able to assess the potential benefits of implementing CIL. Consultation will help ensure a robust and transparent process.</p> <p>The current Draft Planning Obligations SPD (July 2011) is now out of date, it carries little weight in decision making and its continued use will potentially make it more difficult for the Council to secure S106 developer contributions in the future.</p>	<p>None</p>

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<p>1.2 To approve the Draft Developer Contributions SPD (Appendices 2 and 3) for a six week public consultation.</p> <p>1.3 To authorise the Head of Strategic Planning and the Economy to make any necessary minor and presentational changes to the CIL Draft Charging Schedule (Appendix 1) and Draft Developer Contributions SPD (Appendices 2 and 3) before formal consultation commences.</p>	<p>the Economy be authorised to make any necessary minor and presentational changes to the Community Infrastructure Levy (CIL) Draft Charging Schedule and Draft Developer Contributions Supplementary Planning Document before formal consultation commences.</p>	<p>available.</p>	<p><i>Option 2: Amending the proposed documents</i>  The two documents proposed for consultation were prepared having regard to national policy guidance, informal engagement with key stakeholders and updated development evidence. It is considered by officers that they present an appropriate balance between ensuring that ‘as a whole’ the economic viability of development proposals is not detrimentally affected and the desire to fund infrastructure.</p> <p>Proceeding to consultation will provide a further opportunity for stakeholders and members of the public to</p>	

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			address matters formally and inform the preparation of both documents.	
<p><b>Agenda Item 9</b>  <b>A Business Improvement District (BID) for Banbury</b></p> <p>Report of Head of Strategic Planning and the Economy</p> <p><b>Recommendations</b></p> <p>The meeting is recommended:</p> <p>1.1 To note the Banbury BID feasibility report.</p> <p>1.2 To agree to commit resources to move to phase two, preparing the Banbury BID Business Plan and preparation for the</p>	<p><b>Resolved</b></p> <p>(1) That the Banbury Business Improvement District (BID) feasibility report be noted.</p> <p>(2) That agreement be given to commit resources to move to phase two, preparing the Banbury Business Improvement District (BID) Business Plan and preparation for the Ballot.</p>	<p>The proposal for a BID for Banbury is judged to have sufficient business support to proceed.</p> <p>A BID for Banbury is expected to assist businesses and the Council to work together to strengthen the town centre in particular and Banbury in general by increasing the marketing of the town and undertaking a series of activities to increase footfall into the town centre and so assist improve the vitality of the town centre, as new town centre investment at Castle Quay two comes on stream.</p>	<p>Alternative Option: To not proceed into stage two of the assessment.</p> <p>This is not recommended as not proceeding will forgo the opportunity to support a business led project that has the potential to draw additional resources into action that would promote the town to the benefit of all stakeholders.</p> <p>The proposed recommendation to proceed to the next stage is considered to be an appropriate response to</p>	<p>None</p>

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Ballot.		A BID for Banbury will assist Banbury to compete with neighbouring towns.	the findings of the feasibility study.	
<p><b>Agenda Item 10</b>  <b>Banbury Town Centre Public Spaces Protection Order (PSPO)</b></p> <p>Report of Public Protection Manager</p> <p><b>Recommendations</b></p> <p>The meeting is recommended</p> <p>1.1 To approve the making of a Public Spaces Protection Order in Banbury Town Centre (Appendix 1).</p> <p>1.2 To delegate authority to</p>	<p><b>Resolved</b></p> <p>(1) That the making of a Public Spaces Protection Order in Banbury Town Centre (Annex to the Minutes as set out in the Minute Book) be approved.</p> <p>(2) That authority be delegated to the Public Protection Manager to take all necessary steps to enforce the Public Spaces Protection Order in Banbury including the</p>	<p>The evidence from the consultation supports the proposal for making the PSPO.</p> <p>The inclusion of the Fixed Penalty Notice provisions is in line with the Council's Enforcement Policy and the Regulators Code. A Fixed Penalty Notice provides for an additional sanction as part of a stepped approach to enforcement and is a proportionate, cost effective means of seeking to ensure compliance with the Order.</p>	<p>Option 1: Not to confirm the PSPO which will mean that without a PSPO, the local authority will continue to work with the police, within current legislation. Reasons for rejection: The current legislation dates to the 1824 Vagrancy Act, and is only enforceable by a police officer. The Council does not have any authority to prosecute begging, or enforce drink related disorderly behaviour. With regard to drinking, this report has previously alluded to the fact that a drink banning</p>	None

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<p>the Public Protection Manager to take all necessary steps to enforce the Public Spaces Protection Order in Banbury including the necessary authorisation of individual officers to issue fixed penalty notices.</p>	<p>necessary authorisation of individual officers to issue fixed penalty notices.</p>		<p>order is limited to irresponsible drinking only. As it is not a ban the police will only react to problematic or disorderly drinkers. In choosing to continue within current legislation, this will be a missed opportunity to address what appears to be an escalating activity</p>	
<p><b>Agenda Item 11 Joint Anti-Social Behaviour Policy</b></p> <p>Report of Public Protection Manager</p> <p><b>Recommendations</b></p> <p>The meeting is recommended:</p> <p>1.1 To approve the draft Joint Anti-social</p>	<p><b>Resolved</b></p> <p>(1) That the draft Joint Anti-social Behaviour Policy (Annex to the Minutes as set out in the Minute Book) be approved.</p> <p>(2) That authority be delegated to the Public Protection Manager to consider responses</p>	<p>The current CDC and CNC policies need updating as they do not reflect current legislation or practice.</p> <p>In April 2016, a new shared Public Protection Service with South Northamptonshire Council was formed including a new shared Safer Communities Team. The draft policy seeks to set out a common approach for</p>	<p>The only alternative is to reject the proposal and retain two individual updated policies, one for each Council.</p> <p>Rejecting the new shared policy will require separate updated policies for each Council so that both Councils carry out regulatory activities in a way which is accountable,</p>	<p>None</p>



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<p>Behaviour Policy (Appendix 1).</p> <p>1.2 To delegate authority to the Public Protection Manager to consider responses and, if necessary, amend the policy in consultation with the Lead Member for Public Protection.</p> <p>1.3 To delegate authority to the Public Protection Manager to take all necessary steps to enforce the policy including the setting of the amounts of fixed penalties and the authorisation of individual officers to issue fixed penalty notices.</p>	<p>and, if necessary, amend the policy in consultation with the Lead Member for Public Protection.</p> <p>(3) That authority be delegated to the Public Protection Manager to take all necessary steps to enforce the policy including the setting of the amounts of fixed penalties and the authorisation of individual officers to issue fixed penalty notices.</p>	<p>dealing with anti-social behaviour for each local authority, so that a proportionate and consistent service is delivered in the communities of both councils.</p> <p>In developing the policy, regard has been given to the Regulators Code and the joint corporate Enforcement Policy.</p>	<p>consistent, fair, proportional and transparent.</p>	

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<p><b>Agenda Item 12 Tenancy Strategy 2017</b></p> <p>Report of Head of Regeneration and Housing</p> <p><b>Recommendations</b></p> <p>The meeting is recommended:</p> <p>1.1 To approve wider consultation of the draft revised Tenancy Strategy (attached at Appendix 1).</p> <p>1.2 To agree to another report being presented to Executive following consultation on the draft Tenancy Strategy.</p>	<p><b>Resolved</b></p> <p>(1) That wider consultation of the draft revised Tenancy Strategy be approved.</p> <p>(2) That agreement be given to another report being presented to Executive following consultation on the draft Tenancy Strategy.</p>	<p>The Tenancy Strategy forms an important part of the Council's vision for the provision of Affordable Housing in the District and it complements the objectives within the Housing Strategy. It provides an overview to Registered Providers the expectations on its partners in delivering affordable housing as well as the Council's willingness to work positively with new ways of delivery, while safeguarding the interests of some of the District's more vulnerable residents.</p> <p>To a large extent the fundamental principles which the Council approved in its Tenancy Strategy in 2012 are still relevant and there is no proposal within this review and redraft to change any of</p>	<p>Option 1: To agree for officers to consult on the draft Tenancy Strategy</p> <p>Option 2: Not to consult on the Tenancy Strategy</p> <p>Option 3: Not to proceed with review of the current Tenancy Strategy and instead continue with the existing one.</p>	<p>None</p>

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		<p>those positions. Therefore this is more a refresh of the 2012 Strategy rather than a change in position.</p> <p>Given the fast changing environment in housing and related policy, the Strategy will be reviewed on an annual basis to ensure it remains relevant and in line with the Council's requirements.</p>		
<p><b>Agenda Item 13 Local Development Company</b></p> <p>Report of Commercial Director and Head of Regeneration and Housing</p> <p><b>Recommendations</b></p> <p>The meeting is recommended:</p>	<p><b>Resolved</b></p> <p>(1) That the establishment of a local development company with South Northamptonshire Council be agreed in principle.</p> <p>(2) That approval be given to officers to complete further work to prepare</p>	<p>This report is requesting Executive members to agree in principle to establishing a local development company with South Northamptonshire Council, such an approval is being sought as the local development company offers a future opportunity to:</p> <ul style="list-style-type: none"> <li>▪ Generate income for the Council to contribute towards closing the</li> </ul>	<p>Option 1: Not to support the establishment of a local development company but this would reduce the opportunities available to the Council to generate income and to address gaps in the current local housing market.</p>	<p>None</p>

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<p>1.1 To agree in principle to the establishment of a local development company with South Northamptonshire Council;</p> <p>1.2 To give approval to officers to complete further work to prepare a full business case for the local development company to be considered by SNC Cabinet and by CDC Executive in due course.</p>	<p>a full business case for the local development company to be considered by South Northamptonshire Cabinet and by Cherwell District Council Executive in due course.</p>	<p>financial gap in the Council's medium term financial plan;</p> <ul style="list-style-type: none"> <li>▪ Provide housing which meets housing need not currently met by the current market.</li> </ul>		
<p><b>Agenda Item 14</b> <b>Results of the Customer Satisfaction Survey 2016</b></p> <p>Report of Director – Strategy and Commissioning</p>	<p><b>Resolved</b></p> <p>(1) That the report be noted.</p> <p>(2) That appropriate results be used in the</p>	<p>While key results have shown a dip in performance when compared to the performance last year, it is critical to consider the improvement in the number and range of respondents we now are</p>	<p>Retaining the current survey will mean that we don't utilise the survey fully as a source of customer feedback information</p> <p>Using the wider</p>	<p>None</p>

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<p><b>Recommendations</b></p> <p>The meeting is recommended to:</p> <p>1.1 Note the contents of the report and appendices.</p> <p>1.2 Use appropriate results in the setting of Business Plan and Service Plan objectives and targets.</p> <p>1.3 Agree that the 2016 results are used as a baseline for future target setting and benchmarking (given the change in methodology for identifying and receiving information from respondents).</p> <p>1.4 Agree the action plan</p>	<p>setting of Business Plan and Service Plan objectives and targets.</p> <p>(3) That it be agreed that the 2016 results be used as a baseline for future target setting and benchmarking (given the change in methodology for identifying and receiving information from respondents).</p> <p>(4) That the action plan for reviewing and developing the survey content for 2017/18 be agreed.</p>	<p>using. Instead of asking a very small sample of people who have volunteered to respond, we are posing the questions to a far broader set of respondents and getting a more representative view of satisfaction from Cherwell residents.</p> <p>The annual satisfaction survey is a core method of getting feedback from our residents. By reviewing the question base to align it with key service requirements for customer opinion and also the aims and priorities of the Corporate Business Plan, we will improve the quality of information we receive and the decisions that are made based on feedback and satisfaction data. A more concise survey may also improve response rates.</p>	<p>respondent base has meant a dip in results this year but provides a more accurate reflection of opinion in the district. Reverting to a more select group of respondents could potentially mask issues.</p>	

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for reviewing and developing the survey content for 2017/18.				
<p><b>Agenda Item 15 Bicester Healthy New Town Status</b></p> <p>Report of Director of Operational Delivery</p> <p><b>Recommendations</b></p> <p>The meeting is recommended:</p> <p>1.1 To note progress in implementation of Bicester's Healthy New Town Programme.</p> <p>1.2 To endorse the programme's proposed delivery plan.</p>	<p><b>Resolved</b></p> <p>(1) That the progress in the implementation of Bicester's Healthy New Town Programme be noted.</p> <p>(2) That the programme's proposed delivery plan be endorsed.</p>	<p>Good progress has been made in identifying a clear focus for the Healthy New Town Programme that reflects local priorities and which can result in meaningful and positive change for Bicester residents. Clarification of the aims of the programme and its objectives will enable the programme to be effectively evaluated to assess its impact.</p> <p>Following final feedback from the Bicester Partnership Group, the programme delivery plan will be submitted to NHS England for approval with a view to</p>	<p>Option 1: Not to endorse the detailed HNT Programme Delivery Plan co-produced with local partners and Bicester stakeholders. This is not proposed due to the relevance of this programme to Bicester, the importance of local people understanding and knowing how it can make a difference, and the need for a detailed delivery plan to secure funding from NHS England.</p>	<p>None</p>

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		implementation commencing from 1 November 2016.		
<p><b>Agenda Item 16 Business Rates Pooling Update</b></p> <p>Report of Chief Finance Officer</p> <p><b>Recommendations</b></p> <p>The meeting is recommended to:</p> <p>1.1 Endorse and approve 'in principle' the Council remaining in a business rates pool for participating authorities in Oxfordshire, noting the risks and benefits outlined in the report.</p> <p>1.2 Grant delegated</p>	<p><b>Resolved</b></p> <p>(1) That the Council remain in a business rates pool for participating authorities in Oxfordshire, noting the risks and benefits, be endorsed and approved 'in principle'.</p> <p>(2) That delegated authority be granted to the Chief Finance Officer (S151 Officer), in consultation with the Lead Member for Financial Management, to conclude necessary due diligence each</p>	<p>It appears that the Council's financial interests will best be maximised by continuing to participate in a pooling arrangement. Given the lack of formal guidance from DCLG for confirming the Council's position and due to the fact that we may need to act quickly should DCLG require confirmation, it is necessary and appropriate to grant delegated authority to determine this to the Chief Finance Officer (S151 Officer) in consultation with the Lead Member for Financial Management. This arrangement should be ongoing but be subject to the Government not changing the current arrangements for</p>	<p>Option 1: To not approve the recommendations set out above. Based on current informal guidance, CLG are not asking for confirmation at the moment but this situation may change and urgent action will then be needed to inform CLG on whether or not to remain in the North Oxfordshire Pool.</p>	<p>None</p>

<b>Agenda Item and Recommendation</b>	<b>Decision</b>	<b>Reasons</b>	<b>Alternative Options</b>	<b>Conflicts of Interest Declared and Dispensations Granted by Head of Paid Service</b>
<p>authority to the Chief Finance Officer (S151 Officer), in consultation with the Lead Member for Financial Management, to conclude necessary due diligence each year and confirm the Council's final intention on whether or not to participate in a Oxfordshire business rates pool (however constituted) in future years. This is subject to the Government not changing the current arrangements for pooling. If the arrangements were to change then a report will be brought back to Members for consideration.</p>	<p>year and confirm the Council's final intention on whether or not to participate in an Oxfordshire business rates pool (however constituted) in future years. This is subject to the Government not changing the current arrangements for pooling and if the arrangements were to change then a report would be brought back to Members for consideration.</p>	<p>pooling. If the arrangements were to change then a report will be brought back to Members for consideration.</p>		