

**Committee:** Executive  
**Date:** Monday 3 September 2018  
**Time:** 5.30 pm  
**Venue:** Bodicote House, Bodicote, Banbury, OX15 4AA

### Membership

<b>Councillor Barry Wood (Chairman)</b>	<b>Councillor G A Reynolds (Vice-Chairman)</b>
<b>Councillor Colin Clarke</b>	<b>Councillor Ian Corkin</b>
<b>Councillor John Donaldson</b>	<b>Councillor Tony Ilott</b>
<b>Councillor Andrew McHugh</b>	<b>Councillor Richard Mould</b>
<b>Councillor D M Pickford</b>	<b>Councillor Lynn Pratt</b>

## AGENDA

1. **Apologies for Absence**

2. **Declarations of Interest**

Members are asked to declare any interest and the nature of that interest that they may have in any of the items under consideration at this meeting.

3. **Petitions and Requests to Address the Meeting**

The Chairman to report on any requests to submit petitions or to address the meeting.

4. **Minutes** (Pages 1 - 16)

To confirm as a correct record the Minutes of the meeting held on 2 July 2018.

5. **Chairman's Announcements**

To receive communications from the Chairman.

## **6. Urgent Business**

The Chairman to advise whether they have agreed to any item of urgent business being admitted to the agenda.

## **7. Adoption of new House in Multiple Occupation (HMO) Standards Policy and new House in Multiple Occupation (HMO) Licensing Policy (Pages 17 - 42)**

Report of Assistant Director Housing

### **Purpose of report**

This report seeks adoption of revised and updated versions of the Council's House in Multiple Occupation (HMO) Standards Policy and its HMO Licensing Policy.

### **Recommendations**

The Executive is recommended to:

- 1.1 Adopt the House in Multiple Occupation (HMO) Standards Policy 2018 in place of the 2012 version with effect from 1 October 2018.
- 1.2 Adopt the House in Multiple Occupation (HMO) Licensing Policy 2018 in place of the 2012 version with effect from 1 October 2018.

## **8. Council Tax Reduction Scheme and Council Tax Discounts 2019 - 2020 (Pages 43 - 48)**

Report of Executive Director Finance and Governance (Interim)

### **Purpose of report**

To provide members with a review of Council Tax discounts and to seek approval to recommend the proposed level of Council Tax discounts for the 2019-2020 financial year to Council.

To provide an update on the Council Tax Reduction Scheme for 2018-2019 and to seek approval to recommend a Council Tax Reduction Scheme for the financial year 2019-2020 to Council.

### **Recommendations**

The meeting is recommended:

- 1.1 To note the contents of the report and any financial implications for the Council.
- 1.2 To recommend to Council the option of no change to the Council Tax Reduction Scheme (CTRS) for 2019-2020 (and therefore no consultation is required) and to amend the Council Tax Reduction Scheme Regulations for pensioners in line with uprating announced by DCLG and to update the

Working Age Regulations in line with those announced by Department for Work and Pensions (DWP).

- 1.3. To recommend to Council that delegated authority is given to the Executive Director Finance and Governance to make any changes to the CTRS Regulations up to and including 31 January 2019 in consultation with the Lead Member for Financial Management.
- 1.4 To review the proposed level of Council Tax discounts for 2019-2020 and make recommendations to Council as follows:
  - Retain the discount for second homes at zero.
  - Retain the discount for empty homes (unoccupied and substantially unfurnished) at 25% for 6 months and thereafter at zero.
  - Retain the discount for empty homes undergoing major repair at 25% for 12 months and thereafter at zero.
  - Retain the empty homes premium of an additional 50% for properties that have remained empty for more than 2 years.

**9. Monthly Performance, Finance and Risk Monitoring Report - July 2018** (Pages 49 - 90)

Report of Assistant Director: Performance and Transformation and Assistant Director: Finance and Governance

**Purpose of report**

This report summarises the Council's Performance, Risk and Finance monitoring position as at the end of each month.

**Recommendations**

The meeting is recommended:

- 1.1 To note the monthly Performance, Risk and Finance Monitoring Report.

## **Information about this Agenda**

### **Apologies for Absence**

Apologies for absence should be notified to [democracy@cherwellandsouthnorthants.gov.uk](mailto:democracy@cherwellandsouthnorthants.gov.uk) or 01295 221589 prior to the start of the meeting.

### **Declarations of Interest**

Members are asked to declare interests at item 2 on the agenda or if arriving after the start of the meeting, at the start of the relevant agenda item.

## **Local Government and Finance Act 1992 – Budget Setting, Contracts & Supplementary Estimates**

Members are reminded that any member who is two months in arrears with Council Tax must declare the fact and may speak but not vote on any decision which involves budget setting, extending or agreeing contracts or incurring expenditure not provided for in the agreed budget for a given year and could affect calculations on the level of Council Tax.

## **Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012**

This agenda constitutes the 5 day notice required by Regulation 5 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 in terms of the intention to consider an item of business in private.

### **Evacuation Procedure**

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### **Queries Regarding this Agenda**

Please contact Natasha Clark, Democratic and Elections  
natasha.clark@cherwellandsouthnorthants.gov.uk, 01295 221589

**Yvonne Rees**  
**Chief Executive**

Published on Thursday 23 August 2018

## Cherwell District Council

### Executive

Minutes of a meeting of the Executive held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 2 July 2018 at 6.30 pm

Present: Councillor Barry Wood (Chairman), Leader of the Council  
Councillor G A Reynolds (Vice-Chairman), Deputy Leader and  
Leader Member for Leisure and Sport

Councillor Colin Clarke, Lead Member for Planning  
Councillor Ian Corkin, Lead Member for Customers and  
Transformation  
Councillor John Donaldson, Lead Member for Housing  
Councillor Tony Ilott, Lead Member for Financial Management  
and Governance  
Councillor Andrew McHugh, Lead Member for Health and  
Wellbeing  
Councillor Richard Mould, Lead Member for Performance  
Councillor D M Pickford, Lead Member for Clean and Green  
Councillor Lynn Pratt, Lead Member for Economy,  
Regeneration and Property

Also Present: Councillor Sean Woodcock, Leader of the Labour Group

Officers: Jane Carr, Executive Director: Wellbeing  
Claire Taylor, Director: Customers and Service Development  
Adrian Colwell, Executive Director: Place and Growth  
Gillian Douglas, Assistant Director: Housing  
Kelly Watson, Assistant Director: Finance and Procurement  
James Doble, Assistant Director: Law and Governance /  
Monitoring Officer  
Aaron Hetherington, Democratic and Elections Officer

#### 12 **Declarations of Interest**

18. The Mill Arts Centre, Banbury.  
Councillor Tony Ilott, Declaration, as a trustee of The Mill.

#### 13 **Petitions and Requests to Address the Meeting**

There were no petitions or requests to address the meeting.

14 **Minutes**

The minutes of the meeting held on 4 June 2018 were agreed as a correct record and signed by the Chairman.

15 **Chairman's Announcements**

There were no Chairman's announcements.

16 **Urgent Business**

There were no items of urgent business.

17 **'Making' (Adoption) of the Adderbury Neighbourhood Plan**

The Executive Director: Place and Growth submitted a report to propose that the Executive recommends to Council that it 'makes' the Adderbury Neighbourhood Plan following the successful referendum held in Adderbury Parish on 21 June 2018.

**Resolved**

- (1) That the referendum result of 21 June 2018 where 91.6% of those who voted were in favour of the Adderbury Neighbourhood Plan which is above the required 50% be noted.
- (2) That Council be recommended to 'make' the Adderbury Neighbourhood Plan so that it continues to have effect as part of the statutory Development Plan for the District.
- (3) That Council be recommended to approve the issuing and publication of a decision statement.

**Reasons**

A referendum was held on the Adderbury Neighbourhood Plan on 21 June 2018. Of those eligible to vote, 651 voted in favour of the Plan with 58 against. The vote of 91.6% in favour, meets the requisite majority and the Plan is now part of the statutory Development Plan. The Council is still required to formally 'make' the Plan and there is no known breach or incompatibility with EU or human rights obligations which prevents this. The Executive is therefore requested to recommend the 'making' of the Adderbury Neighbourhood Plan to the meeting of Council on 16 July 2018 which would be within the prescribed eight week period.

**Alternative options**

Where a referendum poll results in more than half of those eligible to vote voting in favour of the Neighbourhood Plan, the local planning authority must 'make' the Plan. The Council is not subject to this duty if the making of the

plan would breach, or would otherwise be incompatible with, any EU or human rights obligations. There is no known breach or incompatibility. Consequently there are no other options.

18 **Cherwell Residential Design Guide Supplementary Planning Document - Masterplanning and Architectural Guidance**

The Executive Director Place and Growth submitted a report to seek approval of the Cherwell Residential Design Guide, Supplementary Planning Document, Masterplanning and architectural guidance for residential development so that it can be presented to the Council for adoption.

In considering the report, Members commended and thanked officers for their hard work in producing the SPD.

**Resolved**

- (1) That the responses to consultation summarised in the consultation statement be noted.
- (2) That the final draft of the Cherwell Residential Design Guide SPD (Design Guide) (annex to the Minutes as set out in the Minute Book) and incorporating changes summarised in the annex to the Minutes (as set out in the Minute Book) be approved.
- (3) That Council be recommended to adopt the final draft of the Cherwell Residential Design Guide SPD (Design Guide) as a statutory Supplementary Planning Document under the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).
- (4) That the Executive Director Place and Growth be authorised to make any necessary minor and presentational changes to the Design Guide before the meeting of the Council.

**Reasons**

The Design Guide is now complete and presented for approval before seeking adoption by Council. Once adopted the Design Guide will be a material consideration in the determination of planning applications where there are related design issues. The Design Guide seeks to provide clear guidance on the design of the built environment to ensure that the detailed policies for high quality development set out in the Cherwell Local Plan are delivered. The document is a comprehensive guide covering an extensive list of design issues that should be considered in residential design / development.

The document has been prepared with regard to national policy guidance and through engagement with key stakeholders and through a period of formal consultation. It is considered by Officers that the document presents guidance that supports both high quality development and continued growth across the district, which maintains high levels of housing delivery.

Upon approval by the Executive it is intended that the document be presented to Council for adoption as a Supplementary Planning Document (SPD). As an SPD the document will have statutory status as planning guidance. It does not establish Development Plan policy which is the role of the Council's Local Plans.

### **Alternative options**

Option 1: Not to approve the Cherwell Residential Design Guide SPD and seek changes.

Officers consider that the SPD has been prepared in accordance with the relevant legislation. The adopted Cherwell Local Plan 2011-2031 sets the planning framework up to 2031 with the SPD providing a further level of detail to guide development. Significant changes may require further consultation.

Option 2: Not to approve the Cherwell Residential Design Guide SPD and to rely on Policy ESD15 within the Cherwell Local Plan.

Note that the Council could rely on ESD15 but that the Design Guide would provide more detailed advice to aid decision making and provide further clarity on how to achieve high quality development.

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### **Chesterton Community Woodland at South West Bicester**

The Executive Director: Place and Growth submitted a report to obtain approval to establish a formal joint committee to develop and manage a community woodland park on land South of Vendee Drive, Bicester.

### **Resolved**

- (1) That it be agreed to agree to establish a partnership or joint committee with Bicester Town Council, Chesterton Parish Council, Oxfordshire County Council and local representation to develop and manage a community woodland park on land South of Vendee Drive, Bicester.
- (2) That authority be delegated to the Executive Director, Place and Growth, in consultation with the Assistant Director: Law and Governance and the Lead Member for Clean and Green to establish the constitution and terms of reference for the partnership/committee.

### **Reasons**

By establishing a formal joint working committee this will represent the interests of the various groups; enable decision making to progress the project, pool knowledge and experience and formalise the position around sharing the funding costs.

### **Alternative options**

Option 1: Community woodland implemented by Cherwell District Council. By taking sole responsibility for the land, Cherwell District Council would be able to develop the site but the full cost of delivering and managing the land would fall on the Council. This option is not favoured as the project has already



benefitted from partnership working and the approach has the potential of bringing resources from other partners to provide a more sustainable long term future.

Option 2: Creation of a community organisation to run the site. There is potential for a community organisation to be established to run the site in the future, however transfer of the land is imminent and no such organisation currently exists. It is also likely to take time for the organisation to gain strength to take on the project and this would delay any progress. A joint committee approach can include representatives from a local group who could be co-opted on the committee in the first instance.

Option 3: Create a joint committee with Bicester Town Council, Chesterton Parish Council, Oxfordshire County Council and local representation. This would enable a partnership approach to developing and managing the community woodland and a sharing of costs. This approach can also take the benefit of each organisations knowledge and skills.

Option 4: The developer retains ownership of the land. This would result in the loss of the potential to provide a significant new area of open space for the local residents. Whilst the land is currently farmed there would be the potential for further planning applications to be made in the future and development pressure. Open spaces are valuable for the health of residents, increase property values and increase the attractiveness of the town for investors.

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## **Homelessness Strategy 2018-2020**

The Executive Director: Wellbeing submitted a report to consider the priorities and actions set out in the new Homelessness Strategy 2018-20 and Action Plan and approve these documents for implementation.

It was a statutory requirement to have a Homelessness Strategy and to have carried out a review of homelessness in the council area. The strategic priorities identified for Cherwell are: Prevent and relieve homelessness in the district; Prevent single homelessness; Ensure vulnerable people can access appropriate help and support; and, Ensure homeless households can access suitable temporary and permanent accommodation.

### **Resolved**

- (1) That the Homelessness Strategy 2018-2020 and Action Plan (annexes to the Minutes as set out in the Minute Book) which are based on a review of homelessness in the district be approved in order to ensure that the Council meets statutory requirements and is able to respond effectively to the needs of homeless households.

### **Reasons**

Under homelessness legislation local housing authorities are required to carry out a review of homelessness in their district and to then formulate and publish a homelessness strategy based on its results. Therefore Members are recommended to approve the Homelessness Strategy to ensure the Council

meets its statutory requirements and is able to respond effectively to the needs of homeless households.

### **Alternative options**

Option 1: To not approve the Homelessness Strategy 2018-2020 and Action Plan but this would mean the Council would not be meeting its statutory requirements. Also the Council would not have a strategic approach for responding effectively to the needs of homeless households in the district.

21

### **Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2016 - enforcement and authorisations**

The Assistant Director Housing submitted a report to request Executive approval to authorise officers to apply certain financial penalties where landlords do not bring their privately rented properties up to the legal minimum standard as set out in the Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015 and as may be amended.

### **Resolved**

- (1) That the use of the financial penalties, as outlined in the annex to the Minutes (as set out in the Minute Book) to ensure private rented domestic properties meet the prescribed minimum energy efficiency standards be approved.
- (2) That this power be delegated to the Assistant Director of Housing who may then provide sub-delegations, as required, to other appropriate officers.

### **Reasons**

The Government has introduced financial penalties as a means of preventing landlords from profiting from non-compliance with legislation and to ensure compliant landlords are not disadvantaged. It is important that the penalties for not complying are sufficiently substantial to persuade a landlord to carry out their duties without the need for enforcement.

The penalty fees are intended to provide sufficient incentive for landlords to comply. Chasing payment for unpaid fines can be resource intensive and expensive; it is proposed that fines paid within 14 days of the penalty notice issue will be reduced by 25% to incentivise early payment.

### **Alternative options**

Option 1: The Council could choose to adopt lower penalty levels than those stipulated as a maximum within the legislation; however that would not send a clear message to landlords that they must ensure tenants (many vulnerable) are able to manage their energy costs; improve the condition of the private rented stock and reduce maintenance costs; smooth seasonal peaks in energy demand and increase the nation's energy security; and reduce greenhouse gas emissions.

22 **Policy to Implement Enforcement Powers Provided by the Housing and Planning Act 2016**

The Assistant Director Housing submitted a report which explained certain enforcement powers to deal with rogue landlords provided by the Housing and Planning Act 2016, and sought approval of three policies that would allow the Council, as the local housing authority, to implement and make use of those powers.

In response to comments from Councillor Woodcock, Leader of the Labour Group, who has addressed Executive at the discretion of the Chairman, the Lead Member for Housing, Councillor Donaldson, and the Chairman provided assurance that they confident there was adequate resource in place to implement these powers.

**Resolved**

- (1) That the policy for imposing civil penalties as an alternative to prosecution in appropriate cases (annex to the Minutes as set out in the Minute Book) be adopted with immediate effect.
- (2) That the policy dealing with applications for rent repayment orders (annex to the Minutes as set out in the Minute Book) be adopted with immediate effect.
- (3) That the Assistant Director Housing be made responsible for determining the uses to which retained civil penalty funds and retained rent repayment should be put.
- (4) That the policy dealing with applications for a banning order against persons convicted of specified offences (annex to the Minutes as set out in the Minute Book) be approved with immediate effect.

**Reasons**

The proposed policies present members with the opportunity to ensure the Council has the range of enforcement options available to deal effectively with rogue landlords and to protect our residents. In relation to Rent Repayment Orders the proposed policy will also ensure the Council can demonstrate compliance with the duty to consider making an RRO in applicable circumstances.

**Alternative options**

The first alternative option would be to not adopt the new policies relating to the discretionary Civil Penalty and Banning Order provisions but to adopt the Rent Repayment Order Policy in isolation. That would cover the Council's duty as regards RROs. That approach would forego the additional powers and tools available to officers to crack down on rogue landlords who knowingly rent out unsafe and substandard accommodation. It would also prevent the Council from taking advantage of the additional funding that would

be available to assist with the enforcement of appropriate conditions in the private rented sector.

The second alternative would be to reject the three policies in their entirety, but that would leave the Council with no means of fulfilling its duty to consider RROs.

## 23 **Cherwell Community Lottery - Lottery Policy**

The Assistant Director – Communities submitted a report which advised that in order to deliver the Cherwell Community Lottery approved in December 2016 it was necessary to establish and publish The Cherwell Community Lottery Policy and associated policies and procedures and sought approval of these policies and procedures. This would support the Council's application to the Gambling Commission, and underpin the effective running of the Cherwell Community Lottery.

### **Resolved**

- (1) That the establishment of the Cherwell Community Lottery Policy and the associated procedures (annexes to the Minutes as set out in the Minute Book) be approved.
- (2) That Full Council be recommended to delegate responsibility for running the Cherwell Community Lottery to the Assistant Director – Communities.
- (3) That Full Council be recommended to delegate authority to the Assistant Director – Law & Governance to amend the Constitution and the Scheme of Delegation to reflect resolution (2) above.
- (4) That Cherwell District Council becoming a member of The Lotteries Council be approved.
- (5) That officers be requested to develop criteria for the acceptance of supported 'Good Cause' organisations.
- (6) That officers be directed to develop draft criteria for the distribution of the Cherwell Community Lottery 'Central Fund'.
- (7) That officers be directed to apply to the Gambling Commission for a Lottery Operator Licence which will require the appointment of two senior Council officers to be identified as 'named officers' on the operator licence for the purpose of the application and 'in-house' responsibility for the lottery once it is up and running. The named officers shall be the Executive Director Wellbeing and the Assistant Director Communities.

### **Reasons**

Adoption and publication of the Cherwell Community Lottery Policy and membership of The Lotteries Council will enable Cherwell District Council to make a robust application to the Gambling Commission for a Lottery Licence.

Explicit delegation to the Assistant Director – Communities draws a clear line between the council's licensing / enforcement duties and its community development functions.

Clear and fair guidelines regarding 'Good Cause' and grant eligibility will enable the smooth running of the Cherwell Community Lottery and demonstrate the Council's commitment to local community development.

### **Alternative options**

Option 1: To not adopt the Cherwell Community Lottery Policy – This would mean that an application for a Lottery Licence would be unlikely to be successful.

Option 2: To not delegate authority for the Lottery to the Assistant Director – Communities – This would lead to two service directorates being involved in the Lottery whereby the day-to-day running of the Lottery would rest with Communities while overall responsibility for the Lottery would remain with Public Health and Licensing. This is considered likely to result in 'disconnect' and confusion.

Option 3: To not require clear and fair guidelines regarding 'Good Cause' and grant eligibility – This would make the lottery difficult to manage and increase the likelihood of challenges in the event of the Council declining 'Good Cause' or grant applications.

## **24 Monthly Performance, Risk and Finance Monitoring Report - May 2018**

The Assistant Director: Performance and Transformation and Assistant Director: Finance and Governance which summarised the Council's Performance, Risk and Finance monitoring position as at the end of each month.

### **Resolved**

- (1) That the monthly Performance, Finance and Risk Monitoring Report be noted.

### **Reasons**

This report provides an update on progress made so far in 2018-19 to deliver the Council's priorities through reporting on performance, the financial position and providing an update on the Leadership Risk Register.

### **Alternative options**

Option 1: This report illustrates the Council's performance against the 2018-19 business plan. As this is a monitoring report, no further options have been

considered. However, members may wish to request that officers provide additional information.

25

### **Silverstone Heritage Centre Loan Facility**

The Interim Executive Director Finance and Governance submitted a report to consider whether or not to provide a £1m loan facility to Silverstone Heritage Limited as part match-funding to their Lottery grant application for the delivery of the Silverstone Heritage Experience. Other Local Authorities (including South Northamptonshire Council) and LEP partners had already signed an agreement to loan up to £8m of funding to the experience. Works had already commenced on site, with a planned launch in spring 2019.

The loan facility was a partial match fund for a project to develop a visitor experience at Silverstone that focusses on the history and heritage of Silverstone and to understand the context and importance of the internationally renowned racing circuit. The experience would be a dynamic exhibition taking visitors through both the history of Silverstone as well as the current world of motor sport and the future. The work to build the facility had already commenced following a rigorous tender process by the Silverstone Heritage Experience for new building works and refurbishment of a hangar at the Silverstone. This meant that costs had now been fixed and there was more certainty about project delivery, with regular updates on project progress received by senior officers at the Council.

### **Resolved**

- (1) That Full Council be recommended to consider the application for a loan facility of up to £1 million, to the Silverstone Heritage Experience. This is to partially match fund the £9.1m of grant funding secured from Heritage Lottery Fund (HLF) and in addition to £8m of loans granted by Local Council partners and Local Enterprise Partnerships.

### **Reasons**

Silverstone represents a significant hub for leisure, tourism, employment and high tech industry. Its draw and impact in the region extends much beyond the administrative boundaries of the councils surrounding it, including Cherwell District Council, with an economic radius estimated to be of up to 50 miles. Further, an estimated 36,000 jobs are dependent on Silverstone as the centre for UK motorsports and the home of Formula 1.

Additionally, the leisure, recreation and employment businesses that depend on the venue generate significant amounts of business rates for the councils in the area, and the changes to the retention of business rates mean that councils now benefit directly from the success of Silverstone.

The support requested for SHL within this report is recognition of the strategic importance of the venue to the area and the need to promote the venue and enhance its attraction in order to ensure the long term future of Formula 1 motorsports.

### **Alternative options**

Option 1: Do not offer a loan facility. If a loan facility is not forthcoming then SHL would have to seek funds from other bodies, but that may jeopardise the completion of the project on time and impact on the potential positive outcomes for the area.

26 **Exclusion of the Press and Public**

**Resolved**

That under Section 100A of the Local Government Act 1972, the public and press be excluded from the meeting for the following items of business on the ground that, if the public and press were present, it would be likely that exempt information falling under the provisions of Schedule 12A, Part 1, Paragraphs 3 and 5 would be disclosed to them, and that in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

27 **Silverstone Heritage Centre Loan Facility - Exempt appendices**

**Resolved**

(1) That the exempt appendices be noted.

28 **The Mill Arts Centre, Banbury**

The Assistant Director: Communities submitted an exempt report relating to The Mill Arts Centre, Banbury.

**Resolved**

- (1) As set out in the exempt minutes.
- (2) As set out in the exempt minutes.
- (3) As set out in the exempt minutes.
- (4) As set out in the exempt minutes.
- (5) As set out in the exempt minutes.
- (6) That officers be requested to report back to Members in October 2018.

**Reasons**

As set out in the exempt minutes

**Alternative options**

As set out in the exempt minutes

29

**Sunshine Centre, Banbury**

The Assistant Director: Communities submitted an exempt report relating to the Sunshine Centre, Banbury.

**Resolved**

- (1) As set out in the exempt minutes.
- (2) As set out in the exempt minutes.
- (3) As set out in the exempt minutes.
- (4) As set out in the exempt minutes.
- (5) As set out in the exempt minutes.

**Reasons**

As set out in the exempt minutes

**Alternative options**

As set out in the exempt minutes

The meeting ended at 7.35 pm

Chairman:

Date:



By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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## Cherwell District Council

### Executive

3 September 2018

<p><b>Adoption of new House in Multiple Occupation (HMO) Standards Policy and new House in Multiple Occupation (HMO) Licensing Policy</b></p>
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### Report of Assistant Director Housing

This report is public

#### Purpose of report

This report seeks adoption of revised and updated versions of the Council's House in Multiple Occupation (HMO) Standards Policy and its HMO Licensing Policy.

#### 1.0 Recommendations

The Executive is recommended to:

- 1.1 Adopt the House in Multiple Occupation (HMO) Standards Policy 2018 in place of the 2012 version with effect from 1 October 2018.
- 1.2 Adopt the House in Multiple Occupation (HMO) Licensing Policy 2018 in place of the 2012 version with effect from 1 October 2018.

#### 2.0 Introduction

- 2.1 The Council is responsible for enforcing mandatory HMO licensing in its district. Mandatory licensing is being extended from 1 October 2018, to include premises with 5 or more occupants (who form 2 or more households) regardless of the number of storeys. To coincide with this change, new regulations<sup>1</sup> are introducing minimum room size conditions and additional requirements concerning waste storage and disposal for licenses issued after that date.
- 2.2 An HMO Licensing Policy is required to confirm the approach the Council will take to its licensing responsibilities and how it will deal with, and process, applications for HMO licences.

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<sup>1</sup> The Licensing of Houses in Multiple Occupation (Mandatory Conditions of Licences) (England) Regulations 2018, which deal with minimum room sizes and conditions regarding waste storage and disposal.

- 2.3 The Council requires a set of HMO standards to underpin its enforcement of satisfactory standards in HMOs, particularly the judgements associated with HMO licenses, where officers have to determine whether premises are suitable for occupation by particular numbers of occupants. The standards also include bedroom space standards that will apply to all HMOs.

### **3.0 Report Details**

#### **HMO Standards Policy**

- 3.1 The Council has adopted HMO standards since at least 1994 and has had an HMO standards policy in broadly the current form since 2008, with a further revision in 2012. The 2018 version has been revised to take account of legislative changes, developments in good-practice and experience gained from implementing the current policy. It will therefore ensure that we are ready to assess licence applications and apply all appropriate conditions from 1 October 2018 when the licensing requirements and new regulations come into effect.
- 3.2 The changes in the proposed 2018 Policy represent an evolutionary development of the Council's previous standards. Large parts remain substantially unchanged and will be readily familiar to local landlords. The principle changes are concerned with revisions to room sizes to take account of statutory minimum standards and the change away from the inclusion of different, locally defined, categories of HMO which had been rendered less relevant by changes in the housing market and the variety of shared houses being created.

#### **HMO Licence Policy**

- 3.3 This new policy again takes the form of an evolutionary update. It has been reduced in length but takes account of legislative changes, better explains what inspections are likely to take place, as well as updating enforcement provisions to include the new Civil Penalties, Banning Orders and Rent Repayment Order powers<sup>2</sup>.
- 3.4 The Policy also proposes that in future, revision of licence fees should take place through the Council's established fees and charges setting process. Under the 2012 policy, fees were set by means of Lead Member Decision.

### **4.0 Conclusion and Reasons for Recommendations**

- 4.1 The proposed policies are necessary updates to existing policies which take account of legislative changes. We have also taken the opportunity to update and refresh the policies but those changes are limited and largely evolutionary in nature.
- 4.2 These policies are necessary to ensure effective delivery of the Council's licensing responsibilities and effective enforcement of standards in HMOs.

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<sup>2</sup> The Executive approved new policies in relation to these new powers at its 2 July 2018 meeting.

## 5.0 Consultation

None

## 6.0 Alternative Options and Reasons for Rejection

- 6.1 The first alternative option would be not to adopt the proposed HMO Standards Policy. That course of action would leave the Council at risk of challenge if it sought to apply space standards or waste disposal standards in licences from 1/10/18 and would also mean the Council was disregarding relevant legislation. That course is not recommended
- 6.2 The second alternative option would be not to adopt the proposed HMO Licensing Policy. That would leave the Council continuing to operate with an unnecessarily elderly current policy that could prove insufficiently accurate if challenged and which would also leave future licence fee setting to be made by means of Lead Member Decision rather than made part of the Council's annual fees and charges setting process. That course is not recommended.
- 6.3 The third option would be not to adopt both the proposed policies. That course would result in all of the implications described in sections 6.1. and 6.2, and is not recommended.

## 7.0 Implications

### Financial and Resource Implications

- 7.1 There are no financial or resource implications associated with the adoption of these two policies in place of the previous 2012 versions.

Comments checked by Kelly Wheeler Principal Accountant, 01327 32230,  
[kelly.wheeler@cherwellandsouthnorthants.gov.uk](mailto:kelly.wheeler@cherwellandsouthnorthants.gov.uk)

### Legal Implications

- 7.6 It is essential that the Council has in place policies that properly reflect legislative developments and enable officers to operate effectively and in full confidence that they are supported by policy. The proposed new versions of these established policies will ensure that is the case.

Comments checked by: Amy Jones, Solicitor, 01295 221987  
[amy.jones@cherwellandsouthnorthants.gov.uk](mailto:amy.jones@cherwellandsouthnorthants.gov.uk)

### Risk implications

- 7.9 The Council would be at risk of challenge and reputational harm in the event it did not have suitable policies in place setting out how it will discharge its licensing responsibilities and the HMO standards it will apply. The new policies will address that risk and are intended to ensure that the Council can enforce appropriate

standards in HMOs and assess and process HMO licence applications effectively. There is no reputational risk to the Council in applying these policies, but conversely, there would be a risk if it failed to adopt these updated policies and continued to apply the 2012 versions. This will be managed at an operational level and escalated as and when necessary.

Comments checked by Louise Tustian, Team Leader, Insight Team;  
01295 22 1786; [louise.tustian@cherwellandsouthnorthants.gov.uk](mailto:louise.tustian@cherwellandsouthnorthants.gov.uk)

### **Equalities implications**

- 7.11 Vulnerable people frequently have the fewest options when finding private rented accommodation and are often restricted to poorer quality homes. These policies will ensure that the Council is best placed to deliver an effective licensing regime, can enforce appropriate standards and licence conditions and also ensure that landlords and managers are 'fit and proper persons'. The policies therefore have the potential to help HMO residents by ensuring their landlords provide accommodation that meets appropriate standards.

Comments checked by Caroline French, Policy & Projects Officer, Business Transformation Team 01295 251586;  
[Caroline.french@cherwellandsouthnorthants.gov.uk](mailto:Caroline.french@cherwellandsouthnorthants.gov.uk)

## **8.0 Decision Information**

### **Key Decision**

**Financial Threshold Met:** No

**Community Impact Threshold Met:** No

### **Wards Affected**

All

### **Links to Corporate Plan and Policy Framework**

Corporate Priorities to Serve the Residents and Business and Safeguard the Vulnerable

Joint Business Plan 2018-19: Thriving Communities and Wellbeing - Provide and support health and wellbeing; Safeguard the vulnerable

### **Lead Councillor**

Councillor John Donaldson, Lead Member for Housing

## Document Information

<b>Appendix No</b>	<b>Title</b>
Appendix 1	HMO Standards Policy
Appendix 2	HMO Licensing Policy
<b>Background Papers</b>	
None	
<b>Report Author</b>	Tim Mills, Private Sector Housing Manager
<b>Contact Information</b>	01295 221655 Tim.mills@cherwellandsouthnorthants.gov.uk

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# Cherwell District Council

## HMO Standards 2018

### 1. Introduction

1.1. This document sets out the House in Multiple Occupation (HMO) standards which apply in the Cherwell District. These standards were first introduced in 2008 and revised in 2012. This 2018 version is the third revision.

1.2 They are the standards the Council will use to determine the 'suitability for occupation' of HMOs for licensing purposes in accordance with the provisions of the Housing Act 2004, the Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006 (as amended), The Licensing of Houses in Multiple Occupation (Mandatory Conditions of Licences) (England) Regulations 2018, and its own *HMO Licensing Policy*.

1.3 The Council will also use the bedroom space-standards in this document as the relevant standard for overcrowding enforcement in all other HMOs.

1.4 The Council expects the standards in this document to be achieved in all HMOs and they will inform the Council's enforcement decisions. In the case of licenced HMOs, compliance is a legal requirement.

### 2. Definition of a House in Multiple Occupation

2.1 An HMO is defined in law as a house or flat in which three or more unrelated persons forming two or more households share an amenity such as a bathroom, toilet, or cooking facilities. A "household" is defined as either a single person or members of the same family who are living together. This includes shared houses and bedsits. An HMO is also a building which has one, or more, non-self-contained units. A non-self-contained unit is where one, or more, of the facilities is not within the occupant's room. This applies even if the facility is for exclusive use of the occupant.

2.2 Certain buildings converted into flats are also HMOs (section 257 HMOs): If they have been converted into self-contained flats, less than two-thirds of which are owner occupied, and the conversion does not meet the appropriate Building Regulations, the building is an HMO. If the property was converted before June 1991 the appropriate Building Regulations are the 1991 Regulations and if the property was converted after June 1992, the conversion must meet whichever Building Regulations were in force at the time of conversion.

#### 2.3 Legal Standards in HMOs

2.3.1 The Housing Act 2004 and associated Regulations state the minimum standards in HMOs. This guide will explain the legal requirements and sets out the Council's approach as to how those standards should be achieved whether licensed or not.

#### 2.4 Management Regulations

2.4.1 All HMOs are subject to relevant Management Regulations whether or not they require a licence.

### 3. Space Standards

3.1 *The Licensing of Houses in Multiple Occupation (Mandatory Conditions of Licences) (England) Regulations 2018* specify the legal minimum size of bedrooms

in licensable HMO's. For a bedroom occupied by one person aged over 10 years the minimum is 6.51m<sup>2</sup> and for two people aged over 10 years is 10.22m<sup>2</sup>.

### 3.2 Shared houses

3.2.1 Cherwell District Council has decided that the following space standards are the appropriate requirements for shared houses in its district. (Shared houses are those where occupiers share facilities such as a bathroom and kitchen).

*(The size requirements for bedsits (where occupiers have exclusive use of facilities) are given in section 3.3 below.)*

Minimum bedroom size	Total number of people in HMO	Minimum kitchen size	1 to 2 storey HMO minimum living space	3+ storey HMO minimum living/dining room
1 occupant over 10 years 6.51m <sup>2</sup> Or 1 occupant under 10 years 4.64m <sup>2</sup>	3-5 people	7m <sup>2</sup>	11m <sup>2</sup> separate living room <b>Or</b> 18m <sup>2</sup> combined kitchen/living room	<b>Either:</b> 11m <sup>2</sup> separate living room within 1 floor distance <b>Or:</b> 13m <sup>2</sup> kitchen/diner and 11m <sup>2</sup> living room elsewhere; <b>Or:</b> 18m <sup>2</sup> combined kitchen/living/dining room
Or 2 occupants 11m <sup>2</sup>	6-10 people	10m <sup>2</sup>	14m <sup>2</sup> separate living room; <b>Or</b> 24m <sup>2</sup> combined kitchen/living room	<b>Either:</b> 14m <sup>2</sup> separate living room within 1 floor distance of kitchen; <b>Or:</b> 16m <sup>2</sup> kitchen/diner and 14m <sup>2</sup> living room elsewhere; <b>Or:</b> 24m <sup>2</sup> combined/kitchen/living/dining room
1 occupant over 10 years 8.5m <sup>2</sup> Or 1 occupant under 10 years 6.51m <sup>2</sup>	3-5 people	7m <sup>2</sup>	No additional communal living space required	<b>Either:</b> 13m <sup>2</sup> kitchen/diner; <b>Or:</b> 11m <sup>2</sup> separate dining room within 1 floor distance of the kitchen; <b>Unless:</b> all bedrooms within 1 floor distance of kitchen
Or 2 occupants 14m <sup>2</sup>	6-10 people	10m <sup>2</sup>	No additional communal living space required	<b>Either:</b> 16m <sup>2</sup> kitchen/diner; <b>Or:</b> 14m <sup>2</sup> separate dining room within 1 floor distance or kitchen; <b>Unless:</b> all bedrooms within 1 floor distance of kitchen
<ul style="list-style-type: none"> <li>• The minimum kitchen area must be provided in all cases.</li> <li>• A living room will be accepted as a dining room and vice versa, provided the minimum space requirements (given above) are fulfilled.</li> <li>• Rooms less than 4.64m<sup>2</sup> must not be used as bedrooms in any circumstances.</li> </ul>				

### 3.3 Bedsits

3.3.1 A bedsit is a unit of accommodation in which sleeping, living and cooking amenities are provided for exclusive use by occupants within the unit of accommodation (i.e. one room). Cherwell District Council has decided that the following space standards are the appropriate requirements for bedsits in its district.

3.3.2 A bedsit can be occupied by a maximum of two persons who must be a single household.

- 3.3.3 The minimum size for a 1 person bedroom/sitting room/kitchen is 14m<sup>2</sup>.
- 3.3.4 The minimum size for a 2 person bedroom/sitting room/kitchen is 18m<sup>2</sup>.
- 3.4 **Buildings converted entirely into self-contained flats (“Section 257” HMOs)**
- 3.4.1 Section 257 HMOs are buildings converted entirely into self-contained flats each occupied by a single household (or up to two people from two households). (See section 2.2). Cherwell District Council has decided that the following space standards are the appropriate requirements for Section 257 premises in its district.
- 3.4.2 Bedrooms must meet the size standards in 3.2 and/or 3.3 as applicable.
- 3.4.3 Where the kitchen is provided in a room separate from the bedroom/sitting room:
- In flats occupied by one or two people the kitchen must be a minimum of 4m<sup>2</sup>.
  - In flats occupied by three or more people the kitchen must meet the standards given in 3.2.
- 3.5 **Matters applying to all rooms regardless of HMO type**
- 3.5.1 In order to be counted, floor-space must be “usable space”. Space occupied by chimney breasts and bulkheads will not be counted as usable space but skirting boards will be ignored. Any part of a floor which has a ceiling height of less than 1.5m<sup>2</sup> (5ft) will be disregarded for the purpose of measuring the total space in the room. Fitted wardrobes may be counted as useable space provided the remaining free space and utility are not compromised (see below).
- 3.5.2 Rooms must be able to accommodate the required amount of appropriate furniture, allow its effective use and provide sufficient space for movement around the room. Where this is judged not to be the case, for whatever reason, including unusually irregular or narrow layout, or the number and relative location of doorways, additional floor space over and above the minimum may be required.
- 3.5.3 The space standards given in this document are the minimum acceptable but there may be exceptional circumstances in which some variation is appropriate. Any permissible variation will be confirmed in writing.

#### **4. Heating**

- 4.1 The Council will assess the suitability of heating in all habitable rooms, bathrooms and shower rooms by means of the Housing Health & Safety Rating System (HHSRS); but will, in particular, take into account the adequacy of thermal insulation, the adequacy of heat output, the control available, affordability and the suitability of arrangements for payment of fuel bills so as to secure continuity of supplies.
- 4.2 Pre-payment meters which control power supplies to shared facilities (such as fire detection, lighting, heating and hot-water) are unsuitable for use in HMOs because of the potential for disputes over responsibility for payment and the likelihood that supplies will be interrupted when credit payments expire. They are not recommended in any HMOs and will not be accepted in licensed HMOs<sup>1</sup>. Pre-

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<sup>1</sup> The Management of HMOs (England) Regulations 2006 place a duty on managers of all HMOs to maintain gas & electricity. Failure to do so is an offence. The Council may also take enforcement action in connection with any HMO if arrangements for the supply of gas or electricity are judged to give rise to a serious hazard assessed using the Housing Health & Safety Rating System

payment meters serving only independent facilities within a letting room, which are not required by or accessible to other residents, may be accepted. All space heating appliances must be fixed. Portable or removable appliances are not acceptable.

## **5. Fire Protection**

- 5.1 The Council will assess the suitability of means of escape and other fire precautions by means of the Housing Health & Safety Rating System (HHSRS); but will, in particular, take into account national guidance on fire safety standards issued by LACORS, Building Regulations and such other guidance as it judges appropriate.
- 5.2 Requirements will vary according to assessed risk. Matters taken into account will include: the size of the property; number of storeys; layout; number of occupants; type of accommodation, and any particular characteristics applying to the intended tenant group. Assessed risk may vary if occupation changes.
- 5.3 An inadequate number of power points or their unsuitable location can result in increased fire risk as a result of overloading or the use of inappropriate or unsuitable extension leads. As a minimum the Council would specify two double sockets suitably located in each letting unit. The Council will assess the adequacy of power-points on the basis of the guidance provided by the most recent edition of the IET Wiring Regulations.

## **6. Ventilation**

- 6.1 The Council will assess the suitability of ventilation by means of the Housing Health & Safety Rating System (HHSRS), taking into account its impact on matters such as Pollutants and Hygrothermal Conditions, but will require the following:
- 6.2 All habitable rooms, kitchens, bathrooms and toilet compartments should be ventilated directly to external air by a window which has an openable area equivalent to one-twentieth of the floor area. Where reasonably practicable, kitchens, bathrooms and toilet compartments should have mechanical extract ventilation ducted to the outside air. Mechanical ventilation must comply in with Building Regulations.

## **7. Water supply**

- 7.1 The Council will assess the suitability of water supply to all appliances including those in kitchens, letting rooms, WC cubicles, bathrooms and shower rooms, by means of the Housing Health & Safety Rating System (HHSRS); but will, in particular, take into account the following: supplies must be wholesome, sufficient and uninterrupted. Water for drinking purposes should draw directly from a mains supply<sup>2</sup>.

## **8. Drainage**

- 8.1 The Council will assess the suitability of drainage by means of the Housing Health & Safety Rating System (HHSRS), taking into account its impact on matters such as Personal Hygiene, Sanitation and Drainage, but will expect dwellings to be provided with an effective system both above and below ground for the drainage of

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<sup>2</sup> The Management of HMOs (England) Regulations 2006 place a duty on managers of all HMOs to maintain water supply and drainage. Failure to do so is an offence. The Council may also take enforcement action in connection with any HMO if arrangements for the supply of water or drainage are judged to give rise to a serious hazard assessed using the Housing Health & Safety Rating System.

foul, waste and surface water. All new drainage works must comply with current Building Regulations.

## 9. Personal Washing Facilities and WCs

### 9.1 Location

9.1.1 Shared facilities must be accessible from a suitable common area.

9.1.2 WC cubicles, bathrooms and shower-rooms should not be more than one floor distance from the letting-rooms they serve.

### 9.2 Room dimensions

9.2.1 Rooms of the following dimensions are likely to be judged acceptable for the proper and safe use of the amenities shown. Where they fall short of these requirements, are irregular in layout or unduly narrow, they may be judged unsuitable:

Room containing only	Dimensions
Shower	1600 x 900mm
Bath	1700 x 1400mm
Shower & basin	2000 x 900mm
Bath & basin	1700 x 1600mm
Shower, WC & basin	1900 x 1700mm
Bath, WC & basin	2000 x 1700mm
WC & basin	1500 x 800mm

9.2.2 The Council will also have regard to the dimensions of facilities and amenity space (the space next to a facility needed to allow safe and unhindered use). Where facilities or available space fall short of these requirements they may be judged unsuitable:-

Amenity	Amenity size	Activity space*
Shower	800 x 800mm	900 x 700mm
Bath	1700 x 700mm	1100 x 700mm
Basin in WC cubicle	Hand-wash size only	-
Basins in other locations	500 x 400mm	1000 x 700mm
WC	700 x 400mm	800 x 600mm

(\*Note: activity spaces may overlap)

9.2.3 WC cubicles, bathrooms and shower-rooms must be laid out in such a way to enable safe unhindered use of the facilities. Bathrooms and shower-rooms must, in particular, have sufficient 'activity space' to allow users to undress, dry themselves, and dress in a safe manner.

9.2.4 Provision of en-suite facilities must not reduce the area of the associated habitable room below the minimum areas specified in Section 3.2 of these standards, and must not compromise the layout or appropriate use of the habitable room.

9.2.5 In the case of en-suite facilities in rooms occupied by one person only, the Council may accept a reduction in the activity space within the en-suite, provided the following requirements are met: 1) the en-suite bath/shower-room is accessed directly from the habitable room in question; 2) the habitable room can provide appropriate activity space, and 3) that use of the facilities is not judged unreasonably compromised or hazardous. Reduction in the activity space for WCs is least likely to be acceptable. Any agreed variation to the standard activity space will be confirmed in writing.

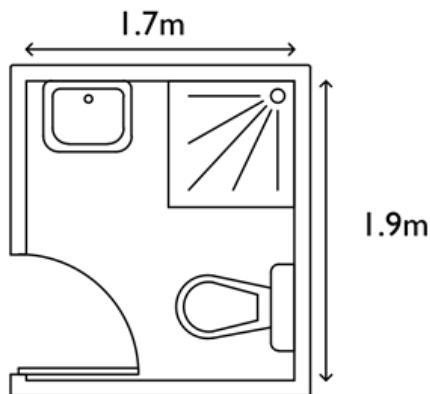
## En-suite Bathroom Layout Guidance

A bathroom must be capable of accommodating:

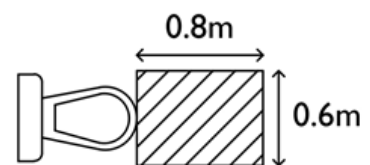
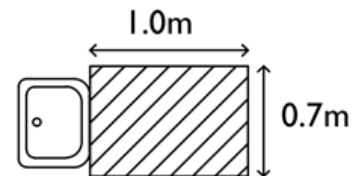
- a minimum 800x800mm shower tray
- a basin
- a WC
- a radiator towel rail
- an inward opening door that does not foul the space required for use of the sink or WC
- natural or artificial lighting and ventilation
- 1m<sup>2</sup> circulation space which is uninterrupted by any of the elements of the bathroom suite

The minimum dimensions capable of accommodating this are 1.9m x 1.7m (measured on the internal walls), as illustrated below.

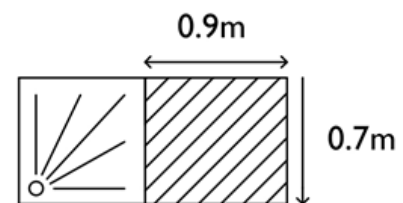
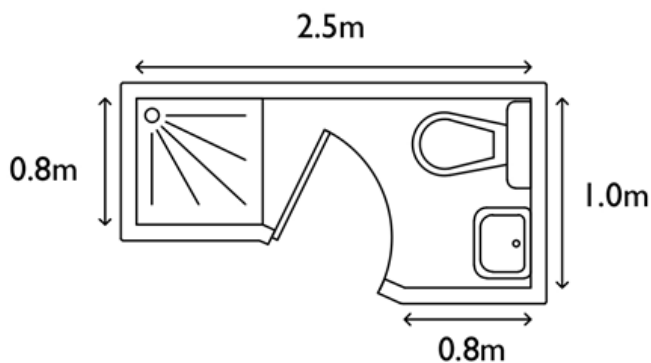
The example below sets out the expected standard for an en-suite bathroom for a 2 person letting room.



Usable space required for each piece of bathroom suite shown in hatching



The example below sets out the expected standard for an en-suite bathroom for a 1 person letting room.



### 9.3 **Bath & shower rooms**

- 9.3.1 Each bath and shower must be provided with a constant supply of hot and cold running water. The supplies must be adequate and capable of effective temperature control.
- 9.3.2 Baths must be provided with an appropriate tiled splash-back to all abutting walls and must be sealed to the splash-back to prevent leakage. Showers must be provided with fully tiled walls (or an acceptable purpose made cubicle enclosure) and fitted with a suitable water-resistant curtain or shower-cubicle door.
- 9.3.3 Bathrooms and shower-rooms must be provided with easily cleaned, non-slip flooring.
- 9.3.4 Bath and shower rooms must be capable of being used in privacy. In particular, doors must be capable of being secured from the inside, and any glazing must be suitably obscured.

### 9.4 **WC cubicles and rooms containing WCs**

- 9.4.1 Rooms containing WCs must have smooth, non-absorbent wall and ceiling finishes which can be readily and easily cleaned. The floor covering must be slip-resistant flooring and, where the cubicle or room is in shared use, must be impervious and capable of being readily and easily cleaned.
- 9.4.2 WC cubicles and rooms containing WCs should not open directly onto the area of a kitchen where food is prepared.
- 9.4.3 Separate WC cubicles must be fully compartmented with obscured glazing as necessary, and have a lockable door.

### 9.5 **Wash basins in rooms**

- 9.5.1 A wash basin with continuous supplies of hot and cold running water, and a tiled splash-back should be provided within each letting in HMOs let as bedsits, unless there is a sink in the letting, or the occupant has sole access to a room containing a basin or sink.

### 9.6 **Wash basins in bathrooms and WCs**

- 9.6.1 A wash basin with continuous supplies of hot and cold running water and with a tiled splash-back must be provided in each separate toilet compartment, and each bathroom or shower-room containing a toilet.
- 9.6.2 Wash basins with continuous supplies of hot and cold running water and with a tiled splash-back should be provided in all shared bathrooms/shower rooms (whether or not a WC is present) unless basins are provided within separate letting rooms.

### 9.7 **Sharing ratios**

- 9.7.1 WCs and bathrooms/shower-rooms in shared use must be provided in the numbers specified in the following table.
- 9.7.2 A minimum of one suitable bathroom containing a full size bath with appropriate supplies of hot and cold water must be provided in all HMOs providing accommodation for children aged under 10 years old.

<b>Number of people sharing</b> (irrespective of age)	<b>Facilities required</b> (minimum)
<b>1 - 4</b>	<p>1 bathroom and 1 WC with wash basin (the bathroom and toilet may be combined)</p> <p><i>-minimum provision is one bathroom containing toilet, basin and bath or shower.</i></p>
<b>5</b>	<p>1 bathroom <i>and</i> 1 separate WC (the WC may be contained in a second bathroom)</p> <p><i>-minimum provision is one bathroom containing toilet, basin, bath or shower and one separate toilet, but two bathrooms with toilet, basin, bath or shower is acceptable.</i></p>
<b>6 - 10</b>	<p>2 bathrooms <i>and</i> 2 separate WCs with wash basins (but one of the WCs may be contained within one of the bathrooms).</p> <p><i>-minimum provision is two bathrooms containing toilet, basin and bath or shower and one separate toilet.</i></p>
<b>11 - 15</b>	<p>3 bathrooms <i>and</i> 3 separate WCs with wash basins (but two of the WCs may be contained within two of the bathrooms).</p> <p><i>-minimum provision is three bathrooms containing toilet, basin and bath or shower and one separate toilet.</i></p>
<b>Bedrooms with en-suites</b>	<p>Where a room is provided with a complete en-suite facility (bath/shower, toilet, and wash hand basin) for exclusive use of that occupant, then that occupant will be disregarded when considering the provision of sanitary facilities.</p> <p>e.g. Property with six occupants, one of which has exclusive use of a fully equipped en-suite. The requirement for the remaining occupants would be for five people.</p> <p>If, however, the en-suite only provides one facility (a WHB, bath/shower or a WC) then the occupant will not be disregarded for the missing amenity.</p>



## **10. Facilities for the Storage, Preparation and Cooking of Food**

### **10.1 Location**

10.1.1 Each occupant must have access to a suitable kitchen which should be no more than two floors distance from the letting-room(s). Occupants should not have to go outside in order to access kitchen facilities.

### **10.2 Availability**

10.2.1 Kitchen facilities must be available for use 24-hours a day.

### **10.3 Layout, dimensions and space**

10.3.1 Each kitchen must be large enough and laid out in such a way as to enable safe, unhindered use of the facilities. In particular, there must be adequate space for cookers, sinks and worktops and these must be placed in appropriate positions in the room and in relation to each other.

10.3.2 Kitchens must be a minimum of 1.8m wide so as to allow safe circulation and sufficient room for items to be safely retrieved from the oven.

10.3.3 Cookers must be located away from doors, door-openings and windows.

10.3.4 Sinks, worktops and immediately adjacent walls and floors should be non-porous and smooth, so as to facilitate cleaning. Walls abutting cookers, sinks and worktops should be provided with tiled splash-backs.

10.3.5 Where 2 sets of facilities are provided in one kitchen, the layout must allow both sets to be safely used at the same time. No more than 2 sets will normally be acceptable in a single room.

10.3.6 In cases where more than one kitchen is provided, each must be equipped with a suitable sink, traditional cooker and appropriate worktop.

10.3.7 The Council's Guidance note entitled: *Kitchen Layouts and Supplementary Kitchen Guidance* (below) sets out the relative location of appliances and the location and extent of worktop we expect to be achieved. Kitchens which fail to comply with this guidance are likely to be judged unsuitable.

### **10.4 Kitchen Facilities**

10.4.1 Each kitchen must be provided with the facilities set out below, which comprise a 'set of facilities'. Where the number of users is such that 2 or more kitchens are required (see Sharing Ratios below), each kitchen will require a 'set of facilities'. Similarly, (where the size of the room permits it) the provision of 2 kitchens in a single room will require provision of 2 full sets of the facilities below.

### **10.5 Food preparation facilities**

10.5.1 A stainless-steel sink with integral drainer, on a secure base, provided with constant supplies of hot and cold running water and connected to a drainage system. Both water supplies must be adequate and capable of effective temperature control. The cold supply must be direct from the mains supply. A tiled splash back must be provided to walls abutting the sink and drainer.

10.5.2 A minimum of one undivided and securely supported worktop measuring 1000 x 600mm plus additional lengths of worktop necessary to ensure provision on both sides of each cooker and next to each sink bowl (in accordance with the Council's guidance provided sheet entitled *Kitchen Layout*). A tiled splashback must be provided to walls abutting all worktops.

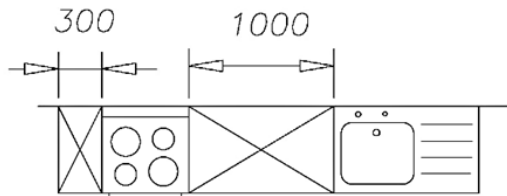
- 10.5.3 All kitchens should have a gas or electric cooker with 4 rings/burners, oven and grill, all of which are capable of simultaneous use. Electric cookers must be connected to the mains circuit by means of a fused spur connection.
- 10.5.4 A minimum of 3 twin 13amp sockets provided at appropriate heights directly above fixed worktop(s) plus such additional sockets, in appropriate locations, as are needed to serve fixed appliances such as washing-machines and fridges. Sinks, worktops and immediately adjacent walls and floors should be non-porous and smooth, so as to facilitate cleaning. Walls abutting cookers, sinks and worktops should be provided with tiled splash-backs.

# KITCHEN LAYOUTS

## Good Practice

A satisfactory kitchen must be safe, convenient and must allow good hygiene practices. It must be possible to stand directly in front of the cooker and sink and to place utensils down on both sides of each. Worktops must be secure, level and impervious and must be of adequate size. Adjacent walls require splashbacks and power-points must be suitably located.

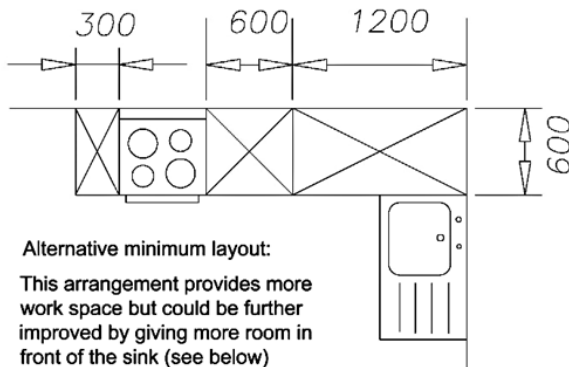
1



This is the minimum provision for a kitchen. It incorporates worktop on both sides of the cooker and working space both sides of the sink-bowl

Note: The 300mm worktop is a minimum and should be made wider where possible.

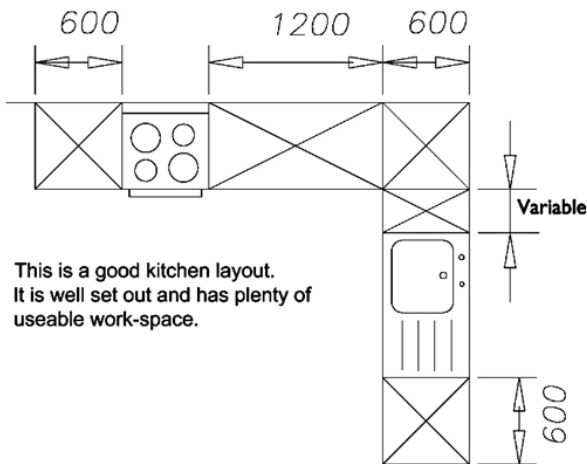
2



Alternative minimum layout:

This arrangement provides more work space but could be further improved by giving more room in front of the sink (see below)

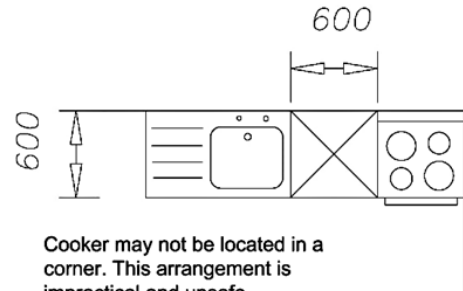
3



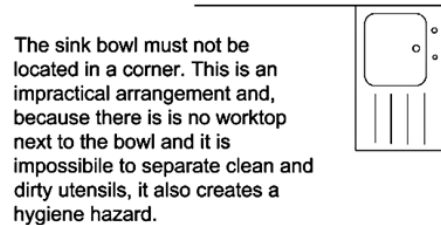
This is a good kitchen layout. It is well set out and has plenty of useable work-space.

## Unacceptable

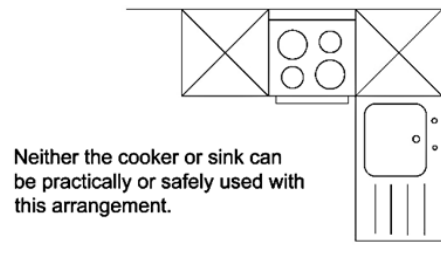
Cookers cannot be safely used if they are located in corners, do not have adequate worktop on both sides or are too close to sinks. Sinks require space to put dirty utensils on one side and clean on the other.



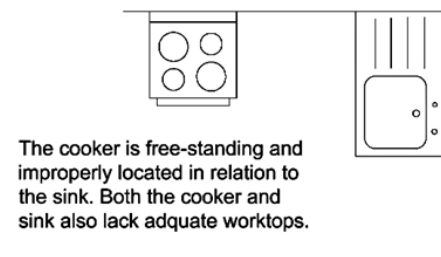
Cooker may not be located in a corner. This arrangement is impractical and unsafe.



The sink bowl must not be located in a corner. This is an impractical arrangement and, because there is no worktop next to the bowl and it is impossible to separate clean and dirty utensils, it also creates a hygiene hazard.



Neither the cooker or sink can be practically or safely used with this arrangement.



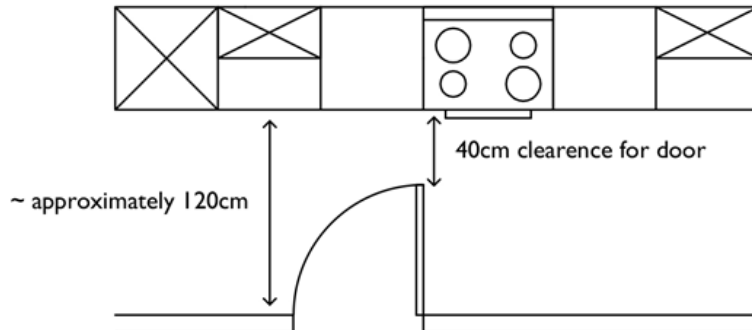
The cooker is free-standing and improperly located in relation to the sink. Both the cooker and sink also lack adequate worktops.

This arrangement is impractical and unsafe. Adding worktops will still not give a practical and safe kitchen.

## Supplementary Kitchen Guidance

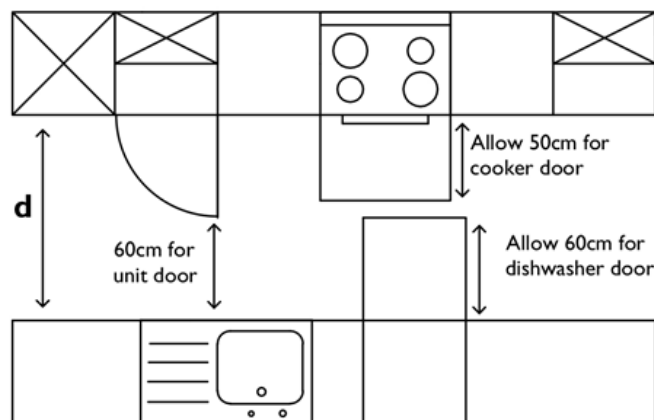
Ensure that there is at least 40 cm clearance between a kitchen door and the nearest units.

This roughly means allowing for 120 cm between the units and the wall with the door



If you have a room less than 180 cm wide you cannot comfortably use standard 60 cm deep units. Some manufacturers offer 50 cm deep units but they may be difficult to combine with appliances.

Ensure at least 120 cm clearance between runs of kitchen units.



Most unit doors open up to a maximum of 60 cm. Dishwashers doors usually open by 60 cm and oven doors usually about 50 cm.

The distance **d** between runs of kitchen units should be a minimum of 120 cm. If more than one person is working in the kitchen **d** should ideally be 140 cm or more.

## 10.6 Sharing ratios

10.6.1 Kitchens in shared use must be provided according to the following tables (and must be provided with a full 'sets of facilities' in each case). Any household with exclusive access to a kitchen (bedsits) will be excluded from this assessment.

*Please refer to section 3.2 for kitchen sizes.*

Number of people sharing (irrespective of age)	Facilities required (minimum)
3-5	1 kitchen (as above)
6-7	2 complete sets of kitchen facilities  <b>However</b> <ul style="list-style-type: none"><li>• a combi microwave (with oven and grill function) is acceptable as a second cooker</li><li>• a dishwasher is acceptable as second sink</li></ul>
8-10	2 complete kitchen set of kitchen facilities as above with a 2000mm x 600mm work surface
11+	At least 2 separate kitchens, containing 3 complete sets of kitchen facilities as above, each kitchen with 500mm x 600mm of work surface.

## 10.7 Mini-kitchens

10.7.1 A number of manufacturers make compact all-in-one mini-kitchens typically comprising sink, fridge, storage and some form of cooking facility (most usually hot plates). Unless these units satisfy the requirements for kitchen provision set out above, they will not be judged to provide adequate facilities for the storage, preparation and cooking of food. They are, in particular, unlikely to provide sufficient worktop, food storage or an appropriate cooker. As a result the provision of typical mini-kitchens will not be accepted as an alternative to the kitchen and cooking provisions set out in the sections above. However, mini-kitchens can provide an additional level of facilities welcomed by residents, and may allow some limited reduction in the provision of sinks, cookers and microwaves in shared kitchens. Any such revision will be determined following an assessment of the circumstances of each case and confirmed in writing.

10.7.2 Mini-kitchens must be securely fixed and appropriately connected to services. Cold water supplies must be directly from the cold-water main. Their installation must avoid the creation of actionable hazards identified by means of the HHSRS.

10.7.3 Mini-kitchens will not be acceptable if the available free floor space in the room is reduced below 8.5m<sup>2</sup> as a result of their installation.

## 10.8 Provision of meals by employer

10.8.1 In the case of premises provided as staff accommodation and where some meals are provided to employees as part of their employment, the employees must have the use of kitchen facilities whenever meals are not available. Ideally this will be through the provision of exclusive use or shared facilities as set out in section 10 above.

10.8.2 In certain circumstances the use of the commercial kitchen may be possible. However, for this arrangement to be acceptable, the Council will have to be satisfied that access by the occupants to the kitchen is available at all times. In addition, the Council's Public Protection Team will have to be satisfied that there is

appropriate and effective management of the kitchen, that all of the users have adequate food safety training to be using the commercial kitchen and that all users are complying with all applicable food hygiene regulations.

**Note: Failure to meet these obligations could result in prosecution under legislation concerned with food safety and hygiene.**

- 10.8.3 In addition each occupant must be provided with:
- A refrigerator (of notional size (h) 850 x (w) 580 x (d) 580mm, such as is intended to fit under standard worktop) incorporating an adequate freezer compartment. (The refrigerator must be connected to a dedicated socket.)
  - A food storage cupboard, minimum (minimum size 600mm x 500mm x 600mm)
  - Provision to make hot and cold drinks at all times.

## **11. Recycling and Waste Management**

### **11.1 Waste and recycling storage facilities**

- 11.1.1 Landlords must ensure that suitable and sufficient facilities are provided at the HMO for the storage of household waste and recycling pending collection by the Local Authority.
- 11.1.2 The number and type of bins must be adequate for the requirements of each household and provided in accordance with the Council's waste and recycling policies and guidance.
- 11.1.3 The minimum bin allocation is a green bin for rubbish, a blue bin for recycling, a brown bin for garden waste and a brown caddy for food waste collections. The rubbish bins are collected one week, with the recycling and garden/food waste bins collected the following week and so on.
- 11.1.4 .For large multi-occupancy dwellings and flats, the Council will typically provide communal bins for rubbish and recycling that tenants share. The number and size of bins will be calculated by the council, depending on the size of the property, the number of occupants and access to the property.
- 11.1.5 Flats and other multi-occupancy dwellings may require specially constructed bin stores to house the bins. The size and design of these are usually decided at the planning and development stage and separate guidelines are available for this.
- 11.1.6 Landlords/managing agents/housing associations should not source their own bins and should contact the council if any of the bins are damaged or go missing. Bins remain the property of the council at all times.

### **11.2 Information to occupiers**

- 11.2.1 Landlords must ensure that suitable instructions are given to all occupiers regarding the correct use of all waste and recycling containers. In particular, the following information must be provided to all occupiers upon their moving into the HMO:
- 11.2.2 The number and colour of bins at the property, and the types of waste which should be placed into each bin; and where and when each bin should be stored, placed for collection, and returned after collection.
- 11.2.3 A notice clearly summarising this information must be prominently displayed within a communal area of the HMO at all times. We recommend you use the Council's waste and recycling posters and other resources, available from [www.cherwell.gov.uk/recycling](http://www.cherwell.gov.uk/recycling)

## House in Multiple Occupation (HMO) Licensing Policy 2018

*The policy was first introduced in 2006 and revised in 2008 and 2012.*

*This 2018 version is the third revision.*

### 1. Introduction

- 1.1. The Housing Act 2004 (the Act) defines houses in multiple-occupation (HMOs) in Part 7 and introduced HMO Licensing in Part 2. Certain buildings which are exempt from HMO Licensing are prescribed in Schedule 14 and associated regulations<sup>1</sup>.
- 1.2. National regulations have required the Mandatory Licensing of large HMOs since 2006<sup>2</sup>.
- 1.3. From 1<sup>st</sup> October 2018, HMOs occupied by five (5) persons forming two (2) or more households are subject to Mandatory Licensing<sup>3</sup>. Landlords of any such HMO must apply for an HMO Licence by this date.
- 1.4. Licences may only relate to a single HMO and are non-transferrable.

### 2. Applications for licences

- 2.1 To be considered a valid application, the following information must be provided to the Council in an acceptable format.
  - Licence application form completed in full, including all information specified by Regulations<sup>1</sup>, plus any further information required by the Council; and
  - A declaration signed by the applicant (and also the proposed licence holder where different); and
  - The specified fee paid in full.
- 2.2 Where an HMO already has a licence in force, and a valid application is submitted before expiry and the same Licence Holder is proposed, a renewal application will be accepted and a reduced fee applied.
- 2.3 In all other cases, a new application form must be completed.
- 2.4 When the Council receives an application, it must decide whether to grant or refuse to grant an HMO Licence by reference to the following matters:
  - The house or flat in question is reasonably suitable for occupation by the intended number of occupants (either the number specified in the application or another number set by the Council) or can be made suitable by the imposition of licence conditions.
  - The proposed licence holder and manager are fit and proper persons.
  - The proposed licence holder is the most appropriate person to hold the licence
  - The manager is either the person having control or an agent or employee of the person having control.
  - The proposed management arrangements are satisfactory.

<sup>1</sup> The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006 No. 373

<sup>2</sup> The Licensing of HMOs (Prescribed Descriptions) (England) Order 2006 No. 371

<sup>3</sup> The Licensing of Houses in Multiple Occupation (Prescribed Description) (England) Order 2018 No. 221

2.5 The following sections explain how the Council will reach its decisions on these matters.

### **3. Reasonably suitable for occupation**

3.1 In reaching this decision the Council will take account of standards set by Regulations<sup>4</sup> made under section 65(3) of the Act. Where these Regulations are not specific (for example where they require the Council to judge adequacy, suitability or practicability), we will use our adopted HMO Standards Policy, and will have regard to such other standards as we judge relevant, e.g. Building Regulations and British Standards.

### **4. Fit and proper person**

4.1 In order to issue a licence the Council must be satisfied that the proposed licence holder is a fit and proper person and the most appropriate person to hold the licence.

4.2 The Council must also be satisfied that the proposed manager of the house is the person having control, or is an agent or employee of the person having control of the house, and is a fit and proper person.

4.3 The Council will generally consider a person to be fit and proper unless evidence to the contrary is found.

4.4 The Council must have regard to any of the following relating to the proposed Licence Holder or proposed Manager:

- Any unspent convictions that may be relevant to their role as either licence holder or manager and, in particular, any conviction involving fraud or other dishonesty, or violence or drugs or any offence listed in Schedule 3 to the Sexual Offences Act 2003.
- They have been found by a court or tribunal to have practised unlawful discrimination on grounds of sex, colour, race, ethnic or national origins or disability in, or in connection with, the carrying on of any business.
- They have contravened any provision of any enactment relating to housing, public health, environmental health or landlord and tenant law (including Part 3 of the Immigration Act 2014) which led to civil or criminal proceedings resulting in a judgement being made against them.
- They have ever had a licence refused, been convicted of breaching the conditions of a licence under Parts 2 or 3 of the Act; or have acted otherwise than in accordance with a Code of Practice approved under section 233 of the Act that concerns a property in their ownership (whether or not in the Council's district).
- They own or have previously owned or managed property that has been the subject of an interim or final management order or a special interim management order under the Housing Act 2004.
- They require leave to enter or remain in the United Kingdom but do not have it.
- They are insolvent or an undischarged bankrupt.

4.5 In addition, the Council may also take in to account whether any other person proposed to be involved in the management of the house, plus any person

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<sup>4</sup> Principally the Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006 No. 373



associated or formerly associated with the applicant or manager has done any of these things, if we consider this information relevant.

- 4.6 Where any evidence of the above is subsequently found, the Council will review the person's fit and proper status and may revoke their licence.

## **5. Satisfactory management arrangements**

- 5.1 In order to issue a licence the Council must be satisfied that the proposed management arrangements for the house are satisfactory. If we are to be satisfied, we will expect, in particular, the licence holder to have in place the following arrangements:

- A person to whom the tenants can report defects at the HMO, including an emergency contact, and for this information to be displayed in written form in the premises.
- An established system for periodically inspecting the HMO to identify any repairs or maintenance.
- The ability to finance and to undertake repairs and maintenance in an appropriately timely fashion.
- Where the manager is not the owner of the property, the manager must be able to fund and implement urgent repairs in those situations where it is not possible to obtain the owner's approval without undue delay.
- A system to deal with any anti-social behaviour caused by tenants or their visitors, which causes nuisance or annoyance to people living in the vicinity.

- 5.2 The Council may also consider whether any person proposed to be involved in the management of the house has a sufficient level of competence. In this regard the Council may take into account matters such as the frequency and nature of any validated complaints we receive in connection with the property or its management, and the adequacy of any required response.

## **6. Inspections**

- 6.1 Council Officers will generally inspect HMOs following receipt of a valid new application in order to assess the suitability of the HMO for the proposed number of occupants and households, and compliance with the prescribed standards and HMO regulations, having regard to the Council's HMO Standards Policy. HMOs will also be prioritised for assessment under the Housing Health and Safety Rating System (HHSRS). The Council will seek to ensure that all properties are inspected at least once every 5 years to ensure properties are free from significant hazards and complying with the HMO Regulations.

- 6.2 Further inspections may be undertaken throughout the lifetime of the licence, and may include (but are not restricted to) visits to check compliance with licence conditions, to assess ongoing confidence in management, or to investigate complaints.

## **7. Licence Conditions**

- 7.1 Licences may include such conditions that the Council considers appropriate for regulating any aspect of the HMO's management, use, occupation, conditions or contents. Licences issued by the Council will include conditions which fall one of the following categories:

### 7.1.1 **Mandatory Conditions**

The Housing Act 2004 Schedule 4 (as amended) prescribes Mandatory Licence Conditions which must be included in all HMO licences.

### 7.1.2 **Discretionary Conditions (General)**

A set of standard conditions will be included in all licences issued by the Council. The general purpose of these conditions is to secure the effective management of the licensed HMOs across the district.

### 7.1.3 **Discretionary Conditions (Specific)**

Licences may also contain conditions designed to regulate specific matters relating to the licensed HMO in question.

## **8. Issuing of Licences**

8.1 Draft licences (the 'Intention Notice') must be issued within a reasonable period of time following receipt of a valid application. Our aim is to issue Intention Notices within 12 weeks of the application.

8.2 The applicant will be given at least 14 days after the date of service of the Intention Notice to make any representations regarding the proposed licence. Any representations received will be reviewed by a senior officer and a written response provided before the Council proceeds to issue the actual licence (the 'Decision Notice').

8.3 Licences will generally be issued for 5 years, except in cases where we have concerns relating to the management of the property, including non-compliance with licence conditions, breaches of the HMO Management Regulations or contraventions of other relevant legislation. In such cases, licences will generally be issued annually and the length of licence reviewed upon renewal.

## **9. Licence fees**

9.1 The Council will charge a fee for each licence. The fee will periodically be reviewed and will be set in accordance with available best-practice guidance. The Council may determine that different fees will apply in different situations and may, for example, set a lower rate for licence renewals, or a higher fee for new HMOs found operating without a licence. Fees will be reviewed and revised as necessary through the Council's fees and charges setting procedures and as required by any legislative changes.

## **10. Variation of licences**

10.1 The Council may vary a licence either with the agreement of the licence holder or without agreement if it considers there has been a change of circumstances since the licence was granted. Change of circumstances will be taken to include the discovery of new information.

## **11. Revocation of licences**

11.1 The Council may revoke a licence either with the agreement of the licence holder or in the following circumstances:

- Where the Council considers that the licence holder or any other relevant person has committed a serious breach of a licence condition or repeated breaches of a condition, or
- Where the Council no longer considers that the licence holder is a fit and proper person to hold the licence, or

- Where the Council considers that the management of the premises is no longer being carried out by fit and proper persons;
- Where the premises has ceased to be an HMO requiring a licence, or
- Where the Council considers that, were the licence to expire at that time, it would not grant a further licence because of the structure of the premises.

## **12. Appeals**

12.1 The licence applicant, anyone with an estate or interest in the premises, a person managing the premises or anyone on whom the licence would place any restriction or obligation, may appeal to the First-tier Tribunal against the Council's decision to either grant or refuse to grant a licence, or in connection with decisions in relation to revocation or variation. The appeal period is set as 28 days.

## **13. Temporary Exemption Notices (TENs)**

13.1 Where a landlord or manager makes an application in writing, the Council may issue a Temporary Exemption Notice (TEN) for three months if we are satisfied that particular steps are genuinely being taken to ensure either that the building will cease to be an HMO, or that it will become an HMO that is no longer subject to licensing.

13.2 A suitable step could include entering into a contract for the sale of the building with vacant possession for use other than as an HMO. However, simply putting, or proposing to put an HMO on the market for sale will not normally be sufficient for the Council to agree to issue a TEN.

13.3 TENs will be refused in cases where it appears the application has only been sought with the aim of avoiding or evading licensing, since that would be contrary to the purpose of the Act.

13.4 The Council will confirm its decision in writing by serving a Notice giving the reasons for its decision whether or not to grant the exemption. Applicants may appeal the decision to the First-tier Tribunal within 28 days.

13.5 Temporary exemption can only be granted for a maximum of three months, although in exceptional circumstances it can be renewed for a further three months on further application to the Council.

13.6 If the licence holder dies while the licence is in force the licence ceases and for three months from the death the building will be treated as having a temporary exemption notice granted. During that period the licence holder's personal representatives may apply to the Council for an extension to the exemption for a further three months whilst affairs are being sorted out. Whilst the Council does not have to grant a further extension, consent is unlikely to be unreasonably withheld in such cases.

## **14. Enforcement**

14.1 It is an offence to:

- Have control of or manage an HMO which is required to be licensed but is not so licensed.
- Have control of or manage an HMO which is licensed and to knowingly permit another to occupy the house with the result that the other person's occupation results in the house being occupied by more households or persons than is authorised by the licence.

- Be a licence holder or a person on whom restrictions or obligations are imposed under a license and fail to comply with any condition of the licence.
- Fail to comply with the HMO Management Regulations.

14.2 These offences carry a range of punitive actions which the Council may wish to pursue, including:

- Prosecution resulting in an unlimited fine on summary conviction
- Seeking Banning Orders following successful convictions
- Financial penalties of up to £30,000 for each offence
- Rent Repayment Orders to recover Housing Benefit/Universal Credit
- Assisting tenants to apply for Rent Repayment Orders
- Entering landlords and agents into the 'Rogue Landlords Database'
- Interim or Final Management Orders

14.3 Any decision to pursue enforcement action will be taken in line with the relevant Enforcement Policies.

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## Cherwell District Council

### Executive

3 September 2018

<p><b>Council Tax Reduction Scheme and Council Tax Discounts 2019-2020</b></p>
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### Report of Executive Director Finance and Governance (Interim)

This report is public

#### Purpose of report

To provide members with a review of Council Tax discounts and to seek approval to recommend the proposed level of Council Tax discounts for the 2019-2020 financial year to Council.

To provide an update on the Council Tax Reduction Scheme for 2018-2019 and to seek approval to recommend a Council Tax Reduction Scheme for the financial year 2019-2020 to Council.

#### 1.0 Recommendations

The meeting is recommended:

- 1.1 To note the contents of the report and any financial implications for the Council.
- 1.2 To recommend to Council the option of no change to the Council Tax Reduction Scheme (CTRS) for 2019-2020 (and therefore no consultation is required) and to amend the Council Tax Reduction Scheme Regulations for pensioners in line with uprating announced by DCLG and to uprate the Working Age Regulations in line with those announced by Department for Work and Pensions (DWP).
- 1.3. To recommend to Council that delegated authority is given to the Executive Director Finance and Governance to make any changes to the CTRS Regulations up to and including 31 January 2019 in consultation with the Lead Member for Financial Management.
- 1.4 To review the proposed level of Council Tax discounts for 2019-2020 and make recommendations to Council as follows:
  - Retain the discount for second homes at zero.
  - Retain the discount for empty homes (unoccupied and substantially unfurnished) at 25% for 6 months and thereafter at zero.
  - Retain the discount for empty homes undergoing major repair at 25% for 12 months and thereafter at zero.

- Retain the empty homes premium of an additional 50% for properties that have remained empty for more than 2 years.

## **2.0 Introduction**

- 2.1 In December 2017 members approved a Council Tax Reduction Scheme (CTRS) for Cherwell District Council for the financial year 2018-2019. The scheme remained the same as in 2017-2018 and mirrored the previous Council Tax Benefit scheme.
- 2.2 The scheme for pensioners is set nationally and pensioners have not seen any change to the support they receive.
- 2.3 The Council Tax Reduction scheme is based on a fixed cash grant of approximately 90% of the previous Council Tax Benefit subsidy. This gives a funding shortfall for Cherwell of £742,430.
- 2.3 The funding shortfall is mostly offset by the changes to locally set Council Tax Discounts.

## **3.0 Report Details**

### **Position so far**

#### **Council Tax Reduction Scheme**

- 3.1 As the funding for CTRS is a fixed cash grant the cost of any increase in the level of demand will be borne by the Council. The Council Tax Reduction caseload has been monitored and there has been a decrease in the number of live cases from 7,087 in July 2017 to 6,607 in June 2018.

#### **Impact on Parish Councils**

- 3.2 Members may recall that the regulations for calculating the Council Tax Base were amended to reflect the Council Tax Reduction Scheme and had the effect of reducing the tax base for the billing authority, major preceptors and the Police and Crime Commissioner for Thames Valley and local preceptors. This is because Council Tax Reduction is a discount rather than a benefit and therefore the Council does not collect the full amount of Council Tax from tax payers who qualify for Council Tax Reduction. The impact of the reduced tax base was mitigated in part by changes made to discounts and exemptions. As this will be the seventh year of a Council Tax Reduction Scheme parish councils should now have a clear understanding of the impact of CTRS on their parish tax base.

#### **Impact of the changes to discounts and exemptions**

- 3.3 Members will also recall that the Local Government Finance Act 2012 abolished certain exemptions with effect from 1st April 2013 and replaced them with discounts which can be determined locally.

- 3.4 Council determined that furnished chargeable dwellings that are not the sole or main residence of an individual (i.e. second homes) should no longer receive a discount. They had previously received a discount of 10%. If the Council continues to set the discount at zero it is estimated that this will result in additional income of £84,782 for the 2019-2020 financial years.
- 3.5 Council also determined that the discount in respect of unoccupied and substantially unfurnished properties should be reduced to 25% for a period of six months and thereafter to zero. As at July 2018 it is estimated that the additional income from this will be £287,351.
- 3.6 Council further exercised its discretion to determine that chargeable dwellings which are vacant and undergoing major repair work to render them habitable should be given a discount of 25% for a period of 12 months. This is expected to result in additional income of £10,617.
- 3.7 Prior to 1 April 2013 billing authorities could charge up to a maximum of 100% council tax on dwellings that have been empty for more than two years. From April 2013 local authorities were given the powers to charge a premium of up to 50% of the council tax payable. The projected income for 2019-2020 from charging an Empty Homes Premium is £100,163. In the Autumn statement of 2017 the Government announced plans to give local authorities the power to charge a 100% Council Tax premium on empty properties. At the time of writing this report the new legislation has not yet been laid before Parliament. Members will receive an update report on this including financial modelling at a future meeting.

### **Impact of Council Tax Reduction Scheme on collection rates**

A Council Tax collection rate of 97.8% was achieved for 2017-2018. Collection rates for the first two months of the 2018-2019 are also on target. In considering the Council Tax Reduction Scheme for 2019-2020 members should be mindful that any changes to the scheme that reduce entitlement to CTRS could have an adverse impact on collection rates and cost of collection.

### **Council Tax Reduction Scheme 2019-2020**

- 3.8 Members will be aware that the national 10% reduction in government funding for Council Tax Reduction Schemes over the last six years has been offset in part by the additional income generated by changes to discounts and exemptions.

The Government has not yet released indicative funding figures for 2019-2020. For the purposes of calculating the new Council Tax Reduction scheme for 2019-2020 an assumption has been made that funding will remain at the reduced rate

- 3.9 Financial modelling on the options for a new scheme for 2019-2020 has been undertaken as shown below:

#### **Options**

**Option 1 – No change to current local Council Tax Reduction scheme or Council Tax discounts and uprating the Council Tax Regulations in line with DWP annual uprating.**

The 'change nothing' approach would mean retaining the current Council Tax Reduction Scheme. The only change required would be the minor changes to the Regulations.

### **Option 2 – Revised Council Tax Reduction scheme with current Council Tax Discounts**

This option could include reducing support for working age people and would mean that all working age claimants would have to pay a percentage of their Council Tax liability regardless of their circumstances. Percentages of 100%, 91.5%, 90%, 85% and 80% have been modelled.

### **Option 3: Combination of the options shown above**

#### **Financial Summary of options**

	<b>100%</b>	<b>91.5%</b>	<b>90%</b>	<b>85%</b>	<b>80%</b>
	£	£	£	£	£000
Overall funding loss	742,430	742,430	742,430	742,430	742,430
Second homes income	-84,782	-84,782	-84,782	-84,782	-84,782
Empty homes income with discount of 25% for 6 months	-287,351	-287,351	-287,351	-287,351	-287,351
Uninhabitable homes discount of 25% for 12 months	-10,617	-10,617	-10,617	-10,617	-10,617
Long term empty premium at 50%	-100,163	-100,163	-100,163	-100,163	-100,163
Reduction in expenditure based on % liability	0	-405,594	-476,692	-712,566	-946,218
<b>Total funding gap/additional income</b>	<b>259,517</b>	<b>-146,077</b>	<b>-217,175</b>	<b>-423,049</b>	<b>-686,701</b>
<b>Funding gap/additional income for CDC based on 7%</b>	<b>18,166</b>	<b>-10,225</b>	<b>-15,202</b>	<b>-31,713</b>	<b>-48,069</b>

## **4.0 Conclusion and Reasons for Recommendations**

- 4.1 From April 2013 Council Tax Benefit was abolished and replaced with a local Council Tax Reduction Scheme. The Council is required to agree a scheme based on the reduced level of funding from Government
- 4.2 Members are now required to recommend a Council Tax Reduction Scheme to Council and it is recommended that members put forward option one which is a no change Council Tax Reduction Scheme for the 2019-2020 financial year. This option meets the objective of continuing to support residents whilst ensuring the scheme remains affordable.



## **5.0 Consultation**

There is a requirement to consult with the public, major preceptors and other parties who may have an interest in the Council Tax Reduction Scheme on any material changes to the scheme. This is not considered to include changes for annual uprating in accordance with Government Regulations.

If members are minded to recommend to Executive a no change scheme officers consider that there will be no need to consult on the scheme for 2019-2020 and the Regulations will be updated to include appropriate text to make it clear that the Council will apply the uprating.

## **6.0 Alternative Options and Reasons for Rejection**

6.1 The following alternative options have been identified and rejected for the reasons as set out below.

Option 1: To not recommend any of the options for a scheme for 2019-2020. This would have financial implications for the Council and those residents affected by Welfare Reform.

Option 2: To decrease the level of support to Working Age claimants. This would have an impact on some of the most vulnerable residents in the district and may significantly impact on collection rates.

## **7.0 Implications**

### **Financial and Resource Implications**

7.1 See table contained in this report.

Comments checked by:

Kelly Watson Assistant Director Finance and Governance, 0300 003 0206  
Kelly.watson@cherwellandsouthnorthants.gov.uk

### **Legal Implications**

7.2 The Council is required to review its Council Tax Reduction Scheme on an annual basis and if it determines to make changes then it must consult on the revised scheme. Failure to do so will adversely affect the reputation of the Council and will have a financial implication for residents as well as exposing the Council to potential challenge for failing to comply with the legislative requirements of the Local Government Finance Act 1992.

Comments checked by:

Christopher Mace, Solicitor, 01327 322125  
Christopher.mace@cherwellandsouthnorthants.gov.uk

## 8.0 Decision Information

### Key Decision

**Financial Threshold Met:** Not applicable

**Community Impact Threshold Met:** Not applicable

### Wards Affected

All

### Links to Corporate Plan and Policy Framework

This links to the Council's priority of sound budgets and a customer focused Council

### Lead Councillor

Councillor Tony Ilott Lead Member for Financial Management

### Document Information

Appendix No	Title
None	
Background Papers	
None	
Report Author	Belinda Green (Joint Revenues and Benefits Manager)
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## Cherwell District Council

### Executive

<p><b>Monthly Performance, Risk and Finance Monitoring Report – July 2018</b></p>
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#### **Report of Assistant Director: Performance and Transformation and Assistant Director: Finance and Governance**

This report is public

#### **Purpose of report**

This report summarises the Council's Performance, Risk and Finance monitoring position as at the end of each month.

#### **1.0 Recommendations**

The meeting is recommended:

- 1.1 To note the monthly Performance, Risk and Finance Monitoring Report.

#### **2.0 Introduction**




- 2.1 The Council is committed to performance, risk and budget management and reviews progress against its corporate priorities on a monthly basis.
- 2.2 This report provides an update on progress made so far in 2018-19 to deliver the Council's priorities through reporting on performance, the Leadership Risk Register and providing an update on the financial position.
- 2.3 The Council's performance management framework sets out the key actions, projects and programmes of work that contribute to the delivery of the 2018-19 business plan and the priorities of the Council. These measures and key performance indicators are reported on a monthly basis to highlight progress, identify areas of good performance and actions that have been taken to address underperformance or delays.
- 2.4 The Council maintains a Leadership Risk Register that is reviewed on a monthly basis. The latest available version of the risk register at the date this report is published is included in this report.
- 2.5 The Report details section is split into three parts:
  - Performance Update
  - Leadership Risk Register Update
  - Finance Update

- 2.6 There are four appendices to this report:
- Appendix 1 - 2018/19 Business Plan
  - Appendix 2 – Monthly Performance Report
  - Appendix 3 – Leadership Risk Register
  - Appendix 4 – Capital Programme

### 3.0 Report Details

#### Performance Update

- 3.1 The Council’s performance management framework sets out the key actions, projects and programmes of work that contribute to the delivery of the 2018-19 business plan (see Appendix 1) and the priorities of the Council.
- 3.2 The 2018-19 business plan set out three strategic priorities:
- Protected, Green and Clean;
  - Thriving Communities and Wellbeing;
  - District of Opportunity and Growth.
- 3.3 This report provides a summary of the Council’s performance in delivering against each strategic priority. To measure performance a ‘traffic light’ system is used. Where performance is on or ahead of target it is rated green, where performance is slightly behind the target it is rated amber. A red rating indicated performance is off target.

Colour	Symbol	Meaning for Joint Business Plan Measures	Meaning for Joint Key Performance Measures (KPIs)
Red		Significantly behind schedule	Worse than target by more than 10%.
Amber		Slightly behind schedule	Worse than target by up to 10%.
Green		Delivering to plan	Delivering to target or ahead of it.

#### Priority: Protected, Green and Clean

- 3.4 The Council is committed to protecting the natural environment and ensuring the character of the district is preserved and enhanced. Our commitment included working to ensure the district has high standards of environmental cleanliness and greater waste and recycling services. Maintaining the district as a low crime area is another key part of this priority and the Council is committed to working in partnership to deliver against this objective.

3.5 Overview of our performance against this strategic priority:

- **Weather and dry conditions impacts on recycling performance** – The percentage of waste recycled and composted fell in July, an expected seasonal trend further affected by the hot and dry weather experienced during the past couple of months. Performance for July is reporting 5.08% short of the monthly profiled target and only 1.24% short of the YTD target.
- **Tackling environmental crime in town centres** has been focussing on educating commercial premises and residents about safely discarding of cigarette ends. The community wardens whilst patrolling have been talking to businesses, shops, pubs and shoppers, handing out smoking pouches and encouraging all to dispose of cigarette ends and litter lawfully, reducing the amount discarded in the streets/drains.

Priority: Thriving Communities and Wellbeing

3.6 The Council is committed to supporting our communities to thrive and to promoting the wellbeing of our residents. This priority includes supporting health and wellbeing, improving leisure facilities and delivering leisure activities and working in partnership with voluntary organisations to deliver services in a manner that safeguards children, young people and vulnerable adults. Another key aspect of this priority is preventing homelessness, the delivery of affordable housing and improving the condition of residential properties.

3.7 Overview of our performance against this strategic priority:

- **The number of households living in Temporary Accommodation** is being closely managed by focussing on prevention and relief of homelessness and as a result we continue to be within target.
- **Leisure facilities promoted and holiday hub programmes launched** during July making the most of the summer weather. Woodgreen Leisure Centre has shown a significant increase of circa 7,000 attendees due to the Outdoor 50m Swimming Pool facility and residents making the most of the weather. 'Holiday Hubs' have seen excellent numbers so far with 2513 participants (with £37,293 income) booked on 5 Holiday Hubs so far. 480 people have booked a FAST card as part of the Fast programme aimed at families living in deprived / brighter futures areas being able to access Woodgreen swimming pool at a heavily reduced price.

The Refugee Holiday provision has seen 12 Syrian children accessing the holiday hubs for FREE in partnership with Housing Services for social inclusion and enabling them to feel part of a community.

The Youth Activators have worked with 524 attendees in first two weeks holding 17 sessions, this included Play:Full a project delivering activities and healthy snacks at sessions in partnership with Sanctuary Housing.

- **Housing benefit performance continues to improve** - The average time taken to process new benefit claims for July 2018 is excellent, reducing to 8.49 days against a local target of 15 days. This is an improvement from May 2018 when the average time taken to process new claims was 9 days. The national target is 22 days.
- **Housing benefit change events processing time** has fallen in July to 14.45 days against a target of 8 days, however is Amber YTD performing at 8.38 days against the target of 8 days. The team are working to an action plan and monitoring this closely.

Priority: District of Opportunity and Growth

3.8 The Council is committed to developing the local economy, promoting inward investment and delivering sustainable growth. This priority also contributes towards making great places to live, work, visit and invest through economic development and working in partnership to deliver strategic transport infrastructure projects.

3.9 Overview of our performance against this strategic priority:

- **% Major planning applications processed** is reporting as Green, 12 Major Planning Applications were determined during July. 9 of them were determined within the target period or agreed time frame.
- **Supporting our key economic centres** –A successful Job Fair held in Banbury (98 job seekers/career changers, 13 support services and 10 exhibiting employers recruiting for over 150 vacancies. Job seeker satisfaction rating of 91% with exhibitor rating of 3.8 out of 5.0 (reflecting limited labour supply). The economic growth team attended Bicester Business meeting to support the 'See Bicester' campaign and promote services such as the on-line business directory to encourage local purchasing. The team also attended Kidlington Voice business meeting to announce our services and engage with businesses and the MP.
- **The Partial Review of the Local Plan** was submitted to PINs (Planning Inspectorate) for Examination on 5 March 2018. We are still awaiting the dates for the public hearings, but the process of Examination is on-going. A programme of infrastructure projects are progressing to support the delivery of the adopted Cherwell Local Plan in Bicester, Banbury and elsewhere in the District.

Summary of Performance

3.10 The Council reports on performance against 20 joint business plan measures and 12 key performance indicators on a monthly basis. Performance for this month is summarised in the table below. The full details, including commentary against each measure and key performance indicator can be found in Appendix 2.

Business Plan Measures and Key Performance Indicators					
Status	Description	July	%	YTD	%
Green	On target	29	91%	29	91%
Amber	Slightly off target	2	6%	3	9%
Red	Off target	1	3%	0	0%

### 3.11 Spotlight On: Economic Growth Service

Each month this report will focus on a theme or service provided by the Council, highlighting how this contributes to the delivery of the strategic priorities and the key achievements delivered to date.

This month we are focusing on the Economic Growth Service.

#### What is 'economic growth' and why is it important?

The provision of all public services and our whole way of life relies upon a growing economy. A strong local economy provides jobs and supports people's ability to afford housing and general well-being, and for society – through business taxation - to afford health, education and other essential services.

As we saw in the recession ten years ago, the 'economy' is complex and functions at a global level but also brings local impact on jobs and businesses when things go wrong. However, Cherwell and South Northants proved themselves to be 'resilient' in the face of recession – not only because our area was home to excellent businesses but also because the Councils were instrumental in allocating land, supporting business growth and attracting a variety of new businesses in the decades before the crisis.

Economic cycles will again bring challenges that are beyond local control but meanwhile both Councils are enabling growth to provide services that support future resilience.



#### What does the Economic Growth Team do?

The team contributes directly towards making great places to live, work, visit and invest across both districts. The Service achieves this by:

- **Providing information, advice and guidance**
- **Leading projects to address issues and opportunities**
- **Working in partnership with external organisations and internal services**



The service is guided by research and intelligence collected by:

- **Commissioned work to inform the development of policy and strategy**
- **Collaborative work with partners**
- **Direct daily contact with stakeholders**

The service thereby enables growth - directly and indirectly - by providing capacity for the Councils to respond to client needs whilst also actively contributing to the 'place-shaping' approach.

**What are the key areas of work and services provided?**

Cherwell's Economic Growth Team has its own economic growth strategy to create a vision based upon four inter-related themes:

- **People** (Skills, recruitment, etc.)
- **Business** (Inward investment, expansion, start-up, etc.)
- **Place** (Infrastructure, town centres, etc.)
- **Tourism** (Development, marketing, information, etc.)

In addition to providing day-to-day services to all our clients and stakeholders, the team is embarking upon a major review of the economic growth strategies for both councils. Things are really moving: the target date for the completion of both strategies is March 2019. So watch this space and get involved: you are welcome to join us on this exciting journey.



## Risk Update

- 3.12 The Council maintains a Joint Leadership Risk Register that is reviewed on a monthly basis. The latest available version of the risk register at the date this report is published is included in this report.
- 3.13 The heat map below shows the overall position of all risks contained within the Leadership Risk Register.

Risk Scorecard – Residual Risks						
		Probability				
		1 - Remote	2 - Unlikely	3 - Possible	4 - Probable	5 - Highly Probable
Impact	5 - Catastrophic					
	4 - Major		L04, L11		L05	
	3 - Moderate			L01, L02, L03 L10, L12, L14	L06, L07, L08	L09, L13a, L13b
	2 - Minor					
	1 - Insignificant					

- 3.14 The table below provides an overview of changes made to the Leadership Risk Register during the past month. Any significant changes since the publication of the report will be reported verbally at the meeting.

Leadership Risk	Score	Direction	Latest Update
<b>L01</b> Financial Resilience	9 Low risk	↔	No Change
<b>L02</b> Statutory functions	9 Low risk	↔	No Change
<b>L03</b> Lack of management Capacity	9 Low risk	↔	No Change
<b>L04</b> CDC & SNC Local Plans	8 Low risk	↔	No change
<b>L05</b> Business Continuity	16 High risk	↔	Comments updated
<b>L06</b> Partnering	12 Medium risk	↔	Potential impact, Controls, Comments updated
<b>L07</b> Emergency Planning	12 Medium risk	↔	Mitigating actions and comments updated.
<b>L08</b> Health & Safety	12 Medium risk	↔	No change
<b>L09</b> Cyber Security	15 Medium risk	↔	Mitigating actions & comments updated
<b>L10</b> Safeguarding the Vulnerable	8 Low risk	↔	No change
<b>L11</b> Income generation through council owned companies	8 Low risk	↔	No change
<b>L12</b> Financial sustainability of third party third party suppliers	8 Low risk	↔	No change
<b>L13a</b> Local Government Reorganisation (CDC)	15 Medium risk	↔	Potential impact, Controls, Comments updated
<b>L13b</b> Local Government Reorganisation (SNC)	15 Medium risk	↔	Potential impact, Controls, Comments updated
<b>L14</b> Corporate Governance	9 Low risk	↔	No change

## Finance Update

- 3.15 We are continuing to develop the way we report and the ease of access and understanding of information we provide to ensure Members, and the public, are fully aware of the financial position of the Council.

In previous years financial reporting has been on a quarterly basis. This frequency of information is being improved during 2018/19. We have introduced monthly monitoring and reporting across the organisation. This improvement in reporting is providing budget managers, senior leadership and members with more up to date information regarding the financial position and outlook for the Council.

The finance team has aligned itself with the business areas to provide better support and consistency and continuity of advice moving forward across both revenue and capital budget areas in addition to monitoring any over funding levels.

The risk based monitoring undertaken to date has highlighted areas of risk at this stage. The variances to date are set out below. All services are reviewing their forecasts to identify savings and efficiencies which may mitigate some of the risks being identified. Further risk to this position will be highlighted and detailed in future reports.

### 3.16 Revenue Position

The Council's forecast financial position is set out in the table below.

Revenue Monitoring <i>(Brackets denotes an Underspend)</i>	Budget £000's	Forecast £000's	Variance (Under) / Over £000's
Corporate Services	249	249	-
<b>CORPORATE SERVICES TOTAL</b>	<b>249</b>	<b>249</b>	<b>-</b>
Communities	2,578	2,578	-
Leisure & Sport	2,654	2,654	-
Housing	1,657	1,566	(91)
<b>WELLBEING TOTAL</b>	<b>6,889</b>	<b>6,798</b>	<b>(91)</b>
<i>Housing (£91k) additional income due to new legislation on Houses with Multiple Occupancy "HMO".</i>			
Planning Policy & Development	1,444	1,648	204
Economy & Regeneration	1,482	1,482	-
<b>PLACE &amp; GROWTH TOTAL</b>	<b>2,926</b>	<b>3,130</b>	<b>204</b>
<i>Planning Policy &amp; Development £204k comprises £170k under recovery of planning income due to the volatility in the number of expected planning applications; however, there is an earmarked reserve to assist with managing this risk. Additional £34k cost for the Interim Executive Director of Place and Growth (Oct-18 to Mar-19).</i>			
Environmental Services	5,187	5,292	105
Environmental Health & Licensing	(43)	(43)	-
<b>ENVIRONMENT TOTAL</b>	<b>5,144</b>	<b>5,249</b>	<b>105</b>
<i>Environmental Services £105k additional cost for agency staff to cover sickness absence and maternity leave. This overspend already incorporates the saving for vacant posts not being filled. In addition, income maximisation is being explored.</i>			

Law & Governance	1,247	1,247	-
Finance & Procurement	1,745	1,865	120
Property Investment & Contract Management	(3,017)	(2,759)	258
<b>FINANCE &amp; GOVERNANCE TOTAL</b>	<b>(25)</b>	<b>353</b>	<b>378</b>

*Finance & Procurement £120k forecast overspend arising from interim staff costs required to support the Council in meeting financial reporting deadlines and implementing financial management improvements.*

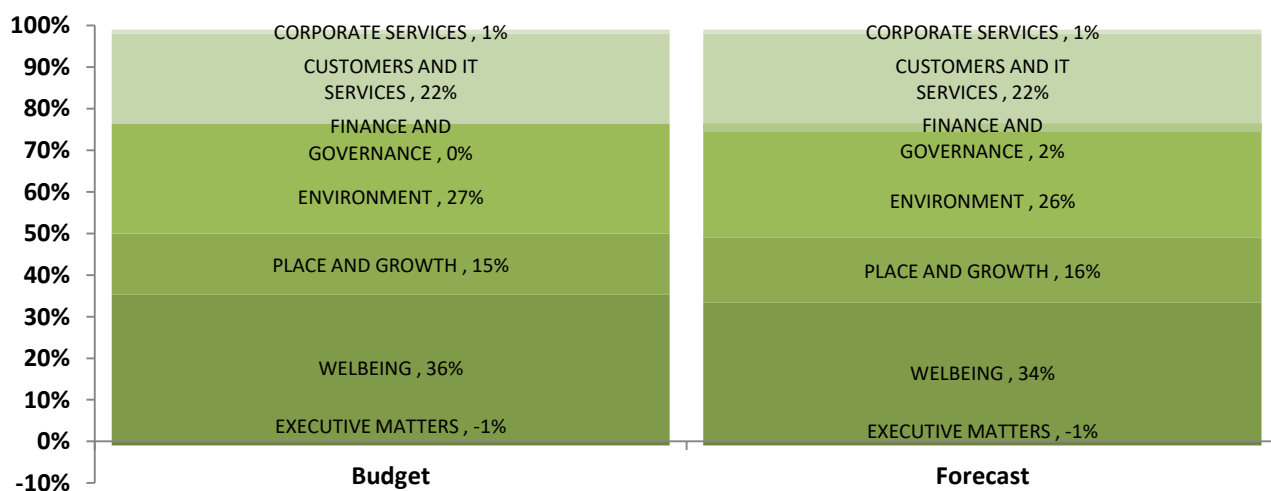
*Property Investment Contract Management £258k Crown House income budget will not be realised in 2018/19 due to a delay in the project completion date.*

Customers & IT services	2,764	2,764	-
Strategic Marketing & Communications	326	326	-
HR, OD & Payroll	678	678	-
Performance & Transformation	552	552	-
<b>CUSTOMERS &amp; IT SERVICES TOTAL</b>	<b>4,320</b>	<b>4,320</b>	<b>-</b>
<b>TOTAL DIRECTORATES</b>	<b>19,503</b>	<b>20,099</b>	<b>596</b>

Revenue Monitoring	Budget £000's	Forecast £000's	Variance (Under) / Over £000's
Use of Reserves	4,467	4,467	-
Interest on Investments	2,074	2,074	-
Non Distributed Costs	(2,935)	(2,935)	-
Pension Costs	257	240	(17)
Capital Charges	(4,002)	(4,002)	-
<b>EXECUTIVE MATTERS TOTAL</b>	<b>(139)</b>	<b>(156)</b>	<b>(17)</b>

*Pension Costs (£17k) reduction in pension cost.*

<b>COST OF SERVICES</b>	<b>19,364</b>	<b>19,943</b>	<b>579</b>
Reserve management			(170)
Cost of Services			409



The Council is forecasting some variance with its overall expectations. The graph above shows that the forecast overspend does not significantly impact upon the overall profile of spend for the Council.

### 3.17 Capital Programme

A summary of the capital programme forecast is set out in the table below. The detailed Capital programme is shown in the appendices to this report.

Directorate	Budget £000	Forecast £000	Re-profiled into 2019/20 £000	Variance £000
Wellbeing	2,309	2,199	110	-
Place and Growth	2,749	1,589	1,160	-
Environment	1,830	1,363	467	-
Finance & Governance	82,995	82,945	50	-
Customers & IT Services	804	694	-	(110)
<b>Total</b>	<b>90,687</b>	<b>88,790</b>	<b>1,787</b>	<b>(110)</b>

**Re-Profiled into 2019/20:**

**Wellbeing £110k** Comprises **£80k** budget to cover solar PV component replacement at the sports centre which is not expected in 2018/19, and; **£30k** Spiceball Leisure centre bridge resurfacing works to be determined post completion of the CQ2 new bridge connection in 2018. Re-profiled into 2019/20.

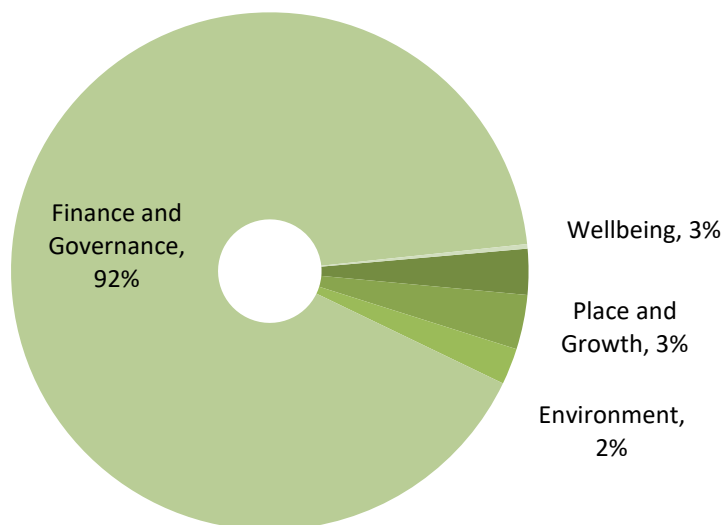
**Place & Growth £1,160k** for East West Railways where 5 years of scheduled capital contributions to 2019/20 have not yet been requested. Re-profiled to 2019/20.

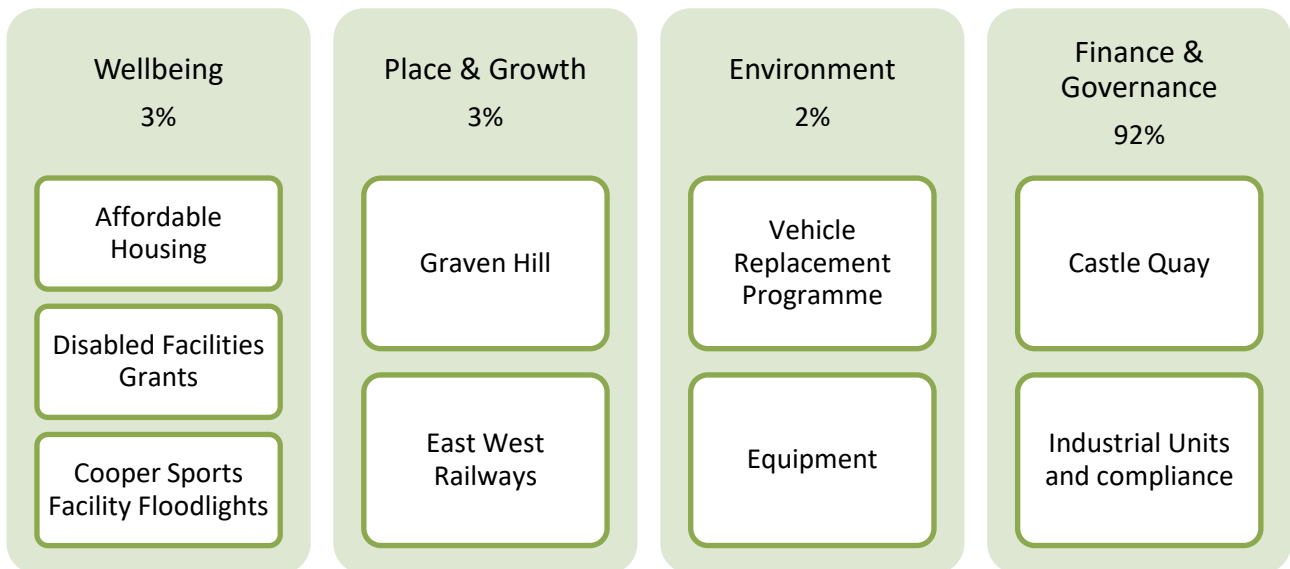
**Environment £467k** This budget is for replacement parking equipment which is not expected in 2018/19. Re-profiled to 2019/20.

**Finance & Governance £50k** for the Spiceball Riverside bridge which is on hold pending the completion of a CQ2 new bridge as part of the CQ2 development. Re-profiled into 2019/20.

**Variance:**

**Customer & IT Services (£110k)** Microsoft licensing agreement budget no longer required.





Where a capital project spans more than one financial year or there are delays to the project, re-phasing or re-profiling of expenditure may be needed. Re-profiling and phasing updates to capital projects will be identified in future reports.

The overall capital programme is currently expecting to spend to target. This position will be thoroughly reviewed by the Capital Programme Working Group. The next meeting of this group will undertake a line by line review of the capital programme and the output of this meeting will be provided in the next monitoring report.

## 4.0 Conclusion and Reasons for Recommendations

4.1 It is recommended that the contents of this report are noted.

## 5.0 Consultation

5.1 This report sets out performance, risk and budgetary information from the previous month and as such no formal consultation on the content or recommendations is required.

## 6.0 Alternative Options and Reasons for Rejection

6.1 The following alternative options have been identified and rejected for the reasons as set out below.

Option 1: This report illustrates the Council's performance against the 2018-19 business plan. As this is a monitoring report, no further options have been considered. However, members may wish to request that officers provide additional information.

## 7.0 Implications

### Financial and Resource Implications

7.1 The financial implications are detailed within section 3.15 of this report.

Comments checked by:

Adele Taylor, Executive Director: Finance and Governance (Interim), 0300 003 0103, [Adele.taylor@cherwellandsouthnorthants.gov.uk](mailto:Adele.taylor@cherwellandsouthnorthants.gov.uk)

### Legal Implications

7.2 There are no legal implications from this report.

Comments checked by:

James Doble, Assistant Director: Law and Governance, 0300 003 0207  
[James.doble@cherwellandsouthnorthants.gov.uk](mailto:James.doble@cherwellandsouthnorthants.gov.uk)

### Risk management

7.3 This report contains a full update with regards to the Council's risk position at the end of the previous month. A risk management strategy is in place and the risk register has been fully reviewed.

Comments checked by:

Louise Tustian, Team Leader: Insight Team, 01295 221786  
[Louise.tustian@cherwellandsouthnorthants.gov.uk](mailto:Louise.tustian@cherwellandsouthnorthants.gov.uk)

## 8.0 Decision Information

### Key Decision

**Financial Threshold Met: No**

**Community Impact Threshold Met: No**

### Wards Affected

All

### Links to Corporate Plan and Policy Framework

All

### Lead Councillors –

Councillor Richard Mould – Lead member for Performance Management  
Councillor Tony Illott – Lead member for Finance and Governance

## Document Information

Appendix No	Title
Appendix 1	2018/19 Business Plan
Appendix 2	Monthly Performance Report
Appendix 3	Leadership Risk Register
Appendix 4	Capital Programme
Background Papers	
None	
Report Author	Hedd Vaughan-Evans – Assistant Director: Performance and Transformation Kelly Watson – Assistant Director: Finance and Governance
Contact Information	Tel: 0300 003 0111 <a href="mailto:hedd.vaughanEvans@cherwellandsouthnorthants.gov.uk">hedd.vaughanEvans@cherwellandsouthnorthants.gov.uk</a> Tel: 0300 003 0206 <a href="mailto:kelly.watson@cherwellandsouthnorthants.gov.uk">kelly.watson@cherwellandsouthnorthants.gov.uk</a>

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# Joint Business Plan 2018-19 : *“Two Councils, one organisation”*



**South Northamptonshire Council**

***“Protected, Green & Clean”***

High quality Waste & Recycling services

High quality street cleansing

Reduce our carbon footprint & protect the natural environment

Protect the built heritage

Maintain district as a low crime area

Tackle environmental crime

Mitigate impact of HS2

***“Great places to live, work, visit & invest”***

Provide and support health and wellbeing

Promote inward investment & business growth

Deliver welfare reform agenda

Safeguard the vulnerable

Deliver the Local Plans for CDC & SNC

Enhance community resilience as part of emergency planning

Deliver affordable housing

Enhance leisure facilities

Deliver innovative & effective housing schemes

Prevent homelessness

Provide support to voluntary sector

Deliver the Masterplans for key economic centres:  
Bicester/Banbury/Kidlington/Brackley/Towcester/Silverstone

Increase tourism

Increase employment at strategic employment sites

***“Thriving Communities & Wellbeing”***

***“District of Opportunity & Growth”***

## Shared Organisational Plan

### Operational Excellence

Rigorous Financial Management  
Income optimisation  
Commercial & Procurement excellence  
Effective Governance  
Alternative Delivery Vehicles

### Public Value

24/7 access to services  
Right first time, every time  
Service at point of need  
Efficient & effective services  
Customer Service Excellence

### Best Council to work for

Sustainable relationships with key partners  
Culture of Innovation & Creativity  
Effective People service  
Employer of choice  
Enabled through digitisation  
Corporate Social responsibility

***“Here to Serve”***

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# Appendix 1 – Monthly Performance Report

## July 2018

Includes:

- Joint Business Plan Measures
- Joint Key Performance Measures (KPIs)

Key to symbols

Colour	Symbol	Meaning for Joint Business Plan Measures	Meaning for Joint Key Performance Measures (KPIs)
Red		Significantly behind schedule	Worse than target by more than 10%.
Amber		Slightly behind schedule	Worse than target by up to 10%.
Green		Delivering to plan / Ahead of target	Delivering to target or ahead of it.

**Joint Programme Measures -Protected, Green and Clean**

Measure	Portfolio Holder	Director/Lead Officer	Last Milestone	Next Milestone	Status	Commentary	YTD
<b>JBP1.1.1 Maintain High Quality Waste &amp; Recycling Services</b>	Cllr D Bambridge Cllr D Pickford	Kane, Graeme Potter, Ed	Hot weather means that garden waste recycling is down, this has an adverse effect on the overall recycling rate. However the overall impact on year end will be small, unless the hot weather continues for long periods.	Preparation for online bulky waste collections from late August	★	Material prices are weak and some contamination issues are likely to lead to an increased recycling disposal fee following the six monthly price review.	★
<b>JBP1.1.2 Provide High Quality Street Cleansing Services</b>	Cllr D Bambridge Cllr D Pickford	Kane, Graeme Potter, Ed	All on track, new staff recruited earlier in the year are starting to make a positive contribution	Kings End Bicester Blitz mid-August	★	Generally good standards in both CDC and SNC. However some long term sickness absence in the small team in SNC is making maintaining standards challenging	★
<b>JBP1.1.3 Tackle Environmental Crime</b>	Cllr D Bambridge Cllr D Pickford	Kane, Graeme Potter, Ed	Plans are on target for fly tipping investigation & litter patrols.	Developing plans for raising awareness about disposing of waste responsibly	★	Campaign launched in CDC to encourage shops, offices, pubs and other establishments to discourage staff and customers from discarding cigarette ends outside their premises.	★
<b>JBP1.1.4 Reduce Our Carbon Footprint and Protect the Natural Environment</b>	Cllr D Bambridge Cllr D Pickford	Carr, Jane Riley, Nicola Webb, Richard	Training for a new vehicle telematics system within our waste/recycling service has taken place which aims to improve driver performance and is expected to reduce fuel consumption by 8%.	Air quality Monitoring continues in Horsefair and Hennef Way, Banbury, Kings End in Bicester and Towcester town centre. Four electric street cleaning vans have been ordered to replace petrol/diesel vehicles (due for delivery in September).	★	An update on the Air Quality Management Plans was presented to the Overview and Scrutiny Committee in July. This presentation was supported by Oxfordshire County Council to reflect the partnership approach required to air quality management.	★
<b>JBP1.1.5 Mitigate the Effects of HS2</b>	Cllr C Clarke Cllr S Clarke	Feehily, Paul Newton, Jim	At Planning Forum meeting in July HS2 announced programme for design of main works would be extended.	Submission of Schedule 17 applications for approval of details for Chipping Warden Relief Road scheme anticipated.	★	Hs2 Ltd have extended the period for contractors to submit the design solutions for main railway works to early 2019.	★

Joint Programme Measures -Protected, Green and Clean

Measure	Portfolio Holder	Director/Lead Officer	Last Milestone	Next Milestone	Status	Commentary	YTD
<p><b>JBP1.1.6 Maintain the District as a Low Crime Area</b></p> <p>Page 67</p>	<p>Cllr A McHugh Cllr K Cooper</p>	<p>Carr, Jane Kane, Graeme Riley, Nicola Webb, Richard</p>	<p>Following a team review of Community Safety and the Partnership, we have revised action plans based around demand, data and case management to support partners in addressing crime and community safety concerns. These will be presented at the Community Safety Partnership meetings in September 2018. These plans will also align with County plans.</p>	<p>All community safety and safeguarding activity to have a clear action plan, ensuring a consistent approach to managing crime and community safety issues. Due September 2018.</p>	<p>★</p>	<p>Crime in both District areas remains above the comparison from this time last year; this is in line with the national trend where crime has increased. However both District areas increase is below the national average. Main increases are violence and public disorder in both Districts, this is likely due to the sustained warm weather where these crimes do increase, and also some links to key games during the Football World Cup.</p>	<p>★</p>
			<p>Drug offences have also increased in both districts and this is due to a local shift of stop and search in Cherwell and the Multi Agency Police led Op Viper across the county in Northamptonshire.</p> <p>Positive steps have been achieved in both shoplifting and burglary in Cherwell which has been a partnership focus and successful working with partners particularly retail in Bicester from the Community Safety Team.</p>	<p>Domestic Incidents has seen an increase in South Northants and this is the outcome from a number of successful community safety led initiatives locally in the last 6 months to raise awareness of the wider definition of Domestic Abuse. The Action Plan is now being revised to reflect next steps.</p> <p>Moving forward we will be looking at a trigger plan with partners as to how we can raise awareness and reduce these crime areas with proactive messaging and engagement.</p>			

Joint Programme Measures -Protected, Green and Clean

Measure	Portfolio Holder	Director/Lead Officer	Last Milestone	Next Milestone	Status	Commentary	YTD
<b>JBP1.1.7 Protect the Built Heritage</b>	Cllr C Clarke Cllr R Clarke	Feehily, Paul Mitchell, Clare Newton, Jim	Research for heritage and conservation area reviews. Refocusing Heritage at Risk Strategy Ongoing input to major development sites and Ongoing input to strategic infrastructure projects including E-W rail and HS2.	The heritage and conservation area reviews are underway for Piddington and Heldon at SNC, Stratton Audley, Somerton and Duns Tew at CDC The Heritage at Risk strategy at SNC is ongoing. The Conservation Team supports the Development Management team on development proposals with heritage impact. This includes major development at the former RAF Bicester and RAF Upper Heyford.	★	-The heritage reviews for Piddington and Heldon should be complete in September 2018 -The conservation area reviews for Stratton Audley, Somerton and Duns Tew should be complete in November 2018 -Work continues to achieve appropriate conservation and/or re-use of historic buildings and structures currently identified as at risk. 50 buildings / sites have been contacted to undertake surveys as part of the Heritage at Risk Strategy. We anticipate that Heritage at Risk survey work for the remaining identified buildings and structures will be completed by November / December this year. -Conservation support for major projects at the former RAF Bicester and RAF Upper Heyford sites will continue as required. Work continues in providing heritage advice to HS2 and E-W Rail developments. The Conservation Team continues to provide heritage input on major infrastructure projects including E-W rail and HS2.	★

**Joint Programme Measures - Thriving Communities & Wellbeing**

Measure	Portfolio Holder	Director/Lead Officer	Last Milestone	Next Milestone	Status	Commentary	YTD
<b>JBP2.1.1 Provide &amp; Support Health &amp; Wellbeing</b>	Cllr A McHugh Cllr C Clarke Cllr K Cooper Cllr T Ilott	Carr, Jane Colwell, Adrian Riley, Nicola Rowe, Rosie	SNC - formal signing of Armed Forces Community Covenant  CDC & SNC - Completed desktop research project to identify potential participants for 'Wellbeing Map' of community activities.	CDC: Social Prescribing - Development of detailed KPIs and Memo of Understanding with Citizens Advice. Armed Forces Covenant - Confirm council commitments and formally sign covenant  SNC: Social Prescribing - pursue development of countywide SP framework with NCC Public health  Both Districts: Launched online social activity maps	★	CDC - Work on going to develop Social Prescribing (SP) scheme in partnership with Citizens Advice North Oxfordshire and Oxfordshire Clinical Commissioning Group.  Across both districts we are currently developing online 'Wellbeing Maps' which will be a visual directory of affordable group activities available that promote wellbeing.	★
<b>JBP2.1.2 Provide enhanced leisure facilities</b>	Cllr G Reynolds Cllr K Cooper	Bolton, Sharon Carr, Jane	Summer Holiday Activity Hubs commenced towards the end of July in Towcester, Bicester, Brackley, Banbury and Bloxham.  Athletics Event held at North Oxfordshire Academy on Saturday 21st July in partnership with Banbury Harriers as part of fixtures schedule.	Opening of Brackley Swimming Pool in September 2018.  Completion of Performance Hall Floors at Cooper Sports Facility in August 2018	★	Works continue to progress in line with the current programme as part of the re-development of Brackley Leisure Centre. it is intended that the facility will be fully opened including both swimming pools on Monday 17th September. Works are also scheduled to take place in the Car Park as part of the programme of works over the next few weeks.  Works are progressing in line with the programme regarding the replacement of the Performance Hall Floor at the Cooper Sports Facility  Quotations have now been received for upgrading of the Lighting to the Artificial Turf Pitch at the Cooper Sports Facility. LED lighting will replace the current Metal Halide Lamps.  Works to the dryside toilets at Towcester Centre for Leisure are due to commence on Monday 6 <sup>th</sup> August and continue for 3 weeks. All mirrors, cubicles, sanitary ware etc. are due to be replaced as part of the upgrade.	★

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**Joint Programme Measures - Thriving Communities & Wellbeing**

Measure	Portfolio Holder	Director/Lead Officer	Last Milestone	Next Milestone	Status	Commentary	YTD
<b>JBP2.1.3 Provide support to the voluntary sector</b>	Cllr A McHugh Cllr K Cooper	Carr, Jane Riley, Nicola	<p>CDC - Age Friendly Banbury Consultation launched. Little Lunch initiative promotion - Packs available live on website Play:Full Initiative launched in Brighter Future wards. West Bicester Community Centre - Handed over to new association</p> <p>Play Bin initiative - Soft launch across both CDC/SNC. Focus on securing additional drivers for Towcester Area Door to Door (TADD) volunteer driver service. Successful delivery of grant aid following the early July Grants panel at SNC.</p>	<p>CDC - Cherwell Community Lottery -Submit Gambling Commission license application; develop marketing materials and recruitment plan.</p> <p>SNC - Assess community bus grant application.</p> <p>Voluntary organisations training programme set for the next 6 months. Feedback from voluntary organisations and groups, themes include 'Funding advice with Big Lottery and Business Development for groups'.</p>	★	<p>The 4 Connecting Community events were delivered in Towcester/Brackley/Banbury &amp; Bicester with a theme of 'What's on for young people and how families can engage in opportunities locally to them?'</p> <p>Play Bin Initiative - uses one of the Councils recycle bins filled with fun engaging activities that have been created to promote messages around health &amp; wellbeing and recycling. The bins will be loaned to schools, community centres and youth clubs to use in their community.</p> <p>Play:Full initiative is to tackle "holiday hunger" agenda of young people being fed during the school holiday periods. Voluntary organisations and youth groups running activities this summer in Brighter Future wards in Banbury are being supported and encouraged to provide healthy lunches and snacks at all sessions and sign up to a Play:Full pledge to sustain this in the future.</p> <p>Play Day Banbury - 4,800 people attended seeing local voluntary organisations and groups delivering opportunities and support to young people.</p> <p>West Bicester Community Centre - The Community Development team have supported the new association to roll out a full programme of activities and opportunities for all ages.</p>	★
<b>JBP2.1.4 Enhance community resilience as part of emergency planning</b>	Cllr A McHugh Cllr D Bambridge	Carr, Jane Kane, Graeme Riley, Nicola Webb, Richard	<p>Identifying learning from the Silverstone F1 and prepare for the Silverstone Moto GP in August.</p> <p>Continue to ensure both authorities are represented at multi-agency meetings and exercises, and share advice to members of the public.</p>	<p>Identify any learning from the Silverstone Moto GP.</p> <p>Strengthen arrangements for setting up and managing a District Emergency Control Centre.</p>	★	<p>Work has continued to prepare for the Silverstone Moto GP by working with partner agencies and Silverstone Circuits Ltd to prepare for all eventualities. Relevant officers are assigned to duty shifts during the weekend to ensure we can respond to any emergencies that may occur.</p> <p>Out of hours arrangements for emergencies are being strengthened with a senior officer on duty at all times throughout the year.</p> <p>Key messages regarding heat waves, flooding and drought are being shared between partner agencies and with the public to reduce the impact of these extreme events.</p>	★
<b>JBP2.1.5 Prevent homelessness</b>	Cllr J Donaldson Cllr K Cooper	Carr, Jane Douglas, Gillian	<p>At CDC an Accommodation officer and Senior Housing Officer has now been recruited and should commence employment in August.</p>	<p>Recruitment to one of the Team Leader posts at Cherwell is underway. Now new Homelessness Strategies have been adopted at both councils the teams will start to implement the action plans. Updates on specific actions/projects will be provided on a monthly basis.</p>	★	<p>New Homelessness Strategies at South Northants and Cherwell District Councils were adopted by Cabinet/Executive. Frontline homelessness staff has spent considerable time collating monitoring data to submit the first H-CLIC statutory performance return under the Homelessness Reduction Act by 31 July. This data has shown that since 3rd April 2018:</p> <p><i>South Northants Council has assisted 86 households who are homeless or threatened with homelessness Cherwell District Council has assisted 154 households who are homeless or threatened with homelessness</i></p> <p>The first CDC Homelessness Prevention Network meeting was held on 24/07/18, it was well attended with 14 partners represented from statutory, voluntary and housing association sectors.</p>	★



**Joint Programme Measures - Thriving Communities & Wellbeing**

Measure	Portfolio Holder	Director/Lead Officer	Last Milestone	Next Milestone	Status	Commentary	YTD
<b>JBP2.1.6 Safeguard the vulnerable</b>	Cllr A McHugh Cllr K Cooper	Carr, Jane Riley, Nicola	SNC - Successful 'cut it out' campaign promoting disclosure of domestic violence through hairdressers and barbers during the world cup campaign.  CDC - Protective behaviours (NSPCC) training completed through Banbury primary partnership schools.	Comprehensive mapping of diversionary activities for young people to aid in the disruption of exploitation.	★	Both SNC & CDC are working with statutory and voluntary sector partners to prepare bids to submit to central government (MHCLG) to try to secure additional funding for domestic abuse services in Northamptonshire & Oxfordshire.  CDC passed a motion at Full Council to extend their action with regard to modern day slavery & procurement.	★
<b>JBP2.1.7 Deliver affordable housing and work with private sector landlords</b>	Cllr C Clarke Cllr J Donaldson Cllr K Cooper Cllr R Clarke	Carr, Jane Douglas, Gillian	July figures for SNC: 28 completions, comprising 19 affordable rent and 9 shared ownership.	In SNC 41 new units were delivered in Quarter 1 so the total to end of July is 85. We are on track to meet the annual Strategic Housing Market Assessment target for the year which is 173-182.	★	174 new units were delivered in Q1 and therefore we are currently ahead of target to meet the annual SHMA target. The tenure split for quarter 1 was 147 affordable rent and 27 shared ownership. Progress on delivery is good with an estimated end of year outturn being 189 units of affordable housing in SNC.	★
<b>JBP2.1.8 Deliver the welfare reform agenda</b>	Cllr J Donaldson Cllr K Cooper Cllr P Rawlinson Cllr T Ilott	Douglas, Gillian Green, Belinda Taylor, Adele	We continue to monitor the impact of Universal Credit Full Service In Cherwell. Discretionary Housing Payments continue to support those people impacted by the wider welfare reform.	Universal Credit Full Service goes live in the South Northants district in December 2018. A project team will be formed in September 2018 to deliver a plan to support and prepare residents, partners and landlords for the change.	★	We continue to support residents and partners who are affected by the Welfare Reform agenda. This support includes working with Credit Union and our DWP partners as well as our own debt and money advice team.	★

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**Joint Programme Measures - District of Opportunity & Growth**

Measure	Portfolio Holder	Director/Lead Officer	Last Milestone	Next Milestone	Status	Commentary	YTD	
<b>JBP3.1.1 Deliver innovative and effective housing schemes</b>	Cllr J Donaldson Cllr K Cooper	Carr, Jane Colwell, Adrian Douglas, Gillian	No properties due from Build! this month. The SNC local development company (LDC) submitted a pre-planning application for the first site in the LDC's development programme to SNC as planning authority for comment. We are still awaiting comments from the local planning authority. Hook Norton Low Carbon is continuing to work with the Strategic Housing Team and Build! to develop proposals for a low carbon community led development.	SNC local development company is still waiting to receive comments from the planning authority via the pre-planning application process; these are expected in early August. Once these have been received a detailed financial viability appraisal for the site will be completed.	★	The pre-planning application for the first site in SNC's local development company development programme has been submitted to the planning authority. We are still awaiting comments from the planning authority, these are expected back in early August these will inform the next stages of the project.	★	
Page 72	<b>JBP3.1.2 Increase Tourism</b>	Cllr L Pratt Cllr S Clarke	Colwell, Adrian Newman, Steven Ward, Greg	SNC - USAF Croughton meeting with airbase liaison staff undertaken and SNC Tourism publications delivered.  CDC - Projects - assisting the Bicester Town Centre Discovery Walk, HLF Dovecote Project, developing a new Cherwell Visitor Guide. Contract management of Banbury and Bicester Visitor Information centres and destination management partnership - provided information and marketing services. Events - Reviewed Bicester Festival: lessons learned for 2019.	SNC - Town Centre Tourism Board refreshes. country Pursuits for all seasons Design and content RDPE Bid for Watermeadows funding (Tourism Infrastructure) - Full Application project work (deadline September 2018)  CDC - Projects - Produce new Cherwell Visitor Guide. Install new information boards in Banbury (town centre) and Bicester (Crown Walk). Submit HLF Dovecote bid in August. Contract management - commission economic impact assessment of the volume and value of tourism for Cherwell. Review VIC Service Level Agreements.	★	SNC - Confirmed attendance as exhibitor at Northampton Winter Food Festival. Latest SNC Economic Growth Team publication 'Country Pursuits for all seasons' project management; refurbishment underway of the Brackley and Towcester Tourism signage (eight tourism boards in total) to coincide with the Towcester A5 Roadworks. Liaison with USAF Croughton to promote the district to service personnel and their families. RDPE Watermeadows funding bid - members of the SNC EG team attended the Rural payments Agency funding workshop  CDC - Reviewed 9 grant applications for rural tourism development EU funding. Reviewed the Flywheel event held at Bicester Heritage - 14,000 visitors, several hundred participants (drivers, pilots etc.) and 62 exhibitors over the two days. Team meeting with Bicester Heritage to further develop partnership. Membership and day-to-day liaison with Experience Oxfordshire to promote Cherwell's visitor economy, enabling business involvement. Support provided for the development of new hotel accommodation. Advice provided to planning on marina proposal.	★

Joint Programme Measures - District of Opportunity & Growth

Measure	Portfolio Holder	Director/Lead Officer	Last Milestone	Next Milestone	Status	Commentary	YTD
<p><b>JBP3.1.3 Deliver the masterplans for the key economic centres</b></p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 73</p>	<p>Clr C Clarke Clr R Clarke</p>	<p>Newman, Steven Ward, Greg</p>	<p><b>SNC - Silverstone:</b> Delivery and attendance at two Events. <b>Brackley:</b> Town Football Club Special Event planning completed. <b>Towcester:</b> Inception and first weekly meeting held between SNC Economic Growth and Highways England.</p> <p><b>CDC - Banbury:</b> Job Fair held on 14 July (98 job seekers/ career changers, 13 support services and 10 exhibiting employers recruiting for over 150 vacancies. Job seeker satisfaction rating of 91% with exhibitor rating of 3.8 out of 5.0 (reflecting limited labour supply).</p> <p><b>Bicester:</b> Attended Bicester Business meeting to support the 'See Bicester' campaign and promote services such as the on-line business directory to encourage local purchasing. <b>Kidlington:</b> Attended Kidlington Voice business meeting to announce our services engaging with businesses and the MP.</p>	<p><b>SNC - Silverstone</b> Project planning with Total Sim for involvement with the Silverstone Cycle Hub funding bid. <b>Brackley:</b> Delivery of the SNC Civic Celebration Dinner on 1 August in recognition of Brackley Town Football Clubs historic win at Wembley. <b>Towcester:</b> Working with Highways England and Forkes, focussing on ensuring businesses in the Town Centre are affected as minimally as possible. <b>CDC - Banbury:</b> Develop a Job Fair for town traders by October (to assist Christmas recruitment). Lead Brighter Futures projects around skills and employability support. Produce work experience directory to link schools with employers (extend to rest of district). Collaborate with Housing Association to provide support to residents to gain employment. <b>Bicester</b> - Lead a partnership skills and employment event to be held on 19 Sept. Support Electric Vehicle event on 14 Sept. <b>Kidlington</b> - Liaise further with local businesses to offer support services.</p>	<p>★</p>	<p><b>SNC - Silverstone</b> – Exhibitor at the MIA Force India Business Conference and MIA Business Friday Events (lead in to the Formula 1 British Grand Prix) <b>Brackley</b> – Liaison with Brackley businesses and network organisations to review the current vacant units in the Town and discuss future opportunities to deliver elements of the Brackley Masterplan. <b>Towcester</b> – Liaison with Highways England and agents Forkers Ltd to ensure that the development of Towcester is not impacted and normal business operations are as mitigated during the 17 week Roadworks in Towcester. This work has included SNC internal service areas including Waste and Recycling, Communications, Customer Contact Centre and Councillors.</p> <p><b>CDC - Banbury</b> - On-going engagement with the Castle Quay redevelopment plans to ensure that the needs of businesses are understood and met during the 2 year construction. Further support to the manager and Board of the new Business Improvement District to enable it to flourish.</p> <p>Engagement with local schools, for example through Young Enterprise Board and hosting a work experience student. On 12 July, presented an overview of the local economy to Banbury Chamber to ensure that local businesses are aware of the evidence and research compiled to assist businesses with their planning and development. Met the 'In Bloom' competition judges to explain the role of CDC in promoting town vitality. Bicester - Support to a range of event and investment activity in the town centre to promote vitality. Liaison with traders to resolve operational matters. Kidlington - Liaison with key businesses and developers to assist investment and operations.</p>	<p>★</p>

Joint Programme Measures - District of Opportunity & Growth

Measure	Portfolio Holder	Director/Lead Officer	Last Milestone	Next Milestone	Status	Commentary	YTD
<p><b>JBP3.1.4 Increase employment at strategic employment sites, promote investments &amp; business growth</b></p> <p>Page 74</p>	Cllr L Pratt Cllr S Clarke	Colwell, Adrian Newman, Steven Ward, Greg	<p>SNC - Job Club/Job Match target for monthly number of jobseekers directly supported back to work achieved. Business Support - 23 1:1 support advice and guidance sessions delivered to local businesses.</p> <p>CDC - Job Clubs - Weekly sessions ceased at end of July and new 5 day a week signposting service introduced progressing well alongside new Job Seeker guide (over 1,000 copies being distributed) and website updated.</p> <p>Attended the Local Industrial Strategy events for business held by both SEMLEP and OxLEP to ensure that the needs of the economy are recognised and planned for.</p>	<p>SNC - Complete distribution of the new Inward Investment leaflet. Innovation and Investment Conference project plan work to continue during August (target 200 businesses to attend event).</p> <p>CDC -New industrial units in Bicester and Banbury are under development enquires and support to be provided to new occupiers. Produce new Investment Guide by Sept.</p> <p>Renew business database to provide foundation for local business intelligence. Review the existing Cherwell Investment Partnership website. Job Clubs review progress with new service. Assist the review of small employment sites prior to Local Plan Part 2 (ensuring needs of SMEs are met). Enable the extension of enterprise support services by Oct. Launch new Invest North Oxfordshire website in Sept.</p>	★	<p>SNC - Business Incubator Feasibility Study now at Final Draft stage. SNC Job Club – 4 Job Club members found employment as a result of intervention. The redundancy support programme for direct legal Collections in Brackley has concluded. Economic Growth Team is currently auditing the number of staff who was supported into employment due to the Programme.</p> <p>Business Support Advice – A total of 23 1:1 Support, Advice and Guidance meetings with businesses were held, six businesses Start-up, nine established businesses, and eight meetings through the SNC Enterprise Club (Towcester and Brackley). New Inward Investment Leaflet distributed to owners and tenants of the district's 66 Business parks and displayed at key locations including agents, Silverstone Innovation Centre and Silverstone Circuits Ltd. As well as through delegate packs at the two MIA Events held at Silverstone in July. SNC Innovation and Investment Conference (formerly Open for Business) project planning on track for the September 19 event at The Wing, Silverstone (current businesses booked on Conference is 90 against a target of 200).</p> <p>CDC - Co-operation with developers over many years resulted in the attraction of Rinkit to Unit 8 Chalker Way, Banbury. This is likely to create 90 jobs and follows the support provided to TVS in the adjacent Unit 7. High satisfaction received from Bentley Designs, Bicester following a Cherwell Job Fair that helped the inward investor to fill all vacant positions and to settle other staff into the town. Support and guidance in the development of design guidelines to ensure that large industrial buildings avoid becoming eye-sores whilst maximising their potential of representing leading employers in a positive light and reducing energy use without adding to development costs.</p>	★

**Joint Programme Measures - District of Opportunity & Growth**

Measure	Portfolio Holder	Director/Lead Officer	Last Milestone	Next Milestone	Status	Commentary	YTD
<p><b>JBP3.1.5 Delivery against Local Plans for CDC &amp; SNC</b></p> <p align="center">Page 75</p>	<p>Cllr C Clarke Cllr R Clarke</p>	<p>Bowe, Andrew Colwell, Adrian Darcy, Andy Newton, Jim Peckford, David</p>	<p>CDC - A programme of infrastructure projects are progressing to support the delivery of the adopted Cherwell Local Plan in Bicester, Banbury and elsewhere in the District.</p>	<p>Hearing dates to be confirmed by the Planning Inspector.</p>	<p>★</p>	<p>CDC - The Partial Review Local Plan was submitted to PINs (Planning Inspectorate) for Examination on 5 March 2018. We are still awaiting the dates for the public hearings, but the process of Examination is on-going. The programme for examination is overseen by the Planning Inspectorate not the Council.</p> <p>The programme for the next Local Plan is under review having regard to the revised National Planning Policy Framework (published 24 July 2018) and the on-going scoping for the countywide Joint Statutory Spatial Plan.</p>	<p>★</p>
			<p>SNC - the Towcester Relief Road detailed design is being considered by developers together with exploring the options for accelerating its delivery and securing the funding required to bring forward the construction programme. Improvements to the Oxford Road/ A43 Roundabout in Brackley have been completed.</p>				

**Joint KPIs - Protected, Green and Clean**

Measure	Council	Portfolio Holder	Director/Lead Officer	Result	Target	Status	Commentary	YTD Result	YTD Target	YTD
<b>JBP1.2.1C % Waste Recycled &amp; Composted</b>	CDC	Cllr D Pickford	Kane, Graeme Potter, Ed	53.40%	58.48%	●	There is a slight decrease on previous year due to extremely dry conditions resulting in less garden waste.	58.22%	59.46%	●
<b>JBP1.2.1S % Waste Recycled &amp; Composted</b>	SNC	Cllr D Bambridge	Kane, Graeme Potter, Ed	60.84%	64.74%	●	There is a slight decrease on previous year due to extremely dry conditions resulting in less garden waste.	64.92%	65.48%	●

**Joint KPIs - Thriving Communities & Wellbeing**

Measure	Council	Portfolio Holder	Director/Lead Officer	Result	Target	Status	Commentary	YTD Result	YTD Target	YTD
<b>JBP2.2.1C Number of households living in Temporary Accommodation (TA)</b>	CDC	Cllr J Donaldson	Carr, Jane Douglas, Gillian	25.00	43.00	★	The focus on prevention and relief of homelessness as well as the close management of temporary accommodation had reduced the number of households in temporary accommodation this month and remaining well within target.	25.00	43.00	★
<b>JBP2.2.1S Number of households living in Temporary Accommodation (TA)</b>	SNC	Cllr K Cooper	Carr, Jane Douglas, Gillian	19.00	25.00	★	TA figures have stayed constant as the officers will work with Landlords to keep people in their own properties until a lease property becomes available, rather than place them in B&B. SNH have started to move people along to their nominated properties.	19.00	25.00	★
<b>JBP2.2.2C Average time taken to process Housing Benefit new claims</b>	CDC	Cllr T Ilott	Green, Belinda Taylor, Adele	11.18	15.00	★	The average time taken to assess new claims for Housing Benefit for July 2018 was 11 calendar days. This is against a target of 15 calendar days. The national average for time taken to assess new claims is 22 calendar days. Performance continues to be good.	12.45	15.00	★
<b>JBP2.2.2S Average time taken to process Housing Benefit new claims</b>	SNC	Cllr P Rawlinson	Green, Belinda Taylor, Adele	8.49	15.00	★	The average time taken to assess a new claim for Housing Benefit was 8.49 calendar days in July 2018. This is against a target of 15 days. Performance continues to be very good and better than the national average of 22 calendar days.	8.60	15.00	★
<b>JBP2.2.3C Average time taken to process Housing Benefit change events</b>	CDC	Cllr T Ilott	Green, Belinda Taylor, Adele	14.45	8.00	▲	The average time taken to assess change events in July 2018 was 14.46 calendar days compared to 10.5 days in June 2018. This is against a target of 8 days.  There are a number of factors affecting performance. The major impact has been increasing number of data files received from the Department for Work and Pensions that require assessment. We have introduced a new work plan to target some of the older outstanding claims which had had an impact on the overall time taken but we expect performance to return to normal levels for August 2018.	8.38	8.00	●
<b>JBP2.2.3S Average time taken process Housing Benefit change events</b>	SNC	Cllr P Rawlinson	Green, Belinda Taylor, Adele	4.64	8.00	★	The average time taken to assess change events for July 18 was 4.64 calendar days compared to 5.19 days in June 2018. This is against a target of 8 days and exceeds the national average of 8 days. Performance continues to be excellent.	4.40	8.00	★

<b>JBP2.2.5C Number of visits/usage of District Leisure Centres</b>	CDC	Cllr G Reynolds	Bolton, Sharon Carr, Jane	146,049	127,285	★	<p>As a straight comparison against last year the usage figures for the Leisure Facilities are in line with those in July 2017. When Stratfield Brake and Whiteland's Farm Sports Ground are added this then indicates a circa 9,000 increase.</p> <p>On a facility by facility basis Spiceball Leisure Centre and Bicester Leisure Centre are both down by circa 3,500 on July 2017; however Woodgreen Leisure Centre has shown a significant increase of circa 7,000 due to the Outdoor Pool. Both Cooper and NOA are showing a marginal increase.</p>	566,648	509,140	★
<b>JBP2.2.5S Number of Visits/Usage of District Leisure Centres</b>	SNC	Cllr K Cooper	Bolton, Sharon Carr, Jane	63,654	60,404	★	<p>Against the same period last year the throughputs at the SNC Leisure Facilities combined were 63,654 up on around 3,500 in comparison to July 2017. Generally this is made up of an increase of over 3,500 at TCfL. Both Brackley Facilities were generally in line with last year. Brackley LC 400 up and Brackley Pool 200 down</p>	262,273	241,616	★
<b>JBP2.2.6C % of Council Tax collected, increasing Council Tax base</b>	CDC	Cllr T Ilott	Green, Belinda Taylor, Adele	9.26%	9.50%	●	<p>We are slightly below target both in-month and cumulatively for July. This is due in part to the growth in the Cherwell District and the number of new builds coming on-stream for billing as the Valuation Officer assesses them. This results in back billing for customers which can skew the usual installment profiles. However the incoming work is now being processed in fewer days which will assist with the collection of Council Tax. More active recovery will continue in future months which will also increase collection.</p>	38.59%	39.50%	●
<b>JBP2.2.6S % of Council Tax collected, increasing Council Tax Base</b>	SNC	Cllr P Rawlinson	Green, Belinda Taylor, Adele	9.42%	9.00%	★	<p>We have achieved our monthly and cumulative targets for July 2018. We are now over 1.3% ahead of our cumulative target. plans are in place to process the outstanding work in a more timely way which will have a positive impact on the collection rates.</p>	40.38%	39.00%	★
<b>JBP2.2.7C % of Business Rates collected, increasing NNDR base</b>	CDC	Cllr T Ilott	Green, Belinda Taylor, Adele	9.39%	9.00%	★	<p>We have achieved both the monthly and cumulative target for July. The first summons run took place on 11.7.2018 and court took place for NNDR on 31.7.2018 which has prompted payment. We are processing work quicker which also assists with collection rates.</p>	40.17%	40.00%	★
<b>JBP2.2.7S % of Business Rates collected, increasing NNDR base</b>	SNC	Cllr P Rawlinson	Green, Belinda Taylor, Adele	8.04%	9.00%	▲	<p>We are slightly under our monthly target at a collection rate of 37.82% against a target of 39%. The shortfall equates to £295k of the almost £25m we are aiming to collect.</p> <p>We will closely monitor collection rates throughout August and have a plan in place to analyse outstanding arrears and to refocus resources to process documents in a timely way which will have a positive impact on collection rates.</p>	37.82%	39.00%	●



**Joint KPIs - District of Opportunity & Growth**

Measure	Council	Portfolio Holder	Director/Lead Officer	Result	Target	Status	Commentary	YTD Result	YTD Target	YTD
+ JBP3.2.1C % Major planning applications processed within 13 weeks	CDC	Cllr C Clarke	Colwell, Adrian Newton, Jim Seckington, Paul	75%	60%	★	12 Major Planning Applications were determined during July. 9 of them were determined within the target period or agreed time frame. As such, our target of determining more than 60% of Major Applications within time has been met.	86%	60%	★
+ JBP3.2.1S % Major planning applications processed within 13 weeks	SNC	Cllr R Clarke	Colwell, Adrian Newton, Jim Seckington, Paul	50%	60%	▲	2 Major Planning Applications were determined during July and 1 was determined within target period. As such, 50% of Major Applications were Determined within time against a target of 60%. Where the volume of applications is low per month, the target of determining over 60% within the target period can be vulnerable to failure. The quarterly trend however (Q1 April to June) is running at 100% determined within target time, so it is anticipated that this result for July is no more than a temporary setback.	88%	60%	★
+ JBP3.2.2C % Non Major planning appeal decisions allowed	CDC	Cllr C Clarke	Colwell, Adrian Newton, Jim Seckington, Paul	2%	10%	★	124 Non-Major applications were determined during July and 2 Non-Major Appeals were allowed by the Planning Inspectorate. Therefore we are achieving our target of less than 10% of Non-Major Planning Appeals allowed.	1%	10%	★
+ JBP3.2.2S Non major planning appeal decision allowed	SNC	Cllr R Clarke	Colwell, Adrian Newton, Jim Seckington, Paul	1%	10%	★	93 Non-Major applications were determined during July and 1 Non-Major Appeal was allowed by the Planning Inspectorate. Therefore we are achieving our target of less than 10 % of Non-Major Planning Appeals allowed.	1%	10%	★
JBP3.2.3C % Planning enforcement appeal decisions allowed	CDC	Cllr C Clarke	Colwell, Adrian Newton, Jim Seckington, Paul	0%	10%	★	No Enforcement Appeals were determined during July.	0%	10%	★
JBP3.2.3S % Planning enforcement appeal decisions allowed	SNC	Cllr R Clarke	Colwell, Adrian Newton, Jim Seckington, Paul	0%	10%	★	No Enforcement Appeals were determined during July.	1%	10%	★
+ JBP3.2.4C % of non-major applications processed within 8 weeks	CDC	Cllr C Clarke	Colwell, Adrian Newton, Jim Seckington, Paul	89%	70%	★	124 Non-Major planning applications were determined during July, 110 were determined within the target period or agreed timeframe. Therefore the target of determining more than 70% of Non-Major Applications within the period has been met.	88%	70%	★
+ JBP3.2.4S % of non-major applications processed within 8 weeks	SNC	Cllr R Clarke	Colwell, Adrian Newton, Jim Seckington, Paul	87%	70%	★	93 Non-Major planning applications were determined during July and of those 81 were determined within the target or agreed time frame. Therefore the target of determining more than 70% within time has been met.	88%	70%	★
+ JBP3.2.6C Major planning appeal decisions allowed	CDC	Cllr C Clarke	Colwell, Adrian Newton, Jim	0.00	10.00	★	No Major Application Appeals were allowed by the Planning Inspectorate during July.	0.00	10.00	★
+ JBP3.2.6S Major planning appeal decisions allowed	SNC	Cllr R Clarke	Charlett, Jeremy Newton, Jim Seckington, Paul	0.00	10.00	★	No Major Application Appeals were allowed by the Planning Inspectorate during July.	0.00	10.00	★

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Appendix 3 – Cherwell District and South Northants Councils – Latest Leadership Risk Register as at 15/08/2018

Level of risk	How the risk should be managed
<b>High Risk</b> (16-25)	<b>Requires active management</b> to manage down and maintain the exposure at an acceptable level. Escalate upwards.
<b>Medium Risk</b> (10 -15)	<b>Contingency Plans</b> - a robust contingency plan may suffice together with early warning mechanisms to detect any deviation from the profile.
<b>Low Risk</b> (1 – 9)	<b>Good Housekeeping</b> - may require some risk mitigation to reduce the likelihood if this can be done cost effectively, but good housekeeping to ensure that the impact remains low should be adequate. Re-assess frequently to ensure conditions remain the same.

Risk Scorecard – Residual Risks						
		Probability				
		1 - Remote	2 - Unlikely	3 - Possible	4 - Probable	5 - Highly Probable
15/08/2018	5 - Catastrophic					
	4 - Major		L04, L11		L05	
	3 - Moderate			L01, L02, L03, L10, L12, L14	L06, L07, L08	L09, L13a, L13b
	2 - Minor					
	1 - Insignificant					

Risk Definition	
Leadership	Strategic risks that are significant in size and duration, and will impact on the reputation and performance of the Council as a whole, and in particular, on its ability to deliver on its corporate priorities
Operational	Risks to systems or processes that underpin the organisation’s governance, operation and ability to deliver services

Ref	Name and Description of risk	Potential Impact	Inherent (gross) risk level (no Controls)			Controls	Control assessment	Lead Member	Risk owner	Risk manager	Residual risk level (after existing controls)			Direct'n of travel	Mitigating actions (to address control issues)	Comments	Last updated
			Probability	Impact	Rating						Probability	Impact	Rating				
L01	<b>Financial resilience</b> – Failure to react to external financial shocks, new policy and increased service demand. Poor investment and asset management decisions.	<p>Reduced medium and long term financial viability</p> <p>Reduction in services to customers</p> <p>Continued reliance on central govt (RSG) and therefore reduced opportunity for independent decision making</p> <p>Reduced financial returns (or losses) on investments/assets</p> <p>Inability to deliver financial efficiencies</p> <p>Inability to deliver commercial objectives (increased income)</p> <p>Poor customer service and satisfaction</p> <p>Increased complexity in governance arrangements</p> <p>Lack of officer capacity to meet service demand</p>	4	4	16	<p>Medium Term Revenue Plan reported regularly to members.</p> <p>Efficiency plan in place and balanced medium term</p> <p>Highly professional, competent, qualified staff</p> <p>Good networks established locally, regionally and nationally</p> <p>National guidance interpreting legislation available and used regularly</p> <p>Members aware and are briefed regularly</p> <p>Participate in Northamptonshire Finance Officers and Oxfordshire Treasurers' Association's work streams</p> <p>Programme management approach being taken</p> <p>Treasury management policies in place</p> <p>Investment strategies in place</p> <p>Regular financial and performance monitoring in place</p> <p>Independent third party advisers in place</p> <p>Regular bulletins and advice received from advisers</p> <p>Property portfolio income monitored through financial management arrangements on a regular basis</p> <p>Asset Management Strategy in place and embedded.</p> <p>Transformation Programme in place to deliver efficiencies and increased income in the future</p>	<p>Fully effective</p> <p>Partially effective</p> <p>Not effective</p>	Councillor Tony Illot	Adele Taylor	Kelly Watson	3	3	9	↔	<p>AD Finance and Performance recruited. Overall Finance and Procurement resource being reviewed.</p> <p>Investment strategy approach agreed for 18/19 and all potential investments to now be taken through the working groups prior to formal sign off. Robust review and challenge of our investment options to be regularly undertaken through our usual monitoring processes.</p> <p>Timeliness and quality of budget monitoring particularly property income and capital to be improved. Project with Civica is ongoing.</p> <p>Asset Management Strategy to be reviewed and refreshed in the new year.</p> <p>Review of BUILD! to ensure procurement and capital monitoring arrangements are in place and development of forward programme.</p> <p>Finance support and engagement with programme management processes being established.</p> <p>Integration and development of Performance, Finance and Risk reporting during 18/19.</p> <p>Regular involvement and engagement with senior management across Counties as well as involvement in Regional and National finance forums.</p> <p>Regular member meetings, training and support in place and regularly reviewed.</p> <p>Financial support and capacity being developed during 18/19 through development programme.</p> <p>Regular utilisation of advisors.</p> <p>Internal Audits being undertaken for core financial activity and capital.</p>		10/08/18 - Reviewed and no changes
L02	<b>Statutory functions</b> – Failure to meet statutory obligations and policy and legislative changes are not anticipated or planned for.	<p>Legal challenge</p> <p>Loss of opportunity to influence national policy/legislation</p> <p>Financial penalties</p> <p>Reduced service to customers</p>	3	4	12	<p>Embedded system of legislation and policy tracking in place, with clear accountabilities, reviewed regularly by Directors</p> <p>Clear accountability for responding to consultations with defined process to ensure Member engagement</p> <p>National guidance interpreting legislation available and used regularly</p> <p>Risks and issues associated with Statutory functions incorporated into Directorate Risk Registers and regularly reviewed</p> <p>Clear accountability for horizon scanning, risk identification/categorisation/escalation and policy interpretation in place</p> <p>Robust Committee forward plans to allow member oversight of policy issues and risk management, including Scrutiny and Audit</p> <p>Internal Audit Plan risk based to provide necessary assurances</p> <p>Strong networks established locally, regionally and nationally to ensure influence on policy issues</p> <p>Senior Members aware and briefed regularly in 1:1s by Directors</p>	<p>Partially</p> <p>Fully</p> <p>Fully</p> <p>Partially</p> <p>Partially</p> <p>Partially</p> <p>Fully</p> <p>Partially</p>	Councillor Barry Wood	Yvonne Rees	Claire Taylor	3	3	9	↔	<p>Establish corporate repository and accountability for policy/legislative changes</p> <p>Review Directorate/Service risk registers</p> <p>Ensure Committee forward plans are reviewed regularly by senior officers</p> <p>Ensure Internal Audit plan focusses on key leadership risks</p> <p>Develop stakeholder map, with Director responsibility allocated for managing key relationships</p> <p>Standardise agendas for Director/PFH 1:1s</p> <p>New NPPF published 05/03/18 will guide revised approach to planning policy and development management.</p> <p>Allocate specific resource to support new projects/policies or statutory requirements e.g. GDPR</p>	<p>Service risk registers being reviewed as part of service planning.</p> <p>Internal Audit Plan aligned to Leadership Risk Register and agreed at Audit Committees in March.</p>	Risk reviewed 15/08/18
L03	<b>Lack of Management Capacity</b> - Increased workload relating to local government reorganisation and changes to joint working between SNC and CDC impact on the capacity of management.	<p>Financial impact due to use of agency staff, possible impact on customers and frontline service delivery if capacity risks are not managed.</p> <p>Inability to deliver council's plans</p> <p>Inability to realise commercial opportunities or efficiencies</p> <p>Reduced resilience and business continuity</p> <p>Reduced staff morale and uncertainty may lead to loss of good people</p>	3	4	12	<p>Use of interims / fixed term and project roles to support senior capacity as required.</p> <p>Arrangements in place to source appropriate interim resource if needed</p> <p>Delegations to Chief Exec agreed to ensure timely decisions</p> <p>HR/Specialist resource in place to support recruitment process and manage implications</p> <p>Ongoing programme of internal communication</p>	<p>Fully</p> <p>Fully</p> <p>Fully</p> <p>Fully</p> <p>Fully</p>	Councillor Barry Wood	Yvonne Rees	Claire Taylor	3	3	9	↔	<p>Risk review underway to consider the impact of local government reorganisation and changes to joint working arrangements between CDC and SNC. Measures will be developed as the project plans for re-organisation and the cessation of joint working. Project planning for separation to be completed by September 2018.</p> <p>AD HR/OD briefed and leading the process</p> <p>Communications to be delivered by CEO</p>	<p>All Director positions filled on either permanent or interim (pending permanent) basis. Induction and support for interims.</p> <p>Additional resource in place to support the Northants Local Govt Re-organisation project (LGR). Additional communications resource in place to support LGR work.</p> <p>Additional requirements to support LGR impacts on both SNC and CDC have resulted in the risk being slightly escalated to 9 for a second month.</p> <p>Regular comms being provided by CEX</p>	15/08/18 - No change

Ref	Name and Description of risk	Potential Impact	Inherent (gross) risk level (no Controls)			Controls	Control assessment	Lead Member	Risk owner	Risk manager	Residual risk level (after existing controls)			Direct'n of travel	Mitigating actions (to address control issues)	Comments	Last updated
			Probability	Impact	Rating						Probability	Impact	Rating				
L04	<b>CDC &amp; SNC Local Plans</b> - Failure to ensure sound local plans are submitted on time for each District.	Inappropriate growth in inappropriate places  Negative (or failure to optimise) economic, social, community and environmental gain  Negative impact on each council's ability to deliver its strategic objectives  Increased costs in planning appeals  Possible financial penalties through not delivering forecasted New Homes Bonus	3	5	15	Local Development Schemes are in place at each Council which detail the timeframes and deliverables to underpin the work  Resources are in place to support delivery including QC support for each Local Plan.  For issues which are solely within the control of SNC or CDC policies, plans and resources are in place Work is at Reg 19 on Cherwell Partial Review, preparing submission plan for Feb 2018 Work is advancing to Reg 19 stage On South Northants Local Plan part 2 on issues for reos. policies and development control policies. Statements of Community Involvement are in place.	Fully  Partially  Fully  Fully	Councillor Colin Clarke  Councillor Roger Clarke	Adrian Colwell	Andy Darcy (SNC)  David Peckford (CDC)	2	4	8	↔	Regular review meetings on progress and critical path review at each Council  Regular Portfolio briefings and political review  LDS updated as required  Additional evidence commissioned as required  Need to review resources at CDC to speed up Local Plan part 2.  Submission of the CDC partial review took place on 05/03/18.	• CDC –Dates are currently awaited for the Examination of the Partial Review. Preparation work continues to prepare for the Examination with Topic Papers. Initial work on Oxfordshire Joint Spatial Plan has commenced with workshop held in Didcot on 25th April 2018 to review key issues.  • SNC – Joint Core Strategy Review has commenced with preparation of proposed timetable, resources and scope underway. Work has commenced with Milton Keynes and Aylesbury for new Joint Spatial Framework to address impact of proposed growth of Milton Keynes on its neighbours. Next stage of Local Plan part 2 will be focused technical consultation on Local Green Space designations from Council meeting in May 2018, followed by Reg 19 full draft Local Plan consultation due to commence in July 2018. Aim remains to submit in December 2018.	Risk reviewed 30/07/18 - No change
L05	<b>Business Continuity</b> - Failure to ensure that critical services can be maintained in the event of an incident	Inability to deliver key services to customers/residents  Financial loss	4	4	16	Business continuity strategy in place  Services prioritised and recovery plans reflect the requirements of critical services  ICT disaster recovery arrangements in place  Incident management team identified in Business Continuity Strategy  All services undertake annual business impact assessments and update plans	Partially  Partially  Partially  Partially	Councillor Dermot Bambridge  Councillor Andrew McHugh	Graeme Kane	Richard Webb	4	4	16	↔	All individual service BC Plans recently updated  Corporate BC Plan to be reviewed  Testing to be programmed  BC solutions between both councils to be further developed  Corporate ownership and governance to sit at senior officer level  Draft Business Continuity Strategy and Policy completed to report and sign off at future senior officer meetings	There has been some delay in updating the business continuity plans owing to the departure of the Emergency Planning Officer. Additional resource has been identified and a plan has been developed to work with service teams to update their business continuity plans. The Leadership Team have recently agreed this plan and timescales for this work are now set for September and October. An officer Steering Gp has been established to oversee this work.	Risk reviewed 03/08/18 - Comments updated
L06	<b>Partnering</b> - Financial failure of a public sector partner organisation  Failure to build the necessary partnership relationships to deliver our strategic plan.  Failure to ensure the necessary governance of third party relationships (council businesses, partners, suppliers)	Potential reduction in service areas funded by the County Council resulting in an unplanned increase in demand on district functions leading to service difficulties.  Poor service delivery  Inability to deliver council's plans and outcomes for communities  Legal challenge  Financial loss  Inability to partner in the future  Reduced opportunity for inward investment in the future	4	4	16	Robust governance/contract management framework in place for key third party relationships  Robust governance/contract management framework in place for key third party relationships  Training and development of senior officers/members to fulfil their responsibilities with partner organisations  Leader and CEO engaging at National and county level to mitigate impacts of potential service reductions for residents Regular review and sharing of partnership activity/engagement at senior officer meetings	Partially  Partially  Partially  Partially	Councillor Barry Wood  Councillor Ian McCord	Jane Carr	Nicola Riley	4	3	12	↔	Review existing arrangements/ contracts to ensure appropriate governance  Standard agenda item at senior officer meetings  Continue Institute of Directors training for Officers and Members	Third party governance review underway. Cllr and Officer appointments to Council owned companies to be reviewed.  Impact of potential NCC cuts on this risk to be reviewed.	Risk reviewed 15/08/18
L07	<b>Emergency Planning (EP)</b> Failure to ensure that the local authority has plans in place to respond appropriately to a civil emergency fulfilling its duty as a category one responder	Inability of council to respond effectively to an emergency  Unnecessary hardship to residents and/or communities  Risk to human welfare and the environment  Legal challenge  Potential financial loss through compensation claims  Ineffective Cat 1 partnership relationships	4	4	16	Key contact lists updated monthly.  Dedicated Emergency Planning Officer in post to review, test and exercise plan and to establish, monitor and ensure all elements are covered Added resilience from cover between shared Public Protection Team as officers with appropriate skill Senior management attend Civil Emergency training  Twice yearly mock emergency exercises conducted to ensure readiness On-call rota established for Duty Emergency Response Co- coordinators  Full participation in LRF activities	Fully  Partially  Fully  Fully  Fully	Councillor Dermot Bambridge  Councillor Andrew McHughy	Graeme Kane	Graeme Kane	3	4	12	↔	Director for Environment is reviewing the Emergency Planning arrangements and forming relationships with key partners.  Both Councils have cover arrangements in place to account for the vacancy in the Emergency Planning post. New call out arrangements have been established.  Training for senior officers was completed in June; further training has been offered for September. Senior managers have attended multi-agency exercises. Through the Inter Agency Group, plans were implemented successfully for F1 and are in place for Moto GP in August.  Both authorities are represented at the Local Resilience Forum	Both authorities have active plans in place to ensure they are prepared for an emergency. These have recently been activated successfully. Further improvements are being made as a result of a review of these plans. Options are being explored to fill the vacant Emergency Planning post.	Risk reviewed 03/07/18 - Mitigating actions updated. No change in score.

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			Probability	Impact	Rating						Probability	Impact	Rating				
L08	<b>Health and safety</b> - Failure to comply with health and safety legislation, corporate H&S policies and corporate H&S landlord responsibilities	Fatality, serious injury & ill health to employees or members of the public  Criminal prosecution for failings  Financial loss due to compensation claims  Enforcement action – cost of regulator (HSE) time  Increased sickness absence  Increased agency costs  Reduction in capacity impacts service delivery	5	4	20	Robust Health & Safety policies and Corporate H&S arrangements in place as part of an Integrated H&S Management System  Clearly identified accountability and responsibilities for Health and Safety established at all levels throughout the organisation Corporate H&S Manager & H&S Officer in post to formalise the H&S Management System & provide competent H&S advice & assistance to managers & employees  Proactive monitoring of Health & Safety performance management internally  Proactive monitoring of Health & Safety performance management externally  Effective induction and training regime in place for all staff  Positive Health & Safety risk aware culture  Corporate Health & Safety meeting structure in place for co-ordination and consultation  Corporate body & Member overview of Health & Safety performance via appropriate committee  Assurance that third party organisations subscribe to and follow Council Health & Safety guidelines and are performance managed where required	Partially  Not effective  Fully  Partially  Fully  Partially  Fully  Fully  Partially	Councillor Lynn Pratt  Councillor Peter Rawlinson	Adele Taylor	Mark Willis	4	3	12	↔	Corporate H&S Policy being developed & finalised, which will then be implemented across the organisation to ensure that roles & responsibilities at all levels are discharged effectively. Policy developed following restructure, this will clearly identify accountability and responsibility for Health and Safety at all levels throughout the organisation. Update Corporate H&S arrangements which are out-of-date.  Directorate H&S Improvement Plans to be produced.  Recently approved Internal Audit plan for 18/19 includes an audit of our overall H&S management system and will commence in Quarter 1 with a follow up planned prior to the end of 18/19. The H&S team also conduct reviews internally across all services and teams, the current scope will be expanded from topic-based themes to cover all elements of our overall H&S management system to ensure compliance with our standards.  Management of H&S training programme to be developed and rolled out. Robust training already in place in Environmental Services Good awareness in higher risk areas of the business, e.g. Environmental Services. However other areas need improved awareness of risk assessment process. Reviews of leases and performance monitoring to be reviewed to satisfy the Councils providers/ contractors are managing significant risks.	Senior Officer Meeting receives quarterly updates from Corporate H&S Manager. Relevant updates taken to appropriate committee.	09/08/18 Comments updated
L09	<b>Cyber Security</b> - If there is insufficient security with regards to the data held and IT systems used by the councils and insufficient protection against malicious attacks on council's systems then there is a risk of: a data breach, a loss of service, or a ransom.	Service disruption  Financial loss / fine  Prosecution – penalties imposed  Individuals could be placed at risk of harm  Reduced capability to deliver customer facing services  Unlawful disclosure of sensitive information  Inability to share services or work with partners  Loss of reputation	4	5	20	File and Data encryption on computer devices  Managing access permissions and privileged users through AD and individual applications  Consistent approach to information and data management and security across the councils  Effective information management and security training and awareness programme for staff  Password security controls in place  Robust information and data related incident management procedures in place  Appropriate robust contractual arrangements in place with all third parties that supply systems or data processing services Appropriate plans in place to ensure ongoing PSN compliance  Adequate preventative measures in place to mitigate insider threat, including physical and system security  Insider threat mitigated through recruitment and line management processes	Fully  Fully  Partially  Partially  Fully  Partially  Fully  Partially  Partially	Councillor Ian Corkin  Councillor Phil Bignell	Claire Taylor	Tim Spiers	3	5	15	↔	We are working with a security company to review our cyber security status and achieve the cyber essentials + accreditation. A pre-audit report has been undertaken and we are addressing findings ahead of full review.  The IT service are addressing the areas identified and will be ready for full audit in September 2018. This is a delay but should not cause concern. Cyber-security was reviewed by Internal Audit in May 2017 and will be reviewed again during the current quarter. Meeting held with Internal Audit and review now confirmed for 23rd August.  HR also have actions to complete regarding recruitment and processes identified by Internal Audit. The IT Transformation Programme includes migrating server rooms to external an data centre which will increase physical security. As part of this work improved monitoring solutions will also be implemented. The data centre has successfully completed provisioning phase and good progress is being made with applications migration.  The Councils PSN certificate has been approved for the next 12 months as expected.	Cyber security incidents are inevitable. The only way to manage this risk is to have effective controls and mitigations in place including audit and review. Staff and member briefings covered phishing March 2018. We are now discussing wider awareness raising with Communications Team.	Risk reviewed 10/08/18 - Mitigating Actions and Comments Updated
L10	<b>Safeguarding the vulnerable (adults and children)</b> - Failure to follow our policies and procedures in relation to safeguarding vulnerable adults and children or raising concerns about their welfare	Increased harm and distress caused to vulnerable individuals and their families Council could face criminal prosecution Criminal investigations potentially compromised  Potential financial liability if council deemed to be negligent	3	4	12	Safeguarding lead in place and clear lines of responsibility established  Safeguarding Policy and procedures in place Information on the intranet on how to escalate a concern  Staff training - new whole staff shared approach being launched last year and mandatory training introduced Safer recruitment practices and DBS checks for staff with direct contact  Action plan developed by CSE Prevention group as part of the Community Safety Partnership Local Safeguarding Children's Board Northamptonshire (LSCBN) pathways and thresholds Data sharing agreement with other partners Attendance at Children and Young People Partnership Board (CYPPB) Annual Section 11 return compiled for each council Engagement with Joint Agency Tasking and Co-ordinating Group (JATAC) and relevant Oxfordshire County Council (OCC) safeguarding sub group  Engagement at an operational and tactical level with relevant external agencies and networks	Fully  Fully  Partially  Partially  Partially  Fully  Partially  Fully  Fully  Fully  Partially	Councillor Barry Wood  Councillor Ian McCord	Jane Carr	Nicola Riley	2	4	8	↔	Ongoing internal awareness campaigns  Ongoing external awareness campaigns Annual refresher and new training programmes including training for new members Training monitoring to be developed through new HR/Payroll system Continue to attend Child exploitation groups in both Counties	Continued focus in this area with ongoing programme of training and awareness raising.	06/08/18 - No change
L11	<b>Income Generation through council owned companies</b>	Through failure of governance or robust financial / business planning the councils fail to generate expected income.	3	4	12	Annual business planning  Financial planning  Corporate governance mechanisms  Due diligence Business casing	Partially  Partially  Partially  Partially Partially	Councillor Tony Illot  Councillor Peter Rawlinson	Adele Taylor	Kelly Watson	2	4	8	↔	Recruiting to support shareholder and client side capacity. Relevant training being provided. Resilience and support being developed across business to monitor and deliver projects. Skills and experience being enhanced to deliver and support development, challenge and oversight.	Resources in place. Relevant training being provided to support resource provision.	Risk reviewed 10/08/18 - No further changes

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			Probability	Impact	Rating						Probability	Impact	Rating				
L12	Financial sustainability of third party suppliers	The financial failure of a third party supplier results in the inability or reduced ability to deliver a service to customers.	3	4	12	Contracts in place to cover default. Business continuity planning	Partially Partially	Councillor Tony Illot Councillor Peter Rawlinson	Adele Taylor	Kelly Watson	2	4	8	↔	Meetings planned with suppliers to review higher risk areas. Risk recently escalated due to external environment whereby suppliers have financial difficulties which could result in loss of service. Meeting held with supplier of main Revs & Bens and other systems (Capita) to review recent share issue and potential financial mitigate their financial risks concerns. Reassurance given by suppliers about the proactive action being taken. Awaiting detailed letter with actions Capita taken to mitigate their financial risks Current work investigating impact across other contracts.	Risk reviewed 10/08/18 - No further changes	
L13a	Local Government Reorganisation CDC - Proposals for local government reorganisation impacts on the provision of services to residents and communities.	Inability to deliver Council priorities and plans, impacting on quality of services delivered to residents and communities. Potential impact of CDC/SNC separation on quality of services delivered to residents and communities.	5	4	20	Leader and CEO engaging at national and county level to define steps and mitigate impacts of potential service reductions for residents. Planning for the impact of separation of joint working arrangements between CDC and SNC is underway. Strategic partnership opportunities with Oxfordshire County Council being explored with Joint Chief Executive in place by 1st October. Regular review and sharing of partnership activity/engagement at senior officer meetings	Partially Partially Partially Partially	Councillor Barry Wood	Yvonne Rees	Claire Taylor	5	3	15	↔	Standing item at senior officer meetings - regular review of risk and control measures. Legal advice sought with regards to the employment implications of re-organisation and separation proposals.	Formal decision taken in July to end CDC/SNC partnership. Plan for separation currently being developed. Risk will be fundamentally reviewed in light of the plan and the appointment of a Joint Chief Executive with Oxfordshire County Council effective from 1st October.	Risk reviewed and updated 15/08/18
L13b	Local Government Reorganisation SNC - Proposals for local government reorganisation impacts on the provision of services to residents and communities.	Inability to deliver Council priorities and plans, impacting on quality of services delivered to residents and communities. Potential reduction in service areas funded by the County Council resulting in an unplanned increase in demand on district functions leading to service difficulties. Threat to existing joint working partnership initiatives if alternative delivery modes are imposed. Potential impact of CDC/SNC separation on quality of services delivered to residents and communities.	5	4	20	Leader and CEO engaging at national and county level to mitigate impacts of potential service reductions for residents. Planning for the impact of separation of joint working arrangements between CDC and SNC is underway. Additional senior leadership resources are planned for SNC. Interim Head of Paid Service appointed for SNC to start on 1st October. Regular review and sharing of partnership activity/engagement at senior officer meetings	Partially Partially Partially Partially	Councillor Ian McCord	Yvonne Rees	Claire Taylor	5	3	15	↔	Standing item at senior officer meetings - regular review of risk and control measures. Legal advice sought with regards to the employment implications of re-organisation and separation proposals. Additional communications resources have been put into place to support the agenda.	Formal decision taken in July to end CDC/SNC partnership. Plan for separation currently being developed. Risk will be fundamentally reviewed in light of the plan.	Risk reviewed and updated 15/08/18
L14	Corporate Governance - Failure of corporate governance leads to negative impact on service delivery or the implementation of major projects providing value to customers.	Threat to service delivery and performance if good management practices and controls are not adhered to. Risk of ultra vires activity or lack of legal compliance Risk of fraud or corruption Risk to financial sustainability if lack of governance results in poor investment decisions or budgetary control. Failure of corporate governance in terms of major projects, budgets or council owned companies impacts upon financial sustainability of the councils.	4	4	16	Clear and robust control framework including: constitution, scheme of delegation, ethical walls policy etc. Clear accountability and resource for corporate governance (including the shareholder role). Integrated budget, performance and risk reporting framework. Corporate programme office and project management framework. Includes project and programme governance. Internal audit programme aligned to leadership risk register. Training and development resource targeted to address priority issues; examples include GDPR, safeguarding etc. HR policy framework. Annual governance statements	Partially Partially Partially Partially Partially Partially Partially	Councillor Barry Wood Councillor Ian McCord	Adele Taylor	James Doble	3	3	9	↔	Standing item at senior officer meetings - regular review of risk and control measures Review of constitution to take place 2018/19 Implementation of corporate programme office - May 2018 Full review of HR policy to be undertaken during 2018/19 Monitoring Officer to attend management team meetings	Risk added to register following senior management discussion.	09/08/18 - No change

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**CHERWELL CAPITAL EXPENDITURE 2018/19**

DESCRIPTION	£000's				Comments
	Budget	Forecast	Re-profiled into 2019/20	Variance	
Community Centre Refurbishments	84	84		0	
<b>Wellbeing - Communities</b>	<b>84</b>	<b>84</b>	<b>0</b>	<b>-</b>	
Biomass Heating Bicester Leisure Centre	14	14		0	
Whitelands Farm Sports ground	25	25		0	
Solar Photovoltaics at Sports Centres	80	0	80	0	This budget to cover solar PV component replacement is not required in 2018/19. Re-profiled to 2019/20
Football Development Plan in Banbury	20	20		0	
North Oxfordshire Academy Astroturf	207	207		0	
Stratfield Brake Repair Works	12	12		0	
Sports Centre Modernisation Programme	36	36		0	
Bicester Leisure Centre Extension	122	122		0	
Spiceball Leis Centre Bridge Resurfacing	30	0	30	0	Works to be determined post completion of the new bridge connection in 2018, as part of the CQ2 project. Re-profiled to 2019/20
Corporate Booking System	60	60		0	
Woodgreen - Condition Survey Works	2	2		0	
Bicester Leisure Centre - Access Road Improvements	33	33		0	
Cooper School Performance Hall - Roof, Floor & Seating	38	38		0	
North Oxfordshire Academy - Replacement Floodlights	20	20		0	
North Oxfordshire Academy - Sports Pavilion Improvements	6	6		0	
Cooper sports Facility Floodlights	65	65		0	
<b>Wellbeing - Leisure and Sport</b>	<b>770</b>	<b>660</b>	<b>110</b>	<b>-</b>	
Empty Homes Work-in-Default Recoverable	100	100	0	0	
Disabled Facilities Grants	983	983		0	
Discretionary Grants Domestic Properties	339	339		0	
Abritas Upgrade	33	33		0	
<b>Wellbeing - Housing</b>	<b>1,455</b>	<b>1,455</b>	<b>0</b>	<b>-</b>	
<b>Wellbeing Total</b>	<b>2,309</b>	<b>2,199</b>	<b>110</b>	<b>0</b>	
East West Railways	1,160	0	1,160	0	There is a 5 years schedule of capital contributions. These have not yet been requested. Re-profiled to 2019/20
Graven Hill - Loans and Equity	600	600		0	
The Hill Youth Community Centre	989	989		0	
<b>Place &amp; Growth - Economy &amp; Regeneration</b>	<b>2,749</b>	<b>1,589</b>	<b>1,160</b>	<b>0</b>	

**CHERWELL CAPITAL EXPENDITURE 2018/19**

DESCRIPTION	£000's				Comments
	Budget	Forecast	Re-profiled into 2019/20	Variance	
<b>Place &amp; Growth Total</b>	<b>2,749</b>	<b>1,589</b>	<b>1,160</b>	<b>0</b>	
Car Park Refurbishments	467	0	467	0	This is budget is for replacement parking equipment, not required in 2018/19. Re-profiled to 2019/20.
Energy Efficiency Projects	28	28		0	
Glass Bank Recycling Scheme	8	8		0	
Public Conveniences	50	50		0	
Off Road Parking Facilities	18	18		0	
Vehicle Replacement Programme	879	879		0	
Wheeled Bin Replacement Scheme	125	125		0	
Urban Centre Electricity Installations	15	15		0	
Bicester Cattle Market Car Park Phase 2	90	90		0	
Vehicle Lifting Equipment	30	30		0	
Container Bin Replacement	20	20		0	
Banbury Market Improvements	20	20		0	
<b>Environment - Environment</b>	<b>1,750</b>	<b>1,283</b>	<b>467</b>	<b>0</b>	
Customer Self-Service Portal CRM Solutn	80	80		-	
<b>Environment - Environment</b>	<b>80</b>	<b>80</b>	<b>0</b>	<b>0</b>	
<b>Environment Total</b>	<b>1,830</b>	<b>1,363</b>	<b>467</b>	<b>0</b>	
Academy Harmonisation	119	119		0	
<b>Finance &amp; Governance - Finance &amp; Procurement</b>	<b>119</b>	<b>119</b>	<b>0</b>	<b>0</b>	
Condition Survey Works	77	77		0	
Bradley Arcade Roof Repairs	85	85		(0)	
Orchard Way Shopping Arcade Front Serv	20	20		0	
Community Buildings - Remedial Works	150	150		0	
Spiceball Riverbank Reinstatement	50	0	50	0	On hold pending the completion of a new bridge as part of the CQ2 development. Re-profiled to 2019/20
NW Bicester Eco Business Centre	2,236	2,236		0	
Banbury Health Centre - Refurbishment of Ventilation, Heating & Cooling Systems	270	270		0	
Thorpe Way Industrial estate - Roof & Roof Lights	64	64		0	
Castle Quay 2	62,000	62,000		0	
Castle Quay 1	7,636	7,636		0	

## CHERWELL CAPITAL EXPENDITURE 2018/19

DESCRIPTION	£000's				Comments
	Budget	Forecast	Re-profiled into 2019/20	Variance	
Franklins House - Travelodge	783	783		0	
Bicester - Pioneer Square	135	135		0	
Cherwell Community Fund	100	100		0	
Build Programme Phase 1b	1,875	1,875		0	
Build Programme Phase 2	6,500	6,500		0	
Housing & IT Asset System joint CDC/SNC	50	50		0	
Orchard Way - external decorations	95	95		0	
Retained Land	180	180		0	
Thorpe Place Industrial Units	175	175		0	
Thorpe Way Industrial Units	145	145		0	
Horsefair Banbury	100	100		0	
Thorpe Lane Depot - Tarmac / drainage	110	110		0	
EPC certification & compliance works	40	40		0	
<b>Finance &amp; Governance - Property, Investment &amp; Contract Management</b>	<b>82,876</b>	<b>82,826</b>	<b>50</b>	<b>0</b>	
<b>Finance &amp; Governance Total</b>	<b>82,995</b>	<b>82,945</b>	<b>50</b>	<b>0</b>	
Microsoft Licensing Agreement	110	0		(110)	Budget no longer required.
Land & Property Harmonisation	83	83		0	
5 Year Rolling HW / SW Replacement Prog	50	50		0	
Business Systems Harmonisation Programme	69	69		0	
Upgrade Uninterrupted Pwr Supp Back up / Datacentre	115	115		0	
Land and Property Harmonisation	167	167		0	
Customer Excellence & Digital Transfer	85	85		0	
Unified Communications	125	125		0	
<b>Customers Service Devt - Customers &amp; IT Services</b>	<b>804</b>	<b>694</b>	<b>0</b>	<b>(110)</b>	
<b>Customers &amp; Service Development Total</b>	<b>804</b>	<b>694</b>	<b>0</b>	<b>(110)</b>	
<b>Capital Total</b>	<b>90,687</b>	<b>88,790</b>	<b>1,787</b>	<b>(110)</b>	

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