

Cherwell District Council

Executive

Minutes of a meeting of the Executive held at Virtual meeting, on 6 July 2020
at 6.30 pm

Present: Councillor Barry Wood (Chairman), Leader of the Council
Councillor George Reynolds (Vice-Chairman), Deputy Leader
of the Council

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 Lynn Pratt, Lead Member for Economy,
Regeneration and Property
Councillor Dan Sames, Lead Member for Clean and Green

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

Officers: Yvonne Rees, Chief Executive
Stephen Chandler, Corporate Director Adults & Housing
Services
Steve Jordan, Corporate Director Commercial Development,
Assets & Investment & (Interim) Monitoring Officer
Paul Feehily, Executive Director: Place and Growth (Interim)
Jason Russell, Director Community Operations
Michael Furness, Assistant Director Finance
Dominic Oakeshott, Assistant Director (Interim) - Finance
Gillian Douglas, Assistant Director: Social Care Commissioning
and Housing
Robert Jolley, Assistant Director: Growth & Economy
David Peckford, Assistant Director: Planning and Development
Ed Potter, Assistant Director: Environmental Services
Sukdave Ghuman, Head of Legal Services
Christina Cherry, Principal Planning Policy Officer (Acting)
Chris Thom, Planning Officer (Policy)
Natasha Clark, Governance and Elections Manager

20 **Declarations of Interest**

15. Bicester Garden Town Capital Funding - Junctions Improvement. Councillor Dan Sames, Non Statutory Interest, as a CDC appointed non-Executive Director on Graven Hill Management Company and Graven Hill Development Company.

15. Bicester Garden Town Capital Funding - Junctions Improvement. Councillor Ian Corkin, Non Statutory Interest, as a CDC appointed non-Executive Director on Graven Hill Management Company and Graven Hill Development Company.

21 **Petitions and Requests to Address the Meeting**

There were no petitions or requests to address the meeting.

22 **Minutes**

The minutes of the Special Executive meeting held on 16 June 2020 were agreed as a correct record, to be signed by the Chairman in due course.

23 **Chairman's Announcements**

There were no Chairman's announcements.

24 **Financial Monitoring Report**

The Director of Finance submitted a report which provided an update on the financial impact of the Covid-19 pandemic on Cherwell District Council (CDC) alongside the anticipated forecast outturn as at the end of the May 2020.

Resolved

- (1) That the forecast overspend being reported against Cherwell District Council's budget for 2020/21 relating to the financial impact of Covid-19 be noted.
- (2) That officers be asked to identify plans to address the potential overspend in 2020/21 arising from Covid-19 and report back to the next meeting with recommendations for action.

Reasons

Financial monitoring is an important part of the overall performance management across CDC, allowing officers and members to understand the position and where necessary take early action in order to deliver a balanced budget. The impact of the Covid-19 pandemic is significant and will place CDC under additional pressure managing its finances over the medium term,

especially when taking into account the medium term financial challenges anticipated when the budget was set in February 2020.

Alternative options

No alternative options need to be considered via the recommendations.

25

Move-on Plans for Homeless People Accommodated During the Pandemic and Adoption of an Introductory Tenancies Policy

The Assistant Director, Housing and Social Care Commissioning and Assistant Director, Growth and Economy submitted a report to outline the plans for helping people accommodated in hotels during the pandemic to move on to settled or interim accommodation.

The report also recommended the adoption of a policy for Introductory Tenancies for all new tenants housed by the Council. This policy would enable Housing Services to move on a number of homeless households from emergency and temporary accommodation post-pandemic and in the future.

The Chairman and Leader of the Labour Group commended the Housing Team for their ongoing hard work to support rough sleeper, homeless people and those needing support and assistance during the covid-19 pandemic.

Resolved

- (1) That the cost implications of supporting rough sleepers and single homeless people to move on from accommodation provided during the pandemic be noted and Council be recommended to agree that budget provision be made to cover these costs should alternative funding be unavailable.
- (2) That it be agreed that all future tenants of residential Council properties will be offered an Introductory Tenancy, whether constructed pursuant to the Build! scheme or otherwise.
- (3) That responsibility be delegated to the Assistant Director Growth and Economy to produce and implement the detailed Introductory Tenancies policy and procedure.

Reasons

We expect to make a funding bid to MHCLG for move on support costs but recommend agreeing in principle to fund the necessary move on costs to avoid the risk of rough sleepers returning to the streets.

The use of Introductory Tenancies is common practice within the social housing sector. It allows landlords to monitor the new tenant's behaviour and offer support if there are issues relating to rent arrears and anti-social behaviour which may impact on the Introductory Tenancy becoming a Secure Tenancy after one year, or 18 months with an extension. The Build team housing management staff provide considerable support to help tenants in

their first year with the Council and it is unusual for any action to be taken without exploring many options with external partners such as Connection and Citizens Advice.

It is recommended that Cherwell District Council elect to use this form of tenancy.

Alternative options

If the costs of supporting move on plans are not covered there is a high likelihood of the majority of rough sleepers returning to the streets in July/August 2020.

If a scheme for Introductory Tenancies is not introduced then any tenant offered a tenancy of a Council residential dwelling will potentially enjoy full secure status by default. Introductory Tenancies will help ensure the Council's ability to easily end a tenancy as a result of tenant misconduct during the Introductory period is preserved.

26

Peat Free Compost

The Assistant Director: Environmental Services submitted a report which set out the use of compost in the Landscape Maintenance Contract and how the amount of peat present in the growing medium for the urban centre floral units was being reduced. Peat was a non-renewal resource and using up large amounts of peat can be damaging to the environment in releasing stored carbon and damage finite areas of peat bog land

In introducing the report, the Lead Member for Clean and Green referred to the motion that had been submitted to the 24 February 2020 Council meeting and subsequently adjourned due to budgetary implications to enable consideration by Executive before Council debated the motion. The Lead member for Clean and Green advised that Councillor Banfield, who had submitted the motion, had now withdrawn the motion in light of the additional information submitted to Executive, which he had agreed to as seconder of the motion. Councillor Banfield would be submitting a new motion for the July Council meeting.

Resolved

- (1) That it be noted that the Landscape Maintenance Contractor uses no peat based products in any of the Grounds Maintenance activities.
- (2) That it be noted that in 2020 the floral & bedding plants are grown in 50% peat free compost.
- (3) That it be noted that the percentage of peat free compost used by the floral unit & bedding plant supplier will increase beyond 50% over the next few years and be fully peat free as soon as practicable & well before 2030.

Reasons

The Council is minimising the use of peat based composts with the only area peat is present is in the growing of plants for floral displays & hanging baskets.

Commercial nurseries are moving towards becoming peat free by 2030. Moving too early to peat free is likely to result in a significant risk of additional costs.

Alternative options

Option 1: To reduce the amount of peat in the floral displays and bedding plant production so that they are peat free before 2030.

Option 2: To move to peat free compost early and have additional annual contract costs, a potential reduction in income with the risk of lowering the standard of appearance of the Urban Centres.

27 **Oxfordshire Growth Board Terms of Reference and Memorandum of Understanding**

The Assistant Director - Growth and Economy submitted a report which proposed a revised Terms of Reference and Memorandum of Understanding for the Oxfordshire Growth Board, which required approval by each of the Oxfordshire Council Cabinets / Executive. These were presented for consideration following a recent public review of the Growth Board's role and functions, which has helped to inform the revisions made.

Similar reports would be considered by respective Cabinets/Executives throughout Oxfordshire during July and early part of August 2020.

Resolved

- (1) That the Terms of Reference (ToR) and Memorandum of Understanding (MoU) (annexes to the Minutes as set out in the Minute Book) be approved.
- (2) That authority be delegated to the Chief Executive, in consultation with the Leader and the Growth Board, to make minor amendments to these documents, the scale and nature of which does not result in terms that are substantially different from those approved in this report, which support the operational efficiency of the Growth Board's work.

Reasons

The Oxfordshire Growth Board carried out a formal review of its role and function to ensure that the most pragmatic and effective arrangements are in place to enable collaboration and delivery on Oxfordshire wide priorities. The revised Terms of Reference and Memorandum of Understanding for the Growth Board have been updated to take account of the conclusions from the review.

Alternative options

Option One: Withdrawal of CDC from ongoing participation from the Growth Board – this was rejected mainly because Cherwell is an integral part of Oxfordshire and it would disadvantage Cherwell residents, communities and businesses from taking advantage of future opportunities, generally, and, in future, possible future funding streams.

Option Two: Keeping the Growth Board as it was – this was rejected because there was evidence that the Growth Board needed to realign itself to changing circumstances and demands.

28

Cherwell Local Plan Review: Planning for Cherwell to 2040 - A Community Involvement Paper

The Assistant Director – Planning and Development submitted a report to seek approval of a community involvement consultation paper for a new district-wide Local Plan Review.

Resolved

- (1) That the community involvement consultation paper (annex to the Minutes as set out in the Minute Book) be approved for the purpose of public consultation.
- (2) That the addendum to the Council's Statement of Community Involvement (annex to the Minutes as set out in the Minute Book) in response to the COVID19 pandemic be approved.
- (3) That the Assistant Director – Planning and Development be authorised to agree the start date for consultation, and any necessary presentational or other minor changes to the documents prior to commencement, with the Lead Member for Planning.

Reasons

An issues consultation paper has been prepared to begin community involvement in reviewing the district wide Cherwell Local Plan. Consultation is planned for July/August in accordance with the Council's approved Local Development Scheme. It is not intended that the consultation paper should capture all of the issues that will require consideration but, rather, to create discussion and invite contributions. It is the start of the plan-making process and Members are invited to approve the paper in the interest of proceeding to public engagement.

Alternative options

Option 1: Not to proceed at this time with the consultation paper
The consultation paper comprises an appropriate discussion document to invite public and stakeholder contributions at the start of the plan-making process. Delay would mean that the LDS programme could not be met.

Option 2: To reconsider the content of the consultation paper
As above. However, if some delay were considered to be acceptable by
Members, officers could re-consider the content following instruction.

29 **Weston-on-the-Green Neighbourhood Plan: Second Examiner's Report**

The Assistant Director - Planning and Development submitted a report to consider a second Examination Report for the Weston-on-the-Green Neighbourhood Plan and determine whether the Plan, incorporating modifications should proceed to a referendum.

Resolved

- (1) That all the Examiner's recommendations and modifications (Annexes to the Minutes as set out in the Minute Book) be approved to enable the Plan, incorporating the recommended modifications (Annex to the Minutes as set out in the Minute Book) to proceed to a referendum.
- (2) That the issue of a 'decision statement' confirming the Executive's decision including that the Plan will now proceed to a referendum be authorised.
- (3) That the Assistant Director – Planning and Development be authorised to make any minor presentational changes and corrections necessary to ready the Plan for referendum.

Reasons

The submission Weston-on-the-Green Neighbourhood Plan has been independently examined. The recommendations of the Examiner were considered by the Executive on 4 November 2019. It approved all the Examiner's recommendations and modifications with the exception of Modifications 15, 21, 24, 26 and 27. It also approved the area for the future referendum as being the designated Neighbourhood Plan area.

Following representations received to the Council's decision statement dated 14 November 2019, a second partial independent examination has been held. The Examiner of this partial examination has recommended that the Neighbourhood Plan proceed to referendum subject to the incorporation of modifications. Officers agree with the Examiner's conclusions. They consider, with his recommended modifications, together with the recommendations of the first examiner accepted by the Executive on 4 November 2019, that the Plan meets the requisite Basic Conditions and should proceed to referendum.

Alternative options

Option 1: Not to accept all the Examiner's recommendations
Where a Local Planning Authority proposes to make a decision that differs from the Examiner's recommendations it is required to set out these reasons in a decision statement which would be subject to further consultation.

30 **Appointment of Representatives to Partnerships, Outside Bodies and Member Champions 2020/21**

The Corporate Director – Commercial Development, Assets and Property (Interim Monitoring Officer) to appoint representatives to Partnerships and Outside Bodies and Member Champions for the municipal year 2020/2021.

In considering the report, it was highlighted that there was no longer a Member Champion for Young People. The Chairman requested officers to advise him when and why this appointment was ceased to enable consideration of the Champion role.

Resolved

- (1) That appointments to partnerships, outside bodies and Member Champions for 2020/2021 as set out in the Annex to the Minutes (As set out in the Minute Book).
- (2) That authority be delegated to the Monitoring Officer, in consultation with the Leader, to appoint Members to outstanding vacancies and make changes to appointments as may be required for the 2020/2021 Municipal Year.

Reasons

It is proposed that representatives are re-appointed to Partnerships, Outside Bodies and as Member Champions 1 to ensure that the Council is represented and maintains links with partnerships and outside bodies.

Delegation to the Monitoring Officer in consultation with the Leader provides flexibility for the remainder of the Municipal Year to appoint to the outstanding vacancies, or if amendments are required to any appointments, and ensures they are made in a timely manner.

Alternative options

Option 1: Not to appoint representatives to outside bodies, partnerships and as Member Champions. This is not recommended as the internal working groups would be ineffective and the Council would not be represented on these outside bodies and could miss valuable information and opportunities.

31 **Urgent Business**

There were no items of urgent business.

32 **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 item 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, Paragraph 3 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.

33 **Bicester Garden Town Capital Funding - Junctions Improvement**

The Assistant Director - Growth and Economy submitted an exempt report in relation to the Bicester Garden Town Capital Funding – junctions improvement.

Resolved

- (1) As set out in the exempt minutes
- (2) 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 7.35pm

Chairman:

Date: