

Public Document Pack

Cherwell District Council

Executive

Minutes of a meeting of the Executive held at Bodicote House, Bodicote, Banbury, Oxon OX15 4AA, on 5 July 2021 at 6.30 pm

Present:

Councillor Barry Wood (Chairman), Leader of the Council
Councillor Ian Corkin (Vice-Chairman), Deputy Leader and Lead Member for Customers and Transformation
Councillor Phil Chapman, Lead Member for Leisure and Sport
Councillor Colin Clarke, Lead Member for Planning
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
Councillor Lucinda Wing, Lead Member for Housing

Also Present:

Councillor Sean Woodcock, Leader of the Labour Group

Officers:

Yvonne Rees, Chief Executive
Stephen Chandler, Corporate Director Adults & Housing Services
Bill Cotton, Corporate Director Environment and Place
Steve Jordan, Corporate Director Commercial Development, Assets & Investment
Claire Taylor, Corporate Director Customers and Organisational Development
Lorna Baxter, Director of Finance & Section 151 Officer
Anita Bradley, Director Law and Governance & Monitoring Officer
David Peckford, Assistant Director: Planning and Development
Ed Potter, Assistant Director: Environmental Services
Vicki Jessop, Interim Assistant Director Housing and Social Care Commissioning
Tim Mills, Housing Development and Standards Manager
Robin Rogers, Programme Director COVID Response
Louise Tustian, Head of Insight and Corporate Programmes
Natasha Clark, Governance and Elections Manager

16 **Declarations of Interest**

14. Graven Hill Village Development Company (Dev Co) - Creation of Additional Companies.

Councillor Dan Sames, Non Statutory Interest, as a CDC appointed non-Executive Director on Graven Hill Management Company and Graven Hill Development Company and would leave the meeting for the duration of the item.

Councillor Ian Corkin, Non Statutory Interest, as a CDC appointed non-Executive Director on Graven Hill Management Company and Graven Hill Development Company and would leave the meeting for the duration of the item.

15. Graven Hill Village Development Company (Dev Co) - Request for s278 works bond relating to land at A41 Pioneer Roundabout.

Councillor Dan Sames, Non Statutory Interest, as a CDC appointed non-Executive Director on Graven Hill Management Company and Graven Hill Development Company and would leave the meeting for the duration of the item.

Councillor Ian Corkin, Non Statutory Interest, as a CDC appointed non-Executive Director on Graven Hill Management Company and Graven Hill Development Company and would leave the meeting for the duration of the item.

17. Graven Hill Village Development Company (Dev Co) - Request for s278 works bond relating to land at A41 Pioneer Roundabout - Exempt Schedule.

Councillor Dan Sames, Non Statutory Interest, as a CDC appointed non-Executive Director on Graven Hill Management Company and Graven Hill Development Company and would leave the meeting for the duration of the item.

Councillor Ian Corkin, Non Statutory Interest, as a CDC appointed non-Executive Director on Graven Hill Management Company and Graven Hill Development Company and would leave the meeting for the duration of the item.

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

There were no petitions or requests to address the meeting.

18 **Minutes**

The minutes of the meeting held on 7 June 2021 were agreed as a correct record and signed by the Chairman.

19 **Chairman's Announcements**

There were no Chairman's announcements.

20 **Urgent Business**

There were no items of urgent business.

21 **Changes to the Waste Collection Service**

The Assistant Director Environmental Services submitted a report which updated the Executive on the proposed changes to the Waste Collection Service commencing from autumn 2021.

Resolved

- (1) That the policies relating to separate food waste collection & chargeable garden waste (Annex to the Minutes as set out in the Minute Book) be approved.
- (2) That the proposed rollout plan for the introduction of separate food waste collection and chargeable garden waste (Annex to the Minutes as set out in the Minute Book) be approved.
- (3) That the proposed charges for the garden waste collection service (Annex to the Minutes as set out in the Minute Book) be approved.
- (4) That authority be delegated to the Corporate Director Environment and Place, in consultation with the Lead Member for Clean and Green, to make minor operational amendments to the approved policies and plan at resolutions (1), (2) above in the event of technical or IT issues that require this.

Reasons

The changes to the Waste & Recycling will be significant and should increase the recycling rate to around 60% in 2022/23. The costs for this new scheme are significant.

Charging for garden waste will cover the costs of garden waste collection and will generate sufficient income to pay back the capital costs needed for this change. Those households who use the garden waste service will pay for the use of the service. There may be some initial resistance to the charges however, all other Oxfordshire authorities have been paying for garden waste service for several years.

Alternative options

Option 1: To adopt the recommendations which will lead to a higher recycling rate with the introduction of separate food waste and a revised garden waste service.

Option 2: To ask officers to reconsider the proposed charges and/or amend the proposed policies but any significant delays are likely to increase the cost of the service changes

22 **Revised Housing Standards Enforcement Policy**

The Assistant Director Housing and Social Care Commissioning submitted a report which set out an updated and extended policy to be adopted in relation to the regulation and enforcement of housing standards.

Resolved

- (1) That the Housing Standards Enforcement Policy 2021 (Annex to the Minutes as set out in the Minute Book) for adoption by the Council be approved.

Reasons

The new policy replaces a number of existing policies and refreshes and updates their content without introducing any significant changes, but it also takes account of 3 pieces of legislation for which specific policy provisions were not previously in place. By grouping previously separate policies together, the new policy will make information easier to find and use for both officers and the public. It will also assist with future policy reviews.

Alternative options

Option 1: As an alternative to adopting the new policy the existing policies could remain in place. This is not recommended because the 3 existing policies dating from 2012 require review and the Council would also still have to approve separate policies for the legislation which is not currently covered by policy.

23 **Oxfordshire's Homelessness and Rough Sleeping Strategy 2021-26**

The Assistant Director Housing and Social Care Commissioning submitted a report to set out the Oxfordshire Wide Homelessness and Rough Sleeping Strategy 2021-26 and Action Plan for approval by the Executive, recognising that Cherwell District Council is a key partner in preventing and resolving homelessness and in supporting systems change county wide. In approving the Strategy, Cherwell District Council agrees to play a key role in delivering the vision, priorities and actions identified.

At the discretion of the Chairman, Councillor Woodcock, Leader of the Labour Group addressed the meeting. In response to Councillor Woodcock's

comments regarding funding for the work, the Corporate Director Adults and Housing Services and the Interim Assistant Director Housing and Social Care Commissioning explained that there were various funding streams and the authorities were bidding for funding as well as lobbying the Government for a long term solution.

Resolved

- (1) That Oxfordshire's Homelessness and Rough Sleeping Strategy 2021-26 and the supporting Action Plan (Annexes to the Minutes as set out in the Minute Book) be approved.

Reasons

A county wide strategy is important in delivering a coordinated approach and is the result of ongoing partnership working to arrive at a common vision, set of principles and agreed actions for preventing homelessness and ending rough sleeping in the county.

The strategy builds on the learning from the Crisis feasibility study carried out in Oxfordshire in 2019/20 and is being used to inform the recommissioning of homelessness services currently being led by Oxfordshire County Council and Oxford City Council with a pooled budget including Cherwell's contribution.

Alternative options

Option 1: not to have a county wide strategy. This would not do justice to the collaborative working that exists between the 6 local authorities and wider partners to prevent homelessness and end rough sleeping. It would also limit the outcomes that can be delivered for people affected by homelessness. By working cross-county and across the professional boundaries of housing, health, social care and the voluntary and community sector we can make the greatest impact in terms of tackling homelessness.

Public Sector Decarbonisation Scheme (PSDS)

The Assistant Director Property, Investment and Contract Management submitted a report to update the Executive on the outcome of the bid that Cherwell District Council (CDC) has submitted for energy efficiency capital works (non-repayable government grants) and, as a result, to seek approval for CDC to proceed with its proposed programme of capital works. The funding body (Salix) has confirmed that CDC's funding application has been rewarded to the amount of £5.986m out of the £6m bid.

At the discretion of the Chairman, Councillor Woodcock, Leader of the Labour Group addressed the meeting. In response to Councillor Woodcock's comments regarding how the buildings were chosen and how other sites could obtain funding, the Lead Member for Clean and Green explained that buildings on the list were the council's biggest carbon emitters. Other buildings had not met the criteria for funding under this tranche but all council

owned buildings would be looked at to see how carbon emissions could be reduced and advice and support given. The Commercial Director Commercial Development, Assets and Investment undertook to provide information to Councillor Woodcock in relation to the Sunshine Centre, Banbury.

Resolved

- (1) That the outcome of the bids that Cherwell District Council has submitted for energy efficient capital works (non-repayable Government Grants) be noted.
- (2) That Cherwell District Council (CDC) progressing its own Public Sector Decarbonisation Scheme capital works programme in line with the grant award to CDC be approved.

Reasons

The 100% grant funding allows CDC to take unprecedented long-term sustainability improvements to its properties to deliver financial and carbon savings. This is in line with CDC's Climate Action Framework, to seek funding opportunities to take action where normal business cases are challenged.

Alternative options

Option 1: Reject the PSDS programme of works in its entirety
CDC will still need to undertake a large programme of works to achieve carbon neutrality and will be presented with situations, such as leisure centre heating requirements, that will require unique financing mechanisms to provide a suitable business case

25

Revised Statement of Community Involvement (Planning)

The Assistant Director – Planning and Development submitted a report to seek approval of a consultation draft of a Statement of Community Involvement (SCI) for the Council's planning services.

Resolved

- (1) That the draft Statement of Community Involvement (SCI) be approved for public consultation.
- (2) That the Assistant Director - Planning and Development be authorised to make any changes he considers to be minor and/or presentational to the draft Statement of Community Involvement prior to the consultation and to determine the format of publication.

Reasons

Option 1: Not to proceed at this time with the revised SCI consultation

The alternative option is to continue to use the existing 2016 SCI. This is not recommended. The existing document does not address all requirements introduced since 2016 and does not provide the necessary flexibility for community engagement in the future. The 2016 SCI will become increasingly out-of-date

Option 2: To reconsider the content of the revised SCI

The draft SCI has been produced having regard to statutory and policy requirements for plan making and development management and to associated guidance. It is considered by officers to be an appropriate consultation document.

Option 3: To adopt the SCI without consultation

SCIs are not subject to a formal requirement to consult. There is an option open to Members to adopt the SCI without a period of consultation. In view of the purpose of the document, consultation is recommended.

Alternative options

Option 1: Reject the PSDS programme of works in its entirety

CDC will still need to undertake a large programme of works to achieve carbon neutrality and will be presented with situations, such as leisure centre heating requirements, that will require unique financing mechanisms to provide a suitable business case.

26

COVID-19: Progress and Planning Update

The Chief Executive submitted a report to summarise the current state of the pandemic in Cherwell and Oxfordshire, describe the management and operational response arrangements in place, give an update on the status of Council services and the resource impact of COVID-19, and set out the approach for further recovery and renewal planning.

Resolved

- (1) That the latest public health situation with regard to COVID-19, the management arrangements in place and the resource impact of the pandemic as set out in the report be noted.
- (2) That the joint Oxfordshire County Council and Cherwell District Council programme of activity underway that continues to respond and adapt to the pandemic be noted.
- (3) That the summary of COVID-19 service impact be noted.
- (4) That the plans for recovery planning and for further understanding the lessons learnt for the organisation from the pandemic be noted and it be agreed that a programme of engagement with the Overview and Scrutiny Committee, all council members and key partners should be

developed in consultation with the Leader and Chair of the Overview and Scrutiny Committee.

Reasons

As we reach the end of the originally planned Roadmap period, this report describes the current local COVID-19 situation. It summarises the response to COVID-19 over the past six months, describes ongoing activity and includes a description of the recovery status of Council services. It goes on to set out the requirement to maintain and adapt COVID-19 capacity and management structures as the context in which we work continues to evolve rapidly. Finally, it recommends that the local and organisational lessons learnt from the pandemic should be used to help direct long-term recovery planning and inform future corporate direction.

Developing our approach to recovery with consideration of lessons learnt will put us in the best position to mitigate long term impacts of COVID and support residents, businesses and partners.

Alternative options

Option 1: Not to develop further recovery and renewal plans. Rejected as given the scale and impact of COVID, learning from the pandemic and developing recovery plans are essential to supporting residents and delivering corporate priorities.

27 **Monthly Performance, Risk and Finance Monitoring Report - April and May 2021**

The Director of Finance and Head of Insight and Corporate Programmes submitted a report which summarised the Council's Performance, Risk and Finance monitoring positions as at the end of May 2021, covering the first two months of the financial year.

In considering the report, the Chairman suggested that the Lead Member for Financial Management and Governance liaise with officers with a view to the Budget Planning Committee undertaking a full analysis of the capital programme.

Resolved

- (1) That the monthly Performance, Risk and Finance Monitoring Report be noted.
- (2) That the uses of specific grant related reserves be noted.
- (3) That uses of earmarked reserves (within s3.23 savings) be approved.

- (4) That the Capital carry forwards described in the Annex to the Minutes (as set out in the Minute Book) be approved.
- (5) That Council be recommended to approve increases in the capital programme for the following two capital grants: Public Sector Decarbonisation Scheme (Commercial Development, Assets and Investment Directorate) and Garden Town (Growth and Economy Directorate).
- (6) That Council be recommended to approve a transfer of £75k capital budget from the Finance Replacement System to the HR/Payroll System.
- (7) That the revised schedule of fees and charges for Environmental Health and Licensing (Annex to the Minutes as set out in the Minute Book) which are to be applied for the 2021/22 financial year be approved.
- (8) That the carry forward of funding into reserves and agree to the allocations being released for use in 2021/22 as described in the Annex to the Minutes (as set out in the Minute Book) be approved.

Reasons

This report provides an update on progress made during April and May 2021, to deliver the Council's priorities through reporting on Performance, the Leadership Risk Register and providing an update on the financial position.

Alternative options

Option 1: This report illustrates the Council's performance against the 2021-22 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.

Graven Hill Village Development Company (Dev Co) - Creation of Additional Companies

The Shareholder Representative submitted a report to consider a request from Graven Hill Village Development Company (Dev Co) for the creation of an additional subsidiary company that is required to facilitate the leases for the commercial units as required as part of the delivery of Graven Hill.

In response the Members' questions regarding if there would be any additional remuneration for the Non-Executive Directors on the Graven Hill Boards as a result creation of the creation of the additional company, the Shareholder Representative undertook to advise Members. (The Shareholder Representative subsequently advised Members that the directors for the

subsidiary company will not be getting paid so there is no extra cost to the company or council.)

Resolved

- (1) That the creation by Graven Hill Development Company (Dev Co) of a special purpose vehicle (SPV) as a company limited by shares be approved and that Dev Co be requested to prepare governance documents for final approval by the Shareholder Representative, in consultation with the Chairman of the Shareholder Board before registration and director nominations occur.
- (2) That the new company be included, along with Dev Co's existing subsidiary companies, within the shareholder agreement between the council (1) Graven Hill Village Holdings Limited (2) and Dev Co (3) entered 30 September 2019.

Reasons

The proposals in this report are designed to ensure that Dev Co has in place an effective governance structure to enable it to meet its aims and delivery objectives and in so doing safeguard the councils' investment and return on investment.

Alternative options

None applicable

29 Graven Hill Village Development Company (Dev Co) - Request for s278 works bond relating to land at A41 Pioneer Roundabout

The Shareholder Representative submitted a report To bring to the attention of the Executive the request from Graven Hill Village Development Company Ltd (Dev Co) for the Council to act as surety in a performance bond for highway works to be undertaken by Dev Co under section 278 of the Highways Act 1980, and for the Executive to agree in principle to that request and to delegate to the Shareholder Representative authority to negotiate and agree the formal documentation in relation to that performance bond, in consultation with the s.151 Officer and the Monitoring Officer.

In response to Members' questions, the Director of Finance advised that a bond was show in the council's accounts in a similar way to a guarantee with no financial transaction. The Director of Finance confirmed that the bond would be in place until the work was complete and was not open ended.

Resolved

- (1) That it be approved in principle that the Council act as surety for Graven Hill Development Company (Dev Co) in respect of a performance bond (up to the sum referred to in the exempt Annex to

the Minutes, as set out in the Minute Book) relating to the construction of highway works by Dev Co on land at A41 Pioneer Roundabout pursuant to an agreement between Dev Co and Oxfordshire County Council (as local highway authority) to be made under section 278 of the Highways Act 1980.

- (2) That authority be delegated to the Shareholder Representative to negotiate and agree the formal documentation in relation to that bond, in consultation with the s.151 Officer and the Monitoring Officer (or, in the event they are conflicted, their nominated deputies).
- (3) That it be agreed that Graven Hill Development Company (Dev Co) be requested to pay to the council 1% of the value of the agreed bond for use of the facility.

Reasons

Through agreeing with the recommendations in this report the council is ensuring that Dev Co can act swiftly to meet its aims and delivery objectives in relation to the works at the A41 Pioneer Roundabout and in doing so safeguard the council's investment and return on investment.

Alternative options

None applicable

30 **Exclusion of the Press and Public**

There being no questions on the exempt schedule to agenda item 15 it was not necessary to exclude the press and public.

31 **Graven Hill Village Development Company (Dev Co) - Request for s278 works bond relating to land at A41 Pioneer Roundabout - Exempt Schedule**

Resolved

- (1) That the exempt schedule be noted.

The meeting ended at 7.37 pm

Chairman:

Date:

Appendix 1

Introduction

1. In this document “we”, “us” and “our” mean Cherwell District Council and “you” means the person who has asked or agreed to receive the garden waste subscription service.
2. These are the terms and conditions of the agreement between us and you for the provision of the garden waste subscription service.
3. The headings in this document are for ease of reading only and have no legal effect

What the service covers

1. The garden waste subscription service is a service provided by us to households. Non-domestic waste, such as that from businesses, cannot be part of the service.
2. We will collect garden waste from you normally once every two weeks.
3. The garden waste subscription service can only be provided in regard to properties located within the Cherwell District Council boundaries.

Subscribing

1. Each subscription will start on the 1st of the month you subscribe for 12 months and run until the day before this the following year. This is called the subscription period, which is for our financial year.
2. By subscribing to the service, you are complying with your duty of care for the removal of garden waste in accordance with Section 34 of the Environmental Protection Act 1990.
3. The charge for each subscription period will be published on our website. There are no discounts or concessions.
4. The subscription charge is for each wheeled bin/sacks and collected every two weeks. This service operates from Tuesday to Friday across 52 weeks of the year.
5. We reserve the right to postpone service over the Christmas, New Year and Bank Holiday periods and we will publicise all of the relevant rescheduled collection details on our website.
6. We reserve the right to change collection days. In this event, we will publicise all of the relevant rescheduled collection details on our website.
7. Payment for each subscription period must be made before the service will be provided.
8. Payments can be made online or through contacting customer services with a debit and credit card or via six monthly/annually direct debits.
9. If payment is not received on or prior to the expiration of the current subscription, we will assume that you no longer require the Service and the service will be withdrawn.

10. The annual subscription fee will be reviewed annually in accordance with our fees and charges policy.
11. On the expiry of each 12 month Service period your subscription will automatically be renewed and the appropriate payment will be taken for a further 12 month period unless you have given notice to us to terminate the subscription no less than a month prior to the renewal date.
12. Once you have subscribed the service will start from your next scheduled collection (after the subscription period has begun). We will not collect your waste if you subscribe on your scheduled collection day.
13. If you wish to leave the service at any time please contact us online or call 01295 227003. No refunds will be given for leaving the service.
14. Where we have ceased provision of the Service to you as a result of any non-payment of a relevant Service subscription, you may apply to restart the Service (subject always to our discretion) but the subscription will be treated as a new customer.
15. If you move to an address within Cherwell District area you may transfer your subscription to the new address. You are responsible for taking your wheeled bin/sacks to the new subscription address. Please contact us to transfer your subscription to your new subscription address. We need a minimum of one months' notice.
16. If you move to an address out of the Cherwell District Council area, you cannot take your subscription with you. You can leave your bin and remaining subscription for those moving into your property. No refunds will be given for leaving the service. You must also contact us to cancel the service.
17. Any other changes to your circumstances including name, bank account, and email address should be reported to us as soon as possible.
18. More than one wheeled bin may be requested for a reduced charge if a property has already purchased a license for their address. Please refer to our website for recent prices. The provision of multiple license's will be subject to checks to establish that the customer isn't using the service for commercial purposes.

Garden waste wheeled bins

1. Upon subscription if you do not have a wheeled bin at your property, we will provide one for you to use free of charge. The wheeled bin will continue to belong to us at all times.
2. Renewing your subscription will not entitle you to a new wheeled bin.
3. Wheeled bins can be repaired or replaced free of charge and will only be replaced if we deem it necessary to do so. If we replace the wheeled bin we will remove the damaged wheeled bin from your property.
4. The standard wheeled bin will be 240 litres in size. Wheeled bins may not be new but will be supplied in serviceable condition. We aim to deliver within 10 working days from the day of subscription.

5. If you cease to subscribe to the garden waste service or ask to stop receiving it, we will withdraw the service. You will need to dispose of your garden waste yourself at your local Household Recycling centre.
6. For each year that you subscribe to the service, we will provide you with a sticker that shows that you have paid to receive the service. You must apply this sticker to the wheeled bin following the instructions that come with the sticker. If your wheeled bin does not clearly show the sticker so that the collection crews can see it, we have no obligation to collect garden waste from it, and you will not be entitled to any money back if the wheeled bin has not been emptied.
7. The stickers may only be applied to garden waste wheeled bins provided by us. Even if they are attached to something else, we will not collect garden waste from it.
8. Garden waste will be collected from valid subscriptions and our onboard technology will assist us in determining properties that have subscribed.
9. You shall be responsible for maintaining the cleanliness of your wheeled bin.

Garden waste sacks

1. In exceptional circumstances you will be provided with compostable garden waste sacks instead of a wheeled bin.
2. For properties that use sacks for their refuse and recycling collections, garden waste will still be collected from sacks. This is a chargeable service.
3. We provide up to 50 sacks per subscription period, to be delivered in two batches of 25 sacks.
4. If you require more than 50 sacks you will need to purchase another subscription.
5. Sack properties won't receive stickers for the subscription period. Please note that only properties that subscribed to the service will receive a collection.
6. Sacks will be collected from valid subscriptions and our onboard technology will assist us in determining properties that have subscribed.

Using the service

1. Only garden waste should be put in our wheeled bins or our sacks. Garden waste is plant material you would expect to find in a domestic garden; for example, grass cuttings, hedge trimmings, weeds, prunings, dead plants, twigs, straw and small branches.
2. The following items are not included in the service and must not be placed in the garden waste wheeled bin or sack: food waste, cardboard or paper, wood planks, wood products, mud, rubble or soil, plastic, plant pots, sawdust or pet waste.

3. If the wheeled bin/sack is classed as 'contaminated', residents will be notified by means of a sticker or hanger placed on the relevant wheeled bin/sacks requiring them to remove the inappropriate material and dispose of it in a responsible manner. Once the inappropriate material has been removed from the wheeled bin/sacks it will be emptied on the next scheduled collection date but not before.
4. We will not return to collect any waste deemed as contaminated as above.
5. If your wheeled bin/sack is regularly contaminated, we will contact you to offer you advice.
6. If the contamination continues garden waste collections will be suspended. If you have a wheeled bin, it may be removed and no further garden waste sacks will be provided. No subscription money will be refunded.
7. Garden waste should only be put in the wheeled bin/sacks loose. Garden waste should only be put in wheeled bin/sacks that you have subscribed to.
8. Garden waste wheeled bins/sacks should be presented by 7am on the day of collection. If they are not presented by this time, not clearly visible and/or not accessible, the crew will not enter onto private property unless previously agreed (see point 10) and they will not return until the next scheduled collection day. Wheeled bins/sacks must be placed in a safe position without causing an obstruction.
9. Garden waste wheeled bins/sacks should be placed at the agreed collection point for your home. This is normally on the kerbside (the "highway maintainable at the public expense") near your home.
10. If you are entitled to an assisted collection service for your other waste collections (for example, if you have a disability which prevents you from moving wheeled bins/sacks) then you will also be entitled to an assisted collection for the garden waste service.
11. Wheeled bins which are overflowing so the lid cannot be fully closed or are too heavy for the crew to handle will not be emptied. You will need to remove some of the contents ready for the next scheduled collection day. The lid of the wheeled bin needs to be closed for the collection.
12. Garden waste will only be collected from subscribed wheeled bin/sacks. No additional garden waste placed out in non-subscribed wheeled bins/sacks will be collected.
13. In the event of a missed collection when the wheeled bin/sacks were presented correctly you should report this to us the same day or at the latest on the following day. We will then endeavour to make the collection as soon as reasonably practicable. No refunds will be made to you for missed or delayed collections.
14. For the avoidance of doubt, in the event that you independently arrange for collection of garden waste, we will not be responsible for any third-party costs or any costs incurred by you.
15. We accept no liability for any damages or loss whatsoever incurred by you resulting from the use or misuse of the wheeled bin/sacks.
16. We accept no liability for the wheeled bin(s) used for any other purpose other than for the collection of household garden waste. Misused wheeled bin(s) will be removed by us.

Events Outside of Our Control

1. This means any act or event beyond our reasonable control, including without limitation strikes or other industrial action, riot, terrorist attack, war, fire, explosion, storm, flood, earthquake, subsidence, epidemic, extreme weather or other natural disaster, power failure, internet Service provider failure, technological failure, breakdown in machinery /collection vehicles.
2. We do not guarantee that the garden waste subscription service will operate during times of particularly bad weather, such as snow or icy conditions; however, your garden waste should be left at the kerbside and we will try and collect again once the weather improves.
3. We will not give refunds for collections missed or delayed due to these circumstances.
4. If it is so cold that garden waste has frozen in your wheeled bin, it may not all come out when collected. If this happens, it will be collected on the next scheduled collection day.
5. If we cannot empty or collect your wheeled bin/sacks due to not being able to gain access to your road - we will try again the next working day. If we still cannot gain access, we will not attempt another collection until the next scheduled collection day.

Personal data

1. In order to provide the service to you we will hold and use personal information about you (your "personal data").
2. By applying for the service, you give us permission to hold your personal data, to share it with other people for the purpose of providing you with the service and dealing with any problems.
3. We will hold and use your personal data in accordance with legal requirements, in particular the Data Protection Act 1998 and the General Data Protection Regulations.

Changes in terms and conditions

1. We may make minor changes in these terms and conditions by publishing updated information on our website.
2. We cannot make other changes to these terms and conditions during the subscription period to which they relate without your agreement unless the law requires us to; however, we may publish new terms and conditions for new subscription periods.

07-Feb				Chargeable garden starts North
31-Jan				Chargeable garden starts South
24-Jan				
17-Jan				
10-Jan				Garden with food waste stops - North
03-Jan			First collection - FW8 South	Garden with food waste stops - South
27-Dec		Deliver to FW 8 South on collection day	First collection - FW4 North	
20-Dec		Deliver to FW 4 North on collection day		
13-Dec	Bin hangers on Green Bins FW 8			
06-Dec	Bin hangers on Green Bins FW 4		First collection - FW7 South	
29-Nov		Deliver to FW 7 South on collection day	First collection - FW3 North	
22-Nov		Deliver to FW 3 North on collection day		
15-Nov	Bin hangers on Green Bins FW 7			
08-Nov	Bin hangers on Green Bins FW 3		First collection - FW6 South	
01-Nov		Deliver to FW 6 South on collection day	First collection - FW2 North	
25-Oct		Deliver to FW 2 North on collection day		
18-Oct	Bin hangers on Green Bins FW 6			
11-Oct	Bin hangers on Green Bins FW 2		First collection - FW5 South	
04-Oct		Deliver to FW 5 South on collection day	First collection - FW1 North	
27-Sep		Deliver to FW 1 North on Collection day		
20-Sep	Bin hangers on Green Bins FW 5			
13-Sep	Bin hangers on Green Bins FW 1			
W/C	Bin Hanger	Caddy / info delivery	Round start date	Chargeable Garden waste

Appendix 3 Garden Waste Proposed Charges

Start Date	End Date	Amount for first 12 month subscription	Amount for additional 12 month subscriptions (additional bins)	Effective cost per month
01/12/2021	31/01/2022	£36	£30	£3
01/02/2022	31/03/2023	£40	£30	£3.33



Cherwell

DISTRICT COUNCIL
NORTH OXFORDSHIRE

Housing Standards Enforcement Policy

2021

Version 1

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1. INTRODUCTION

Cherwell District Council has a responsibility to deal with unsatisfactory housing in its area. Our aim is to raise housing standards and contribute to the Council's strategic priorities, in particular to *'Improve the quality and sustainability of our homes and build thriving, healthy communities.'*¹ This policy sets out the powers we have at our disposal to regulate and improve housing in the district, the Council's approach to enforcement and how we intend to use the available powers.

Conditions in privately rented homes tend to be less satisfactory than other tenures², so this is where our work is predominantly focussed. However, there are circumstances where we will act to address issues relating to owner-occupied dwellings and properties managed by Registered Providers and other bodies.

Whenever possible we will provide advice and guidance to assist landlords and other parties in complying with their legal requirements; however, it is recognised that if the law is broken, then robust enforcement action can be essential to protect the public and the environment. Throughout our housing interventions we will be seeking to:

- **Protect** and improve the health, safety, and welfare of occupants, members of the public and the environment;
- **Change** non-compliant behaviours and remove benefits of non-compliance; and
- **Promote** best practice in the private rented sector.

Cherwell District Council recognises and affirms the Regulators' Code³ and the importance of achieving and maintaining consistency and transparency of regulatory enforcement action. This policy aims to provide:

- **Guidance** for Council officers to ensure **consistency** and **fairness** when the Council is investigating, considering options and deciding to take enforcement action relating to the housing within its district; and
- **Clarity** to help businesses and members of the public know what to expect from the service when the Council takes legal proceedings.

In deciding upon enforcement options, the Council will have due regard to its overarching Enforcement Policy⁴ as well as statutory guidance, approved codes of practice and relevant industry or good practice guides. Appropriate enforcement actions that can be taken include, but are not limited to, those outlined below.

¹ Cherwell District Council Housing Strategy 2019-2024 'Cherwell - A Place to Prosper' - <https://www.cherwell.gov.uk/download/downloads/id/8860/housing-strategy-2019-2024.pdf>

² English Housing Survey 2019-20 - https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/945013/2019-20_EHS_Headline_Report.pdf

³ Regulators' Code - <https://www.gov.uk/government/publications/regulators-code>

⁴ Cherwell overarching enforcement policy - <https://www.cherwell.gov.uk/download/downloads/id/138/enforcement-policy-december-2016.pdf>

2. GENERAL APPROACH TO HOUSING ENFORCEMENT

Whilst we shall endeavour to develop a professional and constructive relationship with responsible landlords, the need to ensure that all properties meet minimum standards is paramount. We expect landlords and managing agents to comply with the law and to proactively manage their properties to ensure the health, safety and welfare of tenants is protected. Where individuals or companies are failing in their responsibilities and duties, the Council will take firm but fair enforcement action.

2.1 Identifying the need for action

The Council has a duty to keep the housing conditions in its area under review and we believe enforcement should be targeted at those individuals and organisations who fail to uphold the required standards. Our officers will establish the need to take enforcement action through:

- proactive investigations, audits and inspections of dwellings – including reviews of an individual landlord or agent’s portfolio of properties, area-based modelling, and data analysis; and
- reactive responses to complaints, referrals, or requests for assistance.

2.2 Shared enforcement responsibilities

In circumstances where enforcement responsibility is shared between or rests fully with external organisations, officers will have regard to protocols agreed with other enforcement agencies. Where appropriate, officers will ensure that referrals are passed to the appropriate enforcing authority promptly and in accordance with any agreed procedure.

2.3 Selecting appropriate enforcement options

Enforcement action decisions will principally be based on risk, but the exact type of enforcement taken will vary according to the legislation being applied. In many instances it will be appropriate for officers to use informal action such as offering advice, information and assistance to landlords and residents to aid compliance with housing related legislation.

However, when housing law contraventions are established, robust formal actions should be considered, and in some cases, taking a certain enforcement action is a statutory duty. Where failure to comply is of a serious nature, officers will use the full range of enforcement options available to them under the relevant legislation to achieve compliance and to protect those at risk. In the most serious contraventions possible action will include prosecution.

The type of enforcement action pursued is always considered on a case by case basis, based on its own merits and taking account of the assessed risk in each case. Officers will be suitably trained to make assessments and informed judgements; in particular in the application and use of the Housing Health and Safety Rating System (HHSRS) as the statutory method of assessing risks in housing.

Following consideration of the specific circumstances of the case, the most appropriate enforcement option will be applied and properly recorded. In every case enforcement seeks to:

- Promote and achieve sustained compliance with the law
- Ensure that risks to health, safety or the environment are appropriately addressed
- Minimise the negative impacts of wrongdoing and see that those who breach legislative requirements are held to account

In all cases, enforcement decisions, whether they are decisions to take action or to not take action, will be recorded, and the outcome communicated appropriately to the parties concerned.

2.4 Powers of entry and investigative powers

The Council has various powers to enter domestic premises and to require information and documents to be supplied in connection with the exercise of its various functions and the investigation of suspected offences. In most cases, entry will be sought under section 239 of the Housing Act 2004, and generally, officers will give at least 24 hours' notice prior to exercising a power of entry. However, no such notice is required where entry is to ascertain whether an offence has been committed in relation to licensing of HMOs, selective licensing of houses, breach of the HMO Management Regulations or Overcrowding Notices. If admission is refused, premises are unoccupied, or giving notice of entry is likely to defeat the purpose of the entry, then a warrant to enter by force may be sought, if judged necessary. Other Acts have their own enforcement powers including powers of entry which will be used accordingly when the Council exercises these specific pieces of legislation.

We will use all available powers to meet the enforcement objectives within this policy, having regard to any relevant Government guidance and other legal requirements that might apply to our actions; for example, the Data Protection Act 2018, Regulation of Investigatory Powers Act 2000 and the codes of practice under the Police and Criminal Evidence Act 1984. We will ensure that our officers are duly authorised, trained and supported to effectively exercise the Council's functions.

3. HOUSING ENFORCEMENT ACTIONS

This section summarises the types of action and legislation most commonly applied in the enforcement of housing standards. It is not an exhaustive list nor is it intended to be a definitive interpretation of the legislation or provide a full statement of the law. The Council may take any number of these courses of action, either simultaneously or consecutively, depending on the circumstances of the case.

In all cases we will seek to ensure that the information we provide is in clear, concise and accessible language, and that legal requirements are clearly distinguished from recommendations above the minimum standards. Decisions to take enforcement action will be properly recorded and justified.

3.1 Advice and guidance

We recognise that prevention is better than cure and we actively work with businesses, landlords and residents to educate and promote compliance with the law. In some cases, a fee may be payable for our advice. Where this is the case you will be informed and provided with details of the charge and how to pay the fee.

3.2 Informal enforcement action

The Council will allow an opportunity for informal compliance where this is considered appropriate. This judgement will be based on risk and compliance history. Where an informal opportunity does not achieve sufficient progress, or there is increased risk, the Council will proceed with formal action.

3.3 Statutory (Legal) Notices and Orders

In respect of breaches under the Housing, Public Health and related legislation Cherwell District Council has powers to issue certain statutory notices. Such notices are legally binding and may require the recipient to carry out work, cease doing specified things, provide information or take other actions depending on the statute or circumstances. As the Council relies upon statutory notices to effectively carry out its regulatory functions, breach of a notice is viewed as a serious matter. Failure to comply with a statutory notice can be a criminal offence and may lead to prosecution and/or other sanctions where appropriate. Where legislation permits the recovery of costs for serving statutory notices, the Council will normally charge.

3.4 Works in default

Where someone fails to comply with a notice which requires work to be completed, the Council may, depending on the specific legislation, carry out those works instead and recover the costs incurred in so doing. This is known as works-in-default. The Council will decide in each case whether to undertake works-in-default, and may also impose other available sanctions, for example prosecution. Some legislation also permits the Council to undertake emergency works where an imminent risk of harm exists. In all cases, the Council will follow the procedures specified in the particular legislation being exercised.

3.5 Prosecution

We apply the Code for Crown Prosecutors⁵ two-stage test when deciding whether a prosecution, civil penalty or simple caution is viable and appropriate, and only proceed when the case has passed both the evidential test and the public interest test. The principles in these tests form the basis of much of our formal enforcement decision-making.

The Evidential Test: We must first be satisfied that for each charge there is sufficient evidence to provide a 'realistic prospect of conviction' against each defendant. This means that before taking formal action, the Council must satisfy itself that if the case were to be prosecuted in a magistrates' court, the Council would be able to demonstrate beyond reasonable doubt that the offence has been committed.

The Public Interest Test: The Council must then decide whether it is in the public interest to prosecute. In deciding on the public interest, the Council will make an overall assessment based on the circumstances of each case and will consider all relevant circumstances carefully, including local and corporate priorities. Some factors may increase the need to prosecute whilst others may suggest that another course of action would be more appropriate.

Cherwell District Council will generally save prosecution for the most serious offences unless there is no alternative sanction, for example non-compliance with certain notices. The Council will also consider prosecution for banning order offences where the circumstances of the case dictate a Banning Order will be appropriate.

3.6 Simple Caution

Cherwell District Council may offer a simple caution as an alternative to prosecution in cases where there is insufficient public interest to prosecute, and:

- a. there is sufficient evidence to give a realistic prospect of conviction; and
- b. the offender admits his or her guilt; and
- c. the person being cautioned agrees to it, having been made aware that the caution may be cited in Court if the person is found guilty of other offences in the future.

The reasons for issuing a simple caution instead of prosecution in the courts would commonly be, for example, that the offender has no previous history in relation to the offence and has done everything in their power to make amends. Depending on the circumstances, this would usually entail remedial work to premises and/or taking proper steps to ensure that the offence cannot recur.

3.7 Civil (Financial) Penalties

The Council has powers to issue civil (financial) penalties for breaches under a wide range of housing legislation. The following general policy provisions will be applied in all cases, unless a specific policy has been published by the Council.

⁵ The Code for Crown Prosecutors - <https://www.cps.gov.uk/publication/code-crown-prosecutors>

The justification for the decision to issue a civil penalty (rather than to prosecute or take any other course of action), and for the level of penalty set will be fully recorded at each stage. This approach will ensure transparency and aid consistency in the enforcement process and will assist in defending appeals against decisions to impose civil penalties and/or the penalty amount. The Council will set penalties it believes reasonable, proportionate, and which can be successfully defended in the event of an appeal.

In the event that the Council receives properly made representations in response to a penalty notice, those representations will be considered and any decisions reviewed by a senior officer and/or the team manager within Housing Standards before responding. Especially complex or contentious cases will be escalated to the Assistant Director for Housing who will determine whether to impose a penalty and, if so, the amount of the penalty.

The income received from civil penalties will be retained by the Council to further its statutory functions, as the Local Housing Authority, in relation to its enforcement activities covering the private rented sector.

The Council will seek to recover all debts owed from financial penalties.

Changes to the appended civil penalties protocols to reflect changes in guidance, best practice and tribunal decisions will be delegated to, and approved by, the Assistant Director, Housing and Social Care Commissioning.

3.7.1 Civil penalties under the Housing and Planning Act 2016 and Housing Act 2004

The Housing and Planning Act 2016 introduced the power for Local Authorities to impose civil penalties of up to £30,000 as an alternative to prosecution for certain housing offences. The same criminal standard of proof is required for a civil penalty as for prosecution, and therefore, the Council will apply the Code for Crown Prosecutors evidential and public interest tests before proceeding.

Only one penalty can be imposed in respect of each offence, but where the Council is satisfied that more than one offence has been committed it may issue multiple civil penalty notices. However, where the Council considers that issuing multiple penalties concurrently in respect of a single property would result in an excessive cumulative penalty, the Council may issue a combined penalty in accordance with the totality principle.

The amount of penalty will be determined in each case by applying the Civil Penalties Protocol contained in [Appendix 2A](#) of this policy and having regard to the Ministry of Housing Communities and Local Government's statutory guidance⁶.

⁶ Civil penalties guidance for Local Housing Authorities - <https://www.gov.uk/government/publications/civil-penalties-under-the-housing-and-planning-act-2016>

3.7.2 Civil Penalties under other legislation

Where the Council has the option to issue Civil Penalties in respect of other legislative breaches, Cherwell District Council will issue such penalties as the legislation permits. Where a specific policy has been published this will be applied, otherwise the amount of any civil penalty will be determined by applying the Civil Penalties Protocol contained in [Appendix 2B](#) of this policy.

3.8 Rent Repayment Orders

Local Authorities and tenants can apply to the First-tier Tribunal (Property Chamber) (“the Tribunal”) for a Rent Repayment Order (RRO)⁷. An RRO requires a landlord who has committed certain offences to repay rent (and/or Housing Benefit/Universal Credit payments) received for a period of up to twelve months.

Cherwell District Council must consider applying for a RRO where a landlord has been convicted of a relevant offence in their area, and may also apply for a RRO where an offence has been committed, but the landlord has not been convicted (e.g. where a civil penalty has been issued in lieu of prosecution). Additionally, the Council may support tenants to make RRO claims. In all cases, the Council will apply its RRO Policy⁸ in determining when to apply for a rent repayment order.

3.9 Database of Rogue Landlords and Property Agents

The national database of rogue landlords and property agents allows local authority officers to add, search and keep track of known rogue landlords. The aim is to help authorities target their enforcement activities and to tackle those landlords and agents operating across Council boundaries.

The Council must make an entry on the database where a landlord or property agent has received a Banning Order; and may also make entries where a landlord or property agent has been convicted of a banning order offence, or has received two or more civil penalties within a twelve month period.

The Council will have regard to the government guidance⁹ when deciding whether to include a person on the database, and the duration of any entry.

3.10 Banning Orders

After a landlord or agent has been convicted of a Banning Order Offence¹⁰, the Council can apply to the First Tier Tribunal for a Banning Order¹¹. A Banning Order forbids a landlord or property agent from letting and/or managing property in England. Banning Orders last a minimum of twelve months with no statutory maximum. Breaching a Banning Order is a criminal offence which is liable on

⁷ Rent Repayment Orders guidance - <https://www.gov.uk/government/publications/rent-repayment-orders-under-the-housing-and-planning-act-2016>

⁸ Rent Repayment Order Policy - <https://www.cherwell.gov.uk/download/downloads/id/8160/rent-repayment-order-policy.pdf>

⁹ Rogue Landlord Database guidance - <https://www.gov.uk/government/publications/database-of-rogue-landlords-and-property-agents-under-the-housing-and-planning-act-2016>

¹⁰ Banning Order Offences - <http://www.legislation.gov.uk/ukxi/2018/216/contents/made>

¹¹ Banning Orders guidance - <https://www.gov.uk/government/publications/banning-orders-for-landlords-and-property-agents-under-the-housing-and-planning-act-2016>

summary conviction to imprisonment for a period not exceeding 51 weeks, or to a fine, or to both; or as an alternative to prosecution, a civil penalty of up to £30,000.

Cherwell District Council will reserve banning for the most serious offenders who have repeatedly breached their legal obligations and continue to rent out accommodation, which is substandard, in accordance with the Council's Banning Order policy¹².

3.11 Interim and Final Management Orders

Interim Management Orders (IMOs) and Final Management Orders (FMOs) transfer management control of a residential property to the Council for a period of between 12 months (for IMOs) and up to five years (for FMOs). The purpose of an IMO is to take immediate steps to protect the health, safety, or welfare of persons occupying the house, or persons occupying or having an estate or interest in any premises in the vicinity. FMOs aim to secure the proper management of the house on a long-term basis in accordance with a management scheme contained in the order.

The Council will make IMOs and FMOs where necessary, in accordance with the relevant legislation and government guidance.

3.12 Community Protection Notices

Housing Standards officers may use community protection notices and fixed penalty notices under the Antisocial, Crime and Policing Act 2014 in cases relating to residential premises where there is judged to be unreasonable conduct of a persistent or continuing nature arising which is having a detrimental effect on the quality of life of those in the locality.

3.13 Other enforcement powers

Other enforcement tools and legislative powers will be applied as new legislation is introduced, and/or where the Council considers those other powers to be the most appropriate remedy under the circumstances. Cherwell District Council will ensure that the relevant officers are duly authorised and trained to use such powers, and consultation with Legal Services and approval from the Assistant Director is sought where necessary.

¹² Banning Orders Policy - <https://www.cherwell.gov.uk/download/downloads/id/8161/banning-order-policy.pdf>

4. ENFORCEMENT OF HOUSING STANDARDS

Although housing issues will principally be dealt with under the Housing Act 2004, there are circumstances where other pieces of legislation are more appropriate to use, or where specific duties exist, or breaches are created and enforced under another Act. The following section provides an overview of the different areas of legislation and duties subject to enforcement by the Housing Standards Team.

4.1 Housing Act 2004 Part 1 enforcement of housing standards

Part 1 of Housing Act 2004 provides that, amongst other things, the statutory minimum standard for all homes in England and Wales be assessed by means of the Housing Health and Safety Rating System (HHSRS). The HHSRS is a calculation of the effect of 29 possible hazards on the health of occupiers and visitors to dwellings, and the legislation provides a range of actions for addressing identified hazards. The HHSRS is tenure-neutral and can be applied to owner-occupied properties and empty dwellings, as well as rented accommodation. The forms of enforcement action that can be taken under Part 1 of the Housing Act 2004 are summarised in **Appendix 1**.

The Council has a duty to take action to address Category 1 (the most serious) hazards and discretionary power to take action to address Category 2 (less serious) hazards. A Statement of Reasons will accompany each Part 1 notice or order served explaining why the chosen action was most appropriate.

In the case of Category 2 hazards identified under HHSRS, the Council will generally seek to address higher Category 2 hazards when these are identified; but will exercise its discretion and consider individual cases and circumstances when deciding whether or not to take action in response to any Category 2 hazards found within its district. For example, lower-scoring Category 2 hazards may need to be addressed when found in conjunction with Category 1 or high Category 2 hazards on the same premises. Conversely, it may not be possible to reduce a higher-scoring Category 2 hazard without undertaking significant or costly works to an otherwise satisfactory property. In such cases appropriate advice will be given and the decision recorded.

4.2 Licensing and enforcement of Houses in Multiple Occupation

A house in multiple occupation (HMO) is a property occupied by three or more unrelated tenants. HMOs include shared houses and poorly or partially converted buildings. All HMOs must be kept in good safe repair in accordance with the HMO Management Regulations^{13 14} and failure to comply with a regulation is an offence.

Enforcement of fire safety in HMOs is carried out in partnership with Oxfordshire Fire and Rescue Service in accordance with a Memorandum of Understanding incorporating all five district Councils in Oxfordshire.

¹³ The 2006 HMO Management Regulations (apply to all Section 254 HMOs)
<http://www.legislation.gov.uk/uksi/2006/372/contents/made>

¹⁴ The 2007 HMO Management Regulations (apply only to Section 257 HMOs)
<http://www.legislation.gov.uk/uksi/2007/1903/contents/made>

HMOs with five or more occupants sharing facilities must be licensed (unless exempt). Failing to apply for an HMO licence and not complying with HMO licence conditions are offences. The Council will administer HMO licence applications in accordance with its HMO Licensing policy¹⁵.

Licensed HMOs must comply with minimum standards for bedroom sizes and certain other amenities and facilities, as prescribed by Regulation. The Council also has discretion to produce its own HMO standards¹⁶ which are applied to all types of HMO, whether licensable or not. These standards are used by the Council to help in determining whether an HMO is reasonably suitable for occupation by a given number of occupants or households. Having a reference guide also helps achieve consistency and informs landlords and tenants of the expected standards.

Where a property is found to be overcrowded, the Council has a range of options depending on the specific circumstances:

- Licensed HMOs – the Council can impose and enforce licence conditions, or enforce Section 72(2) if landlord knowingly over-occupied the HMO
- Non-licensable HMOs – the Council can serve an overcrowding notice under Section 139 of the Housing Act 2004
- Any properties including single family homes – the Council can use HHSRS and Part 1 of the Housing Act 2004; and/or Part X of the Housing Act 1985

4.4 Electrical Safety Standards in the Private Rented Sector Regulations

Private landlords must ensure that the electrical installations in their rented properties are safe and meet the electrical safety standards at all times while let under specified tenancies. An electrical installation inspection and testing report must be obtained from a qualified person at least every five years, and copies supplied to specified parties.

Where the Council finds a landlord has breached their duties, we have a duty to serve a Remedial Notice. If this is not complied with, and/or there are urgent remedial works required the Council can undertake the remedial action and recover any costs incurred.

If the Council is satisfied beyond reasonable doubt that a private landlord has breached their duties, the Council may impose financial penalties of up to £30,000. Financial penalties under these regulations will be calculated using the Civil Penalties Protocol contained in [Appendix 2A](#) of this policy.

4.5 Smoke and Carbon Monoxide Alarm (England) Regulations 2015

Private landlords must ensure that their rented properties have smoke alarms on every storey, carbon monoxide alarms installed in any room containing a solid fuel

¹⁵ HMO Licensing Policy - <https://www.cherwell.gov.uk/download/downloads/id/9121/hmo-licensing-policy-2018.pdf>

¹⁶ Cherwell District Council's HMO Standards Policy - <https://www.cherwell.gov.uk/download/downloads/id/8196/hmo-standards-2018.pdf>

burning appliance, and that these alarms must be working at the start of any new tenancy.

Where the Council has reasonable grounds to believe that there is insufficient provision of smoke alarms or carbon monoxide alarms in the property as required by the regulations; or the smoke alarms or carbon monoxide alarms were not working at the start of a tenancy or licence the Council must serve a remedial notice detailing the actions the landlord must take to comply with the regulations. If after 28 days, the landlord has not complied with the remedial notice, the Council must arrange for an authorised person to take the remedial action specified in the remedial notice.

Where the Council is satisfied on the balance of probabilities that a landlord has failed to comply with a remedial notice, the Council may issue a financial penalty of up to £5,000. Financial penalties under these regulations will be calculated using the Civil Penalties Protocol contained in [Appendix 2B](#) of this policy.

4.6 Minimum Energy Efficiency Standards (MEES)

Landlords are prohibited from letting any properties with an Energy Performance Certificate (EPC) rating below E unless they have lodged a valid exemption on the Government's PRS Exemption Register. The Council may issue landlords who are found to have breached these regulations with financial penalties of up to £5,000 and may, either additionally or alternatively, publish details of any breaches on the PRS Exemption Register for 12 months or longer as it sees fit. Enforcement of these standards will be carried out in accordance with the Council's Minimum Energy Efficiency Standards policy¹⁷.

4.7 Drainage defects

A range of notices can be used to require repairs to defective drains including clearing of blockages, CCTV surveys, and structural work relating to both owner occupied and rented properties where necessary.

4.8 Filthy and verminous premises

The Council can use the Public Health Act 1936 (as amended) and the Prevention of Damage by Pests Act 1949 to tackle premises which are filthy or infested with vermin. Notices under these Acts can specify cleaning and treatment, including proofing work and clearance to prevent rodent infestations, and permit the Council to enter and undertake 3.4 Works in default if necessary.

4.9 Hoarding and Dilapidated Properties

These properties are often occupied by vulnerable persons, such as individuals with mental health issues or elderly people who are struggling to cope. The Council will primarily seek to provide signposting to assistance and engage with the relevant agencies to help them deal with any underlying issues. However, we will take enforcement action where there is significant disrepair, lack of hygiene or

¹⁷ Minimum Energy Efficiency Standards Policy - <https://www.cherwell.gov.uk/download/downloads/id/10097/minimum-energy-efficiencies-standards-policy-2020.pdf>

accumulations within properties which are likely to cause harm or ill health to the occupier or where there is a wider health issue or where statutory nuisance may exist. We shall engage with other agencies and refer such cases to them as necessary, particularly when there are safeguarding issues.

4.10 Statutory Nuisance Provisions

If a property or defect is prejudicial to health or is causing (or likely to cause) a nuisance to the locality, it may constitute a statutory nuisance under the Environmental Protection Act 1990. For an issue to constitute a statutory nuisance it must either:

- unreasonably and substantially interfere with the use or enjoyment of a home or other premises; or
- injure health or be likely to injure health.

Where the Council finds a statutory nuisance, it must serve an abatement notice requiring whoever is responsible to stop the nuisance or to take specific actions to prevent the occurrence or recurrence of the nuisance.

4.11 Antisocial behaviour

Where antisocial behaviour is associated with a residential property, we will work with other enforcement teams and agencies to address the underlying issues, and where appropriate serve Community Protection Notices¹⁸ on landlords, managing agents and/or occupiers to achieve cessation of the conduct. The Council may also seek injunctions and post-conviction orders where it is judged appropriate.

¹⁸ Under Part 4, Chapter 1 of the [Anti-social Behaviour, Crime and Policing Act 2014](#)

5. ENFORCEMENT OF LANDLORD AND TENANT LAW

The Council is committed to promoting and upholding tenants' rights under housing and landlord and tenant law. Our Tenancy Relations Officer works proactively with landlords and tenants to increase knowledge and awareness of everyone's rights and responsibilities within the private rented sector; thereby helping to improve the quality of tenant experience in the sector, reduce homelessness and promote sustainable tenancies. However, when things go wrong, we will step in to investigate alleged offences and will take robust enforcement action.

5.1 Unlawful eviction and harassment of tenants

Depending on their tenant's security of tenure, most landlords are normally required to give notice and then obtain a court order for possession after the notice has expired. Illegal eviction occurs when the tenant is unlawfully prevented from entering all or part of their accommodation. Examples include:

- The use of violence (or threats of violence) to force the tenant to leave;
- Preventing the tenant from entering accommodation they have the right to occupy;
- Changing the locks while the tenant is out; and
- Evicting a tenant before the proper legal procedures have been followed.

Harassment occurs when a landlord (or someone acting on their behalf) does something that is likely to interfere with the tenant's peace and enjoyment or persistently withdraws or withholds services that the tenant reasonably requires for the occupation of the premises in the knowledge that this is likely to cause them to leave the property or refrain from exercising their tenancy rights. Examples include:

- Forcing the tenant to sign agreements which take away their legal rights;
- Removing or restricting essential services such as hot water or heating, or failing to pay bills in order that these services are cut off;
- Constant visits to the property (especially if late at night or without warning);
- Entering the accommodation when the tenant is not there, or without the tenant's permission; and
- The use of violence or threats of violence.

The Tenancy Relations Officer will work closely with the Police and the Council's Housing Options and Allocations Teams to prevent homelessness, reinstate tenants who have been evicted illegally, and investigate and prosecute offences of illegal eviction and harassment. If conviction is secured the Council will also seek rent repayment orders where housing benefit or Universal Credit has been paid, and will advise tenants in applying for injunctions, compensation and rent repayment orders.

5.2 Tenant Fees Act 2019

The Tenant Fees Act 2019 (“the TFA 2019”) prohibits landlords and letting agents from charging any fees in respect of private rented sector tenancies which are not “permitted payments.” If a payment is not of a type specifically listed in Schedule 1 of the TFA 2019, it is prohibited by default.

The Government has published statutory guidance¹⁹ to which enforcement authorities must have regard in relation to enforcing the TFA 2019. Bristol City Council in its capacity as Lead Enforcement Authority for the TFA 2019 has also produced guidance. This policy has been developed with due regard to these statutory and non-statutory guidance documents.

The duty to enforce the TFA 2019 falls to Oxfordshire Trading Standards as the local weights and measures authority. As a district Council that is not a local weights and measures authority, Cherwell has the power to enforce section 1 (prohibitions applying to landlords), section 2 (Prohibitions applying to letting agents) and schedule 2 (treatment of holding deposits).

A first breach of the legislation will be a civil breach with a financial penalty of up to £5,000. However, if a further breach is committed within five years, enforcement authorities may impose financial penalties of up to £30,000 or prosecute as a criminal offence depending on the breach, as follows:

Breach of TFA 2019	First breach	Further breaches within 5 years
Charging unlawful fees Section 1 or 2	Civil breach Maximum financial penalty up to £5,000	Criminal offence Summary conviction with unlimited fine AND banning order offence under section 14 of the Housing and Planning Act 2016 OR financial penalty up to £30,000
Unlawfully retaining holding deposit Schedule 2	Civil breach Maximum financial penalty up to £5,000	Civil breach Maximum financial penalty up to £5,000

Since a second or subsequent breach, within five years, is a criminal offence, Cherwell District Council will apply the criminal burden of proof (i.e. satisfied beyond reasonable doubt) when imposing sanctions for all initial and subsequent breaches.

The Council will investigate and determine the most appropriate and effective sanction in each case, having due regard to the relevant sections of this Housing Standards Enforcement Policy, the Council’s Banning Order Policy, and any other relevant policies and guidance.

¹⁹ Tenant Fees Act 2019: Statutory Guidance for enforcement authorities - <https://www.gov.uk/government/publications/tenant-fees-act-2019-guidance>

5.2.1 Determining the level of the financial penalty

In accordance with the provisions of the TFA 2019, the level of financial penalties is to be determined by the Council, which is expected to develop and document its own policies on determining the appropriate level of financial penalty in any given case.

Although the statutory guidance recommends factors which may be taken into account it does not go into any significant level of detail in this regard. Each of those factors will be considered as a part of the Council's decision-making process and they are:

- a. The history of compliance/non-compliance
- b. The severity of the breach
- c. Deliberate concealment of the activity and/or evidence
- d. Knowingly or recklessly supplying false or misleading evidence
- e. The intent of the landlord/agent, individual and/or corporate body
- f. The attitude of the landlord/agent
- g. The deterrent effect of a prosecution on the landlord/agent and others
- h. The extent of financial gain as a result of the breach

[Appendix 2](#) of this policy sets out the processes that the Council will use in order to determine the level of financial penalties under the TFA 2019. [Appendix 2B](#) will be used for determining penalties up to £5,000, and [Appendix 2A](#) for penalties up to £30,000. When applying these protocols, officers will have particular regard to the statutory guidance and ensure that the above factors are properly incorporated into the assessment. These appendices may be updated to reflect changes in guidance, best practice and tribunal decisions with approval from the Assistant Director, Housing and Social Care Commissioning.

5.2.2 Recovery of payments

An unpaid financial penalty can be recovered as a civil debt through the County Court. The money from financial penalties must be used to fund further enforcement of the private rented sector.

Prohibited payments can be recovered by tenants through the County Court, and the Council may assist tenants and conduct litigation on their behalf.

5.2.3 Notification of enforcement action

The Council will, wherever appropriate, seek to work with Oxfordshire Trading Standards and the other Oxfordshire district Councils to share information and best practice to maximise enforcement outcomes. The Council may also seek the guidance of the Lead Enforcement Authority if required.

There are certain circumstances in which an enforcement authority must notify another body when relevant enforcement actions are taken or cease. These circumstances are set out in section 14 of the Act. This prevents duplication of work and allows an accurate record of previous enforcement action to be maintained so authorities to check if a breach is a first breach or further offence. The Council will notify Oxfordshire Trading Standards whenever it (Cherwell District Council)

proposes to take enforcement action or decides not to continue with enforcement action relating to breaches of the TFA 2019.

The Council will notify the Lead Enforcement Authority as soon as reasonably practicable if a financial penalty is imposed, withdrawn, quashed; or proceedings for an offence result in conviction.

If the Council takes action relating to breaches occurring outside its district, it will notify the relevant Local Housing Authority whenever relevant action is taken.

5.3 Lettings Agent and Property Management Redress Schemes

It is a legal requirement that all lettings agents and property managers in England join one of two Government-approved redress schemes (The Property Ombudsman - www.tpos.co.uk and The Property Redress Scheme - www.theprs.co.uk).²⁰ The Council can impose financial penalties of up to £5,000 when it is satisfied on the balance of probabilities that a lettings agent or property manager has failed to comply with the requirement to belong to an approved redress scheme. Since letting agents and property managers are professionals running businesses, they are expected to be aware of their legal requirements, and furthermore by failing to join a scheme they are denying landlords and tenants access to fair and independent redress. Consequently, the Council will generally seek to impose penalties when breaches are found, rather than taking informal action.

Where the Council is satisfied on the balance of probabilities that a letting agent has failed to comply with the requirement to belong to a redress scheme, the Council may issue a financial penalty of up to £5,000 per breach. Further penalties can be issued if subsequent or continued non-compliance is found. Financial penalties under these regulations will be calculated using the Civil Penalties Protocol contained in [Appendix 2B](#) of this policy.

²⁰ The Redress Schemes for Lettings Agency Work and Property Management Work (Requirement to Belong to a Scheme etc) (England) Order 2014 - <https://www.legislation.gov.uk/uksi/2014/2359/contents/made>

6. EMPTY HOMES

6.1 General approach to tackling empty homes

Our approach will be based on the following principles:

- We want empty homes to be used
- We will encourage and facilitate their re-use (e.g. by providing advice, grants and loans)
- We will take action to resolve specific issues caused by empty homes (where powers permit)
- We will take action to secure re-use of empty homes where a business case exists.

We will seek to work alongside owners of empty homes with a solution-based approach to support and encourage voluntary action. However, we are also committed to using appropriate enforcement action where owners fail to take responsibility for their properties, reasonable negotiations fail or there is little prospect of the property being bought back into use voluntarily.

A number of factors will be considered in deciding the best course of action for an empty home. The Council will provide advice, assistance and has the discretion to provide financial assistance to the owners of empty properties to help bring the home back into use under the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002²¹, subject to appropriate funding being available.

We will however also consider using any of the following enforcement options:

6.2 Empty Dwelling Management Orders

Where a property has been left empty for over two years and is attracting anti-social behaviour, the Council may seek an EDMO, the provisions for which are contained in the Housing Act 2004. An EDMO allows the Council to take over full management of the property for up to seven years, reclaiming any management and refurbishment costs from the rental income.

6.3 Compulsory Purchase Orders

CPOs can be made under s17 of the Housing Act 1985 where it can be shown that there is housing need, rather than proving the property was causing blight or other problems. In cases such as this Cherwell District Council will take account of up-to-date housing statistics, local policies and such other information it judges relevant, the outcome of any voluntary negotiations and the prospect of the property being brought back into use.

Section 226 of the Town & Country Planning Act 1990 permits a local authority, when authorised by the Secretary of State, to compulsorily acquire any land in their administrative area which will facilitate the carrying out of development, re-development or improvement of the area (provided this will contribute to economic,

²¹ Regulatory Reform (Housing Assistance) (England and Wales) Order 2002
<https://www.legislation.gov.uk/uksi/2002/1860/contents/made>

social or environmental well-being), or which is necessary to achieve in the interests of the proper planning of an area in which the land to be acquired is situated. This power can be used for the acquisition of individual 'problem properties' that can be regenerated to provide much needed affordable housing, improve the appearance of the surrounding area and reduce anti-social behaviour. Cherwell District Council will consider Compulsory purchase orders ("CPOs") under these powers where there is the opportunity to bring individual problematic properties back into use.

Both powers allow the Council to purchase properties in specific circumstances without the owner's consent.

6.4 Enforced Sale Procedure

The Law of Property Act 1925 allows the recovery of debt secured by a registered charge by forcing the sale of a property. In situations where the Council has served notices requiring the owner to ensure that their property is not unsafe or having a negative impact, but they have failed to act, the Council may be forced to carry out the works in default. If the costs incurred are not paid, the Council will register a charge against the property and should the owner still not pay this debt, the Council can commence legal proceedings to sell the property to recover the costs.

7. ADDITIONAL INFORMATION

7.1 Recovery of Enforcement Costs

The Council will generally seek to recover the full costs of its enforcement interventions, in accordance with its policies and guidance provided by Government, with the aim of minimising the cost of non-compliance on the Council and the community. Where a charge has been levied and not paid, the Council will seek to recover any debt owed in accordance with its policies and the relevant debt recovery mechanisms as specified in statute.

The Council will seek to recover all costs incurred from successful prosecutions. Financial penalties will generally be set at a level which is not less than the cost of compliance or the costs incurred by the Council in investigating the contravention, whichever is greater.

7.1.1 Recovery of costs associated with service of notices etc. under Part 1 of the Housing Act 2004

The Housing Act 2004 allows the Council to recover certain costs incurred in the assessment, preparation and service of certain notices and orders dealing with house-condition issues.

The aspects which can be charged for are set out in the Act, and although the government may set a limit on the maximum amount that can be charged it has not done so. However, local authorities are expected only to charge the reasonable costs of enforcement and should take into account the personal circumstances of the person(s) against whom the enforcement action is being taken. Unless the Assistant Director, Housing and Social Care Commissioning considers that there is a legitimate reason for departing from the stated policy, the Council will recover the costs associated with taking all relevant enforcement actions.

The Assistant Director, Housing and Social Care Commissioning will be responsible for periodically determining the average minimum cost of taking the relevant enforcement actions and for approving the specified charge for each notice type accordingly. When determining charges, the following will be taken into account:

- travelling costs (which may be standardised or averaged)
- employment costs of relevant officers (which may be standardised or averaged)
- Corporate overheads (which may be applied as a percentage addition to employment costs)
- estimates of the time typically taken on the various relevant activities (which may be standardised or averaged)

The Assistant Director, Housing and Social Care Commissioning will also specify periodically how, and in what circumstances, costs over and above the specified minimum charge will be determined.

7.1.2 Recovery of costs associated with work-in-default

A number of the statutory notices used by the Council allow it to undertake work-in-default in the event that notice recipient(s) fail to carry out works required by those notices. The Council can then recover the costs it has incurred.

The Council will seek to recover all the costs associated with undertaking work-in-default (including for example, time spent by its officers, administrative costs, contractor's costs, the cost of any specialist reports, supervisory costs etc.)

The Council will calculate the cost of officer time (for activities other than travel) on the basis of the actual time spent by officers on the chargeable activities and will charge that time at an appropriate hourly rate.

The Head of Service will be responsible for determining (periodically) what hourly rate or rates should be applied and in doing so, will take into account:

- employment costs of relevant officers (which may be standardised or averaged)
- Corporate overheads (which may be applied as a percentage addition to employment costs)

The Head of Service will also be responsible for determining (periodically) how travelling cost will be calculated and may determine that a standardised / average travelling cost should be used.

The Council will normally invoice the responsible person(s) for the cost of work but will in addition make the cost of work-in-default a charge on the relevant premises in all cases where the applicable legislation provides for that to be done. Accrued interest will be added to charges at an appropriate rate determined by the Council.

Any exceptions to this approach will be determined by the relevant Head of Service.

7.1.3 Recovery of other costs

The Council may make reasonable charges to cover the costs of providing discretionary services, for example the provision of detailed advice.

7.1.4 Publication of fees and charges

All fees and charges (except for works-in-default which by its nature is ad hoc) will be reviewed periodically and published on the Council's website.

7.2 Proceeds of Crime

The Proceeds of Crime Act 2002 (POCA) allows Local Authorities to recover assets that have been accrued through criminal activity. Where appropriate the Council will consider the use of POCA, however it is expected that in most housing cases this same outcome will be achieved via Rent Repayment Orders.

7.3 Grants and financial assistance

The Council offers a range of grants, loans and other forms of assistance to landlords, homeowners and tenants for a wide range of circumstances, principally

relating to the improvement of housing stock. These are provided in accordance with the Council's grants and assistance policies. Grants are generally not available to landlords who are subject to recent or ongoing enforcement action.

7.4 Monitoring and Review

The Council will keep its regulatory activities and interventions under review, with a view to considering the extent to which it would be appropriate to remove or reduce the regulatory burdens they impose, where the Council has direct control of these matters.

Changes will be introduced into this document where necessary to accommodate new legislation, guidance and local needs.

7.5 Application of the Policy

All officers must have regard to this policy when making enforcement decisions.

7.6 Publicity

Enforcement cases will be publicised in the media in accordance with the Council's media policies.

7.7 Complaints, Representations and Appeals

Where legislation includes a right to make representations these will be considered in accordance with the relevant statute and where appropriate reviewed by a senior officer. Appeals against formal enforcement actions such as civil penalties, notices or prosecutions, must be made to the relevant court or tribunal for determination. Any such appeal does not preclude any aggrieved person from making a formal complaint about the service or any officers. Any such complaint will be dealt with in accordance with the Council's complaints procedures and guidance.

Appendix 1 – Housing Act 2004 Part 1 enforcement options

The forms of enforcement action that can be taken under Part 1 of the Housing Act 2004 are as follows:

Improvement Notices require the recipient to carry out certain works within a specified time period. If works are not carried out to the appropriate standard within that time frame, the Council may issue a financial penalty, prosecute and/or carry out works in default.

An Improvement Notice may be **suspended** depending on the circumstances of the case, e.g. there is a need to obtain planning permission before works can be undertaken, or the personal circumstances of the occupants suggests that works ought to be deferred.

Suspended Improvement Notices will be reviewed on an ongoing basis, at least every 6 months.

Prohibition Orders prevent the use of all or part of a property until such time as works are carried out to remove the hazards identified. They are likely to be used if repair and/or improvement appear inappropriate on grounds of practicality or excessive cost (i.e. the cost is unrealistic in terms of the benefit to be derived). Prohibition Orders can also be used to prevent occupation by particular groups of persons, e.g. those that are particularly vulnerable to the hazard(s) identified.

Prohibition Orders may be **suspended** depending on the circumstances of the case.

Hazard Awareness Notices are advisory notices that inform the owner/landlord that a hazard requires attention, but further formal action is unlikely unless conditions worsen or circumstances change. Hazard Awareness Notices will be reviewed on an ongoing basis to ensure they remain the most appropriate course of action.

Emergency Remedial Action and Emergency Prohibition Orders may be used specifically where the Council is satisfied that:

- A Category 1 hazard exists, and that
- the hazard poses an imminent risk of serious harm to health or safety, and that
- immediate action is necessary.

Demolition Orders and Clearance Areas

The Council has powers to order the demolition of dwellings as a possible response to Category 1 hazard(s); however, these powers are rarely used and unlikely to be a proportionate response to address the majority of hazards identified in the district.

Tenure

The HHSRS is tenure neutral; that is, it applies as much to owner-occupied dwellings as to rented dwellings, so all enforcement options are available to the Council regardless of whether the premises in question are owner-occupied, privately rented or belong to a social landlord (now called Registered Providers or RPs).

Occupiers views will be taken into consideration when considering what action is appropriate. Owner-occupiers are generally considered to be in a position to take informed decisions concerning maintenance and improvement issues which might affect their welfare. Tenants, and particularly non-RP tenants, are not usually able to do so in the same way and the Council judges that it is appropriate for tenure to help inform its decisions about appropriate action; for example, an Improvement Notice may be served where the property is tenanted because the tenant has little control over remedying the defect (and the responsibility to do so is generally the landlord's) but a Hazard Awareness Notice may be served where the occupier is also the owner who may not choose to take remedial action.

The Council will consider other relevant factors when considering the most appropriate course of action, including the vulnerability of occupants, the views of any welfare authority (or other support agency) involved as well as the severity of the hazards identified and potential risks to other people.

Appendix 2 – Civil Penalties Protocols

Appendix 2A: Protocol for determining the level of financial penalty where the maximum fine is £30,000

Guidance for officers when setting financial penalties under the Housing and Planning Act 2016, Housing Act 2004, or in cases where no specific financial penalty policy has been published

Introduction

The statutory guidance²² makes it clear that officers should have regard to the following factors when determining the level of financial penalty:

- Severity of the offence
- Culpability and track record
- Harm caused to the tenant
- Punishment of the offender
- Deter offender from repeating the offence
- Deter others from committing similar offences
- Remove financial benefit the offender may have obtained by committing the offence

These factors have been incorporated into the Council's Financial Penalty Matrix which officers use when determining the level of penalty. The starting point for setting the fine is to establish the level of culpability and level of harm in the case and then to combine these factors to determine the severity. This gives an assumed starting point for the penalty, which is then fine-tuned by considering aggravating, mitigating, and other relevant factors.

1. Culpability

The Authority will have regard to three levels of culpability – high, medium and low. Examples of what constitutes high, medium or low culpability are given below.

High culpability	Deliberate or reckless act. Intentional breach, actively and knowingly evading legal duties and responsibilities. Multiple / relevant / recent convictions or formal interventions Knew of problems but took little or no action to correct. Professional landlord or agent, accredited, national company
Medium culpability	Negligent act. Failure to take reasonable care to avoid committing offence. Should have known better. 'Took their eye off the ball' Attempts to comply, but works are reactive / incomplete / undertaken to poor standard Prior formal or informal interventions. Experienced or established landlord Failed to make themselves aware of legal duties

²² MHCLG guidance on civil penalties under the Housing and Planning Act 2016 for local housing authorities - <https://www.gov.uk/government/publications/civil-penalties-under-the-housing-and-planning-act-2016>

Low culpability	<p>Little fault of offender</p> <p>Damage caused by tenant</p> <p>Let down by 3rd party e.g. builders/agent</p> <p>No prior / recent formal/informal interventions</p> <p>Active attempts made to avoid committing offence e.g. had attempted to fix disrepair previously but recurred; had some management processes in place</p> <p>Property was otherwise in good order, other properties in portfolio are generally in good order, more likely to be an isolated blip</p>
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2. Harm

The Authority will have regard to the harm caused to the individual, to the community (e.g. economic loss) and other types of harm (e.g. public concern over the impact of poor housing on the neighbourhood). The nature of the harm will depend on the circumstances of the victim (tenant).

Where there is no actual harm, the Authority will consider the relative danger the person was exposed to as a result of the offence (i.e. the likelihood of harm occurring and the seriousness that could have resulted).

High harm	<p>Defects likely to give rise to extreme (class I) or severe (class II) harm outcomes to occupants or visitors, e.g. electrocution or serious fire safety risks.</p> <p>Especially serious physical or psychological effects on victim</p> <p>Vulnerable victims e.g. minors, or members of HHSRS vulnerable groups present/affected</p> <p>Multiple victims exposed to potential harm e.g. large HMO / public at risk</p> <p>High number of serious health and safety HMO Management breaches, and/or breaches have persisted for significant period</p> <p>Multiple or imminent risk Category 1 hazards</p>
Medium harm	<p>Defects likely to give rise primarily to serious (class III) harm outcomes to occupants or visitors, e.g. serious burns, sprains, or gastroenteritis.</p> <p>Fewer number of victims exposed to potential harm e.g. mid-size HMO</p> <p>Lesser health and safety HMO Management breaches, and/or larger number of other breaches which have persisted for significant period</p> <p>Lesser/few Category 1 hazards plus multiple Category 2 hazards</p>
Low harm	<p>Defects likely to give rise primarily to moderate (class IV) harm outcomes to occupants or visitors, e.g. moderate cuts, bruising or discomfort.</p> <p>Minimal victims exposed to potential harm e.g. small HMO or family only</p> <p>Property is structurally compliant, but penalty relates to another non-compliance e.g. failure to have HMO licence, failure to display manager's details etc.</p> <p>Category 2 hazards only</p>

3. Severity

Severity of the offence is established by combining culpability and harm. This will give the Band level and assumed starting point (ASP) of the fine. The mid-point of the band is selected so that when aggravating and mitigating factors are applied, these are given equal weighting and opportunity to affect the overall penalty level.

Band 1 = £0 to £4,999 Assumed Starting Point £2,500	Low Culpability/Low Harm
Band 2 = £5,000 to £9,999 ASP £7,500	Medium Culpability/Low Harm OR Low Culpability/Medium Harm
Band 3 = £10,000 to £14,999 ASP £12,500	High Culpability/Low Harm OR Medium Culpability/Medium Harm OR Low Culpability/High Harm
Band 4 = £15,000 to £19,999 ASP £17,500	High Culpability/Medium Harm OR Medium Culpability/High Harm
Band 5 = £20,000 to £30,000 ASP £25,000	High Culpability/High Harm

4. Aggravating and mitigating factors

Aggravating factors will increase the fine while mitigating factors will decrease it. Examples of each factor are given below (but regard will be given to the full list of such factors given in the Sentencing Council Guidance).

Aggravating Factors	<p>Previous formal or informal action, relevant convictions and other cases taken into consideration</p> <p>Motivated by or made financial gain, no attempts made to resolve problems, no remorse or personal responsibility</p> <p>Deliberate, Negligent, ought to have known</p> <p>Poor communication, obstruction, concealing evidence, uncooperative</p> <p>Other – e.g. Vulnerable tenants, actual harm occurred</p>
Mitigating Factors	<p>No prior action / relevant convictions</p> <p>Remorse, takes personal responsibility, little/no financial gains</p> <p>Voluntary action taken promptly to resolve problems</p> <p>Cooperation, exemplary conduct, good communication, actively assisted enquiries</p> <p>Other – e.g. Medical conditions, disability, immaturity, carer etc.</p>

5. Punishment and deterrence of offender - financial assessment

An assessment of the offender's incomes and assets will be made to ensure a commensurate level of fine that will act as a punishment, deter the offender and ensure the offender did not profit from the offence. An assessment may look at the following:

- Value of the property in question and whether this is above or below the average for that type of property and location
- Value of other properties the offender owns
- Rental income

- Other monthly income
- Whether the property is mortgaged or owned outright
- Evidence of debts, savings or other assets

6. Deterrence of other offenders

Unlike a successful prosecution, the fact that someone has received a financial penalty is not in the public domain (unless they choose to appeal); however, it is likely that other landlords in the local area will become aware through informal channels. Setting penalties at a level appropriate to the severity, harm and culpability and taking the circumstances of each case into account, will act as a deterrent to other landlords. The Council is likely to publish the number and value of any civil penalties imposed.

7. Other reductions and adjustments

Officers may make further adjustments and reductions to the overall penalty level if justified. Reductions following representations may be applied to the penalty subtotal, for instance to reflect works subsequently completed or other new information and mitigating factors. If the subject enters a guilty plea prior to an appeal hearing, a reduction can be made to the overall penalty. The level of reduction decreases on a sliding scale in accordance with the Sentencing Council Guidelines.

Appendix 2B: Protocol for determining the level of financial penalty where the maximum fine is £5,000 or less

Guidance to assist officers to determine appropriate penalties in cases where no specific financial penalty policy has been published.

Setting the penalty level:

In cases where the maximum financial penalty does not exceed £5000, officers will use the table below to set the penalty level. The culpability and harm assessment will take into account the factors listed below, plus and any other factors relevant to the case and specific regulations in question.

	Low culpability	High culpability	Notes
Low harm	25%	50%	% = Proportion of maximum penalty available.
High harm	50%	100%	

Factors affecting culpability:

High: Landlord has a previous history of housing related statutory non-compliance and/or has failed to comply with requests to comply with these regulations. Knowingly or recklessly breached regulations, obstructive conduct, extended period of non-compliance

Low: No prior history of non-compliance with housing related regulatory requirements. Complex issues partially out of control of the landlord have led to non-compliance. Short period of non-compliance. Promptly took steps to remedy deficiencies.

Factors affecting harm:

High: Significant level of non-compliance. Vulnerable tenants occupying property. Potential for severe or serious harm. Evidence of actual harm.

Low: Low degree of non-compliance (e.g. only slightly below minimum standard). No vulnerable tenants. Potential for slight or moderate harm. No evidence of actual harm.

Further adjustments and representations:

Officers may adjust the penalty level up or down from the level determined in the matrix if there are additional aggravating or mitigating factors (up to the maximum/minimum penalty for each offence). The penalty level may also be adjusted in response to representations and new information received after a Penalty Notice has been served.

General principles for determining the level of financial penalty

- The fine should reflect the seriousness of the offence and the financial circumstances of the offender.
- The fine should reflect the level at which the offender fell below the required standard.
- It should not be cheaper to offend than to take the appropriate precautions.
- Landlords will be provided with an explanation of any penalty issued and, in the event of any revisions made in response to representations, with an explanation of any adjustment made.

Appendix 1

Oxfordshire's Homelessness and Rough Sleeping Strategy 2021-26

Introduction

This is the first county wide Oxfordshire Homelessness and Rough Sleeping Strategy and marks a commitment to an inter-agency cross sector partnership approach. Significant innovations include a Housing Led / Housing First approach, so that people are supported in tenancies rather than proving they are tenancy ready, and use of a By Name List to ensure real time data informs decisions and developments.

The Covid-19 response has shown things can be done differently when normal rules no longer apply. Councils, under the government's 'Everyone In' scheme were required to provide self-contained emergency accommodation to people sleeping rough during the lockdown. This took a public health approach, overriding existing legal tests of who might qualify for assistance. Services in 2020 are working to ensure those accommodated do not return to rough sleeping, in part funded by the Next Steps Accommodation Programme (NSAP), which has now become the Rough Sleeper Accommodation Programme (RSAP).

However, we collectively face challenges in coming months and years. The ongoing health threats of the Covid-19 pandemic put those who are homeless, or who live or work in shared housing and support services at increased risk and make the provision of services more challenging. The economic impacts have the potential to significantly increase financial hardship and put more people at risk of homelessness. Voluntary and community sector organisations that provide an important safety net are also experiencing financial and operational impacts.

This strategy draws on the year-long Housing-led Feasibility Study, undertaken by Crisis during 2019-2020, which engaged with people with lived experience of homelessness and rough sleeping in Oxford and countywide. A housing-led, or 'rapid rehousing', approach seeks to end a person's homelessness by moving them into their own home as soon as possible, before addressing any other issues they may need support with. This would be a significant change from the current provision which is heavily focussed on placements within supported accommodation, including hostel provision. Prevention of homelessness by working upstream is also fundamental to the strategy.

The strategy is informed by the recommendations of the Oxfordshire Safeguarding Adults Boards' Thematic Review (SAR) of Homelessness 2019, which explored the circumstances surrounding the deaths of 9 individuals who had all experienced what the report terms multiple exclusion homelessness leading up to, and at the time of, their deaths in 2018/19.

The strategy is also informed by the recommendations from the Homelessness Health Needs Assessment published in 2019.

The Oxfordshire councils, Oxfordshire County Council; Oxford City Council; Cherwell, South Oxfordshire, Vale of White Horse and West Oxfordshire District Councils; the Oxfordshire Clinical Commissioning Group (CCG) and Oxford Health NHFT currently resource around £12.5 million worth of supported housing¹, targeted at people in housing need and those who sleep rough. In addition, Oxfordshire benefits from a great deal of community-based support. However, this strategy is needed because:

- Over the course of a year around 600-700 people sleep rough in Oxfordshire
- 64 people were sleeping rough in Oxfordshire on a 'typical' night in November 2019
- Life expectancy for people who sleep rough, is on average 30 years less than the rest of the population. People who sleep rough die, on average, between the ages of 43 and 47 years
- People who sleep rough are 17 times more likely¹ to be victims of violence than those who do not
- Nationally, 14% of those who sleep rough are women. A quarter of women sleeping rough have been sexually assaulted while on the streets
- Three quarters of people who are street homeless experience mental ill health.
- Two thirds of people who are street homeless report using drugs and/or alcohol to cope
- In Oxfordshire, our housing, social care and health systems are fragmented. Access to housing is linked to location and can be dependent on district or city connection
- Those currently using housing and support services have very little choice over or input to these.

The Ministry of Housing, Communities and Local Government (MHCLG) is supporting Oxfordshire councils to work in a more coordinated and consistent way to tackle rough sleeping and homelessness by resourcing the partnership to deliver a 'one system' approach in Oxfordshire.

This multi-agency strategy will underpin a transformation in the way housing, social care and health services work together and work with people in need of housing and support. It will inform future commissioning of services within Oxfordshire. It will be subject to annual review with partners.

The focus of this strategy is on rough sleeping and single homelessness including couples without dependants. There will be close working and connection across to the work on families, young people, people with mental health issues and people experiencing domestic abuse.

There is a separate Action Plan setting out 1) actions, 2) by whom and 3) Outcomes/Measures for each of the "We will" bullet points within the 5 priorities set out below. This plan will be kept under review.

¹ This figure includes Mental Health supported accommodation

Vision

To prevent and resolve homelessness, so that no one sleeps rough in Oxfordshire and that sustainable housing solutions are found so that the impact of homelessness on people's lives is reduced.

Principles

- We treat people in need of our services with respect
- We acknowledge people as individuals and work with their strengths
- We work in a 'psychologically informed way', understanding how past trauma and adverse childhood experiences affect people who experience homelessness
- We actively involve people affected by homelessness in identifying solutions and offer choice wherever possible
- We avoid 'gatekeeping' in the delivery of services
- There is a human face to our services so that the person who is homeless has a named person they can contact
- We focus on the health, wellbeing and quality of life of people who experience homelessness, addressing the whole person, not just housing needs
- We co-operate to deliver a co-ordinated and consistent service across the county
- Take action to maximise the resources available to deliver the vision
- We will engage positively with the voluntary sector and faith-based groups
- Senior leaders across the system will seek to influence and lobby national policy and longer-term funding developments across MHCLG, Dept of Health, MOJ etc

Purpose/ Mission: transform the way we respond

Developing a whole system approach is at the heart of this strategy. We need to coordinate the way services work together to prevent people from being passed between agencies without clarity as to who retains responsibility or who to contact; or from becoming lost in the gaps between services. We need to ensure we respond to the wider needs of individuals, not just their presenting or urgent issue. We will:

- Hold relevant organisations and system leaders to account for delivering strategic objectives and service improvement, through clearer countywide governance, in relation to the prevention of and effective response to 'multiple exclusion' homelessness.
- Ensure greater choice and flexibility in provision of housing and support and greater collaboration to deliver better outcomes.
- Prevent people in need of housing and support from being passed between agencies Establish system-wide performance indicators, focusing on

performance at the 'joins' between services and overall outcomes of the individual, not just the project

We need to transform the way our services understand and respond to the hopes, needs and experiences of individuals. We will:

- Ensure our services understand and adjust for the impact of past trauma and adverse childhood experiences, particularly on those experiencing 'multiple exclusion homelessness'. This means workforce transformation across the statutory and voluntary sectors.
- Ensure that our services are culturally competent and able to respond to the diversity and individuality of the people we work with, including the importance of informal networks to people's lives.

Priorities:

1. Proactively prevent homelessness

The Homelessness Prevention Act 2017 extended the period in which a household is defined as 'threatened with homelessness' from 28 to 56 days. It also placed a new 'prevention' duty on local authorities to 'take reasonable steps' to prevent the threatened homelessness of anyone who is eligible.

The City and district councils have implemented the new legislation and practices. However, research shows that the prevention rate can be further improved where intervention occurs before the 56 day timescale in the Act. Good practice initiatives need to be developed further, to ensure a coherent countywide prevention approach, informed by direct evaluation from those with lived experience. Crisis's research found Oxfordshire councils are more than five times more likely to give financial assistance to someone owed a prevention duty to secure alternative accommodation than to help them to secure the accommodation they were already occupying.

A significant focus on prevention will be essential over the coming months and years, as we recover from the impact of the COVID-19 pandemic. Between March - May 2020, the number of claimants of unemployment benefits in Oxfordshire increased from 6,655 to 17,500, an increase of 10,845 or 163%. This was above the increases across England (+114%) and the South East as a whole (+150%)². The government put a hold on eviction processes following lockdown, but these recommenced in October 2020. Local authorities need to overcome any concerns that engaging with people at an early stage of housing need will increase caseloads. The Homelessness Code of Guidance for Local Authorities states that advice and information should aim to assist people as early as possible to maximise the chance

² <https://oxfordshire.org/covid-19-economic-impact-showing-in-data-new-reports-added-to-ocf-insight-website/>

of preventing homelessness, as well as encouraging them to contact the Authority as soon as possible rather than waiting until crisis point.

Statutory service cannot do this alone and will need to support a wide range of partners to ensure availability of accurate, accessible and timely help and advice.

We will:

- Implement effective, evidence-based prevention services with strong links to specialist services e.g. mental health, drug and alcohol misuse.
- Improve access to timely, accurate information and advice on all elements of homelessness prevention
- Ensure there are effective links and “wrap around care” between services, so an individual is supported to access all the services they require.
- Go beyond the homelessness legislation to intervene early and prevent homelessness whether there is a statutory duty or not
- Deliver consistent tenancy sustainment support across the whole county and all housing providers and tenures including in the Private Rented Sector (PRS), and supported housing including pre-eviction protocols where appropriate
- Use a data-led approach to proactively identify those who may be at risk of losing accommodation or of being discharged without accommodation
- Ensure housing options services are accessible and responsive to all who need them, including a strong PRS offer such as deposits and rent in advance.

2. Rapid response to rough sleeping

Current outreach services tend to focus on verification and the ‘processing’ of people who sleep rough, with limited opportunity for individuals concerns to influence what happens to them. The default option is often a referral to whichever supported housing project has a bedspace available. It is evident that many people with lived experience avoid or disengage from statutory services because of restricted options or placements that do not fit their wider needs.

These include concerns about physical and psychological safety and the opportunity to either abstain from or safely use alcohol and other substances.

The SAR highlighted concerns that in some cases people experiencing multiple exclusion homelessness are required to sleep rough before they can access necessary help, support and care services. Records show that 20% of those accommodated within county under **Everyone In** had No Recourse to Public Funds (NRPF) or were EEA workers who had lost their Worker Status. These are people

who are prevented by law from accessing mainstream housing, welfare benefits and employment.

We will:

- Ensure that people experiencing multiple exclusion homelessness are not required to sleep rough in order to be offered help
- Ensure rapid access for all those who are sleeping rough or at immediate risk of rough sleeping to a 'psychologically informed' assessment of their specific needs
- Wherever possible keep people in their local area, where long term housing solutions can be found, rather than having to travel to the City for accommodation and support services
- Provide access to advocacy and informal support from peer mentors
- Provide a range of safe, dignified provision for people coming directly from the streets
- Provide a range of flexible accommodation, which can be adapted for single people or couples and create safe spaces for women and LGBTQ+ rough sleepers
- Identify appropriate housing and support solutions by working jointly with individuals in housing need, using a strengths-based approach
- Ensure that people experiencing multiple exclusion homelessness benefit from an integrated approach to their care and support, mental health, physical health, drug and alcohol misuse and accommodation needs
- Identify appropriate safety nets for people with No Recourse to Public Funds (NRPF) including EEA Nationals having problems with Worker Status.

3. Focus on the person, not the problem

Many individuals remain involved in the homelessness 'system' for years, sometimes decades, unable to move forward despite the involvement of multiple professionals. There is concern that some individuals are not on any authority's housing register; they continue to be affected by past incidents and are dealt with in a 'deficit-based' way. A lack of collective responsibility too often allows individuals to drop between services, effectively 'ceasing to exist' until the re-present.

There is need for an oversight mechanism; shared responsibility for a list of those who need a multi-agency case-management approach to end their homelessness.

This needs to be based on a plan, co-produced with the individual, centred on their specific needs and aspirations.

Supported housing placements are often the 'default position', regardless of an individual's needs, concerns or aspirations. Most people who sleep rough are offered no other option. Much supported housing is of relatively low physical standard which is difficult to change when those living there have little incentive to maintain it, having been given no choice to live there and it being transitory in nature. It may be difficult for specific placements to accommodate couples or pets, which prevents the formation or sustainment of relationships and connections.

The Crisis research highlights inherent conflicts in the current 'staircase model' which requires people to remain in supported housing for around 12 months to demonstrate 'tenancy readiness'. The nature of supported housing prevents those accommodated from treating it as their home and forming any kind of connection. Concentrating people with a range of 'behavioural problems' in one location is challenging for individuals. It also means that staff must try and balance the need to enforce necessary rules with the development of positive relationships that those placed need in order to achieve positive change.

Crisis acknowledge that a minority of people in housing need may benefit from congregate models of supported housing, mainly where:

- their needs for assistance to sustain independence is based around health needs that may benefit from therapeutic group work, rather than behavioural challenges
- their health and wellbeing require a significant degree of constant active monitoring to ensure their safety
- an important element of assistance is the provision of mutual support from those with shared experiences or a shared commitment to behavioural change.

Ultimately, supported housing can be an expensive way of delivering housing support because of the staff time involved in managing interactions between people with different but complex behavioural problems.

We will:

- Adopt a 'Housing-led' approach to providing the level and type of support agreed with those at risk of rough sleeping or experiencing multi- exclusion homelessness
- Improve the multi-agency case management of people who have been sleeping rough long term, by implementing the 'By Name' approach
- Improve wider wellbeing and improve quality of life of those in housing need, including those experiencing multiple-exclusion homelessness. This will include timely intervention from specialist services e.g. mental health, drug and alcohol misuse, physical health and Safeguarding including neglect as well as implementing the learning from the Mortality Review Panel which investigates the deaths of all homeless people in Oxfordshire.

- Ensure rents are such that people are able to work, and are supported to maintain / return to work.

4. Timely move on

Over 1000 bedspaces are currently commissioned across the county, plus a significant amount of floating support, outreach, advice and day provision. Investment in the total resource, including mental health provision, was estimated at £12.5 million. Crisis found that most people moved into supported housing do not go through the Housing Options process and only 13% of those placed in supported housing gained access to settled housing during 2018/19.

Significantly, the difficulty in finding move-on accommodation means many individuals stay far longer in what is intended as transitory, supported housing than intended. The frustration this causes can undo positive changes made by the individual in conjunction with the support staff. The SAR highlights that a bedspace in supported accommodation is not a 'solution' to people's needs or aspirations. Delayed move on can impact negatively on people in a similar way to delayed discharge from hospital

Funding arrangements in supported housing impact on individuals often not being able to afford to move on if they gain employment. This is not the case where support is provided separately to housing.

We will:

- Ensure those accommodated in supported temporary housing have clearly identified and regularly reviewed routes to settled accommodation
- Improve access to social housing by single households experiencing or at risk of homelessness by ensuring a strong focus in the work of the Housing Needs teams and necessary changes in relevant policies.

5. The right home in the right place

In Oxford the average house price of £513,754 is around 17 times the UK average yearly household income of £29,600. The lack of supply of affordable one bed properties remains a problem countywide. However, research found examples of quotas for move-on allocations not being filled, and of registered providers (RPs) letting their accommodation via Right Move because they have not been let through Choice Based Lettings schemes. The level of social housing lettings per 1000 households in Oxfordshire is currently above the national average. However, the numbers of those social housing registers in Oxfordshire have fallen faster than the national average. A significantly lower proportion of lettings to those in

'reasonable preference' categories are made to those who are homeless, within the county. The proportion of lettings going to the most vulnerable single homeless applicants in Oxfordshire is half the national average. There is evidence of overly restrictive practices in the way local authorities manage access to their housing registers for those who have had problems in past tenancies, although there is a lack of data as to the numbers affected.

During *Everyone In*, researchers identified many individuals who were not on a housing register despite having been homeless in a locality for many years. Mental health service providers gave evidence that people with a diagnosis of mental health issues are frequently denied access to housing registers.

Local authorities are not using their powers to create their own additional preference categories. The only example of this is at CDC, for people experiencing domestic abuse. A much higher proportion of social housing allocations in Oxfordshire go to households nominated by local authorities to RPs than is the case nationally.

There is anecdotal evidence that some RPs are risk adverse in relation to housing more vulnerable residents, but this is not adequately monitored or evidenced. Policies relating to move on from supported housing focus on demonstrating 'tenancy-readiness' when this could be achieved by being 'tenancy-supported'.

There is good work being undertaken by councils and voluntary and community sector organisations to secure access to the private rented sector (PRS) for those experiencing homelessness, but this is patchy and not consistent across the county. Some council schemes do not focus on single households and tenancy sustainment provision is not consistent.

All opportunities need to be explored to widen the range of housing options for single people, to better respond to individual needs and choices.

We will:

- Minimise all barriers to allocating social housing to single homeless households in greatest housing need, monitoring, reviewing and developing allocation policies, working positively with Social Landlords to understand and mitigate concerns, ensure excellent and persistent delivery of support, which can be long term when needed
- Work with Registered Providers to ensure applicants with support needs are 'tenancy supported', not 'tenancy ready'.
- Promote access to and sustainment of good quality tenancies in the private rented sector
- Increase the supply and range of housing options for single households by: setting targets for allocations to Housing First, measure results and hold system leaders to account; influencing developers, Planning policies and

registered providers, including considering new build options; considering retention of some shared housing as low or no support.

Appendix A Strategic Context

Housing Act 1996 as amended/ Homelessness Reduction Act 2017

Our District and City housing authorities have a statutory responsibility for publishing an homelessness and rough sleeping strategy every five years and must prevent homelessness and offer assistance.

The Care Act 2014

Places a duty of the County Council, explicitly referencing housing as key to promoting the integrations of health and care

The County strategy, [Oxfordshire 2030](#) set out the overarching strategic plan for the future of Oxfordshire, including the priorities:

- Healthy and thriving communities
- Reducing inequalities and breaking the cycle of deprivation

The strategy is to be achieved through a partnership approach.

NHS Long Term Plan

Appendix B Resources

Local housing authorities

Oxford City, Cherwell, South Oxfordshire, Vale of Oxfordshire and West Oxfordshire District Councils

- Housing options teams
- Housing allocations teams
- Strategic Housing Teams
- Revenues and Benefits teams
- Economic growth teams

Health, Education and Social Care (HESC) Commissioning, Oxfordshire Clinical Commissioning Group (OCCG)/Oxfordshire County Council

- Financial resources: commissioning
- Staff resources in relevant teams – Adult social care/ mental health/ Childrens Services/ education
- Public Health

NHS Health Trusts

- Oxford Health for mental health and Community Services Directorate where Luther Street and District Nursing sit and links for Out Of Hospital project
- OUH linked in re the Out Of Hospital project and have significant role re health and wellbeing of homeless population including a community safety and safeguarding agenda around homelessness. Homeless people are

invariably high demand users of healthcare, in particular urgent / emergency care services

MHCLG funding

- Rough Sleepers Accommodation Programme formally called Next Steps
- Rough Sleepers Initiative
- Cold Weather Fund
- [Extra help for rough sleepers with drug and alcohol dependency - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/news/extra-help-for-rough-sleepers-with-drug-and-alcohol-dependency)

Voluntary and community sector organisations and the general public who want to see an end to rough sleeping. This includes Oxfordshire Homeless Movement and the Lived Experience Advisory Forum. Also the current providers of homelessness services: Connection Support, Homeless Oxfordshire, Mayday Trust and St. Mungo's. But also the many locally based community groups and charities who offer important help and support to people affected by homelessness.

Appendix 2

Oxfordshire's Homelessness and Rough Sleeping Strategy 2021- 26

Action Plan 6/5/21 for continuous development

Transform the way we respond

	Objective	Action	By Whom	Key outcomes/measures
T.1	Hold relevant organisations and system leaders to account for delivering strategic objectives and service improvement	<ul style="list-style-type: none"> Establish clearer countywide governance, in relation to the prevention of and effective response to 'multiple exclusion' homelessness 	Lead: Countywide Homelessness Steering Group (CHSG) working with relevant lead officers.	Strong governance arrangements in place. Effective decision-making and lines of accountability identified.
T.2	Ensure greater choice and flexibility in provision of accommodation and support and greater collaboration to deliver better outcomes	<ul style="list-style-type: none"> Review commissioning and contract management of support services 	Lead: OCC (Oxfordshire County Council) and OCtyC (Oxford City Council) reporting to Joint Management Group (JMG) as part of CHSG.	New accommodation based and floating support services in place
T.3	Prevent people in need of housing and support from being passed between agencies	<ul style="list-style-type: none"> Establish system-wide performance indicators, focusing on performance at the 'joins' between services and overall outcomes of the individual, not just the project 	Lead: CHSG	New protocols and ways of working. Concept of a virtual county wide housing team

T.4	Ensure services understand and adjust for the impact of past trauma and adverse childhood experiences, particularly on those experiencing 'multiple exclusion homelessness'. This means workforce transformation across the statutory and voluntary sectors.	<ul style="list-style-type: none"> • Deliver services in a psychologically informed way linking with specialist services to minimise harm including suicide prevention. 	Lead: OCC and CHSG	Workforce transformation piece included in commissioning. Staff in all relevant organisations completing training and implementing
T.5	Ensure that our services are culturally competent and able to respond to the diversity and individuality of the people we work with, including the importance of informal networks to people's lives.	<ul style="list-style-type: none"> • Deliver services with a strong focus on Equality, Diversity and Inclusion 	Lead: OCC and CHSG	Positive experiences reported. EDI framework with reach across workforce transformation and monitoring.

Proactively prevent homelessness

	Objective	Action	By Whom	Key outcomes/measures
1.1	Implement effective, evidence-based prevention services with strong links to specialist services e.g. mental health, drug and alcohol misuse.	<ul style="list-style-type: none"> • Share practice among local authorities as to prevention initiatives, that work well 	Lead: District Councils and OCTyC	Improved prevention and 'pre-prevention' and relief rates
		<ul style="list-style-type: none"> • Involve those with direct experience of homelessness in the design of prevention services 	Lead: Steering group	Co-production embedded in commissioning and service development
1.2	Improve access to timely, accurate information and advice on all elements of homelessness prevention	<ul style="list-style-type: none"> • Consult with people with lived experience as to the type and form of information they need and can access • Improve signposting, information and advice 	Lead: District Councils and OCTyC	Co-production embedded in commissioning and service development

1.3	Go beyond the homelessness legislation to intervene early and prevent homelessness whether there is a statutory duty or not	<ul style="list-style-type: none"> Engagement before the 56 days 	Lead: District Councils and OCtyC	Upstream prevention achieved using PHPs and the recommissioned floating support.
1.4	Deliver consistent tenancy sustainment support across all housing providers and tenures including in the Private Rented Sector (PRS), and supported housing including pre- eviction protocols where appropriate	<ul style="list-style-type: none"> Coordinate the system for tenancy support across providers Consistent implementation of pre- eviction protocols 	Lead: OCC, Districts and OCtyC	Recommissioned and in-house floating support services that prioritise and impact on those most at risk with an absolute minimum of evictions which are managed to minimise impact and with active safeguarding.
1.5	Proactively identify those who may be at risk of losing accommodation or of being discharged without accommodation	<ul style="list-style-type: none"> Collect and share data effectively across organisations Engagement with hospitals and prisons 	Lead: OCC and OCtyC	Implementation of By Name approach recommended by Crisis. Improve the commissioned data collection system (currently Oxthink) and other data led initiatives lined to welfare reform work.
1.6	Ensure housing options services are accessible and responsive to all who need them, including a strong PRS offer such as deposits and rent in advance.	<ul style="list-style-type: none"> Provide support to those who need help navigating or accessing homelessness prevention services 	Lead: CHSG	Consider how to resource initiatives previously funded by Trailblazer. Make best use of community navigators and embedded housing workers

Rapid response to rough sleeping

	Objective	Action	By Whom	Key outcomes/measures
2.1	Ensure that people experiencing multiple exclusion homelessness are not required to sleep rough in order to be offered help	<ul style="list-style-type: none"> Review all verification practices 	CHSG/OCC and OCTyC	No one is required to sleep rough in order to be prioritised for help
2.2	Ensure rapid access for all those sleeping rough or at immediate risk of rough sleeping to a psychologically informed assessment of their specific needs	<ul style="list-style-type: none"> Invest in a psychologically informed assessment hub in Oxford City 	CHSG/OCityC/OCC commissioners	Mental health, psychological support and drug and alcohol support is built into the model
		<ul style="list-style-type: none"> Explore options, including outreach, surgeries and digital methods for extending an assessment hub service countywide. 	CHSG/OCC commissioners	The assessment hub services are available county wide
		<ul style="list-style-type: none"> Co-locate clinical and professional specialists to ensure assessment covers full range of needs 	As above	As above
2.3	Provide access to support and advocacy from peer mentors	<ul style="list-style-type: none"> Embed peer mentors e.g. at the assessment hub 	As above	<p>People with Lived Experience are employed in the system</p> <p>Number of peer mentors trained</p> <p>No. of peer mentors providing sessions</p>
2.4	Provide a range of safe, dignified provision for people coming directly from the streets	<ul style="list-style-type: none"> Commission appropriate, safe and dignified provision for people coming directly from the streets 	CHSG	New contracts in place April 2022
2.5	Provide a range of flexible accommodation, which can be adapted for single people or	<ul style="list-style-type: none"> Commission a range of flexible accommodation, adaptable for single people and couples 	As above	As above

	couples and create safe spaces for women and LGBTQ+ rough sleepers			
2.6	Identify appropriate housing and support solutions by working jointly with individuals in housing need, using a strengths-based approach	<ul style="list-style-type: none"> Embed a strengths-based approach in organisations providing housing and support 	CHSG	No. of staff trained in strengths-based approach
2.7	Ensure that people experiencing multiple exclusion homelessness benefit from an integrated approach to their care and support, mental health, physical health, substance misuse and accommodation needs	<ul style="list-style-type: none"> Better inter-agency working based on learning from Crisis research and SAR Mortality Review process in place Development of wrap around care, led by substance misuse services, with MHCLG funding 	CHSG/OSAB	Reduced mortality rates and improved mental and physical wellbeing of people affected by homelessness
2.8	Identify appropriate safety nets for people with No Recourse to Public Funds (NRPF) including EEA Nationals having problems with Worker Status	<ul style="list-style-type: none"> Support partners and community organisations Map needs 	CHSG with Oxfordshire Homeless Movement	Reduce number of people with NRPF sleeping rough

Focus on the person, not the problem

	Objective	Action	By Whom	Key outcomes/asures
3.1	Adopt a 'Housing-led' approach to providing the level and type of support agreed with those at risk of rough sleeping or experiencing multi-exclusion homelessness	<ul style="list-style-type: none"> Review commissioning and contract management arrangements for the provision of support, ensuring choice and variety is maximised, including support not linked to a housing offer. 	CHSG/ OCityC/OCC commissioners	New contracts in place
		<ul style="list-style-type: none"> Ensure the development of supported housing in line with Housing Led principles 	As above	As above

		<ul style="list-style-type: none"> Undertake a clear assessment with every individual who requires support and arrange delivery in a flexible way minimising the need for moves 	As above	As above
3.2	Improve the multi-agency case management of people who have been sleeping rough long term	<ul style="list-style-type: none"> Implement the 'By Name' approach which will cover all people engaged with the Alliance and will be integrated with data systems. 	CHSG	BNL tracks and prioritises, ensures no one is lost and delivers system data to drive ongoing change.
3.3	Improve wider wellbeing and quality of life of those in housing need, including those experiencing multiple-exclusion homelessness. This will include timely intervention from specialist services e.g. mental health, substance and alcohol misuse and implementing the learning from the Mortality Review Panel which investigates the deaths of all homeless people in Oxfordshire.	<ul style="list-style-type: none"> Improve links to education; creative activities; physical activities; health and wellbeing services Work with partners to ensure all relevant strategies and services cover those in housing need 	CHSG	Reduced repeat homelessness and tenancy breakdown
3.4	Ensure rents are such that people are able to work, and are supported to maintain / return to work.	<ul style="list-style-type: none"> Ensure a focus on employment where relevant. Ensure that rents are as affordable as possible for people to be able to work. 	CHSG/ OCityC/OCC commissioners	Baseline data on employment year 1 then agreed plan to maintain or improve.

Timely move on

	Objective	Action	By Whom	Key outcomes/measures
4.1	Ensure those accommodated in temporary housing have clearly identified routes to move on accommodation	<ul style="list-style-type: none"> A clear lead identified for casework in each District / City for everyone and truly multi agency work. This will be integrated with the Personal Housing Plan (PHP) where there is a Prevention or Relief duty. PHPs may well be extended beyond the length of the duty. 	Lead: City and Districts / Alliance support worker and individual	Reduce time in temporary housing, improve flow in the system
		<ul style="list-style-type: none"> PHP or other casework plan to include active and regularly reviewed Housing register application 	City and Districts	Improved access to social housing
		<ul style="list-style-type: none"> Ensure clarity between the individual and accommodation provider as to the purpose of their stay and intended route forward 	Lead: Supported housing providers	Reduce time in temporary housing, improve flow in the system
4.2	Improve access to social housing for single households experiencing or at risk of homelessness	<ul style="list-style-type: none"> Work with RPs to deliver adequate affordable housing for single people and couples 	Lead: LA Strategic Housing Teams	Improved access to social housing

The right home in the right place

	Objective	Action	By Who	Key outcomes/measures
5.1	Minimise barriers to allocating social housing to single homeless households in greatest housing need	<ul style="list-style-type: none"> Regularly monitor cases of single homeless people excluded from the housing register. Encourage review of the exclusion criteria. 	Lead: Local Authority Housing Team (LAHT)	Improved access to social housing
		<ul style="list-style-type: none"> Understand and work with the 	CHSG	As above

	<p>concerns of RPs. Ensure the development of strong working relationships and agreements between the Alliance of support providers and the social landlords</p> <ul style="list-style-type: none"> • Monitor and report on the incidence of single homeless nominations which social housing landlords have not accepted to maximise learning and develop new solutions. • Allocations across LA areas by appropriate means, albeit enabling people to stay local often best. • Allocations integrated with BNL across the County. • Clearing house for Hard to Let Properties. 	<p>LAs and RPs CHSG LAs and RPs</p>	
	<ul style="list-style-type: none"> • Use the above monitoring information to revise all allocation policies 	LAs	As above
	<ul style="list-style-type: none"> • Review all Nomination Arrangements with Registered Partners 	LAs/ RPs	Measures: Targets as part of Annual lettings plans for number of allocations made to those with additional support needs
	<ul style="list-style-type: none"> • Review and share learning between local housing authorities on differences in rate of allocations going to more vulnerable single housing applicants 	LAs/ RPs	Improved access to social housing
	<ul style="list-style-type: none"> • Establish an additional preference 	LAs	Improved access to social

		group on housing registers, covering those with a history of rough sleeping or at greater risk of sleeping rough		housing
5.2	Work with RPs to ensure applicants with support needs are 'tenancy supported', not 'tenancy ready'	<ul style="list-style-type: none"> • Ensure understanding of the difference in approach • Ensure strong preparation work for taking up a tenancy with support. • Ensure excellent and persistent delivery of support, which can be long term when needed, thereby minimising the impact and costs to social landlords. 	CHSG	Staff training New policies
5.3	Promote access to and sustainment of good quality tenancies in the PRS	<ul style="list-style-type: none"> • Compare offers to landlords and recommend changes to incentives 	City and Districts/Landlord forums	Better access to PRS
5.4	Increase the supply and range of housing options for single households	<ul style="list-style-type: none"> • Increase the number of Housing First tenancies from base of 30 to 50 per year across Oxfordshire with flexibility in proportions by area. • Explore options for creation of suitable housing within planned developments and by consulting on new build options. • Explore options for some smaller shared housing to include some low or no support beds thereby becoming housing led 	LAs and RPs	Delivery of Housing First (HF) target. Annual review of HF target against needs. Reduced reliance on shared supported housing Creation of new self contained and/or ensuite with shared kitchen provision with appropriate support on site. Possible expansion of shared housing capacity.

List of abbreviations

CHSG - Steering Group is the Countywide Homelessness Steering Group (CHSG) made up of lead public sector partners, Crisis and the Chief Executive of a housing association.

JMG – the Joint Management Group of organisations that fund homelessness services through a pooled budget which will become a subsection of the CHSG

OCtyC – Oxford City Council

OCC – Oxfordshire County Council

LAs – Local Authorities

LAHT – Local Authority Housing Team, maybe called differently in different authorities e.g. Housing Options Team, Housing Needs Team

RPs – registered providers of housing

OSAB – Oxfordshire Safeguarding Adults Board

CHERWELL CAPITAL EXPENDITURE 2020-21										
£000's										
CODE	PROJECT MANAGER / SERVICE OWNER	DESCRIPTION	BUDGET TOTAL	YTD ACTUAL	YTD COMMITMENTS	Outturn	RE-PROFILED BEYOND 2020/21	Current Month Variances £000	Prior Month Variances £000	OUTTURN NARRATIVE
40062	Andrew Bowe/Tony Brummell	East West Railways	1,731	18	0	18	1,713	(0)	-	Cherwell's involvement is now principally regulatory in the form of considering, inter alia, planning land drainage and environmental applications with a view to issuing consents for both temporary works (covering the construction phase only) and the permanent works. The times spent on the project are largely reactive to its progress and requirements.
40107	Jane Norman	The Hill Community Centre	229	0	0	0	0	(229)	(229)	Project now complete.
40206	Dean Fischer	Garden Town Capital Funding	9,809	9,809	0	9,809	0	0	-	This is for feasibility and design work for three major infrastructure schemes in Bicester (Ploughley Lane, Banbury Road and Pioneer roundabout). The schemes are active and progressing. Spend will be mainly on feasibility, tech support and appointment of contractors to bring the schemes forward. OCC and Graven Hill Dev't Co. (delivering the infrastructure on behalf of Garden Town) are incurring costs on initial feasibility work - the finance agreements are being finalised now and signed before year end and at that point both OCC and Graven Hill will begin invoicing CDC. The schemes will roll on for a further 2-3 years, so reprofiling of budget will be necessary.
40100	Jane Norman	Orchard Lodge (Phase 1)	0	0	0	0	0	-	-	Coach House Mews: There is a final main contract payment of retention (£34k) It is anticipated that this will be paid before 31st March 21 (accrued)
40103	Jane Norman	Old Place Yard (Phase 1)	0	0	0	0	-	-		
40106	Jane Norman	Coach House Mews (Phase 1)	0	3	0	3	0	3	2	
40108	Jane Norman	Banbury Ambulance Station (Phase 1)	0	27	0	27	0	27	31	Fairway Methodist Church (Hope Close) - This payment was to Oxford & District Building

CHERWELL CAPITAL EXPENDITURE 2020-21

£000's										
CODE	PROJECT MANAGER / SERVICE OWNER	DESCRIPTION	BUDGET TOTAL	YTD ACTUAL	YTD COMMITMENTS	Outturn	RE-PROFILED BEYOND 2020/21	Current Month Variances £000	Prior Month Variances £000	OUTTURN NARRATIVE
40109	Jane Norman	Fairway Methodist Church (Phase 1) Hope House	0	73	0	73	0	73	53	payment was to Oxford & District Building Services (ODBS), a contractor working on The Fairway, Hope Close development. Their scope of work was related to the construction of 11 new dwellings together with associated external works; typically including house foundations, provision of water, electricity and drainage to homes as well as estate road and car park for adjacent church (car park owned by CDC and leased to the church). ODBS completed their works late 2019 (the dwellings were not marketed for sale until Sept 2019) which was followed by an extremely contentious period of about 6 months of claims
40114	Jane Norman	Cher Com Led Prog Banbury Supported Hsg	0	0	0	0		-	-	
40125	Jane Norman	Newton Close (Phase 1)	0	0	0	0	0	-	-	
40124	Jane Norman	Spring Gardens (Phase 1)	0	0	0	0	0	-	7	
40121	Jane Norman	Bicester Library (phase 1b)	970	84	0	84	885	(0)	0	Bicester Library: Intent was for demolition / site works to commence January 2021 with construction completing late 2021- previous expenditure considered this intent. Recently received feedback from Planning means we think that we have 3-4 months negotiation with Oxfordshire County Council Archaeology before we will get a Planning Permission, so we will not be able to carry out demolition until April 2021 at the earliest, with the main contract following on in June / July 2021, again, at earliest. Forecast Outturn is limited to Acrual + Commitments with the majority of the budget reprofiled due to <u>Planning delay</u>
40111	Jane Norman	Admiral Holland Redevelopment Project (phase 1b)	669	838	0	838	61	230	257	With construction formally completed end of September 2020 there is the need to budget for retention which CDC will have to pay in September 2022 – the retention is £60.5k.
40118	Jane Norman	Creampot Crescent Cropredy (phase 1b)	0	0	0	0	6	6	6	Creampot Crescent - Although the home is complete, sold under shared ownership basis CDC are still holding retention money. The amount is £5,750 which will not be due for payment until October 2021

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£000's										
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40214	Jane Norman	Creampot Crescent Cropredy Repurch	350	0	0	0	350	-	-	This budget will only be required if CDC buy back the property if the current owner can no longer afford the property. Need to reprofile to 21/22
40172	Jane Norman	Bretch Hill Reservoir (Thames Water Site) (Phase 2)	6,958	0	0	0	0	(6,958)	(6,940)	We are still working on the land assembly for Bretch Hill and the pre-application was submitted to planning in October 2020. The Trades and Labour Club, Nizewell Head, Park Road and Wykham Lane are unlikely to be developed so will need to be removed from the capital budget. The Trades and Labour Club was under discussion as they wanted to replace their current club house with a new, smaller facility which would have then released land for housing. They have decided not to go ahead due to club members opposition. Park Road is a small site that has a covenant attached for recreational use and is currently leased to the adjacent owner for garden
40173	Jane Norman	Trades & Labour Club (Phase 2)	1,542	0	0	0	0	(1,542)	(1,542)	
40174	Jane Norman	Angus Close (Phase 2)	344	0	0	0	0	(344)	(332)	
40175	Jane Norman	Nizewell Head (Phase 2)	198	0	0	0	0	(198)	(198)	
40176	Jane Norman	Leys Close (Phase 2)	261	0	0	0	0	(261)	(249)	
40177	Jane Norman	Bullmarsh Close (Phase 2)	592	678	0	678	0	86	158	
40178	Jane Norman	Buchanan Road/Woodpiece Road (Phase 2)	163	0	0	0	0	(163)	(151)	
40179	Jane Norman	Park Road (Phase 2)	196	0	0	0	0	(196)	(196)	
40180	Jane Norman	Wykham Lane (Phase 2)	189	0	0	0	0	(189)	(189)	
40155	Jane Norman	Build Programme (Phase 2)	124	0	0	0	0	(124)	(124)	
40213	Jane Norman	Build Team Essential Repairs & Improve C	160	0	0	0	160	-	-	Loss adjustor negotiation still progressing - we are hopeful that Town Centre roof repairs will be covered by warranty. £160k to be reprofiled in case warranty claim unsuccessful.
Growth & Economy Total			24,486	11,530	0	11,530	3,175	(9,781)	(9,636)	
40015	Ed Potter	Car Park Refurbishments	145	66	0	66	79	0	-	This project is concentrating on installing pay on exit barriers at the car park at Compton Road/Cherwell Drive. Due to covid the committed works have been delayed and there will be a requirement to slip £79k in to 21/22 to complete works. Variance of (£38k) to P11 reporting is a result of main contractor with who commitment was made was unable to complete works before end of March 2021 and key staff leaving who were leading the project.
40021	Ed Potter	Energy Efficiency Projects	4	0	0	0	0	(4)	(1)	This budget is not required. Project can be closed.

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£000's										
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40025	Ed Potter	Public Conveniences	0	0	0	0	0	-	-	This project was completed in 19/20.
40026	Ed Potter	Off Road Parking	18	0	0	0	18	-	-	This project is in conjunction with Car Park Refurbishments project CC 40015 and the full £18k will be required to slip in to 21/22.
40028	Ed Potter	Vehicle Replacement Programme	1,175	753	0	753	422	(0)	-	Slippage required of £422k in to 21/22 as further investigation wanted on larger electric vehicles before committing to diesel equivalent as a result this slippage is required to fund said vehicles when needed. Variance of (£107k) to P11 reporting is a result of the delayed delivery of a Hi-ab vehicle for street scene team by supplier until April 2021.
40031	Ed Potter	Urban City Electricity Installations	15	0	0	0	15	-	-	This project is for the refurbishment of electric sockets in Bicester town centre. Quotes obtained but issues with electrical contractor delayed committing spend until April 2021 are the reason for the variance in to P11. The Full £15k is required to slip in to 21/22 to cover this work.
40156	Ed Potter	Container Bin Replacement	5	7	0	7	0	2	-	This project is complete.
40186	Ed Potter	Commercial Waste Containers	26	26	0	26	0	0	-	This project is complete.
40187	Ed Potter	On Street Recycling Bins	34	12	0	12	22	0	-	Due to severe delays with worldwide production of plastic and metal bins the decision was made to put the ordering of the bins for the urban centres on hold until 21/22 and is the reason for the (£10k) variance to
40188	Ed Potter	Thorpe Lane Depot Capacity Enhancement	175	1	0	1	174	(0)	-	£174k is required to be slipped in to 21/22 for preparation of separate food and garden waste implementation. Additional food waste vehicles means the use of the site is being
40216	Ed Potter	Street Scene Fencing Street Furniture &	12	0	0	0	12	-	-	This project is for repairing/replacing metal steps at Kirtlington Quarry. Issues with the expiring lease, landowner and covid has resulted in delays. Full £12k to be slipped in to 21/22.

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£000's										
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40217	Ed Potter	Car Parking Action Plan Delivery	125	0	0	0	125	-	-	Member sign off on action plan was not signed off until 2nd November, delays due to covid
40218	Ed Potter	Depot Fuel System Renewal	50	0	0	0	50	-	-	Awaiting specification and liasing with procurement requirement, installation unlikely before April 2021. Full £50k to be slipped in to 21/22.
40222	Ed Potter	Barnhill - Bicester Country Park	80	0	0	0	80	-	-	Full slippage of £80k required in to 2020/21 due to delays for covid and community planting unable to take place until later in 2021. (Description should be Burnehyll)
Environment and Waste Total			1,864	865	0	865	997	(2)	(1)	
Environment and Place total			26,350	12,395	0	12,395	4,172	(9,783)	(9,637)	
40067	Stuart Parkhurst	Bradley Arcade Roof Repairs	8	0	0	0	0	(8)	(6)	Works now complete and project closed
40081	Robert Fuzesi	Bicester Town Centre Redevelopment	0	0	0	0	0	-	-	Works have been charged to revenue.- project closed
40092	Chris Hipkiss	Spiceball Riverbank Reinstatement	50	0	0	0	50	-	-	The budget was prepared some time ago and got delayed due to the commencement of CQ2. The works are now part of the CQ2 and also includes the bridge too. It will than likely
40139	Stuart Parkhurst	Banbury Health Centre - Refurbishment of Ventilation, Heating & Cooling Systems	253	0	0	0	100	(153)	(153)	In design stage, works progressing. Project was delayed due to issues with lease agreement with tenant. The £100k reprofile is for works on the roof. The remaining £153k has been offered up as a saving
40141	Chris Hipkiss	Castle Quay 2	55,513	38,104	0	38,104	17,409	-	-	Balance to be re-profiled for delayed project works due to COVID-19. Works programmed, but not engaged
40144	Chris Hipkiss	Castle Quay 1	5,041	1,738	0	1,738	3,303	-	-	Balance to be re-profiled for delayed project works due to COVID-19. Works programmed, but not engaged.
40159	Chris Hipkiss	Wildmere Industrial Estate	0	0	0	0	0	-	31	This relates to an investment purchase we backed out. We spent this money on DD work leading up to Mid March 2020. When Covid 19 hit, Senior staff together with Members decided to pull the purchase.
40162	Stuart Parkhurst	Housing & IT Asset System joint CDC/SNC	100	0	0	0	100	-	(100)	CDC contribution to new joint IT asset system

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£000's										
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40163	Stuart Parkhurst	Orchard Way - external decorations	0	(5)	0	(5)	0	(5)	-	Project completed
40183	Stuart Parkhurst	The Mill	250	0	0	0	0	(250)	(250)	A refurbishment budget may no longer be required
40167	Stuart Parkhurst	Horsefair, Banbury	55	0	0	0	55	-	-	Works on paving outside Horsefair, Banbury Cross. Project delayed due to Covid. Currently scoping ready for tender.
40190	Stuart Parkhurst	Banbury Museum Upgrade of AHU	106	1	0	1	35	(70)	(70)	Works relate to Air Handling unit at Banbury museum. Work have been ordered. Materials ordered from Germany but due to BREXIT supply issues are being encountered. £70k is a saving against this particular scheme
40191	Stuart Parkhurst	Bodicote House Fire Compliance Works	141	0	0	0	141	-	-	Order raised for design however project is on hold due to viability of project.
40192	Stuart Parkhurst	The Fairway Garage Demolition	49	67	0	67	0	18	18	Demolition og garages and asbestos removal now complete - Project closed
40194	Stuart Parkhurst	Compliance Works with Energy Performance	39	13	0	13	0	(26)	(26)	Works on energy performance certification (EPC) for corporate properties now complete - project closed
40195	Stuart Parkhurst	Ferriston Roof Covering	93	3	0	3	0	(90)	(90)	Works on Ferriston roof have now been completed.
40196	Stuart Parkhurst	Pioneer Square Fire Panel	17	0	0	0	0	(17)	(20)	Project closed
40197	Stuart Parkhurst	Corporate Asbestos Surveys	210	0	0	0	160	(50)	(50)	Works are progressing, planned to be completed over 2 years with delays being caused by covid 19. £160k will need to be reprofiled into 21/22. Anticipated saving of £50k
40198	Stuart Parkhurst	Corporate Fire Risk Assessments	80	0	0	0	80	-	-	Full spend anticipated however £80k to be reprofiled into 21/22.
40199	Stuart Parkhurst	Corporate Water Hygiene Legionella Asses	35	0	0	0	0	(35)	(35)	Works have been charged to revenue therefore this is a saving of £35k - project closed

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£000's										
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40200	Stuart Parkhurst	Corporate Reinstatement Cost Assessments	12	0	0	0	12	-	(15)	Full spend anticipated. £15k to be reprofiled 21/22
40201	Stuart Parkhurst	Works From Compliance Surveys	260	113	0	113	147	0	-	Works planned over 2 years with additional delays caused by covid 19. Full spend anticipated however £147k to be reprofiled into 21/22.
40202	Stuart Parkhurst	Thorpe Place 18_19	68	38	0	38	0	(30)	(30)	Works completed no further costs expected - project closed
40203	Robert Fuzesi	CDC Feasibility of utilisation of proper Space	100	0	0	0	100	-	-	project slipped until 21/22
40205	Stuart Parkhurst	Orchard Way Fire Safety Works	25	12	0	12	0	(13)	(13)	Project closed. £13k saving against this project
40207	Stuart Parkhurst	Bridge Street Toilets Demolition	45	42	0	42	0	(3)	(3)	Project closed. £3k saving
40219	Stuart Parkhurst	Community Centre - Works	195	65	0	65	130	0	-	2 year scheme - £195k in yr1 and £190k in yr 2.
Property Investment Total			62,745	40,191	0	40,191	21,822	(731)	(812)	
Comm Dev Assets total			62,745	40,191	0	40,191	21,822	(731)	(812)	
40142	Belinda Green	Academy Harmonisation	79	63	0	63	0	(16)	-	The capital pot was established to support the project to transfer the CDC Revs and Bens data from the legacy software system, Northgate, to the Academy system. Although the data migration took place in 2017 there are a number of modules (which came as part of the original system contract) that are still to be implemented including OD customer portal, automation of new claims for benefits and CT discounts/exemptions, templating. These are all in the work plan for 19/20. £57k reprofiled from 18/19
40204	Michael Furness	Finance Replacement System	980	645	0	645	335	0	0	
Finance Total			1,059	708	0	708	335	(16)	0	
40060	Karen Edwards	HR / Payroll System replacement	43	42	0	42	0	(1)	1	No more costs expected

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£000's										
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40208	Karen Edwards	Project Manager for HR/Payroll system	50	25	0	25	25	(0)	-	Remaining 25K to be spent on further implementation of I Trent.
HR Total			93	67	0	67	25	(1)	1	
40054	Tim Spiers	Land & Property Harmonisation	146	195	0	195	27	76	52	27K for PM resource needed for April and May due to project delays as a result of Covid impact on Project Team
40056	Tim Spiers	5 Year Rolling HW / SW Replacement Prog	71	0	0	0	50	(21)	(25)	50K needed for Hardware replacement in 2022
40057	Tim Spiers	Business Systems Harmonisation Programme	52	12	0	12	0	(40)	(27)	offsetting 46K above
40059		Website Redevelopment	0	0	0	0	0	-	-	
40148	Tim Spiers	IT Strategy Review	0	0	0	0	0	-	-	
40170	Tim Spiers	Customer Excellence & Digital Transfer	59	29	0	29	30	0	-	Digital customer Phase 2

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£000's										
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40171	Tim Spiers	Unified Communications	0	0	0	0	0	-	-	Close cc
40209	Tim Spiers	Bodicote House Meeting Room Audio Visual	10	0	0	0	0	(10)	(10)	No longer required
40210	Tim Spiers	CDC & OCC Technology Alignment	100	96	0	96	4	0	-	
40211	Tim Spiers	Legacy Iworld System Migration	100	0	0	0	50	(50)	(100)	Repurpose for new project on members IT
40212	Tim Spiers	Procurement of Joint Performance system	65	32	0	32	20	(13)	-	20K needed for PM resource
42010	Tim Spiers	WIFI Replacement	0	0	0	0	0	-	-	close cc - WIFI now to be coded to 21773
ICT and Digital Total			603	363	0	363	181	(59)	(110)	
Customers, Org Dev & Resources total			1,755	1,138	0	1,138	541	(76)	(109)	
40083	Tim Mills	Disabled Facilities Grants	2,112	1,081	0	1,081	656	(375)	(375)	Total budget comprises: £375k base budget, £497k reprofiled budget from 19/20 and £1,093k BFC contribution from County. As previously acknowledged, the inclusion of the base budget was an error. The effective budget is therefore £1,590k. Covid continues to significantly limit activity and although progress was being made in the summer, after the first lockdown, service is once again heavily constrained. We shall be unable to recover the lost ground and there will be a significant underspend to reprofile into 2021-22.
40158	Tim Mills	Abritas Upgrade	12	8	0	8	0	(4)	(4)	Of the £12k budget, £8k has been spent to date. There are no plans in place currently to spend the remaining £4k by March 2021.

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£000's										
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40160	Tim Mills	Housing Services - capital	1,458	1,458	0	1,458	0	-	-	OAHP funding at Camp Rd, Heyford and Oak Farm Drive, Milcombe. The Affordable Houses will not be owned by Cherwell District Council but owned, let and managed by Heyford Regeneration and Paradigm Housing respectively.
40084	Tim Mills	Discretionary Grants Domestic Properties	200	137	0	137	63	0	-	The 5 year capital scheme for Discretionary grants is £150k pa and runs until 2023-24. Total budget comprises: £150k base budget, £50k reprofiled budget from 19/20. full year spend is £137k. The third lockdown has delayed progress with a number of reactive landlords' grants which will not now progress until next year. (We recommend that any underspend is reprofiled into 2021-22.)
Housing Services Total			3,782	2,684	0	2,684	719	(379)	(379)	
Housing Total			3,782	2,684	0	2,684	719	(379)	(379)	
40005	Tom Darlington	Whitelands Farm Sports ground	0	0	0	0	0	-	-	Funded from S106 held for scheme completion.
40006	Nicola Riley	Community Centre Refurbishments	11	0	0	0	9	(2)	(2)	Remaining funds from The Hill capital project. Required for professional fees and external lighting project.
40007	Liam Didcock	Solar Photovoltaics at Sports Centres	43	0	0	0	0	(43)	(43)	Project completed resulting in £43k underspend
40009	Tom Gubbins	Physical Activity and Inequalities Insight	20	0	0	0	12	(8)	-	£8k spent on Story Map insight work. Remaining £12k funds identified as evaluation funding for Active Reach project which has paused due to Covid National restrictions and will need to be rolled into 21/22

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£000's										
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40010	Liam Didcock	North Oxfordshire Academy Astro turf	183	0	0	0	183	-	-	Currently in discussions with United Learning Trust regarding outstanding planning application and their contribution. Spend delayed until 21/22. Report due to outline the options to CEDR/Members on the approach to any failure to adhere to the aforementioned planning application
40019	Liam Didcock	Bicester Leisure Centre Extension	122	38	0	38	84	(0)	-	FMG Consulting fee of £38k for leisure centre feasibility works. Remaining spend likely to take place in 21/22. Feasibility studies have been taken to Place Programme Board prior to Member workshops. Remaining funds needed for professional fees to progress recommendations of the studies. Further Capital bids will be required for work in 22/23 to forward fund the works alongside S106 funds already held.
40020	Liam Didcock	Spiceball Leis Centre Bridge Resurfacing	30	0	0	0	30	-	-	Spend will not take place until 21/22 when Castle Quay Waterside is completed and bridge reinstated. Potential for this budget to be utilised to resurface remainder of bridge/redecoration and inspection works
40035	Rebecca Dyson	Corporate Booking System	60	0	0	0	45	(15)	(15)	Delay due to corporate pressure on IT service. Not expected to require all Capital however seeking to Capitalise the 'contract' with the 3rd party platform currently delivering the online service. Remaining capital to support the development of on-line holiday activity booking process.

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£000's										
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40131	Tom Darlington	S106 Capital Costs	156	156	0	156		0	-	Adderbury PC Milton Rd Project - Expecting to pay the remaining amount of the existing PO for the completion of drainage works (£28,465); Bloxham PC Jubilee Hall Project - Expecting to pay the remaining amount of the existing PO for the completion of the project. Awaiting news of possible request for further s106 funds to address the rectification of the roof (£44,126.33); Cooper School Project - Contribution towards the refurbishment of the changing rooms (£12,050). Bloxham Ex-Servicemen's Hall Project - Expecting to pay the outstanding amount of the existing PO (£20,530.87). NOA Athletics Track Improvements - Awaiting invoices (£5,340); Bicester Festival - Website build (£1,232).
40152	Kevin Larnar	Community Capital Grants	128	88	0	88	15	(25)	(2)	Funds claimed to date £88k. Project has been delayed due to COVID. The scheme is now closed and any underspends from the CICG funded projects will go back into the CDC capital pot. No further grant applications will be invited or considered.
40215	Liam Didcock	North Oxford Academy Upgrade existing Fa	60	40	0	40	0	(20)	(26)	Forward funded by S106 as TrackMark was required before this financial year. Spend is likely to be circa £30 - £35k - awaiting transference of funds which is being dealt with by Capital Accountants
40221	Liam Didcock	Cooper School Re-Development/Refurb work	40	43	0	43	0	3	3	Works fully completed
Leisure and Sport Total			853	365	0	365	378	(110)	(85)	
40181	Stuart Parkhurst	Sunshine Centre (new extension to the front of the site)	20	0	0	0	12	(8)	(8)	Scheme was approved 02/07/18 for £372k (made up of £252k S106 and £120k CDC funding) However when the potential o/spend was discussed with Nicola it was discovered that S106 funds were actually £360k plus an additional £72k giving a total of S106 £432k. Plus £8k CDC funding gives a total budget of £440k.

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£000's

CODE	PROJECT MANAGER / SERVICE OWNER	DESCRIPTION	BUDGET TOTAL	YTD ACTUAL	YTD COMMITMENTS	Outturn	RE- PROFILED BEYOND 2020/21	Current Month Variances £000	Prior Month Variances £000	OUTTURN NARRATIVE
	Wellbeing Total		20	0	0	0	12	(8)	(8)	
	Public Health Wellbeing Total		873	365	0	365	390	(118)	(93)	
	Capital Total		95,505	56,773	0	56,773	27,645	(11,087)	(11,030)	

Appendix 7

Fees and Charges

In January 2021 the Executive agreed the amendments to the fees and charges that the council applies for certain services. As a result of an oversight, the schedule of proposed fees and charges for Environmental Health and Licensing which was approved by the Executive at that time did not reflect all the changes required to these fees. A number of the proposed fees and charges included on the schedule at that time had not been adjusted for inflationary or other cost increases. A fully updated schedule of proposed fees and charges for Environmental Health and Licensing is included as an annex to this paper. The fees and charges which were not previously updated are shown in italics. The Executive is asked to approve this fully revised schedule of fees and charges for Environmental Health and Licensing to be applied for the 2021/22 financial year.

Recommendation:

That the Executive approve the revised schedule of fees and charges for Environmental Health and Licensing which are to be applied for the 2021/22 financial year.

Public Protection, Environmental Health, Licensing

Fees and Charges	Fee 20-21 (excl. VAT)	Proposed Fee 21-22 (Excl. VAT)	Actual Increase	% Increase	Statutory/ Discretionary?
Environmental Health, Environmental Protection and Licensing					
Gambling Act Premises	Various	Various			Statutory
Animal Licensing					
Animal Boarding Establishment Licence	£382.50	£392.50	£10.00	2.6%	Discretionary
Pet Shop Licence	£382.50	£392.50	£10.00	2.6%	Discretionary
Riding Establishment Licence	£382.50	£392.50	£10.00	2.6%	Discretionary
Dog Breeding Establishment Licence	£382.50	£392.50	£10.00	2.6%	Discretionary
Dangerous Wild Animals Licence	£382.50	£392.50	£10.00	2.6%	Discretionary
Zoo Licence	£576.00	£595.00	£19.00	3.3%	Discretionary
Skin Piercing, Tattooing, Acupuncture, Electrolysis etc.					
Registration Fee	£104.00	£107.50	£3.50	3.4%	Discretionary
Registration of Premises	£156.00	£160.00	£4.00	2.6%	Discretionary
Scrap Metal					
<i>Variation of scrap metal dealers licence type Collector - Dealer</i>	£208.00	£213.00	£5.00	2.4%	Discretionary
<i>Variation of scrap metal dealers licence - Admin, change of name or replacement</i>	£104.00	£106.20	£2.20	2.1%	Discretionary
<i>Scrap metal dealers site</i>	£474.50	£487.00	£12.50	2.6%	Discretionary
<i>Scrap metal collectors licence</i>	£280.50	£287.50	£7.00	2.5%	Discretionary
Street Trading consent charges are as follows:-					
<i>12 month period</i>	£1,165.00	£1,197.00	£32.00	2.7%	Discretionary
<i>6 month period</i>	£581.50	£597.00	£15.50	2.7%	Discretionary
<i>3 month period</i>	£291.00	£299.00	£8.00	2.7%	Discretionary
<i>1 month period</i>	£163.50	£168.00	£4.50	2.8%	Discretionary
Table and Chairs consent charges are as follows:-					
<i>12 month period</i>	£15.80	£15.80	£0.00	0.0%	Discretionary
<i>Pavement licences - per chair up to max. £100 (licences cannot extend beyond 30/09/2022)</i>	New	£15.80			Statutory
Private Hire and Hackney Carriage DRIVER Fees and Charges					
<i>Grant of Licence 1 Year</i>	£116.50	£119.50	£3.00	2.6%	Discretionary
<i>Grant of licence 3 Years</i>	£193.00	£198.00	£5.00	2.6%	Discretionary
<i>Renewal of existing licence 1 year</i>	£98.00	£100.50	£2.50	2.6%	Discretionary
<i>Renewal of existing licence 3 years</i>	£170.00	£174.50	£4.50	2.6%	Discretionary
<i>DBS (was CRB) check and DVLA check</i>	£50.00	£51.00	£1.00	2.0%	Discretionary
<i>Knowledge Test</i>	£25.50	£26.00	£0.50	2.0%	Discretionary

<i>Re take of Knowledge test</i>	£25.50	£26.00	£0.50	2.0%	Discretionary
<i>Cost of badge/ replacement badge</i>	£25.50	£26.00	£0.50	2.0%	Discretionary
<i>Cost of replacement paper licence</i>	£10.70	£11.00	£0.30	2.8%	Discretionary
<i>Disability and Safeguarding Awareness Training</i>	£50.00	£50.00	£0.00	0.0%	Fee set by OCC
<i>English Testing</i>	£41.00	£42.00	£1.00	2.4%	Discretionary
Hackney Carriage VEHICLE Fees and Charges					
<i>Grant of licence</i>	£298.00	£305.50	£7.50	2.5%	Discretionary
<i>Renewal of existing licence</i>	£258.00	£265.00	£7.00	2.7%	Discretionary
<i>Replacement licence plate</i>	£20.40	£21.00	£0.60	2.9%	Discretionary
<i>Replacement bracket</i>	£20.40	£21.00	£0.60	2.9%	Discretionary
Change of vehicle only	£112.30	£115.00	£2.70	2.4%	Discretionary
<i>Transfer of licensee only</i>	£57.00	£58.50	£1.50	2.6%	Discretionary
<i>Change of vehicle and licensee</i>	£42.00	£43.00	£1.00	2.4%	Discretionary
Private Hire VEHICLE Fees and Charges					
<i>Grant of new licence</i>	£270.00	£277.00	£7.00	2.6%	Discretionary
<i>Renewal of licence</i>	£250.00	£256.00	£6.00	2.4%	Discretionary
<i>Internal Plate Replacement</i>	£10.20	£10.50	£0.30	2.9%	Discretionary
<i>Plate or bracket replacement</i>	£20.40	£21.00	£0.60	2.9%	Discretionary
<i>Cost of replacement paper licence</i>	£10.70	£11.00	£0.30	2.8%	Discretionary
<i>Change of vehicle only</i>	£102.00	£104.50	£2.50	2.5%	Discretionary
<i>Transfer of licensee only</i>	£56.00	£57.50	£1.50	2.7%	Discretionary
<i>Change of vehicle and licensee</i>	£127.00	£130.00	£3.00	2.4%	Discretionary
Private Hire OPERATOR Fees and Charges					
<i>Operator's Licence (one vehicle only) - 1 year</i>	£143.00	£147.00	£4.00	2.8%	Discretionary
<i>Operator's Licence (one vehicle only) – 5 year</i>	£132.60	£136.00	£3.40	2.6%	Discretionary
<i>For each additional vehicle</i>	£20.40	£21.00	£0.60	2.9%	Discretionary
Sex Establishment Venue					
<i>Application</i>	£1,588.00	£1,630.00	£42.00	2.6%	Discretionary
<i>Renewal</i>	£1,052.00	£1,080.00	£28.00	2.7%	Discretionary
<i>Contaminated land enquiry (charge per hour or part thereof)</i>	£67.50	£70.00	£2.50	3.7%	Discretionary
Health Protection					
<i>Food Export/Hygiene Certificates</i>	£110.00	£115.00	£5.00	4.5%	Discretionary
<i>Food Hygiene Rating Scheme Rescore Visit</i>	£276.00	£285.00	£9.00	3.3%	Discretionary
<i>Food Surrender Certificates</i>	£123.50	£127.00	£3.50	2.8%	Discretionary
<i>Copies of Food Premises Register (a) Single Entry</i>	£3.75	£4.00	£0.25	6.7%	Discretionary
<i>Copies of Food Premises Register (b) Full Register</i>	£320.00	£330.00	£10.00	3.1%	Discretionary
<i>Factual Statements for Civil Proceedings</i>	£155.00	£160.00	£5.00	3.2%	Discretionary
<i>Reports provided under the Environmental Information Regulations</i>	£155.00	£155.00	£0.00	0.0%	Statutory
Water Sampling					
<i>Large/Commercial use supplies (each assessment at £68/hour capped at £500)</i>	£500.00	£500.00	£0.00	0.0%	Statutory

Risk assessment (each assessment at £68/hour	£500.00	£500.00	£0.00	0.0%	Statutory
Sampling (each visit)	£100.00	£100.00	£0.00	0.0%	Statutory
Investigation	£100.00	£100.00	£0.00	0.0%	Statutory
Granting an authorisation	£100.00	£100.00	£0.00	0.0%	Statutory
Analysing a sample:					
Taken under regulation 10	£25.00	£25.00	£0.00	0.0%	Statutory
Taken during Check monitoring	£100.00	£100.00	£0.00	0.0%	Statutory
Taken during Audit monitoring	£500.00	£500.00	£0.00	0.0%	Statutory
Water Sampling Fees:					
Lab Fees (Depending on criteria)	£85.50	£85.50	£0.00	0.0%	Discretionary
Pools (basic swimming pool test)	£32.50	£33.50	£1.00	3.1%	Discretionary
Sampling and admin cost recovery hourly rate	£44.00	£45.00	£1.00	2.3%	Discretionary
Courier charge	£32.50	£33.50	£1.00	3.1%	Discretionary
Health Protection - Food Safety					
Level 2 Food Safety in Catering Course					
Taught Course	£74.00	£76.00	£2.00	2.7%	Discretionary
Taught - Voluntary Groups	£43.00	£44.00	£1.00	2.3%	Discretionary
Taught - Unemployed	£43.00	£44.00	£1.00	2.3%	Discretionary
E-learning (all level 2 courses)	£25.00	£25.00	£0.00	0.0%	
Level 2 Personal license Holder elearning and invigilated exam	£82.00	£82.00	£0.00	0.0%	
Invigilated exam resit	£26.00	£26.00	£0.00	0.0%	
Level 3 Food Hygiene Course Taught Course	£295.00	£295.00	£0.00	0.0%	
Cost recovery - Commercial & Business Support					
Basic cost recovery (qualified officer)	£69.50	£71.50	£2.00	2.9%	Discretionary
Full cost recovery (qualified officer)	£76.50	£79.00	£2.50	3.3%	Discretionary
Mileage cost per mile	£0.45	£0.45	£0.00	0.0%	Discretionary
Strive for 5	£250.00	£260.00	£10.00	4.0%	Discretionary
SFBB Packs (without diary)	£15.25	£16.00	£0.75	4.9%	Discretionary
SFBB 48 week diary refills	£14.50	£15.00	£0.50	3.4%	Discretionary
SFBB Pack with 48 week diary refill	£24.00	£25.00	£1.00	4.2%	Discretionary
Mobile Home Sites Fees					
New Application					
1 to 10 pitches	£300.00	£308.00	£8.00	2.7%	Discretionary
11 to 30 pitches	£440.00	£452.00	£12.00	2.7%	Discretionary
31 to 99 pitches	£570.00	£586.00	£16.00	2.8%	Discretionary
100 or more pitches	£710.00	£730.00	£20.00	2.8%	Discretionary
Annual Fee					
1 to 10 pitches	£235.00	£241.00	£6.00	2.6%	Discretionary
11 to 30 pitches	£300.00	£308.00	£8.00	2.7%	Discretionary
31 to 99 pitches	£370.00	£380.00	£10.00	2.7%	Discretionary
100 or more pitches	£440.00	£452.00	£12.00	2.7%	Discretionary
Transfer/amendment	£166.00	£170.00	£4.00	2.4%	Discretionary
Replacement paper licence	£11.00	£11.30	£0.30	2.7%	Discretionary
Lodging rules	£57.00	£58.50	£1.50	2.6%	Discretionary
Environmental Enforcement					
Unwanted vehicle	£32.40	£33.25	£0.85	2.6%	Discretionary
Rats & Mice, Per consultation - 3 visits (free of charge to residents who are 60 years of age and over)	£53.40	£55.00	£1.60	3.0%	Discretionary
Fleas, cockroaches ants, carpet beetles, and other household insects	£59.40	£61.00	£1.60	2.7%	Discretionary
Bedbugs	£91.80	£94.50	£2.70	2.9%	Discretionary
Wasps Nests	£53.40	£55.00	£1.60	3.0%	Discretionary
Fine for stray dogs	£148.00	£159.95	£11.95	8.1%	Discretionary
Kennel Costs (per day/part of)	£19.95	£19.95	£0.00	0.0%	Discretionary

Transfers to reserves to be released 2021/2022

Description	Amount £
Apprentice Building Surveyor	7,700
Apprentice Building Surveyor	3,300
ARG Covid grant	2,935,386
Arts Development	10,000
Bicester Depot Redevelopment	14,897
Bicester Environmental Planting programme	10,000
Brighter Futures	52,212
Cherwell local lottery-playwell in Cherwell	165,000
Cherwell Lottery	20,096
Cllr Priority fund	16,595
COMF Active travel Dr Bike	7,200
COMF Covid Compliance	200,000
COMF Customer Service hub staff	15,000
COMF Enable Covid safe exercise in Banbury	72,212
COMF Food Infrastructure Support	80,000
COMF Motivational Interviewing	28,864
COMF Parish & Town Council Support	321,218
COMF Support for SMEs	65,000
COMF Targeted Communications	25,000
COMF Tenancy Support	30,000
COMF Unallocated balance £	4,218
Community Safety Covid Compliance and Enforcement grant	13,019
Country Park Reserve	50,000
Customer Services - Joint CSC optimisation programme of work	50,000
DEFRA Emergency Assistance Grant	30,829
FAST Sports England grant	26,000
Finance New Burdens	111,974
Hardship fund	135,097
Housing refugee reimbursement	217,967
IT infrastructure	19,000
Land Charges salary	5,000
LRSG Grant	136,405
MHCLG Pocket Parks grant Elmsbrook Community	24,500
New Growth Deal *** see note below	742,000
Next Steps Accommodation Programme Grant	52,512
NLRF grant	235,000
Planning Covid - procurement of consultation system	20,000
SPARK funding	27,000
Spatial - Land charges	15,000
Sport England Wayfinding grant	53,384
Test & Trace grant	93,000
Town centre House concierge service (April to Sept'21)	9,498
	6,151,083

*** Growth Deal Note

The Growth Deal was due to end after year 3 of the programme (2020/21). However, the Government has extended the scheme by a year due to delays following the impact of Covid-19. It is recommended that the underspend on this allocation is carried forward to be utilised in 2021/22.

The original Growth Deal funding agreed by the Council required match funding from Registered Providers of Recycled Capital Grant Funding and Value for Money self-assessments. It has come to the Council's attention that there are Registered Providers who are not able to offer Recycled Capital Grant match Funding, but are able to offer alternatives such as capital investment. In order to enhance the opportunities of this scheme it is recommended that the requirement for match funding is removed, but the requirement for the scheme to deliver VFM is retained. It is anticipated that this additional flexibility could result in 30 units being delivered in 2021/22.