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Cherwell District Council

Executive

Minutes of a meeting of the Executive held at Bodicote House, Bodicote, Banbury, Oxon OX15 4AA, on 2 October 2023 at 6.30 pm

Present:

Councillor Barry Wood (Chairman), Leader of the Council and Portfolio Holder for Policy and Strategy
Councillor Adam Nell (Vice-Chairman), Deputy Leader and Portfolio Holder for Finance
Councillor Phil Chapman, Portfolio Holder for Healthy and Safe Communities
Councillor Sandy Dallimore, Portfolio Holder for Corporate Services
Councillor Donna Ford, Portfolio Holder for Regeneration
Councillor Nicholas Mawer, Portfolio Holder for Housing
Councillor Andrew McHugh, Portfolio Holder for Cleaner and Green Communities
Councillor Eddie Reeves, Portfolio Holder for Property
Councillor Nigel Simpson, Portfolio Holder for Sport and Leisure

Also Present:

Councillor Sean Woodcock, Leader of the Labour Group
Councillor John Broad, Chairman of Overview and Scrutiny Committee
Councillor Jean Conway, Ward Member for Kidlington West (for agenda item 8)
Councillor Lesley McLean, Ward Member for Kidlington West (for agenda item 8)
Councillor Dorothy Walker, Ward Member for Kidlington West (for agenda item 8)

Officers:

Ian Boll, Corporate Director Communities
Stephen Hinds, Corporate Director Resources
Michael Furness, Assistant Director Finance & S151 Officer
Shiraz Sheikh, Assistant Director Law & Governance and Monitoring Officer
David Peckford, Assistant Director Planning & Development
Nicola Riley, Assistant Director Wellbeing & Housing
Mona Walsh, Assistant Director - Property
Shona Ware, Assistant Director Customer Focus
Tony Brummell, Building Control Manager
Colm Hughes, Procurement Consultant
Natasha Clark, Governance and Elections Manager

Officers Attending Virtually:

Yvonne Rees, Chief Executive

Jo Miskin, Climate Action Manager
Michael Sullivan, Procurement and Contracts Manager

29 **Declarations of Interest**

There were no declarations of interest.

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

The Chairman advised there were no petitions but there were a number of speakers.

Linda Newbery, the organiser of the petition that was submitted to the July Council meeting, would be speaking on item 6, Response to Petition on Food Choices.

Councillor Woodcock would be speaking on item 7, An Action Plan Regarding the Cost of Living Crisis, as he proposed the motion to Council.

Councillors Mclean, Walker and Conway would speak on item 8, Sandy Lane, Yarnton to Kidlington, as local ward councillors.

The Chairman advised that Councillor Broad, Chairman of the Overview & Scrutiny Committee was attending to observe as there was no feedback from the Committee on any of our agenda items this evening, but should indicate if he wished to speak.

31 **Minutes**

The minutes of the meeting held on 4 September 2023 were agreed as a correct record and signed by the Chairman.

32 **Chairman's Announcements**

The Chairman advised that he had agreed to amend the order of the agenda. Item 8, Sandy Lane, Yarnton to Kidlington, would be taken as the first item of business after his announcements.

The Chairman advised Executive that he had attended a meeting of the Future Oxfordshire Partnership (FOP) on 26 September 2023. At the meeting, there had been a review of the Growth Deal Programme, which remained on course. FOP had also considered the Oxfordshire Local Enterprise Partnership (OxLEP) Strategic Economic Plan, which was also included on the Executive agenda for consideration later in the meeting, and received updates from each of the Advisory Groups.

Sandy Lane, Yarnton to Kidlington

The Assistant Director – Planning and Development submitted a report to advise the Executive of the considerations associated with the Council resolution on Sandy Lane.

At the 17 July 2023 Council meeting, a motion relating to the closure of Sandy Lane, Yarnton was considered. It was resolved to adopt the motion and the Council asked the Executive to, *"...give careful consideration to keeping this vital link open, especially knowing that Oxford University Developments are proposing to fund and build a new road bridge on their site as part of their overall vision."*

In introducing the report, the Chairman advised that arrangements were in hand for a meeting between the local Ward Members, representatives from Network Rail and Oxford University Developments and council Planning Officers to enable discussion between stakeholders.

Councillors McLean, Conway and Walker, local Ward Members for Kidlington West, addressed Executive seeking Executive support to keep the Sandy Lane crossing open. In the course of their addresses, the local Ward Members highlighted the importance of the crossing for residents in the area and the traffic and environmental impacts if the crossing were closed.

The Chairman thanked the Ward Members for their comments. In response to the addresses, the Chairman explained that the Local Plan consultation was an opportunity for residents to have input into the way in which the new Local Plan would affect them. It was also crucial for all stakeholders, including Oxfordshire County Council Highways, to work together for a solution and an update would be provided to Executive following the meeting.

Resolved

- (1) That it be noted that a development brief and planning application for site PR8 (Land East of A44) will be presented to the Planning Committee for consideration in due course.
- (2) That it be noted that the wording of a formal response to an application expected to be submitted by Network Rail to the Secretary of State for Transport for a Transport and Works Act Order will involve consultation with the Planning Committee Chairman and Portfolio Holder for Planning and Development in due course.

Reasons

The Council has a clear and tested Local Plan position for development in the vicinity of Sandy Lane. It is not the decision-maker for the closure of the level crossing. However, there is an opportunity for the Planning Committee to give careful consideration to the planning of development to the east of A44. A development brief and major planning application will be presented to the Committee in due course. Consideration of the application by this Council and

the County Council will involve close examination of transport, travel and accessibility issues and the mitigation required. This provides the most appropriate opportunity to consider the acceptability of proposals for new residents and the potential impacts on existing residents and businesses.

The TWAO process provides an opportunity for the Council to present concerns and objections, albeit potentially in contradiction to Local Plan policy. The precise wording of a response, in the context of development proposals, can be discussed with the Planning Committee Chairman and Portfolio Holder in due course.

The applicant for site PR8 has recognised that future Network Rail proposals may emerge and has made some accommodation. Any future proposals would need to be considered on their own merits in due course.

Alternative options

Option 1: The Council could, if it so desired, choose to revise or replace Policy PR8 of the Local Plan through the on-going Cherwell Local Plan Review process. This would give the Executive the opportunity to consider planning policy affecting Sandy Lane.

This approach is not recommended as officers consider the policy to be 'fit for purpose' and do not recommend its revision. To do so would create significant uncertainty for the local community and the developer at a time when a development brief is being finalised and a planning

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Response to Petition Received on Food Choices

The Corporate Director Communities and Climate Action Manager submitted a report to set out the council's response to the petition received at the 17 July 2023 Council meeting asking the council to support the raising of awareness of the links between food choices, individual carbon footprints and biodiversity loss and sought approval of Executive for its proposed resolution.

The wording of the petition was:

"We, the undersigned, petition Council to use its website and leaflets to households on recycling and food waste to raise awareness of the links between food choices, individual carbon footprints and biodiversity loss.

We ask Council to encourage residents to consume less meat and dairy and to support local growers and farmers by choosing seasonal, local produce. "

Linda Newbery, the organiser of the petition, addressed Executive.

The Portfolio Holder for Healthy and Safe Communities thanked Ms Newbury for her address.

Resolved

- (1) That it be acknowledged that the council has already taken considerable steps to support the need for changes in the way food is produced in order to reduce its impact on the climate and biodiversity.
- (2) That it be acknowledge that the council is continuing to support the district in reducing its carbon emissions and seek opportunities to enhance local biodiversity and is working with a range of partners on several initiatives to make this possible.
- (3) That the work of the Food Insecurity Working Group and the development of a food strategy locally through Good Food Oxfordshire be acknowledged.
- (4) That the Corporate Director Communities be asked to respond to the petitioner setting out the council's position.

Reasons

This report has set out how the council already recognises the impact of food choices on the climate and the natural environment, and has already taken steps to initiate positive change.

Several policy areas contribute to this theme, including the Climate Change Framework 2020, the adoption of *One Planet Living*, council support of the Climate Action Oxfordshire website and the developing Climate Action Plan.

Changes to methods of food production and in public behaviour around food choices need action across both the public and private sectors. This includes Cherwell District Council, which will continue to work on reducing emissions, protecting the natural environment and improving the sustainability of the district of Cherwell.

Alternative options

Option 1 – Take the steps to encourage all residents to reduce their consumption of meat and dairy, as sought in the petition. This option is rejected as the council is already taking several steps to encourage residents to understand the implications of their food choices and therefore meeting our responsibilities to raise awareness of these issues as part of a programme of climate change activity.

An Action Plan Regarding the Cost of Living Crisis

The Assistant Director Wellbeing and Housing submitted a report which presented both the activities Cherwell District Council was currently engaged in to support residents experiencing difficulties because of the rising cost of living and provided an update on a range of new actions designed for this winter and so complete the action agreed by Full Council on 17 July 2023
“This council notes the ongoing pressure on the budgets of local residents

and calls on the Executive to draw up a cost-of-living action plan within 100 days.”

In introducing the report, the Portfolio Holder for Healthy and Safe Communities thanked the Assistant Director Wellbeing and Housing, the Wellbeing Team and the Food Insecurity Working Group for their ongoing hard work in this area.

Councillor Sean Woodcock, who had proposed the motion at the 17 July 2023 Council meeting addressed Executive, commending the work that had been undertaken to date and stressing the importance of keeping the work under review to ensure support for residents continued.

Resolved

- (1) That £100,000 investment in the additional activities programmed for winter 2023 be approved.
- (2) That the development of an evaluation framework that captures the impact of these actions be approved and officers be requested to update the Overview and Scrutiny Committee in November 2023 and January 2024 on progress made.

Reasons

Working in partnership across the district with statutory and voluntary sector organisations, both strategically and on a hyperlocal basis, officers will continue to ensure that Cherwell residents can access support and secure help when needed.

The council recognises that the response to the cost of living crisis is iterative and will need to be flexible to best meet changing needs of residents.

The broad range of everyday activity currently running is intended to support residents' wellbeing across the five key themes identified, recognising the interplay between them and their respective impact on the lived experience of residents.

Alternative options

Option 1: To review all programmes and reduce expenditure to statutory levels only.

Rejected: The Council takes its community leadership role seriously and works in partnership with voluntary organisations, charities, and other administrations to provide help and support to residents at their most vulnerable and challenging times. Cutting services and support at this time would not be in that interest.

Option 2: To expand the provision of support.

Rejected: The Council would have to use reserves to commit to a wider support package which is not prudent in the current financial climate

36 **Building Control Enforcement**

The Assistant Director - Planning and Development submitted a report to formalise an Enforcement Policy for Building Control.

On behalf of Executive, the Chairman thanked the Building Control Manager and team for their work developing the Policy.

Resolved

- (1) That the Building Control Enforcement Policy be endorsed.

Reasons

The need to formalise our enforcement process and practices has been brought sharply into focus by the emergence of the Building Safety Act 2022. To have a Policy will not only help the public but also our officers who come across breaches or have to respond to requests that enforcement is taken. Additionally, having a formal policy is very likely to become a requirement of the Building Safety Regulator.

Alternative options

Option 1: To continue without a formal policy. This would undoubtedly attract criticism from the Building Safety Regulator. It is also not equitable that the public continues to have no reference to the circumstances under which enforcement will be triggered.

37 **OxLEP's Oxfordshire Strategic Economic Plan 2023 - 2033**

The Assistant Director - Growth and Economy submitted a report to consider the Oxfordshire Local Economic Partnership's (OxLEP's) Strategic Economic Plan for Oxfordshire (SEP) 2023 – 2033 and provided an update on the progress to date in drafting the document. The report also outlined the SEP's forward trajectory in relation the path it would follow both through Cherwell District Council's democratic processes and through other organisations involved. This included, for example, the OxLEP Board, other local authorities (reporting through their respective democratic processes) and the Future Oxfordshire Partnership (FOP).

Resolved

- (1) That the Oxfordshire Local Economic Partnership's (OxLEP's) Strategic Economic Plan (SEP) 2023 – 2033 be endorsed.
- (2) That authority be delegated to the Corporate Director – Communities, in conjunction with the Portfolio Holder for Regeneration, to engage in

the development of the detail of the SEP, including any future action plans which might emerge.

Reasons

The SEP will contribute to the delivery of the Future Oxfordshire Partnership's Strategic Vision. It provides a ten-year framework to maintain the conditions for growth, regeneration, attracting new inward investment and enabling opportunities for jobs to be created for local residents.

In proposing a collective vision for the future of the County's economy, the SEP is currently in draft form. The Council's officers have been engaged as a consultee during its development.

Alternative options

Option 1: To adopt the emerging Oxfordshire Strategic Economic Plan. This was rejected, because it would be premature at this stage and it is possible, despite officers' best efforts, that the final version of the Plan might not sufficiently address issues and opportunities relating specifically to Cherwell district.

Option 2: Not to endorse the emerging Oxfordshire Strategic Economic Plan. This was rejected because it would contradict the Council's interests to support the broad partnership framework proposed by the Plan.

38

OxLEP's Oxfordshire Visitor Economy Vision and Destination Management Plan 2023 - 2028

The Assistant Director – Growth and Economy submitted a report to consider Oxfordshire Local Economic Partnership's (OxLEP's) Oxfordshire Visitor Economy Vision and Destination Management Plan 2023 – 2028.

Resolved

- (1) That Oxfordshire Local Economic Partnership's (OxLEP's) Visitor Economy Vision and Destination Management Plan 2023 – 2028 be noted.

Reasons

The Council has been engaged as a consultee in the development of OxLEP's Visitor Economy Vision and DMP and, together with the FOP; the LVEPs; and the other Oxfordshire local authorities, the Council has been identified as a lead partner within it.

It is recommended that Executive notes OxLEP's Visitor Economy Vision and DMP, with the understanding that at this stage the document sets out a strategic direction and defines priority areas for action, without identifying clear operational delivery responsibilities and funding resources.

Alternative options

Option 1: Not to note OxLEP's Visitor Economy Vision and DMP. This is rejected because it would contradict the Council's objective to "work with partners to promote the district as a visitor destination and attract investment in our town centres". (Cherwell District Council Business Plan 2023 – 2024).

39

Procurement Strategy (incorporating Social Value)

The Assistant Director Law and Governance & Monitoring Officer submitted a report to provide an overview of a new Procurement Strategy, with background context to its aims and objectives, for adoption by the Council.

On behalf of Executive, the Chairman commended officers for their work on developing the Strategy.

Resolved

(1) That the Procurement Strategy be approved.

Reasons

The Procurement Strategy – incorporating social value - will complement deployment of the portal and drive individual procurements and contract management requirements for effective outcomes of price, quality, quantity, place and time. This strategy – and the included action plan - will form the basis of a continuous improvement approach to drive efficiency and effectiveness.

Alternative options

Option 1: No Procurement Strategy. This is rejected as an absence of a new strategy may result in a lack of clarity and direction for the development of procurement and contract management within the Council.

40

Performance, Risk and Finance Monitoring Report August 2023

The Assistant Director Finance and Assistant Director Customer Focus submitted a report which provided an update on how well the council was performing in delivering its priorities, managing potential risks, and balancing its finances during August 2023.

Resolved

(1) That the Council's Performance, Risk and Financial report for the month of August 2023 be noted.

(2) That the Risk Strategy 2023 – 24 be approved.

- (3) That the change in the reporting cycle for the five monitoring only measures from monthly to quarterly be noted.
- (4) That the use of reserves (annex to the Minutes as set out in the Minute Book) be approved.
- (5) That £0.108m additional grant funding for the Disabled Facility Grant Capital Project be approved.

Reasons

This report provides an update on progress made during August, to deliver the council's priorities, manage potential risks and remain within the agreed budget.

Alternative options

This report summarises the council's performance, risk, and financial positions for August, therefore there are no alternative options to consider. However, members may wish to request further information from officers for inclusion.

41 Urgent Business

There were no items of urgent business.

42 Exclusion of the Press and Public

Resolved

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

43 Town Centre House

The Corporate Director Resources submitted an exempt report regarding Town Centre House.

Resolved

- (1) As set out in the exempt minutes.

(2) As set out in the exempt minutes.

Reasons

As set out in the exempt minutes.

Alternative options

As set out in the exempt minutes.

The meeting ended at 7.42 pm

Chairman:

Date:

Minute Item 40

Appendix 5 - Reserves and Grant Funding

Uses of/ (Contributions to) Reserves

Specific requests

Directorate	Type	Description	Reason	Amount £m
Resources	Earmarked	Market Risk Reserve	Over-recovery of Treasury Income	(0.627)
			Total Earmarked Reserves	(0.627)