



Cherwell

DISTRICT COUNCIL
NORTH OXFORDSHIRE

**Summary of the decisions taken at the meeting
of the Executive held on Monday 5 February 2024**

1. Date of publication of this summary: 6 February 2024
2. Decisions (if any) taken as a matter of urgency under Overview and Scrutiny Procedure Rules as set out in the Constitution (and not therefore subject to the call-in procedure): None
3. Date by which notice of call-in of any of the following decisions must be received in writing by the Chief Executive (see notes below):- Noon on Friday 9 February 2024
4. Notes:-
 - (a) For background documentation to the following decisions, please refer to the agenda and supporting papers (copies of which are available on the Council's website (www.cherwell.gov.uk) or from Democratic Services);
 - (b) Notice of call-in must be submitted in writing, by email or text to the Chief Executive by the deadline specified above, and must state the reason or reasons why "call-in" has been requested;
 - (c) Call-in can be requested by any six non-executive members of the Council.
However, if at any point during a municipal year the total number of opposition councillors is six or less the total number of non-executive members required to call-in a decision shall be the total number of opposition councillors less two.
 - (d) Decisions not called-in by the deadline specified above will become effective immediately the deadline has expired (unless they are recommendations to the Council).
 - (e) The Council has stipulated that the call-in procedure should not be used to challenge decisions as a matter of course and should be used only when fully justified.

**Gordon Stewart
Chief Executive**

Agenda Item and Recommendation	Decision	Reasons	Alternative Options	Conflicts of Interest Declared and Dispensations Granted by Head of Paid Service
<p>Agenda Item 6 Budget Setting for 2024/25 and the Medium-Term Financial Strategy up to 2028/29</p> <p>Report of the Assistant Director of Finance (S151)</p> <p>Recommendations</p> <p>The Executive is recommended to:</p> <p>1.1 Delegate authority to the Section 151 Officer (S151), following consultation with the Leader of the Council and Portfolio Member for Finance, to complete the legal Council Tax calculations once all the information required</p>	<p>Resolved</p> <p>(1) That authority be delegated to the Section 151 Officer, following consultation with the Leader of the Council and Portfolio Member for Finance, to complete the legal Council Tax calculations once all the information required has been received and submit a separate report to Council.</p> <p>(2) That authority be delegated to the S151 Officer, following consultation with the Leader of the Council and Portfolio Member for Finance, to make</p>	<p>This report provides information around the various building blocks that make up the proposed budget for 2024/25 and beyond, allowing members to consider and scrutinise the elements of the budget and provide advice and guidance to council to help further shape both budget setting for 2024/25 and the MTFS up to 2028/29.</p>	<p>Option 1: To reject the current proposals and make alternative recommendations. Members will not be aware of the medium-term financial forecast or implications of alternatives if they choose to take this option.</p>	<p>None</p>

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<p>has been received and submit a separate report to Council.</p> <p>1.2 Delegate authority to the S151, following consultation with the Leader of the Council and Portfolio Member for Finance, to make appropriate changes to the Executive's proposed budget to Council including policies and plans.</p> <p>The Executive recommends to Council as follows:</p> <p>1.3 Approve the proposed Fees and Charges schedule for 2024/25 (Appendix 7) and statutory notices be placed where required.</p>	<p>appropriate changes to the Executive's proposed budget to Council including policies and plans.</p> <p>(3) That Council be recommended to approve the proposed Fees and Charges schedule for 2024/25 and statutory notices be placed where required.</p> <p>(4) That Council be recommended to consider and note the Equality Impact Assessments of the Budget.</p> <p>(5) That Council be recommended to approve the Business Plan.</p>			

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<p>1.4 Consider and note the Equality Impact Assessments of the Budget (Appendix 8 and 8b)</p> <p>1.5 In relation to the Business Plan (Section 3.1) to approve:</p> <p>1.5.1 The Business Plan set out in Appendix 1.</p> <p>1.6 In relation to the Revenue Budget Strategy (Section 3.2) and Medium-Term Financial Strategy (MTFS) (Section 3.5) to approve:</p> <p>1.6.1 The net revenue budget for the financial year commencing on 1 April 2024, as set out in Table 3.2.1, and further</p>	<p>(6) That, in relation to the Revenue Budget Strategy and Medium-Term Financial Strategy (MTFS), Council be recommended to approve:</p> <p>i. The net revenue budget for the financial year commencing on 1 April 2024, as set out below, and further analysed in the Budget Book.</p> <p>Directorate; Net budget 2024/25 £m Communities: 8.917 Resources: 4.314 Chief Executive:</p>			

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<p>analysed in the Budget Book provided at Appendix 12.</p> <p>1.6.2 The MTFS and Revenue Budget 2024/25 (Sections 3.5 and 3.2 respectively), including the Savings Proposals and Pressures included at Appendices 4 and 5 respectively.</p> <p>1.7 In relation to Council Tax to approve:</p> <p>1.7.1 An increase in the Basic Amount of Council Tax for Cherwell District Council for the financial year beginning on 1 April 2024 of £5, resulting in a Band D charge of £153.50 per</p>	<p>5.355 Service Sub-total: 18.586 Corporate Costs: 4.475 Policy Contingency: 3.872 Net Cost of Services: 26.933</p> <p>ii. The MTFS and Revenue Budget 2024/25, including the Savings Proposals and Pressures.</p> <p>(7) That, in relation to Council Tax, Council be recommended to approve an increase in the Basic Amount of Council Tax for Cherwell District Council for the financial year</p>			

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<p>annum.</p> <p>1.8 In relation to the Capital Programme and related strategies (Section 3.3) to approve:</p> <p>1.8.1 The Capital Bids and Capital Programme at Appendix 17 and 18 respectively.</p> <p>1.8.2 The Capital and Investment Strategy 2024/25 (Appendix 19), including the Minimum Revenue Provision (MRP) Policy, and the revised 2023/24 MRP Policy (Appendix 20).</p> <p>1.8.3 The Treasury Management Strategy, including the Prudential Indicators, and Affordable Borrowing</p>	<p>beginning on 1 April 2024 of £5, resulting in a Band D charge of £153.50 per annum.</p> <p>(8) That, in relation to the Capital Programme and related strategies, Council be recommended to approve:</p> <p>i. The Capital Bids and Capital Programme.</p> <p>ii. The Capital and Investment Strategy 2024/25, including the Minimum Revenue Provision (MRP) Policy, and the revised 2023/24 MRP Policy.</p> <p>iii. The Treasury Management</p>			

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<p>Limit for 2024/25 (Appendix 21).</p> <p>1.9 In relation to reserves (Section 3.4) to approve:</p> <p>1.9.1 A minimum level of General Balances of £6.1m as supported by Appendix 15.</p> <p>1.9.2 The Reserves Policy (Appendix 14).</p> <p>1.9.3 The medium-term reserves plan described in Appendix 16.</p> <p>1.10 In relation to the Pay Policy Statement approve:</p> <p>1.10.1 The Pay Policy Statement, as required by the Localism Act 2010, detailed in Appendix 9.</p>	<p>Strategy, including the Prudential Indicators, and Affordable Borrowing Limit for 2024/25.</p> <p>(9) That, in relation to reserves, Council be recommended to approve:</p> <ul style="list-style-type: none"> i. A minimum level of General Balances of £6.1. ii. The Reserves Policy. iii. The medium-term reserves plan. <p>(10) That, in relation to the Pay Policy Statement, Council be recommended to approve the Pay Policy Statement, as</p>			

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	required by the Localism Act 2010, detailed in Appendix 9.			
<p>Agenda Item 7 Annual Delivery Plan 2024/25</p> <p>Report of Assistant Director of Finance and Assistant Director – Customer Focus</p> <p>Recommendations</p> <p>The meeting is recommended:</p> <p>1.1 To approve the Annual Delivery Plan 2024/25.</p>	<p>Resolved</p> <p>(1) That the Annual Delivery Plan 2024/25 be approved.</p>	<p>Through the agreement of the recommendations contained in this report the Council is ensuring the focussed delivery of the priorities contained within the Business Plan on behalf of the local communities, we are here to serve.</p>	<p>Option One: No Annual Delivery Plan – given the challenges and opportunities facing the Council, the need for a clear plan which enables the Council's achievement of the Business Plan is essential.</p> <p>Option Two: Annual Delivery 2023/24 - given the challenges and opportunities facing the Council the need for a timely plan which enables the Council's achievement of the Business Plan is essential.</p>	<p>None</p>

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<p>Agenda Item 8 Homelessness and Rough Sleeping Strategy 2024-2029</p> <p>Report of Assistant Director – Wellbeing and Housing</p> <p>Recommendations</p> <p>The meeting is recommended:</p> <p>1.1 To approve the new Homelessness and Rough Sleeping Strategy 2024-2029 and accompanying Action Plan.</p>	<p>Resolved</p> <p>(1) That the Homelessness and Rough Sleeping Strategy 2024-2029 and accompanying Action Plan be approved.</p>	<p>The Council is committed to providing a quality housing options, advice and homelessness service in accordance with our statutory duties. The Homelessness and Rough Sleeping Strategy 2024-2029 will provide a strategic framework to enable this.</p>	<p>Option 1: Not to bring forward a Homelessness and Rough Sleeping Strategy This option is not considered as reviewing homelessness and producing a strategy every 5 years is part of the Council’s statutory duties and part of the statutory duties of providing housing options and advice services.</p>	<p>None</p>
<p>Agenda Item 9 Developing a Kidlington Infrastructure and Community Asset Strategy</p> <p>Report of Corporate Director</p>	<p>Resolved</p> <p>(1) That it be agreed to develop a Kidlington Infrastructure Strategy in 2024/25 and</p>	<p>The development of a Kidlington Vision would complete the need for a place based vision for each of the three main urban areas of Cherwell. It would build upon</p>	<p>Option 1: Do Nothing. Under this option, development would come forward site by site through the planning process and infrastructure and</p>	<p>None</p>

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<p>Communities</p> <p>Recommendations</p> <p>The Executive recommends:</p> <p>1.1 To develop a Kidlington Infrastructure Strategy in 2024/25 and resource to provide oversight to its ongoing delivery.</p>	<p>resource to provide oversight to its ongoing delivery.</p>	<p>the work of the Banbury Vision which has undertaken widespread and detailed stakeholder engagement to identify key themes, and on the Reimaging Bicester work which has a focus on the achievement of exemplary development as part of the Garden Town vision and the integration of new communities with existing.</p>	<p>community assets would be coordinated by existing resources in the respective tiers of Local Government and other agencies.</p>	
<p>Agenda Item 10 Researching Solar Energy Requirements</p> <p>Report of Corporate Director Communities</p> <p>Recommendations</p> <p>The Executive recommends:</p> <p>1.1 To plan in the 2024/25</p>	<p>Resolved</p> <p>(1) That it be agreed to plan in the 2024/25 budget for the undertaking of research into the requirements for solar energy within Cherwell.</p>	<p>Amending the Medium Term Financial Plan (MTFP) to include the allocation of resource and budget will support the development of a research paper on solar energy generation for Cherwell and the environmental impacts of solar generation options.</p>	<p>Option 1: Do Nothing. Under this option, there would be limited understanding of the impact of solar energy generation across the District.</p>	<p>None</p>

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<p>budget for the undertaking of research into the requirements for solar energy within Cherwell.</p>				
<p>Agenda Item 11 Performance, Risk and Finance Monitoring Report Quarter 3 2023</p> <p>Report of Assistant Director of Finance and Assistant Director – Customer Focus</p> <p>Recommendations</p> <p>The meeting is recommended:</p> <p>1.1 To note the Council's Performance, Risk and Financial report for the current financial year up to the end of Quarter 3 2023 and its contents.</p>	<p>Resolved</p> <p>(1) That the Council's Performance, Risk and Financial report for the current financial year up to the end of Quarter 3 2023 be noted.</p> <p>(2) That the following reserve requests be approved.</p> <p>Directorate: Resources Type: Earmarked Description: Market Risk Reserve Reason: Over-</p>	<p>This report provides an update on progress made during Quarter 3, to deliver the council's priorities, manage potential risks and remain within the agreed budget.</p>	<p>This report summarises the council's performance, risk, and financial positions up to the end of Quarter 3, therefore there are no alternative options to consider. However, Members may wish to request further information from officers for inclusion.</p>	<p>None</p>

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<p>1.2 To approve the reserve requests in Appendix 5.</p> <p>1.3 To approve the use of Policy Contingency of £1.476m to mitigate the lower than budgeted in-year income of S31 grant.</p> <p>1.4 To note the repurposing of £0.030m from the Fairway Flats Refurbishment project for the works at Cope Road Banbury approved by S151 under delegation powers.</p>	<p>recovery of Treasury Income Amount £m: (0.170)</p> <p>Directorate: Resources Type: Earmarked Description: Transformation Implementation Reason: Underspend withing Policy Contingency Amount £m: (0.500)</p> <p>Total Earmarked Reserves £m: (0.670)</p> <p>(3) That the use of Policy Contingency of £1.476m to mitigate the lower than budgeted in-year income of S31 grant be approved.</p>			

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	(4) That the repurposing of £0.030m from the Fairway Flats Refurbishment project for the works at Cope Road Banbury approved by S151 under delegation powers be noted.			
<p>Agenda Item 12 Deddington Neighbourhood Plan</p> <p>Report of Assistant Director – Planning and Development</p> <p>Recommendations</p> <p>The meeting is recommended:</p> <p>1.1 To approve all the Examiner’s recommendations and modifications</p>	<p>Resolved</p> <p>(1) That all of the Examiner’s recommendations and modifications be approved to enable the Plan, incorporating the recommended modifications to proceed to a referendum.</p> <p>(2) That the issue of a ‘decision statement’</p>	<p>Having considered the Examiner’s report, officers are of the view that all of his recommendations should be accepted. Officers consider that the Draft Neighbourhood Plan meets the Basic Conditions with the Examiner’s proposed modifications and also agree with the Examiner that the referendum area should be based on the Designated Area and that the referendum area does not need to be</p>	<p>Option 1: Not to accept all the Examiner’s recommendations. Where a local planning authority proposes to make a decision that differs from the Examiner’s recommendations it is required to set out these reasons in a Decision Statement which would be subject to further consultation. Reason: Officers agree with all the Examiner’s</p>	<p>None</p>

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<p>(Appendices 1 and 2) to enable the Plan, incorporating the recommended modifications (Appendix 3), to proceed to a referendum.</p> <p>1.2 To authorise the issue of a 'decision statement' confirming the Executive's decision including that the Plan will now proceed to a referendum.</p> <p>1.3 To authorise the Assistant Director – Planning and Development to make any minor presentational changes and corrections necessary to ready the Plan for referendum.</p>	<p>confirming the Executive's decision including that the Plan will now proceed to a referendum be authorised.</p> <p>(3) That the Assistant Director – Planning and Development be authorised to make any minor presentational changes and corrections necessary to ready the Plan for referendum.</p>	<p>extended.</p> <p>It is recommended that the Executive agrees the submission of the Draft Neighbourhood Plan (as modified) for referendum and that a Decision Statement be issued. This Council would then be responsible for making the necessary arrangements for the referendum to be held. A notice of the referendum will need to be issued. In line with the Neighbourhood Planning (referendums) Regulations 2012, Schedule 1, the following question would be asked: "Do you want Cherwell District Council to use the neighbourhood plan for Deddington to help it decide planning applications in the neighbourhood area?"</p>	<p>recommendations.</p> <p>Option 2: Not to accept the Examiner's recommendations and not to proceed to a referendum. This option could only be justified if the Examiner recommends that the Draft Neighbourhood Plan should not proceed to a referendum, or the Council is not satisfied that the Draft Neighbourhood Plan has met the procedural and legal requirements. Reason: Officers agree with the Examiner's recommendations and are of the view that the local planning authority have met the procedural and legal requirements.</p>	

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		<p>If a majority of votes are in favour of the Neighbourhood Plan, it would come into force as part of the statutory Development Plan for the District. This Council must then ensure that the plan is “made” within eight weeks of the referendum for it to take effect.</p>		
<p>Agenda Item 13 Sale of Bodicote House Site, White Post Road, Bodicote, OX15 4AA</p> <p>Report of Corporate Director of Resources</p> <p>Recommendations</p> <p>Executive recommends:</p> <p>1.1 To delegate authority to the Corporate Director</p>	<p>As set out under item 15</p>	<p>As set out under item 15</p>	<p>As set out under item 15</p>	<p>None</p>

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<p>of Resources in consultation with the Portfolio Holder for Property and the S151 Officer, to proceed with the Heads of Terms attached to the Exempt part and enter into negotiations for the sale contract with Lucy Developments Ltd.</p> <p>1.2 To delegate authority to the Assistant Director Law & Governance to enter into Heads of Terms.</p>				
<p>Agenda Item 15 Sale of Bodicote House, White Post Road, Bodicote, OX15 4AA</p> <p>Exempt report of Corporate Director Resources</p>	<p>Resolved</p> <p>(1) That authority be delegated to the Corporate Director of Resources in consultation with the</p>	<p>The offer from Company C (Lucy Developments Ltd) as the preferred bidder is recommended because;</p> <ul style="list-style-type: none"> • They have offered the best bid for the site, upon receiving planning 	<p><u>Option 1: Do Nothing</u></p> <ul style="list-style-type: none"> • Not granting the delegated approval for the negotiation of the sale contracts via the Heads of Terms will mean a delay in the 	<p>None</p>

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<p>(This report is exempt from publication by virtue of Paragraph 3 Schedule 12A of Local Government Act 1972. This report contains commercially sensitive information relating to the financial and business affairs of the Council and others.)</p>	<p>Portfolio Holder for Property and the S151 Officer, to proceed with the Heads of Terms and enter into negotiations for the sale contract with Lucy Developments Ltd.</p> <p>(2) That authority be delegated to the Assistant Director Law and Governance to enter into Head of Terms.</p>	<p>permission.</p> <ul style="list-style-type: none"> • The offer is considered to provide the best value, in that it meets the Councils affordable housing policy. • The proposal is considered to provide a better likelihood to achieve the highest density of units and obtaining planning permission for the proposed redevelopment. • They are a regional developer, with a proven track record. • They have confirmed the purchase and development can be funded from existing resources and without the need to borrow funds. <p>The Council meets its obligations under S123 of the LGA 1972 to sell land at the</p>	<p>receipt of monies and create a funding issue for the relocation.</p> <ul style="list-style-type: none"> • Continued ownership of the property will <ul style="list-style-type: none"> • The property continues to be a significant cost to the Council. • There is substantial excess space which is not well utilised and difficult to sublet. • Surplus to requirement space will continue to need to be maintained for the duration of any occupation. • Significant capital costs are required to 	

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		<p>best price reasonably obtainable in the marketplace at the time and not at an undervalue. We have been advised that a “Red Book” valuation from a RICS qualified surveyor cannot be obtained due to the variables involved. However, the property has been widely marketed with marketing appraisals including valuation advice from Knight Frank, throughout the process who have confirmed that the offer from Company C (Lucy Developments Ltd) is the best obtainable.</p>	<p style="text-align: center;">maintain the building.</p> <p>This option is therefore not considered a viable alternative.</p> <p><u>Option 2: Seek an alternative purchaser</u></p> <ul style="list-style-type: none"> • This will result in serious delay in the disposal and therefore the funding of the relocation • The holding costs of the property as well as all of the points raise in Option (1) above. 	