



Council Minute Book

Monday 16 December 2019

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Cherwell District Council

Executive

Minutes of a meeting of the Executive held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 4 November 2019 at 6.30 pm

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

Councillor Colin Clarke, Lead Member for Planning
Councillor John Donaldson, Lead Member for Housing
Councillor Tony Ilott, Lead Member for Financial Management and Governance
Councillor Andrew McHugh, Lead Member for Health and Wellbeing
Councillor Richard Mould, Lead Member for Performance
Councillor Lynn Pratt, Lead Member for Economy, Regeneration and Property

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

Apologies for absence: Councillor Ian Corkin, Lead Member Customers and Transformation
Councillor Dan Sames, Lead Member for Clean and Green

Officers: Yvonne Rees, Chief Executive
Graeme Kane, Chief Operating Officer
Claire Taylor, Corporate Director Customers and Organisational Development
Adele Taylor, Corporate Director: Finance (Interim) & Section 151 Officer
Simon Furlong, Corporate Director - Communities
Nick Graham, Director of Law and Governance / Monitoring Officer
Gillian Douglas, Assistant Director: Social Care Commissioning and Housing
David Peckford, Assistant Director: Planning and Development
Hedd Vaughan Evans, Assistant Director Performance and Transformation
Richard Webb, Assistant Director: Regulatory Services and Community Safety
Belinda Green, Operations Director - CSN Resources
Aaron Hetherington, Democratic and Elections Team Leader

51 **Declarations of Interest**

Members declared interests in the following agenda items:

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

There were no petitions or requests to address the meeting.

53 **Minutes**

The minutes of the meeting held on 7 October 2019 were agreed as a correct record and signed by the Chairman.

54 **Chairman's Announcements**

There were no Chairman's announcements.

55 **Consideration of the Examiner's Report for the Weston on the Green Neighbourhood Plan**

The Assistant Director - Planning and Development submitted a report which advised that the Weston on the Green Neighbourhood Plan (submission draft) had been examined by an Independent Examiner. The Examiner had produced a report and the Council, as the Local Planning Authority, was required to consider the report's recommendations; determine whether the Plan, incorporating modifications, should proceed to a referendum; and, confirm the area covered by the referendum.

Resolved

- (1) That the Examiner's recommendations and modifications (Annexes to the Minutes as set out in the Minute Book), with the exception of Modifications 15, 21, 24, 26 and 27 be approved.
- (2) That the issuing of a 'decision statement' confirming the Executive's decision and to invite representations on the Council's proposed amendments to Modifications 15 and 21, and consequential changes required to Modifications 24, 26 and 27, of the Examiner's report be authorised.
- (3) It be agreed to not proceed to referendum on the Weston on the Green Neighbourhood Plan at this time.
- (4) That the area for the future referendum as being the designated Neighbourhood Plan area in accordance with the examiner's recommendations, noting that there will be no extension to the area be approved.

Reasons

The submission Weston on the Green Neighbourhood Plan has been independently examined and is recommended by the Examiner for referendum subject to the incorporation of modifications. Officers do not agree with two of the Examiner's modifications. They consider that with the incorporation of all of his recommended modifications the Plan does not meet the requisite Basic Conditions and should not proceed to referendum at this time.

Officers consider that the Examiner's modifications 15 and 21 (and the consequential changes to modifications 24, 26 and 27) should be amended as set out in Appendix 2 of this report. These amendments should be the subject of public consultation as prescribed by the regulations. The future referendum area should be the designated Neighbourhood Plan Area

Alternative options

Option 1: Approve all the Examiner's recommendations and proceed to a referendum.

Officers do not agree with all the Examiner's recommendations. Accepting all the modifications and proceeding to referendum would result in a neighbourhood plan that would not provide sufficient clarity to enable the consistent application of its policies in determining planning applications. This may result in development that is contrary to the overall aims and objectives of the Neighbourhood Plan. The Plan would not be in general conformity with the strategic planning policies for the area.

Option 2: To extend the area in which the referendum is to take place.

Officers agree with the Examiner's recommendations. There is no need to extend the referendum area.

56

Banbury Public Spaces Protection Order Renewal

The Chief Operating Officer (Deputy Chief Executive) submitted a report regarding the Banbury Public Spaces Protection Order (PSPO) which would expire at the end of November 2019. It was possible to extend the PSPO for a further 3-year period before it expires. The report provided the background to the PSPO, an evaluation of its effectiveness and the outcomes of public consultation undertaken during the summer. It recommended renewing the PSPO with a variation in scope.

Resolved

- (1) That the renewal of the Public Spaces Protection Order in Banbury Town Centre be approved.
- (2) That the prohibition on rough sleeping be removed from the Public Spaces Protection Order in Banbury Town Centre be approved.

Reasons

The Executive is recommended to extend the PSPO. The consultation shows a reduction in the proportion of people perceiving the behaviours addressed by the Order to be a problem in the Town Centre and support for continuing with the protection against anti-social behaviour provided by the Order. The decline in the number of warnings and FPNs issued during the period the Order has been in place shows a reduction in the frequency that the Community Wardens and Police are required to take action to address problem behaviours. However, the data also show continuing need for enforcement actions (formal and informal) under the PSPO and continuing reports of alcohol related anti-social behaviour. Based on the evaluation there is a risk that these behaviours escalate should the PSPO cease.

In reaching a decision on whether to renew the Order it will be important to consider the necessity of continuing with the Order and the proportionality of the restrictions it contains. An Equality Impact Assessment has been prepared as part of the decision papers and is included in annex 4.

As stated above, some of the responses to the consultation request that the scope of the Order is widened. This cannot happen as part of the current renewal process since we are required to consult on any proposal to change the Order. As such, in consideration of the responses, it is proposed that we will collate the evidence relating to possible extension of the Order for further review by the Executive at a later date so that the Executive can decide whether a consultation should be commenced on extending the Order.

Including rough sleeping within the scope of any renewed Order is likely to attract criticism in the media. It may also lead to legal challenge if we seek to prosecute someone for breaching this aspect of the Order. The public consultation generally supported the continued inclusion of restrictions on rough sleeping in the Order. However, the need to do so could be questioned given the lack of enforcement action under the Order relating to rough sleeping and the strong emphasis in the Government guidance. This is supported by views from stakeholders suggesting that the focus should be on support provision and addressing underlying needs rather than enforcement action against those found to be rough sleeping. Connection Support's response suggests that the provision of support is made harder by the PSPO, but it also suggests that removing rough sleeping from the Order could result in an increase in rough sleeping in the town centre.

Cherwell has good provision for the support of anyone rough sleeping but risks reputational damage if the renewed Order includes a further prohibition on rough sleeping. Therefore, it is recommended that the rough sleeping element is removed from the Order if it is renewed.

Alternative options

Option 1: Do nothing (not renew the Order).

This option is not preferred for two reasons. Firstly, the consultation on the potential renewal of the Order shows public support for it continuing and high levels of public perception that begging, street drinking and rough sleeping continue to be a problem in Banbury Town Centre. Secondly the evaluation of the Order shows that the enforcement options provided by the Order are still being utilised to address anti-social behaviour in the town centre. As such,

allowing the Order to cease would be going against public opinion and is likely to result in increased problems of anti-social behaviour in the Town Centre.

Option 2: Renew the Order including the prohibition on rough sleeping. This option is not preferred since Government Guidance produced since the Order was introduced states that PSPOs should not be used to tackle rough sleeping. In addition, the data on the use of the enforcement options provided by the PSPO shows that the Order is not being used to address rough sleeping in the Town Centre. Whilst the inclusion of rough sleeping in the Order may be a deterrent to rough sleeping in the Town Centre, our supportive approach to assisting rough sleepers provides options to address most rough sleeping problems in the Town Centre.

Option 3: Extend the Order to include new issues or behaviours. This option is not legally possible at this time. We are required to consult on any increase in the scope of the Order. We have not carried out this consultation as part of the renewal process.

57 **Proposal to Extend Cherwell District Council's Participation in Refugee Resettlement**

The Assistant Director Housing and Social Care Commissioning submitted a report to provide an update on Cherwell District Council's participation in the Government's Vulnerable Person's Relocation Scheme (VPRS) and agree to participate in the new global scheme by resettling a further 6 families from April 2020 onwards.

Resolved

- (1) That Cherwell District Council's participation in the new global scheme which begins in April 2020 be supported.
- (2) That a further 6 families for resettlement under the new scheme be accepted.

Reasons

CDC is on track to meet the pledge of resettling 12 VPRS families by March 2020.

The number of people resettled in Britain since the start of the scheme is 17,051 (Refugee Council). According to the most recently published statistics, in the South East 1,599 people have been resettled.

The support provided to arriving families under the new scheme will need to be flexible according to the nationalities of arriving families. We currently provide a resettlement service to Arabic speaking refugees only. The new service will need to reflect the diversity of the families accepted and respond to diverse cultural needs. The Home Office will work closely with Strategic Migration Partnerships (SMPs) and local authorities to match refugees to areas that have the appropriate resources to support those resettled.

CDC is in a good position to accept 6 more families under the new scheme, given our ability to source accommodation and appropriate support services. There are established support networks and partnerships across the county all well placed to support additional families as they move in to private rented sector accommodation.

Alternative options

Option 1: To not participate in the scheme. If this option is chosen there could be negative criticism from local residents who have been largely supportive of CDC's participation to date and negative media coverage could result. More importantly fewer vulnerable families would be helped to resettle in a safe environment that supports their recovery from conflict and trauma.

Option 2: To increase the number of refugee families to more than the 6 recommended. Cherwell is in a good position to accept a further 6 families based on the availability of private rented sector accommodation and the infrastructure we have in place to support refugees. This number can always be reviewed in future.

58 **Council Tax Discount Scheme across Oxfordshire District Councils and Oxfordshire County Councils**

The Executive Director Finance (Interim) submitted a report to provide members with a draft policy proposing a Council Tax Discount Scheme for Care Leavers from April 2020.

Resolved

- (1) That the Care Leavers are determined as a class for the purpose of Section 13A(1)c of The Local Government Finance Act 1992 be approved.
- (2) That the implementation of a Council Tax Discount for Care Leavers from 1 April 2020 be approved.
- (3) That the Memorandum of Understanding as an agreement between the Oxfordshire Authorities to share the financial commitment to support care Leavers be approved.
- (4) That the Authorities should approach Thames Valley Police and town and parish councils to make a financial contribution proportionate to their precepts.

Reasons

Local Authorities have been recommended to consider exempting care leavers from Council Tax using existing discretionary powers under Section 13A of the Local Government Finance Act.

Members are asked to approve the implementation of a Council Tax Discount for Care Leavers from 1 April 2020 and the associated policy and Memorandum of Understanding.

Alternative options

Option 1: To not agree the proposed scheme. This would have a potential reputational risk for the authority and have an impact on some of our most vulnerable residents.

59 **Monthly Performance, Finance and Risk Monitoring Report - September 2019**

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

Resolved

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

Reasons

The Council is committed to performance, risk and budget management and reviews progress against its corporate priorities on a monthly basis.

Alternative options

Option 1: This report illustrates the Council's performance against the 2019-20 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.

60 **Urgent Business**

There were no items of urgent business.

The meeting ended at 6.58 pm

Chairman:

Date:

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Cherwell District Council

Executive

Minutes of a meeting of the Executive held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 7 October 2019 at 6.30 pm

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

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

Also Present: Councillor Sean Woodcock, Leader of the Labour Group
Councillor John Broad
Councillor Les Sibley

Officers: Nick Graham, Director of Law and Governance / Monitoring Officer
Graeme Kane, Chief Operating Officer
David Peckford, Assistant Director: Planning and Development
Claire Taylor, Corporate Director Customers and Organisational Development
Hedd Vaughan Evans, Assistant Director Performance and Transformation
Dominic Oakeshott, Assistant Director (Interim) - Finance
Nicola Riley, Assistant Director: Wellbeing
Aaron Hetherington, Democratic and Elections Team Leader

38 Declarations of Interest

There were no declarations of interest

39 Petitions and Requests to Address the Meeting

There were no petitions.

The Chairman advised Executive that he had agreed to Councillor Broad addressing the meeting on agenda item 7, Community Nature Plan Restoring and Enhancing Green Spaces, and Councillor Sibley addressing the meeting on agenda items 6, Car Parking Enforcement Policy, and 8, Howes Lane Bridge Marginal Viability HIF Funding.

40 **Minutes**

The minutes of the meeting held on 2 September 2019 were agreed as a correct record and signed by the Chairman.

41 **Chairman's Announcements**

There were no Chairman's announcements.

42 **Community Nature Plan Restoring and Enhancing Nature and Green Spaces**

The Assistant Director, Wellbeing submitted a report which summarised the progress of the 2018-2020 Community Nature Plan and provided clarity on recent government guidance relating to restoring and enhancing nature and green spaces. The report also sought approval for biodiversity net gain guidance; endorsement of seeking a minimum of 10% biodiversity net gain through engagement with the planning process; and approval of biodiversity in the built environment guidance.

At the discretion of the Chairman, Councillor Broad addressed Executive.

Resolved

- (1) That the progress of the Community Nature Plan 2018-20 be noted.
- (2) That recent government guidance relating to restoring and enhancing nature and green spaces be noted.
- (3) That the biodiversity net gain guidance (annexes to the Minutes as set out in the Minute Book) be approved.
- (4) That seeking a minimum of 10% biodiversity net gain through engagement with the planning process be endorsed.
- (5) That a Biodiversity in the Built Environment Good Practice Guide 'Preservation of existing nesting sites and provision of artificial nesting sites' (annex to the Minutes as set out in the Minute Book) be approved.

Reasons

'Restoring and Enhancing Nature and Green Spaces' for the benefit of people and wildlife is a crucial element of important development and economic decisions. Failure to recognise and assess the multiple benefits of the natural environment will affect community health and wellbeing, important habitats and species and future economic growth. This report provides an update on the Community Plan, demonstrating how the Council is fulfilling its statutory biodiversity duty; and seeks approval for recommendations which support guidance that will enable the Council to invest wisely in the District's natural environment and help to contribute to healthy outcomes for people and wildlife.

Alternative Options

Option 1: To reject the recommendations in the report. This is not proposed as the recommendations are in accordance with government guidance, best practice and the Council's statutory biodiversity duty

Option 2: To amend the recommendations in the report. This is not proposed as the recommendations are in accordance with government guidance, best practice and the Council's statutory biodiversity duty

43

Howes Lane Bridge Marginal Viability HIF Funding

The Assistant Director – Growth and Economy submitted a report for members to consider the implications for Cherwell District Council (CDC) entering into a legal agreement with Oxfordshire County Council (OCC) in connection with the delivery of the rail bridge to enable the realignment of Howes Lane in Bicester.

Should the development subsequently become viable, the agreement would require CDC to seek contributions toward the cost of delivery of infrastructure through development receipts and, in accordance with the terms of the funding agreement, spend any released excess MV HIF (Marginal Viability Homes Infrastructure Fund) grant on the delivery of housing.

At the discretion of the Chairman, Councillor Sibley addressed Executive.

Resolved

- (1) That, subject to Oxfordshire County Council completing the Marginal Viability Homes Infrastructure Fund (MV HIF) agreement, it be agreed to:
 - a) enter into a "back-to-back" agreement with OCC to take on the MV HIF obligations seeking to secure funding towards the cost of the delivery of the Howes Lane infrastructure. In addition, to use any excess grant funding (released as a result of the development funds contributing towards the cost of delivering the infrastructure) to deliver housing (subject to any legal issues being resolved and remedied);

and

- b) delegate to the Assistant Director – Growth and Economy, in consultation with the Lead Member for Economy, Regeneration and Property and the Team Leader – Non-contentious, the negotiation and completion of the agreement with OCC.

Reasons

The conclusion is that the securing of this marginal viability funding from Homes England is a positive development and supports CDCs growth agenda.

Alternative Options

Option 1: Not to pursue the securing of funding. This could delay the provision of the realigned Howes Lane and subsequently some housing delivery and as such is not recommended

Option 2: Not to enter into an agreement with OCC that passes on the obligations to seek to recoup funding and use receipts to deliver housing. This option is not recommended as it is likely to prevent the funding being secured and results in a lost opportunity to release excess grant funding for housing.

44

Results of the Residents' Satisfaction Survey 2019

The Assistant Director – Performance and Transformation submitted a report which summarised the key results from the annual satisfaction survey and identified areas to be reflected in future business and service plans.

Resolved

- (1) That the results of the survey, with particular reference to the priority service areas identified by respondents, be noted.
- (2) That it be agreed that the results and priority service areas identified will be used as part of the business and service planning process for 2020-21.
- (3) That it be agreed to continue to develop the approach of consulting and engaging with our residents, ensuring we reach as many residents as possible making use of all communication tools available to us and keeping residents up to date with progress against the business plan.

Reasons

The annual satisfaction survey provides the Council with a standard source of data for gauging satisfactions levels across the district about service delivery and value for money, which enables informed decision making with regard to service provision and the planning of priorities.

The service specific satisfaction and feedback enables services to react quickly to any issues identified and also provides the council with more frequent satisfaction results.

It is important that the results are used as part of business and service planning and those areas of further investigation are progressed. These further investigations by officers, coordinated by the Insight Team, will provide the council with more detailed customer feedback and insight enabling evidence-based decision making.

Alternative Options

To reject the findings of the satisfaction survey results and not incorporate them as part of the business and service planning process for 2020-21. This has been rejected as the survey provides the Council with a standard source of data for gauging satisfactions levels across the district, which enables informed decision making with regard to service provision and priorities.

45 **Monthly Performance, Finance and Risk Monitoring Report - August 2019**

The Executive Director: Finance (Interim) and Assistant Director: Performance and Transformation submitted a report which summarised the Council's Performance, Risk and Finance monitoring position as at the end of each month.

Resolved

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

Reasons

The Council is committed to performance, risk and budget management and reviews progress against its corporate priorities on a monthly basis.

Alternative Options

Option 1: This report illustrates the Council's performance against the 2019-20 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.

46 **Car Parking Enforcement Policy**

The Assistant Director: Environmental Services submitted a report which presented a proposal to change the car parking enforcement process and overarching Policy, having regard to the comments and findings by the Local Government Ombudsman regarding the conduct of car parking enforcement, and also the length of time that has elapsed since the Policy was last reviewed.

Resolved

- (1) That the report and the recommendations of the Local Government Ombudsman and the action plan to address those recommendations in so far as the same concern the enforcement of excess charges be noted.
- (2) That the revised Car Parking Enforcement Policy (annex to the Minutes as set out in the Minute Book) be approved.

Reasons

The recommendations in this report address the Local Government Ombudsman's comments and concerns regarding the Council's car parking enforcement process. In particular it simplifies the approach to parking enforcement by removing from the process at the earliest opportunity the involvement of Bristow and Suter as enforcement agents chasing payment on Apcoa's behalf. Apcoa will now remind customers of outstanding excess charges before referring the matter directly to the Council, who will then decide upon prosecuting that customer in the magistrate's court for the unpaid ECN.

The proposed new Policy takes account of the process proposed.

Alternative Options

To reject the new Car Parking Enforcement Policy and ask officers to reconsider the same having regard to the report from the Local Government Ombudsman

47 Urgent Business

There were no items of urgent business.

48 Financial Management System

The Executive Director Finance (Interim) submitted a report to seek approval for increased capital funding for the replacement of the financial management system following the end of the current contract with Civica.

Resolved

- (1) That additional capital funding for the capital project to replace the financial management system be approved.
- (2) That the estimated revenue impact be noted.

Reasons

The current initial five-year term of the contract with Civica ends on 31 March 2020. The Council approved the replacement and the best route is via a full and open tender process to secure a new finance system that will meet the Council's business needs – initially for a five-year period, but potentially for up to a further five years – possibly providing the finance functionality for the next decade.

Alternative Options

Option 1: Extend the existing contract with Civica for a period of up to five years. This has been rejected due to the limited functionality being provided by the system and the inability to provide the high-quality financial reporting information identified in our user requirements gathering exercises.

49 **Exclusion of the Press and Public**

There being no questions on the exempt appendix it was not necessary to exclude the press and public from the meeting.

50 **Financial Management System - Exempt Appendix**

Resolved

- (1) That the exempt appendix be noted.

The meeting ended at 7.39 pm

Chairman:

Date:

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COUNCIL

RECORD OF LEAD MEMBER DECISIONS FOR THE PERIOD OCTOBER to DECEMBER 2019

16 December 2019

Area of Responsibility

Decision Subject Matter

Leader of the Council

Appointing a Director, from Cherwell District Council (CDC) to the new Bicester Vision Community Interest Company (CIC) and providing grant funding to the CIC

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Cherwell District Council

Overview and Scrutiny Committee

Minutes of a meeting of the Overview and Scrutiny Committee held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 15 October 2019 at 6.30 pm

- Present: Councillor Lucinda Wing (Chairman)
Councillor Tom Wallis (Vice-Chairman)
- Councillor Chris Heath
Councillor Shaida Hussain
Councillor Tony Mepham
Councillor Ian Middleton
Councillor Perran Moon
Councillor Bryn Williams
- Substitute Members: Councillor Nathan Bignell (In place of Councillor Phil Chapman)
- Also Present: Councillor Barry Wood
Councillor Dan Sames – Lead Member for Clean and Green
Eric Owens, Assistant Director Growth and Place, Oxfordshire County Council
- Apologies for absence: Councillor Mike Bishop
Councillor Phil Chapman
Councillor Sandra Rhodes
Councillor Les Sibley
- Officers: Graeme Kane, Chief Operating Officer
Adele Taylor, Executive Director: Finance (Interim) & Section 151 Officer
Ed Potter, Assistant Director: Environmental Services
Chris Hipkiss, Property and Investment Consultant
Paul Almond, Street Scene & Landscape Manager
Trevor Dixon, Environmental Protection and Licensing Manager
Jim Guest, Environmental Protection Officer
Natasha Clark, Governance and Elections Manager
Emma Faulkner, Democratic and Elections Officer
Lesley Farrell, Democratic and Elections Officer

Declarations of Interest

There were no declarations of interest.

24 **Minutes**

The Minutes of the meeting of the Committee held on 3 September 2019 were confirmed as a correct record and signed by the Chairman.

25 **Chairman's Announcements**

There were no Chairman's announcements.

26 **Urgent Business**

There were no items of Urgent Business.

27 **Waste and Recycling**

The Assistant Director Environmental Services gave a presentation on Waste and Recycling within the Cherwell District and explained how waste was sorted, collected and distributed to the relevant disposal centres.

The Assistant Director Environmental Services explained that a National Resources and Waste Strategy was published in December 2018 to create consistent collections schemes. The Strategy included proposals for a deposit return scheme, which would reduce the value of waste and increase gate fees. It also included proposals for a weekly collection of food waste. Food waste would be collected separately and taken to an anaerobic digester where a biogas would be produced and used to produce heat, electricity or transport fuels.

In response to questions from the Committee, the Assistant Director Environmental Services explained that the type of recyclable waste collected was changing, with more single use plastics and less newspapers being discarded due to changing lifestyles.

In response to Members' comments regarding the amount of fuel the Council's collection vehicles consumed, the Assistant Director Environmental Services assured the committee that the collection vehicles used existing technology to minimise the amount of fuel used. Electric collection vehicles were some way off from being widely available on the market, fully tested for performance and financially affordable but all small vans in the fleet were now electric. Environmental services kept up-to-date with developing technology and would be aware when more economical and environmentally friendly vehicles were brought to the market.

Resolved

(1) That the Waste and Recycling presentation be noted.

28

Grass Verges and Green Spaces

The Street Scene and Landscape Services Manager gave a presentation on the council's delivery of landscape services and maintenance of grass verges and green spaces within Cherwell District. The presentation explained that different grassed areas were managed differently depending on their functions and locations to create different aesthetic effects, manage road safety and promote biodiversity.

In response to Members' comments regarding bringing nature back to life and restoring living systems with wildlife returning to grass verges, the Street Scene and Landscape Services Manager explained the potential benefits and challenges in leaving grassed areas to become 'wild'. Verges did not automatically become wild flowers, rather an expensive process of spraying, rotavating, seeding and cut and collect had to be carried out to get results and these results only lasted for 2 to 3 years.

Some members of the Committee raised concerns that this process was not as environmentally friendly as other methods and that some Parishes had expressed an interest in wild flower meadows. The Street Scene and Landscape Services Manager explained that Parishes had been advised of the cost and short lived results but we were able to offer different cutting regimes if that was practical and preferred.

Resolved

(1) That the Grass Verges and Green Spaces presentation be noted.

29

Air Quality Update

The Committee considered a briefing note from the Environmental Protection and Licensing Manager which provided updates on the air quality monitoring carried out across the District in 2018 and the review of the Air Quality Action Plan for Banbury, Bicester and Kidlington. The September 2019 Air Quality Action Plan had been circulated for information. In presenting the briefing note, the Environmental Protection and Licensing Manager advised the Committee that the Annual Status Report, with data for 2018 was now available.

The Environmental Protection Officer informed the Committee that the Department for Environment, Food and Rural Affairs (DEFRA) had recently announced that application could be submitted in the latest round of funding under the Air Quality Grant Scheme. Local authorities were encouraged to bid for funding from central government for local projects to improve air quality. The Committee was advised that scoping was underway for a Countywide campaign and meetings were taking place with other Oxfordshire Councils and the Bicester Delivery team. There was an opportunity for Councillors to participate and details would be circulated to the Committee Members.

Resolved

- (1) That the briefing note be noted
- (2) That officers be requested to circulate information regarding the DEFRA Air Quality Grant scheme to Committee members.

30 **Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities**

The Director Law & Governance & Monitoring Officer submitted a briefing note which advised the Committee of the Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities

In introducing the report the Governance and Elections Manager advised the Committee that the Minister for Housing, Communities and Local Government (MHCLG) had published revised Scrutiny Guidance in May 2019 and that Cherwell District Council already had in place many of the areas of good practice but there were options for further enhancing the role of Scrutiny within the organisation, including the drafting of an Executive Scrutiny Protocol.

The Leader of the Council commented that he felt there was a good relationship between the Executive and the Overview and Scrutiny Committee and Executive members valued the work undertaken by the Committee, the Protocol would reinforce this relationship.

Members agreed that an Executive Scrutiny Protocol should be drafted and submitted to the Overview and Scrutiny Committee for consideration in January 2020.

Resolved

- (1) That the publication of a new statutory guidance document about the role of scrutiny be noted.
- (2) That the proposed options and methods of engagement with Councillors in relation to the new guidance be noted.
- (3) That an Executive-Scrutiny Protocol be drafted for consideration by the Committee in January 2020.

31 **Committee Work Programme 2019/2020**

The Democratic and Elections Officers gave an update on the status of topics suggested for Scrutiny, and the indicative Committee work programme.

The Chairman asked Committee Members to review the work programme and topic sheet and draft scoping documents for topics they had raised or any other topic, worthy of further investigation and potential scrutiny review. Completed scoping documents would be submitted to the Committee for review and, subject to sign off, working groups established and/or the topic added to the work programme at the appropriate time.

Resolved

- (1) That the work programme be noted
- (2) That Committee Members complete scoping documents for topics they have previously raised or new topics for possible scrutiny review to be considered at future meetings of the Committee

32 **Exclusion of the Press and Public**

Resolved

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

33 **CASTLE QUAY**

The Interim Property and Investment Manager gave an exempt presentation which provided an update on the Castle Quay development.

Members asked a number of questions to which answers were duly provided.

Resolved

- (1) That the exempt presentation be noted.

The meeting ended at 9.25 pm

Chairman:

Date:

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