



**Summary of the decisions taken at the meeting  
of the Executive held on Monday 5 September 2016**

1. Date of publication of this summary: 6 September 2016
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 September 2016
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](http://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.

**Sue Smith  
Chief Executive**

Agenda Item and Recommendation	Decision	Reasons	Alternative Options	Conflicts of Interest Declared and Dispensations Granted by Head of Paid Service
<p><b>Agenda Item 7 Corporate Biodiversity Action Plan 2016-18 Protecting and Enhancing Cherwell's Natural Environment</b></p> <p>Report of Community Services Manager</p> <p><b>Recommendation</b></p> <p>The Executive is recommended:</p> <p>1.1 To approve the proposed Corporate Biodiversity Action Plan 2016-18</p>	<p><b>Resolved</b></p> <p>(1) That the Corporate Biodiversity Action Plan 2016-18 (annex to the Minutes as set out in the Minute Book) be approved.</p>	<p>The Corporate Biodiversity Action Plan provides a framework of aims, actions and targets, the delivery of which ensures that the Council complies with both legislative and planning policy requirements relating to important wildlife sites, habitats and species and good quality connected green spaces.</p>	<p>Option 1: To reject the Corporate BAP 2016-18. This is not proposed as the Council would not be able to clearly demonstrate that it is meeting biodiversity legislation and planning policy requirements.</p> <p>Option 2: To amend the Corporate BAP 2016-18</p>	<p>None</p>

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<p><b>Agenda Item 8</b>  <b>Neighbourhood Planning: Decision on whether to proceed to a Referendum for the Bloxham Neighbourhood Plan</b></p> <p>Report of Head of Strategic Planning and the Economy</p> <p><b>Recommendations</b></p> <p>The meeting is recommended:</p> <p>1.1 To approve all of the Examiner's recommendations and modifications to enable the Plan to proceed to a referendum;</p> <p>1.2 To approve the modifications to the Bloxham Neighbourhood Plan in accordance with the</p>	<p><b>Resolved</b></p> <p>(1) That all of the Examiner's recommendations and modifications be approved to enable the Plan to proceed to a referendum.</p> <p>(2) That the modifications to the Bloxham Neighbourhood Plan, in accordance with the Examiner's recommendations, be approved, the issue of a decision statement to that effect be authorised and the making of any minor presentational changes necessary to ready the Plan for referendum be approved.</p>	<p>The Bloxham Neighbourhood Plan as recommended for modification by the Examiner meets the necessary legal and procedural requirements. The Bloxham Neighbourhood plan as recommended for modification by the Examiner should therefore proceed to a referendum.</p>	<p>Option One - Not to approve some of the Examiner's recommendations and to proceed to a referendum. Where a LPA proposes to make a decision that differs from the Examiner's recommendation then there would need to be further consultation. This would take more time and would have cost implications.</p> <p>Option Two - Not to accept the Examiner's recommendations and not to proceed to a referendum. This option can only be justified if the Examiner recommends that the Plan should not proceed to a referendum, or the Council is not</p>	<p>None</p>

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<p>Examiner's recommendations, to authorise the issue of a decision statement to that effect, and to approve the making of any minor presentational changes necessary to ready the Plan for referendum;</p> <p>1.3 To approve the area for the referendum as recommended by the examiner to be the administrative boundary of Bloxham Parish (which is the approved designated neighbourhood area) and to note that there will be no extension to the area.</p>	<p>(3) That the area for the referendum as recommended by the examiner to be the administrative boundary of Bloxham Parish (which is the approved designated neighbourhood area) be approved and it be noted that there would be no extension to the area.</p>		<p>satisfied that the plan has met the procedural and legal requirements.</p> <p>Option Three - To extend the area in which the referendum is to take place. The Neighbourhood Plan has been produced with public involvement for the area designated.</p>	

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<p><b>Agenda Item 9</b> <b>Air Quality Update</b></p> <p>Report of Public Protection Manager</p> <p><b>Recommendations</b></p> <p>The Executive is recommended:</p> <p>1.1 To note the current position on the review and assessment of air quality in Cherwell; and</p> <p>1.2 To approve the draft Air Quality Action Plan for public and stakeholder consultation.</p>	<p><b>Resolved</b></p> <p>(1) That the current position on the review and assessment of air quality in Cherwell be noted.</p> <p>(2) That the draft Air Quality Action Plan be approved for public and stakeholder consultation.</p>	<p>The production of an Air Quality Action Plan is mandatory once an order to declare an Air Quality Management Area (AQMA) has been issued. The Council has issued an order for each of the four AQMAs: Hennef Way in Banbury; Horsefair/North Bar in Banbury; Bicester Road in Kidlington; and, Kings End/Queens Avenue in Bicester, declared.</p>	<p>Option 1: The Council could choose not to adopt an AQAP. However once an AQMA has been declared the Council is required to produce an AQAP and so for this reason this is not an alternative option.</p>	<p>None</p>

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<p><b>Agenda Item 10 Award of Liquid Fuel Contract</b></p> <p>Report of Chief Finance Officer</p> <p><b>Recommendations</b></p> <p>The meeting is recommended:</p> <p>1.1 To approve the acceptance of the recommended tender for the supply of diesel for October 2016-September 2018.</p>	<p><b>Resolved</b></p> <p>(1) That the acceptance of the recommended tender (Certas Energy UK Ltd) for the supply of diesel for October 2016-September 2018 be approved.</p>	<p>Following a 'best practice' procurement exercise Certas Energy UK Ltd have submitted the lowest cost tender for the supply of Diesel to Cherwell District Council for the next two years and the Executive is recommended to authorise the award.</p>	<p>No reasonable alternatives</p>	<p>None</p>

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<p><b>Agenda Item 11 Consultation and Engagement Strategy (2016-19)</b></p> <p>Report of Director – Strategy and Commissioning</p> <p><b>Recommendations</b></p> <p>The meeting is recommended to:</p> <p>1.1 Agree the three year Strategy for Consultation and Engagement.</p> <p>1.2 Agree the consultation and engagement action plan for 2016/17 noting the areas of joint working with partner agencies and developing closer links</p>	<p><b>Resolved</b></p> <p>(1) That the three year Strategy for Consultation and Engagement 2016-2019 (annex to the Minutes as set out in the Minute Book) be agreed.</p> <p>(2) That the consultation and engagement action plan for 2016/17 be agreed and the areas of joint working with partner agencies and developing closer links with our communities be noted.</p>	<p>The council has undertaken regular consultations and engagement events since 2009 and the new strategy will build on this foundation. The strategy is supported by meaningful and relevant action plans to provide the detail for how this work will be carried out.</p> <p>The 2016-17 action plan demonstrates how the council will continue to deliver consultations and public engagement and thereby support the stated equalities objectives over the coming year. Progress will be reported via the performance management framework on a quarterly basis. The equalities objectives are:</p> <ul style="list-style-type: none"> <li>• Fair Access and Customer Satisfaction</li> </ul>	<p>Option 1: To note the report</p> <p>Option 2: To request additional information on items within this report</p>	<p>None</p>

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with our communities.		<ul style="list-style-type: none"> <li>• Tackling Inequality and Deprivation</li> <li>• Building Strong and Cohesive Communities</li> <li>• Positive Engagement and Understanding</li> <li>• Demonstrating Our Commitment to Equality</li> </ul>		
<p><b>Agenda Item 13</b>  <b>Quarter 1 2016/1 - Revenue and Capital Budget Monitoring Report</b></p> <p>Report of the Chief Finance Officer</p> <p><b>Recommendations</b></p> <p>The meeting is recommended:</p> <p>1.1 To note the projected revenue and capital position at June 2016.</p>	<p><b>Resolved</b></p> <p>(1) That the projected revenue and capital position at June 2016 be noted.</p>	<p>In line with good practice budget monitoring is undertaken on a monthly basis within the Council. The revenue and capital position is formulated in conjunction with the joint management team and reported formally to the Budget Planning Committee on a quarterly basis. The report is then considered by the Executive.</p>	<p>Option 1: This report illustrates the Council's performance against the 2016-17 Financial Targets for Revenue and Capital. As this is a monitoring report, no further options have been considered. However, members may wish to request that officers provide additional information.</p>	<p>None</p>



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<p><b>Agenda Item 14</b>  <b>Update on the development of a devolution deal with Government and the associated independent study into options for local government reform in Oxfordshire.</b></p> <p>Report of Head of Transformation</p> <p><b>Recommendations</b></p> <p>The meeting is recommended to:</p> <p>1.1. receive the independent study of PricewaterhouseCoopers (PwC) into options for local government reform in Oxfordshire, including the</p>	<p><b>Resolved</b></p> <p>(1) That the independent study of PricewaterhouseCoopers (PwC) into options for local government reform in Oxfordshire, including the proposition of the district and city council leaders' in respect of their preferred model arising from that study be received.</p> <p>(2) That it be noted that following discussions with the Department of Communities and Local Government, the leaders of the district and city councils have agreed to focus on</p>	<p>As a consequence of the recent changes in Government, including the appointment of a new Prime Minister and a new Secretary of State for Communities and Local Government it has been made clear that local authorities should expect to see changes to Government priorities in the short term, including specifically in relation to devolution deals, local government reform and other areas of policy. DCLG officials have also confirmed that the focus and priorities of the Government will become clearer when the Autumn Statement is announced in/around December 2016, and through changes to business rates retention policy, which will be</p>	<p>Option 1:</p> <p>To proceed with stakeholder consultation in respect of the district and city council leaders' preferred model for a new local government structure within Oxfordshire.</p> <p>This is rejected due to the advice given by DCLG that the Government and new Secretary of State for Communities and Local Government will not accept proposals for local government reform or indeed a devolution deal without the agreement of the areas, and wide support amongst key stakeholders.</p>	<p>None</p>

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<p>proposition of the district and city council leaders' in respect of their preferred model arising from that study.</p> <p>1.2 note that following discussions with the Department of Communities and Local Government, the leaders of the district, city and county councils have agreed to focus on identifying areas for collaborative working and the reshaping of a devolution deal that does not incorporate proposals for the reform of local government within Oxfordshire.</p>	<p>identifying areas for collaborative working and the reshaping of a devolution deal.</p>	<p>introduced through a new Bill, probably in January 2017.</p> <p>In the meantime DCLG has made clear that the Government will not agree to any proposals for local government reform where those proposals do not have the agreement of the areas.</p> <p>The leaders of the district and city councils have agreed that they will now focus on identifying areas for collaborative working and the reshaping of a devolution deal with the new Government. Consequently, it is not intended to seek decisions on the respective studies of the two independent consultants', PwC and Grant Thornton, beyond formally receiving them. Discussions between</p>	<p>To undertake stakeholder consultation on the district and city council leaders preferred model or indeed any other potential new structural model at this stage would risk wasting public funds when it is clear that the study undertaken by Grant Thornton, the county council consultants, has concluded that a county based unitary authority would be the strongest model for local government in Oxfordshire.</p> <p>The county council is expected to formally receive the Grant Thornton study on 13 September (Full Council) and 20 September (Cabinet) 2016; therefore the content</p>	

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		the district and city councils will continue to take place over the forthcoming weeks with a view to achieving an acceptable devolution deal proposal.	of their report can still only be regarded as representing the views of Grant Thornton. At this stage it is more appropriate that the focus should be upon reshaping a devolution deal and identifying areas for positive collaborative working, as agreed with DCLG.	
<p><b>Agenda Item 15</b>  <b>Notification of Urgent Action(s) - In relation to the Contract Award for the demolition of the Bolton Road Car Park</b></p> <p>Report of Chief Executive and Commercial Director</p> <p><b>Recommendations</b></p>	<p><b>Resolved</b></p> <p>(1) That the urgent action taken by the Chief Executive in relation to the budget be noted and it be referred to Full Council for noting.</p> <p>(2) That the urgent action taken by the</p>	<p>The Chief Executive took urgent action(s) in consultation with the Chairman of the Council and the Lead Member for Financial Management to approve the allocation of £325,000 to this scheme.</p> <p>The Commercial Director took urgent action in</p>	<p>As this report is for the information of Members there are no alternative options to consider.</p>	<p>None</p>

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<p>The meeting is recommended:</p> <p>1.1 To note the urgent action taken by the Chief Executive in relation to the budget and to refer this to full council for noting.</p> <p>1.2 To note the urgent action taken by the Commercial Director in relation to the award of the contract.</p>	<p>Commercial Director in relation to the award of the contract be noted.</p>	<p>consultation with the Leader of the Council to approve the award of the contract to the preferred bidder.</p>		

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<p><b>Agenda Item 16</b>  <b>Re-commissioning of Single Homeless Pathway</b></p> <p>Report of Head of Regeneration and Housing</p> <p><b>Recommendations</b></p> <p>The meeting is recommended:</p> <p>1.1 To support the new proposals which provide a plan and include a financial contribution from Cherwell for a period of 3 years as calculated and recommended by the Oxfordshire Districts, Oxfordshire Clinical Commissioning Group (OCCG) and Oxfordshire County Council.</p>	<p><b>Resolved</b></p> <p>(1) That the new proposals which provide a plan and include a financial contribution from Cherwell for a period of 3 years as calculated and recommended by the Oxfordshire Districts, Oxfordshire Clinical Commissioning Group (OCCG) and Oxfordshire County Council be supported.</p> <p>(2) That the proposal for a new joint governance structure to procure and manage services through senior officer representation with delegated authority be</p>	<p>The new proposals have been a significant achievement and demonstrate excellent joint working across all partners. Officers have made considerable efforts to negotiate across the County to reach this stage and form these proposals. All parties have considered a full range of options to retain hostel beds for complex case with 24 hour support in Oxford, also to maintain and hopefully expand local service delivery to provide housing related support. This proposal provides a full overview of the preferred recommendations which will maintain the commitment to provide the current level of housing related support funding already allocated to</p>	<p>Option 1: Not to agree the joint county plan and financial contribution as recommended for the next 3 years. This would result in Cherwell needing to fully fund and make its own arrangements for rough sleepers with multiple and complex needs. It would also result in the withdrawal of the housing related support funding currently received from the County and spent within the district.</p>	<p>None</p>

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<p>1.3 To note and support the proposal for a new joint governance structure to procure and manage services through senior officer representation with delegated authority.</p> <p>1.3 To approve a financial contribution of £62,700pa (as calculated on Cherwell's current use of hostels with 24 hour care) and required to be paid from Cherwell for 3 financial years commencing from 1 April 2017.</p> <p>1.4 That Executive note that a further report on the longer term sustainability of single</p>	<p>noted and supported.</p> <p>(3) That a financial contribution of £62,700pa (as calculated on Cherwell's current use of hostels with 24 hour care) and required to be paid from Cherwell for 3 financial years commencing from 1 April 2017 be approved.</p> <p>(4) That it be noted that a further report on the longer term sustainability of single homeless pathway arrangements across the county would be submitted within the 3 year period covered by this report.</p>	<p>Cherwell to be continued during the period of the agreement. This means that although Cherwell will need to contribute £62,700 per year to maintain the service for complex needs in Oxford, this also means housing related support investment will continue to be received in Cherwell during the next 3 years.</p>		

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homeless pathway arrangements across the county be submitted within the 3 year period covered by this report.				
<p><b>Agenda Item 19 Car Parking</b></p> <p>Exempt Report of Director of Operational Delivery</p>	<p><b>Resolved</b></p> <p>(1) That the review assessment and conclusions of the Council's car parking service be noted.</p> <p>(2) That it be agreed not to commit to a long term lease or other arrangement which reduces the Council's regeneration and investment flexibility.</p> <p>(3) That a procurement exercise to appoint a specialist operator to</p>	<p>Car parking services are central to the experience of most visitors to our urban centres and therefore the views of users and businesses are paramount. The customer experience is crucial to generate satisfaction and income, ensuring that repeat visits ensue whereby additional time and money is spent in the urban centres. The resultant vitality of businesses will increasingly mean that additional business rates will be collected by the Council to continue a virtuous cycle of</p>	<p>The procurement and technology options are outlined in the report. The only other alternative to this approach is to retain the service in house. This is not proposed as it is expected that the Council will achieve better value from an external operator.</p>	<p>None</p>

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	<p>deliver the Council's car parking services be supported.</p> <p>(4) That the invitation of tenders for a services concession contract which incentivises the operator to maximise revenue over the maximum concession period available under the Concession Contracts Regulations 2016 (five years, or such longer period as the contractor would reasonably need to recoup any investment made by it to deliver the services (together with any return on its investment) be authorised.</p> <p>(5) That agreement be</p>	<p>thriving communities.</p> <p>Regardless of charging, customers typically require conveniently located car parks that are safe and clean. Information and support should be on hand if issues arise. The Council's car parking service has remained largely unchanged for many years. It uses old pay and display technology and whilst the car parks are conveniently located for users of urban centres, the service requires improving and modernising.</p> <p>Soft market testing has resulted in an encouraging level of interest in the service from external operators. It is proposed therefore to undertake a competitive procurement process using</p>		



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	<p>given to any such competitive tender contest incorporating a competitive dialogue process to maximise value to the Council.</p> <p>(6) That the opportunity through this process for a different charging regime which supports a balance of maximising income from car park assets with the wider economic growth and planning policy objectives of the Council to create attractive, sustainable and viable urban centres be considered further.</p> <p>(7) That this process be used as the</p>	<p>competitive dialogue to appoint a specialist to run and modernise the service.</p>		

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	<p>opportunity to ensure consistency of charging between Bicester and Banbury.</p> <p>(8) That a requirement for bidders to price the introduction of modern revenue collection and parking control equipment which combines flexibility of payment options combined with technology based opportunities to vary their parking stay for customers be included in the tender process.</p> <p>(9) That, notwithstanding resolution (8) above, the opportunity for the Council to achieve improved value for money from this</p>			

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	<p>process by using its own capital resources to fund the required capital investment be explored.</p> <p>(10) That consideration be given as part of the proposed procurement process for improved and more flexible disabled parking provision in council car parks following an assessment of demand for such parking.</p>			