

Committee: Executive
Date: Monday 2 July 2018
Time: 6.30 pm
Venue Bodicote House, Bodicote, Banbury, OX15 4AA

Membership

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| Councillor Barry Wood (Chairman) | Councillor G A Reynolds (Vice-Chairman) |
| Councillor Colin Clarke | Councillor Ian Corkin |
| Councillor John Donaldson | Councillor Tony Ilott |
| Councillor Andrew McHugh | Councillor Richard Mould |
| Councillor D M Pickford | Councillor Lynn Pratt |

AGENDA

1. **Apologies for Absence**

2. **Declarations of Interest**

Members are asked to declare any interest and the nature of that interest that they may have in any of the items under consideration at this meeting.

3. **Petitions and Requests to Address the Meeting**

The Chairman to report on any requests to submit petitions or to address the meeting.

4. **Minutes** (Pages 1 - 10)

To confirm as a correct record the Minutes of the meeting held on 4 June 2018.

5. **Chairman's Announcements**

To receive communications from the Chairman.

6. Urgent Business

The Chairman to advise whether they have agreed to any item of urgent business being admitted to the agenda.

7. 'Making' (Adoption) of the Adderbury Neighbourhood Plan (Pages 11 - 70)

Report of Executive Director: Place and Growth

Purpose of report

To propose that the Executive recommends to Council that it 'makes' the Adderbury Neighbourhood Plan following the successful referendum held in Adderbury Parish on 21 June 2018.

Recommendations

The meeting is recommended:

- 1.1 To note the referendum result of 21 June 2018 where 91.6% of those who voted were in favour of the Adderbury Neighbourhood Plan which is above the required 50%
- 1.2 To recommend to Council that it 'makes' the Adderbury Neighbourhood Plan so that it continues to have effect as part of the statutory Development Plan for the District.
- 1.3 To recommend to Council that it approves the issuing and publication of a decision statement.

8. Cherwell Residential Design Guide Supplementary Planning Document - Masterplanning and Architectural Guidance (Pages 71 - 78)

** Please note that due to the size of the documents, the appendices to this report will be published as a supplement to the main agenda and hard copies circulated to Executive members only **

Report of Executive Director Place and Growth

Purpose of report

To seek approval of the Cherwell Residential Design Guide, Supplementary Planning Document, Masterplanning and architectural guidance for residential development so that it can be presented to the Council for adoption.

Recommendations

The meeting is recommended:

- 1.1 To note the responses to consultation summarised in the consultation statement presented in Appendix 2.

- 1.2 To approve the final draft of the Cherwell Residential Design Guide SPD (Design Guide), as presented at Appendix 1 and incorporating changes summarised at paragraph 3.8 – 3.9 of this report.
- 1.3 To recommend to Council that it adopts the final draft of the Cherwell Residential Design Guide SPD (Design Guide) as a statutory Supplementary Planning Document under the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).
- 1.4 To authorise the Executive Director Place and Growth to make any necessary minor and presentational changes to the Design Guide before the meeting of the Council.

9. Chesterton Community Woodland at South West Bicester (Pages 79 - 94)

Report of Executive Director: Place and Growth

Purpose of report

To obtain approval to establish a formal joint committee to develop and manage a community woodland park on land South of Vendee Drive, Bicester.

Recommendations

The meeting is recommended:

- 1.1 To agree to establish a joint committee with Bicester Town Council, Chesterton Parish Council, Oxfordshire County Council and local representation to develop and manage a community woodland park on land South of Vendee Drive, Bicester.
- 1.2 Delegate to the Executive Director, Place and Growth, in consultation with the Assistant Director: Law and Governance and the Lead Member for Clean and Green to establish the constitution and terms of reference for the committee.

10. Homelessness Strategy 2018-2020 (Pages 95 - 146)

Report of Director: Wellbeing

Purpose of report

To consider the priorities and actions set out in the new Homelessness Strategy 2018-20 and Action Plan and approve these documents for implementation.

It is a statutory requirement to have a Homelessness Strategy and to have carried out a review of homelessness in the council area.

The strategic priorities identified for Cherwell are:

- Prevent and relieve homelessness in the district
- Prevent single homelessness
- Ensure vulnerable people can access appropriate help and support

- Ensure homeless households can access suitable temporary and permanent accommodation

Recommendations

The meeting is recommended:

- 1.1 To approve the Homelessness Strategy 2018-2020 and Action Plan which are based on a review of homelessness in the district in order to ensure that the Council meets statutory requirements and is able to respond effectively to the needs of homeless households.

11. Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2016 - enforcement and authorisations (Pages 147 - 154)

Report of Assistant Director Housing

Purpose of report

To request Executive approval to authorise officers to apply certain financial penalties where landlords do not bring their privately rented properties up to the legal minimum standard as set out in the Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015 and as may be amended.

Recommendations

The Executive is recommended:

- 1.1 To approve use of the financial penalties, as outlined in this report, to ensure private rented domestic properties meet the prescribed minimum energy efficiency standards.
- 1.2 To delegate this power to the Assistant Director of Housing who may then provide sub-delegations, as required, to other appropriate officers.

12. Policy to Implement Enforcement Powers Provided by the Housing and Planning Act 2016 (Pages 155 - 180)

Report of Assistant Director Housing

Purpose of report

This report explains certain enforcement powers to deal with rogue landlords provided by the Housing and Planning Act 2016, and seeks approval of 3 policies that will allow the Council, as the local housing authority, to implement and make use of those powers.

Recommendations

The Executive is recommended to:

- 1.1 Adopt the policy for imposing civil penalties as an alternative to prosecution in appropriate cases, as detailed in Appendix 1, with immediate effect.

- 1.2 Adopt the policy dealing with applications for rent repayment orders, as detailed in Appendix 2, with immediate effect.
- 1.3 Make the Assistant Director Housing responsible for determining the uses to which retained civil penalty funds and retained rent repayment should be put.
- 1.4 Adopt the policy dealing with applications for a banning order against persons convicted of specified offences, as detailed in Appendix 3, with immediate effect.

13. **Cherwell Community Lottery - Lottery Policy** (Pages 181 - 194)

Report of Assistant Director - Communities

Purpose of report

In order to deliver the Cherwell Community Lottery approved in December 2016 it is necessary to establish and publish The Cherwell Community Lottery Policy and associated policies and procedures. This will support the Council's application to the Gambling Commission, and underpin the effective running of the Cherwell Community Lottery.

Recommendations

The meeting is recommended to:

- 1.1 Approve establishment of the Cherwell Community Lottery Policy as set out at 3.4 below, and the associated procedures set out at annex 1 (attached).
- 1.2 Recommend Full Council to delegate responsibility for running the Cherwell Community Lottery to the Assistant Director – Communities
- 1.3 Recommend Full Council to delegate authority to the Assistant Director – Law & Governance to amend the Constitution and the Scheme of Delegation to reflect 1.2 above.
- 1.4 Approve Cherwell District Council becoming a member of The Lotteries Council.
- 1.5 Direct officers to develop criteria for the acceptance of supported 'Good Cause' organisations.
- 1.6 Direct officers to develop draft criteria for the distribution of the Cherwell Community Lottery 'Central Fund'.
- 1.7 Direct officers to apply to the Gambling Commission for a Lottery Operator Licence which will require the appointment of two senior Council officers to be identified as 'named officers' on the operator licence for the purpose of the application and 'in-house' responsibility for the lottery once it is up and running. The named officers shall be the Executive Director Wellbeing and the Assistant Director Communities.

14. Monthly Performance, Risk and Finance Monitoring Report - May 2018 (Pages 195 - 226)

Report of Assistant Director: Performance and Transformation and Assistant Director: Finance and Governance

Purpose of report

This report summarises the Council's Performance, Risk and Finance monitoring position as at the end of each month.

Recommendations

The meeting is recommended:

- 1.1 To note the monthly Performance, Risk and Finance Monitoring Report.

15. Silverstone Heritage Centre Loan Facility (Pages 227 - 236)

Report of Interim Executive Director Finance and Governance

Purpose of report

To consider whether or not to provide a £1m loan facility to Silverstone Heritage Limited as part match-funding to their Lottery grant application for the delivery of the Silverstone Heritage Experience. Other Local Authorities (including South Northamptonshire Council) and LEP partners have already signed an agreement to loan up to £8m of funding to the experience. Works have already commenced on site, with a planned launch in Spring 2019.

The loan facility is a partial match fund for a project to develop a visitor experience at Silverstone that focusses on the history and heritage of Silverstone and to understand the context and importance of the internationally renowned racing circuit. The experience will be a dynamic exhibition taking visitors through both the history of Silverstone as well as the current world of motor sport and the future. The work to build the facility has already commenced following a rigorous tender process by the Silverstone Heritage Experience for new building works and refurbishment of a hangar at the Silverstone. This means that costs have now been fixed and there is more certainty about project delivery, with regular updates on project progress received by senior officers at the Council.

Recommendations

The meeting is recommended to:

- 1.1 Recommend to Council that they should consider the application for a loan facility of up to £1 million, to the Silverstone Heritage Experience. This is to partially match fund the £9.1m of grant funding secured from Heritage Lottery Fund (HLF) and in addition to £8m of loans granted by Local Council partners and Local Enterprise Partnerships.

16. **Exclusion of the Press and Public**

The following items contain exempt information as defined in the following paragraphs of Part 1, Schedule 12A of Local Government Act 1972.

3 – Information relating to the financial or business affairs of any particular person (including the authority holding that information).

5 – Information in respect to which a claim to legal professional privilege could be maintained in legal proceedings

Members are reminded that whilst the following item has been marked as exempt, it is for the meeting to decide whether or not to consider it in private or in public. In making the decision, members should balance the interests of individuals or the Council itself in having access to the information. In considering their discretion members should also be mindful of the advice of Council Officers.

No representations have been received from the public requesting that these items be considered in public.

Should Members decide not to make decisions in public, they are recommended to pass the following recommendation:

“That under Section 100A of the Local Government Act 1972, the public and press be excluded from the meeting for the following items 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, Paragraphs 3 and 5 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.”

17. **Silverstone Heritage Centre Loan Facility - Exempt appendices** (Pages 237 - 250)

18. **The Mill Arts Centre, Banbury** (Pages 251 - 256)

Exempt Report of Assistant Director: Communities

19. **Sunshine Centre, Banbury** (Pages 257 - 260)

Exempt Report of Assistant Director: Communities

Information about this Agenda

Apologies for Absence

Apologies for absence should be notified to

democracy@cherwellandsouthnorthants.gov.uk or 01295 221589 prior to the start of the meeting.

Declarations of Interest

Members are asked to declare interests at item 2 on the agenda or if arriving after the start of the meeting, at the start of the relevant agenda item.

Local Government and Finance Act 1992 – Budget Setting, Contracts & Supplementary Estimates

Members are reminded that any member who is two months in arrears with Council Tax must declare the fact and may speak but not vote on any decision which involves budget setting, extending or agreeing contracts or incurring expenditure not provided for in the agreed budget for a given year and could affect calculations on the level of Council Tax.

Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

This agenda constitutes the 5 day notice required by Regulation 5 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 in terms of the intention to consider an item of business in private.

Evacuation Procedure

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Access to Meetings

If you have any special requirements (such as a large print version of these papers or special access facilities) please contact the officer named below, giving as much notice as possible before the meeting.

Mobile Phones

Please ensure that any device is switched to silent operation or switched off.

Queries Regarding this Agenda

Please contact Natasha Clark, Democratic and Elections
natasha.clark@cherwellandsouthnorthants.gov.uk, 01295 221589

Yvonne Rees
Chief Executive

Published on Friday 22 June 2018

Cherwell District Council

Executive

Minutes of a meeting of the Executive held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 4 June 2018 at 6.30 pm

Present: Councillor Barry Wood (Chairman), Leader of the Council
Councillor G A 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 Finance and Governance

Councillor Richard Mould, Lead Member for Performance

Councillor D M Pickford, Lead Member for Clean and Green

Councillor Lynn Pratt, Lead Member for Economy, Regeneration and Housing

Also Present: Councillor Sean Woodcock, Leader of the Labour Group
Councillor Andrew Beere
Councillor Ian McCord, Leader, South Northamptonshire Council

Apologies for absence: Councillor Andrew McHugh, Lead Member for Health and Wellbeing

Officers: Yvonne Rees, Chief Executive
Adele Taylor, Interim Executive Director: Finance and Governance / Section 151 Officer
Claire Taylor, Director: Customers and Service Development
Paul Feehily, Interim Director of Planning and Regeneration
Richard Hawtin, Deputy Monitoring Officer
Natasha Clark, Governance and Elections Manager

1 **Declarations of Interest**

12. Joint Working Arrangements between Cherwell District Council and Oxfordshire County Council.

Councillor Ian Corkin, Declaration, as an Oxfordshire County Councillor.

Councillor Tony Ilott, Declaration, as an Oxfordshire County Councillor.

Councillor G A Reynolds, Declaration, as an Oxfordshire County Councillor.

Yvonne Rees, Declaration, as the report referred (subject to agreement by Council) to the establishment of a joint Chief Executive post and would leave the meeting for the duration of the item.

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

There were no petitions or requests to address the meeting.

3 **Minutes**

The minutes of the meeting held on 3 April 2018 were agreed as a correct record and signed by the Chairman.

4 **Chairman's Announcements**

There were no Chairman's announcements.

5 **Local Discretionary Business Rate Relief Scheme for 2018-19**

The Executive Director Finance and Governance submitted a report to consider the proposed Local Discretionary Relief Policy and to approve the local Discretionary Business Rate Relief Scheme for 2018-2019.

Resolved

- (1) That the contents of the report and any financial implications for the Council be noted.
- (2) That the adoption of the local Discretionary Business Rate Relief Scheme for 2018-2019 (annex to the Minutes as set out in the Minute Book) be approved.

Reasons

The Government expects billing authorities to use their discretionary powers under section 47 of the Local Government Finance Act to deliver a scheme for Local Discretionary Business Rate Relief. Billing authorities will be compensated through a Section 31 grant for the cost to the authority of granting the relief, up to a maximum amount based on the authority's allocation of the £300m fund.

Alternative options

Option 1: Members could choose not to recommend the proposed schemes but in view of the fact that expenditure will be reimbursed the Government expects billing authorities to grant relief to all qualifying ratepayers

Central Area Growth Board

The Executive Director for Place and Growth submitted a report to seek approval for Cherwell District Council to join the Central Area Growth Board, a newly established body which has been created by local authorities involved in the Oxford to Cambridge Corridor to assist coordination of activities aiming to support the development of the corridor.

Resolved

- (1) That within the context of the National Infrastructure Commission and Government's work on the Cambridge - Milton Keynes - Oxford corridor, it be agreed that Cherwell District Council becomes a full member of the Central Area Growth Board, adopting the Terms of Reference (annex to the Minutes as set out in the Minute Book).
- (2) That it be agreed that the Council commits to an associated contribution of £5k of ongoing revenue to support the work of the Growth Board.

Reasons

To demonstrate its commitment to regional working and to be an active partner within the Cambridge - Milton Keynes - Oxford corridor, Cherwell District Council has been actively engaging in discussions to establish a Central Area Growth Board across the 'middle' of the corridor. This will sit alongside the arrangements already in place for Oxfordshire and Cambridgeshire.

Establishing a Growth Board demonstrates to government that authorities across the South East Midlands area, based on the SEMLEP footprint, of which Cherwell District Council is a member committed to delivering a step change in sub-regional collaboration. The Growth Board will allow the area to speak with a single voice to government on cross-boundary issues, matters of sub-regional importance and coordinate any 'Housing and Growth deals' agreed across the sub region.

Alternative options

Option 1: Not to approve joining the Board

Establishing joint working at the two ends of the corridor (ie: Oxfordshire and Cambridgeshire) has played a significant role in securing investment, flexibilities and commitments from government. Doing nothing would mean that South Northants would not have a voice in similar regional discussions.

Additionally, for Cherwell, as both East-West rail and the proposed Expressway are likely to pass through Cherwell into Aylesbury District, there is merit in participating in a Board which brings together the Councils which lie to the east of Oxfordshire.

Option 2: Become a full member of the Central Area Growth Board

Working in partnership is an important means by which the Councils priorities are secured. Collaborating and proactively planning for growth through the

forum of a Growth Board will allow regional partners to proactively shape the future growth of their areas, rather than having growth imposed from above.

By becoming a full member of the Central Area Growth Board, the Council will be an active participant in contributing to the agenda for strategic planning, economic development and infrastructure planning in the central part of the corridor which is taking shape.

7 **End of year 2017-2018 Performance, Finance and Risk Monitoring Report**

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

At the discretion of the Chairman, Councillor Woodcock, Lead of the Labour Group, addressed Executive regarding the redevelopment of the Hill in Banbury. Councillor Woodcock highlighted the ongoing delays to the project, the current status of the site and stated that he therefore felt an apology was due to centre users, staff and local residents.

In response to the comments of Councillor Woodcock, the Chairman acknowledged the points raised and agreed that the situation was not acceptable with the series of delays that had hampered the project. Additionally the delays and disruption and frustration to affected people could not be defended and he took the opportunity to apologise to all parties that had been and continued to be affected and stressed that officers and Members were working hard to progress the project. A new architect had been appointed to revise the specification to deliver the project within budget.

Whilst acknowledging the status of the Hill, the Chairman commented that overall performance in 2017/18 had been very good with 89% of measures reporting green at the year-end, 8% amber and 3% red.

Resolved

- (1) That the outline revenue and capital position for 2017/18 be noted.
- (2) That the performance position at the end of the year 2017/18 be noted.
- (3) That it be noted that the risk register was now reviewed and updated on a monthly basis.

Reasons

In line with good practice budget monitoring is undertaken on a monthly basis within the Council. The revenue, capital and reserves position for 2017/18 is currently in the final stages of a detailed review by officers. As a result of the current work to finalise the Statement of Accounts and year-end financial position, the final outturn will be reported to Executive and Budget Planning Committee in July.

The Council's performance management framework sets out the key objectives, projects and programmes of work that contribute to the Council's corporate business plan. This plan sits alongside the Council's budgets and risk registers.

Alternative options

Option 1: This report illustrates the Council's performance against the 2017-18 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.

8 Monthly Performance, Finance and Risk Monitoring Report - April 2018

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

In presenting the finance aspects of the report, the Lead Member for Finance and Governance advised Executive that the Finance Team were focussing on the 2017/18 account closedown and Statement of Accounts as the deadline for its completion was now earlier than previous years and thanked them for their hard work and effort in ensuring the deadline would be met.

With regards to the processing of new housing benefit claims which was currently reporting red, the Director Customers and Service Development advised Executive that this all targets in relation to the revenues and benefits team were on track. The Executive thanked the team for their hard work and noted the improvements and excellent performance in processing changes to benefit claims.

The Chairman asked the Chief Executive to pass on the thanks of Executive to all staff for their ongoing hard work and excellent performance achieved. Whilst acknowledging the uncertainty and challenging period ahead, it was important to continue delivering high quality services to residents and businesses.

Resolved

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

Reasons

This report provides an update on progress made so far in 2018-19 to deliver the Council's priorities through reporting on performance, the financial position and providing an update on the Leadership Risk Register.

Alternative options

Option 1: This report illustrates the Council's performance against the 2018-19 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.

9 **Appointment of Representatives to Partnerships, Outside Bodies and Member Champions 2018/19**

The Assistant Director: Law and Governance submitted a report to appoint representatives to Partnerships and Outside Bodies and Member Champions for the municipal year 2018/2019.

In presenting the report, the Chairman advised that he had not yet had the opportunity to discuss all proposed appointments with Members and was therefore proposing that the making and ceasing of appointments for 2018/19 be delegated in their entirety to the Assistant Director: Law and Governance, in consultation with himself as Leader.

Resolved

- (1) That authority be delegated to the Assistant Director: Law and Governance, in consultation with the Leader, to make and cease appointments and make changes to appointments as may be required for the 2018/2019 Municipal Year.

Reasons

Representatives are appointed to Partnerships, Outside Bodies and as Member Champions to ensure that the Council is represented and maintains links with partnerships and outside bodies.

Delegation to the Assistant Director – Law and Governance in consultation with the Leader provides flexibility to ensure appointments and any amendments during the municipal year are made in a timely manner.

Alternative options

Option 1: Not to appoint representatives to outside bodies, partnerships and as Member Champions. This is not recommended as the internal working groups would be ineffective and the Council would not be represented on these the outside bodies and could miss valuable information and opportunities.

10 **Urgent Business**

The Chairman advised that he had agreed to add one item of urgent business to the agenda: Joint Working Arrangements between Cherwell District Council and Oxfordshire County Council

The matter had arisen after publication of the work programme giving 28 days' notice. Earlier that afternoon the Cabinet of Oxfordshire County Council had agreed to formally approach Cherwell District Council to develop joint working arrangements and to the establishment of a joint Chief Executive post. The

formal approach was received immediately prior to the meeting of Executive and due to the need to respond to the County Council the Chairman and proper officer had agreed that this should be considered as urgent business.

11 **Joint Working Arrangements between Cherwell District Council and Oxfordshire County Council**

The Director of Customers and Service Development and Assistant Director: Law and Governance submitted an urgent report for Executive to agree in principle, subject to agreement by Council, to give South Northamptonshire Council notice of the intention to end the Section 113 agreement. Furthermore, and subject to agreement by Council, to develop joint working arrangements with Oxfordshire County Council and to the establishment of a joint Chief Executive post.

In introducing the report, the Chairman explained that the proposed joint working partnership was not connected to, and would not deliver, unitary reorganisation proposals. It would offer an innovative opportunity to make two tier local government more effective.

Resolved

- (1) That, subject to agreement by Council, it be agreed in principle, to give South Northamptonshire Council notice of the intention to end the Section 113 agreement.
- (2) That, subject to agreement by Council, it be agreed in principle to develop joint working arrangements with Oxfordshire County Council and the establishment of a joint Chief Executive post.
- (3) That, subject to agreement by Council, authority be delegated to the Assistant Director Law and Governance, in consultation with the Leader, the finalisation of a s113 Agreement including joint committees to allow for implementation as business cases are agreed for each element of joint working.
- (4) That the establishment of an informal Partnership Working Group to oversee the development of joint working be agreed.

Reasons

Following a review of the strategic case, potential financial and operational benefits; this report recommends Cherwell District Council enters into a joint working partnership with Oxfordshire County Council. This follows the necessary decision to separate from SNC as the moves to establish new unitary arrangements for Northamptonshire will inevitably unpick the joint service delivery arrangements between CDC and SNC.

The report sets out the strategic case, draft principles for joint working, potential financial advantages as well as identifying opportunities for innovative practice in terms of two tier working.

The report clearly recommends an incremental approach; with the establishment of a joint Chief Executive as a first step and then the consideration of further opportunities on a business case by business case approach. The report notes that the models for joint / shared chief executives are an established delivery model for both county and district roles.

The model proposed has been adopted in other counties and CDC has experience of a successful joint working partnership with SNC. With the use of formal joint committees and informal member working groups covered by a section 113 agreement the sovereignty of both councils is maintained. Indeed the draft section 113 agreement will set out a clear path for exit at pace if either partner wishes.

Cherwell District Council will need to review its medium term financial strategy in the light of the necessary separation from South Northamptonshire Council. If CDC wished to stand alone it would need to deliver significant savings, increase income and/or reduce services to deliver a balanced budget. A joint working partnership offers long term financial benefits and the potential to protect and enhance frontline services valued by local residents and customers.

Alternative options

Alternative options have been considered, the following factors: contribution to CDC continuity; contribute to financial sustainability; alignment of business model; culture match; political alignment; demographic match; geographic match; flexibility; growth agenda; control of pace; and, leverage, were reviewed as part of the development of this proposal. Options (including Oxfordshire Districts and out of county partners) were considered and discounted either because they failed to meet the criteria detailed above or because the risk of out of county working at the current time was considered too high.

Following the decision of Executive, at the discretion of the Chairman, Councillor Ian McCord, Leader of South Northamptonshire Council, address the meeting.

Councillor McCord commented that he understood and accepted the decision taken by the Executive. He was sad and disappointed that the successful shared working arrangements between the two authorities was being forced to come to an end as a result of the Best Value Report on Northamptonshire County Council which was forcing South Northamptonshire Council into unitary arrangements with other councils in Northamptonshire. Councillor McCord paid tribute to Councillor Wood and other members who had supported the shared working arrangements and wish Cherwell District Council all the best in the future.

The meeting ended at 7.20pm

Chairman:

Date:

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Cherwell District Council

Executive

2 July 2018

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| <p style="text-align: center;">'Making' of the Adderbury Neighbourhood Plan</p> |
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Report of Executive Director: Place and Growth

This report is public

Purpose of report

To propose that the Executive recommends to Council that it 'makes' the Adderbury Neighbourhood Plan following the successful referendum held in Adderbury Parish on 21 June 2018.

1.0 Recommendations

The meeting is recommended:

- 1.1 To note the referendum result of 21 June 2018 where 91.6% of those who voted were in favour of the Adderbury Neighbourhood Plan which is above the required 50%
- 1.2 To recommend to Council that it 'makes' the Adderbury Neighbourhood Plan so that it continues to have effect as part of the statutory Development Plan for the District.
- 1.3 To recommend to Council that it approves the issuing and publication of a decision statement.

2.0 Introduction

- 2.1 On 3 June 2013, the Executive designated Adderbury Parish as a Neighbourhood Area for the purpose of producing a Neighbourhood Plan.
- 2.2 The Parish Council engaged with the local community in preparing its Plan and formal consultations took place during 2016 and 2017.
- 2.3 In March 2018, Council officers submitted the draft Adderbury Neighbourhood Plan for independent examination supported by associated evidence documents and representations received. The Examiner recommended that the Neighbourhood Plan should, subject to recommended modifications, proceed to referendum.

- 2.4 On 26 April 2018, the Lead Member for Planning considered the Examiner's report and the Neighbourhood Plan incorporating the Examiner's modifications and resolved that the Neighbourhood Plan proceed to referendum.
- 2.5 The referendum for the Adderbury Neighbourhood Plan took place in Adderbury on 21 June 2018 in accordance with Neighbourhood Planning Referendum Regulations. More than 50% of those who voted, voted in favour of the Plan.
- 2.6 The Adderbury Neighbourhood Plan is now part of the statutory Development Plan and the Executive is asked to recommend to Council that the Plan be formally 'made'. The Plan proposed to be made is at Appendix 1 to this report.

3.0 Report Details

Referendum

- 3.1 The Neighbourhood Plan and other required information were made available for public viewing on the Council's website, at Adderbury Library and at the Council's Offices at Bodicote House before and during the referendum. The documents made available were:
- a Notice of Referendum;
 - an Information Statement which provides general information about neighbourhood planning, the referendum and a map of the referendum area;
 - the draft Adderbury Neighbourhood Plan, Basic Conditions Statement and Consultation Statement (referendum version);
 - the report of the independent Examiner into the Neighbourhood Plan;
 - summaries of the written representations submitted to the independent examiner;
 - a Referendum General Statement;
 - a Decision Statement confirming the Lead Member's determination that the Plan should proceed to referendum.
- 3.2 Those eligible to vote were sent the requisite information to enable participation in the referendum.
- 3.3 The question (as specified by the regulations) posed for the referendum was:
- 'Do you want Cherwell District Council to use the Neighbourhood Plan for Adderbury to help it decide planning applications in the neighbourhood area?'*
- 3.4 More than 50% of those who voted 'Yes' in response to this question. The declaration of poll results is attached at Appendix 2 to this report. 651 people voted in favour of the Neighbourhood Plan with 58 against, providing a majority vote of 91.6%. The result of the referendum has been publicised on the Council's website.

'Making' the Neighbourhood Plan

- 3.5 As a result of legislative changes made in 2017, a neighbourhood plan comes into force as part of the statutory Development Plan once it has received majority support at a referendum. The Adderbury Neighbourhood Plan now has this status.
- 3.6 However, the Council is still required to formally 'make' the Neighbourhood Plan for it to continue to have effect and must do so within a prescribed eight week period from the day after the referendum (in this case by 17 August 2018).
- 3.7 Section 38A of the Planning and Compulsory Purchase Act 2004 (as amended) requires a local planning authority to which a proposal for the making of a neighbourhood development plan has been made to 'make' the Neighbourhood Development Plan if more than half of those voting in the applicable referendum have voted in favour of the Plan.
- 3.8 The Council is not subject to this duty if the making of the plan would breach, or would otherwise be incompatible with, any EU or human rights obligations. There is no known breach or incompatibility. Officers consider that the Adderbury Neighbourhood Plan can be formally 'made'. If the Council decided not to formally 'make' the Plan, it would cease to have effect as part of the Development Plan.
- 3.9 As soon as possible following the decision to make a Neighbourhood Plan, the Council must publish a Decision Statement stating that the Plan has been made and the reasons. A copy of the Decision Statement must be sent to the qualifying body (in this case Adderbury Parish Council) and anyone who asked to be notified of the decision. The District Council must also publish where and when the Decision Statement can be inspected. A copy of the draft Decision Statement is at Appendix 3 to this report.
- 3.10 The Council is also required to publish the Neighbourhood Plan on its website and notify any person who has asked to be notified of the making of the Plan that it has been made and where and when it may be inspected.

4.0 Conclusion and Reasons for Recommendations

- 4.1 A referendum was held on the Adderbury Neighbourhood Plan on 21 June 2018. Of those eligible to vote, 651 voted in favour of the Plan with 58 against. The vote of 91.6% in favour, meets the requisite majority and the Plan is now part of the statutory Development Plan. The Council is still required to formally 'make' the Plan and there is no known breach or incompatibility with EU or human rights obligations which prevents this. The Executive is therefore requested to recommend the 'making' of the Adderbury Neighbourhood Plan to the meeting of Council on 16 July 2018 which would be within the prescribed eight week period.

5.0 Consultation

Cllr Colin Clarke - Leader Member for Planning

6.0 Alternative Options and Reasons for Rejection

- 6.1 Where a referendum poll results in more than half of those eligible to vote voting in favour of the Neighbourhood Plan, the local planning authority must 'make' the Plan. The Council is not subject to this duty if the making of the plan would breach, or would otherwise be incompatible with, any EU or human rights obligations. There is no known breach or incompatibility. Consequently there are no other options.

7.0 Implications

Financial and Resource Implications

- 7.1 The cost of 'making' the Neighbourhood Plan is being met within existing budgets prior to reclaiming costs. LPAs can claim £20,000 once they have set a date for a referendum following a successful examination where a neighbourhood plan has not previously been made for that area.

Comments checked by:

Kelly Watson, Assistant Director – Finance and Procurement, 0300 003 0206

kelly.watson@cherwellandsouthnorthants.gov.uk

Legal Implications

- 7.2 The Adderbury Neighbourhood Plan has been prepared in accordance with the Town and Country Planning Act 1990 (as amended), the Planning and Compulsory Purchase Act 2004 (as amended) and the Neighbourhood Planning (General) Regulations 2012 (as amended). The Adderbury Neighbourhood Plan is now part of the statutory Development Plan. The recommendations of this report and the 'making' of the Plan would enable the Council to fulfil its legal obligations following the favourable referendum result.

Comments checked by:

Nigel Bell, Team Leader – Planning & Litigation, 01295 221687

Nigel.Bell@cherwellandsouthnorthants.gov.uk

8.0 Decision Information

Key Decision

Financial Threshold Met: No

Community Impact Threshold Met: No

Wards Affected

Adderbury, Bloxham and Bodicote Ward

Links to Corporate Plan and Policy Framework

This report directly links to all three themes from the Joint Corporate Strategy 2018-19:

- District of Opportunity & Growth
- Protected, Green & Clean
- Thriving Communities & Wellbeing

Lead Councillor

Councillor Colin Clarke – Lead Member for Planning

Document Information

| Appendix No | Title |
|--|--|
| Appendix 1 | Adderbury Neighbourhood Plan for 'making' |
| Appendix 2 | Declaration of results of poll |
| Appendix 3 | Draft Decision Statement for the 'making' of the Neighbourhood Plan |
| Background Papers | |
| None | |
| Reference Documents | |
| Adderbury Neighbourhood Plan - referendum and examination documents https://www.cherwell.gov.uk/Adderburyneighbourhoodplan | |
| Report Author | Sunita Burke, Senior Planning Policy Officer David Peckford, Deputy Manager – Planning Policy and Growth Strategy |
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Adderbury Neighbourhood Plan (For 'Making')

2014 - 2031



May 2018

Adderbury Neighbourhood Plan 2014 - 2031

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- 6. Implementation**

Appendix A: Schedule of Evidence

Foreword

Creating a Neighbourhood Plan offers the people of Adderbury the opportunity to have our say about what our community should look like over the next 15 years. It allows us to protect what we love about living here and to guide the changes we think that need to be made to keep Adderbury modern, thriving and sustainable.

Adderbury is a very beautiful place; its historic ironstone core nestled in rolling farmland. But it is not just its history that makes Adderbury such a great place to live. It has a vibrant community, good leisure facilities with a great variety of social and sporting events for all ages throughout the year.

More than 100 Adderbury residents have done a great deal of work over the last 4 years to get this neighbourhood plan to where we are now. Public consultation meetings were initially held in November 2012, with an in-depth residents and business survey completed in June 2013. The results of those consultation meetings and surveys were distilled into the 'TAP Report', which set out a vision and objectives for our village across a range of topics. The headline objectives were that, whilst Adderbury should grow to allow a few more homes that it should stay as a village with clear buffers from Banbury and other villages. Since then over 180 new homes have been given approval in Adderbury and therefore this plan does not make provision for any more new homes. Other important objectives were to protect the character of our village and plan for the improvement of our employment provision, services and leisure facilities over the next 15 years.

This Neighbourhood Plan contains 21 land use planning policies that will help to meet these objectives. It is important to note that the Neighbourhood Plan is required to focus on land use planning policies.

Following the Leisure Survey in 2016, plans for the future of leisure facilities across the village will be developed by the Parish Council in conjunction with the community.

These matters and the other issues that came out of the "TAP Report" will be addressed in a future, all-encompassing Parish Plan to be prepared by Adderbury Parish Council with the theme of keeping Adderbury modern, thriving and sustainable. It is in this Parish Plan that the environmental, social and economic vision and policies for preservation and betterment of the village will be drawn together. The topics will include:

- sustainable rural and built environment;
- other infrastructure
- transport (including traffic management and reducing the need to drive by car around the village and its environs)
- the resources, facilities and services to support the size of village
- education
- local employment and small-scale local businesses
- leisure and tourism

- wildlife habitat and protection;

The funding of any proposals arising out of these policies will be key. While some national and local government resources and developer funds may be available for certain items, we must expect to have to raise significant sums from other sources and from within our community with targeted fund-raising.

This Neighbourhood plan is a final version having taken account of the comments received on the pre-submission version of the plan, consulted on between December 2016 and February 2017. It has been put together by a steering group comprised of Community members and Adderbury Parish Councillors, together with Consultants RCOH. We would like to thank everyone who has been involved in preparing this plan to date.

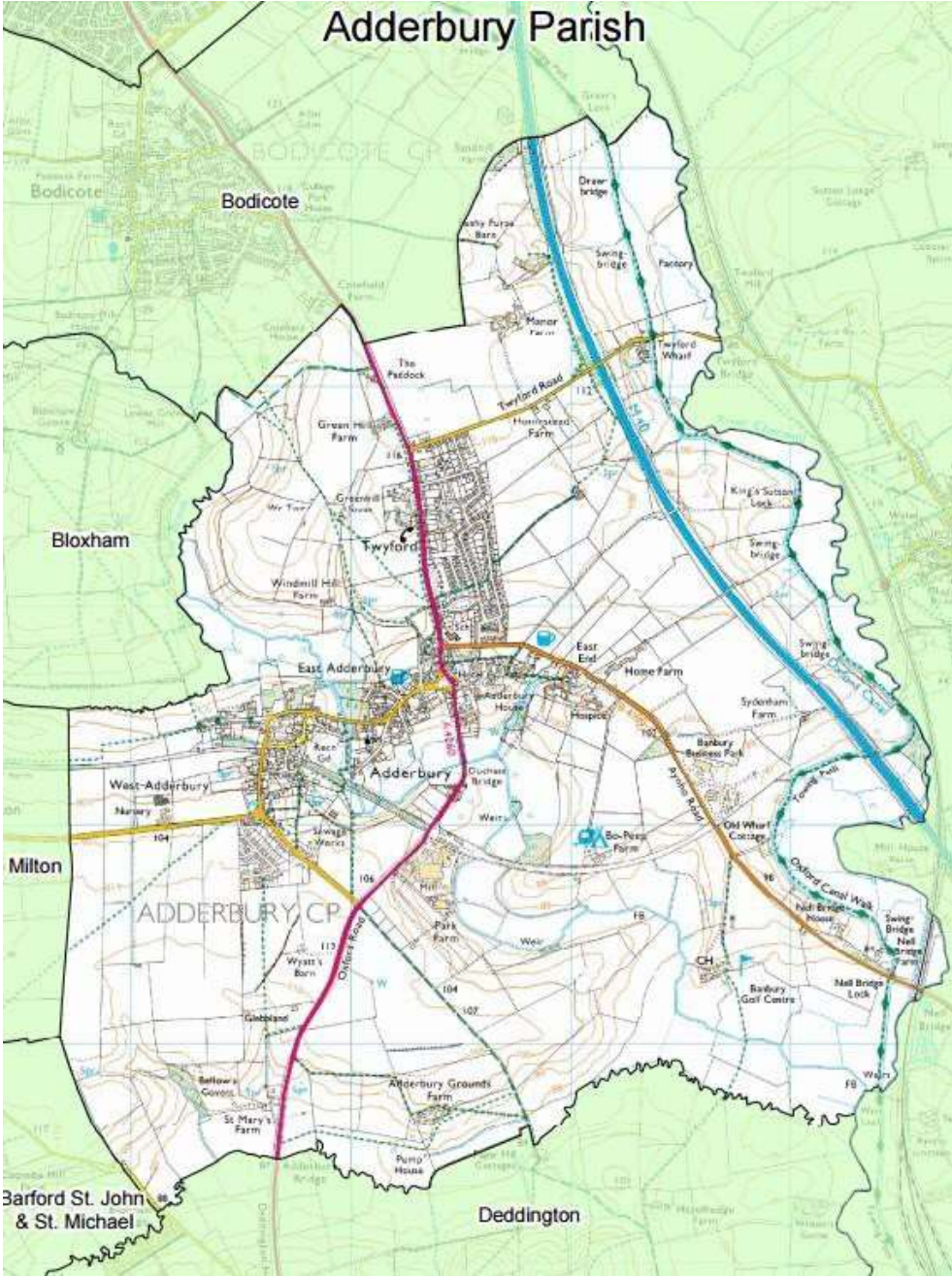
Neighbourhood Plan Steering Group, March 2017

List of Land Use policies

| | | |
|-------------|--|--|
| AD1 | Adderbury Settlement Boundary | |
| AD2 | Green Infrastructure | |
| AD3 | Local Green Spaces | |
| AD4 | Local Open Spaces | |
| AD5 | Local Gaps: <ul style="list-style-type: none"> - Twyford and Bodicote/Banbury - West Adderbury and Milton | |
| AD6 | Managing Design in the Conservation Area and its Setting Church Quarter | |
| AD7 | Managing Design in the Conservation Area: The Green | |
| AD8 | Managing Design in the Conservation Area: The Manors | |
| AD9 | Managing Design in the Conservation Area: The Streets | |
| AD10 | Managing Design in the Conservation Area: The Lanes | |
| AD11 | Managing Design in the Conservation Area: The Valley | |
| AD12 | Managing Design in the Conservation Area and its Setting: Former Farm Groups | |
| AD13 | Managing Design in The Crescent | |
| AD14 | Managing Design in Banbury Road | |
| AD15 | Managing Design in the Twyford Estate | |
| AD16 | Managing Design in Berry Hill Road and St. Mary's Road | |
| AD17 | Building and structures of local importance | |
| AD18 | New Community Facilities | |
| AD19 | Community Assets & Local Services | |
| AD20 | Promoting New Employment and Tourism | |
| AD21 | Community Infrastructure Levy | |

1. Introduction & Background

1.1 Adderbury Parish Council has prepared a Neighbourhood Plan for the area designated by the local planning authority, Cherwell District Council, on 7 June 2013, under the provisions of the Localism Act 2011 and of the Neighbourhood Planning (General) Regulations 2012. The designated area is shown in Plan A below.



Plan A: The Designated Adderbury Parish Neighbourhood Area

1.2 The purpose of the Adderbury Neighbourhood Plan is to set out a series of planning policies that can be used to determine planning applications in the area up to March 2031. These policies aim to protect the special character of the Parish but also to encourage development proposals for the benefit of the local community. Given the plan needs to take account of approved housing developments that contribute to the supply of housing in the village in line with Policy Villages 2 of the adopted Cherwell Local Plan 2011 – 2031, the plan period of the Neighbourhood Plan starts in April 2014.

1.3 Neighbourhood Plans provide local communities with the chance to shape the future development of their areas. Once approved at a referendum, the Neighbourhood Plan becomes a statutory part of the development plan for the area and will carry significant weight in how planning applications are decided.

1.4 Neighbourhood plans can therefore only contain land use planning policies that can be used for this purpose. This often means that there are more important issues of interest to the local community that cannot be addressed in a Neighbourhood Plan if they are not directly related to planning.

1.5 Although there is considerable scope for the local community to decide on its planning policies, Neighbourhood plans must meet some 'basic conditions'. Essentially, these are:

- Is the Plan consistent with the national planning policy?
- Is the Plan consistent with local strategic planning policy?
- Does the Plan promote the principles of sustainable development?
- Has the process of making of the Plan met the requirements of the European environmental standards?

1.6 In addition, the Parish Council must be able to show that it has properly consulted local people and other relevant organisations during the process of making its Neighbourhood Plan and has followed the 2012 Neighbourhood Planning Regulations.

1.7 These requirements will be tested by an independent examiner once the Neighbourhood Plan is finalised. If satisfied, the examiner will recommend to the District Council that the plan goes to referendum of the local electorate. If a simple majority of the turnout votes for the Plan then it becomes adopted as formal planning policy for the area.

The Submission Plan

1.8 The Submission Plan is the final version of the Neighbourhood Plan to be proposed by the Parish Council. It has taken account of the comments received on the Pre Submission version of the Plan in December 2016 – February 2017 and has made sure that the Plan reflects existing national and local planning policies and how they affect this Parish.

Strategic Environmental Assessment

1.10 The Parish Council received a screening opinion from the District Council confirming that the Neighbourhood Plan was not likely to have any significant environmental effects and therefore a Strategic Environment Assessment (SEA) was not required under the EU directives 42/2001 and the 2004 Environmental Assessment of Plans and Programmes Regulations. In which case, the separate Basic Conditions Statement sets out how the Neighbourhood Plan contributes to achieving sustainable development.

2. The Neighbourhood Area

2.1 Adderbury is a village and civil parish within the Cherwell District of Northern Oxfordshire. The village is situated on the edge of the Cotswolds in North Oxfordshire and is noted for its magnificent Church, which features an impressive steeple. The older parts of the village contain many honey coloured Hornton stone. It is about 3 miles (5km) south of Banbury. The village consists of three neighbourhoods: Twyford, East Adderbury and West Adderbury. The boundary of Adderbury Parish is shown in the map on page 5. Adderbury was bounded on the Northern boundary by Bodicote, but under the modified Local Plan submission, part of the Northern boundary is now bounded by Banbury. The population of Adderbury is 2,819 (Census 2011) and is a rural settlement surrounded by farmland with an historic ironstone heart and two 20th century developments at its North-Eastern and South-Western extremities.

2.2 Adderbury is situated on the main road leading south of Banbury towards Oxford at the junction of a road leading east towards Aylesbury. The Oxford canal came to the village in 1790 allowing bulk transportation of the iron ore. In 1881 the railway arrived to serve the village and surrounding areas until its closure in 1951. Much more recently the M40 motorway linking London with Birmingham has provided more modern connections.

2.3 The Parish is a largely rural area with most residents living in the village and a number of farms and houses in the area around the village. The area covered by the Neighbourhood Plan is the whole parish of Adderbury as on the map shown on the next page. Adderbury has a strong community spirit and there is a regular diary of events including the History Association, Women's Institute, Over Sixties club, Amateur Dramatics, the Banbury West End Lawn Tennis & Squash club, Cubs, Scouts, Guides and The Bell, Red Lion, Pickled Ploughman and Coach & Horse pubs.

2.4 Adderbury's recorded history begins more than 1,000 years ago whilst its origins go back even further to archaeological evidence of Neolithic remains. An ancient settlement, there are two known Roman sites within the village. First reference to the village appeared in an Anglo-Saxon will of c.990 naming it as "Eadburggebyrig" meaning "Eadburg's town". Two of the oldest surviving buildings in the village are the parish church of St Mary the Virgin with origins dating back into the 13th century and the Tithe Barn which dates back to the 15th century.

2.5 Adderbury is situated in a prime rural and agricultural area. This led to significant agricultural expansion during the late 16th and the whole of the 17th century, primarily driven by the development of the local sheep trade. This also led to related trades such as weaving and plush. The Enclosure Acts saw significant restructuring of the village for agricultural efficiency. Later, during the late 19th and early 20th century large scale extraction of the local iron ore occurred locally. Hornton Stone, with its high iron ore content, provides the warm, honey colouring to many of the village buildings.

2.6 The Parish has an attractive rural environment in which to live with traditional stone buildings, Village Green, playing fields, walks, lakes, streams, canals, and rolling countryside typical of the adjacent Cotswolds. Accessible tourism is available at Broughton, Oxford, Stratford-upon-Avon, Blenheim, Stow on the Wold, Bourton on the Water, Moreton-in Marsh, and Silverstone is within 20 minutes and recreational canals are nearby. For sports, Adderbury have active communities for running, ball sports and martial arts. Other active clubs and societies include gardening, theatricals, photography, film, history, Morris dancing and bell ringing.

2.7 The village lies between the 90m and 100m contours astride the valley cut by the Sor Brook through the marlstone upland, which was previously designated as an Area of High Landscape Value in the 1996 Cherwell Local Plan. The Conservation Area follows an east-west axis through the village comprising the historic core and its setting. Twentieth century residential development to the southwest and north east is excluded. There are over 100 listed buildings in Adderbury, the majority of which are Grade II listed. There are areas within the parish that fall within flood zones 2 and 3, caused by the River Cherwell and the Sor Brook.

3. Planning Policy Context

3.1 The Parish lies within Cherwell District in the County of Oxfordshire. The Neighbourhood Plan needs to reflect local planning policy for the District, as well as national policy.

3.2 In this respect, the National Planning Policy framework (NPPF) published by the Government in 2012 is an important guide in the preparation of local plans and neighbourhood plans. The Neighbourhood Plan must demonstrate that it is consistent with the provisions of the NPPF. The following paragraphs of the NPPF are especially relevant to the Plan:

- Supporting a prosperous rural economy (paragraph 28)
- Good Design (paragraph 58)
- Protecting healthy communities (paragraph 70)
- Protecting local green spaces (paragraph 76)
- Conserving and enhancing the natural environment (paragraph 109)
- Conserving and enhancing the historic environment (paragraph 126)

3.3 The District Council has planning policies that are helping to shape strategy and policies of the Neighbourhood Plan. The Plan must be in general conformity with the strategic policies of the development plan as required by the 2012 Neighbourhood Planning Regulations. These policies are contained within the Cherwell Local Plan 2011 – 2031 Part 1 ('LP1') adopted in July 2015 and also include those saved from the 1996 Cherwell Local Plan ('CLP').

The Cherwell Local Plan 2011 – 2031 Part 1

3.4 The District benefits from having an up-to-date strategic planning policy framework and a five year supply of housing land. This has helped provide the Parish Council with a clear strategy with which to come forward with complementary policies for the Parish of Adderbury. The LP1 contains the following policies of particular relevance to the Neighbourhood Plan:

- Policy BSC 03: Affordable Housing (requiring all housing sites suitable for 11 or more dwellings (gross), will be expected to deliver 35% affordable homes on site in places like Adderbury)
- Policy BSC 04: Housing Mix (setting out the requirements in the type of open market and affordable homes)
- Policy BSC 10: Open Space, Outdoor Sport and Recreation Provision (protecting existing assets and setting out requirements for new facilities)
- Policy BSC 12: Indoor Sport, Recreation and Community Facilities (protecting existing assets and encouraging the provision of new facilities)
- Policy ESD 6: Sustainable Flood Risk Management (requiring development in flood risk areas to put in place flood mitigation)

- Policy ESD 7: Sustainable Drainage Systems (SuDS) (requiring all development to manage surface water run off)
- Policy ESD 10: Protection and Enhancement of Biodiversity and the Natural Environment (setting out a range of principles to ensure development is appropriate in biodiversity terms)
- Policy ESD 13: Local Landscape Protection and Enhancement (setting out a range of principles to ensure development does not harm landscape character and identifying the Sor Brook Valley as a special landscape character area)
- Policy ESD 15: The Character of the Built and Historic Environment (requiring developments to sustain and enhance the character of historic settlements and promoting good design more generally)
- Policy ESD 17: Green Infrastructure (establishing the principles of a network of assets across the District and requiring that network to be protected and enhanced)
- Policy VILLAGES 1: Village Categorisation (Adderbury is defined as a Category A Service Village suited to 'minor development, infilling and conversions')
- Policy VILLAGES 2: Distributing Growth across the Rural Areas (requiring Category A villages to contribute a total of 750 new homes to local housing supply in the period 2014 – 2031, 109 of which have been completed and another 86 consented in Adderbury, and 353 completed or consented in other Parishes, as at 31 March 2016)
- Policy INF 1: Infrastructure (establishing the means by which CDC will secure investment in supporting infrastructure)

The Cherwell Local Plan 1996

3.5 The LP1 was the partial replacement of the previous adopted plan – the CLP of 1996. There are a small number of saved policies from that Plan, which continue to be used in day-to-day planning decisions. These will eventually be replaced by Part 2 of the new Local Plan or by neighbourhood plans like Adderbury in the meantime.

3.6 The most relevant strategic policies of the CLP are:

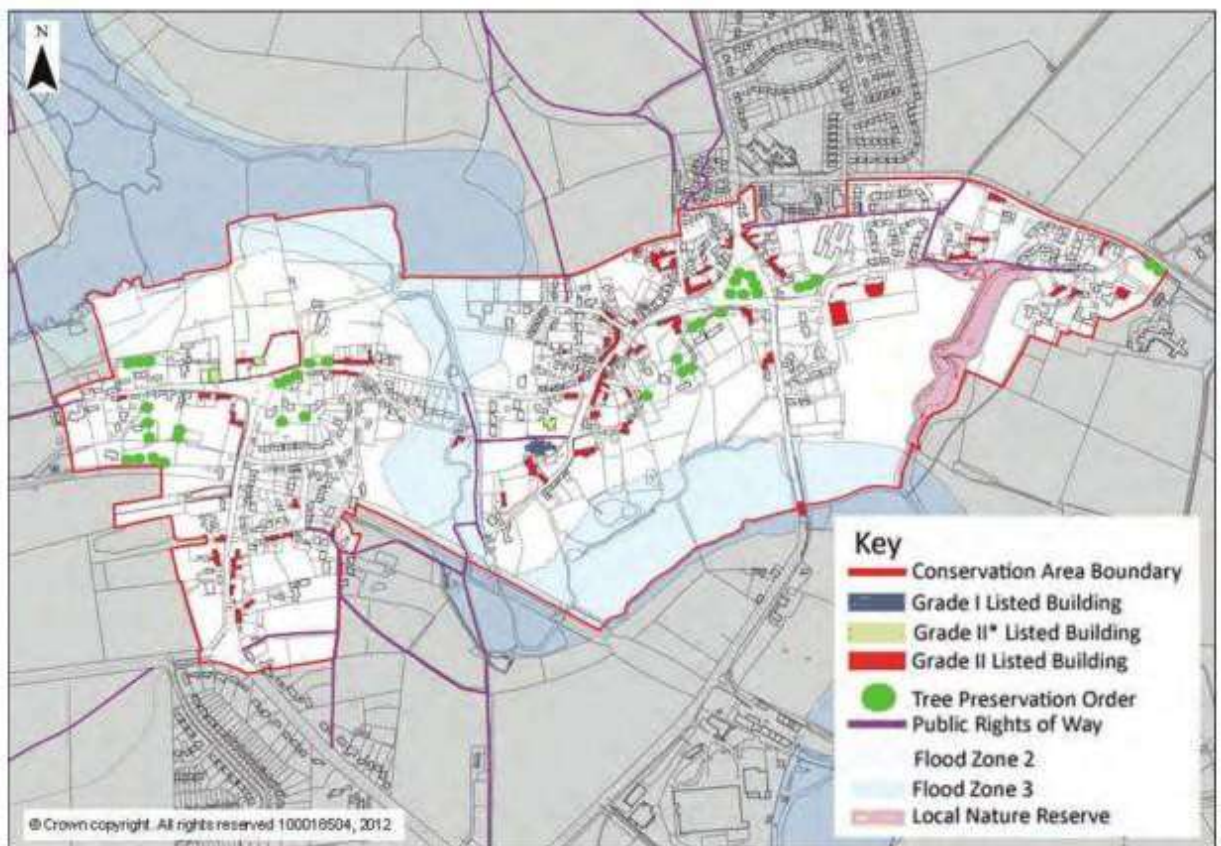
- S28: Proposals for Small Shops
- S29: Loss of Existing Village Services
- C15: Prevention of Coalescence of Settlements
- C30: Design of new residential development
- C33: Protection of important gaps of undeveloped land

Conservation Areas

3.7 A large part of Adderbury village was designated by the District Council as a Conservation Area under the powers of the Town and Country Planning Act in 1975. Its boundary has since been reviewed and the Area re-appraised, most recently in 2012

(see Plan B below). The Oxford Canal (within and beyond the Parish) has also been designated a Conservation Area (in 2012).

3.8 Both the NPPF and the Listed Buildings & Conservation Areas Act 1990 require all planning decisions affecting the Area and its setting to demonstrate that development proposals will preserve and enhance the special character and appearance of the Area. In 2012, the District Council published a detailed Conservation Area Appraisal for this Area, which defined the significance of the character of the Area and its many listed and other heritage buildings (see Evidence Base). The Appraisal was adopted by the District Council as supplementary planning guidance to inform its planning decisions. The Neighbourhood Plan provides an opportunity to increase the weight attached to appropriate elements of that guidance by including them in its policies.



Plan B: Designated Conservation Area Map with Listed buildings, Flood zone, Local Nature Reserves and Tree Preservation Orders

4. Community Views on Planning Issues

4.1 The Parish Council and the Neighbourhood Plan steering group have consulted with the local community during the course of the Plan preparation process, and the Neighbourhood Plan is based upon the results of these consultations, which have included meetings, open days and community surveys.

Consultation process

4.2 Public meetings were held at St Mary's Church in November 2012 and at Christopher Rawlins School in February 2013 to inform villagers of the pressing need for Adderbury to produce a Neighbourhood Plan and establish a vision of what our community wanted for Adderbury over the next 20 years.

4.3 After the November meeting, a steering committee was formed to manage the process of preparing The Adderbury Plan which became known as TAP. The committee, drawing on the services of a cross-section of residents, compiled a Residents' Survey to give everyone (aged 11 and over) a chance to address important aspects of village life through the Plan, for the future.

4.4 Teams of villagers (some 40 residents) came together to work on specific topics (Housing, Environment, Transport, etc.) to devise the questions that need to be asked of the community. The Residents' Survey was held in June 2013 and 1090 residents representing 661 (59%) households responded. In May 2013 a Business Survey was also carried out to elicit the future needs of Adderbury businesses. 70 businesses (77%) out of the 91 identified in the village responded. Each of the topic teams then analysed the results, and, where possible, compared them with previous Adderbury surveys (1994 and 2004) and census returns for trends. The teams then put forward their proposals to go in the Plan

4.5 On the basis of the village responses and the proposals, this Plan was prepared in draft in August 2013 and, to invite further consultation, was posted to the village websites with a printed copy available in Adderbury Library. Further consultation meetings for the community were held at St Mary's Church and at Christopher Rawlins School in mid-September 2013.

4.6 Since January 2014, 182 new homes have been approved in Adderbury (117 of which count towards the 750 homes allocated to Category A villages). Another public consultation of a revised plan was carried out in church and school in April 2015, with their comments being used for further updates. Subsequently, in early 2016 consultants were appointed and a new Neighbourhood Plan steering group was created comprised of Parish Councillors and community members. A further presentation of progress was made at school and church in September 2016, with particular views sought on leisure facilities via a formal questionnaire.

4.7 The headline objectives from all these consultations are:

- Protect and enhance the character and vitality of Adderbury
- Restrict new development to within current boundaries, and minimise the impact of new development on the village, the surrounding countryside, landscape and ecosystems
- Provide existing and future Adderbury residents with the opportunity to live in suitable homes
- Ensure Adderbury has and will continue to have the appropriate resources and services to support the size of village
- Encourage local employment and small-scale local businesses
- Protect our environment and support eco-friendly developments
- Control road traffic and reduce the need to drive by car around the village and to and from Adderbury
- Strengthen the leisure amenities available to villagers within Adderbury

5. Vision, Objectives & Land Use Policies

Vision

5.1 The vision for Adderbury Parish in 2031 is:

“To continue as a thriving, modern, viable and sustainable rural village for “work, rest, and play”

Adderbury will have grown successfully as a community, with new and old residents alike benefiting from community facilities and services, which have survived and flourished. New homes have helped meet local housing needs and have enabled investment in improving local facilities.

Although this change has been significant, much of it was completed in the early years of the plan and growth since has been through the occasional infill scheme. These schemes have been well-designed to ensure the rural character of the village has been preserved.

The special landscape setting to the village has been maintained and Twyford has remained very separate from the major developments around Bodicote and Banbury. This has also sustained the setting of the Conservation Area as part of a wider green infrastructure network of fields, open spaces, trees, streams, bridleways, cycleways and footpaths from the village into the countryside.”

Objectives

5.2 To achieve this vision a number of key objectives have been identified as follows:

- To manage the incremental growth of the village through sensitive infill and to protect the surrounding countryside from harmful development
- To transform the quality and diversity of community facilities in the village to serve the local community
- To conserve the special heritage character of the village and its landscape setting
- To protect and improve the ecological value and connectivity of the green infrastructure assets of the village and wider parish

Planning Policies

5.3 The policies aim to deliver the objectives of the Neighbourhood Plan, and are to be used in determining the outcome of planning decisions affecting Adderbury Parish. For this reason, there are many other public policy matters that cannot be addressed by the Plan, notably in respect of traffic management initiatives. This type of proposal is captured in Section 6 of the Plan and the Parish Council will endeavour to address them as separate projects in due course.

5.4 It recognised that permitted development rights exist which take precedence over certain policies in this plan at the time of drafting. It is not intended that this plan removes these rights. However, permitted development rights can be removed by means of an Article 4 Direction made by the local planning authority, or by conditions attached to planning permissions. Furthermore, this plan will remain in operation until 2031, whereas permitted development rights are subject to periodic reviews and amendments. For these reasons, it is considered appropriate for policies to cover development which would normally be classed as permitted.

5.5 The policies are intended to assist in the delivery of appropriate residential, commercial, community, agricultural and other development. They seek to encourage planning applications for things the local community wants to see happen, and discourage applications for developments that they do not want to happen. They will also be used to establish the principles for changing or retaining land use and to set out the conditions against which development proposals will be judged in terms of their design, access, etc.

5.6 The Neighbourhood Plan policies aim to avoid repeating existing national or development plan policies. They therefore focus on a relatively small number of development issues of particular significance to Adderbury Parish. For all other planning matters, existing policies and guidance will continue to be used – primarily the policies of LP1 and the saved policies of the CLP - but also including the National Planning Policy Framework.

5.7 Set out below are the proposed Neighbourhood Plan policies (AD1 – AD21). Each has a separate number and title. The policy itself is written in bold italics for ease of reference. It is followed by a short statement (in normal text) explaining the intention of the policy and providing other relevant background information. Where the policy refers to a specific site or area, it is shown on the Neighbourhood Plan Policies Maps included at the end of this document.

Policy AD1: Adderbury Settlement Boundary

The Neighbourhood Plan defines an Adderbury Settlement Boundary, as shown on the Policies Map.

Proposals for infill development within the boundary will be supported,

“Development proposals will not be supported outside the Adderbury Settlement Boundary unless it is demonstrated they will enhance, or at least not harm, local landscape character. New isolated homes in the countryside will not be supported except in special circumstances described in paragraph 55 of the Framework. Proposals for the provision of affordable housing on rural exception sites immediately adjacent to the Adderbury Settlement Boundary will be supported where they meet an identified local need and relate well to the built form of the existing settlement”.

5.8 This policy is intended to distinguish between the 'built up limits' of the village and its surrounding countryside in order to manage development proposals accordingly. The Local Plan does not define the term 'built up limits' and so, rather than leave this as ambiguous, the policy defines a Settlement Boundary and this is shown on the Policies Map. This will provide clarity for those proposing development schemes.

5.9 Proposals for any form of development suited to a village location will be supported if they are located within the boundary and provided they are consistent with policies on open space protection, design and access for example (notably policies AD3, AD4 and AD6 – AD16 of the Plan). The suitability of proposed access will be judged by the planning and highways authorities in the normal way. In respect of proposals located outside the boundary, the policy operates alongside LP1 Policy ESD13. This is to ensure that they are compatible with the objective of that policy of protecting and enhancing the local landscape and to restricting development to that for which a countryside location is essential. It therefore provides for the improvement of business parks and the reuse of redundant farm buildings in the rural area of the Parish, subject to those proposals meet the tests of LP1 Policy ESD13 and of policies AD2 and AD5 of the Neighbourhood Plan.

5.10 The Parish Council has followed the standard conventions adopted by local planning authorities for drawing boundaries of this type. The boundary therefore reflects the present observable, developed edge of the village and makes provision for the committed housing schemes approved in recent years. The policy is consistent with LP1 Policies Villages 1 and Villages 2, although it makes no provision for housing site allocations over and above the current committed housing schemes on the edge of the village. Nor was there suitable land on the present edge of the village with potential for retail or employment development.

5.11 The scale of those recently completed housing schemes, and of the schemes that will be built out in the next couple of years or so, is such that the District Council does not consider it desirable or necessary for any additional major contribution from Adderbury to meeting the needs of LP1 Policy Villages 2 in the plan period by way of new greenfield development on the edge of the village. The schemes have already begun to change the character of the village but it will take a number of years for their full, cumulative effects on character and local services and infrastructure to be felt. A decade of house building activity confined to small infill or redevelopment within the Boundary is therefore considered reasonable in these specific circumstances. However, the Parish Council firmly believes in the value of the plan-led system promoted by the Planning & Compensation Act 2004 and of the NPPF. In the event of the District's housing supply strategy having to change before the end of the plan period, then its implications will be considered by the Parish and District Councils and the Neighbourhood Plan may be reviewed to plan for that eventuality.

5.12 In some places, there are dwellings on the edge of village with long gardens extending into the countryside beyond. As the sub-division and development of such rear garden land is not considered an acceptable form of infill development in principle, they have been excluded from the Boundary.

Policy AD2: Green infrastructure

The Neighbourhood Plan defines the Adderbury Green Infrastructure Network around and within the village, as shown on the Policies Map.

The Network comprises a variety of green infrastructure assets, including informal open space and Local Green Spaces, allotments, playing fields, assets of biodiversity value and children's play areas, footpaths, bridleways and cycleways.

Development proposals on land that lies within or immediately adjoining the defined Network must demonstrate how they maintain or enhance its integrity and green infrastructure value, by way of their landscape schemes, layouts, access and or through equivalent alternative provision nearby.

5.13 This policy defines a network of green infrastructure assets for protection, improvement and creation, thereby refining LP1 Policy ESD17 for its implementation in this Parish. It is derived from an analysis of maps showing existing woodlands, hedgerows, open spaces, recreational areas, and amenity land and water bodies in the Parish.

5.14 The collection of open spaces, allotments and sports pitches and much else besides play an important role in defining Adderbury. Most are connected to form a network for the local community to walk or cycle along or through, and they allow wildlife to move throughout the Parish.

5.15 It is therefore important that, at the very least, development proposals that lie within the Network, or that immediately adjoin it, do not harm the particular value of the Network in that locality or the integrity of the wider Network, for example its ecological connectivity. Wherever possible, proposals should design their layouts and landscape schemes to enhance the network.

Policy AD3: Local Green Spaces

The Neighbourhood Plan designates the following locations as Local Green Spaces, as shown on the Policies Map:

- 1. Lucy Plackett Playing Field (Off Round Close Road);**
- 2. Colin Butler Green (Registered Common);**
- 3. Adderbury Lakes Local Nature Reserve, off Lake Walk;**
- 4. Adderbury Cemetery and the Religious Society of Friends Burial Grounds;**
- 5. Historic stonewalled lambing paddock fronting onto Aynho Road (To west of the Pickled Ploughman Public House);**
- 6. Field with stone wall boundary abutting New Road, Adderbury. (West of Pump House Garage), also known as Thistlethwayte's Field; and**
- 7. The Village Green**

New development will not be permitted on land designated as Local Green Space except in very special circumstances.

5.16 This policy identifies seven important open spaces for designation as Local Green Spaces in line with 76 of the NPPF. Each space is considered to meet the tests of 77 of the NPPF – see the separate 'Green Spaces & Gaps' report in the evidence base – and forms part of the Green Infrastructure Network identified in Policy AD2.

5.17 The effect of the policy is to provide Green Belt-equivalent protection from development in that any proposal must maintain the essential open character of the space and must, in any event, demonstrate the exceptional circumstances for its justification.

Policy AD4: Local Open Spaces

The Neighbourhood Plan designates the following locations:

- a. *Former railway embankment on southern edge of the Lucy Plackett Field;*
- b. *Triangle of land at the Junction of Horn Hill Road, Berry Hill Road and Milton Road junction;*
- c. *Small copse of trees to the south of Greenhill and Summers Close off Banbury Road;*
- d. *The Village Pound, east side of The Horn Hill Road, Berry Hill Road and Milton Road junction;*
- e. *John Harper Road Estate Open Space, Aynho Road;*
- f. *Adderbury Fields Estate Open Space, south of Milton Road;*
- g. *Rawlins Close Open Space, off Margaret Road;*
- h. *The Crescent Open Space, Banbury Road;*
- i. *The Rise Open Space, off Banbury Road;*
- j. *Adderbury Court Open Space, Banbury Road;*
- k. *Land to west of Adderbury Court Open Space;*
- l. *Keytes Close Open Space, Aynho Road;*
- m. *Sydenham Close Open Space, Aynho Road;*
- n. *Allotments, Adderbury House;*
- o. *Henry Jepp/Long Wall Close Open Space, Aynho Road;*
- p. *Griffin Close Open Space;*
- q. *Lake Walk Green and*
- r. *Development North of Milton Road Open Space*

To be supported development proposals on land within any of the Local Open Spaces must demonstrate that, unless it can be clearly shown that the land is surplus to requirements as Local Open Space, that any loss of active or passive recreational provision in a no less convenient location for users

5.18 This policy identifies 18 important open spaces as Local Open Spaces for appropriate protection from harmful development. These open spaces also play an important role in the Green Infrastructure Network of Policy AD2 but they do not meet the tests of 77 of the NPPF. Again, see the separate 'Green Spaces & Gaps' report in evidence base for further details.

5.19 In which case, the level of protection from development is less than that of a Local Green Space but the policy still requires a justification for that development. In addition, it requires all proposals that are appropriate to make a financial contribution to the management and improvement of the Network, as a public benefit to offset to the loss of harm to the open space.

Policy AD5: Local Gaps

The Neighbourhood Plan defines the following Local Gaps, as shown on the Policies Map, for the purpose of preventing the coalescence of the following settlements:

- i. Twyford and Bodicote/Banbury***
- ii. West Adderbury and Milton***

Development proposals within a Local Gap will only be supported if they do not harm, individually or cumulatively, its open character.

5.20 This policy defines two areas of land on the edge of the village that play an especially important role in preventing development that will undermine the visual integrity of the gap to the point that there is a coalescence of Adderbury with its neighbouring settlements. Once again, see the separate 'Green Spaces & Gaps' report in evidence base for further details.

5.21 The first – the area of land between Twyford (at the northern end of main village) and the Parish boundary with Bodicote Parish and Banbury – is especially precious, given the commitments to build on the southern edge of Bodicote/Banbury beyond the Parish boundary. Here, the policy refines the saved CLP Policy C15, which seeks to prevent the coalescence of settlements and specifically references land in close proximity to Banbury and Bodicote.

5.22 Although the land lies outside the Settlement Boundary of Policy AD1 that policy acknowledges that some types of development that are suited to the countryside may be appropriate. However, this policy requires that its effects - by way of its height, scale and massing for example – should not lead to any visual coalescence between Twyford and Bodicote/Banbury.

5.23 This is especially important as the local community considers that recently approved plans for development between Bodicote and Banbury will make this gap even more important as the only effective space preventing Adderbury joining the larger Banbury urban area. The land included in the gap is considered to be the minimum to ensure that the visual openness of the space between Adderbury and Bodicote/Banbury is protected.

5.24 The second covers an area of land between the western end of Adderbury and the Parish boundary with Milton Parish. Although not as immediately at threat from development, the gap is still sufficiently small in visual terms that development that may otherwise be acceptable in the countryside may be inappropriate here, if its height or massing begins to coalesce the two villages. Again, the land shown is considered to be the minimum necessary for the policy to have effect.

Managing Design Policies

The following policies AD6 to AD12 have been based on the descriptions of the characteristics provided in the Adderbury Conservation Area Appraisal (2012) and also cross reference strategic policy ESD15, and the emerging CDC Design Guide in order to reinforce the characteristics of each area"

Policy AD6: Managing Design in the Conservation Area and its Setting: Church Quarter

Development proposals in the Church Quarter Character Area, as shown on the Policies Map, will be supported, provided they have full regard to the following design principles:

- i. Proposals maintain the existing plot ratio, the strong building line to the frontage and building height and form;***
- ii. The facing or cladding materials include the use of squared and ashlar ironstone or coursed (rubble) ironstone***
- iii. The use of red brick for chimneys;***
- iv. Proposals retain or re-provide as necessary boundary walls, railings and front gardens to match the existing arrangement on the same alignment;***
- v. Proposals do not significantly harm the views to the open countryside from the western end of Mill Lane; and***
- vi. Proposals on fronting on to Mill Lane continue to comprise grass verges to the highway and do not include new footways.***

Development proposals in the open countryside beyond the defined Adderbury Settlement Boundary between Banbury Road and the Parish Boundary to the west will only be supported if they do not significantly harm the views from Banbury Road to the Church Quarter Character Area.

5.25 This policy manages design quality in the Church Quarter of the Adderbury Conservation Area. In doing so, it refines saved CLP policies C27 and C28 in respect of requiring the design of development proposals to reflect the historic settlement pattern of villages like Adderbury. It is also in line with LP1 Policy ESD15 in ensuring the character of the built and historic environment is sustained and enhanced and with LP1 Policy Villages 1 in allowing for appropriate infill housing development.

5.26 The Church of St Mary is a grade I listed building and forms the centre piece to this character area. The church is located just outside the central commercial area, along Mill Lane, which filters off the High street. The village library is located in Church House, a grade II listed former school nearby. The church quarter is quiet and peaceful. There is no formal footpath along a significant portion of the lane. Mill Lane begins with a wide entrance from the High Street and funnels into a narrow road, which sweeps around the edge of the churchyard and then narrows further at the end where it suddenly opens up to expansive views of the Sor Valley.

5.27 The policy also identifies the specific significance of the open land to the north of the Conservation Area in the enjoyment of views to the Church and surrounding buildings. This is evidenced by the Conservation Area Appraisal and by Historic England in its comments on a previous planning application (15/00317/OUT) in that area. The land lies outside the Settlement Boundary but some forms of development suited to a countryside location are permissible. This policy requires that such proposals avoid obstructing the views to the Character Area from the north.

Policy AD7: Managing Design in the Conservation Area: The Green

Development proposals in The Green Character Area, as shown on the Policies Map, will be supported, provided they have full regard to the following design principles:

- i. To the North and East of the Green, proposals maintain the existing plot ratio, the strong building line to the frontage and building height and form;***
- ii. To the South, proposals must not impact on the distinctive density and layout of the area including the looser building line;***
- iii. The facing or cladding materials include the use of squared and ashlar ironstone or coursed (rubble) ironstone***
- iv. Roofing materials include slate or tile roofs;***
- v. Proposals retain or re-provide as necessary boundary walls, hedges and front gardens to match the existing arrangement on the same alignment; and***
- vi. Proposals retain or re-provide as necessary natural verges to the highway where possible.***

5.28 This policy manages design quality in the Green character area of the Adderbury Conservation Area. In doing so, it refines saved CLP C27 and C28 in respect of requiring the design of development proposals to reflect the historic settlement pattern of villages like Adderbury. It is also in line with LP1 Policy ESD15 in ensuring the character of the built and historic environment is sustained and enhanced and with LP1 Policy Villages 1 in allowing for appropriate infill housing development.

5.29 Adderbury was once called “Adderbury on the Green” and it is clearly evident why. The scale of The Green and the trees on its border are a magnificent feature. There is a significant contrast between The Green and the adjoining areas, which become more linear and densely built. Today, this is an important gateway to Adderbury Conservation Area. The area suddenly appears to visitors approaching the village from the south, where the Oxford Road narrows on approach before opening out and revealing the extensive Green around the corner.

Policy AD8: Managing Design in the Conservation Area: The Manors

Development proposals in The Manors Character Area, as shown on the Policies Map, will be supported, provided they have full regard to the following design principles:

- i. Proposals maintain the existing plot ratio, the strong building line to the frontage and building height and form;***
- ii. The facing or cladding materials include the use of squared and ashlar ironstone or coursed (rubble) ironstone***
- iii. Roofing materials include slate or tile roofs;***
- iv. Proposals retain or re-provide as necessary boundary walls, hedges and front gardens to match the existing arrangement on the same alignment;***
- v. Proposals retain or re-provide as necessary natural verges to the highway where possible.***

5.30 This policy manages design quality in the Manors character area of the Adderbury Conservation Area. In doing so, it refines saved CLP policies C27 and C28 in respect of requiring the design of development proposals to reflect the historic settlement pattern of villages like Adderbury. It is also in line with LP1 Policy ESD15 in ensuring the character of the built and historic environment is sustained and enhanced and with Policy Villages 1 in allowing for appropriate infill housing development.

5.31 There is a high concentration of historic Manor houses, along Manor Road (as the name suggests), and also in East Adderbury, south of The Green, including Adderbury House. The areas are located in distinguished positions, just off the main Village Green.

Policy AD9: Managing Design in the Conservation Area: The Streets

Development proposals in The Streets Character Area, as shown on the Policies Map, will be supported, provided they have full regard to the following design principles:

- i. Proposals maintain the existing plot ratio, the strong building line to the frontage and building height and form;***
- ii. The facing or cladding materials include the use of squared and ashlar ironstone or coursed (rubble) ironstone***
- iii. Roofing materials include slate, tile or thatched roofs;***
- iv. Proposals retain or re-provide as necessary boundary walls, hedges and front gardens to match the existing arrangement on the same alignment; and***
- v. Proposals retain or re-provide as necessary stone walls or where possible natural verges to the highway to match the existing arrangement.***

5.32 This policy manages design quality in The Streets character area of the Adderbury Conservation Area. In doing so, it refines saved CLP policies C27 and C28 in respect of requiring the design of development proposals to reflect the historic settlement pattern of villages like Adderbury. It is also in line with LP1 Policy ESD15 in ensuring the character of the built and historic environment is sustained and enhanced and with Policy Villages 1 in allowing for appropriate infill housing development.

5.33 The 'Streets' consist of the High Street, Cross Hill Road/ Water Lane, Horn Hill Road and Tanners Lane/ The Leys/ Round Close Road/ Dog Close. All share similar characteristics in that they are strong linear streets which retain strong building lines.

Policy AD10: Managing Design in the Conservation Area: The Lanes

Development proposals in The Lanes Character Area, as shown on the Policies Map, will be supported, provided they have full regard to the following design principles:

- i. Proposals maintain the existing informal pattern of narrow routes with no footway, the strong building line abuts the main thoroughfare and modest cottages;***
- ii. The facing or cladding materials include the use of course rubble/ square ironstone;***
- iii. The use of red brick for chimneys;***
- iv. Roofing materials include slate, thatch and plain tiles to match nearby roofs;***
- v. Proposals to retain or re-provide vernacular features such as casement windows, timber lintels and a mix of roof types;***
- vi. Proposals retain or re-provide as necessary boundary walls and timber fencing where appropriate and do not use feather board or larch lap or similar fencing;***
- vii. Proposals do not significantly harm the views to the open countryside and the Sor Valley from the northern end of Chapel Lane or the southern end of Church Lane; and***
- viii. Proposals do not significantly harm the view of the Church of St Mary at the southern end of Church Lane.***

5.34 This policy manages design quality in The Lanes character area of the Adderbury Conservation Area. In doing so, it refines saved CLP policies C27 and C28 in respect of requiring the design of development proposals to reflect the historic settlement pattern of villages like Adderbury. It is also in line with LP1 Policy ESD15 in ensuring the character of the built and historic environment is sustained and enhanced and with LP1 Policy Villages 1 in allowing for appropriate infill housing development.

5.35 Chapel Lane and Church lane consist of minor routes that filter off the main central spine. The lanes are narrow, informal routes without footways and where dwellings abut the main thoroughfare.

5.36 Chapel Lane is a small residential area off High Street with tennis courts sunken into the landscape at the end. As the name suggests, the lane has supported two chapels. It is a quiet, narrow lane with no formal footway along the initial part. The road filters from High Street, where the historic buildings are concentrated around the entrance; further down, the character changes and becomes more suburban with a collection of post war dwellings at the end. The road meanders round and falls steeply at the northern end, allowing for extensive views of the Sor Valley beyond.

5.37 Church Lane is a narrow residential street with no formal footways, the cottages are small and modest the doorways and windows appear slightly dwarfed, creating a pleasant enchanting character. This lane narrows further at the end and then curves into a very narrow alley, bounded by ironstone walls/buildings, which guides the eye to a framed view of the Church of St Mary.

Policy AD11: Managing Design in the Conservation Area: The Valley

Development proposals in The Valley Landscape Character Area, as shown on the Policies Map, will be supported, provided they have full regard to the following design principles:

- i. Proposals do not significantly harm the views to the open countryside of the Sor Brook Valley; and***
- ii. Proposals maintain the existing pastoral quality of East Adderbury, along with the Oxford Road, and to the rear of properties in both East and West Adderbury which follow the Sor Brook Valley.***

5.38 This policy manages design quality in the Valley character area of the Adderbury Conservation Area. In doing so, it refines saved CLP policies C27 and C28 in respect of requiring the design of development proposals to reflect the historic settlement pattern of villages like Adderbury. It is also in line with LP1 Policy ESD15 in ensuring the character of the built and historic environment is sustained and enhanced and with LP1 Policy Villages 1 in allowing for appropriate infill housing development.

5.39 The Valley Landscape is that of the Sor Brook. It is heavily tree-lined, which in addition to the topography further emphasises the perceived separation of the village east and west.

5.40 The Character area features along the length of the conservation area and although a dominant landscape feature, the inward-looking central spine of the village restricts views of this valuable landscape to the perimeter, with views often found at the end of secondary streets and lanes. The Valley Landscape includes areas with a pastoral quality, where livestock roam the fields, in East Adderbury along the Oxford Road, and at West Adderbury to the rear of properties such as White House on Manor Road.

Policy AD12: Managing Design in the Conservation Area and its Setting: Former Farm Groups

Development proposals in the Former Farm Groups Character Area, as shown on the Policies Map, will be supported, provided they have full regard to the following design principles:

- i. Proposals maintain the existing informal plot layout (usually L-shaped) with individual lanes and gravel tracks for access;**
- ii. The facing or cladding materials include the use of coursed rubble or square cut ironstone**
- iii. Roofing materials include slate and plain tiles to match nearby roofs;**
- iv. Proposals retain or re-provide vernacular features such as casement windows, timber lintels and timber plank doors to match the existing emphasis on the rural connection;**
- v. Proposals retain or re-provide as necessary boundary walls of varying heights, railings and timber fences to match the existing arrangement on the same alignment; and**
- vi. Proposals retain or re-provide as necessary the informal green open spaces where possible and large grass verges to continue to enhance the pastoral character which links with the nearby agricultural fields.**

5.41 Development proposals in the open countryside beyond the defined Adderbury Settlement Boundary between Banbury Road and the Parish Boundary to the west will only be supported if they avoid any obstruction of the views from Banbury Road to the Former Farm Groups Character Area.

5.42 This policy manages design quality in The Former Farm Groups character area of the Adderbury Conservation Area. In doing so, it refines saved CLP policies C27 and C28 in respect of requiring the design of development proposals to reflect the historic settlement pattern of villages like Adderbury. It is also in line with LP1 Policy ESD15 in ensuring the character of the built and historic environment is sustained and enhanced and with LP1 Policy Villages 1 in allowing for appropriate infill housing development.

5.43 This character area includes two areas in East Adderbury (consisting of Fleet Farm, Sydenham Farm, Stud Farm and Home Farm) and a small area north of The Green (Croft Farm). The core characteristics include a rural/pastoral character on the edge of the village, adjacent to open grazing fields. The topography sits on lower land to the wider and modern built up areas of Adderbury to the north. The pastoral character is further enhanced by the various areas of informal green spaces between the buildings. For example, east of The Pickled Ploughman public house is an informal green space which is left to naturally overgrow, creating a naturalistic rural environment. Agricultural activity still exists in the surrounding fields including grazing land to the north of Aynho Road and arable land west of the Banbury Road.

5.44 The policy also identifies the specific significance of the open land to the north of the Conservation Area in the enjoyment of the setting to the historic village boundary of this Character Area. This is evidenced by the Conservation Area Appraisal and by Historic England in its comments on a previous planning application (15/00317/OUT) in that area. The land lies outside the Settlement Boundary but some forms of development suited to a countryside location are permissible. This policy requires that such proposals avoid obstructing the views to the Character Area from the north.

Policy AD13: Managing Design in The Crescent

Development proposals in The Crescent Character Area, as shown on the Policies Map, will be supported, provided they have full regard to the following principles:

- i. Proposals to retain or re-provide as necessary front gardens and an 'open plan' feel to the frontage;***
- ii. The facing or cladding materials include the use of brick***
- iii. Roofing materials include red pantiles to match nearby roofs; and***
- iv. Proposals retain or re-provide design features such as casement windows and small porches with pantiled roofs.***

5.45 This policy manages design quality in The Crescent character area of the village. In doing so, it refines saved CLP policies C27 and C28 in respect of requiring the design of development proposals to reflect the historic settlement pattern of villages like Adderbury. It is also in line with LP1 Policy ESD15 in ensuring the character of the built and historic environment is sustained and enhanced and with LP1 Policy Villages 1 in allowing for appropriate infill housing development. As it lies outside the Conservation Area, and so was not included in the Appraisal, an analysis has been undertaken to identify the most important of design features of this character area.

5.46 The Crescent is a 1918 design of semi-detached properties, having particular architectural features, such as porches and specific building materials. At the end of 1918 the Banbury Rural District Council attempted to devise a housing scheme to meet the need of housing for soldiers returning from WW1. 20 houses were planned but only 12 houses were built, in The Crescent just off the Banbury Road, and were ready for occupation in the autumn of 1922. The setting was described as on an elevated position away from the road. The houses are arranged in a semi-circle around a small green space, which were originally allotments. The Crescent lies to the east of the Banbury Road and north of the Adderbury Conservation area.

Policy AD14: Managing Design in Banbury Road

Development proposals in the Banbury Road Character Area, as shown on the Policies Map, will be supported, provided they have full regard to the following design principles:

- i. Proposals retain or re-provide as necessary boundary hedges and timber fences where appropriate;***
- ii. Proposals retain or re-provide as necessary front gardens where possible and roadside verges;***
- iii. The facing or cladding materials include the use of render and red brick;***
- iv. Roofing materials include red tiles to match nearby roofs.***

5.47 This policy manages design quality in the Banbury Road character area of the village. In doing so, it refines saved CLP policies C27 and C28 in respect of requiring the design of development proposals to reflect the historic settlement pattern of villages like Adderbury. It is also in line with LP1 Policy ESD15 in ensuring the character of the built and historic environment is sustained and enhanced and with LP1 Policy Villages 1 in allowing for appropriate infill housing development. Again, as it lies outside the Conservation Area, and so was not included in the Appraisal, an analysis has been undertaken to identify the most important of design features of this character area.

5.48 Banbury Road is a main traffic route (A4260) lined with residential properties to the east and open fields to the west. It includes detached properties with large front gardens and wide roadside verges. These are mainly 1930s houses, although the previous Twyford Tea Gardens is earlier and opened in late 1912/early 1913.

5.49 Although there is a mixture of design, these houses have used the same building materials and have retained their large front gardens with mature planting that make a positive contribution to the character and distinctiveness of the area.

Policy AD15: Managing Design in the Twyford Estate

Development proposals in the Twyford Estate Character Area, as shown on the Policies Map, will be supported, provided they have full regard to the following design principles:

- i. Proposals retain or re-provide as necessary front gardens where possible and roadside verges;***
- ii. Proposals retain or re-provide as necessary boundary hedges (as in The Rise) and low walls (as in Walton Avenue and Rochester Way) where appropriate; and***
- iii. In those parts of the Estate characterised by open plan front gardens, proposals retain or re-provide as necessary (such as Deene Close) gardens in that form and do not add boundary features like walls and hedges.***

5.50 This policy manages design quality in the Twyford Estate Character area of the village. It refines saved CLP policies C27 and C28 in respect of requiring the design of development proposals to reflect the historic settlement pattern of villages like Adderbury. It is also in line with LP1 Policy ESD15 in ensuring the character of the built and historic environment is sustained and enhanced and with Policy Villages 1 in allowing for appropriate infill housing development. Once again, as it lies outside the Conservation Area, and so was not included in the Appraisal, an analysis has been undertaken to identify the most important of design features of this character area.

5.51 The area lies to the north of the Conservation Area and includes the main approaches to the village from the north and east. The Twyford Estate was built largely in the 1960s and is a mixed development including detached/semi-detached two-storey houses and bungalows. The estate is east of the Banbury Road and is bordered on the north (Twyford Road) and east (Walton Avenue) sides by open countryside. There are a number of features worthy of retaining or enhancing.

Policy AD16: Managing Design in Berry Hill Road and St. Mary's Road

Development proposals in the Berry Hill Road and St. Mary's Road Character Area, as shown on the Policies Map, will be supported, provided they have full regard to the following design principles:

- i. Proposals retain or re-provide as necessary front gardens where possible and roadside verges; and***
- ii. Proposals retain or re-provide as necessary boundary hedges (as in St. Mary's Road) and low walls (as in Norris Close) where appropriate.***

5.52 This policy manages design quality in the St. Mary's / Berry Hill Road Character Area of the village. In doing so, it refines saved CLP policies C27 and C28 in respect of requiring the design of development proposals to reflect the historic settlement pattern of villages like Adderbury. It is also in line with LP1 Policy ESD15 in ensuring the character of the built and historic environment is sustained and enhanced and with LP1 Policy Villages 1 in allowing for appropriate infill housing development. As it lies outside the Conservation Area, and so was not included in the Appraisal, an analysis has been undertaken to identify the most important of design features of this character area.

5.53 The area lies to the south west of the Conservation Area and includes the main approaches to the village from the southeast and southwest. There are two particular areas within this larger area, which are worthy of consideration. The Berry Hill Road and St. Mary's Road/ Norris Close. Both areas comprise 20th century housing. Berry Hill Road is characterised by substantial properties set well back from the road with extensive grass verges in front and large front gardens. St. Mary's Road and Norris Close have mixed development of detached/semi-detached two storey houses and bungalows. They are characterised by large front gardens enclosed for the most part with low walls, and grass verges along the roadside.

Policy AD17: Buildings and structures of local importance

Proposals affecting the significance of the following locally important buildings and structures will be assessed having regard to the scale of any harm or loss and the significance of the locally important building or structure:

- A. *The Crescent, Twyford***
- B. *The Pump House Garage***
- C. *The Walled Lambing Paddock, Aynho Road***
- D. *The Pound, Hornhill Road***
- E. *The Ice House, Adderbury Lakes***
- F. *The Long Wall, Long Wall Path***
- G. *Twyford Tea Gardens, Banbury Road***
- H. *The Friends Meeting House, Hornhill Road***
- I. *The Well, Hornhill Road***
- J. *The Canal Bridge, Twyford Road***

5.54 This policy identifies buildings and structures of local architectural and/or historic interest to Adderbury for the application of LP1 Policy ESD15. This policy manages proposals for the extension, alteration and change of use of such buildings, which are now defined as 'non-designated heritage assets' by §135 of the NPPF.

5.55 In line with the Historic England guidance on 'Local Heritage Listing' (2012), an identified building or structure is considered by the local community to exhibit attributes of one or more of the following:

- It is directly associated with a significant period in the history of Adderbury
- It is directly associated with the social history of Adderbury
- It is a notable example of planned development, or of incidental development in Adderbury, for example forming part of an original street plan or having some rarity value in its architectural for this area (though its type may be common elsewhere)
- It is directly associated with a notable figure of local importance

The Parish Council used as its primary source material, the Conservation Area Appraisal document of April 2012, which identified 'locally listed buildings'. The justification of each the proposed buildings is provided in the separate 'Community Assets' report in the evidence base.

Policy AD18: New Community Facilities

The Neighbourhood Plan allocates land off Milton Road, West Adderbury, as shown on the Policies Map, for sports and community uses.

Proposals for these uses of the land will be supported, provided:

- i. Any buildings are ancillary to the operation of the uses and are located within the site and are designed in such a way that has regard to the countryside location of the site;***
- ii. Vehicular access is made from Milton Road, with a minimum loss of the existing site boundary hedgerow, and sufficient car parking spaces are provided;***
- iii. Safe pedestrian and cycle access is provided to the site;***
- iv. The landscape scheme contributes to the delivery of Policy AD2 by making provision for ecological connectivity from Milton Road to the proposed Local Green Space off Horn Hill Road in Policy AD3;***
- v. The scheme will result in a biodiversity net gain; and***
- vi. The layout and any lighting have regard to the proximity of the adjoining residential and employment uses.***

Proposals for the improvement and extension of the community facilities at Lucy Plackett Fields, as shown on the Policies Map, will be supported, provided they do not undermine the visual integrity of the Local Green Space.

5.56 This policy allocates agricultural land on the western edge of the village, now in the ownership of the Parish Council, for sports and community uses for the benefit of the local community. It allocates the land in line with the restrictive covenant placed on this land. It also supports improvements to the existing facilities at the Lucy Plackett Field within the village. In both cases, the policy is responding to the increase in demand for such uses as the village has grown in recent years. It follows a survey undertaken of the local community to understand their preferences for future provision in the village.

5.57 Although the Milton Road site is not central to the village, its size, shape and topography are suited to these uses and, given its public ownership, it provides a suitable location. Provided any buildings (e.g. community centre) are well designed and located, these uses are not incompatible with the location of the land in the countryside beyond the Settlement Boundary. The policy also provides an opportunity to deliver an improvement to the local green infrastructure network of Policy AD2, as it requires the landscape scheme to incorporate an appropriate means of improving the ecological connectivity between the hedgerows of Milton Road to an adjoining proposed Local Green Space, thus meeting its obligation to deliver a net biodiversity gain.

5.58 Proposals for buildings and any floodlighting must avoid or minimise their impacts on the established amenities enjoyed by the neighbouring residential and employment properties. A 2016 leisure survey of Adderbury households identified multiple uses with preference being given for a large community centre, football pitches and part woodland on the site. Once the Neighbourhood Plan is made, the Parish Council will seek to bring forward proposals on both sites and other appropriate locations for the mix and configuration of such uses and for their financing.

Policy AD19: Community Assets & Local Services

Proposals to improve the viability of established community use for the following buildings and facilities (by way of the extension or partial redevelopment of existing buildings) will be supported, provided that the scheme does not have a harmful impact on the street scene, and that any resulting increase in use will not harm the amenity of neighbouring properties.

- 1. Adderbury Bowls Club**
- 2. Adderbury Post Office**
- 3. Adderbury Stores**
- 4. Ball Colegrave**
- 5. Banbury West End Tennis and Squash Club**
- 6. Beehive Veterinary Surgery**
- 7. Dovecote Barn (Bo-Peep)**
- 8. Katharine House Hospice**
- 9. Lake House Care Home**
- 10. Lucy Plackett Activity Centre**
- 11. Pump House Garage**
- 12. Sports and Social Club**
- 13. Squires Hairdressers**
- 14. Step Ahead Hairdressers**
- 15. The Bell Inn**
- 16. The Friends Meeting House**
- 17. The Church House**
- 18. The Coach & Horses**
- 19. The Institute**
- 20. The Pickled Ploughman**
- 21. The Pig Place**
- 22. The Red Lion**
- 23. Twilite Leisure Park**
- 24. Gracewell Retirement Home**

Proposals that will result in either the loss of, or significant harm to, facilities listed above, will be resisted, unless it can be clearly demonstrated that:

- i. the operation of the facility, or on-going delivery of the community value of the facility, is no longer financially viable; or**
- ii. it is more appropriate to replace it with a facility of equivalent or better value to the community in an equally convenient location for residents of the Parish.**

Development proposals to expand existing shops or commercial premises as well as to create new local shops or commercial uses will be supported.

Development proposals to change the use of shops or commercial units will be resisted, unless it can be demonstrated that their continued use is no longer viable.

5.59 This policy identifies a number of buildings and their land in the Parish for protection from harmful development, and to allow for their improvement to maintain their on-going viability, in line with LP1 Policy BSC12 and saved CLP Policy S29. The justification for why each facility is included in the policy is provided in the separate 'Community Assets' report in the evidence base.

5.60 Each building plays an important part in sustaining the healthy life of the village and together they help justify the status of Adderbury as one of the larger villages in the District. The unnecessary loss of building will therefore have a harmful impact on the viability of the village as a 'Category A Village' and on local community life and will be resisted unless it can be clearly demonstrated by an applicant that the building and its location can no longer sustain a viable community purpose.

5.61 In addition, the policy is encouraging of the appropriate improvement of these facilities in order that they can remain viable in the longer term. This encouragement is subject to the proposals being well designed to be appropriate to their location – having regard to the relevant character area design policy of the Neighbourhood Plan for example – and to them avoiding harming local residential amenity by way of additional noise or traffic movements for example.

5.62 More generally, the policy encourages the retention, improvement and creation of new local shops in the village. With a growing population, there may be an increased demand for such local services to be provided within the village. The saved CLP Policy S28 allows for such retail development to meet local needs.

Policy AD20 Promoting New Employment and Tourism

Proposals for new employment and tourism uses will be supported within the defined Adderbury Settlement Boundary provided there is no harm to the amenities of nearby residents or to other land users by way of noise, air or light pollution.

Proposals to intensify employment uses within the defined area of an established employment site elsewhere in the Parish will be supported, provided the height and scale of any new buildings do not harm the overall open character of the surrounding landscape.

Proposals for tourism and leisure development along the Oxford Canal, as shown on the Policies Map, will be supported, provided:

- i. they will sustain and enhance the special character and appearance of the Conservation Area;***
- ii. the height and scale of any new buildings do not harm the overall open character of the surrounding landscape;***
- iii. they will not harm the linear biodiversity value of the canal; and***
- iv. they will not undermine the navigational and safe operation of the canal.***
- v. they will enhance access and use of the canal towpath for walking, cycling and other recreation and leisure pursuits.***
- vi. new facilities for canal users, other than appropriately located small scale car parks and picnic facilities, should be located within or immediately adjacent to settlements***

Proposals requiring planning consent or prior approval for the change of use of land or buildings in established business use will only be supported if it can clearly be demonstrated that the land is no longer viable for a business use and subject to general conformity with the criteria set out in Strategic Policy SLE1.

5.63 This policy seeks to encourage appropriate employment opportunities and tourism within the Parish in keeping with the needs and character of a rural village. It refines LP1 Policy SLE1 in using the Settlement Boundary to define where employment development should be located in this 'Category A' village.

5.64 For clarity, Policy AD20 seeks to support new employment uses within the defined settlement boundary. Where there are established business uses there is a requirement to be in general conformity with Strategic Policy SLE1.

5.65 The policy also refines LP1 Policy SLE3 in defining, what are the 'sustainable locations' within the Parish for tourism development, i.e. within the Settlement Boundary and along the Oxford Canal. The Canal is designated a Conservation Area and the policy requires that proposals pay special attention to understanding and reflecting its distinct character in their design. As a working canal, and an important leisure and tourism asset for the Parish, the policy complements LP1 Policy ESD16 (and CLP Policy C29) recognises that some new development may be appropriate to maintain the attractiveness of the canal to users.

5.66 An analysis was undertaken of the current employment areas in the Parish to ascertain their success as competitive locations for business by looking at vacancy rates and the opportunities for further intensification. There was also a survey of businesses to understand their needs and value to the Parish as local employers. The conclusion was that the variety of established business locations remained competitive for the current types of occupiers and that the Plan should focus future economic development at those locations, rather than to allocate new land.

Policy AD21: Community Infrastructure Levy

The Neighbourhood Plan identifies the following projects as priorities for investing in local infrastructure:

- ***improving cycle safety and connectivity of off-road cycleways***
- ***maintaining heritage assets***
- ***improvement of Adderbury Library services***
- ***improving leisure facilities***
- ***securing land for use as a cemetery***

5.67 This policy identifies a number of priority projects for the investment of the Parish proportion of the Levy charge in the area, in line with LP1 Policy INF1. It is derived from a review of community surveys in the past that have identified projects for the Parish Council to support.

5.68 The list of projects may change over the lifetime of the Neighbourhood Plan but gives a current view on how the Levy should be invested to meet local needs. As a policy in the Plan, it provides the local community with the opportunity to understand the benefits of development in the Parish in the coming years.

Monitoring & Review Policies

5.69 The Neighbourhood Plan will be monitored by the District Council and the Parish Council using data collected in planning monitoring reports. The objectives will form the core of the monitoring activity but other data collected and reported at a Village level relevant to the Plan may also be included. It is expected that the Plan will be formerly reviewed on a five-year cycle or to coincide with future reviews of the Local Plan.

6. Implementation

6.1 The Neighbourhood Plan will be implemented through a combination of the local planning authority's consideration and determination of planning applications for development in the parish, and through steering public and private investment into a series of infrastructure proposals contained in the plan.

Development Management

6.2 Most of the policies contained in the Neighbourhood Plan will be delivered by landowners and developers. In preparing the Plan, care has been taken to ensure, as far as possible, that the policies are reasonable and sufficiently clear to enable them to inform the District Council's decisions on planning applications.

6.3 Whilst the local planning authority will be responsible for the development management, the Parish Council will use the Neighbourhood Plan to frame its representations on submitted planning applications. It will also monitor the District Council's decisions to ensure that proper account is being taken of the Neighbourhood Plan as part of their Local development plan.

6.4 Where one or more Neighbourhood Plan policies are used as a reason for a refusal of a planning application, the Parish Council will support the District Council in defending that decision at any appeal. If necessary, the Parish Council will also consider requesting the Secretary of State to call-in of any applications the District Council is minded to approve, if the Parish Council considers that insufficient weight has been attributed to the conflict between a proposal and a policy of the Neighbourhood Plan.

Infrastructure Projects

6.5 The Parish Council proposes some or all of the following projects for investment of future community infrastructure levy funding allocated by the local planning authority to the Parish:

- Improving Cycle safety and connectivity of off-road cycleways
- Maintaining heritage assets
- Funding of Adderbury Library services
- Leisure requirements determined by outcome of questionnaire
- Provision of land for use as a cemetery

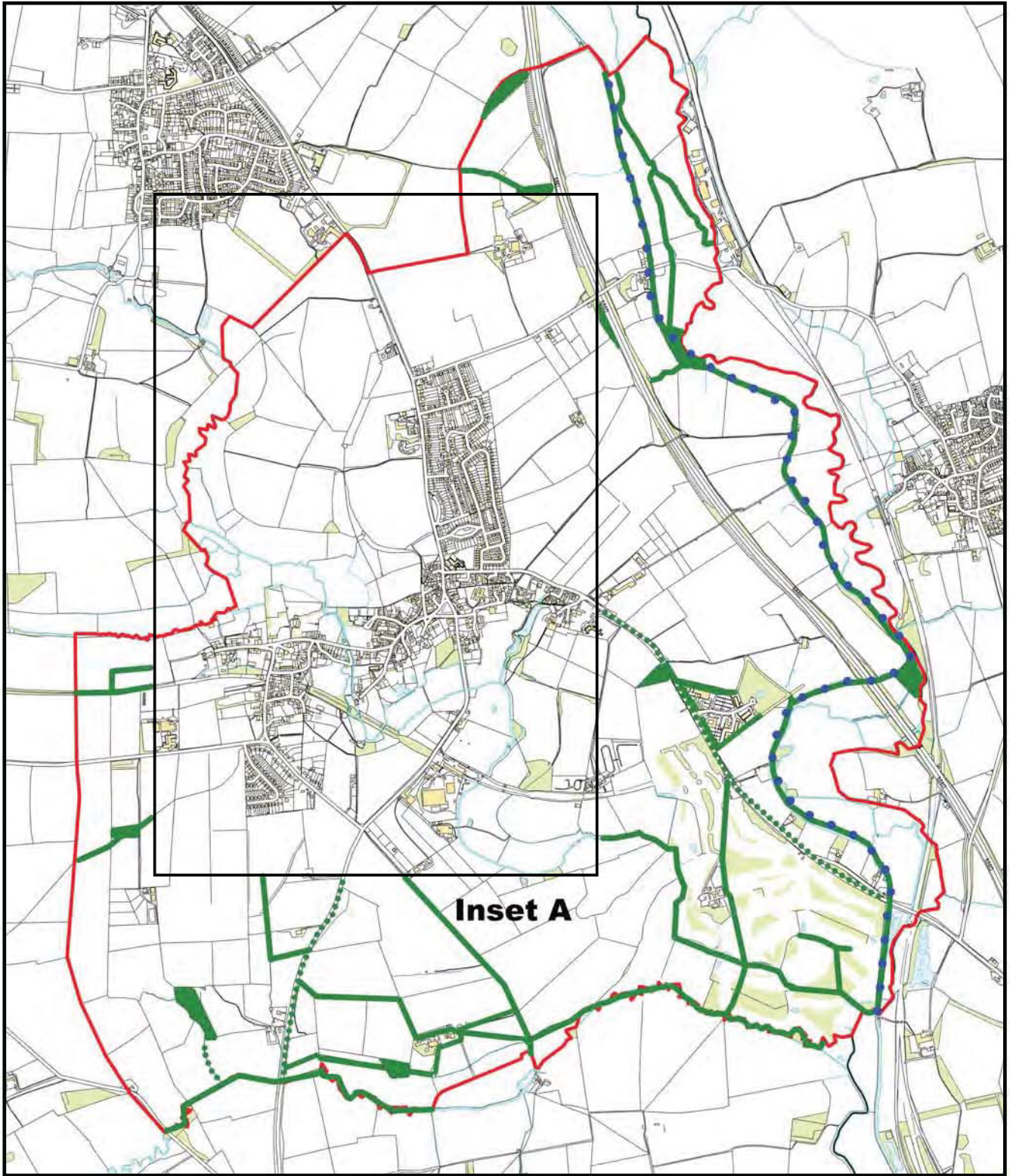
6.6 This series of local infrastructure projects will be prioritized for investment from Section 106 agreements and, if implemented in the Cherwell District Community Infrastructure Levy (CIL). A minimum of 25% of the levy collected from development in the Parish will be passed to the Parish Council for investment in the Parish. This provides the local community with an indication of the priorities for investing the fund to improve local infrastructure as a result of new development in the parish.

6.7 In addition, other policies of the Neighbourhood Plan require some planning obligations to be entered into as part of planning consents to finance and deliver specific infrastructure projects relating to the development scheme in order to make the scheme satisfactory in line with paragraphs 173 and 204 of the National Planning Policy Framework (NPPF).

Conservation

6.8 The following buildings and structures are nominated for assessment as Local Heritage Assets:

- A. *The Crescent, Twyford***
- B. *The Pump House Garage***
- C. *The Walled Lambing Paddock, Aynho Road***
- D. *The Pound, Hornhill Road***
- E. *The Ice House, Adderbury Lakes***
- F. *The Long Wall, Long Wall Path***
- G. *Twyford Tea Gardens, Banbury Road***
- H. *The Friends Meeting House, Hornhill Road***
- I. *The Well, Hornhill Road***
- J. *The Canal Bridge, Twyford Road***



Adderbury Neighbourhood Plan:

Policies Map

May 2018

Key



Parish Boundary



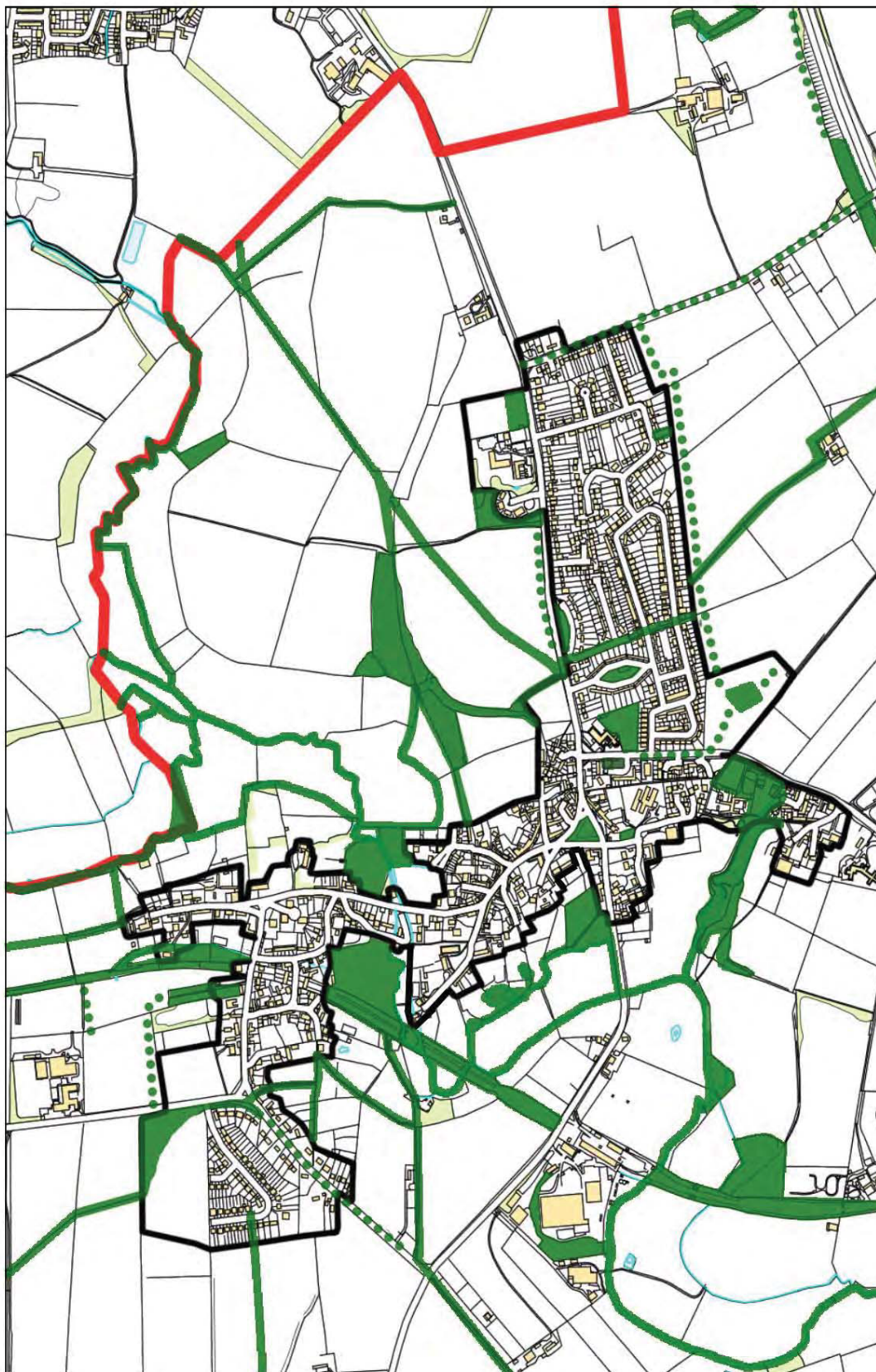
Inset A



AD2 Green Infrastructure
(Existing/Opportunity)



AD20: Oxford Canal



Adderbury Neighbourhood Plan:
 Policies Map Inset A
 May 2018

Key



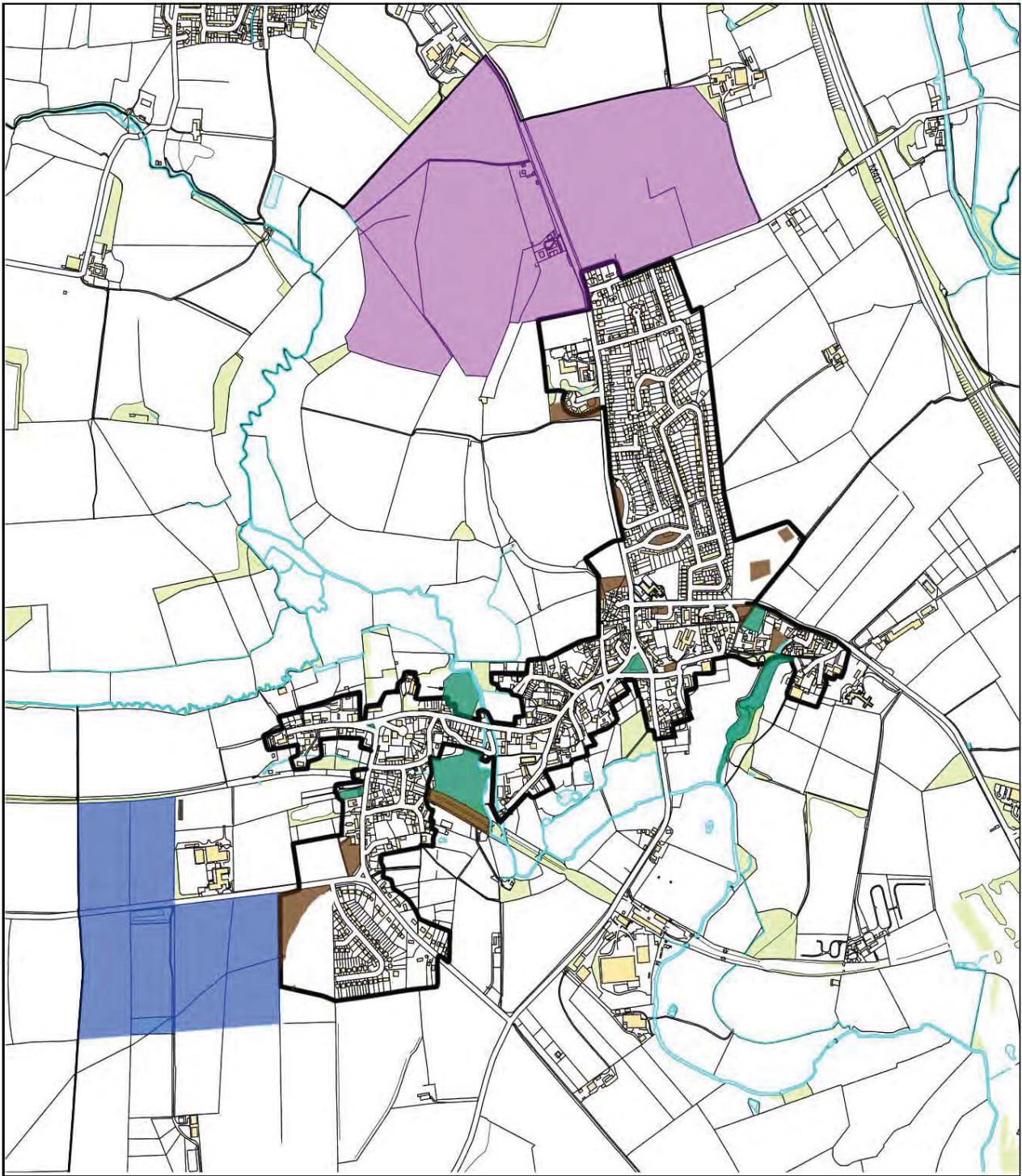
Parish Boundary



Settlement Boundary



AD2 Green Infrastructure
 (Existing/Opportunity)

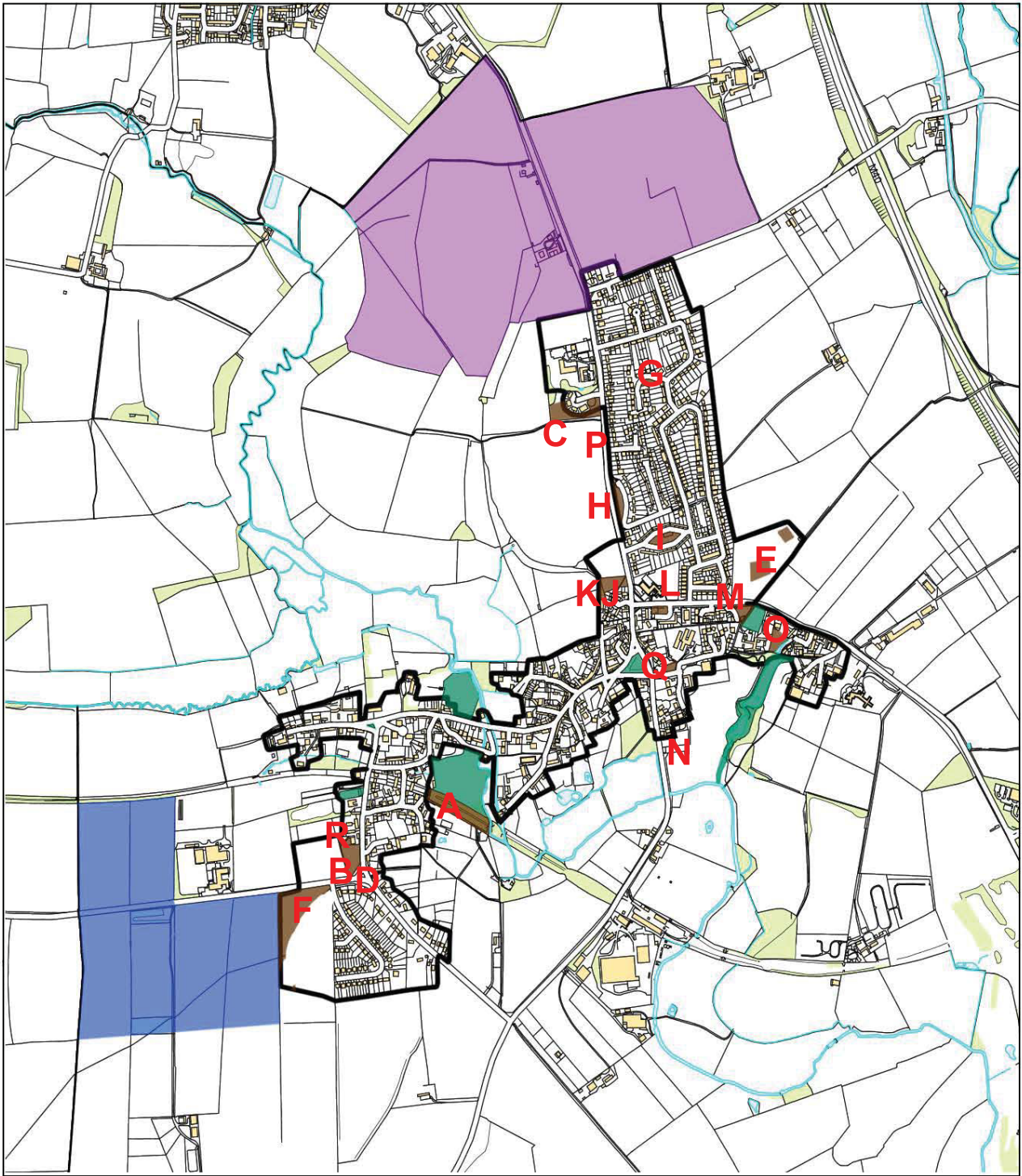


Adderbury Neighbourhood Plan:
Policies Map Inset B
 May 2018

Key






- | | | |
|---|---|---|
|  AD3 Local Green Spaces |  AD4 Local Open Spaces |  AD 5 Twyford Gap |
|  AD 5 Adderbury/Milton Gap |  Parish Boundary |  Settlement Boundary |

AD4 Local Open Spaces

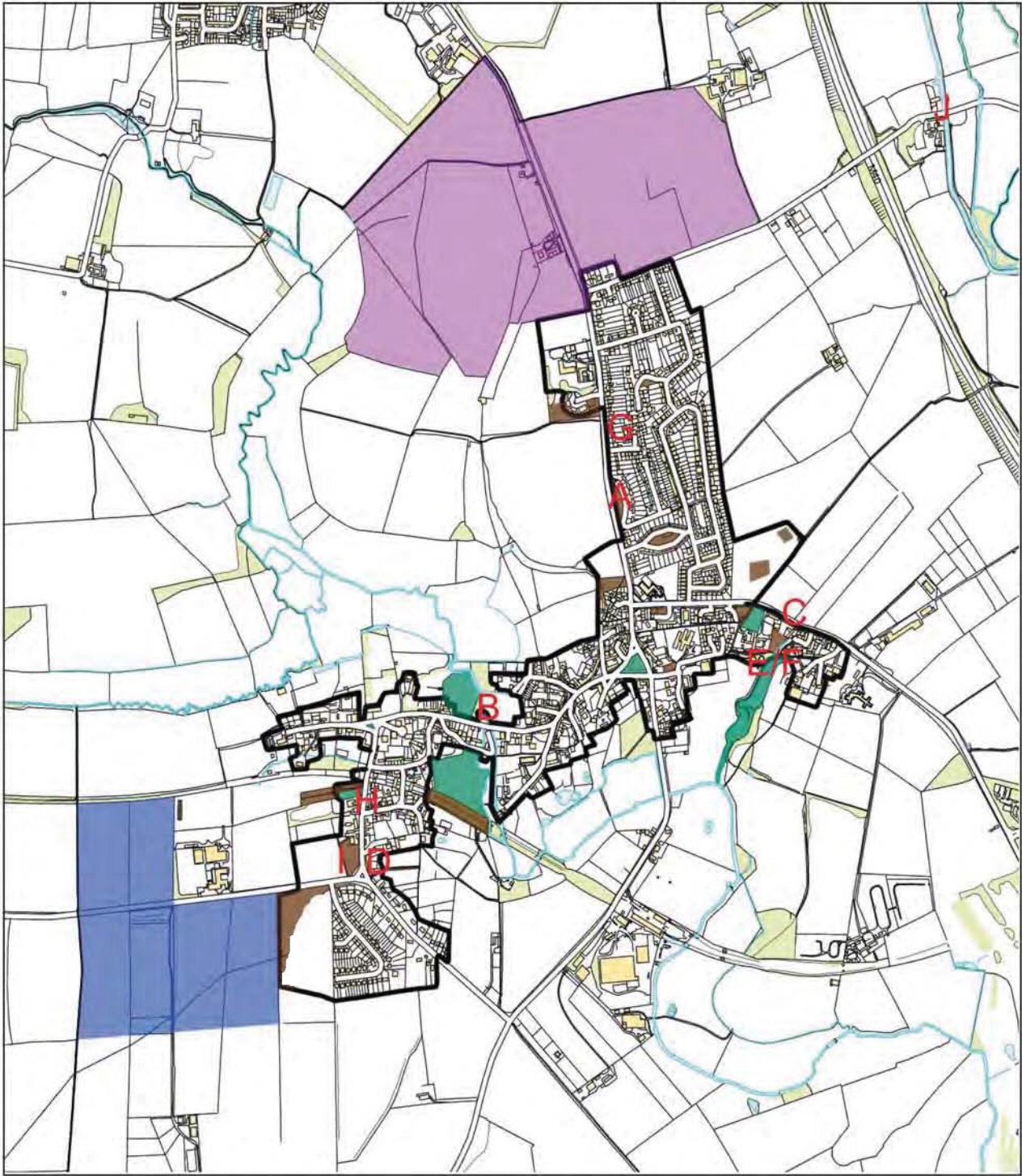


Adderbury Neighbourhood Plan:
Policies Map Inset B
 May 2018

Key

- | | | | | | |
|---|----------------------------|---|-----------------------|---|---------------------|
|  | AD3 Local Green Spaces |  | AD4 Local Open Spaces |  | AD 5 Twyford Gap |
|  | AD 5 Adderbury/ Milton Gap |  | Parish Boundary |  | Settlement Boundary |

Illustrative Maps - AD 17 Buildings and Structures of Local Importance



Adderbury Neighbourhood Plan:
Policies Map Inset B
May 2018

Key



AD3 Local Green Spaces



AD4 Local Open Spaces



AD5 Twyford Gap



AD5 Adderbury/Milton Gap

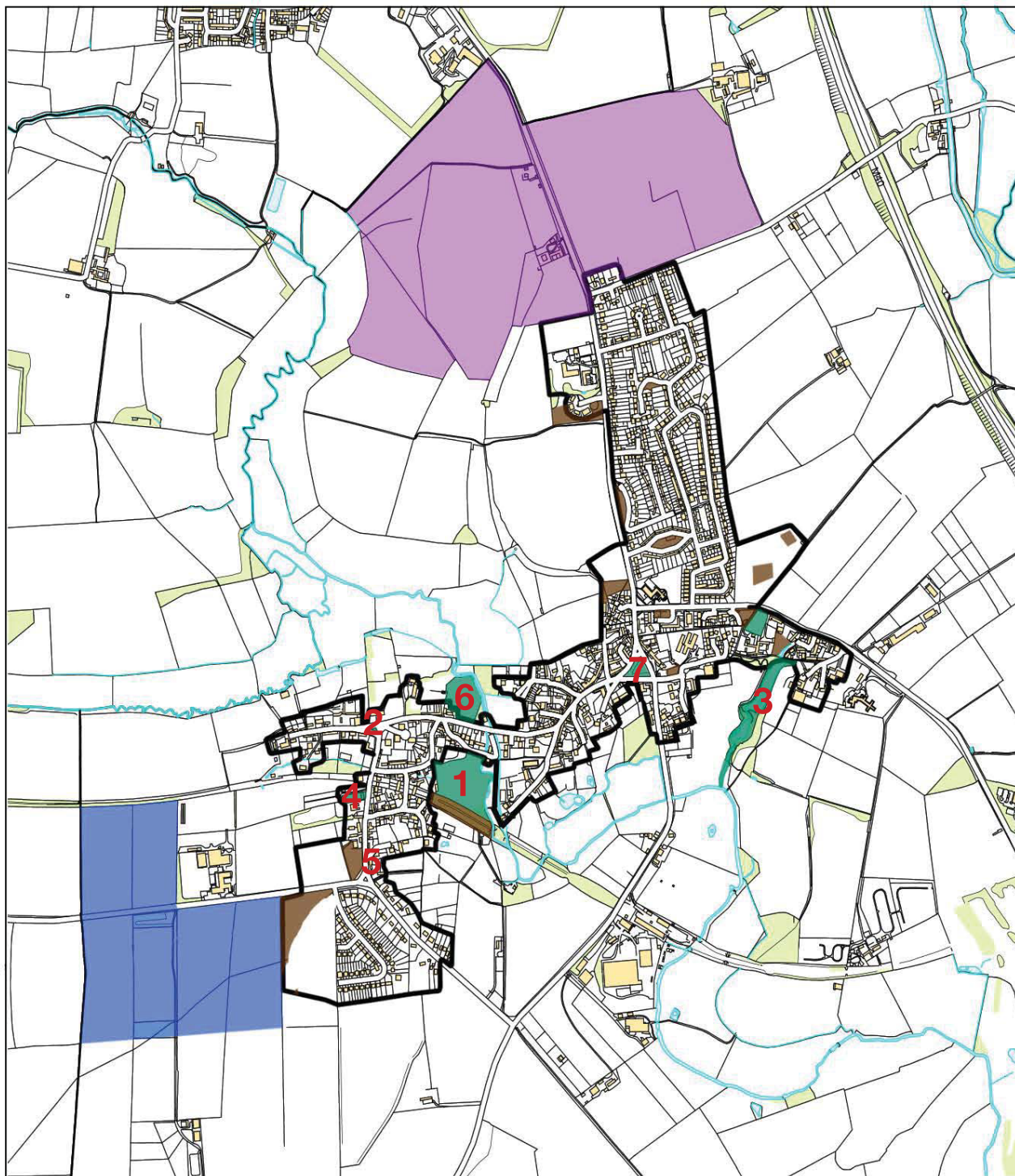


Parish Boundary




Settlement Boundary

AD3 Local Green Spaces

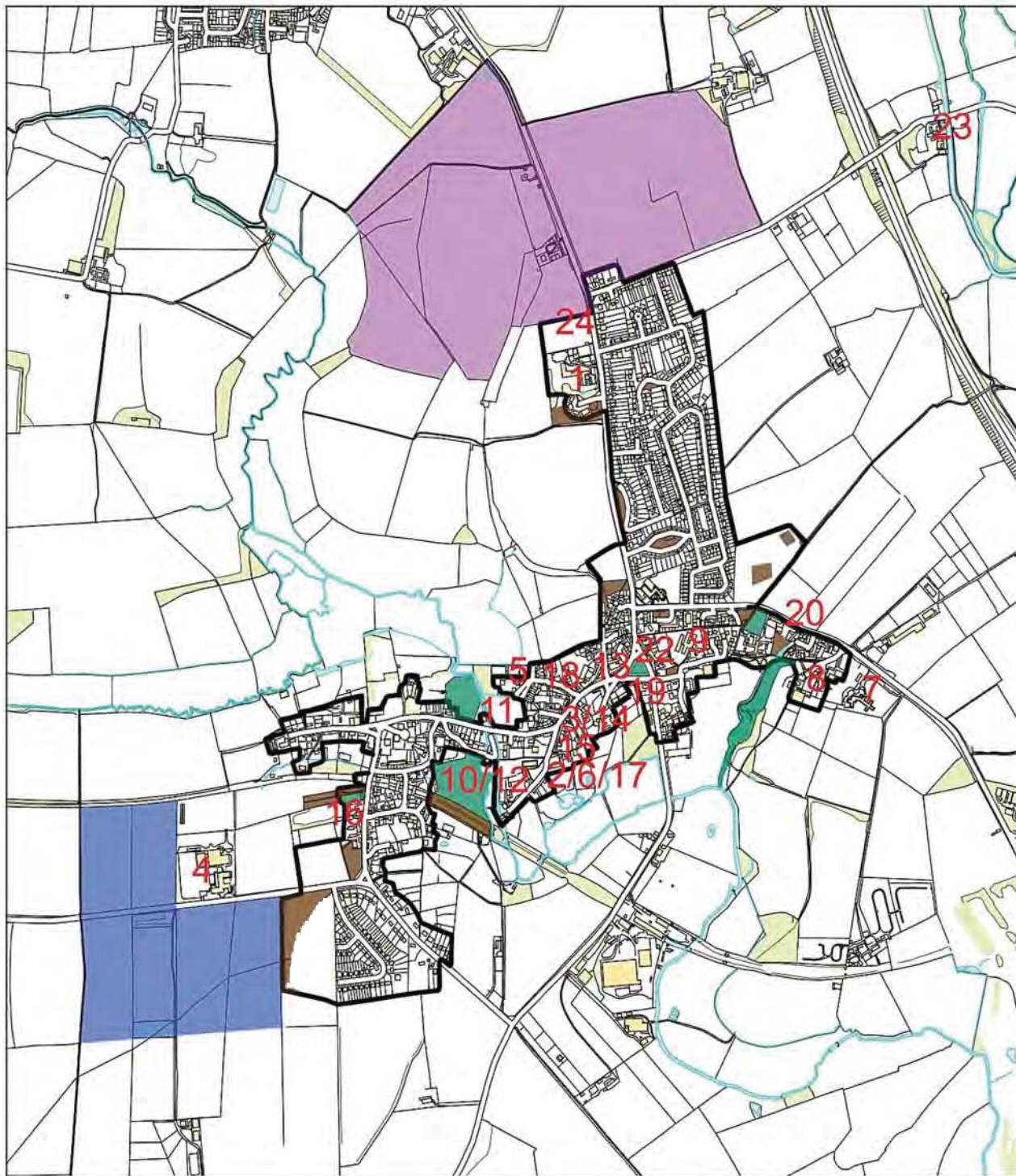


Adderbury Neighbourhood Plan:
Policies Map Inset B
May 2018

Key

- | | | |
|--|---|---|
|  AD3 Local Green Spaces |  AD4 Local Open Spaces |  AD 5 Twyford Gap |
|  AD 5 Adderbury/ Milton Gap |  Parish Boundary |  Settlement Boundary |

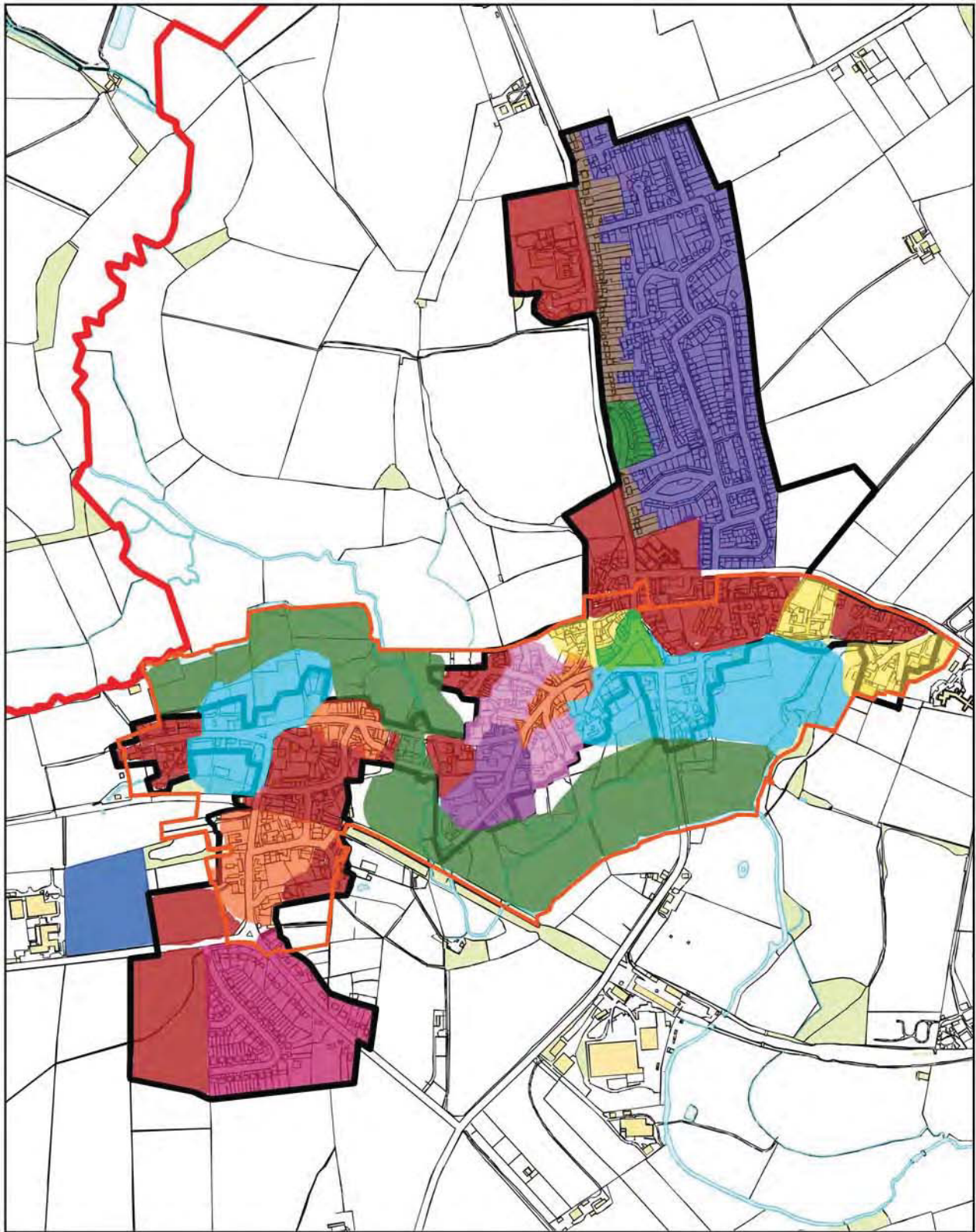
AD19 - Community Assets and Local Services



Adderbury Neighbourhood Plan:
 Policies Map Inset B
 May 2018

Key



- | | | | | | |
|---|---------------------------|---|-----------------------|---|---------------------|
|  | AD3 Local Green Spaces |  | AD4 Local Open Spaces |  | AD 5 Twyford Gap |
|  | AD 5 Adderbury/Milton Gap |  | Parish Boundary |  | Settlement Boundary |



Adderbury Neighbourhood Plan: Policies Map Inset C

May 2018

Key

| | | | |
|--|--|---|--|
|  AD6 Church Quarter |  AD7 The Green |  AD8 the Manors |  AD9 The Streets |
|  AD10 The Lanes |  AD11 The Valley |  AD12 Former Farm Groups |  AD13 Managing Design in The Crescent |
|  AD14 Managing Design in Banbury Road |  AD15 Managing Design in the Tywford Estate |  AD16 Managing Design in Berry Hill Road and St.Mary's |  AD 18 New Community Facilities |
|  Conservation Area Boundary |  Parish Boundary |  Settlement Boundary |  Modern Infill |

Appendix A: Schedule of Evidence

- The National Planning Policy Framework
- The Cherwell Local Plan 2011 – 2031 Part 1
- The Cherwell Local Plan 1996
- Adderbury Conservation Area Appraisal
- Adderbury Green Space & Local Gaps Report (See ANP Pre-Submission Plan)
- Adderbury Community Assets Report (See ANP Pre-Submission Plan)
- Adderbury Locally Listed Buildings Report (See ANP Pre-Submission Plan)

Abbreviations Used/Glossary.

ANP – Adderbury Neighbourhood Plan.

APC – Adderbury Parish Council.

APP – Adderbury Parish Plan. A report produced by APC in October 2007 following consultation with the village under the AVA Adderbury Village Appraisal of 2004.

APS – Adderbury Primary School. Full name: Christopher Rawlins Church of England Voluntary Aided Primary School.

AVA – Adderbury Village Appraisal. Survey and consultation carried out in 1994 and 2004.

CDC – Cherwell District Council, the local planning authority responsible for development plans, determining of planning applications, etc.

CDLP and CDP– Cherwell District Local Plan/Cherwell District Plan.

CIL – Cherwell District Community Infrastructure Levy

NPPF – National Planning Policy Framework. Introduced by the Government in March 2012.

OCC – Oxfordshire County Council. Responsible for education, roads, adult social care, etc. – Funded by the Council Tax.

PPG – Planning Practice Guidance issued by Government. Guides to support NPPF.

SEA – Strategic Environment Assessment

TAP – “The Adderbury Plan” consultation with the village Nov.2012 and Survey.in June 2013

TAP Report - The report on the findings of the consultation and survey with the village.

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DECLARATION OF RESULT OF POLL

Adderbury

Neighbourhood Planning Referendum

I *James Doble*, being the Deputy Counting Officer at the above referendum held on Thursday 21 June 2018, do hereby give notice that the results of the votes cast is as follows:

| Question | | |
|---|----------------|------------|
| Do you want Cherwell District Council to use the Neighbourhood Plan for the Adderbury Area to help it decide planning applications in the neighbourhood area? | | |
| | Votes Recorded | Percentage |
| Number cast in favour of a Yes | 651 | 91.6% |
| Number cast in favour of a No | 58 | 8.2% |

| The number of ballot papers rejected was as follows: | Number of ballot papers |
|--|-------------------------|
| A want of an official mark | 0 |
| B voting for more answers than required | 0 |
| C writing or mark by which voter could be identified | 0 |
| D being unmarked or wholly void for uncertainty | 2 |
| E rejected in part | 0 |
| Total | 2 |

Electorate: 2387

Ballot Papers Issued: 711 Turnout: 29.8%

And I do hereby declare that more than half of those voting HAVE ~~HAVE NOT~~ voted in favour of the Neighbourhood Plan.



Dated Thursday 21 June 2018

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**ADDERBURY NEIGHBOURHOOD PLAN EXAMINER'S REPORT
DECISION STATEMENT**

1 May 2018

Cherwell District Council received the Independent Examiner's Report into the submitted Adderbury Neighbourhood Plan on the 1 March 2018.

The submission Adderbury Neighbourhood Plan has been independently examined and is recommended by the Examiner for referendum subject to the incorporation of modifications. Officers agree with the Examiner's conclusions. They consider that with the incorporation of his recommended modifications the Plan meets the requisite Basic Conditions under Paragraph 4B of the Town and Country Planning Act 1990 (as amended) and all other Examination requirements. It was recommended that the Adderbury Neighbourhood Plan should proceed to referendum. The referendum area should be the designated Neighbourhood Plan Area (the Parish boundary).

At a meeting of its Lead Member on 26 April 2018, Cherwell District Council considered the Plan proposal and the Examiner's report. It was considered that the Adderbury Neighbourhood Plan as recommended for modification by the Examiner met the necessary legal and procedural requirements.

The Executive resolved:

- 1.1. That the Examiner's recommendations and modifications (Appendices 1 and 2) to enable the Plan, incorporating the recommended modifications (Appendix 3), to proceed to a referendum be approved
- 1.2. That the area for the referendum as being the designated Neighbourhood Plan area (the administrative boundary of Adderbury Parish) in accordance with the examiner's recommendations, noting that there will be no extension to the area, be approved
- 1.3. That the issue of a 'decision statement' confirming the Executive's decision including that the Plan will now proceed to referendum be authorised.
- 1.4. That the Executive Director be authorised for Place and Growth to make any minor presentational changes and corrections necessary to ready the Plan for referendum.

The Plan will now proceed to a referendum.

Further details of the Council's decision, the Examiner's Report and the Neighbourhood Plan proposal documents can be viewed on the Council website:

<https://www.cherwell.gov.uk/NeighbourhoodPlans>

Hard copies can be viewed during normal opening hours at Cherwell District Council, Bodicote House, Banbury OX15 4AA. For further information contact the Planning Policy and Growth Strategy Team on 01295 227985.

Adrian Colwell

Executive Director - Place and Growth

Cherwell District Council

Executive

2 July 2018

| |
|---|
| <p style="text-align: center;">Cherwell Residential Design Guide Supplementary Planning Document - Masterplanning and Architectural Guidance</p> |
|---|

Report of Executive Director Place and Growth

This report is public

Purpose of report

To seek approval of the Cherwell Residential Design Guide, Supplementary Planning Document, Masterplanning and architectural guidance for residential development so that it can be presented to the Council for adoption.

1.0 Recommendations

The meeting is recommended:

- 1.1 To note the responses to consultation summarised in the consultation statement presented in Appendix 2.
- 1.2 To approve the final draft of the Cherwell Residential Design Guide SPD (Design Guide), as presented at Appendix 1 and incorporating changes summarised at paragraph 3.8 – 3.9 of this report.
- 1.3 To recommend to Council that it adopts the final draft of the Cherwell Residential Design Guide SPD (Design Guide) as a statutory Supplementary Planning Document under the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).
- 1.4 To authorise the Executive Director Place and Growth to make any necessary minor and presentational changes to the Design Guide before the meeting of the Council.

2.0 Introduction

- 2.1 Cherwell has a distinctive character, defined by its market towns and picturesque villages. The District's rich history and its high quality environment are valued by

those who live and work here. Looking to the future it is critical that future growth contributes towards a positive legacy for future generations to enjoy.

- 2.2 This report directly links to all three themes from the Joint Corporate Strategy 2018-19:
- District of Opportunity & Growth
 - Protected, Green & Clean
 - Thriving Communities & Wellbeing
- 2.3 The National Planning Policy Framework (NPPF) is based around a presumption in favour of sustainable development of which good design is a key aspect. The NPPF is explicit on the importance of good design. *“The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.”* (NPPF para. 56). Paragraphs 56–68 of Part 7 of the NPPF sets out key issues relating to design.
- 2.4 Delivering high quality homes and places is a key theme in the adopted Cherwell Local Plan 2011-2031 (Part 1). The Design Guide has been written to support this agenda by providing further explanation of policy ESD 15 which sets out the policy for the built environment. Key issues set out within policy ESD 15 include the requirement for development to complement and enhance its context through sensitive siting, layout and high quality design.
- 2.5 The Design Guide is focused on the development of robust neighbourhoods and communities and explains the issues and processes expected of housebuilders and residential developers in this area. The Design Guide is not written to guide the development of new commercial areas. The Council intend to publish a commercial development design guide in the future to support high quality development in this area.
- 2.6 The intention of the Design Guide is to provide clear direction on how the design and built environment policies in the Cherwell Local Plan should be interpreted for new residential development. The Design Guide provides clear and comprehensive guidance on the quality of site layout, architecture and materials expected by the Local Planning Authority to give greater clarity on design standards for developers.
- 2.7 The Design Guide is structured into eight chapters and, read together, provides clear guidance on all stages of the development process. The document has primarily been written to support major and strategic residential development sites, though the principles are also relevant for smaller residential sites.
- 2.8 The first two chapters provide background information on the role of the Design Guide and a summary of the distinctive character of the District. They provide an important starting point for the design of any site and the basis for the guidance that follows.
- 2.9 The main body of the document (chapters three to eight) provides clear information on each stage of the design and development process:

- Responding to the site and its context
- Establishing structural principles
- Streets and spaces
- Building and plot arrangements
- Building elevations and details
- Innovation and sustainability.

3.0 Report Details

- 3.1. The Design Guide is intended to be used by those involved in the creation of new residential places and neighbourhoods, including architects, urban designers, developers, planners and members of the Planning Committee. It has been written in non-technical language and it is hoped that it will also be used by Parish Councils, community groups and residents interested in the future of their settlements.
- 3.2. A key aim of the document is to help provide a level of certainty and consistency in the development process, while raising the quality of design throughout the District. It is intended that the Design Guide will help:
- Promote high quality design standards for new development
 - Ensure that development is site specific and responds to the character and context of an area
 - Bring greater clarity to the design and planning process to help streamline delivery.
- 3.3. The Design Guide is underpinned by the importance of creating new places that are locally distinctive and respond to the surrounding townscape, landscape and historical built form. It is not an exhaustive guide that covers every aspect of design, nor does it remove the need for applicants to undertake their own proper assessment of the site context and development impact.
- 3.4. The Design Guide provides clear guidance on the historic character of the District. Where a 'traditional style' of housing is proposed it should be site specific and true to the area's vernacular, to promote high quality design which is in keeping with its context. The Council welcomes proposals for high quality contemporary design and sustainable construction and guidance is provided on this in Chapter 8.
- 3.5. The Design Guide was approved by the Executive for public consultation on 6 November 2017. The results of the consultation have now been reviewed and final modifications have been made to the document that is presented for approval.

Consultation Results

- 3.6 The draft Design Guide (Appendix 4) was consulted on between 23 November 2017 and 21 December 2017. Twenty two representations were received in response to consultation. The Consultation Statement at Appendix 2 to this report includes a summary of the main issues raised in each representation and explains how they have been addressed in the final draft of the Design Guide. The

representations have been placed in the Members' Room and are available on-line at: <https://www.cherwell.gov.uk/info/234/supplementary-planning-documents-spd/525/representations-to-the-draft-cherwell-design-guide-supplementary-planning-document-spd>

3.7 In brief, the main issues raised include:

- A number of developers expressed concern that the Design Guide would negatively impact the speed of delivery
- Oxfordshire County Council has advised that it has begun work on a new Street Design Guide. It also confirmed that it has recently published revised guidance on walking and cycling which should be referenced in the Design Guide
- Oxfordshire County Council also made a number of technical clarifications with regard to street design to ensure that consistent standards are being applied
- Concern that the Design Guide contains a number of new policies which are not in the adopted Cherwell Local Plan
- Relationship with Local Plan – concern that design standards should be managed through the Local Plan Part II process
- Concern that the Design Guide is not consistent with the NPPF
- Views that there should be flexibility built in to the Design Guide to allow a more bespoke approach to design for development
- Clarification on the role of the Design Guide in relation to site specific guidance
- Clarification on the development process set out within the Design Guide
- Banbury Town Council would like a section specifically related to design in Banbury. They would also like a wider, more inspirational remit for the Design Guide, including commercial and mixed use development
- The Canals and Rivers Trust regrets that there is no sub-section specifically on Canals
- Oxfordshire County Council – state that they regret that there has not been more detailed guidance on school design and the incorporation of school sites within the community.

3.8 Response to the Issues Raised

The Consultation Statement at Appendix 3 explains how the issues raised have been taken in to account. The key proposed changes to the Design Guide have been incorporated into the final document. This includes:

- Clarification on the role of the Design Guide within the planning process and in relation to site specific guidance.
- Clarification of street design standards, in line with OCC guidance
- Additional text to respond to the scope of the Cherwell Local Plan 2011 – 2031 (Part 1) Partial Review – Oxford's unmet Housing Need
- Minor amendments to text in other areas.

3.9 Changes have not been made:

- Where they respond to specific geographic issues
- Where they seek unnecessary flexibility in the Design Guide's requirements
- Where they relate to matters that may be more appropriately considered through any the future review of Development Management processes or by dealing with development proposals on a site-by-site basis.

4.0 Conclusion and Reasons for Recommendations

- 4.1 The Design Guide is now complete and presented for approval before seeking adoption by Council. Once adopted the Design Guide will be a material consideration in the determination of planning applications where there are related design issues. The Design Guide seeks to provide clear guidance on the design of the built environment to ensure that the detailed policies for high quality development set out in the Cherwell Local Plan are delivered. The document is a comprehensive guide covering an extensive list of design issues that should be considered in residential design / development.
- 4.2 The document has been prepared with regard to national policy guidance and through engagement with key stakeholders and through a period of formal consultation. It is considered by Officers that the document presents guidance that supports both high quality development and continued growth across the district, which maintains high levels of housing delivery.
- 4.3 Upon approval by the Executive it is intended that the document be presented to Council for adoption as a Supplementary Planning Document (SPD). As an SPD the document will have statutory status as planning guidance. It does not establish Development Plan policy which is the role of the Council's Local Plans.

5.0 Consultation

- 5.1 Internal briefing: Councillor Colin Clarke, Lead Member for Planning.
- 5.2 Public consultation as set out in the Consultation Statement (Appendix 2)

6.0 Alternative Options and Reasons for Rejection

- 6.1 The following alternative options have been identified and rejected for the reasons as set out below.

Option 1: Not to approve the Cherwell Residential Design Guide SPD and seek changes.

Officers consider that the SPD has been prepared in accordance with the relevant legislation. The adopted Cherwell Local Plan 2011-2031 sets the planning framework up to 2031 with the SPD providing a further level of detail to guide development. Significant changes may require further consultation.

Option 2: Not to approve the Cherwell Residential Design Guide SPD and to rely on Policy ESD15 within the Cherwell Local Plan.

Note that the Council could rely on ESD15 but that the Design Guide would provide more detailed advice to aid decision making and provide further clarity on how to achieve high quality development.

7.0 Implications

Financial and Resource Implications

- 7.1 Adoption of the Cherwell Residential Design Guide Supplementary Planning Document is being met within existing budgets.

Comments checked by:

Kelly Watson, Assistant Director – Finance and Procurement, 0300 003 0206
kelly.watson@cherwellandsouthnorthants.gov.uk

Legal Implications

- 7.2 The Cherwell Residential Design Guide SPD is being prepared as statutory planning guidance in accordance with the relevant legislation. Once adopted, the design Guide will be a material consideration in the determination of planning applications and provide clear guidance on design issues for residential development.

Comments checked by:

Nigel Bell, Team Leader - Planning & Litigation, 01295 221690
nigel.bell@Cherwellandsouthnorthants.gov.uk

8.0 Decision Information

Key Decision

Financial Threshold Met: No

Community Impact Threshold Met: Yes

Wards Affected:

All

Links to Joint Corporate Strategy and Policy Framework

This report directly links to all three themes from the Joint Corporate Strategy 2018-19:

- District of Opportunity & Growth
- Protected, Green & Clean
- Thriving Communities & Wellbeing

Lead Councillor

Councillor Colin Clarke - Lead Member for Planning

Document Information

| Appendix No | Title |
|----------------------------|---|
| One | Cherwell Residential Design Guide SPD Final Draft - Main Document and Appendices Consultation Statement SEA / SA Screening Statement Cherwell Residential Design Guide SPD – Consultation Draft November 2017 (superseded) |
| Two | |
| Three | |
| Four | |
| Background Papers | |
| None | |
| Report Author | Clare Mitchell, Design and Conservation Team Leader Linda Griffiths, Principal Planning Officer |
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Cherwell District Council

Executive

2 July 2018

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| <p>Chesterton Community Woodland at South West Bicester</p> |
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Report of Executive Director: Place and Growth

This report is public

Purpose of report

To obtain approval to establish a formal joint committee to develop and manage a community woodland park on land South of Vendee Drive, Bicester.

1.0 Recommendations

The meeting is recommended:

- 1.1 To agree to establish a joint committee with Bicester Town Council, Chesterton Parish Council, Oxfordshire County Council and local representation to develop and manage a community woodland park on land South of Vendee Drive, Bicester.
- 1.2 Delegate to the Executive Director, Place and Growth, in consultation with the Assistant Director: Law and Governance and the Lead Member for Clean and Green to establish the constitution and terms of reference for the committee.

2.0 Background

- 2.1 The land South of Vendee Drive Bicester has been secured through the S106 agreement with the developer for Phase 2 Kingsmere. The developer is required to transfer of the land to Cherwell District Council and this could take place later this year.
- 2.2 An informal meeting group was set up in July 2015 to work with representatives from Cherwell District Council (CDC), Bicester Town Council, Chesterton Parish Council and local representation to move forward proposals for the site. An Oxfordshire County Council officer joined in January 2016 and Councillor Debbie Pickford (CDC) and Councillor Ian Corkin (OCC) joined the group October 2017.
- 2.3 A significant amount of research work and evidence collecting has already taken place and a summary of progress to date is attached as Appendix A. Members of

Chesterton Parish Council and local representation have invested a considerable amount of time on this project.

- 2.4 This Council has also commissioned consultants to develop a masterplan for the site and two stakeholder workshops were held. The masterplan shows a potential approach to developing the site but would require significant funding to both layout and maintain. A minimal scheme has also been discussed which could enable some public access to the site and the development of it as funds allow.
- 2.5 The Chesterton Community Woodland Group has discussed options to manage the community woodland. To date, there is no single organisation willing to take responsibility for the community woodland, however, there is an appetite by all members of the group for a formal joint working approach to be established.
- 2.6 Following discussion with the Assistant Director, Law & Governance, a joint committee could be formed with the constitution and terms of reference to be worked up. Initially it is considered membership on the group could comprise representatives from Cherwell District Council, Bicester Town Council, Oxfordshire County Council, Chesterton Parish Council and local representation. This committee could oversee the development and management of the land and commission works.

3.0 Funding

- 3.1 Discussions have taken place with the Woodland Group around the potential to joint fund the minimal scheme for the site. There has been an initial indication that this approach could be acceptable to all parties. It is envisaged that the joint committee, if established, would agree the proposed works for the site and then seek appropriate funding from the constituent members. There is an example of this approach being used successfully for an open space in London.
- 3.2 A joint bid with other authorities in Northamptonshire and Bedfordshire has been submitted for PA6 European funding through SEMLEP for bio diversity enhancement focused on parks and open spaces in Bicester, including the woodland site. Initial feedback has been encouraging and further details are awaited. Funds such as these could help with some initial conversion of parts of the site from arable land to wildflower meadow, hedgerow and scrub.
- 3.3 Other funding options are considered in Appendix A at 'Long Term Funding options' and includes: National Lottery Fund, HS2 Woodland Funding, Plunkett Foundation, and SPARK Funding (CDC grant funding).
- 3.4 The working group members have also agreed, in principle, to funding the project, subject to agreement with their parent bodies.

4.0 Conclusion and Reasons for Recommendations

- 4.1 By establishing a formal joint working committee this will represent the interests of the various groups; enable decision making to progress the project, pool knowledge and experience and formalise the position around sharing the funding costs.

5.0 Alternative Options and Reasons for Rejection

5.1 The following alternative options have been identified and rejected for the reasons as set out below.

Option 1: Community woodland implemented by Cherwell District Council. By taking sole responsibility for the land, Cherwell District Council would be able to develop the site but the full cost of delivering and managing the land would fall on the Council. This option is not favoured as the project has already benefitted from partnership working and the approach has the potential of bringing resources from other partners to provide a more sustainable long term future.

Option 2: Creation of a community organisation to run the site. There is potential for a community organisation to be established to run the site in the future, however transfer of the land is imminent and no such organisation currently exists. It is also likely to take time for the organisation to gain strength to take on the project and this would delay any progress. A joint committee approach can include representatives from a local group who could be co-opted on the committee in the first instance.

Option 3: Create a joint committee with Bicester Town Council, Chesterton Parish Council, Oxfordshire County Council and local representation. This would enable a partnership approach to developing and managing the community woodland and a sharing of costs. This approach can also take the benefit of each organisations knowledge and skills.

Option 4: The developer retains ownership of the land. This would result in the loss of the potential to provide a significant new area of open space for the local residents. Whilst the land is currently farmed there would be the potential for further planning applications to be made in the future and development pressure. Open spaces are valuable for the health of residents, increase property values and increase the attractiveness of the town for investors.

6.0 Implications

Financial and Resource Implications

6.1 None directly from this report but the joint committee once established would seek a proportion of the budget to layout and maintain the community woodland. A minimal scheme could be funded from existing budgets as shown at Appendix A 'Minimal Scheme & Cost'.

There are existing budgets in Environmental Services from which initial costs can be met. However further development of the site in the future, resulting in additional costs, would need to be considered by Committee, with an analysis of all the expenditure to be occurred, before approval.

Comments checked by:

Linda Turland, Principal Accountant, 01327 322236,
linda.turland@cherwellandsouthnorthants.gov.uk

Legal Implications

- 6.2 From the perspective of Cherwell District Council the Joint Committee will be carrying out the function of woodland management which is an Executive function under the Local Government Act 2000 and the Local Authorities (Functions and Responsibilities) (England) Regulations 2000. As such Cherwell can only appoint Executive members to the Committee, local ward members who are not members of the Executive could be co-opted as non-voting members by the committee. Decisions of the Committee would be subject to call-in at Cherwell District Council and Oxfordshire County Council.

Comments checked by:

James Doble, Assistant Director Law and Governance, 01295 221587,
james.doble@cherwellandsouthnorthants.gov.uk

Risk

- 6.3 A joint committee could spread the financial risk, however it does leave the risk open if there is non-participation of group members. The joint working to date has however given confidence in the partners and their commitment to the community woodland.

Comments checked by:

James Doble, Assistant Director Law and Governance, 01295 221587,
james.doble@cherwellandsouthnorthants.gov.uk

7.0 Decision Information

Key Decision

Financial Threshold Met: No

Community Impact Threshold Met: No

Wards Affected

Bicester South and Ambrosden

Links to Corporate Plan and Policy Framework

Cherwell District Council Business Plan includes the following priorities;

- Reduce our carbon footprint and protect the natural environment.
- Provide and support health and wellbeing.
- Enhance leisure facilities.

The development of the community woodland could contribute to these priorities.

Cherwell Local Plan policy Bicester 7 states

'Seek to establish a community woodland between the South West

Bicester link road and Chesterton'

Lead Councillor

Councillor Debbie Pickford, Lead Member for Clean and Green.

Document Information

| Appendix No | Title |
|----------------------------|--|
| Appendix A | Land South of Vendee Drive and North of Chesterton - Summary of Progress |
| Background Papers | |
| None | |
| Report Author | Jenny Barker, Bicester Delivery Manager |
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Land South of Vendee Drive and North of Chesterton

Note December 17

Purpose of Paper

This paper provides a summary of the progress to date in developing an approach to ownership and management of land South of Vendee Drive Bicester for the benefit of the local population. The paper is designed to assist in decision making by the interested parties on their future role with regard to the land.

Background

Following the permission for the development of the first phase of the Kingsmere Development, Chesterton Parish Council proposed the creation of a community woodland between the new development and the village on land in the ownership of Countryside Properties (the lead developer).

The aspiration for a community woodland has been progressed through the planning permission for Kingsmere Phase 2 with the negotiation for the provision of the land by the Developer through the S106 agreement. Following some delay the S106 agreement has been signed and planning permission issued that include the transfer of the land. No commuted sum has been secured with the land as it is beyond that which is required to meet the policy in the Cherwell Local Plan.

As there has been some time before the land is available a number of meetings have been held involving representatives of Chesterton Parish Council, Bicester Town Council, Cherwell District Council and Oxfordshire County Council and the original proposer of the scheme (referred to in this report as the Woodland Working Group), to explore the opportunity and the appetite to be involved in the long term future of the site. It is now anticipated that work on the development of Phase 2 will commence in 2018 and the land could become available.

To enable a better understanding of costs that could be involved in developing the area, Ryder Landscapes were appointed to carry out stakeholder engagement. Two workshop sessions were held to explore the aspirations for the site and these are being captured in a plan for the area. The Cherwell Landscape team have also looked at what a minimum cost scheme might require and produced some indicative costings.

As the timescale for the availability of the land becomes clear there is now a need to develop a firm plan to enable the project to move forward. The land is due to transfer prior to first occupation which is anticipated in 2018.

Case for additional green space

It is often said that parks and green spaces define our communities. They enhance quality of life and give local neighbourhoods the identity that helps engender a sense of belonging. In addition, high quality parks and green spaces can create socio-economic benefits for local residents and businesses. Bicester as a town that is subject to considerable growth, means many residents feel

that green spaces within and around the town are under pressure and are also highly valued. The designation as a Garden Town also increases the expectation around good quality green spaces to serve the town.

Research has shown that a 1% increase in green space in a typical ward can be associated with a 0.3 to 0.5% increase in average house price. Meanwhile another study from the University of East Anglia, indicates that being close to green space increased house prices from 1 to 30% depending on proximity, type of park and visibility, with the impact of a green space on property prices extended to properties located from 100 to 1000 metres distance.

In addition to this evidence, research demonstrated that in three Midland towns:

- Views on to green areas led to a cost uplift of 13% - 21% in residential buildings;
- Tree lined streets led to 18% - 41% cost uplifts in residential buildings.

Beyond the purely economic there are a range of other recognised benefits to quality green space. These include, but are not limited to:

Benefit Good quality green spaces can;

- Add value to the surrounding property, both commercial and residential, consequently increasing tax yield to maintain public services
- Contribute to attracting tourists
- Encourage employment and inward investment to an area
- Help to create a favourable image of a place
- Provide places for quiet contemplation and reflection, for relaxation, informal recreation, peace, space and beauty which are important for well being
- Provide opportunities to improve health and personal fitness and take part in a wide range of outdoor sport and activity
- Provide safe areas to meet, talk and play, for free association of friends and strangers, for families and between the generations
- Provide cultural links with an area's past, giving a sense of place and identity
- Provide opportunities for community events, voluntary activity and charitable fund raising
- Provide an educational resource – an outdoor classroom stimulating ideas on art, design, the environment and natural sciences
- Provide habitats for wildlife, aiding bio-diversity
- Help to stabilise urban temperatures and humidity
- Absorb pollutants in air and ground water

- Provide opportunities for the recycling of organic materials
- Slow storm water run off and reduce drainage infrastructure
- Provide a sense of the seasons and the links between the natural world and the urban environment

The nearest accessible woodland site to Bicester is Stoke Wood to the north of the town. This wood is only accessible by car and has a small car park to facilitate access. The wood comprises ancient woodland and there is anecdotal evidence that the level of use it receives causes some damage to the area. An area closer to Bicester and to the south of the town is likely to divert some trips and also would be accessible without a car from the local area. The land south of Vendee Drive could therefore become a well-used recreation area for the local population.

As the town grows there is also a loss of countryside and a risk of biodiversity losses. The land south of Vendee Drive, which has largely been in arable use, could provide an opportunity to increase habitat and link to ecologically sensitive landscapes to the south of the town. The site has a high potential for bio diversity gains and some funding is being sought through SEMLEP to support bio diversity enhancement for meadows, hedges and scrub.

Policy

The Cherwell Local Plan sets the policy for the area and it's open space policies are based on studies of the existing provision in the area that are currently being updated. The published position is that a 11.69 ha deficiency in parks and gardens, 2.87ha of natural/semi natural greenspace and 8.18 ha in allotment provision.

The Cherwell Local Plan policies seek to protect existing green space from development and also require new greenspace to serve new development. The Cherwell Local Plan 2011-31 vision for Bicester includes the aim of 'Deliver strategic open space and recreation opportunities to address existing deficiencies and meet the future needs of development'. Policy Bicester 7 further elaborates, recognising the need to meet 'current and future' deficiencies in open space. The policy seeks to establish an urban edge park around the outskirts of the town to create a circular route, establish the community land South of Vendee Drive would assist with meeting the first two objectives.

The land to the south of Vendee Drive was not required to meet the needs of new development (policy compliant provision is provided on site at Kingsmere, with the exception of allotments) but it would help to address the provisions of policy Bicester 7 and gaps in current provision. The land is of sufficient size that allotments could be accommodated as part of any proposal.

There is therefore strong policy support for the use of the land for a community woodland.

Challenge

The land at Vendee Drive is due to be transferred by the Developer to Cherwell DC but will not be laid out by them or come with a commuted sum for maintenance.

Appendix 1

There is a recognised challenge surrounding funding of public parks, both nationally and locally within Bicester. Nationally public sector funding for discretionary and non-statutory services like parks is projected to fall by 60% or more over the next decade, placing strain on maintaining existing parks and developing new parks for use.

To date Cherwell has made a formal decision (Executive 7/7/14) to accept the transfer of the land, but decisions now need to be made about the use and management of the land as well as long term ownership.

Use of the Land

The Woodland Working Group supported CDC in the appointment of Ryder Landscapes to undertake a design consultation with stakeholders to establish how the land might be laid out and enable costing work to be undertaken. The stakeholder workshops demonstrated a high degree of aspiration for the land and highlighted the potential for woodland, recreation and bio diversity enhancements. Each of the uses has different maintenance and management requirements and it is clear that the emerging proposals would require funding to be available which is not currently the case. They therefore provide a useful indication of the potential of the area, all be it that the land could be used as an area of informal access to the countryside with a more minimal approach to the laying out and management. This would significantly reduce costs.

The last discussion of the Woodland Working Group therefore agreed to look at informal use of the land for recreation with a minimal alteration initially and therefore more limited management liability. This approach would enable a phased development of the land as resources allow.

Minimal Scheme & Cost

Paul Almond, CDC Landscape and Street Scene Manager, has identified a minimal scheme to enable the land to be used for informal recreation. The land could be managed by mowing or could be grazed to maintain the land. The approach has been designed to reduce the need for capital investment and have minimal revenue costs. The costs are identified below.

| Item | Option 1 - Capital | Quantity | Unit | Rate | Frequency | Total |
|---------------------------|---------------------------|----------|------|------|-----------|-----------------|
| 1 | Entrance Signage | 4 | No. | 650 | 1 | 2600.00 |
| 2 | Litter bins | 6 | No. | 500 | 1 | 3000.00 |
| 3 | Dog bins | 6 | No. | 500 | 1 | 3000.00 |
| 4 | Pedestrian Entrance Gates | 3 | No. | 1000 | 1 | 3000.00 |
| Capital Cost Total | | | | | | 11600.00 |
| | | | | | | 0 |

| Item | Option 1 - Revenue | Quantity | Unit | Rate | Frequency | Total |
|------|---------------------------------------|----------|------|---------|-----------|---------|
| 5 | Mown path (B cut) 2550 Lm by 3 m wide | 7650 | m2 | 0.02215 | 12 | 2033.37 |
| 6 | Meadow Cut | 128400 | m2 | 0.06 | 1 | 7704.00 |
| 7 | Litter Picking | 7650 | m2 | 0.0008 | 52 | 318.24 |

Appendix 1

| | | | | | | |
|----------------------------------|---------------------|---|-----|------|----|----------------|
| 8 | Litter Bin Emptying | 6 | No. | 1.35 | 76 | 615.60 |
| 9 | Dog Bin Emptying | 6 | No. | 1.35 | 76 | 615.60 |
| | | | | | | 11286.8 |
| Annual Revenue Cost Total | | | | | | 1 |

This approach would enable the early use of the land for informal recreation and would not preclude further development of the space as and when funds became available.

A further option has also been explored that would look to graze the land and therefore requires stock proof fencing and water to be provided. It has a higher initial cost but reduced revenue costs.

Example costs are set out below;

| Item | Option 2 - Capital | Quantity | Unit | Rate | Frequency | Total |
|---------------------------|---------------------------|----------|---------|------|-----------|-----------------|
| 1 | Entrance Signage | 4 | No. | 650 | 1 | 2600.00 |
| 2 | Litter bins | 6 | No. | 500 | 1 | 3000.00 |
| 3 | Dog bins | 6 | No. | 500 | 1 | 3000.00 |
| 4 | Pedestrian Entrance Gates | 3 | No. | 1000 | 1 | 3000.00 |
| 5 | Stock-proof fencing | 1345 | Ln m | 8 | 1 | 10760.00 |
| 6 | 5 Bar gate | 1 | No. | 400 | 1 | 400.00 |
| | | | | | | 22760.00 |
| Capital Cost Total | | | | | | 0 |

| Item | Option 2 - Revenue | Quantity | Unit | Rate | Frequency | Total |
|----------------------------------|---------------------------------------|----------|----------|---------|-----------|----------------|
| 6 | Mown path (B cut) 2550 Lm by 3 m wide | 7650 | m2 | 0.02215 | 12 | 2033.37 |
| 7 | Litter Picking | 7650 | m2 | 0.0008 | 52 | 318.24 |
| 8 | Litter Bin Emptying | 6 | No. | 1.35 | 76 | 615.60 |
| 9 | Dog Bin Emptying | 6 | No. | 1.35 | 76 | 615.60 |
| 10 | Stock-proof fencing Repairs | 4 | Hou r | 65 | 3 | 780.00 |
| 11 | Grazing Licence Income | 1 | No. | -750 | 1 | -750.00 |
| | | | | | | 3612.81 |
| Annual Revenue Cost Total | | | | | | 3612.81 |

There is potential to look for grant funding to support the delivery of the space. This could be used to deliver additional features and planting over time but is unlikely to meet revenue costs.

Approach to Management and Ownership of the area

The Woodland Working Group has considered a variety of possible approaches to management of the area to enable its use for informal recreation. Options have included management by one of the Councils, community management and management by other bodies such as the Woodland Trust. Whilst the representatives of the Councils have informally all felt their organisations individually were not best placed to take on the land on their own, a proposal has emerged that a shared approach could be a viable solution. This would not preclude active community involvement, which

is likely to be a valuable resource, but could provide a secure parent body for the management of land.

A Shared Management Responsibility

The Woodland Working Group gave some consideration to a shared cost approach to establishing and managing the land. One option the Group wished to explore was a shared committee. Local Government Act 1972 (as amended) through Section 101 allows for the establishment of joint committees, and this could therefore be a route to enable joint responsibility for the area.

In pursuing a joint committee approach there would need to be clarity of the role and function delegated to the committee and the responsibility that it is to take. There would also need to be agreement of who sat on the committee. This could be established through terms of reference agreed by all the organisations.

Key questions to consider would be how such a committee would deal with issues of;

- raising funding for management and maintenance,
- responsibility for liabilities
- commissioning of works of management and maintenance and
- how day to day management issues would be dealt with.
- How the committee would be resourced and the level of advice and expertise it would require

A joint committee could be serviced by one of the partner organisations or could be serviced on a revolving basis and this would need to be established. The Committee could set a budget but would have to negotiate this with the funding organisations which would provide the money. In establishing a joint committee each organisation would need to consider the implications for them but there are examples where this approach works elsewhere.

Alternative approaches that still resulted in a shared commitment could be to have a lead organisation to which others contribute in terms of funding and input into the management and development plans, possibly through a management board or similar arrangement. This would benefit from use of existing organisational structures but would require one organisation to take the lead role.

If the minimal public access scheme were to be implemented as set out at option 1 and the costs for initial establishment and first years maintenance, shared between 4 organisations equally, the costs would be as follows;

| | |
|--------------|--------------------------------------|
| Capital | $£11600/4 = £2900$ |
| Revenue | $£11287/4 = £2822$ |
| Total | $£22887/4 = £5722$ |

The revenue cost would be required on an annual basis.

Long Term Funding Options

One of the key concerns of the Woodland Working Group is the potential cost of long term management and maintenance of the area and how this is funded. For Bicester Town Council this issue is compounded by the location of the area which is currently outside of their boundary and the recent acceptance of the management liability of the Whitelands Farm Sports Ground which will serve both the town and wider area. For Chesterton Parish Council, as a relatively small parish, potential costs in relation to their overall spend are significant and there remains difficulty in securing convenient access to the land from the village. For the District and County funding challenges remain with capping of council tax increases and changes in government financing. This issue is influencing consideration of the management and ownership of the area.

There are opportunities to bring in funding from external sources. Most grant funding is focused on securing identified objectives over a limited period of time. This could well support the development of the area but is unlikely to provide long term revenue funding.

There may be opportunities to look for income raising activities to support the maintenance of the wider area. In some locations charging for parking, food outlets and activities provide income streams.

A further route to reduce costs would be to work with volunteers to carry out some of the maintenance and management tasks. There is interest locally but to date the extent of this has not been explored in detail or costed.

Further consideration on long term funding is set out in Annex B.

Next Steps

This note has been prepared to assist each organisation to consider what role it could have in the future ownership and management of the land and in particular whether there is support for a joint committee or alternative arrangement that can be identified in this financial year to enable plans to be developed so the land transfer can take place in 2018. It is suggested that each organisation provides an update on this at the Woodland Working Group meeting on the 15th February 2018 to take forward an agreed route for formal decision thereafter.

Once this is resolved it would be possible to move on with refining the 'minimal' design, seeking funding and submission of a planning application. It will also be possible to develop a stakeholder engagement strategy to support the proposal.

Annex A Plan

Annex B Funding Options

Annex B

How best to overcome the funding shortfall for public green space is a challenge. The NESTA 'Rethinking Parks 2013' document identifies four key income generating models for Parks:

- Generating income through concessions and events;
- Generating income through taxation;
- Generating income through ecosystem development; and
- Generating income through commercial developments.

This reports also highlights 4 key areas for park innovation:

- Support changes in park management and maintenance systems including potential changes to maintenance regimes, restructuring contracts and maximising the productivity of particular landscapes.
- Encourage new organisational structures partnerships that can adopt more locally– focused and collaborative approaches to the long–term care of parks.
- Identify more diverse sources of funding and resources to supplement those from local councils and to increase the variety of uses and activities that parks may be used for.
- Explore new uses and activities within parks from carbon capture to concerts and more.

To support open access and to support future funding CABI have identified 8 income streams for parks, including:

- Traditional local authority funding.
- Multi–agency public sector funding.
- Taxation initiatives.
- Planning and development opportunities.
- Bonds and commercial finance.
- Income–generating opportunities.
- Endowments.
- Voluntary sector involvement.

The following is a high–level review of the potential routes Cherwell could pursue to obtain funding for the site and to deliver a long term management plan / strategy.

| Option for Ownership | SWOT | |
|---|--|--|
| <ul style="list-style-type: none"> • Generating income through concessions and events; | Strength <ul style="list-style-type: none"> – Community will and engagement in delivering new green space | Weakness <ul style="list-style-type: none"> – Would need a Trust or CDC to run events – Need to employ or appoint key people to maintain / manage the area |
| | Opportunity | Threat |

Appendix 1

| | | |
|-----------------|---|---|
| | <ul style="list-style-type: none"> - Employment/Tourism - Environment/Health/Education - Community/Development - Increase local knowledge of the site as a community asset. | <ul style="list-style-type: none"> - Lack of understanding of what is required - Need for capacity building (in terms of knowledge and skills) to address the above |
| Funding Option? | <ul style="list-style-type: none"> - Nesta: http://www.nesta.org.uk/get-funding - Crowd Funding - Local / National business volunteering | |

| Option for Ownership | SWOT | |
|---|--|--|
| <ul style="list-style-type: none"> • Generating income through taxation; | Strength | Weakness |
| | <ul style="list-style-type: none"> - Steady income stream - Can utilise local funding for local resource | <ul style="list-style-type: none"> - Challenge on resources - Negative public perception - Defining source of tax |
| | Opportunity | Threat |
| | <ul style="list-style-type: none"> - Can establish clear business plan with defined contribution / funding requirement | <ul style="list-style-type: none"> - Unacceptable approach within local community - Funding used on other issues rather than for public park |
| Funding Option? | <ul style="list-style-type: none"> - Offset levy? - Allotment space... - CIL? - Heritage Lottery Fund and the Big Lottery Fund - BID, or Park Improvement District? | |

| Option for Ownership | SWOT | |
|--|---|---|
| <ul style="list-style-type: none"> • Generating income through ecosystem development; | Strength | Weakness |
| | <ul style="list-style-type: none"> - Responds directly to remit / wishes of community woodland | <ul style="list-style-type: none"> - Potentially limited budgets available - Any funding needs to be spent on generating benefits, that the site of current low ecological value may be a challenge |

| | | |
|-----------------|--|---|
| | Opportunity | Threat |
| | <ul style="list-style-type: none"> - Receiving funding, and recognition, for generating new woodland | <ul style="list-style-type: none"> - Competition from other areas looking to receive funding |
| Funding Option? | <ul style="list-style-type: none"> - Climate KIC? - Heritage Lottery Fund and the Big Lottery Fund - BID, or Park Improvement District? - Funded via ecosystem services: https://www.gov.uk/government/publications/payments-for-ecosystem-services-pes-best-practice-guide | |

| | | |
|---|---|--|
| Option for Ownership | SWOT | |
| <ul style="list-style-type: none"> • <i>Generating income through commercial developments.</i> | Strength | Weakness |
| | <ul style="list-style-type: none"> - <i>Potential to demonstrate value of area and generate long term income for longer term benefit of site / local community</i> | <ul style="list-style-type: none"> - <i>Negative links with service providers</i> |
| | Opportunity | Threat |
| | <ul style="list-style-type: none"> - <i>Create a point of interest for people to use the park</i> | <ul style="list-style-type: none"> - <i>Negative public perception</i> |
| Funding Option? | <ul style="list-style-type: none"> - <i>Climate KIC?</i> - <i>BID, or Park Improvement District?</i> | |

Further Reading:

http://www.nesta.org.uk/sites/default/files/learning_to_rethinking_parks_report.pdf

Cherwell District Council

Executive

2 July 2018

Homelessness Strategy 2018 -2020

Report of Director: Wellbeing

This report is public

Purpose of report

To consider the priorities and actions set out in the new Homelessness Strategy 2018-20 and Action Plan and approve these documents for implementation.

It is a statutory requirement to have a Homelessness Strategy and to have carried out a review of homelessness in the council area.

The strategic priorities identified for Cherwell are:

- Prevent and relieve homelessness in the district
- Prevent single homelessness
- Ensure vulnerable people can access appropriate help and support
- Ensure homeless households can access suitable temporary and permanent accommodation

1.0 Recommendations

The meeting is recommended:

- 1.1 To approve the Homelessness Strategy 2018-2020 and Action Plan which are based on a review of homelessness in the district in order to ensure that the Council meets statutory requirements and is able to respond effectively to the needs of homeless households.

2.0 Introduction

- 2.1 The previous Homelessness Strategy for Cherwell District Council was published in 2012 as part of its Housing and Homelessness Strategy, covering the period 2012-2017. This Homelessness Strategy is a stand-alone document and will help to underpin the strategic framework within which housing services and other related services operate.
- 2.2 The Homelessness Act 2002 introduced the requirement on all local housing authorities to carry out a homelessness review for their district and to formulate and publish a homelessness strategy based on the results at least every five years.

2.3 Homelessness strategies must deal with all homelessness, not just where there is a statutory duty.

3.0 Report Details

3.1 Since our previous strategy was produced in 2015 there have been some major changes in legislation. The Homelessness Reduction Act 2017 was implemented in April 2018 and introduces new duties for local housing authorities relating to homelessness. Councils are now required to help all eligible households at risk of losing accommodation where they are threatened within homelessness within 56 days and have a duty to help those who are homeless to secure suitable accommodation regardless of whether they are intentionally homeless or in priority need.

3.2 Alongside the changes in homelessness legislation further welfare reform measures have been introduced including:

- Reduction in the benefit cap cutting the total amount of benefits available for those living outside of London to £20,000 (£384.62 per week) for couples and families and £13,400 (£257.69 per week) for single adults.
- Working age benefits frozen from April 2016 until 5 April 2020.
- Eligibility for Child Tax Credits limited to 2 children from April 2017
- Changes to the way the management of temporary accommodation is funded. The management fee that was paid by the Department for Work and Pensions to local authorities on a per household basis ended in March 2017 and has been replaced by an annual allocation of funding (Flexible Homeless Support Grant).
- Universal Credit (UC), the benefit that is gradually replacing the 6 main working age benefits/tax credits, will be fully implemented throughout the district by November 2018. Also similar to Child Tax Credit the child element of UC is limited to 2 children.

3.3 The changing policy landscape presents a number of threats and opportunities to our Homelessness Strategy. The introduction of the Homelessness Reduction Act means we need to think differently about how we tackle homelessness and to continue strengthening our focus on preventing homelessness wherever possible.

3.4 The Homelessness Strategy 2018–2020 is underpinned by a Homelessness Review which sets out the evidence base, current trends and the context of homelessness in the district. It includes information about interventions and services that we are using to respond effectively to homeless households.

Key Facts – Homelessness Review

3.5 Homelessness Levels – The number of homeless applications has fluctuated throughout the period. They increased in early 2016, with a correlating increase throughout the year in the duty to provide temporary accommodation, but fell in 2017. However, the number of accepted duties as a percentage of applications was higher in 2017 than in the two previous years.

3.6 Causes of homelessness locally - The main reasons for homelessness are:

- Ending of assured shorthold tenancy

- Family/friends no longer willing or able to accommodate and
- Relationship breakdown, including 'violent relationship breakdown'

3.7 Priority need of accepted households - The overwhelming reason that we accept a duty to accommodate homeless households is because they have dependent children or are pregnant. Other priority need reasons vary e.g. single adults with complex needs or significant health issues.

3.8 Homelessness preventions - The key prevention tools that we use to assist a household to remain in their existing home are debt advice and resolving rent arrears, provided by the in-house Money Advice Service, and Discretionary Housing Payments (DHP) administered by the Revenues and Benefits Team. By far our most effective tool in assisting households to move to alternative accommodation is the Housing Register, via an offer of accommodation.

Homelessness Strategy 2018 – 2020 – The Priorities

3.9 The Homelessness Strategy 2018 – 2020 identifies 4 main priorities and proposed actions to address them. A copy of the full Strategy and Action Plan can be found at Appendix A.

PRIORITY 1: Prevent and relieve homelessness in the district

We aim to:

- Demonstrate a corporate commitment to homelessness prevention
- Prevent homelessness, whenever possible, through timely advice and information
- Focus homelessness prevention activity on anticipating and tackling the common causes of homelessness locally
- Continue the development of effective partnerships with other departments within the council and statutory, voluntary and other agencies to prevent and relieve homelessness
- Focus on early identification of households at risk of homelessness
- Continue to improve collection and analysis of information about local trends in homelessness to enable intelligence led service delivery

PRIORITY 2: Prevent Single Homelessness

We aim to:

- Ensure services are available to meet the needs of local single homeless people and those who sleep rough in Cherwell
- Better understand the needs of people who sleep rough in Cherwell

PRIORITY 3: Ensure vulnerable people can access appropriate help and support

We aim to:

- Ensure households who are homeless or at risk of homelessness can access appropriate help and support through partnership working
- Ensure future commissioning of support and help services is evidenced by robust data collection
- Provide help and support services for households who are homeless or at risk of homelessness

PRIORITY 4: Ensure homeless households can access suitable temporary and permanent accommodation

We aim to:

- Ensure homeless households can access suitable temporary and permanent accommodation in the social housing sector
- Enable homeless households to access permanent accommodation in the social housing sector
- Enable homeless households to access permanent accommodation in the private rented sector
- Ensure homeless households can access suitable temporary accommodation, minimising the use of bed and breakfast accommodation
- Ensure people experiencing domestic abuse can access suitable accommodation

4.0 Conclusion and Reasons for Recommendations

4.1 Under homelessness legislation local housing authorities are required to carry out a review of homelessness in their district and to then formulate and publish a homelessness strategy based on its results. Therefore Members are recommended to approve the Homelessness Strategy to ensure the Council meets its statutory requirements and is able to respond effectively to the needs of homeless households.

5.0 Consultation

February 2018

Homelessness Review Stakeholder Event. Consultation event with partners discussing the findings of the review and agreeing initial priorities for the strategy.

Feb – June 2018

Ongoing consultation with partners as the strategy was being developed. Specific partners have also been consulted, contributed data and verified findings as relevant.

6.0 Alternative Options and Reasons for Rejection

6.1 The following alternative options have been identified and rejected for the reasons as set out below.

Option 1: To not approve the Homelessness Strategy 2018-2020 and Action Plan but this would mean the Council would not be meeting its statutory requirements. Also the Council would not have a strategic approach for responding effectively to the needs of homeless households in the district.

7.0 Implications

Financial and Resource Implications

- 7.1 The Council has made preparation for the introduction of the new Homelessness Reduction Act legislation and anticipated expenditure is contained within existing budgets.

Comments checked by:

Kelly Wheeler Principal Accountant, 01327 32230,
kelly.wheeler@cherwellandsouthnorthants.gov.uk

Legal Implications

- 7.2 Under the Homelessness Act 2002, the Council, as the local housing authority, must have in place a homelessness strategy based on a review of all forms of homelessness in its district. The strategy must be renewed at least every 5 years. The strategy must set out the Council's plans for the prevention of homelessness and for securing that sufficient accommodation and support are or will be available for people who become homeless or who are at risk of becoming so. The County Council, as the local social services authority, must provide reasonable assistance.

Comments checked by:

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8.0 Decision Information

Key Decision

Financial Threshold Met: No

Community Impact Threshold Met: Yes

Wards Affected

All

Links to Corporate Plan and Policy Framework

Protected, Clean & Green: Maintain the District as a low crime area (including incidents of rough sleeping)

Thriving Communities & Wellbeing: Prevent homelessness; Safeguard the vulnerable; Deliver affordable housing & work with private sector landlords; Deliver the welfare reform agenda.

District of Opportunity & Growth: Deliver innovative and effective housing schemes

Lead Councillor

Councillor John Donaldson, Lead Member for Housing

Document Information

| Appendix No | Title |
|---|---|
| A | Homelessness Strategy 2018-20 |
| B | Homelessness Strategy Action Plan 2018-20 |
| Background Papers | |
| CDC Review of Homelessness Executive Summary – CDC Homelessness Review | |
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Cherwell District Council
Homelessness Strategy 2018-2020

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Foreword

Executive Summary

Our strategy sets out our vision for homelessness services in Cherwell over the next two years. A holistic approach towards homelessness is vital since the causes and effects are complex and intertwined. Solutions need to be more than the simple provision of accommodation. They need to address the things that go wrong in people's lives - such as poor health, loss of income and relationship breakdown. Our strategy recognises the important role that relevant partners and stakeholders have to play in harnessing skills and delivering sensitive and tailored solutions to some of these issues within our communities.

The four strategic priorities for our Homelessness Strategy 2018-20 are:

| |
|--|
| Priority 1 |
| Prevent and relieve homelessness in the district |
| Priority 2 |
| Prevent single homelessness |
| Priority 3 |
| Ensure vulnerable people can access appropriate help and support |
| Priority 4 |
| Ensure homeless households can access suitable temporary and permanent accommodation |

1. Introduction

Cherwell District Council's two year strategy sets out our aims to tackle homelessness across the district. It details how we will provide open and effective access to a range of housing services, support and other opportunities for any resident affected by homelessness to help them rebuild their lives.

Our 2018-20 strategy has been shaped by national policy, local context and informed by a comprehensive review, undertaken between December 2017 and April 2018, of homelessness and homelessness services in Cherwell district. As well as reflecting on our successes over the last four years, the review also identifies the challenges ahead and the ongoing needs to be addressed. This strategy should be read in conjunction with our Homelessness Review, which can be accessed here: [\(insert link to review when published\)](#).

We are producing this standalone homelessness strategy through to April 2020, to allow full implementation and monitoring of the impact of the Homelessness Reduction Act (HRA) 2017, which imposes significant new duties on the authority and partners. In July 2017 we became a shared housing service with South Northamptonshire Council (SNC), but our operational services remain distinct and will be subject to separate strategies. This is relevant as it has recently been announced that local government reorganisation in Northamptonshire will prompt a termination in the partnership between Cherwell District Council (CDC) and SNC. This strategy identifies a number of areas for joint projects and review which will allow our teams to focus effort on improving working practices, embedding good practice and ensuring excellent data collection to evidence need in both districts, to place us in a strong position in any new working arrangements. New Housing Strategies for CDC and SNC will also be produced before the end of 2018.

Defining homelessness

Homelessness does not just affect people visibly sleeping rough, but includes those living in a range of temporary accommodation, including bed and breakfast, hostels and refuges as well as people staying temporarily with family or friends when they have no accommodation of their own. It includes those living in accommodation they have no legal right to occupy and those living in accommodation which it is not reasonable to continue to occupy, for example, because the property is in poor condition, or because of threats of violence. The new HRA 2017, places duties on local authorities to intervene at an earlier stage, to prevent homelessness in their area and to ensure that everyone who is homeless or at risk of homelessness has access to meaningful help, irrespective of their priority need status, as long as they are eligible for assistance.

2. Achievements since our last strategy

The previous Homelessness Strategy for CDC was published as part of our Housing and Homelessness Strategy, to cover the period 2012-17. The main achievements of the last Homelessness Strategy, that demonstrate the work which has been undertaken locally to assist households who are threatened with homelessness is summarised below:

Helping Households to Remain

- We created a new role of Tenancy Relations Officer to support landlords and tenants to resolve tenancy disputes.
- We worked closely with our Revenues and Benefits Team to administer Discretionary Housing Payments (DHPs), helping us to prevent homelessness. Between April 2014 – March 2018 £927,005 was committed to prevent homelessness within the district.

Helping Households to Move

- We provided five units of shared accommodation for homeless people which were part funded by the Homes and Communities Agency (now Homes England) 'Places of Change' programme.
- We revised our Allocations Scheme in 2018 to ensure it meets the housing needs within the district and complies with the requirements of the HRA.
- Since April 2014, we have delivered 1,201 affordable housing units in partnership with Registered Providers.
- We rebranded and improved our Cherwell Bond Scheme, which currently accommodates 190 households.

Targeted Help

- We published a Homeless Pocket Guide which identifies help and assistance available within the district for people who are homeless/rough sleeping or at risk of becoming homeless: <https://www.cherwell.gov.uk/downloads/80/homelessness-and-rough-sleeping>.

Working in Partnership

- We re-tendered and awarded a new contract to Citizens Advice North Oxfordshire and South Northants to provide debt and money advice for all residents living in Cherwell District experiencing financial difficulties.
- We established a Financial Inclusion Group to share information with partners and community groups about changes that have taken place around welfare reform including Universal Credit and to identify help support available to support residents in financial difficulty.
- We continued to support voluntary sector agencies working within the District to access funding to provide services for people who are either homeless or to help prevent homelessness.
- We embedded specialisms within the Housing Options Team to improve links with partners and ensure that key strategic areas in our previous action plan were developed.

Addressing the needs of rough sleepers and clients experiencing domestic abuse

- We have committed £75,000 (£25,000 per annum for 3 years) to help jointly commission Domestic Abuse services, in the county, for the period 2018-21.
- We have committed £188,100 (£62,700 per year for three years) securing access to 24 bed places to support rough sleepers with connection to Cherwell.

- We have also secured an additional 10 bed spaces at Simon House, Oxford to provide 24/7 support for people found rough sleeping with a connection to Cherwell and presenting with complex support needs.

Temporary Accommodation

- We employed a Tenancy Support Officer (TSO) until March 2019 to provide additional support to households placed in temporary accommodation.
- We contracted a local Motel to provide up to 10 self-contained rooms which can be used as emergency accommodation for homeless households.

County-wide Initiatives

- We completed a joint review of the Young Persons Accommodation Pathway with the other Oxfordshire District/City Councils and County Council.
- We were part of a successful bid, securing £790,000 from the MHCLG Trailblazer Funding, to support the prevention of homelessness in Oxfordshire.
- We successfully led on a bid to MHCLG Single Homeless Fund on behalf of Oxfordshire and were awarded £227,000 to support the prevention of homelessness and improve services to those with an offending history.

Internal Change

- We undertook a Service Review and became a Joint Housing Service with South Northamptonshire District Council (SNC), although the Housing Options Teams at both councils remain operationally distinct. The review added the role of a Senior Housing Options Officer to provide additional capacity to the team.
- We achieved the Bronze award as part of the National Practitioners Support Service Gold Standard in Homelessness.

The Homelessness strategy for 2018-20 will build on the successes of our previous strategy.

3. Strategic Context

This section sets out the recent legislative and policy changes at a national, sub-regional and local level, and shows the interdependence between our homelessness strategy and other local plans, policies and strategies.

National

Homelessness legislation and policy

The homelessness legislation is set out in Part 7 of the Housing Act 1996 and provides the statutory framework and duties for local housing authorities to provide assistance to people who are homeless or threatened with homelessness. The legislation was amended via the Homelessness Act 2002 and the Homelessness (Priority Need for Accommodation) (England) Order 2002. These amendments required housing authorities in England to formulate and publish a homelessness strategy based on the results of a review of homelessness in their district. They also extended the groups of people who housing authorities had a homeless duty towards, now including homeless 16 and 17 year olds, care leavers aged 18-20, people who were vulnerable as a result of being in care, the armed forces, prison or custody and people who were vulnerable because they had fled their home due to violence.

The Homelessness Reduction Act 2017 (HRA) came into effect on 3rd April 2018 and significantly reforms England's homelessness legislation by placing duties on local authorities to intervene at earlier stages to prevent homelessness in their areas. It also requires housing authorities to provide homelessness services to every household who is homeless or threatened with homelessness, and not just those who are considered to be in 'priority need'. These duties include:

- An extension to the period that a household is considered to be threatened with homelessness in, from 28 days to 56 days, meaning that housing authorities are required to work with people to prevent homelessness at an earlier stage.
- A new duty to take reasonable steps to prevent homelessness for every household that is threatened with homelessness. This duty can generally take effect for a period of up to 56 days.
- A new duty for those who are already homeless so that housing authorities will take steps support households to relieve their homelessness by helping them to secure accommodation. This duty can generally take effect for a period of up to 56 days.
- A new duty to refer, where public bodies in England will have a duty to refer an individual's case (with consent) to an identified housing authority. This duty comes into effect from October 2018 and is intended to encourage public bodies to work together to prevent and relive homelessness.

The Homelessness Reduction Act is the key tool from Government to reform homelessness services. However, the Government has formed a Rough Sleeping Advisory Panel who will develop the national rough sleeping strategy.

Wider legislative and policy changes

Apart from the HRA, there have been significant, ongoing changes to the housing and welfare systems, which continue to impact on the affordability of accommodation and provision of services to people in housing need. The key changes are outlined in this section.

The Localism Act 2011 changed the powers and obligations of local authorities including:

- giving local authorities greater freedom to set their own policies about who should qualify to go on the waiting list for social housing in their area. This means that they are now able, if they wish, to prevent people who have no need of social housing from joining the waiting list. Authorities are still obliged to ensure that social homes go to the most vulnerable in society and those who need it most.
- allowing social landlords to grant fixed term tenancies
- enabling local authorities to end their homeless duty by an offer of good quality private rented accommodation

The Homes and Communities Agency's Affordable Homes Programme 2011-2015 introduced affordable rents. This allowed registered housing providers to charge up to 80% of local market rent for new affordable homes.

In February 2017 the Government's latest housing strategy was outlined in the White Paper 'Fixing our broken housing market'. The White Paper recognises that the long term solution to the broken housing market is to build more homes but that this takes time to have an impact, so Government set out some steps to help people in the short term, these included:

- committing additional funding for affordable housing and investing on a range of tenures including affordable rent instead of just shared ownership
- improving the private rented sector: banning letting agent fees; raising standards; and promoting longer term tenancies in new build rental homes.
- increasing emphasis on a prevention focused approach for homeless services

Another key announcement from Government relating to homelessness was made in October 2017 and related to the funding of housing costs for people living in supported and sheltered housing. One of the key elements of this announcement was that from April 2020 short-term supported housing (accommodation provided for those in crisis such as fleeing domestic violence, homeless people with support needs and shorter term transitional help for those with substance misuse problems or vulnerable young people such as care leavers) will be funded through a new ring-fenced grant to local authorities in England. The amount of short term supported housing grant funding will be set on the basis of current projections of future need (as informed by discussions with local authorities).

Welfare reform

Over recent years as part of the government's ongoing austerity measures, there have been a range of welfare reform measures introduced under the Welfare Reform Act 2012 and the Welfare Reform and Work Act 2016. The key changes that have had and will have a direct impact on homelessness services in Cherwell are:

- In 2013 a cap was introduced on the total amount of benefit that working age people can receive. For those living outside of London the benefit cap is £20,000 (£384.62 per week) for couples and families and £13,400 (£257.69 per week) for single adults.
- Under 35s are only entitled to local housing allowance at the shared accommodation rate i.e. the rate for renting a single room in a shared house.
- Working age benefits frozen from April 2016 until 5 April 2020.
- Local Housing Allowance (LHA) rates were set based on the lowest 30th percentile of local private rents 30% of the market average as at 2018.
- Changes to the way the management of temporary accommodation is funded. The management fee that was paid by the Department for Work and Pensions to local authorities on a per household basis ended in March 2017 and has been replaced by an annual allocation of funding (Flexible Homeless Support Grant).

- Universal Credit (UC) replaces the 6 main working age benefits/tax credits (Job Seekers Allowance (Income Based), Employment & Support Allowance, Working Tax Credit, Income Support, Child Tax Credit and Housing Benefit) with one single monthly payment. In most cases UC is paid directly to the claimant, it is paid a month in arrears and all claims must be online. People will now be responsible for paying their rent and council tax and for many this will be for the first time in their lives. There is a concern that this could lead to increased levels of homelessness as households struggle to manage their finances. Full digital service was introduced in Oxford Job Centre Plus (JCP) area in October 2017 and Banbury JCP area in November 2017

County

Oxfordshire Health and Wellbeing Board

The Health and Social Care Act 2012 led to the establishment of Health and Wellbeing Boards, to promote more joined up commissioning of health, social care and public health services. The Oxfordshire Health and Wellbeing Board has a Children’s Trust, Adults Joint Management Group and a Health Improvement Partnership Boards reporting to it and public involvement underpinning the whole system. The Health Improvement Partnership Board has the purpose “to add life to years and years to life, focusing on the factors underpinning wellbeing, while levelling up differences in the health of different groups in the County”. The Health and Wellbeing Board recognises the links between health and housing and this is reflected in one of their priorities being “Tackling the broader determinants of health through better housing and preventing homelessness”. The Health Improvement Board takes responsibility for delivering this priority. The full Oxfordshire Health and Wellbeing Strategy is available at: <https://www2.oxfordshire.gov.uk/cms/sites/default/files/folders/documents/aboutyourcouncil/plansperformancepolicy/oxfordshirejointhwbstrategy.pdf>

Local

Tackling homelessness is a priority for Cherwell District Council and there is a corporate commitment to make real improvements to the lives of local people who are homeless or threatened with homelessness, this is reflected in the Council’s strategies and plans.

Cherwell District Council Business Plan

The South Northants and Cherwell District Council’s Joint Business Plan 2018/19 has 3 high level priorities and some specific objectives under these that relate to homelessness:

| PRIORITY | Protected, Green & Clean | Thriving Communities & Wellbeing | District of Opportunity & Growth |
|--|---|---|--|
| OBJECTIVES (relating to homelessness) | Maintain the District as a low crime area (including incidents of rough sleeping) | Prevent homelessness | Deliver innovative and effective housing schemes |
| | | Safeguard the vulnerable | |
| | | Deliver affordable housing & work with private sector landlords | |
| | | Deliver the welfare reform agenda | |

Homelessness Strategy

Our previous Homelessness Strategy formed part of our CDC Housing and Homelessness Strategy 2012-17. New Housing Strategies for SNC and CDC will be produced by the end of 2018 and the priorities of the Homelessness Strategies reflected within them.

Cherwell District Council's Tenancy Strategy

The current Tenancy Strategy was produced in 2017. The strategy recommends that Affordable Rents are set at up to 80% of market rents, but capped at LHA levels. The Tenancy Strategy provides that Registered Providers should re-let a minimum of one third of general needs properties at social rents. It also specifies that rents of new supported housing properties are set at a level where the combined rent and service charge does not exceed the LHA level. A small number of fixed term tenancies had been provided in the district but this number is likely to increase over time. The Tenancy Strategy recommends an absolute minimum term of two years in exceptional cases, with a tenancy term of at least five years being the norm. Also where there has been no material change in the circumstances of the household, we would expect the tenancy to be renewed at the end of the fixed term.

The Tenancy Strategy includes use of the Private Rented Sector Offer (PRSO), which allows the council to discharge to private rented accommodation, its duty to households accepted as homeless. This is considered a valuable Housing Option where applicants can exercise choice and control their own housing solutions. It is used where properties of suitable standard can be found at the right cost. To date, properties have been let for a minimum of 12 months, but under the HRA this can be reduced to 6 months.

Cherwell District Council's Allocation Scheme

The Council's Allocations Scheme is regularly reviewed to ensure it is effective in meeting the needs of our customers. The current scheme has been in place since July 2105. Recent amendments were made, pending a full review, to meet the requirements of the Homeless Reduction Act 2017. These included:

- Care Leavers with a connection to the county are now considered to have a connection to the district and can be included on the Housing Register
- Households who are owed the Prevention duty and are qualified to be on the Housing Register, will achieve a Band 2 priority – 'at risk of homelessness' Households owed the Relief duty in temporary accommodation, who qualify to be on the Housing Register will be treated as 'statutorily homeless' and their applications will achieve a Band 2 'homeless' priority. They will be placed on auto-bidding and receive 1 offer under the scheme.

A full review of the scheme is currently underway to consider the effects of the HRA and ensure the scheme remains an effective homelessness prevention tool.

4. Homelessness Review 2018

Our Homelessness Review 2018 provides the evidence base for the Homelessness Strategy. It seeks to understand the causes of and trends in homelessness and the contexts within which we operate.

The review showed that the key threats and challenges for the council over the coming two years are:

- mitigating the homelessness impacts arising from welfare reform, especially the full implementation of UC
- HRA implementation
- the length of funding available to organisations to prevent homelessness and the prevalence of fixed term posts in key organisations
- appropriate accommodation and support for people sleeping rough
- affordability of accommodation for a range of people, not just those in receipt of benefit
- the requirement for people to travel from rural parts of the district to main residential areas where core services are provided
- the uncoupling of our joint service arrangement with South Northants Council in response to the abolition of Northants County Council, leading to new working arrangements in Cherwell.

The key findings from the homelessness review are outlined below:

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| <p>Homelessness levels</p> | <p>The number of homelessness decisions taken over the four year period has decreased from 160 in 2014/15 to 128 in 2017/18.</p> <p>The number of accepted duties as a percentage of applications has remained reasonably constant ranging between 48-54% of all decisions.</p> <p>There are a significant number of households who present as homeless having had no prior contact with the council. Although this has decreased from 100 'on the day' applications in 2014/15 to 64 in 2016/17, there is more work to be done on ensuring that people are aware of the advice and assistance available to prevent or relieve homelessness in a timely fashion.</p> |
| <p>Household type of homeless households</p> | <p>In each of the last three years, over three-quarters of the households accepted as homeless have been families with children, with those headed by lone parent females being the largest proportion.</p> <p>The number of single person households accepted has increased from 5% in 2014/15 to 12% in 2017/18.</p> <p>Both Black and Mixed Race households are over-represented in homelessness acceptances, compared to the overall population.</p> |
| <p>Causes of homelessness locally</p> | <p>The main reasons for homeless acceptances are:</p> <ul style="list-style-type: none"> • Ending of assured shorthold tenancy • Family or friends no longer willing or able to accommodate • Relationship breakdown, including 'violent relationship breakdown'. <p>Behind this sit secondary factors such as affordability and inability to find a home in the local market.</p> |
| <p>Age profile of homeless households</p> | <p>Almost two-thirds of households accepted as homeless in each year were aged 25-44 years old, there was a small decrease in the number of 16-24 year olds. Very few households aged 60+ are accepted as homeless as it is generally possible to deal with household need from</p> |

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| | this age range through the register. |
| Priority need of accepted households | The overwhelming reason that we accept a duty to accommodate homeless households is because they have dependent children or are pregnant. Other priority need reasons vary through the years. |
| Homelessness preventions | <p>The key prevention tools that enable us to assist households to remain in their existing homes are 'negotiation or legal advocacy' to remain in the private rented sector and 'providing other assistance' to enable someone to remain in accommodation in the private or social rented sector.</p> <p>Our most effective tool, in assisting households to move to alternative accommodation is the Housing Register, via an offer of accommodation, made under Part 6 of the Housing Act 1996. In 2017/18, 44% of households facing homelessness were assisted in this way. We are also able to assist households to move to alternative accommodation via a move to the private rented sector, with or without landlord incentives. In 2017/18, 33% of households facing homelessness were assisted in this way.</p> <p>The effectiveness of debt advice as a prevention tool fell dramatically during the period of the review, despite affordability of accommodation being an increasing cause of homelessness. Going forward, refocussing access to debt and money advice services will be a key task in the prevention of homelessness.</p> |
| Households accommodated in temporary accommodation | <p>The number of households placed in temporary accommodation has remained fairly constant during the review period, at just over 100 households per year. Although the majority of all households are accommodated in self-contained accommodation in the long term, there has been an increase in the number of occasions when it is necessary to initially place households into B&B or Motel accommodation. This is likely to be linked to the rate of homeless applications taken where the applicant has had no prior contact with the Housing Options Team.</p> <p>Over the period of the review we have not needed to increase the number of units used for TA. There was an increase in the length of stay during 2015/16 & 2016/17 but this trend has reversed in 2017/18 due to a reduction in homeless applications and increased affordable housing delivery providing more re-housing options.</p> |
| Housing delivery | We have seen large amounts of new accommodation built within the district and the number of affordable rented properties delivered has increased significantly from 2014/15 to 2017/18. This increased level of delivery has enabled the council to both prevent homelessness and keep the number of people living in temporary accommodation to a minimum. |
| Private rented market | Private rented sector housing is an important option, but rents are at high levels in Cherwell, partly because of its proximity to Oxford, which is one of the most expensive places to live in the UK when comparing average earning to property prices. As incentives to private landlords, we offer Landlord Home Improvement Grants (LHIGs) to facilitate repairs if landlords then let to tenants from our register. We also offer the Cherwell Bond Scheme to assist households who are at risk of homelessness and do not have sufficient income to cover the costs of a deposit. The number of LHIGs granted and new tenancies let through the bond scheme fell considerably during 2016/17, before rising slightly |

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| | <p>during 2017/18.</p> <p>As a homeless prevention tool, the current scheme is restrictive and refreshing procedures to improve support to households in accessing the private sector will be a priority.</p> |
| <p>Single homelessness and rough sleeping</p> | <p>Over the period of the review the number of single households being accepted as homeless has increased from 5% in 2014/15 to over 13% of all cases for 2017/18 and the total number of homeless decisions being made for this group has increased.</p> <p>Our annual rough sleepers estimate provides a snapshot figure on one typical night, we recorded 21 people in November 2015 but this reduced down to 9 people in November 2017. Reasons for the reduction include the introduction of bed spaces locally for people rough sleeping for the first time, improved intelligence with partners about those who are genuinely sleeping rough via the Vulnerable Adults Panel meeting and bed spaces for rough sleepers with a connection to Cherwell</p> <p>In conjunction with the other Oxfordshire District/City Councils, we collectively ensured that provision for rough sleepers continued. Under these arrangements each local authority provided a financial contribution into a pooled budget arrangement to preserve some of the supported accommodation for rough sleepers and single homeless people. These arrangements will fund the Single Homeless Pathway in Oxfordshire until 31st March 2020.</p> <p>Our contribution ensures people with a local connection to Cherwell have access to 11 complex needs (24hr support) beds based in Oxford, at O’Hanlon House, and 13 beds within our district for people with less complex support needs until March 2020.</p> <p>The new Single Homeless Pathway and allocated beds for people from Cherwell has helped reduce the number of people having to rough sleep within the district</p> |

5. Homelessness Strategy - Priorities 2018-2020

This chapter sets out the key issues and challenges relating to homelessness in South Northants and our responses to overcome these under three priorities:

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| Priority 1 |
| Prevent and relieve homelessness in the district |
| Priority 2 |
| Prevent single homelessness |
| Priority 3 |
| Ensure vulnerable people can access appropriate help and support |
| Priority 4 |
| Ensure homeless households can access suitable temporary and permanent accommodation |

Priority 1: Prevent and relieve homelessness in the district

a) Demonstrate a corporate commitment to homelessness prevention

Our service has undergone considerable change over the last year, becoming part of the Shared Housing Service with SNC whilst implementing major new legislation (the HRA). We have undergone a thorough implementation project to prepare for our new duties and working practices. However, we will be reviewing our processes to ensure they are efficient, legally compliant and consider how they impact on people using our services. This will enable the housing team to demonstrate it is high performing and has a comprehensive prevention focused homelessness service. It will also feed into work considering whether our staff teams are adequately structured and resourced to meet the demands of our new duties. It should also provide a good baseline to progress the Council's aspiration to go beyond the advice and prevention that we are legally obliged to deliver and develop a holistic service that can provide a tailored service that can truly respond to individual customer needs.

The Government's welfare and housing reforms continue to impact on our residents, and Universal Credit (UC) has recently been fully implemented within the district. To prevent financial hardship and potential homelessness among affected households we will develop a corporate financial inclusion policy. This will ensure that collective action of the council does not unintentionally result in hardship and possible homelessness in the district and will focus on early intervention, preventative work for residents of all tenures and all ages, in line with the new homelessness prevention duty. We will ensure there is a cohesive approach and clarity of scope across the authority aligning work across the Revenue and Benefits Team and Communities Service and fits with our position in the new Wellbeing Directorate within the council

Proposed actions:

- Ensure Elected Members and Senior Managers are kept aware and engaged with local homelessness issues.
- Ensure that funding paid to the local authority from Central Government specifically for homelessness work is allocated for this purpose, this concerns: Homelessness Prevention Grant; Flexible Homelessness Support Grant; and HRA New Burdens Money.
- Complete a 'health-check' for the service to verify compliance with the new requirements of the HRA, embed good practice and inform a positive customer journey, including NPSS self-assessment checklist and external review and mystery

shopping.

- Complete a LEAN review of the end-to-end homelessness journey for customers to ensure efficient and effective work processes.
- Review of staff resources and team structure to ensure they are fit for purpose in light of the HRA and local government reorganisation.
- Prepare business case for adopting a 'Prevention Plus' approach to the delivery of homelessness services in Cherwell
- Take an active role in shaping new working arrangements with other Oxfordshire authorities to maximise the quality & availability of services for homeless households.
- Work with district and City councils in Oxfordshire, to deliver actions arising from the homelessness content of the Joint Strategic Needs Assessment.
- Develop a corporate financial inclusion strategy to ensure that the collective action of the Council does not unintentionally result in hardship and possible homelessness amongst residents of the district.

b) Prevent homelessness, whenever possible, through timely advice and information

The HRA introduced new legal duties on English councils, so that everyone who is homeless or at risk of homelessness will have access to meaningful help, irrespective of their priority need status, as long as they are eligible for assistance. Our service is committed to the prevention of homelessness, but we will enhance this further and respond to additional guidance and case law as this develops. We will ensure that customers and partners are aware of the help and advice available from our team and able to access this at the earliest point possible, to maximise the opportunities for preventing homelessness. We will be reviewing the reasons for the high level of on-the-day homelessness presentations currently recorded conduct an accessibility audit of our service and reshape the relationship between our Housing Team and our Customer Services Team to ensure that customers are able to access good quality housing advice at first point of contact. We will review and ensure that our self-help guide, that provides tailored information to people about their housing options, is meeting customers' needs.

We will review the corporate contract for debt and money advice to ensure that it is the best way to meet the needs of residents experiencing financial hardship within the district and how best to ensure this type of service continues to be available.

We will take an active role in the Oxfordshire Trailblazer project working with a range of statutory partners across the county including criminal justice services, health, social care to support early intervention and prevention of homelessness by giving advice before homelessness occurs.

Proposed actions:

- Fully implement the requirements of the new legislation (HRA 2017) and respond to new guidance and case law development and continue to develop a person centred culture working alongside people to help resolve their housing needs.
- Reshape the relationship between the Housing Team and Customer services to ensure that customers are able to access good quality housing advice at first point of contact.
- Conduct an accessibility audit of the service.
- Complete a review of on the day homeless presentations.
- Communicate clearly, the services delivered by our teams and relevant partners, through a wide range of media and partnership meetings.
- Complete evaluation to ensure self-help materials, including the enhanced housing options module for customers, are effective.
- Evaluate options for in-house Money Advice Service provision within CDC

homelessness service.

- Review corporate contract for debt and money advice.
- Complete review regarding consideration of wider role for money advice services in debt prevention, upstream financial education work and social prescribing.
- Take an active role in the Oxfordshire Trailblazer project.

c) Focus homelessness prevention activity on tackling the common causes of homelessness locally

Our most effective tool, in assisting households to move to alternative accommodation is the Housing Register, via an offer of accommodation made under Part 6 of the Housing Act 1996. Since April 2014, 2349 households have been housed via the register, with 382 of these cases recorded as being homelessness preventions. We will review our Allocations Policy, to ensure it remains effective following the changes in legislation, practice and local demand.

The most common reasons for homelessness locally are:

- termination of an Assured Shorthold Tenancy (AST)
- family or friends no longer willing or able to accommodate
- relationship breakdown, including 'violent breakdown of relationship'.

Behind these reasons sit additional factors, specifically the affordability and availability of local homes. Cherwell is a high demand, high rent area and affordable housing in the private rented sector (PRS) is in short supply. Households that are threatened with eviction from a PRS property find it difficult to obtain alternative accommodation that is affordable in their preferred location and may approach us for advice or at crisis point, when they are imminently homeless.

We will establish a Preventing Homelessness Fund, to assist households to remain in their existing homes or move to alternative accommodation, in the social and private rented sectors.

We anticipate that the requirements of the new legislation to work with households at an earlier stage, and for a longer period, will reduce the incidence of family/friends asking people to leave, as a reason for homelessness. Our team already undertake mediation between family members where this has a potential to prevent homelessness and allow time for a more planned housing move, but we will develop further the skills of team members in this respect. We will also work with local partners to develop a service that offers mediation and builds resilience for young single people facing homelessness as a result of relationship and family breakdown.

Proposed actions:

- Complete a comprehensive review and health check of our Housing Allocation scheme to ensure it supports homelessness prevention.
- Establish a Homelessness Prevention Fund
- Continue to develop the existing skills and expertise within the team regarding mediation.
- Work with partners to develop a service that offers mediation and builds resilience for young single people facing homelessness as a result of relationship and family breakdown

d) Continue the development of effective partnerships with other departments within the council and statutory, voluntary and other agencies to prevent and relieve homelessness

We have a number of specific partnerships in place, but acknowledge we need to do more to pro-actively bring together the range of relevant partners who need to work together to focus on preventing homelessness for their specific service users. To this end, we will establish a Homelessness Prevention Network (HPN) which will meet regularly to ensure effective communication and understanding between partner services. The network will also have a vital role in establishing a forum for partners to regularly review and participate in progress against the objectives set out in this strategy.

As outlined above, we need to enhance the work we undertake with colleagues in the health sector to prevent homelessness and promote timely discharge among patients leaving hospitals and will work to support the Oxfordshire Trailblazer Project to help achieve this.

Many Registered Providers, including our stock transfer housing association, Sanctuary Housing have reorganised and become bigger organisations over recent years. We need to ensure they continue to work with us to meet our strategic priorities and statutory duties to homeless people and those in housing need.

Private landlords will be affected by new Energy Performance Certificate rules for rented properties and changes to tax liabilities relating to income from buy to let properties. We are concerned this may lead to a contraction of the sector and will work with colleagues in our Private Sector Housing Team to monitor the impact and identify any trends which may lead to potential homelessness.

Proposed actions:

- Establish a Homelessness Prevention Network (HPN) meeting to ensure effective communication and understanding between partner services.
- Work with colleagues in the health sector to prevent homelessness and promote timely discharge into suitable accommodation among patients leaving acute and community hospitals.
- Develop and reshape the relationship with key Registered Providers to incorporate a commitment to reduce and prevent homelessness in the district.
- Work with the Private Sector Housing Team to monitor the impact of new legislation for private landlords and resultant trends on homelessness.

e) Focus on early identification of households at risk of homelessness

The HRA will introduce, from 1st October 2018, a new Duty to Refer, whereby certain public authorities must notify a local housing authority in England where it considers that one of its service users may be homeless or at risk of homelessness and agrees to the referral. Public authorities are listed as:

- prisons (public and contracted out)
- youth offender institutions and youth offending teams
- secure training centres (public and contracted out) and colleges
- probation services (community rehabilitation companies and national probation service)
- jobcentre plus
- accident and emergency services provided in a hospital
- urgent treatment centres, and hospitals in their capacity of providing in-patient treatment
- social service authorities.

We will work with these authorities, and all other relevant partners to establish referral processes and provide training and guidance to ensure these work effectively for people in housing need. We will work with the Oxfordshire districts and City Council to ensure that there is a consistent approach to referrals across the county, as many of the public authorities will cover more than one local authority area. We will also ensure that appropriate ICT services are in place to facilitate referrals.

Proposed actions:

- Develop a consistent approach across the county for the Duty to Refer under the HRA.
- Ensure appropriate ICT is in place to implement the Duty to Refer
- Extend the Duty to Refer principle beyond the statutory partners

1f) Continue to improve collection and analysis of information about local trends in homelessness to enable intelligence led service delivery

Over the course of the last strategy we have collected a range of data on why people present to the council, but we need to continue to improve on this. We need to ensure we have a robust evidence base to monitor the impact of the new legislation on service demand to ensure our resources are adequate and to accurately demonstrate local need. This will be essential to inform commissioning decisions, shaping future investment and partnership working with other local government organisations.

The government also introduced the Homelessness Case Level Information Classification, 'H-CLIC', from April 2018 to replace the previous national system of P1E returns, on the commencement of the HRA 2017. H-CLIC will collect case level data and is intended to provide more detailed information on the causes and effects of homelessness, long term outcomes and what works to prevent homelessness. We will monitor what this new information tells us and will work to ensure that homelessness prevention actions taken by other teams are effectively accounted for.

Proposed actions:

- Support service monitoring by robustly and accurately recording data, to ensure compliance with new case recording practices.
- Ensure that reporting tools for the HRA module are adequate to allow robust and timely analysis of trends
- Ensure that all forms of homelessness prevention, including Debt Advice and DHPs which are managed outside of the HOT, are captured periodically.

Priority 2: Prevent Single Homelessness

a) Ensure services are available to meet the needs of local single homeless people and those who sleep rough in Cherwell

The Single Homeless Pathway (SHP) in Oxfordshire is a jointly funded partnership between Oxfordshire County Council, all Oxfordshire District/City Councils and Oxfordshire Clinical Commissioning Group. Cherwell have approved funding to this partnership to make sure services are available until March 2020 ensuring people rough sleeping from Cherwell can access support and appropriate services to enable them to move on to sustain accommodation independently.

The jointly funded partnership ensures that Cherwell have access to 24 bed spaces (11 at O'Hanlon House, and 13 beds within the district) in total to support people with connections

to Cherwell. These 24 beds have enabled officers to support people rough sleeping into available bed spaces and off of the streets.

However, in recent times we have experienced difficulties in being able to support people access bed spaces due to the SHP silting up and people not being ready to move on to live independently. As a result Cherwell entered into a contract with A2Dominion in April 2018 to provide an additional 10 bed spaces at Simon House in Oxford for rough sleepers with a connection to Cherwell for 12 months to provide additional capacity.

As a result of having direct access to bed places within the SHP, Cherwell has seen the number of people reported as rough sleeping within the district reduce from a high of 21 in November 2015 down to 9 in November 2017. Despite this reduction locally, Oxfordshire has seen an increase in the number of people sleeping rough, especially within Oxford City. We are aware that some of those found to be sleeping rough within Oxford have connections to Cherwell and have either migrated to the City due to the range of support services available or have been evicted from the SHP beds based within the City and have chosen not to return to Cherwell.

The SHP also provides a bed space for anyone rough sleeping during periods when the Severe Weather Emergency Protocol (SWEP) is activated. This currently provides 1 bed space within O'Hanlon House in Oxford. Cherwell do not have any other provision immediately available and rely upon securing accommodation within either B&B or Motels which can be difficult to secure when individuals needing assistance have complex or multiple support needs. We will explore the options for winter shelter provision in the district.

During the period of this strategy, Cherwell District Council will need to decide how best to provide supported accommodation for people found to be rough sleeping beyond March 2020 and will also need to consider whether other types of accommodation are required.

We are aware that there is a small number of people who considered to be entrenched rough sleepers within the district and refuse to accept the support available. In recent times 'Housing Led' models of accommodation have gained significant attention and may provide a new opportunity to assist some of the hard to support individuals currently sleeping rough within the district.

As well as accommodation, we will work to develop specialist support services for single homeless and rough sleepers within the district (rather than only in Oxford City).

Proposed actions:

- Complete a review of the Single Homeless Pathway
- Work with countywide partners to decide future commissioning arrangements for the Single Homeless Pathway
- Undertake an options appraisal for local SWEP provision
- Pilot development of bespoke services for single homeless/rough sleepers outside of Oxford City within the Cherwell area.
- Complete a desk-top review of the Housing Led models of supported accommodation for single homeless people, to assess relevance to CDC and inform future commissioning.

b) Better understand the needs of people who sleep rough in Cherwell

All local authorities are required to carry out either an annual estimate or count and report figures back to Central Government about the number of people known to be rough sleeping within the district on a given night. As mentioned above we have seen the number of people reported as rough sleeping as part of the annual estimates reduce in recent years from a

high of 21 down to 9 in November 2017. We will continue to ensure that we complete this in accordance with national guidance and best practice to ensure the number of people recorded as rough sleeping in the district is accurately recorded and reflects current needs.

The review identified that we have not collated data on the different support needs of individuals sleeping rough or within the Single Homeless Pathway. We know that many people found to be sleeping rough require more support than just somewhere to live and need help from other services to help manage issues such as Mental Health or Substance Misuse (drugs and/or alcohol) but are currently unable to quantify how much of an issue these are to cause people to become homeless.

The review also identified that other agencies were unable to demonstrate this need with Turning Point not providing information to support the review and 'The Better Together Partnership' (Mental Health) advising that they had 8 clients recorded as being either homeless or NFA but recognised that the quality of the data may not be very accurate as many of their clients did not have their housing status recorded.

It is hoped that by improving our data collection we will be able to develop better working relationships with other partners to provide joined up services for clients with support needs.

Proposed actions:

- Undertake an annual rough sleeper estimate
- Improve data monitoring in relation to local people who are verified as sleeping rough

Priority 3: Ensure vulnerable people can access appropriate help and support

3a) Ensure vulnerable households who are homeless or at risk of homelessness can access appropriate help and support, through partnership working

Cherwell have supported a range of voluntary and faith groups over the period of the last strategy to provide a range of support services within the community to assist people who are:

- Homeless or rough sleeping,
- Unsuitably housed,
- Victims of domestic abuse,
- Young people at risk of homelessness
- People in need of basic furniture to set up home in their new tenancies.

These funding arrangements have helped to support additional provision to be available within the district and support some of the most vulnerable residents within the district. In recent years we have only been able to award funding to partners for a year at a time due to uncertainty about the funding available to the council as a result of the national austerity measures being implemented by Central Government.

There have also been changes to the way Homeless Prevention Grant is allocated to the council, having moved from being a ring fenced allocation to now being part of the councils main allocation (it is still identified as a specific budget heading). We have been fortunate that elected members at Cherwell have been supportive of this money being used to support partner agencies to carry out services that support homelessness related issues.

In recent years we have also published a 'Homeless Pocket Guide' which has provided details about a range of different types of support people who are homeless or rough sleeping can access. The guide has been distributed to a variety of statutory, voluntary and faith groups to issue to individuals identified as being homeless. In total 1000 books have been printed and distributed to date and has been recognised as good practice by Victoria Prentis MP within the House of Commons. We will need to ensure this is regularly updated to ensure the information is still relevant and supports individuals to access the support available.

As part of the funding made available to voluntary sector groups, Cherwell have previously awarded funding to Reducing the Risk to provide Outreach services for low and medium level victims of Domestic Abuse within the district. This service has been delivered to help prevent clients to manage their current circumstances to prevent them from having to flee from their home and support networks.

In 2017 Oxfordshire County Council undertook a recommissioning exercise for Domestic Abuse Services which meant that the number of refuge beds available in the County would reduce and Outreach provision would be included within the new service specification which included:

- Refuge Accommodation
- Outreach
- IDAV/MARAC
- Telephone Helpline services

As part of this re-commissioning process, all district/city councils were asked to make financial contributions towards the services to be procured. Cherwell agreed for the funding previously made available to Reducing the Risk to be added to the new pooled budget which would ensure that Cherwell Residents would have access to support for instances of domestic abuse. The new contract began on 4th June and will be provided by A2Dominion with Reducing the Risk providing some services in Cherwell also. The council will need to monitor the outcomes being delivered from the new contract to ensure it meets local needs and delivers requirements identified by the council.

Proposed actions

- Fund Community & Faith groups to reduce homeless by supporting vulnerable people
- Refresh and update Homelessness Pocket Guide
- Monitor the outcomes for the new domestic abuse contract for Oxfordshire and ensure value for money for Cherwell's financial contribution

3b) Ensure future commissioning of support and help services is evidenced by robust data collection

Historically, we did not record data on the support and help needs of people approaching us for housing advice. We expect the new national homelessness data gathering system, H-CLIC, will facilitate more robust case level data collection and assist us in gathering data on specific support needs.

We also need to improve our understanding of the level of need among homeless households for support from services dealing with substance misuse, mental health, criminal justice and ex-armed forces personnel, in order to inform effective commissioning. We will also be working with Oxfordshire County Council to ensure we are involved, at an early stage, in the commissioning and design of services, to ensure they meet our local residents' needs.

Proposed actions:

- Gather from Personal Housing Plans and H-CLIC, case level detail about all support needs and review data to inform working practices and the commissioning of services
- Improve understanding of the level of need amongst homeless households for support from services dealing with substance misuse, mental health, criminal justice and ex-armed forces personnel.
- Work with Oxfordshire County Council to encourage early engagement with the council in the commissioning process to allow co-design of services to ensure the level of provision best meets the needs of local residents.

3c) Provide help and support for households who are homeless or at risk of homelessness

Our team incorporates a Tenancy Support Officer post, working with households who are homeless or are at risk of homelessness. This post is vital in helping us to fulfil the duties of the HRA but is currently fixed term. We believe this should be a permanent resource for the housing service and as part of the development of this role, we are aware that we need to provide robust evidence of our outcomes to inform on-going service provision and design.

Proposed actions:

- Develop business case for permanent Tenancy Support Officer (TSO), within the Housing Needs Team and improve evidence of the impact and outcomes.

Priority 4: Ensure homeless households can access suitable temporary and permanent accommodation**4a) Ensure homeless households can access suitable temporary and permanent accommodation in the social housing sector**

Over recent years the majority of new build social housing units delivered for rent in Cherwell district by registered providers were let at affordable rent level. This is generally 80% of the market rent, compared to social rent properties which are typically let at approximately 60% of the market rent. Our homelessness review highlighted concerns as to the 'affordability' of local social housing let at affordable rent level, but we need to evidence more robustly the extent to which this is an issue, to support future work with local providers in developing properties let at the cheaper social rent level.

We also want people applying to the housing register use the time they are waiting for a nomination to prepare for maintaining a home. We will ensure they have information about the full running costs of a property and have access to wider advice and training they may need to succeed and sustain a tenancy. This should help to prevent future instances of homelessness.

Proposed Actions:

- Improve our evidence base regarding the extent of affordability issues in relation to social housing.
- Explore ways with our registered provider partners to increase the delivery of social housing including both social rented and affordable rented properties.
- Support people on the housing register to develop the relevant financial and life skills to

obtain and maintain a social tenancy.

4b) Enable homeless households to access permanent accommodation in the private rented sector

The private rented sector is an important source of accommodation, providing choice of location, and it can be a quicker solution than awaiting a nomination from the housing register. It will be a main option for those who are not accepted onto the register, or who receive a low banding. However, accessing the private rented sector can be difficult as accommodation locally is in high demand and expensive. For households on a low income, in receipt of full or part Local Housing Allowance (LHA), there is likely to be a shortfall between LHA rates and local rent ranges. Also landlords generally require an upfront deposit and rent in advance payments, equivalent to at least a month's rent each, which will be unaffordable to most people in housing need. This is compounded by the fact that many private landlords are reluctant to let to those who they perceive may face payment difficulties.

To assist with this, we rebranded and improved our Cherwell Bond Scheme (CBS), which assists households who are at risk of homelessness who do not have sufficient income to cover the costs of a deposit. 190 households are currently accommodated in private rented sector housing, through the CBS. However, the number of new tenancies entered into under the scheme has fallen in recent years and we are concerned that it is currently too restrictive to meet the needs of all those who could benefit from it and to meet the requirements of the HRA 2017, to prevent and relieve homelessness for a wider range of people.

Our Private Sector Housing Team offer Landlord Home Improvement Grants (LHIGs) to help landlords cover the costs of repairs and improvements, such as new kitchens, bathrooms or heating systems, to privately rented accommodation. In return for the grant, we receive rights to nominate tenants to the property for an agreed period of time, dependent on the amount of grant being awarded, up to a maximum of five years. Some of these properties are used to discharge our Private Rented Sector Offer (PRSOs) to households accepted as homeless and some are used under the Bond Scheme. However, there has been a reduction in the overall number of new LHIGS issued in recent years, and a corresponding drop in the number of PRSOs.

We will review and enhance our offer to landlords, and promote this through an effective marketing strategy. We will also explore with RP partners opportunities to grow their portfolio of private rented properties to increase access to affordable, good quality accommodation for local residents in housing need.

Proposed Actions:

- Review the Council's offer to private landlords (Bond Scheme and Landlord Home Improvements Grants)
- Develop a communications & marketing strategy to promote the Council's 'offer' to private landlords.
- Explore opportunities with our registered provider partners to grow their local private rented portfolio and increase access to these properties for local people in housing need.

4c) Ensure homeless households can access suitable temporary accommodation, minimising the use of bed and breakfast accommodation

The council has a duty to offer temporary accommodation to:

- Households that present as homeless where there is reason to believe that they may be in priority need and they have nowhere to stay pending a homelessness decision

- Households for whom, following an assessment, a full homelessness duty has been accepted.

Through effective homelessness prevention work and use of Band 2 of the Housing Register, we endeavour, where possible, to assist people threatened with homelessness to remain in their current accommodation until they can move into permanent accommodation. Where this is not possible, they will be provided with temporary accommodation. We have a small selection of temporary accommodation options available, depending on the urgency of the applicant's housing circumstances and availability of accommodation at the time of approach.

We have an agreement with Sanctuary Housing, our Large Scale Voluntary Transfer registered provider, to provide and manage 33 units of temporary accommodation on our behalf. Some of these units have been purpose built as temporary accommodation units and have the flexibility to be changed between a studio and two bedroom properties or to two one bedroom flats, depending on the need at any given time. However, where people approach in an emergency or with limited notice that they are to become homeless, the main option is a local Motel in Banbury, with which we have a contract with to access up to 10 rooms throughout the year. Applicants placed here do not have to share facilities and have access to basic cooking amenities. When this accommodation is full we have to look further afield for accommodation, as the majority of B&B establishments within the district do not accept households placed by the council. Where we have needed to use B&B hotels the nearest is located at a motorway service station, within district, and very occasionally we have to place outside of the district.

During 2017/18 103 households were placed in TA, with 81 of these spending at least their first night in Motel or B&B while 23 were placed directly in self-contained TA.

We have not needed to increase the number of units used for Temporary Accommodation recently, as we have seen the number of homeless applications reduce slightly. However during 2015/16 and 2016/17 people were experiencing longer stays in temporary accommodation, although this trend reversed during 2017 as a result of increased affordable housing delivery and a reduction in the number of people presenting to the council as homeless. With the extension of duties under the HRA we cannot be certain this trend will continue and we therefore intend to conduct a full review of temporary accommodation to ensure best use of resources and adequate, good standard provision. We are aware of the potential for the HRA 2017 to impact on demand for temporary accommodation and this will be carefully monitored. Finally, we acknowledge that we need to incorporate the views of people who have been placed into temporary accommodation.

Proposed actions:

- Conduct a full review of the provision and procurement of temporary accommodation to ensure adequate and appropriate provision and best use of resources.
- Produce an up to date TA strategy
- Undertake a post tenancy satisfaction survey for people who have been in temporary accommodation

4d) Ensure people experiencing domestic abuse can access suitable accommodation

Under the newly commissioned domestic abuse services across Oxfordshire the majority of refuge accommodation is due to be provided in Cherwell district with a limited number of units dispersed across other parts of the county. Local people who become victims of domestic abuse are very rarely accommodated within the district as it is usually unsafe.

Therefore, the new countywide service may limit the options within the county for Cherwell residents fleeing domestic abuse. However, countywide refuge provision is part of the national refuge network so local people should be able to access refuge provision outside the county. Another potential disadvantage of most of the refuge provision being in Cherwell district is that many of these households are likely to either apply to the housing register or present as homeless to the Council. We intend to work with other district/city council in the county to establish reciprocal arrangements that facilitate move-on from the refuge across the whole county (not just Cherwell) as appropriate.

Proposed actions

- Monitor the current refuge provision in Oxfordshire to ensure it meets Cherwell residents' needs
- Work with other Oxfordshire housing authorities to set up reciprocal arrangements for people ready to move on from refuge into permanent accommodation

6. Resources

This chapter details the main housing related resources available to tackle homelessness in South Northants.

Staff Resources

The Housing Needs Team is responsible for homelessness and allocations. The Housing Needs Team currently consists of:

Additionally the service benefits from the support of a Homelessness Strategy Officer, Housing Partnerships Officer and Homelessness Strategy Facilitator in the Housing Strategy and Partnerships Team.

Homelessness Prevention Grant

Central Government gives local housing authorities funding for homelessness prevention work (Homelessness Prevention Grant) within the council's wider local government settlement. This funding has been used by the Housing Team to support a range of community and voluntary sector groups to provide services within the district that are focused on supporting the prevention of homelessness. For example, the provision of drop in centres for people who are homeless or unsuitably housed, outreach and verification for rough sleepers and outreach for low to medium level victims of Domestic Abuse. The Homelessness Prevention Grant allocation for Cherwell District Council is as follows:

| Homelessness Prevention Grant | | |
|-------------------------------|----------|----------|
| 2017/18 | 2018/19 | 2019/20 |
| £99,869 | £100,211 | £100,712 |

Flexible Homelessness Support Grant

The Ministry of Housing, Communities and Local Government (MHCLG) also provides Flexible Homelessness Support Grant (FHSG) to local housing authorities. FHSG is paid to local housing authorities as a grant and can be used in any way a local authority sees fit, to better manage temporary accommodation pressures. The grant is ring-fenced for activities to prevent and deal with homelessness.

| Flexible Homelessness Support Grant Allocation | | |
|--|----------|----------|
| 2017/18 | 2018/19 | 2019/20 |
| £178,538 | £205,425 | £265,225 |

Homelessness Reduction Act: New Burdens Funding

The government is providing funding to local authorities to help meet the new burdens costs associated with the additional duties contained within the Homelessness Reduction Act 2017. The local authority allocations cover: 2017/18; 2018/19; and 2019/20 and Cherwell District Council will receive the following:

| Homelessness Reduction Act: New Burdens Funding | | | |
|--|----------------|----------------|-------------------------|
| 2017/18 | 2018/19 | 2019/20 | Total Allocation |
| £47,246 | £43,277 | £45,747 | £136,270 |

Cherwell District Council did not utilise the Homelessness Reduction Act New Burdens Funding for 2017/18 but has rolled this funding forward into 2018/19 so that the monies can be spent in line with the priorities within this new homelessness strategy.

In addition, to the above, all local housing authorities were allocated £9,200 as a one-off payment towards new ICT costs in relation to the new legislation. We used this money to pay for new homelessness ICT software.

New Homes Bonus

New Homes Bonus (NHB) is a grant paid by Central Government to local authorities to incentivise housing growth in their areas. Under the scheme Central Government matches the council tax raised on new build homes, conversions and long term empty homes brought back into use. The development of each additional affordable home attracts an enhancement of £350 per annum (over the period which the NHB is payable). Local authorities are not obliged to use the Bonus funding for housing development.

This funding is not currently used to support to support new initiatives to help prevent homeless within the district but provides an opportunity for the team to consider future requests if potential needs are identified that will support the prevention of homelessness within the district.

Other Commissioning

Cherwell District Council commissions a range of other services which are related to homelessness, these are listed below:

- Corporate contract with Citizens Advice Bureau (£252,000 per annum)
- Banbury Young Homelessness Project (£6,000 per annum)
- Faithworks (furniture turnaround project) (£15,000 per annum)
- Contribution towards countywide domestic abuse services (£25,000 per annum)
- Contribution towards Single Homeless Pathway (£62,700 per annum)
- Procuring additional 10 bed spaces at Simon House, Oxford to provide 24/7 support for people found rough sleeping with a connection to Cherwell and presenting with complex support needs.

7. Consultation

We held a consultation event with partners and our Portfolio Holder in February 2018, discussing the findings of the review and agreeing initial priorities for the strategy. We continued to consult with partners as the strategy was being developed. Specific partners have also been consulted, contributed data and verified findings as relevant.

Comments

We welcome and comments or queries about this strategy. Please send them to:

Housing Strategy and Partnerships Team
Cherwell District Council
Bodicote House
Bodicote,
Banbury
OX15 4AA

Email: Housing@Cherwell-DC.gov.uk

8. Action plan and governance

We will establish a Homelessness Prevention Network of relevant stakeholders, which will regularly, monitored our Homelessness Strategy Action Plan to ensure we remain on target to deliver the Strategy. The action plan will be reviewed annually to remain responsive to emerging local need, and Government legislation and guidance.

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CDC ACTION PLAN

Priority 1: Prevent and Relieve homelessness in the district

| Objectives | Actions | Responsibility | Key Partners | Risk if not completed | Resources Required | Target Date |
|--|--|--|--|---|---|---------------|
| 1a) Demonstrate a corporate commitment to homelessness prevention | Ensure Elected Members are kept aware and engaged with local homelessness issues. | <ul style="list-style-type: none"> • Assistant Director • Joint Housing Manager • HS&PT | <ul style="list-style-type: none"> • Portfolio Holder | Elected Members could be uninformed about local homelessness issues and solutions. | Senior Management time | Ongoing |
| | Ensure Senior Managers are kept aware and engaged with local homelessness issues. | <ul style="list-style-type: none"> • Assistant Director | <ul style="list-style-type: none"> • Joint Housing Manager • HS&PT | Senior Managers could be uninformed about local homelessness issues and solutions | Senior Management time | Ongoing |
| | Ensure that funding paid to the local authority from Central Government specifically for homelessness work is allocated for this purpose, this concerns: <ul style="list-style-type: none"> • Homelessness Prevention Grant • Flexible Homelessness Support Grant • HRA New Burdens Money | <ul style="list-style-type: none"> • Assistant Director • Joint Housing Manager | <ul style="list-style-type: none"> • Finance Team | Service development will be impeded if monies provided for homelessness purposes are not invested in the service. | Senior Management time | End Sept 2018 |
| | Complete a 'health-check' for the service to verify compliance with the new requirements of the HRA, embed good practice and inform a positive customer journey, including: <ul style="list-style-type: none"> • NPSS self-assessment checklist | <ul style="list-style-type: none"> • Joint Housing Manager • HS&PT | <ul style="list-style-type: none"> • Assistant Director | Practices become embedded which are not compliant with the new legal duties and opportunities for | <ul style="list-style-type: none"> • New Homes Bonus • Shared Housing Service Implementation Budget | End Oct 2018 |

Appendix B

| Objectives | Actions | Responsibility | Key Partners | Risk if not completed | Resources Required | Target Date |
|------------|--|--|---|--|---|--------------|
| | <ul style="list-style-type: none"> External review and mystery shopping | | | new ways of working will be missed. | | |
| | Complete a LEAN review of the end-to-end homelessness journey for customers to ensure efficient and effective work processes | <ul style="list-style-type: none"> Assistant Director Housing (Project Sponsor) | <ul style="list-style-type: none"> Joint Housing Manager HNT Transformation Team | Inefficient work processes become embedded & potential savings not realised. | <ul style="list-style-type: none"> Officer time (in-team LEAN champion) Support from Transformation Team Specialist external LEAN support funded by Shared Housing Service Implementation Budget | End Oct 2018 |
| | Review of staff resources and team structure to ensure they are fit for purpose in light of the HRA and local government reorganisation. | <ul style="list-style-type: none"> Assistant Director Joint Housing Manager | <ul style="list-style-type: none"> HNT Human Resources Team Finance Team | Team resources are inadequate to ensure compliance HRA and/or team structure does not correctly reflect new homelessness legal framework | Senior Manager time and existing budgets | End Oct 2018 |
| | Prepare business case for adopting a 'Prevention Plus' approach to the delivery of homelessness services in Cherwell. | <ul style="list-style-type: none"> Assistant Director Joint Housing Manager HNT | <ul style="list-style-type: none"> Human Resources Team Finance Team | Customers do not receive a holistic homelessness prevention service that fully meets needs. | Senior Manager time and existing budgets | End Mar 2019 |

| Objectives | Actions | Responsibility | Key Partners | Risk if not completed | Resources Required | Target Date |
|------------|---|--|--|--|--|--------------|
| | Take an active role in shaping new working arrangements with other Oxfordshire authorities to maximise the quality & availability of services for homeless households. | <ul style="list-style-type: none"> Chief Executive Assistant Director Housing | <ul style="list-style-type: none"> Transformation Team | Inadequate team structures & resources to deliver effective, high performing services for Cherwell residents and deliver effective working across different departments in any new working arrangements | Officer time and support from external consultants as required | Ongoing |
| | Work with district and City councils in Oxfordshire, to deliver actions arising from the homelessness content of the Joint Strategic Needs Assessment. | <ul style="list-style-type: none"> HS&PT | <ul style="list-style-type: none"> OCC Districts and City Councils CCG | Failure to deliver actions identified as countywide strategic needs | Officer time | Ongoing |
| | Develop a corporate financial inclusion strategy to ensure that the collective action of the Council does not unintentionally result in hardship and possible homelessness amongst residents of the district. | <ul style="list-style-type: none"> Assistant Director Housing Assistant Director Communities Joint Revenue and Benefits Manager | <ul style="list-style-type: none"> CSN Revenues & Benefits Team Shared Housing Team DWP Partnerships Manager RPs HPN | There are gaps in the provision of services to assist all age groups, non-working and working households to manage their money to avoid debt, financial crisis and homelessness. Implementation of full UC | Officer time | End Mar 2019 |

| Objectives | Actions | Responsibility | Key Partners | Risk if not completed | Resources Required | Target Date |
|---|---|--|---|---|--------------------|--------------|
| | | | | service increases potential financial risk to residents. | | |
| 1b) Prevent homelessness, whenever possible, through timely advice and information | Fully implement the requirements of the new legislation (Homelessness Reduction Act 2107) and respond to new guidance and case law development and continue to develop a person centred culture working alongside people to help resolve their housing needs. | <ul style="list-style-type: none"> • HNT | <ul style="list-style-type: none"> • Legal Team | Staff, policy & procedures not up to date with current legislation and guidance, legal challenges and case law. | Officer time | Ongoing |
| | Reshape the relationship between the Housing Team and Customer services to ensure that customers are able to access good quality housing advice at first point of contact. | <ul style="list-style-type: none"> • Joint Housing Manager | <ul style="list-style-type: none"> • Contact Centre Services Manager | Team not compliant with HRA and missed opportunities to prevent homelessness | Officer time | End Oct 2018 |
| | Conduct an accessibility audit of the service | <ul style="list-style-type: none"> • HS&PT • HNT | <ul style="list-style-type: none"> • Performance and Insight Team | Team not compliant with HRA and missed opportunities to prevent homelessness | Officer time | End Oct 2018 |
| | Complete a review of on the day homeless presentations | <ul style="list-style-type: none"> • HS&PT • HNT | <ul style="list-style-type: none"> • Performance and Insight Team | Team not compliant with HRA and missed opportunities to prevent homelessness | Officer time | End Oct 2018 |

Appendix B

| Objectives | Actions | Responsibility | Key Partners | Risk if not completed | Resources Required | Target Date |
|------------|---|--|--|---|---|---------------|
| | Communicate clearly, the services delivered by our teams and relevant partners, through a wide range of media and partnership meetings. | <ul style="list-style-type: none"> • HNT • HS&PT | <ul style="list-style-type: none"> • HPN • Communications Team | Lack of awareness / misunderstanding of our new duties/ raised expectations by customers and partner agencies if we do not communicate adequately | Officer time and existing budgets | Ongoing |
| | Complete evaluation to ensure self-help materials, including the enhanced housing options module for customers, are effective. | <ul style="list-style-type: none"> • HS&PT • HNT | <ul style="list-style-type: none"> • HPN • Customers | Risk of current self-help materials being ineffective if no review is completed. | Homelessness Prevention Grant / New Burdens / New Homes Bonus | End June 2019 |
| | Evaluate options for in-house Money Advice Service provision within CDC homelessness service | <ul style="list-style-type: none"> • Assistant Director Housing • Joint Housing Manager | <ul style="list-style-type: none"> • Joint Revenues and Benefits Manager • Human Resources • Finance team | Potentially homeless customers unable to access timely money & debt advice, embedded within the team | Officer time Homelessness Prevention Grant | End July 2018 |
| | Review corporate contract for debt and money advice | <ul style="list-style-type: none"> • Joint Housing Manager • Joint Revenues & Benefits Manager | <ul style="list-style-type: none"> • Assistant Director Communities | Residents unable to access independent, free debt and money advice | Officer time | End Aug 2018 |

| Objectives | Actions | Responsibility | Key Partners | Risk if not completed | Resources Required | Target Date |
|---|---|--|---|--|----------------------------------|--|
| | Complete review regarding consideration of wider role for money advice services in debt prevention, upstream financial education work and social prescribing. | <ul style="list-style-type: none"> Joint Housing Manager Joint Revenues & Benefits Manager | <ul style="list-style-type: none"> Assistant Director Communities Financial Inclusion Group | Services focus on responding to financial and debt crisis rather than prevention and education. | Officer time | End Sept 2018 |
| | Take an active role in the Oxfordshire Trailblazer project. | <ul style="list-style-type: none"> Joint Housing Manager HNT | <ul style="list-style-type: none"> Other Oxfordshire LAs | Unable to access additional resources/ projects funded by Trailblazer Programme & develop knowledge via evaluation | Officer time & existing budgets | Ongoing |
| 1c) Focus homelessness prevention activity on tackling the common causes of homelessness locally | Complete a comprehensive review and health check of our Housing Allocation scheme to ensure it supports homelessness prevention. | <ul style="list-style-type: none"> HNT HS&PT | <ul style="list-style-type: none"> Legal Team | The allocations scheme may fall out of step with obligations of the new Act and local demand. | Officer time | End June 2019 |
| | Establish a Homelessness Prevention Fund | <ul style="list-style-type: none"> HS&PT | <ul style="list-style-type: none"> HNT | Restricted homelessness prevention tools and unable to pursue creative homelessness prevention solutions | Officer time | End July 2018 Evaluation April 2019 |
| | Continue to develop the existing skills and expertise within the team regarding mediation. | <ul style="list-style-type: none"> Joint Housing Manager Housing | <ul style="list-style-type: none"> HNT | Existing staff do not have up to date knowledge and skills and | Officer time Existing budgets | Ongoing |

| Objectives | Actions | Responsibility | Key Partners | Risk if not completed | Resources Required | Target Date |
|---|--|--|---|---|---|---------------|
| | | Team Leader | | new staff will not develop the relevant expertise. | | |
| | Work with partners to develop a service that offers mediation and builds resilience for young single people facing homelessness as a result of relationship and family breakdown | <ul style="list-style-type: none"> • HS&PT | <ul style="list-style-type: none"> • HNT | Lack of access to specialist mediation services for young people | Officer time Homelessness Prevention Grant | End Sept 2018 |
| 1d) Continue the development of effective partnerships with other departments within the council and statutory, voluntary and other agencies to prevent and relieve homelessness | Establish a Homelessness Prevention Network (HPN) meeting to ensure effective communication and understanding between partner services. | <ul style="list-style-type: none"> • HS&PT • HNT | <ul style="list-style-type: none"> • Partner agencies | Without a network there is a potential for organisations to lack up to date information about partner services and how to access them, which is essential to meet the Duty To Refer and for efficient working | Officer time | Bi-monthly |
| | Work with colleagues in the health sector to prevent homelessness and promote timely discharge into suitable accommodation among patients leaving acute and community hospitals. | <ul style="list-style-type: none"> • Joint Housing Manager • HNT | <ul style="list-style-type: none"> • Oxfordshire trailblazer | Patients become homeless on hospital discharge and / or unnecessarily prolonged stays in hospital. | Officer time | Ongoing |
| | Develop and reshape the relationship with key Registered Providers to incorporate a | <ul style="list-style-type: none"> • Assistant Director Housing | <ul style="list-style-type: none"> • RPs • Legal Team | RP's not committed to assist the local | Officer time | End Dec 2018 |

| Objectives | Actions | Responsibility | Key Partners | Risk if not completed | Resources Required | Target Date |
|--|--|--|--|--|--------------------|----------------|
| | commitment to reduce and prevent homelessness in the district. | <ul style="list-style-type: none"> Joint Housing Manger | | housing authority to meet its legal homelessness duties | | |
| | Work with the Private Sector Housing Team to monitor the impact of new legislation for private landlords and resultant trends in homelessness. | <ul style="list-style-type: none"> HS&PT | <ul style="list-style-type: none"> Private Sector Housing Team | Failure to monitor potential emerging trends in homelessness | Officer time | Ongoing |
| 1e) Focus on early identification of households at risk of homelessness | Develop a consistent approach across the county for the Duty to Refer under the HRA. | <ul style="list-style-type: none"> Oxfordshire Trailblazer project | <ul style="list-style-type: none"> Public bodies with duty to refer | Non-compliance with the HRA 2017 | Officer time | End Sept 2018 |
| | Ensure appropriate ICT is in place to implement the Duty to Refer | <ul style="list-style-type: none"> Joint Housing Manager HNT | <ul style="list-style-type: none"> Abritas (software provider) | Non-compliant with HRA | Existing budget | End Sept 2018 |
| | Extend the Duty to Refer principle beyond the statutory partners | <ul style="list-style-type: none"> HNT HS&PT | <ul style="list-style-type: none"> Community Groups GPs RPs | Missed opportunity to prevent homelessness. | Officer time | End March 2019 |
| 1f) Continue to improve collection and analysis of information about local trends in homelessness to enable intelligence led service delivery | Support service monitoring by robustly and accurately recording data, to ensure compliance with new case recording practices. | <ul style="list-style-type: none"> HNT | | Insufficient or inaccurate data and intelligence to inform service monitoring, evaluation and development. | Officer time | Ongoing |
| | Ensure that reporting tools for HRA module are adequate to allow robust and timely analysis of trends. | <ul style="list-style-type: none"> HS&PT | <ul style="list-style-type: none"> Abritas | Unable to extract relevant data from case management system. | Officer time | Ongoing |

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| Objectives | Actions | Responsibility | Key Partners | Risk if not completed | Resources Required | Target Date |
|------------|---|--|---|---|--------------------|-------------------------|
| | Ensure that all forms of homelessness prevention, including Debt Advice and DHPs which are managed outside of the HOT, are captured periodically. | <ul style="list-style-type: none"> • HS&PT • HNT | <ul style="list-style-type: none"> • CSN | New MCHLG monitoring tool may not capture all relevant sources of homelessness prevention to ensure our data is robust. | Officer time | Ongoing from April 2018 |

Priority 2: Prevent Single Homelessness

| Objectives | Actions | Responsibility | Key Partners | Risk if not completed | Resources Required | Target Date |
|--|---|--|--|---|---|--------------------|
| 2a) Ensure services are available to meet the needs of local single homeless people and those who sleep rough in Cherwell | Complete a review of the Single Homeless Pathway (SHP). | <ul style="list-style-type: none"> • HS&PT • HNT | <ul style="list-style-type: none"> • Connection Support • Oxfordshire County Council • A2Dominion • Community & faith groups | SHP does not meet needs, leading to an increase in homelessness and rough sleeping. | Officer time | End Sept 2018 |
| | Work with countywide partners to decide future commissioning arrangements for the Single Homeless Pathway. | <ul style="list-style-type: none"> • HS&PT • HNT | <ul style="list-style-type: none"> • Oxfordshire County Council and other districts and boroughs | SHP does not meet needs, leading to an increase in homelessness and rough sleeping. | Officer time | End Mar 2019 |
| | Undertake an options appraisal for local SWEP provision | <ul style="list-style-type: none"> • HS&PT • HNT | | Inadequate provision during severe weather and potential death of people sleeping rough | Officer time | End Oct 2018 |
| | Pilot development of bespoke services for single homeless/rough sleepers outside of oxford City within the Cherwell area. | <ul style="list-style-type: none"> • HS&PT • HNT | <ul style="list-style-type: none"> • Oxford City Council • Voluntary & Community organisations | Inadequate locally based service provision for single homeless and rough sleepers. | Officer time Existing budgets Potentially MHCLG funding | April 2019 onwards |
| | Complete a desk-top review of the Housing Led models of supported accommodation for single homeless people, to assess | <ul style="list-style-type: none"> • H&SPT • HNT | | Lack of appropriate accommodation locally for single | Officer time | End Dec 2018 |

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| | relevance to CDC and inform future commissioning. | | | homeless people | | |
| 2b) Better understand the needs of people who sleep rough in Cherwell | Undertake annual rough sleeper estimate. | <ul style="list-style-type: none"> • HNT • HS&PT | <ul style="list-style-type: none"> • Homeless Link • HPN • Health service partners • Environmental Protections and Waste Collection teams | Failure to comply with legal requirement to submit an annual figure to central Government. | Officer time | Nov 2018 Nov 2019 |
| | Improve data monitoring in relation to local people who are verified as sleeping rough. | <ul style="list-style-type: none"> • HNT • H&SPT | <ul style="list-style-type: none"> • Connection Support • Community & faith groups | Inadequate support and accommodation for people who sleep rough | Officer time | Ongoing from July 2018 |

Priority 3: Ensure vulnerable people can access appropriate help and support

| Objectives | Actions | Responsibility | Key Partners | Risk if not completed | Resources Required | Target Date |
|--|--|--|---|---|---|---------------|
| 3a) Ensure vulnerable households who are homeless or at risk of homelessness can access appropriate help and support, through partnership working | Fund Community & Faith groups to reduce homeless by supporting vulnerable people | <ul style="list-style-type: none"> • HS&PT • HNT | <ul style="list-style-type: none"> • Community & Faith groups | Reduced support services within the community | Homelessness Prevention Grants | Ongoing |
| | Refresh and update Homelessness Pocket Guide | <ul style="list-style-type: none"> • HS&PT | <ul style="list-style-type: none"> • Community & Faith groups • Statutory organisations | Information provided becomes out of date | Officer time | End Sept 2018 |
| | Monitor the outcomes for the new domestic abuse contract for Oxfordshire and ensure value for money for Cherwell's financial contribution. | <ul style="list-style-type: none"> • HS&PT • HNT | <ul style="list-style-type: none"> • Oxfordshire County Council • A2Dominion | Cherwell residents unable to access appropriate domestic abuse services | Officer time Homelessness Prevention Grant | Ongoing |
| 3b) Ensure future commissioning of support and help services is evidenced by robust data collection | Gather from Personal Housing Plans and H-CLIC, case level detail about all support needs and review data to inform working practices and the commissioning of services | <ul style="list-style-type: none"> • HS&PT • HNT | | The authority has historically lacked robust data on support needs, necessary to bid for grants and commission services | Officer time | Ongoing |

| Objectives | Actions | Responsibility | Key Partners | Risk if not completed | Resources Required | Target Date |
|--|---|---|---|---|--------------------|---------------|
| | Improve understanding of the level of need amongst homeless households for support from services dealing with substance misuse, mental health, criminal justice and ex-armed forces personnel. | <ul style="list-style-type: none"> • HS&PT | <ul style="list-style-type: none"> • OCC • Community partners | Failure to understand local needs and lack of robust evidence base to influence commissioning decisions | Officer time | End Jun 2019 |
| | Work with Oxfordshire County Council to encourage early engagement with the council in the commissioning process to allow co-design of services to ensure the level of provision best meets the needs of local residents. | <ul style="list-style-type: none"> • HS&PT | <ul style="list-style-type: none"> • OCC | Needs of local residents not met by commissioned services | Officer time | Ongoing |
| 3c) Provide help and support for households who are homeless or at risk of homelessness | Develop business case for permanent Tenancy Support Officer (TSO), within Housing Options Team and improve evidence of the impact and outcomes. | <ul style="list-style-type: none"> • Joint Housing Manager • HS&PT • HNT | <ul style="list-style-type: none"> • TSO | TSO post is currently only funded until March 2019. Outcomes monitoring and evidencing needs to be built into the service | Existing Budget | End July 2018 |

Priority 4: Ensure homeless households can access suitable temporary and permanent accommodation

| Objectives | Key Actions | Responsibility | Key Partners | Risk if not completed | Resources Required | Target Date |
|--|--|--|--|---|---|--------------|
| 4a) Ensure homeless households can access suitable temporary and permanent accommodation in the social housing sector | Improve our evidence base regarding the extent of affordability issues in relation to social housing. | <ul style="list-style-type: none"> • HNT • HS&PT | <ul style="list-style-type: none"> • Performance and Insight Team | Improved data collection is vital to better understand and evidence the extent to which tenants and prospective tenants experience difficulty affording social housing at affordable rent level | Officer time and / or externally commissioned review (funded by existing budgets) | End Dec 2018 |
| | Explore ways with our registered provider partners to increase the delivery of social housing including both social rented and affordable rented properties. | <ul style="list-style-type: none"> • HS&PT | <ul style="list-style-type: none"> • HOT • RPs | Insufficient and/ or unaffordable new housing delivery | Officer time | End Mar 2019 |
| | Support people on the housing register to develop the relevant financial and life skills to obtain and maintain a social tenancy. | <ul style="list-style-type: none"> • HNT • HS&PT | | Tenants being unable to sustain tenancies and resultant increase in homelessness | Officer time – additional staff resource to deliver this to be considered | Ongoing |

| | | | | | | |
|--|--|--|--|---|---|--------------|
| 4b) Enable homeless households to access permanent accommodation in the private rented sector | Review the Council's offer to private landlords (Bond Scheme and landlord Home Improvements Grants) | <ul style="list-style-type: none"> • HS&PT • HNT | <ul style="list-style-type: none"> • Private landlords • Private Sector Housing Team | Inadequate offer to incentivise landlords to work with the council and accept housing service customers | Officer time Exiting budgets Potentially a capital bid | End Dec 2018 |
| | Develop a communications & marketing strategy to promote the Council's 'offer' to private landlords. | <ul style="list-style-type: none"> • HS&PT • HNT | <ul style="list-style-type: none"> • Communication Team | Lack of information and awareness of council's offer | Officer time | End Dec 2018 |
| | Explore opportunities with our registered provider partners to grow their local private rented portfolio and increase access to these properties for local people in housing need. | <ul style="list-style-type: none"> • HS&PT • HNT | <ul style="list-style-type: none"> • RPs | Insufficient, affordable, good quality private rented stock | Officer time | End Mar 2019 |
| 4c) Ensure homeless households can access suitable temporary accommodation, minimising the use of bed and breakfast accommodation | Conduct a full review of the provision and procurement of temporary accommodation to ensure adequate and appropriate provision and best use of resources. | <ul style="list-style-type: none"> • HS&PT • HNT | <ul style="list-style-type: none"> • RPs | There is potential for an increased demand for temporary accommodation as a result of the extended duties under the HRA and through the economic impact of UC implementation. | Officer time and / or external consultants (funded by existing budgets) | By Dec 2018 |
| | Produce an up to date TA strategy. | <ul style="list-style-type: none"> • HS&PT • HNT | | | Officer time | End Mar 2019 |
| | We will undertake a post tenancy satisfaction survey for people who have been in temporary accommodation | <ul style="list-style-type: none"> • HS&PT • HNT | <ul style="list-style-type: none"> • Performance and Insight Team | We miss intelligence on any specific problems experienced by those we place in temporary | Officer time | End Dec 2018 |

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| | | | | accommodation, as well as any positive feedback | | |
| 4b) Ensure people experiencing domestic abuse can access suitable accommodation | Monitor the current refuge provision in Oxfordshire to ensure it meets Cherwell residents' needs | <ul style="list-style-type: none"> • HS&PT • HNT | <ul style="list-style-type: none"> • OCC • A2Dominion | Inadequate provision for Cherwell residents to access refuge accommodation | Officer time | Ongoing |
| | Work with other Oxfordshire housing authorities to set up reciprocal arrangements for people ready to move on from refuge into permanent accommodation | <ul style="list-style-type: none"> • HS&PT • HNT | <ul style="list-style-type: none"> • Oxfordshire district and City councils | Increased homeless presentations from residents leaving refuge | Officer time | End Mar 2019 |

Cherwell District Council

Executive

2 July 2018

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| <p>Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2016 – enforcement and authorisations</p> |
|---|

Report of Assistant Director Housing

This report is public

Purpose of report

To request Executive approval to authorise officers to apply certain financial penalties where landlords do not bring their privately rented properties up to the legal minimum standard as set out in the Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015 and as may be amended.

1.0 Recommendations

The Executive is recommended:

- 1.1 To approve use of the financial penalties, as outlined in this report, to ensure private rented domestic properties meet the prescribed minimum energy efficiency standards.
- 1.2 To delegate this power to the Assistant Director of Housing who may then provide sub-delegations, as required, to other appropriate officers.

2.0 Introduction

- 2.1 On 1 April 2016 the Energy Efficiency (Private Rented Property) (England and Wales) Regulations came into force to improve the energy efficiency of privately rented property. They enable a tenant of a domestic property to request their landlord's consent for energy efficiency improvements to be made to the property and place a duty on the landlord not to unreasonably refuse such works. In any case where a tenant has served a tenant's request and the landlord has failed in their duty, the tenant may apply to the First-tier Tribunal for its consent to make the improvements.
- 2.2 The Regulations also require domestic private rented properties to have a minimum Energy Performance Certificate (EPC) rating of E. From 1st April 2018, landlords are prohibited from granting new tenancies for properties with an EPC rating below E, nor may they renew or extend existing tenancies (which includes tenancies that become statutory periodic tenancies following the end of a fixed term shorthold).

- 2.3 From 1 April 2020, the restriction on landlords letting out sub-E rated properties is extended to cover all existing tenancies for properties in scope of the regulations.
- 2.4 These provisions will not apply if the landlord is unable to obtain funding to cover the whole cost of the works to bring the property up to an E rating or above; or all improvements that could be reasonably undertaken have been undertaken and the property remains under an E rating. However, if either of these exemptions applies, the landlord must register the exemptions on the Government's PRS Exemption Register.
- 2.5 The Government is currently consulting on whether the 'full cost' exemption should be replaced by a 'maximum cost' exemption. Current expectation is that the Regulations will be amended in due course so that landlords will have to fund improvements up to a specified value before an exemption can be registered.
- 2.6 Local authorities must enforce compliance. The Council can make use of the national EPC register to direct and assist this work and will also be able to make use of data provided as part of its recent Stock Modelling exercise and report.
- 2.7 Non-compliant landlords can be made subject to a financial penalty of up to £5,000 for offences including failure to obey a Compliance Notice requiring information, failure to register a property on the PRS Exemption Register, or registering false information (table 1).
- 2.8 The authority may also publish details of the breaches on the PRS Exemption Register for 12 months or for any greater period of time as it sees fit (table 1).

Table 1. Maximum and Minimum Penalties

| Offences | Maximum Financial Penalty | Total Maximum Financial Penalty per Property per Breach | Minimum Publication Penalty |
|--|----------------------------------|--|------------------------------------|
| Letting a sub-standard property for less than 3 months | £2000 | £5000 | 1 year |
| Letting a sub-standard property for more than 3 months | £4000 | | |
| Registered false or misleading information | £1000 | | |
| Failure to comply with compliance notice | £2000 | | |

- 2.9 The process for issuing a financial penalty notice is set out in appendix 1. The landlord can request a review but then has the right to make an appeal against a penalty the First-tier Tribunal which can uphold or quash the penalty.

3.0 Report Details

- 3.1 Only a representative or authorised officer of the Council may carry out enforcement activities (including use of information held on the PRS Exemption Register or produced in response to a compliance notice) and issue compliance notices where applicable.
- 3.2 Further to recommendation 1.2 officers in the Private Sector Housing Team will be authorised to carry out functions under the Energy Efficiency (Private Rented Property) (England and Wales) Regulation 2015 (as amended) applicable to domestic properties.
- 3.3 Where the local authority decides to impose a financial penalty, it has the discretion to decide on the amount of the penalty up to the maximum limits set by the Regulations. The Government has made clear that it expects local authorities to impose maximum penalties for breaches, although there is flexibility to consider mitigating circumstances when setting penalty levels.
- 3.4 In deciding whether to impose a penalty, officers will take into consideration the Council's Enforcement Policy¹.
- 3.5 When a fine is issued it will be issued at the maximum permitted levels applicable to the relevant breach(s) and maximum total permitted fine; with a 25% discount for paying the total fine within 14 days of the penalty notice issue.

Table 2. Applicable Penalties and Publication periods

| Failure | Financial Penalty | Publication Notice Period |
|--|--------------------------|--|
| Let a sub-standard property less than 3 months | £2000 | None |
| Let a sub-standard property more than 3 months | £4000 | 1 year |
| Registered false or misleading information | £1000 | 1 year |
| Failed to comply with compliance notice (for information) | £2000 | 2 years |
| Failed to comply with compliance notice (to register on the PRS Exemption Register. | £2000 | 2 years |
| Maximum Total Fine/Publication * | £5000 | 3 years |
| Failed to take the action required by a penalty notice within the period specified and a second penalty notice issued. | £2000 | 3 years from date of last penalty notice served. |

**Further breaches may result in additional penalties*

¹ The joint SNC & CDC Enforcement Policy

4.0 Conclusion and Reasons for Recommendations

- 4.1 The Government has introduced financial penalties as a means of preventing landlords from profiting from non-compliance with legislation and to ensure compliant landlords are not disadvantaged. It is important that the penalties for not complying are sufficiently substantial to persuade a landlord to carry out their duties without the need for enforcement.
- 4.2 The penalty fees outlined in this report are intended to provide sufficient incentive for landlords to comply.
- 4.3 Chasing payment for unpaid fines can be resource intensive and expensive; it is proposed that fines paid within 14 days of the penalty notice issue will be reduced by 25% to incentivise early payment.

5.0 Alternative Option and Reasons for Rejection

- 5.1 The following alternative option has been identified and rejected for the reasons given below.

Option 1: The Council could choose to adopt lower penalty levels than those stipulated as a maximum within the legislation; however that would not send a clear message to landlords that they must ensure tenants (many vulnerable) are able to manage their energy costs; improve the condition of the private rented stock and reduce maintenance costs; smooth seasonal peaks in energy demand and increase the nation's energy security; and reduce greenhouse gas emissions.

6.0 Implications

Financial and Resource Implications

- 6.1 No additional resource will be required. Any additional income generated by the issue of fixed penalty notices will contribute to the funding of the Council's services.
- 6.2 There is no financial risk to the Council.

Comments to be checked by:
Kelly Wheeler Principal Accountant, 01327 32230,
kelly.wheeler@cherwellandsouthnorthants.gov.uk

Legal Implications

- 6.3 Regulation 34 of the Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2016 SI 2015 No 660 requires local authorities to enforce compliance. A local authority is the 'enforcement authority' for its area².
- 6.4 Compliance Notice
An enforcement authority may, on or after 1 April 2018, serve a "compliance notice" on a landlord where the landlord appears to it to be, at any time within the last 12

² But the County Council, as Weights & Measures authority, is responsible for enforcement of the Regulations as they relate to non-domestic property.

months, in breach of one or more of the following - (a) regulation 23 (, (b) regulation 27. The authority may vary or revoke the order at any time in writing.

6.5 Penalty Notice

An enforcement authority may, on or after 1 April 2018, serve a “penalty notice” on a landlord where it is satisfied that the landlord has been at any time within the last 18 months in breach of one or more of the following - (a) regulation 23 (Prohibition on letting a substandard property), (b) regulation 27 (Prohibition on letting substandard non-domestic property) or (c) regulation 37(4)(a) (Compliance with a Compliance Notice), impose a financial penalty, a publication penalty, or both. The notice must specify any action the enforcement authority requires the landlord to take to remedy the breach and the period within which such action must be taken. If the landlord fails to take the action required by a penalty notice within the period specified in that penalty notice the enforcement authority may issue a further penalty notice.

6.6 Appeal

A landlord may, within the period specified under regulation 38(2)(h)(ii), serve notice on the enforcement authority requesting a review of its decision to serve a penalty notice. If, after a review, a penalty notice is confirmed by the enforcement authority, the landlord may appeal to the First-tier Tribunal.

6.7 Debt

The amount of an unpaid financial penalty is recoverable from the landlord as a debt owed to the enforcement authority unless the notice has been withdrawn or quashed.

Comments checked by:

Amy Jones, Solicitor, 01295 221987,

amy.jones@cherwellandsouthnorthants.gov.uk

Risk Implications

- 6.8 There is a reputational risk to the Council in not adopting the new powers and ensuring its private rented tenants are able to live in energy efficient homes that they can afford to heat.

Comments checked by:

Louise Tustian, Team Leader – Insight Team; 01295 22 1786;

louise.tustian@cherwellandsouthnorthants.gov.uk

Equalities implications

- 6.9 To the extent that poorer quality private rented accommodation is frequently occupied by vulnerable people, enforcement of this legislation has the potential to assist those residents in particular.

Comments checked by:

Caroline French, Policy & Projects Officer, Business Transformation Team 01295

251586; Caroline.french@cherwellandsouthnorthants.gov.uk

7.0 Decision Information

Key Decision

Financial Threshold Met: **No**

Community Impact Threshold Met: **Yes**

Wards Affected

All wards

Links to Corporate Plan and Policy Framework

Joint Business Plan: Safeguard the Vulnerable; Provide and Support Health & Wellbeing.

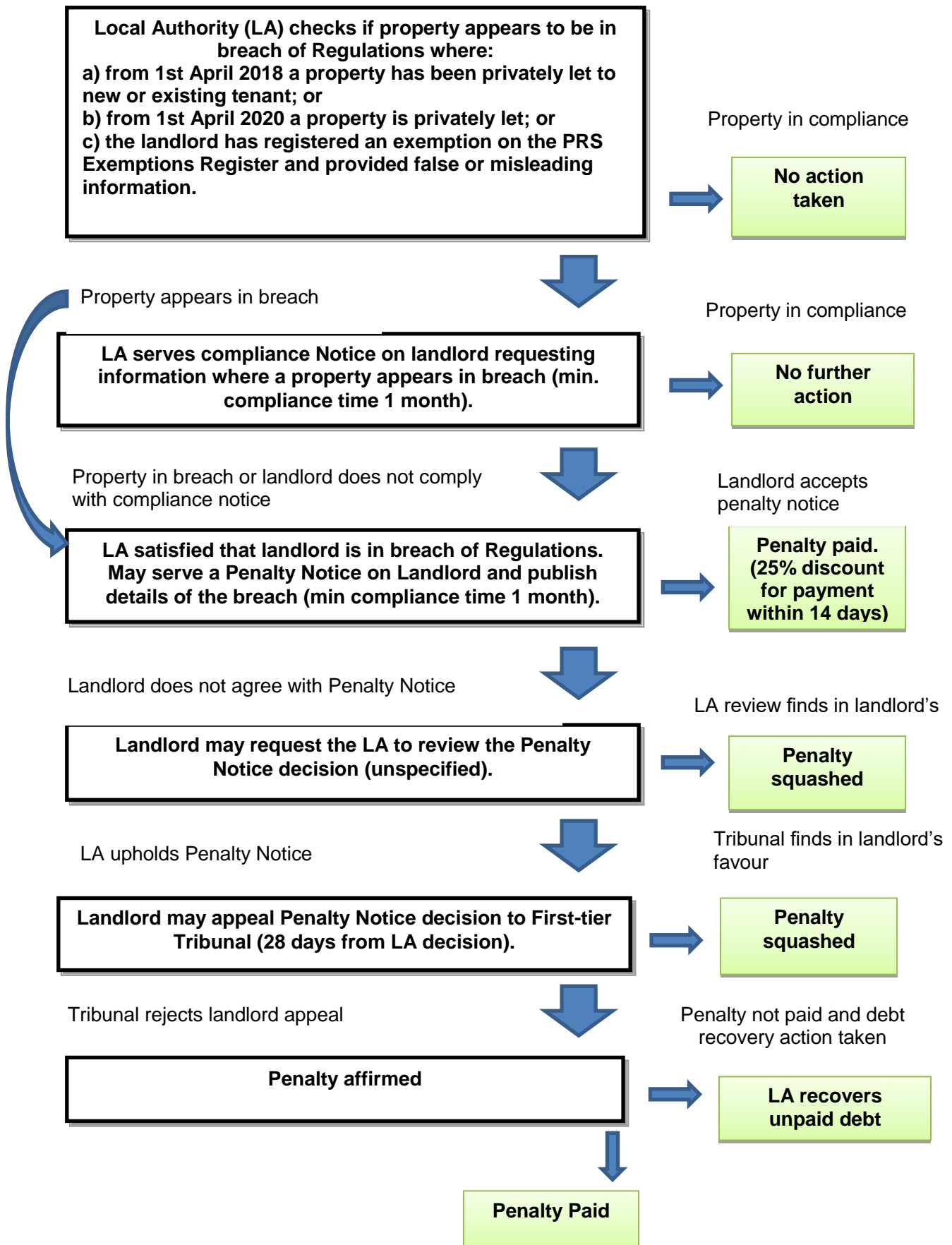
Lead Councillor

Councillor John Donaldson, Lead Member for Housing

Document Information

| Appendix No | Title |
|---------------------|--|
| One | Compliance and Enforcement Flow Chart |
| Background Papers | |
| None | |
| Report Author | Tim Mills, Private Sector Housing Manager |
| Contact Information | 01295 221655, tim.mills@cherwellandsouthnorthants.gov.uk |

Appendix 1 Compliance and Enforcement Flow Chart



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Cherwell District Council

Executive

2 July 2018

| |
|--|
| <p>Policy to Implement Enforcement Powers Provided by the Housing and Planning Act 2016</p> |
|--|

Report of Assistant Director Housing

This report is public

Purpose of report

This report explains certain enforcement powers to deal with rogue landlords provided by the Housing and Planning Act 2016, and seeks approval of 3 policies that will allow the Council, as the local housing authority, to implement and make use of those powers.

1.0 Recommendations

The Executive is recommended to:

- 1.1 Adopt the policy for imposing civil penalties as an alternative to prosecution in appropriate cases, as detailed in Appendix 1, with immediate effect.
- 1.2 Adopt the policy dealing with applications for rent repayment orders, as detailed in Appendix 2, with immediate effect.
- 1.3 Make the Assistant Director Housing responsible for determining the uses to which retained civil penalty funds and retained rent repayment should be put.
- 1.4 Adopt the policy dealing with applications for a banning order against persons convicted of specified offences, as detailed in Appendix 3, with immediate effect.

2.0 Introduction

- 2.1 The Housing and Planning Act 2016 introduced a range of enforcement measures as part of the Government's drive to ensure non-compliant landlords are unable to operate in the sector and unable to gain a financial advantage over landlords who meet their obligations and provide a good standard of rented property; these include:

- Civil penalties of up to £30,000 as an alternative to prosecution for certain specified offences (came into force on 6 April 2017)

- Extension of rent repayment orders to cover unlawful eviction, breach of a banning order and certain other specified offences (came into force on 6 April 2017).
- Banning orders for the most serious and prolific offenders (came into force 6 April 2018).
- Database of rogue landlords and property agents who have been convicted of certain offences or received multiple civil penalties (came into force 6 April 2018).

3.0 Report Details

Civil Penalties

- 3.1 The civil penalty powers contained in the Housing and Planning Act 2016 complement the existing enforcement tools that local authorities have under the Housing Act 2004, i.e. to prosecute and/or carry out works in default where landlords fail to comply with housing legislation. They have the advantage of providing a potentially simpler and quicker outcome and also enable the local authority to retain the penalty for the specific purpose of resourcing private sector housing enforcement work.
- 3.2 Civil penalties are available as an alternative to prosecution for the following housing offences:
- Failing to comply with an improvement notice (s.30 Housing Act 2004)
 - Failure to comply with management regulations in respect of Houses in Multiple Occupation (s.234)
 - Offences in relation to licensing of Houses in Multiple Occupation (s.72)
 - Offences in relation to licensing of houses under Part 3 of the Act (s.95)
 - Offences of contravention of an overcrowding notice (s.139)
 - Breach of a banning order (s.21 Housing & Planning Act 2016)
- 3.3 The Ministry of Housing, Communities and Local Government (MHCLG) has produced guidance that sets out the factors that must be taken into account when determining an appropriate level of penalty (up to a maximum of £30,000), but it is for the 2 Councils (CDC and SNC) to determine their specific approach. It is recommended that both Councils should adopt the same approach.
- 3.4 The framework recommended for adoption in this report has, with their consent, been developed from the matrix created by Oxford City Council and is one they have successfully implemented. It enables officers to consider all the relevant factors and calculate an appropriate level of penalty on a prescribed basis. This approach will aid consistency and offer transparency to the enforcement process and will assist in the event that appeals are made against any civil penalty decisions. The matrix approach will also facilitate future amendment if required at any stage (e.g. in response to any further regulations or guidance released by the Secretary of State).
- 3.5 The proposed Civil Penalties Policy is attached as Appendix 1, and includes the matrix that will be used as the basis for determining the appropriate penalty in each case.

3.6 Enforcement officers will review and assess each case to determine whether to issue a civil penalty or undertake other enforcement interventions in line with the Councils' enforcement policies. It should be noted that if a civil penalty is considered the most appropriate action, a prosecution cannot be sought. Banning Orders, which can only be sought following conviction, will be reserved for the worst offenders; so civil penalties are likely to be the more frequent enforcement approach taken in response to relevant breaches of the Housing Act 2004.

3.7 Civil penalties are subject to appeal in the First-tier Tribunal (Property Chamber) (FtT). It is essential that penalties are set at a reasonable level which it can successfully defend on appeal but statutory guidance makes clear that fines should be of a sufficient level to act as a deterrent and remove any gain derived through failure to comply.

Rent Repayment Orders

3.8 Rent Repayment Orders were introduced by the Housing Act 2004, but only applied in the event of a failure to licence a qualifying property. The Housing and Planning Act extends the scope of Rent Repayment Orders (RROs) to cover a much wider range of offences. Relevant offences are:

- Violence for securing entry, s.6(1) Criminal Law Act 1977
- Unlawful eviction or harassment of occupier, s.1 Protection from Eviction Act 1977
- Failure to comply with an improvement notice, s.30 Housing Act 2004
- Failure to comply with a prohibition orders, s.32 Housing Act 2004
- Control or management of unlicensed HMO, s.72(1) Housing Act 2004
- Control or management of unlicensed house, s.95(1) Housing Act 2004
- Breach of a banning order, s.21 Housing and Planning Act 2016

3.9 The Council now has a duty under the Housing and Planning Act to *consider* applying for an RRO if it becomes aware that a person has been convicted of one of the above offences. In all likelihood it will be the Council that secures such a conviction.

3.10 The Council also has a discretionary power to consider applying for an RRO if it becomes aware that a landlord has committed an offence but has not yet been convicted. In these cases it would be necessary to satisfy the First-tier Tribunal, beyond reasonable doubt, that the offence has been committed. This could include cases in which the landlord has admitted the offence and accepted a caution.

3.11 In addition, there is a further discretionary power for councils to assist tenants to apply for an RRO themselves, in cases where the council chooses not to do so. That might take the form of providing advice or legal assistance to lodge claim forms or attend hearings, for example.

3.12 The MHCLG has produced statutory guidance to help local housing authorities use their powers to seek Rent Repayment Orders and regard must be given to this guidance.

3.13 The proposed Rent Repayment Order Policy, which takes full account of the statutory guidance, is attached as Appendix 2.

Banning Orders

3.14 On successful conviction of a relevant offence, the Council may apply to the First-tier Tribunal (FtT) for a banning order and the Government has made clear¹ that it expects banning orders to be used for the most serious offenders. The housing-related offences regarded as banning order offences include:

- Illegally evicting or harassing a residential occupier in contravention of the Protection from Eviction Act 1977 or the Criminal Law Act 1977

Any of the following offences under the Housing Act 2004:

- Failure to comply with an Improvement Notice (Section 30)
- Offences in relation to licensing of HMOs (Section 72)
- Allowing a HMO that is not subject to licensing to become overcrowded (Section 139)
- Failure to comply with management regulations in respect of HMOs (Section 234)
- Failure to comply with a Prohibition or Emergency Prohibition Order (Section 32)
- An offence under the Health and Safety at Work Act etc. Act 1974 where a person
- Contravenes Section 36 of the Gas Safety (Installation and Use) Regulations 1998
- An offence under Section 32 of the Regulatory Reform (Fire Safety) Order 2005

3.15 If the FtT makes a banning order, a landlord (or property agent) is banned from:

- Letting houses in England
- Engaging in English letting agency work
- Engaging in English property management work
- Doing two or more of those things

3.16 Breach of a banning order is a criminal offence.

3.17 The proposed Banning Order Policy, which takes full account of the non-statutory guidance produced by MHCLG, is attached as Appendix 3.

4.0 Conclusion and Reasons for Recommendations

4.1 The proposed policies present members with the opportunity to ensure the Council has the range of enforcement options available to deal effectively with rogue landlords and to protect our residents. In relation to Rent Repayment Orders the proposed policy will also ensure the Council can demonstrate compliance with the duty to consider making an RRO in applicable circumstances.

¹ MHCLG, Banning Order Offences under the Housing and Planning Act 2016 – Guidance for Local Housing Authorities

5.0 Consultation

None

6.0 Alternative Options and Reasons for Rejection

- 6.1 The first alternative option would be to not adopt the new policies relating to the discretionary Civil Penalty and Banning Order provisions but to adopt the Rent Repayment Order Policy in isolation. That would cover the Council's duty as regards RROs. That approach would forego the additional powers and tools available to officers to crack down on rogue landlords who knowingly rent out unsafe and substandard accommodation. It would also prevent the Council from taking advantage of the additional funding that would be available to assist with the enforcement of appropriate conditions in the private rented sector (see section 7.3 below).
- 6.2 The second alternative would be to reject the three policies in their entirety, but that would leave the Council with no means of fulfilling its duty to consider RROs.

7.0 Implications

Financial and Resource Implications

- 7.1 The Government has published guidance which provides for the income from civil penalties to be retained by the local authority. The income must be used to cover the administration and legal costs and expenses incurred in carrying out its private sector enforcement function.
- 7.2 It is anticipated the process of imposing a civil penalty will be more streamlined and less costly than taking a prosecution; however, it should be noted that officers must ensure that sufficient evidence of the offence is properly gathered and recorded to the level required for a prosecution.
- 7.3 The implementation of civil penalties, in common with existing prosecution activity, is within the scope of the existing work of the Private Sector Housing Team and will not require additional resources to implement. However, prosecution cases are extremely time intensive and the reality is that some cases are not currently recommended for prosecution even though the threshold for action is met. The introduction of Civil Penalties is therefore likely to result in an increase in activity, on the basis that cases reaching a 'prosecution threshold' are likely to be subject to a civil penalty. In the event that an additional resource proves necessary to make full benefit of the new power, the retention of the civil penalties will provide potential funding for that resource. This report recommends that the Assistant Director Housing will determine the uses to which retained penalty funds should be put.
- 7.4 Operating costs for RROs will be covered within existing resources. Although there may also be some increase in costs associated with debt recovery if landlords do not pay the civil penalty charge or RRO.

- 7.5 For RROs, where money from housing benefit or Universal Credit has been paid to the landlord in respect of the rent, this will be repayable to the Council and must be used for further enforcement of the private rented sector. Any other money the tenant has paid in respect of the rent will be repayable to the tenant. The maximum amount of rent that can be recovered under an RRO is capped at 12 months.

Comments checked by:

Kelly Wheeler Principal Accountant, 01327 32230,
kelly.wheeler@cherwellandsouthnorthants.gov.uk

Legal Implications

- 7.6 There is a risk of legal challenge from landlords to the civil penalty, firstly to the Council after receiving the Notice of Intent and secondly to the First-tier Tribunal once the Final Notice has been received. There may therefore be an increase in the number of appeals received. However, enforcement action is already subject to appeal to the same Tribunal.
- 7.7 There may be some additional requirement for legal support and input in relation to Civil Penalty appeals, and both Banning Order and Rent Repayment Order applications to the FtT.
- 7.8 Since there is a mandatory duty to consider making a Rent Repayment Order in specified circumstances, each Council must have in place a policy that sets out how it will discharge that duty. The proposed RRO Policy meets that need.

Comments checked by:

Amy Jones, Solicitor, 01295 221987 amy.jones@cherwellandsouthnorthants.gov.uk

Risk implications

- 7.9 The new enforcement powers that are the subject of this report are intended to bear down on rogue and non-compliant landlords. There is no reputational risk to the Councils in using those powers effectively, but conversely, there would be a risk in failing to utilise the available powers.
- 7.10 The Councils would be at risk of challenge and reputational harm in the event they did not have in place a suitable policy that sets out how they will discharge that duty (see Legal Implication comment at 7.3 above).

Comments checked by:

Louise Tustian, Team Leader – Insight Team,; 01295 22 1786;
louise.tustian@cherwellandsouthnorthants.gov.uk

Equalities implications

- 7.11 To the extent that vulnerable people frequently have the fewest options when finding private rented accommodation and are often restricted to poorer quality homes, enforcement of this legislation has the potential to help those residents in particular by ensuring their landlords provide accommodation that meets appropriate standards.

Comments checked by:

8.0 Decision Information

Key Decision

Financial Threshold Met: No

Community Impact Threshold Met: Yes

Wards Affected

All

Links to Corporate Plan and Policy Framework

Corporate Priorities to Serve the Residents and Business and Safeguard the Vulnerable

Joint Business Plan 2018-19: Thriving Communities and Wellbeing - Provide and support health and wellbeing; Safeguard the vulnerable

Lead Councillor

Councillor John Donaldson, Lead Member for Housing

Document Information

| Appendix No | Title |
|----------------------------|--|
| Appendix 1 | Civil Penalties Policy |
| Appendix 2 | Rent Repayment Order Policy |
| Appendix 3 | Banning Order Policy |
| Background Papers | |
| None | |
| Report Author | Tim Mills, Private Sector Housing Manager |
| Contact Information | 01295 221655 Tim.mills@cherwellandsouthnorthants.gov.uk |

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Civil Penalties Policy 2018

This policy explains how the Council will use Civil Penalties provided for by the Housing and Planning Act 2016

1. Introduction

- 1.1 The Housing and Planning Act 2016 enables local housing authorities to impose civil penalties, as an alternative to prosecution, for certain offences under the Housing Act 2004.
- 1.2 This policy takes account of statutory guidance issued by the Government and sets out those circumstances in which the Council may use the powers and the factors that it will take into account when setting the level of the penalty.
- 1.3 The civil penalty powers complement the existing enforcement tools that local authorities have under the Housing Act 2004, that is, prosecution and/or carrying out works in default in some cases. This policy should be read in conjunction with the current versions of the following policies:
 - *Joint Enforcement Policy – SNC & CDC*
 - *House Condition Enforcement Policy - CDC*
 - *Housing Health and Safety Rating System Policy – CDC*
 - *Private Sector Housing Enforcement Policy - SNC*

2. Background

- 2.1 The power to issue a civil penalty as an alternative to prosecution was introduced by s.126 and Schedule 9 of The Housing and Planning Act 2016. Local Authorities may issue penalties of up to £30,000 in respect of the following offences:
 - Failure to comply with an Improvement Notice (under s.30 of the Housing Act 2004)
 - Failure to comply with management regulations in respect of Houses in Multiple Occupation (HMOs) (s.234 Housing Act 2004).
 - Offences in relation to licensing of HMOs (s.72 Housing Act 2004)
 - Breaching of an overcrowding notice (s.139 Housing Act 2004)
 - Breach of a banning order (s.21 Housing and Planning Act 2016)
- 2.2 Statutory guidance has been issued by the Secretary of State and Local Authorities must have regard to it when exercising their powers in respect of civil penalties.
- 2.3 The maximum penalty per offence is £30,000; no minimum amount has been set and the appropriate amount of penalty must be determined by the Council as Local Housing Authority (LHA). Only one penalty can be imposed per offence although multiple offences can result in multiple penalties.
- 2.4 The income received from a civil penalty can be retained by the Council provided it is used to further its statutory functions, as LHA, in relation to its enforcement activities covering the private rented sector.

3. Decision making

- 3.1 A Local Authority cannot issue a Civil Penalty and prosecute for the same offence. In general, the Council will continue to seek prosecution for the worst offences.

- 3.2 Prosecution may be the most appropriate option where an offence is particularly serious or where the offender has committed similar offences in the past¹; however, that does not mean that civil penalties should not, and will not, be used in cases where serious offences have been committed if a significant financial penalty, rather than prosecution, is considered the most appropriate and effective sanction in a particular case.
- 3.3 The same criminal standard of proof is required for a civil penalty as for a prosecution. Before proceeding with a civil penalty, the Council will satisfy itself that, were the case to be prosecuted in the magistrates' court, there would be a realistic prospect of conviction.
- 4. Factors taken into account when deciding the level of Civil Penalty**
- 4.1 The penalty levied in any particular case will reflect the severity of the offence and take account of the landlord's previous record of offending. The maximum civil penalties will be reserved for the very worst offenders.
- 4.2 In order to ensure that the civil penalty is set at an appropriate level, the Council will consider the following factors that the Government has identified as being relevant in its statutory guidance:
- **Severity of the offence.** The more serious the offence, the higher the penalty should be.
 - **Culpability and track record of the offender.** A higher penalty will be appropriate where the offender has a history of failing to comply with their obligations and/or their actions were deliberate and/or they knew, or ought to have known, that they were in breach of their legal responsibilities. Landlords are running a business and should be expected to be aware of their legal obligations.
 - **The harm caused to the tenant.** This is a very important factor when determining the level of penalty. The greater the harm or the potential for harm (this may be as perceived by the tenant), the higher the amount should be when imposing a civil penalty.
- 4.3 The Council will use the financial penalty matrix included as Appendix A to this policy in its determination of the level of penalty².
- 4.4 The financial penalty matrix takes account of relevant factors including:
- **Punishment of the offender.** A civil penalty should not be regarded as an easy or lesser option compared to prosecution. While the penalty should be proportionate and reflect both the severity of the offence and whether there is a pattern of previous offending, it is important that it is set at a high enough level to help ensure that it has a real economic impact on the offender and demonstrates the consequences of not complying with their responsibilities.
 - **Deter the offender from repeating the offence.** The ultimate goal is to prevent any further offending and help ensure that the landlord fully complies with all of their legal responsibilities in future. The level of the penalty should therefore be set

¹ In the event of a conviction the Council would then be able to apply for a Banning Order in appropriate circumstances. This power is subject to a separate policy.

² This matrix was developed by Oxford City Council and is used with their consent.

at a high enough level such that it is likely to deter the offender from repeating the offence.

- **Deter others from committing similar offences.** While the fact that someone has received a civil penalty will not be in the public domain, it is possible that other landlords in the local area will become aware through informal channels when someone has received a civil penalty. An important part of deterrence is the realisation that (a) the local housing authority is proactive in levying civil penalties where the need to do so exists and (b) that the level of civil penalty will be set at a high enough level to both punish the offender and deter repeat offending.
- **Remove any financial benefit the offender may have obtained as a result of committing the offence.** The guiding principle here should be to ensure that the offender does not benefit as a result of committing an offence, i.e. it should not be cheaper to offend than to ensure a property is well maintained and properly managed.

4.5 The penalty may be increased or decreased by aggravating or mitigating factors relevant to the case. Below is a list which will be considered as part of the determination. This is not an exhaustive list and other factors may be considered depending on the circumstances of the case:

Aggravating Factors

- Previous convictions (having regard to nature of offences and time elapsed)
- Motivated by financial gain
- Obstruction of the investigation
- Deliberate concealment of the activity/evidence
- Number of items of non-compliance
- Record of non-compliance
- Record of letting substandard accommodation
- Record of poor management/inadequate management provision
- Lack of a tenancy agreement/rent paid in cash
- Already a member of an accreditation scheme (should know better)

Mitigating Factors:

- Co-operation with the investigation
- Voluntary steps taken to address issues
- Willingness to undertake training
- Evidence of health reasons preventing reasonable compliance
- No previous convictions
- Vulnerable individual (where the vulnerability is linked to the commission of the offence)
- Good character and/or exemplary conduct

4.6 When considering aggravating or mitigating factors, the Council will seek to ensure that the Civil Penalty imposed remains proportionate to the offence.

4.7 Reference will be made to the *Magistrates Court Sentencing Guidelines* when considering relevant aggravating and mitigating factors.

5. Multiple offences

5.1 Where the Council is satisfied that more than one offence has been committed concurrently (in respect of a single property) it may issue multiple civil penalty notices, e.g. where there are multiple breaches of the HMO Management Regulations.

5.2 Where the Council considers that issuing multiple penalties at the same time would result in an excessive cumulative penalty, nothing in this policy shall require it to do so. The Council may take action in respect of one or some of the offences and warn the offender that future action in respect of the remaining offences will be taken if they continue.

6. Recording the decision

6.1 The justification for the decision to issue a Civil Penalty (rather than prosecute) and for the level of penalty set will be fully recorded at each stage. This approach will ensure transparency and aid consistency in the enforcement process and will assist in defending appeals against decisions to impose civil penalties and/or the penalty amount.

6.2 Civil penalties are subject to appeal in the First Tier Tribunal (FtT). The Council will set penalties it believes reasonable and can successfully defend in the event of an appeal.

7. Representations and imposition of penalties

7.1 In the event that the Council receives properly made representations³ in response to a notice of intent, those representations will be considered by the Assistant Director Housing who will determine whether to impose a penalty and, if so, the amount of the penalty.

7.2 If the Council decides to impose a financial penalty, it will give the person a notice ('final notice') requiring that the penalty is paid within 28 days.

³ Representations must be made within 28 days from the date the notice was given.

Civil Penalties Policy 2018 – Appendix A

Determining the level of Civil Penalty:

Introduction

The statutory guidance makes it clear that officers should have regard to the following factors when determining the level of fine:

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

The Financial penalty matrix incorporates the above factors and whether there are any aggravating or mitigating offences. The initial starting point for setting the fine is based on the severity of the offence (assessed by looking at the *culpability x harm*). This gives an assumed starting point (ASP) for the penalty; this figure is further adjusted up or down by consideration of the other factors and presence of aggravating and/or mitigating factors.

1. Severity

Severity of the offence is established by combining culpability and harm. This will give the Band level and assumed starting point (ASP) of the fine.

| | |
|---|---|
| Band 1: £0 to £4999 ASP of £2500 | Low culpability / low harm |
| Band 2: £5000 to £9999 ASP of £7500 | Medium culpability / low harm |
| Band 3: £10000 to £14999 ASP of £12500 | Low culpability / medium harm or High culpability / low harm |
| Band 4: £15000 to £19999 ASP of £17500 | Low culpability / high harm or Medium culpability / medium harm |
| Band 5: £20000 to £24999 ASP of £22500 | Medium culpability / high harm or High culpability / medium harm |
| Band 6: £25000 to £30000 ASP of £27500 | High |

2. Culpability

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

| | |
|----------------------------------|---|
| High: deliberate or reckless act | <p>Intentional breach by offender</p> <p>Disregard of law</p> <p>Knew of a problem/risk but no action taken to correct it, e.g. failure to comply with correctly served Improvement Notice or failure to comply with management regulations</p> |
| Medium: negligent act | <p>Failure to take reasonable care to avoid serious offence, e.g. partly complied with an Improvement Notice</p> <p>Failure to make themselves aware of legal responsibilities</p> |
| Low | <p>Little fault of the offender, e.g. damage caused by tenant, let down by contractor or has full management agreement with agent to oversee the property</p> |

3. Harm

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

The nature of the harm will depend on the circumstances of the victim (tenant).

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

| | |
|------|---|
| High | <p>Defect gives rise to possibility of extreme or severe harm outcomes to occupants and visitors, e.g. electrocution or serious fire safety risk giving rise to class I or II harm outcomes</p> <p>Overcrowding (risk to occupants and high impact on community from issues with overcrowding, e.g. noise, car parking)</p> <p>Especially serious or psychological effect on victim</p> <p>Vulnerable victim(s)</p> <p>Multiple victims</p> |
|------|---|

| | |
|--------|--|
| Medium | Defect gives rise to serious harm outcomes to occupants and visitors, e.g. burns to hand/fingers, serious sprains, gastroenteritis giving rise to class III harm outcomes |
| Low | Defect giving rise to moderate harm outcomes to occupants and visitors, e.g. discomfort, bruising. Property fully compliant with management regulations/licensing standards but no licence in place |

4. Aggravating and mitigating factors

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

| | |
|---------------------|--|
| Aggravating Factors | Previous informal or formal action Lack of cooperation Financial gain |
| Mitigating Factors | Quickly put issue right Offender is vulnerable themselves No previous action |

5. Punishment and deterrence of offender - asset assessment

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

- Value of the property in question and whether this is above or below the average for that type of property and location (consider using Rightmove, Zoopla or similar websites)
- Value of other properties the offender owns
- Rental income
- Other monthly income (e.g. salary)
- Whether the property is mortgaged or owned outright (Land Registry, s.16 information)

6. Deterrence of other offenders

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

deterrent to other landlords. The Council is likely to publish the number and financial value of any civil penalties recovered.

Rent Repayment Order (RRO) Policy 2018

This policy explains how the Council will make use of Rent Repayment Orders provided for by the Housing and Planning Act 2016

1. Introduction

- 1.1 The Housing and Planning Act 2016 enables local housing authorities to apply for a Rent Repayment Order in certain situations. Applications are made to the First Tier Tribunal (FtT) and, if made, require a landlord to repay a specified amount of rent.
- 1.2 This policy takes account of guidance issued by the Government¹. It sets out:
 - How the Council will fulfil its mandatory duty to consider making an application for an RRO when it becomes aware that a landlord has been convicted of a relevant offence.
 - How the Council will use its discretionary powers in other relevant circumstances.
- 1.3 The Rent Repayment powers complement the existing enforcement tools that the Council has under the Housing Act 2004; that is, to prosecute and/or (where the offence is failure to comply with a notice requiring works), to carry out those works in default. This policy should be read in conjunction with the following Council policies:
 - *Joint Enforcement Policy 2015 – SNC & CDC*
 - *House Condition Enforcement Policy - CDC*
 - *Private Sector Housing Enforcement Policy – SNC*
 - *Civil Penalties Policy 2018 – SNC & CDC*

2. Background

2.1 Duties

- 2.1.1 The Council has a duty to consider applying for an RRO if it becomes aware that a person has been convicted of a relevant offence in relation to housing in its area (Section 48 Housing and Planning Act 2016).
- 2.1.2 In deciding whether to apply for an RRO a local housing authority must have regard to the RRO Guidance for local housing authorities, published by the DCLG (now the Ministry of Housing Communities and Local Government (MHCLG)) in April 2017.

2.2 Discretionary powers

- 2.2.1 A tenant or local authority may apply for an RRO against a person who has committed a relevant offence in the authority's area but has not been convicted (Section 41 Housing and Planning Act 2016). This could include, for example, where the person has admitted the offence and accepted a caution or a conviction has not yet been secured.
- 2.2.2 A local housing authority may help a tenant apply for an RRO; for example, by helping the tenant to apply, by conducting proceedings, or by providing advice. (Section 49 Housing Act 2016)

¹ 'Rent repayment orders under the Housing and Planning Act 2016, Guidance for Local Housing Authorities', DCLG 2017.

3. Policy position

3.1 In the event of a conviction

3.1.1 The council will consider applying for an RRO in all cases where it become aware that a person has been convicted of one or more of the following offences ('relevant offences') in its district:

- Violence for securing entry, s.6(1) Criminal Law Act 1977
- Unlawful eviction or harassment of occupier, s.1 Protection from Eviction Act 1977
- Failure to comply with an improvement notice, s.30 Housing Act 2004
- Failure to comply with a prohibition order, s, s.32 Housing Act 2004
- Control or management of unlicensed HMO, s.72(1) Housing Act 2004
- Control or management of unlicensed house, s.95(1) Housing Act 2004
- Breach of a banning order, s.21 Housing and Planning Act 2016

3.1.2 The council will consider each case individually and will take into account the following factors.

- Culpability of the offender
- Harm, or potential harm to tenants or other persons
- Aggravating factors, including previous track-record of the offender, previous offences and previous convictions
- Mitigating factors

3.1.3 The Council will use the decision matrix in Appendix A, to inform its decisions but will also take into account the resources available to it at the time the decision is made, the resources likely to be available to it during the anticipated period of the application process, and the appropriate allocation of resources it should make in light of its other activities and priorities.

3.1.4 Where a landlord has been convicted of an offence the First-tier Tribunal **must** order the amount of rent to be repaid is the maximum that the tribunal has power to order (Section 46 Housing and Planning Act 2016).

3.2 In the event of an offence but no conviction

3.2.1 The council will also consider applying for an RRO in all cases where it become aware that a person has committed one or more of the relevant offences in our district but has not been convicted.

3.2.2 In these circumstances the Council will first satisfy itself that there is likely to be sufficient evidence to prove, beyond reasonable doubt, that an offence has been committed. If there is judged to be sufficient evidence, the Council will then apply the approach set out in sections 3.1.2 and 3.1.3 above in considering whether or not to apply for an RRO.

3.2.3 If the Council considers it appropriate to apply for an RRO in these circumstances, it is also required to consider how much rent it should seek to recover².

² Note however, that for the first 2 offences in section 3.1.1 the amount is fixed, by s45 Housing & Planning Act 2016, as the amount of universal credit paid in the period of 12 months ending with the date of the offence.

3.2.4 In accordance with the guidance provided to it (s3.2 MHCLG Guidance for Local Housing Authorities), the Council will take into account the following in determining how much rent to seek to recover:

- **Punishment of the offender**
Rent repayment orders should have a real economic impact on the offender and demonstrate the consequences of not complying with their responsibilities. Factors that a local housing authority may wish to consider include the conduct of the landlord and tenant, the financial circumstances of the landlord and whether the landlord has previously been convicted of similar offences;
- **Deterring the offender from repeating the offence**
The level of the penalty should be set at a high enough level such that it is likely to deter the offender from repeating the offence.
- **Dissuading others from committing similar offences**
Rent repayment orders are imposed by the First-tier Tribunal and so the fact someone has received a rent repayment order will be in the public domain. Robust and proportionate use of rent repayment orders is likely to help ensure others comply with their responsibilities.
- **Removing any financial benefit the offender may have obtained as a result of committing the offence**
This is an important element of rent repayment orders: the landlord is forced to repay rent, and thereby loses much, if not all, of the benefit that accrued to them by not complying with their responsibilities.

3.2.5 However, having concluded that an application for an RRO is appropriate, and subject to any mitigating or aggravating factors, the Council is most likely to conclude that it should apply to recover the maximum possible amount³.

3.3 Assistance to tenants wishing to make an RRO in cases in which there is evidence of an offence but no conviction

The Council will consider helping a tenant apply for a RRO when requested, but will only do so if it is satisfied there is likely to be sufficient evidence to prove, beyond reasonable doubt, that an offence has been committed, and if it has the resource to do so (as to which see section 3.1.3).

³ i.e. For all but the first 2 offences in section 3.1.1 (as to which see 3.2.3), the maximum amount is the amount of universal credit paid in the period, not exceeding 12 months, during which the landlord was committing the offence (s45 Housing & Planning Act 2016).

RRO Policy 2018 – Appendix A

Determining when to apply for a rent repayment order:

Introduction

The decision matrix in this document will inform the Council's decision making as to whether or not it is appropriate to make an application for a rent repayment order. It takes account of the culpability of the offender and the harm caused to the tenant as a means of establishing the severity of the offence in question. The severity can then be further adjusted up or down by consideration of aggravating and/or mitigating factors.

1. Culpability

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

| | |
|-------------------------------------|--|
| High: deliberate or reckless act | <ul style="list-style-type: none"> • Intentional breach by offender • Disregard of law • Knew of a problem/risk but no action taken to correct it, e.g. failure to comply with correctly served Improvement Notice or failure to comply with management regulations |
| Medium: negligent act | <ul style="list-style-type: none"> • Failure to take reasonable care to avoid serious offence, e.g. partly complied with an Improvement Notice • Failure to make themselves aware of legal responsibilities |
| Low | <ul style="list-style-type: none"> • Little fault of the offender, e.g. damage caused by tenant, let down by contractor or has full management agreement with agent to oversee the property |

2. Harm

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

The nature of the harm will depend on the circumstances of the victim (tenant).

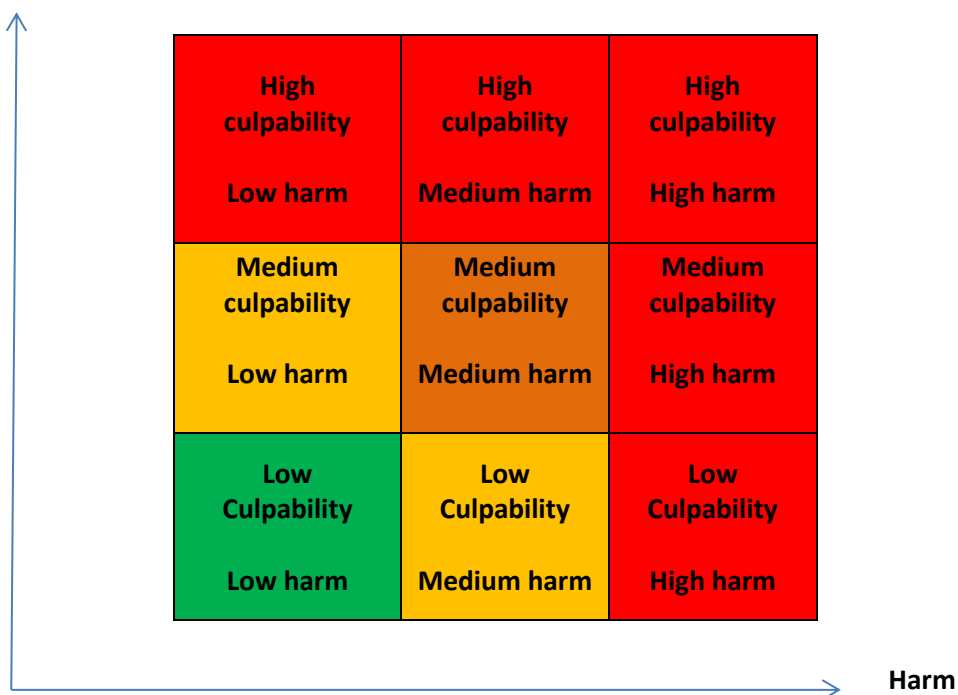
Where there is no actual harm, the Council will consider the relative danger the person was exposed to as a result of the offence (i.e. the likelihood of harm occurring and the seriousness of what could have resulted).

| | |
|--------|--|
| High | <ul style="list-style-type: none"> • Defect gives rise to possibility of extreme or severe harm outcomes to occupants and visitors, e.g. electrocution or serious fire safety risk giving rise to class I or II harm outcomes • Overcrowding (risk to occupants and high impact on community from issues with overcrowding, e.g. noise, car parking) • Especially serious or psychological effect on victim • Vulnerable victim(s) • Multiple victims |
| Medium | <ul style="list-style-type: none"> • Defect gives rise to serious harm outcomes to occupants and visitors, e.g. burns to hand/fingers, serious sprains, gastroenteritis giving rise to class III harm outcomes |
| Low | <ul style="list-style-type: none"> • Defect giving rise to moderate harm outcomes to occupants and visitors, e.g. discomfort, bruising. • Property fully compliant with management regulations/licensing standards but no licence in place |

3. Severity

The severity of the offence is established by combining culpability and harm:

Culpability



Subject to any mitigating or aggravating factors, the Council is most likely to conclude that applying for an RRO is appropriate when the culpability and harm circumstances of a case are judged to fall in one of the red portions of the matrix, but it may also conclude that an application is appropriate for cases judged to fall in the orange sectors (including the darker orange sector for Medium culpability/Medium harm). It is unlikely to conclude that an RRO application is appropriate if the circumstances are judged to fall in the green sector.

4. Aggravating and mitigating factors

Aggravating factors will increase the likelihood of an application for an RRO being judged appropriate while mitigating factors will decrease it. Examples of each factor are given below (but regard will be given to the full list of such factors given in the Sentencing Council Guidance).

| | |
|---------------------|--|
| Aggravating Factors | <ul style="list-style-type: none"> • Previous informal or formal action • Lack of cooperation • Financial gain |
| Mitigating Factors | <ul style="list-style-type: none"> • Quickly put issue right • Offender is vulnerable themselves • No previous action |

5. Consideration of the amount of rent that should be recovered

When it is required to consider how much rent it should seek to recover⁴, the Council may also take into account an assessment of the offender's assets in order to ensure the repayment provides a suitable level of punishment and deterrence. An assessment may involve the following:

- Value of the property in question and whether this is above or below the average for that type of property and location (consider using Rightmove, Zoopla or similar websites)
- Value of other properties the offender owns
- Rental income
- Other monthly income (e.g. salary)
- Whether the property is mortgaged or owned outright (Land Registry, s.16 information)

⁴ Only for certain offences where there has been no conviction (see RRO Policy document).

Banning Order Policy 2018

This policy explains how the Council will use new powers under the Housing and Planning Act 2016 to ban landlords from renting out property in the private rented sector

1. Introduction

- 1.1 The Housing and Planning Act 2016 enables local housing authorities to apply to the First-tier Tribunal (FtT) for a banning order following conviction of an individual for a significant number of different offences under a number of different Acts, including certain housing offences.
- 1.2 In order to make use of banning order powers the Council is required to have in place its own policy on when to pursue a banning order and to decide which option it wishes to pursue on a case-by-case basis in line with that policy.
- 1.3 This policy takes account of the non-statutory guidance issued by the Government¹ which makes clear that banning orders are aimed at rogue landlords who flout their legal obligations and rent out accommodation which is substandard, and which also confirms the Government's expectation that banning orders will be used for the most serious offenders.
- 1.4 The power to apply for banning orders in appropriate cases is one of a number of enforcement tools available to the Council which include prosecution, carrying out works in default, applying for Rent Repayment Orders and the imposition of Civil Penalties. This policy should be read in conjunction with the current versions of the following policies:
 - *Joint Enforcement Policy– SNC & CDC*
 - *House Condition Enforcement Policy - CDC*
 - *Housing Health and Safety Rating System Policy – CDC*
 - *Private Sector Housing Enforcement Policy – SNC*
 - *Other policies relating to enforcement powers under the Housing and Planning Act 2016 – SNC & CDC*

2. Background

- 2.1 Following conviction of an individual for a 'banning order offence'² the Council can apply to the First-tier Tribunal for a banning order. An Order can ban a landlord from:
 - Letting houses in England
 - Engaging in English letting agency work
 - Engaging in English property management work
 - Doing two or more of those things
- 2.2 A banning order must be for a minimum of 12 months but there is no maximum. The FtT will set the banning period but the Council is required to recommend a period as part of an application.
- 2.3 Breach of a banning order is a criminal offence.

¹ Banning Order Offences under the Housing and Planning Act 2016, Guidance for Local Housing Authorities, MHCLG April 2018

² Specified in the Guidance document and in the Housing and Planning Act 2016 (Banning Order Offences) Regulations 2017

- 2.4 The process for applying for a banning order is set out in section 15 of the Housing and Planning Act 2016. Prior to making an application the process includes serving a notice of intent on the landlord and provision for consideration of representations made by the landlord.

3. Decision making

- 3.1 As recommended by the Government's guidance, the Council will consider the following factors when deciding whether to apply for a banning order and when recommending the length of any banning order:

- **The seriousness of the offence**

All banning order offences are serious. When considering whether to apply for a banning order the local housing authority should consider the sentence imposed by the Court in respect of the banning order offence itself. The more severe the sentence imposed by the Court, the more appropriate it will be for a banning order to be made. For example, did the offender receive a maximum or minimum sentence or did the offender receive an absolute or conditional discharge? Such evidence will later be considered by the First-tier Tribunal when determining whether to make, and the appropriate length of a banning order.

- **Previous convictions/rogue landlord database**

A local housing authority should check the rogue landlord database in order to establish whether a landlord has committed other banning order offences or has received any civil penalties in relation to banning order offences. A longer ban may be appropriate where the offender has a history of failing to comply with their obligations and/or their actions were deliberate and/or they knew, or ought to have known, that they were in breach of their legal responsibilities. Landlords are running a business and should be aware of their legal obligations. For example, in the case of property agents, they are required to be a member of a redress scheme and any evidence of noncompliance could also be taken into account.

The Council will also consider the likely effect of the banning order on the person and anyone else that may be affected by the order and will take into account the following:

- **The harm caused to the tenant**

This is a very important factor when determining whether to apply for a banning order. The greater the harm or the potential for harm (this may be as perceived by the tenant), the longer the ban should be. Banning order offences include a wide range of offences, some of which are more directly related to the health and safety of tenants, and could therefore be considered more harmful than other offences (such as fraud)

- **Punishment of the offender**

A banning order is a severe sanction. The length of the ban should be proportionate and reflect both the severity of the offence and whether there is a pattern of previous offending. It is, therefore, important that it is set at a high enough level to remove the worst offenders from the sector. It should ensure that it has a real economic impact on the offender and demonstrate the consequences of not complying with their responsibilities.

- **Deterring the offender from repeating the offence**

The ultimate goal is to prevent any further offending. The length of the ban should prevent the most serious offenders from operating in the sector again or, in certain circumstances; help ensure that the landlord fully complies with all of their legal

responsibilities in future. The length of ban should therefore be set at a long enough period such that it is likely to deter the offender from repeating the offence

- **Deterring others from committing similar offences**

An important part of deterrence is the realisation that (a) the local authority is proactive in applying for banning orders where the need to do so exists and (b) that the length of a banning order will be set at a high enough level to both punish the offender and deter repeat offending.

- 3.2 Having had regard to this policy, a decision to commence the banning order procedure in any case will be confirmed by the Assistant Director Housing who will also be responsible for considering any representations made by a landlord served with a notice of intention and for the decision to make an application for a banning order, including the recommended duration of the ban.
 - 3.3 Subject to its own legal advice and guidance provided by the Ministry of Justice, the Council will consider publishing details of successful banning orders including the names of individual landlords. The Council will also consider making information on banned landlords available on request by a tenant.
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Cherwell District Council

Executive

2 July 2018

Cherwell Community Lottery – Lottery Policy

Report of Assistant Director - Communities

This report is public

Purpose of report

In order to deliver the Cherwell Community Lottery approved in December 2016 it is necessary to establish and publish The Cherwell Community Lottery Policy and associated policies and procedures. This will support the Council's application to the Gambling Commission, and underpin the effective running of the Cherwell Community Lottery.

1.0 Recommendations

The meeting is recommended to:

- 1.1 Approve establishment of the Cherwell Community Lottery Policy as set out at 3.4 below, and the associated procedures set out at annex 1 (attached).
- 1.2 Recommend Full Council to delegate responsibility for running the Cherwell Community Lottery to the Assistant Director – Communities
- 1.3 Recommend Full Council to delegate authority to the Assistant Director – Law & Governance to amend the Constitution and the Scheme of Delegation to reflect 1.2 above.
- 1.4 Approve Cherwell District Council becoming a member of The Lotteries Council.
- 1.5 Direct officers to develop criteria for the acceptance of supported 'Good Cause' organisations.
- 1.6 Direct officers to develop draft criteria for the distribution of the Cherwell Community Lottery 'Central Fund'.
- 1.7 Direct officers to apply to the Gambling Commission for a Lottery Operator Licence which will require the appointment of two senior Council officers to be identified as 'named officers' on the operator licence for the purpose of the application and 'in-house' responsibility for the lottery once it is up and running. The named officers shall be the Executive Director Wellbeing and the Assistant Director Communities.

2.0 Introduction

- 2.1 At its meeting on 5 December 2016, Executive resolved to launch an online and fully automated Cherwell Community Lottery that will help fund discretionary support to voluntary and community (VCS) organisations active in Cherwell and to enable such organisations to raise funds directly for themselves.
- 2.2 It was agreed that the Council would be an enabler and use the services of an External Lottery Manager (ELM) to run the lottery. An ELM (Gatherwell Ltd) has been appointed.
- 2.3 This report recommends enabling measures, to support the establishment, launch and running of the Cherwell Community Lottery.

3.0 Report Details

- 3.1 The 'Legal Implications' section of the 05/12/2016 Executive report stated "Licence holders and operators must comply with legislation and are regulated by the Gambling Commission". To minimise risks such as underage gambling, weak financial management and potential fraud, the proposed Cherwell Community Lottery will operate within the law and follow the Gambling Commission's operational guidelines.
- 3.2 Whilst Gatherwell will run the lottery on a day to day basis, CDC is ultimately responsible for it, and as such, must hold a Lottery Operator Licence from the Gambling Commission. Gatherwell has advised that CDC will need to have a lottery policy in place in order to make a successful application to the Gambling Commission.
- 3.3 The proposed Lottery Policy is comprised of six principles (set out at 3.4 below). The policy has been written with regard to guidance from Gatherwell and the Gambling Commission. Each of the six principles is accompanied by a set of procedures, setting out how the Council will implement the particular principle (see annex 1, attached).

Proposed Lottery Policy:

- 3.4 The proposed Lottery Policy is distinct from the Council's mandatory Gambling Act 2005, Policy Statement. In running its Lottery, Cherwell District Council will ensure that:
 - 1. The Lottery is promoted in a socially responsible manner in, to protect individuals from excessive and addictive gambling.
 - 2. Children and other vulnerable persons are protected from being harmed or exploited by the Lottery or gambling. The lottery will only be open to those aged 16 years and over.
 - 3. The Lottery is conducted in a fair and open way.

4. Cherwell District Council and the Lottery are protected from being a source of crime or disorder, being associated with crime or disorder or being used to support crime.
5. All relevant officers and members are aware of their legal obligations in running a successful and legally compliant lottery.
6. An Anti-Money-Laundering Risk Assessment shall be carried out by the council's external lottery manager every two years and reported to Cherwell District Council.

Delegation of Powers

- 3.5 Authority for a council to operate a lottery derives from the Gambling Act 2005 (part 5, section 98.1). The Council's constitution (February 2018) delegates all matters under the Gambling Act to the Assistant Director – Environmental Health and Licensing, under the subcategory of 'Licensing'.
- 3.6 As this proposal is to operate a lottery for the purpose of providing discretionary support to VCS organisations, as opposed to carrying out a regulatory function pursuant to the Gambling Act 2005, it is recommended that the Assistant Director – Communities should be made specifically responsible for the Lottery. The Assistant Director – Law and Governance has advised that Full Council be recommended to resolve that the Assistant Director – Communities be delegated authority for the purpose of the Lottery, and that the Assistant Director – Law and Governance be delegated authority to amend the Constitution and the Scheme of Delegation accordingly.

Lotteries Council

- 3.7 Gatherwell has recommended that CDC should join The Lotteries Council, which is the trade body for organisations running community lotteries. Membership will give the Cherwell Community Lottery access to an external complaints resolution service, and contribute on the Council's behalf to the Responsible Gambling Trust. Both of these are Gambling Commission requirements for Community Lottery Licence holders. Through its membership of the Lotteries Council, CDC will also contribute to the research of Gamcare and Gambleaware which provide help and support to those who may require assistance with problem gambling and whose contact details will be provided on the Cherwell Community Lottery website.

'Good Cause' Partners

- 3.8 50% of the takings of the Cherwell Community Lottery will go directly to local 'Good Causes', which will be not-for-profit organisations that have signed up and encouraged their supporters to buy Cherwell Community Lottery tickets. Before launching the lottery, the Council will need to set clear and fair guidelines regarding which kinds of organisation are eligible to sign up as 'Good Causes', and which are not. Through its membership of the Lotteries Council, CDC will also contribute to the research of Gamcare and Gambleaware which provide help and support to those who may require assistance with problem gambling and whose contact details will be provided on the Cherwell Community Lottery website.

Central Fund

- 3.9 10% of the takings will go to a 'Central Fund' held by Cherwell District Council, for distribution as grants. Before launching the lottery, the Council will need to set clear and fair guidelines regarding who can apply for these grants, and what they may be used for.
- 3.10 20% of the takings will be redistributed as prizes, with the remaining 20% taken up by the fees and running costs of the ELM, and by VAT levied on those costs.

4.0 Conclusion and Reasons for Recommendations

- 4.1 Adoption and publication of the Cherwell Community Lottery Policy and membership of The Lotteries Council will enable Cherwell District Council to make a robust application to the Gambling Commission for a Lottery Licence.
- 4.2 Explicit delegation to the Assistant Director – Communities draws a clear line between the council's licensing / enforcement duties and its community development functions.
- 4.2 Clear and fair guidelines regarding 'Good Cause' and grant eligibility will enable the smooth running of the Cherwell Community Lottery and demonstrate the Council's commitment to local community development.

5.0 Consultation

None

6.0 Alternative Options and Reasons for Rejection

- 6.1 The following alternative options have been identified and rejected for the reasons as set out below.

Option 1: To not adopt the Cherwell Community Lottery Policy – This would mean that an application for a Lottery Licence would be unlikely to be successful.

Option 2: To not delegate authority for the Lottery to the Assistant Director – Communities – This would lead to two service directorates being involved in the Lottery whereby the day-to-day running of the Lottery would rest with Communities while overall responsibility for the Lottery would remain with Public Health and Licensing. This is considered likely to result in 'disconnect' and confusion.

Option 3: To not require clear and fair guidelines regarding 'Good Cause' and grant eligibility – This would make the lottery difficult to manage and increase the likelihood of challenges in the event of the Council declining 'Good Cause' or grant applications.

7.0 Implications

Financial and Resource Implications

- 7.1 This proposal would help fund discretionary support to the Voluntary and Community Sector (VCS) and enable such organisations to raise funds directly for themselves.
- 7.2 All funds raised through the Cherwell Community Lottery would be spent within the district and benefit local people and communities. Apart from licensing and promotion costs, the Cherwell Community Lottery would be self-funding.
- 7.3 The estimated costs to the Council (which can be met from existing approved budgets) are:
- £1,000 annually for licensing and administration costs;
 - £3,000 start-up (one-off) cost of ELM set up fee.

There will also be an estimated cost of £1,500 for marketing in the first year, with on-going estimated £350 annually to promote the Cherwell Community Lottery. The ELM will provide marketing materials directly to the Council as well as those VCS organisations that have joined the Cherwell Community Lottery; the funds the Council set aside would be used for branded materials (for example pull up banners).

- 7.4 Inevitably, some officer time would be required to establish the lottery and ensure its administration. This can be managed within existing resources of the Community Funding Officer (joint worker) with the support of the Commercial Development Team.
- 7.5 The jackpot is an insured prize. It is a guaranteed pay out of £20,000 per winner (even if multiple people win the jackpot it is not shared or rolled over). This arrangement protects the Cherwell Community Lottery from financial difficulty.
- 7.6 The Council will conduct due financial diligence of the External Lottery Manager (ELM).

Comments checked by:

Adele Taylor, Interim Executive Director Finance and Governance, 0300 003 0103, adele.taylor@cherwellandsouthnorthants.gov.uk

Legal Implications

- 7.7 While the Council has contracted the management, delivery and day-to-day running its community lottery to Gatherwell Limited, a registered External Lottery Manager, the Council retains overall responsibility for the lottery and compliance with the relevant legislation and regulations.
- 7.8 To operate its community lottery, the Council must first obtain from the Gambling Commission a Lottery Operator Licence. The Gambling Commission requires holders of a Lottery Operator Licence to have in place a lottery policy, a copy of which must be submitted with the application for a Lottery Operator Licence.

7.9 At the time of application, the Council is required to advance to the Gambling Commission two senior officers who will be named in a Schedule to the Council's Lottery Operator Licence. These officers shall comprise the Executive Director Wellbeing and the Assistant Director Communities who will be ultimately responsible for the running of the lottery and regulatory compliance, including the upholding of the licensing objectives prescribed in the Gambling Act 2005, namely:-

- preventing the lottery from being a source of crime or disorder, being associated with crime or disorder or being used to support crime
- ensuring that gambling is conducted in a fair and open way
- protecting children and other vulnerable people from being harmed or exploited by the lottery

7.10 The Cherwell District Council Community Lottery Policy ("the Policy") is appended to this report. The Policy has been prepared on the basis of template documents provided by Gatherwell Limited and guidance issued by the Gambling Commission.

Comments checked by:

James Doble, Assistant Director Law and Governance, 01295 221587,
james.doble@cherwellandsouthnorthants.gov.uk

8.0 Decision Information

Financial Threshold Met: No

Community Impact Threshold Met: Yes

Wards Affected

All

Links to Corporate Plan and Policy Framework

Link to CDC Business Plan Strategic Priority: Thriving Communities

Lead Member

Cllr Andrew McHugh, Lead Member for Health and Wellbeing

Document Information

| Appendix No | Title |
|----------------------------|--|
| 1 | Draft Gambling Policy with associated procedures |
| Background Papers | |
| None | |
| Report Author | Sarah Burns, Community Funding Officer |
| Contact Information | 01327 322131 sarah.burns@cherwellandsouthnorthants.gov.uk |

Cherwell Community Lottery Policy

The Cherwell Community Lottery administration services will be undertaken on a Service Level Agreement by Gatherwell Ltd as the External Lottery Manager (ELM) with Cherwell District Council having ultimate responsibility. The Cherwell Community Lottery Policy and the six principles thereof have been devised in accordance with guidance from Gatherwell Ltd and the Gambling Commission.

Principle 1: Gambling will be promoted in a socially responsible manner, in order to protect individuals from excessive and addictive gambling

Cherwell District Council is aware of its social responsibility to protect individuals from excessive and addictive gambling.

Cherwell District Council will ensure that:

1. Limits are put in place to ensure individuals cannot buy excessive numbers of tickets:
 - 1.1. This therefore restricts the capability for individuals to gamble beyond their means or gamble what they cannot afford.
 - 1.2. These limits will be monitored to see how many players reach them and may be reduced correspondingly if required.
 - 1.3. These limits are clearly highlighted at the point of purchase online.
2. Accounts require validation and set up:
 - 2.1. In the instances of direct debit the Direct Debit Guarantee ensures a time lag between ticket purchase and the first draw.
 - 2.2. As draws take place once per week, ticket purchases are therefore not capable of being purchased for immediate play and
 - 2.3. For internal process reasons, even credit & debit card payments cannot facilitate instant play into a draw for that week and a minimum of one day's lag will be effective.
 - 2.4. The combination of these factors does ensure it limits the capability to facilitate instant gambling and therefore significantly reduces the risk of gambling whilst under the influence of drink or other substances.
3. It is not possible to borrow money or be entered for lottery draws unless cleared funds have been accepted. No exceptions will be made to this position.
4. The system data provides facilities to track major changes in the lottery participation. Any significant outliers in the numbers of tickets will be investigated as part of ongoing assessments on the correct levels for ticket participation.
5. A process for self-exclusion from lottery participation exists to allow anyone to self-exclude from all propositions (existing or future).
6. Links to relevant support websites (www.gamcare.org.uk and www.gambleaware.co.uk) as well as the National Gambling Helpline, are made available on the Cherwell Community Lottery website to direct anyone to help and support should they need help from gambling additions. Cherwell District Council is also a contributing member to the Lotteries Council and has access to its research and support services. Cherwell District Council will also contribute to the research of Gamcare and Gambleaware through its membership of the Lotteries Council.

Principle 2: Children and other vulnerable persons will be protected from being harmed or exploited by gambling.

Cherwell District Council understands its requirements as part of the Licence Conditions and Codes of Practice (LCCP) and takes its responsibilities to the protection of children and vulnerable persons very seriously.

1. Cherwell District Council will ensure that:
 - 1.1. It complies with the legal requirement to prevent the sale of lottery tickets to under 16's.
 - 1.2. All new players are required to self-validate their age through both a positive tick-box confirming that they are aged over 16 years and date of birth validation.
 - 1.3. Spot checks are taken of new players and players are subjected to further Age Verification validation.
 - 1.4. As a final check before any jackpot prizes are issued, secondary age validation is also sought (passport, driving licence etc.)
2. Players are aware of the age limitations:-
 - 2.1. Clear statements will be displayed on the various websites relating to the required age to play, the age requirement is also highlighted in the terms and conditions that the player signs up to at registration.
 - 2.2. In addition, Gatherwell Ltd has enabled its Cherwell Community Lottery gambling website to permit filtering software to be used by adults (such as parents or within schools) in order to restrict access as relevant.
3. Should it come to pass that the age verification checks proved inaccurate and someone underage had gambled, then the user account would be suspended and monies returned.
4. Marketing falls into two areas:-
 - 4.1. Firstly in encouraging good cause participation (where there is a low risk of exposure to children and vulnerable people); and
 - 4.2. Secondly in the development of materials that support participation of the individual lotteries.
 - 4.2.1. In this area generic marketing materials are used which can be tailored to deliver a marketing package to each individual good cause to help them market their lotteries.
 - 4.3. To ensure compliance with the Advertising Codes of Practice advertising materials will regularly be submitted to the Committee of Advertising Practice (CAP) for approval.
5. As recruitment is undertaken to fill vacancies, if exposed to the direct selling of tickets then:-
 - 5.1. Applicants will need to be of a legal age to do so and educated on the legal requirement to not sell tickets to those under the age of 16.
6. Player Accounts require validation and set up.
 - 6.1. In the instances of direct debit the Direct Debit Guarantee ensures a time lag between ticket purchase and the first draw.
 - 6.2. As draws take place once per week, ticket purchases are therefore not capable of being purchased for immediate play and
 - 6.3. For internal process reasons even credit & debit card payments cannot facilitate instant play into a draw for that week and a minimum of one day's lag will be effective.

- 6.4. The combination of these factors does ensure it limits the capability to facilitate instant gambling and therefore significantly reduces the risk of gambling whilst under the influence of drink or other substances.

Principle 3: The Lottery will be conducted in a fair and open way.

Cherwell District Council is committed to complying with the Gambling Act 2005, The Gambling Commission's Licence Conditions and Codes of Practice (LCCP); the Committee of Advertising Practice (CAP) and Broadcast Committee of Advertising Practice (BCAP) code.

Cherwell District Council will:

1. Utilise the services of Gatherwell Ltd, which is an External Lottery Management company, ensuring that the lottery is delivered on a financially sound basis, as:-
 - 1.1. The financial structure of the lottery ensures that revenues are received prior to the running of any draw.
 - 1.2. Each draw is self-funded in terms of the liabilities that then arise (prizes, good cause donations, etc.).
 - 1.3. No players' tickets will be included in the draw unless cleared funds have been secured.
 - 1.4. The prize fund and good cause donations are calculated on a % basis of the revenue pot therefore ensuring sufficient funds will always be in place.
 - 1.5. Jackpot prizes are funded through an underwritten insurance policy provided by a reputable underwriter established in the UK, again paid for as a % of each entry.
 - 1.6. Gatherwell Ltd will ask its Board and staff to declare any conflict of interest in any potential target clients, in addition to the specific requirement to comply with the law for existing clients.
2. Utilise the services of Gatherwell Ltd, which is an External Lottery Management company, which will be responsible for ensuring that all technical solutions remain within scope of the law:-
 - 2.1. These include testing procedures for both existing, upgraded and new software propositions.
 - 2.2. Ensuring that all servers are located in the UK.
 - 2.3. Ensuring that software protocols and administrator access is limited to core personnel.
 - 2.4. Ensuring that all contractors and third party suppliers are advised of the relevant standards before they are allowed to deliver technical support. Access will be limited to the scope of their work and monitored and logged accordingly.
3. Gatherwell will ensure that all terms and conditions are available for participants on the various websites of the Cherwell Community Lottery, including the main www.cherwell.gov.uk website, and that:
 - 3.1. As part of the sign up process for new participants, new participants are asked to agree acceptance of the terms and conditions at the time of signing up. New accounts cannot be created unless the terms and conditions are accepted.
 - 3.2. Participants will be advised of changes to the terms and conditions via pop-ups on the Cherwell Community Lottery website. In exceptional circumstances, all participants can be emailed a link to advise them of the new terms and conditions.

4. Gatherwell Ltd will ensure that the terms and conditions detail the complaints procedure should participants need to raise any issues or concern, both internally at Cherwell District Council and externally though the use of an independent arbiter should resolution not be found.
5. Ensure that no loyalty or reward schemes are being offered.

Principle 4: Cherwell District Council will protect itself from being a source of crime or disorder, being associated with crime or disorder, or being used to support crime.

This Policy is beholden to the Proceeds of Crime Act 2002 (see <http://www.legislation.gov.uk/ukpga/2002/29/contents>) & The Anti Money Laundering (AML Regulations)

1.1 Proceeds of Crime Act 2002 : - *“An Act to establish the Assets Recovery Agency and make provision about the appointment of its Director and his functions (including Revenue functions), to provide for confiscation orders in relation to persons who benefit from criminal conduct and for restraint orders to prohibit dealing with property, to allow the recovery of property which is or represents property obtained through unlawful conduct or which is intended to be used in unlawful conduct, to make provision about money laundering, to make provision about investigations relating to benefit from criminal conduct or to property which is or represents property obtained through unlawful conduct or to money laundering, to make provision to give effect to overseas requests and orders made where property is found or believed to be obtained through criminal conduct, and for connected purposes.”*

1.2 The AML Regulations require relevant businesses to:

- 1.2.1 put in place procedures to verify the identity of customers on entering into a business relationship or transaction and to carry out ongoing monitoring during the business relationship.
 - 1.2.2 keep records obtained in establishing customers’ identities and of business relationships for five years
 - 1.2.3 train employees in the relevant procedures and law.
 - 1.2.4 appoint a nominated officer whose role includes reporting to THE National Crime Agency (NCA), or its successor, suspicions of money laundering activity.
 - 1.2.5 put in place and maintain policies and procedures to cover the requirements listed above.
- 2 Cherwell District Council is a professional operation and takes seriously its responsibilities to ensure all players of their society lottery are operating within the law. Cherwell District Council will ensure that:
 - 3 It employs the services of Gatherwell Ltd, a Remote External Lottery Management company, that therefore mainly takes transactions electronically though either direct debit, credit card & debit card. No cash payments can be used for payment, mitigating the chance for the passing of counterfeit money.

- 4 A number of safeguards are in place to validate players' identities as part of the account verification process. Additionally safeguards are in place to ensure that ticket purchases are not excessive, therefore mitigating the risk of money laundering. If players tried to purchase excessive tickets then the system controls built into the software algorithms will advise the player that they have exceeded the number of tickets possible and stops the transaction.
- 5 The software resides on secure servers. These reside behind encrypted firewalls and offer bank level security protocols in the transfer of electronic data. Additionally they are situated in a secure data centre managed by Disclosure and Baring checked staff.
- 6 All transactions for the software will have full audit trails of every transaction made including timestamps. These audit trails will ensure that should any suspicious activity be identified a full investigation by Gatherwell Ltd staff or law enforcement bodies can be undertaken.
- 7 In an effort to minimise the risk of fraudulent behaviour and demonstrate impartiality throughout, the main Lottery draw each week takes the results from an independently drawn lottery (currently identified as the Australian Super 66). This ensures no fraudulent activity can be taken in the generation of the winning set of numbers for the draw. To ensure compliance at an entry level into the system, these numbers will need to be entered separately by two of the directors of the business each week. The smaller local level prizes are generated based on a random ticket selection from existing purchased tickets by an algorithm within the software.
- 8 Whilst by its definition a lottery is a random game of chance and therefore offers little opportunity for collusion or cheating, any suspicion of malpractice will result in the immediate blocking of the users account.
- 9 Any evidence of illegal behaviour by staff will initiate a full investigation, during which time the member of staff will be suspended from duties to ensure the full protection of the players, staff and reputation of the business.
- 10 All companies who provide fundamental services in the provision of the service (e.g. Direct Debit Bureaux, age verification service providers, prize fund insurance etc.) undertake rigorous validation in terms of their suitability, credibility and reputation. This includes full financial health checks and references where required.

Principle 5: All relevant officers and members will be aware of their legal obligations in running a successful and legally compliant lottery.

Cherwell District Council takes its legal responsibilities very seriously and requires that all relevant officers and members are aware of their legal obligations in running a successful and legally compliant Lottery. Cherwell District Council will ensure that:

1. Officers and members newly taking on responsibility for the Cherwell Community Lottery will be provided with online training via Gatherwell Ltd as part of the induction process. The level will be appropriate to the role, but will cover:

- The Gambling Act 2005
- The Licence Conditions and Code of Practice (LCCP)
- The role and responsibilities of a licence holder

Advice will be provided by Gatherwell in terms of the Committee of Advertising Practice (CAP) and Broadcast Committee of Advertising Practice (BCAP). The process for highlighting any evidence of non-compliance will operate in accordance with Gatherwell's Information Security Breach Reporting Procedure.

3. All relevant officers and members are aware of their legal responsibilities, and compliance is a standard agenda item at review meetings that shall take place between Cherwell District Council and Gatherwell Ltd on a six monthly basis.
4. Annual refresher courses for relevant officers and members will be run by Gatherwell Ltd as an online training course to maintain knowledge and compliance.
5. Ad hoc on the job training forms part of the development of staff and focus areas for development are identified during the annual appraisal process.
6. Training records will be kept as part of the personnel record of individuals and a register of key training delivered and renewal dates maintained by the Human Resources Department of Cherwell District Council.
7. Training will be delivered online via Cherwell District Council's External Lottery Manager (ELM), Gatherwell Ltd.
8. Cherwell District Council will review the Cherwell Community Lottery policy and procedures at least every two years.

Principle 6: An Anti-Money Laundering Risk Assessment shall be carried out and periodically reviewed at least every two years.

The risk assessments and reviews shall be carried out by Gatherwell Ltd and be reported to Cherwell District Council.

1. Principal risk areas of Gatherwell Ltd lottery systems being abused for anti-money laundering (AML) practices fall into 2 key areas:
 - 1.1. Criminal laundering of money through the purchase of tickets on one of Gatherwell Ltd's lottery sites and subsequent winnings from draws to be taken as 'cleansed' money.
 - 1.2. False registration and representation of good causes on one of Gatherwell Ltd's lottery sites against which tickets are purchased to launder illegally acquired funds and to be extracted through the false pretence of funds raised for a good cause.
2. Barriers and restrictions that are currently in place to deter the above practices are as follows:-
 - 2.1. Ticket purchases are limited per participating player therefore making it impossible to buy a large amount of tickets, therefore activity would require the registration of an extremely large number of individual user accounts for money laundering of significant value.

- 2.2. The maximum return possible from laundering through the purchase of tickets is extremely low in comparison to other gambling activities. Statistically, a maximum of 26% of proceeds are allocated to prizes across all of Gatherwell Ltd's lottery campaigns.
 - 2.3. In order to ensure the legitimacy of the good causes registered on Gatherwell Ltd sites, there is a good cause validation process in place for all sites. For the Cherwell Community Lottery a cause application and approval workflow process is in place whereby Cherwell District Council itself has a duty to verify the identity of every good cause prior to approving their inclusion and set up on their lottery website. This workflow is comprehensively tracked and logged on system records.
3. The outcome of the high level assessment of risk is as follows:-
- 3.1. Gatherwell Ltd lottery systems present a low risk of money laundering practices for the following reasons:
 - 3.1.1 Transactions are limited to only small sums of money and would therefore require a lot of effort in the setting up of a large number of accounts to make the exploitation of Gatherwell Lotteries a worthwhile laundering activity.
 - 3.1.4 Setting up a good cause requires certification/validation from authorised government bodies which in itself is a deterrent.
 - 3.1.5 The overall combination of risk, reward and effort would mean that Gatherwell Ltd is at low risk especially in comparison to alternative gambling activities.

Sarah Burns

Community Funding Officer

6 June 2018

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Cherwell District Council

Executive

2 July 2018

| |
|--|
| <p>Monthly Performance, Risk and Finance Monitoring Report – May 2018</p> |
|--|

Report of Assistant Director: Performance and Transformation and Assistant Director: Finance and Governance

This report is public

Purpose of report

This report summarises the Council's Performance, Risk and Finance monitoring position as at the end of each month.

1.0 Recommendations

The meeting is recommended:

- 1.1 To note the monthly Performance, Risk and Finance Monitoring Report.

2.0 Introduction

- 2.1 The Council is committed to performance, risk and budget management and reviews progress against its corporate priorities on a monthly basis.
- 2.2 This report provides an update on progress made so far in 2018-19 to deliver the Council's priorities through reporting on performance, the Leadership Risk Register and providing an update on the financial position.
- 2.3 The Council's performance management framework sets out the key actions, projects and programmes of work that contribute to the delivery of the 2018-19 business plan and the priorities of the Council. These measures and key performance indicators are reported on a monthly basis to highlight progress, identify areas of good performance and actions that have been taken to address underperformance or delays.
- 2.4 The Council maintains a Leadership Risk Register that is reviewed on a monthly basis. The latest available version of the risk register at the date this report is published is included in this report.
- 2.5 The Report details section is split into three parts:
 - Performance Update
 - Leadership Risk Register Update

- Finance Update

2.6 There are three appendices to this report:

- Appendix 1 - Monthly Performance Report
- Appendix 2 – Leadership Risk Register
- Appendix 3 – 2018/19 Business Plan

Additional detailed appendices relating to finance will be presented from July 2018 onwards covering the year to date position.

3.0 Report Details




Performance Update

3.1 The Council's performance management framework sets out the key actions, projects and programmes of work that contribute to the delivery of the 2018-19 business plan (see Appendix 1) and the priorities of the Council.

3.2 The 2018-19 business plan set out three strategic priorities:

- Protected, Green and Clean;
- Thriving Communities and Wellbeing;
- District of Opportunity and Growth.

3.3 This report provides a summary of the Council's performance in delivering against each strategic priority. To measure performance a 'traffic light' system is used. Where performance is on or ahead of target it is rated green, where performance is slightly behind the target it is rated amber. A red rating indicated performance is off target.

| Colour | Symbol | Meaning for Joint Business Plan Measures | Meaning for Joint Key Performance Measures (KPIs) |
|--------|---|--|---|
| Red |  | Significantly behind schedule | Worse than target by more than 10%. |
| Amber |  | Slightly behind schedule | Worse than target by up to 10%. |
| Green |  | Delivering to plan | Delivering to target or ahead of it. |

Priority: Protected, Green and Clean

3.4 The Council is committed to protecting the natural environment and ensuring the character of the district is preserved and enhanced. Our commitment included working to ensure the district has high standards of environmental cleanliness and greater waste and recycling services. Maintaining the district as a low crime area is another key part of this priority and the Council is committed to working in partnership to deliver against this objective.

3.5 Overview of our performance against this strategic priority:

- **Recycling rates improve in May – 61.43%** of waste was recycled and composted this month. This was an improvement on the previous month and above the target for May and an increase of 5% (56.6%) compared to this time last year (2017). Performance for the year to date is strong at 59.04% an increase of 1% compared to the YTD position this time last year (2017).
Maintaining high quality waste and recycling services is a key part of our commitment to keeping the district green and clean. This month saw a number of successful free compost giveaway events. The events allow residents to take home a share of compost made from their own brown bin contents, while providing an opportunity for the Council to promote our recycling and waste services.
- **Strong commitment to reducing our carbon footprint and protecting the natural environment** – A Natural Environment and Community Nature Plan is being developed and will be presented to Executive in July. The Air Quality Action Plan has been updated and a review of the biodiversity action plan has taken place.
- **Maintaining the district as a low crime area** – Nationally crime figures have increased over the past few years. The Council is working with partners through the Community Safety Partnership to understand the picture across the County and the district and to identify where the focus of our work should be.
- **Conservation area reviews continue** – Research work has started on this year's conservation area appraisals and reviews. These document the character and importance of the area, including a management plan to help preserve and/or enhance the conservation area. All appraisals undergo public consultation so we can incorporate the views of people living and working in these areas; the appraisals are an important part of the planning process. We anticipate that two Conservation Reviews will be undertaken in September 2018, reports are expected to be submitted by November 2018. This is part of the Council's commitment to protecting the built heritage of the district.

Priority: Thriving Communities and Wellbeing

3.6 The Council is committed to supporting our communities to thrive and to promoting the wellbeing of our residents. This priority includes supporting health and wellbeing, improving leisure facilities and delivering leisure activities and working in partnership with voluntary organisations to deliver services in a manner that safeguards children, young people and vulnerable adults. Another key aspect of this priority is preventing homelessness, the delivery of affordable housing and improving the condition of residential properties.

3.7 Overview of our performance against this strategic priority:

- **Building on the success of our 'Healthy Placemaking' approach in Bicester** – This approach puts health and wellbeing at the centre of everything we do and has been in place as part of the Bicester Health New Town programme. The Council is committed to building on this best practice and incorporating this approach into our business planning process. This month we have also consulted with partners on the Health and Wellbeing action plan for 2018-19, looking at how we can enhance health and wellbeing within our communities through a wide range of prevention activities and interventions. The action plan

includes closer working with clinical commissioning groups, public health and primary care authorities engaging in a wide range of work to support improved outcomes for residents and businesses.

- **Supporting thriving communities** - the Countywide co-commissioned Domestic Abuse services contract has begun in Oxfordshire supporting the vulnerable in our district. Safeguarding training is being rolled out to all staff and Members ensuring levels of compliance across the organisation.
- **Housing benefit performance continues to improve** - The average time taken to process new benefit claims in CDC for May 2018 is excellent, reducing to 11.31 days against a target of 15 days. This is an improvement from April 2018 when the average time taken to process new claims was 17.43 days.

Priority: District of Opportunity and Growth

3.8 The Council is committed to developing the local economy, promoting inward investment and delivering sustainable growth. This priority also contributes towards making great places to live, work, visit and invest through economic development and working in partnership to deliver strategic transport infrastructure projects.

3.9 Overview of our performance against this strategic priority:

- **Working with local organisations to promote the district and increase tourism** – The Economic Growth Team work closely with local visitor attractions, accommodation, retailers and other organisations involved in promoting visitor economy in Cherwell. This month the Council has been promoting the first ever 'Bicester Festival' and the Town Centre Discovery Walks. To mark the 70th birthday of the National Health Service, Healthy Bicester is launching two new short Discovery Walks in the town centre. The Discovery Walks are designed to be accessible for all but it is hoped they will be used in particular by people who struggle to get the 10-30 minutes of exercise a day needed to keep healthy. New maps and market signs for Banbury are in development to enhance the market place in Banbury town centre.
- **Supporting improvements to private rented housing sector** - two landlord home improvement grants were concluded in May, with associated nomination rights for the Council.
- **Unemployment rate increases, but remains significantly below regional and national figures** – unemployment rose by 0.1% from April 2018 to 0.9%.
- **Council sponsors Cherwell Business Awards** – over 256 local business representatives attended the award ceremony to celebrate local success, share best practice and encourage innovation and growth.
- **£500k invested in superfast broadband** - 96.35% of residential and businesses premises now have access to superfast broadband following significant investment from the Council over the last two years.
- **The Partial Review of the Local Plan** was submitted to the Planning Inspectorate (Pins) for Examination on 5th March 2018. We are still awaiting the

dates for the public hearing, but the process of Examination has now formally commenced.

Summary of Performance

- 3.10 The Council reports on performance against 20 joint business plan measures and 12 key performance indicators on a monthly basis. Performance for this month is summarised in the table below. The full details, including commentary against each measure and key performance indicator can be found in Appendix 1.

| Business Plan Measures and Key Performance Indicators | | | | | |
|--|---------------------|------------|----------|------------|----------|
| Status | Description | May | % | YTD | % |
| Green | On target | 31 | 97% | 30 | 94% |
| Amber | Slightly off target | 1 | 3% | 2 | 6% |
| Red | Off target | 0 | 0% | 0 | 0% |

3.11 **Spotlight On: Financial sustainability**

Each month this report will focus on a theme or service provided by the Council, highlighting how this contributes to the delivery of the strategic priorities and the key achievements delivered to date.

As a Council, we recognise the importance of considering our financial sustainability going forwards. Our central government funding continues to reduce so it is important that we look at ways to both maximise the income that we have coming into the council through our fees, charges, council tax and business rates as well as look to find other innovative ways in which to raise potential other sources of income whilst acknowledging and balancing the risks of doing different things. Financial sustainability is a key theme that we need to consider when setting our future years budgets and this snapshot gives an initial view on our current performance as well as areas we are exploring to improve our sustainability moving forwards.

Council Tax

In 2017-2018, 97.87% of Council Tax was collected against a target of 98.25%. Although this is slightly below the target, it is a fantastic achievement given the challenges faced by the service area during the past 12 months. Performance for May 2018 is strong at 20.44% against a target of 20.50%

Business Rates Collection

In addition to Council Tax, we are also the billing authority responsible for Business rates collection and our performance in this area for 2017-2018 and following a very challenging 12 months was 92.31% against a target of 98.5%. Collection rates for May 2018 are excellent at 21.74% against a target of 21.25%.

Generating additional income

Alongside our consideration of how we maximise our income collection through Council tax, Business rates and other fees and charges, we are considering new ways of generating income. One of the most important aspects of this is to consider our investments. Alongside managing our cashflows, balancing our borrowing and

our financial investments, we are also considering spreading how and what we invest our money in. An investment strategy working group which considers opportunity to invest in property for commercial purposes (and subject to criteria already agreed at Council) will be meeting throughout 2018/19 to consider opportunities that arise. All of these would be subject to full due diligence to understand the balance between the opportunity and risks for each individual investment.

We have already made some significant investments with the purchase of Castle Quay 1 (a shopping centre at the heart of Banbury) and the plans around Castle Quay 2 (a new development with a mix of retail, leisure and food outlets) that complement what already exists in Castle Quay 1. The purchase of the site was principally as an investment although this also means that the Council can provide strong leadership in ensuring that this exciting development delivers improvements in the area. A full financial appraisal was undertaken but the investment of circa £60m will generate significant revenues in excess of £5m pa that will fund the costs of development as well as contribute to the wider costs of our services for all of our residents, businesses and visitors. This means that an investment of this type satisfies both our need to consider our financial sustainability going forward as well as contributes to our overall corporate priorities too.

Risk Update

- 3.12 The Council maintains a Joint Leadership Risk Register that is reviewed on a monthly basis. The latest available version of the risk register at the date this report is published is included in this report.
- 3.13 The heat map below shows the overall position of all risks contained within the Leadership Risk Register.

| Risk Scorecard – Residual Risks | | | | | | |
|---------------------------------|-------------------|-------------|--------------|-----------------------------|---------------|---------------------|
| | | Probability | | | | |
| | | 1 - Remote | 2 - Unlikely | 3 - Possible | 4 - Probable | 5 - Highly Probable |
| Impact | 5 - Catastrophic | | | | | |
| | 4 - Major | | L04, L11 | | L05 | |
| | 3 - Moderate | | | L01, L02, L03 L10, L12, L14 | L06, L07, L08 | L09, L13a, L13b |
| | 2 - Minor | | | | | |
| | 1 - Insignificant | | | | | |

- 3.14 The table below provides an overview of changes made to the Leadership Risk Register during the past month. Any significant changes since the publication of the report will be reported verbally at the meeting.

| Leadership Risk | Score | Direction | Latest Update |
|---------------------------------|----------------|-----------|----------------------------|
| L01 Financial Resilience | 9 Low risk | ↔ | Mitigation actions updated |
| L02 Statutory functions | 9 Low risk | ↔ | Comments updated |
| L03 Lack of management Capacity | 9 Low risk | ↔ | Comments updated |
| L04 CDC & SNC Local Plans | 8 Low risk | ↔ | No change |
| L05 Business Continuity | 16 High risk | ↔ | Comments updated |
| L06 Partnering | 12 Medium risk | ↔ | Comments updated |

| | | | |
|--|----------------|---|---|
| L07 Emergency Planning | 12 Medium risk | ↓ | Residual risk score reduced from 16, controls and mitigation actions updated. |
| L08 Health & Safety | 12 Medium risk | ↔ | Mitigating Actions & Comments updated |
| L09 Cyber Security | 15 Medium risk | ↔ | Mitigating Actions Updated |
| L10 Safeguarding the Vulnerable | 8 Low risk | ↔ | No change |
| L11 Income generation through council owned companies | 8 Low risk | ↔ | Mitigating actions updated |
| L12 Financial sustainability of third party third party suppliers | 8 Low risk | ↔ | No change |
| L13a Local Government Reorganisation (CDC) | 15 Medium risk | ↔ | Comments updated |
| L13b Local Government Reorganisation (SNC) | 15 Medium risk | ↔ | Comments updated |
| L14 Corporate Governance | 9 Low risk | ↔ | No change |

L07 Emergency Planning – The Residual risk score has been reduced from 16 (High Risk) to 12 (Medium Risk). Both authorities have active plans in place to ensure they are prepared for an emergency. These have recently been activated successfully. Further improvements are being made as a result of a review of these plans.

Finance Update

- 3.15 In previous years financial reporting has been on a quarterly basis. This frequency of information is being improved during 2018/19. We have introduced monthly monitoring and reporting across the organisation. This improvement in reporting regularity will provide budget managers, senior leadership and members with more up to date information regarding the financial position and outlook for the Council.

The finance team has aligned itself with the business areas to provide better support and consistency and continuity of advice moving forward across both revenue and capital budget areas in addition to monitoring any over funding levels.

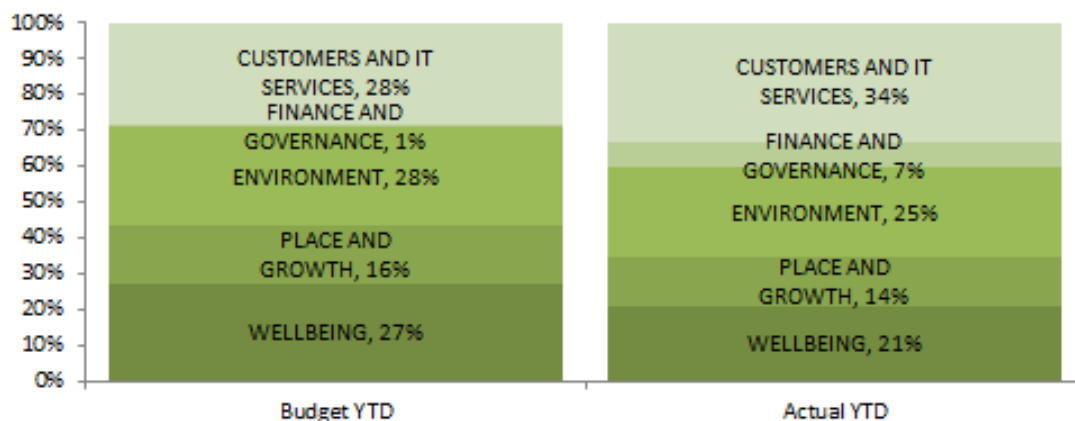
It should be noted that due to the early position in the financial year limited financial reporting takes place at many organisations and the focus is on risk areas for budget monitoring. This is due to the relatively small amount of actual data available against planned budgets. From June onwards we will have more detailed monitoring at service level once a greater amount of actual data is available.

3.16 **Revenue Position**

The 2018/19 revenue budget was approved in February 2018. The detailed financial monitoring information will be provided in future reports and will identify key variances across the organisation and highlight areas of financial risk and opportunity.

The risk based monitoring undertaken to date has not highlighted any areas of risk at this stage. The Council is currently forecasting to manage within its existing resources. Any variance and risk to this position will be highlighted and detailed in future reports.

The graph below sets out how the Council planned to spend during Apr and May compared to how it did spend during the first two months of the year. There is some variance regarding profile of spend compared to budget but this is not unusual. The main variances relates to Finance and Governance and Wellbeing. These are largely due to the Business Rates bill for Council offices being paid in one amount but the budget has been profiled across the whole year and for Wellbeing grants being received in advance of spend and therefore expenditure is lower at present.



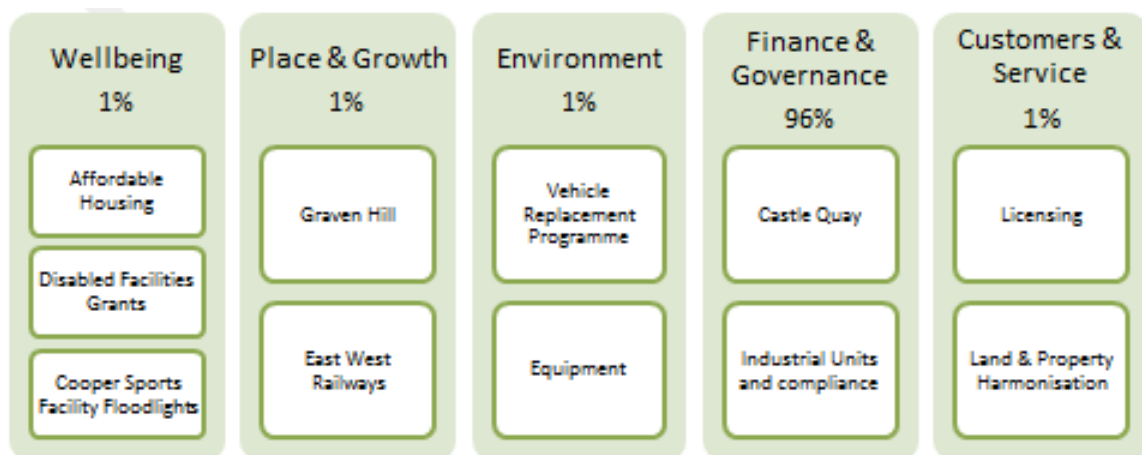
3.17 Capital Programme

The 2018/19 capital programme was approved in February 2018. The capital programme monitoring information will be provided in future reports and will identify key variances across the organisation and highlight areas of financial risk and opportunity.

A capital programme working group has been set up to improve the governance surrounding the capital programme. This group has already met once with future meetings arranged to develop the oversight this group can provide. This group is made up of officers from across the organisation and the remit is to more closely monitor the projects within the capital programme, provide consistency of approach and better understanding of the whole programme. The output of this group will be reported via these monthly reports and will identify all areas of risk.

The group closely links to other boards and groups to ensure the financial risks and issues associated with all capital spend is consistently reported.

The graph below sets out how the Council plans to spend capital during the year and the major items of expenditure. Variances to this budget will be detailed in future reports.



4.0 Conclusion and Reasons for Recommendations

4.1 It is recommended that the contents of this report are noted.

5.0 Consultation

5.1 This report sets out performance, risk and budgetary information from the previous month and as such no formal consultation on the content or recommendations is required.

6.0 Alternative Options and Reasons for Rejection

6.1 The following alternative options have been identified and rejected for the reasons as set out below.

Option 1: This report illustrates the Council’s performance against the 2018-19 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.

7.0 Implications

Financial and Resource Implications

7.1 The financial implications are detailed within section 3.15 of this report.

Comments checked by:

Adele Taylor, Executive Director: Finance and Governance (Interim), 0300 003 0103, Adele.taylor@cherwellandsouthnorthants.gov.uk

Legal Implications

7.2 There are no legal implications from this report.

Comments checked by:

James Doble, Assistant Director: Law and Governance, 0300 003 0207
James.doble@cherwellandsouthnorthants.gov.uk

Risk management

7.3 This report contains a full update with regards to the Council's risk position at the end of the previous month. A risk management strategy is in place and the risk register has been fully reviewed.

Comments checked by:

Louise Tustian, Team Leader Insight Team, 01295 221786
Louise.tustian@cherwellandsouthnorthants.gov.uk

8.0 Decision Information

Key Decision

Financial Threshold Met: No

Community Impact Threshold Met: No

Wards Affected

All

Links to Corporate Plan and Policy Framework

All

Lead Councillors –

Councillor Richard Mould – Lead member for Performance Management
Councillor Tony Ilott – Lead member for Finance and Governance

Document Information

| Appendix No | Title |
|---------------------|--|
| Appendix 1 | Monthly Performance Report |
| Appendix 2 | Leadership Risk Register |
| Appendix 3 | 2018/19 Business Plan |
| Background Papers | |
| None | |
| Report Author | Hedd Vaughan-Evans – Assistant Director: Performance and Transformation Kelly Watson – Assistant Director: Finance and Governance |
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Appendix 1 – Monthly Performance Report

May 2018

Includes:

- Joint Business Plan Measures
- Joint Key Performance Measures (KPIs)

Key to symbols

| Colour | Symbol | Meaning for Joint Business Plan Measures | Meaning for Joint Key Performance Measures (KPIs) |
|--------|---|--|---|
| Red |  | Significantly behind schedule | Worse than target by more than 10%. |
| Amber |  | Slightly behind schedule | Worse than target by up to 10%. |
| Green |  | Delivering to plan / Ahead of target | Delivering to target or ahead of it. |

Joint Programme Measures -Protected, Green and Clean

| Measure | Portfolio Holder | Director/Lead Officer | Last Milestone | Next Milestone | Status | Commentary | YTD |
|---|-------------------------------------|---|--|--|--------|--|-----|
| JBP1.1.1 Maintain High Quality Waste & Recycling Services | Cllr D Bambridge Cllr D Pickford | Kane, Graeme Potter, Ed | Compost giveaways successfully carried out during May. | Development of a new waste strategy during the summer for autumn. | ★ | The services continue to operate well with high recycling rates and levels of satisfaction. Recycling rates increase at this time of year owing to an increase in garden waste. The teams continue to plan ahead for housing growth in both areas, and particularly in Cherwell. | ★ |
| JBP1.1.2 Provide High Quality Street Cleansing Services | Cllr D Bambridge Cllr D Pickford | Croghan, Caroline Kane, Graeme Potter, Ed | New staff integrating well into the team during May with standards appearing to improve. | Neighbourhood blitz events commencing from late June. | ★ | The overall cleanliness levels are good in all urban areas. Currently the grass is very high along some major roads probably more so in Cherwell, which prevents litter picks until grass cuts have taken place. Once grass cuts have taken place it is then often the case litter is uncovered. Liaison with County Council Highways when grass cutting can be variable, liaison with the Highways agency contractors are good in Cherwell and not so good in SNC | ★ |
| JBP1.1.3 Tackle Environmental Crime | Cllr D Bambridge Cllr D Pickford | Kane, Graeme Potter, Ed | Developing plans to tackle the growth in fly tipping | Completion and then implementation of the fly tipping plan. | ★ | Fly tipping still running higher than 2016/17 but levels are the same as 2017/18 and, in comparison to many areas, the general levels are not high. | ★ |
| JBP1.1.4 Reduce Our Carbon Footprint and Protect the Natural Environment | Cllr D Bambridge Cllr D Pickford | Riley, Nicola Webb, Richard | Biodiversity Action plan review undertaken | To present a Natural Environment and Community Nature plan to the 2nd July Executive meeting | ★ | The Air Quality Action Plan (AQAP) for CDC was recently updated and a report will be going to Scrutiny. The timetable for reviewing the Towcester AQAP is the end of the year. The focus of work in May has been to review the biodiversity action plan and consider the policy context for the Natural Environment and Community Nature plan that will supersede it. | ★ |
| JBP1.1.5 Mitigate the Effects of HS2 | Cllr C Clarke Cllr S Clarke | Feehily, Paul Newton, Jim | Project discussion on main works designs and implementation of early works | Submission of applications for Schedule consents for early works for Chipping Warden Relief Road | ★ | Both HS2 early and main works contractors are working to develop the designs for railway works ahead of submission of applications required for approval under Schedules to the Act. Early works projects will include the Chipping Warden Relief Road. Main works projects will include evolving designs for the Lower Thorpe and Edgcote viaducts. | ★ |

Joint Programme Measures -Protected, Green and Clean

| Measure | Portfolio Holder | Director/Lead Officer | Last Milestone | Next Milestone | Status | Commentary | YTD |
|---|--|--|--|---|-------------------------|--|-------------------------|
| <p align="center">JBP1.1.6 Maintain the District as a Low Crime Area</p> <p align="center" style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 209</p> | <p>Cllr A McHugh Cllr K Cooper</p> | <p>Kane, Graeme Riley, Nicola Webb, Richard</p> | <p>Training 85% of current drivers which was achieved</p> | <p>To continue to train all new applicants ahead of a licence being used</p> | <p align="center">★</p> | <p>Oxfordshire County Council Commissioned the Community Safety Strategic Intelligence Assessment (SIA) which has been produced in draft form in May 2018. This does show an increase in crime over the last 12 months. Nationally crime has increased over the last few years and the data for Cherwell is in line with this national trend.</p> <p>Specifically for Cherwell, the District area remains a safe place in comparison to similar Districts, some of the increase in reported crime is down to a change in reporting and an increase in proactive partnership working where some crimes would have not previously been recorded.</p> <p>Work will be conducted to use this high level data from the SIA to provide a better picture and comparison of how the data represents Cherwell District and where our focus should be. The Community Safety Partnership will be leading this piece of work.</p> | <p align="center">★</p> |
| | | | | | | <p>Whilst South Northants is comparable with its most similar group, there has been a 6% increase in comparison to the previous Year to Date (YTD). Much of this increase has been seen within the more populated areas, showing a positive impact in the partnership work that has taken place in the rural areas. The increase is largely down to an increase in violent crime which also reflects the national landscape. However this data set also includes Domestic Abuse in its recording definition.</p> <p>There has been a lot of work in the last 6 months through the community safety lead and partners on raising awareness of Domestic Abuse (DA) and supporting victims in coming forward to report it. It is likely that some of this increase is due to this positive proactive work. We will continue to monitor this data. Additionally work around DA has been focused on the roll out of the Domestic Abuse awareness campaign to run in conjunction with the FIFA World Cup and into the Autumn. A winter campaign is currently being developed. Safeguarding training continues to be delivered to all new taxi driver applicants ahead of licence issue. Of current licence holders only 9 remain suspended at Cherwell and these are expected to let their licences lapse. At SNC 30 drivers remain suspended. They will have their licences returned on completion of the training.</p> | |
| <p>JBP1.1.7 Protect the Built Heritage</p> | <p>Cllr C Clarke Cllr R Clarke</p> | <p>Feehily, Paul Mitchell, Clare Newton, Jim</p> | <p>Delivering to plan. Work has started on the research for this year's Conservation Area Appraisals and Conservation Reviews.</p> | <p>We anticipate that: 2 X Conservation Reviews will be undertaken in September 2018 at SNC X Conservation Area Appraisals will be undertaken in November 2018 at CDC</p> | <p align="center">★</p> | <p>We are delivering to plan in this area. Research has started on the Conservation Area Appraisals and Reviews. We anticipate that the first of this year's document will be delivered in September and November this year.</p> | <p align="center">★</p> |

Joint Programme Measures - Thriving Communities & Wellbeing

| Measure | Portfolio Holder | Director/Lead Officer | Last Milestone | Next Milestone | Status | Commentary | YTD |
|--|--|---|--|--|--------|---|-----|
| JBP2.1.1 Provide & Support Health & Wellbeing | Cllr A McHugh Cllr C Clarke Cllr K Cooper Cllr S Clarke Cllr T Ilott | Colwell, Adrian Ellis, Richard Riley, Nicola Rowe, Rosie | Healthy Place-making approach being adopted as a cornerstone of the place-making work being undertaken by both authorities. Health and wellbeing action plan for Cherwell 18/19 consulted on with partners and the South Northants Health and Wellbeing Blueprint actions updated by partners. | To consider the roll out of social prescribing across both districts albeit with differing levels of partnership working and resourcing. | ★ | The health and wellbeing of communities can be improved and enhanced through a wide range of prevention activities and interventions. Working with colleagues in clinical commissioning groups, public health and primary care both authorities are engaging in a wide range of work to support improved outcomes for residents and businesses. | ★ |
| JBP2.1.2 Provide enhanced leisure facilities | Cllr G Reynolds Cllr K Cooper | Bolton, Sharon Ellis, Richard | Woodgreen outdoor 50m swimming pool opened in Banbury on 26th May to the public. The annual Banbury Triathlon was also held at Woodgreen and well attended. | The SNC built facility and playing pitch strategy stage D report has been Approved. We are now awaiting receipt of stage E, the Executive Summary to underpin the Leisure Strategy and Delivery Plan. CDC is currently waiting on the National Governing Body to respond. This process will drive forward both Districts Leisure provision in for the next 10 years. | ★ | Works continue to the new Brackley Swimming Pool as part of the Leisure Centre development project. The new 110 station gym opened on Saturday 12th May. LED lighting upgrade to the Artificial Turf Pitch at North Oxfordshire Academy (NOA) during December 2017. During March 2018 we upgraded to new metal halide type floodlight (alternative to LED floodlights) on the athletics track at North Oxfordshire Academy. NOA also hosted the England Mixed Hockey trials during May. | ★ |
| JBP2.1.3 Provide support to the voluntary sector | Cllr A McHugh Cllr K Cooper | Ellis, Richard Riley, Nicola | | Ensure the delivery of the first Bicester Festival. Take ownership of the new Community Centre on Kingsmere estate, Bicester. Continue to work with partners to develop Age Friendly Banbury. Launch the 'little lunch' concept at Bicester's BIG lunch. Re-sign the armed forces community covenant in both counties. | ★ | There continues to be good progress made on individual projects and programmes of work. Successful Brighter Futures in Banbury reference conference held. Place-making at Upper Heyford progressed. Three talented performer grants given to young sportsmen and women from South Northants Successful Funding fair held at Towcester racecourse in partnership with SNVB and DDC. Successful Playdays held in Brackley and Towcester. | ★ |

Joint Programme Measures - Thriving Communities & Wellbeing

| Measure | Portfolio Holder | Director/Lead Officer | Last Milestone | Next Milestone | Status | Commentary | YTD |
|--|---|--|--|--|--------|--|-----|
| JBP2.1.4 Enhance community resilience as part of emergency planning | Cllr A McHugh Cllr D Bambridge | Kane, Graeme Riley, Nicola Webb, Richard | Both authorities are prepared for emergency planning eventualities such as flooding; CDC recently responded, with partners, to a flooding event in Kidlington. | Emergency Planning focuses on Silverstone at this time of year to ensure all partners are fully prepared for this major event. | ★ | The councils enable contact with parish councils, schools, community groups to promote messages around PREVENT duties and emergency responses to incidents and accidents and to encourage local neighbourhood solutions to communal cohesion and response. | ★ |
| JBP2.1.5 Prevent homelessness | Cllr J Donaldson Cllr K Cooper | Douglas, Gillian Ellis, Richard | Homelessness Reviews, evidence base for homelessness strategies, have been completed for both CDC and SNC. | New Homelessness Strategies focused on preventing and relieving homelessness for both CDC and SNC are currently being drafted and will be completed by mid-June. | ★ | The Homelessness Act 2002 requires local authorities to formulate a homelessness strategy based on the results of a homelessness review in the district. Homelessness reviews have been completed for South Northants and Cherwell districts. The reviews are comprehensive documents. The Councils' Housing Team has had regard to the Government's Homelessness Code of Guidance and National Practitioner Support Service Homelessness Strategy Toolkit when preparing the homelessness reviews. Both of these guidance documents provide detailed information on what a review has to cover. The reviews are the key evidence base to inform the formulation of the new homelessness strategies. | ★ |
| JBP2.1.6 Safeguard the vulnerable | Cllr A McHugh Cllr D Bambridge Cllr J Donaldson Cllr K Cooper Cllr P Rawlinson Cllr S Clarke Cllr T Ilott | Riley, Nicola Taylor, Adele | Staff and Member safeguarding training was reported on with significant levels of compliance across the organisation. SIRI continues to be a good mechanism for reporting concerns. In South Northants The Blue Butterfly programme is being rolled out in primary schools and the Keep Safe programme launched. The Countywide co-commissioned Domestic Abuse services contract has begun in Oxfordshire. | Roll out of the 'Blue butterfly' scheme to key staff at CDC and SNC. | ★ | For our residents who may be at risk through financial vulnerability, we monitor our performance on average time taken to assess new claims for Housing Benefit and Council Tax reduction which are at 7.65 days (SNC) and 11.31 days (CDC) against a target of 15 days. The Debt and Money advice service continues to grow in levels of demand for the service - we have helped over 1677 households secure financial gains of £2.8m up to May 2018. We have 77 open active cases in May with gains expected of £78k across Personal Independence Payments, Disability Living Allowance, Attendance allowance and Housing Benefits and Council Tax reduction. | ★ |

Joint Programme Measures - Thriving Communities & Wellbeing

| Measure | Portfolio Holder | Director/Lead Officer | Last Milestone | Next Milestone | Status | Commentary | YTD |
|--|---|---|---|---|--------|---|-----|
| JBP2.1.7 Deliver affordable housing and work with private sector landlords | Cllr C Clarke Cllr J Donaldson Cllr K Cooper Cllr R Clarke | Douglas, Gillian Ellis, Richard | Landlords Forum held 29/5/18 | | ★ | Landlords Forum held 29/5/18 Private Sector Housing Team: CDC - 2 Landlords Home Improvement Grants were concluded in May, with associated nomination rights. CDC - 1 Flexible Home Improvement Loan approved. SNC - No Flexible Home Improvement Loan applications yet received. At SNC delivery of affordable housing in the month of May 2018 was a total of 16 new units: 9 affordable rent; 7 shared ownership. These have been provided on sites in Middleton Cheney and Brackley. At CDC delivery of affordable housing in the month of May 2018 was a total of 39 new units: 36 affordable rent; 3 shared ownership. These have been provided across several sites in Banbury. | ★ |
| JBP2.1.8 Deliver the welfare reform agenda | Cllr J Donaldson Cllr K Cooper Cllr P Rawlinson Cllr T Ilott | Douglas, Gillian Green, Belinda Taylor, Adele | We continue to monitor and to support residents through the roll-out of the full Universal Credit service in the Cherwell District including offering assisted digital support and Personal Budgeting Support through our partnership with Citizens Advice. In South Northants the learning we are gaining from roll-out of Universal Credit in Cherwell will support us to ensure we provide a good service to our residents once this goes live in both areas. We continue to ensure that we support residents of both councils to claim their correct entitlements wherever possible. | The Councils continue to support those affected by the wider Welfare Reform agenda. | ★ | We continue to consider and award Discretionary Housing Payments to those households who are affected by the welfare reform agenda including spare room subsidy and the benefit cap often working with colleagues in Housing to identify households who may benefit from an award and therefore helping to secure their tenancies. The Debt and Money Advice service continues to grow in levels of demand for the service. Since the service was introduced the team have helped 1677 households securing total financial gains of £2,819,760 (as at May 2018). The team currently have 77 open active cases and for the month May 2018 reported financial gains of £77,981 33% in the form of Personal Independence Payments, Disability Living Allowance and Attendance Allowance (so supporting some of our most vulnerable residents) and 36% was Housing Benefit/Universal Credit and Council Tax Reduction. | ★ |

Joint Programme Measures - District of Opportunity & Growth

| | Portfolio Holder | Director/Lead Officer | Last Milestone | Next Milestone | Status | Commentary | YTD |
|--|-----------------------------------|---|--|---|--------|---|-----|
| JBP3.1.1 Deliver innovative and effective housing schemes | Cllr J Donaldson Cllr K Cooper | Colwell, Adrian Douglas, Gillian Ellis, Richard | | Submission of pre-planning application for the first sites in the development programme for the SNC Local Development Company by end of June/early July 2018. | ★ | Private Sector Housing Team: CDC - 2 Landlords Home Improvement Grants were concluded in May, with associated nomination rights. CDC - 1 Flexible Home Improvement Loan approved. SNC - No Flexible Home Improvement Loan applications yet received. Site due diligence in relation to the first sites in the development programme for the SNC Local Development Company is continuing. | ★ |
| JBP3.1.2 Increase Tourism | Cllr L Pratt Cllr S Clarke | Colwell, Adrian Newman, Steven Ward, Greg | The Economic Growth Team have been working closely with local visitor attractions, accommodation, retailers and other organisations involved in promoting the visitor economy across both districts during May 2018. | Work with local businesses and visitor attractions to support and promote events and venues held in South Northamptonshire for the 2018/19 season which includes a comprehensive event programme that the SNC facing Economic Growth Team provide direct support for, actively promote and attend as exhibitors. The visitor information services in Banbury and Bicester are supported by the Council and Experience Oxfordshire is commissioned to promote Cherwell nationally and internationally. | ★ | During May 2018, the Economic Growth Team have delivered on the following projects: <ul style="list-style-type: none"> • Town Centre banner project for both Towcester and Brackley • A43 and A5 layby tourist board project research • Submission of an Expression of Interest to the Rural payments Agency for Tourism Infrastructure to increase the number of visitors and the dwell time to The Water meadows • Refurbishment of Town Centre Tourism • Support and advice for Salcey Forest Management regarding the closure of the treetops walkway • Site visits to Visitor attractions to provide support to Management teams • Engagement with colleagues in Planning policy to provide Business Planning advice for Castle Ashby • Practical support and advice for the Heritage Lottery Funded Dovecote in Bicester. • Promotion of Bicester Festival and the Town Centre Discovery Walk. • Design and preparation of new maps and markets signs in Banbury. • Liaison with Experience Oxfordshire to ensure support to businesses across Cherwell. | ★ |

Joint Programme Measures - District of Opportunity & Growth

| | Portfolio Holder | Director/Lead Officer | Last Milestone | Next Milestone | Status | Commentary | YTD | |
|----------|---|--------------------------------|---|--|---|------------|---|---|
| Page 214 | JBP3.1.3 Deliver the masterplans for the key economic centres | Cllr C Clarke Cllr R Clarke | Newman, Steven Ward, Greg | Contribution towards all Masterplans (Towcester, Brackley, Silverstone, Banbury, Bicester and Kidlington) to ensure that efficient and effective staged delivery of projects, especially those related to skills and business development. | Provide support and facilitate the delivery of discrete projects that come from the Masterplans, to ensure they are delivered on time and to maximise the economic benefit to the Districts. | ★ | <p>Silverstone: Recent activity has included the setting up and development of a Linked In group for the STC by the SNC facing Economic Growth Team, attendance at the recent SEMLEP High Performance Technology and Motorsport 6 LEPS Meeting, preparations for the Conference at Force India (SNC will be exhibiting with AVDC, CDC and Silverstone) as part of the British Grand Prix F1 Business week and the inclusion of a new Inward Investment flyer in the MIA's event programme as well as a 2 page SNC advertisement.</p> <p>Brackley: continuing its liaison and dialogue with Brackley Town Hall. Business Support has also been made available to Brackley Town Football Club to ensure the Club's Board are able to capitalise on their recent success in their win at Wembley and the benefits this will have for the Town.</p> <p>Towcester: The Economic Growth Team held its annual Business Club meeting at The Forum during May 2018 and presented the ongoing work of the South Northamptonshire Team and discussed a number of projects related to the Master plan including Moat Lane, new development, the relief road and other related issues.</p> <p>Banbury: supporting the Canalside consultation to ensure that businesses likely to be affected by regeneration activity are offered assistance to continue to operate at a time of uncertainty whilst also being involved at an early stage to prepare for local relocation where appropriate. Further business engagement enabled through the creation and support of the Banbury Business Improvement District, including attendance at its Board meeting.</p> <p>Bicester: New Masterplan is being developed as a more ambitious forward looking plan for the town that brings together Eco Bicester; Local Plan led growth, Garden Town and Healthy New Town.</p> <p>Kidlington: Liaison with local business groups Kidlington Voice, Begbroke Science Park, etc. to ensure engagement in the wider Green Belt review to ensure that future needs of businesses are raised. Meanwhile, the team attending Kidlington Voice business group meeting and arranged a major job fair event.</p> | ★ |
| | JBP3.1.4 Increase employment at strategic employment sites, promote investments & business growth | Cllr L Pratt Cllr S Clarke | Colwell, Adrian Newman, Steven Ward, Greg | The Economic Growth Team continues to work closely with a portfolio of businesses across both districts to provide support and advice. This enables start-ups and growth through a programme of meetings, direct delivery of the employment and skills initiatives and the development of a suite of Inward Investment literature. | The economic growth team enables the provision of: Business support, information and advice to businesses across both districts. Job Clubs, Job Fairs and Job Match Services to meet the needs of local businesses and workers. The SNC Enterprise Club and Oxfordshire Business Enterprises to provide practical support to residents starting a business. Services and a suite of Inward Investment information to ensure the districts are promoted to maximise local business growth and job opportunities. | ★ | <p>The latest unemployment rates based on the measure of Universal Credit in April 2018 was 0.7% (380 people) for South Northamptonshire and 0.9% (845 people) for Cherwell, representing a 0.1% increase on the previous month and on the year-on-year figures, although the yearly trend tracks at similar levels as for 2017. The rate for England is 2.2% so both districts are performing relatively well in relation to other districts.</p> <p>(Note: % is the number of claimants as a proportion of resident population of area aged 16-64 and gender) During May, a range of support was provided and projects implemented with highlights including by district:</p> <p>South Northamptonshire:</p> <p>Since the new South Northants Business Accommodation Guide was distributed to all local businesses within the 66 Business parks in the district last month the SNC facing Business Support Adviser has been visiting companies on site to provide business support and advice.</p> <p>The SNC Job Club and SNC Job Match Service 50% over target on Jobseekers directly supported back to work: A total of 6 jobseekers were supported back into work locally during May 2018 and a redundancy support package has been delivered to Direct Legal Collections in Brackley who are vacating their site. 20 Business support visits were undertaken by the SNC facing Business Support Adviser.</p> | ★ |

Joint Programme Measures - District of Opportunity & Growth

| | Portfolio Holder | Director/Lead Officer | Last Milestone | Next Milestone | Status | Commentary | YTD |
|---|------------------|-----------------------|----------------|----------------|--------|--|-----|
| <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 215</p> | | | | | | <p>The SNC Inward Investment leaflet has been produced and a new website for inward Investment has been set up through the existing SNC website at: www.investinsouthnorthants.com</p> <p>The South Northamptonshire Business Incubator Feasibility Study is now into the middle phase of research with telephone interviews being undertaken with a range of stakeholders.</p> <p>Silverstone Circuit has been confirmed as the venue for the South Northants 'Open for Business Event' to be held in September 2018 at The Wing and preparations are underway to create a legacy event with 200 businesses as the target audience for the event.</p> <p>Cherwell:</p> <p>The Cherwell Business Awards Ceremony attracted 256 business people to celebrate local success and encourage further best practice, innovation and growth. The Council was headline sponsor and worked throughout the year with ten category sponsors to achieve this grand finale leading to excellent feedback and publicity.</p> <p>Contribution to the Banbury Business Club meeting and the Chamber events at local businesses to ensure that the Council is represented and any issues arising can be addressed to support jobs and business growth.</p> <p>Promotion of the district to a wide business audience at the Annual Business in Oxfordshire conference and exhibition. Joint representation on the stand of Bicester Vision.</p> <p>Review of Business Support from SEMLEP during 2017-18: Velocity Growth Hub supported 77 Cherwell businesses through advice, grants and business development workshops. Further advice and support has been available through OxLEP.</p> <p>The Council has invested over £550,000 over two years in extending Superfast Broadband across the District and the national target (95%) has now been exceeded. In May 2018, 96.35% of residential and business premises in the District could subscribe to Broadband services offering download speeds over 24mbps. The high take-up means that the contractual reward funding will allow the programme to continue throughout 2018.</p> | |
| | | | | | | | |

Joint Programme Measures - District of Opportunity & Growth

| | Portfolio Holder | Director/Lead Officer | Last Milestone | Next Milestone | Status | Commentary | YTD |
|---|--|---|--|---|----------|---|----------|
| <p>JBP3.1.5 Delivery against Local Plans for CDC & SNC</p> | <p>Cllr C Clarke Cllr R Clarke</p> | <p>Bowe, Andrew Colwell, Adrian Darcy, Andy Newton, Jim Peckford, David</p> | <p>CDC and SNC continue to engage with Highways England on strategic transport projects and have inputted into the process to identify the preferred corridor for the Oxford - Cambridge Expressway. An options appraisal report has been completed for a new motorway junction to serve new development in and around Bicester.</p> | <p>Work continues to progress an action plan for the A43 in South Northamptonshire. A Study of the A43 is being prepared and a Final Draft is expected to be completed in June 2018. It will be reported to the Planning Policy and Regeneration Strategy meeting. Officers are liaising with Highways England and its agents on a scheme to repair and maintain the A5 (Watling Street) in Towcester. Highways England has carried out an economic appraisal of the proposed Towcester Relief Road and is awaiting further clarification on the funding of the scheme.</p> | <p>★</p> | <p>CDC - The Partial Review Local Plan was submitted to PINs (Planning Inspectorate) for Examination on 5 March 2018. We are still awaiting the dates for the public hearing, but the process of Examination has now formally commenced. Programme for examination is overseen by the Planning Inspectorate not the Council. Programme for separate Local Plan Part 2 to be reviewed having regard to forthcoming revised National Planning Policy Framework and the on-going scoping for the countywide Joint Statutory Spatial Plan.</p> <p>SNC Local Plan is on track for the Reg 19 Submission Local Plan part 2 to be released for consultation following the Planning Policy Committee on 25 July, followed by submission in December 2018, as per the dates published for us to hit.</p> | <p>★</p> |

Joint KPIs - Protected, Green and Clean

| Measure | Council | Portfolio Holder | Director/Lead Officer | Result | Target | Status | Commentary | YTD Result | YTD Target | YTD |
|---|---------|------------------|----------------------------|--------|--------|--------|---|------------|------------|-----|
| JBP1.2.1C % Waste Recycled & Composted | CDC | Cllr D Pickford | Kane, Graeme Potter, Ed | 61.43% | 60.27% | ★ | All on track. Garden waste tonnages looking to be strong | 59.04% | 58.69% | ★ |
| JBP1.2.1S % Waste Recycled & Composted | SNC | Cllr D Bambridge | Kane, Graeme Potter, Ed | 67.93% | 65.86% | ★ | The amount of garden waste collected from the green bins in May 2018 was the highest ever amount recorded. Performance is higher than expected because of this. | 65.83% | 64.91% | ★ |

Joint KPIs - Thriving Communities & Wellbeing

| Measure | Council | Portfolio Holder | Director/Lead Officer | Result | Target | Status | Commentary | YTD Result | YTD Target | YTD |
|--|---------|------------------|------------------------------------|---------|---------|--------|--|------------|------------|-----|
| JBP2.2.1C Number of households living in Temporary Accommodation (TA) | CDC | Cllr J Donaldson | Douglas, Gillian Ellis, Richard | 32.00 | 43.00 | ★ | CDC Housing Options Team continues to focus on homeless prevention and keep number in Temporary Accommodation to a minimum. Numbers have risen in the last month but well within target. | 32.00 | 43.00 | ★ |
| JBP2.2.1S Number of households living in Temporary Accommodation (TA) | SNC | Cllr K Cooper | Douglas, Gillian Ellis, Richard | 18.00 | 25.00 | ★ | The number of households is the same as last month and we continue to focus on homelessness prevention to minimise use of temporary accommodation. | 18.00 | 25.00 | ★ |
| JBP2.2.2C Average time taken to process Housing Benefit new claims | CDC | Cllr T Ilott | Green, Belinda Taylor, Adele | 11 | 15 | ★ | The average time taken to process new claims for May 2018 is excellent, reducing to 11.31 days against a target of 15 days. This is an improvement from April 2018 when the average time taken to process new claims was 17.43 days. We will continue to closely monitor our performance times on a daily basis to help us to remain below our target of 15 days. Challenges we face include a change in duties for members of the team along with training of three new officers and increasing workloads. | 14 | 15 | ★ |
| JBP2.2.2S Average time taken to process Housing Benefit new claims | SNC | Cllr P Rawlinson | Green, Belinda Taylor, Adele | 7.65 | 15.00 | ★ | The performance on the average time taken to process new claims continues to be excellent. For May 2018 the average time taken to process new claims is 7.65 days against a target of 15 days. This is an improvement on the figures reported for April 2018 when the average time to process new claims was 12.32 days. | 9.99 | 15.00 | ★ |
| JBP2.2.3C Average time taken to process Housing Benefit change events | CDC | Cllr T Ilott | Green, Belinda Taylor, Adele | 7.15 | 8.00 | ★ | The average time taken to process change in circumstances for May 2018 remains good at 7.15 days against a target of 8 days. We closely monitor our performance daily to help us to continue to process change in circumstances below our target of 8 days. | 5.81 | 8.00 | ★ |
| JBP2.2.3S Average time taken process Housing Benefit change events | SNC | Cllr P Rawlinson | Green, Belinda Taylor, Adele | 4.06 | 8.00 | ★ | The average time taken to process change in circumstances remains very good at 4.06 days against a target of 8 days. This is an improvement on the figures reported in April when the average time taken to process change in circumstances was 4.09 days. | 4.08 | 8.00 | ★ |
| JBP2.2.5C Number of visits/usage of District Leisure Centres | CDC | Cllr G Reynolds | Bolton, Sharon Ellis, Richard | 138,646 | 127,285 | ★ | Throughput figures across Cherwell are circa 8,000 down on the same period last year when comparing facilities on a like for like basis. The decreases for May 18 are due to lower usage figures at Spiceball Leisure Centre (circa 5,000 down) and Bicester Leisure Centre (circa 3,000 down). All other facilities are fairly consistent. Due to the addition of both Whitelands Farm Sports Ground and Stratfield Brake to the reporting process the number of throughputs does appear to be up by (circa 3,000) however this is due to no previous reporting for these two sites. Any participation increase should be caveated with the opening sentence. | 282,911 | 254,570 | ★ |

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Joint KPIs - Thriving Communities & Wellbeing

| Measure | Council | Portfolio Holder | Director/Lead Officer | Result | Target | Status | Commentary | YTD Result | YTD Target | YTD |
|--|---------|------------------|----------------------------------|--------|--------|--------|---|------------|------------|-----|
| JBP2.2.5S Number of Visits/Usage of District Leisure Centres | SNC | Cllr K Cooper | Bolton, Sharon Ellis, Richard | 66,313 | 60,404 | ★ | Overall throughputs show an increase of circa 3,000 on the same month last year. This was made up primarily from an increase of circa 4,000 for the month of May at Towcester Centre for Leisure. Brackley Leisure Centre was down by circa 400 however there was a partial closure of the Gym in May while the equipment was moved in and the decrease can be attributed to this. Brackley Swimming Pool showed a decrease of circa 500 against last May | 133,930 | 120,808 | ★ |
| JBP2.2.6C % of Council Tax collected, increasing Council Tax base | CDC | Cllr T Ilott | Green, Belinda | 20.44% | 20.50% | ● | Whilst this is 0.06% short of target this is an improvement on last year. The net collectable debit has increased by more than £6m from 2017/18 to 2018/19. All reminders and final notices have been issued for the first major court on 5.6.2018 allowing for recovery action to take place | 31.49% | 31.50% | ● |
| JBP2.2.6S % of Council Tax collected, increasing Council Tax Base | SNC | Cllr P Rawlinson | Green, Belinda | 21.49% | 20.00% | ★ | We have exceeded target again this month. All reminders and finals have been issued and formal recovery proceedings for unpaid accounts have commenced. | 33.27% | 30.00% | ★ |
| JBP2.2.7C % of Business Rates collected, increasing NNDR base | CDC | Cllr T Ilott | Green, Belinda | 21.74% | 21.25% | ★ | Cherwell exceeded target this month. The net collectable debit has increased by more than £13m from 2017/18 to 2018/19. Reminder notices have been issued to increase collection. | 32.79% | 33.00% | ● |
| JBP2.2.7S % of Business Rates collected, increasing NNDR base | SNC | Cllr P Rawlinson | Green, Belinda | 20.78% | 20.00% | ★ | We have exceeded target for the collection of NNDR. All reminder notices have been issued and the first court took place in June to allow for further recovery action to take place. | 31.77% | 30.00% | ★ |

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Joint KPIs - District of Opportunity & Growth

| Measure | Council | Portfolio Holder | Director/Lead Officer | Result | Target | Status | Commentary | YTD Result | YTD Target | YTD |
|---|---------|------------------|--|--------|--------|--------|---|------------|------------|-----|
| + JBP3.2.1C % Major planning applications processed within 13 weeks | CDC | Cllr C Clarke | Colwell, Adrian Newton, Jim Seckington, Paul | 70% | 60% | ★ | 10 Major Planning Applications were determined during May, of which 7 were determined within the target of 13 weeks or agreed time frame. As such, our target of determining more than 60% of Major Applications within time has been met. | 70% | 60% | ★ |
| + JBP3.2.1S % Major planning applications processed within 13 weeks | SNC | Cllr R Clarke | Colwell, Adrian Newton, Jim Seckington, Paul | 100% | 60% | ★ | 6 Major Planning Applications were determined during May, of which 6 were determined within the target of 13 weeks or agreed time frame. As such, our target of determining more than 60% of Major Applications within time has been met. | 100% | 60% | ★ |
| + JBP3.2.2C % Non Major planning appeal decisions allowed | CDC | Cllr C Clarke | Colwell, Adrian Newton, Jim Seckington, Paul Charlett, Jeremy | 0% | 10% | ★ | No Non-Major Appeals were allowed by the Planning Inspectorate during May. Therefore we are achieving our target of less than 10% of Major Planning Appeals allowed. | 0% | 10% | ★ |
| + JBP3.2.2S Non major planning appeal decision allowed | SNC | Cllr R Clarke | Colwell, Adrian Newton, Jim Seckington, Paul | 0% | 10% | ★ | No Non-Major Appeals were allowed by the Planning Inspectorate during May. Therefore we are achieving our target of less than 10% of Major Planning Appeals allowed. | 0% | 10% | ★ |
| + JBP3.2.3C % Planning enforcement appeal decisions allowed | CDC | Cllr C Clarke | Colwell, Adrian Newton, Jim Seckington, Paul | 1% | 10% | ★ | 1 Enf Appeal determined during May, 1 Enf Appeal has been allowed by the Planning Inspectorate during May, therefore the target of achieving less than 10% of Appeals allowed has not been met this period. | 1% | 10% | ★ |
| + JBP3.2.3S % Planning enforcement appeal decisions allowed | SNC | Cllr R Clarke | Colwell, Adrian Newton, Jim Seckington, Paul | 1% | 10% | ★ | 4 Enf Appeal determined during May, 1 Enf Appeal has been allowed by the Planning Inspectorate during May, therefore the target of achieving less than 10% of Appeals allowed has not been met this period | 1% | 10% | ★ |
| + JBP3.2.4C % of non-major applications processed within 8 weeks | CDC | Cllr C Clarke | Colwell, Adrian Newton, Jim Seckington, Paul | 84% | 70% | ★ | 90 out of the 107 Non-Major planning applications determined during May were within the target period of 8 weeks, or agreed time frame. Therefore the target of determining more than 70% of Non-Major Applications within the period has been met. | 84% | 70% | ★ |
| + JBP3.2.4S % of non-major applications processed within 8 weeks | SNC | Cllr R Clarke | Colwell, Adrian Newton, Jim Seckington, Paul | 86% | 70% | ★ | 69 out of the 80 Non-Major planning applications determined during May were determined within the target period of 8 weeks, or agreed time frame. Therefore the target of determining more than 70% within time has been met. | 86% | 70% | ★ |
| + JBP3.2.6C Major planning appeal decisions allowed | CDC | Cllr C Clarke | Colwell, Adrian Newton, Jim | 0.00 | 10.00 | ★ | No Major Planning Appeals were allowed by the Planning Inspectorate during May. | 0.00 | 10.00 | ★ |
| + JBP3.2.6S Major planning appeal decisions allowed | SNC | Cllr R Clarke | Colwell, Adrian Newton, Jim | 0.00 | 10.00 | ★ | No Major Planning Appeals were allowed during May. | 0.00 | 10.00 | ★ |

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Appendix 3 – Cherwell District and South Northants Councils – Latest Leadership Risk Register as at 15/06/2018

| Level of risk | How the risk should be managed |
|--------------------------------|---|
| High Risk (16-25) | Requires active management to manage down and maintain the exposure at an acceptable level. Escalate upwards. |
| Medium Risk (10 -15) | Contingency Plans - a robust contingency plan may suffice together with early warning mechanisms to detect any deviation from the profile. |
| Low Risk (1 – 9) | Good Housekeeping - may require some risk mitigation to reduce the likelihood if this can be done cost effectively, but good housekeeping to ensure that the impact remains low should be adequate. Re-assess frequently to ensure conditions remain the same. |

| Risk Scorecard – Residual Risks | | | | | | |
|---------------------------------|-------------------|-------------|--------------|-----------------------------|---------------|---------------------|
| | | Probability | | | | |
| | | 1 - Remote | 2 - Unlikely | 3 - Possible | 4 - Probable | 5 - Highly Probable |
| Page 1221 | 5 - Catastrophic | | | | | |
| | 4 - Major | | L04, L11 | | L05 | |
| | 3 - Moderate | | | L01, L02, L03 L10, L12, L14 | L06, L07, L08 | L09, L13a, L13b |
| | 2 - Minor | | | | | |
| | 1 - Insignificant | | | | | |

| Risk Definition | |
|-----------------|--|
| Leadership | Strategic risks that are significant in size and duration, and will impact on the reputation and performance of the Council as a whole, and in particular, on its ability to deliver on its corporate priorities |
| Operational | Risks to systems or processes that underpin the organisation’s governance, operation and ability to deliver services |

| Ref | Name and Description of risk | Potential impact | Inherent (gross) risk level (no Controls) | | | Controls | Control assessment | Lead Member | Risk owner | Risk manager | Residual risk level (after existing controls) | | | Direct'n of travel | Mitigating actions (to address control issues) | Comments | Last updated |
|-----|---|--|---|--------|--------|--|---|---|--------------|---------------|---|--------|--------|--------------------|--|--|---|
| | | | Probability | Impact | Rating | | | | | | Probability | Impact | Rating | | | | |
| L01 | Financial resilience – Failure to react to external financial shocks, new policy and increased service demand. Poor investment and asset management decisions. | <p>Reduced medium and long term financial viability</p> <p>Reduction in services to customers</p> <p>Continued reliance on central govt (RSG) and therefore reduced opportunity for independent decision making</p> <p>Reduced financial returns (or losses) on investments/assets</p> <p>Inability to deliver financial efficiencies</p> <p>Inability to deliver commercial objectives (increased income)</p> <p>Poor customer service and satisfaction</p> <p>Increased complexity in governance arrangements</p> <p>Lack of officer capacity to meet service demand</p> | 4 | 4 | 16 | <p>Medium Term Revenue Plan reported regularly to members.</p> <p>Efficiency plan in place and balanced medium term</p> <p>Highly professional, competent, qualified staff</p> <p>Good networks established locally, regionally and nationally</p> <p>National guidance interpreting legislation available and used regularly</p> <p>Members aware and are briefed regularly</p> <p>Participate in Northamptonshire Finance Officers and Oxfordshire Treasurers' Association's work streams</p> <p>Programme management approach being taken</p> <p>Treasury management policies in place</p> <p>Investment strategies in place</p> <p>Regular financial and performance monitoring in place</p> <p>Independent third party advisers in place</p> <p>Regular bulletins and advice received from advisers</p> <p>Property portfolio income monitored through financial management arrangements on a regular basis</p> <p>Asset Management Strategy in place and embedded.</p> <p>Transformation Programme in place to deliver efficiencies and increased income in the future</p> | <p>Fully</p> <p>Fully</p> <p>Partially</p> <p>Fully</p> <p>Partially</p> <p>Partially</p> <p>Fully</p> <p>Partially</p> <p>Partially</p> <p>Fully</p> <p>Partially</p> <p>Partially</p> <p>Fully</p> <p>Partially</p> <p>Partially</p> <p>Fully</p> <p>Partially</p> <p>Partially</p> | Councillor Tony Illot Councillor Peter Rawlinson | Adele Taylor | Kelly Watson | 3 | 3 | 9 | ↔ | <p>AD Finance and Performance recruited. Overall Finance resource being reviewed.</p> <p>Investment strategy approach agreed for 18/19 and all potential investments to now be taken through the working groups prior to formal sign off. Robust review and challenge of our investment options to be regularly undertaken through our usual monitoring processes.</p> <p>Timeliness and quality of budget monitoring particularly property income and capital to be improved. Project with Civica is ongoing.</p> <p>Asset Management Strategy to be reviewed and refreshed in the new year.</p> <p>Review of BUILD! to ensure procurement and capital monitoring arrangements are in place and development of forward programme.</p> <p>Finance support and engagement with programme management processes being established.</p> <p>Integration and development of Performance, Finance and Risk reporting during 18/19.</p> <p>Regular involvement and engagement with senior management across Counties as well as involvement in Regional and National finance forums.</p> <p>Regular member meetings, training and support in place and regularly reviewed.</p> <p>Financial support and capacity being developed during 18/19 through development programme.</p> <p>Regular utilisation of advisors.</p> | | 05/06/18 - Mitigation actions updated |
| L02 | Statutory functions – Failure to meet statutory obligations and policy and legislative changes are not anticipated or planned for. | <p>Legal challenge</p> <p>Loss of opportunity to influence national policy/legislation</p> <p>Financial penalties</p> <p>Reduced service to customers</p> | 3 | 4 | 12 | <p>Embedded system of legislation and policy tracking in place, with clear accountabilities, reviewed regularly by Directors</p> <p>Clear accountability for responding to consultations with defined process to ensure Member engagement</p> <p>National guidance interpreting legislation available and used regularly</p> <p>Risks and issues associated with Statutory functions incorporated into Directorate Risk Registers and regularly reviewed</p> <p>Clear accountability for horizon scanning, risk identification/categorisation/escalation and policy interpretation in place</p> <p>Robust Committee forward plans to allow member oversight of policy issues and risk management, including Scrutiny and Audit</p> <p>Internal Audit Plan risk based to provide necessary assurances</p> <p>Strong networks established locally, regionally and nationally to ensure influence on policy issues</p> <p>Senior Members aware and briefed regularly in 1:1s by Directors</p> | <p>Partially</p> <p>Fully</p> <p>Fully</p> <p>Partially</p> <p>Partially</p> <p>Partially</p> <p>Partially</p> <p>Fully</p> <p>Partially</p> | Councillor Barry Wood Councillor Ian McCord | Yvonne Rees | Claire Taylor | 3 | 3 | 9 | ↔ | <p>Establish corporate repository and accountability for policy/legislative changes</p> <p>Review Directorate/Service risk registers</p> <p>Ensure Committee forward plans are reviewed regularly by senior officers</p> <p>Ensure Internal Audit plan focusses on key leadership risks</p> <p>Develop stakeholder map, with Director responsibility allocated for managing key relationships</p> <p>Standardise agendas for Director/PFH 1:1s</p> <p>New NPPF published 05/03/18 will guide revised approach to planning policy and development management.</p> <p>Allocate specific resource to support new projects/policies or statutory requirements e.g. GDPR</p> | <p>Service risk registers being reviewed as part of service planning.</p> <p>Internal Audit Plan aligned to Leadership Risk Register and agreed at Audit Committees in March.</p> | Risk reviewed 08/06/18 - Comments updated |
| L03 | Lack of Management Capacity - Delays to completing the management restructure reduces capacity at management level | <p>Financial impact due to use of agency staff</p> <p>Inability to deliver council's plans</p> <p>Inability to realise commercial opportunities or efficiencies</p> <p>Reduced resilience and business continuity</p> <p>Reduced staff morale and uncertainty may lead to loss of good people</p> | 3 | 4 | 12 | <p>Rigorous and aggressive assessment and recruitment timetable for senior management roles</p> <p>Arrangements in place to source appropriate interim resource if needed</p> <p>Delegations to Chief Exec agreed to ensure timely decisions</p> <p>HR/Specialist resource in place to support recruitment process and manage implications</p> <p>Ongoing programme of internal communication</p> | <p>Fully</p> <p>Fully</p> <p>Fully</p> <p>Fully</p> <p>Fully</p> | Councillor Barry Wood Councillor Ian McCord | Yvonne Rees | Claire Taylor | 3 | 3 | 9 | ↔ | <p>Discussions with Penna to ensure rapid response should interim resource be required</p> <p>AD HR/OD briefed and leading the process</p> <p>Communications to be delivered by CEO</p> | <p>All Director positions filled on either permanent or interim (pending permanent) basis. Induction and support for interims</p> <p>Additional resource in place to support the Northants Local Govt Re-organisation project (LGR). Additional communications resource in place to support LGR work.</p> <p>Additional requirements to support LGR impacts on both SNC and CDC have resulted in the risk being slightly escalated to 9 for a second month.</p> <p>Regular comms being provided by CEX</p> | Risk reviewed 08/06/18 - Comments updated |

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| Ref | Name and Description of risk | Potential impact | Inherent (gross) risk level (no Controls) | | | Controls | Control assessment | Lead Member | Risk owner | Risk manager | Residual risk level (after existing controls) | | | Direct'n of travel | Mitigating actions (to address control issues) | Comments | Last updated |
|-----|---|--|---|--------|--------|---|---|--|----------------|--|---|--------|--------|--------------------|--|---|--|
| | | | Probability | Impact | Rating | | | | | | Probability | Impact | Rating | | | | |
| L04 | CDC & SNC Local Plans - Failure to ensure sound local plans are submitted on time for each District. | Inappropriate growth in inappropriate places Negative (or failure to optimise) economic, social, community and environmental gain Negative impact on each council's ability to deliver its strategic objectives Increased costs in planning appeals Possible financial penalties through not delivering forecasted New Homes Bonus | 3 | 5 | 15 | Local Development Schemes are in place at each Council which detail the timeframes and deliverables to underpin the work Resources are in place to support delivery including QC support for each Local Plan. For issues which are solely within the control of SNC or CDC policies, plans and resources are in place Work is at Reg 19 on Cherwell Partial Review, preparing submission plan for Feb 2018 sign off and to re-commence in 2018 on Local Plan part 2. Work is advancing to Reg 19 stage On South Northants Local Plan part 2 on issues for reos, policies and development control policies. Statements of Community Involvement are in place. | Fully Partially Partially Fully Fully | Councillor Colin Clarke Councillor Roger Clarke | Adrian Colwell | Andy Darcy (SNC) David Peckford (CDC) | 2 | 4 | 8 | ↔ | Regular review meetings on progress and critical path review at each Council Regular Portfolio briefings and political review LDS updated as required Additional evidence commissioned as required Need to review resources at CDC to speed up Local Plan part 2. Submission of the CDC partial review took place on 05/03/18. | • CDC –Dates are currently awaited for the Examination of the Partial Review. Preparation work continues to prepare for the Examination with Topic Papers. Initial work on Oxfordshire Joint Spatial Plan has commenced with workshop held in Didcot on 25th April 2018 to review key issues. • SNC – Joint Core Strategy Review has commenced with preparation of proposed timetable, resources and scope underway. Work has commenced with Milton Keynes and Aylesbury for new Joint Spatial Framework to address impact of proposed growth of Milton Keynes on its neighbours. Next stage of Local Plan part 2 will be focused technical consultation on Local Green Space designations from Council meeting in May 2018, followed by Reg 19 full draft Local Plan consultation due to commence in July 2018. Aim remains to submit in December 2018. | Risk reviewed 09/06/18 - No change |
| L05 | Business Continuity - Failure to ensure that critical services can be maintained in the event of an incident | Inability to deliver key services to customers/residents Financial loss | 4 | 4 | 16 | Business continuity strategy in place Services prioritised and recovery plans reflect the requirements of critical services ICT disaster recovery arrangements in place Incident management team identified in Business Continuity Strategy All services undertake annual business impact assessments and update plans | Partially Partially Partially Partially Partially | Councillor Dermot Bambridge Councillor Andrew McHugh | Graeme Kane | Richard Webb | 4 | 4 | 16 | ↔ | All individual service BC plans recently updated Corporate BC to be reviewed Testing to be programmed BC solutions between both councils to be further developed Corporate ownership and governance to sit at senior officer level Place & growth directorate audit of existing business continuity plans to ensure 100% coverage in new directorates. Draft Business Continuity Strategy and Policy completed to report and sign off at future senior officer meetings | Slippage likely as result of Emergency Planning Officer leaving; recruitment will progress following HR job evaluation and handover in progress; some service BCP and BIA still outstanding. There will be some delay in updating the business continuity plans owing to the departure of the Emergency Planning Officer. Additional resource is being used to ensure the work continues. | Risk reviewed 05/06/18 - comments updated & Risk owner & manager updated |
| L06 | Partnering - Financial failure of a public sector partner organisation Failure to build the necessary partnership relationships to deliver our strategic plan. Failure to ensure the necessary governance of third party relationships (council businesses, partners, suppliers) | Potential reduction in service areas funded by the County Council resulting in an unplanned increase in demand on district functions leading to service difficulties. Impact on the future viability of the organisation causing uncertainty for service delivery. Threat to existing joint working partnership initiatives if alternative delivery modes are imposed. Poor service delivery Inability to deliver council's plans and outcomes for communities Legal challenge Financial loss Inability to partner in the future Reduced opportunity for inward investment in the future | 4 | 4 | 16 | Leader and CEO engaging at National and county level to mitigate impacts of potential service reductions for residents Stakeholder Map, allocating responsibility for key relationships at Director/PFH level Regular review and sharing of partnership activity/engagement at senior officer meetings Robust governance/contract management framework in place for key third party relationships Training and development of senior officers/members to fulfil their responsibilities with partner organisations | Partially Partially Partially Partially | Councillor Barry Wood Councillor Ian McCord | Yvonne Rees | Richard Ellis | 4 | 3 | 12 | ↔ | Develop stakeholder Map Standard agenda item at senior officer meetings Develop governance guidelines for all key third party relationships Review existing arrangements/ contracts to ensure appropriate governance Continue Institute of Directors training for Officers and Members | Third party governance review underway. Cllr and Officer appointments to Council owned companies to be reviewed. | Risk reviewed 01/06/18 - Comments updated |
| L07 | Emergency Planning (EP) Failure to ensure that the local authority has plans in place to respond appropriately to a civil emergency fulfilling its duty as a category one responder | Inability of council to respond effectively to an emergency Unnecessary hardship to residents and/or communities Risk to human welfare and the environment Legal challenge Potential financial loss through compensation claims Ineffective Cat 1 partnership relationships | 4 | 4 | 16 | Key contact lists updated monthly. Dedicated Emergency Planning Officer in post to review, test and exercise plan and to establish, monitor and ensure all elements are covered Added resilience from cover between shared Public Protection Team as officers with appropriate skill Senior management attend Civil Emergency training Twice yearly mock emergency exercises conducted to ensure readiness On-call rota established for Duty Emergency Response Co- coordinators Full participation in LRF activities | Fully Partially Fully Fully Fully | Councillor Dermot Bambridge Councillor Andrew McHughy | Graeme Kane | Graeme Kane | 3 | 4 | 12 | ↓ | New Director had responsibility for Emergency Planning. He reviewing the arrangements and forming relationships with key partners. Both Councils have cover arrangements in place to account for the vacancy in the Emergency Planning post. New call out arrangements are being established Training for senior officers is planned for June Senior managers have attended multi-agency exercises. Through the Inter Agency Group, plans are in place for Silverstone. Both authorities are represented at the LRF. | Both authorities have active plans in place to ensure they are prepared for an emergency. These have recently been activated successfully. Further improvements are being made as a result of a review of these plans. | Risk reviewed 05/06/18 - Controls, Control assessments, residual risk score reduced, mitigating actions & comments updated |

| Ref | Name and Description of risk | Potential impact | Inherent (gross) risk level (no Controls) | | | Controls | Control assessment | Lead Member | Risk owner | Risk manager | Residual risk level (after existing controls) | | | Direct'n of travel | Mitigating actions (to address control issues) | Comments | Last updated |
|-----|--|--|---|--------|--------|---|---|---|---------------|--------------|---|--------|--------|--------------------|---|--|---|
| | | | Probability | Impact | Rating | | | | | | Probability | Impact | Rating | | | | |
| L08 | Health and safety - Failure to comply with health and safety legislation, corporate H&S policies and corporate H&S landlord responsibilities | Fatality, serious injury & ill health to employees or members of the public Criminal prosecution for failings Financial loss due to compensation claims Enforcement action – cost of regulator (HSE) time Increased sickness absence Increased agency costs Reduction in capacity impacts service delivery | 5 | 4 | 20 | Robust Health & Safety policies and Corporate H&S arrangements in place as part of an Integrated H&S Management System Clearly identified accountability and responsibilities for Health and Safety established at all levels throughout the organisation Corporate H&S Manager & H&S Officer in post to formalise the H&S Management System & provide competent H&S advice & assistance to managers & employees Proactive monitoring of Health & Safety performance management internally Proactive monitoring of Health & Safety performance management externally Effective induction and training regime in place for all staff Positive Health & Safety risk aware culture Corporate Health & Safety meeting structure in place for co-ordination and consultation Corporate body & Member overview of Health & Safety performance via appropriate committee Assurance that third party organisations subscribe to and follow Council Health & Safety guidelines and are performance managed where required | Partially Not effective Fully Partially Fully Partially Fully Fully Partially | Councillor Lynn Pratt Councillor Peter Rawlinson | Adele Taylor | Mark Willis | 4 | 3 | 12 | ↔ | Corporate H&S Policy being developed & finalised, which will then be implemented across the organisation to ensure that roles & responsibilities at all levels are discharged effectively. Policy developed following restructure, this will clearly identify accountability and responsibility for Health and Safety at all levels throughout the organisation. Update Corporate H&S arrangements which are out-of-date. Directorate H&S Improvement Plans to be produced. Recently approved Internal Audit plan for 18/19 includes an audit of our overall H&S management system and will commence in Quarter 1 with a follow up planned prior to the end of 18/19. The H&S team also conduct reviews internally across all services and teams, the current scope will be expanded from topic-based themes to cover all elements of our overall H&S management system to ensure compliance with our standards. Management of H&S training programme to be developed and rolled out. Robust training already in place in Environmental Services Good awareness in higher risk areas of the business, e.g. Environmental Services. However other areas need improved awareness of risk assessment process Reviews of leases and performance monitoring to be reviewed to satisfy the Councils providers/ contractors are managing significant risks. | OHSAS 18001 Health & Safety Management System accreditation achieved through Exova BM Trada. Senior Officer Meeting receives quarterly updates from Corporate H&S Manager. Relevant updates taken to appropriate committee. | 05/06/18 Mitigating Actions & Comments updated |
| L09 | Cyber Security - If there is insufficient security with regards to the data held and IT systems used by councils and insufficient protection against malicious attacks council's systems then there is a risk of: a data breach, a loss of service, or ransom. | Service disruption Financial loss / fine Prosecution – penalties imposed Individuals could be placed at risk of harm Reduced capability to deliver customer facing services Unlawful disclosure of sensitive information Inability to share services or work with partners Loss of reputation | 4 | 5 | 20 | File and Data encryption on computer devices Managing access permissions and privileged users through AD and individual applications Consistent approach to information and data management and security across the councils Effective information management and security training and awareness programme for staff Password security controls in place Robust information and data related incident management procedures in place Appropriate robust contractual arrangements in place with all third parties that supply systems or data processing services Appropriate plans in place to ensure ongoing PSN compliance Adequate preventative measures in place to mitigate insider threat, including physical and system security Insider threat mitigated through recruitment and line management processes | Fully Fully Partially Partially Fully Partially Fully Partially | Councillor Ian Corkin Councillor Phil Bignell | Claire Taylor | Tim Spiers | 3 | 5 | 15 | ↔ | We are working with a security company to review our cyber security status and achieve the cyber essentials + accreditation. A pre-audit report has been undertaken and we are addressing findings ahead of full review. The IT service are addressing the areas identified and will be ready for full audit in July 2018. This is a slight delay but should not cause concern. Cyber-security was reviewed by Internal Audit in May 2017 and will be reviewed again during the current quarter. Meeting arranged later this month with Internal Audit to discuss. HR also have actions to complete regarding recruitment and processes identified by Internal Audit. The IT Transformation Programme includes migrating server rooms to external an data centre which will increase physical security. As part of this work improved monitoring solutions will also be implemented. The data centre has successfully completed provisioning phase and good progress is being made with applications migration. The Councils have completed the annual independent IT security health check as planned. We've received the formal reports. The high level finding is in-line with our expectations and the IT service will now follow through on actions. We are expecting to submit the Councils' annual return by the end of next week. | Cyber security incidents are inevitable. The only way to manage this risk is to have effective controls and mitigations in place including audit and review. Staff and member briefings covered phishing March 2018. | Risk reviewed 08/06/18 - Mitigating Actions Updated |
| L10 | Safeguarding the vulnerable (adults and children) - Failure to follow our policies and procedures in relation to safeguarding vulnerable adults and children or raising concerns about their welfare | Increased harm and distress caused to vulnerable individuals and their families Council could face criminal prosecution Criminal investigations potentially compromised Potential financial liability if council deemed to be negligent | 3 | 4 | 12 | Safeguarding lead in place and clear lines of responsibility established Safeguarding Policy and procedures in place Information on the intranet on how to escalate a concern Staff training - new whole staff shared approach being launched last year and mandatory training introduced Safer recruitment practices and DBS checks for staff with direct contact Action plan developed by CSE Prevention group as part of the Community Safety Partnership Local Safeguarding Children's Board Northamptonshire (LSCBN) pathways and thresholds Data sharing agreement with other partners Attendance at Children and Young People Partnership Board (CYPPB) Annual Section 11 return compiled for each council Engagement with Joint Agency Tasking and Co-ordinating Group (JATAC) and relevant Oxfordshire County Council (OCC) safeguarding sub group Engagement at an operational and tactical level with relevant external agencies and networks | Fully Fully Partially Partially Partially Fully Fully Fully Fully Partially | Councillor Barry Wood Councillor Ian McCord | Richard Ellis | Nicola Riley | 2 | 4 | 8 | ↔ | Ongoing internal awareness campaigns Ongoing external awareness campaigns Annual refresher and new training programmes including training for new members Training monitoring to be developed through new HR/Payroll system | Continued focus in this area with ongoing programme of training and awareness raising. | 10/06/18 - Risk reviewed - No change |
| L11 | Income Generation through council owned companies | Through failure of governance or robust financial / business planning the councils fail to generate expected income. | 3 | 4 | 12 | Annual business planning Financial planning Corporate governance mechanisms Due diligence Business casing | Partially Partially Partially Partially Partially | Councillor Tony Illot Councillor Peter Rawlinson | Adele Taylor | Kelly Watson | 2 | 4 | 8 | ↔ | Recruiting to support shareholder and client side capacity. Relevant training being provided. Resilience and support being developed across business to monitor and deliver projects. Skills and experience being enhanced to deliver and support development, challenge and oversight. | Resources in place. Relevant training being provided to support resource provision. | Risk reviewed 05/06/18 - mitigating actions updated |

| Ref | Name and Description of risk | Potential impact | Inherent (gross) risk level (no Controls) | | | Controls | Control assessment | Lead Member | Risk owner | Risk manager | Residual risk level (after existing controls) | | | Direct'n of travel | Mitigating actions (to address control issues) | Comments | Last updated |
|------|---|---|---|--------|--------|--|---|---|--------------|---------------|---|--------|--------|--------------------|--|---|---|
| | | | Probability | Impact | Rating | | | | | | Probability | Impact | Rating | | | | |
| L12 | Financial sustainability of third party suppliers | The financial failure of a third party supplier results in the inability or reduced ability to deliver a service to customers. | 3 | 4 | 12 | Contracts in place to cover default. Business continuity planning | Partially Partially | Councillor Tony Illot Councillor Peter Rawlinson | Adele Taylor | Kelly Watson | 2 | 4 | 8 | ↔ | Meetings planned with suppliers to review higher risk areas. | Risk recently escalated due to external environment whereby suppliers have financial difficulties which could result in loss of service. Meeting held with supplier of main Revs & Bens and other systems (Capita) to review recent share issue and potential financial mitigate their financial risks concerns. Reassurance given by suppliers about the proactive action being taken. Awaiting detailed letter with actions Capita taken to mitigate their financial risks Current work investigating impact across other contracts. | Risk reviewed 05/06/18 - No further changes |
| L13a | Local Government Reorganisation CDC - Proposals for local government reorganisation impacts on the provision of services to residents and communities. | Inability to deliver Council priorities and plans, impacting on quality of services delivered to residents and communities. Uncertainty impacts on staff morale and productivity, resulting in lower quality of services delivered. Resources diverted away from the delivery of services in order to develop and implement proposals. Increased budget gap following separation impacts on Councils ability to deliver services. | 5 | 4 | 20 | Leader and CEO engaging at national and county level to define steps and mitigate impacts of potential service reductions for residents. Communication campaigns for residents, members and staff to reduce uncertainty. Allocate dedicated and additional resources to development and implementation of any proposals. Regular review and briefings on emerging proposals and partnership activity/engagement with Leader briefed on progress. | Partially Partially Partially Partially Partially | Councillor Barry Wood | Yvonne Rees | Claire Taylor | 5 | 3 | 15 | ↔ | Standing item at senior officer meetings - regular review of risk and control measures. Risk to be reflected in operational service plans. CEx ensuring communications with staff as new information emerges PwC appointed to consider options for Cherwell post separation. | Risk separated to reflect the position of both Councils. Risk scores have increased to reflect the increased probability of Local Government Reorganisation and the impact on the Council. Risk will be fundamentally reviewed as part of the preparation to end the partnership with SNC. This work will take place in June and July with a plan to deliver the end of the joint working arrangements. | Risk reviewed 08/06/18 - Comments updated |
| L13b | Local Government Reorganisation SNC - Proposals for local government reorganisation impacts on the provision of services to residents and communities. | Inability to deliver Council priorities and plans, impacting on quality of services delivered to residents and communities. Uncertainty impacts on staff morale and productivity, resulting in lower quality of services delivered. Resources diverted away from the delivery of services in order to develop and implement proposals. Reduced service delivery at the county level impacts on residents, creating increased customer demand. | 5 | 4 | 20 | Leader and CEO engaging at national and county level to mitigate impacts of potential service reductions for residents. Advocating and influencing the outcome of regional proposals to secure best outcome for residents and communities. Co-ordinating with other districts and public sector partners to look at options to ensure minimal impact on service delivery. Communication campaigns for residents, members and staff to reduce uncertainty. Allocate dedicated and additional resources to development and implementation of any proposals. Regular review and briefing on emerging proposals and partnership activity/engagement with Leader and Cabinet Member for Local Government Reorganisation briefed on progress. | Partially Partially Partially Partially Partially | Councillor Ian McCord | Yvonne Rees | Claire Taylor | 5 | 3 | 15 | ↔ | Standing item at senior officer meetings - regular review of risk and control measures. Risk to be reflected in operational service plans. Comms AD working alongside Northamptonshire partners, leaders and CEx to agree key communications messages CEx ensuring communications with staff as new information emerges PwC appointed to develop proposals for submission to Secretary of State. Programme Director appointed across the Northamptonshire local authorities to co-ordinate activities. Internal SNC lead appointed to work with Programme Director and PwC. | Risk separated to reflect the position of both Councils. Risk scores have increased to reflect the increased probability of Local Government Reorganisation and the impact on the Council. A detailed LGR risk register considering the impact on SNC will be developed and reviewed as part of the preparation for the unitary proposals. This register will be owned and updated by the project team. | Risk reviewed 08/06/18 - Comments updated |
| L14 | Corporate Governance - Failure of corporate governance leads to negative impact on service delivery or the implementation of major projects providing value to customers. | Threat to service delivery and performance if good management practices and controls are not adhered to. Risk of ultra vires activity or lack of legal compliance Risk of fraud or corruption Risk to financial sustainability if lack of governance results in poor investment decisions or budgetary control. Failure of corporate governance in terms of major projects, budgets or council owned companies impacts upon financial sustainability of the councils. | 4 | 4 | 16 | Clear and robust control framework including: constitution, scheme of delegation, ethical walls policy etc. Clear accountability and resource for corporate governance (including the shareholder role). Integrated budget, performance and risk reporting framework. Corporate programme office and project management framework. Includes project and programme governance. Internal audit programme aligned to leadership risk register. Training and development resource targeted to address priority issues; examples include GDPR, safeguarding etc. HR policy framework. Annual governance statements | Partially Partially Partially Partially Partially Partially Partially | Councillor Barry Wood Councillor Ian McCord | Adele Taylor | James Doble | 3 | 3 | 9 | ↔ | Standing item at senior officer meetings – regular review of risk and control measures Review of constitution to take place 2018/19 Implementation of corporate programme office – May 2018 Full review of HR policy to be undertaken during 2018/19 Monitoring Officer to attend management team meetings | Risk added to register following senior management discussion. | 12/06/18 - No change |

Joint Business Plan 2018-19 : *“Two Councils, one organisation”*



“Protected, Green & Clean”

High quality Waste & Recycling services

High quality street cleansing

Reduce our carbon footprint & protect the natural environment

Protect the built heritage

Maintain district as a low crime area

Tackle environmental crime

Mitigate impact of HS2

“Great places to live, work, visit & invest”

Provide and support health and wellbeing

Promote inward investment & business growth

Deliver welfare reform agenda

Safeguard the vulnerable

“District of Opportunity & Growth”

Deliver the Local Plans for CDC & SNC

Enhance community resilience as part of emergency planning

Deliver affordable housing

Enhance leisure facilities

Deliver innovative & effective housing schemes

Increase tourism

Increase employment at strategic employment sites

Prevent homelessness

Provide support to voluntary sector

Deliver the Masterplans for key economic centres:
Bicester/Banbury/Kidlington/Brackley/Towcester/Silverstone

Page 22

“Thriving Communities & Wellbeing”

Shared Organisational Plan

Operational Excellence

Rigorous Financial Management
Income optimisation
Commercial & Procurement excellence
Effective Governance
Alternative Delivery Vehicles

Public Value

24/7 access to services
Right first time, every time
Service at point of need
Efficient & effective services
Customer Service Excellence

Best Council to work for

Sustainable relationships with key partners
Culture of Innovation & Creativity
Effective People service
Employer of choice
Enabled through digitisation
Corporate Social responsibility

“Here to Serve”

Cherwell District Council

Executive

2 July 2018

Silverstone Heritage Centre Loan Facility

Report of Interim Executive Director Finance and Governance

This report and Appendix 3 are public
Appendices 1 and 2 are exempt from publication by virtue of paragraph 3 and 5 of
Schedule 12A of Local Government Act 1972

Purpose of report

To consider whether or not to provide a £1m loan facility to Silverstone Heritage Limited as part match-funding to their Lottery grant application for the delivery of the Silverstone Heritage Experience. Other Local Authorities (including South Northamptonshire Council) and LEP partners have already signed an agreement to loan up to £8m of funding to the experience. Works have already commenced on site, with a planned launch in Spring 2019.

The loan facility is a partial match fund for a project to develop a visitor experience at Silverstone that focusses on the history and heritage of Silverstone and to understand the context and importance of the internationally renowned racing circuit. The experience will be a dynamic exhibition taking visitors through both the history of Silverstone as well as the current world of motor sport and the future. The work to build the facility has already commenced following a rigorous tender process by the Silverstone Heritage Experience for new building works and refurbishment of a hangar at the Silverstone. This means that costs have now been fixed and there is more certainty about project delivery, with regular updates on project progress received by senior officers at the Council.

1.0 Recommendations

The meeting is recommended to:

- 1.1 Recommend to Council that they should consider the application for a loan facility of up to £1 million, to the Silverstone Heritage Experience. This is to partially match fund the £9.1m of grant funding secured from Heritage Lottery Fund (HLF) and in addition to £8m of loans granted by Local Council partners and Local Enterprise Partnerships.

2.0 Introduction

- 2.1 Silverstone Heritage Experience has secured significant levels of funding to build a brand new facility on site at Silverstone that is intended to attract in excess of 450,000 visitors in its first full year of operation.
- 2.2 The funding for the new facility is a mixture of grant funding from Heritage Lottery Fund (HLF) of £9.1m, current loans from local Councils and Local Enterprise Partnerships (£8m) and anticipated sponsorship and donations from a variety of sources.
- 2.3 This paper requests consideration by Cherwell District Council to provide a £1m loan facility to ensure the project can remain on track ready for a launch in Spring 2019. The terms of the loan would be to loan money at a market rate, (due to State Aid considerations and following advice from our financial advisors on a suitable loan rate) and would only be drawn down if required after other funding has been utilised first. The loan from Cherwell would be repaid within 5 years of opening.
- 2.4 More detail on the business plan for the facility and a project update are included as Appendices to this report.

3.0 Report Details

- 3.1 The Silverstone Heritage Experience will open in Spring 2019. The vision is to bring the extensive heritage of Silverstone and British motor racing to life through the creation of a dynamic, interactive and educational visitor experience including:
 - A dynamic exhibition that will take visitors on an exciting journey through motor racing, past, present and future
 - A Collections and Research Centre, offering museum and archive-accredited storage for the unique BRDC archive and other important motor sport collections.
 - A themed tour stopping off at iconic sites around the circuit
 - A formal education programme that links in with Science, Technology, Engineering and Mathematics (STEM) learning which will support aims to address the region's shortage of engineers by inspiring future generations.
- 3.2 Robust feasibility studies and a five year business plan have been drawn up (with the assistance of sector experts) which have shown that the Silverstone Heritage Experience will deliver anticipated visitor numbers of over 400,000 in 2019 (9 months of operation) The visitor numbers are expected to grow year on year and more detailed projections are included within the project update report from SHL as an appendix to this report. Once the Centre is open it will be self-funding, generating a healthy annual surplus to service the existing loans of £8million over a maximum ten year period as well as the potential loan from Cherwell of £1m.
- 3.3 Silverstone Heritage Limited (SHL), Registered Charity Number 1166279, is the legal entity to take the Silverstone Heritage Experience forward; its sole member is the BRDC. The project is a top priority of the BRDC and in order to provide the project with as much support as it can, the BRDC has gifted the land (and Hangar building) , on which the Silverstone Heritage Experience will be built.

- 3.4 The Project's Round 1 application to the Heritage Lottery Fund (HLF) was successful. This gave SHL a grant of £446,000 towards the development of a Round 2 application which was submitted on 5th August 2016. The development of the Round 2 grant application was closely monitored by the HLF and SHL were successful and secured £9.1m of funding and the go ahead to commence works from the HLF in February 2018.
- 3.5 Work has already started on site, and the latest project progress updates show that project delivery remains on track with an official launch by the patron of the experience (HRH Duke of Sussex) in March 2018. All bodies who lend the project money will be kept regularly updated on project progress, including financial information regarding cashflow, any updates on ticket pre-sales during the lead up to the opening of the experience and any significant donations and sponsorship deals throughout the life of the project.
- 3.6 The attached Appendices from SHL provide the latest information on project progress.

4.0 Conclusion and Reasons for Recommendations

- 4.1 Silverstone represents a significant hub for leisure, tourism, employment and high tech industry. Its draw and impact in the region extends much beyond the administrative boundaries of the councils surrounding it, including Cherwell District Council, with an economic radius estimated to be of up to 50 miles. Further, an estimated 36,000 jobs are dependent on Silverstone as the centre for UK motorsports and the home of Formula 1.
- 4.2 Additionally, the leisure, recreation and employment businesses that depend on the venue generate significant amounts of business rates for the councils in the area, and the changes to the retention of business rates mean that councils now benefit directly from the success of Silverstone.
- 4.3 The support requested for SHL within this report is recognition of the strategic importance of the venue to the area and the need to promote the venue and enhance its attraction in order to ensure the long term future of Formula 1 motorsports.

5.0 Consultation

- 5.1 The potential option for a loan facility has been discussed with the Portfolio Holder for Finance and Governance.

6.0 Alternative Options and Reasons for Rejection

The following alternative options have been identified and rejected for the reasons as set out below.

- 6.1 Option 1: Do not offer a loan facility. If a loan facility is not forthcoming then SHL would have to seek funds from other bodies, but that may jeopardise the completion of the project on time and impact on the potential positive outcomes for the area.

7.0 Implications

Financial and Resource Implications

- 7.1 SHL has secured financial support from the HLF with a grant of £9.1m as well as loans from 5 other public sector bodies up to a total value of £8m.
- 7.2 Cherwell District Council has been approached to consider a loan of up to £1m to ensure that the project can go ahead although it is the intention of SHL to continue to seek donations, sponsorship and other fundraising. If successful at sourcing other external funding then it may not be necessary to draw down the full value of the loan. The loan would only be drawn down if required and after that of the other £8m of loans from public sector bodies.
- 7.3 The loan would be unsecured, so effectively not asset backed. As with any body wanting to secure funding then due diligence should take place to consider whether the money can be paid back. Significant review of the business plan, cashflow and income projections for the project have been undertaken. Given the project has already commenced and due to the positive progress reports on the project, then it is felt that a loan of this size would be appropriate. Given that the loan will only be drawn down once other lenders have loaned their funds, the project will be much further advanced at that stage and so there will be an opportunity to consider progress prior to draw down of funds. Ensuring that regular review of the project and its progress will be an important part of our on-going due diligence the Chief Finance Officers of all lenders are being regularly updated of project progress.
- 7.4 Due to the requirements of the Heritage Lottery Fund, it is not possible to have a legal first charge across the assets of the scheme, so any facility provided may only be secured by a second legal charge against some of the assets. The HLF required the legal first charge in order to prevent the facility being sold or repurposed without their consent so that the Lottery awarded can be protected.
- 7.5 Depending on the amount of the loan facility actually drawn down, there is no guarantee that there would be sufficient equity in the venture to satisfy the legal charges, should a default occur. Whilst every effort will be made to try to secure some form of legal security, effectively, any loan granted by the councils should be considered as an unsecured loan. The HLF maintain a very close monitoring and mentoring relationship with the project and have stated that if the business model still fails despite their input, then they would work to protect its investment with its security on the site. Effectively they would work to ensure that the project continued and would look to support the project becoming financially sustainable but this may take longer than originally planned.
- 7.6 The £1m loan facility, if drawn down, can be funded from capital receipts, or borrowing, as required and will be part of the Council's treasury management strategy and capital financing requirements. These are regularly reviewed and the Audit, Accounts and Risk committee consider reports on our borrowing and investment levels on a regular basis.
- 7.7 The interest rate charged to SHL will be negotiated and will be agreed following independent advice from financial advisors as to the appropriate interest rate to be charged.

Comments checked by:

Kelly Watson, Assistant Director Finance and Procurement, 0300 003 0206

kelly.watson@cherwellandsouthnorthants.gov.uk,

Legal Implications

- 7.8 Pursuant to section 137(3) of the Local Government Act 1972 the Council is empowered to incur expenditure on contributions to the fund of any charitable body (such as SHL) in furtherance of its work in the UK and pursuant to section 111 of the 1972 Act and section 1 of the Localism Act 2011 (general power of competence) can make such contributions by way of a loan. It is important that all participating councils have a consensus view on the legal ability to make the respective loans and liaison is taking place to ensure that this can be achieved.
- 7.17 The financial assistance made to SHL for the intended purpose must be compliant with State Aid rules to be lawful.
- 7.18 Given the lack of security for the intended loan and the fact that three other councils have lent similar sums it is important that members and the section 151 officer undertake a full assessment of the risk of the loan not being repaid in order to ensure that any loan decision is rational and consistent with the Council's general fiduciary duty with respect to the use of its funds. This will be achieved through regular reports to the S151 officer from Silverstone Heritage Limited on project progress.
- 7.19 As the proposed loan sum is not currently included in the capital programme it is necessary for a recommendation to be made to full council in this case, should the Executive be minded to recommend its approval.

Comments checked by:

James Doble, Assistant Director Law and Governance, 01295

221587 james.doble@cherwellandsouthnorthants.gov.uk

Risk management

- 7.20 The risks around management of our financial resources are detailed under the financial implications section of this report. The most significant risk is the potential inability of Silverstone heritage to repay the loan. Senior officers in the council will receive regular reports on project progress, including cash flows and will be able to monitor any financial concerns during the life of the project and the repayment period. This risk will be managed as part of the project and escalated to leadership risk register as and when necessary.

Comments checked by:

Louise Tustian, Team Leader, Insight Team, 01295 221786

Louise.tustian@cherwellandsouthnorthants.gov.uk

Equality and Diversity

- 7.21 There are no direct equality and diversity implications arising from this report.

Comments checked by:

Caroline French, Business Improvement Officer, 01295 221586

8.0 Decision Information

| | |
|--------------------------------|------------------------------------|
| Key Decision | (Recommendation to Council) |
| Financial threshold met | N/A |
| Community impact threshold met | N/A |

Wards Affected

All

Links to Corporate Plan and Policy Framework

This links closely to our organisational excellence section of our corporate plan, to ensure both sound financial management and income maximisation.

Lead Councillor

Councillor Tony Ilott, Portfolio Holder for Finance and Governance

Document Information

| Appendix No | Title |
|----------------------------|--|
| Appendix 1 | Silverstone Heritage Project Update EXEMPT |
| Appendix 2 | Silverstone Heritage Construction Phase Cashflow EXEMPT |
| Appendix 3 | Silverstone Heritage Business Plan at May 2018 |
| Background Papers | |
| None | |
| Report Author | Adele Taylor, Interim Executive Director of Finance and Governance |
| Contact Information | Adele.Taylor@cherwellandsouthnorthants.gov.uk |

Silverstone Experience : Profit Loss Projections

| | Prior Year Loss Bfwd | 9Months <u>2019</u> | Full Year <u>2020</u> | Full Year <u>2021</u> | Full Year <u>2022</u> | Full Year <u>2023</u> | Full Year <u>2024</u> | Full Year <u>2025</u> | Full Year <u>2026</u> |
|--|-------------------------|-------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| Attendance | | <u>406,786</u> | <u>455,778</u> | <u>503,288</u> | <u>536,738</u> | <u>581,872</u> | <u>636,670</u> | <u>636,670</u> | <u>636,670</u> |
| Operating Revenues | | 5,641,626 | 6,527,175 | 7,319,143 | 7,927,079 | 8,707,592 | 9,753,057 | 9,753,057 | 9,753,057 |
| Fundraising | | 250,000 | 400,000 | 550,000 | 400,000 | 400,000 | 0 | 0 | 0 |
| Sponsorship | | 505,000 | 690,000 | 562,500 | 250,000 | 100,000 | 500,000 | 100,000 | 100,000 |
| Total Income | | <u>6,396,626</u> | <u>7,617,175</u> | <u>8,431,643</u> | <u>8,577,079</u> | <u>9,207,592</u> | <u>10,253,057</u> | <u>9,853,057</u> | <u>9,853,057</u> |
| Costs of Sales | | 457,634 | 528,133 | 600,680 | 659,821 | 736,765 | 830,334 | 830,334 | 830,334 |
| Sponsorship & Fundraising Direct Costs | | 262,380 | 285,840 | 264,467 | 170,717 | 127,631 | 247,631 | 15,000 | 15,000 |
| Gross Profit | | <u>5,676,612</u> | <u>6,803,202</u> | <u>7,566,497</u> | <u>7,746,541</u> | <u>8,343,195</u> | <u>9,175,092</u> | <u>9,007,723</u> | <u>9,007,723</u> |
| Operating costs | | 2,423,134 | 2,911,575 | 3,142,514 | 3,218,522 | 3,393,256 | 3,556,804 | 3,734,269 | 3,920,608 |
| EBITDA | | <u>3,253,478</u> | <u>3,891,627</u> | <u>4,423,982</u> | <u>4,528,018</u> | <u>4,949,939</u> | <u>5,618,288</u> | <u>5,273,454</u> | <u>5,087,115</u> |
| Depreciation | | 1,809,410 | 2,450,047 | 2,575,047 | 2,612,547 | 2,737,547 | 2,775,047 | 2,900,047 | 2,937,547 |
| EBIT | | <u>1,444,069</u> | <u>1,441,581</u> | <u>1,848,936</u> | <u>1,915,472</u> | <u>2,212,393</u> | <u>2,843,241</u> | <u>2,373,407</u> | <u>2,149,569</u> |
| Interest | | 351,250 | 415,500 | 358,500 | 301,500 | 244,500 | 187,500 | 137,500 | 75,000 |
| PBT | (3,186,104) | <u>1,092,819</u> | <u>1,026,081</u> | <u>1,490,436</u> | <u>1,613,972</u> | <u>1,967,893</u> | <u>2,655,741</u> | <u>2,235,907</u> | <u>2,074,569</u> |
| Cummulative | (3,186,104) | (2,093,286) | (1,067,205) | 423,231 | 2,037,203 | 4,005,095 | 6,660,837 | 8,896,744 | 10,971,313 |

Silverstone Experience: Cash Flow Projections

| | 9Months | Full Year | Full Year | Full Year | Full Year | Full Year | Full Year | Full Year |
|--------------------------------------|-----------------------|-----------------------|-------------------------|-------------------------|-------------------------|--------------------------|--------------------------|--------------------------|
| | <u>2019</u> | <u>2020</u> | <u>2021</u> | <u>2022</u> | <u>2023</u> | <u>2024</u> | <u>2025</u> | <u>2026</u> |
| Opening Cash Position £ | <u>307,674</u> | <u>719,285</u> | <u>2,855,412</u> | <u>5,020,895</u> | <u>7,907,413</u> | <u>10,712,852</u> | <u>14,903,640</u> | <u>18,254,594</u> |
| Operating Revenues | 5,845,688 | 7,832,610 | 8,782,972 | 9,512,495 | 10,449,110 | 11,703,669 | 11,703,669 | 11,703,669 |
| Fundraising | 250,000 | 400,000 | 550,000 | 400,000 | 400,000 | 0 | 0 | 0 |
| Sponsorship | 606,000 | 828,000 | 675,000 | 300,000 | 120,000 | 600,000 | 120,000 | 120,000 |
| Cash Inflows | 6,701,688 | 9,060,610 | 10,007,972 | 10,212,495 | 10,969,110 | 12,303,669 | 11,823,669 | 11,823,669 |
| Creditors (ex stock) | 1,418,158 | 1,815,806 | 2,038,948 | 2,078,271 | 2,234,507 | 2,376,718 | 2,495,179 | 2,619,563 |
| Stock | 549,161 | 633,759 | 720,816 | 791,786 | 884,119 | 996,401 | 996,401 | 996,401 |
| Payroll | 1,239,252 | 1,396,320 | 1,441,308 | 1,484,547 | 1,529,083 | 1,574,956 | 1,653,704 | 1,736,389 |
| Sponsorship & Fundraising Costs | 314,856 | 343,008 | 317,360 | 204,860 | 153,157 | 297,157 | 0 | 0 |
| Cash Outflows | 3,521,427 | 4,188,893 | 4,518,432 | 4,559,463 | 4,800,866 | 5,245,232 | 5,145,283 | 5,352,352 |
| VAT | | | | | | | | |
| Output VAT (on Revenue) | 1,229,325 | 1,443,435 | 1,576,329 | 1,635,416 | 1,761,518 | 2,050,611 | 1,970,611 | 1,970,611 |
| Input VAT (on costs) | (378,279) | (523,346) | (710,771) | (570,403) | (743,214) | (670,463) | (780,680) | (661,411) |
| Net VAT Payment / (Reclaim) | 851,046 | 920,089 | 865,558 | 1,065,013 | 1,018,305 | 1,380,149 | 1,189,931 | 1,309,201 |
| Financing Costs | | | | | | | | |
| Interest : LA | 698,438 | 387,500 | 337,500 | 287,500 | 237,500 | 187,500 | 137,500 | 75,000 |
| Interest : Bank | 29,167 | 28,000 | 21,000 | 14,000 | 7,000 | 0 | 0 | 0 |
| Arrangement Fee | 90,000 | | | | | | | |
| Loan Repayments : LA | 1,000,000 | 1,000,000 | 1,000,000 | 1,000,000 | 1,000,000 | 1,000,000 | 1,000,000 | 2,000,000 |
| Loan Repayments : Bank | 100,000 | 100,000 | 100,000 | 100,000 | 100,000 | 0 | 0 | 0 |
| Total Financing Cash Outflows | 1,917,604 | 1,515,500 | 1,458,500 | 1,401,500 | 1,344,500 | 1,187,500 | 1,137,500 | 2,075,000 |
| Investing Cash Outflows | | | | | | | | |
| Exhibition Refresh Program | | 300,000 | 1,000,000 | 300,000 | 1,000,000 | 300,000 | 1,000,000 | 300,000 |
| Net Cash Inflows / (Outflows) | 411,611 | 2,136,127 | 2,165,482 | 2,886,518 | 2,805,439 | 4,190,788 | 3,350,954 | 2,787,115 |
| Closing Cash Position | 719,285 | 2,855,412 | 5,020,895 | 7,907,413 | 10,712,852 | 14,903,640 | 18,254,594 | 21,041,709 |

| <u>Sensitivity Testing - Attendances</u> | <u>IRR on exit multiple of 5</u> | <u>IRR on exit multiple of 8</u> | <u>Cumulative Cash flow at 31.12.24</u> |
|--|----------------------------------|----------------------------------|---|
| Base case | 14% | 18% | £14,903,640 |
| With attendances reduced by 10% | 13% | 17% | £14,077,077 |
| With attendances reduced by 20% | 12% | 15% | £12,875,077 |

| <u>Sensitivity Testing - Revenues</u> | <u>IRR on exit multiple of 5</u> | <u>IRR on exit multiple of 8</u> | <u>Cumulative Cash flow at 31.12.24</u> |
|---------------------------------------|----------------------------------|----------------------------------|---|
| Base case | 14% | 18% | £14,903,640 |
| With revenues reduced by 10% | 10% | 13% | £10,766,536 |
| With revenues reduced by 20% | 6% | 8% | £6,255,977 |

| <u>Sensitivity Testing - Attendances & Revenues</u> | <u>IRR on exit multiple of 5</u> | <u>IRR on exit multiple of 8</u> | <u>Cumulative Cash flow at 31.12.24</u> |
|---|----------------------------------|----------------------------------|---|
| Base case | 14% | 18% | £14,903,640 |
| With both attendances & revenues reduced by 10% | 10% | 12% | £10,150,000 |
| With both attendances & revenues reduced by 20% | 5% | 6% | £5,023,070 |

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