



Cherwell

DISTRICT COUNCIL
NORTH OXFORDSHIRE

**Summary of the decisions taken at the meeting
of the Executive held on Monday 4 November 2019**

1. Date of publication of this summary: 6 November 2019
2. Decisions (if any) taken as a matter of urgency under Overview and Scrutiny Procedure Rules as set out in the Constitution (and not therefore subject to the call-in procedure): None
3. Date by which notice of call-in of any of the following decisions must be received in writing by the Chief Executive (see notes below):- Noon on Monday 11 November 2019
4. Notes:-
 - (a) For background documentation to the following decisions, please refer to the agenda and supporting papers (copies of which are available on the Council's website (www.cherwell.gov.uk) or from Democratic Services);
 - (b) Notice of call-in must be submitted in writing, by email or text to the Chief Executive by the deadline specified above, and must state the reason or reasons why "call-in" has been requested;
 - (c) Call-in can be requested by any six non-executive members of the Council.
However, if at any point during a municipal year the total number of opposition councillors is six or less the total number of non-executive members required to call-in a decision shall be the total number of opposition councillors less two.
 - (d) Decisions not called-in by the deadline specified above will become effective immediately the deadline has expired (unless they are recommendations to the Council).
 - (e) The Council has stipulated that the call-in procedure should not be used to challenge decisions as a matter of course and should be used only when fully justified.

**Yvonne Rees
Chief Executive**

Agenda Item and Recommendation	Decision	Reasons	Alternative Options	Conflicts of Interest Declared and Dispensations Granted by Head of Paid Service
<p>Agenda Item 6 Consideration of the Examiner's Report for the Weston on the Green Neighbourhood Plan</p> <p>Report of Assistant Director - Planning and Development</p> <p>Purpose of report</p> <p>The Weston on the Green Neighbourhood Plan (submission draft) has been examined by an Independent Examiner. The Examiner has produced a report and the Council, as the Local Planning Authority, is required to consider the report's recommendations; determine whether the Plan, incorporating modifications, should proceed to a referendum; and, confirm the area covered by the referendum</p>	<p>Resolved</p> <p>(1) That the Examiner's recommendations and modifications (Appendices 1 and 2), with the exception of Modifications 15, 21, 24, 26 and 27 be approved.</p> <p>(2) That the issuing of a 'decision statement' confirming the Executive's decision and to invite representations on the Council's proposed amendments to Modifications 15 and 21, and consequential changes required to Modifications 24, 26 and 27, of the Examiner's report be authorised.</p> <p>(3) It be agreed to not proceed to referendum</p>	<p>The submission Weston on the Green Neighbourhood Plan has been independently examined and is recommended by the Examiner for referendum subject to the incorporation of modifications. Officers do not agree with two of the Examiner's modifications. They consider that with the incorporation of all of his recommended modifications the Plan does not meet the requisite Basic Conditions and should not proceed to referendum at this time.</p> <p>Officers consider that the Examiner's modifications 15 and 21 (and the consequential changes to modifications 24, 26 and 27) should be amended as set out in Appendix 2 of this report. These amendments should be the subject of</p>	<p>The following alternative options are available but are not recommended for the reasons set out:</p> <p><i>Option 1: Approve all the Examiner's recommendations and proceed to a referendum.</i></p> <p>Officers do not agree with all the Examiner's recommendations. Accepting all the modifications and proceeding to referendum would result in a neighbourhood plan that would not provide sufficient clarity to enable the consistent application of its policies in determining planning applications. This may result in development that is contrary to the overall aims and objectives of the</p>	<p>None</p>

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<p>Recommendations</p> <p>The meeting is recommended</p> <p>1.1 To approve all the Examiner's recommendations and modifications (Appendices 1 and 2), with the exception of Modifications 15, 21, 24, 26 and 27.</p> <p>1.2 To authorise the issue of a 'decision statement' confirming the Executive's decision and to invite representations on the Council's proposed amendments to Modifications 15 and 21, and consequential changes required to Modifications 24, 26 and 27, of the Examiner's report.</p>	<p>(4) That the area for the future referendum as being the designated Neighbourhood Plan area in accordance with the examiner's recommendations, noting that there will be no extension to the area be approved.</p>	<p>The future referendum area should be the designated Neighbourhood Plan Area</p>	<p>The Plan would not be in general conformity with the strategic planning policies for the area</p>	

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<p>1.3 Not to proceed to referendum on the Weston on the Green Neighbourhood Plan at this time.</p> <p>1.4 To approve the area for the future referendum as being the designated Neighbourhood Plan area in accordance with the examiner's recommendations, noting that there will be no extension to the area.</p>			<p><i>Option 2: To extend the area in which the referendum is to take place.</i></p> <p>Officers agree with the Examiner's recommendations. There is no need to extend the referendum area.</p>	
<p>Agenda Item 7 Banbury Public Spaces Protection Order Renewal</p> <p>Report of Chief Operating Officer (Deputy Chief Executive)</p>	<p>Resolved</p> <p>(1) That the renewal of the Public Spaces Protection Order in Banbury Town Centre be approved.</p>	<p>The Executive is recommended to extend the PSPO. The consultation shows a reduction in the proportion of people perceiving the behaviours addressed by the</p>	<p>The following alternative options have been identified and rejected for the reasons as set out below.</p>	<p>None</p>

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<p>Purpose of Report</p> <p>The Banbury Public Spaces Protection Order (PSPO) will expire at the end of November 2019. It is possible to extend the PSPO for a further 3-year period before it expires. This report provides the background to the PSPO, an evaluation of its effectiveness and the outcomes of public consultation undertaken during the summer. It recommends renewing the PSPO with a variation in scope.</p> <p>Recommendations</p> <p>The meeting is recommended:</p> <p>1.1 To approve the renewal of the Public Spaces Protection Order in Banbury Town Centre.</p>	<p>(2) That the prohibition on rough sleeping be removed from the Public Spaces Protection Order in Banbury Town Centre be approved.</p>	<p>Order to be a problem in the Town Centre and support for continuing with the protection against anti-social behaviour provided by the Order. The decline in the number of warnings and FPNs issued during the period the Order has been in place shows a reduction in the frequency that the Community Wardens and Police are required to take action to address problem behaviours. However, the data also show continuing need for enforcement actions (formal and informal) under the PSPO and continuing reports of alcohol related anti-social behaviour. Based on the evaluation there is a risk that these behaviours escalate should the PSPO cease.</p>	<p>Option 1: Do nothing (not renew the Order). This option is not preferred for two reasons. Firstly, the consultation on the potential renewal of the Order shows public support for it continuing and high levels of public perception that begging, street drinking and rough sleeping continue to be a problem in Banbury Town Centre. Secondly the evaluation of the Order shows that the enforcement options provided by the Order are still being utilised to address anti-social behaviour in the town centre. As such, allowing the Order to cease would be going against public opinion and is likely to result in increased problems of anti-social</p>	

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<p>1.2 To agree that the prohibition on rough sleeping be removed from the Public Spaces Protection Order in Banbury Town Centre.</p>		<p>In reaching a decision on whether to renew the Order it will be important to consider the necessity of continuing with the Order and the proportionality of the restrictions it contains. An Equality Impact Assessment has been prepared as part of the decision papers and is included in annex 4. As stated above, some of the responses to the consultation request that the scope of the Order is widened. This cannot happen as part of the current renewal process since we are required to consult on any proposal to change the Order. As such, in consideration of the responses, it is proposed that we will collate the evidence relating to possible extension of the Order for further review by the Executive at a later date so</p>	<p>Option 2: Renew the Order including the prohibition on rough sleeping. This option is not preferred since Government Guidance produced since the Order was introduced states that PSPOs should not be used to tackle rough sleeping. In addition, the data on the use of the enforcement options provided by the PSPO shows that the Order is not being used to address rough sleeping in the Town Centre. Whilst the inclusion of rough sleeping in the Order may be a deterrent to rough sleeping in the Town Centre, our supportive approach to assisting rough sleepers provides options to address most rough sleeping problems in the Town Centre</p>	

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		<p>the Executive can decide whether a consultation should be commenced on extending the Order. Including rough sleeping within the scope of any renewed Order is likely to attract criticism in the media. It may also lead to legal challenge if we seek to prosecute someone for breaching this aspect of the Order. The public consultation generally supported the continued inclusion of restrictions on rough sleeping in the Order. However, the need to do so could be questioned given the lack of enforcement action under the Order relating to rough sleeping and the strong emphasis in the Government guidance. This is supported by views from stakeholders suggesting</p>		

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		<p>that the focus should be on support provision and addressing underlying needs rather than enforcement action against those found to be rough sleeping.</p> <p>Connection Support's response suggests that the provision of support is made harder by the PSPO, but it also suggests that removing rough sleeping from the Order could result in an increase in rough sleeping in the town centre.</p> <p>Cherwell has good provision for the support of anyone rough sleeping but risks reputational damage if the renewed Order includes a further prohibition on rough sleeping.</p> <p>Therefore, it is recommended that the rough sleeping element is removed from the Order if it is renewed.</p>		

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<p>Agenda Item 8 Proposal to Extend Cherwell District Council's Participation in Refugee Resettlement</p> <p>Report of Assistant Director Housing and Social Care Commissioning</p> <p>Purpose of report</p> <p>To provide an update on Cherwell District Council's participation in the Government's Vulnerable Person's Relocation Scheme (VPRS) and agree to participate in the new global scheme by resettling a further 6 families from April 2020 onwards.</p>	<p>Resolved</p> <p>(1) That Cherwell District Council's participation in the new global scheme which begins in April 2020 be supported.</p> <p>(2) That a further 6 families for resettlement under the new scheme be accepted.</p>	<p>CDC is on track to meet the pledge of resettling 12 VPRS families by March 2020.</p> <p>The number of people resettled in Britain since the start of the scheme is 17,051 (Refugee Council). According to the most recently published statistics, in the South East 1,599 people have been resettled.</p> <p>The support provided to arriving families under the new scheme will need to be flexible according to the nationalities of arriving families. We currently provide a resettlement service to Arabic speaking refugees only.</p>	<p>The following alternative options have been identified and rejected for the reasons as set out below.</p> <p>Option 1: To not participate in the scheme. If this option is chosen there could be negative criticism from local residents who have been largely supportive of CDC's participation to date and negative media coverage could result. More importantly fewer vulnerable families would be helped to resettle in a safe environment that supports their recovery from conflict and trauma.</p>	<p>None</p>

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<p>Recommendations</p> <p>The meeting is recommended:</p> <p>1.1 To support Cherwell District Council's participation in the new global scheme which begins in April 2020.</p> <p>1.2 To accept a further 6 families for resettlement under the new scheme.</p>		<p>The new service will need to reflect the diversity of the families accepted and respond to diverse cultural needs. The Home Office will work closely with Strategic Migration Partnerships (SMPs) and local authorities to match refugees to areas that have the appropriate resources to support those resettled.</p> <p>CDC is in a good position to accept 6 more families under the new scheme, given our ability to source accommodation and appropriate support services. There are established support networks and partnerships across the county all well placed to support additional families as they move in to private rented sector accommodation.</p>	<p>Option 2: To increase the number of refugee families to more than the 6 recommended. Cherwell is in a good position to accept a further 6 families based on the availability of private rented sector accommodation and the infrastructure we have in place to support refugees. This number can always be reviewed in future.</p>	

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<p>Agenda Item 9 Council Tax Discount Scheme across Oxfordshire District Councils and Oxfordshire County Councils</p> <p>Report of Executive Director Finance (Interim)</p> <p>Purpose of report</p> <p>To provide members with a draft policy proposing a Council Tax Discount Scheme for Care Leavers from April 2020.</p> <p>Recommendations</p> <p>The meeting is recommended:</p> <p>1.1 To approve that Care Leavers are determined as a class for the purpose of Section 13A(1)c of The Local</p>	<p>Resolved</p> <p>(1) That the Care Leavers are determined as a class for the purpose of Section 13A(1)c of The Local Government Finance Act 1992 be approved.</p> <p>(2) That the implementation of a Council Tax Discount for Care Leavers from 1 April 2020 be approved.</p> <p>(3) That the Memorandum of Understanding as an agreement between the Oxfordshire Authorities to share the financial commitment to support care Leavers be approved.</p> <p>(4) That the Authorities should approach</p>	<p>Local Authorities have been recommended to consider exempting care leavers from Council Tax using existing discretionary powers under Section 13A of the Local Government Finance Act.</p> <p>Members are asked to approve the implementation of a Council Tax Discount for Care Leavers from 1 April 2020 and the associated policy and Memorandum of Understanding.</p>	<p>The following alternative options have been identified and rejected for the reasons as set out below.</p> <p>Option 1: To not agree the proposed scheme. This would have a potential reputational risk for the authority and have an impact on some of our most vulnerable residents.</p>	<p>None</p>

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<p>1.2 To approve the implementation of a Council Tax Discount for Care Leavers from 1 April 2020.</p> <p>1.3 To approve the Memorandum of Understanding as an agreement between the Oxfordshire Authorities to share the financial commitment to support care Leavers.</p> <p>1.4 To seek a decision as to whether the Authorities should approach Thames Valley Police and town and parish councils to make a financial contribution proportionate to their precepts.</p>	<p>town and parish councils to make a financial contribution proportionate to their precepts.</p>			

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<p>Agenda Item 10 Monthly Performance, Finance and Risk Monitoring Report - September 2019</p> <p>Report of Executive Director: Finance and Governance and Assistant Director: Performance and Transformation</p> <p>Purpose of report</p> <p>This report summarises the Council's Performance, Risk and Finance monitoring position as at the end of each month.</p> <p>Recommendations The meeting is recommended:</p> <p>1.1 To note the monthly Performance, Risk and Finance Monitoring Report.</p>	<p>Resolved</p> <p>(1) That the monthly Performance, Risk and Finance Monitoring Report be noted.</p>	<p>It is recommended that the contents of this report are noted.</p>	<p>The following alternative options have been identified and rejected for the reasons as set out below.</p> <p>Option 1: This report illustrates the Council's performance against the 2019-20 business plan. As this is a monitoring report, no further options have been considered. However, members may wish to request that officers provide additional information.</p>	<p>None</p>

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