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Cherwell District Council

Executive

Minutes of a meeting of the Executive held at Bodicote House, Bodicote, Banbury, Oxon OX15 4AA, on 6 December 2021 at 6.30 pm

Present:

Councillor Barry Wood (Chairman), Leader of the Council

Councillor Phil Chapman, Lead member for Lesiure and Sport

Councillor Colin Clarke, Lead member for Planning

Councillor Tony Ilott, Lead Member for Finance and Governance

Councillor Andrew McHugh, Lead Member for Health and Wellbeing

Councillor Richard Mould, Lead Member for Performance

Councillor Lucinda Wing, Lead Member for Housing

Also Present:

Councillor Sean Woodcock, Leader of the Labour Group

Apologies for absence:

Councillor Ian Corkin, Deputy Leader and Lead Member for Customers and Transformation

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

Councillor Dan Sames, Lead Member for Clean and Green

Officers:

Yvonne Rees, Chief Executive

Bill Cotton, Corporate Director Environment and Place

Steve Jorden, Corporate Director Commercial Development, Assets & Investment and Shareholder Representative

Claire Taylor, Corporate Director Customers and Organisational Development

Lorna Baxter, Director of Finance & Section 151 Officer

Anita Bradley, Director Law and Governance & Monitoring Officer

David Peckford, Assistant Director: Planning and Development

Nicola Riley, Assistant Director: Wellbeing

Louise Tustian, Head of Insight and Corporate Programmes

Samantha Taylor, Principal Planning Officer

Natasha Clark, Governance and Elections Manager

74 **Declarations of Interest**

There were no declarations of interest.

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

There were no petitions or requests to address the meeting.

76 **Minutes**

The minutes of the meeting held on 1 November 2021 were agreed as a correct record and signed by the Chairman.

77 **Chairman's Announcements**

There were no Chairman's announcements.

78 **Infrastructure Funding Statement 2020/21**

The Assistant Director – Planning and Development submitted a report to seek approval of the Council's Infrastructure Funding Statement 2020/21 for publication and for an accompanying data submission to the Department for Levelling Up, Housing and Communities.

Resolved

- (1) That the Infrastructure Funding Statement 20/21 (Annex to the Minutes as set out in the Minute Book) be approved for publication by 31 December 2021, subject to any final changes considered to be necessary by the Assistant Director – Planning and Development in consultation with the Lead Member for Planning.
- (2) That the Assistant Director – Planning and Development be authorised to publish and submit the associated Infrastructure Funding Statement data as required by the Department for Levelling Up, Housing and Communities.

Reasons

The publication of an Infrastructure Funding Statement (IFS) is a statutory requirement that provides transparency and accessibility of information about s.106 developer contributions required for the grant of planning permission. The proposed IFS encapsulates the data that officers propose to publish and submit for 2020/21 to DLUHC to meet that requirement. The information is considered to be the most robust available at this time. Officers will prepare a statement annually and continue to develop monitoring systems on an on-going basis.

Alternative options

Option 1: Not to bring forward an Infrastructure Funding Statement

This is not a lawful option as it would mean that the Council would be in breach of its statutory duty

Option 2: Seek review of the key statistics and proposed Infrastructure Funding Statement.

Officers consider that this is not required as the information is the most robust available at this time.

79

Council Tax Reduction Scheme 2022-2023

The Director of Finance submitted a report to enable members to consider Council Tax discounts and to seek a recommendation to Council of the proposed levels of Council Tax discounts for the financial year 2022-23.

The report also enabled members to consider the banded scheme for Council Tax Reduction and to seek approval to recommend to Council a Council Tax Reduction Scheme for the financial year 2022-23.

Resolved

- (1) That the contents of this report and any financial implications for the Council be noted.
- (2) That Full Council be recommended to agree:
 - the option of no-change to the Council Tax Reduction Income Banded Scheme for Working Age Customers for 2022-23;
 - to amend the Working Age Regulations in line with annual uprating; and
 - to amend the Council Tax Regulations for pensioners in line with uprating announced by Department for Levelling Up, Housing and Communities.
- (3) That, having given due consideration, Full Council be recommended to agree the following levels of Council Tax discounts and premiums for 2022- 23 as follows:
 - Retain the discount for second homes at zero
 - Retain the discount for empty homes (unoccupied and substantially unfurnished) at 25% for 6 months and thereafter zero.
 - Retain the empty homes premium of an additional 100% for properties that have remained empty for more than 2 years.

Reasons

The current scheme is understood by customers and has enabled them to budget for their council tax payments. One of the main advantages of the banded scheme is that it reduces the number of changes that the customer will experience enabling more effective personal budgeting. A revision to the scheme would yield a limited financial benefit to the Council but would increase the customer's council tax payable. There is still a degree of financial uncertainty for some customers and in the current financial climate the existing scheme should be retained.

Alternative option

Option 1: To undertake a review of the current CTRS

A revision to the scheme would yield a limited financial benefit to the Council but would increase the customer's council tax payable. There is still a degree of financial uncertainty for some customers and in the current financial climate the existing scheme should be retained.

80

Monthly Performance, Risk and Finance Monitoring Report

The Director of Finance and Head of Insight and Corporate Programmes submitted a report which summarised the Council's Performance, Risk and Finance monitoring positions as at the end of October 2021.

Resolved

- (1) That the monthly Performance, Risk and Finance Monitoring Report be noted.
- (2) That the changes in uses of reserves as set out in the Annex to the Minutes (as set out in the Minute Book) be approved.

Reasons

This report provides an update on progress made during October 2021, to deliver the Council's priorities through reporting on Performance, Leadership Risk Register and providing an update on the Financial Position. The Council is committed to performance, risk and budget management and reviews progress against its corporate priorities on a monthly basis. Executive is recommended to agree a change in the use of reserves in accordance with the Council's Financial Procedure Rules

Alternative options

Option 1: This report illustrates the Council's performance against the 2021-22 Business Plan. Regarding the monitoring aspects of the report, no further options have been considered. However, members may wish to request that officers provide additional information. Regarding the recommendation to approve changes in use of reserves, members could choose not to reject the change of use, however, the request is in accordance with the councils Financial Procedure Rules and within existing budgets.

81

Graven Hill Development Company (Dev Co) - Request for s38 agreement (Highways Act 1980) works bonds relating to highway infrastructure delivered by Dev Co.

The Shareholder Representative submitted a report to bring to the attention of the Executive the request from Graven Hill Village Development Company Ltd (Dev Co) for the Council to act as surety in two performance bonds for roadway infrastructure works to be undertaken by Dev Co under section 38 of the Highways Act 1980.

Resolved

- (1) That it be approved, in principle, that the Council act as surety for Dev Co in respect of two performance bonds (up to the sum referred to in exempt Annex to the Minutes, as set out in the Minute Book) relating to the construction of highway works by Dev Co pursuant to agreements between Dev Co and Oxfordshire County Council (as local highway authority) to be made under section 38 of the Highways Act 1980.
- (2) That authority be delegated to the Shareholder Representative authority to agree the formal documentation in relation to the bonds, in consultation with the s.151 Officer and the Monitoring Officer.
- (3) That it be agreed that Dev Co be requested to pay to the council 1% of the value of the agreed bonds for use of the facility.

Reasons

Through agreeing with the recommendations in this report the council is ensuring that Dev Co can act swiftly to meet its aims and delivery objectives in relation to the highway works and in doing so safeguard the council's investment and return on investment.

Alternative options

Option 1: Not to give a performance bond. This has been dismissed by officers on the grounds that performance bonds are prerequisites for entering section 38 adoption agreements with the county council, and that, by giving a performance bond to a company in which the council has a stake, the council is acting in no less a manner than a parent company would in relation to a subsidiary.

82

Urgent Business

There were no items of urgent business.

83 **Exclusion of the Press and Public**

Resolved

That under Section 100A of the Local Government Act 1972, the public and press be excluded from the meeting for the following 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, Paragraph 3 would be disclosed to them, and that in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

84 **Graven Hill Development Company (Dev Co) - Request for s38 agreement (Highways Act 1980) works bonds relating to highway infrastructure delivered by Dev Co. - Exempt Appendix**

Resolved

- (1) That the exempt appendix be noted.

85 **Service Review of Leisure Facilities Design, Build, Operate and Maintain (DBOM) Contract**

The Corporate Director of Customers and Organisational Development submitted an exempt report regarding a service review of the Leisure Facilities Design, Build, Operate and Maintain (DBOM) contract.

Resolved

- (1) As set out in the exempt minutes.
- (2) As set out in the exempt minutes.
- (3) As set out in the exempt minutes.
- (4) As set out in the exempt minutes.
- (5) As set out in the exempt minutes.
- (6) As set out in the exempt minutes.

Reasons

As set out in the exempt minutes.

Alternative options

As set out in the exempt minutes.

The meeting ended at 6.55 pm

Chairman:

Date:

Appendix 6 - Reserves and Grant Funding

Use of Reserves

Specific requests

Directorate	Type	Description	Reason	Amount £m
Legal	Earmarked	Transformation Reserve	Agilysis fee	0.012
Housing	Earmarked	Growth Deal Top-up not required	Can be covered by S106	(0.742)
			Total Earmarked Reserves	(0.730)