



Meeting of Council

Monday 21 July 2025

Members of Cherwell District Council,

A meeting of Council will be held at 39 Castle Quay, Banbury, OX16 5FD on Monday 21 July 2025 at 6.30 pm, and you are hereby summoned to attend.

**Monitoring Officer
Friday 11 July 2025**

AGENDA

1 Apologies for Absence

2 Declarations of Interest

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

3 Communications (Pages 9 - 10)

To receive communications from the Chair and/or the Leader of the Council.

4 Petitions and Requests to Address the Meeting

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

Addresses may be presented by:

- A Local Government elector for the area,
- A person who is wholly or mainly resident in the area,
- A Council Taxpayer or National Non-Domestic Ratepayer for the area

Addresses must be on an item on the agenda before the meeting and not exceed 5 minutes. No person may address more than one meeting on any particular issue.

Requests to address the meeting (including the agenda item and reason for the address) should be submitted to democracy@cherwell-dc.gov.uk The deadline for requests to address this meeting is noon on Friday 18 July.

The deadline to present a petition to this meeting has passed.

Full details of public participation at meetings is available in the Constitution.

5 Urgent Business

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

6 Minutes of Council (Pages 11 - 20)

To confirm as a correct record the Minutes of Annual Council held on 21 May 2025.

7 Minutes

- a) Minutes of Executive, Portfolio Holder Decisions and Executive Decisions not included in the 28 day notice

The Leader of the Council to formally propose that the minutes of the meetings of the Executive and Portfolio Holder Decisions as set out in the Minute Book (circulated separately) be received and to report that since the last meeting of Council at which this was reported, 16 December 2024, no key and/or exempt decisions have been taken by the Executive which were not included in the 28 day notice.

- b) Minutes of Committees

The Leader of the Council to formally propose that the minutes of committees as set out in the Minute Book (circulated separately) be received.

8 Questions

- a) Written Questions

No written questions have been submitted with advance notice in accordance with the Constitution. The deadline for written questions has now passed.

- b) Questions to the Leader of the Council

The Chair to invite questions to the Leader of the Council (including any matters arising from the minutes). Members are encouraged, but not required, to notify the Democratic and Elections Team,

democracy@cherwell-dc.gov.uk, in advance of the meeting of any question(s) they wish to ask the Leader.

Following a response to their question being provided Members will be entitled to a follow up or supplementary question.

c) Questions to Committee Chairs on the Minutes

The Chair to invite questions to Chairs of Committees on any matter arising from the minutes of their Committee (if any).

Council Business Reports

9 Submission of the Cherwell Local Plan Review 2042 (Pages 21 - 32)

**** Due to the size of the documents, to assist access, the appendices are published as a series of supplements to the main agenda pack ****

Report of Assistant Director Planning and Development

Purpose of report

To present the Cherwell Local Plan Review 2042 (draft) and to seek approval for its submission to the Secretary of State for Housing, Communities and Local Government for independent examination.

Recommendations

Council resolves:

1.1 To approve:-

- a) the submission of the Local Plan at Appendix 1 to the Secretary of State for Housing, Communities and Local Government for independent examination with all necessary prescribed and supporting documents; and
- b) the Schedule of Proposed Changes and Minor Modifications to the Proposed Submission Local Plan draft of the Cherwell Local Plan Review presented at Appendix 2.

1.2 To note:-

- a) the responses to the consultation on the Proposed Submission Local Plan draft of the Cherwell Local Plan Review 2042 summarised in the Statement of Consultation at Appendix 6;
- b) the supporting documents relevant to the preparation of the Cherwell Local Plan Review 2042 presented at Appendices 3 to 9 and available online at <https://www.cherwell.gov.uk/local-plan-review-2042-submission> .

10 Gambling Act Statement of Licensing Policy 2025 (Pages 33 - 70)

Report of Head of Regulatory Services and Community Safety

Purpose of report

Draft Gambling Act 2005 Statement of Licensing Policy, amendments made following consultation on the policy from 12 January to 14 February 2025. The Policy was considered and approved by the Licensing Acts Committee on 9 July 2025, which recommended it to Council for adoption.

Recommendations

Council resolves:

- 1.1 To approve the draft policy for adoption and publication by Cherwell District Council.

11 Treasury Management Report - Annual Performance Report 2024/25 (Pages 71 - 84)

Report of Assistant Director Finance (S151 Officer)

Purpose of report

To provide information on treasury management performance and compliance with treasury management policy for 2024-25 as required by the Treasury Management Code of Practice.

To demonstrate that all treasury management activities undertaken during the reporting period complied with the CIPFA Code of Practice and the council's approved Treasury Management Strategy.

The Accounts, Audit and Risk Committee considered and recommended this report to Council at their meeting of 28 May 2025.

Recommendations

Council resolves:

- 1.1 To note the contents of this Treasury Management Annual Performance Report and the Capital Prudential indicators attached in appendix 1.

12 Overview and Scrutiny Committee Annual Report 2024-25 (Pages 85 - 118)

Report of Assistant Director Law & Governance/Monitoring Officer

Purpose of report

For Council to consider and note the Overview and Scrutiny Committee Annual Report for 2024-25.

Recommendations

Council resolves:

1.1 To note the Overview and Scrutiny Committee Annual Report 2024-25.

13 Amendment(s) to Committee Membership

To note amendment(s), if any, to Committee membership notified to the Monitoring Officer by Group Leaders.

14 Exclusion of the Press and Public

The following item of business contains 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)

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.

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

“That, in accordance with Section 100A(4) of Local Government Act 1972, the press and public be excluded from the meeting for the following item of business, on the grounds that it could involve the likely disclosure of exempt information as defined in paragraph 3 of Schedule 12A of that Act and that in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.”

15 The Granting of a New Lease at 36/37 Bridge Street, Banbury (Pages 119 - 130)

Exempt report of Assistant Director Property

16 Readmittance of the Press and Public

Council to resolve to readmit the press and public to the meeting.

17 **Motions** (Pages 131 - 134)

To debate the following motions which have been submitted with advance notice, in accordance with the Constitution (to be debated in the order submitted).

Topic	Proposer	Seconder
Cherwell Affordable Housing Emergency	Cllr Dr Isabel Creed	TBC
Primary Care Facilities in North Oxfordshire	Cllr David Rogers	Cllr Eddie Reeves
Government Review of Local Authority Funding	Cllr Eddie Reeves	Cllr David Rogers

Please note that the deadline to submit motions has passed. The deadline for Members to submit amendments to motions is noon on Thursday 17 July. No amendments will be permitted after this deadline.

Any amendments submitted will be published as a supplement to the agenda on the afternoon of Friday 18 July. Amendments for motions will be dealt with in the order submitted.

For information

Please note:

Members are advised that written questions and motions for the next scheduled Council meeting on Monday 20 October must be submitted to the Assistant Director Law and Governance & Monitoring Officer, democracy@cherwell-dc.gov.uk, by noon on Wednesday 8 October.

Councillors are requested to collect any post from their pigeon hole in the Members' Lounge at the end of the meeting.

Information about this Agenda

Apologies for Absence

Apologies for absence should be notified to democracy@cherwell-dc.gov.uk or 01295 221534 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.

Evacuation Procedure

If you hear the fire alarm, please leave the building via the nearest available exit. The fire assembly point is outside the Premier Inn, adjacent to the canal.

Access to Meetings

If you have any special requirements, such as a large print version of these papers or special access facilities to view a meeting online or attend a meeting in person, 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.

Webcasting and Broadcasting Notice

The meeting will be recorded by the council for live and/or subsequent broadcast on the council's website. The whole of the meeting will be recorded, except when confidential or exempt items are being considered. The webcast will be retained on the website for 6 months.

If you make a representation to the meeting, you will be deemed by the council to have consented to being recorded. By entering the Council Chamber or joining virtually, you are consenting to being recorded and to the possible use of those images and sound recordings for webcasting and/or training purposes.

The council is obliged, by law, to allow members of the public to take photographs, film, audio-record, and report on proceedings. The council will only seek to prevent this should it be undertaken in a disruptive or otherwise inappropriate manner.

Queries Regarding this Agenda

Please contact Natasha Clark, Democratic and Elections democracy@cherwell-dc.gov.uk, 01295 221534

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Chairman's Attendance Report: May – July 2025¹

20 May 2025

Chair Cllr Dorothy Walker attend Dorchester Abbey. The annual supper was held to celebrate the mayors and chairs and local government.

8 July 2025

Chair Cllr Dorothy Walker attended the summer bonanza at Homeless Oxfordshire at O'Hanlon House in Oxford.

¹ As at 11 July.

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Cherwell District Council

Annual Council

Minutes of the Annual Meeting of the Council held at 39 Castle Quay,
Banbury, OX16 5FD, on 21 May 2025 at 6.30 pm

Present:

Councillor Dorothy Walker (Chair)
Councillor Nigel Simpson (Vice-Chair)
Councillor Fiaz Ahmed
Councillor Tom Beckett
Councillor Rebecca Biegel
Councillor Gordon Blakeway
Councillor Chris Brant
Councillor Besmira Brasha
Councillor John Broad
Councillor Mark Cherry
Councillor Becky Clarke MBE
Councillor Jean Conway
Councillor Gemma Coton
Councillor Dr Isabel Creed
Councillor Andrew Crichton
Councillor Dr Henry Elugwu
Councillor Donna Ford
Councillor Ian Harwood
Councillor David Hingley
Councillor Frank Ideh
Councillor Simon Lytton
Councillor Kieron Mallon
Councillor Nicholas Mawer
Councillor Fiona Mawson
Councillor Lesley McLean
Councillor Zoe McLernon
Councillor Ian Middleton
Councillor Julian Nedelcu
Councillor Dr Chukwudi Okeke
Councillor Robert Parkinson
Councillor Lynne Parsons
Councillor Rob Pattenden
Councillor Chris Pruden
Councillor Edward Fraser Reeves
Councillor David Rogers
Councillor Alisa Russell
Councillor Les Sibley
Councillor Dr Kerrie Thornhill
Councillor Dom Vaitkus
Councillor Linda Ward
Councillor Amanda Watkins
Councillor Douglas Webb

Councillor Barry Wood

Apologies for absence:

Councillor Phil Chapman
Councillor Grace Conway-Murray
Councillor Nick Cotter
Councillor Harry Knight
Councillor John Willett

Officers:

Gordon Stewart, Chief Executive
Ian Boll, Corporate Director Communities
Stephen Hinds, Corporate Director Resources and Transformation
Michael Furness, Assistant Director Finance & S151 Officer
Shiraz Sheikh, Assistant Director Law & Governance and Monitoring Officer
Denzil Turbervill, Head of Legal Services
Natasha Clark, Governance and Elections Manager
Patrick Davis, Democratic and Elections Officer

1 **Bicester Motion Tribute**

The Chairman invited Members to reflect on the tragic fire at Bicester Motion which took the lives of firefighters Jennie Logan, Martyn Sadler and a member of the public, Dave Chester. On behalf of Council, the Chairman extended deepest condolences to their families, friends and colleagues. Two further firefighters sustained serious injuries and remained in hospital in a stable condition. On behalf of Council, the Chairman sent best wishes.

On behalf of Council and echoing the statement of the Leader earlier in the week, the Chairman expressed gratitude to Oxfordshire Fire and Rescue and out other emergency services for everything they did in responding to this tragic incident.

Council observed a minute's silence.

2 **Welcome**

The Chairman welcomed councillors, past Chairman, former councillors, the Deputy Lord Lieutenant of Oxfordshire, Sir Tony Baldry, Sally Scott and Surinder Dhesi, fellow Council Chairs, Funmi Durodola of Oxfordshire Primary Care Trust, Ian Nutt and Leanne Merritt of Oxfordshire Mind, guests and officers to the Annual Council meeting.

The Chairman welcomed and congratulated Councillor Fiaz Ahmed, Councillor Dr Henry Elugwu and Councillor Zoe McLernon, who had been

elected at the by-elections held on 1 May 2025. The newly elected councillors each introduced themselves to Council.

3 **Declarations of Interest**

There were no declarations of interest.

4 **Communications**

Former Councillor Billy Evans

Former Councillor Billy Evans passed away earlier this year. Former Councillor Evans was a Conservative councillor who represented the Launton ward from 1992 until 2002, serving as South Area Planning Committee Chairman for a number of years.

Councillor Wood paid tribute and shared anecdotes of former Councillor Evans.

On behalf of Council, the Chairman extended condolences to former Councillor Evan's family.

Council observed a minutes' silence.

Former Councillors

On behalf of Council, the Chairman paid tribute to former Councillors Andrew McHugh, Matt Hodgson and Sean Woodcock, who had stood down from the Council in March, and thanked them for their service to the council, their wards and the district.

Annual Council

By convention, the minutes of Committees, questions, petitions and motions were not considered at Annual Council. These would be included on the agenda of the next scheduled Council meeting on Monday 21 July.

Chairman's Engagements

A copy of the events the Chairman or Vice-Chair has attended was published as a supplement to the agenda.

The Chairman highlighted that the last two events he had attended were in Banbury. Last Friday, he had visited the Royal Voluntary Service at Cornhill Centre and learnt about the amazing services they provide and met wonderful volunteers and our residents who use their services. Last Saturday, he attended the unveiling of a blue plaque in honour of a former local councillor, Herbert Payne. The plaque, which was unveiled on a house in Queens Road, Banbury, recognised Herbert Payne as a chief campaigner for Banbury's first council housing.

Members' Pigeon Holes

Members were reminded to check their pigeon hole and take any post.

5 Election of Chairman for the Municipal Year 2025/2026

It was proposed by Councillor Hingley and seconded by Councillor Watkins, that Councillor Walker be appointed Chair of Cherwell District Council for the municipal year 2025/2026. There were no other nominations.

Resolved

- (1) That Councillor Dorothy Walker be appointed Chair of Cherwell District Council for the Municipal Year 2025/2026.

(Councillor Dr Okeke, outgoing Chairman, chaired the meeting until Councillor Walker was appointed)

6 Investiture of Chairman

Councillor Walker having made and signed the required Declaration of Acceptance of Office was invested with the Chair's Chain and took the Chair.

Councillor Walker addressed Council thanking Members for appointing her as Chair. It was an honour to accept this important role representing the council and our residents. It was a great privilege to take on the Chair's task, maintaining and building relationships with civic, charity and voluntary groups in Cherwell and wider Oxfordshire who did important and valuable work in our communities.

The Chair announced that the charities she would be supporting during her term of office were Homeless Oxfordshire and Asylum Welcome.

7 Vote of Thanks to Immediate Past Chairman

The Chair paid tribute to Councillor Dr Okeke for his term of office as Chairman. During his term of office, Cllr Dr Okeke had dedicated time, energy and enthusiasm to being the face of the council forging and maintaining strong connections and relationships with many of the leaders of community bodies, businesspeople, volunteers and charity works who were such an important part of the social fabric of Cherwell District and Oxfordshire.

Councillor Dr Okeke had put a lot of effort into raising money for his chosen charity, Oxfordshire Mind. The Chair had attended his two fundraising events, which were very enjoyable and at which spokespeople from Oxfordshire Mind and other contributors had spoken very powerfully about its work.

Cllr Dr Okeke had proficiently chaired Council meetings with calm and good humour. It had been a helpful and encouraging experience to be his Vice-Chair over the past year.

The Chair also paid tribute to Cllr Dr Okeke's consort, Dr Sandra Okeke, who had been a constant support to the former Chairman in fulfilling his role.

The Leader of the Council, Councillor Hingley, and the Labour Group Leader, Councillor Watkins, paid tribute to Councillor Dr Okeke for his term as Chairman.

The Chair presented Councillor Dr Okeke with his past Chairman's badge and a gift as a token of appreciation for his term of office.

8 Immediate Past Chairman's Address

Councillor Dr Okeke thanked the Chair, Leader and Labour Group Leader for their kind words and addressed Council reflecting on his term of office. It had been an honour to serve the district and council as Chairman during and eventful year, which had started with the election of a new Leader and appointment of a new Executive and was ending with the first Council meeting in the new council office at Castle Quay.

Councillor Dr Okeke reported that he had attended many events within and outside the district he had attended over the year with his consort, at which they had met many people, including volunteers, who give their time to support the community. During the past year he had hosted two charity events, a dinner in November and a lunch earlier in the month to raise money for his chosen charity, Oxfordshire Mind. Councillor Dr Okeke thanked all those who had supported his events and made donations.

Councillor Dr Okeke presented a cheque of £6163 to representatives of Oxfordshire Mind, highlighting that there was money raised to date and there were still some outstanding funds to collect.

Councillor Dr Okeke thanked his consort, his wife, for the wonderful support she had given him in his role as Chairman and presented her with flowers as a token of his appreciation.

Councillor Dr Okeke also thanked the council's management and staff for their support and guidance and paid particular tribute to his PA.

9 Election of Vice-Chairman for the Municipal Year 2025/2026

It was proposed by Councillor Reeves and seconded by Councillor Watkins, that Councillor Simpson be appointed Vice-Chair of Cherwell District Council for the municipal year 2025/2026. There were no other nominations.

Resolved

- (1) That Councillor Nigel Simpson be appointed Vice-Chair of Cherwell District Council for the Municipal Year 2025/2026.

10 **Investiture of Vice-Chairman**

Councillor Simpson, having made and signed the required Declaration of Acceptance of Office was invested with the Vice-Chair's Chain.

Councillor Simpson addressed Council and thanked Members for his appointment.

11 **Minutes of Council**

The minutes of the meetings of Council held on 16 December 2024 and 24 February 2025 were agreed as correct records and signed by the Chair.

12 **Annual Business Report 2025/2026**

The Monitoring Officer submitted a report for Council to note the results of the by-elections held on 1 May 2025 and to consider the appointments and allocation of seats on Committees for the municipal year 2025/2026 in accordance with the duty under Section 15 Local Government Housing Act 1989, to ensure that this reflected the political make-up of the Council following the elections. The political representation of members on committees needed to be considered on an annual basis.

Resolved

- (1) That the results of the district by-elections held on 1 May 2025 be noted.

Ward	Elected	Party	Term of office
Banbury Cross and Neithrop	Fiaz Ahmed	Conservative	Three years
Banbury Grimsbury and Hightown	Henry Elugwu	Labour	Two years
Deddington	Zoe McLernon	Conservative	Two years

- (2) That the constitution of Political Groups and notification of Group Leaders which has been notified in accordance with Regulation 8 of the Local Government (Committees and Political Groups) Regulations 1990 be noted:
- Liberal Democrat (17 Members, all Liberal Democrat party members)

- Group Leader: Councillor David Hingley
- Labour (12 Members, all Labour party and Labour & Co-operative party members)
 - Group Leader: Councillor Amanda Watkins
- Cherwell Conservative and Independent Alliance (12 Members, all Conservative Group members and 1 Independent Member, Councillor Ford)
 - Group Leader: Councillor Eddie Reeves
- Green and Independent Alliance (5 Members, comprising 4 Green members and 1 Independent Member, Councillor Broad)
 - Group Leader: Councillor Ian Middleton
- Independent (2 Members, comprising 2 Independent Members)
 - Group Leader: Councillor Les Sibley

- (3) That the appointment of the Deputy Leader of the Council, the membership of the Executive and Executive portfolios for the municipal year 2025/2026 be noted:

Councillor	Portfolio
David Hingley (Leader)	Strategic Leadership
Chris Brant	Corporate Services
Lesley McLean (Deputy Leader)	Finance and Resources
Tom Beckett	Greener Communities
Jean Conway	Planning and Development Management
Ian Middleton	Neighbourhood Services
Robert Parkinson	Regulatory
Rob Pattenden	Healthy Communities
Chris Pruden	Housing

- (4) That the allocation of seats on committees that are subject to the political balance requirements be agreed (Annex to the Minutes, as set out in the Minute Book).
- (5) That it be agreed that the allocation of seats on the Licensing Acts Committee reflects the General Licensing Committee.
- (6) That members (and where required, substitute members) be appointed to serve on each of the committees in accordance with the nominations made by political groups ((Annex to the Minutes, as set out in the Minute Book).
- (7) That Councillor Dorothy Walker be appointed as Cherwell District Council's representative to the Oxfordshire Joint Health Overview and Scrutiny Committee for the municipal year 2025/2026.

- (8) That Councillor Rob Pattenden be appointed as Cherwell District Council's representative and Councillor David Hingley be appointed as Cherwell District Council's named substitute to the Health and Wellbeing Board for the municipal year 2025/2026.
- (9) That Councillor Robert Parkinson be appointed as Cherwell District Council's appointed representative and Councillor David Hingley be appointed as Cherwell District Council's substitute to the Police and Crime Commissioner Scrutiny Panel for the municipal year 2025/2026.
- (10) That Councillor David Hingley be appointed at Cherwell District Council's representative and Councillor Lesley McLean be appointed as Cherwell District Council's substitute to the Oxfordshire Leaders Joint Committee.
- (11) That authority be delegated to the Monitoring Officer to make changes required to the Constitution as a result of the changes referred to in this report.

13 **Updates to the Constitution**

The Monitoring Officer submitted a report which sought approval of updates to the Constitution following meetings of the Constitution Review Group (CRG). The Constitution was the document by which, in accordance with the law, the Council exercises all its powers and duties. It is essential that it is reviewed to ensure it remains fit for purpose.

Resolved

- (1) That the changes to Part 20 Contract Procedure Rules be approved.
- (2) That the changes to the Motions Process, Part 4.18 of the Constitution, be approved.
- (3) That the changes to Part 4a Overview and Scrutiny Committee Procedure Rules and the associated Overview and Scrutiny Reference Guide be approved.
- (4) That updated terminology for Committee "Chairs" whereby it will be up to the member elected as the Chairman to decide on whether they wish to be known as a Chairman, Chairwoman, Chairperson or Chair as their preference be approved.

14 **Member Development Framework and Programme 2025-2026**

The Monitoring Officer submitted a report which presented the Member Development Framework and Programme for 2025-2026 for consideration and agreement.

Resolved

- (1) That the Member Development Framework for 2025-2026 be approved.
- (2) That the Member Development Programme for 2025-2026 be approved.

15 **Annual Report of the Accounts, Audit and Risk Committee 2024-25**

The Assistant Director of Finance (Section 151 Officer) submitted a report which presented the annual report of the Accounts, Audit and Risk Committee for the year 2024/25. It had been prepared to enable the committee to demonstrate to Council how it has fulfilled its terms of reference.

Resolved

- (1) That the Annual Report of the Accounts, Audit & Risk Committee 2024/25 be noted.

16 **Urgent Business**

There were no items of urgent business.

The meeting ended at 7.35 pm

Chair:

Date:

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This report is public	
Submission of the Cherwell Local Plan Review 2042	
Committee	Council
Date of Committee	21 July 2025
Portfolio Holder presenting the report	Portfolio Holder for Planning and Development Management, Cllr Jean Conway.
Date Portfolio Holder agreed report	8 July 2025
Report of	Assistant Director - Planning and Development, David Peckford

Purpose of report

To present the Cherwell Local Plan Review 2042 (draft) and to seek approval for its submission to the Secretary of State for Housing, Communities and Local Government for independent examination.

1. Recommendations

Council resolves:

1.1 To approve:-

- a) the submission of the Local Plan at Appendix 1 to the Secretary of State for Housing, Communities and Local Government for independent examination with all necessary prescribed and supporting documents; and
- b) the Schedule of Proposed Changes and Minor Modifications to the Proposed Submission Local Plan draft of the Cherwell Local Plan Review presented at Appendix 2.

1.2 To note:-

- a) the responses to the consultation on the Proposed Submission Local Plan draft of the Cherwell Local Plan Review 2042 summarised in the Statement of Consultation at Appendix 6;
- b) the supporting documents relevant to the preparation of the Cherwell Local Plan Review 2042 presented at Appendices 3 to 9 and available online at <https://www.cherwell.gov.uk/local-plan-review-2042-submission> .

2. Executive Summary

- 2.1 This report presents the Proposed Submission' Cherwell Local Plan Review 2042 for approval. Upon approval by Council the Submission Local Plan would be submitted to the Secretary of State for Housing, Communities and Local Government for independent examination.
- 2.2 It follows a report to Executive on 1 July 2025 which resolved to recommend to Council that the Proposed Submission Cherwell Local Plan Review be submitted to the Secretary of State for Housing, Communities and Local Government for examination.
- 2.3 Consultation on the Proposed Submission Local Plan (Regulation 19) commenced on 19 December 2024 and extended to 25 February 2025. A total of 345 representations were received in response to the consultation. They have been considered by officers in reviewing whether the Cherwell Local Plan Review 2042 (the 'Plan') is 'sound' and legally compliant - the tests of the independent examination of the Plan starts when the Proposed Submission Local Plan is submitted.
- 2.4 The view of officers is that the Plan is sound but that a number of 'proposed changes' and 'minor modifications' should be suggested to the examining inspector(s) in the interests of its improvement, clarification and updating and to address minor presentational, grammatical and typographical issues. These are all presented for approval in the updated appendices and schedule of changes at Appendices 1b and 2 to this report.

Implications & Impact Assessments

Implications	Commentary
Finance	The work associated with preparing the Proposed Submission Local Plan to date has been met from existing budgets. Costs associated with the examination are provided for from the Council's earmarked reserve for such matters. Kelly Wheeler, Finance Business Partner, 4 July 2025
Legal	The Proposed Submission Local Plan has been prepared to comply with primary and secondary legislation for plan making. The Proposed Submission Local Plan will be submitted for Examination by an independent Planning Inspector to test the Plan's soundness and legal compliance and this will include public hearings. Shiraz Sheikh, Assistant Director Law & Governance & Monitoring Officer, 8 July 2025
Risk Management	The risk related to not having an up-to-date Plan is managed through the Council's Leadership Risk Register. A decision to proceed to Submission assists in mitigating that risk. Celia Prado-Teeling, Performance Team Leader, 4 July 2025

Impact Assessments	Positive	Neutral	Negative	Commentary
Equality Impact	x			The Proposed Submission Local Plan is accompanied by a Health and Equalities Impact Assessment (Appendix 5 to this report) Celia Prado-Teeling, Performance Team Leader, 4 July 2025
A Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?	X			Refer to Health & Equalities Impact Assessment
B Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?	X			Refer to Health & Equalities Impact Assessment
Climate & Environmental Impact				Refer to the supporting Sustainability Appraisal and Habitats Regulations Assessment.
ICT & Digital Impact				Not applicable
Data Impact				Not applicable
Procurement & subsidy				None
Council Priorities	All			
Human Resources	N/A			
Property	N/A			
Consultation & Engagement	<ul style="list-style-type: none"> • Regular Portfolio Holder Briefings • Briefings for Political Group Leaders • Internal Local Plan Members Advisory Group meetings attended by Overview & Scrutiny Committee Members 			

Supporting Information

3. Background

- 3.1 The adopted Local Plan is the main part of the statutory Development Plan – the starting point for considering development proposals. The district's existing adopted Local Plans are:
- saved policies of the Cherwell Local Plan 1996 (those not replaced)
 - Cherwell Local Plan 2011 – 2031 (Part 1) (adopted 2015)
 - Cherwell Local Plan 2011 – 2031 (Part 1) Partial Review – Oxford's Unmet Housing Need (adopted 2020).
- 3.2 National Planning Practice Guidance makes clear that most plans are likely to require updating in whole or in part at least every five years. Successive iterations of the Council's Local Development Scheme (LDS) have programmed a local plan review.
- 3.3 This local plan review provides the opportunity to re-assert a plan-led approach to considering proposed development. It establishes a new set of policies for addressing development needs, for climate action, for healthy place-shaping, for biodiversity net gain, for our urban centres and rural areas and for responding to current Government policy and guidance.
- 3.4 The review of the Cherwell Local Plan commenced in 2020, and three public consultations were undertaken prior to the publication of the Proposed Submission Local Plan in December 2024. These consultations comprised:
- Community Involvement Paper Consultation (July 2020),
 - Community Involvement Paper 2: Developing our Options Consultation (September 2021)
 - Consultation draft Local Plan (September 2023).
- 3.5 The Proposed Submission Plan, informed by these previous consultations, a continuous process of engagement and cooperation, and technical evidence, was subsequently approved for consultation by the Executive on 5 December 2024.
- 3.6 The Proposed Submission Local Plan documents were published for the purposes of inviting representations between 19 December 2024 and 25 February 2025.
- 3.7 The Procedure Guide for Local Plan Examinations (28 August 2024) states that the Plan that is published for consultation at Regulation 19 stage should be the Plan that the Local Planning Authority (LPA) intends to submit to the Planning Inspectorate for examination. The Council must satisfy itself that it is submitting a local plan for examination which it considers to be sound and meets all the necessary legal requirements. It emphasises that this is a key premise of delivering an efficient examination timetable.

4. Details

- 4.1 This report presents the Cherwell Local Plan Review 2042 for approval as the 'Submission' Local Plan. Upon approval by Council the Plan would be submitted to the Secretary of State for Housing, Communities and Local Government for examination.
- 4.2 It follows a report to Executive on 1 July 2025 which resolved to recommend to Council that the Proposed Submission Cherwell Local Plan Review be submitted to the Secretary of State for Housing, Communities and Local Government for examination. It should be noted that where additional information was presented to the Executive in supplementary documents, officers have now taken the opportunity to consolidate this information into the main documents/appendices.
- 4.3 Members are invited to consider the following documents:
- i. The Proposed Submission Local Plan (December 2024) previously approved by the Executive for consultation in December 2024 (Appendix 1)
 - ii. The Statement of Consultation (Appendix 6) which summarises how consultation informed the preparation of the Plan, summarises the representations received to the Proposed Submission Plan and identifies the main issues arising from those representations. Members are advised that the representations are available in full on the Council's website.
 - iii. The proposed Schedule of Proposed Changes and Minor Modifications (Appendix 2) which officers consider would improve and update the draft Plan in view of the representations received and updated evidence.
 - iv. The Sustainability Appraisal (SA) of the Proposed Submission Local Plan (with Non-Technical Summary) and SA Addendum. Together these comprise the full Sustainability Appraisal (Appendix 3),
 - v. A Habitats Regulation Assessment (Appendix 4)
 - vi. A Health and Equalities Impact Assessment (Appendix 5)
 - vii. An Infrastructure Delivery Plan (Appendix 9)
 - viii. Other supporting documents and background papers also comprising the evidence base for the Cherwell Local Plan Review 2042 (available at <https://www.cherwell.gov.uk/info/83/local-plans/729/planning-for-cherwell---local-plan-review>).
- 4.4 Following approval by Council, these documents would comprise the Submission documents and would be subject to independent examination.
- 4.5 The Proposed Submission Local Plan sets out a vision and proposes homes, employment land, infrastructure and other essential services required to support the local community over the Plan period.
- 4.6 It has a series of objectives for meeting the vision and addressing its key themes. It then presents a strategy, policies and proposals for meeting these objectives and delivering the vision. In summary, the proposed strategy is to:
- Ensure that our committed growth is delivered;
 - Focus new development at Bicester, Banbury and to a lesser extent in the Kidlington area;
 - Revitalise our urban centres and encourage investment;

- Raise the design quality of our built and 'green' environments;
- Minimise carbon emissions and achieve set net gains in biodiversity; in delivering new development.

- 4.7 The district-wide strategy is supported by area strategies for Banbury, Bicester, Kidlington, Heyford Park and the Rural Areas.
- 4.8 Consultation on the Proposed Submission Local Plan commenced on 19 December 2024 and closed 25 February 2025. A total of 345 representations were received in response to the consultation. All representations received are available on-line. The Statement of Consultation at Appendix 6 provides a detailed summary of the comments received. Responses were received from a wide range of respondents, including individuals, neighbouring authorities, parish and town councils, land-owners and developers, the Environment Agency, Historic England, Natural England, Highways England and Oxfordshire County Council.
- 4.9 The key issues raised in the representations and officer responses are set out in Appendix 7. This detailed table is also included in the Statement of Consultation. These documents should be read for a full understanding of the issues raised.
- 4.10 Officers have considered all representations in reviewing whether the Plan is 'sound' and legally compliant – and considered the tests of the independent examination of the Plan. In addition, a PINS advisory visit, by an experienced local plan inspector took place in March 2025. Our barrister has also been consulted on the key issues raised.
- 4.11 To be considered 'sound' the Plan must be shown to be:
- a) Positively prepared – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
 - b) Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
 - c) Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by a statement of common ground; and
 - d) Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in the National Planning Policy Framework and other statements of national planning policy, where relevant.
- 4.12 Legal compliance includes whether the Plan has been prepared in accordance with required procedures, including the duty to cooperate with prescribed bodies on cross boundary strategic planning issues.

Duty to Cooperate

- 4.13 Legal compliance will be one of the matters considered at the Examination to ensure that the Local Plan has been prepared in accordance with required

procedures, including the duty to cooperate with prescribed bodies on cross-boundary strategic matters. A Duty to Cooperate Statement of Compliance has been prepared to demonstrate this. This will form part of the Proposed Submission Local Plan documents.

- 4.14 The Duty to Cooperate is a statutory requirement for the Council to cooperate with Local Planning Authorities (LPAs) and other prescribed bodies when it undertakes certain activities, including the preparation of local plans and in relation to cross boundary strategic matters. This is to maximise the effectiveness with which activities are undertaken. LPAs are required 'to engage constructively, actively and on an on-going basis'.
- 4.15 Since the close of the Regulation 19 consultation, officers have continued to engage with prescribed bodies, including neighbouring authorities, National Highways, Natural England, the Environment Agency, Historic England, and the BOB-ICB to resolve outstanding issues raised in their representations. Statements of Common Ground are also being prepared.

Additional Evidence and Background Papers

- 4.16 Ahead of submission, officers have been working to finalise the evidence base for the Plan. These documents include:
- An addendum to the Sustainability Appraisal, following advice at the PINS Advisory Visit.
 - Updates to the Employment Needs Assessment, following additional information on past trends.
 - Updated flood risk assessments, following receipt of new flood risk maps and additional information requested by the Environment Agency.
 - Air Quality Assessments
 - Updates to the Infrastructure Delivery Plan (IDP) to reflect up to date information.
- 4.17 In addition to the evidence updates, officers are preparing a suite of Topic Papers which provide detailed explanations and bring together background information for the examination. These include:
- A Housing Topic Paper
 - Site Selection Topic Paper
 - Employment Topic Paper
 - Gypsy and Traveller Topic Paper
 - A Delivery Topic Paper

Proposed Focussed Changes

- 4.18 The Procedure Guide for Local Plan Examinations (28 August 2024) states that the Plan that is published for consultation at Regulation 19 stage should be the Plan that the Council intends to submit to the Planning Inspectorate for examination. The Council must satisfy itself that it is submitting a Local Plan for Examination which it considers to be sound and meets all the necessary legal requirements.
- 4.19 If the Council wanted to make substantive changes to the Plan following the Regulation 19 consultation and before submission, and wanted these changes to be considered as part of the submitted Submission Local Plan, the procedure would

require an addendum to the Proposed Submission Local Plan to be prepared containing the proposed changes. The addendum, together with a sustainability appraisal [SA] and any Habitats Regulation Assessment [HRA] of the proposed changes would need to be published for consultation, on the same basis as the Regulation 19 consultation, before the plan is submitted for examination.

- 4.20 A further Regulation 19 consultation would result in the Local Plan falling outside the transitional arrangements set out in the 2024 NPPF.
- 4.21 The guidance does however also provide the opportunity for the Council to propose changes to the Regulation 19 Plan for consideration by the inspector at the examination. As these changes have not been subject to consultation, the Inspector will not treat these changes as part of the plan to be examined. However, the Inspector may consider it appropriate for some or all of the Council's proposed changes to be discussed at the hearing sessions, and in appropriate circumstances they may form the basis for future Main Modifications to the Submission Local Plan as recommended by the Inspector.
- 4.22 The current view of officers is that the Regulation 19 published Plan is sound but that a number of 'proposed changes' and 'minor modifications' should be suggested to the Inspector. They would not affect the soundness of the Plan but would rather refine existing policies, having regard to additional information included in representations, on-going cooperation and discussion with consultees and updates/additions to the Plan's evidence base.
- 4.23 The schedule of proposed changes is presented at Appendix 2.
- 4.23 In summary, the main proposed changes include:
- A new policy addressing nature conservation and watercourses requested by the Environment Agency;
 - A new policy addressing MOD airport safeguarding areas requested by the MOD;
 - Policy LEC 1 (Meeting Business and Employment Needs) – updated/redrafted employment policy to reflect the advice received at the PINS advisory visit and to reflect updated evidence. The total employment need rises from 280 hectares to 316 hectares.
 - Policy COM 1 (District-wide Housing Distribution) – updated/redrafted policy to reflect advice received at the PINS advisory visit and the latest housing supply monitoring information.
 - Policy CSD 10: Oxford Meadows Special Area of Conservation – amendments requested by Environment Agency and part correction and consistency with Policy CSD11 and local plan evidence.
 - Editorial improvements to Policy COM 13 – Settlement Gaps.
 - Policy COM 25: Local Green Space – the removal of Hudson Street, Bicester from the list as the site is required for improved/expanded education provision.

- Amendments throughout the Plan to clarify and where necessary remove unnecessary references to ‘saved’ or ‘retained’ policies following advice received at the PINS advisory visit.
- Policy KID 1 – Improvements and amendments to the policy wording and supporting text requested by Historic England
- Updates to Appendix 1 (Retained Policies List), Appendix 2 (Housing Supply and Trajectory), Appendix 3 (Monitoring Framework), Appendix 4 (Strategic Gaps) and Appendix 11 (List of Strategic and Non-strategic policies).
- Updates and improvements to the Policies Map, including a draft interactive Policies Map.

Overall Response to Proposed Submission Local Plan Consultation

- 4.24 The representations received have been considered by officers in reviewing the soundness and legal compliance of the Plan. The representations are summarised as an appendix to the Statement of Consultation (Appendix 6 to this report). The Statement of Consultation summarises the main issues and provides a collective response from officers for each section/policy of the Plan.
- 4.25 The proposed changes and Minor Modifications presented at Appendix 2, have been identified in the context of the representations made, on-going cooperation and associated reviews of evidence.
- 4.26 The view of officers is that the Proposed Submission Local Plan has been positively prepared and is justified, effective, consistent with national policy and legally compliant.
- 4.27 It is recommended that the Proposed Submission Local Plan together with the schedule of proposed Changes and Minor Modifications be approved for submission to the Secretary of State together with all supporting documents.

Next Steps

- 4.28 Should the Plan be approved by Council, its submission would mark the start of its examination by a Government appointed Planning Inspector in accordance with their programme.

5. 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: Not to approve the Proposed Submission Local Plan for Submission
Not approving the Proposed Submission Local Plan would mean that the Proposed Submission Local Plan would potentially require significant amendments. These amendments and the need to consult on them prior to Submission would result in the Proposed Submission Plan failing to meet the transitional arrangements set out

in NPPF paragraph 234(a). The Council would then be obliged to prepare a revised Local Plan in accordance with the December 2024 NPPF. In addition to creating considerable delay, the revised Local Plan would have to meet the full objectively assessed housing need based on the December 2024 Standard Method figure for Cherwell.

Option 2: To approve the Proposed Submission Local Plan and seek significant changes.

Approving the Proposed Submission Local Plan with significant changes would mean that we would need to reconsult on these changes as an addendum to the Regulation 19 Local Plan. This would result in the Proposed Submission Local Plan failing to meet the transitional arrangements set out in NPPF paragraph 234(a). The Council would then be obliged to prepare a revised Plan in accordance with the December 2024 NPPF. In addition to creating considerable delay, the revised Plan would have to meet the full objectively assessed housing need based on the December 2024 Standard Method figure for Cherwell.

Option 3: Seek further proposed changes in response to specific issues raised in consultation on the Proposed Submission Local Plan draft.

Officers are mindful that the Council must consider the Proposed Submission Local Plan to be submitted to be a 'sound' and legally compliant Plan. Officers have proposed changes that do not affect the soundness of the Plan.

6. Conclusion and Reasons for Recommendations

- 6.1 The Cherwell Local Plan Review has been prepared in the interest of having up to date planning policies which respond positively and effectively in meeting development needs and the planning issues that the district and our local communities face. An up-to-date Local Plan is important for a plan-led approach to decision making and contributing to the achievement of sustainable development. Preparation of the Proposed Submission Local Plan has been informed by three formal public consultations (Regulation 18), continuous engagement and cooperation and evidence gathering.
- 6.2 Consultation on the Proposed Submission Local Plan commenced on 19 December 2024 and closed on 25 February 2025. A total of 345 representations were received in response to the consultation. They have been considered by officers in reviewing whether the Proposed Submission Local Plan is 'sound' and legally compliant – the tests of the independent examination of the Plan that commences on the Submission of the Local Plan.
- 6.3 The view of officers is that the Proposed Submission Local Plan is sound but that a number of proposed changes and 'minor modifications' should be made to it in the interests of its improvement, clarification and updating, and to address minor presentational, grammatical and typographical issues. These are presented for approval in the schedule of changes at Appendix 2 to this report.

Decision Information

Key Decision	N/A
Subject to Call in	N/A
If not, why not subject to call in	N/A
Ward(s) Affected	All

Document Information

Appendices	
Appendix 1	Submission Cherwell Local Plan Review 2042 https://www.cherwell.gov.uk/download/downloads/id/16064/cherwell-lp---proposed-submission-dec-2024---complete---72dpi-single-pages.pdf
Appendix 1a	Submission Cherwell Local Plan Review 2042 – Policies Maps https://www.cherwell.gov.uk/download/downloads/id/16045/policies-maps.pdf
Appendix 1b	Submission Cherwell Local Plan Review 2042 – Updated Appendices
Appendix 2	Submission Cherwell Local Plan Review 2042 – Schedule of Proposed Changes
Appendix 3a	Sustainability Appraisal (November 2024) - Non-Technical Summary https://www.cherwell.gov.uk/download/downloads/id/16060/cherwell-local-plan-sustainability-appraisal-non-technical-summary-dec-2024.pdf
Appendix 3b	Sustainability Appraisal (November 2024) https://www.cherwell.gov.uk/download/downloads/id/16059/cherwell-local-plan-sustainability-appraisal-december-2024.pdf
Appendix 3c	Sustainability Appraisal Addendum (May 2025)
Appendix 4	Draft Habitats Regulations Assessment (November 2024) https://www.cherwell.gov.uk/download/downloads/id/16061/habitats-regulation-assessment-november-2024.pdf
Appendix 5	Health and Equalities Impact Assessment (November 2024) https://www.cherwell.gov.uk/download/downloads/id/16065/health-and-equalities-impact-assessment-nov-2024.pdf
Appendix 6	Consultation Statement (June 2025)
Appendix 7	Officer responses to representations received (June 2025)
Appendix 8	Duty to Co Operate Statement of Compliance (June 2025)
Appendix 9	Infrastructure Delivery Plan (June 2025)
Background Papers	None

Reference Papers	<p>Reports and Minutes, Executive 1 July 2025. Submission of the Cherwell Local Plan Review 2042 http://svc-sql-modg-01:9070/ieDecisionDetails.aspx?ID=5022</p> <p>Reports and Minutes, Executive 5 December 2024 Proposed Cherwell Local Plan 2042 http://svc-sql-modg-01:9070/ieListDocuments.aspx?CId=115&MId=4186</p> <p>Report and Minutes, Executive 4 September 2023, Draft Cherwell Local Plan Review 2040 (Regulation 18) Consultation: https://modgov.cherwell.gov.uk/ieListDocuments.aspx?CId=11%205&MId=3811&Ver=4</p> <p>Report and Minutes, Executive 6 September 2021, Planning for Cherwell: Cherwell Local Plan Review - Options Consultation Paper: https://modgov.cherwell.gov.uk/ieListDocuments.aspx?CId=11%205&MId=3530&Ver=4</p> <p>Report and Minutes, Executive 6 July 2020, Cherwell Local Plan Review: Planning for Cherwell to 2040 - A Community Involvement Paper: https://modgov.cherwell.gov.uk/ieListDocuments.aspx?CId=11%205&MId=3366&Ver=4</p> <p>Evidence Base on-line: https://www.cherwell.gov.uk/info/83/local-plans/729/planningfor-cherwell---local-plan-review/6</p> <p>National Planning Policy Framework (7 February 2025) https://www.gov.uk/government/publications/national-planning-policy-framework--2</p> <p>National Planning Policy Framework (5 September 2023) https://webarchive.nationalarchives.gov.uk/ukgwa/20230929144819/https://www.gov.uk/government/publications/national-planning-policy-framework--2</p> <p>Planning Practice Guidance https://www.gov.uk/government/collections/planning-practice-guidance</p>
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Corporate Director Approval (unless Corporate Director or Statutory Officer report)	Corporate Director for Communities, 8 July 2025

This report is public	
Gambling Act Statement of Licensing Policy 2025	
Committee	Council
Date of Committee	21 July 2025
Portfolio Holder	Portfolio Holder for Safer Communities, Councillor Parkinson
Date Portfolio hold agreed	11 June 2025
Report of	Head of Regulatory Services and Community Safety, Tim Hughes

Purpose of report

Draft Gambling Act 2005 Statement of Licensing Policy, amendments made following consultation on the policy from 12 January to 14 February 2025. The Policy was considered and approved by the Licensing Acts Committee on 9 July 2025, which recommended it to Council for adoption.

1. Recommendations

Council resolves:

- 1.1 To approve the draft policy for adoption and publication by Cherwell District Council.

2. Executive Summary

- 2.1 The Gambling Act 2005 requires that Local Authorities review their Gambling Act 2005 Statement of Licensing Policy every 3 years. The Council last reviewed its policy in 2022 when it was accepted by full Council and published. During the latest required review changes were made to the population figures in the policy. This policy was then put out for public and trade consultation from the 12 January 2025 until 14 February 2025. Representations received have been considered and some amendments made to the policy post consultation, see appendix 2 for consultation responses and appendix 3 for summary of changes. The draft was approved by the Licensing Acts Committee on 9 July 2025.

Implications & Impact Assessments

Implications	Commentary
Finance	There are no financial implications arising from the amendments made to the Draft Gambling Act 2005 Policy. Kelly Wheeler, Finance Business Partner, 11 March 2025

Legal	<p>The report clearly sets out the statutory basis for the Statement of Policy along with the review and sets out the legal requirements in relation to the Policy.</p> <p>The policy itself sets out the key legislative requirements for the policy and the aims of the Council in implementing the policy. Appendix 3 provides a detailed breakdown of the proposed changes and why they are required.</p> <p>There are no legal implications arising directly as a result of this report, but legal services will provide assistance where required to implement and enforce the policy if adopted.</p> <p>It should also be noted that the Council holds a gambling licence itself and should therefore ensure that it complies with this policy at all times.</p> <p>Denzil – John Turbervill, Head of Legal Services. 12/03/2025</p>			
Risk Management	<p>There are no risk implications arising directly from this report. The revise policy, however, is a mitigating action to avoid the risk of becoming not compliant with the Gambling Act 2005.</p> <p>Celia Prado-Teeling, Performance & Insight Team Leader, 18 March 2028</p>			
Impact Assessments	Positive	Neutral	Negative	Commentary
Equality Impact				
A Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?		/		N/A
B Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?		/		N/A
Climate & Environmental Impact		/		N/A
ICT & Digital Impact		/		N/A
Data Impact		/		N/A
Procurement & subsidy		/		N/A
Council Priorities	N/A			

Human Resources	N/A
Property	N/A
Consultation & Engagement	Consultation was undertaken from 12 January to 14 February 2025. The Policy was considered and approved by Licensing Acts Committee on 9 July 2025 which recommended it to Council for adoption.

Supporting Information

3. Background

- 3.1 Under the Gambling Act 2005, a regime for regulating gambling and betting was introduced throughout the United Kingdom from 1 September 2007. Apart from the National Lottery and spread betting, gambling and betting which is regulated by the Gambling Commission, whose duties include licensing the operators and individuals involved in providing gambling and betting facilities.
- 3.2 Cherwell District Council, along with other local licensing authorities, has a duty under the Act to license premises where gambling is to take place, and to licence other activities (such as registering small society lotteries).
- 3.3 All local authorities are required by the Gambling Act 2005 to have and publish a Gambling Act 2005 Statement of Policy, which the Act states must be reviewed every 3 years. The review required this year has involved some changes to the policy pre and post consultation, the summary of changes can be found in appendix 3. The Council's policy has consideration for the guidance issued by the Gambling Commission and the licensing objectives contained in the Gambling Act 2005.

4. Details

- 4.1 Pre-consultation minor amendments were made to the Council's Gambling Act 2005 Statement of Policy, these amendments were to the Council's population figure and to add a link to a district map. The policy was then put out for public and trade consultation. Responses were received to the consultation of the policy, and these were considered and additional amendments made to the policy, the draft policy in appendix 1 includes the changes made and appendix 3 provides a summary of these. The changes made to the policy do not amount to a change in approach by the Licensing department and do not place additional requirements or costs on applicants or license holders.

5. 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: Make no amendments and reject consultation responses. Changes accepted following consultation make minor changes to wording to make some requirements clearer. Also inserts an option for premises which have still to be constructed or altered, which case law has made clear should be available to such applicant.

6 Conclusion and Reasons for Recommendations

- 6.1 Recommend that the Gambling Act 2005 Statement of Licensing Policy is approved for adoption by Cherwell District Council at Full Council. The changes bring the policy up to date and some wording amendments makes certain duties on licensees clearer. And clarifies the council's decision making, which must be in accordance with s153 of the Act when determining licence applications.

Decision Information

Key Decision	N/A
Subject to Call in	N/A
If not, why not subject to call in	N/A
Ward(s) Affected	All

Document Information

Appendices	
Appendix 1	Draft Gambling Act 2005 Statement of Policy
Appendix 2	Consultation responses
Appendix 3	Summary of changes
Background Papers	None
Reference Papers	The Gambling Commission's guidance for licensing authorities April 2023: https://www.gamblingcommission.gov.uk/guidance/guidance-to-licensing-authorities
Report Author	Jan Southgate
Report Author contact details	Jan.southgate@cherwell-dc.gov.uk 01295 227906
Corporate Director Approval (unless Corporate Director or Statutory Officer report)	Ian Boll, Corporate Director for Communities, 11 June 2025



Cherwell

DISTRICT COUNCIL
NORTH OXFORDSHIRE

Cherwell District Council

Gambling Act 2005

Policy Statement

This Statement of Principles Post Consultation **Cherwell District Council** 2025

Revisions

Version	Date	Author
Dv01	3 August 2018	EC Draft
Dv02	17 August 2018	NS Draft
Dv03	3 September 2018	NS Draft
Dv04	15 November 2018	NS Post Consultation
Dv05	17 December 2018	NS Full Council
Dv06	22 October 2021	RR Draft
Dv07	22 February 2022	RR Full Council (adopted)
Dv08	26 November 2024	JS Draft
Dv09	9 July 2025	JS Post Consultation
Dv10	21 July 2025	JS Full Council

Cherwell District Council Statement of Principles Gambling Act 2005

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PART A

1. The Licensing Objectives

- 1.1 In exercising most of their functions under the Gambling Act 2005, licensing authorities must have regard to the licensing objectives as set out in section 1 of the Act. The licensing objectives are:
- Preventing gambling 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 persons from being harmed or exploited by gambling
- 1.2 It should be noted that the Gambling Commission has stated: “The requirement in relation to children is explicitly to protect them from being harmed or exploited by gambling”.
- 1.3 This licensing authority is aware that, as per Section 153, in making decisions about premises licences and temporary use notices it should aim to permit the use of premises for gambling in so far as it thinks it is:
- In accordance with any relevant code of practice issued by the Gambling Commission
 - In accordance with any relevant guidance issued by the Gambling Commission
 - Reasonably consistent with the licensing objectives and
 - In accordance with the authority’s statement of licensing policy

2. Introduction

- 2.1 Licensing authorities are required by the Gambling Act 2005 to publish a statement of the principles which they propose to apply when exercising their functions. This statement must be published at least every three years. The statement must also be reviewed from “time to time” and any amended parts re-consulted upon. The statement must be then re-published.
- 2.2 The Council will consult widely on this statement before finalising and publishing it. A list of Cherwell’s partners is provided in Annex 1. A list of the persons/organisations that we are consulting is provided in Annex 2.
- 2.3 The Gambling Act requires that the following parties are consulted by licensing authorities:
- The Chief Officer of Police;
 - One or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authority’s area; and
 - One or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority’s functions under the Gambling Act 2005.
- 2.4 Should you have any comments about this policy statement, please send them by email to: licensing@cherwell-dc.gov.uk

- 2.5 It should be noted that this statement of licensing principles will not override the right of any person to make an application, make representations about an application, or apply for a review of a licence, as each will be considered on its own merits and according to the statutory requirements of the Gambling Act 2005.

3. Declaration

- 3.1 When producing the final statement, this licensing authority declares that it will have regard to the licensing objectives of the Gambling Act 2005, the Guidance to Licensing Authorities issued by the Gambling Commission, and any responses from those consulted on the statement.

4. Responsible Authorities

- 4.1 The licensing authority is required by regulations to state the principles it will apply in exercising its powers under Section 157(h) of the Act to designate, in writing, a body which is competent to advise the authority about the protection of children from harm. The principles are:
- The need for the body to be responsible for an area covering the whole of the licensing authority's area; and
 - The need for the body to be answerable to democratically elected persons, rather than any particular vested interest group.
- 4.2 This authority designates the Oxfordshire Safeguarding Children Board for this purpose.
- 4.3 The contact details of all the Responsible Authorities under the Gambling Act 2005 are available via the Council's website, please see Annex 1.

5. Interested Parties

- 5.1 Interested parties can make representations about licence applications, or apply for a review of an existing licence. These parties are defined in the Gambling Act 2005 as follows:

"For the purposes of this Part a person is an interested party in relation to an application for or in respect of a premises licence if, in the opinion of the licensing authority which issues the licence or to which the applications is made, the person:

- a) Lives sufficiently close to the premises to be likely to be affected by the authorised activities,
- b) Has business interests that might be affected by the authorised activities, or
- c) Represents persons who satisfy paragraph (a) or (b)"

- 5.2 The licensing authority is required by regulations to state the principles it will apply in exercising its powers under the Gambling Act 2005 to determine whether a person is an interested party. The principles are as follows.
- 5.3 Each case will be decided upon its merits. This authority will not apply a rigid rule to its decision making. It will consider the examples of considerations provided in the Gambling Commission's Guidance to Licensing Authorities. It will also consider the Gambling Commission's Guidance that "has business interests" should be given the widest possible interpretation and include partnerships, charities, faith groups and medical practices.
- 5.4 Interested parties can be persons who are democratically elected such as councillors and MPs. No specific evidence of being asked to represent an interested person will be required as long as the councillor/MP represents the ward likely to be affected. Likewise, parish councils likely to be affected

will be considered to be interested parties. Other than these however, this authority will generally require written evidence that a person/body (e.g. an advocate/relative) 'represents' someone who either lives sufficiently close to the premises to be likely to be affected by the authorised activities and/or has business interests that might be affected by the authorised activities. A letter from one of these persons, requesting the representation is sufficient.

- 5.5 If individuals wish to approach councillors to ask them to represent their views then care should be taken that the councillors are not part of the Licensing Committee dealing with the licence application. If there are any doubts then please contact the Cherwell District Council Licensing department.

6. Exchange of Information

- 6.1 Licensing authorities are required to include in their statements the principles to be applied by the authority in exercising the functions under sections 29 and 30 of the Act with respect to the exchange of information between it and the Gambling Commission, and the functions under section 350 of the Act with the respect to the exchange of information between it and the other persons listed in Schedule 6 to the Act.
- 6.2 The principle that this licensing authority applies is that it will act in accordance with the provisions of the Gambling Act 2005 in its exchange of information which includes the provision that the Data Protection Act 1998 will not be contravened. The licensing authority will also have regard to any Guidance issued by the Gambling Commission on this matter, as well as any relevant regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005.
- 6.3 Should any protocols be established as regards information exchange with other bodies then they will be made available.

7. Enforcement

- 7.1 Licensing authorities are required by regulation under the Gambling Act 2005 to state the principles to be applied by the authority in exercising the functions under Part 15 of the Act with respect to the inspection of premises; and the powers under section 346 of the Act to institute criminal proceedings in respect of the offences specified.
- 7.2 This licensing authority's principles are that it will be guided by the Gambling Commission's Guidance to Licensing Authorities and will endeavour to be:
- **Proportionate:** regulators should only intervene when necessary: remedies should be appropriate to the risk posed, and costs identified and minimised;
 - **Accountable:** regulators must be able to justify decisions, and be subject to public scrutiny;
 - **Consistent:** rules and standards must be joined up and implemented fairly;
 - **Transparent:** regulators should be open, and keep regulations simple and user friendly; and
 - **Targeted:** regulation should be focused on the problem, and minimise side effects.
- 7.3 This licensing authority will endeavour to avoid duplication with other regulatory regimes so far as possible.
- 7.4 This licensing authority has adopted and implemented a risk-based inspection programme, based on:
- the licensing objectives
 - relevant codes of practice
 - guidance issued by the Gambling Commission
 - the principles set out in this statement of principles.

- 7.5 This may include test purchasing activities to measure the compliance of licensed operators with aspects of the Gambling Act. When undertaking test purchasing activities, this licensing authority will undertake to liaise with the Gambling Commission, the Primary Authority (if applicable) and the operator to determine what other, if any, test purchasing schemes may already be in place. Irrespective of the actions of an operator on their overall estate, test purchasing may be deemed to be an appropriate course of action.
- 7.6 The main enforcement and compliance role for this licensing authority in terms of the Gambling Act 2005 is to ensure compliance with the premises licences and other permissions which it authorises. The Gambling Commission is the enforcement body for the operating and personal licences. It is also worth noting that concerns about manufacture, supply or repair of gaming machines are not dealt with by the licensing authority but should be notified to the Gambling Commission.
- 7.7 This licensing authority also keeps itself informed of developments as regards the work of the Department for Business, Energy & Industrial Strategy in its consideration of the regulatory functions of local authorities.
- 7.8 Bearing in mind the principle of transparency, this licensing authority's enforcement/compliance protocols/written agreements are available upon request to the licensing team (see Annex 1 for relevant contact details).

8. Licensing authority functions

- 8.1 Licensing authorities are required under the Act to:
- be responsible for the licensing of premises where gambling activities are to take place by issuing *Premises Licences*
 - issue Provisional Statements
 - regulate *members' clubs* and *miners' welfare institutes* who wish to undertake certain gaming activities via issuing Club Gaming Permits and/or Club Machine Permits
 - issue Club Machine Permits to Commercial Clubs
 - grant permits for the use of certain lower stake gaming machines at *unlicensed Family Entertainment Centres*
 - receive notifications from alcohol licensed premises (under the Licensing Act 2003) for the use of two or fewer gaming machines
 - issue *Licensed Premises Gaming Machine Permits* for premises licensed to sell/supply alcohol for consumption on the licensed premises, under the Licensing Act 2003, where there are more than two machines
 - register *small society lotteries* below prescribed thresholds
 - issue Prize Gaming Permits
 - receive and Endorse *Temporary Use Notices*
 - receive Occasional Use Notices
 - provide information to the Gambling Commission regarding details of licences issued (see section above on 'information exchange')
 - maintain registers of the permits and licences that are issued under these functions
- 8.2 It should be noted that licensing authorities are not to be involved in licensing remote gambling as this is regulated by the Gambling Commission via operating licences.

PART B: PREMISES LICENCES: CONSIDERATION OF APPLICATIONS

1. General Principles

- 1.1 Premises licences are subject to the requirements set out in the Gambling Act 2005 and regulations, as well as specific mandatory and default conditions which are detailed in regulations issued by the Secretary of State. Licensing authorities are able to exclude default conditions and also attach others, where it is believed to be appropriate and in accordance with the decision making set out below.

(i) Decision-making

- 1.2 This licensing authority is aware that in making decisions about premises licences, including licence conditions, it should aim to permit the use of premises for gambling if it believes it is in accordance with the following:

- in accordance with any relevant code of practice issued by the Gambling Commission;
- in accordance with any relevant guidance issued by the Gambling Commission;
- reasonably consistent with the licensing objectives; and
- in accordance with the authority's statement of licensing policy.

- 1.3 It is appreciated that as per the Gambling Commission's Guidance to Licensing Authorities "moral or ethical objections to gambling are not a valid reason to reject applications for premises licences" (with the exception of the casino resolution powers).

(ii) Definition of "premises"

- 1.4 In the Act, "premises" is defined as including "any place". Section 152 therefore prevents more than one premises licence applying to any place. But a single building could be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can be reasonably regarded as being different premises. This approach has been taken to allow large, multiple unit premises such as a pleasure park, pier, track or shopping mall to obtain discrete premises licences, where appropriate safeguards are in place. However, licensing authorities should pay particular attention if there are issues about sub-divisions of a single building or plot and should ensure that mandatory conditions relating to access between premises are observed.

- 1.5 This licensing authority takes particular note of the Gambling Commission's Guidance to Licensing Authorities which states that: licensing authorities should take particular care in considering applications for multiple licences for a building and those relating to a discrete part of a building used for other (non-gambling) purposes. In particular they should be aware of the following:

- the third licensing objective seeks to protect children from being harmed by gambling. In practice that means not only preventing them from taking part in gambling where they are prohibited from participating in but also preventing them from being in close proximity to gambling activities where they are prohibited from participating in. Therefore, premises should be configured so that children are not invited to participate in, have accidental access to or closely observe gambling where they are prohibited from participating.
- entrances to and exits from parts of a building covered by one or more premises licences should be separate and identifiable so that the separation of different premises is not compromised, and people do not "drift" into a gambling area. In this context it should normally be possible to access the premises without going through another licensed premises or premises with a permit;
- customers should be able to participate in the activity names on the premises licence.

- 1.6 The Guidance also gives a list of factors which the licensing authority should be aware of, which may include whether:

- the premises have a separate registration for business rates;
- the premises' neighbouring premises are owned by the same person or someone else?
- the premises can be accessed from the street or a public passageway?
- the premises can only be accessed from any other gambling premises?

1.7 This authority will consider these and other relevant factors in making its decision, depending on all the circumstances of the case.

The Gambling Commission's relevant access provisions for each premises type are reproduced below:

Casinos

- The principal access entrance to the premises must be from a street;
- No entrance to a casino must be from premises that are used wholly or mainly by children and/or young persons;
- No customer must be able to enter a casino directly from any other premises which holds a gambling premises licence.

Adult Gaming Centre

- No customer must be able to access the premises directly from any other licensed gambling premises

Betting Shops

- Access must be from a street or from another premises with a betting premises licence;
- No direct access from a betting shop to another premises used for the retail sale of merchandise or services. In effect there cannot be an entrance to a betting shop from a shop of any kind and you could not have a betting shop at the back of a café – the whole area would have to be licensed.

Tracks

- No customer should be able to access the premises directly from:
 - a casino
 - an adult gaming centre

Bingo Premises

- No customer must be able to access the premise directly from:
 - a casino
 - an adult gaming centre
 - a betting premises, other than a track

Family Entertainment Centre

- No customer must be able to access the premises directly from:
 - a casino
 - an adult gaming centre
 - a betting premises, other than a track

- 1.8 The Gambling Commission's Guidance to Licensing Authorities contains further guidance on this issue, which this authority will also take into account in its decision-making.

(iii) Premises "ready for gambling"

- 1.9 The Guidance states that a licence to use premises for gambling should only be issued in relation to premises that the licensing authority can be satisfied are going to be ready to be used for gambling in the reasonably near future, consistent with the scale of building or alterations required before the premises are brought into use.
- 1.10 If the construction of a premises is not yet complete, or if they need alteration, or if the applicant does not yet have a right to occupy them, then an application for a provisional statement should be made instead. Operators can apply for a premises licence in respect of premises which have still to be constructed or altered, and the licensing authority will determine any such applications on their merits. Such cases will be considered in a two stage process; first, the licensing authority will decide whether, as a matter of substance after applying the principles in s.153 of the Act, the premises ought to be permitted to be used for gambling; second, in deciding whether or not to grant the application the licensing authority will consider if appropriate conditions can be put in place to cater for the situation that the premises are not yet in the state in which they ought to be before gambling takes place.
- 1.11 In deciding whether a premises licence can be granted where there are outstanding construction or alteration works at a premises, this authority will determine applications on their merits, applying a two stage consideration process:
- first, whether the premises ought to be permitted to be used for gambling;
 - second, whether appropriate conditions can be put in place to cater for the situation that the premises are not yet in the state in which they ought to be before gambling takes place.
- 1.12 Applicants should note that this authority is entitled to decide that it is appropriate to grant a licence subject to conditions, but it is not obliged to grant such a licence.
- 1.13 More detailed examples of the circumstances in which such a licence may be granted can be found in the Guidance.

(iv) Location

- 1.14 This licensing authority is aware that demand issues cannot be considered with regard to the location of premises but that considerations in terms of the licensing objectives are relevant to its decision-making. This authority will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues of crime and disorder. This authority has the option of adding conditions to a premises licence to address any such concerns.

(v) Planning:

- 1.15 This authority will not take into account irrelevant matters as per the Gambling Commission guidance.

(vi) Duplication with other regulatory regimes

- 1.16 This licensing authority seeks to avoid any duplication with other statutory/regulatory systems where possible, including planning. This authority will not consider whether a licence application is likely to be awarded planning permission or building regulations approval, in its consideration of it. It will though, listen to, and consider carefully, any concerns about conditions which are not able to be met by licensees due to planning restrictions, should such a situation arise.
- 1.17 When dealing with a premises licence application for finished buildings, this authority will not take into account whether those buildings have to comply with the necessary planning or buildings consents. Fire

or health and safety risks will not be taken into account, as these matters are dealt with under relevant planning control, buildings and other regulations and must not form part of the consideration for the premises licence.

1.18 Licensing Objectives

Premises licences granted must be reasonably consistent with the licensing objectives. With regard to these objectives, this licensing authority has considered the Gambling Commission's Guidance to Licensing Authorities and some comments are made below.

- 1.19 Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime - This licensing authority is aware that the Gambling Commission takes a leading role in preventing gambling from being a source of crime. The Gambling Commission's Guidance does however envisage that licensing authorities should pay attention to the proposed location of gambling premises in terms of this licensing objective. Thus, where an area has known high levels of organised crime this authority will consider carefully whether gambling premises are suitable to be located there and whether conditions may be suitable such as the provision of door supervisors. This licensing authority is aware of the distinction between disorder and nuisance and will consider factors (for example whether police assistance was required and how threatening the behaviour was to those who could see it) so as to make that distinction.

- 1.20 **Ensuring that gambling is conducted in a fair and open way** - This licensing authority has noted that the Gambling Commission states that it generally does not expect licensing authorities to be concerned with ensuring that gambling is conducted in a fair and open way as this will be addressed via operating and personal licences. There is however, more of a role with regard to tracks which is explained in more detail in the 'tracks' section of this document.

- 1.21 **Protecting children and other vulnerable persons from being harmed or exploited by gambling** - This licensing authority has noted the Gambling Commission's Guidance that this objective means preventing children from taking part in gambling they are prohibited from participating in (as well as restriction of advertising so that gambling products are not aimed at or are, particularly attractive to children). The licensing authority will therefore consider, as suggested in the Gambling Commission's Guidance, whether specific measures are required at particular premises, with regard to this licensing objective. Appropriate measures may include supervision of entrances / machines, segregation of areas etc.

- 1.22 This licensing authority is also aware of the Gambling Commission Codes of Practice as regards this licensing objective, in relation to specific premises.

1.23 Conditions

Any conditions attached to licences will be proportionate and will be:

- relevant to the need to make the proposed building suitable as a gambling facility;
- directly related to the premises and the type of licence applied for;
- fairly and reasonably related to the scale and type of premises; and
- reasonable in all other respects.

- 1.24 Decisions upon individual conditions will be made on a case by case basis, although there will be a number of measures this licensing authority will consider utilising should there be a perceived need, such as the use of supervisors, appropriate signage for adult only areas etc. There are specific comments made in this regard under some of the licence types below. This licensing authority will also expect the licence applicant to offer his/her own suggestions as to a way in which the licensing objectives can be met effectively.

- 1.25 This licensing authority will also consider specific measures which may be required for buildings which are subject to multiple premises licences. Such measures may include the supervision of entrances; segregation of gambling from non-gambling areas frequented by children; and the supervision of gaming machines in non-adult gambling specific premises in order to pursue the licensing objectives.

These matters are in accordance with the Gambling Commission's Guidance.

- 1.26 This authority will also ensure that where category C or above machines are on offer in premises to which children are admitted:
- all such machines are located in an area of the premises which is separated from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;
 - only adults are admitted to the area where these machines are located;
 - access to the area where the machines are located is supervised; supervision can be via CCTV providing the CCTV is monitored by one or more persons whose responsibilities include ensuring under 18s do not enter the areas.
 - the area where these machines are located is arranged so that it can be observed by the staff or the licence holder; and
 - at the entrance to and inside any such areas there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.

These considerations will apply to premises including buildings where multiple premises licences are applicable.

- 1.27 This licensing authority is aware that tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track. As per the Gambling Commission's Guidance, this licensing authority will consider the impact upon the third licensing objective and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

- 1.28 It is noted that there are conditions which the licensing authority cannot attach to premises licences which are:
- any condition on the premises licence which makes it impossible to comply with an operating licence condition;
 - conditions relating to gaming machine categories, numbers, or method of operation;
 - conditions which provide that membership of a club or body be required (the Gambling Act 2005 specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated; and
 - conditions in relation to stakes, fees, winning or prizes.

1.29 Door Supervisors

The Gambling Commission advises in its Guidance to Licensing Authorities that if a licensing authority is concerned that a premises may attract disorder or be subject to attempts at unauthorised access (for example by children and young persons) then it may require that the entrances to the premises are controlled by a door supervisor, and is entitled to impose a premises licence to this effect.

- 1.30 Where it is decided that supervision of entrances/machines is appropriate for particular cases, a consideration of whether these need to be SIA licensed or not will be necessary. It will not be automatically assumed that they need to be licensed, as the statutory requirements for different types of premises vary.

2. Adult Gaming Centres

- 2.1 This licensing authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to, for example, ensure that under 18 year olds do not have access to the premises.

2.2 This licensing authority may consider measures to meet the licensing objectives such as:

- proof of age schemes
- CCTV
- supervision of entrances / machine areas
- physical separation of areas
- location of entry
- notices / signage
- specific opening hours
- self-exclusion schemes
- provision of information leaflets / helpline numbers for organisations such as GamCare.

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

3. (Licensed) Family Entertainment Centres

3.1 This licensing authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority, for example, that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machine areas.

3.2 This licensing authority may consider measures to meet the licensing objectives such as:

- CCTV
- supervision of entrances / machine areas
- physical separation of areas
- location of entry
- notices / signage
- specific opening hours
- self-exclusion schemes
- provision of information leaflets / helpline numbers for organisations such as GamCare.
- measures / training for staff on how to deal with children that are not endowed with authority to be absent from school and on the premises, this includes electively home schooled and excluded children.

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

3.3 This licensing authority will, as per the Gambling Commission's guidance, refer to the Commission's website to see any conditions that apply to operating licences covering the way in which the area containing the category C machines should be delineated. This licensing authority will also make itself aware of any mandatory or default conditions on these premises licences, when they have been published.

4. Casinos

4.1 Cherwell District Council has not adopted a 'no casino' resolution under Section 166 of the Gambling Act 2005, but is aware that it has the power to do so. Should this licensing authority decide in the future to pass such a resolution, it will update this policy statement with details of that resolution. Any such decision will be made by the Full Council

5. Bingo premises

5.1 This licensing authority will satisfy itself that bingo can be played in any bingo premises for which they issue a premises licence. This will be a relevant consideration where the operator of an existing bingo

premises applies to vary their licence to exclude an area of the existing premises from its ambit and then applies for a new premises licence, or multiple licences, for that or those excluded areas.

- 5.2 This authority also notes the Guidance regarding the unusual circumstances in which the splitting of pre-existing premises into two adjacent premises might be permitted.

6. Betting premises

- 6.1 *Betting machines* - This licensing authority will, as per the Gambling Commission's Guidance, take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator wants to offer.

7. Tracks

- 7.1 This licensing authority is aware that tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track. As per the Gambling Commission's Guidance, this licensing authority will especially consider the impact upon the third licensing objective (i.e. the protection of children and vulnerable persons from being harmed or exploited by gambling) and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.
- 7.2 This authority will therefore expect the premises licence applicant to demonstrate suitable measures to ensure that children do not have access to adult only gaming facilities. It is noted that children and young persons will be permitted to enter track areas on days that schools are not open to pupils and where facilities for betting are provided on days when dog-racing and/or horse racing takes place, but that they are still prevented from entering areas where gaming machines (other than category D machines) are provided.
- 7.3 This licensing authority may consider measures to meet the licensing objectives such as:
- Proof of age schemes
 - CCTV
 - Supervision of entrances / machine areas
 - Physical separation of areas
 - Location of entry
 - Notices / signage
 - Specific opening hours
 - Self-exclusion schemes
 - Provision of information leaflets / helpline numbers for organisations such as GamCare

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

- 7.4 *Gaming machines* - Where the applicant holds a pool betting operating licence and is going to use the entitlement to four gaming machines, machines (other than category D machines) should be located in areas from which children are excluded.
- 7.5 *Betting machines* - This licensing authority will, as per the Gambling Commission's Guidance, take into account the size of the premises and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator proposes to offer.

Applications and plans

- 7.6 The Gambling Act (s51) requires applicants to submit plans of the premises with their application, in order to ensure that the licensing authority has the necessary information to make an informed judgement about whether the premises are fit for gambling. The plan will also be used for the licensing authority to plan future premises inspection activity.
- 7.7 Plans for tracks do not need to be in a particular scale, but should be drawn to scale and should be sufficiently detailed to include the information required by regulations.
- 7.8 Some tracks may be situated on agricultural land where the perimeter is not defined by virtue of an outer wall or fence, such as point-to-point racetracks. In such instances, where an entry fee is levied, track premises licence holders may erect temporary structures to restrict access to premises.
- 7.9 In the rare cases where the outer perimeter cannot be defined, it is likely that the track in question will not be specifically designed for the frequent holding of sporting events or races. In such cases betting facilities may be better provided through occasional use notices where the boundary premises do not need to be defined.
- 7.10 This authority appreciates that it is sometimes difficult to define the precise location of betting areas on tracks. The precise location of where betting facilities are provided is not required to be shown on track plans, both by virtue of the fact that betting is permitted anywhere on the premises and because of the difficulties associated with pinpointing exact locations for some types of track. Applicants should provide sufficient information that this authority can satisfy itself that the plan indicates the main areas where betting might take place. For racecourses in particular, any betting areas subject to the “five times rule” (commonly known as betting rings) must be indicated on the plan.

8. Travelling fairs

- 8.1 This licensing authority is responsible for deciding whether, where category D machines and/or equal chance prize gaming without a permit is to be made available for use at travelling fairs, the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at the fair is met.
- 8.2 The licensing authority will also consider whether the applicant falls within the statutory definition of a travelling fair.
- 8.3 It is noted that the 27-day statutory maximum for the land being used as a fair applies on a per calendar year basis, and that it applies to the piece of land on which the fairs are held, regardless of whether it is the same or different travelling fairs occupying the land. This licensing authority will work with its neighbouring authorities to ensure that land which crosses our boundaries is monitored so that the statutory limits are not exceeded.

9. Provisional statements

- 9.1 Developers may wish to apply to this authority for provisional statements before entering into a contract to buy or lease property or land to judge whether a development is worth taking forward in light of the need to obtain a premises licence. There is no need for the applicant to hold an operating licence in order to apply for a provisional statement.
- 9.2 S204 of the Gambling Act provides for a person to make an application to the licensing authority for a provisional statement in respect of premises that he or she:
- expects to be constructed;

- expects to be altered; or
 - expects to acquire a right to occupy.
- 9.3 The process for considering an application for a provisional statement is the same as that for a premises licence application. The applicant is obliged to give notice of the application in the same way as applying for a premises licence. Responsible authorities and interested parties may make representations and there are rights of appeal.
- 9.4 In contrast to the premises licence application, the applicant does not have to hold or have applied for an operating licence from the Gambling Commission (except in the case of a track) and they do not have to have a right to occupy the premises in respect of which their provisional application is made.
- 9.5 The holder of a provisional statement may then apply for a premises licence once the premises are constructed, altered or acquired. The licensing authority will be constrained in the matters it can consider when determining the premises licence application, and in terms of representations about premises licence applications that follow the grant of a provisional statement, no further representations from relevant authorities or interested parties can be taken into account unless:
- they concern matters which could not have been addressed at the provisional statement stage, or
 - they reflect a change in the applicant's circumstances.
- 9.6 In addition, the authority may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:
- which could not have been raised by objectors at the provisional statement stage;
 - which in the authority's opinion reflect a change in the operator's circumstances; or
 - where the premises has not been constructed in accordance with the plan submitted with the application. This must be a substantial change to the plan and this licensing authority notes that it can discuss any concerns it has with the applicant before making a decision.

10. Reviews

- 10.1 Requests for a review of a premises licence can be made by interested parties or responsible authorities; however, it is for the licensing authority to decide whether the review is to be carried-out. This will be on the basis of whether the request for the review is relevant to the matters listed below:
- in accordance with any relevant Code of Practice issued by the Gambling Commission;
 - in accordance with any relevant guidance issued by the Gambling Commission;
 - reasonably consistent with the licensing objectives; and
 - in accordance with the authority's statement of principles.
- 10.2 The request for the review will also be subject to the consideration by the authority as to whether the request is frivolous, vexatious, or whether it will certainly not cause this authority to wish to alter/revoke/suspend the licence, or whether it is substantially the same as previous representations or requests for review.
- 10.3 The licensing authority can also initiate a review of a particular premises licence, or a particular class of premises licence on the basis of any reason which it thinks is appropriate.
- 10.4 Once a valid application for a review has been received by the licensing authority, representations can be made by responsible authorities and interested parties during a 28 day period. This period begins 7 days after the application was received by the licensing authority, who will publish notice of the application within 7 days of receipt.

- 10.5 The licensing authority must carry out the review as soon as possible after the 28 day period for making representations has passed.
- 10.6 The purpose of the review will be to determine whether the licensing authority should take any action in relation to the licence. If action is justified, the options open to the licensing authority are to:
- (a) add, remove or amend a licence condition imposed by the licensing authority;
 - (b) exclude a default condition imposed by the Secretary of State or Scottish Ministers (e.g. opening hours) or remove or amend such an exclusion;
 - (c) suspend the premises licence for a period not exceeding three months; and
 - (d) revoke the premises licence.
- 10.7 In determining what action, if any, should be taken following a review, the licensing authority must have regard to the principles set out in section 153 of the Act, as well as any relevant representations.
- 10.8 In particular, the licensing authority may also initiate a review of a premises licence on the grounds that a premises licence holder has not provided facilities for gambling at the premises. This is to prevent people from applying for licences in a speculative manner without intending to use them.
- 10.9 Once the review has been completed, the licensing authority must, as soon as possible, notify its decision to:
- the licence holder
 - the applicant for review (if any)
 - the Commission
 - any person who made representations
 - the chief officer of police or chief constable; and
 - Her Majesty's Commissioners for Revenue and Customs

PART C: PERMITS / TEMPORARY & OCCASIONAL USE NOTICES

1. Unlicensed family entertainment centre gaming machine permits (Statement of Principles on Permits - Schedule 10 paragraph 7)

- 1.1 Where a premises does not hold a premises licence but wishes to provide gaming machines, it may apply to the licensing authority for this permit. It should be noted that the applicant must show that the premises will be wholly or mainly used for making gaming machines available for use (Section 238).
- 1.2 The Gambling Act 2005 states that a licensing authority may prepare a *statement of principles* that they propose to consider in determining the suitability of an applicant for a permit and in preparing this statement, and/or considering applications, it need not (but may) have regard to the licensing objectives and shall have regard to any relevant guidance issued by the Commission.

It should be noted that a licensing authority cannot attach conditions to this type of permit.

Statement of Principles This licensing authority will expect the applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations. The efficiency of such policies and procedures will each be considered on their merits, however, they may include appropriate measures / training for staff as regards to children that are not endowed with authority to be absent from school and on the premises this includes electively home schooled and excluded children, measures / training covering how staff would deal with unsupervised very young children being on the premises, or children causing perceived problems on / around the premises. This licensing authority will also expect, as per Gambling Commission Guidance, that applicants demonstrate a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs; that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act); and that staff are trained to have a full understanding of the maximum stakes and prizes.

2. (Alcohol) Licensed premises gaming machine permits - (Schedule 13 paragraph 4(1))

Automatic entitlement: 2 machines

- 2.1 There is provision in the Act for premises licensed to sell alcohol for consumption on the premises to automatically have 2 gaming machines, of categories C and/or D. The premises merely need to notify the licensing authority and pay the prescribed fee.
- 2.2 The licensing authority can remove the automatic authorisation in respect of any particular premises if:
 - provision of the machines is not reasonably consistent with the pursuit of the licensing objectives;
 - gaming has taken place on the premises that breaches a condition of section 282 of the Gambling Act (i.e. that written notice has been provided to the licensing authority, that a fee has been provided and that any relevant code of practice issued by the Gambling Commission about the location and operation of the machine has been complied with);
 - the premises are mainly used for gaming; or
 - an offence under the Gambling Act has been committed on the premises.

Permit: 3 or more machines

- 2.3 If a premises wishes to have more than 2 machines, then it needs to apply for a permit and the licensing authority must consider that application based upon the licensing objectives, any guidance issued by the Gambling Commission issued under Section 25 of the Gambling Act 2005, and “*such matters as they think relevant.*”

- 2.4 This licensing authority considers that “such matters” will be decided on a case by case basis but generally there will be regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machines. Measures which will satisfy the authority that there will be no access may include the adult machines being in sight of the bar, or in the sight of staff who will monitor that the machines are not being used by those under 18. Notices and signage may also help. As regards the protection of vulnerable persons, applicants may wish to consider the provision of information leaflets/helpline numbers for organisations such as GamCare.
- 2.5 It is recognised that some alcohol licensed premises may apply for a premises licence for their non-alcohol licensed areas. Any such application would most likely need to be applied for, and dealt with as an Adult Gaming Centre premises licence.
- 2.6 It should be noted that the licensing authority can decide to grant the application with a smaller number of machines and/or a different category of machines than that applied for. Conditions (other than these) cannot be attached.
- 2.7 It should also be noted that the holder of a permit must comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machine.

3. Prize gaming permits

- 3.1 The Gambling Act 2005 states that a licensing authority may “prepare a statement of principles that they propose to apply in exercising their functions under this Schedule” which “may, in particular, specify matters that the licensing authority proposes to consider in determining the suitability of the applicant for a permit”.
- 3.2 This Licensing Authority has not prepared a statement of principles. Should it decide to do so it will include details in a revised version of the policy statement.
- 3.3 In making its decision on an application for this permit the licensing authority does not need to (but may) have regard to the licensing objectives but must have regard to any Gambling Commission guidance (Gambling Act 2005, Schedule 14 paragraph 8(3)).
- 3.4 It should be noted that there are conditions in the Gambling Act 2005 by which the permit holder must comply, but that the licensing authority cannot attach conditions. The conditions in the Act are:
- the limits on participation fees, as set out in regulations, must be complied with;
 - all chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day; the game must be played and completed on the day the chances are allocated; and the result of the game must be made public in the premises on the day that it is played;
 - the prize for which the game is played must not exceed the amount set out in regulations (if a money prize), or the prescribed value (if non-monetary prize); and
 - participation in the gaming must not entitle the player to take part in any other gambling.

4. Club gaming and Club Machines Permits

- 4.1 Members clubs and miners' welfare institutes (but not commercial clubs) may apply for a club gaming permit. The permit will enable the premises to provide gaming machines (3 machines of categories B, C or D), equal chance gaming and games of chance as set-out in forthcoming regulations.

- 4.2 Members clubs and miners' welfare institutes – and also commercial clubs – may apply for a Club Machine Permit. A Club Machine permit will enable the premises to provide gaming machines (3 machines of categories B, C or D). NB commercial clubs may not site category B3A gaming machines offering lottery games in their club.
- 4.3 The club must be conducted 'wholly or mainly' for purposes other than gaming, unless the gaming is permitted by separate regulations. The Secretary of State has made regulations and these cover bridge and whist clubs.
- 4.4 Licensing authorities may only refuse an application on the grounds that:
- (a) the applicant does not fulfil the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which it has applied;
 - (b) the applicant's premises are used wholly or mainly by children and/or young persons;
 - (c) an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;
 - (d) a permit held by the applicant has been cancelled in the previous ten years; or
 - (e) an objection has been lodged by the Commission or the police.
- 4.5 There is also a 'fast-track' procedure available under the Act for premises which hold a club premises certificate under the Licensing Act 2003 (Schedule 12 paragraph 10). Commercial clubs cannot hold club premises certificates under the Licensing Act 2003 and so cannot use the fast-track procedure.
- 4.6 There are statutory conditions on club gaming permits that no child uses a category B or C machine on the premises and that the holder complies with any relevant provision of a code of practice about the location and operation of gaming machines.

5. Temporary use notices

- 5.1 Temporary use notices allow the use of premises for gambling where there is no premises licence but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling. Premises that might be suitable for a temporary use notice, according to the Gambling Commission, would include hotels, conference centres and sporting venues.
- 5.2 The licensing authority can only grant a temporary use notice to a person or company holding a relevant operating licence, i.e. a non-remote casino operating licence.
- 5.3 The Secretary of State has the power to determine what form of gambling can be authorised by temporary use notices, and at the time of writing this Statement the relevant regulations (SI no 3157: The Gambling Act 2005 (Temporary Use Notices) Regulations 2007) state that temporary use notices can only be used to permit the provision of facilities for equal chance gaming, where the gaming is intended to produce a single winner, which in practice means poker tournaments.
- 5.4 There are a number of statutory limits as regards temporary use notices. The meaning of "premises" in Part 8 of the Act is discussed in the Gambling Commission Guidance to Licensing Authorities. As with "premises", the definition of "a set of premises" will be a question of fact in the particular circumstances of each notice that is given. In the Act "premises" is defined as including "any place".
- In considering whether a place falls within the definition of "a set of premises", the licensing authority needs to look at, amongst other things, the ownership/occupation and control of the premises.
- 5.5 This licensing authority expects to object to notices where it appears that their effect would be to permit regular gambling in a place that could be described as one set of premises, as recommended in the Gambling Commission's Guidance to Licensing Authorities.

6. Occasional use notices (OUNs)

- 6.1 The licensing authority has very little discretion as regards these notices aside from ensuring that the statutory limit of 8 days in a calendar year is not exceeded. This licensing authority will though, consider the definition of a 'track' and whether the applicant is permitted to avail him/herself of the notice. This licensing authority will also ensure that no more than 8 OUNs are issued in one calendar year in respect of any venue.

7. Small society lotteries

- 7.1 This licensing authority will adopt a risk-based approach towards its enforcement responsibilities for small society lotteries. This authority considers that the following list, although not exclusive, could affect the risk status of the operator:
- submission of late returns (returns must be submitted no later than three months after the date on which the lottery draw was held);
 - submission of incomplete or incorrect returns;
 - breaches of the limits for small society lotteries.
- 7.2 Non-commercial gaming is permitted if it takes place at a non-commercial event, either as an incidental or principal activity at the event. Events are non-commercial if no part of the proceeds is for private profit or gain. The proceeds of such events may benefit one or more individuals if the activity is organised:
- by, or on behalf of, a charity or for charitable purposes
 - to enable participation in, or support of, sporting, athletic or cultural activities.
- 7.3 Charities and community groups should contact Cherwell District Councils licensing department.

PART D: ANNEXES

Annex 1: List of Local Authorities and other Partners

Cherwell District Council

Bodicote House
Bodicote
Banbury
OX15 4AA
TEL: 01295 753738
licensing@cherwell-dc.gov.uk

Oxfordshire Fire and Rescue Service

Oxfordshire Fire and Rescue Service
Headquarters
Sterling Road
Kidlington
Oxfordshire OX2 2DU
TEL: 01865 891189

<https://www.oxfordshire.gov.uk/cms/public-site/fire-and-rescue-service>

The Gambling Commission

Victoria Square House
Victoria Square
Birmingham
B2 4BP
TEL: 01212306666
info@gamblingcommission.gov.uk

Oxfordshire Safeguarding

Oxfordshire Safeguarding Board
Officer
3rd Floor County Hall
New Road
Oxford OX5 2NX
<http://www.oscb.org.uk/>

Thames Valley Police

Licensing Department
Thames Valley Police
E Block HQ South
165 Oxford Road
Kidlington
Oxfordshire OX5 2NX
TEL: 0845 8505505

<http://www.thamesvalley.police.uk/>

H M Revenue & Customs

Holland House
20 Oxford Road
Bournemouth
BH8 8DZ

www.hmrc.gov.uk

The Planning Authority

Bodicote House
Banbury
OX15 4AA
TEL: 01295 753738

planning@cherwell-dc.gov.uk

Annex 2: List of Consultees on the original Statement of Principles

(Please note not all consultees listed below will be reconsulted in all subsequent policy reviews)

- Association of British Bookmakers Warwick House, 25 Buckingham Palace Road, London, SW1W 0PP
- British Beer and Pub Association, Market Towers, 1 Nine Elms Lane, London, SW8 5NQ
- Gambling Commission, Victoria Square House, Victoria Square, Birmingham, B2 4BP
- HM Revenue and Customs, Holland House, 20 Oxford Road, Bournemouth, BH8 8DZ
- Thames Valley Police, Thames Valley Police Headquarters, Oxford Road, Kidlington, Oxon, OX5 2NX
- Oxon PCC, The Farmhouse, Thames Valley Police Headquarters, Oxford Road, Kidlington, Oxon, OX5 2NX
- Oxon Safeguarding Childrens Board, 3rd Floor, Oxfordshire County Council, County Hall, New Road, Oxford, OX1 1ND
- Oxon Safeguarding Adults Board, 3rd Floor, Oxfordshire County Council, County Hall, New Road, Oxford, OX1 1ND
- Bingo Association, 75 High Street North, Dunstable, LU6 1JF
- Gamcare, 1st Floor, CAN Mezzanine Old Street, London, N1 6AH
- BACTA, 134-136 Buckingham Palace Road, London, SW1W 9SA
- Public Health Oxfordshire, Public Health Team, OCC, County Hall, New Road, Oxford, OX1 1ND
- Parish Councils
- District Councillors
- Health Protection
- Environmental Protection
- Licensed premises

Annex 3: Local Area Profile

Gambling Act Local Area Profile – Cherwell District Council

Cherwell is predominantly a rural district with 3 main towns; Banbury, Bicester and Kidlington. At the last census in 2021 the population was 161,000 with around 63% of that number living in the 3 main towns. A district area map is available at: <https://www.cherwell.gov.uk/downloads/download/975/district-map>

The licensing authority does not have any information that there are specific issues around gambling at present.

The licensing authority would recommend that the following matters are considered by operators when preparing their local risk assessment:

- the location of the premises to services for children such as schools, playgrounds, leisure/community centres and other areas where children will gather;
- the vicinity of the premises to gambling or addiction support or treatment centres where children or vulnerable groups may be present;
- Range of facilities in proximity to the licensed premises such as other gambling outlets, banks, post offices, service tills, refreshment and entertainment type facilities;
- the demographics of the area in relation to vulnerable groups;
- whether the premises is in an area subject to high levels of crime and/or disorder;
- local risk assessments should show how vulnerable people, including people with gambling dependencies are protected including the use of Information held by the licensee regarding self- exclusions and incidences of underage gambling.
- Known problems in the area such as problems arising from street drinkers, youths participating in anti-social behaviour, drug dealing activities, etc.

This list is not exhaustive and other factors not in this list that are identified must be taken into consideration.

The Licensing Authority expects a current copy of the Local Risk Assessment to be kept at the licensed premises.

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Gambling Act Policy consultation summary

Consultation Date: 12th Jan-14th February 2025

Representations

Response

<p>1. As the Authority will appreciate, in matters of regulation under the Gambling Act 2005 (the Act) it is subject to the Regulators' Code. That Code imposes a number of obligations on the Authority, including one that it should carry out its activities in a way that it supports those it regulates to comply and grow. Additionally under the Code, when designing and reviewing policies, the Authority must among other things understand and minimise the negative economic impact of its regulatory activities and regulate and minimise the costs of compliance of those it regulates. Further, the Authority should take an evidence-based approach in determining priority risks and recognise the compliance record of those it regulates. The draft references the "relevant codes of practice" under the sections titled Enforcement (para 7 of Part A) and General Principles (para 1 of Part B), which we believe might be to the Regulators' Code. However, that Code has much broader application than those detailed within the Draft. We suggest it would be helpful to include reference to the Code and the above obligations within the Draft.</p>	<p>Section 7 Enforcement already sets out the Licensing Authorities principles and endeavours to be proportionate, accountable, consistent, transparent and targeted. All of which help to reduce unnecessary impacts on those it regulates.</p>
<p>2. Para 1.1 of Part B – This para states the Authority is able to exclude default conditions and also attach others, "<i>where it is believed to be appropriate</i>". The Gambling Commission's guidance on this is that the Authority "<i>must aim to permit the use of premises for gambling and so should not attach conditions that limit their use except where it is necessary in accordance with the licensing objectives, the Commission's codes of practice and this guidance, or</i></p>	<p>Added wording to make clear any decision on conditions are made in accordance with the decision making set out in 1.2.</p>

<p><i>their own statement of policy. Conversely, licensing authorities should not turn down applications for premises licences where relevant objections can be dealt with through the use of conditions” (see para 9.28 of the Gambling Commission’s Guidance for Licensing Authorities). We suggest that this wording is utilised within this para 1.1 to reiterate the Authority’s aim to permit and clarify when default conditions are excluded, or other conditions are attached.</i></p>	
<p>3. Para 1.5 of Part B (bullet point 1) – The legislation permits children to gamble in some situations on Category D gaming machines, as acknowledged with the use of “<i>where they are prohibited from participating</i>” within this para 1.5. We suggest this para 1.5 should be amended to clarify this further and acknowledge that children are permitted to gamble in these situations. For example, “<i>In practice that means not only preventing them from taking part in gambling</i>” should be removed, and “<i>where they are prohibited from participating</i>” should be repeated after “<i>close proximity to gambling</i>”.</p>	<p>Bullet point reworded to make requirement clear: • <i>the third licensing objective seeks to protect children from being harmed by gambling. In practice that means not only preventing them from taking part in gambling where they are prohibited from participating in but also preventing them from being in close proximity to gambling activities where they are prohibited from participating in. Therefore, premises should be configured so that children are not invited to participate in, have accidental access to or closely observe gambling where they are prohibited from participating.</i></p>
<p>4. Para 1.10 of Part B - For clarity, we refer to the 2008 case of R (on the application of Betting Shop Services Limited) –V– Southend on Sea Borough Council, in which it was held that an applicant could apply for a premises licence (without the need for a provisional statement) even though the premises were not fully constructed – the applicant is not restricted to making an application for a provisional statement. It was held by the court that the then guidance issued by the Gambling Commission was wrong. The Guidance was subsequently amended (please see para 7.59 of the of the Gambling Commission’s Guidance for Licensing Authorities). As such, we suggest that the wording of this para be amended to make it clear that applications for premises licences can be made regardless of whether the building in question is complete or finished or needs to be altered. An applicant may apply for a provisional statement if the building is not complete, but it does not</p>	<p>Added the following to the end of 1.10 of Part B, to make it clear an application can be made. Wording taken from the Gambling Commission Guidance to Local Authorities: <i>Operators can apply for a premises licence in respect of premises which have still to be constructed or altered, and the licensing authority will determine any such applications on their merits. Such cases will be considered in a two stage process; first, the licensing authority will decide whether, as a matter of substance after applying the principles in s.153 of the Act, the premises ought to be permitted to be used for gambling; second, in deciding whether or not to grant the application the licensing authority will consider if appropriate conditions can be put in place to cater for the situation that the premises are not yet in the state in which they ought to be before gambling takes place.</i></p>

have to do so and can instead apply for licence.	
5. Para 1.12 of Part B – With respect, the current drafting for this para may be misinterpreted. S153 of the Gambling Act 2005 (the “Act”) sets out that licensing authority shall aim to permit the use of premises for gambling in so far as the authority think it: in accordance with any relevant codes of practice and guidance of the Gambling Commission; reasonably consistent with the licensing objectives; and in accordance with the Authority’s statement. We suggest this para should be amended to reflect the Authority’s ‘aim to permit’ obligation.	<p>Added wording as follows:</p> <p>1.2 This licensing authority is aware that in making decisions about premises licences, including licence conditions, it should aim to permit the use of premises for gambling if it believes it is in accordance with the following:</p> <ul style="list-style-type: none"> • in accordance with any relevant code of practice issued by the Gambling Commission; • in accordance with any relevant guidance issued by the Gambling Commission; • reasonably consistent with the licensing objectives; and • in accordance with the authority’s statement of licensing policy.
6. Para 1.21 of Part B – As set out in bullet point 3 above, preventing children from taking part in gambling does not apply to Category D gaming machines. We suggest this para 1.21 is amended to reflect this exception.	Added wording to 1.21: <i>prohibited from participating in</i> to sentence as this is consistent with previous reference used in 1.5.
7. Para 1.26 of Part B (bullet point 3) – Para 7.27 of the Gambling Commission’s Guidance for Licensing Authorities states that access to the area where the machines are located is supervised by either: <u>“one or more persons whose responsibilities include ensuring that under- 18s do not enter the areas; or CCTV monitored by one or more persons whose responsibilities include ensuring that under-18s do not enter the areas”</u> . We suggest that para 1.26 is amended to clarify that supervision includes CCTV.	<p>Supervision via CCTV added, wording for CCTV monitoring requirement taken directly from Gambling Commission LA guidance, additional wording added to bullet point in italic:</p> <ul style="list-style-type: none"> • access to the area where the machines are located is supervised; <i>supervision can be via CCTV providing the CCTV is monitored by one or more persons whose responsibilities include ensuring under 18s do not enter the areas.</i>
8. Para 3.2 of Part B (bullet point 9) – The third licensing objective of the Act is to protect children and other vulnerable people from being harmed or exploited <u>by gambling</u> . The obligations placed on the applicant in para 3.2 go beyond this licensing objective. We suggest this para should be removed.	The following is already stated after the bullet points in 3.2: <i>This list is not mandatory, nor exhaustive, and is merely indicative of example measures</i> . It is therefore clear these are not obligations placed, but rather promotion of examples of good practice, so should remain.
9. Para 10.7 of Part B – This para correctly identifies s153 of the Act, but it would be useful to specifically refer to the ‘aim to permit’ language from the Act to reiterate the Authority’s aim to permit obligation	Reference is made in 10.7 to the principles set out in section 153 of the act, addition of “aim to permit” not deemed necessary.

<p>10. Annex 1 of Part D – The Draft does not include an authority in relation to pollution to the environment or harm to human health. This authority should be added within annex 1.</p>	<p>Authorities relevant to pollution and human health are already included as consultees in Annex 2- Annex 2: List of Consultees on the original Statement of Principles. These were consulted during this consultation. No change required.</p>
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Gambling Act Policy 2025 – Summary of Changes

Section	Change	Notes
Annex 3	Amendment to district population taking data from most recent census.	Done pre-consultation.
Annex 3	Added link to district map.	Done pre-consultation.
Part B 1.5	Reworded first bullet point to make it clear what gambling activities children must not be in close proximity to:	<p>Old Wording:</p> <ul style="list-style-type: none"> the third licensing objective seeks to protect children from being harmed by gambling. In practice that means not only preventing them from taking part in gambling, but also preventing them from being in close proximity to gambling. Therefore premises should be configured so that children are not invited to participate in, have accidental access to or closely observe gambling where they are prohibited from participating; <p>New wording:</p> <ul style="list-style-type: none"> <i>the third licensing objective seeks to protect children from being harmed by gambling. In practice that means not only preventing them from taking part in gambling where they are prohibited from participating in but also preventing them from being in close proximity to gambling activities where they are prohibited from participating in. Therefore, premises should be configured so that children are not invited to participate in, have accidental access to or closely observe gambling where they are prohibited from participating.</i>
Part B 1.26	Added wording for CCTV monitoring of access to areas with category C or above machines to bullet point 3.	<p>Old wording:</p> <ul style="list-style-type: none"> access to the area where the machines are located is supervised <p>New Wording :</p> <ul style="list-style-type: none"> <i>access to the area where the machines are located is supervised; supervision can be via CCTV providing the CCTV is monitored by one or more persons whose responsibilities include ensuring under 18s do not enter the areas.</i>
Part B 1.2	Amended wording to make clear licence conditions are considered with the decision making of licences.	<p>Old wording:</p> <p>1.2 This licensing authority is aware that in making decisions about premises licences it should aim to permit the use of premises for gambling in so far as it thinks it:</p> <p>New wording:</p> <p><i>1.2 This licensing authority is aware that in making decisions about premises licences, including licence conditions, it should aim to permit the use of premises for gambling if it believes it is in accordance with the following:</i></p>
Part B 1.1	Added wording to make clear any exclusion or adding of conditions will be made in	<p>Old wording:</p> <p>1.1 Premises licences are subject to the requirements set out in the Gambling Act</p>

	accordance with the decision making set out in 1.2	<p>2005 and regulations, as well as specific mandatory and default conditions which are detailed in regulations issued by the Secretary of State. Licensing authorities are able to exclude default conditions and also attach others, where it is believed to be appropriate.</p> <p>New wording:</p> <p>1.1 <i>Premises licences are subject to the requirements set out in the Gambling Act 2005 and regulations, as well as specific mandatory and default conditions which are detailed in regulations issued by the Secretary of State. Licensing authorities are able to exclude default conditions and also attach others, where it is believed to be appropriate and in accordance with the decision making set out below.</i></p>
Part B 1.21	Added phrase "prohibited from participating in" to reflect cat D machines are not prohibited to be used by under 18s. Cat D machines include crane grabs/drop penny machines.	<p>Old wording:</p> <p>1.21 Protecting children and other vulnerable persons from being harmed or exploited by gambling - This licensing authority has noted the Gambling Commission's Guidance that this objective means preventing children from taking part in gambling (as well as restriction of advertising so that gambling products are not aimed at or are, particularly attractive to children). The licensing authority will therefore consider, as suggested in the Gambling Commission's Guidance, whether specific measures are required at particular premises, with regard to this licensing objective. Appropriate measures may include supervision of entrances / machines, segregation of areas etc.</p> <p>New wording:</p> <p>1.21 <i>Protecting children and other vulnerable persons from being harmed or exploited by gambling - This licensing authority has noted the Gambling Commission's Guidance that this objective means preventing children from taking part in gambling they are prohibited from participating in (as well as restriction of advertising so that gambling products are not aimed at or are, particularly attractive to children). The licensing authority will therefore consider, as suggested in the Gambling Commission's Guidance, whether specific measures are required at particular premises, with regard to this licensing objective. Appropriate measures may include supervision of entrances / machines, segregation of areas etc.</i></p>
1.10 Part B	Added additional wording to make clear an application can be made	<p>Old wording:</p> <p>1.10 If the construction of a premises is not yet complete, or if they need alteration, or if the applicant does not yet have a right to occupy them, then an application for a</p>

		<p>provisional statement should be made instead.</p> <p>New Wording:</p> <p><i>1.10 If the construction of a premises is not yet complete, or if they need alteration, or if the applicant does not yet have a right to occupy them, then an application for a provisional statement should be made instead. Operators can apply for a premises licence in respect of premises which have still to be constructed or altered, and the licensing authority will determine any such applications on their merits. Such cases will be considered in a two stage process; first, the licensing authority will decide whether, as a matter of substance after applying the principles in s.153 of the Act, the premises ought to be permitted to be used for gambling; second, in deciding whether or not to grant the application the licensing authority will consider if appropriate conditions can be put in place to cater for the situation that the premises are not yet in the state in which they ought to be before gambling takes place.</i></p>

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This report is public	
Treasury Management Report – Annual Performance Report 2024/25	
Committee	Council
Date of Committee	21 July 2025
Portfolio Holder presenting the report	Portfolio Holder for Finance, Property and Regeneration, Councillor Lesley McLean
Date Portfolio Holder agreed report	7 May 2025
Report of	Assistant Director of Finance (S151), Michael Furness

Purpose of report

To provide information on treasury management performance and compliance with treasury management policy for 2024-25 as required by the Treasury Management Code of Practice.

To demonstrate that all treasury management activities undertaken during the reporting period complied with the CIPFA Code of Practice and the council's approved Treasury Management Strategy.

The Accounts, Audit and Risk Committee considered and recommended this report to Council at their meeting of 28 May 2025.

1. Recommendations

Council resolves:

- 1.1 To note the contents of this Treasury Management Annual Performance Report and the Capital Prudential indicators attached in appendix 1.

2. Executive Summary

- 2.1 The council complies with the Chartered Institute of Public Finance and Accountancy's Treasury Management in the Public Services: Code of Practice (the CIPFA Code) which requires scrutiny of the quarterly Treasury Management reports.
- 2.2 The council's Treasury Management Strategy for 2024-25 was approved by Council on 26 February 2024. The Treasury indicators have been included in this report as per the 2021 CIPFA Treasury Management in the Public Services Code of Practice requirements.
- 2.3 The council's Capital Strategy covering capital expenditure and non-treasury investments, complying with CIPFA's requirement, was approved by full Council on

26 February 2024. As per 2021 CIPFA Prudential Code for Capital Finance in Local Authorities the Prudential indicators have been attached in Appendix 1.

Implications & Impact Assessments

Implications	Commentary			
Finance	There are no financial implications arising directly from any outcome of this report. Joanne Kaye, Head of Finance, 7 May 2025			
Legal	The presentation of the report is required by regulations issued under the Local Government Act 2003 - to review the treasury management activities, the actual prudential indicators and the treasury related indicators. Shiraz Sheikh, Assistant Director of Law and Governance and Monitoring Officer, 8 May 2025			
Risk Management	It is essential that this report is considered by the Audit Committee as it demonstrates that the risk of not complying with the council's Treasury Management Policy has been avoided. This and any other risks related to this report will be managed through the service operational risk and escalated to the leadership risk register as and when necessary. Shona Ware, Assistant Director Customer Focus, 9 May 2025			
Impact Assessments	Positive	Neutral	Negative	Commentary
Equality Impact		X		Not applicable
A Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?		X		Not applicable
B Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?		X		Not applicable
Climate & Environmental Impact		X		Investments made in line with approved Treasury Strategy

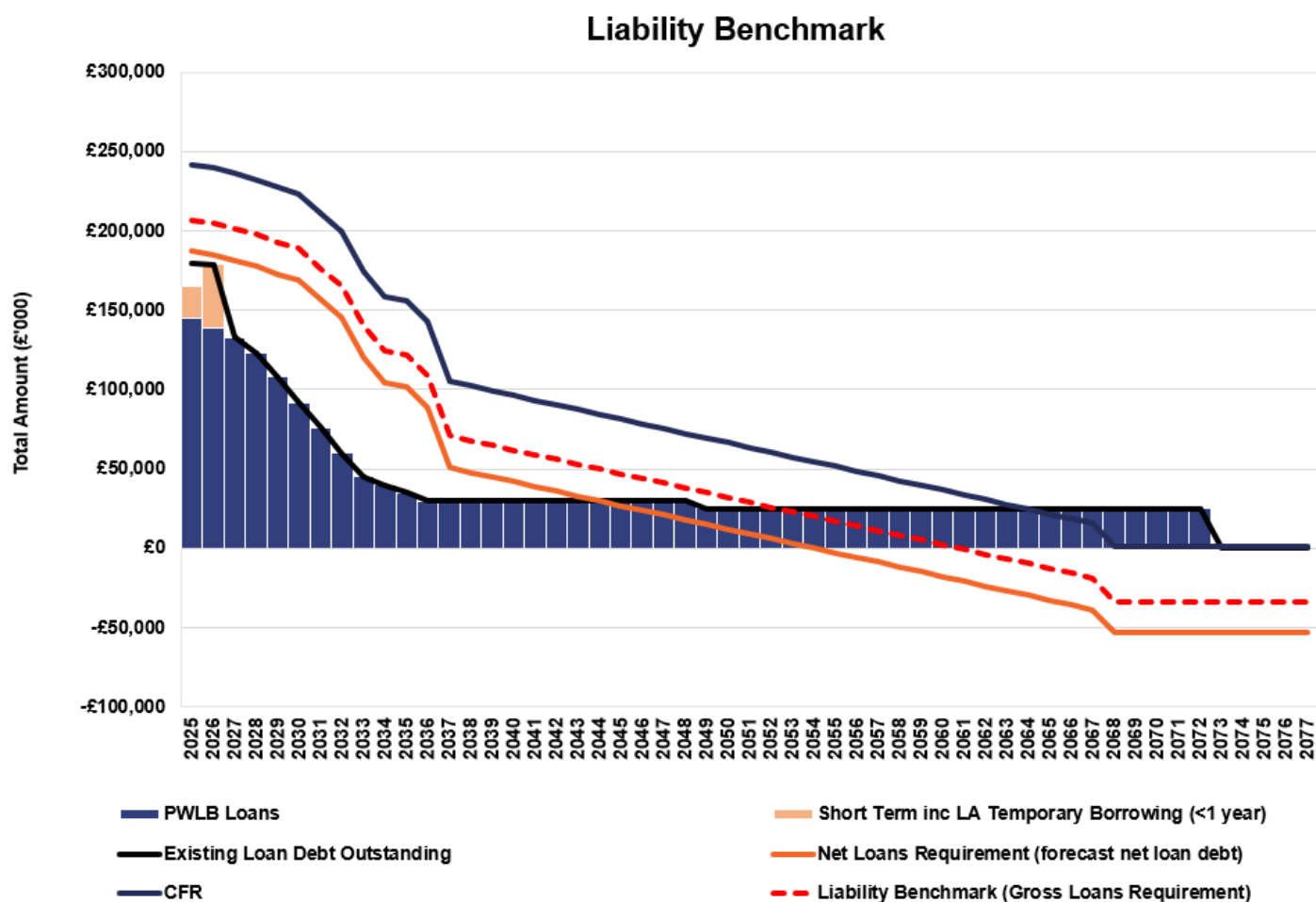
ICT & Digital Impact				Not applicable
Data Impact				Not applicable
Procurement & subsidy				Not applicable
Council Priorities	Not applicable			
Human Resources	Not applicable			
Property	Not applicable			
Consultation & Engagement	Not applicable			

Supporting Information

3. Background

- 3.1 It is a statutory duty for the council to determine and keep under review its affordable borrowing limits. During 2024/25, the council has operated within the treasury and prudential indicators set out in the council's Treasury Management Strategy Statement for 2024/25. The Assistant Director of Finance reports that no difficulties are envisaged for future years in complying with these indicators.
- 3.2 As at the end of March 2025 the council had borrowing of £165m, with an arranged overdraft of £15m while investments were reduced to £5m – a net borrowing position of £160m.
- 3.3 An in-year contribution of £0.522m has been made to the Interest rate equalisation reserve, to ensure that the council has reserves should interest rates remain higher than forecast for refinancing maturing loans. This contribution was approved by Exec. Details are included in table 12.
- 3.4 The Liability benchmark is a prudential indicator which shows the Capital Financing Requirement, loan requirements and committed loans in a 50-year forecast. The graph below demonstrates that the council is expecting its loans to decrease in line with the Capital Financing Requirement. It also demonstrates that the council is not in an overborrowed position.
- 3.5 This graph shows, that with the approved Capital programme, that there will be no loan requirement by 2053. The shortfall between the Capital Financing Requirement and net loan requirement is made up of internal borrowing from reserves and working capital.

Table 1: Liability benchmark



4. Details

Borrowing performance for year ending 31 March 2025

- 4.1 The council continues to pursue its strategy of keeping borrowing below its Capital Financing requirements, this is referred to as internal borrowing, in order to reduce risk and borrowing costs.
- 4.2 The council's chief objective when borrowing is to strike an appropriately low risk balance between securing low interest costs and achieving cost certainty over the period for which funds are required.

Table 2: Borrowing Position for year ended 31 March 2025

	Borrowing Amount £m	Average Interest Rate	Interest Paid Budget £m	Interest Paid Actual £m	Variance to Date £m
April 2024 to March 2025	178 (average)	2.59%	4.520	4.370	(0.150)
As at 31/03/25	165	2.57%	-	-	-

* Interest payable relates to external loans only, excluding finance lease and other interest

4.3 As a comparison, the table below shows average borrowing rates.

Table 3: High / Low / Average PWLB Rates for 01/04/2024 – 31/03/2025

	1 Year	5 Year	10 Year	25 Year	50 Year
Low	4.77%	4.31%	4.52%	5.08%	4.88%
Date	26/02/2025	17/09/2024	17/09/2024	17/09/2024	17/09/2024
High	5.61%	5.34%	5.71%	6.18%	5.88%
Date	29/05/2024	13/01/2025	13/01/2025	13/01/2025	09/01/2025
Average	5.14%	4.86%	5.07%	5.56%	5.32%
Spread	0.84%	1.03%	1.19%	1.10%	1.00%

Source: Link

4.4 Interest payable for the full year is below the budget. Due to the interest rates remaining higher than forecast when the 24/25 budget was set, the refinancing of the £15m loan that matured in February 2025, has been delayed until May 2025 as officers anticipate being able to secure better rates then. To ensure that the council had enough funds over year end an overdraft facility was arranged with NatWest which has resulted in a saving compared to the cost of carry on refinancing the loan in February at high interest rates.

A full list of current borrowing as at 31 March 2025 is shown in table 4:

Table 4: Borrowing

Lender	Principal Borrowed £m	Maturity Date
Cornwall Council 6-month maturity	10	22/04/2025
Cornwall Council 9-month maturity	10	18/07/2025
PWLB 6-year maturity	6	25/09/2025
PWLB 7-year maturity	6	19/09/2026
PWLB 5-year maturity	10	26/07/2027
PWLB 10-year maturity	10	31/05/2028
PWLB 6-year maturity	5	26/07/2028
PWLB 7-year maturity	10	26/07/2029
PWLB 10-year maturity	6	25/09/2029
PWLB 8-year maturity	10	26/07/2030
PWLB 11-year maturity	6	19/09/2030
PWLB 9-year maturity	16	26/07/2031
PWLB 10-year maturity	15	26/07/2032
PWLB 15-year maturity	5	31/05/2033
PWLB 15-year maturity	5	25/09/2034
PWLB 16-year maturity	5	19/09/2035
PWLB 30-year maturity	5	31/05/2048
PWLB 50-year maturity	25	10/11/2071
TOTAL	165	

4.5 The council monitors its exposure to refinancing risk with the maturity structure of borrowing indicator. While it is important to have flexibility to navigate changing market conditions is it critical that loan repayments are spread appropriately. The lower limit has been considered but kept at zero to ensure that the council is not forced into taking borrowings in a particular category that would lock it into an

unfavourable borrowing situation. Borrowing has been kept as short term as possible while the interest rates have been at record highs. Refinancing for up to two years will increase once the interest rates have reduced.

Table 5: Maturity structure of borrowing

Refinancing rate risk indicator	Upper limit	Lower limit	Actual structure
Under 12 months	50%	0%	15.76%
12 months and within 24 months	50%	0%	3.64%
24 months and within 5 years	60%	0%	30.91%
5 years and within 10 years	70%	0%	28.48%
10 years and above	80%	0%	21.21%

Investment performance for year as of 31 March 2025

- 4.6 Funds available for investment are on a temporary basis because the council prioritises keeping borrowing to a minimum and only invests surplus funds retained to meet its commitments. The level of funds available is mainly dependent on the timing of precept payments, receipt of grants and funding of the Capital Programme.
- 4.7 Treasury income from investments have earned more interest than expected due to interest rates reducing more slowly than forecast and active investment management. The short-dated money market investments have also performed better than budgeted throughout this year. Table 6 below shows the investment position during and at the end of the reporting period.

Table 6: Investment Position

	Investment Amount £m	Average Interest Rate	Interest Earned Budget £m	Interest Earned Actual £m	Variance to Date £m
April 24 to March 2025	27 (average)	5.09%	(1.482)	(1.704)	(0.222)
As at 31/03/25	5	4.56%	-	-	-

- 4.8 As a comparison Table 7 below shows average money-market rates keeping in mind that the council has an average investment period of 30 days.

Table 7: Average Investment Rates for the reporting period

FINANCIAL YEAR TO QUARTER ENDED 31/03/2025							
	Bank Rate	SONIA	7 day	30 day	90 day	180 day	365 day
High	5.25	5.20	5.20	5.21	5.23	5.26	5.33
High Date	02/04/2024	03/05/2024	13/05/2024	26/06/2024	26/07/2024	26/07/2024	01/08/2024
Low	4.50	4.45	4.46	4.46	4.58	4.73	5.02
Low Date	06/02/2025	12/02/2025	13/02/2025	12/03/2025	31/03/2025	31/03/2025	31/03/2025
Average	4.95	4.90	4.91	4.94	5.02	5.11	5.22
Spread	0.75	0.75	0.75	0.75	0.65	0.53	0.30

*SONIA (Sterling Overnight Index Average) is an interest rate benchmark published by the Bank of England.
Source: [Link](#)

- 4.9 While maintaining a balance between security, liquidity and yield the council is always looking for ways to invest sustainably (or green investments). However Environmental, Social and Governance (ESG) is the fourth priority of Treasury Management after security, liquidity and yield.

While the council does not currently have any fixed deposits, three of the Money Market funds meet the criteria pursuant to Article 8 of the Sustainable Finance Disclosure Regulation (Regulation EU/2019/2088). These are highlighted in green in Table 8. A full list of current investments is shown in Table 8.

Table 8: Investments

Counterparty	Principal Deposited £m	Maturity Date / Notice period
<u>Fixed Term Deposits</u>		
Nil		
<u>Money Market Funds</u>		
Legal & General Investment Management	5.00	Same day
Federated Investors UK	0.02	Same day
Northern Trust Asset Managements	0.02	Same day
CCLA Investment Management Limited	0.02	Same day
Goldman Sachs Asset Management	0.14	Same day
TOTAL	5.20	

- 4.10 Compliance with investment limits are detailed in Table 9 below:

Table 9: Investment Limits

Counterparty	2024/25 Limit £m	Complied?
UK Central Government	Unlimited	Yes
Other Local Authorities	5 each	Yes
Any group of organisations under the same ownership	5 per group	Yes
Approved counterparties – Banks/Building Societies	3 each	Yes
Any group of pooled funds under the same management	5 per manager	Yes
Money Market Funds total	15 in total	Yes

- 4.11 The council has set limits for long term Treasury Management Investments in its strategy. This indicator seeks to support control of liquidity risk and reduce the potential need to have to make an early exit from an investment in order to recover funds. The indicator relates solely to the council's investments for treasury management purposes.

Table 10: Limits for Long Term Treasury Management Investments

	2024/25 Limit set £m	Complied?
Limit on principal invested beyond year end	5	Yes

Non-treasury investment activity

- 4.12 The definition of investments in CIPFA's revised Treasury Management Code now covers all the financial assets of the council. This is replicated in the government's Statutory Guidance on Local Government Investments, in which the definition of investments is further broadened to also include all such assets that provide a financial return.
- 4.13 As of 31 March 2025, the council holds £102.8m of investments that qualify under the code in the form of shares (£35.6m) and loans (£67.2m) to subsidiary companies and other organisations, primarily Graven Hill and Crown House.
- 4.14 This year the council received its second dividend from Graven Hill of £0.5m. This has resulted in a net surplus on non-treasury investments of (£0.429m).
- 4.15 The loan elements of these non-treasury investments can generate a higher rate of return than that earned on treasury investments due to the commercial nature of the loans issued. Table 11 below shows the investment position for this reporting period.

Table 11: Non-treasury Investment Position

	Investment Amount £m	Average Interest Rate	Interest Earned Budget £m	Interest Earned Actual £m	Variance to Date £m
April 24 to March 2025	66.65 (average)	6.76%	(4.487)	(4.916)	(0.429)
As at 31/03/25	67.20	5.99%	-	-	-

Overall performance

- 4.16 The overall performance for the 2024/25 financial year is:

Table 12: Overall Treasury Position

	Budget 24/25 £m	Actual 24/25 £m	Variance to date £m
Borrowing costs	4.520	4.370	(0.150)
Other interest paid	0.769	(0.001)	(0.770)
Treasury income	(1.482)	(1.704)	(0.222)
Non-treasury income	(4.487)	(4.916)	(0.429)
Transferred to Reserves	0.522	0.522	0
Total cost/(income)	(0.158)	(1.729)	(1.571)

- 4.17 The largest budget variance is for other interest paid. Historically the council has ringfenced interest of funding on receipts received in advance and set this aside in case the funding was recalled. However, following a review, the council now feels

that it has set aside sufficient funding and levels are prudent. As such, further interest on balances received in advance will be retained within the general fund.

This approach will be kept under review by finance to consider whether sufficient resources are available should any funding need to be returned.

- 4.18 The surplus has been increased by the unbudgeted dividend from Graven Hill of £0.500m within Non-treasury income.
- 4.19 While the Treasury budget has delivered a surplus of £1.571m for the year, this includes £0.522m which was transferred to the Market Risk and Interest Rate Equalisation Reserves during the course of 2024/25. This means there was a total surplus before approved in-year transfers to reserves of £2.093m.

Interest rate forecast

- 4.20 The council has appointed MUFG Corporate Markets (previously known as Link Group) as its treasury advisors and part of their service is to assist the council to formulate a view on interest rates. The latest forecast sets out a view that short, medium, and long-dated interest rates are expected to slowly reduce over the next year until settling at 3.50% in December 2026.

Table 13: Link Forecast Rates published on 31 March 2025

Interest Rate Forecasts								
Bank Rate	Mar-25	Jun-25	Sep-25	Dec-25	Mar-26	Jun-26	Sep-26	Dec-26
MUFG CM	4.50%	4.25%	4.25%	4.00%	3.75%	3.75%	3.75%	3.50%
Cap Econ	4.50%	4.25%	4.25%	4.00%	3.75%	3.50%	3.50%	3.50%
5Y PWLB RATE								
MUFG CM	5.00%	4.90%	4.80%	4.70%	4.60%	4.50%	4.40%	4.40%
Cap Econ	5.20%	4.90%	4.70%	4.50%	4.50%	4.50%	4.40%	4.40%
10Y PWLB RATE								
MUFG CM	5.30%	5.20%	5.10%	5.00%	4.90%	4.80%	4.70%	4.70%
Cap Econ	5.50%	5.30%	5.00%	4.80%	4.80%	4.70%	4.60%	4.60%
25Y PWLB RATE								
MUFG CM	5.80%	5.70%	5.60%	5.50%	5.40%	5.30%	5.20%	5.10%
Cap Econ	6.00%	5.70%	5.40%	5.10%	5.00%	4.90%	4.90%	4.80%
50Y PWLB RATE								
MUFG CM	5.50%	5.40%	5.30%	5.20%	5.10%	5.00%	4.90%	4.80%
Cap Econ	5.60%	5.40%	5.20%	5.00%	4.90%	4.80%	4.70%	4.70%

*Cap Econ is an abbreviation for Capital Economics who provide macroeconomic insight, analysis and data.
Source: Link

5. Alternative Options and Reasons for Rejection

- 5.1 The nature of this report is such that alternative options are not appropriate. It is an option to request further information on the performance reported.

6 Conclusion and Reasons for Recommendations

- 6.1 This report details the Treasury Performance for the council for the year ending 31 March 2025. It is submitted to the Council for information as required by the Treasury Management Code of Practice.

Decision Information

Key Decision	N/A
Subject to Call in	N/A
If not, why not subject to call in	N/A
Ward(s) Affected	All

Document Information

Appendices	
Appendix 1	Prudential Indicators
Background Papers	None
Reference Papers	<p>Treasury Management Report – Midyear review Performance Report 2024/25 with Capital Prudential indicators https://modgov.cherwell.gov.uk/documents/s57458/Treasury%20Management%20report.pdf https://modgov.cherwell.gov.uk/documents/s57436/Appendix%201%20-%20Capital%20Prudential%20Indicators.pdf</p> <p>Treasury Management Strategy 2024-25 https://modgov.cherwell.gov.uk/documents/s55393/Appendix%2021%20-%20Treasury%20Management%20Strategy%202024-25.pdf</p>
Report Author	Janet du Preez – Finance Business Partner – Treasury and Insurance
Contact details	janet.du-preez@cherwell-dc.gov.uk 01295 221606
Corporate Director Approval (unless Corporate Director or Statutory Officer report)	S151 Officer, Michael Furness, 7 May 2025

Appendix 1 – Capital Prudential Indicators 2024/25

1. Introduction

In December 2021, the Chartered Institute of Public Finance and Accountancy, (CIPFA), issued revised Prudential and Treasury Management Codes. These require all local authorities to prepare a Capital Strategy which is to provide the following:

- a high-level overview of how capital expenditure, capital financing and treasury management activity contribute to the provision of services;
- an overview of how the associated risk is managed;
- the implications for future financial sustainability.

The indicators laid out in this appendix are required to help Members understand and evaluate the prudence and affordability of the Authority's capital expenditure plans and the borrowing and investment activities undertaken in support of this.

Please note that all balances for 2024/25 are subject to change pending the publication of the draft Statement of Accounts.

2. Capital Expenditure

This provides a summary of the Authority's capital expenditure. It reflects matters previously agreed and those proposed for the forthcoming financial periods. The extent to which such expenditure is to be financed will influence how the council's Capital Financing Requirement Indicator (see point 3 below) will change.

Table A1: Capital Expenditure

	Revised Forecast 24/25 £m	Actual 24/25 £m	Estimate 25/26 £m	Estimate 26/27 £m
Service Loans				
Capital Projects	18.6	13.8	13.6	7.9
New Finance Lease and PFI				
New Projects (not yet approved by Full Council)				
Total Capital Expenditure	18.6	13.8	13.8	7.9
Financed by:				
Capital Receipts (Asset Disposals)			(5.1)	
Capital Receipts (Loan Principal)				
Revenue Contributions				
Grants and other contributions (existing projects)	(4.5)	(2.7)	(5.8)	(6.4)
Grants and other contributions (new projects)				
Finance Lease and PFI liabilities				
Total financing	(4.5)	(2.7)	(10.9)	(6.4)
Net financing need for year*	14.1	11.1	2.9	1.5

* Subject to change pending draft Statement of Accounts

The following indicators show that the council's capital expenditure is supported by capital receipts or grants and that the amounts that require financing from the revenue budget are proportionate and affordable.

3. Capital Financing Requirement

The Capital Financing Requirement (CFR) shows the difference between the Authority's capital expenditure and the revenue or capital resources set aside to finance that spend.

The CFR will increase where capital expenditure takes place and will reduce as the Authority makes Minimum Revenue Provision (MRP) or otherwise sets aside revenue or capital resources to finance expenditure.

Table A2: Capital Financing Requirement

	Revised Forecast 24/25 £m	Actual 24/25 £m	Estimate 25/26 £m	Estimate 26/27 £m
Opening CFR	234.4	234.4	241.6	239.7
Capital Spend	18.6	13.8	13.6	7.9
Resources used	(4.5)	(2.7)	(10.9)	(6.4)
MRP	(3.9)	(3.9)	(4.6)	(4.9)
Closing CFR	244.6	241.6	239.7	236.3

* Subject to change pending draft Statement of Accounts

This indicator shows that the total financing requirement is estimated to reduce over the next three years. Each year the council sets a prudent MRP policy that will set aside revenue resources to finance capital expenditure over the life of the assets.

4. Gross Debt and the Capital Financing Requirement

An authority should only borrow to support a capital purpose, and borrowing should not be undertaken for revenue or speculative purposes.

The Authority should ensure that gross debt does not, except in the short-term, exceed the total of the CFR in the preceding year plus the estimates of any additional CFR for the current and the next two financial years. If the level of gross borrowing is below the Authority's capital borrowing need – the CFR – it demonstrates compliance with the requirement of this Indicator.

Table A3: Gross Debt & Capital Financing Requirement

	Revised Forecast 24/25 £m	Actual 24/25 £m	Estimate 25/26 £m	Estimate 26/27 £m
CFR	244.6	241.6	239.7	236.3
Gross borrowing (including overdraft)	180.0	180.0	179.0	178.0
Under / (over) borrowing	64.6	61.6	60.7	58.3

* Subject to change pending draft Statement of Accounts

This indicator shows that the council is under borrowed, and so that debt is only being used to support capital expenditure. Under borrowing indicates that the council has been prudent and used internal borrowing to reduce the interest cost that is associated with external borrowing.

5. Operational Boundary and Authorised Limit

The Operational Boundary is the limit beyond which external debt is not normally expected to exceed.

Unlike the Authorised Limit, the Operational Boundary is not an absolute limit, but it reflects the Authority's expectations of the level at which external debt would not ordinarily be expected to exceed.

Table A4: Estimated Debt, Operational Boundary and Authorised Limit

	Revised Forecast 24/25 £m	Actual 24/25 £m	Estimate 25/26 £m	Estimate 26/27 £m
External Borrowings	180.0	180.0	179.0	178.0
Operational Boundary	290	290	200	199
Authorised Limit	310	310	310	310

* Subject to change pending draft Statement of Accounts

The council continues to have debt below its operational boundary, indicating that the council is effectively managing its debt and cashflows.

6. Financing cost to Net Revenue Stream

This Indicator shows the trend in the cost of capital (borrowing and other long-term obligation costs) against the net revenue stream. Funding includes income such as Council tax, Business Rates as well as new homes bonus and revenue support government grants but excludes income from investments.

The forecast is in line with the approved Capital Strategy.

Table A5: Ratio of Financing costs to Net Revenue stream

	Revised Forecast 24/25 £m	Actual 24/25 £m	Estimate 25/26 £m	Estimate 26/27 £m
Interest costs on existing borrowing	4.7	4.6	4.5	4.4
MRP	3.9	3.9	4.7	4.9
Total Financing Costs	8.6	8.5	9.2	9.3
Funding	27.0	27.0	26.2	23.2
Non-specific grant income	3.5	3.5	5.5	2.1
Net Revenue Stream	30.5	30.5	31.7	25.3
Ratio of Financing costs	28.2%	27.9%	29.0%	36.8%

* Subject to change pending draft Statement of Accounts

This indicator shows that the ratio of financing costs to net revenue streams is high, however what this doesn't consider is that a large proportion of the council's financing costs are offset by the interest from on-lending to the Council's subsidiaries, and income generated by the commercial assets acquired as part of the regeneration programme. See item 7 below for detail on this.

7. Net Income from Service Investment Income to Net Revenue Stream

The next indicator is the Net income from Commercial and Service investments Income to Net Revenue Stream. This Indicator shows the financial exposure of the Authority to the loss of its non-treasury investment income.

The Council does not hold any commercial investments. All investments that are not treasury related are service investments, the majority relating to housing and regeneration.

Table A6: Ratio of Investment Income to Net Revenue stream

	Revised Forecast 24/25 £m	Actual 24/25 £m	Estimate 25/26 £m	Estimate 26/27 £m
Income from long term investments	4.5	4.4	4.0	4.4
Income from assets	5.3	5.4	6.9	7.0
Total Investment income	9.8	9.8	10.9	11.4
Funding	27.0	27.0	26.2	23.2
Non-specific grant income	3.5	3.5	5.5	2.1
Net Revenue Stream	30.5	30.5	31.7	25.3
Ratio of investment income	32.1%	32.1%	34.4%	45.1%

* Subject to change pending draft Statement of Accounts

The last two ratios dovetail, as much of the debt was incurred with the expectation of non-treasury investment income that would in part offset the financing costs. Deducting the Ratio of net income from Service Investments from the Ratio of Financing costs reveals the affordability ratio.

Table A7: Affordability Ratio

	Revised Forecast 24/25	Actual 24/25	Estimate 25/26	Estimate 26/27
Ratio of Financing costs	28.2%	27.9%	29.0%	36.8%
Ratio of Investment income	32.1%	32.1%	34.4%	45.1%
Affordability ratio	(3.9%)	(4.2%)	(5.4%)	(8.3%)

* Subject to change pending draft Statement of Accounts

There is no established Local Authorities benchmark for this ratio as activities differ widely. Interest earned on Treasury investment is not taken into account in either of the calculations.

The affordability ratio shows that the Council is receiving a small return on its investments in 24/25. In the next two financial years the return is forecast to increase based on assumptions around reducing void tenant costs.

This report is public	
Overview and Scrutiny Committee Annual Report 2024-25	
Committee	Council
Date of Committee	21 July 2025
Portfolio Holder presenting the report	Not applicable as this is a report of the Overview and Scrutiny Committee
Date Portfolio Holder agreed report	N/A
Report of	Assistant Director Law & Governance/Monitoring Officer, Shiraz Sheikh

Purpose of report

For Council to consider and note the Overview and Scrutiny Committee Annual Report for 2024-25.

1. Recommendations

Council resolves:

- 1.1 To note the Overview and Scrutiny Committee Annual Report 2024-25.

2. Executive Summary

- 2.1 The Overview and Scrutiny Committee (OSC) has a constitutional obligation to “report annually to Council on function of their workings and make recommendations for future work programmes and amended working methods if appropriate” (Constitution Part 4a, Committee Terms of Reference, section 5.2 point C).

Implications & Impact Assessments

Implications	Commentary
Finance	There are no financial implications arising directly from this report. Kelly Wheeler, Finance Business partner, 10 July 2025
Legal	There are no legal implications Shiraz Sheikh, Assistant Director Law and Governance/Monitoring Officer, 7 July 2025
Risk Management	There are no risk implications arising directly from this report. However, agreeing the recommendations of this report mitigates

	the risk of not being complaint with the Committee and Council's constitutional obligation. Celia Prado-Teeling, Performance Team Leader, 4 July 2025			
Impact Assessments	Positive	Neutral	Negative	Commentary
Equality Impact				Not applicable.
A Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?		X		
B Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?		X		
Climate & Environmental Impact				Not applicable.
ICT & Digital Impact				Not applicable.
Data Impact				Not applicable.
Procurement & subsidy				Not applicable.
Council Priorities	The work of OSC during 2024-25 covered all of the Council's priorities			
Human Resources	N/A			
Property	N/A			
Consultation & Engagement	The Overview and Scrutiny Committee are considering a draft of the report at their meeting on 15 July.			

Supporting Information

3. Background

- 3.1 The Overview and Scrutiny Committee (OSC) has a constitutional obligation to “report annually to Council on function of their workings and make recommendations for future work programmes and amended working methods if appropriate” (Constitution Part 4a, Committee Terms of Reference, section 5.2 point C).

4. Details

- 4.1 The annual report provides a summary of the subjects covered by OSC during the previous Municipal Year, highlighting key observations and outcomes of discussions.
- 4.2 The report also provides a summary of work undertaken by four working groups during the course of the year.
- 4.3 Councillor Dr Isabel Creed was Chair of the Committee during 2024-25, and has provided the foreword. Councillor Dr Creed will present the report to Council.

5. 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: Not to agree the recommendations. This is rejected, as this would lead to the Committee not meeting its constitutional obligation.

6. Conclusion and Reasons for Recommendations

- 6.1 The recommendations as set out are in the best interests of the Council and ensures OSC fulfils its constitutional obligation.

Decision Information

Key Decision	N/A
Subject to Call in	N/A
If not, why not subject to call in	N/A
Ward(s) Affected	All

Document Information

Appendices	
Appendix 1	Overview and Scrutiny Committee Annual Report 2024-25
Background Papers	None
Reference Papers	None
Report Author	Emma Faulkner, Principal Officer – Scrutiny & Democratic Lead
Report Author contact details	Democracy@cherwell-dc.gov.uk 01295 221534
Corporate Director Approval (unless Corporate Director or Statutory Officer report)	Report of Statutory Officer, Monitoring Officer



Cherwell

DISTRICT COUNCIL
NORTH OXFORDSHIRE

Overview and Scrutiny Annual Report 2024/25

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Foreword

This year has been significant for the Overview and Scrutiny Committee, as it has for the Council as a whole, with some particularly important issues coming before the Committee for review. There have been reviews of some high impact strategic policies and decisions for the Council, which have included the Proposed Cherwell Local Plan to 2042, the new Cherwell District Council Housing Strategy, the Council's new Transformation Programme and oversight of the Council's disposal of its offices at Bodicote House and its move to its new Council Offices at Castle Quay.

Through the Overview and Scrutiny Committee elected councillors have been able to provide assurance and accountability through questioning the Executive portfolio holders and senior officers on these and other important issues and also been able to make some contribution to the direction of policy through our recommendations to the Council's Executive.

We have also been able to provide oversight and scrutiny of some wider community issues and partnerships, including the review of Cherwell's Community Safety Partnership, with oral evidence from the Thames Valley Police, as well as the Chairman of the Partnership and the council's own Community Safety officers.

The work of the Committee has also often been timed to enable pre-decision scrutiny, so that the observations and recommendations from the committee can be made in advance of final decisions being made by the Executive, which makes sure that our work is well timed to be taken into consideration and make an impact.

In addition to the work of the main committee we have carried out in depth scrutiny inquiries through Scrutiny Working Groups, including a review of the Council's Climate Action strategy and the Council's Equality Diversity and Inclusion strategies. This has enabled us to draw on the wider involvement of the Council's members, through appointment to the Scrutiny Working Groups and to allow some additional time to consider these issues with the Executive portfolio holder and officers, as well as hearing from external expert witnesses from organisations outside of the Council, drawing on different perspectives.

These have included, notably, hearing evidence from Dr Marco Rauei from Oxford Brooks University and from David Cruchley from Oxfordshire Youth, who have kindly made time to share their knowledge and expertise as part of our scrutiny inquiries.

The Scrutiny Working Groups have also provided several scrutiny reports, that is, reports from the Committee setting out our agreed findings and recommendations from our in depth scrutiny inquiries carried out this year. This helps us to communicate more widely both internally and with the wider

community and provides a submission to the Council Executive and officers to consider.

There have also been opportunities for scrutiny members to review policies from other councils, as part of reflective review, such as reviewing equality and diversity strategies used by other councils in the development and refresh of our own.

Scrutiny Members have also been able to go outside of the formal committee setting with site visits to community settings such as the Banbury Larder, to see first hand the difference Council and community collaborative work is making on the ground and to meet and hear directly from the people involved.

All of these different approaches have contributed to inclusive decision making, providing a vehicle for elected councillors as community leaders to contribute, to include perspectives from external stakeholders and to provide greater assurance and accountability.

I have had the pleasure of chairing and leading the scrutiny committee over the past year, with I feel, some notable successes in proving effective accountability and valid contributions to the development of Council policy, for example, through the consideration of the proposed new Local Plan for public consultation. The work of the Committee is, however, a collective endeavour, with members of the committee working together constructively and to provide a "critical friend" to the Executive.

I would like to thank my colleagues on the committee for their collective efforts in helping to make this year a success for Scrutiny, in particular my Vice Chair, Councillor Nigel Simpson for his collaborative support, as well as to thank the Members of the Executive and officers of the Council who have appeared before the committee to present reports and answer questions from the Committee. I'd also like to thank the external witnesses who attended meetings and contributed, including the Thames Valley Police.

We've been able to play our part and contribution to Cherwell Council's governance and democratic arrangements and this Annual Scrutiny Report should provide a flavour of the work we have accomplished this year. I hope that this work can also provide a platform for the continued development and effectiveness of the scrutiny function in 2025-2026.

Councillor Isabel Creed
Chairman, Overview and Scrutiny Committee
2024 - 2025

1. Overview and Scrutiny at Cherwell District Council

- 1.1. Cherwell District Council established one Overview and Scrutiny Committee to undertake the statutory scrutiny function. This committee meets throughout the year to consider a range of issues across the Council departments and services to provide accountability and contribute to policy and service review.
- 1.2. Overview and Scrutiny Committees are led by elected Members of local authority councils and provide a check and balance to Council decision making and a vehicle for Members of the Council who are not part of the Council's Executive to contribute to the decision making process.
- 1.3. The Membership of the Overview and Scrutiny Committee were:
 - Councillor Dr Isabel Creed (Chairman)
 - Councillor Nigel Simpson (Vice Chairman)
 - Councillor Gordon Blakeway
 - Councillor John Broad
 - Councillor Phil Chapman
 - Councillor Grace Conway Murray
 - Councillor Andrew Crichton
 - Councillor Frank Ideh
 - Councillor Harry Knight
 - Councillor Simon Lytton
 - Councillor Lynne Parsons
 - Councillor Barry Wood.



The Overview and Scrutiny Committee – in session.

- 1.4. The Committee meets six times a year (in addition to any special meetings) to consider issues across the range of council policy and service areas, which it selects and sets out in its Annual Scrutiny Work Programme. In addition to considering issues at its main committee meetings, the Overview and Scrutiny Committee may establish Scrutiny Working Groups to consider matters in more depth and more informally outside of the main committee and report back.
- 1.5. After considering any issue, the Committee may make reports and recommendations to the Council's Executive, which is required to respond, setting out any actions it will take.
- 1.6. Overview and Scrutiny is a key part of the Council's overall governance arrangements and central to the Council's democratic decision making. Through its scrutiny inquiries, the Committee also helps to drive improvement and development of Council services, as well as providing greater public accountability and transparency to decision making. It can help test out if policies, proposals and services are effective and provide best value.
- 1.7. In carrying out its scrutiny inquiries, the Overview and Scrutiny Committee and its Scrutiny Working Groups can require Members of the Executive and senior officers to answer questions in committee, consider commissioned reports from Council departments and hear evidence from external organisations and people, including expert witnesses. This can help to add value to the decision making process by drawing on the knowledge of people and organisations both inside and outside of the Council and considering different perspectives.
- 1.8. Throughout the year this has included pre-decision scrutiny, where the Overview and Scrutiny Committee considers an issue before the Executive makes a decision, which provides an opportunity for the Committee to contribute before the final decision is made.
- 1.9. The Overview and Scrutiny Committee also has the power to "call in" a decision of the Executive for review before the decision is implemented. Any five members of the Council can also trigger referral of an Executive decision for review by the Overview and Scrutiny Committee. Although this provision is used by exception, this provides an additional democratic check where Members may wish for an Executive decision to be more widely considered. There were no call in requests in 2024-2025.
- 1.10. More information on the Council's Overview and Scrutiny Committee and links to all of its meetings and published papers can be accessed online at: <https://modgov.cherwell.gov.uk/mgCommitteeDetails.aspx?ID=116#:~:text=The%20Overview%20and%20Scrutiny%20Committee%20is%20attended%20by%20review%20and%20monitor%20the%20effectiveness%20of%20Council%20services>.

2. Scrutiny Inquiries in 2024 - 2025

- 2.1. The Overview and Scrutiny Committee met throughout 2024-2025 to review Council policies and services across the range of Council departments. These included reviewing the performance and outcomes of Council services to provide accountability, as well as contributing to Council policy and service development.



*Councillor Isabel Creed –
Chairman of the Overview and
Scrutiny Committee 2024-2025*

- 2.2. The following short scrutiny inquiries were undertaken in 2024 - 2025:
- Proposed Cherwell Local Plan to 2042.
 - New Cherwell District Council Housing Strategy 2025-2030.
 - Housing Allocations Scheme Review.
 - Everybody's Wellbeing Strategy Impact Assessment.
 - Cherwell Safer Communities Partnership.
 - Cost of Living 2023/2024 Review and Activities for 2024/2025.
 - The Council's Annual Safeguarding Report.
 - Resettlement and Migration
 - The Council's new Transformation Programme
 - Review of the Sale of Bodicote House
 - New Council Offices at Castle Quay
 - The council's end of year performance position for the financial year 2023-2024.
 - Council performance throughout 2024-2025 – quarterly performance reviews.
 - Annual Delivery Plan and Performance Outcomes Framework for 2025-2026.
- 2.3. The Committee also undertook in-depth scrutiny inquiries on *Equalities and Diversity, Food Insecurity, Climate Action* and *Planning Application Appeals*. These scrutiny inquiries were undertaken through Scrutiny Working Groups established by the Committee to carry out scrutiny inquiries on particular matters and report back. The Scrutiny Working Groups in 2024-2025 are discussed in more detail in Chapter 4.

Housing Allocations Scheme

- 2.4. On 10th September 2024 the Committee considered the New Cherwell District Council Allocations Scheme, reviewing proposed changes to the scheme, which was out for public consultation.
- 2.5. The main changes proposed in the new Scheme were:
- An increase in the banding for statutory homeless households.

- The creation of a domestic abuse category within Band 2 to comply with the Domestic Abuse Act 2021.
- Income threshold being capped at £80,000 for applications on larger properties.
- Changes to how overcrowded households are managed through the waiting lists.
- Additional preference for people leaving the armed forces and their families – consistent with the armed forces covenant within legislation.

- 2.6. The Committee recommended that the New Cherwell District Council Allocations Scheme be adopted by the Executive and that the Executive receive a summary of the public consultation for consideration alongside the Scheme being recommended for adoption.

Cost of Living

- 2.7. In September the Committee also considered the Cost of Living 2023/2024 Review and 2024/2025 related activities. The Committee reviewed the impact the councils' interventions has had on residents of the district and funding through HSF6 agreements with Oxfordshire County Council. The Committee recommended that the Executive endorse the scheme.

Performance

- 2.8. The Overview and Scrutiny Committee maintained oversight of Council performance throughout the year, considering quarterly performance reports against the Council's Key Performance Indicators across all Council service areas and with questions to the Portfolio Holder for Corporate Services and Council officers. It also considered the annual performance of the Council for all of the 2023-2024 year.



Councillor Chris Brant - Portfolio Holder for Corporate Services, answering questions from the Overview and Scrutiny Committee

Performance for 2023 – 2024.

- 2.9. On 18th July 2024 the Committee considered a report from the Assistant Director – Customer Focus that detailed the council's performance position at the end of the financial year 2023-2024.
- 2.10. The Committee found that 26 of the 27 Business Plan measures had been achieved. The one measure not achieved was "Net Additional Housing Completions to meet Cherwell Needs" with a final figure of 792 completions, which was 70% of the set target. This measure had been heavily affected by the national context, circumstances such as inflation, high building costs, and

high interest rates which resulted in lower than expected number of completions.

- 2.11. The Committee considered how the Council's measured targets were set and if targets could be more challenging. Council officers advised that the Council use national targets and benchmark from previous years and took into consideration local context to set ambitious targets.
- 2.12. The Committee found that the number of housing completions target was missed by 30%, and that housing delivery had been good in respect of the requirements of the Cherwell Local Plan 2015 with an average of 1281 homes built a year.
- 2.13. In 2023-2024, the number fell to 792 homes built however this was consistent with national figures linked to issues with house building across the country. The Committee found that 6000 homes had been granted planning permission within the district but had not yet been built.

Quarter 1 Performance

- 2.14. On 10th September 2024 the Committee reviewed the council's performance position at the end of Quarter 1 2024-2025.
- 2.15. The Committee found that 50 of the 57 Business Plan measures had been achieved, 6 were operating slightly behind target and 1 being behind target. The one measure that was operating behind target related to temporary accommodation where 68 households were reported in temporary accommodation against the maximum target of 45.
- 2.16. With regards affordable housing, the Committee found that the overall housing target and qualifying target for affordable housing would be reviewed as part of the Local Plan process and would have regard to the Council motion to target 50%. It was important to balance the target with what was viable to ensure housing delivery occurred.
- 2.17. In response to a question regarding the percentage of Major Applications overturned at appeal and the cost to the council, the Assistant Director Planning and Development advised that the national target of 10% was the indicator whilst the actual for quarter 1 was 18.8%. The council was also measured nationally over a two-year period and this figure was 11.2%. The Committee found that the number of appeals this year had been higher than previous years resulting in more appeals being allowed. The cost of appeals varied greatly and were subject to various factors.

- 2.18. In response to a request that the red and amber indicators on the EDI Action Plan action plan be considered at the first meeting of the EDI working group, Committee endorsed the request.

Quarter 2 Performance

- 2.19. On 26th November 2024 the Committee reviewed the council's performance position at the end of Quarter 2. The Committee found that of the 17 business plan measures with set targets, 14 were either achieved or within the agreed tolerance, one was slightly behind target, and two behind target. The two measures that were operating behind target related temporary accommodation, where 77 households were reported in temporary accommodation against the maximum target of 45. It also found that the net additional housing completions to meet Cherwell needs where 307 housing completions (provisional) were reported against a target of at least 571 for the first half of the year.
- 2.20. In response to a question asking for more detailed figures in the rise of people in temporary accommodation and the support provided to single people with complex needs facing evictions from home office accommodation the Committee found that residents who have not intentionally made themselves homeless are eligible to apply for emergency temporary accommodation and that the process was designed to aid those with complex needs.
- 2.21. In relation to a question on unmet housing needs, noting the position of 307 provisional housing completions against the target of at least 571 for the first half of 2024. The Committee found that the Council's position reflects national trends in unmet housing needs. The Committee noted this as a concern, due to many complex site specific challenges related to infrastructure and the housing needs of neighbouring authorities.

Quarter 3 Performance

- 2.22. On 28 January 2025 the Committee reviewed Performance for Quarter 3. The Committee found that out of the 55 measures, 44 were on track, 8 measures were slightly behind target and 3 measures were behind target. Of the 16 business plan measures 12 were not met, or achieved within the agreed tolerance, 2 were slightly behind and 2 were behind target. The two behind target were:
- Number of homeless households in temporary accommodation, with 77 households in temporary accommodation against the target of 45 and reflects national statistics.
 - Number of affordable homes delivered, with 38 affordable homes delivered against the target of 50 for Quarter 3. This was reflected against the annual target, which was reported ahead, with 192 homes delivered against the target of 150.

- 2.23. Of the 15 annual delivery plan milestones, the Committee found that 12 were achieved and 3 were slightly behind schedule. All priorities except one were on track for delivery by year end. Of the 24 EDI action plan activities, 3 were slightly delayed.
- 2.24. The Committee found that the number of households in Temporary Accommodation was the same as the previous quarter and queried if this meant that as one household moved into permanent accommodation another household took their place and sought clarity on how much temporary accommodation the council had.
- 2.25. The Committee considered the cost of temporary accommodation to the council and impact on the overall Council budget, and the Committee found that that spend for the last financial year was £634,000. The Council had thus far been able to operate within existing budgets in delivering that temporary accommodation. There was a base budget provided for that provision but there were also government grants that the Council received annually that had been unspent in previous years creating financial reserves.
- 2.26. The Committee recommended that the Executive consider writing to social housing providers in the district to enquire how the providers are spending government grants to improve their stock in relation to the energy efficiency of housing in Cherwell with particular reference to the eradication of damp and mould.

Housing Strategy 2025 – 2030

- 2.27. On 15th October 2024 the Committee reviewed the New [Cherwell District Council Housing Strategy 2025-2030](#) ahead of submission to Executive for adoption. A review of the current strategy and development of a new strategy was required to reflect changing national and local context over recent years and develop new priorities and objectives to be delivered. The Executive had agreed a public and stakeholder consultation commence on the draft revised Strategy at their 9 September 2024 meeting.
- 2.28. The Committee considered the consultation process, National Policy Framework (NPPF) and local policy context, as well as the scope of the policy, the existing housing stock, types of development and the social and physical infrastructure and resulting environmental impact.
- 2.29. The Committee found that the new Housing Strategy had been formulated in conjunction with the NPPF and the emerging Local Plan, but the full impact was unknown as consultation was ongoing.

- 2.30. The Committee found that according to the latest council tax data, approximately 1700 properties within Cherwell were vacant and that there were enforcement policies within the Housing Strategy to help tackle vacant properties. Stipulations on types of new developments were included in the emerging Cherwell Local Plan as well as the Oxfordshire Homelessness and Rough Sleeper policy and that schemes to aid in affordability were available for first time buyers.
- 2.31. The Committee considered what targets, metrics and measures of success were in place to monitor and deliver the Housing Strategy and found that the measures for tracking progress were outlined within the strategy, that an action plan would be used to monitor the strategy alongside regular update reports to the Overview and Scrutiny Committee.
- 2.32. The Committee recommended that the development of the new Local Plan be aligned with the new Housing Strategy, once adopted and that a section be included in the Housing Strategy Action Plan to provide further details and emphasis on single people in insecure accommodation (e.g. “sofa surfing”) and that a summary of consultation responses received as part of the report to Executive and Executive be recommended to give those responses due consideration.

Proposed Cherwell Local Plan

- 2.33. On 12th November 2024 and 4th December 2024 the Committee reviewed the proposed Cherwell Local Plan to 2042. The Committee considered the timelines, key changes since 2023 and the key themes and policy areas, including housing need, requirement and supply and stipulations of affordable housing within proposed developments. The Committee also considered submissions of correspondence received and replies to prospective developers as evidence.



Councillor John Broad – in committee

- 2.34. The Committee considered key strategic themes: strategic options and considerations, timetable and governance, housing and economic needs assessments, climate change and sustainable development, infrastructure, and consultation and engagement.
- 2.35. In response to a question in relation to stipulations for the installation and retrofitting of solar energy panels on both domestic and industrial units with the goal of reducing energy costs, the Committee found that the sustainable construction standards proposed for net zero emissions in the plan should ensure that the resulting developments would be more energy efficient but

that the plan cannot *require* the use of Solar PV on developments. Through the standards proposed, however, the overarching goal of net zero emissions would be achieved through multiple technologies and innovations which may well include solar energy and if achieved would then result in lower energy costs involved in heating said developments.

2.36. The Committee considered the Sustainability Assessment and the designation of land for employment and industrial uses and found that the plan contained flexibility to allow various forms of employment and development to take place within designated sites.

2.37. The Committee considered the allocation and removal of green belt land adjacent to the Oxford Technology Park to allow for expansion of the site and requested a further review of land allocated. The Committee found that since the Local Plan 2015 the land in question had been allocated and subsequently built on and therefore had no need to remove it from the green belt. In preparation for the proposed Local Plan a full review of green belt land had been undertaken.

2.38. The Committee made the following observations:

- That if the Local Plan submission is rejected by the Planning Inspectorate this could present a serious risk to the Council's local planning process.
- The importance of evidence of engagement with neighbouring local authorities, (including Oxford City Council). It noted that planning officers had agreed to meet with Chesterton Parish Council on employment proposals along the A41 corridor.
- The importance of the robustness of the Local Housing Needs Assessment, particularly in regard to unmet housing needs of neighbouring local authorities.

2.39. The Committee also noted that lessons learnt from the process followed pre-consultation scrutiny of the proposed Draft Local Plan including that there should be a longer lead in time for pre-consultation scrutiny.

Cherwell Local Plan 2042

A vision for sustainable development

Consultation runs until 14 February 2025



- 2.40. The Committee recommended to the Executive that the Draft Local Plan include a reference to Health in Rural Areas (provision of health facilities partially in rural areas). The Committee also recommended to the Executive to agree that the land adjacent to Isis Avenue, Hambleside, Eden Way and bordering Middleton Stoney Road be designated a part of the Local Green Space Designation in Bicester West.
- 2.41. In addition, the Committee recommended that the Proposed Cherwell Local Plan 2042 be approved for the purpose of inviting representations under Regulations 19 and 20 of The Town and Country Planning (Local Planning) (England) Regulations.

Safeguarding Self-assessment 2024

- 2.42. In December 2024 the Committee also considered Safeguarding and the annual return Report on Safeguarding (Safeguarding Self-assessment 2024)
- 2.43. The Committee noted the work carried out year to date, highlighting key challenges and successes achieved as well as statistics on the internal "See it Report it" (SIRI) and the reporting of safeguarding concerns.

Resettlement and Migration

- 2.44. On 28th January 2025 the Committee considered Resettlement and Migration, including resettlement and migration schemes in Cherwell to assist asylum seekers and refugees. The Committee considered the definition of "legal" vs "illegal" migration routes, the financial, resource and social impacts of the scheme to the Council and wider community, as well as the impact on housing supply and the volume of Freedom of Information (FOI) requests issued.
- 2.45. The Committee considered the resource burden arising from Freedom of Information requests and whether there was a resource limit placed on dealing with this and found that there was a resource pressure from this on the department. There is a statutory limit on the number of hours a response takes before the council can place a charge for Freedom of Information Requests, but it was very rare to receive individual requests that exceeded this limit.
- 2.46. The Committee considered to what extent the schemes are compulsory and to what extent there was local choice and found that the Homes for Ukraine programme was based on sponsors and hosts within the district, so the Council had no control over the numbers of those people wishing to live in Cherwell. It was very much a local offer to a group of people who needed housing.

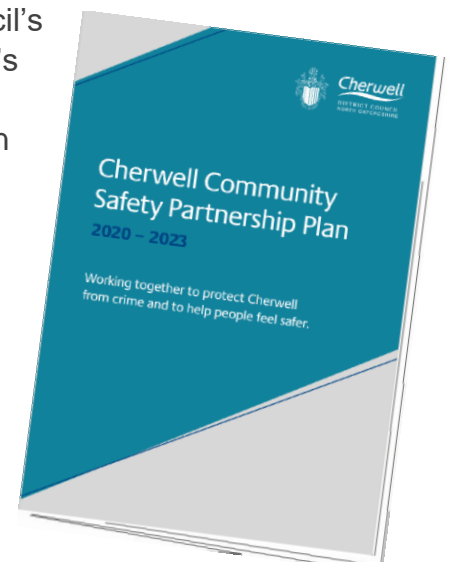
- 2.47. The Committee found that the UK Resettlement Scheme (UKRS) was an initial agreement to settle 18 families predominantly from Syria. This programme had significantly reduced over time. The Afghan families' schemes placed all people in properties that were formally Ministry of Défense (MOD) (so not social housing or private housing). Whilst the Council could refuse to support families and not get involved in the programs at all, there had been an expectation nationally that local authorities would play their part.
- 2.48. The Committee recommended that the Executive publish key information on resettlement and migration data that is frequently requested through Freedom of Information (FOI) requests to help manage future FOI requests and that the Executive agree mandatory member training on resettlement, asylum and migration be included in the member development programme.

Sale of Bodicote House

- 2.49. On 28 January 2025 the Committee considered the sale of Bodicote House, the disposal of the property where the main council officers were situated, reviewing the process and progress of the proposed sale of Bodicote House. Specifically, the Committee reviewed the:
- key options considered
 - overall timeline – past and future projection
 - governance arrangements – including key dates for Executive Decision and sign off
 - financial and resources implications – inc costs and
 - value for money assessment – and criteria (including benchmarking)
 - risks and mitigations
 - asset management strategy and criteria
 - links to the move to Castle Quay – including the interrelated finance dimensions and risks.

Cherwell Safer Communities Partnership

- 2.50. On 11 March 2025 the Committee reviewed the [Cherwell Safer Communities Partnership](#). This was the Committee meeting as the Council's statutory Crime and Disorder Committee to fulfil the Council's statutory requirement for crime and disorder scrutiny;- to review or scrutinise decisions made, or other action taken, in connection with the discharge by the responsible authorities of their crime and disorder functions no less than once in every twelve-month period.
- 2.51. The Committee reviewed the Cherwell Community Safety Partnership as a whole, the [Cherwell Community Safety](#)



[Partnership Plan 2020 – 2023](#) and Priorities and how the Partnership works together to deliver this.

- 2.52. The Committee noted successes in securing a Home Office Safer Streets 4 bid from the Office of the Police and Crime Commissioner (OPCC) to tackle youth related violence and Anti-Social Behaviour (ASB) in Banbury, introducing a Public Spaces Protection Order for Bicester town centre, securing funding to support a Young Women and Girls project, working with Thames Valley Police (TVP) colleagues to deliver objectives for an ASB focussed operation named OP JANKLE, as well as the Safeguarding Children in Banbury (SCiB) initiative.
- 2.53. The Committee also noted the proposed new CCSP 2025 – 2028 priorities:
- Anti-social behaviour (ASB)
 - Modern slavery and exploitation
 - Violence Against Women and Girls (VAWG)
 - Domestic Abuse
 - Serious Violence
 - Retail Crime (including shop lifting)
 - Rough Sleeping.
- 2.54. The Committee also considered the Safer Oxfordshire Partnership (SOP), a thematic group in Oxfordshire that aims to bring together community safety partners to work together to deliver joint priorities and emerging themes, with a focus to make the county a safer place to live, work and visit by providing strategic oversight and direction for preventing crime and anti-social behaviour across Oxfordshire.
- 2.55. In response to a question regarding the lack of a CCSP plan for 2024 the Committee found that the change in the plans term and lack of a report were caused by the loss of staff as a result of the Councils split from Oxfordshire County Council.
- 2.56. The Committee also heard evidence from the Police and Crime Commissioner for the Thames Valley, Matthew Barber, Chief Constable Jason Hogg and Superintendent Benedict Clark, from Thames Valley Police.
- 2.57. The Police and Crime Commissioner advised the Committee on the review and restructure of the Thames Valley force, noting that it was the largest review and restructure since 2010, and that identified savings of £15.7m. £7m of these savings had been delivered to date. It was noted that the restructure was necessitated by the uplift in demand on policing in the area and that dedicated command units for specific areas were being rolled out across the district.

- 2.58. The Committee noted plans for increasing diversity and inclusion within the force, with measures being researched to encourage female applicants as well as applicants from diverse backgrounds.
- 2.59. The Committee noted the measures that had been undertaken to improve the response times on the non-emergency 101 police contact service. This included the introduction of new methods of contact such as social media channels, webchat functionality and an online victim portal as well as a new neighbourhood policing app.
- 2.60. The Committee found that the Thames Valley Alerts system had seen a boost in users to the sum of 107,000, and a rise of 57.37% interactions, which better enables the force to tackle local crime.
- 2.61. Superintendent Clark provided the Committee with more details on some of the operations currently taking place to reduce knife crime, anti-social behaviour, retail theft and rural crime in the Cherwell district. The Committee was advised that the emphasis was on prevention of such activities and often involved a highly targeted approach working with other agencies and partners.
- 2.62. The Committee recommended that the Executive, as a matter of urgency, ensure that the Cherwell Safer Community Partnership Plan be reviewed and updated and presented to this committee early in the next municipal year.



Councillor Lynne Parsons – in committee

New Council Offices at Castle Quay

- 2.63. On 11 March 2025 the Committee reviewed the plans for the New Council Offices at Castle Quay, including the process, progress and lessons learnt from the building of the new council offices within the Castle Quay estate in Banbury town centre. This scrutiny inquiry provided a check and assurance that the procedures have been followed, to achieve value for money and consider any reflections (lessons learnt).
- 2.64. In particular, the Committee reviewed:
- The current position and introductory summary of key events as to how the Council has arrived at the current position.
 - The overall timeline – from project inception and proposal to future projection
 - A summary of the tendering process.

- Negotiations, value engineering required time, resource and risk implications arising from this leading to contract sign off.
- Financial and resources implications – including costs and value for money assessment – and criteria (including benchmarking)
- Risks and mitigations
- Asset management strategy and criteria – how this links to and derives from the Council's Asset Management Strategy.
- Cross reference and links to the sale of Bodicote House – including interrelated finance dimensions and risks.
- Lessons learnt.

Transformation Programme

2.65. On 18 March 2025 the Committee reviewed the Cherwell District Council Transformation Programme, which included the development of the Transformation Programme, the next steps to developing a multi-year transformation programme, alignment with the Council's digital strategy and integration of other cross-cutting effectiveness strategies and programmes.

2.66. Specifically, the Committee reviewed:

- The development of the Cherwell District Council Transformation Programme, including the progress to date and next key steps.
- The next steps to developing a multi-year transformation programme.
- How the Cherwell District Council Transformation Programme aligns with the Council's digital strategy, and integration of the cross-cutting effectiveness strategies and programmes.
- The main impacts on front line Council service delivery and services to residents, including an areas of service reduction/rationalisation and any anticipated improvements.
- The anticipated financial implications including anticipated main costs and savings.
- Any significant Equalities Implications especially for particular groups or communities (cross referenced to Protected Characteristics).

2.67. The Committee also considered to what extent the recent English Devolution White Paper and Local Government Reorganisation and the proposed end of 'two tier' councils to be replaced by unitary councils, impacted on the Transformation Strategy, given that Cherwell District Council may shortly cease to exist. The Committee discussed to what extent this likely possibility has been built into the new Council Transformation Strategy.

Everybody's Wellbeing Strategy Impact Assessment

- 2.68. On 18 March 2025 the Committee reviewed Resettlement and Migration, which was a review to consider and reflect on the resettlement schemes in operation with Cherwell District Council, including the scope and history of these programmes, the resettlement work during the year highlighting successes and challenges.
- 2.69. The UK operates three resettlement schemes:
- the UK Resettlement Scheme (UKRS),
 - Community Sponsorship Scheme, and
 - Mandate Resettlement Scheme.
- 2.70. The Committee reviewed the resettlement schemes in operation with Cherwell District Council, the scope and history of these programmes, the resettlement work during the year highlighting successes and challenges and the financial and social impacts.

Annual Delivery Plan and Performance Outcomes Framework

- 2.71. On 18 March 2025 the Committee reviewed the council's draft Annual Delivery Plan and Performance measures for 2025/26, prior to the Executive finalising the annual delivery plan and associated measures.
- 2.72. In February full Council agreed to adopt a new vision for the council and four strategic priorities for achieving over the next five years, as part of its new Corporate Strategy. This overarching 5-year strategy is underpinned by Annual Delivery Plans for each year of the Corporate Plan period, which set out the strategic actions for delivering each year towards achieving the priorities establish in its Corporate Strategy.
- 2.73. The council's progress towards achieving its strategic priorities and measuring service delivery will be through a series of Key Performance Indicators (KPIs) and the proposed list of KPIs for 2025/26 was reviewed by the Committee. The Committee reviewed the new key deliverables and major milestones. It was noted that these will be monitored and reported to this committee and Executive on a quarterly basis.
- 2.74. The Committee recommended that in relation to the development of quarterly milestones within the Annual Delivery Plan the following methodology and approach be adopted:

Quarter 1 –

Survey of tenants to analyse and establish a baseline for concerns and needs.

Quarter 2 -

Establish a monitoring framework based on the analysis of the above.

Quarter 3 -

Hold a registered providers forum.

Quarter 4 –

Further survey of tenants to inform actions for 2026/27.

- 2.75. The Committee also recommended to the Executive that the Key Performance Indicators (KPI) on Number of Homeless Households living in Temporary Accommodation retain the number of homeless households living in Temporary Accommodation and include an additional KPI metric on the number of people who are in nightly charged accommodation.

3. Scrutiny Working Groups in 2024-2025

- 3.1. Scrutiny Working Groups and informal working parties that are established by the Overview and Scrutiny Committee to consider particular matters. They are made up of non-Executive Members of the Council appointed by the Committee.
- 3.2. In 2024-2025 the Overview and Scrutiny Committee established the following Scrutiny Working Groups:
- Equalities and Diversity Scrutiny Working Group
 - Food Insecurity Scrutiny Working Group
 - Climate Action Scrutiny Working Group.
 - Planning Application Appeals Scrutiny Working Group.

Equalities and Diversity

- 3.3. The Overview and Scrutiny Committee re-established this Scrutiny Working Group and membership on 15 October 2024. This Scrutiny inquiry was established to review the Council's Equality, Diversity and Inclusion strategies, including, principally, the *Including Everyone* framework. This included reviewing the implementation of the Council's *Including Everyone* framework, reviewing the performance against the Council's Equality, Diversity and Inclusion objectives, reviewing the development of the Council's new Equality, Diversity and Inclusion objectives for 2025-2026 and reviewing the arrangements for engagement and feedback with groups with 'protected characteristics' to help inform policy and approach.

Members of the Scrutiny Working Group

- 3.4. This Scrutiny Working Group was made up of members of the Personnel Committee and members of the Overview and Scrutiny Committee. The Members of the Scrutiny Working Group for 2024-2025 were:

Councillor Rebecca Biegel - Chairman
Councillor Gemma Coton – Vice Chairman
Councillor Barry Wood
Councillor Lynne Parsons
Councillor Frank Ideh
Councillor Dr Chukwudi Okeke.

- 3.5. This inquiry focused on equality diversity and inclusion policies and strategy and performance (i.e. relevant to the public sector equalities duties provided in the Equality Act 2010) and not broader community engagement issues.

- 3.6. The Council's *Including Everyone Framework* outlines the Council's approach to equalities, diversity and inclusion and sets out its vision to providing inclusive services, workplaces and communities, equitable access to services and equality of opportunity.



- 3.7. Cherwell District Council's Equalities, Diversity and Inclusion strategies are set out on the Council's website here:
<https://www.cherwell.gov.uk/info/5/your-council/1109/equalities-diversity-and-inclusion>
- 3.8. The goals and commitments of Cherwell District Council's *Including Everyone Framework* are set every four years. Sitting beneath this Framework are three annual action plans, that reflect the different ways in which Cherwell Council is working to make its organisation services and communities more inclusive.
- 3.9. The action plans have indicators to help measure progress against the goals. Implementation was overseen by the Equalities, Diversity and Inclusion Member working group with reporting aligning with quarterly business plan monitoring.

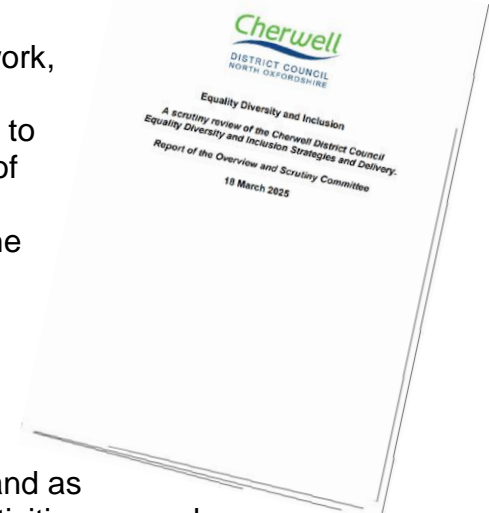
Witnesses to the Inquiry

- 3.10. The Scrutiny Working Group heard evidence from the following witnesses during 2024-2025:
- Councillor Chris Brant – Portfolio Holder for Corporate Services (attending two of the meetings)
 - Nicola Riley, Assistant Director Wellbeing & Housing

- Claire Cox, Assistant Director Human Resources
- Shona Ware - Assistant Director of Customer Focus
- Celia Prado-Teeling - Performance Team Leader
- David Cruchley - Senior Youth Partnerships Manager, Oxfordshire Youth.

3.11. At the end of the scrutiny inquiry the Scrutiny Working Group put forward a draft report and ten recommendations to the Executive, which were adopted by the Overview and Scrutiny Committee on 18th March 2025.

3.12. These included recommendations for a refreshed Council Equality Diversity and Inclusion (EDI) strategy and framework, EDI audits of public facing council services, a review of all policies plans and projects to make sure that they have up to date Equality Impact Assessment assessments, a review of the Council's recruitment process, an EDI audit of the Council's website and communications, and a refresh of the council's EDI objectives and KPIs to make sure they are focused and measurable.



Climate Action

3.13. Cherwell Council declared a Climate Emergency in 2019 and as part of this committed to ensure its own operations and activities are carbon Net Zero by 2030 to do its part to support the district as a whole to become Net Zero. To achieve this, the Council has published a Climate Action Framework and an associated Climate Change Action Plan 2023-2024.

3.14. The Climate Action Scrutiny inquiry was established by the Council's Overview and Scrutiny Committee for a further year in 2024-2025, to review the implementation and development of the Council's Climate Action strategy and action plan in pursuit of the corporate Net Zero targets. This included reducing the District Council's own greenhouse gas emissions, as well as reducing the area of the district's greenhouse gas emissions as a whole.

Members of the Scrutiny Working Group

3.15. The Members of the Scrutiny Working Group were:

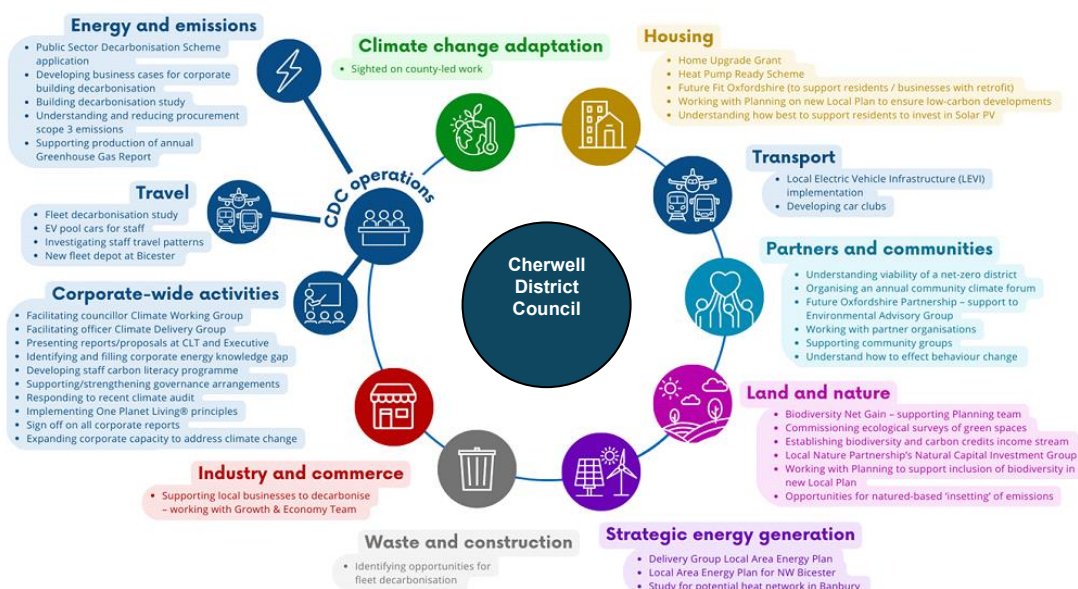
Councillor Grace Conway-Murray – Chairman
 Councillor John Broad - Vice-Chairman
 Councillor Barry Wood
 Councillor Isabel Creed
 Councillor Les Sibley.

Witnesses to the Inquiry

3.16. The Scrutiny Working Group considered evidence from the Executive Portfolio Holder for Greener Communities, Councillor Tom Becket and the Council's lead officers for Climate Change; Jo Miskin - Climate Action Manager,

Environmental Services and Hitesh Mahawar - Climate Change Programme Manager, as well as expert witnesses during its inquiry.

- 3.17. It also received evidence from Mona Walsh Assistant Director of Property and Christina Cherry - Planning Policy, Conservation & Design Manager at Cherwell Council.
- 3.18. The Working Group also received evidence from external expert witnesses Dr Marco Raugei - Senior Lecturer and Senior Research Fellow in Mechanical Engineering, Oxford Brooks University and Andy Wainwright MSc CEng FIET - Whole System Manager, Scottish and Southern Electricity Networks.
- 3.19. In evidence the Scrutiny Working Group considered the context to the Climate Change Programme and key elements for the Climate strategy in Cherwell, including:
- Governance arrangements
 - Strategy and Action Plan
 - Cherwell Council and district emissions
 - Recent achievements
 - Challenges in reaching Net Zero
 - Next steps.
- 3.20. The Working Group has considered the climate impact of local plans and how they contribute to the Climate Action Plan, as well as the solar strategy for the district. Officers from the planning department discussed the climate impact of planning applications.



- 3.21. Cherwell Council's approach requires new relationships with its stakeholders, new expectations and engagement with its supply chain, and a review of where it is best placed to support others to take action.

- 3.22. The Council reports against its climate action framework in order to inform future corporate planning in the Council. The Council also reports on its carbon emissions over time to help monitor, evaluate, review and communicate progress.
- 3.23. The Climate Action Scrutiny Working Group met throughout the 2022-2024 municipal years and reviewed progress on climate action as well as supporting the development of the Climate Change Action Plan 2023-2024. On 15 October 2024, the Overview and Scrutiny Committee agreed that this Scrutiny Working Group continue its work through the 2024-2025 municipal year. At the completion of its work for 2024-25, the Scrutiny Working Group agreed on eight recommendations to the Council's Executive, made through the Overview and Scrutiny Committee.
- 3.24. These included recommendations for a new Council Climate Action Strategy, an evaluation of interim options to replace the Council fleet of vehicles, and hypothecated investment in Cherwell Council district corporate capacity to manage and optimise renewable energy and new technologies.

Food Insecurity

- 3.25. The Food Insecurity Scrutiny Working Group was originally established in 2022 and continued through 2023-24 and 2024-25. The Food Insecurity Scrutiny Working Group was set up to provide oversight and assurance and facilitate contributions from elected members, to review the progress of the implementation of the Cherwell Food Action Plan and make recommendations and suggestions for consideration by the Executive Portfolio Holder and the Wellbeing and Housing Services department.
- 3.26. The Scrutiny Working Group was originally established following the adoption of a Council motion which declared a food poverty emergency commitment to the following actions:
- Designating a Food Champion
 - Reporting to Overview and Scrutiny on the scale of the food poverty crisis in Cherwell
 - Drawing up a Cherwell Food Action Plan to support local communities
 - Developing a promotional campaign relating to underclaimed Healthy Start Food vouchers
 - Supporting local communities to reduce food waste.
- 3.27. Prior to the food poverty emergency being declared, in June 2022 the Executive had endorsed and committed to the Oxfordshire Food Strategy. The Oxfordshire Food Strategy sets out a vision where everyone in Oxfordshire can enjoy the healthy and sustainable food they need every day.



- 3.28. A critical part of implementing the Oxfordshire Food Strategy has been the development of local Food Action Plans for each district, to ensure that the Food Strategy reflects local priorities and reflects the unique nature of the City and each of the Districts.
- 3.29. The Cherwell Food Action Plan identifies actions spanning 2024 – 2027. The Scrutiny Working Group reviewed progress against targets and metrics and helped to refine actions, providing oversight and assurance and also providing contributions from the Working Group through the review of the implementation of the Cherwell Food Action Plan.
- 3.30. The Scrutiny Working Group's assessment of the Cherwell Food Action Plan, focused on the key priority areas. At each meeting, actions within the identified priority areas were reviewed, with a particular emphasis on tackling food poverty and diet-related ill health, as well as building vibrant food communities.

Members of the Scrutiny Working Group

- 3.31. The following Members were appointed by the Overview and Scrutiny Committee for the 2024-2025 municipal year:

Councillor Rebecca Biegel - Chair
 Councillor Phil Chapman – Vice Chair
 Councillor Dr Isabel Creed
 Councillor Gordon Blakeway
 Councillor Andrew Crichton
 Councillor Dr Chukwudi Okeke.

Witnesses to the Inquiry

- 3.32. The Scrutiny Working Group has spoken with both internal and external expert witnesses during its inquiry, including Councillor Rob Pattenden - Portfolio Holder for Healthy Communities, Councillor Ian Middleton – Executive Portfolio Holder for Neighbourhood Services, who is also the Council's appointed "Food Champion, they have been involved with the Scrutiny Working Group throughout 2024-2025.



Members of the Scrutiny Working Group visit the Banbury Larder

- 3.33. During the inquiry members of the committee have visited the [Banbury Larder](#) and seen first-hand the work going on there to support the community.
- 3.34. The Scrutiny Working Group has also worked with Departmental Officers Nicola Riley, Assistant Director of Wellbeing and Housing Services, Edward Frape, Senior Healthy Place Shaping Officer and Libby Knox, Food and Wellbeing Officer, who have provided support, briefing reports and answered questions at each meeting.

- 3.35. The Scrutiny Working Group also received oral evidence from expert witness Alison Drake from the [Bicester Foodbank](#).

Planning Application Appeals

- 3.36. The Overview and Scrutiny Committee established a Planning Application Appeals Scrutiny Working Group made up of all Members of the Overview and Scrutiny Committee.
- 3.37. Members of the Committee met on 25 February 2025 to consider an overview of planning application appeals performance, having particular regard to planning application refusals overturned at appeal (Planning Committee and delegated decisions), the reasons for cost implications and lessons learnt.
- 3.38. This allowed members to examine the evidence and put questions to the Executive Portfolio Holder for Planning and Development Management, Councillor Jean Conway - Portfolio Holder, and the council's lead planning officers.
- 3.39. The Head of Development Management provided a presentation on Cherwell District Councils planning application appeals, with particular regard to planning application refusals overturned at appeal, the reasons for cost implications and lessons learned.
- 3.40. Members heard that the Council had performed well in the speed of decision making for both major and non-major applications. It had also performed well on the quality of decision making for non-major applications. The Council had, however, underperformed on the quality of decision making for major applications. This was as a result of a high number of major appeals being allowed (12) against the total number of major application decisions made in the assessment period (114). This resulted in a figure of 10.53% of appeals allowed, which was over the 10% threshold set by the government.
- 3.41. Members heard that, as a result of this underperformance the Council could be at risk of being 'Designated as underperforming' and if designated, the Council might lose the ability to determine some applications and also lose the associated planning fee. In addition, members were advised that defending Cherwell District Council's the high number of appeals, came at a cost to the Council, as such there were financial implications if the appeal performance was not improved.
- 3.42. Members put questions covering various topics such as the applications process, performance, speed of applications, and costs implicated, as well as applications overturned against officer recommendation. Members agreed five recommendations to the Executive under the following key themes.
- Lessons Learnt
 - Member Training
 - Action Plan

- Monitoring Improvement

4. Scrutiny Resources and Member Development

4.1. Members of the Overview and Scrutiny Committee were invited to attend *An introduction to effective scrutiny a development and training event* on Thursday 12 December 2024 run by the Local Government Association.

4.2. In addition to Leadership Advisors from the LGA, the event included insights from practice from Councillor Jackie Taylor – Cabinet Member for Adult Services, Health and Wellbeing, Sandwell Metropolitan Borough Council.

4.3. More information and resources on Overview and Scrutiny at Cherwell District Council is available via the Council's website:

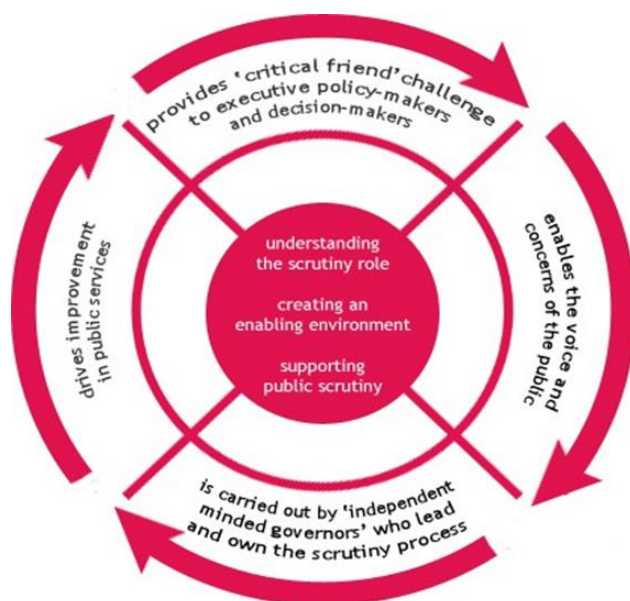
<https://modgov.cherwell.gov.uk/mgCommitteeDetails.aspx?ID=116>

4.4. The [Cherwell District Council Scrutiny Guide](https://modgov.cherwell.gov.uk/documents/s58559/Scrutiny%20Guide%2024.pdf), which sets out key aspects of how Overview and Scrutiny works at Cherwell Council is available here:

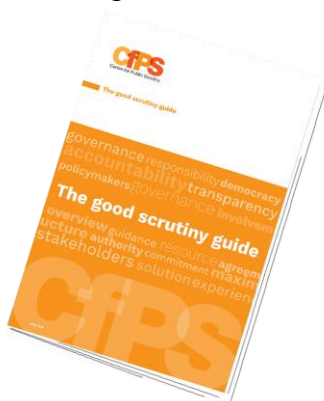
<https://modgov.cherwell.gov.uk/documents/s58559/Scrutiny%20Guide%2024.pdf>

4.5. The [Statutory Scrutiny Guidance](#) published by the Ministry of Housing, Communities and Local Government is available here: [Statutory Scrutiny Guidance 2024](#).

4.6. [The Centre for Governance and Scrutiny](#) also publish a wealth of information on Overview and Scrutiny, including the [Good Scrutiny Guide](#).



Cherwell Council
Scrutiny Guide



CfGS Good Scrutiny
Guide



Statutory Scrutiny
Guidance 2024

The Overview and Scrutiny Committee

The Overview and Scrutiny Committee is appointed by Cherwell District Council to carry out the local authority scrutiny functions.

Membership of the Overview and Scrutiny Committee

Councillor Dr Isabel Creed (Chairman)
Councillor Nigel Simpson (Vice-Chairman)
Councillor Gordon Blakeway
Councillor John Broad
Councillor Phil Chapman
Councillor Grace Conway-Murray
Councillor Andrew Crichton
Councillor Frank Ideh
Councillor Harry Knight
Councillor Simon Lytton
Councillor Lynne Parsons
Councillor Barry Wood

Formal Minutes

Minutes of proceedings are available to view or download from the Council website at <https://modgov.cherwell.gov.uk/mgCommitteeDetails.aspx?ID=116>

Committee Staff

The current staff of the committee are:
Michael Carr - Interim Principal Officer - Scrutiny and Democratic Lead
Martyn Surfleet - Democratic and Elections Officer.

Contacts

Email: democracy@cherwell-dc.gov.uk

Cherwell District Council

March 2025

www.cherwell.gov.uk

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Council

Monday 21 July 2025

Motions

Topic	Proposer	Seconder
Cherwell Affordable Housing Emergency	Cllr Dr Isabel Creed	TBC
Primary Care Facilities in North Oxfordshire	Cllr David Rogers	Cllr Eddie Reeves
Government Review of Local Authority Funding	Cllr Eddie Reeves	Cllr David Rogers

Motion Proposer: Councillor Dr Isabel Creed

Motion Secunder: TBC

Topic: Cherwell Affordable Housing Emergency

Motion

“The Office for National Statistics data suggests that the average house price in Cherwell is £362,000 in December 2024, a 9% rise in cost since December 2023.

The cost of housing means that for many young people the costs are too high to realistically get on the housing ladder. Rents in the District are also extremely high, in December 2024 the average cost was £1215 up from £1121 in December 2023, making even renting in the district unaffordable for many residents

Cherwell District Council has an ever-increasing housing waiting list, which has increased by 10% in the last year alone. The waiting times are significant ranging from 243 days for 1-bedroom properties to 991 days for 4-bedroom properties, leaving many families waiting up to several years for appropriate accommodation.

In the last financial year alone, the council has spent £332,800 on housing residents in temporary accommodation. The need for housing in Cherwell is greater than ever.

This Council resolves that Cherwell District Council declares it has an affordable housing emergency and recognizes that the only way forward is to focus on housing delivery.”

Motion Proposer: Councillor David Rogers

Motion Seconder: Councillor Edward Fraser Reeves

Topic: Primary Care Facilities in North Oxfordshire

Motion

“This Council considers that more needs to be done to expand and improve Primary Care facilities across North Oxfordshire.

Following a productive cross-party meeting between members and representatives of the Integrated Care Board (ICB), together with a careful review of representations from local stakeholders in recent weeks, this Council resolves to request that the Executive facilitates the expansion of Primary Care provision via any reasonable means, which may include, where appropriate and reasonable, the following:

- i. issuing standing advice on planning matters to the ICB to assist it in its place and facilities planning;
- ii. producing evidence to the ICB to support the well understood assertion that Primary Care is now at capacity across this district;
- iii. supporting the ICB to create a plan for the delivery of new and expanded primary care facilities across North Oxfordshire;
- iv. requesting that the ICB estates team better supports its ‘drive to digital’ by encouraging developer contributions into, inter alia, Information and Communications Technology (ICT), and Artificial Intelligence (AI) projects; and
- v. review, in conjunction with the ICB, why the proposed facilities at Longford Park, Hanwell Fields and Graven Hill have proven unsuccessful in recent years to avoid failures in new developments elsewhere.
- vi. consider Primary Care needs as widely as reasonably possible in future supplementary planning documents to encourage a greater number of capital projects coming forward and encouraging the ICB to request developer contributions on all applications of 10+ homes without limiting such bids to bricks-and-mortar projects alone.”

Motion Proposer: Councillor Edward Fraser Reeves

Motion Seconder: Councillor David Rogers

Topic: Government Review of Local Authority Funding

Motion

This Council regrets the consequences of the government's plans to:

- (i) end the Business Rates Retention scheme that has contributed to the strength of local public finances since its introduction in 2013/14; and
- (ii) institute a Fair Funding model for local government that redistributes wealth from districts like Cherwell to other parts of the country.

This Council notes that the government's consultation on its Business Rates Reset policy has now ended and further notes that the government's Fair Funding consultation ends soon on 15 August 2025.

Moreover, a report to this Council's Budget Planning Committee meeting on 8 July 2025 concluded that:

"The impact of these changes is expected to reduce the council's funding by up to 40%."

Such a cumulative impact would reduce this Council's expenditure to such an extent that it could be forced to end all discretionary funding and revert to providing statutory services only.

Given the disastrous impact of such cuts, this Council requests as a matter of urgency that the Leader:

- (i) writes to our Members of Parliament with a view to their raising these concerns with Ministers;
- (ii) works through the District Councils Network, the Local Government Association and/or other relevant organisations to ensure that there is the strongest possible lobbying of the Ministry of Housing, Communities and Local Government, highlighting the plight of a high-growth district like Cherwell;
- (iii) issue as strong an individual submission to the government's Fair Funding consultation as possible with a view to mitigating the effects of these cuts."

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