



Cherwell

DISTRICT COUNCIL
NORTH OXFORDSHIRE

**Summary of the decisions taken at the meeting
of the Executive held on Monday 6 June 2022**

1. Date of publication of this summary: 7 June 2022
2. Decisions (if any) taken as a matter of urgency under Overview and Scrutiny Procedure Rules as set out in the Constitution (and not therefore subject to the call-in procedure): 13, 14, & 16 as they relate to notification of urgent action for decision already taken
3. Date by which notice of call-in of any of the following decisions must be received in writing by the Chief Executive (see notes below):- Noon on Friday 10 June 2022
4. Notes:-
 - (a) For background documentation to the following decisions, please refer to the agenda and supporting papers (copies of which are available on the Council's website (www.cherwell.gov.uk) or from Democratic Services);
 - (b) Notice of call-in must be submitted in writing, by email or text to the Chief Executive by the deadline specified above, and must state the reason or reasons why "call-in" has been requested
 - (c) Call-in can be requested by any six non-executive members of the Council.
However, if at any point during a municipal year the total number of opposition councillors is six or less the total number of non-executive members required to call-in a decision shall be the total number of opposition councillors less two.
 - (d) Decisions not called-in by the deadline specified above will become effective immediately the deadline has expired (unless they are recommendations to the Council).
 - (e) The Council has stipulated that the call-in procedure should not be used to challenge decisions as a matter of course and should be used only when fully justified.

**Yvonne Rees
Chief Executive**

Agenda Item and Recommendation	Decision	Reasons	Alternative Options	Conflicts of Interest Declared and Dispensations Granted by Head of Paid Service
<p>Agenda Item 7 Executive Performance, Risk and Finance Report 2021-2022</p> <p>Report of Assistant Director of Finance and Interim Assistant Director Customer Focus</p> <p>Recommendations</p> <p>The meeting is recommended:</p> <p>1.1 To note the Annual Report 2021/2022 (Appendix 1).</p> <p>1.2 To note the Risk and Opportunities Management Strategy 2022/2023 (Appendix 2)</p> <p>1.3 To approve the carry forward of funding into</p>	<p>Resolved</p> <p>(1) That the Annual Report 2021-2022 (annex to the Minutes as set out in the Minute Book) be noted.</p> <p>(2) That the Risk and Opportunities Management Strategy 2022/23 (annex to the Minutes as set out in the Minute Book) be noted.</p> <p>(3) That the carry forward of funding into reserves as set out in the annex to the Minutes (as set out in the Minute Book) be approved and the allocations being</p>	<p>This report provides an update on progress made during January 2022, to deliver the Council's priorities through reporting on Performance, Leadership Risk Register and providing an update on the Financial Position. The Council is committed to performance, risk and budget management and reviews progress against its corporate priorities on a monthly basis. Executive is recommended to agree a change in the use of reserves in accordance with the Council's Reserves Policy and to agree the revised Con29 Fee for 2022/23 as set by Oxfordshire County Council.</p>	<p>Option 1: This report illustrates the Council's performance against the 2021-22 Business Plan. Regarding the monitoring aspects of the report, no further options have been considered. However, members may wish to request that officers provide additional information. Regarding the recommendation to approve changes in use of reserves, members could choose not to reject the change of use, however, the request is in accordance with the councils Reserves Policy and within existing budgets. If members chose not to agree to the changes in transfers to reserves, then this would</p>	<p>None</p>

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<p>reserves and agree to the allocations being released for use in 2022/2023 as described in Appendix 7.</p> <p>1.4 To approve the Capital carry forwards as described in Section 3.24 of the report and in Appendix 4</p> <p>1.5 To approve the Community Project spend to be funded from S106 as described in the Capital appendix (Appendix 4)</p> <p>1.6 To approve the Use of/(Contributions to) Reserves</p> <p>1.7 To note the outturn underspend for 2021/2022</p>	<p>released for use in 2022/23 be agreed</p> <p>(4) That Capital carry forwards as set out in the annex to the Minutes (as set out in the Minute Book) be approved:</p> <p>(5) That authority be delegated to the Assistant Director of Finance, in consultation with the Leader of the Council, to approve the Community Project, spend to be funded from S106 as set out in the annex to the Minutes (as set out in the Minute Book) once additional information on the Project has been provided.</p>		<p>mean resource would need to be found for these projects separately in future years.</p>	

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	<p>(6) That the Use of / (Contributions to) Reserves be approved.</p> <p>(7) That the outturn underspend for 2021/2022 be noted.</p>			
<p>Agenda Item 8 Oxfordshire Food Strategy</p> <p>Report of Assistant Director Wellbeing and Housing Services</p> <p>Recommendations</p> <p>The meeting is recommended:</p> <p>1.1 To endorse and commit to the Oxfordshire Food Strategy at Appendix 1.</p>	<p>Resolved</p> <p>(1) That the Oxfordshire Food Strategy (annex to the Minutes as set out in the Minute Book) be committed to and endorsed.</p>	<p>An Oxfordshire wide food strategy has been developed by Good Food Oxfordshire in partnership with Oxfordshire County Council, City and District councils and representatives from Oxfordshire community sector groups. The strategy supports a broad range of Council priorities and strategies including wellbeing and access to healthy food, Recovery and Renewal, access to green space,</p>	<p>Option 1: Not to endorse and commit to the Oxfordshire Food Strategy and continue only to be a member of the Cherwell Food Network. This however would go against the Cherwell Food Networks ambition to expand its work and impact in the district, becoming more joined up in the bigger picture of food and allowing it to grow alongside a Food</p>	<p>None</p>

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		<p>addressing food poverty and tackling inequalities.</p> <p>It is proposed that £65k of funding would be allocated from Oxfordshire County Council to be put towards delivery of actions that will directly impact accessibility to food that can be used internally or put towards community groups within the Cherwell district to endorse and commit to the Oxfordshire Food Strategy and continue only to be a member of the Cherwell Food Network. This however would go against the Cherwell Food Networks ambition to expand its work and impact in the district, becoming more joined up in the bigger picture of food and allowing it to grow alongside a Food Strategy for Oxfordshire.</p>	<p>Strategy for Oxfordshire. improving food options for many residents and joining up actions with other partners to strengthen the system through reducing food waster, growing projects, and community action.</p>	

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		improving food options for many residents and joining up actions with other partners to strengthen the system through reducing food waster, growing projects, and community action.		
<p>Agenda Item 9 Proposal to Introduce a Public Spaces Protection Order for Bicester Town Centre</p> <p>Report of Assistant Director – Regulatory Services and Community Safety</p> <p>Recommendations</p> <p>The meeting is recommended:</p> <p>1.1 To introduce a Public Spaces Protection Order for Bicester town</p>	<p>Resolved</p> <p>(1) That, having given due consideration to the outcomes of the public consultation and partner organisations’ views a Public Spaces Protection Order for Bicester town centre be introduced.</p>	<p>The results of the consultation show overwhelming support for the introduction of a PSPO in Bicester Town Centre from the public and stakeholder organisations. The responses support including all three prohibitions that were included in the consultation. Crime and incident data from the Police evidence supports the conclusion that prevalent and persistent problem of anti-social behaviour in and around Bicester town centre and that the legal</p>	<p>Option 1: Not introduce a PSPO. This option is not recommended. Crime and incident data from the Police evidence supports the conclusion that prevalent and persistent problem relating to anti-social behaviour in and around Bicester town centre. The consultation outcomes show strong support for the introduction of a PSPO to tackle this problem and stakeholders, including Thames Valley</p>	<p>None</p>

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<p>centre taking into consideration the outcomes of the public consultation and partner organisations' views.</p>		<p>requirements for the introduction of a PSPO are met. Therefore, the Executive is recommended to approve the introduction of the PSPO (subject to any minor amendments advised by the council's solicitors to ensure the order will be effective).</p>	<p>Police, also support the proposal.</p> <p>Option 2: Introduce a PSPO of more limited scope. This option is not recommended. The consultation outcomes show support for all aspects of the proposal PSPO and there is data and evidence which justifies the inclusion of all the proposed prohibitions if a PSPO is to be introduced.</p>	
<p>Agenda Item 10 Fixed Penalty Notice Level for Cycling on the Pavement</p> <p>Report of Assistant Director – Regulatory Services and</p>	<p>Resolved</p> <p>(1) That the fixed penalty notice amount to be applied to the offence of cycling on a</p>	<p>The offence for riding on a footpath is included in section 72 of the Highway Act 1835 along with other similar offences. The Police have accredited the council's</p>	<p>Option 1: Set an alternative level of penalty to apply for this offence. Since this is a new power available to the accredited officers there is no data or</p>	<p>None</p>

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<p>Community Safety</p> <p>Recommendations</p> <p>The meeting is recommended:</p> <p>1.1 To set the fixed penalty notice amount to be applied to the offence of cycling on a footpath at £50 to align with Thames Valley Police.</p>	<p>footpath be set at £50 to align with Thames Valley Police.</p>	<p>Community Safety Team officers with the power to issue fixed penalty notices to persons identified as committing this offence normally only available to Police Constables under section 54 of the Road Traffic Offenders Act 1988.</p> <p>The penalty for an offence under section 72 of the Highway Act 1835 is stated as “any sum not exceeding level 2 on the standard scale”. Therefore, the council can determine the level of fine to apply. Level 2 on the standard scale is £500. Thames Valley Police have set the level of fine they apply for this offence at £50.</p> <p>It is recommended that the council applies the same level of fine for this offence</p>	<p>information available to the council at this time to support setting the fine level at a different level to that determined appropriate by Thames Valley Police.</p> <p>Option 2: To not set a fine level for this offence. This would result in the council being unable to issue fixed penalty notices for cycling on the footpath despite council officers being accredited to do so by Thames Valley Police.</p>	

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		as Thames Valley Police to minimise the chance of challenge on the basis that similar offences in the same location attract different penalties depending on which organisation is issuing the notice.		
<p>Agenda Item 11 Traffic Orders Bus Station & Cherwell Drive</p> <p>Report of Assistant Director Environmental Services</p> <p>Recommendations</p> <p>The meeting is recommended:</p> <p>1.1 To note the consultation on changing the traffic orders.</p>	<p>Resolved</p> <p>(1) That the consultation on changing the traffic orders be noted.</p> <p>(2) That, while noting the objection from Stagecoach and response from the Council. changing the Traffic Orders at the Bus Station & the new Cherwell Drive car park be approved</p>	<p>The Traffic orders need the approval of the Executive if they are to proceed. If the orders are not changed then the project cannot proceed.</p>	<p>Option 1: To reject the recommendations and ask officers to reconsider the overall project</p>	<p>None</p>

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<p>1.2 To approve changing the Traffic Orders at the Bus Station & the new Cherwell Drive car park while noting the objection from Stagecoach and response from the Council.</p>				
<p>Agenda Item 12 Appointment of Outside Body Representatives, Member Champion and Shareholder Committee</p> <p>Report of Interim Assistant Director Legal, Governance and Democratic Services and Monitoring Officer</p> <p>Recommendations</p> <p>The meeting is recommended:</p>	<p>Resolved</p> <p>(1) That appointments to partnerships, outside bodies, the Shareholder Committee, Member Champions and advisory groups for 2022/2023 be made and ceased as set out in the annex to the Minutes (as set out in the Minute Book).</p>	<p>It is proposed that representatives are appointed to Partnerships, Outside Bodies and as Member Champions to ensure that the Council is represented and maintains links with partnerships and outside bodies.</p> <p>Delegation to the Assistant Director – Law, Governance and Democratic Services (Interim), in consultation with the Leader provides flexibility</p>	<p>Option 1: Not to appoint representatives to outside bodies, partnerships and as Member Champions. This is not recommended as the internal working groups would be ineffective and the Council would not be represented on these outside bodies and could miss valuable information and opportunities.</p>	<p>None</p>

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<p>1.1 To make and cease appointments to partnerships, outside bodies, the Shareholder Committee, Member Champions and advisory groups for 2022/2023 as set out in Appendix 1 to this report</p> <p>1.2 To delegate authority to the Assistant Director Law, Governance and Democratic Services (Interim), in consultation with the Leader of the Council to appoint Members to any outstanding vacancies and make changes to appointments as may be required for the 2022/2023 Municipal year.</p>	<p>(2) That authority be delegated to the Assistant Director – Law, Governance and Democratic Services (Interim), in consultation with the Leader of the Council, to appoint Members to any outstanding vacancies and make changes to appointments as may be required for the 2022/2023 Municipal Year.</p>	<p>for the remainder of the Municipal Year to appoint to any outstanding vacancies, or if amendments are required to any appointments, and ensures they are made in a timely manner.</p>		

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<p>Agenda Item 13 Notification of Urgent Action: Additional Restrictions Grants Policy - Grant payment levels</p> <p>Report of the Assistant Director of Finance</p> <p>Recommendations</p> <p>The Executive is recommended to:</p> <p>1.1 To note the decision that was taken by the Chief Executive on 8 March 2022 (Appendix 1).</p>	<p>Resolved</p> <p>(1) That the urgent decision taken by the Chief Executive in relation to grant payment levels for the Additional Restrictions Grants Policy be noted.</p>	<p>In line with the Constitution, this report is informing Executive of a decision which was taken by the Chief Executive under urgency powers.</p>	<p>Option 1: Not to note the report. this is not recommended as the urgent action has been taken and it is a constitutional requirement for it to be reported to Executive.</p>	<p>None</p>
<p>Agenda Item 14 Notification of Decision taken by Chief Executive under Urgency Powers</p> <p>Report of Assistant Director –</p>	<p>Resolved</p> <p>(1) That the urgent decision taken by the Chief Executive for the approval of delegated</p>	<p>In line with the Constitution, this report is informing Executive of a decision which was taken by the Chief Executive under urgency powers.</p>	<p>Option 1: Not to note the report. This is not recommended as the urgent action has been taken and it is a constitutional requirement</p>	<p>None</p>

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<p>Growth and Economy</p> <p>Recommendations</p> <p>The meeting is recommended:</p> <p>1.1 To note the urgent decision taken by the Chief Executive for the approval of delegated authority to the Assistant Director – Growth and Economy, in consultation with the Council’s s151 officer, to enter into new sales of leases; staircase of shared ownership leases; or resale of leases for residential properties in the Council’s housing assets portfolio.</p>	<p>authority to the Assistant Director – Growth and Economy, in consultation with the Council’s s151 officer, to enter into new sales of leases; staircase of shared ownership leases; or resale of leases for residential properties in the Council’s housing assets portfolio be noted.</p>		<p>for it to be reported to Executive.</p>	
<p>Agenda Item 16</p>	<p>Resolved</p>			

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Notification of Decision taken by Chief Executive under Urgency Powers - Exempt Appendix	(1) That the exempt appendix be noted.	As set out under item 14	As set out under item 14	None