

# Public Document Pack

## **Cherwell District Council**

### **Executive**

Minutes of a meeting of the Executive held at Bodicote House, Bodicote, Banbury, Oxon OX15 4AA, on 8 July 2024 at 6.30 pm

#### Present:

Councillor David Hingley (Leader of the Council & Portfolio Holder for Strategic Leadership) (Chairman)

Councillor Lesley McLean (Deputy Leader of the Council and Portfolio Holder for Finance and Resources) (Vice-Chairman)

Councillor Tom Beckett, Portfolio Holder for Greener Communities

Councillor Chris Brant, Portfolio Holder for Corporate Services

Councillor Jean Conway, Portfolio Holder for Planning and Development Management

Councillor Ian Middleton, Portfolio Holder for Neighbourhood Services

Councillor Rob Parkinson, Portfolio Holder for Regulatory

Councillor Rob Pattenden, Portfolio Holder for Healthy Communities

Councillor Chris Pruden, Portfolio Holder for Housing

#### 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

Nicola Riley, Assistant Director Wellbeing & Housing

Mona Walsh, Assistant Director - Property

Natasha Clark, Governance and Elections Manager

#### Officers Attending Virtually:

Richard Smith, Head of Housing

## 14 **Declarations of Interest**

There were no declarations of interest.

## 15 **Petitions and Requests to Address the Meeting**

There were no petitions or requests to address the meeting.

16 **Minutes**

The minutes of the meeting held on 10 June 2024 were agreed as a correct record and signed by the Chairman.

17 **Chairman's Announcements**

The Chairman congratulated the two MPs elected in the Cherwell district at the 4 July General Election: Sean Woodcock MP in the Banbury constituency and Calum Miller MP in the Bicester and Woodstock constituency.

The Chairman thanked former MPs for their service to the district: Victoria Prentis who served as MP for the Banbury Constituency for 14 years; John Howell who, for 16 years, was MP for the Henley Constituency, which prior to constituency boundary changes incorporated areas of the Kirtlington and Otmoor wards; and Layla Moran, who remained MP for the Oxford West and Abingdon Constituency, which, prior to the constituency boundary changes, incorporated Kidlington, Begbroke and Yarnton.

18 **Urgent Business**

There were no items of urgent business.

19 **New Cherwell District Council Housing Allocations Scheme**

The Assistant Director Wellbeing and Housing submitted a report to seek approval to consult on a new Housing Allocations Scheme.

In considering the report, Members expressed support for the Scheme noting it would be better for Cherwell District Council to allocate and administer applications.

**Resolved**

- (1) That the commencement of public consultation on the reviewed and amended Housing Allocations Scheme be approved.
- (2) That changes to the previously agreed approach of allocating properties that are delivered through Oxford's Unmet Housing Need, whereby Cherwell District Council would allocate properties and administer the applications, be approved to enable discussions and a potential agreement with Oxford City Council to progress and it be noted that the revised approach is reflected in the new draft policy.

**Reasons**

It is important that the Council has up to date policies and procedures for its statutory and key service areas and it is important that they are legislatively and operationally sound. A periodic review of policies is therefore appropriate.

### **Alternative options**

Option 1: Not bring forward a new Allocations Scheme. This is rejected as it is important that the Council has Policies that are up to date with legislation and can respond to current challenges.

Option 2: Continue discussions with Oxford City regarding the previously agreed approach to allocating the unmet need properties. Both Councils have been working to deliver the agreed solution, and delivery of this may be possible. However, this is rejected as there is a concern that the approach may not be legally sound, so to continue is not considered prudent, and thus an alternative has been suggested.

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### **Council Tax Discretionary Relief policy (Section 13a)**

The Assistant Director of Finance & Section 151 Officer submitted a report to inform Executive of the reviewed policy for Council Tax Section 13a (S13a) and proposed updates.

### **Resolved**

- (1) That the contents of the reviewed policy for Section 13a Council Tax be noted.
- (2) That the policy for Council Tax Section 13a be approved.

### **Reasons**

The Section 13a policy has not been reviewed for several years. It is good practice to review policies to ensure they remain relevant and in line with supporting the delivery of the Council's policies. It is recommended that the policy is endorsed by Executive to conform with legislation.

### **Alternative options**

Option1: To not approve the Section 13a policy. In accordance with S13a (2) Local Government Finance Act 1992 each billing authority in England must make a scheme specifying the reductions which are to apply to amounts of council tax payable, in respect of dwellings situated in its area, by—

- (a) persons whom the authority considers to be in financial need, or
- (b) persons in classes consisting of persons whom the authority considers to be, in general, in financial need.

Therefore, the local authority must have a system in place to allow a person to make the request.

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### **Non-Domestic Rate Discretionary Relief Policy**

The Assistant Director for Finance & Section 151 Officer submitted a report to inform Executive of the reviewed policy for Non-Domestic Rate Discretionary Rate Relief policy and proposed updates and seek approval of the updated policy.

#### **Resolved**

- (1) That the contents of the reviewed policy for Non-Domestic Rate Discretionary Rate Relief be noted.
- (2) That the policy for Non-Domestic Rate Discretionary Rate Relief be approved.

#### **Reasons**

It is important that the Council has up to date policies and procedures for its statutory and key service areas and it is important that they are legislatively and operationally sound. A periodic review of policies is therefore appropriate.

#### **Alternative options**

Option 1: Not bring forward a new Allocations Scheme. This is rejected as it is important that the Council has Policies that are up to date with legislation and can respond to current challenges.

Option 2: Continue discussions with Oxford City regarding the previously agreed approach to allocating the unmet need properties. Both Councils have been working to deliver the agreed solution, and delivery of this may be possible. However, this is rejected as there is a concern that the approach may not be legally sound, so to continue is not considered prudent, and thus an alternative has been suggested.

22

### **Local Government Productivity Plan**

The Assistant Director of Finance & Section 151 Officer submitted a report which presented a draft Productivity Plan for the Executive to consider for submission to the Government. On 16 April 2024 the then Minister for Local Government, Simon Hoare, wrote to all councils explaining that they were required to prepare a Productivity Plan to submit to Government by 19 July 2024.

In introducing the report, the Portfolio Holder for Finance and Resources explained that whilst the Productivity Plan had been requested by the previous Government, there had been no instruction from the new Government not to submit the Plan.

## **Resolved**

- (1) That the Productivity Plan be approved for submission to the Government.

## **Reasons**

The council is required to submit a Productivity Plan to Government which has been endorsed by Members. This Productivity Plan answers the questions raised by the Local Government Minister at the time the Productivity Plan was requested.

## **Alternative options**

Option1: The alternative option is to not submit a Productivity Plan to the Government. This is not recommended as submission of a Productivity Plan is a requirement of the Government.

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## **Internal Audit and Counter Fraud Provision**

The Assistant Director of Finance & Section 151 Officer submitted a report on the council's internal audit and counter fraud provision. The council's Service Level Agreement with Oxfordshire County Council to provide internal audit and counter fraud Services came to an end on 30 April 2024. The council has entered into a temporary contract with Veritau Limited from 1 May 2024 to provide internal audit and counter fraud services for a period of 6 months. This report proposes an approach for the long-term provision of internal audit and counter fraud services by entering into a teckal company arrangement with Veritau Public Sector Limited.

## **Resolved**

- (1) That it be agreed the council pay a £20k fee to join Veritau Public Sector Limited and become a member in the company and delegate authority to the Assistant Director of Finance (S151 Officer) to sign the members' agreement and service contract with Veritau Public Sector Limited and any subsequent paperwork required to become a member.
- (2) That the Assistant Director of Finance (S151 Officer) be appointed to the board of Veritau Public Sector Limited as a director of the company.

## **Reasons**

There are very limited options available to a district council to provide a low-cost internal audit and counter fraud function. The option to join a LGWOC in the form of Veritau Public Sector Limited appears to be both the most cost effective, value for money approach whilst also providing significant levels of stability through having a significant level of skills and capacity across its workforce.

## **Alternative options**

### Option 1: In house

The in house option is not recommended for the following reasons:

- Significant additional cost compared to budget
- Significant difficulties in recruiting and retaining staff
- Overall lack of resilience in the service

### Option 2: Other Local Authority Provider

The current arrangement with OCC is via an SLA and this could be replicated with another local authority via a section 113 arrangement. A number of LAs were approached and the majority indicated they would not be able to provide a service to the council. Of the two authorities initial discussion was had with, neither authority would be able to provide a full Internal Audit and Counter Fraud service immediately and the charge for the service would exceed the current budget.

### Option 3: Open Market Procurement

An approach could be made to the open market but this is likely to cost significantly more than the current budget with no corresponding increase in service levels so is not anticipated to provide value for money and is also likely to cost significantly more than the proposed option.

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## **Finance Monitoring Report May 2024**

The Assistant Director Finance & Section 151 Officer submitted a report to update Executive on financial positions at the end of the May 2024.

There were no detailed questions on the exempt appendix to the report.

### **Resolved**

- (1) That the contents of the council's financial management report as at the end of May 2024 be noted.
- (2) That the use of reserve requests as set out in the annex to the Minutes (as set out in the Minute Book) be approved.
- (3) That the write offs totalling £398,796.89 as set out in the exempt annex to the Minutes (as set out in the Minute Book) be approved.
- (4) That the reprofile of the following capital project beyond the 2024/25 financial year be approved:
  - 40296 – S106 Ambrosden Outdoor Sports - £0.130m
- (5) That the consolidation of the three projects relating to North Oxfordshire Academy (40309 – S106 NOA Improvements - £0.678m, 40010 – North Oxfordshire Academy Astro turf - £0.134m and 40323 – NOA 3G Pitch Development - £1.600m) be approved and it be noted

the total project cost was now expected to be £1.600m, and the reprofile of the project beyond the 2024/25 financial year be approved.

### **Reasons**

This report provides an update on the council's financial positions as at May 2024 and seeks Executive agreement where required in accordance with the Constitution.

### **Alternative options**

Option 1: This report summarises the council's forecast financial position up to the end of March 2025, therefore there are no alternative options to consider.

## 25 **Exclusion of the Press and Public**

### **Resolved**

That under Section 100A of the Local Government Act 1972, the public and press be excluded from the meeting for the following items of business on the ground that, if the public and press were present, it would be likely that exempt information falling under the provisions of Schedule 12A, Part 1, Paragraphs 1, 2 and 3 would be disclosed to them, and that in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

## 26 **Finance Monitoring Report May 2024 - Exempt Appendix 6**

There being no questions on the exempt appendix, it had been agreed under item 12.

## 27 **Castle Quay Relocation Project - Award of Tender**

The Corporate Director Resources submitted an exempt report to award the contract to undertake the strip-out and refurbishment works required to create the new office facilities at Castle Quay once the evaluation of tender submissions had been concluded

### **Resolved**

- (1) That authority be delegated to the Assistant Director Property, in consultation with the Portfolio Holder for Finance and Resources, Monitoring Officer and S151 Officer, to award the contract to undertake the strip-out and refurbishment works required to create the new office facilities at Castle Quay once the evaluation of tender submissions has been concluded.

- (2) That authority be delegated to the Assistant Director Law and Governance to enter into the call off contract and associated agreements in this connection.

### **Reasons**

Completion of the project works will enable the Council move to new offices at Castle Quay. The new offices, located in an easily accessible location, will be better suited to modern ways of working and service delivery and will help the Council reduce its carbon footprint.

The Scope of Works was developed following consultation with Council staff and an independent project team provided the resource and advice needed to develop and finalise the Scope of Works and prepare the tender documentation.

Delegating approval to the Assistant Director Property, in consultation with the Portfolio Holder, Monitoring Officer and S151 Officer, to award the contract will enable the Council to meet its target move date.

### **Alternative options**

Option 1: Not make the contract award has been rejected as an option because the Council has already made the decision to move to Castle Quay and the space identified needs to be altered and fitted out to make suitable for Council operations.

Option 2: Retender the works required with a lower specification has been rejected as an option because of the time needed to complete the exercise and which would mean the Council is not able to move to the new offices by its planned completion date.

The meeting ended at 7.10 pm

Chairman:

Date:



## Annex to Minutes - Reserves and Grant Funding

### Uses of/ (Contributions to) Reserves

#### Specific requests

Directorate	Type	Description	Reason	Amount £m
Communities	Earmarked	Banbury Regeneration	Grant funding not received or confirmed by Homes England, £125K to come from reserves to fund Banbury Regeneration. Will continue to press Homes England for grant funding.	0.125
Communities	Earmarked	Ecologist Post	£26K return to reserves as Ecologist is being offset by BNG Grant from the Development Management Casework Reserve	(0.026)
Communities	Earmarked	NEAP Maintenance 2024/25	S106 – National Environmental Action Plan Maintenance for Hanwell Park	0.009
Resources	Earmarked	Service Charge	To refund tenants for unspent service charge from the Banbury Health Sinking Fund reserve.	0.073
<b>Total Earmarked Reserves</b>				<b>0.186</b>
<b>Ringfenced Grants</b>				<b>(0.000)</b>

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