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DISTRICT COUNCIL
NORTH OXFORDSHIRE

Committee: Executive

Date: Tuesday 10 June 2025

Time: 6.30 pm

Venue 39 Castle Quay, Banbury, OX16 5FD

Membership

**Councillor David Hingley
(Chair)**

Councillor Tom Beckett
Councillor Jean Conway
Councillor Ian Middleton
Councillor Rob Pattenden

Councillor Lesley McLean (Vice-Chair)

Councillor Chris Brant
Councillor Nick Cotter
Councillor Robert Parkinson

AGENDA

1. Apologies for Absence

2. Declarations of Interest

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

3. Petitions and Requests to Address the Meeting

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

4. Minutes (Pages 7 - 12)

To confirm as a correct record the Minutes of the meeting held on 7 April 2025.

5. Chair's Announcements

To receive communications from the Chair.

6. Housing Delivery Action Plan (Pages 13 - 46)

Report of Assistant Director Planning and Development

Purpose of report

To present a Housing Delivery Action Plan (HDAP) and seek agreement to the actions to improve Cherwell's five year housing land supply position.

Recommendations

That, subject to the consideration of any comments from the Overview and Scrutiny Committee, the Executive resolves:

- 1.1 To approve the Housing Delivery Action Plan for publication and to invite comment.
- 1.2 To instruct officers to keep the Housing Delivery Action Plan under review, having regard to comments received, and to make any necessary changes in consultation with the Portfolio Holder for Planning and Development Management.
- 1.3 To instruct officers to present a comprehensive review of the five year housing land supply position to the Executive, should there be evidence of a significant change.

7. A Future for Banbury update including the Banbury Area Priority Plan (Pages 47 - 56)

Report of Corporate Director Communities

Purpose of report

This report provides an update on the work in progress in relation to the Banbury area following the publication of the Banbury 2050 report; and includes the emerging Banbury Area Priority Plan (APP) as part of the developing Area Oversight Framework.

The Banbury APP is a compilation of the Banbury 2050 vision engagement findings and recommendations, whilst also including the priority plans currently under development at Oxfordshire County Council (OCC), with the aim to share one APP for the area.

Recommendations

The Executive resolves:

- 1.1 To note the update.

8. Housing Civil Penalties Policy (Pages 57 - 138)

Report of Assistant Director Wellbeing and Housing

Purpose of report

To seek approval for the new Housing Civil Penalties Policy.

Recommendations

The Executive resolves:

- 1.1 To approve the new Housing Civil Penalties Policy.
- 1.2 By doing so, approving the changes to the reviewed Housing Standards Enforcement Policy as outlined within the report.

9. Acceptance of Public Sector Decarbonization Scheme (PSDS) 4 Grant (Pages 139 - 210)

Report of Climate Change Programme Manager

Purpose of report

To provide an update to the Executive on the funding attached to the Public Sector Decarbonisation Scheme (PSDS), allocate resources and implement the delivery of the associated building decarbonisation works in line with the Council's Strategic Priorities and carbon emissions reduction to achieve CDC's Carbon Net Zero 2030 target.

Recommendations

The Executive resolves:

- 1.1 To proceed with the implementation of grant funding of £ 1,099,862 from the Public Sector Decarbonisation Scheme (PSDS) 4 as awarded by Salix Finance.
- 1.2 To approve an increase in the capital programme of £1,099,862 in line with the level of grant award, profiled in line with the timetable for receipt of the grant.
- 1.3 To reprofile the Net Zero Capital Projects budget to meet the match funding contribution of £350,911.40 and a further £210,000 to support deliver of the PSDS programme to fund:
 - 1.3.1 Property team capacity and budget resource (personnel and funding) to manage procurement, contracts, installation oversight, and maintenance.
 - 1.3.2 Capacity and budget resource (personnel and funding) to address outstanding rectification works from the previous PSDS-funded projects.

- 1.4 To note the financial implications associated with this report, including that the profile of grant receipts is not flexible and so any slippage in the project will result in a risk that the council's contribution to the scheme increases.

10. Finance and Performance Monitoring Report End of Year 2024-2025 (Pages 211 - 294)

Assistant Director of Finance (S151 Officer) and Assistant Director – Customer Focus

Purpose of report

To report to Executive the council's financial position and performance at the end of Year 2024-25.

Recommendations

The Executive resolves:

- 1.1 To consider and note the contents of the council's financial and performance report at the End of Year 2024-25.
- 1.2 To approve the reprofiling of capital projects beyond 2024/25 (section 4.2.3 and Appendix 1) and the subsequent update to the programme budget for this financial year 2025/26.
- 1.3 To approve the reserve movements in Appendix 5.
- 1.4 To note outturn for 2024/2025 which is a surplus of (£0.162m) after the proposed contributions to reserves of £2.020m

(Please note that there is no appendix 6 to this report)

11. Appointments to Partnerships, Outside Bodies, Member Champions and Shareholder Committee 2025/2026 (Pages 295 - 318)

Report of Assistant Director Law and Governance

Purpose of report

To appoint representatives to Partnerships, Outside Bodies, where these are executive functions, Member Champions and the Shareholder Committee, for the municipal year 2025/2026.

Recommendations

The Executive resolves:

- 1.1 To make appointments to partnerships, outside bodies, the Shareholder Committee, Member Champions and advisory groups for the 2025/2026

municipal year as set out in Appendix 1 to this report.

- 1.2 To delegate authority to the Assistant Director Law and Governance, in consultation with the Leader of the Council, to appoint Members to any outstanding vacancies and make changes to appointments, including new appointments, as may be required for the 2025/2026 Municipal Year.
- 1.3 To remind appointed members to update their Register of Interests as may be required, to reflect these appointments.

12. Urgent Business

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

Councillors are requested to collect any post from their pigeon hole in the Members Room 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.

Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

This agenda constitutes the 5-day notice required by Regulation 5 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 in terms of the intention to consider an item of business in private.

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Queries Regarding this Agenda

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

Shiraz Sheikh
Monitoring Officer

Published on Monday 2 June 2025

Cherwell District Council

Executive

Minutes of a meeting of the Executive held at 39 Castle Quay, Banbury, OX16 5FD, on 7 April 2025 at 6.30 pm

Present:

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

Councillor Tom Beckett, Portfolio Holder for Greener Communities
Councillor Chris Brant, Portfolio Holder for Corporate Services
Councillor Nick Cotter, Portfolio Holder for Housing
Councillor Ian Middleton, Portfolio Holder for Neighbourhood Services
Councillor Robert Parkinson, Portfolio Holder for Safer Communities

Apologies for absence:

Councillor Lesley McLean, Deputy Leader of the Council and Portfolio Holder for Finance, Property & Regeneration
Councillor Jean Conway, Portfolio Holder for Planning and Development Management
Councillor Rob Pattenden, Portfolio Holder for Healthy Communities

Also Present:

Councillor Amanda Watkins, Leader of the Opposition, Labour Group

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
David Peckford, Assistant Director Planning & Development
Nicola Riley, Assistant Director Housing and Wellbeing
Shona Ware, Assistant Director Customer Focus
Jacey Scott, Head of Revenues and Benefits
David Spilsbury, Head of Digital and Innovation
Natasha Clark, Governance and Elections Manager

Officers Attending Virtually:

Mona Walsh, Assistant Director - Property
Claire Cox, Assistant Director Human Resources

119 **Declarations of Interest**

There were no declarations of interest.

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

There were no petitions or requests to address the meeting.

The Chairman welcomed Councillor Watkins, Leader of the Opposition, the Labour Group, to the meeting and invited her to indicate if she wished to speak on any item.

121 **Minutes**

The minutes of the meeting held on 19 March 2025 were agreed as a correct record and signed by the Chairman.

122 **Chairman's Announcements**

The Chairman welcomed Members and officers to the first Executive meeting at the council's new office at Castle Quay. Executive members and the Leader of the Opposition thanked officers for their work resulting in the move of the council's headquarters.

The Chairman advised that further to the decision at the 19 March Executive meeting in respect of Local Government Reorganisation options, a letter had been sent to the Minister of State for Local Government and English Devolution from the Oxfordshire councils (county, city and districts). A separate letter had also been sent from Cherwell District Council and West Oxfordshire District Council. It was anticipated there would be feedback would be received in May.

123 **Annual Delivery Plan and Performance Measure 2025/2026**

The Assistant Director Customer Focus submitted a report to agree the council's Annual Delivery Plan (ADP) and Performance measures for 2025/26.

In considering the report, Executive members thanked officers for their hard work on the ADP and Performance Measures and their support to individual Portfolio Holders.

Resolved

- (1) That the council's Annual Delivery Plan and Performance Framework for 2025/26 be approved.

- (2) That the responsibility for finalising the milestones and the Key Performance Indicators be delegated to the Assistant Director for Customer Focus in consultation with the Portfolio Holder for Corporate Services.

Reasons

This report sets out a suggested annual delivery plan and framework for measuring and monitoring the council's performance and progress towards achieving better outcomes for its communities.

Alternative options

Option 1: Not to have an annual delivery plan and performance framework, however without one, the council cannot monitor its progress towards achieving its desired outcomes and therefore agree any corrective action that might be necessary to keep them on track. This option has therefore been rejected as the council would risk being able to deliver better outcomes for its communities.

124 Local Authority Housing Fund Round 3

The Assistant Director Wellbeing and Housing submitted a report to seek approval for the expenditure of the capital grant received from the Local Authority Housing Fund (LAHF) Round 3.

In response to a question from the Leader of the Opposition, Councillor Watkins, the Portfolio Holder for Housing explained that the grant would be used to deliver 8 units of accommodation with 4 units to be used as temporary accommodation for households owed a homelessness duty by the Council, and 4 units to be initially let (at first let only) to those on Afghan resettlement schemes. The units would be delivered at the end of March 2026 in accordance with grant conditions.

Resolved

- (1) That a capital grant to South Oxfordshire Housing Association (SOHA) for the delivery of new social housing within Cherwell from the grant received from Ministry of Housing, Communities and Local government (MHCLG): Local Authority Housing Fund Round 3 be approved.
- (2) That the increase to the Council's capital programme of £1.4m that arises from the report be approved.

Reasons

Delivering more social housing in district is a key objective and providing suitable, self-contained, housing for those in temporary accommodation is important. Accepting this grant is a way in which the council can enable more

housing delivery, easing pressures, without significant financial expenditure or risk.

Alternative options

Option 1: Not to transfer the grant to SOHA. The Council is under time pressure to deliver units as conditions of the grant. The government have provided the grant based on the Council's assurance to deliver quickly. To use an alternative delivery method, which is not currently known, risks non-delivery and repayment of the grant. This is therefore rejected.

125

Discretionary Housing Payments Policy

The Assistant Director Finance (Section 151 Officer) submitted a report to inform Executive of the reviewed policy for Discretionary Housing Payment (DHP) and proposed updates.

In response to Executive member questions, the Head of Revenues and Benefits confirmed that eligible applicants would be signposted to the scheme. The Head of Revenues and Benefits confirmed that spending of the funding was maximized.

Resolved

- (1) That the contents of the reviewed policy for Discretionary Housing Payments be noted.
- (2) That the reviewed policy for Discretionary Housing Payments be approved.

Reasons

Discretionary Housing Payments are vital for residents in the current economic climate and help to support our most vulnerable residents with housing costs. It is recommended that the policy is endorsed by Executive to continue delivering support to these customers.

Alternative options

Option 1: To return the funds to the Department for Works and Pensions. This has been rejected as this would not be in line with Cherwell's objectives of continuing to respond to the cost-of-living crisis and working to prevent homelessness.

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Urgent Business

There were no items of urgent business.

The meeting ended at 7.00 pm

Chairman:

Date:

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This report is public	
Housing Delivery Action Plan	
Committee	Executive
Date of Committee	10 June 2025
Portfolio Holder presenting the report	Portfolio Holder for Planning & Development Management, Councillor Jean Conway
Date Portfolio Holder agreed report	29 April 2025
Report of	Assistant Director – Planning and Development, David Peckford

Purpose of report

To present a Housing Delivery Action Plan (HDAP) and seek agreement to the actions to improve Cherwell's five year housing land supply position.

1. Recommendations

That, subject to the consideration of any comments from the Overview and Scrutiny Committee, the Executive resolves:

- 1.1 To approve the Housing Delivery Action Plan for publication and to invite comment.
- 1.2 To instruct officers to keep the Housing Delivery Action Plan under review, having regard to comments received, and to make any necessary changes in consultation with the Portfolio Holder for Planning and Development Management.
- 1.3 To instruct officers to present a comprehensive review of the five year housing land supply position to the Executive, should there be evidence of a significant change.

2. Executive Summary

- 2.1 The Housing Delivery Action Plan (Appendix 1) is prepared in response to the Council's Annual Monitoring Report 2024 (AMR) which was presented to the Executive in February 2025. The AMR assessed the Council's five year housing land supply position and concluded that the Council could only demonstrate a 2.3-year supply. The Executive resolved that a Housing Delivery Action Plan be prepared in consultation with the Portfolio Holder for Planning and Development Management.
- 2.2 The purpose of this plan is to outline the actions the Council will take to improve housing delivery and achieve a requisite five year housing land supply.
- 2.3 This Action Plan complements existing Council plans, policies and strategies which provide a framework for the delivery of the Council's housing priorities.

Implications & Impact Assessments

Implications		Commentary		
Finance		<p>If findings and actions of the HDAP are agreed, there is the potential need for additional resource to help with delivering improvement plans/action plans. However, if signing up more PPAs, this would bring in more income to cover the costs of additional planning staff. Also, the action plans will help reduce the number of appeals, reducing the risk of further costs to the Council.</p> <p>Kelly Wheeler, Finance Business Partner, 29 April 2025</p>		
Legal		<p>The report notes the need for the Council to re-assess its housing land supply following appeal decisions in 2024 as well as a High Court Judgement.</p> <p>Subject to the comments above, the report indicates that the result of these cases was to require Cherwell to produce a combined assessment of Cherwell and Oxford's unmet needs and produce a 5-year housing supply based on this combined need.</p> <p>The report sets out how the Housing Delivery Action Plan allows us to do this and therefore comply with our legal requirements going forward.</p> <p>The report also sets out the risks and impact to the Council if this approach is not followed.</p> <p>The report comments on delays which can be caused by completion of S106 Agreements and other planning obligations. The two tier nature of Cherwell/OCC means that we often require input from both authorities and sealing to take place from both authorities before the agreements can complete. It is also important to note that detailed negotiations need to take place in advance of legal instructions being provided in order to ensure that negotiations are not on-going during the legal drafting stage, therefore avoiding delays.</p> <p>These points are currently being worked on between the planning and legal departments as part of the transformation process and both departments are making a number of changes to the process to help improve the speed of delivery for these agreements going forward.</p> <p>Denzil – John Turbervill, Head of Legal Services</p>		
Risk Management		<p>As things currently stand the proposed plan requires more resource than what is currently available to deliver it. Therefore the main risk with agreeing the action plan is the extent to which it can be implemented and therefore meet the desired outcomes. The council therefore has three options:</p> <p>To produce an action plan that meets the budget envelope available</p> <p>Agree the plan and identify the budget needed to deliver it</p> <p>Agree which projects can be paused to redirect the resources needed to deliver the plan</p> <p>Shona Ware, Assistant Director, Customer Focus, 30 April 2025</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?		X		N/A
B Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?		X		N/A
Climate & Environmental Impact		X		The action plan is not new planning policy but rather to help facilitate meeting existing policy. The environmental implications of development is consider through Local Plan and planning application processes
ICT & Digital Impact				N/A
Data Impact				N/A
Procurement & subsidy				N/A
Council Priorities	Quality housing and place making – to deliver sustainable and strategic development that meets Cherwell’s needs now, and in the future and to achieve more high quality, secure, and affordable housing that caters for the diverse needs of our residents.			
Human Resources	N/A			
Property	N/A			
Consultation & Engagement	The Action Plan was discussed with Cllr Creed, Chair of Overview and Scrutiny Committee in the 2024/2025 municipal year, and Cllr Conway, Portfolio Holder for Planning and Development. There will also be future consultation with developers and stakeholders.			

Supporting Information

3. Background

- 3.1. At the February 2025 meeting of the Executive, members approved the preparation of a Housing Delivery Action Plan in response to the findings of the Annual Monitoring Report which found that the Council only had a 2.3 year supply of housing over the five year period 2024-2029.

- 3.2. As reported in February, the assessment of the five year land supply position was affected by an appeal decision in which it was considered by a Planning Inspector that the calculation for Cherwell's requirements and that for the district's contribution to the unmet housing needs of Oxford should be amalgamated. It was also affected by the Government's publication of a new standard method for assessing 'Local Housing Need' alongside a new National Planning Policy Framework (NPPF) in December 2024. This significantly increased the quantum of housing for Cherwell that needed to be factored into the five-year supply calculation.
- 3.3. As set out in the proposed Action Plan (Appendix 1), this had led to a higher five-year target against which the supply of deliverable housing is measured. From a housing supply perspective, the largest factor affecting the district's ability to meet this target has been the delay in the sites allocated for development in the Partial Review of the Local Plan (2020) – those to help meet Oxford's needs.
- 3.4. The current five-year housing land supply position can only be addressed by increasing the supply of housing that can be shown to be 'deliverable' over the rolling five-year period. This can be achieved by accelerating identified supply or by appropriately approving new supply where there is evidence of sufficient delivery within the five-year period to have positive impact on the land supply position. The attached Action Plan therefore analyses the causes of under delivery (i.e. sites that should have progressed further by this point in time) and the overall supply of housing, and sets out a series of measures and actions to tackle them.

4. Details

Key Issues

- 4.1. The Council's Annual Monitoring Report 2024 assessed the Council's five year housing land supply position and concluded that the Council could only demonstrate a 2.3-year supply.
- 4.2. Revised NPPF and national Standard Method calculations for local housing need have increased the annual housing need to 1871 dwellings for the current five year period 2024-2029 (including the planned requirement for Oxford's needs). Once a new Local Plan is adopted, the housing requirement from that Plan would be applied to land supply calculations instead of the Local Housing Need figure arising from the Standard Method.
- 4.3. At 31 March 2024, the district had over 8,000 homes with outline or full planning permission that had not yet been built. The Council has very limited influence in bringing forward approved sites. Developer finances and circumstances including upfront costs, market conditions and competition are influential as are constraints such as utility capacity and the timing of infrastructure works. Planning performance affects the speed at which new planning permissions are granted (including the completion of legal agreements) and the speed at which detailed matters are approved or discharged. Accelerating delivery requires unblocking the development pipeline where required. This is important so that any five year land supply shortfall is not met unnecessarily by additional unplanned development.

Past Housing Delivery

- 4.4. The Cherwell Local Plan 2011-2031 was adopted by the Council in 2015. It makes provision for the development of 22,840 homes; an annualised requirement of 1,042 dwellings per annum.
- 4.5. Prior to Local Plan adoption, a total of 2052 homes were delivered from 2011-2015: an average of 513 homes per annum. Post-adoption, from 2015 to 2023, the level of housing delivery exceeded the requirements of the Plan. A total of 10,260 homes were completed over that eight year period (an average of 1282 per annum). 39.6% of those homes were completed at Banbury, 30.1% at Bicester and 30.3% elsewhere including at Heyford Park (2015-2023).
- 4.6. However, in 2023/24, total completions dropped to 805 new homes. 24.5% were built at Banbury, 28.1% at Bicester and 47.4% elsewhere. This fall in delivery in part reflects national and local housing market conditions and in part the complexity in delivering the Local Plan's remaining strategic development sites, particularly at Bicester (Graven Hill, North West Bicester, and South East Bicester) where specific site circumstances and infrastructure constraints are delaying delivery.
- 4.7. The Partial Review of the 2011-2031 Local Plan, required to contribute in meeting Oxford's unmet housing needs, was adopted in 2020 following delays caused by a lengthy Local Plan Examination and an unsuccessful legal challenge. The Plan had been prepared in the interest of securing delivery of an additional 4,400 homes from 2021 to 2031 with a staggered housing trajectory provide for 1,700 homes in the first five years to 2026. Although, most sites are progressing through the development management process, to date there has been no delivery.

Future Housing Delivery

- 4.8. The Local Housing Need for Cherwell arising from the national Standard Method has increased significantly to 1118 dwellings per annum (a 63% increase). In addition, a further allowance for Oxford's unmet needs has to be included in the calculations. This results in a revised annual requirement (including a required 5% buffer) of 1871 dwellings.
- 4.9. The current supply of sites considered to be 'deliverable' (not just developable) indicates that the district will fall well short of the required 1871 new homes per annum. The AMR reported that for the period 2024 to 2029, there is presently a total shortfall of 5017 homes in demonstrating a five-year supply (a deliverable supply of 4339 homes compared to a requirement of 9356).

Summary of Key Actions that are being taken/proposed to be taken:

- 4.10. The Action Plan at Appendix 1 has been prepared in the interest of the Council doing all that it reasonably can to address this five year land supply shortfall. In summary, this includes:
- i. submit the new Local Plan for examination and adopt it as soon as possible thereafter
 - ii. utilise the Council's Area Oversight Groups to bring together stakeholders and agree on local priorities

- iii. increase the use Planning Performance Agreements (PPAs) and a Planning Improvement Plan to improve efficiency of planning processes
- iv. engage with the Planning Advisory Service (PAS) and review planning decision making process where required to support improvement
- v. reconvene regular developer forums
- vi. review the pre-application advice service
- vii. implement an Action Plan to support the management of strategic planning applications.

Monitoring

- 4.11 It is proposed that the actions will be monitored and reviewed quarterly with the benefit of development monitoring information, developer engagement and stakeholder feedback.

Stakeholder engagement on the Action Plan

- 4.12 Subject to the Executive's approval, officers propose publishing the Action Plan without delay in taking positive steps to address the five year land supply shortfall. However, it is also proposed to invite comments upon it from developers and statutory consultees and to keep it under review in consultation with the Portfolio Holder for Planning and Development Management having regard to feedback received.

Risks

- 4.13 Implementing the Action Plan, along with other planned improvements and measures, will require officer resources. The Assistant Director – Planning and Development and Corporate Director – Communities are seeking to make the appropriate provision within existing budgets.

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: Seek reconsideration of the Housing Delivery Action Plan. Officers consider that the proposed action plan provides the necessary foundation for improving the housing land supply situation. It can be reviewed in response to changing circumstances in consultation with the Portfolio Holder for Planning and Development Management.

6. Conclusion and Reasons for Recommendations

- 6.1 In order to improve the district's housing land supply position and address the obstacles and delays to housing delivery, it is recommended that the attached Action Plan is agreed.

Decision Information

Key Decision	No
Subject to Call in	Yes
If not, why not subject to call in	N/A
Ward(s) Affected	All

Document Information

Appendices	
Appendix 1	Housing Delivery Action Plan
Background Papers	Executive , 3 rd February 2025
Reference Papers	Annual Monitoring Report 2024
Report Author	Paul Seckington, Head of Development Management
Report Author contact details	Paul.Seckington@cherwell-dc.gov.uk
Corporate Director Approval (unless Corporate Director or Statutory Officer report)	Ian Boll, Communities Director, 30 April 2025

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Cherwell

DISTRICT COUNCIL
NORTH OXFORDSHIRE

Cherwell District Housing Delivery Action Plan 2025

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1. Introduction

1.1 Background

- 1.1.1 The National Planning Policy Framework (NPPF) and related guidance set out the government's objective to significantly boost the supply of homes and that Local Planning Authorities (LPAs) have a critical role in planning for and delivering an adequate supply of housing.
- 1.1.2 In particular, LPAs need to demonstrate a **5-year housing land supply** to show that it has enough identified, suitable, and deliverable land to meet its housing needs for the next five years. The supply is calculated as follows:
- **Five-year timeframe:** The supply must cover a rolling five-year period from the current date.
 - **Identified sites:** The council must have specific sites allocated or with planning permission that are expected to come forward for housing development.
 - **Suitable:** The land must be appropriate for housing in terms of location, accessibility, and environmental constraints.
 - **Deliverable:** There must be a realistic prospect that housing can be delivered on these sites within the five-year period. This considers factors like viability, infrastructure, and developer interest.
- 1.1.3 Up until recently, Cherwell District Council (CDC) has monitored and calculated two separate housing land supply positions: one for Cherwell's needs¹, and one for Oxford's unmet needs².
- 1.1.4 However, following 2024 appeal decisions and a recent High Court judgment, a combined assessment of the district's housing land supply position for both needs is now required. Furthermore, in December 2024, the Government published a revised NPPF and a new revised Standard Method calculation for assessing housing need.
- 1.1.5 Using the latest Standard Method calculations there is now a need to provide 1118 dwellings per annum to meet Cherwell's needs (compared to 742 under the previous

¹ Based on the Cherwell Local Plan 2011-2031 (Part 1) – see para 4.3

² Based on Cherwell Local Plan 2011-2031 (Part 1) Partial Review - Oxford's Unmet Housing Need – see para 4.3

method) plus adding in Oxford's Unmet needs results in a revised annual requirement (including a 5% buffer) of 1871 dwellings. This is a level of housing delivery that has not been delivered in Cherwell before.

- 1.1.6 The Council's latest combined assessment, as detailed in CDC's 2024 Annual Monitoring Report (AMR) shows that the District can only demonstrate a 2.3 year housing land supply for the period 2024 to 2029, as detailed below:

Description	5-year Period 2024 to 2029
Combined base requirement over next 5 years plus buffers	9356
Revised Annual Requirement (Over next 5 years)	1871
Deliverable Supply Over Next 5 Years	4339
Total Years Supply Over next 5 Year	2.3
Shortfall	-5017

1.2 Purpose of the Housing Delivery Action Plan

- 1.2.1 The purpose of this Housing Delivery Action Plan is to outline the actions the Council will take to improve housing delivery and achieve a requisite 5-year housing land supply.
- 1.2.2 This Action Plan complements existing Council plans, policies and strategies which provide a framework for the delivery of the Council's housing priorities. These include the following:

Corporate Plan (2025-2030)

- 1.2.3 The Corporate Plan has key priorities to increase delivery of affordable and green housing and deliver the new Local Plan and at the heart of the Council's Vision is its commitment to being "a modern Council, inspiring and enabling positive, lasting change".

Housing Strategy (2025-2030):

- 1.2.4 The Strategy sets out how the Council will respond to challenges in delivering and managing high-quality housing across all tenures in the District over the next 5 years. The Three priority areas of the strategy are:
- Increase the supply and diversity of affordable housing to ensure the right types of housing are available in the right places;
 - Improve the quality and sustainability of our homes and build thriving, healthy communities; and

- Enhance opportunities for residents to access suitable homes and have housing choices.

1.3 Aims and Scope of the Action Plan

1.3.1 The main aims and scope of the Housing Delivery Action Plan are as follows:

- To provide an analysis of the key reasons for the current under-delivery of new homes in the district against its housing requirement;
- To identify the measures the Council has already undertaken and intends to take to increase and accelerate the delivery of new housing in the district; and
- To identify the monitoring arrangements for the Housing Delivery Action Plan.

2. The Housing Delivery Test (HDT)

2.1 HDT explained

2.1.1 The HDT, introduced by the government, monitors housing delivery by Local Planning Authorities against annual targets. It measures net additional dwellings delivered over the previous **three-year period** against the homes the Government requires each Local Planning Authority (LPA) in England to deliver.

2.2 HDT Requirements

2.2.1 The Government publishes results on performance for each LPA on an annual basis. The HDT has three requirements:

- If delivery is less than 95% of the housing target, the LPA should prepare an Action Plan.
- If delivery is less than 85% of the housing target, the LPA should include a 20% buffer in calculating its 5-year housing land supply.
- If delivery is less than 75%, the presumption in favour of sustainable development (NPPF para. 11 d) is engaged.

2.2.2 The recently published HDT for CDC demonstrates that we have actually delivered 146% against the last three-year HDT monitoring period. Therefore, this Action Plan

is being put together voluntarily to support improved housing delivery, in order to achieve the requisite five-year housing land supply, not an Action Plan required by the Housing Delivery Test.

3. The Implications of Not Having a Five-Year Housing Land Supply

3.1 The 'tilted balance' is engaged

3.1.1 The absence of a five-year supply 'tilts the balance' in the weighing-up of considerations involved in decision making. The presumption in favour of sustainable development at para. 11(d) of the NPPF is engaged.

3.1.2 This states that (where there is a lack of a five-year supply) planning permission should be approved unless:

- a proposed development is in a defined protected area or the asset is of particular importance which provides a strong reason for refusal; or
- Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the NPPF as whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

3.2 Material Considerations and the Development Plan

3.2.1 The tilted balance does not guarantee planning permission nor does it replace the statutory responsibility of the decision-maker to consider whether planning permission should be granted in accordance with the Development Plan, when read as a whole, unless material considerations indicate otherwise. The NPPF and whether the 'tilted balance' would be engaged are potential material considerations.

3.2.2 Planning permission can still be refused where the tilted balance is engaged if the harm associated with a proposed development outweighs the benefits.

4. Housing Delivery Analysis

4.1 Geographical Context

- 4.1.1 Cherwell District is a largely affluent district in the South East of England. It is connected to London, Birmingham and Oxford by fast rail links from Banbury, Bicester and a few of its villages and has attractive features such as a rich fabric of historic settlements, buildings, parks and other green spaces, plus a wide and expanding economic employment base.
- 4.1.2 The strategic highway network also provides ready access to those cities and beyond for Cherwell residents, its workforce and businesses via the M40 motorway and the A34 and A43 trunk roads.
- 4.1.3 However, the district faces specific constraints, including Green Belt policies, infrastructure delays, and market conditions

4.2 Local Housing Market

Property Prices and Affordability

- 4.2.1 The median house price in the District in September 2023 was **£396,000**, which is significantly higher than the UK average of £282,000 in 2024, although lower than the Oxfordshire wide and South East wider level. Sold houses data from 2023-24 suggests that the average price for properties sold in Bicester and Kidlington were around 21% higher than those sold in Banbury (source: Zoopla).
- 4.2.2 The District's median gross annual workplace-based earnings in 2023 were **£30,749** which is lower than the Oxfordshire median of £34,005 but higher than the national figure of £29,669. The workplace earnings to house price ratio within Cherwell is wider therefore than at a national level. In 2021, the house price to workplace earnings ratio was over 10 times and this gap has widened such that by 2023 it was almost 13 times, compared to a national ratio of 9.5 times. This means that purchasing a home is out of the reach for many working households and significantly more difficult than across much of the UK.
- 4.2.3 Affordability is not just an issue for homeowners and those seeking homeownership. It is a cross-tenure issue, and the issues facing the private rented sector are similarly challenging. The median rental cost per month for a property in Cherwell in 2022 was **£975**. This is below the Oxfordshire level of £1100 but higher than the overall national and South East levels. Median rents in Cherwell rose **11+%** over the 3 prior years, which is a faster acceleration than in the County as a whole.
- 4.2.4 The private rented sector locally is a challenging market with high demand for accommodation and a buoyant market. Therefore, those that are on the lowest incomes face the most significant challenges in accessing private rented sector tenancies.

- 4.2.5 As Cherwell is adjacent to Oxford city, prices have been pushed up by the Oxford market and its thriving rental market, driven by its location, commerce and student market, particularly in HMO's. Median rents in Oxford city are around £300 per month more than they are in Cherwell and, given their proximity, it also affects rental properties in Kidlington and is also starting to affect Bicester, following improvements in rail connectivity with Oxford.

Social Housing Demand

- 4.2.6 There are presently just over 2,000 households in Cherwell on the Council's housing register, and this has increased by almost 100% in the last five years.
- 4.2.7 There were 546 lettings through the housing register in 2023/24. There is an identified increasing need for 1-bedroom accommodation within Cherwell, with 50% of new applicants in the year requiring a 1-bed property and 84% requiring either 1 or 2-bed accommodation.
- 4.2.8 Fortunately, the supply of smaller accommodation is strong, both through new delivery and through relets, so waiting times for this type of social accommodation is shorter than for larger 4 and 4+ bedroom family accommodation, regardless of what priority band applicants are in. The average wait for a larger property in 2023/24 through the housing register was 2 years and 11 months.

4.3 Local Planning Context

Cherwell Local Plan 2011-2031 (Part 1)

- 4.3.1 This Local Plan, adopted in July 2015, sought to boost significantly the supply of housing from previous years, and meet the objectively assessed need for Cherwell identified in the Oxfordshire Strategic Housing Market Assessment (SHMA) 2014. This is a total of 22,800 homes from 2011 to 2031 or some 1140 dwellings per annum. The Plan's spatial strategy is to direct most development to Banbury and Bicester. In addition, some growth was proposed at the former RAF Upper Heyford. Elsewhere development is limited.
- 4.3.2 Over the Plan period 10,129 homes are to be provided at Bicester, 7,319 at Banbury, and 5,392 in the rural areas, including Heyford and Kidlington.
- 4.3.3 The Cherwell Local Plan 2011-2031 was adopted in 2015 and hence is over five years old. A review of the Plan's policies was presented to the Executive in January 2021. The review concluded that the majority of the Plan's policies were generally up to date. This included the Local Plan requirement of 1,142 homes per annum (22,840) which then remained the default starting point for the purposes of calculating the 5-year supply.

- 4.3.4 A further review in 2023 however, concluded that the strategic policies in the adopted local plan relating to housing needed updating. Subsequently the Council reverted to applying the standard methodology for the assessment of local housing need for Cherwell for the purpose of calculating the five-year housing land supply.

Cherwell Local Plan 2011-2031 (Part 1) Partial Review - Oxford's Unmet Housing Need

- 4.3.5 In the 2015 Local Plan the Council committed to working on an on-going basis with all other Oxfordshire local authorities to address the need for housing across the Oxfordshire Housing Market area. All of the Oxfordshire councils accepted that Oxford cannot fully meet its own needs. This Partial Review Local Plan subsequently identified land for 4,400 additional homes to meet Cherwell's agreed share of Oxford's unmet need to 2031. This was adopted in September 2020.
- 4.3.6 As this local plan is less than 5-years old the housing requirements of the Partial Review continues to be applied for the purpose of calculating the five-year housing land supply for Cherwell's contribution to Oxford's unmet housing need.

Emerging Cherwell Local Plan Review 2042

- 4.3.7 The Council is currently preparing a new local plan for the district which covers the period 2020 to 2042. The pre-submission (Regulation 19) Plan was published for consultation between December 2024, and 25 February 2025. Submission for examination is expected early summer 2025.
- 4.3.8 This emerging Local Plan requires 20,042 homes to be delivered to meet housing need between 2020 and 2042. This equates to 911 dwellings per annum. An additional 4,545 homes are provided to help deliver further social/affordable housing, support place making and provide contingency. This brings the total number of homes planned to 24,587.

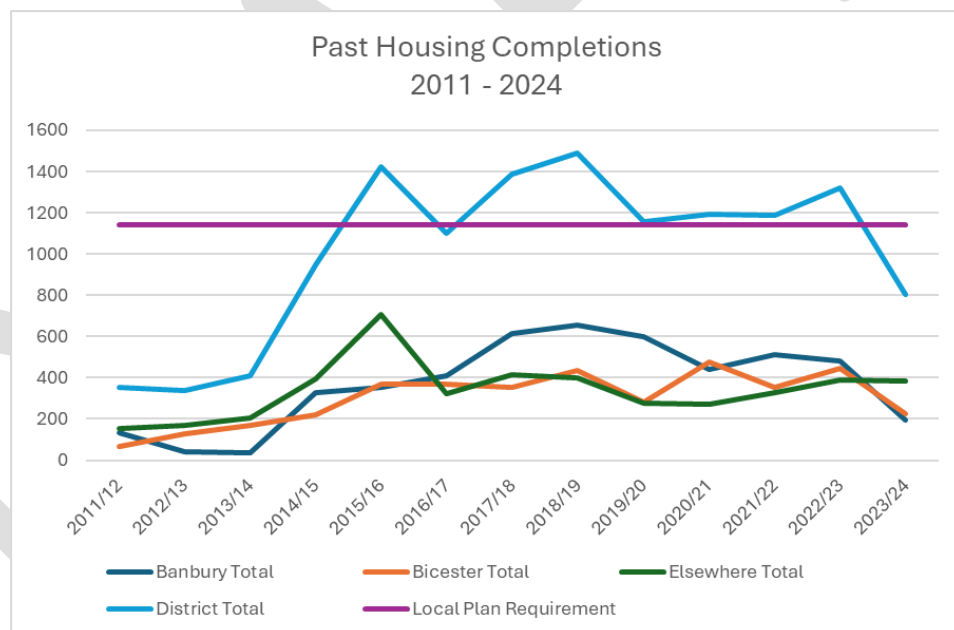
Neighbourhood Planning

- 4.3.9 There are a number of 'made' neighbourhood plans in the district.
- Hook Norton Neighbourhood Plan - 19 October 2015
 - Bloxham Neighbourhood Plan - 19 December 2016
 - Adderbury Neighbourhood Plan - 16 July 2018
 - Mid-Cherwell Neighbourhood Plan - 14 May 2019
 - Weston-on-the-Green Neighbourhood Plan - 19 May 2021
 - Deddington Neighbourhood Plan – 22 May 2024

5. Housing Delivery Progress

5.1 Current Position

- 5.1.1 Cherwell has for many years facilitated the delivery of new homes, and for the most part exceeded local plan targets. However, the significant increase in Cherwell's housing requirement presents a significant challenge moving forward. Current delivery rates indicate that the Council will fall well short of the required 1871 new homes per annum.
- 5.1.2 The 2024 AMR shows that of the 13,117 homes built since 2011, 37% have been at Banbury, 30% at Bicester and 33% elsewhere in the district. In 2023/24, 28% of completions were at Bicester, 24% at Banbury and 47% elsewhere. The graph below shows how this figure has fluctuated over the past thirteen years and in particular that developments at the two main towns of the district and where most development is focused and allocated in the Local Plan has dropped significantly in the past year, with more being built in the rural areas.



- 5.1.3 When compared with the required annual delivery rate required by the 2015 adopted Cherwell Local Plan this is an average under delivery of 131 dwellings per annum, although for most of the past 13 years delivery has been above that required by the local plan.
- 5.1.4 However, there has been a noticeable dip in delivery in the monitoring year 2023/24, with only 805 dwellings completed. Early indications are that this trend is continuing in 2024/25.

5.2 Progress of Allocated Sites

5.2.1 The progress being made on strategic sites (100 or more dwellings) allocated in the 2015 Local Plan, is detailed below:

Site	Allocation	Permissions	% of allocation granted permission	Completions (2011 – 2024)	% of allocation built	Permissions remaining
BICESTER						
North West Bicester	6000	2642	44%	412	7%	2230
Graven Hill	2100	750	36%	511	24%	239
South West Bicester Phase 2	726	649	89%	649	89%	0
South East Bicester	1500	1500	100%	0	0%	1500
Gavray Drive	300	0	0%	0	0%	0
Total	10626	5541	52%	1572	15%	3969
BANBURY						
Canalside, Banbury	700	19	3%	0	0%	19
Southam Road	600	627	105%	537	90%	90
West of Bretch Hill	400	480	120%	480	120%	0
Bankside Phase 2	600	820	137%	0	0%	820
North of Hanwell Fields	544	590	108%	590	108%	0
Bolton Road	200	78	39%	0	0%	78
South of Salt Way (West)	150	343	229%	324	216%	19
South of Salt Way (East)	1345	1448	108%	359	27%	1089
Drayton Lodge Farm	250	320	128%	0	0%	320
Higham Way	150	0	0%	0	0%	0
Total	4939	4725	96%	2290	47%	2435
ELSEWHERE						
Former RAF Upper Heyford	2361	2590	110%	1150	49%	1440
TOTAL	17926	12856	72%	5012	28%	7844

5.2.2 The above table demonstrates that almost all the allocations at both Banbury and Heyford have been granted planning permission, but only 52% at Bicester. Furthermore, whilst delivery at Banbury and Heyford has been coming forward, with almost 50% of the housing from the allocations being completed, Bicester has only

completed 15% of its housing from the allocations. Most notable is the completion of just 7% of the largest allocation in the Local Plan, the 6000 houses at North-West Bicester.

5.3 Progress of Windfall/Rural Sites

- 5.3.1 At the Category A and Category B villages, the adopted Local plan anticipated that about 750 largely windfall developments would come forward within the plan period to 2031. In fact, over 1,130 dwellings have actually been completed on sites at and around those settlements and permissions exist for more. In particular, 219 houses have been delivered at Adderbury, 313 at Ambrosden, 313 at Bloxham, 180 at Deddington and 200 at Hook Norton.

5.4 Progress of Allocated Sites for Oxford's Housing Needs

- 5.4.1 The progress being made on the sites allocated to meet Oxford's unmet need in the Partial review Local Plan, is detailed below:

Site	Allocation	Applications	Resolution to approve	Permissions Issued	% of allocation granted permission	Completions
Policy PR6a - Land East of Oxford Road	690	690	690	0	0%	0
Policy PR6b - Land West of Oxford Road	670	0	0	0	0%	0
Policy PR7a - Land South East of Kidlington	430	370	0	370	86%	0
Policy PR7b - Land at Stratfield Farm	120	118	118	0	0%	0
Policy PR8 - Land East of the A4	1950	2200	2200	0	0%	0
Policy PR9 - Land West of Yarnton	540	540	0	540	100%	0
TOTAL	4400	3918	3008	910	21%	0

- 5.4.2 The above table demonstrates that whilst applications have been submitted for 89% of the 4400 housing allocated (with nearly all the sites having adopted Development

Briefs) only two sites have the benefit of planning permission, equating to 910 houses, which is just 21%. Leaving 3490 houses yet to receive permission.

- 5.4.3 Whilst applications for 3008 of these dwellings (86%) have been to planning committee and have received a resolution to approve, which shows that delivery is expected to start and will pick up over the coming years, the delay to the Partial Review sites being developed is a big factor in the under delivery of housing.

5.5 Affordable Housing Progress

- 5.5.1 The AMR shows that in the monitoring year 2023/24, there were 266 net affordable housing completions secured through Section 106 agreements. This figure represents an annual increase in affordable housing completions since the 2021/22 monitoring year. Furthermore, affordable housing completions accounted for approximately 33% of the total net housing completions (805 homes) in 2023/24.
- 5.5.2 The AMR indicates that 99% of social housing in Cherwell is delivered by Registered Providers, highlighting the importance of this partnership for future affordable housing provision.
- 5.5.3 The AMR acknowledges a significant imbalance between the high demand for social housing and the limited supply, particularly for larger family homes.

6. Challenges to Delivery / Planning Processes

6.1 Power Supply

- 6.1.1 One of the biggest issues to delivery at Bicester has been ensuring sufficient electricity supply to meet the demands of the growing town. A number of sites have stalled as capacity in the grid to serve the homes is not there and not anticipated for a number of years. This has affected confidence of the housebuilders on some sites to start building if the houses cannot connect to the grid.

6.2 Transport Infrastructure

- 6.2.1 Whilst 6,000 homes have been allocated for development at North-West Bicester in the 2015 Local Plan and over 2,230 have been granted permission, only 412

dwellings have thus far been completed on the site. Lack of funding to construct an essential new strategic link road to serve the largest North-West Bicester allocation has been a major constraint.

6.3 Foul Drainage

- 6.3.1 Foul water drainage capacity limitations have been significant constraints to development completions around Kidlington, particularly on the Partial Review Sites. This has delayed the ability of the LPA to grant planning permission for these sites while this matter is being resolved.

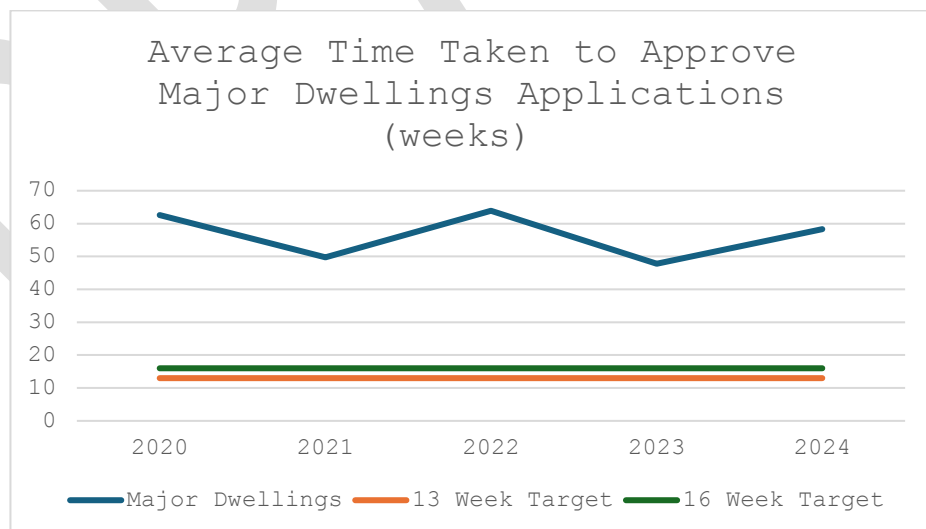
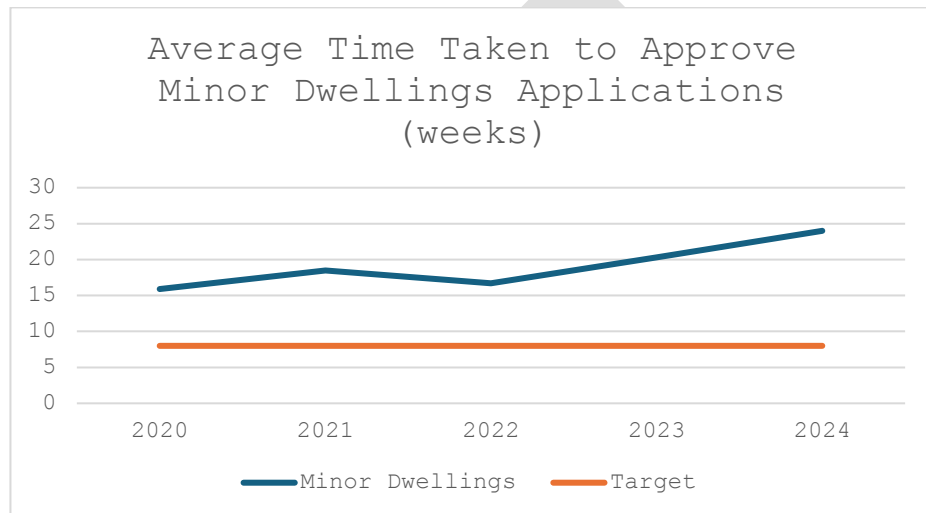
6.4 Planning Performance

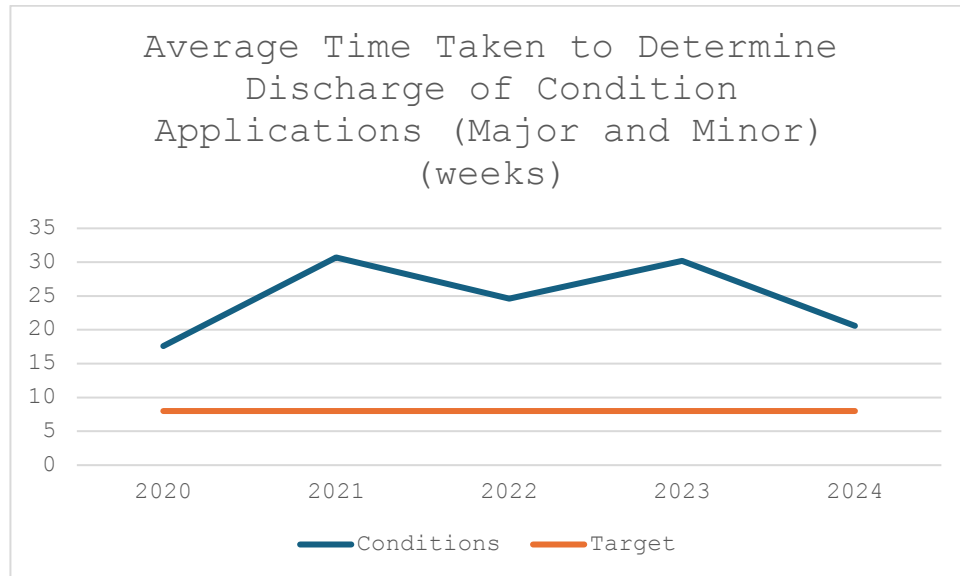
- 6.4.1 The LPA is significantly exceeding Government targets for the Speed of determining applications with over 80% of both major and non-major applications decided on time. However, in terms of quality of decision making the Council has gone over the 10% Threshold, due to the number of major appeals allowed. See table below:

Measure and type of Application	Threshold and assessment period October 2023 to September 2024	CDC Performance
Speed of major Development	60%	86.21% (50/58 applications determined in time)
Speed of non-major Development	70%	82.97% (955/1151 applications determined in time)
Measure and type of Application	Threshold and assessment period April 2022 to March 2024	CDC Performance
Quality of major Development	10%	10.4% (12 applications allowed at appeal, against 115 determined)
Quality of non-major Development	10%	0.74%

		(17 applications allowed, against 2308 applications determined)
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6.4.2 In addition, whilst the Council is meeting the targets on Speed, this is heavily reliant on the use of 'Extension of Time', which means applications are taking a lot longer to determine than the 8, 13 and 16 week timeframes. which delays the granting of planning permissions. In addition the delays in granting discharge of condition applications has been significantly above the 8 week target over the last 5 years. See graphs below:





6.4.3 The time taken to determine applications and discharging conditions does contribute to delaying delivery of developments.

6.5 Consultation Responses

6.5.1 A significant proportion of the major planning applications are delayed due to the time taken to engage with statutory consultees and awaiting their response, and the repeat requests for amended/more information. In particular the Environment Agency, OCC Highways and National Highways. These delays can add many months if not more than a year to the consideration of applications.

6.6 Legal Agreements

6.6.1 Following on from the above the process of agreeing developer contributions to affordable housing and infrastructure through legal agreements (Section 106 agreements) can significantly delay delivery by planning permissions taking a long time to be issued whilst finalising the S106 agreement (often by more than a year and occasionally up to several years).

6.6.2 For example, in 23/24, 58 applications for major development (including S106 agreements) were determined. 48 were determined within time or with an agreed extension of time, but only 12/58 (21%) were determined within time without using an agreed extension of time. The average time taken to determine applications with a S106 was 67 weeks.

6.7 Planning Appeals

- 6.7.1 Whilst there is a presumption in favour of sustainable development (NPPF para.11d), the perception of some stakeholders is that individual planning decisions do not always reflect this, and that this can adversely affect housing delivery in the District.
- 6.7.2 The Council's failure to successfully defend refusals of planning permission for housing developments, particularly around Banbury, Heyford Park and some of the Category A villages and in a number of cases following Member overturns of Officer recommendations of approval has resulted in the Government formally identifying Cherwell District Council as an underperforming authority because more than 10% of refusals for major housing projects have been overturned at appeal in the last two years (10.4%).
- 6.7.3 In addition, dealing with a high number of planning appeals over the past few years, particularly the significant number of Public Inquiries has taken up a significant amount of time and resource, taking our most experienced planning officers and solicitors away from processing live applications, leading to additional delays.

6.8 Staffing

- 6.8.1 Despite the successful filling of all vacancies within the Development Management Team with permanent or agency staff, the sheer number of applications received, coupled with the intricate nature of strategic development proposals and the requirements of Planning Performance Agreements, places considerable pressure on the service. Resource levels are subject to ongoing review, with careful consideration given to budgetary limitations.

6.9 External factors

- 6.9.1. *Market Conditions:* Fluctuations in the housing market, including house prices and demand, affect the viability of development and the willingness of developers to build. The lower completion rates in 2023/24, reflect the broader national market conditions.
- 6.9.2. *Construction Costs:* Rising costs of materials and labour are making developments less financially viable, potentially leading to delays or cancellations, particularly for affordable housing projects with tighter margins. The slow rates of delivery on ongoing strategic sites with the benefit of planning permission reflects this.
- 6.9.3. *Environmental Regulations:* Increasingly stringent environmental regulations, such as those related to biodiversity net gain, can create significant hurdles and delays for housing developments, requiring complex mitigation strategies.
- 6.9.4. *Infrastructure Providers:* The timely delivery of essential infrastructure (roads, utilities, schools, healthcare) by external agencies is critical for making housing

developments viable and sustainable. Delays in infrastructure can hold up housing completion.

7. Key Actions and Responses

7.1 Interventions and Partnerships

- 7.1.1 This Housing Delivery Action Plan focuses on the intervention options open to the Council, recognising that a wide range of partners will need to be involved in helping to achieve the objectives of the Housing Delivery Action Plan. This will involve working with landowners, developers, registered providers and development bodies, as well as infrastructure providers to ensure that more new housing is delivered within Cherwell District.
- 7.1.2 The Council is committed to working constructively with Government and other partners to take advantage of funding opportunities to help deliver new housing and supporting infrastructure, in line with national planning policy.

7.2 What the Council has done / is doing so far

- 7.2.1 Table 1 below provides the specific actions that have been undertaken by CDC so far / in progress in tackling housing supply and delivery.

7.3 What more the Council will do

- 7.3.1 Table 2 sets out the proposed actions to further tackle housing supply and delivery.

7.4 The Housing Delivery Action Plan for CDC

- 7.4.1. The 11 actions within Tables 1 & 2 below form the Housing Delivery Action Plan for CDC to address the under delivery of housing in Cherwell District.

Table 1 – The Actions the Council has undertaken / is undertaking so far

Action	Description	How is/will this help supply and delivery?	Timescale (short/medium/long/ongoing)	Responsible Teams	Action progress at April 2025
1. Local Plan	Prepare and adopt a new Local Plan to meet Cherwell's needs, protect its environment and secure sustainable development.	The adoption of the plan would bring the annual housing target down to 911 from 1118 in the current local plan, making delivery more achievable	Medium - It is expected that the Local Plan will be adopted in 2026.	Planning Policy	Consultation on the Regulation 19 version of the Local Plan took place between December 2024 to Feb 2025. The Planning Policy team are now preparing documents for the Council to consider and for submission as soon as possible.
2. Oxford Sewage Treatment Works (OSTW)	Engagement with MHCLG / DEFRA / Environment Agency / Thames Water / developers / CDC / OCC / WODC to find a solution to the capacity issue at the OSTW.	For many months applications had been held in abeyance due to an objection by the Environment Agency on applications in and around Oxford due to environmental harm that would be caused by new development as a result of OSTW being at capacity. By overcoming this issue, applications would be a step closer to receiving permission	Short -	Development Management Assistant Director	A series of high level meetings with these external partners has led to the Environment Agency withdrawing their objections to the developments in and around Oxford. This resulted in Thames Water confirming that the Oxford Sewage Treatment Works will be upgraded in time to serve these developments, including the partial review sites within CDC.
3. CDC Area Oversight Groups (AOGs)	These groups have been established to bring together key stakeholders and agree local priorities under an Area Priority Plan. Groups meet quarterly. Stakeholders include County, District and Town/Parish Councillors, developers / landowners, education establishments, businesses, community groups etc.	Key Areas of Work <ul style="list-style-type: none"> Supporting Planning colleagues to resolve outstanding S106 issues. Engagement with / applying for funding from MHCLG / Homes England. Developer Forum engagement / specific landowner discussions to resolve issues ahead of planning. Energy infrastructure needs – engagement with the newly formed National Energy System Operator through Regional Energy Strategic Plan Forums for Central England. Helping manage local expectations around S106 contributions and infrastructure improvements, particularly around timescales. 	Ongoing	Banbury Area Lead Bicester Area Lead Kidlington Area Lead Development Management Planning Policy Economic Development	Area Leads have been appointed to advance / take actions against Area Priority Plans. Area Priority Plans outline projects and actions that help address area priorities. This is a working document which is monitored and updated by the associated Area Lead. AOG Officer Meetings – Ahead of the quarterly AOG meetings, officers from the District and County meet to provide updates from their area of specialism. This enables Area Leads to provide updates at AOG meetings and reduce the time burden on other officers. Area Developer Forums are being / have been established to enable discussions to take place outside the planning arena, where Area Leads can provide CDC updates, shared developer issues can be discussed, and opportunities can

		<ul style="list-style-type: none"> Planning / preparation for the receipt of S106 infrastructure contributions to ensure efficient spend / delivery. 			<p>be explored. These forums will meet quarterly and feed into the AOGs.</p> <p>Area Economic Forum / Action Groups will be established to engage key area companies to better understand how we can support local businesses. These groups will meet quarterly and feed into the AOGs.</p>
4. Planning Performance Agreements (PPAs)	A PPA is a project management tool which allows us to work with applicants within a framework of agreed timescales, actions and resources for handling particular applications. We look to agree identifiable stages: such as pre-application, application, and post decision and plan for the required elements of each stage.	The securing of PPAs helps fund the department as well as secure additional and dedicated resource and expert advice. This in turn provides focus and resource to ensure timely decision on applications and overcome issues.	Short and ongoing	Development Management	<p>We currently have PPAs in place for a high number of large-scale housing (and other) applications across the district. Particularly around Bicester and North of Oxford.</p> <p>Developers will be encouraged to enter into PPAs across the district</p>
5. Planning Improvement Plan	Officers have been carrying out a Planning improvement Plan since mid 2023, which followed service review. This resulted in areas where improvements were highlighted and a number of improvements proposed to put in place, to provide efficiency in working practices, quicker decisions and improved customer service.	This is helping to speed up the average times to determine applications and analyse data.	Medium and Ongoing	Development Management Planning Policy	<p>To date the Improvement Plan, has resulted in the implementation of a number of standardised report templates and checklist reports, return of the Duty Officer system; process checklist, local validation list, improved sign off processes, staff training, councillor training, creation of an interactive dashboard of planning data; updated suite of planning conditions, regular team meetings and so on.</p> <p>However, progress on the Improvement Plan has slowed due to heavy caseloads, other competing priorities and sufficient resource to deliver the improvements</p>
6. Engagement with the Planning Advisory Service (PAS)	We need to reduce the % of decisions on major developments overturned at appeal. We have been discussing the matter with the Planning Advisory Service (PAS) who are to undertake a	Alongside the Peer Review, Officers, with guidance from PAS, are putting together an Action Plan for the processing of major applications. The outcome is expected to improve decision making and increased approvals of acceptable development	Short	Development Management Planning Policy	The decision making review has been organised and will take place in May 2025

	review with a focus on decision-making.				
7. S106 Process Improvement	In recognition of the lengthy time taken to determine applications with a S106, officers have put in place a S106 Process Improvement Project looking at the end to end process involved.	The aim is to reduce the average time taken to determine major applications with a S106 to 32 weeks by September 2025.	Short – completion of Action Plan by 31 st March 2025	Development Management Transformation Team	Whilst good progress has been made mapping the process and highlighting areas of improvement and putting actions together to improve the process, progress has stalled due to heavy caseloads, other competing priorities and sufficient resource to deliver the improvements.
8. Management of Strategic Planning Applications - Action Plan	An Action Plan is being put together to ensure that there are improved processes in place to project manage the strategic planning applications	<p>The aim of the Outcome of the Action so that they support delivery of the housing (and other development) and the applications are considered in as an efficient and timely way as possible.</p> <p>It also looks to reduce the number of planning appeals and to minimise the risks of costs that might be awarded against the Council following appeal decisions.</p> <p>The Key Themes of the Actions within the plan are:</p> <ul style="list-style-type: none"> • Service Improvement • Applicant Engagement • Strategic Partnerships and Stakeholder Management • Committee • Performance Management • Planning Officer Recommendations • Planning Performance Agreements • Resource and Document Management 	Finalisation of Action Plan - Short Implementation - Ongoing	Development Management Strategic Programme Board CLT PH Briefings Head of Digital and Innovation Resources & Transformation Customer Services Manager ICT Planning Policy	The Action Plan is currently being drafted and will be reported to the Corporate Leadership Team, Overview and Scrutiny Committee and BPM, before seeking endorsement by the Executive in June 2025
9. Local Area Energy Plans (LAEP)	The Council, with all the other Oxfordshire authorities, is working to develop Local Area Energy Plans (LAEPS) for Oxfordshire.	As the UK transitions away from fossil fuels to renewable, locally generated energy sources, the energy grid will need to work differently to store and distribute energy. The grid also needs to be prepared for fluctuations in energy demand which result	Medium – The LAEPS will be developed throughout 2025.	Climate Action Team.	The LAEPS are currently being developed and there will be a number of opportunities for communities and stakeholders to engage with their development. The process for validating Plans for each district is scheduled for early 2026.

		<p>from the delivery of other council ambitions, such as housing delivery and decarbonisation.</p> <p>The LAEPs will bring together this information together to provide a plan of clear, community-focused actions for transforming how energy is generated, used and managed in Oxfordshire. The LAEPs will identify the actions needed within each district, alongside cross-boundary initiatives to be delivered at the county level.</p>			
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Table 2 – The Further Actions the Council proposes to do

Action	Description	How is/will this help supply and delivery?	Timescale (short/medium/long/ongoing)	Responsible Teams	Proposed Actions
9. Agents / Developers Forum & improved engagement with Developers	Reconvene regular developer forums and to build relationships with developers and housebuilders to understand the challenges in bringing sites forward.	By understanding the challenges and issues in bringing sites forward, solutions and ways forward could be found to unlock the barriers and delays preventing developments commencing and/or progressing. It will also assist in tracking delivery of housing.	Short – Medium to be set up by Summer 2025 Then ongoing	Planning Policy Development Management	<p>Month 1 – 3 - Proactive Development Monitoring & Information Gathering (Immediate & Ongoing): We will implement a robust system to closely monitor the progress of significant housing developments (5-year horizon), proactively seeking regular, structured updates and information directly from developers starting. This ongoing process will allow us to identify potential delays and offer targeted Council support.</p> <p>Month 4- 6 - Regular Developer Forums for Collaboration (Short-Term & Ongoing): We will establish and host regular forums bringing together Council officers and developers. These forums will serve as key platforms for discussing progress, addressing challenges collaboratively, and exploring opportunities for accelerated delivery.</p>
10. Review of Pre-	The current pre-application service and charging schedule has not been renewed	Reduce Delays: The planning process can be slow, and pre-application advice is intended to streamline it. The review will	Medium – to be completed in 6 months	Development Management	Month 1 - Establish a Review Team and Define Scope and Objectives

Application Advice Service		<p>identify bottlenecks and areas for improvement.</p> <p>Improve Quality of Applications: Better pre-application advice can lead to fewer invalid applications and fewer revisions, saving time for both applicants and the council.</p> <p>Increase Housing Delivery: A more efficient planning service will encourage development, including much-needed housing.</p> <p>Ensure Consistency and Transparency: A clear and well-defined pre-application process will ensure that all applicants are treated fairly and understand what is expected of them.</p> <p>Align with National Policy: Planning policies and best practices evolve. A review will ensure the council's approach is up-to-date and compliant.</p> <p>Improve Customer Satisfaction: A good service will lead to better relationships with developers and the community.</p>			<p>Month 2 – 3 - Data Collection and Analysis</p> <ul style="list-style-type: none"> Review existing pre-application records Survey applicants: Interview planning officers: Benchmark against other councils: Analyse relevant policies and guidance. <p>Month 4 – Identify Key Issues and Opportunities and Develop Recommendations, i.e.</p> <ul style="list-style-type: none"> Service Standards: Online Portal Officer Training: Review Fees and Charges: Scope of Advice: Promote use of Planning Performance Agreements (PPAs): <p>Month 5 - Consultation and Stakeholder Engagement</p> <p>Month 6 – Implementation Plan (Month 7):</p> <p>Ongoing - Monitoring and Evaluation based on</p> <p>Key Performance Indicators (KPIs):</p> <ul style="list-style-type: none"> Average time taken to provide pre-application advice. Number of applications submitted following pre-application advice. Percentage of applications approved following pre-application advice. Applicant satisfaction with the pre-application service. Reduction in the number of invalid applications. Speed of determining planning applications.
11. Review of Planning Conditions	<p>This review is to enable Cherwell District Council to streamline planning conditions and accelerate both the commencement of development and the discharge of conditions.</p>	<p>Overarching Principles:</p> <ul style="list-style-type: none"> Proportionality: Ensure conditions are necessary, reasonable, and directly related to the development. Clarity: Use unambiguous language in all conditions. 	<p>Long – to be completed in 8 months</p>	<p>Development Management</p>	<p>Months 1-2 Internal Audit of Current Practices:</p> <ul style="list-style-type: none"> Data Collection: Discharge Application Analysis: Staff Feedback: Benchmarking:

		<ul style="list-style-type: none"> • Efficiency: Design processes to minimize delays and administrative burden. • Collaboration: Foster better communication between the council, applicants, and statutory consultees. • Transparency: Make information about conditions and the discharge process readily accessible. 			<p>Month 3 - Stakeholder Engagement:</p> <ul style="list-style-type: none"> ▪ Developer Forum ▪ Consultee Feedback <p>Month 4 – 5 Develop a Revised Approach to Planning Conditions:</p> <ul style="list-style-type: none"> ▪ Standard Condition Review: ▪ Condition Templates and Guidance ▪ Upfront Conditions ▪ Staged Conditions <p>Month 6 - Streamline the Discharge of Conditions Process:</p> <ul style="list-style-type: none"> ▪ Clear Timelines and Communication ▪ Standard Information Requirements and report templates ▪ Risk-Based Approach: allowing for a lighter touch for less complex matters. <p>Month 7 - Improve Internal Processes and Training</p> <p>Month 8 onwards - Implementation and Monitoring (Months 7 onwards)</p> <ul style="list-style-type: none"> ▪ Monitor key performance indicators (KPIs) such as the average number of conditions per permission, the time taken to discharge conditions, and applicant satisfaction levels. ▪ Conduct regular reviews of the effectiveness of the new procedures and guidance, making adjustments as necessary based on data and feedback.
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8. Monitoring Arrangements

- 8.1 The 11 actions set out in this plan will be monitored and reviewed annually.
- 8.2 Monitoring information will be collected from various sources, including the Annual Monitoring Report, the Corporate Plan, Quarterly Returns, appeals monitoring, and housing trajectory data.
- 8.3 The Council will continue to maintain a strong housing-related evidence base and set future goals for housing delivery to support increased housing delivery.
- 8.4 Furthermore, the Council does welcome suggestions on the existing action plan measures and any future actions the Council may take to help support house building in Cherwell District. If you do have any suggestions on the existing or further measures the Council can take to support housebuilding within Cherwell, please contact us using the following details:

planning@cherwell-dc.gov.uk

This report is public.	
A Future for Banbury update including the Banbury Area Priority Plan	
Committee	Executive
Date of Committee	10 June 2025
Portfolio Holder presenting the report	Portfolio Holder for Finance, Regeneration and Property, Councillor Lesley McLean
Date Portfolio Holder agreed report	27 May 2025
Report of	Corporate Director Communities, Ian Boll

Purpose of report

This report provides an update on the work in progress in relation to the Banbury area following the publication of the Banbury 2050 report; and includes the emerging Banbury Area Priority Plan (APP) as part of the developing Area Oversight Framework.

The Banbury APP is a compilation of the Banbury 2050 vision engagement findings and recommendations, whilst also including the priority plans currently under development at Oxfordshire County Council (OCC), with the aim to share one APP for the area.

1. Recommendations

The Executive resolves:

- 1.1 To note the update.

2. Executive Summary

- 2.1 The Banbury Area Priority Plan (APP) sets out the key projects either underway in Banbury or currently planned within the Banbury area which will be a jointly owned document between CDC and OCC, to capture all workstreams in the area. The APP forms part of the suite of documents which make up the Banbury Area Framework. It is a working document and will continue to be updated as the Banbury programme progresses to establish the vision for the town.
- 2.2 Since the last Executive report in March, the Banbury Area Lead has been working closely with OCC to scope a masterplan for Banbury and are working together to develop the new Banbury APP. The first Banbury Area Oversight Group was held on 21st May, with some key priorities identified, together with some short term projects to be implemented this year.
- 2.3 The vision engagement findings report has been published on the Council's website, with a press release publicising the report.

- 2.4 OCC has secured £300k of funding in its capital programme to deliver a Banbury masterplan in 2025/26. The next step will be to procure and appoint consultants based on a brief and project scope for the whole town of Banbury. The Banbury Area Lead at CDC will be working very closely with the OCC team delivering this masterplan and further developing the vision from the Banbury 2050 work.
- 2.5 Other funding has been secured by OCC for active travel projects focussing on design feasibility work for two active travel corridors. This includes £200k from the Active Travel Fund (ATF) tranche 5 which is being used to fund proposals for an eastern active travel corridor from the town centre to Overthorpe. A western active travel corridor is also being funded by ATF Tranche 5. Funding for an options appraisal for Hennef Way has also been allocated by OCC. This funding is in addition to infrastructure projects such as the Tramway Road access improvements (£5.5m funded from the Oxfordshire Housing and Growth Deal) to Banbury railway station and the Cherwell Street Bus Service improvement plan (£2.9m).
- 2.6 Other funded projects include:
Market Place - installation of new seating and planting
Banbury Wayfinding project – to be scoped.
- 2.8 OCC placemaking officers and project managers are working with the CDC Banbury Area Lead to develop the Banbury Area Priority Plan for discussion at the AOG on 21st May. The plan includes the priorities for the next 12 months and onwards. It has been grouped into themes reflecting the vision values in the Banbury 2050 vision engagement findings report.
- 2.9 The Plan contains the actions that are either progressing or planned, together with the delivery lead and partners, the timescale and priority level, as well as the activity status (whether it has started or not). It includes work to address the Banbury specific health and wellbeing issues, to address deprivation through increasing educational attainment and supporting economically inactive residents.
- 2.10 Other tasks included in the APP which will form the Area Framework suite of documents include:
Establishing a developer forum – to be held within the next 6 months
Establishing an economic development forum – to be held within the next 4 months
Establishing a community forum – to be held within the next 6 months
- 2.11 The APP has been compiled from projects being delivered by CDC, OCC and external partners, and is a working document that may change/be updated on a weekly or monthly basis depending on progress of projects. The aim is to capture the many workstreams and projects that are underway or in the pipeline across Banbury to coordinate resources and align the emerging vision for Banbury.

Implications & Impact Assessments

Implications	Commentary
Finance	The Banbury Area Priority Plan will be delivered within existing resources at CDC, in conjunction with OCC. Kelly Wheeler, Finance Business Partner, 2 June 2025

Legal	There are no legal issues associated with the Banbury Area Priority Plan. Shiraz Sheikh Assistant Director of Law and Governance and Democratic Services, 2 June 2025			
Risk Management	There are no major risks associated with the Banbury Area Priority Plan. Any risks identified will be captured in operational / project risk registers. Shona Ware, Assistant Director for Customer Services, 2 June 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?				Not applicable
B Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?				Not applicable
Climate & Environmental Impact				Not applicable
ICT & Digital Impact				Not applicable
Data Impact				Not applicable
Procurement & subsidy				Not applicable
Council Priorities	All			
Human Resources	Not applicable			
Property	Not applicable			
Consultation & Engagement	Not applicable			

Supporting Information

3. Background

- 3.1 A Future for Banbury is a sustainable vision for Banbury comprising projects, plans and proposals currently underway or in development. The Council continues to engage with stakeholders and partners in Banbury through the Area Oversight Group and other channels. There has been significant interest in the Future of Banbury to date.
- 3.2 The Banbury 2050 vision engagement provides large amounts of survey data and workshop reports. The first Banbury Area Oversight Group was held on 21st May 2025 & the Banbury APP and priorities were discussed to establish the area-based approach in Banbury. A copy of the Banbury APP is contained in Appendix 1 (as of May 2025).

4. Details

- 4.1 The Banbury Area Priority Plan has been prepared in collaboration with Oxfordshire County Council and other delivery partners. It is a list of the priority projects in Banbury including those in progress and proposals that are emerging. The Banbury APP captures the work to progress a vision for the town and it will be used to coordinate and collaborate with partners to deliver change. It categorises the priority level and current status of individual priorities.
- 4.2 It focusses on delivering a vision for the town via a masterplan and community engagement. Infrastructure delivery is critical to ensure a sustainable future for Banbury.
- 4.3 The various actions are shown in no particular order and measured in terms of priority and status. Officers have worked with partners to identify the immediate actions and agree a plan, with a focus on developing an area-based approach and delivery of existing infrastructure projects such as the improvements to Tramway Road and Cherwell Street.
- 4.4 The Tramway Road scheme has started and due to complete later in 2025. When complete it will improve access to the railway station. The Cherwell Street scheme is progressing to detailed design following consultation in March. It will improve the capacity and efficiency of the junction with Bridge Street and address some of the issues in connecting the railway station to the town centre.
- 4.4 OCC, working with CDC, is progressing a project to prepare a Banbury masterplan. This will provide a framework for development and guide the future growth and development of Banbury over a long-term period, typically 10 to 15 years, in line with the vision and objectives. Its purpose will be to provide a clear framework for decision making, steering investment priorities, setting parameters for development and design and regeneration projects.

- 4.5 A range of thematic areas should be addressed including land use distribution, housing and economic growth parameters, strategic connections, green and blue infrastructure, open space networks, infrastructure needs and development opportunities. The plan should outline regeneration focus areas and a suite of high-impact priority projects. It is likely that the Banbury masterplan will include a Banbury Delivery Plan which will be framed into clear, short, medium and long term actions to catalyse delivery. These actions will feed into the APP to ensure the "one plan" approach for OCC and CDC.
- 4.6 The Banbury Masterplan will hopefully enable and attract development and investment and will be supported by a Banbury Investment Plan to communicate and develop a clear understanding of the Banbury brand and promote Banbury's unique identity. The area lead for Banbury will work with a variety of partners to identify funding sources where possible. It is acknowledged that individual projects in Banbury will go through the approved route within CDC to secure funding in the future, if opportunities arise.
- 4.7 Community engagement will be an important part of shaping a participative and collaborative process. It will unite stakeholders through a shared sense of direction and ambition. This is intrinsic in the Area Framework approach at CDC.
- 4.8 The outcomes and feedback from a Masterplan workshop held on 20th March are being reviewed. This will provide the reflections and responses gathered during the workshop as well as the consultant's recommendations to inform a headline scope of work. The next stage will be to procure the masterplan consultants. The first step will be the procurement and appointment of consultants (estimated June 2025) building on the momentum from the work to date. OCC and CDC will be working very closely in partnership, to deliver this work together.
- 4.9 OCC is funding the masterplan with a budget of £300k which has been secured, and the masterplan is expected to be completed in approximately 12 months following engagement with stakeholders and partners.
- 4.10 Market Place project - has been identified as a priority action area. CDC have worked up a concept design to install seating and planting in the Market Place with £200k secured from the County Council's budget.
- 4.11 Western (Ruscote Avenue) active travel corridor - funding has been secured from the Government's Active Travel Capability Fund and Section 106 interest (£125k) and a scope of work is being prepared ahead of mobilisation, baseline and feasibility study. The objective for this project is to deliver a scheme that encourages increased use of the route between the Bloxham Road and Ruscote connecting residential, employment and education areas.
- 4.12 Eastern (Town centre to Overthorpe) active travel corridor - The walking and cycling provision in the area to the east of the town centre was recognised as in need of improvement in the Banbury Local Cycling and Walking Infrastructure Plan (LCWIP). This project aims to address the need for improved cycling and walking (wheeling) infrastructure between the town centre, employment areas and areas to the east of Banbury. OCC has secured £200k of Active Travel Fund grant to support it with developing and constructing walking and cycling facilities in Banbury. A project team has been established and is working up a feasibility study.

- 4.13 Banbury Wayfinding Project - A Wayfinding project has been identified following previous engagement and is being scoped. £200k of funding from the Government's Active Travel Fund (Tranche 5) has been secured by OCC to support this project.
- 4.14 Banbury Railway Station refurbishment programme - Chiltern Railways is carrying out a series of work to clean, repaint and repair the railway station facilities at Banbury. This includes a refurbishment of the station platforms and passenger areas (the Café is now under new ownership and has reopened following a facelift). Chiltern Railways is working closely with partners to develop a wider Banbury station masterplan.
- 4.15 The Chiltern Railways Community Investment fund is supporting local projects and has developed a strong relationship with the Banbury Business Improvement District. This has led to the "People of Banbury" project which celebrates Banbury's residents through portraits featuring local people displayed on the overbridge at Banbury station. The project aims to highlight the unique personalities and contributions of individuals who make Banbury special.
- 4.16 The Banbury Quays Consortium is developing a proposal for a wall mural alongside the canal in the Castle Quay area working in partnership with stakeholders. Proposals to install steps between the Station Approach Road and the canal are progressing with OCC. The Banbury Business Improvement District is busy delivering its annual programme of events including a Banbury Winter Market. Officers continue to work closely with Banbury Town Council.
- 4.17 The Banbury Area Priority Plan aims to capture the work in progress or proposed projects across the area. It is the start of an ongoing process of bringing together various workstreams, initiatives and programmes in one place for review and agreement by the Banbury Area Oversight Group. Throughout the process, the community, businesses, partners and stakeholders will work together to deliver coordinated and comprehensive change in Banbury. The commitment to working with the community and partners will be delivered through continued engagement and strengthened partnerships.

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.

This report is submitted for information only.

6 Conclusion and Reasons for Recommendations

- 6.1 The Banbury Area Priority Plan contains the projects currently identified from a variety of community engagement events and project action plans. The aim is for CDC and OCC to have one Banbury APP and to work jointly to enable and deliver projects. The APP is an important tool for enabling the delivery of projects within

Banbury and it will be reviewed and monitored by the Banbury Area Oversight Group as part of the CDC Area Framework approach.

6.2 The recommendation is to note the report as presented for information.

Decision Information

Key Decision	No
Subject to Call in	Yes
If not, why not subject to call in	N/A
Ward(s) Affected	Banbury Hardwick, Ruscote, Banbury Cross and Neithrop, Grimsbury and Hightown, Calthorpe and Easington

Document Information

Appendices	
Appendix 1	Banbury Area Priority Plan
Background Papers	None
Report Author	Andrew Bowe, Area Lead for Banbury Julia Harrington, Head of Regeneration & Growth
Report Author contact details	Andrew.bowe@cherwell-dc.gov.uk 01295 221842
Corporate Director Approval (unless Corporate Director or Statutory Officer report)	Report of Corporate Director Communities

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BANBURY AREA PRIORITY PLAN - WORKING DOCUMENT 300525

ACTION	KEY STAKEHOLDERS	PRIORITY	FUNDED (Yes/No)	NOTES
Theme: Improve connectivity across the area				
Progress Banbury 2050 Vision	OCC, CDC, BTC, businesses, residents, community groups, developers and investors	High	Yes	This is wider than just connectivity. It encompasses economic development, environment, infrastructure, social infrastructure etcIn procurement. Budget £300k.
Develop strategy & action plan for Jacob Douwe Egberts factory Development Site	OCC, CDC	High	No	Workstream TBC no progress to date. Engage Enterprise Oxfordshire and landowner
Deliver Canal "Muddy Bank" Steps	OCC, Landowner, Banbury Quays Consortiun, Chiltern Railways	High	Yes	OCC to update
Progress a Banbury Movement and Place Strategy (MAPS) to improve connections between key destinations	OCC, CDC	High	Yes	To follow Banbury 2050 vision
Prepare strategy & action plan for railway station	Chiltern Railways, OCC, Network Rail, Department for Transport	High	Partially	Railway Station partnership established by Chiltern Railways and action plan being delivered
Develop strategy and action plan for wayfinding, prioritisation of routes & interpretation	OCC, Banbury Signage Group, CDC	High	Yes	Wayfinding project scoped and resourced £200K ATF5 funding secured Banbury community wayfinding group established Dogs for Good Walking Audit established and in progress Current signage of LCWIP routes audited by JP and HF Project Team established
Theme: Support the needs of local business				
Prepare strategy & action plan to support and ‘incubate’ local and independent businesses, and identify available space for small businesses and co-working within the town	CDC, BID, Enterprise Oxfordshire	Medium	No	TBC
Develop strategy & options appraisal for Castle Quay Bridge Street area site and agree next steps	CDC, OCC	High	TBC	In CDC Annual Delivery Plan
Prepare stakeholder mapping and engagement plan to link economic initiatives	OCC, CDC	High	TBC	This is not exclusively economic activities, it is across all the place shaping disciplines
Develop strategy and action plan for markets	CDC, OCC, BID, BTC	High	No	
Scope and cost suggested interventions in Banbury Public Realm Strategy Framework as appropriate. Also explore possibility of canal wall art project.	CDC, OCC, BTC, BID, BQC, Banbury Civic Society	Medium	No	Public Realm Strategy Frameworks approved by CDC Exec in Dec 2024
Develop strategy for vacant units following Vacant Premises Feasibility Study (June 2024)	CDC, BID	High	No	CDC to confirm proposals as part of Cherwell Future of High Streets project.
Develop strategy & action plan to identify skills gaps to meet existing and projected local need	OCC, CDC	Medium	No	TBC
Deliver person-centred support programme for economically inactive residents	CDC	High	Yes	Active UKSPF project. This was UKSPF funded in financial year 2024/25 and will be for a further 6 months in 2025/26, likely until end of September, but possibly end of October. CDC holds overall participant numbers and outcomes (for the Cherwell district as a whole, although most participants are likely to be Banbury based), but not by ward. Organise Jobs and Skill Fairs according to need and resource.
Work in partnership to increase safety and promote the evening economy	CDC,BID, BTC, Thames Valley Police	Medium	No	TBC
Develop Cultural Strategy & action plan	CDC, OCC, BQC	Medium	Yes	Awaiting Draft Cultural Strategy
Deliver Market Place improvements	CDC, OCC, BID, BTC	High	Yes	Budget £200k (OCC)
Progress parking strategy	CDC, OCC, BTC	Medium	Yes	Part of District-wide parking strategy to be prepared in 2025.
Theme: Support the integration of new development sites				
Develop strategy & action plan for Canalside	CDC, OCC, Network Rail, landowners, agents, Homes England, Canals & Rivers Trust, BQC	High	No	Draft Supplementary Planning Document (2009). Strategic allocation in adopted Cherwell Local Plan.
Set up Banbury Developers' Forum	CDC	High	Yes	In progress. Date TBC.
Theme: Infrastructure Improvements				
Deliver Eastern Active Travel Corridor	OCC, CDC	High	Yes	£125k OCC budget for feasibility
Deliver Western Active travel Corridor	OCC, CDC	High	Yes	£125k OCC budget for feasibility
Deliver Hennef Way	OCC, CDC	Medium	Yes	£200k budget
Deliver Cherwell Street	OCC, CDC, Stagecoach buses	High	Yes	£2.8m budget
Deliver Tramway	OCC, CDC, Chiltern Railways	High	Y	£15m. Due to complete Dec 2025
Theme: Flooding				
To be discussed and confirmed	CDC, OCC, BTC	TBC	TBC	TBC
Theme: Sports Facilities				
North Oxfordshire Academy - 3G football pitch	CDC	High	Yes	Part funded through S106. Delivery options being considered by CDC Leisure and Community Facilities team
Princess Diana Park Playzone – 30m x 20m 3G Football Pitch	CDC	High	Yes	75% funded by Football Foundation. 25% S106 funded.
Chandos Park Playzone – 30m x 20m 3G Football Pitch	CDC	High	Yes	75% funded by Football Foundation. 25% S106 funded.
Woodgreen Leisure Centre – changing room refurbishment	CDC	High	Yes	Changing room refurbishment to be completed May 2025
Woodgreen Leisure Centre development of options for enhancing the provision of indoor sporting opportunities at the centre	CDC	High	Yes	Currently undertaking options analysis
Wykham Park – 3G Football Pitch.	CDC	High	Yes	TBC
Saltway (Banbury 17) – Sports Pitches on the new development – 1 adult and 1 junior pitch with pavilion.	CDC	High	Yes	Due to transfer summer 2025.
Drayton Lodge (Banbury 18) – 2 grass pitches to be delivered, 1 adult and 1 mini with a pavilion and car park.	CDC	High	Yes	Due to commence construction June 2025
Longford Park Phase 2 (Banbury 12) – On site sports provision 2.73 ha, 1 adult and 2 youth grass football pitches with pavilion and carpark.	CDC	High	Yes	S106 agreement signed
Banbury Indoor Tennis Centre – working with Lawn Tennis Association (LTA) on the possibility of an indoor tennis centre plus provision of padel tennis in Banbury.	CDC	High	Yes	CDC Leisure and Community Facilities team considering options for location of indoor tennis centre.
Drayton Lodge (Banbury 18) – new community hall to be delivered by the developer.	CDC	High	Yes	Construction due to commence summer 2025.
Hanwell Fields Community Centre – Installation of a mezzanine level in the main hall to enhance capacity at the facility.	CDC	High	Yes	Aim to increase community centre capacity.
Saltway (Banbury 17) – new Community Facility to be delivered by the developer	CDC	High	Yes	Awating facility specification.
Relocation of Banbury United linked to the regeneration of Canalside.	CDC	High	Yes	Being progressed through CDC planning.
Theme: Communication				
Develop a communication plan to promote the area priorities and d	CDC, OCC	High	TBC	
Health and wellbeing				

Strategy & action plan for increased access to and promotion of affordable healthy food and healthier food environment	CDC, OCC	High	Yes	Food Strategy completed by OCC https://goodfoodoxford.org/food-strategy/ CDC Action Plan Completed. Provide stats around postcodes in Banbury areas of deprivation that have received support from the Household Support Fund. Out of Home Pilot Programme being introduced with aim to engage with retailers to increase healthier food offering. Public Health colleagues working with Cafes and Restaurants to introduce Cooking in Schools opportunities/ create a dopted school relationship between industry and the school or use School Spaces to cook and offer industry insight and opportunities. Live Well Team TBC
Deliver Food Action Plan	CDC, OCC	High	Yes	Cooking Pilot Programme for Primary and Secondary Students established. Policy drafted in Reg 19 of Local Plan preventing clustering of hot food takeaways near schools. Cherwell Food Action Plan now available here: Food Strategy Developed with recommendations: Bring in a healthier advertising policy on all advertising sites (bus stops, telephone boxes, billboards) you control to promote healthier food options over junk food. Work with council-controlled spaces such as leisure centres, with support from the specialist team in Public Health, to reduce the prevalence of unhealthy food, while making healthy food more available, accessible, and affordable for young people. https://goodfoodoxford.org/food-strategy/ Q1 Beezee – weight management service – county wide Early Years pilot programme – HENRY – focus on Banbury areas (eating well, physical activity) Active Oxfordshire – YouMove, Move together, You Move Early Year Healthy Movers/Jabadao (AO) (county-wide offer) Cooking in School project/Adopt a School/Growing Spaces collab. with CDC. Raising Nutrition. Out of Home food pilot – healthier food offer at food retails (restaurants/cafes). Stop for Life Oxon Allan Carr Easy Way. Rice Marketing. Good Food Retail project (6 convenience shops engaged and action plans created). Healthy Start promotion. Q2 - Antenatal Pilot programme – eating well during pregnancy (aim at higher BMI women and their families) Healthy Movers/Jabadao (AO) – monitoring of early years programme impact (county-wide offer). Chefs in schools (county-wide offer) Raising Nutrition – schools (county-wide offer). New Service Provider will come online for Smoking Cessation – Smokefree Oxfordshire Beezee – weight management service – county wide Early Years pilot programme – HENRY – focus on Banbury areas (eating well, physical activity) Active Oxfordshire – YouMove, Move together YouMove Early Year
Embed Marmot place principles	CDC, OCC	High	TBC	TBC
Strategy & action plan for home improvements for Chronic Obstructive Pulmonary Disorder (COPD) Patients	OCC, CDC	High	Yes	4 COPD sessions organised XXX Housing Webinars delivered by CDC and OCC TBC Integrated Network Team to refer into BHBH service regarding RPs TBC Housing Officers to attend MDT sessions
Deliver You Move Programme	CDC	High	Yes	CDC Wellbeing Team to update.
Deliver Move Together Programme	CDC	High	Yes	Contact Laura Thomas to discuss the work in more detail. Need to establish sessions run to date within Wards of Deprivation and attendance numbers etc.
Develop strategy & action plan for integrated model of care for people with complex needs	OCC	High	Yes	Need to establish sessions run to date within Wards of Deprivation and attendance numbers etc.
Develop strategy & action plan for Communities of Practice	OCC	High	Yes	Communities of practice is a meeting hosted by OCVA and Clare Woodcock. There is a Banbury meeting that Clare hosts and invites community partners to. Most meetings have a focus on a specific area with guest speakers. Clare Woodcock <Clare.Woodcock@ocva.org.uk>
Develop a strategy and action plan for young people	CDC, OCC	High	No	Youth partnership - youth group partnership needs developing into wider youth voice. Oxfordshire Youth may be able to advise
Environment & climate				
Deliver strategy and action plan for energy advice and small home improvements	OCC	High	Yes	App launched Jul 2024. Solar offering launched Nov 2024, Installations started Dec 2024.
Complete an options appraisal for extending PV and wind energy on CDC assets in support of climate priority	CDC	High	TBC	TBC
Support Nature Recovery Areas in Market Place	CDC, OCC	High	Yes	Concept designs prepared & costed. £200K funding secured from OCC budget: Reserves. Meeting held with CDC and CDC proposing Design Competition. ITT to be prepared by end Jun 2025.
Support Nature Recovery Areas in Spiceball Park	CDC, OCC	High	Yes	OCC workstream TBC. No progress to date.
Support Nature Recovery Areas along the canal	CDC, OCC	High	TBC	OCC workstream TBC. No progress to date.
Develop action plan for minor streetscene improvements	OCC	High	TBC	
Develop Decarbonisation programme for leisure and community facilities - to confirm action with CDC Leisure and Community Facilities manager	CDC	High	TBC	TBC
Social infrastructure				
Deliver ' Getting Oxfordshire online '	OCC	High	Yes	Grant given of £50,000 from OCC to Getting Oxfordshire Online facilitated and run by SOFEA to develop an understanding into inequalities around digital access across Oxfordshire. In particular this work focuses on Wards of Highest Deprivation. Within this list, three Wards within Banbury are identified including Grimsbury, Neithrop and Ruscote.
Develop strategy & action plan for raising academic attainment	OCC	High	Yes	Youth service provided support to students aged 11+ in bespoke school groups. 1:1 support given by Youth services. Community Detached work ongoing by Youth support services. Early Help Advice and Guidance being provided to schools, voluntary sector and communities to prevent families' needs escalating and find responses sooner. Transition Event complete late 2024 to support Year 6 students with move to Secondary School through physical activity alongside Year 7 students. Analysis of research conducted suggests students do well until attending secondary school where attainment levels dip in KS4. Meetings to be organised with stakeholders in relation to this and identify drivers behind low attainment levels. EET service support provided for connectivity to providers, OxLEP, schools and young people aged 16+ Interventions need agreeing to target resources within the region.
Develop Strategy & action plan for creation of Forest schools	OCC	High	Yes	OCC workstream TBC. No progress to date.

This report is public	
Housing Civil Penalties Policy	
Committee	Executive
Date of Committee	10 June 2025
Portfolio Holder presenting the report	Portfolio Holder for Housing - Councillor Nick Cotter
Date Portfolio Holder agreed report	27 May 2025
Report of	Assistant Director, Wellbeing and Housing, Nicola Riley

Purpose of report

To seek approval for the new Housing Civil Penalties Policy.

1. Recommendations

The Executive resolves:

- 1.1 To approve the new Housing Civil Penalties Policy.
- 1.2 By doing so, approving the changes to the reviewed Housing Standards Enforcement Policy as outlined within the report.

2. Executive Summary

- 2.1 The Housing and Planning Act 2016 amended the Housing Act 2004 to allow councils discretion to issue financial penalties of up to £30,000 as an alternative to prosecution for certain housing offences. These powers and how they are discharged by the Council are outlined within the Housing Standards Enforcement Policy 2021.
- 2.2 The new civil penalty policy builds on recent tribunal decisions, legal precedents, and industry best practice to provide a more consistent, proportionate and transparent methodology for determining the value of each penalty. It is proposed that the new civil penalty policy be made standalone to ensure it is clear and robust. Consequential amendments and minor updates are therefore made to the Housing Standards Enforcement Policy.
- 2.3 The Council has partnered with Justice for Tenants, a not-for-profit organisation who have analysed all the significant tribunal and court judgements and, in collaboration with local authorities, have developed a template civil penalty policy and procedure and an online civil penalty calculator, which have been used to develop the new Civil Penalties Policy.

- 2.4 As a result of adopting the Housing Civil Penalties Policy, a number of consequential changes are necessary to be made to the Housing Standards Enforcement Policy due to the mentions of civil penalties within. These changes are reflected in the reviewed Housing Standards Enforcement Policy within the Appendix of the report.

Implications & Impact Assessments

Implications		Commentary		
Finance		Having a standalone Civil Penalties Policy will mean accurate penalty calculations relevant to the offence and therefore, less risk of appeals and more ring-fenced income for furthering private sector enforcements works. Kelly Wheeler, Finance Business Partner, 30 April 2025		
Legal		Having an updated Civil Penalties Policy will ensure that recent tribunal decisions and legal precedents have been taken into consideration when determining the value of civil penalties. Civil penalties have proved to be an effective tool for the Housing Standards Team to uphold the principles of natural justice and hold poor-performing landlords and agents operating in the district to account. It is noted that the Policy will require review again in light of the soon to be enacted Renters' Rights Bill, however it is important to ensure the Council's approach to imposing civil penalties is robust and legally compliant in the meantime. Gurnam Bains, Litigation Solicitor – Legal, 8 May 2025		
Risk Management		Having a more robust policy will reduce risks from appeals and judicial review. Shona Ware, Assistant Director – Customer Focus, 7 May 2025		
Impact Assessments		Positive	Neutral	Negative
Equality Impact			x	
A Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?		x		
		Revisions to the policy aim to provide a consistent, proportionate and transparent methodology for determining the value of penalties, which will benefit landlords who are subject to enforcement. A small number of landlords and property agents in Cherwell exploit tenants by letting out substandard properties that adversely affect the quality of life for tenants and the wider community. The efficient and effective use of civil penalties enables the Council to flexibility take cost-effective and proportionate enforcement action which will benefit tenants by deterring landlords from committing serious housing offences and help drive out rogue landlords from Cherwell's private rented sector.		

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		x		
ICT & Digital Impact		x		Not applicable
Data Impact		x		Not applicable
Procurement & subsidy		x		Not applicable
Council Priorities	Quality Housing and Place Making			
Human Resources	Not applicable			
Property	Not applicable			
Consultation & Engagement	Not applicable			

Supporting Information

3. Background

- 3.1 The Housing and Planning Act 2016 amended the Housing Act 2004 to allow Local Housing Authorities the discretion to impose financial penalties of up to £30,000 as an alternative to prosecution for certain housing offences. Certain other pieces of legislation also permit the imposition of civil penalties for housing-related breaches, for example the Minimum Energy Efficiency Standards.
- 3.2 Cherwell District Council was one of the first councils in England to adopt the use of civil penalties for housing offences in July 2018. This policy approach was incorporated with minor updates into the Housing Standards Enforcement Policy which was adopted by the Council in 2021. Statutory guidance requires the Council adopts a policy setting out its approach before imposing housing civil penalties.
- 3.3 Since 2018 the Council has issued 45 civil penalties to 34 landlords and agents at a total value of £250,000. Civil penalties have proved to be an effective tool for the Housing Standards Team to hold these poor-performing landlords and agents operating in the district to account. Income from civil penalties is ring fenced for furthering private sector housing enforcement work.

- 3.4 In the intervening seven years, a significant body of tribunal appeal decisions and legal precedents has developed that did not exist to inform the original policy development. We have also seen a trend of increased appeals which are extremely resource-intensive to defend.
- 3.5 Civil penalties will be an increasingly important enforcement tool under the proposed new Renters' Rights legislation. This legislation moves towards a 'polluter pays' enforcement principle, significantly expanding the number and variety of offences which the Council will have a duty to enforce via financial penalties. Having a robust and streamlined policy and procedure for imposing penalties will be vital.

4. Details

- 4.1 The Housing Standards Enforcement Policy sets out our approach to investigation and decision-making of housing-related non-compliances and offences. The Housing Civil Penalties Policy sets out in detail the factors relevant to determining civil penalties.
- 4.2 The aim is to provide a comprehensive and robust policy that will withstand scrutiny by tribunals and a civil penalty calculator that will ensure all factors are considered when determining the value of the penalty and a level of consistency between officers within a local authority, and national consistency between local authorities.
- 4.3 The online penalty calculator is designed for officers to input all details relating to the offence, provide details about the level of harm or potential harm, culpability of the offender, and any mitigating factors. The calculator will produce the relevant penalty notices and covering letters, saving lots of officer time in drafting.
- 4.4 It is anticipated that this updated policy will make the process of issuing civil penalties more streamlined, efficient and consistent and result in fewer appeals or where appeals are made, reduce the likelihood of appeals being upheld or of penalty amounts being reduced.
- 4.5 Justice for Tenants is currently working with at least 90 local authorities who have already adopted or are also looking to adopt this model policy and civil penalty calculator. Nationally hundreds of civil penalties have been issued using the template policy and penalty calculator, and to date there have been no significant tribunal decisions questioning or criticising the template policy.
- 4.6 As the current civil penalty approach is contained within the body and appendices of the Housing Standards Enforcement Policy 2021, creation of a standalone civil penalty policy necessitates amendments to that policy. All references to the calculation of civil penalties have been removed from the enforcement policy and instead signpost to the new Civil Penalties Policy. Other minor and consequential amendments were made, summarised on page three of the updated Housing Standards Enforcement Policy.
- 4.7 The Renters' Rights Bill is set to create many new housing-related offences and imposes a duty on Local Housing Authorities to enforce those provisions via financial penalties or prosecution. The Council will need to report to government on the number and value of financial penalties issued. The income from civil penalties

is ring-fenced for furthering private sector housing enforcement work, and government expects this to income to increase significantly and be invested in expanding private sector housing enforcement over the coming years.

- 4.8 It is acknowledged that this new Civil Penalties Policy will need to be reviewed and re-approved by the Executive once the Renters' Rights Bill provisions are enacted, which is expected to be over the next 12-24 months. However, as outlined above it is important to ensure the Council's approach to imposing civil penalties is robust in the meantime, and additionally implementing now will give officers time to be trained and confident in its use with familiar scenarios before the expansion to novel duties. A thorough review of the Housing Standards Enforcement Policy will also need to be undertaken in light of the new duties imposed by the Renters' Rights provisions once this Bill receives Royal Assent and there is more certainty and guidance around these requirements.

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 bring forward a new and amended policy.

Our current approach to determining civil penalties is not consistent with the recent Upper Tribunal decisions, in particular Leicester CC vs Morjaria. This means that our current approach to calculating penalties will be at increasing risk of challenge. Therefore updates to the civil penalties policy are necessary. Changes to the Housing Standards Enforcement Policy are necessary for the creation of the new, compliant policy. Furthermore, it is important the Council policies are reviewed regularly to ensure that they are able to meet customer needs, service needs and are legislatively sound. This option is therefore rejected.

Option 2: Amend but retain as a combined policy.

Owing to the level of detail and complexity contained within the new civil penalties policy, coupled with the benefits of being consistent with the approach taken by numerous other local authorities, means combining the policies would make both unwieldy, difficult to use and less effective. This option is therefore rejected.

6 Conclusion and Reasons for Recommendations

- 6.1 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.

Decision Information

Key Decision	Yes - Community threshold met
Subject to Call in	Yes

If not, why not subject to call in	Not applicable
Ward(s) Affected	All wards

Document Information

Appendices	
Appendix 1	Housing Civil Penalties Policy
Appendix 2	Housing Standards Enforcement Policy
Appendix 3	ECIA – Housing Civil Penalties Policy
Background Papers	None
Reference Papers	None
Report Author	Richard Smith – Head of Housing
Report Author contact details	richard.smith@cherwell-dc.gov.uk 01295 221640
Corporate Director Approval (unless Corporate Director or Statutory Officer report)	Ian Boll, Corporate Director – Communities, 2 May 2025



Cherwell
DISTRICT COUNCIL
NORTH OXFORDSHIRE

Housing Civil Penalties Policy

2025

Version	Date	Change
1.0	June 2025	Policy introduced

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1. Introduction

This Housing Civil Penalties Policy sets out how Cherwell District Council (“the Council”) will determine and issue “civil” or “financial” penalties for relevant housing offences under the following legislation:

- Housing Act 2004 as amended by the Housing and Planning Act 2016
- The Housing and Planning Act 2016
- The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020
- Tenant Fees Act 2019
- The Smoke and Carbon Monoxide Alarm (England) Regulations 2015 (as amended)
- The Redress Schemes for Lettings Agency Work and Property Management Work (Requirement to Belong to a Scheme etc) (England) Order 2014
- The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015

This policy sets out how the Council sets the level of a civil penalty in each case where it has been determined that the imposition of a civil penalty is the most appropriate course of action. The decision to proceed with a civil penalty, often as an alternative to prosecution proceedings, is undertaken in accordance with the Council's Housing Standards Enforcement Policy, which itself has regard to the Council's overarching Enforcement Policy. Therefore, although this is a standalone policy it should be read in conjunction with those other policies, as well as any relevant statutory guidance.

The Council considers the need for transparency and consistency in the discharge of its regulatory functions to be of primary importance. The general objective of this policy is, therefore, to promote both transparency and consistency in the imposition of financial penalties in respect of breaches of housing regulations so that, for example, those managing and having control of rented properties in Cherwell (a) know how the Council will generally penalise relevant offences and (b) are assured that, generally, like cases will be penalised similarly, and different cases penalised differently. The further objectives of using financial penalties in particular as a means of enforcing the above offences are explained below.

The Council is mindful that despite its best efforts, many landlords who operate unlawfully may do so for a significant period of time without detection, and only a proportion of landlords committing relevant offences will be discovered. The Council is, therefore, mindful that when deciding to impose a Civil Penalty, it should create an environment where it is clear to the offender and others that operating unlawfully as a landlord will be financially disadvantageous when compared to operating lawfully.

The Council intends to create an environment where landlords engage with the Council's requests and demands fulsomely, openly and honestly. This helps create a level playing field which supports the aims of transparency and consistency. No landlord should be able to financially benefit from withholding information the Council deems relevant that is, or should be, in their control to disclose. It is expected that fulsome and complete supporting evidence is provided to support any Written Representations received in response to a Notice of Intent.

In this policy, the term 'landlord' should be read as including letting agents, managing agents, licensors, property owners, directors of corporate landlords and any other person involved in the letting or management of privately rented accommodation.

In this policy, the terms 'House of Multiple Occupation' or 'HMO' are defined by the Housing Act 2004.

This policy will be updated as required to respond to new legislation and/or case law.

2. Civil penalties under the Housing and Planning Act 2016 and Housing Act 2004

Section 126 and Schedule 9 of the Housing and Planning Act 2016 provide local authorities with the power, through the insertion of section 249A into the Housing Act 2004, to impose a civil or “financial” penalty as an alternative to prosecution in respect of the following offences under the Housing Act 2004:

- Failure to comply with an Improvement Notice [section 30]
- Offences in relation to licensing of Houses in Multiple Occupation (HMOs) under Part 2 [section 72]
- Offences in relation to the Selective Licensing of ‘houses’ under Part 3 [section 95]
- Failure to comply with an Overcrowding Notice [section 139]
- Failure to comply with a management regulation in respect of an HMO [section 234]

In addition, Regulation 11 of The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020 provides local authorities with the power to impose a civil penalty in respect of breaches of Regulation 3 of The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020. These regulations are enacted under section 122 of the Housing and Planning Act 2016.

In addition, section 23 of the Housing and Planning Act 2016 provides that a civil penalty may be imposed in respect of a breach of a Banning Order.

The Council has the power to impose a civil penalty of up to a maximum of £30,000 for each separate offence. If multiple offenders have committed the same offence at the same property, a separate civil penalty can, and usually will, be imposed on each offender. In each case, the level of civil penalty imposed on each offender will be in line with this policy.

2.1 Statutory guidance

The Government has issued statutory guidance under Schedule 9 of the Housing & Planning Act 2016 entitled “Civil penalties under the Housing and Planning Act 2016. Guidance for Local Housing Authorities”. The Council has regard to this guidance in the exercise of their functions in respect of civil penalties.

Paragraph 3.5 of the statutory guidance states that ‘The actual amount levied in any particular case should reflect the severity of the offence, as well as taking account of the landlord’s previous record of offending’. The same paragraph sets out several factors that should be taken into account to ensure that the civil penalty is set at an appropriate level in each case:

- a) **Severity of the offence.** The more serious the offence, the higher the penalty should be.
- b) **Culpability and track record of the offender.** A higher penalty will be appropriate where the offender has a history of failing to comply with their obligations and/or their actions were deliberate and/or they knew, or ought to have known, that they were in breach of their legal responsibilities. Landlords are running a business and should be expected to be aware of their legal obligations.
- c) **The harm caused to the tenant.** This is a very important factor when determining the level of penalty. The greater the harm or the potential for harm (this may be as perceived by the tenant), the higher the amount should be when imposing a civil penalty.
- d) **Punishment of the offender.** A civil penalty should not be regarded as an easy or lesser option compared to prosecution. While the penalty should be proportionate and reflect both the severity of the offence and whether there is a pattern of previous offending, it is important that it is set at a high enough level to help ensure that it has a real economic impact on the offender and demonstrate the consequences of not complying with their responsibilities.
- e) **Deter the offender from repeating the offence.** The ultimate goal is to prevent any further offending and help ensure that the landlord fully complies with all of their legal responsibilities in future. The level of the penalty should therefore be set at a high enough level such that it is likely to deter the offender from repeating the offence.
- f) **Deter others from committing similar offences.** While the fact that someone has received a civil penalty will not be in the public domain, it is possible that other landlords in the local area will become aware through informal channels when someone has received a civil penalty. An important part of deterrence is the realisation that (a) the local authority is proactive in levying civil penalties where the need to do so exists and (b) that the level of civil penalty will be set at a high enough level to both punish the offender and deter repeat offending.
- g) **Remove any financial benefit the offender may have obtained as a result of committing the offence.** The guiding principle here should be to ensure that the offender does not benefit as a result of committing an offence, i.e. it should not be cheaper to offend than to ensure a property is well maintained and properly managed.

The factors detailed in the statutory guidance and policy aims will be considered by the Council when deciding where, within the Civil Penalties matrix below, a particular offence and penalty fall.

2.2 Civil penalties matrix

The following section sets out how the Council will determine the appropriate level of financial penalty for Housing Act 2004 offences. The determination is undertaken in line with the statutory and non-statutory guidance documents produced by Government as well as relevant precedents.

A Financial Penalty should not be regarded as an easy or lesser option compared to prosecution. The penalty should be proportionate and reflect the severity of the offence and should be set high enough to help ensure that it has a real economic impact on the offender and demonstrate the consequences of not complying with their responsibilities.

In determining the level of a civil penalty, officers will have regard to the matrix set out below, which is to be read in conjunction with the associated guidance. The matrix is intended to provide an indicative 'starting level' under the various offence categories, with the final level of the civil penalty adjusted in each case, taking into account aggravating and mitigating factors the Council deems significant including, but not limited to, factors relating to the track record and culpability of the landlord and the actual or potential harm to the occupants.

In deciding what level of penalty to impose, officers will conduct the following four stage process:

Step 1 – Officers will consider the seriousness of the relevant housing offence to identify a starting level of the penalty.

Step 2 – Undertake an assessment of the number of rental properties controlled or owned or managed by the landlord and/or their experience in the letting/management of property will be considered, which may have the effect of increasing or decreasing the penalty.

Step 3 – Consider aggravating and mitigating factors that may relate to a number of factors including, but not limited to, culpability, track record and harm will be considered, which may have the effect of increasing or decreasing the penalty.

Step 4 – Consider if any of the Discounts, as set out below, apply, and hence decrease the penalty accordingly.

Once the seriousness of the relevant housing offence has been identified, the starting level of the penalty will be identified using the table below with the headings 'Seriousness of offence' and 'Starting level [£]'. Consideration of the number and type of rental properties controlled or owned or managed may adjust the penalty.

To reflect the seriousness of the offence(s) in question, the presence of one or more mitigating factors will rarely result in the penalty being decreased in excess of a total of £5000. In exceptional circumstances, officers may determine that the presence of one or more mitigating factors justify a decrease in the penalty in excess of £5000. The presence of numerous mitigating factors will not automatically be considered as exceptional circumstances.

The Council has not provided a list of mitigating factors in this policy because it acknowledges that there are myriad possible circumstances that might give rise to mitigation.

To ensure that any penalty imposed is proportionate to the offending behaviour the presence of one or more aggravating factors will rarely result in the penalty being increased in excess of a total of £5000. In exceptional circumstances, officers may determine that the presence of one or more aggravating factors justify an increase in the penalty in excess of £5000. The presence of numerous aggravating factors will not automatically be considered as exceptional circumstances.

The Council may, exceptionally, including for the reason given above, increase the penalty by greater than £5000 on account of aggravating factors or, again exceptionally, decrease it by greater than £5000 on account of mitigating factors. In order to meet the objectives of this policy, including the need for transparency and consistency in the use of such penalties, the Council will exercise its discretion to increase or decrease a penalty by greater than £5000 on account of aggravating or mitigating factors in exceptional circumstances only excluding any Discounts as set out below. The Council will consider on a case-by-case basis whether any such circumstances exist.

Seriousness of offence	Starting level [£]
Mild	2500
Moderate	7500
Serious	12500
Very Serious	17500
Severe	22500
Very Severe	27500
Extreme	30000

2.3 Process for imposing a civil penalty

Before imposing a financial penalty on a person, the Council will give the person a Notice of Intent. This notice will include the reason(s) for imposing the penalty and provide details of how to make written representations.

2.3.1 Notice of Intent and right to make written representations

A person who is given a Notice of Intent may make written representations to the Council about the proposal to impose a financial penalty. Any representations must be made within a 28-day period, this period starting the day after the date on which the Notice of Intent was given. As the burden lies with the recipient of any such notice to explain why, exceptionally, the Council should, or should not, depart from the Civil Penalties Matrix and guidance above, the Council will expect the recipient of a Notice of Intent to explain and provide fulsome and cogent evidence to support the existence of any such circumstances when they make representations in response to the notice.

In the event of two or more persons receiving separate Notices of Intent for the same matter, it should be noted that acceptance/payment of a civil penalty by one person will not negate the Council's intention to impose a civil penalty on the second or further persons. Each person served with the Notice of Intent is considered individually liable to pay the civil penalty notified to them. It is therefore important that any recipient of a Notice of Intent takes the opportunity to make representations should they consider for any reason a civil penalty should not be individually imposed upon them.

After the end of the period for representations the Council will:

- a) Decide whether to impose a financial penalty on the person, and
- b) If it decides to impose a financial penalty, decide the amount of the penalty

In determining whether to impose a financial penalty, and the level of any penalty, the Council will consider any written representations received in the appropriate time period, and will also consider the totality principle.

The Council is conscious that the level of any financial penalty must be fair and proportionate alongside the general principles of deterring a repeat of the breach and the removal of any gain because of the breach. The Council will use its powers to, as far as possible, make an assessment of an offender's assets and any income they receive (not just rental income) when determining an appropriate penalty. Representations against estimated incomes will only be accepted where the offender provides sufficient evidence to support the claims. The Council can make a full financial assessment of a recipients' assets and any income they receive, not just from rental income, when calculating an appropriate financial penalty. The Council will consider carrying out a full financial investigation where it considers that it is reasonable and proportionate to do so in the circumstances. Full financial investigations will normally only be considered for the more serious cases.

An offender's compliance with the identified breach during the representation period would not, in itself, be reason for the Council to determine that the imposition of a financial penalty was inappropriate. However, compliance at that stage may be relevant with respect to any mitigating factors that could decrease the amount of any imposed financial penalty.

2.3.2 Final Notice and right of appeal

If, following the receipt of written representations and/or the expiry of the time period to make written representations, the Council decides to impose a financial penalty on the person, it will give the person a Final Notice imposing that penalty.

The Final Notice will set out and summarise:

- a) The amount of the financial penalty,
- b) The reasons for imposing the penalty,
- c) Information about how to pay the penalty,

- d) The period for payment of the penalty,
- e) Information about rights of appeal, and
- f) The consequences of failure to comply with the notice

If the offender does not agree with the service of the final notice they can appeal to the First Tier Tribunal, the details of which will be contained within the notice. This appeal must be made within the timescales as set out in the notice.

2.3.3 Payment of the civil penalty

The offender must pay the penalty within 28 days from the date the final notice is served. The Council may consider, in exceptional circumstances, a payment plan. If payment is not made; or if a payment plan is not adhered to, the Council will seek to recover the amount owed using all legal options available to it. If an appeal is made, the penalty will be suspended until the outcome of the appeal.

2.3.4 Discounts

The Council will automatically apply the following discounted rates to any imposed financial penalties in the following circumstances:

- A discount of 15% of the original calculated financial penalty will be deducted from the penalty imposed in the Final Notice should the penalty be paid within a specified time period (normally 28 days).

Illustrative example

The landlord of a Mandatory HMO property fails to obtain a licence. They only operate two HMO properties and there are no other relevant factors or aggravating features. The offence is regarded as a Very Serious matter. Upon receipt of the 'Notice of Intent' to impose a £17500 financial penalty. Written representations are made to the Council.

On account of the written representations received by the landlord, the council imposes a financial penalty of £16000 ("the original calculated financial penalty"). In the event the landlord pays within 28 days of the date of the Final Notice a 15% discount is given so that the landlord makes a discounted payment of £13600.

3. Offences where a civil penalty of up to £30,000 may be levied as an alternative to prosecution and relevant considerations as to the level of that penalty

In the following sections, the general and specific factors relevant to each offence are summarised, along with the effects on the penalty of such considerations.

3.1 Failure to comply with an Improvement Notice – Severe matter

- Offence under section 30 of the Housing Act 2004
- Maximum Court fine following prosecution that can be levied for failure to comply with an Improvement Notice - Unlimited

An Improvement Notice served under Part 1 Housing Act 2004 specifies repairs/improvements that the recipient should carry out in order to address one or more identified Category 1 and/or Category 2 hazards in a property. Category 1 hazards are the most serious hazards, judged to have the highest risk of harm to the occupiers; the Council has a duty to take appropriate action where a dwelling is found to have one or more Category 1 hazards present.

In some cases, the service of an Improvement Notice will have followed an informal stage, where the landlord had been given the opportunity to carry out improvements without the need for formal action. In such cases, an identified failure to comply with an Improvement Notice will represent a continued failure on the part of the landlord to deal appropriately with one or more significant hazards affecting the occupier[s] of the relevant dwelling.

The Council would view the offence of failing to comply with the requirements of an Improvement Notice as a significant issue, exposing the tenant[s] of a dwelling to one or more significant hazards.

The seriousness of the offence is viewed by the Council as being a **Severe** matter, attracting a financial penalty with a starting level of £22500.

Under the Council's policy the civil penalty for a landlord controlling/owning/ managing one or two dwellings, including no more than one HMO, with no other relevant factors or aggravating features [see below], will reduce by £5000, attracting a civil penalty of £17500.

Under the Council's policy, the civil penalty for a landlord controlling/ owning/ managing a significant property portfolio, being three, four, or five dwellings, and/or two HMOs, with no other relevant factors or aggravating features [see below], will attract a civil penalty of £22500.

Under the Council's policy, the civil penalty for a landlord controlling/ owning/ managing a large property portfolio, being six or more dwellings, and/or three or more HMOs and/or has demonstrated experience in the letting/management of property (irrespective of the size of the portfolio), with no other relevant factors or aggravating factors [see below], will increase by £5000, attracting a civil penalty of £27500.

Aggravating features/factors specific to non-compliance with an Improvement Notice

- The nature and extent of hazards that are present. Multiple hazards and/or severe/extreme hazards that are considered to have a significant impact on the health and/or safety of the occupant[s] in the property or their guests would justify an increase in the level of the civil penalty

Generic aggravating features/factors

The Council will have regard to general factors in determining the final level of the civil penalty including, but not limited to:

- A previous history of non-compliance would justify an increased civil penalty. Non-exhaustive examples of previous non-compliance would include previous successful prosecutions [including recent convictions that were 'spent'], receipt of financial penalties, rent repayment orders, works in default of the landlord and breaches of regulations/obligations, irrespective of whether these breaches had been the subject of separate formal action.
- A failure to cooperate with a Council investigation. Non-exhaustive examples of failure to cooperate would include failing to comply with a s.16 Local Government (Miscellaneous Provisions) Act 1976 notice, failing to comply with a s.235 Housing Act 2004 notice, failing to provide a substantive response to a letter of alleged offence.
- Deliberate intent when committing the offence. Non-exhaustive examples of deliberate intent would include knowledge that the offence was occurring, committing the offence after relevant correspondence was sent by the Council.
- The number of residents placed at risk
- Offending over an extended period of time i.e. 6 months or longer
- Whether any vulnerable residents were in occupation at the time of the offence. Non-exhaustive examples of vulnerable residents include young adults and children, persons vulnerable by virtue of age, persons vulnerable by virtue of disability or sensory impairment, persons with a drug or alcohol addiction, victims of domestic abuse, children in care or otherwise vulnerable by virtue of age, people with complex health conditions, people who do not speak English as their first language, victims of trafficking or sexual exploitation, refugees, asylum seekers

3.2 Failure to license a Mandatory HMO – Very Serious matter

- Offence under section 72(1) of the Housing Act 2004
- Maximum Court fine following prosecution that can be levied for failure to license an HMO under Part 2 of the Act – Unlimited

Under Part 2 Housing Act 2004, most higher risk HMOs occupied by 5 or more persons forming 2 or more households are required to hold a property licence issued by the local authority. HMO licensing was introduced to allow local authorities to regulate standards and conditions in high risk, multiply occupied residential premises. Through the property licence regime, local authorities ensure that the HMO has sufficient kitchens, baths/showers and WCs and place a limit on the number of persons permitted to occupy it and the licence holder is required to comply with a set of licence conditions.

The Council would view the offence of failing to license an HMO as a significant failing. Licensing was introduced by the Government in order to regulate management, conditions, standards and safety in the properties considered to represent the highest risk to tenants as regards such matters as fire safety and overcrowding.

This seriousness of the offence is viewed by the Council as being a **Very Serious** matter, attracting a financial penalty with a starting level of £17500.

Under the Council's policy the civil penalty for a landlord controlling/ owning/ managing only one HMO dwelling and no more than one other dwelling that is not an HMO, with no other relevant factors or aggravating features [see below], will reduce by £5000, attracting a civil penalty of £12500.

Under the Council's policy, the civil penalty for a landlord controlling/ owning/ managing a significant property portfolio, being three, four, or five dwellings, and/or two HMOs, with no other relevant factors or aggravating features [see below], will attract a civil penalty of £17500.

Under the Council's policy, the civil penalty for a landlord controlling/ owning/ managing a large property portfolio, being six or more dwellings, and/or three or more HMOs and/or has demonstrated experience in the letting/management of property (irrespective of the size of the portfolio), with no other relevant factors or aggravating factors [see below], will increase by £5000, attracting a civil penalty of £22500.

Aggravating features/factors specific to failure to license offences

- The condition of the unlicensed property. The nature and extent of any significant hazards that are present would justify an increase in the level of the civil penalty. Equally, an HMO that was found to be poorly managed and/or lacking amenities/fire safety precautions and/or overcrowded would also justify an increased civil penalty

- Any demonstrated evidence that the landlord/agent was familiar with the need to obtain a property licence e.g. the fact that they were a named licence holder or manager in respect of an already licensed premises

Generic aggravating features/factors

- As set out under 'Failure to comply with an Improvement Notice' above

3.3 Failure to comply with an Overcrowding Notice – Very Serious matter

- Offence under section 139 of the Housing Act 2004
- Maximum Court fine following prosecution that can be levied for failure to comply with an Overcrowding Notice – Unlimited

Section 139 Housing Act 2004 allows the Council to serve an Overcrowding Notice in respect of an HMO that is not required to be licensed under Part 2 Housing Act 2004. The notice specifies, on a room-by-room basis, the maximum number of persons allowed to occupy each room as sleeping accommodation or that the room is not considered suitable for that purpose.

The Council would view the offence of failing to comply with the requirements of an Overcrowding Notice as a significant matter, exposing the tenant[s] of an HMO to unacceptably cramped living conditions.

The seriousness of the offence is viewed by the Council as being a **Very Serious** matter, attracting a financial penalty with a starting level of £17500.

Under the Council's policy the civil penalty for a landlord controlling/ owning/ managing one or two dwellings, including no more than one HMO, with no other relevant factors or aggravating features [see below], will reduce by £5000, attracting a civil penalty of £12500.

Under the Council's policy, the civil penalty for a landlord controlling/ owning/ managing a significant property portfolio, being three, four, or five dwellings, and/or two HMOs, with no other relevant factors or aggravating features [see below], will attract a civil penalty of £17500.

Under the Council's policy, the civil penalty for a landlord controlling/ owning/ managing a large property portfolio, being six or more dwellings, and/or three or more HMOs and/or has demonstrated experience in the letting/management of property (irrespective of the size of the portfolio), with no other relevant factors or aggravating factors [see below], will increase by £5000, attracting a civil penalty of £22500.

Aggravating features/factors specific to non-compliance with an Overcrowding Notice

- The level of overcrowding present – breaches that related to over-occupation of multiple rooms or extreme over-occupation of an individual room would justify a higher civil penalty

Generic aggravating features/factors

- As set out under 'Failure to comply with an Improvement Notice' above

3.4 Failure to comply with a Banning Order – Extreme matter

- Offence under section 21 of the Housing and Planning Act 2016
- Maximum Court fine that can be levied for failure to comply with a Banning Order following prosecution – Unlimited. In addition, the Court can also impose a prison sentence for up to 51 weeks.

The Housing and Planning Act 2016 includes provisions and processes for a person to be banned from being involved, for a specified period, in one or more of the following activities:

- Letting housing
- Engaging in letting agency work
- Engaging in property management work

Banning Orders are reserved for what are recognised as being the most serious housing-related offences. In the event that the Council was satisfied that the offence of breaching a Banning Order had occurred, this would normally be the subject of prosecution proceedings. Where it was determined that a civil penalty would be appropriate in respect of a breach of a Banning Order, this would normally be set at the maximum level of £30,000 to reflect the extreme severity of the offence.

3.5 Failure to comply with HMO management regulations (various seriousness)

- Offence under section 234(3) of the Housing Act 2004
- Maximum Court fine following prosecution that can be levied for failure to comply with each individual regulation – Unlimited

The Management of Houses in Multiple Occupation (England) Regulations 2006 impose duties on the persons managing HMOs as defined by Section 254 of the Housing Act 2004, in respect of:

- Providing information to occupiers [Regulation 3]
- Taking safety measures, including fire safety measures [Regulation 4]
- Maintaining the water supply and drainage [Regulation 5]

- Supplying and maintaining gas and electricity, including having these services/appliances regularly inspected [Regulation 6]
- Maintaining common parts [Regulation 7]
- Maintaining living accommodation [Regulation 8]
- Providing sufficient waste disposal facilities [Regulation 9]

The Licensing and Management of Houses in Multiple Occupation (Additional Provisions) (England) Regulations 2007 impose duties on the persons managing HMOs as defined by Section 257 of the Housing Act 2004, in respect of:

- Providing information to occupiers [regulation 4]
- Taking safety measures, including fire safety measures [regulation 5]
- Maintaining the water supply and drainage [regulation 6]
- Supplying and maintaining gas and electricity, including having these services/appliances regularly inspected [regulation 7]
- Maintaining common parts [regulation 8]
- Maintaining living accommodation [regulation 9]
- Providing sufficient waste disposal facilities [regulation 10]

It is important that the manager of an HMO complies with all regulations, but the Council recognises that a failure to comply with certain regulations is likely to have a much bigger impact on the safety and comfort of residents than others.

3.5.1 Mild matter – Duty of manager to provide information to occupier

The Council would view the seriousness of the offence of failing to comply with the duty of the manager to provide information to occupier as a **Mild** matter, attracting a financial penalty with a starting level of £2500.

Under the Council's policy the civil penalty for a landlord controlling/owning /managing only one HMO dwelling and no more than one other dwelling that is not an HMO, with no other relevant factors or aggravating features [see below], will reduce by £2000, attracting a civil penalty of £500.

Under the Council's policy, the civil penalty for a landlord controlling/owning/ managing a significant property portfolio, being three, four, or five dwellings, and/or two HMOs, with no other relevant factors or aggravating features [see below], will attract a civil penalty of £2500.

Under the Council's policy, the civil penalty for a landlord controlling/owning/ managing a large property portfolio, being six or more dwellings, and/or three or more HMOs and/or has demonstrated experience in the letting/management of property (irrespective of the size of the portfolio), with no other relevant factors or aggravating factors [see below], will increase by £2000, attracting a civil penalty of £4500.

Aggravating features/factors specific to Management Regulation breach offences

- The number and/or nature and/or extent of the management regulation breach(es) and/or the deficiencies within each regulation

Generic aggravating features/factors

- As set out under 'Failure to comply with an Improvement Notice' above

3.5.2 Very serious matter – Duty of manager to take safety measures

The Council would view the seriousness of the offence of failing to comply with the duty of the manager to take safety measures as a **Very Serious** matter, attracting a financial penalty with a starting level of £17500.

Under the Council's policy the civil penalty for a landlord controlling/owning/ managing only one HMO dwelling and no more than one other dwelling that is not an HMO, with no other relevant factors or aggravating features [see below], will reduce by £5000, attracting a civil penalty of £12500.

Under the Council's policy, the civil penalty for a landlord controlling/ owning/ managing a significant property portfolio, being three, four, or five dwellings, and/or two HMOs, with no other relevant factors or aggravating features [see below], will attract a civil penalty of £17500.

Under the Council's policy, the civil penalty for a landlord controlling/owning/ managing a large property portfolio, being six or more dwellings, and/or three or more HMOs and/or has demonstrated experience in the letting/management of property (irrespective of the size of the portfolio), with no other relevant factors or aggravating factors [see below], will increase by £5000, attracting a civil penalty of £22500.

Aggravating features/factors specific to Management Regulation breach offences

- As set out under 'Failure to comply with the duty of manager to provide information to occupier' above

Generic aggravating features/factors

- As set out under 'Failure to comply with an Improvement Notice' above

3.5.3 Serious matter – Duty of manager to maintain water supply and drainage

The Council would view the seriousness of the offence of failing to comply with the duty of the manager to maintain the water supply and drainage as a **Serious** matter, attracting a financial penalty with a starting level of £12500.

Under the Council's policy the civil penalty for a landlord controlling/owning/ managing only one HMO dwelling and no more than one other dwelling that is not an HMO, with no other relevant factors or aggravating features [see below], will reduce by £5000, attracting a civil penalty of £7500.

Under the Council's policy, the civil penalty for a landlord controlling/owning/ managing a significant property portfolio, being three, four, or five dwellings, and/or two HMOs, with no other relevant factors or aggravating features [see below], will attract a civil penalty of £12500.

Under the Council's policy, the civil penalty for a landlord controlling/owning/ managing a large property portfolio, being six or more dwellings, and/or three or more HMOs and/or has demonstrated experience in the letting/management of property (irrespective of the size of the portfolio), with no other relevant factors or aggravating factors [see below], will increase by £5000, attracting a civil penalty of £17500.

Aggravating features/factors specific to Management Regulation breach offences

- As set out under 'Failure to comply with the duty of manager to provide information to occupier' above

Generic aggravating features/factors

- As set out under 'Failure to comply with an Improvement Notice' above

3.5.4 Serious matter – Duty of manager to supply and maintain gas and electricity

The Council would view the seriousness of the offence of failing to comply with the duty of the manager to maintain the gas and electricity supply as a **Serious** matter, attracting a financial penalty with a starting level of £12500.

Under the Council's policy the civil penalty for a landlord controlling/owning/ managing only one HMO dwelling and no more than one other dwelling that is not an HMO, with no other relevant factors or aggravating features [see below], will reduce by £5000, attracting a civil penalty of £7500.

Under the Council's policy, the civil penalty for a landlord controlling/owning/ managing a significant property portfolio, being three, four, or five dwellings, and/or two HMOs, with no other relevant factors or aggravating features [see below], will attract a civil penalty of £12500.

Under the Council's policy, the civil penalty for a landlord controlling/owning/ managing a large property portfolio, being six or more dwellings, and/or three or more HMOs and/or has demonstrated experience in the letting/management of property (irrespective of the size of the portfolio), with no other relevant factors or aggravating factors [see below], will increase by £5000, attracting a civil penalty of £17500.

Aggravating features/factors specific to Management Regulation breach offences

- As set out under 'Failure to comply with the duty of manager to provide information to occupier' above

Generic aggravating features/factors

- As set out under 'Failure to comply with an Improvement Notice' above

3.5.5 Moderate matter – Duty of manager to maintain common parts, fixtures, fittings and appliances

The Council would view the seriousness of the offence of failing to comply with the duty of the manager to maintain the common parts, fixture, fittings and appliances as a **Moderate** matter, attracting a financial penalty with a starting level of £7500.

Under the Council's policy the civil penalty for a landlord controlling/owning/ managing only one HMO dwelling and no more than one other dwelling that is not an HMO, with no other relevant factors or aggravating features [see below], will reduce by £5000, attracting a civil penalty of £2500.

Under the Council's policy, the civil penalty for a landlord controlling/owning/ managing a significant property portfolio, being three, four, or five dwellings, and/or two HMOs, with no other relevant factors or aggravating features [see below], will attract a civil penalty of £7500.

Under the Council's policy, the civil penalty for a landlord controlling/owning/ managing a large property portfolio, being six or more dwellings, and/or three or more HMOs and/or has demonstrated experience in the letting/management of property (irrespective of the size of the portfolio), with no other relevant factors or aggravating factors [see below], will increase by £5000, attracting a civil penalty of £12500.

Aggravating features/factors specific to Management Regulation breach offences

- As set out under 'Failure to comply with the duty of manager to provide information to occupier' above

Generic aggravating features/factors

- As set out under 'Failure to comply with an Improvement Notice' above

3.5.6 Moderate matter – Duty of manager to maintain living accommodation

The Council would view the seriousness of the offence of failing to comply with the duty of the manager to maintain the living accommodation as a **Moderate** matter, attracting a financial penalty with a starting level of £7500.

Under the Council's policy the civil penalty for a landlord controlling/owning/ managing only one HMO dwelling and no more than one other dwelling that is not an HMO, with no other relevant factors or aggravating features [see below], will reduce by £5000, attracting a civil penalty of £2500.

Under the Council's policy, the civil penalty for a landlord controlling/owning/ managing a significant property portfolio, being three, four, or five dwellings, and/or two HMOs, with no other relevant factors or aggravating features [see below], will attract a civil penalty of £7500.

Under the Council's policy, the civil penalty for a landlord controlling/owning/ managing a large property portfolio, being six or more dwellings, and/or three or more HMOs and/or has demonstrated experience in the letting/management of property (irrespective of the size of the portfolio), with no other relevant factors or aggravating factors [see below], will increase by £5000, attracting a civil penalty of £12500.

Aggravating features/factors specific to Management Regulation breach offences

- As set out under 'Failure to comply with the duty of manager to provide information to occupier' above

Generic aggravating features/factors

- As set out under 'Failure to comply with an Improvement Notice' above

3.5.7 Moderate matter – Duty to provide waste disposal facilities

The Council would view the seriousness of the offence of failing to comply with the duty of the manager to provide waste disposal facilities as a **Moderate** matter, attracting a financial penalty with a starting level of £7500.

Under the Council's policy the civil penalty for a landlord controlling/owning/ managing only one HMO dwelling and no more than one other dwelling that is not an HMO, with no other relevant factors or aggravating features [see below], will reduce by £5000, attracting a civil penalty of £2500.

Under the Council's policy, the civil penalty for a landlord controlling/owning/ managing a significant property portfolio, being three, four, or five dwellings, and/or two HMOs, with no other relevant factors or aggravating features [see below], will attract a civil penalty of £7500.

Under the Council's policy, the civil penalty for a landlord controlling/owning/ managing a large property portfolio, being six or more dwellings, and/or three or more HMOs and/or has demonstrated experience in the letting/management of property (irrespective of the size of the portfolio), with no other relevant factors or aggravating factors [see below], will increase by £5000, attracting a civil penalty of £12500.

Aggravating features/factors specific to Management Regulation breach offences

- As set out under 'Failure to comply with the duty of manager to provide information to occupier' above

Generic aggravating features/factors

- As set out under 'Failure to comply with an Improvement Notice' above

3.6 Breach of HMO licence conditions (various seriousness)

- Offence under section 72(3) of the Housing Act 2004
- Maximum Court fine following prosecution that can be levied for failure to comply with a licence condition - unlimited

All granted HMO licences impose a set of conditions on the licence holder. These conditions impose a variety of obligations relating to the letting, management and condition of the rented property.

It is important that the manager of a licensed property complies with all imposed conditions, but the Council recognises that a failure to comply with certain licence conditions is likely to have a much bigger impact on the safety and comfort of residents than others.

3.6.1 Mild matter – failure to comply with licence conditions related to:

- Signage or the provision of information for tenants
- Provision of written terms of occupancy for tenants
- Procedures regarding complaints
- Procedures regarding vetting of incoming tenants
- Compliance with deposit protection legislation
- The recording and provision of information regarding rent payments
- Procedures relating to rent collection
- The provision of information regarding occupancy of the property
- The provision of information regarding change of managers or licence holder details
- The provision of information related to changes in the property
- Requirements relating to the sale of the property
- Attending training courses
- Requirements to hold insurance
- The provision of insurance documentation
- The provision of or obtaining of suitable references
- The provision of keys and alarm codes
- Security provisions for access to the property
- The provision of suitable means for occupiers to regulate temperature

The Council would view the seriousness of the offence of failing to comply with licence conditions relating to the bullet points directly above as a **Mild** matter, attracting a financial penalty with a starting level of £2500.

Under the Council's policy the civil penalty for a landlord controlling/owning/ managing one or two dwellings, including no more than one HMO, with no other relevant factors or aggravating features [see below], will reduce by £2000, attracting a civil penalty of £500.

Under the Council's policy, the civil penalty for a landlord controlling/owning/ managing a significant property portfolio, being three, four, or five dwellings, and/or two HMOs, with no other relevant factors or aggravating features [see below], will attract a civil penalty of £2500.

Under the Council's policy, the civil penalty for a landlord controlling/owning/ managing a large property portfolio, being six or more dwellings, and/or three or more HMOs and/or has demonstrated experience in the letting/management of property (irrespective of the size of the portfolio), with no other relevant factors or aggravating factors [see below], will increase by £2000, attracting a civil penalty of £4500.

Aggravating features/factors specific to Licence Condition breach offences

- The number and/or nature and/or extent of the licence condition regulation breach(es) and/or the deficiencies within each licence condition breach

Generic aggravating features/factors

- As set out under 'Failure to comply with an Improvement Notice' above

3.6.2 Moderate matter – failure to comply with licence conditions related to:

- Procedures and actions regarding Inspections
- Procedures regarding Repair issues
- Maintenance and use of common parts and living accommodation (including gardens, outbuildings and property exterior)
- Safeguarding occupiers and minimising disruption during works
- The provision of information regarding alterations and construction works
- Procedures regarding emergency issues
- Waste and waste receptacles, pests, minor repairs, alterations or decoration.
- Giving written notice prior to entry
- Allowing access for inspections
- Minimising risk of water contamination
- The compliance of furnishings or furniture with fire safety regulations

- The provision and maintenance of amenities and facilities

The Council would view the seriousness of the offence of failing to comply with licence conditions relating to the bullet points directly above as a **Moderate** matter, attracting a financial penalty with a starting level of £7500.

Under the Council's policy the civil penalty for a landlord controlling/owning/ managing one or two dwellings, including no more than one HMO, with no other relevant factors or aggravating features [see below], will reduce by £5000, attracting a civil penalty of £2500.

Under the Council's policy, the civil penalty for a landlord controlling/owning/ managing a significant property portfolio, being three, four, or five dwellings, and/or two HMOs, with no other relevant factors or aggravating features [see below], will attract a civil penalty of £7500.

Under the Council's policy, the civil penalty for a landlord controlling/owning/ managing a large property portfolio, being six or more dwellings, and/or three or more HMOs and/or has demonstrated experience in the letting/management of property (irrespective of the size of the portfolio), with no other relevant factors or aggravating factors [see below], will increase by £5000, attracting a civil penalty of £12500.

Aggravating features/factors specific to Licence Condition breach offences

- The number and/or nature and/or extent of the licence condition regulation breach(es) and/or the deficiencies within each licence condition breach

Generic aggravating features/factors

- As set out under 'Failure to comply with an Improvement Notice' above

3.6.3 Serious matter – failure to comply with licence conditions related to:

- The provision of documentation regarding energy performance certificates, fire detection and prevention, emergency lighting, carbon monoxide detection, fire risk assessments, gas installations, electric installations and appliances
- Notification of legal proceedings, contraventions and other relevant information that may affect a fit and proper person status
- Procedures and actions regarding ASB

The Council would view the seriousness of the offence of failing to comply with licence conditions relating to the bullet points directly above as a **Serious** matter, attracting a financial penalty with a starting level of £12500.

Under the Council's policy the civil penalty for a landlord controlling/owning/ managing one or two dwellings, including no more than one HMO, with no other relevant factors or aggravating features [see below], will reduce by £5000, attracting a civil penalty of £7500.

Under the Council's policy, the civil penalty for a landlord controlling/owning/ managing a significant property portfolio, being three, four, or five dwellings, and/or two HMOs, with no other relevant factors or aggravating features [see below], will attract a civil penalty of £12500.

Under the Council's policy, the civil penalty for a landlord controlling/owning/ managing a large property portfolio, being six or more dwellings, and/or three or more HMOs and/or has demonstrated experience in the letting/management of property (irrespective of the size of the portfolio), with no other relevant factors or aggravating factors [see below], will increase by £5000, attracting a civil penalty of £17500.

Aggravating features/factors specific to Licence Condition breach offences

- The number and/or nature and/or extent of the licence condition regulation breach(es) and/or the deficiencies within each licence condition breach

Generic aggravating features/factors

- As set out under 'Failure to comply with an Improvement Notice' above

3.6.4 Very serious matter – failure to comply with licence conditions related to:

- Minimum floor areas
- Occupancy limits
- Occupancy of rooms or areas that are not to be used as sleeping accommodation
- Limits on number of households allowed to occupy the property or part of the property

The Council would view the seriousness of the offence of failing to comply with licence conditions relating to the bullet points directly above as a **Very Serious** matter, attracting a financial penalty with a starting level of £17500.

Under the Council's policy the civil penalty for a landlord controlling/owning/ managing one or two dwellings, including no more than one HMO, with no other relevant factors or aggravating features [see below], will reduce by £5000, attracting a civil penalty of £12500.

Under the Council's policy, the civil penalty for a landlord controlling/owning/ managing a significant property portfolio, being three, four, or five dwellings, and/or two HMOs, with no other relevant factors or aggravating features [see below], will attract a civil penalty of £17500.

Under the Council's policy, the civil penalty for a landlord controlling/owning/ managing a large property portfolio, being six or more dwellings, and/or three or more HMOs and/or has demonstrated experience in the letting/management of property (irrespective of the size of the portfolio), with no other relevant factors or

aggravating factors [see below], will increase by £5000, attracting a civil penalty of £22500.

Aggravating features/factors specific to Licence Condition breach offences

- The number and/or nature and/or extent of the licence condition regulation breach(es) and/or the deficiencies within each licence condition breach

Generic aggravating features/factors

- As set out under 'Failure to comply with an Improvement Notice' above

3.6.5 Severe matters – failure to comply with licence conditions related to:

- The condition or existence of smoke alarms, carbon monoxide alarms, emergency lighting, gas installations, electric installations and appliances, fire detection or other fire safety features or requirements
- The prevention including provision of safe means of escape

The Council would view the seriousness of the offence of failing to comply with licence conditions relating to the bullet points directly above as a **Severe** matter, attracting a financial penalty with a starting level of £22500.

Under the Council's policy the civil penalty for a landlord controlling/owning/ managing one or two dwellings, including no more than one HMO, with no other relevant factors or aggravating features [see below], will reduce by £5000, attracting a civil penalty of £17500.

Under the Council's policy, the civil penalty for a landlord controlling/owning/ managing a significant property portfolio, being three, four, or five dwellings, and/or two HMOs, with no other relevant factors or aggravating features [see below], will attract a civil penalty of £22500.

Under the Council's policy, the civil penalty for a landlord controlling/owning/ managing a large property portfolio, being six or more dwellings, and/or three or more HMOs and/or has demonstrated experience in the letting/management of property (irrespective of the size of the portfolio), with no other relevant factors or aggravating factors [see below], will increase by £5000, attracting a civil penalty of £27500.

Aggravating features/factors specific to Licence Condition breach offences

- The number and/or nature and/or extent of the licence condition regulation breach(es) and/or the deficiencies within each licence condition breach

Generic aggravating features/factors

- As set out under 'Failure to comply with an Improvement Notice' above

3.7 The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020

The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020 enable Local Authorities to impose financial penalties of up to £30,000 for the following offence:

- Failure to comply with regulation 3 - Duties of private landlords in relation to electrical installations.

Non-statutory guidance¹ issued in relation to these Regulations states that Local Authorities may wish to consult guidance produced by the Ministry of Housing, Communities and Local Government (MHCLG) in relation to civil (financial) penalties under the Housing Act 2004 (as amended by the Housing and Planning Act 2016). This policy fulfils the requirement for enforcement authorities to develop and document their own policy on determining the appropriate level of financial penalties to impose.

It is important that a private landlord complies with all aspects of Regulation 3 of The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020 ("the Electrical Safety Regulations"), however, the Council recognises that a failure to comply with certain aspects of Regulation 3 is likely to have a much bigger impact on the safety and comfort of residents than others.

3.7.1 Mild matter – failure to comply with (3)(b), 3(d) or 3(e) of Regulation 3 of the Electrical Safety Regulations

The Council would view the seriousness of the offence of failing to comply with (3)(b), 3(d) or 3(e) of Regulation 3 of The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020 as a **Mild** matter, attracting a financial penalty with a starting level of £2500.

Under the Council's policy the civil penalty for a landlord controlling/owning/ managing one or two dwellings, including no more than one HMO, with no other relevant factors or aggravating features [see below], will reduce by £2000, attracting a civil penalty of £500.

Under the Council's policy, the civil penalty for a landlord controlling/owning/ managing a significant property portfolio, being three, four, or five dwellings, and/or two HMOs, with no other relevant factors or aggravating features [see below], will attract a civil penalty of £2500.

Under the Council's policy, the civil penalty for a landlord controlling/owning/ managing a large property portfolio, being six or more dwellings, and/or three or more HMOs and/or has demonstrated experience in the letting/management of

¹ Department for Levelling Up, Housing and Communities and Ministry of Housing, Communities & Local Government. Guide for local authorities: electrical safety standards in the private rented sector. Updated 2021 <https://www.gov.uk/government/publications/electrical-safety-standards-in-the-private-rented-sector-guidance-for-landlords-tenants-and-local-authorities/guide-for-local-authorities-electrical-safety-standards-in-the-private-rented-sector#financial-penalties>

property (irrespective of the size of the portfolio), with no other relevant factors or aggravating factors [see below], will increase by £2000, attracting a civil penalty of £4500.

Aggravating features/factors specific to Electrical Safety Regulations breaches of duty

- The number and/or nature and/or extent of the Electrical Safety Regulation breach(es) within each sub-regulation
- Using an unqualified person lacking appropriate certification to carry out inspection, testing, investigative or remedial work

Generic aggravating features/factors

- As set out under 'Failure to comply with an Improvement Notice' above

3.7.2 Serious matter – failure to comply with (1)(a), (1)(b), (1)(c), (3)(a), (3)(c), (5)(b) or (5)(c) of Regulation 3 of the Electrical Safety Regulations

The Council would view the seriousness of the offence of failing to comply with (1)(a), (1)(b), (1)(c), (3)(a), (3)(c), (5)(b) or (5)(c) of Regulation 3 of The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020 as a **Serious** matter, attracting a financial penalty with a starting level of £12500.

Under the Council's policy the civil penalty for a landlord controlling/owning/ managing one or two dwellings, including no more than one HMO, with no other relevant factors or aggravating features [see below], will reduce by £5000, attracting a civil penalty of £7500.

Under the Council's policy, the civil penalty for a landlord controlling/owning/ managing a significant property portfolio, being three, four, or five dwellings, and/or two HMOs, with no other relevant factors or aggravating features [see below], will attract a civil penalty of £12500.

Under the Council's policy, the civil penalty for a landlord controlling/owning/ managing a large property portfolio, being six or more dwellings, and/or three or more HMOs and/or has demonstrated experience in the letting/management of property (irrespective of the size of the portfolio), with no other relevant factors or aggravating factors [see below], will increase by £5000, attracting a civil penalty of £17500.

Aggravating features/factors specific to Electrical Safety Regulations breaches of duty

- The number and/or nature and/or extent of the Electrical Safety Regulation breach(es) within each sub-regulation
- Using an unqualified person lacking appropriate certification to carry out inspection, testing, investigative or remedial work

Generic aggravating features/factors

- As set out under 'Failure to comply with an Improvement Notice' above

3.7.3 Very Serious matter – failure to comply with (4), (5a) or (6) of Regulation 3 of the Electrical Safety Regulations

The Council would view the seriousness of the offence of failing to comply with (4), (5a) or (6) of Regulation 3 of The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020 as a **Very Serious** matter, attracting a financial penalty with a starting level of £17500.

Under the Council's policy the civil penalty for a landlord controlling/owning/ managing one or two dwellings, including no more than one HMO, with no other relevant factors or aggravating features [see below], will reduce by £5000, attracting a civil penalty of £12500.

Under the Council's policy, the civil penalty for a landlord controlling/owning/ managing a significant property portfolio, being three, four, or five dwellings, and/or two HMOs, with no other relevant factors or aggravating features [see below], will attract a civil penalty of £17500.

Under the Council's policy, the civil penalty for a landlord controlling/owning/ managing a large property portfolio, being six or more dwellings, and/or three or more HMOs and/or has demonstrated experience in the letting/management of property (irrespective of the size of the portfolio), with no other relevant factors or aggravating factors [see below], will increase by £5000, attracting a civil penalty of £22500.

Aggravating features/factors specific to Electrical Safety Regulations breaches of duty

- The number and/or nature and/or extent of the Electrical Safety Regulation breach(es) within each sub-regulation
- Using an unqualified person lacking appropriate certification to carry out inspection, testing, investigative or remedial work

Generic aggravating features/factors

- As set out under 'Failure to comply with an Improvement Notice' above

4. Civil penalties under the Tenant Fees Act 2019

- Offences under sections 1 and 2 of the Tenant Fees Act 2019
- Maximum Court fine following prosecution that can be levied for repeated breaches – Unlimited

The Tenant Fees Act 2019 (“TFA 2019”) prohibits landlords and letting agents from charging any fees in respect of private rented sector tenancies which are not “permitted payments.” If a payment is not of a type specifically listed in Schedule 1 of the TFA 2019, it is prohibited by default.

Oxfordshire County Council (Trading Standards) have the primary duty to enforce the TFA 2019. As a District Council, Cherwell has the power to enforce sections 1 and 2 of the Act (prohibitions applying to landlords and letting agents) and schedule 2 to the Act (unlawfully retaining holding deposits). The following enforcement actions can be taken by the Council:

Breach	Penalty for first breach	Penalty for further breach within 5 years
Charging prohibited payments	Civil penalty up to £5000	Civil penalty up to £30000 (as an alternative to prosecution)
Unlawfully retaining holding deposit	Civil penalty up to £5000	Civil penalty up to £5000

Statutory guidance² has been issued in relation to determining the level of penalty under this Act, and Local Authorities must have regard to this when exercising its functions in respect of financial penalties for TFA 2019 breaches. This policy fulfils the requirement for enforcement authorities to develop and publish their own policy on determining the appropriate level of financial penalties to impose. Penalties up to £30,000 will be calculated in accordance with section 2 of this policy, and penalties up to £5,000 will be calculated in accordance with section 5 of this policy.

4.1.1 Serious matter – Charging prohibited payments (first breach)

The Council would view the seriousness of a first offence of charging prohibited payments as a **Serious** matter under section 5 of this policy, attracting a financial penalty with a starting level of £3000.

Under the Council’s policy the civil penalty for a landlord controlling/owning/ managing one or two dwellings, including no more than one HMO, with no other relevant factors or aggravating features [see below], will reduce by £1000, attracting a civil penalty of £2000.

² Department for Levelling Up, Housing and Communities and Ministry of Housing, Communities & Local Government. Tenant Fees Act 2019 Statutory Guidance for Enforcement Authorities. Updated 2020. <https://www.gov.uk/government/publications/tenant-fees-act-2019-guidance>

Under the Council's policy, the civil penalty for a landlord controlling/owning/ managing a significant property portfolio, being three, four, or five dwellings, and/or two HMOs, with no other relevant factors or aggravating features [see below], will attract a civil penalty of £3000.

Under the Council's policy, the civil penalty for a landlord controlling/owning/ managing a large property portfolio, being six or more dwellings, and/or three or more HMOs and/or has demonstrated experience in the letting/management of property (irrespective of the size of the portfolio), with no other relevant factors or aggravating factors [see below], will increase by £1000, attracting a civil penalty of £4000.

4.1.2 Mild matter – Unlawfully retaining holding deposit (first breach)

The Council would view the seriousness of a first offence of unlawfully retaining holding deposit as a **Mild** matter under section 5 of this policy, attracting a financial penalty with a starting level of £1000.

Under the Council's policy the civil penalty for a landlord controlling/owning/ managing one or two dwellings, including no more than one HMO, with no other relevant factors or aggravating features [see below], will reduce by £500, attracting a civil penalty of £500.

Under the Council's policy, the civil penalty for a landlord controlling/owning/ managing a significant property portfolio, being three, four, or five dwellings, and/or two HMOs, with no other relevant factors or aggravating features [see below], will attract a civil penalty of £1000.

Under the Council's policy, the civil penalty for a landlord controlling/owning/ managing a large property portfolio, being six or more dwellings, and/or three or more HMOs and/or has demonstrated experience in the letting/management of property (irrespective of the size of the portfolio), with no other relevant factors or aggravating factors [see below], will increase by £1000, attracting a civil penalty of £2000.

4.1.3 Moderate matter – Charging prohibited payments (further breach within 5 years)

The Council would view the seriousness of a further offence of charging prohibited payments within 5 years as a **Moderate** matter under section 2.2 of this policy, attracting a financial penalty with a starting level of £7500.

Under the Council's policy the civil penalty for a landlord controlling/owning/ managing one or two dwellings, including no more than one HMO, with no other relevant factors or aggravating features, with no other relevant factors or aggravating features [see below], will reduce by £5000, attracting a civil penalty of £2500.

Under the Council's policy, the civil penalty for a landlord controlling/owning/ managing a significant property portfolio, being three, four, or five dwellings, and/or two HMOs, with no other relevant factors or aggravating features [see below], will attract a civil penalty of £7500.

Under the Council's policy, the civil penalty for a landlord controlling/owning/ managing a large property portfolio, being six or more dwellings, and/or three or more HMOs and/or has demonstrated experience in the letting/management of property (irrespective of the size of the portfolio), with no other relevant factors or aggravating factors [see below], will increase by £5000, attracting a civil penalty of £12500.

4.1.4 Very Serious matter – Unlawfully retaining holding deposit (further breach within 5 years)

The Council would view the seriousness of a further offence of unlawfully retaining holding deposit within 5 years as a **Very Serious** matter under section 5 of this policy, attracting a financial penalty with a starting level of £4000.

Under the Council's policy the civil penalty for a landlord controlling/owning/ managing one or two dwellings, including no more than one HMO, with no other relevant factors or aggravating features [see below], will reduce by £1000, attracting a civil penalty of £3000.

Under the Council's policy, the civil penalty for a landlord controlling/owning/ managing a significant property portfolio, being three, four, or five dwellings, and/or two HMOs, with no other relevant factors or aggravating features [see below], will attract a civil penalty of £4000.

Under the Council's policy, the civil penalty for a landlord controlling/owning/ managing a large property portfolio, being six or more dwellings, and/or three or more HMOs and/or has demonstrated experience in the letting/management of property (irrespective of the size of the portfolio), with no other relevant factors or aggravating factors [see below], will increase by £1000, attracting a civil penalty of £5000.

Relevant and aggravating features/factors specific to Tenant Fees Act breach offences

- Failure to pay tenant back or the amount paid of the excess fees charged
- Other relevant factors/features as set out in the statutory guidance³

Generic aggravating features/factors

- As set out under 'Failure to comply with an Improvement Notice' above

³ Department for Levelling Up, Housing and Communities and Ministry of Housing, Communities & Local Government. Tenant Fees Act 2019 Statutory Guidance for Enforcement Authorities. Updated 2020. <https://www.gov.uk/government/publications/tenant-fees-act-2019-guidance>

5. Determining the amount of financial penalty for offences where the maximum penalty is £5,000

In cases where there is no specific statutory stipulations or guidance issued in relation to determining the level of a penalty, the Council will use the principles set out in sections 2 and 3 of this Policy and the starting points as set out in the table below to determine the appropriate level of financial penalty.

Starting point and adjustments for penalties up to £5000

For offences where the maximum civil penalty level is capped at £5000, the starting point for penalties will be as set out in the table below:

Seriousness of offence	Starting level [£]
Mild	1000
Moderate	2000
Serious	3000
Very Serious	4000
Severe	5000

To ensure that any penalty imposed is proportionate to the offending behaviour the presence of one or more aggravating factors will rarely result in the penalty being increased in excess of a total of £1000. In exceptional circumstances, officers may determine that the presence of one or more aggravating factors justify an increase in the penalty in excess of £1000. The presence of numerous aggravating factors will not automatically be considered as exceptional circumstances.

The Council may, exceptionally, including for the reason given above, increase the penalty by greater than £1000 on account of aggravating factors or, again exceptionally, decrease it by greater than £1000 on account of mitigating factors. In order to meet the objectives of this policy, including the need for transparency and consistency in the use of such penalties, the Council will exercise its discretion to increase or decrease a penalty by greater than £1000 on account of aggravating or mitigating factors in exceptional circumstances only (excluding any Discounts as set out in section 2). The Council will consider on a case-by-case basis whether any such circumstances exist.

Unless otherwise stated, where penalties are issued in respect of repeated breaches by the same landlord, the presumptive starting point for penalties will be the maximum £5,000.

6. Offences where a civil penalty of up to £5,000 may be levied as an alternative to prosecution and relevant considerations as to the level of that penalty

In the following sections, the general and specific factors relevant to each offence are summarised, along with the effects on the penalty of such considerations.

6.1 Financial penalties under the Smoke and Carbon Monoxide Alarm Regulations

The Smoke and Carbon Monoxide Alarm (England) Regulations 2015 as amended by the Smoke and Carbon Monoxide Alarm (Amendment) Regulations 2022, enable Local Authorities to impose a financial penalty of up to £5,000 for the breach of:

- Regulation 6(1) duty of a relevant landlord to comply with a remedial notice.

This policy fulfils the requirement under Regulation 13 for the authority to develop and publish a statement of principles for determining the appropriate level of financial penalties issued under these regulations.

The Council would view the seriousness of a first breach as **Very Serious** and attracting a financial penalty with a starting level of £4000.

Under the Council's policy the civil penalty for a landlord controlling/owning/ managing one or two dwellings, including no more than one HMO, with no other relevant factors or aggravating features [see below], will reduce by £1000, attracting a civil penalty of £3000.

Under the Council's policy, the civil penalty for a landlord controlling/owning/ managing a significant property portfolio, being three, four, or five dwellings, and/or two HMOs, with no other relevant factors or aggravating features [see below], will attract a civil penalty of £4000.

Under the Council's policy, the civil penalty for a landlord controlling/owning/ managing a large property portfolio, being six or more dwellings, and/or three or more HMOs and/or has demonstrated experience in the letting/management of property (irrespective of the size of the portfolio), with no other relevant factors or aggravating factors [see below], will increase by £1000, attracting a civil penalty of £5000.

The Council views subsequent breaches of these regulations by the same landlord to be **Severe** and a civil penalty of £5000 will be applied in all cases.

Aggravating features/factors specific to Smoke and Carbon Monoxide Regulation breach offences

- The number of alarms not working or missing

Generic aggravating features/factors

- As set out under ‘Failure to comply with an Improvement Notice’ above

6.2 Financial penalties under The Redress Schemes for Lettings Agency Work and Property Management Work (Requirement to Belong to a Scheme etc) (England) Order 2014

The Redress Schemes for Lettings Agency Work and Property Management Work (Requirement to Belong to a Scheme etc) (England) Order 2014 enable Local Authorities to serve a financial penalty of up to £5,000 for failure to belong to a Redress Scheme. As by definition anyone engaging in lettings agency and property management work is a housing professional, and in accordance with the 2015 non-statutory guidance⁴, the Council would view the seriousness of a breach of this Order as **Severe** and a civil penalty of £5000 will be applied in all cases.

6.3 Financial penalties under The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015

An energy performance certificate (EPC) gives the property an energy efficiency rating, where “A” rated properties are the most energy efficient and “G” rated are the least efficient. An EPC is valid for 10 years and must be provided by the owner of a property when it is rented or sold. An EPC contains information about the type of heating and insulation provision and typical energy costs, and recommendations about energy efficiency improvements.

The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015 (“the MEES Regulations”) make it unlawful to rent out a domestic property if it has an EPC rating of F or G, unless a valid exemption has been registered on the PRS Exemptions Register.

The MEES Regulations enable the Council to investigate potential breaches of the minimum energy efficiency standards through issuing Compliance Notices to require information. If, following its investigations the Council is satisfied that at any time in the preceding 18 months a landlord has breached the MEES Regulations, the Council may impose a financial penalty not exceeding £5000, and/or may impose a publication penalty in respect of those breaches.

6.3.1 Moderate – Letting a sub-standard property for less than 3 months – Breach of Regulation 23 of the MEES Regulations

The Council would view the seriousness of the offence of letting a property with an F or G EPC rating for less than 3 months as a **Moderate** matter, attracting a financial penalty with a starting level of £2000.

⁴ Department for Communities and Local Government. Improving the Private Rented Sector and Tackling Bad Practice. 2015
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/412921/Improving_private_rented_sector.pdf

6.3.2 Moderate matter – Letting a sub-standard property for more than 3 months – Breach of Regulation 23 of the MEES Regulations

The Council would view the seriousness of the offence of letting a property with an F or G EPC rating for more than 3 months as a **Very Serious** matter, attracting a financial penalty with a starting level of £4000.

6.3.3 Mild matter – Registering false or misleading information on the PRS exemptions register – Regulation 36(2) of the MEES Regulations

The Council would view the seriousness of the offence of registering false or misleading information on the PRS exemptions register as a **Mild** matter, attracting a financial penalty with a starting level of £1000.

6.3.4 Moderate matter – Failure to comply with a Compliance Notice – Regulation 37(4)(a) of the MEES Regulations

The Council would view the seriousness of the offence of failing to provide information to the Council demanded by a compliance notice as a **Moderate** matter, attracting a financial penalty with a starting level of £2000.

Financial Penalty Totality

In cases where the Council issues a financial penalty for a breach of regulation 23 (irrespective of duration) and also either a penalty for registering false or misleading information, and/or failure to comply with a compliance notice, the total penalty for those breaches may not exceed £5000.

6.3.5 Publication Penalties for breaches of the MEES Regulations

A “publication penalty” means publication, for a minimum period of 12 months, or such longer period as the Council may decide, on the PRS Exemptions Register of such of the following information in relation to a penalty notice as the Council decides:

- Where the landlord is not an individual, the landlord’s name
- Details of the breach of these Regulations in respect of which the penalty notice has been issued
- The address of the property in relation to which the breach has occurred, and
- The amount of any financial penalty imposed.

When the Council imposes a publication penalty, it will seek to include all the above permitted information in all cases.

The Council will impose publication penalties in addition to financial penalties in the following instances:

First breach of the MEES Regulations

Where a landlord is controlling/owning/managing one or two dwellings, including no more than one HMO, a publication penalty will not be imposed in addition to the

financial penalty for first offences, unless there are additional relevant or aggravating factors [see below].

Where a landlord is controlling/owning/managing a significant or large property portfolio, being three or more dwellings, and/or two or more HMOs, and/or has demonstrated experience in the letting/management of property (irrespective of the size of the portfolio), a publication penalty for a period of one year will be imposed in addition to the financial penalty, unless there are additional relevant or aggravating factors [see below].

Subsequent breaches of the MEES Regulations

Where a landlord is controlling/owning/managing one or two dwellings, including no more than one HMO, a publication penalty for a period of two years will be imposed in addition to the financial penalty, unless there are additional relevant or aggravating factors [see below].

Where a landlord is controlling/owning/managing a significant or large property portfolio, being three or more dwellings, and/or two or more HMOs, and/or has demonstrated experience in the letting/management of property (irrespective of the size of the portfolio), a publication penalty will be imposed in addition to the financial penalty. The duration will equal whichever is greater of 3 years or one-thousandth of the penalty total (e.g. a penalty of £5000 would equal a publication penalty of 5 years), unless there are additional relevant or aggravating factors [see below].

Aggravating features/factors specific to MEES Regulations breaches

- Letting without an EPC
- Using an unqualified person to carry out an EPC assessment
- Multiple breaches of the regulations

Generic aggravating features/factors

- As set out under 'Failure to comply with an Improvement Notice' above

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Housing Standards Enforcement Policy

2025

Version 2.0

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Version	Issue Date	Change
1.0	July 2021	Adopted by Council
2.0	June 2025	<ol style="list-style-type: none"> 1. Schedules relating to civil penalties removed and sections throughout updated to refer to the new Housing Civil Penalties Policy. 2. Smoke and CO Regulations updated to reflect amendment regulations. 3. Updated links to referred documents. 4. Minor corrections, clarifications and improvements to readability. 5. Update and simplify Housing Act Part 1 recovery of costs approach to reflect current practice. 6. Consequential renumbering etc.

1. Introduction

Cherwell District Council has a responsibility to deal with unsatisfactory housing in its area. This policy sets out the powers we have at our disposal to regulate and improve housing in the district, the Council's approach to enforcement and how we intend to use the available powers.

Our aim is to raise housing standards and contribute to the Council's strategic priorities, in particular to contribute towards improving the existing condition of properties within Cherwell, ensuring high property standards and properties that are fit for the future, working towards net zero.

Homes in the private rented sector were more likely to be non-decent than homes in all other tenures¹, so this is where our work is predominantly focussed. However, there are circumstances where we will act to address issues relating to owner-occupied dwellings and properties managed by Registered Providers and other bodies.

Whenever possible we will provide advice and guidance to assist landlords and other parties in complying with their legal requirements; however, it is recognised that if the law is broken, then robust enforcement action can be essential to protect the public and the environment. Throughout our housing interventions we will be seeking to:

- **Protect** and improve the health, safety, and welfare of occupants, members of the public and the environment;
- **Change** non-compliant behaviours and remove benefits of non-compliance; and
- **Promote** best practice in the private rented sector.

Cherwell District Council recognises and affirms the Regulators' Code² and the importance of achieving and maintaining consistency and transparency of regulatory enforcement action. This policy aims to provide:

- **Guidance** for Council officers to ensure **consistency** and **fairness** when the Council is investigating, considering options and deciding to take enforcement action relating to the housing within its district; and
- **Clarity** to help businesses and members of the public know what to expect from the service when the Council takes legal proceedings.

In deciding upon enforcement options, the Council will have due regard to its overarching Enforcement Policy³ as well as statutory guidance, approved codes of practice and relevant industry or good practice guides. Appropriate enforcement actions that can be taken include, but are not limited to, those outlined below.

¹ English Housing Survey 2021 to 2022: private rented sector
<https://www.gov.uk/government/statistics/english-housing-survey-2021-to-2022-private-rented-sector/english-housing-survey-2021-to-2022-private-rented-sector>

² Regulators' Code - <https://www.gov.uk/government/publications/regulators-code>

³ Cherwell overarching enforcement policy - <https://www.cherwell.gov.uk/info/5/your-council/1078/enforcement-policy>

2. General Approach to Housing Enforcement

Whilst we shall endeavour to develop a professional and constructive relationship with responsible landlords, the need to ensure that all properties meet minimum standards is paramount. We expect landlords and managing agents to comply with the law and to proactively manage their properties to ensure the health, safety and welfare of tenants is protected. Where individuals or companies are failing in their responsibilities and duties, the Council will take firm but fair enforcement action.

2.1 Identifying the need for action

The Council has a duty to keep the housing conditions in its area under review and we believe enforcement should be targeted at those individuals and organisations who fail to uphold the required standards. Our officers will establish the need to take enforcement action through:

- proactive investigations, audits and inspections of dwellings – including reviews of an individual landlord or agent’s portfolio of properties, area-based modelling, and data analysis; and
- reactive responses to complaints, referrals, or requests for assistance.

2.2 Shared enforcement responsibilities

In circumstances where enforcement responsibility is shared between or rests fully with external organisations, officers will have regard to protocols agreed with other enforcement agencies. Where appropriate, officers will ensure that referrals are passed to the appropriate enforcing authority promptly and in accordance with any agreed procedure.

2.3 Selecting appropriate enforcement options

Enforcement action decisions will principally be based on risk, but the exact type of enforcement taken will vary according to the legislation being applied. In many instances it will be appropriate for officers to use informal action such as offering advice, information and assistance to landlords and residents to aid compliance with housing related legislation.

However, when housing law contraventions are established, robust formal actions should be considered, and in some cases, taking a certain enforcement action is a statutory duty. Where failure to comply is of a serious nature, officers will use the full range of enforcement options available to them under the relevant legislation to achieve compliance and to protect those at risk. In the most serious contraventions possible action will include prosecution.

The type of enforcement action pursued is always considered on a case-by-case basis, based on its own merits and taking account of the assessed risk in each case. Officers will be suitably trained to make assessments and informed judgements; in particular in the application and use of the Housing Health and Safety Rating System (HHSRS) as the statutory method of assessing risks in housing.

Following consideration of the specific circumstances of the case, the most appropriate enforcement option will be applied and properly recorded. In every case enforcement seeks to:

- Promote and achieve sustained compliance with the law
- Ensure that risks to health, safety or the environment are appropriately addressed
- Minimise the negative impacts of wrongdoing and see that those who breach legislative requirements are held to account

In all cases, enforcement decisions, whether they are decisions to take action or to not take action, will be recorded, and the outcome communicated appropriately to the parties concerned.

2.4 Powers of entry and investigative powers

The Council has various powers to enter domestic premises and to require information and documents to be supplied in connection with the exercise of its various functions and the investigation of suspected offences. In most cases, entry will be sought under section 239 of the Housing Act 2004, and generally, officers will give at least 24 hours' notice prior to exercising a power of entry. However, no such notice is required where entry is to ascertain whether an offence has been committed in relation to licensing of HMOs, selective licensing of houses, breach of the HMO Management Regulations or Overcrowding Notices. If admission is refused, premises are unoccupied, or giving notice of entry is likely to defeat the purpose of the entry, then a warrant to enter by force may be sought, if judged necessary. Other Acts have their own enforcement powers including powers of entry which will be used accordingly when the Council exercises these specific pieces of legislation.

We will use all available powers to meet the enforcement objectives within this policy, having regard to any relevant Government guidance and other legal requirements that might apply to our actions; for example, the Data Protection Act 2018, Regulation of Investigatory Powers Act 2000 and the codes of practice under the Police and Criminal Evidence Act 1984. We will ensure that our officers are duly authorised, trained and supported to effectively exercise the Council's functions.

3. Housing Enforcement Actions

This section summarises the types of action and legislation most commonly applied in the enforcement of housing standards. It is not an exhaustive list nor is it intended to be a definitive interpretation of the legislation or provide a full statement of the law. The Council may take any number of these courses of action, either simultaneously or consecutively, depending on the circumstances of the case.

In all cases we will seek to ensure that the information we provide is in clear, concise and accessible language, and that legal requirements are clearly distinguished from recommendations above the minimum standards. Decisions to take enforcement action will be properly recorded and justified.

3.1 Advice and guidance

We recognise that prevention is better than cure and we actively work with businesses, landlords and residents to educate and promote compliance with the law. In some cases, a fee may be payable for our advice. Where this is the case you will be informed and provided with details of the charge and how to pay the fee.

3.2 Informal enforcement action

The Council will allow an opportunity for informal compliance where this is considered appropriate. This judgement will be based on risk and compliance history. Where an informal opportunity does not achieve sufficient progress, or there is increased risk, the Council will proceed with formal action.

3.3 Statutory (Legal) Notices and Orders

In respect of breaches under the Housing, Public Health and related legislation Cherwell District Council has powers to issue certain statutory notices. Such notices are legally binding and may require the recipient to carry out work, cease doing specified things, provide information or take other actions depending on the statute or circumstances. As the Council relies upon statutory notices to effectively carry out its regulatory functions, breach of a notice is viewed as a serious matter. Failure to comply with a statutory notice can be a criminal offence and may lead to prosecution and/or other sanctions where appropriate. Where legislation permits the recovery of costs for serving statutory notices, the Council will normally charge.

3.4 Works in default

Where someone fails to comply with a notice which requires work to be completed, the Council may, depending on the specific legislation, carry out those works instead and recover the costs incurred in so doing. This is known as works in default. The Council will decide in each case whether to undertake works in default, and may also impose other available sanctions, for example prosecution. Some legislation also permits the Council to undertake emergency works where an imminent risk of harm exists. In all cases, the Council will follow the procedures specified in the particular legislation being exercised.

3.5 Prosecution

We apply the Code for Crown Prosecutors⁴ two-stage test when deciding whether a prosecution, civil penalty or simple caution is viable and appropriate, and only proceed when the case has passed both the evidential test and the public interest test. The principles in these tests form the basis of much of our formal enforcement decision-making.

The Evidential Test: We must first be satisfied that for each charge there is sufficient evidence to provide a 'realistic prospect of conviction' against each defendant. This means that before taking formal action, the Council must satisfy itself that if the case were to be prosecuted in a magistrates' court, the Council would be able to demonstrate beyond reasonable doubt that the offence has been committed.

The Public Interest Test: The Council must then decide whether it is in the public interest to prosecute. In deciding on the public interest, the Council will make an overall assessment based on the circumstances of each case and will consider all relevant circumstances carefully, including local and corporate priorities. Some factors may increase the need to prosecute whilst others may suggest that another course of action would be more appropriate.

Cherwell District Council will generally save prosecution for the most serious offences unless there is no alternative sanction, for example non-compliance with certain notices. The Council will also consider prosecution for banning order offences where the circumstances of the case dictate a Banning Order will be appropriate.

3.6 Simple Caution

Cherwell District Council may offer a simple caution as an alternative to prosecution in cases where there is insufficient public interest to prosecute, and:

- a. there is sufficient evidence to give a realistic prospect of conviction; and
- b. the offender admits his or her guilt; and
- c. the person being cautioned agrees to it, having been made aware that the caution may be cited in Court if the person is found guilty of other offences in the future.

The reasons for issuing a simple caution instead of prosecution in the courts would commonly be, for example, that the offender has no previous history in relation to the offence and has done everything in their power to make amends. Depending on the circumstances, this would usually entail remedial work to premises and/or taking proper steps to ensure that the offence cannot recur.

3.7 Civil (Financial) Penalties

The Council has powers to issue civil or financial penalties for breaches under a wide range of housing legislation, including as an alternative to prosecution for certain housing offences. In such cases, the same criminal standard of proof is required for a civil penalty as for prosecution. This means that before taking this action, the Council will be satisfied that if the case were to be prosecuted, there

⁴ The Code for Crown Prosecutors - <https://www.cps.gov.uk/publication/code-crown-prosecutors>

would be a realistic prospect of conviction, having regard to the Crown Prosecution's Service Code for Crown Prosecutors.

Civil penalties will be determined and issued using the Council's current Housing Civil Penalties Policy.

The income received from civil penalties will be retained by the Council to further its statutory functions, as the Local Housing Authority, in relation to its enforcement activities covering the private rented sector.

The Council will seek to recover all debts owed from financial penalties.

3.8 Rent Repayment Orders

Local Authorities and tenants can apply to the First-tier Tribunal (Property Chamber) ("the Tribunal") for a Rent Repayment Order (RRO)⁵. An RRO requires a landlord who has committed certain offences to repay rent (and/or Housing Benefit/Universal Credit payments) received for a period of up to twelve months.

Cherwell District Council must consider applying for a RRO where a landlord has been convicted of a relevant offence in their area, and may also apply for a RRO where an offence has been committed, but the landlord has not been convicted (e.g. where a civil penalty has been issued in lieu of prosecution). Additionally, the Council may support tenants to make RRO claims. In all cases, the Council will apply its RRO Policy⁶ in determining when to apply for a rent repayment order.

3.9 Database of Rogue Landlords and Property Agents

The national database of rogue landlords and property agents allows local authority officers to add, search and keep track of known rogue landlords. The aim is to help authorities target their enforcement activities and to tackle those landlords and agents operating across Council boundaries.

The Council must make an entry on the database where a landlord or property agent has received a Banning Order; and may also make entries where a landlord or property agent has been convicted of a banning order offence, or has received two or more civil penalties within a twelve month period.

The Council will have regard to the government guidance⁷ when deciding whether to include a person on the database, and the duration of any entry.

3.10 Banning Orders

⁵ Rent Repayment Orders guidance - <https://www.gov.uk/government/publications/rent-repayment-orders-under-the-housing-and-planning-act-2016>

⁶ Rent Repayment Order Policy - <https://www.cherwell.gov.uk/download/downloads/id/8160/rent-repayment-order-policy.pdf>

⁷Rogue Landlord Database guidance - <https://www.gov.uk/government/publications/database-of-rogue-landlords-and-property-agents-under-the-housing-and-planning-act-2016>

After a landlord or agent has been convicted of a Banning Order Offence⁸, the Council can apply to the First Tier Tribunal for a Banning Order⁹. A Banning Order forbids a landlord or property agent from letting and/or managing property in England. Banning Orders last a minimum of twelve months with no statutory maximum. Breaching a Banning Order is a criminal offence which is liable on summary conviction to imprisonment for a period not exceeding 51 weeks, or to a fine, or to both; or as an alternative to prosecution, a civil penalty of up to £30,000.

Cherwell District Council will reserve banning for the most serious offenders who have repeatedly breached their legal obligations and continue to rent out accommodation, which is substandard, in accordance with the Council's Banning Order policy¹⁰.

3.11 Interim and Final Management Orders

Interim Management Orders (IMOs) and Final Management Orders (FMOs) transfer management control of a residential property to the Council for a period of between 12 months (for IMOs) and up to five years (for FMOs). The purpose of an IMO is to take immediate steps to protect the health, safety, or welfare of persons occupying the house, or persons occupying or having an estate or interest in any premises in the vicinity. FMOs aim to secure the proper management of the house on a long-term basis in accordance with a management scheme contained in the order.

The Council will make IMOs and FMOs where necessary, in accordance with the relevant legislation and government guidance.

3.12 Community Protection Notices

Housing Standards officers may use community protection notices and fixed penalty notices under the Antisocial, Crime and Policing Act 2014 in cases relating to residential premises where there is judged to be unreasonable conduct of a persistent or continuing nature arising which is having a detrimental effect on the quality of life of those in the locality.

3.13 Other enforcement powers

Other enforcement tools and legislative powers will be applied as new legislation is introduced, and/or where the Council considers those other powers to be the most appropriate remedy under the circumstances. Cherwell District Council will ensure that the relevant officers are duly authorised and trained to use such powers, and consultation with Legal Services and approval from the Assistant Director is sought where necessary.

⁸ Banning Order Offences - <http://www.legislation.gov.uk/ukxi/2018/216/contents/made>

⁹ Banning Orders guidance - <https://www.gov.uk/government/publications/banning-orders-for-landlords-and-property-agents-under-the-housing-and-planning-act-2016>

¹⁰ Banning Orders Policy - <https://www.cherwell.gov.uk/download/downloads/id/8161/banning-order-policy.pdf>

4. Enforcement of Housing Standards

Although housing issues will principally be dealt with under the Housing Act 2004, there are circumstances where other pieces of legislation are more appropriate to use, or where specific duties exist, or breaches are created and enforced under another Act. The following section provides an overview of the different areas of legislation and duties subject to enforcement by the Housing Standards Team.

4.1 Housing Act 2004 Part 1 enforcement of housing standards

Part 1 of Housing Act 2004 provides that, amongst other things, the statutory minimum standard for all homes in England and Wales be assessed by means of the Housing Health and Safety Rating System (HHSRS). The HHSRS is a calculation of the effect of 29 possible hazards on the health of occupiers and visitors to dwellings, and the legislation provides a range of actions for addressing identified hazards. The HHSRS is tenure-neutral and can be applied to owner-occupied properties and empty dwellings, as well as rented accommodation. The forms of enforcement action that can be taken under Part 1 of the Housing Act 2004 are summarised in

Appendix 1.

The Council has a duty to take action to address Category 1 (the most serious) hazards and discretionary power to take action to address Category 2 (less serious) hazards. A Statement of Reasons will accompany each Part 1 notice or order served explaining why the chosen action was most appropriate.

In the case of Category 2 hazards identified under HHSRS, the Council will generally seek to address higher Category 2 hazards when these are identified; but will exercise its discretion and consider individual cases and circumstances when deciding whether or not to take action in response to any Category 2 hazards found within its district. For example, lower-scoring Category 2 hazards may need to be addressed when found in conjunction with Category 1 or high Category 2 hazards on the same premises. Conversely, it may not be possible to reduce a higher-scoring Category 2 hazard without undertaking significant or costly works to an otherwise satisfactory property. In such cases appropriate advice will be given and the decision recorded.

4.2 Licensing and enforcement of Houses in Multiple Occupation

A house in multiple occupation (HMO) is a property occupied by three or more unrelated tenants. HMOs include shared houses and poorly or partially converted buildings. All HMOs must be kept in good safe repair in accordance with the HMO Management Regulations ^{11 12} and failure to comply with a regulation is an offence.

¹¹ The 2006 HMO Management Regulations (apply to all Section 254 HMOs)
<http://www.legislation.gov.uk/uksi/2006/372/contents/made>

¹² The 2007 HMO Management Regulations (apply only to Section 257 HMOs)
<http://www.legislation.gov.uk/uksi/2007/1903/contents/made>

Enforcement of fire safety in HMOs is carried out in partnership with Oxfordshire Fire and Rescue Service in accordance with a Memorandum of Understanding incorporating all five district Councils in Oxfordshire.

HMOs with five or more occupants sharing facilities must be licensed (unless exempt). Failing to apply for an HMO licence and not complying with HMO licence conditions are offences. The Council will administer HMO licence applications in accordance with its current HMO Licensing policy¹³.

Licensed HMOs must comply with minimum standards for bedroom sizes and certain other amenities and facilities, as prescribed by Regulation. The Council also has discretion to produce its own HMO standards¹⁴ which are applied to all types of HMO, whether licensable or not. These standards are used by the Council to help in determining whether an HMO is reasonably suitable for occupation by a given number of occupants or households. Having a reference guide also helps achieve consistency and informs landlords and tenants of the expected standards.

Where a property is found to be overcrowded, the Council has a range of options depending on the specific circumstances:

- Licensed HMOs – the Council can impose and enforce licence conditions, or enforce Section 72(2) if landlord knowingly over-occupied the HMO
- Non-licensable HMOs – the Council can serve an overcrowding notice under Section 139 of the Housing Act 2004
- Any properties including single family homes – the Council can use HHSRS and Part 1 of the Housing Act 2004; and/or Part X of the Housing Act 1985

4.3 Electrical Safety Standards in the Private Rented Sector Regulations

Private landlords must ensure that the electrical installations in their rented properties are safe and meet the electrical safety standards at all times while let under specified tenancies. An electrical installation inspection and testing report must be obtained from a qualified person at least every five years, and copies supplied to specified parties.

Where the Council finds a landlord has breached their duties, we have a duty to serve a Remedial Notice. If this is not complied with, and/or there are urgent remedial works required the Council can undertake the remedial action and recover any costs incurred.

If the Council is satisfied beyond reasonable doubt that a private landlord has breached their duties, the Council may impose financial penalties of up to £30,000. Financial penalties under these regulations will be calculated using the Housing Civil Penalties Policy.

¹³ HMO Licensing Policy - <https://www.cherwell.gov.uk/download/downloads/id/16116/hmo-licensing-policy-2024.pdf>

¹⁴ Cherwell District Council's HMO Standards Policy - <https://www.cherwell.gov.uk/download/downloads/id/8196/hmo-standards-2018.pdf>

4.4 Smoke and Carbon Monoxide Alarm (England) Regulations 2015 (as amended)

Landlords must ensure that their rented properties have working smoke alarms on every storey, and carbon monoxide alarms installed in any room containing a combustion appliance (except a gas cooker).

Where the Council has reasonable grounds to believe that there is insufficient provision of smoke alarms or carbon monoxide alarms in the property as required by the regulations; or the smoke alarms or carbon monoxide alarms were not working at the start of a tenancy or licence the Council must serve a remedial notice detailing the actions the landlord must take to comply with the regulations. If after 28 days, the landlord has not complied with the remedial notice, the Council must arrange for an authorised person to take the remedial action specified in the remedial notice.

Where the Council is satisfied on the balance of probabilities that a landlord has failed to comply with a remedial notice, the Council may issue a financial penalty of up to £5,000. Financial penalties under these regulations will be calculated using the Housing Civil Penalties Policy.

4.5 Minimum Energy Efficiency Standards (MEES)

Landlords are prohibited from letting any properties with an Energy Performance Certificate (EPC) rating below E unless they have lodged a valid exemption on the Government's PRS Exemption Register. The Council will carry out proactive and reactive investigations into substandard rented properties using Compliance Notices and may issue landlords who are found to have breached these regulations with financial penalties of up to £5,000 and may, either additionally or alternatively, publish details of any breaches on the PRS Exemption Register for 12 months or longer as it sees fit. Penalties for breaches of these regulations will be determined using the Council's Civil Penalties Policy.

4.6 Drainage defects

A range of notices can be used to require repairs to defective drains including clearing of blockages, CCTV surveys, and structural work relating to both owner occupied and rented properties where necessary. These may include notices under the Building Act 1984, Local Government (Miscellaneous Provisions) Acts 1976 and 1982, or other legislation as appropriate in the circumstances.

4.7 Filthy and verminous premises

The Council can use the Public Health Act 1936 (as amended) and the Prevention of Damage by Pests Act 1949 to tackle premises which are filthy or infested with vermin. Notices under these Acts can specify cleaning and treatment, including proofing work and clearance to prevent rodent infestations, and permit the Council to enter and undertake Works in default if necessary.

4.8 Hoarded and Dilapidated Properties

These properties are often occupied by vulnerable persons, such as individuals with mental health issues or elderly people who are struggling to cope. The Council will primarily seek to provide advice, assistance and signposting to relevant agencies to help them deal with any underlying issues. However, we will take enforcement action where there is significant disrepair, lack of hygiene or accumulations within properties which are likely to cause harm or ill health to the occupier or those in the locality, i.e. where there is a wider health issue or where statutory nuisance may exist. We shall engage with other agencies and refer such cases to them as necessary, particularly when there are safeguarding issues.

4.9 Statutory Nuisance Provisions

If a property or defect is prejudicial to health or is causing (or likely to cause) a nuisance to the locality, it may constitute a statutory nuisance under the Environmental Protection Act 1990. For an issue to constitute a statutory nuisance it must either:

- unreasonably and substantially interfere with the use or enjoyment of a home or other premises; or
- injure health or be likely to injure health.

Where the Council finds a statutory nuisance, it must serve an abatement notice requiring whoever is responsible to stop the nuisance or to take specific actions to prevent the occurrence or recurrence of the nuisance.

4.10 Antisocial behaviour

Where antisocial behaviour is associated with a residential property, we will work with other enforcement teams and agencies to seek to address the underlying issues, and where appropriate serve Community Protection Notices¹⁵ on landlords, managing agents and/or occupiers to achieve cessation of the conduct. The Council may also seek injunctions and post-conviction orders where it is judged appropriate.

¹⁵ Under Part 4, Chapter 1 of the [Anti-social Behaviour, Crime and Policing Act 2014](#)

5. Enforcement of Landlord and Tenant Law

The Council is committed to promoting and upholding tenants' rights under housing and landlord and tenant law. Our Tenancy Relations Officer works proactively with landlords and tenants to increase knowledge and awareness of everyone's rights and responsibilities within the private rented sector; thereby helping to improve the quality of tenant experience in the sector, reduce homelessness and promote sustainable tenancies. However, when things go wrong, we will step in to investigate alleged offences and will take robust enforcement action.

5.1 Unlawful eviction and harassment of tenants

Depending on their tenant's security of tenure, most landlords are normally required to give notice and then obtain a court order for possession after the notice has expired. Illegal eviction occurs when the tenant is unlawfully prevented from entering all or part of their accommodation. Examples include:

- The use of violence (or threats of violence) to force the tenant to leave;
- Preventing the tenant from entering accommodation they have the right to occupy;
- Changing the locks while the tenant is out; and
- Evicting a tenant before the proper legal procedures have been followed.

Harassment occurs when a landlord (or someone acting on their behalf) does something that is likely to interfere with the tenant's peace and enjoyment or persistently withdraws or withholds services that the tenant reasonably requires for the occupation of the premises in the knowledge that this is likely to cause them to leave the property or refrain from exercising their tenancy rights. Examples include:

- Forcing the tenant to sign agreements which take away their legal rights;
- Removing or restricting essential services such as hot water or heating, or failing to pay bills in order that these services are cut off;
- Constant visits to the property (especially if late at night or without warning);
- Entering the accommodation when the tenant is not there, or without the tenant's permission; and
- The use of violence or threats of violence.

The Tenancy Relations Officer will work closely with the Police and the Council's Housing Options and Allocations Teams to prevent homelessness, reinstate tenants who have been evicted illegally, and investigate and prosecute offences of illegal eviction and harassment. If conviction is secured the Council will also seek rent repayment orders where housing benefit or Universal Credit has been paid, and will advise tenants in applying for injunctions, compensation and rent repayment orders.

5.2 Tenant Fees Act 2019

The Tenant Fees Act 2019 ("the TFA 2019") prohibits landlords and letting agents from charging any fees in respect of private rented sector tenancies which are not

“permitted payments.” If a payment is not of a type specifically listed in Schedule 1 of the TFA 2019, it is prohibited by default.

The Government has published statutory guidance¹⁶ to which enforcement authorities must have regard in relation to enforcing the TFA 2019. Bristol City Council in its capacity as Lead Enforcement Authority for the TFA 2019 has also produced guidance. This policy has been developed with due regard to these statutory and non-statutory guidance documents.

The duty to enforce the TFA 2019 falls to Oxfordshire Trading Standards as the local weights and measures authority. As a district Council that is not a local weights and measures authority, Cherwell has the power to enforce section 1 (prohibitions applying to landlords), section 2 (Prohibitions applying to letting agents) and schedule 2 (treatment of holding deposits). The Council will investigate and determine the most appropriate and effective sanction in each case, having due regard to relevant policies and guidance

A first breach of the legislation will be a civil breach with a financial penalty of up to £5,000. However, if a further breach is committed within five years, enforcement authorities may impose financial penalties of up to £30,000 or prosecute as a criminal offence depending on the breach. Since a second or subsequent breach, within five years, is a criminal offence, Cherwell District Council will apply the criminal burden of proof (i.e. satisfied beyond reasonable doubt) when imposing sanctions for all initial and subsequent breaches.

Financial penalties under the TFA 2019 will be determined using the Council's Housing Civil Penalties Policy.

Any unpaid financial penalty can be recovered as a civil debt through the County Court. The money from financial penalties must be used to fund further enforcement of the private rented sector.

Prohibited payments can be recovered by tenants through the County Court, and the Council may assist tenants and conduct litigation on their behalf.

The Council will, wherever appropriate, seek to work with Oxfordshire Trading Standards and the other Oxfordshire district Councils to share information and best practice to maximise enforcement outcomes. The Council may also seek the guidance of the Lead Enforcement Authority if required.

There are certain circumstances in which an enforcement authority must notify another body when relevant enforcement actions are taken or cease. These circumstances are set out in section 14 of the Act. This prevents duplication of work and allows an accurate record of previous enforcement action to be maintained so authorities to check if a breach is a first breach or further offence. The Council will notify Oxfordshire Trading Standards whenever it (Cherwell District Council)

¹⁶ Tenant Fees Act 2019: Statutory Guidance for enforcement authorities - <https://www.gov.uk/government/publications/tenant-fees-act-2019-guidance>

proposes to take enforcement action or decides not to continue with enforcement action relating to breaches of the TFA 2019.

The Council will notify the Lead Enforcement Authority as soon as reasonably practicable if a financial penalty is imposed, withdrawn, quashed; or proceedings for an offence result in conviction.

If the Council takes action relating to breaches occurring outside its district, it will notify the relevant Local Housing Authority whenever relevant action is taken.

5.3 Lettings Agent and Property Management Redress Schemes

It is a legal requirement that all lettings agents and property managers in England join one of two Government-approved redress schemes (The Property Ombudsman - www.tpos.co.uk and The Property Redress Scheme - www.theprs.co.uk).¹⁷ The Council can impose financial penalties of up to £5,000 when it is satisfied on the balance of probabilities that a lettings agent or property manager has failed to comply with the requirement to belong to an approved redress scheme. Financial penalties under this Order will be determined using the Council's Housing Civil Penalties Policy.

¹⁷ The Redress Schemes for Lettings Agency Work and Property Management Work (Requirement to Belong to a Scheme etc) (England) Order 2014 - <https://www.legislation.gov.uk/uksi/2014/2359/contents/made>

6. Empty Homes

Our general approach to dealing with empty homes will be based on the following principles:

- We want empty homes to be used
- We will encourage and facilitate their re-use
- We will take action to resolve specific issues caused by empty homes
- We will take action to secure re-use of empty homes where a business case exists.

We will seek to work alongside owners of empty homes with a solution-based approach to support and encourage voluntary action. However, we are also committed to using appropriate enforcement action where owners fail to take responsibility for their properties, reasonable negotiations fail or there is little prospect of the property being bought back into use voluntarily.

A number of factors will be considered in deciding the best course of action for an empty home. The Council will provide advice, assistance and has the discretion to provide financial assistance to the owners of empty properties to help bring the home back into use under the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002¹⁸, subject to appropriate funding being available.

We will however also consider using any of the following enforcement options:

6.1 Empty Dwelling Management Orders

Where a property has been left empty for over two years and is attracting anti-social behaviour, the Council may seek an EDMO, the provisions for which are contained in the Housing Act 2004. An EDMO allows the Council to take over full management of the property for up to seven years, reclaiming any management and refurbishment costs from the rental income.

6.2 Compulsory Purchase Orders

CPOs can be made under s17 of the Housing Act 1985 where it can be shown that there is housing need, rather than proving the property was causing blight or other problems. In cases such as this Cherwell District Council will take account of up-to-date housing statistics, local policies and such other information it judges relevant, the outcome of any voluntary negotiations and the prospect of the property being brought back into use.

Section 226 of the Town & Country Planning Act 1990 permits a local authority, when authorised by the Secretary of State, to compulsorily acquire any land in their administrative area which will facilitate the carrying out of development, re-development or improvement of the area (provided this will contribute to economic, social or environmental well-being), or which is necessary to achieve in the interests of the proper planning of an area in which the land to be acquired is situated. This

¹⁸ Regulatory Reform (Housing Assistance) (England and Wales) Order 2002
<https://www.legislation.gov.uk/uksi/2002/1860/contents/made>

power can be used for the acquisition of individual 'problem properties' that can be regenerated to provide much needed affordable housing, improve the appearance of the surrounding area and reduce anti-social behaviour. Cherwell District Council will consider Compulsory purchase orders ("CPOs") under these powers where there is the opportunity to bring individual problematic properties back into use.

Both powers allow the Council to purchase properties in specific circumstances without the owner's consent.

6.3 Enforced Sale

The Law of Property Act 1925 allows the recovery of debt secured by a registered charge by forcing the sale of a property. In situations where the Council has served notices requiring the owner to ensure that their property is not unsafe or having a negative impact, but they have failed to act, the Council may be forced to carry out the works in default. If the costs incurred are not paid, the Council will register a charge against the property and should the owner still not pay this debt, the Council can commence legal proceedings to sell the property to recover the costs.

7. Additional Information

7.1 Recovery of Enforcement Costs

The Council will generally seek to recover the full costs of its enforcement interventions from offender, in accordance with its policies and guidance provided by Government, with the aim of minimising the cost of non-compliance on the Council and the community. Where a charge has been levied and not paid, the Council will seek to recover any debt owed in accordance with its policies and the relevant debt recovery mechanisms as specified in statute.

The Council will seek to recover all costs incurred from successful prosecutions. Financial penalties will generally be set at a level which is not less than the cost of compliance or the costs incurred by the Council in investigating the contravention, whichever is greater.

7.2 Recovery of costs associated with Part 1 of the Housing Act 2004

The Housing Act 2004 allows the Council to recover certain costs incurred by the Council in the assessment, preparation and service of certain notices and orders dealing with the enforcement of housing conditions. An average charge per notice/order will be set annually by the Council.

The Council will seek to recover the costs associated with taking all relevant enforcement action, unless there are exceptional circumstances.

7.3 Recovery of costs associated with work in default

The Council will seek to recover from the relevant person(s) all costs incurred and associated with undertaking work in default (including for example, time spent by its officers, administrative costs, contractors' costs, the cost of any specialist reports, supervisory costs etc.), to the extent permitted under the relevant legislation being enforced.

The Council will calculate the cost of officer time on the basis of the actual time spent by officers on the chargeable activities, including travel, and will charge that time at an appropriate hourly rate. The Head of Service will be responsible for determining (periodically) what hourly rate or rates should be applied and in doing so, will take into account employment costs of relevant officers (which may be standardised or averaged), and corporate overheads (which may be applied as a percentage addition to employment costs).

The Council will normally invoice the responsible person(s) for the cost of work but will in addition make the cost of work in default a charge on the relevant premises in all cases where the applicable legislation provides for that to be done. Accrued interest will be added to charges at an appropriate rate determined by the Council.

Any exceptions to this approach will be determined by the relevant Head of Service.

7.4 Recovery of other costs

The Council may make reasonable charges to cover the costs of providing discretionary services, for example the provision of detailed advice.

7.5 Publication of fees and charges

All fees and charges (except for works in default which by its nature is ad hoc) will be reviewed periodically and published on the Council's website.

7.6 Proceeds of Crime

The Proceeds of Crime Act 2002 (POCA) allows Local Authorities to recover assets that have been accrued through criminal activity. Where appropriate the Council will consider the use of POCA, however it is expected that in most housing cases this same outcome will be achieved via Rent Repayment Orders.

7.7 Grants and financial assistance

The Council offers a range of grants and other forms of assistance to improve housing conditions for Cherwell residents. These are provided in accordance with the Council's grants and assistance policies. Discretionary grants and assistance will not generally be available to landlords who are, or have recently been, subject to enforcement action.

7.8 Monitoring and Review

The Council will keep its regulatory activities and interventions under review to ensure their maximum impact on the improvement of housing standards within the district. Changes will be introduced into this document where necessary to accommodate new legislation, guidance and local needs.

7.9 Application of the Policy

All officers must have regard to this policy when making enforcement decisions.

7.10 Publicity

Enforcement cases will be publicised in the media in accordance with the Council's media policies.

7.11 Complaints, Representations and Appeals

Where legislation includes a right to make representations these will be considered in accordance with the relevant statute and where appropriate reviewed by a senior officer. Appeals against formal enforcement actions such as civil penalties, notices or prosecutions, must be made to the relevant court or tribunal for determination. Any such appeal does not preclude any aggrieved person from making a formal complaint about the service or any officers. Any such complaint will be dealt with in accordance with the Council's complaints procedures and guidance.

Appendix 1 – Housing Act 2004 Part 1: enforcement options

The forms of enforcement action that can be taken under Part 1 of the Housing Act 2004 are as follows:

Improvement Notices require the recipient to carry out certain works within a specified time period. If works are not carried out to the appropriate standard within that time frame, the Council may issue a financial penalty, prosecute and/or carry out works in default.

An Improvement Notice may be **suspended** depending on the circumstances of the case, e.g. there is a need to obtain planning permission before works can be undertaken, or the personal circumstances of the occupants suggests that works ought to be deferred.

Suspended Improvement Notices will be reviewed on an ongoing basis, at least every 6 months.

Prohibition Orders prevent the use of all or part of a property until such time as works are carried out to remove the hazards identified. They are likely to be used if repair and/or improvement appear inappropriate on grounds of practicality or excessive cost (i.e. the cost is unrealistic in terms of the benefit to be derived). Prohibition Orders can also be used to prevent occupation by particular groups of persons, e.g. those that are particularly vulnerable to the hazard(s) identified.

Prohibition Orders may be **suspended** depending on the circumstances of the case.

Hazard Awareness Notices are advisory notices that inform the owner/landlord that a hazard requires attention, but further formal action is unlikely unless conditions worsen or circumstances change. Hazard Awareness Notices will be reviewed on an ongoing basis to ensure they remain the most appropriate course of action.

Emergency Remedial Action and Emergency Prohibition Orders may be used specifically where the Council is satisfied that:

- A Category 1 hazard exists, and that
- the hazard poses an imminent risk of serious harm to health or safety, and that
- immediate action is necessary.

Demolition Orders and Clearance Areas

The Council has powers to order the demolition of dwellings as a possible response to Category 1 hazard(s); however, these powers are rarely used and unlikely to be a proportionate response to address the majority of hazards identified in the district.

Tenure

The HHSRS is tenure neutral; that is, it applies as much to owner-occupied dwellings as to rented dwellings, so all enforcement options are available to the Council

regardless of whether the premises in question are owner-occupied, privately rented or belong to a social landlord (now called Registered Providers or RPs).

Occupiers' views will be taken into consideration when considering what action is appropriate. Owner-occupiers are generally considered to be in a position to take informed decisions concerning maintenance and improvement issues which might affect their welfare. Tenants, and particularly non-RP tenants, are not usually able to do so in the same way and the Council judges that it is appropriate for tenure to help inform its decisions about appropriate action; for example, an Improvement Notice may be served where the property is tenanted because the tenant has little control over remedying the defect (and the responsibility to do so is generally the landlord's) but a Hazard Awareness Notice may be served where the occupier is also the owner who may not choose to take remedial action.

The Council will consider other relevant factors when considering the most appropriate course of action, including the vulnerability of occupants, the views of any welfare authority (or other support agency) involved as well as the severity of the hazards identified and potential risks to other people.

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Section 1: Summary details

Directorate and Service Area	Wellbeing and Housing – Housing Services
What is being assessed (e.g. name of policy, procedure, project, service or proposed service change).	Cherwell District Council Housing Civil Penalties Policy 2025
Is this a new or existing function or policy?	New policy to cover existing service function
Summary of assessment Briefly summarise the policy or proposed service change. Summarise possible impacts. Does the proposal bias, discriminate or unfairly disadvantage individuals or groups within the community? (following completion of the assessment).	<p>The Council recognises that effective regulation of the private rented sector is vital for helping to improve standards, combating poor performing landlords, and improving the health and wellbeing of Cherwell's residents. Civil Penalties are an important part of housing standards enforcement, and the overarching aim of this policy is to ensure we can undertake our statutory duties efficiently, effectively and lawfully.</p> <p>The new civil penalty policy builds on recent tribunal decisions, legal precedents, and industry best practice to provide a more consistent, proportionate and transparent methodology for determining the value of each penalty. It is proposed that the new civil penalty policy be made standalone to ensure it is clear and robust. Consequential amendments and minor updates are therefore made to the Housing Standards Enforcement Policy</p> <p>A small number of landlords and property agents in Cherwell exploit tenants by letting out substandard properties that adversely affect the quality of life for</p> <p>tenants and the wider community. The efficient and effective use of civil penalties enables the Council to flexibility take cost-effective and proportionate enforcement action which will benefit tenants by deterring landlords from committing serious housing offences and help drive out rogue landlords from Cherwell's private rented sector.</p>
Completed By	David North

Authorised By	Richard Smith
Date of Assessment	March 2025

Section 2: Detail of proposal

<p>Context / Background</p> <p>Briefly summarise the background to the policy or proposed service change, including reasons for any changes from previous versions.</p>	<p>The Housing and Planning Act 2016 amended the Housing Act 2004 to allow Local Housing Authorities the discretion to impose financial penalties of up to £30,000 as an alternative to prosecution for certain housing offences. Certain other pieces of legislation also permit the imposition of civil penalties for housing-related breaches, for example the Minimum Energy Efficiency Standards.</p> <p>Since 2018 the Council has issued 45 civil penalties to 34 landlords and agents at a total value of £250,000. Civil penalties have proved to be an effective tool for the Housing Standards Team to hold these poor-performing landlords and agents operating in the district to account. Income from civil penalties is ring fenced for furthering private sector housing enforcement work.</p> <p>In the intervening seven years, a significant body of tribunal appeal decisions and legal precedents has developed that did not exist to inform the original policy development. We have also seen a trend of increased appeals which are extremely resource-intensive to defend.</p> <p>Civil penalties will be an increasingly important enforcement tool under the proposed new Renters' Rights legislation. This legislation moves towards a 'polluter pays' enforcement principle, significantly expanding the number and variety of offences which the Council will have a duty to enforce via financial penalties. Having a robust and streamlined policy and procedure for imposing penalties will be vital.</p>
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<p>Proposals</p> <p>Explain the detail of the proposals, including why this has been decided as the best course of action.</p>	<p>The Council has partnered with Justice for Tenants, a not-for-profit organisation who have analysed all the significant tribunal and court judgements and, in collaboration with local authorities, have developed a template civil penalty policy and procedure and an online civil penalty calculator, which have been used to develop the new Civil Penalties Policy.</p> <p>The aim is to provide a comprehensive and robust policy that will withstand scrutiny by tribunals and a civil penalty calculator that will ensure all factors are considered when determining the value of the penalty and a level of consistency between officers within a local authority, and national consistency between local authorities. This will produce fairer, more consistent outcomes for landlords.</p> <p>It is anticipated that this updated policy and procedures will make the process of issuing civil penalties more streamlined, efficient and consistent and result in fewer appeals or where appeals are made, reduce the likelihood of appeals being upheld or of penalty amounts being reduced.</p> <p>It is acknowledged that this new Civil Penalties Policy will need to be reviewed and re-approved by the Executive once the Renters' Rights Bill provisions are enacted, which is expected to be over the next 12-24 months. However, as outlined above it is important to ensure the Council's approach to imposing civil penalties is robust in the meantime, and additionally implementing now will give officers time to be trained and confident in its use with familiar scenarios before the expansion to novel duties. A thorough review of the Housing Standards Enforcement Policy will also need to be undertaken in light of the new duties imposed by the Renters' Rights provisions once this Bill receives Royal Assent and there is more certainty and guidance around these requirements.</p>
<p>Evidence / Intelligence</p> <p>List and explain any data, consultation outcomes, research findings, feedback from service users and stakeholders etc, that supports your proposals and can help to inform the judgements you make about potential impact on different individuals, communities</p>	<p>Justice for Tenants carried out a systematic review of legal judgements and consultation with other local authorities to produce the template policy upon which this policy is based. Justice for Tenants is currently working with at least 90 local authorities who have already adopted or are also looking to adopt this model policy and civil penalty calculator. Nationally hundreds of civil penalties have been issued using the template policy and penalty calculator, and to date there have been no significant tribunal decisions questioning or criticising the template policy.</p>

or groups and our ability to deliver our climate commitments.	
<p>Alternatives considered / rejected</p> <p>Summarise any other approaches that have been considered in developing the policy or proposed service change, and the reasons why these were not adopted. This could include reasons why doing nothing is not an option.</p>	<p>The following alternative options have been identified and rejected for the reasons as set out below.</p> <p>Option 1: Not bring forward a new and amended policy.</p> <p>Our current approach to determining civil penalties is not consistent with the recent Upper Tribunal decisions, in particular Leicester CC vs Morjaria. This means that our current approach to calculating penalties will be at increasing risk of challenge. Therefore updates to the civil penalties policy are necessary. Changes to the Housing Standards Enforcement Policy are necessary for the creation of the new, compliant policy. Furthermore, it is important the Council policies are reviewed regularly to ensure that they are able to meet customer needs, service needs and are legislatively sound. This option is therefore rejected.</p> <p>Option 2: Amend but retain as a combined policy.</p> <p>Owing to the level of detail and complexity contained within the new civil penalties policy, coupled with the benefits of being consistent with the approach taken by numerous other local authorities, means combining the policies would make both unwieldy, difficult to use and less effective. This option is therefore rejected.</p>

Section 3: Impact Assessment - Protected Characteristics

Protected Characteristic	No Impact	Positive	Negative	Description of Impact	Any actions or mitigation to reduce negative impacts	Action owner* (*Job Title, Organisation)	Timescale and monitoring arrangements
Age	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	N/A	N/A	N/A	N/A
Disability	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	N/A	N/A	N/A	N/A
Gender Reassignment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	N/A	N/A	N/A	N/A
Marriage & Civil Partnership	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	N/A	N/A	N/A	N/A
Pregnancy & Maternity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	N/A	N/A	N/A	N/A
Race	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	N/A	N/A	N/A	N/A
Sex	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	N/A	N/A	N/A	N/A
Sexual Orientation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	N/A	N/A	N/A	N/A
Religion or Belief	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	N/A	N/A	N/A	N/A

Section 3: Impact Assessment - Additional Community Impacts

Additional community impacts	No Impact	Positive	Negative	Description of impact	Any actions or mitigation to reduce negative impacts	Action owner (*Job Title, Organisation)	Timescale and monitoring arrangements
Rural communities	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	N/A	N/A	N/A	N/A
Armed Forces	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	N/A	N/A	N/A	N/A
Carers	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	N/A	N/A	N/A	N/A
Areas of deprivation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Poor quality private rented properties are often concentrated in deprived urban areas. Improved regulation of the PRS through this policy should have a positive impact.	N/A	N/A	N/A

Section 3: Impact Assessment - Additional Wider Impacts

Additional Wider Impacts	No Impact	Positive	Negative	Description of Impact	Any actions or mitigation to reduce negative impacts	Action owner* (*Job Title, Organisation)	Timescale and monitoring arrangements
Other Council Services	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		N/A	N/A	N/A
Providers	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	N/A	N/A	N/A	N/A
Social Value ¹	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	N/A	N/A	N/A	N/A

¹ If the Public Services (Social Value) Act 2012 applies to this proposal, please summarise here how you have considered how the contract might improve the economic, social, and environmental well-being of the relevant area

Section 3: Impact Assessment - Climate Change Impacts

OCC and CDC aim to be carbon neutral by 2030. How will your proposal affect our ability to reduce carbon emissions related to

Climate change impacts	No Impact	Positive	Negative	Description of impact	Any actions or mitigation to reduce negative impacts	Action owner (* Job Title, Organisation)	Timescale and monitoring arrangements
Energy use in our buildings or highways	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	N/A	N/A	N/A	N/A
Our fleet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	N/A	N/A	N/A	N/A
Staff travel	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	N/A	N/A	N/A	N/A
Purchased services and products (including construction)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	N/A	N/A	N/A	N/A
Maintained schools	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	N/A	N/A	N/A	N/A

We are also committed to enable Cherwell to become carbon neutral by 2030 and Oxfordshire by 2050. How will your proposal affect our ability to:

Climate change impacts	No Impact	Positive	Negative	Description of impact	Any actions or mitigation to reduce negative impacts	Action owner (*Job Title, Organisation)	Timescale and monitoring arrangements
Enable carbon emissions reduction at district/county level?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Through HMO Licensing the Council can require energy efficiency improvement works be undertaken to HMO properties.	N/A	N/A	N/A

Section 4: Review

Where bias, negative impact or disadvantage is identified, the proposal and/or implementation can be adapted or changed; meaning there is a need for regular review. This review may also be needed to reflect additional data and evidence for a fuller assessment (proportionate to the decision in question). Please state the agreed review timescale for the identified impacts of the policy implementation or service change.

Review Date	2027
Person Responsible for Review	Housing Grants and Standards Manager
Authorised By	Head of Housing

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This report is public	
Acceptance of Public Sector Decarbonization Scheme (PSDS) 4 Grant	
Committee	Executive
Date of Committee	10 June 2025
Portfolio Holder presenting the report	Portfolio Holder for Greener Communities, Councillor Tom Beckett
Date Portfolio Holder agreed report	23 May 2025
Report of	Climate Change Programme Manager, Hitesh Mahawar

Purpose of report

To provide an update to the Executive on the funding attached to the Public Sector Decarbonisation Scheme (PSDS), allocate resources and implement the delivery of the associated building decarbonisation works in line with the Council's Strategic Priorities and carbon emissions reduction to achieve CDC's Carbon Net Zero 2030 target.

1. Recommendations

The Executive resolves:

- 1.1 To proceed with the implementation of grant funding of £ 1,099,862 from the Public Sector Decarbonisation Scheme (PSDS) 4 as awarded by Salix Finance.
- 1.2 To approve an increase in the capital programme of £1,099,862 in line with the level of grant award, profiled in line with the timetable for receipt of the grant.
- 1.3 To reprofile the Net Zero Capital Projects budget to meet the match funding contribution of £350,911.40 and a further £210,000 to support deliver of the PSDS programme to fund:
 - 1.3.1 Property team capacity and budget resource (personnel and funding) to manage procurement, contracts, installation oversight, and maintenance.
 - 1.3.2 Capacity and budget resource (personnel and funding) to address outstanding rectification works from the previous PSDS-funded projects.
- 1.4 To note the financial implications associated with this report, including that the profile of grant receipts is not flexible and so any slippage in the project will result in a risk that the council's contribution to the scheme increases.

2. Executive Summary

- 2.1 Cherwell District Council has been successful in securing capital grant funding from the government's Public Sector Decarbonisation Scheme (PSDS) 4, administered by Salix Finance.
- 2.2 This funding will support the decarbonisation of selected council-owned buildings by replacing fossil-fuel-based heating systems with low-carbon alternatives and implementing energy efficiency upgrades. Namely Stratfield Brake Sports Pavilion, Spiceball Leisure Centre and Woodgreen Leisure Centre as well as the small pavilion at North Oxfordshire Academy School. This will be achieved through installation of air source heat pumps, fabric upgrades, and other energy efficiency works.

Key Benefits Include

- 2.3 The benefits proposed are based on a feasibility study by an external consultant that was included in the PSDS4 application
- Estimated annual carbon savings of **234.19 tCO₂e**.
 - Estimated Annual Energy Bill Savings **£37,621**
 - Reduction in gas consumption and operational costs.
 - Enhanced resilience and modernisation of public assets.

Implications & Impact Assessments

Implications	Commentary
Finance	<p>The grant requires the council to contribute capital match funding of £351k. It is proposed to use the budget the council set aside in the capital programme to finance projects which contribute towards the commitment to achieve a carbon net zero position by 2030. The programme includes £125k per financial year for five years, of which none has yet been committed.</p> <p>To deliver the grant funded project and complete the remedial works from the previous PSDS project would require additional resources with a value of £210k. This represents fees (planning, design etc) of £110k not included in the grant application and temporary external Property team support of £100k. The funding from these resources will also need to come from reprofiling the five year allocation within the approved capital programme.</p> <p>There are potential revenue savings of £37k on utility costs. The MRP and interest impact of the net zero capital project in the programme has been reflected in the Medium-Term Financial Strategy; however, the impact of the additional resource requested has not. This is estimated at £25k per year, resulting in a potential net saving of £12k per year. When compared to the total proposed commitment of council resources of £561k. A simple payback</p>

	<p>period on this basis would be 47 years. An NPV has not been calculated at this stage.</p> <p>The grant agreement is clear that there is a profile for the grant funding and “there is no flexibility to transfer funding from one year to another”.</p> <p>The profile is as follows:</p> <table border="1" data-bbox="494 443 1254 600"> <tr> <td>2025/26</td><td>£721,877</td></tr> <tr> <td>2026/27</td><td>£250,000</td></tr> <tr> <td>2027/28</td><td>£127,985</td></tr> <tr> <td>Total</td><td>£1,099,862</td></tr> </table> <p>There is a significant risk associated with not delivering proposed projects/measures in line with the timetable set out in the grant conditions of grant funding no longer being available to the council. If this happens then either the Council would have to take the decision to continue, and identify how to fund the shortfall in funding through its own resources or it would have to stop the project, which would result in grant spent being returned and the capital costs incurred by the council becoming revenue costs.</p> <p>Based on the profile of spend proposed in the grant agreement £440,000 is expected to be incurred in mid-March 2026 so there is very limited scope for this spend to slip before there is a risk that the council no longer has access to the funding.</p> <p>Therefore, it is essential that this project is well planned and managed to ensure that spend is incurred in line with that set out in the grant agreement.</p> <p>Furthermore, there has not been an assessment carried out yet as to whether there is a sufficient electricity supply to support the Air Source Heat Pumps that are proposed within this scheme. If the electricity supply is insufficient and an upgrade is required then this will result in additional costs which are not currently budgeted for if we are to get the full environmental benefits.</p> <p>Michael Furness, Assistant Director of Finance, 21 May 2025</p>	2025/26	£721,877	2026/27	£250,000	2027/28	£127,985	Total	£1,099,862
2025/26	£721,877								
2026/27	£250,000								
2027/28	£127,985								
Total	£1,099,862								
<p>Legal</p>	<p>The Council is able to receive and deliver the funding to the projects specified. The Council will be required to ensure that the proposed projects are delivered in a legally compliant way in accordance with all relevant legislation in relation to the activities undertaken.</p> <p>The Council must assess and document its compliance with its Constitution, the Procurement Act 2023, Subsidy Control Act 2022 and other relevant requirements. Mechanisms to recover funding must be put in place where appropriate. Of note an assessment with regards to subsidy control is required given the potential indirect subsidy to enterprise(s), by carrying out funded works that may reduce their costs (e.g. energy costs).</p>								

	In terms of Procurement implications given the value of the subsequent projects using PSDS funding, compliance with the Council’s Constitution, the Procurement Act 2023 and other relevant rules will be required where applicable. It should be noted that the Council has entered into the grant funding agreement in relation to this scheme. If the Executive is not resolved to proceed with the implementation of the scheme then we will have to terminate the agreement. Shiraz Sheikh, Assistant Director of Law and Governance and Monitoring Officer, 21 May 2025			
Risk Management	A Risk register will be set up as part of the management of the project using the Council’s risk management methodology to capture, assess and manage risks, as stated in 4.9 Julie Miles, Performance Analyst and Developer, 13 May 2025			
Impact Assessments	Positive	Neutral	Negative	Commentary
Equality Impact		x		There are no Equalities implications associated with this report Julie Miles, Performance Analyst and Developer 13 May 2025
A Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?				
B Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?				
Climate & Environmental Impact				This PSDS funding provides a great opportunity to help CDC in decarbonising its buildings. Given the increase in the emissions in the past year it becomes critical to implement every possible action which reduces our emissions and support to achieve CDC’s 2030 Net Zero target especially when the funding of this scale has been secured by the officers in a competitive and challenging financial environment.

ICT & Digital Impact				Not applicable
Data Impact				Not applicable
Procurement & subsidy				There may be an impact on the procurement team for procuring the implementation and installation. If stakeholder requires procurement and legal support this will need to be funded by the resources allocated to this project. Shiraz Sheikh, Assistant Director of Law and Governance and Monitoring Officer, 21 May 2025
Council Priorities	Environmental Stewardship is one of our four Strategic Priorities, and Supporting Environmental Sustainability is one of the four key Corporate Objectives and so this PSDS works supports CDC's priorities directly.			
Human Resources	N/A			
Property	<p>Property understand the need to have property assets that can help meet and contribute to the Council's Strategic Priorities and Carbon Net Zero 2030 target.</p> <p>Property comments include:</p> <p>Property can provide technical advice and support to the proposed project. If the skills and experience required are not available in-house that will result in the need to engage 3rd party specialist advice and support, as happens with other projects. Adequate approved budget will need to be provided by the Project lead.</p> <p>Property do not currently have the resources (capacity and budget) to assist with delivery of the works associated with PSDS. Therefore sufficient and approved budget provided by the Project lead is required to enable recruitment (specific arrangements about skills, experience, job requirements, contract terms and grade to be determined).</p> <p>Decisions about installations and associated works need to be aligned with Property Strategy.</p> <p>Further works is needed to check that all sites are suitable for the installations proposed – structural, location, setting. Costs will need to be included in the overall project costs.</p> <p>Ongoing maintenance and integration of new installations into existing systems must be considered – this may have an impact on costs and/or future management and operation of assets. Costs are not known or determined and Property does not have any budget.</p> <p>Future costs of managing, including repair and maintenance, of the proposed installations is not yet known or quantified Property do not have resources or budget to cover any additional costs arising.</p>			

	<p>Occupier engagement/consent is needed for the proposed sites as CDC do not actively manage all. Occupiers will need to agree with that the works can be undertaken. There may be Legal costs associated with this – not yet known or quantified and currently no budget available from Property.</p> <p>The Council may need to take on the utility bill payments for a period after new heat pumps are installed – not yet determined or confirmed. If this is the case there is no certainty at the time of writing that these costs can be recovered. If not an approved budget will be required as it cannot be resourced by Property.</p> <p>Several completed PSDS schemes are not delivering the expected benefits because installed systems were not properly understood, training and maintenance regimes not understood or implemented. It is essential that this does not occur with any new installations and that time is taken to ensure proper decision making, delivery and ongoing management.</p> <p>As a result of the problems with completed PSDS schemes resource (capacity and budget) to address outstanding rectification works from the previous PSDS-funded projects. Property do not currently have the resources needed to fund this.</p> <p>Mona Walsh, AD Property 9 May 2025</p>
Consultation & Engagement	<p>Council officers from Property, Leisure, Finance, and Legal were consulted during the grant application process. The PSDS4 project has also been discussed with the Portfolio Holder, the Corporate Director for Communities, and the Assistant Director for Property and Environmental Services.</p> <p>The contents of this report have been reviewed and discussed with relevant officers from Property, Leisure, and Environmental Services.</p>

Supporting Information

3. Background

- 3.1 The Public Sector Decarbonisation Scheme (PSDS) is a government initiative supporting public sector organisations to decarbonise buildings and improve energy performance. The scheme aligns with the UK's legally binding commitment to reach net zero emissions by 2050.
- 3.2 Cherwell District Council submitted a bid under the most recent round (Phase 4) of the scheme, focusing on decarbonising Spiceball Leisure Centre, Woodgreen Leisure Centre, Stratfield Brake Sports Ground, North Oxfordshire Academy which currently rely on gas heating systems and present significant retrofit potential.

- 3.3 The Council was notified of a successful award of £ 1,099,862 subject to formal acceptance and delivery within the funding parameters.
- 3.4 CDC has to match fund £350,911.40 to execute all the projects proposed.
- 3.5 Any additional funding is to be regarded as a measure of last resort, to be utilised only where essential to meet resourcing requirements that extend beyond the scope of the PSDS grant and CDC's matched contribution. While the existing funding framework is expected to cover the majority of costs, there may be circumstances where supplementary resource funding is necessary to support the effective and timely delivery of key projects.
- 3.6 Additional internal and external resource funding of £210,000 is proposed to effectively support delivery of the PSDS programme.
- 3.7 Professional fees can amount to 15% of the capital cost of the works i.e. £218,000 depending on the requirements for the project, planning applications, building regulations as well as design works. £108,000 is available in the grant funding in the Design, and Project Delivery heads. So additional funding required is £110,000 to bring the total contribution to £218,000.
- 3.8 Internal resources requirement will include legal, procurement, estates to change tenancy agreements and finance to support utility charge changes as well as technical oversight / support during design and installation. Estimate capital salaries of £100,000 (delivery £75,000 and post-delivery £25,000).

4. Details

- 4.1 Cherwell District Council (CDC) plans to decarbonise three buildings (Stratfield Brake Sports Pavilion, Spiceball Leisure Centre and Woodgreen Leisure Centre) as well as the small pavilion at North Oxfordshire Academy School.

Key Benefits Include

- 4.2 The benefits proposed are based on a feasibility study by an external consultant that was included in the PSDS4 application
- Estimated annual carbon savings of **234.19 tCO₂e**.
 - Estimated Annual Energy Bill Savings **£37,621**
 - Reduction in gas consumption and operational costs.
 - Enhanced resilience and modernisation of public assets.

Measures Proposed

- 4.3 CDC aims to install an air source heat pump system at Stratfield Brake Sports Grounds. This building houses changing rooms, showers, a bar, and a meeting room, which are frequently used by various individuals and occasionally host meetings for other councils. The installation of the air source heat pump is intended to provide energy-efficient and sustainable heating and cooling solutions for the building, ensuring comfortable conditions year-round while reducing our carbon footprint.

- 4.4 CDC aims to install an air source heat pump system at Spiceball Leisure Centre for Domestic Hot Water. A previous ASHP has been installed as part of PSDS Phase 1 application, which provides pool heating. Additional fabric improvement measures are also proposed as part of this application (flange and pipework insulation).
- 4.5 CDC aims to install two air source heat pumps at Woodgreen Leisure Centre, with one serving the wet changing room showers and heating within the bowls area, and the other serving Domestic Hot Water to the library, reception and gym. Additional building fabric upgrades are also proposed as part of this application (loft insulation).
- 4.6 CDC aims to install an air source heat pump at North Oxfordshire Academy (Sports pavillion), which is to serve the Domestic Hot Water for the showers and space heating for the social space. Fabric upgrades are also included as part of this application (external wall insulation, loft insulation and upgrades to the existing glazing).

Project Governance

- 4.7 The Corporate Director will oversee project delivery, in consultation with the relevant service leads.
- 4.8 Delivery of this project of works will be coordinated by the Property team enabling the project leveraging best available in-house technical expertise, in close collaboration with Leisure, Procurement, Finance, and Climate Change.
- 4.9 In addition to the existing governance mechanism, this project of works will be governed by the Climate Change Programme Board.

Delivery Mechanism

- 4.10 A project plan and risk register will be developed to manage timelines, dependencies, and contingencies. Salix Finance will monitor compliance with funding conditions and performance reporting.

Delivery Capacity and Resource Requirements

- 4.11 The successful delivery of this PSDS-funded programme requires enhanced internal capacity, particularly within the Property team, to manage the technical design, procurement, contract administration, and installation phases. This includes project management support, technical oversight, and contract performance monitoring.
- 4.12 The PSDS grant provides capital for building fabric and technology upgrades but does not fully cover internal and external staffing required to support delivery at pace. It is therefore proposed that an additional allocation of £210,000 from Council reserves or capital programme be made available to secure temporary Property team support.
- 4.13 In addition, delivery of the new programme provides an opportunity to resolve outstanding rectification issues from the previous PSDS project phase, including defects management, contractor follow-up, and commissioning validation. Adequate

resource to address these issues will ensure full value is realised from both past and current investments.

Justification for Financial Value of the Resource Ask

- 4.14 To ensure timely and high-quality delivery of the PSDS-funded works, additional internal and external capacity is required, particularly within the Property team. Based on lessons from the previous PSDS phase, under-resourcing led to delays, reduced oversight, and difficulties managing contractor performance and post-installation issues.
- 4.15 The proposed resource package will:
- Enable proactive and effective contract and project management across multiple sites.
 - Provide the technical assurance needed to meet Salix and internal compliance requirements.
 - Address unresolved legacy issues from the previous PSDS phase, including snagging, commissioning, and warranty claims.
 - Avoid further inefficiencies or reputational risk due to programme slippage or missed technical outcomes.
- 4.16 The total estimated internal and external resource requirement is £210,000. Investing in this support ensures the Council maximises the impact of current and previous decarbonisation funding and mitigates reputational or operational risks.

Tentative Resource Summary:

Category	Role/Function	Notes
New PSDS Delivery	Property Project Manager (external or seconded)	Manages procurement, contractor liaison, and site delivery
	Technical Advisor / Clerk of Works	Ensures quality control and technical compliance
	Contract/Legal Support	Drafting/negotiating contract variations
Old PSDS Rectification	Snagging & Defects Lead	Resolves legacy issues from previous programme
	Technical Commissioning Review	Verifies proper installation, handover and M&E commissioning
Contingency	Buffer for extensions/specialist input	Covers any unexpected resourcing gaps
Capitalisation of Salaries		
Total	£210,000	To be funded from the Net Zero Capital Projects budget

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: Do Nothing: Rejected due to continued reliance on high-carbon heating systems, missed opportunity for grant funding, and failure to meet internal climate targets.

Option 2: Delay Decision: Rejected due to time-sensitive nature of funding acceptance and delivery deadlines imposed by Salix Finance.

Option 3: Fund Through Council Capital Only: Rejected due to high capital cost burden and absence of external match-funding opportunity.

6 Conclusion and Reasons for Recommendations

- 6.1 Accepting the PSDS funding offers a cost-effective and timely opportunity to make meaningful progress toward the Council's Strategic Priorities and Carbon Net Zero 2030 target. The projects supported by this funding will make our estate more energy efficient, reduce long-term energy costs, and demonstrate leadership in sustainability across the district.
- 6.2 The Executive is therefore recommended to approve the acceptance of the PSDS grant and support the delivery of the funded projects, enabling timely mobilisation and ongoing oversight.

Decision Information

Key Decision	Yes - Incurring potential capital expenditure or savings above £250,000
Subject to Call in	Yes
If not, why not subject to call in	N/A
Ward(s) Affected	All

Document Information

Appendices	
Appendix 1	PSDS4 Grant Offer Letter

Appendix 2	Climate Action Plan Nov'24 – Apr'26
Background Papers	None
Reference Papers	None
Report Author	Hitesh Mahawar, Climate Change Programme Manager
Report Author contact details	Hitesh.mahawar@cherwell-dc.gov.uk
Corporate Director Approval (unless Corporate Director or Statutory Officer report)	Corporate Director for Communities

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PHASE 4 PUBLIC SECTOR DECARBONISATION SCHEME GRANT OFFER LETTER

Ian Boll
Corporate Director Communities
Cherwell District Council
Bodicote House
Oxfordshire
OX15 4AA

07/03/2025

Dear Ian,

Phase 4 PSDS Grant Offer Letter

1. The Department for Energy Security and Net Zero (The Department) has made funding available to enable Salix Finance to provide you (the “**Recipient**”) with a grant of up to £1,099,862.00 to assist you in carrying out your low carbon heating project.
2. The following schedules are included as part of this Grant Offer Letter:
 - Schedule 1 – Terms and Conditions
 - Schedule 2 – Specific Conditions
 - Schedule 3 – Project Programme and Expenditure Forecast
 - Schedule 4 – Monthly Monitoring Report
 - Schedule 5 – Payment Request
 - Schedule 6 – Specimen Signatures
 - Schedule 7 – Phase 4 PSDS Application declarations
 - Schedule 8 – Requirements related to the Consortium (where relevant)
 - Schedule 9 – Subsidy Control (where relevant)
3. We are writing to acknowledge receipt of your application for the Grant, a copy of the approved assessed application form, and to provide you with an offer of grant funding. Terms defined in this Grant Offer Letter have the same meanings as defined in the attached Terms and Conditions.

4. The key details of the Grant are as follows:

Name of Recipient	Cherwell District Council
Project Name	Cherwell District Council - Decarbonisation of various Council Buildings
Submission ID	59995
Amount of Grant (Year 1) - 2025/26	£721,877.00
Amount of Grant (Year 2) - 2026/27	£250,000.00
Amount of Grant (Year 3) - 2027/28	£127,985.00
Total Project Value	£1,450,773.40
Minimum Recipient Contribution	24.19%
Minimum Recipient Contribution £	£350,911.40
Grant Carbon Cost (£/tCO2e)	£326.71
Expected Practical Completion Date	28/02/2028
Grant Start Date	01/04/2025 or Date GOL is countersigned and returned to Salix, whichever date is later
Grant End Date	31/03/2028

5. You must appoint a person (the “**Authorising Official**”) who will be responsible for ensuring that you use the Grant in compliance with the attached Terms and Conditions.
6. Grant recipients can only claim for funding incurred after the Grant Start Date.
7. The signature of the Authorising Official is to be inserted at Schedule 6.
8. In communicating with Salix, your contact is Justin Morris, justin.morris@salixfinance.co.uk.
9. The provision of the Grant is subject to the Terms and Conditions set out in this Grant Offer Letter and the attached schedules, including the Terms and Conditions attached at Schedule 1. The Grant is being provided to you on the understanding that you agree to deliver the Project and agree to comply with the Terms and Conditions set out in this Grant Offer Letter and the attached schedules.
10. If you wish to accept the offer of grant funding upon the terms set out in this Grant Offer Letter and the attached schedules, please countersign this letter within 10 business days and return the original to us. If you fail to countersign this letter within 10 business days of receipt of this letter, the offer of grant funding shall expire.

.....
Authorised Signatory

.....
Date

.....
Print Name

For and on behalf of Salix Finance Limited

We hereby accept the offer of grant funding upon the terms set out in this Grant Offer Letter and the attached schedules.

.....
Authorised Signatory

.....
Date

.....
Print Name

.....
Job Title

For and on behalf of Cherwell District Council

Schedule 1: Terms and Conditions

Phase 4 Public Sector Decarbonisation Scheme Terms and Conditions

These terms and conditions will govern the relationship between Salix Finance Limited, a company incorporated in England and Wales with company number 05068355 and whose registered office is at 10 South Colonnade, Canary Wharf, London, E14 4PU (**Salix**) the Recipient in connection with the provision of the Public Sector Decarbonisation Scheme (PSDS) Grant by Salix to the Recipient.

These terms and conditions shall apply to and be incorporated into the Grant Offer Letter and should be read in conjunction with the Grant Offer Letter. These terms and conditions, the Grant Offer Letter and its schedules shall together constitute the **Agreement**.

1. Definitions and interpretation

1.1. In these terms and conditions, the following terms shall have the following meanings:

Authorising Official: the person appointed by the Recipient, and whose identity is approved by Salix, who is responsible for ensuring that the Recipient uses the Grant in compliance with the Agreement and who has the authority to sign official and legal information.

Bribery Act: the Bribery Act 2010 and any subordinate legislation made under that Act or any successor legislation from time to time together with any guidance or codes of practice issued by the relevant government department concerning the legislation.

Building Contract: the contract to design and/or complete the design of and build the Project.

Business Day: a day (other than a Saturday, Sunday or public holiday) on which commercial banks are open for general business in London.

Change of Control: means the sale of all or substantially all the assets of a party to the Agreement; any merger, consolidation or acquisition of a party to the Agreement with, by or into another corporation, entity or person, or any change in the ownership of more than fifty percent (50%) of the voting capital stock of a party to the Agreement in one or more related transactions.

Consortiums: An association of two or more eligible organisations applying for Public Sector Decarbonisation Scheme funding under one application. All members must comply with the organisation and building eligibility criteria. Consortium applications must disclose the terms of the consortium by completing the Consortium Documentation tab in the Application Form.

Dangerous Substance: any radioactive emission, noise or natural or artificial substance (whether in the form of a solid, liquid, gas or vapour, including any controlled, special, hazardous, toxic, radioactive or dangerous substance or waste), the generation, transportation, storage, treatment, use or disposal of which (whether alone or in combination with any other substance) gives rise to a risk of causing harm to any living organism or damaging the Environment or public health or welfare.

Data Protection Legislation: all applicable data protection legislation and privacy legislation in force from time to time in the UK including the GDPR; the Data Protection Act 2018 and the Privacy and Electronic Communications Regulations 2003 (SI 2003/2426); and all other legislation and regulatory requirements in force from time to time which apply to a party relating to the use of Personal Data and the privacy of electronic communications.

Deleterious Material: any material, equipment, product or kit that is generally accepted, or generally suspected, in the construction industry at the relevant time as:

- (a) posing a threat to the health and safety of any person;
- (b) posing a threat to the structural stability, performance or physical integrity of the Project, or any part or component of the Project;
- (c) reducing, or possibly reducing, the normal life expectancy of the Project or any part or component of the Project; or
- (d) not being in accordance with any relevant British standard, relevant code of practice or good building practice.

The Department: the Department for Energy Security & Net Zero (and its successors, assigns and transferees).

Distribution Network Operator: A licensed company that owns, operates and develops the electrical distribution network that connects the high voltage transmission grid to end users.

Eligible Expenditure: the expenditure incurred, or to be incurred, by the Recipient during the Grant Period for the purposes of delivering the Project in accordance with the Project Programme, Grant Application and the Agreement, and which comply in all respects with the eligibility rules set out in Clause 5 of these Terms and Conditions.

Environment: the natural and man-made environment including all or any of the following media, namely air, water and land (including air within buildings and other natural or man-made structures above or below the ground) and any living organisms (including man) or systems supported by those media.

Environmental Law: all applicable laws, statutes, regulations, secondary legislation, bye-laws, common law, directives, treaties and other measures, judgments and decisions of any court or tribunal, codes of practice and guidance notes insofar as they relate to or apply to the Environment.

Evidence of Need: such evidence requested by Salix which Salix considers, in its absolute discretion, provides it with a sufficient level of assurance to demonstrate that the Grant will be used for Eligible Expenditure.

Final Commissioning: The integrated application of a set of engineering techniques and procedures to check, inspect and test every operational component of the project: from individual functions (such as instruments and equipment) up to complex amalgamations (such as modules, subsystems and systems). Commissioning activities in the broader sense are applicable to all phases of the project from the basic and detailed design, procurement, construction and assembly until the final handover of the unit to the owner, sometimes including an assisted operation phase.

UK GDPR: as defined in section 3(10) of the Data Protection Act 2018 (DPA 2018), supplemented by section 205(4)).

Governing Body: the governing body of the Grantee including its directors or trustees.

Grant: the sum specified in the Grant Offer Letter, to be paid to the Recipient in accordance with the Agreement.

Grant Application: the application for the Grant, submitted by the Recipient to Salix, which incorporates the Grant Application Support Notes, a copy of which is attached at Schedule 7 to the Grant Offer Letter.

Grant Application Support Notes: any notes or documentation supporting the Recipient's application for the Grant.

Grant End Date: the date referred to as the 'Grant End Date' in the Grant Offer Letter.

Grant Offer Letter: the letter from Salix to the Recipient, setting out the basis upon which the Grant will be provided to the Recipient.

Grant Period: the period for which the Grant is awarded starting on the Grant Start Date and ending on the Grant End Date.

Grant Start Date: the date referred to as the 'Grant Start Date' in the Grant Offer Letter.

Intellectual Property Rights: all patents, copyrights and design rights (whether registered or not) and all applications for any of the foregoing and all rights of confidence and Know-How however arising for their full term and any renewals and extensions.

Know-How: information, data, know-how or experience whether patentable or not and including but not limited to any technical and commercial information relating to research, design, development, manufacture, use or sale.

Like-for-Like Costs: all the costs incurred should the existing heating plant be replaced with a typical fossil fuel heating plant of the same type and size. In most cases this will be equivalent to the costs of replacing the existing system with a conventional non-domestic boiler.

Measures: the individual items of design, construction or other building works which are necessary to achieve Practical Completion, as contained within the Project Programme.

Minimum Recipient Contribution: All applications must be contributing a minimum of 12% of total final project value. If the like-for-like cost is greater than the 12% of the total project value, then the recipient will need to provide further funding to match the equivalent of the like-for-like costs.

Necessary Consents: any planning permission required for the Project, any environmental licences and any other authorisation under any other statute, bye-law or regulation of any competent authority that is reasonably necessary to enable the works on the Project to be lawfully commenced, carried out or completed.

Payment Date(s): the date or dates on which a Grant is made or is to be made.

Payment Request: a request for payment of a Grant, or part of a Grant, in the form set out at Schedule 5 (Payment Request) to the Grant Offer Letter.

Personal Data: shall have the same meaning as set out in the Data Protection Legislation.

Practical Completion: the date on which the certificate of practical completion (or the equivalent evidence of practical completion of works) of the Project is properly issued in accordance with the terms of the Building Contract.

Procurement Regulations: the Public Contracts Regulations 2015, Concession Contracts Regulations 2016, Defence Security Public Contracts Regulations 2011 and the Utilities and Contracts Regulations 2016 together with their amendments, updates and replacements from time to time.

Prohibited Act:

- (a) offering, giving or agreeing to give to any servant of the Crown any gift or consideration of any kind as an inducement or reward for:
 - (i) doing or not doing (or for having done or not having done) any act in relation to the obtaining or performance of the Agreement or any other contract with the Crown; or
 - (ii) showing or not showing favour or disfavour to any person in relation to the Agreement or any other contract with the Crown;
- (b) committing any offence:
 - (i) under the Bribery Act;
 - (ii) under legislation creating offences in respect of fraudulent acts; or
 - (iii) at common law in respect of fraudulent acts in relation to the Agreement or any other contract with the Crown; or
 - (iv) defrauding or attempting to defraud or conspiring to defraud the Crown.

Project: the project or projects operated by the Recipient to assist in the reduction of energy use or the switch to, or enabling works in preparation for, a cleaner heat source, as set out in the Grant Application and as described in the Grant Offer Letter.

Project Programme: the detailed timetable for delivery and completion of the Project including a breakdown of the Measures and the cost of such Measures, as set out in Schedule 3 (Project Programme) to the Grant Offer Letter.

Project Start Date: the date upon which works on the Project are to commence, as specified in the Grant Offer Letter.

Public Sector Body: anybody within England and that is a 'public authority' as defined by the Procurement Act 2023. A 'public authority' is a organisation either wholly or mainly funded out of public funds, or subject to public authority oversight, and does not operate on a commercial basis.

Recipient: the person named as such in the Grant Offer Letter.

Retention Costs: a sum of money held by the employer as a safeguard for any defective or non-conforming work by the contractor, to provide security against the contractor's failure to complete any outstanding work, remedy any defects or damage, and in respect of any other liability of the contractor to the employer. It is usually a percentage of the total payment, and is held until the contract is fulfilled and the employer is satisfied with the work.

Special Purpose Vehicles (SPVs): are separate legal entities created to fulfil narrow, specific or temporary objectives. A formal definition is 'The Special Purpose Vehicle is a fenced organisation having limited pre-defined purposes and legal personality'. A Public Sector Body may decide to set up an SPV with the sole/primary objective to aid in the delivery of projects. This must be disclosed at the stage that an application is made for grant funding and specific evidence to support claims will be requested. SPVs may also be referred to as subsidiaries, and for the purpose of these terms and conditions are one and the same.

Specific Conditions: any specific conditions set out at Schedule 2 (Specific Conditions) to the Grant Offer Letter.

Terms and Conditions: these terms and conditions.

UK GDPR: the retained EU law version of the General Data Protection Regulation ((EU) 2016/679) as it forms part of the law of England and Wales, Scotland and Northern Ireland by virtue of section 3 of the European Union (Withdrawal) Act 2018 and as amended by Schedule 1 to the Data Protection, Privacy and Electronic Communications (Amendments etc) (EU Exit) Regulations 2019 (SI 2019/419).

VAT: value added tax payable by virtue of the Value Added Tax Act 1994 and any similar tax from time to time in addition to it, replacing it or performing a similar fiscal function.

- 1.2. In the event of any inconsistency between the Grant Offer Letter and these Terms and Conditions, the provisions of the Grant Offer Letter shall prevail. In the event of any inconsistency between these Terms and Conditions and any Specific Conditions, the provisions of the Specific Conditions shall prevail.
- 1.3. Headings do not affect the interpretation of these Terms and Conditions.
- 1.4. Any reference to Salix in these Terms and Conditions includes references to its successors, transferees or assignees.
- 1.5. A reference to a law is a reference to it as it is in force for the time being taking account of any amendment, extension, application or re-enactment and includes any subordinate legislation for the time being in force made under it.
- 1.6. A person includes a natural person, corporate or unincorporated body (whether or not having separate legal personality).
- 1.7. A reference to a Clause is a reference to a clause of these Terms and Conditions.
- 1.8. Unless the context otherwise requires, words in the singular shall include the plural and in the plural include the singular.
- 1.9. Unless the context otherwise requires, a reference to one gender shall include a reference to the other genders.

2. Purpose of Grant

- 2.1. The Recipient shall use the Grant only for the delivery of the Project in accordance with the Project Programme, the Grant Application and the Agreement. The Grant shall not be used for any other purpose without the prior written agreement of Salix.
- 2.2. The Recipient shall not make any significant change to the Project, or the Project Programme without Salix's prior written agreement issued in a grant amendment letter. Salix cannot guarantee payment for any significant changes made prior to this written agreement.
- 2.3. The Grant is being provided to the Recipient in consideration for the Recipient agreeing to deliver the Project and agreeing to comply with the Agreement.

3. Payment of the Grant

- 3.1. Subject to Clause 17 of these Terms and Conditions, Salix shall pay an amount not exceeding the Grant awarded in each financial year to the Recipient in instalments in the amounts and on the Payment Dates set out in the Project Programme, subject to:
 - 3.1.1. the Recipient providing Salix with Evidence of Need;

- 3.1.2. the Evidence of Need demonstrating that the Eligible Expenditure was incurred in the financial year it is being claimed.
- 3.1.3. the Evidence of Need demonstrating that the Eligible Expenditure was incurred by the Recipient prior to the Payment Request.
- 3.1.4. the necessary funds being made available to Salix from the Department when payments fall due;
- 3.1.5. Salix receiving a completed Payment Request signed by the Authorising Official on behalf of the Recipient no later than 21 Business Days before the proposed Payment Date;
- 3.1.6. Salix receiving all documents and information, clearly outlining and itemising costs incurred at each location, which it may, in its absolute discretion, request from the Recipient; Salix receiving all documents and information which it may, in its absolute discretion, request from the Recipient;
- 3.1.7. the further conditions precedent that on each Payment Date:
 - (a) Salix is satisfied, in its absolute discretion, that the confirmations provided by the Authorising Official on behalf of the Recipient in the Payment Request are true and accurate;
 - (b) Salix is satisfied, in its absolute discretion and subject to Clause 3.6 below, that the remaining Grant to be provided is sufficient to meet the remaining costs required for delivery of the Project in accordance with the Project Programme;
 - (c) Salix is satisfied, in its absolute discretion and where relevant, the Recipient has provided Salix the evidence needed to meet any Specific Conditions which have a due date prior to the date of the Payment Request; and
 - (d) Salix is satisfied that all Specific Conditions are resolved prior to the Recipient requesting the final Payment Request;
- 3.2. The Recipient agrees and accepts that payments of the Grant can only be made to the extent that Salix has been provided with available funds by the Department.
- 3.3. No Payment Request shall be submitted before the Grant Start Date.
- 3.4. No Payment will be made for Eligible Expenditure undertaken after the Grant End Date unless it is to fund Final Commissioning, Distribution Network Operator works or Retention costs, and this has previously been agreed by Salix in writing.
- 3.5. No Grant shall be paid unless and until Salix is satisfied that such payment will be used for Eligible Expenditure.
- 3.6. In the event of any overspend by the Recipient in its delivery of the Project outside of the sums set out in the Project Programme, or awarded in each financial year, the amount of such overspend shall be met by the Recipient from its own funds unless Salix, in its absolute discretion, agrees to reduce the Measures so as to ensure that the remaining Grant is sufficient to meet the remaining costs required for delivery of the Project.
- 3.7. The Grant shall be paid into a bank account in the name of the Recipient, the details of which shall be notified to Salix prior to the first Payment Request, which must be an ordinary business bank account. The Grant will not be paid directly to any Special Purpose Vehicles or subsidiaries, as defined in these terms and conditions, established by the grant recipient.

- 3.8. The Recipient shall not transfer any part of the Grant to bank accounts which are not ordinary business accounts within the clearing bank system, without the prior written consent of Salix.
- 3.9. The Recipient shall promptly repay to Salix any money incorrectly paid to it either as a result of an administrative error or otherwise. This includes (without limitation) situations where either an incorrect sum of money has been paid or where Grant monies have been paid in error before all conditions attaching to the Grant have been complied with by the Recipient.
- 3.10. The Recipient is to provide satisfactory evidence to Salix demonstrating that the Recipient has contributed the Minimum Recipient Contribution towards the delivery of the Project. This is to be done prior to final Payment Request unless prior written consent has been provided by Salix of a waiver.
- 3.11. The Recipient will inform Salix if and when any Retention have been made to their contractors if applicable and follow Salix instructions should any Retention not be paid.
- 3.12. The final payment will be a minimum of 10% of the funding awarded in the final year of the grant unless prior written consent has been provided by Salix.

4. Use of the Grant

- 4.1. The Grant shall be used by the Recipient for the delivery of the Project in accordance with the Project Programme, the Grant Application and in accordance with the Agreement. For the avoidance of doubt, the amount of the Grant that the Recipient may spend on any item of Eligible Expenditure listed in the Project Programme shall not, without prior written agreement of Salix, exceed the forecasted amounts as listed in the Project Programme.
- 4.2. The Recipient shall not use the Grant to or in respect of:
 - 4.2.1. make any payment to members of its Governing Body;
 - 4.2.2. purchase buildings or land;
 - 4.2.3. pay for any expenditure commitments of the Recipient entered into before the Grant Start Date, unless this has been approved in writing by Salix; and/or
 - 4.2.4. financial instruments, i.e. engaging in a contract, agreement or any obligation giving rise to an asset and liability relationship including (not an exhaustive list) surety bonds and hedges and any relevant instrument as defined in Article 3 of the Financial Services and Markets Act 2000 (Regulated Activities) Order 2001 and any other applicable law of guidance.
- 4.3. The Recipient shall not spend any part of the Grant on the delivery of the Project after the Grant Period, unless clause 3.4 applies.
- 4.4. Should any part of the Grant remain unspent at the end of the Grant Period or should any part of the Grant be provided for items of Eligible Expenditure which subsequently cost less than forecasted in the Project Programme, the Recipient shall, unless otherwise agreed in writing by Salix, ensure that any unspent monies are returned to Salix.
- 4.5. Where the Recipient enters into a contract with a third party in connection with the Project, the Recipient will remain responsible for paying that third party. Salix has no responsibility for paying the invoices of third parties.
- 4.6. Onward payment of the Grant and the use of sub-contractors shall not relieve the Recipient of any of its obligations under the Agreement.

- 4.7. Any liabilities arising at the end of the Project, and which are not otherwise incorporated within the Project Programme, including but not limited to any redundancy liabilities for staff employed by the Recipient to deliver the Project, must be managed and paid for by the Recipient using other resources of the Recipient and not using the Grant. There will be no additional funding available from Salix for this purpose.

5. Eligibility Rules

- 5.1. Salix will only pay the Grant in respect of Eligible Expenditure incurred by the Recipient to deliver the Project and the Recipient will use the Grant solely for delivery of the Project in accordance with the Project Programme.
- 5.2. The only costs/payments that will be classified as Eligible Expenditure are those specific items of expenditure set out in the Project Programme.
- 5.3. Notwithstanding any items of expenditure set out in the Project Programme, the Recipient may not use the Grant to meet any of the following payments:
- 5.3.1. paid for lobbying, which means using the Grant to fund lobbying (via an external firm or in-house staff) in order to undertake activities intended to influence or attempt to influence Parliament, government or political activity; or attempting to influence legislative or regulatory action;
 - 5.3.2. using the Grant to directly enable one part of government to challenge another on topics unrelated to the agreed purpose of the Grant;
 - 5.3.3. using the Grant to petition for additional funding;
 - 5.3.4. expenses such as for entertaining, specifically aimed at exerting undue influence to change government policy;
 - 5.3.5. input VAT reclaimable by the Recipient from HMRC;
 - 5.3.6. payments for activities of a political or exclusively religious nature;
 - 5.3.7. contributions in kind;
 - 5.3.8. interest payments or service charge payments for finance leases;
 - 5.3.9. gifts;
 - 5.3.10. entertaining (meaning anything that would be a taxable benefit to the person being entertained, according to current UK tax regulations);
 - 5.3.11. statutory fines, criminal fines or penalties, civil penalties, damages or any associated legal costs;
 - 5.3.12. costs incurred in giving evidence to Parliamentary Select Committees;
 - 5.3.13. costs incurred in attending meetings with government ministers or civil servants to discuss the progress of the Project;
 - 5.3.14. costs incurred in responding to public consultations or costs incurred in lobbying other people to respond to any such consultation;
 - 5.3.15. costs incurred in providing independent evidence-based advice to local or national government as part of the general policy debate;

- 5.3.16. payments for works or activities which the Recipient has a statutory duty to undertake, or that are fully funded by other sources;
- 5.3.17. bad debts to related parties;
- 5.3.18. payments for unfair dismissal or other compensation;
- 5.3.19. depreciation, amortisation or impairment of assets owned by the Grant Recipient; and/or
- 5.3.20. liabilities incurred before the Grant Start Date unless expressly included in the Project Programme.
- 5.3.21. any payment for costs a SPV, Subsidiary or third party will incur outside of the Grant Period, with the exception of Distribution Network Operator, retention and commissioning costs.

6. Authorising Official

- 6.1. The Recipient must appoint an Authorising Official who is responsible for ensuring that the Recipient uses the Grant in compliance with the Agreement.
- 6.2. The identity of the Authorising Official must be approved by Salix prior to the commencement of the Project, and the identity of such person shall not change during the Grant Period without the prior written consent of Salix.
- 6.3. The Authorising Official will be responsible for ensuring all members of a consortium comply with the terms set out in schedule 8 of the Grant Offer Letter.
- 6.4. The Authorising Official must:
 - 6.4.1. maintain oversight of the Recipient's use of the Grant and safeguard, control and ensure the efficient, economical and effective management of the Grant;
 - 6.4.2. advise the Recipient on the discharge of the Recipient's responsibilities under the Agreement;
 - 6.4.3. ensure that principles of probity, robust governance, transparency and value for money are maintained at all times in relation to the utilisation of the Grant;
 - 6.4.4. be responsible for signing each Payment Request;
 - 6.4.5. ensure that conflicts of interest are avoided; and
 - 6.4.6. be responsible for informing Salix with immediate effect, in the event of long absence or leaving the organisation, by providing the name and contact information for the delegated authority or a replacement Authorising Official.

7. Covenants

- 7.1. In consideration of the Grant being given, the Recipient undertakes to Salix:
 - 7.1.1. Not to use the Grant otherwise than in respect of the Project, not to use the Grant in a way that does not comply with subsidy control rules in the United Kingdom (where relevant – refer Clause 10), to subsidise any economic activity, and, in particular, not to use the Grant to generate revenue or capital gain, or to make any of the payments set out in Clause 5.3;
 - 7.1.2. that it will respond fully, promptly and truthfully (to the best of its knowledge) to any enquiries that Salix may make about the Project and/or use of the Grant within 10 working days of receipt;

- 7.1.3. to ensure that the works on the Project are completed, and the design, construction and development of the Project is undertaken, in a proper and workmanlike manner, using materials of good quality which are fit for their respective purposes, and in accordance with:
- (a) the Project Programme and Grant Application;
 - (b) the Necessary Consents and all applicable authorisations and laws;
 - (c) the Building Contract and any other contracts and agreements relating to the completion of the Project.
- 7.1.4. that it shall properly and diligently monitor the work on the Project during the Grant Period, and for such period after Practical Completion as Salix shall reasonably specify, to ensure that the Grant is being used appropriately and the Project continues to produce, or will in the future produce, the energy savings and CO2 reductions envisaged and agreed with Salix;
- 7.1.5. that it shall keep a full, accurate and proper auditable record of the progress of the Project, including all Eligible Expenditure and other costs incurred in relation to the Project and the present and future effectiveness of the Project in delivering energy savings and CO2 reductions, and shall provide such information, evidence and assistance as is reasonably required, and in such form as specified, by Salix or the Department including, but not limited to, any information relating to the amount of CO2 savings and cost effectiveness of such savings expected to be attained during and after Practical Completion of the Project.
- 7.1.6. where reasonably specified by Salix, it shall ensure that any information or evidence provided under the Agreement is audited by an identified and independent reporting accountant or otherwise confirmed or verified by a person of such other relevant expertise;
- 7.1.7. that it shall not create, or permit to subsist any mortgage, charge (whether floating or specific), pledge, lien or other security interest on any of its undertaking, property or assets comprised or utilised in the Project without prior notification to Salix.
- 7.1.8. that it will ensure at all times that it has appropriate auditing arrangements in place in relation to the Grant and its use, which shall include, but shall not be limited to, keeping and maintaining full and accurate records and evidence of the use of the Grant, including expenses defrayed, and of any third parties indirectly benefitting from the Grant, in particular contractors, manufacturers and installers of equipment installed as part of the Project;
- 7.1.9. that it will ensure that no Dangerous Substance has been deposited, disposed of, kept, treated, processed, manufactured, used, collected, sorted or produced at any time, or is present in the Environment, in connection with the Project in circumstances that are likely to result in a breach of Environmental Law;
- 7.1.10. that it will ensure that no professional engaged on the Project has specified or used anything in the work on the Project that, at the time of specification or use, was a Deleterious Material;
- 7.1.11. that it will retain the records maintained under Clause 7.1.5 for a period of not less than six years from the Grant End Date and shall allow Salix (and where necessary the Department) access to such records;
- 7.1.12. that it will provide Salix with any updated information and documentation relating to the cost of delivering the Project, the expected energy savings and CO2 reduction and any expected or anticipated changes required to the Measures or Project Programme, as soon as it becomes aware of the same;

- 7.1.13. that all estimates, forecasts and projections provided by the Recipient, or on its behalf, to Salix in connection with the Project or the Project Programme have been prepared with due care and skill, are based on information known to it and reasonably expected to be relevant, and are subject only to such assumptions and qualifications as are expressly made;
- 7.1.14. to cause Practical Completion to occur by no later than the Grant End Date and otherwise in accordance with the Project Programme and Grant Application;
- 7.1.15. that if during the Grant Period the Practical Completion is expected to occur after the Grant End Date, that the costs incurred after the Grant End Date shall be met by the Recipient from its own funds, with written consent from Salix;
- 7.1.16. that it will comply with any Specific Conditions; that it will provide Salix the evidence requested to resolve the Specific Conditions in the time specified set out in Schedule 2;
- 7.1.17. that it will maintain or cause to be maintained in full force and effect adequate insurances in respect of all its assets comprised or utilised in the Project against all risks and contingencies;
- 7.1.18. that it will ensure that all professional consultants and/or contractors involved in carrying out works on the Project hold and maintain appropriate professional indemnity insurance cover in relation to the services carried out or to be carried out and that the Recipient obtains copies of the relevant certificates;
- 7.1.19. that it will contribute funding equivalent to either the cost of the Minimum Recipient Contribution and any other costs identified outside the Grant that are submitted as part of the Grant Application and awarded Grant.
- 7.1.20. The total project costs are inclusive of any costs in compliance with the Phase 4 scheme criteria including those incurred whenever Eligible Expenditure exceeds the Grant value as stated in the Agreement The Like-for-Like Cost of replacing the fossil fuel heating plant is defined as all the costs incurred should the existing heating plant be replaced with a typical fossil fuel heating plant of the required type and size.

8. Accounts and records

- 8.1. The Recipient shall keep accurate and up-to-date accounts and records of the receipt and expenditure of the Grant monies received by it. The Grant Recipient will account for the grant funding within a dedicated project cost code in their accounting system, separate from other sources of income or expenditure.
- 8.2. The Recipient will operate the equipment installed through the project in the manner intended and in line with the carbon savings calculations submitted to Salix.
- 8.3. The Recipient shall ensure that all its sub-contractors and, where relevant, consortium members retain each record, item of data and document relating to the Project for a period of at least six years from the Grant End Date.
- 8.4. The Recipient shall comply and facilitate Salix's compliance with all statutory requirements as regards accounts, audit or examination of accounts, annual reports and annual returns applicable to itself and Salix.

9. Monitoring and reporting

- 9.1. The Recipient shall closely monitor the delivery and success of the Project throughout the Grant Period to ensure that the Agreement is being adhered to.

- 9.2. The Recipient acknowledges that Salix may monitor the Project to ensure that the Project fulfils all requirements specified by Salix and the Department, including providing the energy savings and CO2 reductions envisaged and agreed with Salix at the outset of the Project.
- 9.3. On or before the 15th day of each calendar month during the Grant Period, the Recipient must provide Salix with a report, containing the information set out in Schedule 4 of the Grant Offer Letter (Monitoring Reports) including an updated Forecast, as of the 10th day of the calendar month, together with copies of all invoices, cost breakdowns or other evidence of the total costs and expenses incurred since the previous report.
- 9.4. Where the Recipient has obtained funding from a third party for its delivery of part of the Project, the Recipient shall include the amount of such funding in the reports provided pursuant to Clause 9.4 together with details of what that funding has been used for.
- 9.5. Along with its first report provided pursuant to Clause 9.4 the Recipient shall provide Salix with a risk register and insurance review in the format requested by Salix. The Recipient shall address the health and safety of its staff in the risk register. The Recipient shall assess and document the risk of fraud, error and irregularity in the risk register, considering the full project life cycle risks, including procurement, contractors and project output.
- 9.6. The Recipient shall on request provide Salix and/or the Secretary of State with such further information, explanations and documents as Salix may reasonably require in order for it to establish that the Grant has been used properly in accordance with the Agreement.
- 9.7. The Recipient shall permit any person authorised by Salix and/or the Secretary of State such reasonable access to its employees, agents, premises, facilities and records, for the purpose of discussing, monitoring and evaluating the Recipient's fulfilment of the conditions of the Agreement and shall, if so required, provide appropriate oral or written explanations from them.
- 9.8. The Recipient shall, if so requested by Salix, permit any person authorised by Salix for the purpose to visit the Recipient once every quarter to monitor the delivery of the Project. Where, in its reasonable opinion, Salix considers that additional visits are necessary to monitor the Project, it shall be entitled to authorise any person to make such visits on its behalf.
- 9.9. The Recipient shall provide Salix with a final report with sufficient evidence to demonstrate that the project has met all the conditions set out in the grant offer letter and that the project has met the requirements for final commissioning.
- 9.10. The Recipient will operate the equipment installed through the project in the manner intended and in line with the carbon savings calculations submitted to Salix.
- 9.11. In each of the first three years from the date of Practical Completion, the Recipient shall provide Salix with a report outlining the effectiveness of the Project in delivering energy savings and CO2 reductions, and containing such other information and evidence as is reasonably requested by Salix in relation to the Project.
- 9.12. The Recipient represents and undertakes (and shall repeat such representations on delivery of the relevant report or information):
 - 9.12.1. that the reports and information it gives pursuant to this Clause 9 are accurate;
 - 9.12.2. that it has diligently made full and proper enquiry of the matter pertaining to the reports and information given; and
 - 9.12.3. that any data it provided pursuant to the Grant Application may be shared within the powers conferred by legislation with other organisations for the purpose of preventing or detecting crime.

10. Receipt of other funding sources

- 10.1. The Recipient is prohibited from accepting any other public sector or European funding in relation to the Project without first obtaining the prior written consent of Salix and the Recipient shall not claim or use any part of the Grant for any purpose other than the delivery of the Project.
- 10.2. The Recipient shall comply with the subsidy control rules applicable in the United Kingdom in relation to the delivery of the Project at the time this Grant Offer Letter is signed (including, but not limited to, the World Trade Organisation Agreement on Subsidies and Countervailing Measures; the Subsidy Control Act 2022; the UK-EU Trade and Co-operation Agreement; and the UK's other Free Trade Agreements) and shall ensure that the delivery of the Project shall not put the Secretary of State and/or Salix in breach of such subsidy control rules.
- 10.3. The Recipient acknowledges and represents to the Secretary of State and Salix that the Grant is being awarded on the basis that the Project, and related work being undertaken using the Grant, do not affect trade in goods and electricity between Northern Ireland and shall ensure that the Grant is not used in way that affects any such trade.
- 10.4. The Recipient is required to obtain and retain all declarations and information as may be required to enable the Recipient, Salix and the Secretary of State to comply with the relevant subsidy control rules, including the Subsidy Control Act 2022, and to provide copies of such declarations and information to the Secretary of State and Salix when required to do so.
- 10.5. The Recipient shall maintain appropriate records of compliance with the relevant subsidy control regime and shall take all reasonable steps to assist both the Secretary of State and Salix to comply with their obligations to maintain such records and respond to any proceedings or investigation(s) into, or in connection with, the Grant and/or Project by any relevant court or tribunal of relevant jurisdiction or regulatory body.
- 10.6. Salix may, if required to do so by the Secretary of State or any other Governmental body, recover from the Recipient, on demand, any Grant, plus interest, made in contravention of the applicable subsidy control rules.
- 10.7. The Recipient shall, if requested by the Secretary of State or any Governmental body or Salix, repay to the Secretary of State, such Governmental body or Salix, any Grant, plus interest, made in contravention of the applicable subsidy control rules.
- 10.8. The Recipient accepts that the Secretary of State and/or Salix may exercise the options referred to in paragraphs 10.6 and 10.7 where the Secretary of State and/or Salix:
 - 10.8.1. is required to cease grant funding or to recover all, or any proportion, of the Grant or any other amount by virtue of a decision of a court or any equivalent body as a result of the relevant subsidy control rules which apply in domestic UK law; or
 - 10.8.2. has reasonable grounds to consider that the payment of the Grant, or the Recipient's use of it, contravenes any requirement of law, in particular (but without limitation) the relevant subsidy control rules which apply in domestic UK law.

11. Acknowledgment and publicity

- 11.1. The Recipient shall not publish any material referring to the Project or Salix without the prior written agreement of Salix. Any draft media must be shared with Salix before engaging with the media. Salix reserves the right to add quotes and other information as necessary. The Recipient shall acknowledge the support of Salix and the Department, in any materials that refer to the Project and in any written or spoken public presentations about the Project. Such acknowledgements (where appropriate or as requested by Salix) shall include Salix's name and the Department's name (or any future name or logo adopted by Salix or the Department) using the materials provided by Salix from time to time.
- 11.2. In using Salix's name and logo, or the logo of the Department, the Recipient shall comply with all reasonable branding guidelines issued by Salix or the Department from time to time.
- 11.3. The Recipient agrees to participate in and co-operate with promotional activities relating to the Project that may be instigated and/or organised by Salix or the Department.
- 11.4. Salix and the Department may acknowledge the Recipient's involvement in the Project and the Scheme as appropriate without prior notice.
- 11.5. The Recipient shall comply with all reasonable requests from Salix and the Department to facilitate visits, provide reports, statistics, photographs and case studies that will assist Salix and the Department in its promotional and fundraising activities relating to the Project.
- 11.6. The Recipient shall respond to any surveys and market research when requested by Salix or the Department from time to time and at various milestones.
- 11.7. The Recipient shall seek permission prior to including any reference to Salix or the Department in any external facing branding. The Recipient shall acknowledge the department and Salix in this external facing branding, including hoardings, using the templates and logos supplied by Salix. The Recipient shall follow the supplied brand guidelines at all times.

12. Intellectual Property Rights

- 12.1. Salix and the Recipient agree that all rights, title and interest in or to any information, data, reports, documents, procedures, forecasts, technology, Know-How and any other Intellectual Property Rights whatsoever owned by either Salix or the Recipient before the Grant Start Date or developed by either party during the Grant Period, shall remain the property of that party.
- 12.2. Where Salix has provided the Recipient with any of its Intellectual Property Rights for use in connection with the Project (including without limitation its name and logo), the Recipient shall, on termination of the Agreement, cease to use such Intellectual Property Rights immediately and shall either return or destroy such Intellectual Property Rights as requested by Salix.

13. Confidentiality

- 13.1. Subject to Clause 14 (Freedom of Information), each party shall during the term of the Agreement and thereafter keep secret and confidential all Intellectual Property Rights or Know-How or other business, technical or commercial information disclosed to it as a result of the Agreement and shall not disclose the same to any person save to the extent necessary to perform its obligations in accordance with the terms of the Agreement or save as expressly authorised in writing by the other party.
- 13.2. The obligation of confidentiality contained in this clause shall not apply or shall cease to apply to any Intellectual Property Rights, Know-How or other business, technical or commercial information which:

- 13.2.1. at the time of its disclosure by the disclosing party is already in the public domain or which subsequently enters the public domain other than by breach of the terms of the Agreement by the receiving party;
- 13.2.2. is already known to the receiving party as evidenced by written records at the time of its disclosure by the disclosing party and was not otherwise acquired by the receiving party from the disclosing party under any obligations of confidence; or
- 13.2.3. is at any time after the date of the Agreement acquired by the receiving party from a third party having the right to disclose the same to the receiving party without breach of the obligations owed by that party to the disclosing party.

14. Freedom of information

- 14.1. The Recipient acknowledges that Salix is subject to the requirements of the Freedom of Information Act 2000 (FOIA) and the Environmental Information Regulations 2004 (EIRs).
- 14.2. The Recipient shall:
 - 14.2.1. provide all necessary assistance and cooperation as reasonably requested by Salix to enable Salix to comply with its obligations under the FOIA and EIRs;
 - 14.2.2. transfer to Salix all requests for information relating to the Agreement that it receives as soon as practicable and in any event within 2 working days of receipt;
 - 14.2.3. provide Salix with a copy of all information belonging to Salix requested in the request for information which is in its possession or control in the form that Salix requires within 5 working days (or such other period as Salix may reasonably specify) of Salix's request for such information; and
 - 14.2.4. not respond directly to a request for information unless authorised in writing to do so by Salix.
- 14.3. The Recipient acknowledges that Salix may be required under the FOIA and EIRs to disclose information without consulting or obtaining consent from the Recipient. Salix shall take reasonable steps to notify the Recipient of a request for information (in accordance with the Secretary of State's section 45 Code of Practice on the Discharge of the Functions of Public Authorities under Part 1 of the FOIA) to the extent that it is permissible and reasonably practical for it to do so but (notwithstanding any other provision in the Agreement) Salix (in consultation with the Department) shall be responsible for determining in its absolute discretion whether any information should be withheld from disclosure in accordance with the FOIA and/or the EIRs.

15. Data protection

- 15.1. Both Parties will comply with all applicable requirements of and all their obligations under the Data Protection Legislation which arise in connection with the Agreement.

16. Procurement of Capital Equipment, Goods and Services

- 16.1. The procurement of all works, equipment, goods and services required to deliver the Project must be carried out in accordance with the Recipient's internal procurement guidelines and financial regulations, and with all applicable laws including the Procurement Regulations. Salix shall not be liable for the Recipient's failure to comply with its obligations under such guidelines, regulations or laws.
- 16.1. The Recipient may be required to provide evidence to Salix of the procurement activity undertaken to select suppliers and contractors, and the contracts in place, to ensure that it aligns with the terms of this Agreement.

17. Withholding, suspending and repayment of Grant

- 17.1. Salix's intention is that the Grant will be paid to the Recipient in full. However, without prejudice to Salix's other rights and remedies, Salix may at its discretion reduce, withhold or suspend payment of all or any part of the Grant and/or require repayment of all or part of the Grant if:
- 17.1.1. the Recipient has used, or intends to use, all or any part of the Grant for purposes other than those for which the Grant has been awarded;
 - 17.1.2. the delivery of the Project does not start within 6 weeks of the Project Start Date and the Recipient has failed to provide Salix with a reasonable explanation for the delay;
 - 17.1.3. Salix, acting reasonably, considers that the Recipient has not made satisfactory progress with the delivery of the Project;
 - 17.1.4. the Recipient is, in the reasonable opinion of Salix, delivering the Project in a negligent manner and/or not in accordance with the Project Programme or Grant Application;
 - 17.1.5. the Recipient obtains duplicate funding from a third party for the Project;
 - 17.1.6. the Recipient obtains funding from a third party without prior written consent of Salix, such consent not to be unreasonably withheld;
 - 17.1.7. the Recipient provides Salix with any materially misleading or inaccurate information and/or any of the information provided in the Grant Application; in any subsequent correspondence, or discovered in any way is found to be incorrect or incomplete to an extent that Salix considers to be significant;
 - 17.1.8. the Recipient commits or committed a Prohibited Act or fails to report a Prohibited Act to Salix, whether committed by the Recipient or a third party, as soon as they become aware of it;
 - 17.1.9. any member of the Governing Body, employee, volunteer or agent of the Recipient has (a) acted dishonestly or negligently at any time and directly or indirectly to the detriment of the Project or (b) taken any actions which, in the reasonable opinion of Salix, bring or are likely to bring Salix's name or reputation into disrepute (and actions include omissions in this context) or (c) transferred, assigned or novated the Grant to a third party or (d) failed to act in accordance with all applicable laws;
 - 17.1.10. the Recipient ceases to operate for any reason, or it passes a resolution (or any court of competent jurisdiction makes an order) that it be wound up or dissolved (other than for the purpose of a bona fide and solvent reconstruction or amalgamation);
 - 17.1.11. the Recipient becomes insolvent, or it is declared bankrupt, or it is placed into receivership, administration or liquidation, or a petition has been presented for its winding up, or it enters into any arrangement or composition for the benefit of its creditors, or it is unable to pay its debts as they fall due;
 - 17.1.12. in the sole opinion of Salix, the Grant has been used for non-compliant subsidy;
 - 17.1.13. in the sole opinion of His Majesty's Revenue & Customs, the Recipient engages in tax evasion or aggressive tax avoidance;
 - 17.1.14. Salix is unable to pay the Grant to the Recipient because it has not been provided by the Department with sufficient funding to provide the Grant;

- 17.1.15. in the sole opinion of Salix, there is a financial irregularity within the Recipient which is not rectified within the timescale provided by Salix;
- 17.1.16. the Recipient undergoes a Change of Control which Salix, acting reasonably, considers:
- (a) will be materially detrimental to the completion of the Project and/or;
 - (b) causes, or would cause, the Recipient to be in breach of the Agreement;
 - (c) would raise national security concerns; or
- 17.1.17. the Recipient fails to comply with the Agreement and fails to rectify any such failure within 30 days of receiving written notice detailing the failure.
- 17.1.18. the Recipient does not provide Salix the evidence requested to resolve the Specific Conditions in the time specified set out in Schedule 2
- 17.1.19. the Recipient fails to provide accurate forecasts for their payments to Salix, in their monthly monitoring report, or regularly provide a forecast which differs substantially from the payment request submitted therefore hindering Salix from submitting accurate payment forecasts to the Department.
- 17.1.20. the Recipient fails to evidence the removal and decommissioning of the end-of-life fossil fuel heating systems as detailed in the Grant Application or following an approved project change.
- 17.1.21. the Recipient receives an adverse audit opinion, requiring the Recipient to repay funds to Salix to rectify overpayments, errors or irregularities identified during the audit.
- 17.2. Salix may retain or set off any sums owed to it by the Recipient which have fallen due and payable against any sums due to the Recipient under the Agreement or any other agreement pursuant to which the Recipient provides goods or services to Salix.
- 17.3. The Recipient shall make any payments due to Salix without any deduction whether by way of set-off, counterclaim, discount, abatement or otherwise.
- 17.4. Should the Recipient be subject to financial or other difficulties which are capable of having a material impact on its effective delivery of the Project or compliance with the Agreement it will notify Salix as soon as possible so that, if possible, and without creating any legal obligation, Salix will have an opportunity to provide assistance in resolving the problem or to take action to protect Salix and the Grant monies

18. Anti-discrimination

- 18.1. The Recipient shall not unlawfully discriminate within the meaning and scope of any law, enactment, order, or regulation relating to discrimination (whether in race, gender, religion, disability, sexual orientation, age or otherwise) in employment.
- 18.2. The Recipient shall take all reasonable steps to secure the observance of Clause 18.1 by all servants, employees or agents of the Recipient and all suppliers and sub-contractors engaged on the Project.

19. Human Rights

- 19.1. The Recipient shall (and shall use its reasonable endeavours to procure that its staff shall) at all times comply with the provisions of the Human Rights Act 1998 in the performance of the Agreement as if the Recipient were a public body (as defined in the Human Rights Act 1998).

- 19.2. The Recipient shall undertake, or refrain from undertaking, such acts as Salix requests so as to enable Salix to comply with its obligations under the Human Rights Act 1998.

20. Financial Management, Audit and Prevention of Bribery, Corruption, Fraud and Other Irregularity

- 20.1. The Recipient will at all times comply with all applicable Laws, statutes and regulations relating to anti-bribery and anti-corruption, including but not limited to the Bribery Act.
- 20.2. The Recipient must have a sound administration and audit process, including internal financial controls to safeguard against fraud, theft, money laundering, counter terrorist financing or any other impropriety, or mismanagement in connection with the administration of the Grant. Salix may require that the Recipient's internal/external auditors report on the adequacy or otherwise of those processed.
- 20.3. All cases of fraud, theft or other financial irregularity (whether actual or suspected) relating to the Project and/or use of the Grant must be notified to Salix as soon as they are identified. The Recipient shall explain to Salix what steps are being taken to investigate the fraud, theft or financial irregularity and shall keep Salix informed about the progress of any such investigation. Salix may however request that the matter is referred to external auditors or other third parties for investigation as required.
- 20.4. Salix will have the right, at its absolute discretion, to insist that the Recipient addresses any actual or suspected fraud, theft or other financial irregularity and/or to suspend future payment of the Grant to the Recipient and reserves the right to make referrals to DESNZ and/or investigating authorities or stakeholders in pursuance of this. The Recipient will be required to take appropriate action where there is evidence that a fraud has or could be committed, and/or the Recipient should reasonably suspect this to be the case.
- 20.5. The Recipient shall comply with all reasonable requests in a timely manner from Salix to engage and co-operate with the audit process and supply any documentation requested, including the facilitation of site visits.
- 20.6. For the purposes of this Clause 20, "financial irregularity" includes (but is not limited to) potential fraud or other impropriety, mismanagement, and the use of the Grant for any purpose other than those stipulated in the Agreement. The Recipient may be required to provide statements and evidence to Salix or the appropriate organisation as part of pursuing sanctions, or criminal or civil proceedings.

21. Limitation of liability

- 21.1. Salix accepts no liability for any consequences, whether direct or indirect, that may come about from the Recipient running the Project, the use of the Grant or from withdrawal of the Grant. The Recipient shall indemnify and hold harmless Salix, its employees, agents, officers or sub-contractors with respect to all claims, demands, actions, costs, expenses, losses, damages and all other liabilities arising from or incurred by reason of the actions and/or omissions of the Recipient in relation to the Project, the non-fulfilment of obligations of the Recipient under the Agreement or its obligations to third parties.
- 21.2. Subject to Clause 21.1, Salix's liability under the Agreement is limited to the payment of the Grant

22. Warranties

21.1. The Recipient warrants, undertakes and agrees that:

- 22.1.1. it is a Public Sector Body;
- 22.1.2. it has all necessary resources and expertise to deliver the Project (assuming due receipt of the Grant);
- 22.1.3. it has not committed, nor shall it commit, any Prohibited Act;
- 22.1.4. it shall at all times comply with all relevant legislation and all applicable codes of practice and other similar codes or recommendations, and shall notify Salix immediately of any significant departure from such legislation, codes or recommendations;
- 22.1.5. it shall comply with the requirements of the Health and Safety at Work etc. Act 1974 and any other acts, orders, regulations and codes of practice relating to health and safety, which may apply to employees and other persons working on the Project;
- 22.1.6. it has and shall keep in place adequate procedures for dealing with any conflicts of interest;
- 22.1.7. it has and shall keep in place systems to deal with the prevention of fraud and/or administrative malfunction;
- 22.1.8. all financial and other information concerning the Recipient which has been disclosed to Salix is to the best of its knowledge and belief, true and accurate;
- 22.1.9. it is not subject to any contractual or other restriction imposed by its own or any other organisation's rules or regulations or otherwise which may prevent or materially impede it from meeting its obligations in connection with the Grant;
- 22.1.10. it is not aware of anything in its own affairs, which it has not disclosed to Salix or any of Salix's advisers, which might reasonably have influenced the decision of Salix to make the Grant on the terms contained in the Agreement; and
- 22.1.11. since the date of its last accounts there has been no material change in its financial position or prospects which would, in the reasonable opinion of Salix, adversely affect the Recipient's ability to deliver the Project in accordance with the Project Programme, the Grant Application and the Agreement.

23. Change of Control

- 23.1. The Recipient shall notify Salix immediately in writing and as soon as the Recipient is aware (or ought reasonably to be aware) that it is anticipating, undergoing, undergoes or has undergone a Change of Control, provided such notification does not contravene any law.
- 23.2. The Recipient shall ensure that any notification made pursuant to Clause 23.1 shall set out full details of the Change of Control including the circumstances suggesting and/or explaining the Change of Control.
- 23.3. Where the Grant has been awarded to a consortium and the Recipient has entered into a collaboration agreement, the notification required under Clause 23.1 shall include any changes to the consortium members as well as the Recipient.
- 23.4. Following notification of a Change of Control, and unless Salix gave prior consent to the Change of Control, Salix shall be entitled to exercise its rights under Clause 17.1.16 by providing the Recipient with notification of its proposed action in writing within three (3) months of:

23.4.1. being notified in writing that a Change of Control is anticipated or is in contemplation or has occurred; or

23.4.2. where no notification has been made, the date that Salix becomes aware that a Change of Control is anticipated or is in contemplation or has occurred.

24. Duration

24.1. Except where otherwise specified, the terms of the Agreement shall apply from the Grant Start Date until the 3 years after the project is completed.

24.2. Any obligations under the Agreement that remain unfulfilled following the expiry or termination of the Agreement shall survive such expiry or termination and continue in full force and effect until they have been fulfilled.

25. Assignment

25.1. The Recipient may not, without the prior written consent of Salix, assign, transfer, sub-contract, or in any other way make over to any third party the benefit and/or the burden of the Agreement or, except as contemplated as part of the Project, transfer or pay to any other person any part of the Grant.

26. Waiver

26.1. No failure or delay by either party to exercise any right or remedy under the Agreement shall be construed as a waiver of any other right or remedy.

27. Notices

27.1. All notices and other communications in relation to the Agreement shall be in writing and shall be deemed to have been duly given if personally delivered or mailed (first class postage prepaid) to the address of the relevant party, as referred to above or otherwise notified in writing. If personally delivered all such communications shall be deemed to have been given when received (except that if received on a non-working day or after 5.00 pm on any working day they shall be deemed received on the next working day) and if mailed all such communications shall be deemed to have been given and received on the second working day following such mailing.

28. No partnership or agency

28.1. The Agreement shall not create any partnership or joint venture between Salix and the Recipient, nor any relationship of principal and agent, nor authorise any party to make or enter into any commitments for or on behalf of the other party.

29. Joint and several liability

29.1. Where the Recipient is not a company nor an incorporated entity with a distinct legal personality of its own, the individuals who enter into and sign the Agreement on behalf of the Recipient shall be jointly and severally liable for the Recipient's obligations and liabilities arising under the Agreement.

30. Contracts (Rights of Third Parties) Act 1999

30.1. Except as expressly provided in Clause 30.2, the Agreement does not and is not intended to confer any contractual benefit on any person pursuant to the terms of the Contracts (Rights of Third Parties) Act 1999, save that the Department may rely upon and enforce any provision of the Agreement against the Recipient.

30.2. The Agreement is also made for the benefit of the Department from time to time and all provisions of the Agreement shall be enforceable by the Department to the fullest extent permitted by law as if they were a party to the Agreement in place of Salix.

31. Governing law

31.1. The Agreement shall be governed by and construed in accordance with the law of England and the parties irrevocably submit to the exclusive jurisdiction of the English courts.

32. Entire agreement

32.1. The Agreement (together with all documents attached to or referred to within it) constitutes the entire agreement and understanding between the parties in relation to the Grant and supersedes any previous agreement or understanding between them in relation to such subject matter.

Schedule 2 : Specific Conditions

Note to Recipient: The conditions below are to be discharged by providing sufficient evidence to Salix. Payment will be made to the grant recipient once conditions have been discharged by the expected discharge date as set out in Schedule 2 below. If conditions are significantly overdue, grant payments may be withheld until these are resolved. Final grant payment will not be made until all conditions are resolved.

Conditions prior to receiving first payment:

	Condition	Milestone the condition is to be discharged by	Expected discharge date
1	The grant recipient shall provide a payment forecast by the 15th of the month following the Grant Start Date or six weeks in advance of submitting the first payment request.	N/A	15/04/2025

Conditions upon completion of relevant milestone:

	Condition	Milestone the condition is to be discharged by	Expected discharge date
1	To provide to Salix written reasoning for the selected refrigerant. Please indicate why a more environmentally friendly refrigerant has not been chosen.	Detailed Designs Complete	01/10/2026
2	Any changes to the proposed energy savings must be communicated to Salix. Any changes to the proposed energy savings must also be accompanied by an updated project form.	Detailed Designs Complete	01/10/2026
3	To provide to Salix an updated project programme.	Detailed Designs Complete	01/10/2026
4	To provide to Salix, evidence that the heat pump will perform correctly for this space heating requirement, providing detailed designs, schematics and Piping & Instrumentation Diagram, to show that emitters and other infrastructure will facilitate both the high delta T and the low return temperature proposed in your application.	Detailed Designs Complete	01/10/2026
5	To provide evidence from the DNO that for any relevant measures there is either confirmation of sufficient capacity to connect to the network; or a connection upgrade offer from the DNO	Detailed Designs Complete	01/10/2026
6	To provide to Salix data sheets for all technologies once the product specifications and manufacturers have been confirmed.	Orders Placed	01/12/2026
7	To provide to Salix a monitoring plan detailing how carbon savings will be monitored and reported following completion of the project. This plan can be communicated in a short report. If the completion of the project is extended beyond the end of the grant period, this condition is to be provided prior to the final payment claim.	Final Commissioning	01/02/2028

8	To provide to Salix an updated project form with finalised figures for all data including costs and energy values once the project is complete on site. This must be provided prior to the final grant payment and again on project completion, if an extension to the project's practical completion date has been approved by Salix.	Final Commissioning	01/02/2028
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Schedule 3: Project Programme and Expenditure Forecast

Note to Recipient: This schedule has been populated with information taken from the initial application form and discussions with the grant recipient.

The grant funding for multi-year projects is capped as per the funding set out in this Grant Offer Letter. There is no flexibility to transfer funding from one year to another.

Year 1 (2025/26)	£721,877.00
Year 2 (2026/27)	£250,000.00
Year 3 (2027/28)	£127,985.00
Total	£1,099,862.00

1. Name of Project with Submission ID

Cherwell District Council - Decarbonisation of various Council Buildings
Submission ID: 59995

2. Summary description of the Project (taken from Section 1.2 of Application Form)

Cherwell District Council (CDC) plans to decarbonise three leisure centres (Stratfield Brake Leisure Centre, Spiceball Leisure Centre and Woodgreen Leisure Centre) as well as the small clubhouse at North Oxford Academy School. CDC aims to install an air source heat pump system at Stratfield Brake Sports Grounds, specifically targeting one important building. This building houses changing rooms, showers, a bar, and a meeting room, which are frequently used by various individuals and occasionally host meetings for other councils. The installation of the air source heat pump is intended to provide energy-efficient and sustainable heating and cooling solutions for the building, ensuring comfortable conditions year-round while reducing our carbon footprint. CDC aims to install an air source heat pump system at Spiceball Leisure Centre for DHW. A previous ASHP has been installed as part of PSDS Phase 1 application, this unit serves space and pool heating. Additional fabric improvement measures are also proposed as part of this application (flange and pipework insulation). CDC aims to install two air source heat pumps at Woodgreen Leisure Centre, with one serving the wet changing room showers and heating within the bowls area, and the other serving DHW to the library, reception and gym. Additional fabric upgrades are also proposed as part of this application (loft insulation). CDC aims to install an air source heat pump at North Oxford Academy (Sports pavillion), which is to serve the DHW for the showers and space heating for the social space. Fabric upgrades are also included as part of this application (external wall insulation, loft insulation and upgrades to the existing glazing). The Council declared a Climate Emergency in July 2019 and pledged to be carbon neutral by 2030. The Council's 2020 Climate Action Framework confirms the Council's commitment to become a carbon-neutral organisation via a range of actions including reduced/cleaner travel, reduced electricity use, the addition of solar panels and retrofit of council buildings with clean heat such as heat pumps or networks. These projects that form part of the PSDS application will significantly contribute to the Council's carbon ambitions.

3. Recipient contribution

Total project value	Total grant funding requested	Recipient contribution
£1,450,773.40	£1,099,862.00	£350,911.40

4. Detailed timetable and payments schedule

Note to Recipient: Recipients are to ensure they provide accurate, updated payment forecasts as part of the monthly monitoring report, as this is used to ensure that Salix has the correct funds available to pay Recipients. Incorrect forecasts may delay payments.

Delivery Milestone Reached	Date Milestone to be Completed	Costs Associated with Completion of Milestone
Project approval	01/06/2025	£0
Pre-Design	02/06/2025	£0
Detailed designs complete	01/11/2025	£31,877.00
Out to tender	01/12/2025	£250,000.00
Tenders complete	28/02/2026	£0
Orders placed	12/03/2026	£440,000.00
Works in progress on site	01/05/2026	£250,000.00
Completed on site	02/02/2028	£100,005.00
Final commissioning	05/02/2028	£27,980.00

The grant funding for multi-year projects is capped as per the funding set out in this Grant Offer Letter. There is no flexibility to transfer funding from one year to another.

5. Key risks with mitigation measures

Number	Risk Category	Risk Description	Control Measures	Residual Risk Rating
1	Schedule	Programme delivery deadlines not achieved	Internal resources have already been allocated for project management and programme delivery. Communicate timescales to contractors during procurement process. Request continuity/ contingency plans from contractors during the procurement process. Utilise project governance processes set out in the PSDS application form to ensure approvals are achieved in a timely manner and ensure progress by the contractor is monitored and any delays in the project are rectified in a timely manner.	Moderate
2	Achieving savings	Reliability and accuracy of CDC input data	Calibration modelling suggests carbon savings are correct ballpark for the projects. During RIBA Stage 4, additional heat loss modelling will be undertaken to verify initial calculations. Regular review and validation of delivery scope to validate carbon savings. Post monitoring processes agreed and embedded with regular review of carbon savings being achieved to those initially identified. Further investigations to be undertaken where variations may occur.	Low

3	Achieving savings	Estimated carbon savings may be conservative, resulting in lower calculated savings	Calibration modelling suggests carbon savings are correct ballpark based on the inputs received. During RIBA Stage 4, additional heat loss modelling will be undertaken to verify initial calculations.	Low
4	Other	Access and public interaction	Council/Parkwood Leisure teams to liaise with stakeholders prior to structural surveys/ construction mobilisation. Construction Phase Plan and RAMS issued by contractor. CDM regulations being followed at all times.	Low
5	Feasibility	Structural surveys - Woodgreen Leisure Centre, Stratfield Brake Leisure Centre and North Oxford Academy School.	Structural surveys commissioned upon notification of PSDS grant funding.	Low
6	Feasibility	Structural survey - Spiceball Leisure Centre	Structural surveys commissioned upon notification of PSDS grant funding.	Low
7	Feasibility	Spiceball Leisure Centre - compatibility with existing BMS	Feasibility study required to understanding existing BMS and to ensure proposed system is compatible.	Low
8	Other	Anti-social behaviour - vandalism to ASHP	ASHP at Spiceball Leisure Centre to be located on roof. ASHP at the other three sites to be located in a locked enclosure.	Low

9	Other	Reputation risk, disruption during construction to users or to neighbours	Ensure competence of contractors is vetted. Parkwood Leisure to manage public interface at Spiceball Leisure Centre and Woodgreen Leisure Centre. Council team to manage public interface at Stratfield Brake Leisure Centre and North Oxford Academy School.	Low
10	Cost	Capital costs exceed estimate	ASHP projects are based on Gleeds initial feasibility report and quotation for the for boiler replacement at Stratfield Brake Sports Ground. All other costs have been developed by an LCMB engineer from their engagement with the supply chain, this includes manufacturer quotations. LCMB have also checked the values against similar recent competitive tender returns and is satisfied they represent good value for money. Where a lump sum has been provided by installers, LCMB has broken this down using typical percentage values for this application. A contingency has been added which includes for additional works and inflation. The Council has also liaised with the Greater South East Net Zero Hub and Local Partnerships who have confirmed that the costs proposed for the work required is reasonable.	Low

6. Sites where projects are taking place

#	Building Name	Unique Property Reference Number	Type of Building	Postcode	Measures
1	Spiceball	10011905417	Leisure centre	OX162BW	Heating pipework insulation (internal)
2	Spiceball	10011905417	Leisure centre	OX162BW	Heating pipework insulation (internal)
3	Spiceball	10011905417	Leisure centre	OX162BW	Air source heat pump (air to water)
4	Spiceball	10011905417	Leisure centre	OX162BW	Air source heat pump (air to water)
5	Spiceball	10011905417	Leisure centre	OX162BW	Air source heat pump (air to water)
6	Spiceball	10011905417	Leisure centre	OX162BW	Air source heat pump (air to water)
7	Stratfield Brake	10011885724	Sports ground	OX51UP	Air source heat pump (air to water)
8	Stratfield Brake	10011885724	Sports ground	OX51UP	Air source heat pump (air to water)
9	Stratfield Brake	10011885724	Sports ground	OX51UP	Air source heat pump (air to water)
10	Stratfield Brake	10011885724	Sports ground	OX51UP	Air source heat pump (air to water)
11	NOA	10012188104	Sports ground	OX160UD	External wall insulation
12	NOA	10012188104	Sports ground	OX160UD	Loft insulation
13	NOA	10012188104	Sports ground	OX160UD	Double glazing with metal or plastic frames
14	Woodgreen	10011885024	Leisure centre	OX160HS	Loft insulation
15	Stratfield Brake	10011885724	Sports ground	OX51UP	Loft insulation

16	Stratfield Brake	10011885724	Sports ground	OX51UP	Cavity wall insulation
17	NOA	10012188104	Sports ground	OX160UD	Air source heat pump (air to water)
18	Woodgreen	10011885024	Leisure centre	OX160HS	Air source heat pump (air to water)
19	Woodgreen	10011885024	Leisure centre	OX160HS	Air source heat pump (air to water)
20	Woodgreen	10011885024	Leisure centre	OX160HS	Air source heat pump (air to water)
21	Woodgreen	10011885024	Leisure centre	OX160HS	Air source heat pump (air to water)
22	Spiceball	10011905417	Leisure centre	OX162BW	Air source heat pump (air to water)
23	Spiceball	10011905417	Leisure centre	OX162BW	Air source heat pump (air to water)
24	Spiceball	10011905417	Leisure centre	OX162BW	Air source heat pump (air to water)

Schedule 4 : Monthly Monitoring Report

The monthly monitoring report is a mechanism to understand how the grant recipient is proceeding with their project each month. This process involves focusing on the milestones that have been reached, the forecast for future payment requests and any risks to the project.

The grant recipient will be issued a bespoke monthly monitoring report in an email directly from Salix. Further guidance will also be provided by Salix on how to complete this report.

These monitoring reports are a requirement of the scheme until the point of practical completion and should be provided to the assigned Salix relationship manager by the 15th of each month (or earlier if this does not fall on a working day). This will allow Salix and DESNZ to understand the current development of the project so overall scheme progress and risks can be assessed.

If the grant recipient fails to provide a completed and accurate monthly monitoring report by the stated return date this may result in payment being withheld until this has been resolved.

The grant recipient's first monthly monitoring report will be expected on the 15th of the month following the Grant Start Date.

Projects which have been awarded planning years will be required to report on a quarterly basis up until the financial year funding has been awarded in. You will then be required to report on a monthly basis during the grant period and until the Grant End Date.

If your project is delayed beyond the Grant End Date, you will be required to submit quarterly monitoring reports until your project reaches practical completion.

Schedule 5 : Payment Request

This Schedule 5 template may be subject to change. All payment requirements and templates will be shared to successful grant recipients following signing of this Grant Offer Letter.

Phase 4 Public Sector Decarbonisation Scheme (PSDS) payment requests can be submitted to Salix Finance monthly. The payment request must be completed via this template, a copy of which will be shared with the Authorising Official and should contain the following information:

To: Salix Finance Limited
2nd Floor
10 South Colonnade
Canary Wharf
London, E14 4PU

For the attention of: Phase 4 Public Sector Decarbonisation Scheme Team
Email: justin.morris@salixfinance.co.uk

From: Cherwell District Council

Date:

Submission ID: 59995

Description of Project: Cherwell District Council - Decarbonisation of various Council Buildings

Dear Sir or Madam,

Phase 4 PSDS Grant Offer Letter dated 07/03/2025 entered into between Salix and the Recipient.

1. We refer to the Phase 4 PSDS Grant Offer Letter. This is a Payment Request. Words and expressions defined in the Phase 4 PSDS Grant Offer Letter have the same meaning in this Payment Request unless given a different meaning in this Payment Request.
2. We hereby request part payment of the Grant as follows:

Amount:
Payment Date:
3. The bank details into which the PSDS Grant is to be paid are as follows:

Name of Account:
Sort Code:
Account Number:
4. We confirm that as at the date of this Payment Request and on each Payment Date:
 - (a) each payment of the Phase 4 PSDS Grant that has been received to date has been used for the Phase 4 PSDS Grant Purpose,
 - (b) each payment of the Phase 4 PSDS Grant that has been received to date has been spent on those items of expenditure listed in the Phase 4 PSDS Grant Application and such items have not exceeded the forecasted amounts listed in the Phase 4 PSDS Grant Application (without prior written agreement of Salix);

- (c) the remaining Phase 4 PSDS Grant to be provided is sufficient to meet the remaining costs required for fulfilment of the Phase 4 PSDS Grant Purpose;
 - (d) all information and evidence provided to Salix in support of the application for the Phase 4 PSDS Grant was complete, true and accurate at the time it was provided; and
 - (e) we have complied with the Phase 4 PSDS Grant Terms and Conditions in all respects.
5. This Payment Request is irrevocable.

.....
The Authorising Official

.....
Date

.....
Print Name
For and on behalf of Cherwell District Council

.....
Job Title

Schedule 6 : Specimen Signature

Name of Authorising Official:	
Position in Organisation:	
Signature:	

Schedule 7 : Phase 4 PSDS Application declarations

<p>I agree to the terms below:</p> <p>We confirm that those submitting the application are members of the public sector body and the public sector body is eligible for Phase 4 PSDS.</p> <p>The information supplied in our application form, energy savings information and supporting information is true and correct to the best of our knowledge.</p> <p>We understand that we will be required to provide Salix with monthly reports on the progress of the project, together with reasonable evidence of costs.</p> <p>We understand that if a project's timescales, or scope change, we must notify Salix.</p> <p>We agree to Salix sharing knowledge and information about our application and funded projects with both current and future clients, including the Department.</p> <p>We confirm there is no double funding for this project (i.e., that two sources of government funding are not being used to subsidise the same capital spend, including previous phases of the Public Sector Decarbonisation Scheme).</p> <p>We have read the Phase 4 Public Sector Decarbonisation Scheme Guidance Notes and agree acceptance of the content.</p> <p>We confirm that a team member and, if already appointed, a consultant will be available to answer any questions, within two working days, throughout the assessment process.</p> <p>We confirm that the eligible body has agreed to fund any like-for-like costs and costs that the grant cannot cover, as defined in the Public Sector Decarbonisation Scheme Phase 4 criteria.</p> <p>We are aware that once agreed, the total grant value cannot be exceeded, and any additional costs need to be supported by the eligible organisation directly.</p> <p>We have or will follow the agreed procurement route for this project in line with any internal procurement policy for our organisation or the relevant eligible body (where applicable).</p>	Yes
<p>We confirm that the application complies with all the relevant additionality criteria set out in the Phase 4 Public Sector Decarbonisation Scheme Guidance Notes, including that the applicant does not have readily available access to endowments or other sources of private funding that could be used to fund this project apart from the required applicant contribution.</p>	Yes
<p>We confirm that the funding for the project will be governed by the terms and conditions of the Phase 4 Public Sector Decarbonisation Scheme Grant Offer Letter</p>	Yes
<p>I declare that the information I have given on this form is correct and complete. I understand that if I knowingly provide false information this may result in further action and I may be liable for prosecution and civil recovery proceedings. I consent to the disclosure of information from this form for the purposes of verification of this application and the investigation, prevention, detection and prosecution of fraud.</p>	Yes

<p>Use of data</p> <p>Please note that information, which may include personal data, about both unsuccessful applications and funded projects collected via the application portal will be shared with the Department for Energy Security and Net Zero (the Department) and, where the Department deems it appropriate and/or consistent with the purposes for holding the data, may share this data with other government departments and public authorities as detailed in the Department's privacy notice (link). The purposes for which data may be shared will include enabling/assisting these bodies to co-ordinate decarbonisation work across the areas of the public sector for which they have responsibility.</p> <p>Administrative data will be shared with the Department's research and evaluation partners to evaluate the effectiveness of the scheme. Where consent is provided, personal data will also be shared as detailed in the Department's privacy notice (link).</p> <p>Consent to Share Data</p> <p>We understand that Salix may share our personal data with other government departments and public authorities which have a legitimate interest in the data.</p> <p>In all cases, where shared data contain personal data, they will be managed in accordance with the published the Department's privacy notice, which can be found here.</p> <p>I understand that scheme research activities may be conducted by third-parties and that my consent is sought for data to be shared with such parties in connection with these activities.</p> <p>I consent for Salix to share the data contained in this application, including personal data with third party research and contractors appointed by the Department to evaluate this scheme.</p> <p>Giving consent to this option is not a precondition for consideration of your application.</p>	<p>Yes</p>
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Schedule 8: Requirements relating to the Consortium

Not applicable

Schedule 9: Subsidy Control

Not applicable

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Cherwell District Council North Oxfordshire

Climate Action Plan Nov'24 – Apr'26

Introduction

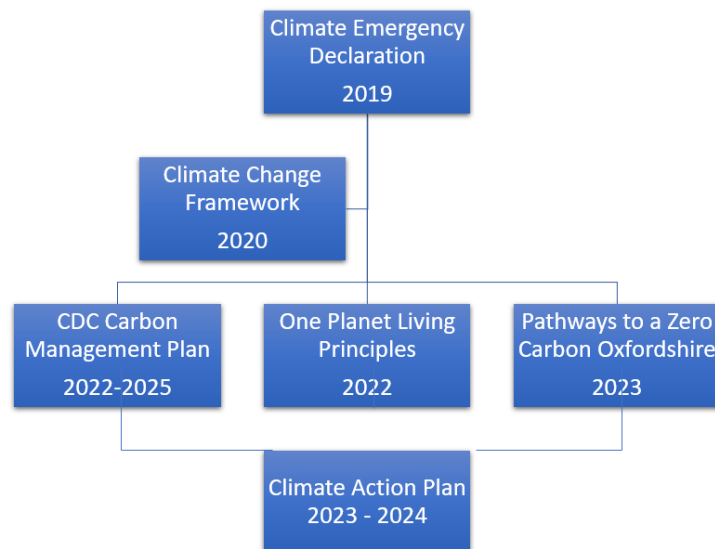
This plan was revised during the autumn of 2024, in close consultation with all services of Cherwell District Council and is authored by the Climate Action Team. It was built on the previous Climate Action Plan 2023-24 which was based upon Climate Change Framework 2020, which sets our ambitions for both the council and the wider district to become carbon net zero.

For clarification, this is an internal operational document which sets out how the council will deliver on the Climate Change Framework.

Additionally, the plan reflects several initiatives which are taking place across the county in which Cherwell District Council is a participant. Most significantly is the Pathways to a Zero Carbon Oxfordshire (PaZCO) report and plan, which has been endorsed by the Council. PaZCO is overseen by the Future Oxfordshire Partnership, whose officer and councillor Environment groups have representation from Cherwell District Council.

This Climate Action Plan takes into account the following documents:

- CDC's Climate Action Plan 2023-24
- CDC's Climate Action Framework 2020
- CDC's Carbon Management Plan 2022
- Oxfordshire Net Zero Route Map and Action Plan
- One Planet Living – Gap Analysis of CDC's Policies



The actions on the natural environment have been reviewed and supported by Oxfordshire's Local Nature Partnership, of which the Council is a member. The need to achieve Biodiversity Net Gain is becoming increasingly important and the Government's statutory requirement for qualifying development to achieve at least 10% net gain which has come into effect in November 2023. Biodiversity enhancement has a significant role to play in helping us with our climate change response.

Structure of the Action Plan

The Action Plan covers the activities needed over the next 18 months until April 2026, to reduce the emissions of both the council and the Cherwell district. Over 125 actions have been identified.

Following the introductory text, the actions are laid out in a table, the columns of which include:

- The specific goal
- The actions needed to achieve the goal
- The service area of the council which will provide most support

There are 17 goals, and the associated actions are categorised in two ways.

- Actions for the CDC
- Actions for the Cherwell District

Scope of the Action Plan

When looking at the emissions of any organisation, typically they are divided into 'scopes', in particular, Scopes 1, 2 and 3.

- Scope 1 – includes direct emissions from the burning of fuels, e.g. gas/petrol/diesel
- Scope 2 – includes indirect emissions from the generation of electricity
- Scope 3 – includes indirect emissions from an organisation's supply chain.

The target for CDC to be carbon net zero by 2030 relates only to Scope 1 and Scope 2 emissions, where the council has a strong degree of influence. Within the Action Plan, however, are actions which relate to our Scope 3 emissions, which need to be better understood in order to plan for reductions, e.g. by working closely with the supply chain.

Context

It is widely recognised that climate change is becoming the most pressing issue facing humankind. The serious impacts of climate change are already being seen across the world and the situation is unfortunately only going to deteriorate. The UK has to an extent avoided some of extreme weather events and other impacts associated with climate change, however the 40 degree heatwave experienced in 2022 gives an indication of what is likely to come in the very near future. We need to do all we can to minimise these impacts.

Current climate action is aimed at minimising the rise in global temperatures to no more than 1.5 degrees, as scientific modelling suggests that beyond that figure, the world is likely to experience severe climate disruptions that could exacerbate hunger, conflict and drought worldwide. Despite global efforts to reduce greenhouse gas emissions to support the 1.5 degree target, the significant reductions in emissions which are needed, are unfortunately not being achieved. It is, nevertheless, critical that the UK continues to do everything possible to achieve its own target of becoming carbon net zero by 2050 and CDC has an important supporting role to play.

The council's climate change work is unique in that it has some level of impact across almost every service. In areas such as healthy place-shaping and economic regeneration, climate change sits at core of the strategic thinking. This Action Plan recognises however, that there is still work to be done in helping to embed climate change into how the council functions, for example in strengthening governance arrangements.

CDC has previously declared its commitment to taking climate action, through its Climate Emergency announcement in 2019, the production of the Climate Change Framework 2020 (our climate change strategy) and the Corporate Business Plan 2023-2024, in which environmental sustainability is one of the four key priorities.

This Action Plan strengthens further CDC's commitment to tackling climate change, in setting out a wide range of over 120 actions which support emissions reductions for both the council and the district. Whilst some of the actions are currently aspirational, many are also planned and budgeted for, ensuring that they will take place. This is a reflection of much of the proactive work that CDC is already doing across its functions.

Benefits of action

The benefits of taking climate action go well beyond improving our resilience to climate change and reducing our emissions. Responding to climate change helps to make CDC a more financially resilient organisation, as we generate more of our own energy and reduce the demand for energy by making our buildings more energy efficient.

Taking climate action for the district, helps to improve the lives of residents, for example, through creating greener and cleaner public spaces, making homes warmer in the winter and easier to heat and reducing the amount of waste people generate and therefore that needs to be processed by our waste team.

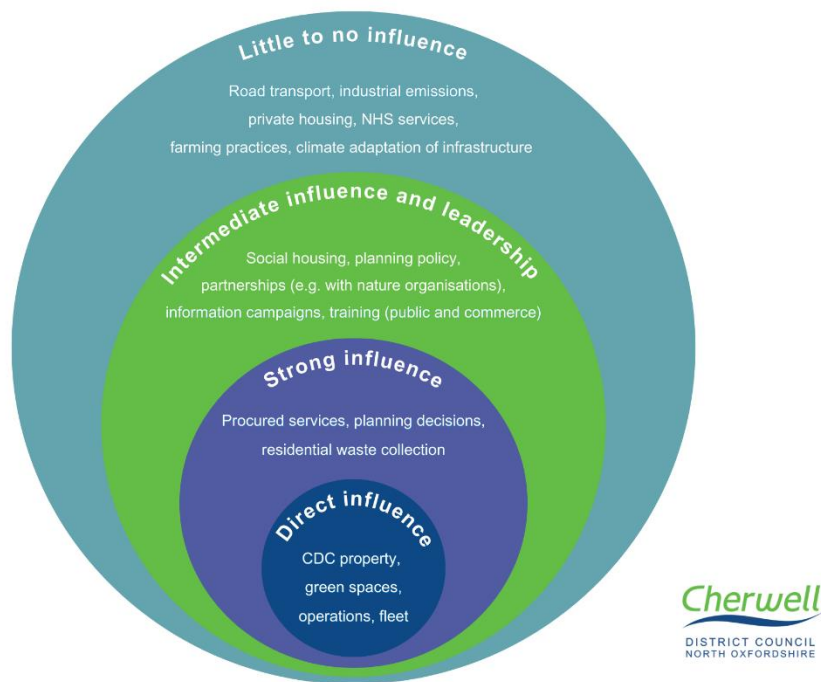
There are many more benefits to residents from taking climate action, and this is a further justification for why sustainability needs to remain a key corporate priority and why it needs to be firmly embedded across our strategic thinking and operations.

Influencing emission reductions

It is important that the council understands and uses effectively, its ability to influence emissions reductions and also to recognise where this is strong and where this is more limited. This allows for the most effective use of resources and for an on-going focus on the most important areas of activity.

The area where the council has the strongest influence is over its corporate estate and fleet vehicles, the Council's two biggest sources of emissions. In addition to policy making to help reduce emissions (e.g. through our Local Plan) we can also have a positive impact through our decision-making and operations e.g. through how we provide our Planning, Enforcement, and Waste Collection services and by management of the parks and open spaces we control.

The diagram below provides a visual representation of the council's influence on greenhouse gas emissions reductions.



Progress on climate action

Since 2008/2009, the baseline year for CDC's emissions when they were at 6,804 tonnes of CO₂e, there has been a reduction almost every year since then, with emissions in 2021/2022 at 3988. CDC's emissions are recorded annually in a Greenhouse Gas Report, which looks in detail at our energy use across our estate and operations.

Figures for the district are generated from national government data which is disaggregated down to each local authority area and shows that since 2005, Cherwell's emissions have fallen from 1.6 million t/CO₂ to 1.1 million t/CO₂. Much of that reduction, however, is due to the decarbonisation of the national electricity grid, from which further reductions are expected as the grid makes even greater use of renewable sources for the production of electricity.

In 2021, CDC received a grant of almost £6million from the government's Public Sector Decarbonisation Scheme (PSDS), leading to significant investments in our leisure centres including heat pumps. This is expected to make an import reduction in our annual emissions. Other corporate sites have received investments too, and further work is planned to expand the amount of Solar PV across the corporate estate.

Work has also begun on decarbonising our fleet, through the purchase of several EVs with more expected to arrive before the end of 2024-2025 financial year. Funding is being identified to build a strong businesses case for decarbonising the fleet and presenting various pathways to achieving this by 2030.

Across other areas of the council, climate action is being included, for example in expenditure under the Shared Prosperity Fund, the emerging Local Plan, Banbury Vision 2050 and in the process of healthy place-shaping.

Delivering emissions reductions

The biggest reductions to the council's emissions will come from focussing on the leisure centres, the fleet and the remainder of the corporate estate, respectively. Some of the most important actions in the Plan, will not themselves reduce emissions, but are essential steps in leading to the large emissions we need to see. For example, undertaking an energy audit on a building and identifying appropriate energy efficiency measures is the first step in decarbonising, before identifying and targeting funding sources accordingly.

This Plan contains a wide range of actions across many areas of both council activity and district activities, and if implemented will lead to falls in greenhouse gas emissions.

The funding of climate action will come from a range of sources, reflecting the wide range of areas where action is needed. Government grants, such as the Public Sector Decarbonisation Scheme (PSDS), will continue to be a critical source of funding to support the energy efficiency of our buildings. The LEVI scheme (Local Electric Vehicle Infrastructure) will support the expansion of the county's charging infrastructure for electric vehicles. CDC will have to bear some costs, e.g. providing match funding for PSDS, initiating consultancy studies to inform our decision-making, e.g. the best buildings for optimising arrays of Solar PV.

The picture of funding for climate action is complex and is still emerging, with future models still needing to be investigated and better understood, e.g. municipal bonds. The council will however, continue to be proactive in seeking as many sources of funding as possible to support our climate change ambitions.

Glossary

Biodiversity Net Gain – a net improvement to an area's biodiversity, following a new development, e.g. housing

Carbon Net Zero – when all available steps have been taken to reduce emissions and off-setting is required for residual emissions which cannot be prevented

Carbon Neutral – when an organisation balances its emissions by off-setting the equivalent amount. In theory, this allows an organisation to continue using producing greenhouse gas emissions and to make no reduction.

CO₂e – carbon dioxide equivalent

Greenhouse gases – the gases that are produced from the burning of fossil fuels and other industrial and agricultural activities and which have a warming effect upon the climate, e.g. carbon dioxide

Off-setting – the process of balancing out greenhouse gas emissions, either through the production of renewable energy or through nature-based solutions.

Nature-based solutions - an approach to reducing greenhouse gases by using nature to absorb emissions, e.g. through planting trees or restoring peatlands.

Climate Action Plan

The Action Plan is based on upon 17 goals which support the council's and the district's ambitions to become carbon net zero.

Cherwell District Council Goals	
1.	Reduce emissions from Cherwell DC buildings to net zero by 2030
2.	Reduce emissions from Cherwell DC fleet to net zero by 2030
3.	Reduce emissions from staff behaviour to net zero by 2030
4.	Reduce emissions from Cherwell DC's procurement
5.	Reduce emissions from CDC's Landscape Contract to net zero by 2030
6.	Other aspects of CDC's activities
7.	Targets date for achieving carbon net zero
Cherwell District Goals	
8.	Ensure emerging Local Plan is compatible with Cherwell becoming net zero carbon
9.	Support emission reductions from transport
10.	Support emission reductions from housing
11.	Support emission reductions from businesses
12.	Enhance the district's natural capital to support carbon off-setting and biodiversity enhancement
13.	Decarbonising the district's energy
14.	Waste
15.	Support OCC's work on adaptation
16.	Partnership working
17.	Governance, monitoring, and communication

Climate Action Plan Nov'24 - Apr'26

	Action	Supporting Area(s)
1	Reduce emissions from Cherwell DC buildings to net zero by 2030	
1.01	Continue to include low-carbon measures when carrying out routine buildings improvements.	Property
1.02	Agree approach to decarbonising the corporate estate, including a phased plan.	Property
1.03	Upgrade existing supply to Thorpe Lane Depot to allow charging of EV RCVs.	Property
1.04	Install solar PV car ports at Kidlington and Spiceball Leisure Centres.	Property
1.05	Additional Solar PV at Community Centres.	Property
1.06	Carry out investment-grade energy audit at Stratfield Brake Pavilion	Climate Change
1.07	Procurement and project delivery of the solar projects for BLC	Leisure
1.08	Delivering a plan to ensure the EPC performance of buildings is in line with our 2030 target.	Property
1.09	Removal of radiant gas heaters at Thorpe Lane Depot.	Property
1.10	Optimise and integrate the building mgmt systems (BMS) to support with the recently installed energy efficiency measures in CDC's buildings	Leisure/Property
1.11	Submit an application to the Public Sector Decarbonisation Scheme.	Climate Change
1.12	Work with the GSE Net Zero Energy Hub to support heat decarbonisation in corporate buildings	Climate Change
1.13	Produce a design for the new fleet depot at Graven Hill.	Environmental Services
1.14	Any new buildings, e.g., leisure centres/Community centres, to be built to be as low carbon as financially viable.	All Services

1.15	Working with CDC procurement and legal to procure a tender package to appoint a technical adviser (company) to take energy usage reporting and suitable and sufficient tariffs forward also managing the AMRs and upcoming MOP contract in 2026.	Facilities
1.16	Carry out audit of buildings/car parks, to identify opportunities for additional energy generation.	Climate Change
1.17	Explore opportunities across council estate for reducing energy demand, e.g. LED lighting; air handling	Property
1.18	Searching suitable and sufficient products for new/old properties	Facilities
1.19	Changing cleaning chemicals	Facilities
1.20	Procuring suitable energy efficient products and services and adding clauses of sustainability in the contract and/or new tenders	Facilities
1.21	Procurement and project delivery of the solar projects for BLC	Leisure
1.22	Localised Service Plan Target of reducing 5% (absolute number) of electricity/Gas/water consumption usage for Leisure/Community Centres.	Leisure
2	Reduce emissions from Cherwell DC fleet to net zero by 2030	
2.01	Upgrade existing supply to Thorpe Lane Depot to allow charging of EV RCVs.	Property
2.02	Increase EV fleet to 25% by Jun’25	Fleet
2.03	Produce business case and pathways for decarbonising the fleet	Fleet
2.04	Continue to optimise routes for RCVs.	Fleet/Landscape
2.05	Continue to monitor the market for new technologies around HGVs.	Fleet
2.06	Awaiting the outcome of the Environment Act regarding waste collection and the potential need to expand the service.	Fleet
2.07	Explore other fuel types for the fleet	Waste Services
2.08	Minimize fuel consumption	Waste Services

3	Reduce emissions from staff behaviour to net zero by 2030	
3.01	Plan and begin delivery of a programme of Carbon Literacy training for staff.	HR
3.02	Consider the viability of e-bikes and e-cargo bikes for business journeys	Climate Change/Facilities
3.03	Review the success of EV pool car pilot project	Climate Change
3.04	Install EV charging points at council-owned sites to support the use of staff-owned EVs.	Property
3.05	Produce an evidence base for commuter miles in order to be able to address business mileage.	HR
3.06	Promote better use of recycling facilities in corporate buildings.	Facilities
4	Reduce emissions from Cherwell DC's procurement	
4.01	Annually track emissions from procurements with individual contractors via an annual report of CDC's scope 3 emissions	Procurement
4.02	Identify the suppliers/contractors with the highest emissions	Procurement
4.03	Produce outline 5-year plan for reducing Scope 3 emissions from Procurement	Procurement
5	Reduce emissions from CDC's Landscape Contract	
5.01	Consider if next contract can include the use of electric vehicles and machinery.	Environmental Services
6	Other aspects of CDC's activities	
6.01	Produce the 2023/2024 Greenhouse Gas Report	Climate Change
6.02	Support Cherwell DC's 'transformation' process, in identifying climate actions for Service Areas.	Climate Change
6.03	Second an additional member of staff to support climate change activity.	Climate Change

6.04	Produce a robust evidence base showing how Cherwell can become a carbon net zero district and CDC a carbon net organisation	Climate Change
6.05	Increase capacity of Cherwell DC to support its 2030 net zero target, as well as the ambition for the district to become carbon net zero.	Corporate Leadership Team
6.06	Climate actions to feature in all Business Plans	All Services/Leisure
6.07	Explore new funding mechanisms to support delivery of net zero actions	Climate Change
6.08	Identifying sources of funding to support CDC’s and Cherwell District’s Net Zero Pathways	Finance
7	Target dates for achieving carbon net zero	
7.01	Obtain clear data on possible net zero pathways for the Cherwell District and CDC	Climate Change
7.02	Agree a revised target date for net zero carbon for the district.	Climate Change
8	Ensure emerging Local Plan is compatible with Cherwell becoming net zero carbon	
8.01	Ensure the timely production of a deliverable Cherwell Local Plan, to strengthen our policies to respond to climate change	Planning
8.02	Ensure a suite of planning policies are included to support climate change mitigation and adaptation. For example: <ul style="list-style-type: none">• Net zero development• Biodiversity Net Gain• Green Infrastructure• Low carbon and active travel Decentralised and renewable energy systems	Planning
8.03	Ensure national policy successes are reviewed, responded to, and where possible incorporated into the Local Plan	Planning
8.04	Support partnership working, e.g. Future Oxfordshire Partnership (FOP), utility providers, other local authorities, to engage proactively on common policies that support climate action.	Planning

8.05	Through planning policy, establish the viability of ensuring all houses in major new build developments are designed to at least meet the 2025 targets of the RIBA 2030 Climate Challenge	Planning
8.06	Understand the viability of incorporating into the Local Plan a requirement for developers to target industry standards regarding construction waste reduction, resource efficiency and circular economy principles.	Planning
8.07	Consider the principles of One Planet Living through the Local Plan process.	Planning
9	Support emission reductions from transport	
9.01	Work with OCC to implement LEVI funding to expand EV infrastructure in Cherwell	Climate Change
9.02	Support the development of local cycling and walking infrastructure plans	Leisure/Wellbeing
9.03	Continue to work closely with OCC as Local Highway Authority to support the improvement in the provision of public transport in Cherwell and active travel	Planning
9.04	Increase the number of people walking and cycling in conjunction with healthy place shaping principles	Leisure/Wellbeing
10	Support emission reductions from housing	
10.01	Promote energy efficiency opportunities, e.g. HUG/Heat Pump Ready Scheme/Cosy Homes Oxfordshire/LEAP/ECO4	Communications
10.02	Work to ensure the delivery of requisite infrastructure and affordable housing at NW Bicester whilst maintaining as many of the net zero carbon objectives as possible, linking with viability discussions.	Bicester & Planning Teams
10.03	Improve our understanding of the district’s housing stock so that we can prioritise funding	Housing
10.04	Understand with Registered Providers to establish what measures are being taken to increase energy efficiency of social housing.	Housing

10.05	Engagement with retrofit market to better understand capacity and capability	Economic Growth
10.06	Understanding the property in the private sector: people living in various housing/taking stock of energy efficient housing	Housing
10.07	Offer home improvement loan scheme through a third party but enabled by CDC.	Housing
11	Support emission reductions from businesses	
11.01	Sustainable Construction Skills & Supply Chains – enable pipeline of skills and labour through apprenticeships/training opportunities, related to skills and training plans in s106 planning conditions and increasing social value of contracts through future pledge to the Oxfordshire Inclusive Economy Partnership.	Economic Growth
11.02	Support businesses to Decarbonise and Improve the Natural Environment	Economic Growth
11.03	Support industry decarbonisation by promoting the switch from burning gas and other fuels to burning sustainable alternatives such as green hydrogen through new Local Plan policies.	Planning Policy
11.04	Cherwell-focussed business forum/network – consider the role of Greentech in drawing resources into Cherwell to support businesses to reduce emissions.	Economic Growth
11.05	Sustainable Business Award - Continue to support (through the Cherwell Business Awards 2024) to showcase business best practice and innovation in all sectors.	Economic Growth
11.06	Green Skills - Provision of free Retrofit Construction Skills courses	Economic Growth
11.07	Facilitate completion of business carbon emissions assessments and/or carbon reduction plans	Economic Growth
12	Enhance the district’s natural capital to support carbon off-setting and biodiversity enhancement	

12.01	Consider the feasibility of a planning policy to achieve 20% Biodiversity Net Gain from new development	Planning
12.02	Work with the Local Nature Partnership to explore the establishment of an Oxfordshire-based carbon offsetting scheme, potentially aligned to Oxford City's Area-Based In-setting approach.	Climate Change
12.03	Produce a management plan for Longford Park to reduce regular mowing activities, improve biodiversity and engage with the community	Environmental Services
12.04	Enhancement of Banbury Country Park, Longford Park, Burnehyll Woodland and Graven Hill to support biodiversity and carbon sequestration	Environmental Services
12.05	Support key biodiversity partners and local communities to protect, manage and enhance habitats which have biodiversity value and carbon removal/storage functions.	Environmental Services
12.06	Support and promote wellbeing initiatives that encourage residents to look after their natural environment, connect them with nature and improve access to local green spaces.	Wellbeing/Biodiversity/Communities
12.07	Develop a comprehensive tree/forest strategy in order to increase tree planting rates within the district and ensure long-term maintenance/stewardship of forests/woodlands	Environmental Services
12.08	Supporting the county-wide Local Nature Recovery Strategy process which is being led by Oxfordshire County Council with the support of the Local Nature Partnership.	Environmental Services
12.09	Support emergence and facilitation of farmer clusters, boosting their key role in delivery of landscape-scale natural capital enhancement.	Environmental Services
12.10	Explore with neighbouring planning authorities, the extent to which the Local Nature Recovery Strategy can be incorporated into the Local Plan and related decision-making processes.	Planning
12.11	Enable Planning and Communities officers to integrate elements of Natural England's Green Infrastructure Framework into the new Local Plan and other delivery plans.	Planning/Wellbeing
12.12	Increase the amount of natural capital in Cherwell through additional habitat creation, especially in urban areas.	Environmental Services

12.13	Aim to increase the biodiversity value of our Local Wildlife Sites, by increasing frequency of monitoring and provision of improved management guidance.	Environmental Services
12.14	Endorse and support delivery of the Oxfordshire Nature Finance Strategy, including exploring the potential role of the council in the establishment of an Oxfordshire Environment Fund.	Environmental Services
12.15	Work with partners to ensure availability of sufficient biodiversity net gain offset sites in Cherwell to ensure that the maximum biodiversity and carbon capture value of this policy is retained within the district. That this is targeted at priority nature recovery areas as defined by the draft Nature Recovery Network and the forthcoming Local Nature Recovery Strategy.	Planning
12.16	Support Bernwood Otmore Ray, as a key landscape recovery project in the District	Environmental Services
13	Decarbonising the district's energy	
13.01	Complete a Techno-Feasibility Study on a Banbury Heat Network	Climate Change/Banbury
13.02	Participate in a county-wide Local Area Energy Plan process	Climate Change
13.03	Support officers working on development at NW Bicester around the provision of low-carbon energy sources.	Climate Change
13.04	Co-ordinate and liaise with the energy study, looking at renewable energy for NW Bicester	Bicester Team
13.05	Support opportunities for community-owned renewable energy schemes	Climate Change
14	Waste	
14.01	Increase rates of domestic recycling (currently c.55%) in line with the Oxfordshire Waste Strategy, which is aiming for 70%	Waste Services
14.02	Support the work of the Cherwell Food Action Waste Group	Waste Services/Wellbeing
14.03	Work with internal/external partners and others to minimise waste arisings from domestic and commercial sources	Waste Services

14.04	Reduce recycling contamination	Waste Services
14.05	Measure and analyse CO2 from collected waste	Waste Services
14.06	Reduce annual tonnage of general waste collected	Waste Services
15	Support OCC's work on adaptation	
15.01	Understand the threats to CDC's estate, assets and operations from climate change	Climate Change
15.02	Identify areas for action for CDC	Climate Change
15.03	Understand the threats to Cherwell from climate change, e.g. public health; the local economy	Climate Change
15.04	Enhancing the green spaces in Banbury town centre	Banbury
16	Partnership working	
16.01	Support Banbury Master Planning to ensure sustainability is at the heart of the process	Climate Change/Banbury
16.02	Continue with partnership working as a key approach to delivering carbon reductions across the district.	Climate Change
16.03	Support the implementation of the Oxfordshire Net Zero Route Map	Climate Change
16.04	Support the work of the Local Nature Partnership's <i>Natural Capital</i> group	Climate Change
16.05	Continue to liaise and work closely with other local authorities across Oxfordshire	Climate Change
16.06	Explore opportunities for closer collaboration with neighbouring authorities around resident communication	Climate Change
16.07	Support community groups and parish councils in best practice and advice	Climate Change
16.08	Work with OCC to develop circularity strategy; Increase Circular waste economy	Waste Services
16.09	Support Kidlington Area Strategy Development to incorporate sustainable development actions	Kidlington
17	Governance, monitoring, and communication	

17.01	Report annually to the Executive on climate change progress	Climate Change
17.02	Report twice a year to the Corporate Leadership Team on climate change progress	Climate Change
17.03	Report twice a year to the Overview & Scrutiny Committee on climate change progress	Climate Change
17.04	All reports that go to Executive and Corporate Leadership Team to continue to include an Environmental Impact section.	Climate Change
17.05	Review existing arrangements for delivering climate change activity, to ensure more effective and closer working between officers across CDC	Climate Change
17.06	Meet regularly with the Climate Change Working Group to review and discuss climate action activities	Climate Change
17.07	Review overall progress of Action Plan and prepare a new one for the next 12 months	Climate Change
17.08	Provide emissions data to OCC	Property, Leisure, HR, Fleet, Climate Change
17.09	Monitor how much waste is being processed through closed loop recycling	Waste Services
17.10	Climate Action, recurring social media messages 2024 – 2025	Communications
17.11	Identify activities being delivered by council service areas and the council's partners in the district which aim to reduce emissions and increase biodiversity and work to promote them where appropriate to help make them as effective as possible.	Communications

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This report is public	
Finance and Performance Monitoring Report End of Year 2024-2025	
Committee	Executive
Date of Committee	10 June 2025
Portfolio Holder presenting the report	Portfolio Holder for Finance, Property and Regeneration, Councillor Lesley McLean and Portfolio Holder Corporate Services, Councillor Chris Brant
Date Portfolio Holder agreed report	28 May 2025
Report of	Assistant Director of Finance (S151 Officer), Michael Furness and Assistant Director – Customer Focus, Shona Ware

Purpose of report

To report to Executive the council's financial position and performance at the end of Year 2024-25.

1. Recommendations

The Executive resolves:

- 1.1 To consider and note the contents of the council's financial and performance report at the End of Year 2024-25.
- 1.2 To approve the reprofiling of capital projects beyond 2024/25 (section 4.2.3 and Appendix 1) and the subsequent update to the programme budget for this financial year 2025/26.
- 1.3 To approve the reserve movements in Appendix 5.
- 1.4 To note outturn for 2024/2025 which is a surplus of (£0.162m) after the proposed contributions to reserves of £2.020m

2. Executive Summary

2.1 This report is split into two sections:

- Finance
- Performance

2.2 The Finance section presents the outturn position for the 2024/25 financial year.

- 2.3 The Performance section sets out how the council has performed against its priorities for 2024-25, which are set out in its Outcomes Framework.

Implications & Impact Assessments

Implications		Commentary		
Finance		Financial and Resource implications are detailed within sections 4.1 and 4.2 of this report. The reserves policy requires Executive to agree transfers to and from earmarked reserves and general balances during the financial year. Joanne Kaye, Head of Finance, 21 May 2025		
Legal		There are no legal implications arising at this stage. The Council has a fiduciary duty to council taxpayers, which means it must consider the prudent use of resources, including control of expenditure, financial prudence in the short and long term and the need to act in good faith in relation to compliance with statutory duties and exercising statutory powers. The Council has a statutory obligation to maintain a balanced budget and the monitoring process enables Executive to remain aware of issues and understand the actions being taken to maintain a balanced budget. The report sets out as at March 2025 finance position for the Council as part of its fiduciary duty to implement budgetary controls and monitoring. Denzil Turbervill, Head of Legal, 7 May 2025		
Risk Management		There are no risk implications arising directly from this report. Juile Miles, Performance Analyst and Developer, 19 May 2025		
Impact Assessments		Positive	Neutral	Negative
Equality Impact			X	
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			X	

lives of people with protected characteristics, including employees and service users?				
Climate & Environmental Impact				N/A
ICT & Digital Impact				N/A
Data Impact				N/A
Procurement & subsidy				N/A
Council Priorities	This report links to all council's priorities, as it summarises our progress against them till End of Year 2024-25.			
Human Resources	N/A			
Property	N/A			
Consultation & Engagement	N/A			

Supporting Information

3. Background

- 3.1 The council actively and regularly monitors its financial and performance positions to ensure it can deliver its corporate priorities and respond effectively to emerging issues.
- 3.2 This monitoring takes place monthly for finance, and quarterly for performance, so the council can identify potential issues at the earliest opportunity and put measures in place to mitigate them.
- 3.3 These updates are consolidated into a single report given the implications and interdependencies between them, and this is the summary for the end of Year 2024-25.

4. Details

4.1 Finance Update

The council's overall yearend position for 2024/25 is a surplus of (£0.162m) which will be transferred to general fund balances. This is subject to the agreement of the proposed transfers to reserves of £2.020m as detailed at the bottom of table 1.

Table 1: Year End Position

Service	Current Budget £m	Spend to March 2025 £m	2025 Year End Variance (Under) / Over £m	% Variance to current budget %	January Variance (Under) / Over £m	Change since Previous (better) / worse £m	
Finance	3.246	3.193	(0.053)	-1.6%	0.000	(0.053)	
Legal, Democratic, Elections & Procurement	2.530	2.673	0.143	5.7%	0.125	0.018	
ICT	1.730	1.756	0.026	1.5%	0.000	0.026	
Property	(2.317)	(2.229)	0.088	3.8%	0.224	(0.136)	
HR & OD	0.856	0.893	0.037	4.3%	0.030	0.007	
Customer Focus	2.526	2.365	(0.161)	-6.4%	(0.130)	(0.031)	
Resources & Transformation	8.571	8.651	0.080	0.9%	0.249	(0.169)	
Planning & Development	2.343	2.295	(0.048)	-2.0%	0.115	(0.163)	
Growth & Economy	0.379	0.476	0.097	25.6%	0.014	0.083	
Environmental	6.459	7.122	0.663	10.3%	0.371	0.292	
Regulatory	1.162	1.036	(0.126)	-10.8%	(0.047)	(0.079)	
Wellbeing & Housing	2.396	2.460	0.064	2.7%	(0.050)	0.114	
Communities	12.739	13.389	0.650	5.1%	0.403	0.247	
Subtotal for Directorates	21.310	22.040	0.730	3.4%	0.652	0.078	
Executive Matters	4.400	2.725	(1.675)	-38.1%	(0.182)	(1.493)	
Policy Contingency	1.277	0.219	(1.058)	-82.9%	(0.470)	(0.588)	
Total	26.987	24.984	(2.003)	-7.4%	0.000	(2.003)	
FUNDING	(26.987)	(27.166)	(0.179)	0.7%	0.000	(0.179)	
(Surplus)/Deficit before proposed transfers to reserves	0.000	(2.182)	(2.182)		0.000	(2.182)	

Move to interest Reserve 1.070

Market Risk Reserve -

Employers NI 0.200

Elections Reserve 0.250

LGR Reserve 0.250

Planning Reserve 0.250

(Surplus)/Deficit - to General Fund

(0.162)

Note: A positive variance is an overspend or a reduction in forecast income and a (negative) is an underspend or extra income received.

Green represents an underspend and red represents a overspend for the outturn position.

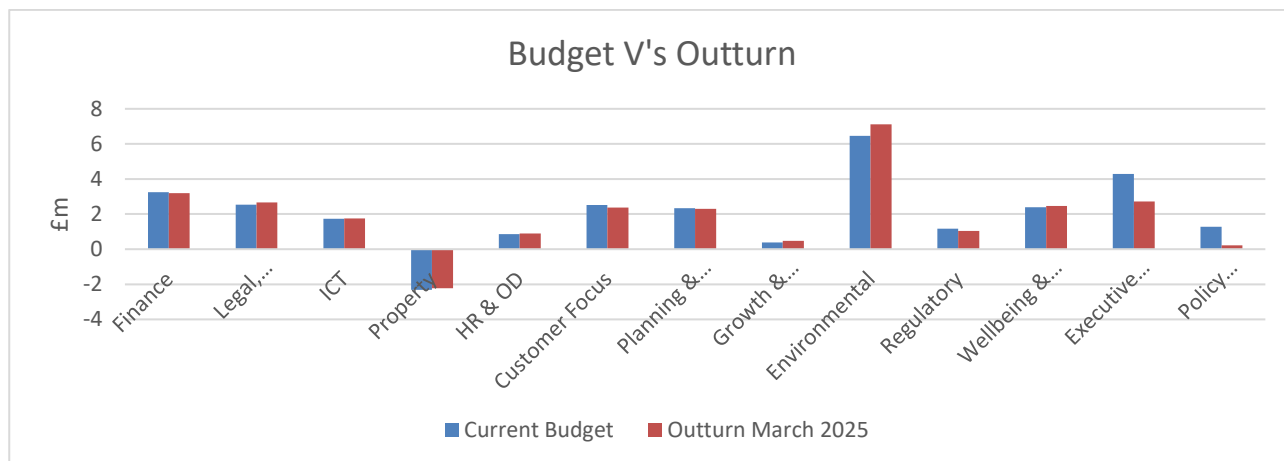
4.1.2 Table 2 below analyses the variances to distinguish between base budget variances and variances resulting from the non-delivery of previously approved savings. The non-delivery of savings has a knock-on impact on the Medium-Term Financial Strategy as failure to deliver on an ongoing basis adds to future pressures.

Table 2: Analysis of Variance – March 2025

Breakdown of current month forecast	Spend to March 2025 £m	Base Budget Over/ (Under) £m	Savings Non-Delivery £m
Resources	0.080	(0.147)	0.227
Communities	0.650	0.248	0.402
Subtotal Directorates	0.730	0.101	0.629
Executive Matters	(1.675)	(1.675)	0.000
Policy Contingency	(1.058)	(1.058)	0.000
Total	(2.003)	(2.632)	0.629
FUNDING	(0.179)	(0.179)	0.000
(Surplus)/Deficit	(2.182)	(2.811)	0.629

4.1.3 The graph below shows the Budget compared with the forecast to the end of the financial year.

Graph 1: Budget compared with Outturn



4.1.4 Table 3 below summarises the major forecast variances for the reporting period. Further details can be found in Appendix 2.

Table 3: Top Major Variances:

Service	Current Budget	Variance	% Variance
Environmental	6.459	0.663	10.3%
Legal, Democratic, Elections & Procurement	2.530	0.143	5.7%
Executive Matters	4.400	(1.675)	-38.1%
Policy Contingency	1.277	(1.058)	-82.9%
Customer Focus	2.526	(0.161)	-6.4%
Regulatory	1.162	(0.126)	-10.8%
Total	18.354	(2.214)	

Reserves

4.1.5 Allocations to and from reserves are made according to the Reserves Policy. Table 5 below summarises the movements which have been requested as at 31 March 2025, more details can be found within Appendix 5.

Table 5: Reserves:

Reserves	Balance 1 April 2024	Original Budgeted use/ (contribution)	Changes agreed since budget setting	Changes proposed March 2025	Balance 31 March 2025
	£m	£m	£m	£m	£m
General Balance	(6.153)	0.000	(1.700)	0.000	(7.853)
Earmarked	(28.325)	(0.776)	0.290	(2.454)	(31.265)
	0.000	0.000	0.000	(0.033)	(0.033)
Ringfenced Grant	(2.552)	0.898	0.297	(0.562)	(1.919)
Subtotal Revenue	(37.030)	0.122	(1.113)	(3.049)	(41.070)
Capital	(6.293)	3.250	0.000	(2.277)	(5.320)
Total	(43.323)	3.372	(1.113)	(5.326)	(46.390)

Under the delegated authority outlined in the reserves policy, the Assistant Director of Finance has approved the contributions to and uses of capital reserves for 24/25. This includes usage of £1.496m of capital receipts and £0.679m of capital grants unapplied which were used to support the overall funding of the capital programme. This usage reduces the Council's Capital Financing Requirement and therefore the associated ongoing Minimum Revenue Provision which is met from the revenue budget. The table shows a net proposed change of (£2.277m) reflecting that the majority of the £3.25m budgeted usage has been reprofiled and the capital receipts and capital grants unapplied that have been received in year.

*According to the Reserves Policy Executive are only required to approve uses of Capital Reserves, not contributions.

4.2 Capital

4.2.1 Table 6 below summarises the projected year end forecast for profiled spend in 2024/25 and Table 7 summarises the financing. There is an in-year underspend of (£0.776m), with £0.206m that is recommended to be reprofiled into future years. The current month variance is due to underspends on the Town Centre House Purchase & Repair (£0.425m), Castle Quay (£0.373m) and (£0.150m) Discretionary Grants Domestic Properties, Community Centre Works (£0.073m) and overspends on the following, Bicester East Community Centre £0.084m, Sunshine Centre £0.088m and Development of New Land Bicester Depot £0.063m and minor variances totalling £0.010m. Further detail can be found in appendix 1. Projects that are recommended to have budget reprofiled from 2024/25 are detailed in Table 9.

Table 6: Capital Year End Outturn

Directorate	Revised Budget £m	Actual Spend 2024/25 £m	Re-profiled beyond 2024/25 £m	Variance to Budget £m	Prior Month Variance to Budget £m
Resources & Transformation	7.442	7.265	0.000	(0.177)	(0.002)
Communities	7.345	6.539	0.206	(0.599)	(0.546)
Total	14.787	13.804	0.206	(0.776)	(0.548)

For further detail on individual schemes please see Appendix 1.

Note: A positive variance is an overspend or a reduction in forecast income and a (negative) is an underspend or extra income received.

Green represents an underspend and red represents a overspend for the outturn position.

Table 7: How the Capital Programme is financed

Financing	2024/25	Future Years £m	Total
Borrowing	10.972	11.015	21.987
Capital Grants	2.080	9.202	11.282
Capital Receipts	0.425	5.896	6.321
S106 Receipts	1.310	4.489	5.799
	14.787	30.602	45.389

4.2.2 Table 8 below summarises the spend against the full capital programme (i.e. spend across all years of the capital programme). Since January's report there has been an increase in underspend in the programme of (£0.162m) predominantly due Castle Quay (£0.140m) and Community Centre Works (£0.073m) and other minor variations.

Table 8: Total Capital Project Outturn

Directorate	Budget £m	Actual Spend 2024/25 £m	Variance to Budget £m	Prior Month Variance to Budget £m
Resources & Transformation	12.943	12.766	(0.177)	(0.002)
Communities	32.446	31.847	(0.599)	(0.546)
Total	45.389	44.613	(0.776)	(0.548)

4.2.3 Table 9 below details the capital scheme which it is recommended budgets are reprofiled from 2024/25 to 2025/26 or beyond. The reprofiling of capital budgets can be for several reasons and is common on multi-year projects. The reasons for the recommendations are summarised in section 4.2.4.

Table 9: Requested capital budget reprofiling

Code	Top In-Year Variances	Budget Total £'000	Reprofile to 24/25 £'000	% of in year Budget Variance
40286	Transforming Market Square Bicester	225	96	42.67%
40288	UKSPF Rural Fund	408	11	2.69%
40028	Vehicle Replacement Programme	726	52	7.16%
40303	S106 Hanwell Fields Community Centre Projects	20	4	20.00%
40319	Local Authority Housing Fund R2	304	7	2.30%
40324	Development of Activity Play Zones	7	3	42.85%
40328	S106 – Windmill Community and Sports Centre Tennis Courts	51	16	31.37%
40329	Spiceball Leisure Centre Structural Beams	30	17	56.67%
		1.771	206	

4.2.4 Capital schemes recommended to be reprofiled:

- Transforming Market Square Bicester (40286)
The market square preferred concept design has been chosen with significant input from the local businesses and the Bicester community, with this work coming in below the estimated/projected budget. The next steps are to establish the programme of development including the initial cost analysis, which will be undertaken by our project consultants. This will be completed by May 2025. During the summer 2025 we will begin the procurement process (with continued support from our project consultants), the works aiming to start in Spring 2026, with a 12-month programme the estimated completion is Spring/Summer 2027.
- UKSPF Rural Fund (40288)
All Rural England Prosperity fund capital projects have been completed and £0.011m will be reprofiled into 2025/26 due to unspent grant.
- Vehicle Replacement Programme (40028)
£0.052m required to be reprofiled into 2025/26. Delivery times have been slipped for the vehicles currently on order. Budget re-profiling is required as a result.
- S106 Hanwell Fields Community Centre Projects (40303)
Initial project work, Royal Institute of British Architects stages 1 & 2, completed. Moving to Royal Institute of British Architects stages 3 - 6.
- Local Authority Housing Fund R2 (40319)
Homes under Local Authority Housing Fund R2 have been delivered. Any remaining budget will be used to finalise refurbishments, decorate, furnish, or otherwise prepare any remaining unlet properties for rent.

- Development of Activity Play Zones (40324)
Planning has now been approved for two Play Zones at Princess Diana Park and Chandos Close, subject to the discharge of Biodiversity Net Gain condition, expected commencement May 2025.
- S106 – Windmill Community and Sports Centre Tennis Courts (40328)
Mini Tennis Courts complete, awaiting painting of the new tennis court lines. Work due to take place Spring 2025.
- Spiceball Leisure Centre Structural Beams (40329)
This been re-profiled into 2025/25 to coincide with commencement of works in June.

4.3 Performance Summary

- 4.3.1 The council has performed well against its objectives, which consist of 36 Business Plan Measures, 15 Annual Delivery Plan actions, and 25 Equalities Diversity and Inclusion Action Plan activities.

4.4 Business Plan Measures

- 4.4.1 Of the 19 business plan measures 11 achieved their year-end target or within the agreed tolerance. The eight measures that missed their 2024-25 target are:

4.4.2 “Number of Homeless Households living in Temporary Accommodation”

The number of households in temporary accommodation has been consistently high and above target throughout the year. This has increased again through Q4, as it did similarly in Q4 of 2023-24. The service has been increasing the numbers of self-contained accommodation to reduce the number of hotel placements that are made to accommodate this growing client group. The waiting list for permanent housing has increased 10% in the last year, and most of these households are in housing need, so the numbers across the service suggest a significant and growing demand for housing.

4.4.3 “Percentage of Major Applications overturned at appeal”

The national target is to ensure that less than 10% of major planning application decisions are overturned at appeal by the Planning Inspectorate. During 24/25 10.71% of decisions were overturned (6 out of 56 decisions). National monitoring takes place over a prescribed two-year period and allows an additional period for appeal decisions to follow. Over the period April 2022 to March 2024, and allowing for appeal decisions to December 2024, 10.4% of decisions on major applications were overturned at appeal (12 out of 115 decisions). Consequently, the Council is under review for potential designation for the quality of its decisions on applications for major development. Officers are engaging with the Planning Advisory Service about a review of decision-making to support improvement. Had one application fewer been overturned, the Council would have been under the 10% threshold.

4.4.4 “Net Additional Housing Completions to meet Cherwell needs”

Provisional housing completions for the year were 783 against a target of 1,142. Final figures have not yet been verified. However, this is the second consecutive year when housing completions have been significantly below the requirements of the Cherwell Local Plan 2011-2031. Housing completions have not yet commenced on the sites contributing to Oxford's needs. Housing completions are dependent on the wider housing market and economic conditions affect housebuilders. Although the district has over 8,000 homes with outline or full planning permission, there are also local factors affecting delivery such as infrastructure provision at Bicester in particular. The rate of delivery affects the district's five-year housing land supply position. The Council is preparing a Housing Delivery Action Plan with the aim of doing all it can to support delivery.

4.4.5 "Percentage of BC full plans assessed within 5 weeks (or longer with applicant's agreement)"

The end of year percentage for full plan applications determined within five weeks (or otherwise agreed period) is 90.43%. Although the 95% target has not been met, the Building Control service is taking management measures to achieve a higher percentage. There have been no instances where a development has proceeded without approval.

4.4.6 "Percentage Waste Recycled & Composted"

Recycling rate will end the year down 1% due to the reduction in garden waste of 1,000 tonnes. This was due to the poor weather in the summertime.

4.4.7 "Percentage Reduction in fuel consumption"

In the reporting Year 2024/25 there has been no change in the fleet profile from previous year but a slight reduction in fuel usage.

4.4.8 "Percentage of Climate Action plan delivering to target"

At the end of 2024/25 the position of the Climate Action plan is of the 126 Climate Actions, 103 were Ongoing, 13 On-hold, and 10 Completed. RAG ratings showed 56 actions in Green, 54 in Amber, and 16 in Red.

Work on the Local Area Energy Planning (LAEP) is progressing in partnership with OCC, ARUP, and neighbouring authorities. Phase 1 began with a mobilisation meeting in January, and we're advancing the baseline report and stakeholder engagement plan.

The Climate Action Working Group concluded its work this municipal year, recommending seven priority actions, which were taken to the Overview & Scrutiny Committee. A briefing on the Solar Strategy study was held with councillors, and the final report will be available early next quarter (April'25).

We hosted a Climate Community event with around 30 attendees from 14 community groups and organizations. Draft reports for the district's carbon baseline, and a fleet study were received, reviewed, and shared with the consultants for further refinements. Draft report for business and industrial emissions was received and is under review.

4.4.9 “Reduction in total Greenhouse gas emissions for the year”

During 2023/24 Cherwell District Council (CDC) total emissions increased by 1.2% (49 tonnes CO₂e), from 4,071 tonnes CO₂e in 2022/23 to 4,119 tonnes CO₂e in 2023/24. Comparison for 2024/25 is not yet available. The main reason for the increment in emissions in 2023/24 is related to decarbonisation equipment installed in 2022/23 not realising reductions in gas demand, particularly in the leisure property portfolio. Emissions increased in areas namely Corporate Electricity, Leisure Electricity, Leisure Gas, Business Travel, Water emissions. One third of emissions increase is directly related to a 5% increase in the carbon intensity of the UK electricity grid. Also, For the first time, CDC is reporting emissions from water supply, water treatment and waste disposal.

4.4.10 Monitoring Measures

There are also 17 measures that the council monitors to be able to identify any emerging trends that might require early intervention from us or partners. There are no targets for these measures as they are dependent on external factors.

During the Financial Year we observed the following trends:

- **Homes improved through enforcement action** – The numbers are higher for the FY 2024-25 with a total of 162 in comparison to the previous FY with a total of 138. With the highest number in Q3 of 43, 11 cases were relating to damp and mould compared to the same quarter last year at 30.
- **Tonne’s residual household waste collected** – This year we have seen an increase of approx. 1.000 tonnes which was a total of 28.726 tonnes for FY 2024-25 in comparison with last year’s total of 27.707 tonnes. This would be in line with property growth within the district.
- **Percentage of recycling contamination rate** – Contamination rate for FY 2024/25 has been slightly higher (13.1%) than previous year’s (12.3%) due to the fire at the Materials Recovery Facility causing damage to the testing station. In the final quarter of the year contamination rate has started to reduce due to the work the service development team have carried out.
- **Number of Visits/Usage of all Leisure Facilities within the District** – Usage figures as an overall number continued to grow in 2024/25, however this has largely been due to the performance of Spiceball Leisure Centre with individual visits for January to March up by circa 15,500 on same period last year. Woodgreen Leisure Centre has shown a small increase of 3,000 visits for January to March with usage at directly managed figures broadly in line with 2024. Bicester and Kidlington have shown small decreases within the 3-month period against 2024 of 1,000 and 2,000 respectively.
- **Residents who have taken part in programmes contributing to improving health inequalities** – 2024/25 has been a highly successful year with a large number of residents benefitting from the health intervention programmes You Move (3,659 residents on programme) and Move Together (3,252 residents on programme). You Move offers families in receipt of free school meals reduced and free opportunities has seen clear increases in Physical Activity with a 48% increase in Children’s activity levels from being part of You Move. You Moves

impact features in Oxfordshire's Director of Public Health report as having a positive impact on Mental Wellbeing. Move Together which offers a bespoke physical activity pathway for residents with long term conditions has seen excellent results with 84% of residents reporting an improvement in pain management, 23% fewer falls and 4.5 GP appointments saved per participant per year.

- **Number of Illegal Fly Tips** – This year 2024/25 was an increase of 211 with a total of 1,311 in comparison to 2023/24 with a total of 1,100, benchmarkable national information is not available at the moment of doing this report.

Please note some of the graphs included with these measures would not include previous year comparison due to the metrics being new.

See Appendix 8 for the full list of targeted and monitoring measures.

4.5 Annual Delivery Plan Priorities

4.5.1 All of the 15 Priorities were successfully delivered for 2024/25.

See Appendix 9 for End of Year updates on the Annual delivery plan.

4.6 Equalities, Diversity, and Inclusion Action plans

4.6.1 Of the 25 actions identified for 2024-25, 23 achieved their year-end target or within the agreed tolerance. The two measures that missed their 2024-25 target are:

4.6.2 **“Complete an Equalities Impact Assessment on the website (including the terms and conditions)”**

Reported slightly behind schedule for End of Year. We have now completed the draft assessment and sent it to our Assistant Director. There may be work arising from the EIA; therefore, an action reflecting the support work undertaken to improve our website accessibility should be considered going forward.

4.6.3 **“Conduct an access audit on Castle Quay and other major council buildings (internal)”**

Reported slightly behind schedule for End of Year. Main tasks for this action were completed in 2024/25 any remaining actions will be completed in the following as Business as Usual.

See Appendix 10 for End of Year updates on Equalities, Diversity, and Inclusion Action plans.

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: This report summarises the council's forecast financial position and performance position up to the end of End of Year 2024-25, therefore there are no alternative options to consider.

6. Conclusion and Reasons for Recommendations

- 6.1 The report updates the Executive on the year-end financial position and performance of the council for 2024/25, and performance position as of the end of year 2024-25. Regular reporting is key to good governance and demonstrates that the council is actively managing its resources sustainably.

Decision Information

Key Decision	No
Subject to Call in	Yes
If not, why not subject to call in	N/A
Ward(s) Affected	All

Document Information

Appendices	
Appendix 1	Capital Outturn March 2025
Appendix 2	Detailed Revenue Narrative on Forecast March 2025
Appendix 3	Virements & Aged Debt March 2024
Appendix 4	Funding March 2025
Appendix 5	Use of Reserves and Grant funding March 2025
Appendix 6	n/a
Appendix 7	Savings
Appendix 8	Business Plan & Monitoring measures End of Year 2024-25
Appendix 9	Annual Delivery Plan End of Year 2024-25
Appendix 10	EDI Action Plans End of Year 2024-25
Background Papers	N/A
Reference Papers	N/A
Report Author	Celia Prado-Teeling - Performance & Insight Team Leader Leanne Lock, Strategic Business Partner – Business Partnering & Controls

Report Author contact details	<u>Celia.prado-teeling@cherwell-dc.gov.uk</u> , 01295 221556 <u>Leanne.lock@cherwell-dc.gov.uk</u> , 01295 227098
Corporate Director Approval (unless Corporate Director or Statutory Officer report)	Stephen Hinds, Corporate Director for Resources & Transformation, 20 May 2025

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Appendix 1 - CHERWELL CAPITAL EXPENDITURE

Cost Centre	DESCRIPTION	BUDGET 2024/25	Year End March 2025 Outturn	RE- PROFILED BEYOND 2024/25	Current month Variances £000	Prior month Variances £000	Forecast Narrative (Public)
40139	Banbury Health Centre - Refurbishment of roof covering and removal of redunant ventilation plant from roof	84	87	0	3	1	Works complete
40141	Castle Quay Waterfront	0	37	0	37	0	Contractors are managing the defects on Castle Quay. Time of rectifiction has exceeded the standard 12 months. Repairs are on going
40144	Castle Quay	940	567	0	(373)	(233)	As part of the Castle Quay Development and the regeneration of Banbury, the Council is working closely and in partnership with a number of public and private organisations to repurpose parts of Castle Quay Shopping Centre to deliver a number of complimentary uses enabling the regeneration of Banbury. The majority of the underspend results from a cash flow and technical accounting adjustment per the requirements of the CIPFA code on Local Authority Accounting. These costs will instead be recognised as Revenue costs, spread over the life of the project
40167	Horsefair, Banbury	20	(0)	0	(20)	(17)	Works complete
40219	Community Centre - Works	94	21	0	(73)	0	Design works are complete.
40224	Fairway Flats Refurbishment	13	17	0	4	3	Planning approval has been approved. Designers are completing the detail design and specification for the solar panels and roof works. We will then need to tender these works as they are over £0.100m. There is budget available in 25/26 for this purpose

40227	Banbury Museum - Decarbonisation Works	0	(20)	0	(20)	(20)	Retention payment will not be paid as the defects in the system still need to be resolved and the contractor has gone into liquidation.
40232	Kidlington Leisure Centre - Decarbonisation Works	0	4	0	4	4	Small overspend for retention payment (offset elsewhere)
40239	Bicester East Community Centre	685	769	0	84	64	Overspend due to additional works needed on resolving public sewers (from a third party) .These works delayed works on site thus incurring further costs from the main contract works.
40242	H&S Works to Banbury Shopping Arcade	16	15	0	(1)	0	Works currently ongoing so costs will continue to be incurred in 25/26 - there is budget available for this purpose
40254	Thorpe Lane Depot - Renewal of Electrical Incoming Main	5	2	0	(3)	(5)	Works are currently designed pending tender of the Electrical supply infrastructure. Works to be coordinated with the District Network Operator to install the new sub station, who are engaged. Waiting for dates from the District Network Operator. Works need to be signed off. Costs will therefore continue to be incurred into 25/26 and there is budget available for this purpose
40249	Retained Land	0	(4)	0	(4)		Derecognise retained land staff costs which were incorrectly capitalised in 23/24
40255	Installation of Photovoltaic at CDC Property	8	8	0	0	0	Preparing scope so that feasibilities can be carried out to maximise potential PV to the site. All PV projects will be completed in conjunction with one another and due to time and resources this work is rescheduled for completion in 25/26, in line with next years budget

40264	Sunshine Centre	182	270	0	88	85	Pressure occurred as result of previously unknown but essential works identified during the course of the works.
40279	Spiceball Sports Centre - Solar PV Car Ports	3	0	0	(3)	0	Preparing scope so that feasibilities can be carried out to maximise potential PV to the site. All PV projects will be completed in conjunction with one another and due to time and resources this work is rescheduled for completion in 25/26
40280	Kidlington Sports Centre - Solar PV Car Ports	2	0	0	(2)	0	Preparing scope so that feasibilities can be carried out to maximise potential PV to the site. Work cannot start until electrical mains installed (dependant on DNO). All PV projects will be completed in conjunction with one another and due to time and resources this work is rescheduled for completion in 25/26
40281	North Oxfordshire Academy - Solar Panels	0	0	0	0	0	Preparing scope so that feasibilities can be carried out to maximise potential PV to the site. All PV projects will be completed in conjunction with one another and due to time and resources this work is rescheduled for completion in 25/26
40282	Community Centre Solar Panels	2	0	0	(2)	0	Preparing scope so that feasibilities can be carried out to maximise potential PV to the site. All PV projects will be completed in conjunction with one another and due to time and resources this work is rescheduled for completion in 25/26. Part of EPC work, community centres will need to agree.
40283	Thorpe Lane - Solar Panels	0	0	0	0	1	Preparing scope so that feasibilities can be carried out to maximise potential PV to the site. All PV projects will be completed in conjunction with one another and due to time and resources this work is rescheduled for completion in 25/26
40284	Thorpe Lane - Heater Replacement (Gas to Electric)	0	0	0	0	1	Preparing scope so that feasibilities can be carried out to maximise potential PV to the site. All PV projects will be completed in conjunction with one another and due to time and resources this work is rescheduled for completion in 25/26
40278	Development of New Land Bicester Depot	85	148	0	63	63	The designers are appointed and Consultation on proposed layouts for the new depot are taking place with user groups. A Planning application is being submitted in June 25 upon completing of ecological survey and protected species survey.

40317	Cope Road, Banbury	29	36	0	7	5	Design work completed pending tendering. Contractor now appointed. Issues regarding planning and protected trees. Investigation works on going
40316	CDC Office Relocation to Castle Quay	5,146	5,213	0	67	66	Delivered in 24/25. A review of staff costs has resulted in an overspend which is partly offset by underspends across the project
40327	Thorpe Place Roofing Works	12	10	0	(2)	0	Design has been completed,.
Property		7,326	7,179	0	(147)	18	
40256	Processing Card Payments & Direct Debits	20	0	0	(20)	(20)	This project will be a revenue cost and therefore the budget is not required
Finance		20	0	0	(20)	(20)	
40285	Digital Strategy	0	(19)	0	(19)	0	Digital Strategy was the work undertaken to develop the Digital Futures Strategy, underspend is due to staff costs being slightly less than anticipated
40334	Robotic Process Automation Pilot	96	105	0	9	0	The type of work they typically do are boring repetitive, rule-based tasks that can free up our staff resources to deliver services. The pilot will initially deliver 3 processes which have been identified from transformation reviews undertaken within the Council already. The costs incurred so far are for 1) for the supply of Blue Prism Digital workforce software as a service (a cloud-based automation platform) and associated support from OAS to hold workshops to deep dive the process and work with us to build the automations to enable automation of operational and business processes and provide training to enable us to do the same going forward 2) the associated licenses.
ICT		96	86	0	(10)	0	
Resources & Transformation		7,442	7,265	0	(177)	(2)	
40062	East West Railways	30	27		(3)	(3)	The capital fund has been set up to enable the Council's costs to be recharged when responding to enquiries and regulatory applications, involving for example environmental and land drainage matters, made in connection with the East West Railways project. This is in partnership with England's Economic Heartland. The Digital Enhancement Project is an element of CDC's commitment, involving the staged transfer of funds towards Network Rail's delivery of the enhanced digital infrastructure along the new line. Final invoice paid and work completed.

40286	Transforming Market Square Bicester	225	128	96	(0)	(5)	The market square preferred concept design has been chosen with significant input from the local businesses and the Bicester community, with this work coming in below the estimated/projected budget. The next steps are to establish the programme of development including the initial cost analysis, which will be undertaken by our project consultants. This will be completed by May 2025. During the summer 2025 we will begin the procurement process (with continued support from our project consultants), the works aiming to start in Spring 2026, with a 12-month programme the estimated completion is Spring/Summer 2027.
40287	UK Shared Prosperity Fund (UK SPF) Year Three Investment Plan Programme	198	199	0	1	0	All UKSPF capital projects have completed and all capital grant monies spent.
40288	UKSPF Rural Fund	408	397	11	0	(0)	All Rural England Prosperity fund capital projects have completed and £0.011m will be reprofiled into 2025-26 due to unspent grant.
Growth & Economy		861	751	107	(3)	(8)	
40028	Vehicle Replacement Programme	726	674	52	(0)	0	£0.052m required to be reprofiled in to 2025/26 .Delivery times have been slipped for the vehicles currently on order. Budget re-profiling is required as a result.
40187	On Street Recycling Bins	18	18	0	0	0	Project completed in 2024/25.
40220	Horsefair Public Conveniences	0	3	0	3		Final retention payment of £0.003m paid in 2024/25.
40222	Burnehyll- Bicester Country Park	21	19	0	(2)	0	Project ongoing so costs will continue to be incurred in 2025/26 - there is budget available for this purpose.
40259	Market Equipment Replacement	5	5	0	(0)	0	Project ongoing so costs will continue to be incurred in 2025/26 - there is budget available for this purpose.
40291	New Commercial Waste IT System	25	18	0	(7)	(7)	Project completed in 2024/25.
40331	Additional Commercial Waste Containers	29	29	0	0	0	Project completed in 2024/25.
Environmental Services		824	766	52	(6)	(7)	
40083	Disabled Facilities Grants	1,200	1,204	0	4	0	Budget appears slightly overspent, but budget of £0.184m was reprofiled earlier in the year. Overall spend within budget envelope.

40084	Discretionary Grants Domestic Properties	150	0	0	(150)	(150)	Budget no longer required as spend took place via revenue.
40160	Housing Services - capital	168	168	0	0	1	Retention payment made. Now complete
40262	Town Centre House Purchase and Repair	2,937	2,512	0	(425)	(356)	Town Centre House progressed well but issues with electricity metering and supply caused some delay to the completion of the project. These were resolved in the main by the end of March, with only minor changes needed in April.
40297	S106 - Ardley & Fewcott Play Area Project	7	0	0	(7)	0	Project delivered through revenue S106
40298	S106 - Ardley & Fewcott Village Hall Project	3	0	0	(3)	0	Project delivered through revenue S106
40303	S106 - Hanwell Fields Community Centre Projects	20	16	4	0	0	Initial project work, Royal Institute of British Architects stages 1 & 2, completed. Moving to Royal Institute of British Architects stages 3 - 6.
40312	S106 - Whitelands Farm Sports Ground (Pedestrian crossing and various works)	99	99	0	0	0	Floodlight project completed.
40313	S106 - Woodgreen Leisure Centre Improvements	23	23	0	0	0	Project ongoing in to 2025-26 with associated budget reprofiled
40314	S106 - Deddington Parish Council Projects	67	66	0	(1)	0	Two play ground projects at Wimborn Close and Welford Piece completed. Car park lighting installed at the Windmill Community Centre.
40315	S106 - Longford Park Sport Pitches	10	0	0	(10)	(10)	Project delivered through revenue S106

40318	S106 - Steeple Aston Parish Council Village Hall Sports and Recreation Centre	0	(1)	0	(1)	0	Improvement projects at Steeple Aston Village Hall and Sport & Recreation Centre completed.
40319	Local Authority Housing Fund R2	304	297	7	0	0	Homes under Local Authority Housing Fund R2 have been delivered. Any remaining budget will be used to finalise refurbishments, decorate, furnish, or otherwise prepare any remaining unlet properties for rent.
40324	Development of Activity Play Zones	7	4	3	(0)	0	Planning has now been approved for two Playzones at Princess Diana Park and Chandos Close, subject to the discharge of Biodiversity Net Gain condition, expected commencement May 2025.
40328	S106 – Windmill Community and Sports Centre Tennis Courts	51	35	16	0	0	Mini Tennis Courts complete, awaiting painting of the new tennis court lines. Work due to take place Spring 2025.
40329	Spiceball Leisure Centre Structural Beams	30	13	17	0	0	This is the project consultant costs for drafting of the tender documents relating to the project, produced by Gleeds. This been re-profiled into 2025/25 to coincide with commencement of works in June.
40330	Replacement of the Sports Hall Roof at Bicester Leisure Centre	15	15	0	0	(16)	Works completed as per the revised scope
40332	S106 - grant funded Affordable Accommodation	560	560	0	0	0	The grant funding has now been passed to our delivery partner in line with the grant agreement to commence delivery.
40335	S106 - Launton Village Hall Roofing Contribution	10	11	0	1	0	Project completed.
Wellbeing & Housing		5,660	5,022	47	(591)	(531)	
Communities		7,345	6,539	206	(599)	(546)	

Capital	14,787	13,804	206	(776)	(549)	
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CHERWELL TOTAL CAPITAL PROJECT EXPENDITURE

CODE	DESCRIPTION	Total 24/25 Project Budget	Year End March 2025 Outturn	RE-PROFILED BEYOND 2024/25	24/25 Variance	Future Years Budget	Project Total Budget	Project Total forecast	Project Total Variance	Narrative
40139	Banbury Health Centre - Refurbishment of Ventilation, Heating & Cooling Systems	84	87	0	3	0	84	87	3	Works complete
40141	Castle Quay Waterfront	0	37	0	37	0	0	37	37	Contractors are managing the defects on Castle Quay. Time of rectification has exceeded the standard 12 months. Repairs are on going
40144	Castle Quay	940	567	0	(373)	0	940	567	(373)	As part of the Castle Quay Development and the regeneration of Banbury, the Council is working closely and in partnership with a number of public and private organisations to repurpose parts of Castle Quay Shopping Centre to deliver a number of complimentary uses enabling the regeneration of Banbury. The majority of the underspend results from a cash flow and technical accounting adjustment per the requirements of the CIPFA code on Local Authority Accounting. These costs will instead be recognised as Revenue costs, spread over the life of the project
40167	Horsefair, Banbury	20	(0)	0	(20)	0	20	(0)	(20)	Works complete
40219	Community Centre - Works	94	21	0	(73)	0	94	21	(73)	Design works are complete.
40224	Fairway Flats Refurbishment	13	17	0	4	325	338	342	4	Planning approval has been approved. Designers are completing the detail design and specification for the solar panels and roof works. We will then need to tender these works as they are over £0.100m. There is budget available in 25/26 for this purpose
40227	Banbury Museum - Decarbonisation Works	0	(20)	0	(20)	0	0	(20)	(20)	Retention payment will not be paid as the defects in the system still need to be resolved and the contractor has gone into liquidation.
40232	Kidlington Leisure Centre - Decarbonisation Works	0	4	0	4	0	0	4	4	Small overspend for retention payment (offset elsewhere)
40239	Bicester East Community Centre	685	769	0	84	0	685	769	84	Overspend due to additional works needed on resolving public sewers (from a third party) .These works delayed works on site thus incurring further costs from the main contract works.
40242	H&S Works to Banbury Shopping Arcade	16	15	0	(1)	105	121	120	(1)	Works currently ongoing so costs will continue to be incurred in 25/26 - there is budget available for this purpose
40254	Thorpe Lane Depot - Renewal of Electrical Incoming Main	5	2	0	(3)	164	169	166	(3)	Derecognise retained land staff costs which were incorrectly capitalised in 23/24
40255	Installation of Photovoltaic at CDC Property	8	8	0	0	71	79	79	0	Preparing scope so that feasibilities can be carried out to maximise potential PV to the site. All PV projects will be completed in conjunction with one another and due to time and resources this work is rescheduled for completion in 25/26, in line with next years budget
40263	Kidlington Leisure New Electrical Main	0	0	0	0	20	20	20	0	0
40264	Sunshine Centre	182	270	0	88	0	182	270	88	Pressure occurred as result of previously unknown but essential works identified during the course of the works.
40279	Spiceball Sports Centre - Solar PV Car Ports	3	0	0	(3)	170	173	170	(3)	Preparing scope so that feasibilities can be carried out to maximise potential PV to the site. All PV projects will be completed in conjunction with one another and due to time and resources this work is rescheduled for completion in 25/26

40280	Kidlington Sports Centre - Solar PV Car Ports	2	0	0	(2)	135	137	135	(2)	Preparing scope so that feasibilities can be carried out to maximise potential PV to the site. Work cannot start until electrical mains installed (dependant on DNO). All PV projects will be completed in conjunction with one another and due to time and resources this work is rescheduled for completion in 25/26
40281	North Oxfordshire Academy - Solar Panels	0	0	0	0	18	18	18	0	Preparing scope so that feasibilities can be carried out to maximise potential PV to the site. All PV projects will be completed in conjunction with one another and due to time and resources this work is rescheduled for completion in 25/26
40282	Community Centre Solar Panels	2	0	0	(2)	106	108	106	(2)	Preparing scope so that feasibilities can be carried out to maximise potential PV to the site. All PV projects will be completed in conjunction with one another and due to time and resources this work is rescheduled for completion in 25/26. Part of EPC work, community centres will need to agree.
40283	Thorpe Lane - Solar Panels	0	0	0	0	34	34	34	0	Preparing scope so that feasibilities can be carried out to maximise potential PV to the site. All PV projects will be completed in conjunction with one another and due to time and resources this work is rescheduled for completion in 25/26
40284	Thorpe Lane - Heater Replacement (Gas to Electric)	0	0	0	0	24	24	24	0	Preparing scope so that feasibilities can be carried out to maximise potential PV to the site. All PV projects will be completed in conjunction with one another and due to time and resources this work is rescheduled for completion in 25/26
40278	Development of New Land Bicester Depot	85	148	0	63	3,874	3,959	4,022	63	The designers are appointed and Consultation on proposed layouts for the new depot are taking place with user groups. A Planning application is being submitted in June 25 upon completing of ecological survey and protected species survey.
40316	CDC Office Relocation to Castle Quay	5,146	5,213	0	67	0	5,146	5,213	67	Design work completed pending tendering. Contractor now appointed. Issues regarding planning and protected trees. Investigation works on going
40317	Cope Road, Banbury	29	36	0	7	0	29	36	7	Delivered in 24/25. A review of staff costs has resulted in an overspend which is partly offset by underspends across the project
40327	Thorpe Place Roofing Works	12	10	0	(2)	97	109	107	(2)	Design has been completed..
Property		7,326	7,179	0	(147)	5,143	12,469	12,322	(147)	
40256	Processing Card Payments & Direct Debits	20	0	0	(20)	0	20	0	(20)	This project will be a revenue cost and therefore the budget is not required
Finance Total		20	0	0	(20)	0	20	0	(20)	
40237	Council Website & Digital Service	0	0	0	0	122	122	122	0	Work underway to select a product to form basis of Unified CRM Platform.
40285	Digital Strategy	0	(19)	0	(19)	0	0	(19)	(19)	
40334	Robotic Process Automation Pilot	96	105	0	9	36	132	141	9	
40326	Digital Futures Programme (Business Cases Required)	0	0	0	0	200	200	200	0	New digital futures budget
ICT		96	86	0	(10)	358	454	444	(10)	
Resources & Transformation		7,442	7,265	0	(177)	5,501	12,943	12,766	(177)	
40062	East West Railways	30	27	0	(3)	4,248	4,278	4,275	(3)	The capital fund has been set up to enable the Council's costs to be recharged when responding to enquiries and regulatory applications, involving for example environmental and land drainage matters, made in connection with the East West Railways project. This is in partnership with England's Economic Heartland. The Digital Enhancement Project is an element of CDC's commitment, involving the staged transfer of funds towards Network Rail's delivery of the enhanced digital infrastructure along the new line. Final invoice paid and work completed.
40286	Transforming Market Square Bicester	225	128	96	(0)	4,055	4,280	4,279	(0)	The market square preferred concept design has been chosen with significant input from the local businesses and the Bicester community, with this work coming in below the estimated/projected budget. The next steps are to establish the programme of development including the initial cost analysis, which will be undertaken by WSP our project consultants. This will be completed by May 2025. During the summer 2025 we will begin the procurement process (with continued support from WSP), the works aiming to start in Spring 2026, with a 12-month programme the estimated completion is Spring/Summer 2027.

40287	UK Shared Prosperity Fund (UK SPF) Year Two Investment Plan Programme	198	199	0	1
40288	UKSPF Rural Fund	408	397	11	0
Growth & Economy		861	751	107	(3)
40028	Vehicle Replacement Programme	726	674	52	(0)
40187	On Street Recycling Bins	18	18	0	0
40216	Street Scene Furniture and Fencing project	0	0	0	0
40218	Depot Fuel System Renewal	0	0	0	0
40220	Horsefair Conveniences	0	3	0	3
40222	Burnehyll- Bicester Country Park	21	19	0	(2)
40258	Kidlington Public Convenience Refurbishment	0	0	0	0
40259	Market Equipment Replacement	5	5	0	(0)
40291	New Commercial Waste IT System	25	18	0	(7)
40320	Net Zero	0	0	0	0
40321	Landscape Software Upgrade	0	0	0	0
40322	Street Cleansing IT System	0	0	0	0
40331	Additional Commercial Waste Containers	29	29	0	0
Environmental		824	766	52	(6)
40019	Bicester Leisure Centre Extension	0	0	0	0
40083	Disabled Facilities Grants	1,200	1,204	0	4
40084	Discretionary Grants Domestic Properties	150	0	0	(150)
40160	Housing Services - capital	168	168	0	0
40251	Longford Park Art	0	0	0	0
40262	Town Centre House Purchase and Repair	2,937	2,512	0	(425)
40294	S106 - Ambrosden Community Facility Project	0	0	0	0
40295	S106 - Ambrosden Indoor Sport Project	0	0	0	0
40296	S106 - Ambrosden Outdoor Sports	0	0	0	0
40297	S106 - Ardley & Fewcott Play Area Project	7	0	0	(7)
40298	S106 - Ardley & Fewcott Village Hall Project	3	0	0	(3)
40300	S106 - Bicester Leisure Centre Extension	0	0	0	0
40301	S106 - Graven Hill Outdoor Sport Project	0	0	0	0
40303	S106 - Hanwell Fields Community Centre Projects	20	16	4	0

0	198	199	1	All UKSPF capital projects have completed and all capital grant monies spent.
0	408	408	0	All REPF capital projects have completed and £0.011m will be reprofiled into 2025-26 due to unspent grant.
8,303	9,164	9,161	(3)	
5,678	6,404	6,404	(0)	Full spend anticipated by March 2029.
0	18	18	0	Project completed in 2024/25.
15	15	15	0	Project to be completed in 2025/26.
35	35	35	0	This project is under review and linked to the progression of the Graven Hill depot.
0	0	3	3	Final retention payment of £0.003m paid in 2024/25.
121	142	140	(2)	Project ongoing so costs will need to be incurred in 2025/26 - there is budget available for this purpose. A review of the project is required and as a result the budget may require reprofiling in to 2026/27.
90	90	90	0	An evaluation of requirements and a retender is required.
10	15	15	(0)	Project to be completed in 2025/26.
0	25	18	(7)	Project completed in 2024/25.
625	625	625	0	Project to be completed in 2026/27.
25	25	25	0	This project is under review.
25	25	25	0	Project to be completed in 2025/26.
25	54	54	0	Project to be completed in 2025/26.
6,649	7,473	7,467	(6)	
79	79	79	0	The current budget is for preparatory works to identify the business case for operation ahead of S106 monies coming in from developments. Budget requires reprofiling as scheme is outlined for build in 2027/28
5,140	6,340	6,344	4	Budget appears slightly overspent, but budget of £0.184m was reprofiled earlier in the year. Overall spend within budget envelope.
0	150	0	(150)	Revenue budget now in place created through Policy Contingency.
0	168	168	0	Retention payment made. Now complete.
45	45	45	0	The budget was reprofiled from 2023/24 because of delays in transfer of land from the developer to new ownership. Therefore no public art is to be constructed until this process has been completed. Contracted Artists are aware of the delay and that it is out of our control. Needs to be carried forward and reprofiled as we are no nearer transferring the land
0	2,937	2,512	(425)	Town Centre House progressed well but issues with electricity metering and supply caused some delay to the completion of the project. These were resolved in the main by the end of March, with only minor changes needed in April.
20	20	20	0	At present there is no specific project identified for these funds, due to a change in the Parish Clerk. I am waiting for details of projects linked to enhancements at the Village Hall. Discussions are now taking place with regards to the use of the S106 monies.
65	65	65	0	Awaiting new project details as original project is no longer possible.
130	130	130	0	Site to be confirmed before project can move forward.
8	15	8	(7)	Project delivered through revenue S106
0	3	0	(3)	Project delivered through revenue S106
1,154	1,154	1,154	0	Initial stages of feasibility have been completed with high level costings received to deliver the project. Further stages required including detailed business case. Re-profiled to when S106 funding is received and fully available.
52	52	52	0	Re-profiled into 2025/26 as negotiations/discussions continue around the land being transferred to the District Council from Graven Hill Development Company for the provision of the Community Centre and Sports Pitches. Unlikely to be any spend until the land has transferred
340	360	360	0	S106 funding is allocated to Hanwell Fields Community Centre to enhance the existing facility with the intention of increasing opportunities for residents to take part in activities. This project is centred around the options for putting in a mezzanine floor in the current main hall area to give a split level facility. Initial project work, RIBA stages 1 & 2 completed. Moving to RIBA stages 3-6

40304	S106 - Hook Norton Sport And Social Club Project	0	0	0	0	80	80	80	0	The scale and scope of the project is yet to be confirmed and therefore reprofiled.
40305	S106 - Horley Cricket Club Pavilion Project	0	0	0	0	110	110	110	0	The project is for improvements and enhancements to the Horley Cricket Club Pavilion. There have been contractors on site to price up the works.
40307	S106 - Kidlington & Gosford Leisure Centre	0	0	0	0	20	20	20	0	No detailed projects as yet therefore S106 funding to be reprofiled.
40308	S106 - Milton Road Community Facility and Sports Pitch Project	0	0	0	0	471	471	471	0	CDC hold the £471k of s106 for the Parish Council who are seeking additional grant funding from other sources to increase what they are aiming to deliver on.
40310	S106 - Spiceball Leisure Centre Improvements	0	0	0	0	14	14	14	0	Options are still being considered. Requested to reprofile £0.014m to 2025-26.
40311	S106 - The Hill Improvements Project	0	0	0	0	50	50	50	0	Awaiting details of projects funded by S106 funding already received, therefore budget requested to be reprofiled.
40312	S106 - Whitelands Farm Sports Ground (Pedestrian crossing and various works)	99	99	0	0	33	132	132	0	Remaining budget to be spent on delivery of the zebra crossing in 25/26.
40313	S106 - Woodgreen Leisure Centre Improvements	23	23	0	0	138	161	161	0	Project ongoing in to 2025-26 with associated budget reprofiled
40314	S106 - Deddington Parish Council Projects	67	66	0	(1)	0	67	66	(1)	Two play ground projects at Wimborn Close and Welford Piece completed. Car park lighting installed at the Windmill Community Centre.
40315	S106 - Longford Park Sport Pitches	10	0	0	(10)	0	10	0	(10)	Project delivered through revenue S106
40318	S106 - Steeple Aston Parish Council Village Hall Sports and Recreation Centre	0	(1)	0	(1)	0	0	(1)	(1)	Improvement projects at Steeple Aston Village Hall and Sport & Recreation Centre completed.
40319	Local Authority Housing Fund R2	304	297	7	0	0	304	304	0	Homes under LAHF R2 have been delivered. Any remaining buget will be used to finalise refurbishments, decorate, furnish, or otherwise prepare any remaining unlet properties for rent.
40323	NOA 3G Pitch Development	0	0	0	0	1,600	1,600	1,600	0	Due to proposed alternative location of 3G Pitch, the progression to delivery will be dependent on a number of factors.
40324	Development of Activity Play Zones	7	4	3	(0)	155	162	162	(0)	Planning has now been approved for two Playzones at Princess Diana Park and Chandos Close, subject to the discharge of BNG condition, expected commencement May 2025.
40325	Graven Hill Community and Infrastructure Projects	0	0	0	0	80	80	80	0	Re-profiled into 2025/26 as negotiations/discussions continue around the land being transferred to the District Council from Graven Hill Development Company for the provision of the Community Centre and Sports Pitches. Unlikely to be any spend until the land has transferred
40328	S106 – Windmill Community and Sports Centre Tennis Courts	51	35	16	0	0	51	51	0	Mini Tennis Courts complete, awaiting painting of the new tennis court lines. Work due to take place Spring 2025.
40329	Spiceball Leisure Centre Structural Beams	30	13	17	0	100	130	130	0	This is the project consultant costs for drafting of the tender documents relating to the project, produced by Gleeds. This been re-profiled into 2025/25 to coincide with commencement of works in June.
40330	Replacement of the Sports Hall Roof at Bicester Leisure Centre	15	15	0	0	0	15	15	0	After receiving the condition survey report into the roof that gave options to extend the lifespan by 5 to 10 years it was agreed to take this option which fell within the budget allocation, rather than a new complete roof which would require a request for additional funding. Tender returns required for 30th October. Works now anticipated November/December 2024. Contract awarded for the works - completion expected Jan 25
40332	S106 - grant funded Affordable Accommodation	560	560	0	0	0	560	560	0	The grant funding has now been passed to our delivery partner in line with the grant agreement to commence delivery.
40335	S106 - Launton Village Hall Roofing Contribution	10	11	0	1	0	10	11	1	New roofing project at Launton Village Hall underway.
Wellbeing & Housing		5,660	5,022	47	(591)	9,884	15,544	14,953	(591)	
40245	Enable Agile Working	0	0	0	0	15	15	15	0	
40333	CCTV Thames Valley Project	0	0	0	0	250	250	250	0	
Regulatory Services		0	0	0	0	265	265	265	0	
Communities		7,345	6,539	206	(599)	25,101	32,446	31,847	(599)	
Capital Total		14,787	13,804	206	(776)	30,602	45,389	44,613	(776)	

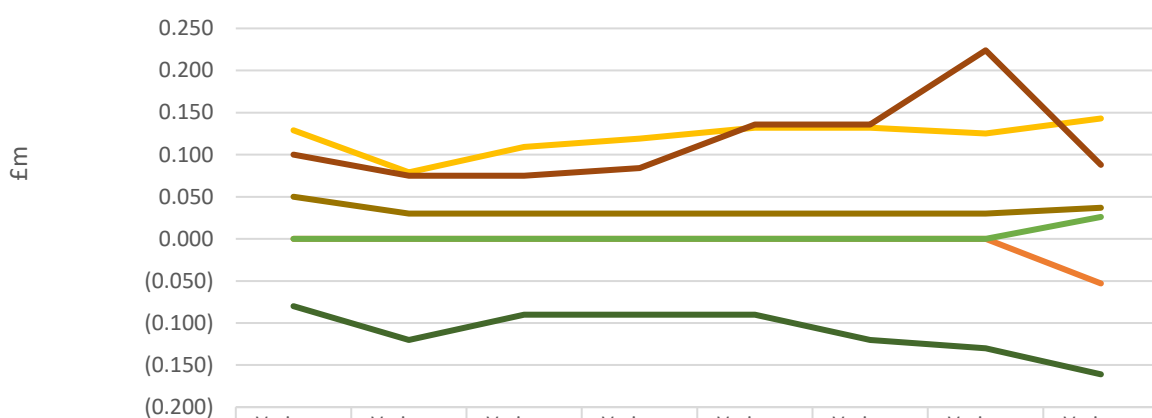
Appendix 2 - Report Details – Additional Revenue narrative

Resources & Transformation

Revenue:

Resources & Transformation are reporting an overspend of £0.080m against a budget of £8.571m (0.9%). The services worked hard to mitigate any overspending across the area. However, areas where agency staffing were needed to fulfil our statutory obligations meant that whilst an overspend occurred, this was managed and mitigated throughout the year.

Forecast Variance - Resources & Transformation



	Variance June 2024 £m	Variance August 2024 £m	Variance September 2024	Variance October 2024	Variance November 2024	Variance December 2024	Variance January 2025	Variance March 2025
Finance	0.000	0.000	0.000	0.000	0.000	0.000	0.000	(0.053)
Legal, Democratic, Elections & Procurement	0.129	0.079	0.109	0.119	0.132	0.132	0.125	0.143
ICT	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.026
Property	0.100	0.075	0.075	0.084	0.136	0.136	0.224	0.088
HR & OD	0.050	0.030	0.030	0.030	0.030	0.030	0.030	0.037
Customer Focus	(0.080)	(0.120)	(0.090)	(0.090)	(0.090)	(0.120)	(0.130)	(0.161)

Finance

Variation
(£0.053m) Underspend

Overall position is a net underspend of (£0.053m). There were a number of changes between P10 and the outturn position which have been summarised below.

Revenues and Benefits

There is an overall overspend of £0.003m across the service. Within this there was additional one-off income of (£0.250m) from the final settlement following the winding up of the council's jointly owned company CSN Resources, which had previously been the vehicle through which the council provided its revenues and benefits service.

There was an under recovery of budgeted income from Court Costs added to the bills of those who failed to pay their council tax of £0.111m. This was due to a reduction in the number of bills which were required to go to court/OR a reduction in processing of new Court Costs in March due to focussing on the Annual Billing Process. This will be monitored closely in 2025/26 and if this appears to be a permanent adjustment in the base position then will need to be considered as part of the 2026/27 budget process.

The council also budgets for a new cost of Housing Benefit payments of £0.183m. However, at outturn the final position was a net cost of £0.556m – an overspend of £0.373m. This is normally managed across other areas of the budget but will be kept under review in 2025/26 to consider whether it needs to be addressed in the 2026/27 budget process.

Furthermore, there was an under recovery on Housing Benefit Overpayments compared to budget of £0.083m. This is due to improved team performance in processing Housing Benefit meaning there was less to recover and the caseload reducing with the rollout of Universal Credit.

Variation to January's
Forecast
(£0.053m)

Other mitigations were identified across Revenues and Benefits, primarily from reductions in staffing costs.

Finance

Finance had relatively small underspend of (£0.101m), primarily driven by a one-off (£0.025m) income stream for processing a loan arrangement and underspend on staffing costs and overachievement of grant income.

Insurance

There was an overspend on the overall corporate insurance budget of £0.014m, primarily due to an increase in claims and resultant increase in premiums.

Bank Charges

There was an overspend of £0.031m on bank charges – this is the corporate cost of processing card payments and making payments

Legal, Democratic,
Elections &
Procurement

Variation
£0.143m overspend

There are several areas within Law & Governance including procurement that rely on engaging experienced

locum staff (lawyers and other professional). The service is covering and providing support in critical areas such planning, litigation, procurement to minimise risk to the Council. The service is also covering maternity leave and case load accumulated due to key staff being on leave. The Monitoring Officer is responsible for securing appropriate staff and suitable legal advice, investigating and reporting on anything the Council does that has the potential to be an illegal action or investigating and reporting on any action that might count as maladministration. There remains a continued need to provide legal advice to officers and members in relation to litigation, information governance, planning and general case load.

The service is undertaking recruitment to permanent positions as well as training new member of staff as swiftly as possible. We fully recognise the needs to operate within budget however, a point of note in regard to this areas budget is that there is a high element of unpredictability to costs which arise in dealing with legal instructions in regard to unforeseen matters arising, for which no 'ongoing' forecast and provision can be made. Whilst our risk management can seek to reduce this, it is unrealistic to assume this unplanned element can be completely eliminated.

Variation to January's
Forecast
(£0.018m)

A permanent recruitment campaign has been implemented and legal fees have been increased in line with the law society suggested rates.

ICT

Variation
£0.026m overspend

£0.010m can be attributed to revenue expenditure on Castle Quay ahead of the move meaning we were paying some infrastructure costs on both Bodicote House and Castle Quay concurrently during quarter 4. The remainder is a result of small overspends across the service.

Variation to January's
Forecast
£0.026m

Property

Variation
£0.088m overspend

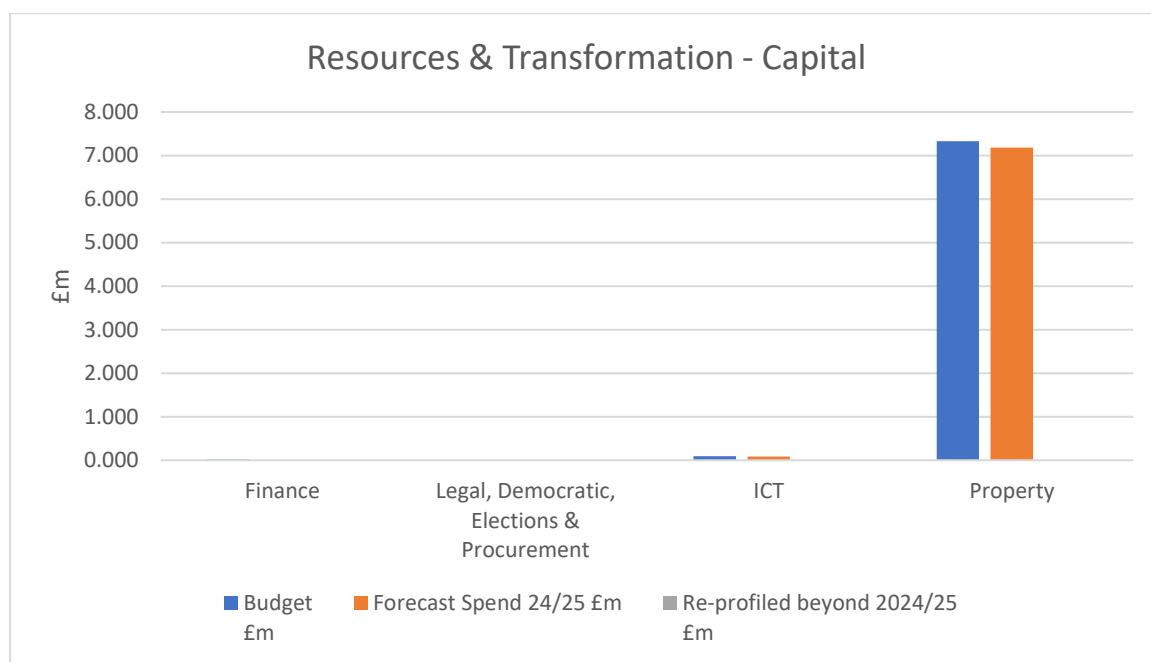
1) £0.088m overspend at CQ is due to void costs of holding vacant units and unscheduled necessary expenditure for car park lighting and other maintenance costs. Work to

	<p>review contracts and market void units is continuing with the impact of reducing the overspend as the year progresses. There have been some positive movements achieved through the reduction of utility expenditure forecasts.</p> <p>2) (£0.065m) underspend in Property is due to vacancies that were not filled until October, admin charges generating an income, improved income from rent reviews and lease renewals and reduced repair and maintenance costs. This underspend has been largely offset by an overspend in repair and maintenance across the service in particular at Banbury Museum where it is necessary to replace a lift which is no longer capable of economic repair.</p> <p>3) £0.065m overspend in car parks (due to various small overspends across the service, including electricity and insurance expenses) and a pressure arising from bus station income being lower than anticipated.</p>
Variation to January's Forecast (£0.136m)	<p>£0.100m reduction at CQ is due work to review contracts and reduce market void units impacting reduction of overspend, and further positive movements achieved through the reduction of utility expenditure forecasts and Council offices opening in previously vacant space.</p> <p>£0.036m reduction in Property due to vacancies that were part way through the year, admin charges generating an income, improved income from rent reviews and lease renewals and reduced repair and maintenance costs Bodicote House, Franklins House and Banbury Museum.</p>
Customer Focus	
Variation (£0.161m) underspend	Customer Focus has a final outturn of £0.161m underspend because of long-term vacancies within the service combined with greater recovery of land charges income than anticipated.
Variation to January's Forecast (£0.031m)	
HR & OD	
Variations £0.037m Overspend	HR has a final outturn of £0.037m overspend as a result of the implementation of the payroll system. The service has

managed to partially mitigate this overspend with efficiencies within the HR budget.

Variation to January's
Forecast
£0.007m

Capital:



Service	Budget £m	Forecast Spend 24/25 £m	Re- profiled beyond 2024/25 £m	Variance to Budget £m	Prior Month Variance to Budget £m
Finance	0.020	0.000	0.000	(0.020)	(0.020)
Legal, Democratic, Elections & Procurement	0.000	0.000	0.000	0.000	0.000
ICT	0.096	0.086	0.000	(0.010)	0.000
Property	7.326	7.179	0.000	(0.147)	0.018
Total	7.442	7.265	0.000	(0.177)	(0.002)

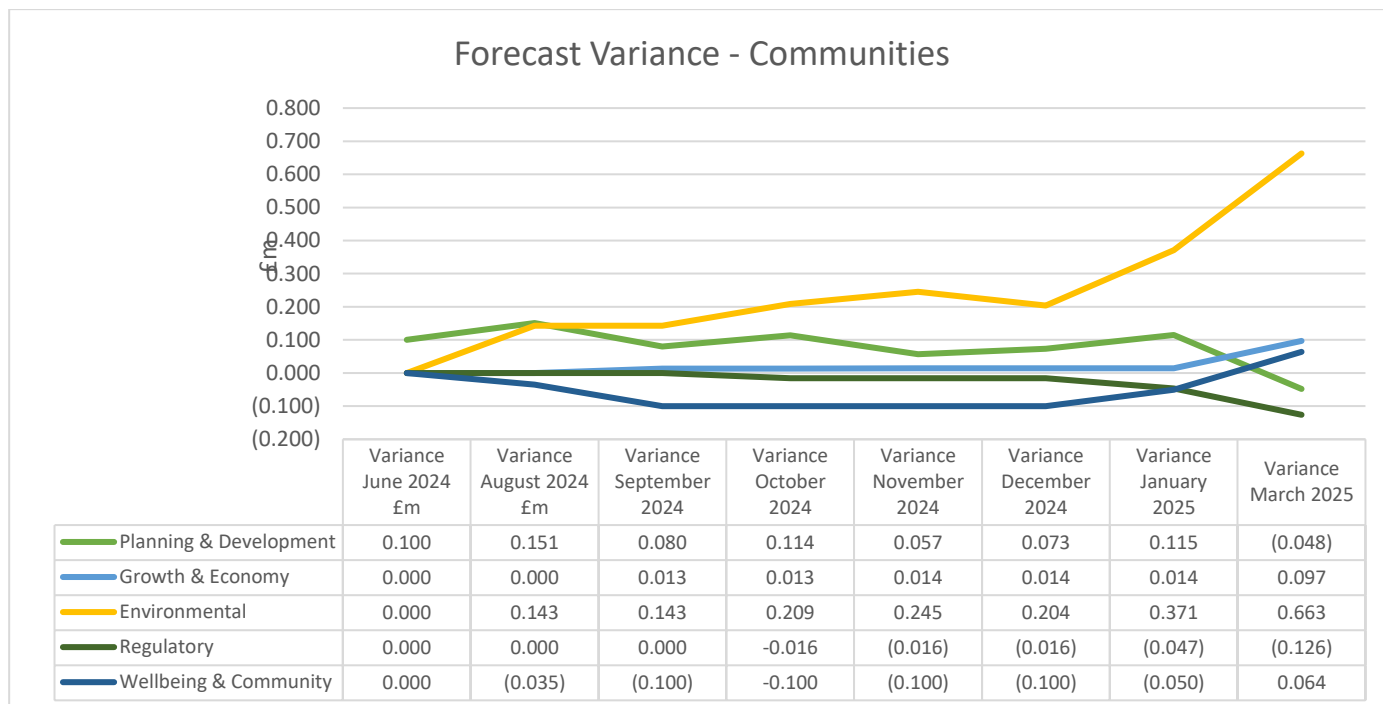
For detailed explanation and variances please see appendix 1.

Communities

Revenue:

Communities are reporting an overspend of £0.650m against a budget of £12.739m, (5.1%).

With a number of pressures emerging in the forecast to year end, the directorate leadership team has carried out a review of pressures and mitigations to contain across the Communities directorate in so far as possible. This substantially reduced the forecast pressures to year end however a number of pressures and external market factors have not been able to be contained including increased waste disposal fees, agency staff pressures and vehicle maintenance pressures.



Planning & Development

Variation
(£0.048m)
underspend

Planning and Development ended the financial year with a (£0.048m) underspend.

There was a relatively small overspend of £0.007m in Building Control. An unexpected increase in planning application income in March, together with the receipt of developer contribution funds for compliance monitoring, had a significantly positive impact on the Development Management outturn with overspend being reduced to £0.020m. However, appeal costs were high in 2024/25.

The overall departmental position was assisted by an underspend (£0.077m) in Planning Policy due to legal and consultancy fees being lower than anticipated.

Variation to January's Forecast (£0.163m)	<p>The most notable changes were the end-of-year increase in planning application fee receipts, the receipt of compliance monitoring fees and the last month's appeal costs being less than anticipated – a total change of (£0.163m).</p> <p>There has been active monitoring of costs relative to income over the course of the year. Costs have been affected by the number of appeals submitted by developers which is not fully within the Council's control. Planning appeals are being closely monitored to control costs and in the interest of achieving a higher percentage of successful outcomes.</p>
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Growth & Economy

Variation £0.097m overspend	The year end outturn reflects a number of small pressures together with a one-off structural change pressure to the service.
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Variation to January's
Forecast
£0.083m

Environmental

Variation £0.663m overspend	<p>The pressure of £0.663m within Environmental Services is primarily due to staffing pressures and agency costs within Waste and Recycling. Changes in the global market for recycled materials fell more than anticipated and this resulted in the recycling processing costs increasing.</p> <p>A delay to implementing revised working patterns for the street cleansing operational team and an increase in general vehicle maintenance expenses and an ageing fleet have also contributed to the pressure.</p> <p>These pressures are part offset by non-recruitment to vacant posts, higher than forecasted income received for S106 contributions for wheeled bins, garden waste subscriptions and business waste.</p>
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Variation to January's Forecast £0.292m	<p>The movement of £0.292m is partially a result of a lower than predicted take up for garden waste subscriptions for 2025/26, in addition to this the gate fee increase was higher than anticipated for the final quarter.</p> <p>Increased vehicle maintenance costs due to an ageing fleet are part offset by other additional income streams across the services.</p> <p>Non recruitment to vacant posts and delaying spend in less critical, front-line services within Landscaping Services has helped mitigate this overspend.</p> <p>Additional income streams have been generated by the Waste and Recycling Service as a result of closer joint working and contracts with other Oxfordshire councils.</p>
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Regulatory

Variation (£0.126m) underspend	Regulatory Services and Community Safety have an outturn of (£0.126m) underspend – this is due to savings in staffing costs as some posts remain unfilled following the dept. restructure and minor variations across the service.
Variation to January's Forecast (£0.079m)	An additional (£0.08m) saving on the previous forecast position, this is largely due to the reduced costs incurred against our CCTV monitoring staff contributions being less than expected, additional savings from staffing costs and the Idox separation costs that had been earmarked for 2024/25 not being incurred prior to year end. There are a number of smaller savings including a reduced cost of contractors.

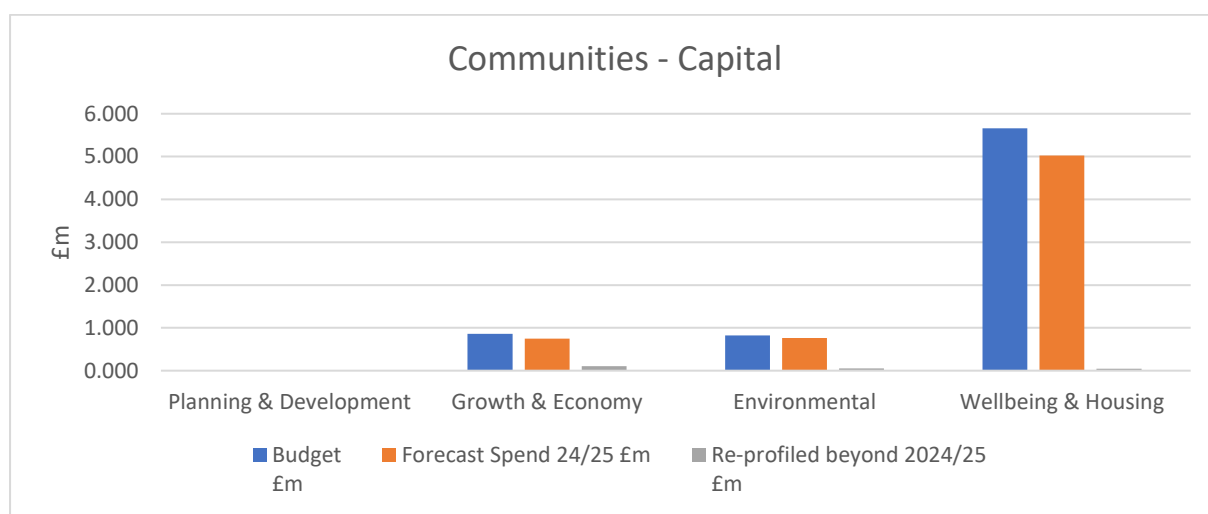
Wellbeing & Housing

Variation £0.064m overspend	The services actively managed the pressures that arose during 2024-25 from operating front line services and flexing programme delivery, however unavoidable maintenance costs and slower occupation of new accommodation, that adversely impacted on rental income, has resulted in the services finishing the financial year with a £0.064m overspend.
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Variation to January's Forecast
£0.114m

Pressures have been defrayed through operational efficiency and effective use of grants.

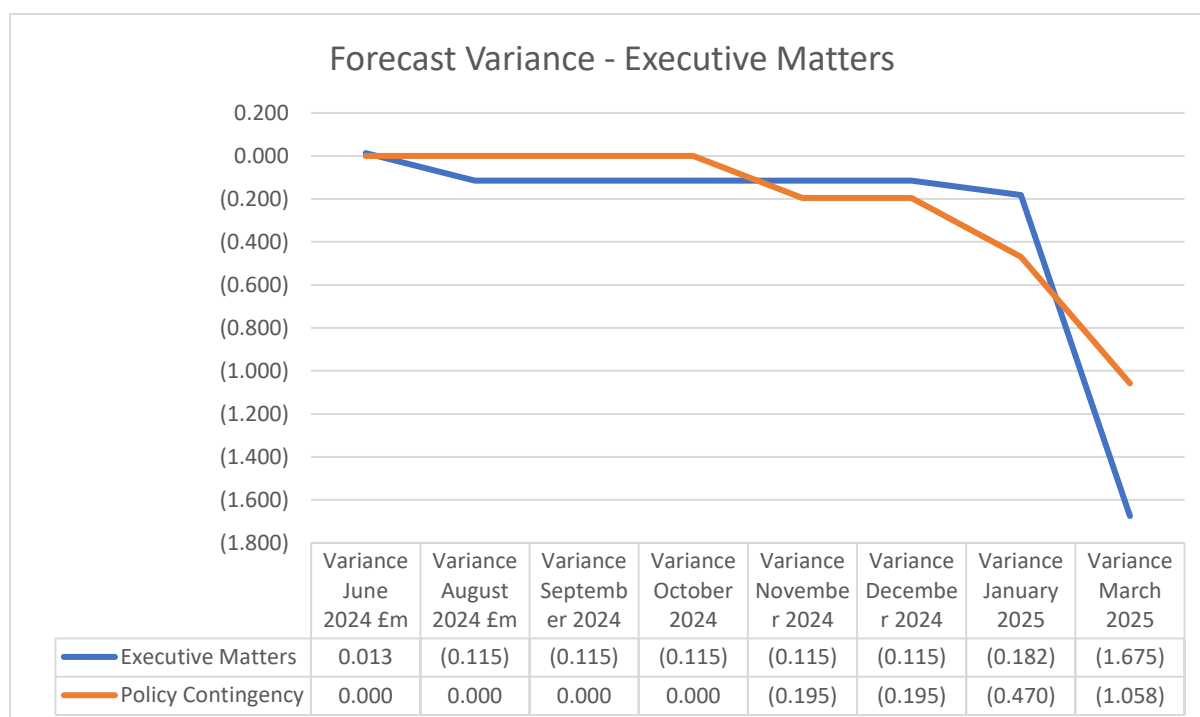
Capital:



For detailed explanation and variances please see appendix 1.

Service	Budget £m	Forecast Spend 24/25 £m	Re- profiled beyond 2024/25 £m	Variance to Budget £m	Prior Month Variance to Budget £m
Planning & Development	0.000	0.000	0.000	0.000	0.000
Growth & Economy	0.861	0.751	0.107	(0.003)	(0.008)
Environmental	0.824	0.766	0.052	(0.006)	(0.007)
Wellbeing & Housing	5.660	5.022	0.047	(0.591)	(0.531)
Total	7.345	6.539	0.206	(0.599)	(0.546)

Executive Matters



Revenue:

Executive Matters is reporting a (£1.675m) underspend against the budget of £4.400m (-38.1%).

Executive Matters

Variation
(£1.675m) underspend

Executive Matters are reporting an outturn of (£1.675m) which is mainly due to over-recovery of interest totalling (£1.070m).

The council has also received a (£0.500m) dividend payment from Graven Hill as a result of the profits the company has generated. The council had not budgeted to receive this income and other minor variations across the service.

Variation to January's
Forecast
(£1.493m)

The main reason for the variation is detailed above.

Policy Contingency

Policy Contingency is reporting an underspend of (£1.058m) against a budget of £1.277m, (-82.9%), the movement in Policy Contingency is shown in the table below: -

Policy Contingency	Budget	Expenditure	Notes
Original Budget	(3.978)		
Inflation Contingency	1.099		24/25 Pay Award
Commercial Risk	0.017		Support for Finance System Migration to the Cloud
Commercial Risk	0.200		Gate Fee Mitigation
Commercial Risk	0.435		Cost of Appeals
Commercial Risk	0.005		Carbon Budgeting Challenge
Commercial Risk	0.050		Legal Agency Costs
Commercial Risk	0.036		Climate Change Net Zero
Commercial Risk	0.010		Climate Change Energy Audits
Commercial Risk	0.120		Castle Quay Fit Out works for office move
Commercial Risk	0.130		HIA Grant Correction - Transfer from PC
General Contingency	0.080		Fund Graduate Trainees
General Contingency	0.070		Town Centre House Under-recovery of Rent
General Contingency	0.020		Vertitau One Off Membership
General Contingency	0.002		UK Visa & Immigration Sponsorship
General Contingency	0.190		IT Redundancy Costs
General Contingency	0.085		Environmental Services Redundancy Costs
General Contingency	0.045		Procurement Interim Costs
General Contingency	0.025	0.263	UKRS Funding
General Contingency	0.033		Pension Strain costs
General Contingency	0.050		Additional Procurement Support
		(0.047)	Release of Banbury Bowls Club & Engineering Services Provision
		0.003	Other Minor income adjustments
	(1.277)	0.219	

Funding

Funding is reporting a (£0.179m) underspend against the budget of (£26.987) (0.7%).

Funding

Variation
(£0.179m) underspend

Funding is reporting a (£0.179m) underspend, the main reason for this is the business rates levy payment payable on NNDR growth above baseline is less than the budget for 2024-25.

Variation to January's
Forecast
(£0.179m)

The main reason for the variation is detailed above.

Appendix 3 - Virement Summary

Virement Movement

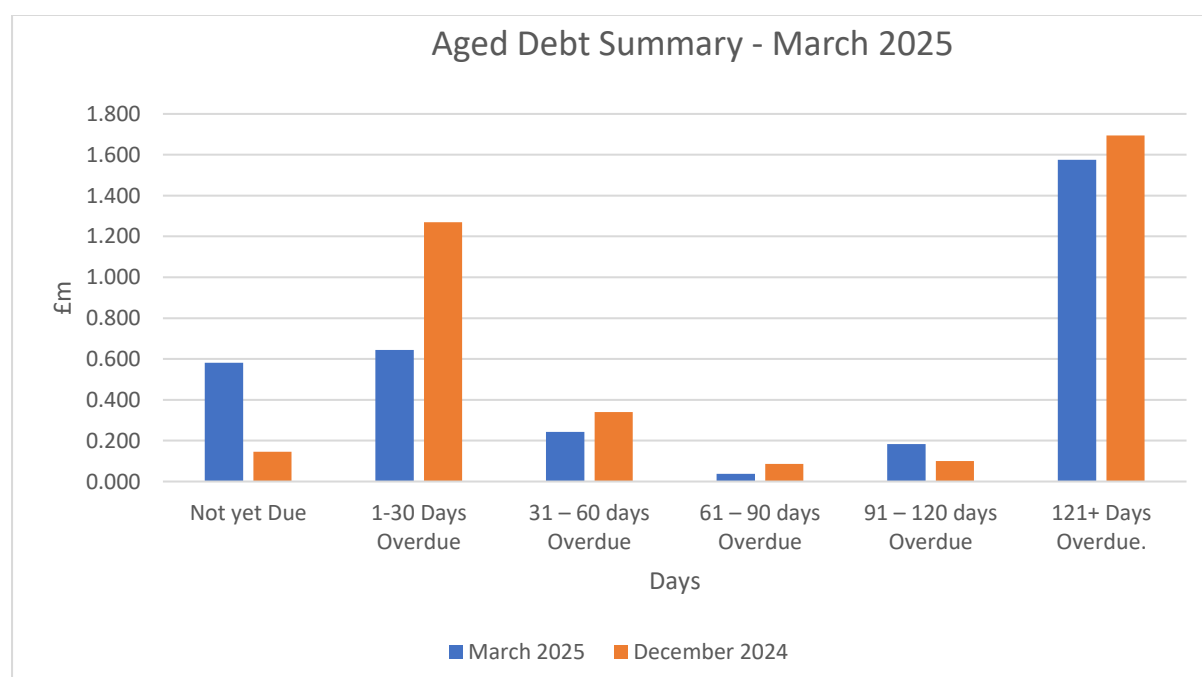
This table shows the movement in Net Budget from January 2025 to March 2025.

Virements - Movement in Net Budget	£m
Directorate Net Budget - January 2025	21.146
Directorate Net Budget - March2025	21.310
Movement	0.164

Breakdown of Movements	£m
Policy Contingency:	
Funding UKRS	£0.025
Castle Quay Office Move	£0.108
Return Unspent PC from Planning Legal costs	(£0.065)
Procurement Support	£0.050
Project Manager costs for CQ Move	£0.014
Pension Fund Strain	£0.032
Total	0.164

Aged Debt Summary

The below graph shows the movement in sundry aged debt for the year ending 31 March 2025.



The financial regulations make provision for writing off debts that are bad, uneconomical to collect or irrecoverable. The Council maintains a number of bad debt provisions in the anticipation that debts will become bad and these once agreed are charged to the relevant provision or cost centre.

There is a provision within the council for sundry bad debt totalling £0.520m that is sufficient and by writing off the amount of debt mentioned in this report will not cause the provision to be exceeded. This provision is reviewed on a regular basis to ensure that we have sufficient within it.

Aged Debt Write Off Summary:

	£m
Sundry Debts previously written off	0.415
Sundry Debts written off in March 2025 under £0.005m details in Appendix 6	0.002
Total write offs in financial year 2024/25	0.417

Housing Benefit Write off Summary:

	£m
Housing Benefit previously written off	0.055
Total write offs in financial year 2024/2025	0.055

Council Tax Write off Summary:

	£m
Council Tax previously written off	0.311
Council Tax due to written off in March 2025 under S151 Delegation	0.001
Total write offs in financial year 2024/2025	0.312

Non-Domestic Rates Write off Summary:

	£m
Non-Domestic Rates previously written off	0.341
Total write offs in financial year 2024/2025	0.00

Appendix 4 - Funding for 2024/25

Specific Funding received since budget was set:

Dept.	Grant Name	Funding
		£
DLUHC	UK Shared Prosperity Fund	(£0.658)
DLUHC	Homelessness Prevention Grant	(£0.763)
DLUHC	Electoral Integrity Programme New Burdens Funding	(£0.050)
DLUHC	Rough Sleeping Initiative	(£0.176)
DLUHC	New Burdens Funding for Accommodation-based Domestic Abuse	(£0.037)
DLUHC	Redmond Review Implementation	(£0.024)
DLUHC	Tenant Satisfaction Measures New Burdens	(£0.005)
DLUHC	Local Authority Housing Fund Round 3	(£0.005)
DLUHC	Rough Sleepers Accommodation Programme	(£0.035)
DLUHC	Rough Sleeping Winter Pressures Funding	(£0.033)
DLUHC	Transparency Code New Burdens	(£0.008)
DLUHC	Garden Communities Capacity Funding	(£0.117)
DLUHC	Planning Skills Delivery Fund	(£0.050)
DLUHC	Social Housing New Burdens	(£0.002)
DLUHC	Business Rates Relief New Burdens	(£0.009)
DLUHC	Local Council Tax Support Scheme Grant	(£0.008)
Home Office	Syrian Resettlement Scheme	(£0.139)
Home Office	Afghan Relocations and Assistance Policy	(£2.419)
Home Office	Asylum Dispersal Grant	(£0.116)
Home Office	Young Women and Girls Funding	(£0.042)
DSIT	Innovate UK	(£0.037)
DEFRA	Biodiversity Net Gain Grant	(£0.105)
DEFRA	Air Quality Grant	(£0.005)
DEFRA	Food Waste Collection Grant	(£0.028)
DEFRA	LG Cyber - Get Cyber Assessment Framework Ready	(£0.015)
DESNZ	Fleet Decarbonisation	(£0.027)
HM Land Registry	HM Land Registry - Transition Payment	(£0.003)
		(£4.916)

Grants included as part of Budget setting:

Grant Name	£m
Homeless Prevention Grant	(0.517)
Afghan Resettlement Scheme	(0.244)
Syrian Refugee Initiative	(0.183)
Ukrainian Refugees Resettling in the UK	(0.417)
Asylum Seeker Dispersal Grant	(0.029)
Chief Executive Total	(1.391)
UK Shared Prosperity Fund	(0.829)
Communities Total	(0.829)
NNDR Cost of Collection Allowance	(0.231)
Rent Allowances	(25.004)
Resources Total	(25.235)
	(27.455)
Funding Guarantee Grant	(2.839)
Services Grant	(0.154)
Corporate Total	(2.993)
	(30.448)
Business Rates Retained Scheme	(9.647)
New Homes Bonus	(1.375)
Revenue Support Grant	(0.328)
Funding Total	(11.350)
Government Grants Grand Total	(41.798)

Appendix 5 - Reserves and Grant Funding

Uses of/ (Contributions to) Reserves

Specific requests

Directorate	Type	Description	Reason	Amount £m
Communities	Reserve	Cherwell Lottery	To fund awards to organisations	(0.004)
Communities	Reserve	Housing & Planning Reserve	Return unspent Local plan reserve (legal fees)	(0.139)
Communities	Reserve	Project Reserve	Return of unspent Kidlington budget	(0.051)
Communities	Reserve	Project Reserve	Return of unspent Banbury Regeneration	(0.041)
Resources	Reserve	Banbury Health Centre Sinking Fund	A sinking fund from service charges for Banbury health centre for major repairs and maintenance	(0.040)
Resources	Reserve	Dilapidations, Garage Project and Canalside	To ensure funds are available to continue with the garage site project and Canalside regeneration master planning in conjunction with LCR.	(0.089)
Communities	Reserve	Licensing	Return to Licensing Reserve	(0.070)
Resources	Reserve Timing	Non-Ringfenced Timing	Non-Ringfenced Timing - Revenue support grant for 2025-26 period 1, received on 31-03-2025	(0.033)
Resources	Reserve	Interest Reserve	Over-recovery of Interest	(1.070)
Resources	Reserve	Market Risk Reserve	To be used to manage the in-year budget if market pressures arise.	(0.200)
Resources	Reserve	Elections Reserve	Top Up Elections Reserve	(0.250)
Resources	Reserve	Local Government Reform	Creation of LGR Reserve	(0.250)
Resources	Reserve	Planning Reserve	Top-up Planning Reserve	(0.250)
			Total Earmarked Reserves	(2.487)
Communities	Grant	Bicester Garden Town	Return unspent funding of Bicester Garden Town.	(0.075)
Communities	Earmarked Grant	UKRS Resettlement	Draw on reserve to fund in-year expenditure	(0.259)
Communities	Grant	S106 Monitoring Fees	Transfer S106 monitoring charges to reserves	(0.023)
Communities	Grant	Domestic Abuse New Burdens	No clauses in the grant agreement so transfer to reserves rather than year-end RIA. Will need to be released in 2025-26 to fund Domestic Abuse Co-ordinator post	(0.024)
Communities	Grant	S106 Revenue Contributions	S106 contributions received in year or unspent that do not have a clawback clause	(0.181)
			Total Grants	(0.562)

Appendix 7 - Savings Not Delivered 2024/25

Communities							
Reference	Existing, New or Efficiency	Service	Title	Description	2024/25 (£m)	Savings achieved in 24/25	Reason for non-achievement
SBICR231	Existing	Bicester Regeneration	Gradual reduction in grant to Bicester Vision	We currently contribute £15k towards the work on Bicester Vision, which is the only contribution we make to organisations leading similar projects across the district. By tapering this contribution off over three years as a saving we can ensure we are treating these organisations equally and provide resilience for Bicester Vision to adapt its funding streams.	(0.010)	Achieved	Saving fully achieved in 2024/25.
SBCON221	Existing	Building Control	Building Control fees	Increase Building Control fees	(0.001)	Achieved	Saving fully achieved in 2024/25.
SCSAF241	New	Community Safety	Reducing CCTV coverage to reduce costs with the maintenance and monitoring of the CCTV network.	Reducing expenditure on CCTV across Cherwell District by reducing number of cameras, monitoring and maintenance costs.	(0.030)	Achieved	Saving fully achieved in 2024/25.
SDMAN242 8	Efficiency Savings	Development Management	National agreed increase in planning fees	National agreed increase in planning fees	(0.300)	Partially Achieved	An additional £300k of planning application fee income had been anticipated as a consequence of higher national planning fees. Whilst an additional -£0.097m has been received, it suggests that in comparison to the previous year, overall fee generating activity has fallen.
SDMAN243	Efficiency Savings	Development Management	Removal of vacant Techncial Support Officer post from establishment	Removal of vacant Technical Support Officer post from the establishment as no longer needed	(0.021)	Achieved	Saving fully achieved in 2024/25.
SECON233	Existing	Economic Growth	Cutting grant to Experience Oxfordshire	Continuation of phased reduction of grant to Experience Oxfordshire.	(0.006)	Partially Achieved	Of the £6k saving, £3k not achieved. This was due to member decision to continue to fund Experience Oxfordshire in 2024-25.
SECON234	Efficiency Savings	Economic Growth	One Year delay of Economic Prosperity Strategy	The proposal is to delay the Economic Prosperity Strategy for one year.	(0.042)	Partially Achieved	Of the £42k saving £9k not achieved. This was due to a reduction in town centre businesses over the rateable threshold for contributions towards the Business Improvement District levy.
SECON242	Efficiency Savings	Economic Growth	Officer time recharged to projects	Selected and proportionate recharging of revenue costs to one off grants (Bicester Garden Town Capacity fund and UKSPF)	(0.127)	Partially Achieved	Of the £127k saving £17k not achieved. This is due to not being able to legitimately recharge officers to capital and Bicester Garden Town revenue funding
SSCEN240	New	Environmental Services	Street Scene	Providing playground inspections internally	(0.025)	Achieved	Saving fully achieved in 2024/25.
SADGE241	Efficiency Savings	Growth & Economy	Recharge staff time to projects	A proportion of staff time will be recharged, for the relevant financial year, to externally funded projects.	(0.017)	Partially Achieved	Of the £17k saving £9k not achieved. This is due to not being able to legitimately recharge officers to capital and Bicester Garden Town revenue funding
SPCON242	New	Public Conveniences	Public Conveniences	Only retain and maintain CDC owned public conveniences that are fully accessible. This would mean keeping the Changing Places facilities in Bicester, Banbury and Kidlington and closing the public conveniences at Banbury Bus Station that do not meet these standards.	(0.021)	Achieved	Saving fully achieved in 2024/25.
SSAFE241	Efficiency Savings	Public Safety	Regulatory Services and Community Safety Restructure post-decoupling from Oxfordshire County Council	A new management structure for the department following the end of the shared working arrangements with Oxfordshire County Council.	(0.038)	Achieved	Saving fully achieved in 2024/25.
SCLEA242	New	Street Cleansing	Street Cleansing Service	Changing the working pattern of our street cleansing service to ensure we maintain high standards but reduce operational costs.	(0.070)	Partially Achieved	Part achieved. £0.040m to be achieved in 2025/26 - This is a result of delays to implementing revised working patterns for the street cleansing operational team.
SCLEA241	Efficiency Savings	Street Cleansing	Street Cleansing and Street Scene alignment	Bring the two teams under one manager.	(0.040)	Achieved	Saving fully achieved in 2024/25.
SCLEA244	Efficiency Savings	Street Cleansing	Removal of Banksman role at Banbury Bus Station	Removal of need for Banksman role at Banbury Bus Station by encouraging bus companies to use mirrors and in built cameras and increased signage.	(0.026)	Achieved	Saving fully achieved in 2024/25.
SVEHM241	New	Vehicle Maintenance	Vehicle Maintenance	Generate additional income from inspecting Taxis by widening the MOT offer	(0.010)	Not Achieved	Not achieved. Delayed by Licensing as Taxi policy required updating before implementation. Should see this achieved in 2025/26.

Appendix 7 - Savings Not Delivered 2024/25

SAV2145	Existing	Waste & Recycling	Garden Waste Service	Continued impact of introduction of the food waste collection service giving residents the opportunity to recycle their food waste on a weekly basis. This will reduce the amount of residual waste and increase CDC's recycling rate. Residents will still be able to subscribe to our current well used garden waste collection service, which will incur a charge.	(0.077)	Achieved	Saving fully achieved in 2024/25.
SWAST241	New	Waste & Recycling	Bulky Waste Service	To introduce a premium charge for collecting bulky waste.	(0.010)	Partially Achieved	Part achieved. £0.005m to be achieved in 2025/26 - Introduced part way through the year.
SWAST248	New	Waste & Recycling	Waste Collection Service	Ensuring those currently receiving weekly waste collections have the appropriate containers to move to fortnightly collections and in line with the rest of the district. This would reduce our operational costs, improve overall efficiency, and also encourage households to reduce the amount of waste they produce.	(0.035)	Achieved	Saving fully achieved in 2024/25.
SWAST242	Efficiency Savings	Waste & Recycling	Rebalancing Food Waste Rounds	To direct deliver more food waste from the Banbury area to the processing plant at Cassington rather than utilising the transfer station in Banbury.	(0.028)	Achieved	Saving fully achieved in 2024/25.
SWAST244	Efficiency Savings	Waste & Recycling	Contracts & Inflation	Generating savings as contracts are renewed	(0.050)	Partially Achieved	Part achieved. £0.045m to be achieved in 2025/26 - Working with procurement on a number of expired contracts and closer working with other Oxfordshire councils should see this saving achieved in 2025/26.
SWAST246	Efficiency Savings	Waste & Recycling	Increasing Marketing & Promotion on side of Waste Collection collection vehicles	Utilising the panels on the side of our Waste Collection Vehicles for advertising for third parties.	(0.010)	Achieved	Saving fully achieved in 2024/25.
SWAST247	Efficiency Savings	Waste & Recycling	Development of inhouse pool of staff to reduce reliance on agency staff	Increase the number of staff on the establishment to reduce the need for agency staff	(0.035)	Achieved	Saving fully achieved in 2024/25.
SWAST248	Efficiency Savings	Waste & Recycling	Further development of digitilisation of key service areas	Increasing level of services available online to residents to reduce quantity of offline administration required.	(0.015)	Achieved	Saving fully achieved in 2024/25.
SWAST249	Efficiency Savings	Waste & Recycling	Further development of digitilisation of key service areas	Increasing level of services available online to residents to reduce quantity of offline administration required.	(0.010)	Partially Achieved	Part achieved. £0.003m to be achieved in 2025/26 - Introduced part way through the year.
SMUSE231	Existing	Banbury Museum	Reduction in Banbury Museum grant	Reduce the grant funding to the Banbury Museum Trust - delayed by 1 year to 2025/26	(0.012)	Not Achieved	This saving will be realised in 2025-26 with a £0.070m reduction in grant
SMUSE231	Existing	Banbury Museum	Gradual reduction in support to Banbury Museum	We are proposing a gradual reduction in the funding we give to Banbury Museum - delayed by 1 year to 2025/26	(0.013)	Not Achieved	This saving will be realised in 2025-26 with a £0.070m reduction in grant
SAFFH232	Existing	Affordable Housing	Bringing Rent Collection in house	Savings by collecting the rent from council properties ourselves, instead of through a housing association.	(0.015)	Achieved	
SHOSD241	New	Housing Standards	Housing Standards additional income	To better reflect the service we provide, and changes in the housing market, increase the license fees for Houses in Multiple Occupation by 10%	(0.002)	Achieved	
SAFFH241	Efficiency Savings	Housing Assets	Bringing aspects of responsive repairs in house	The existing small repairs service within the Grants Team, which completes private works as part of the Home Improvement Agency, is going to be used to carry out some minor repairs within the small housing stock portfolio of the Council. These are currently all contracted out to outside suppliers.	(0.007)	Not Achieved	Whilst we have been more efficient and if the levels of repair had been at previous levels, the saving would have been achieved. However the rate of repair has warranted greater expenditure than planned but still less than if we used external contractors.
SHIA241	Efficiency Savings	Home Improvement Agency	Changing the administration process for Discretionary Grants	Changing the administration process for Discretionary Grants	(0.062)	Achieved	
SHIA242	Efficiency Savings	Home Improvement Agency	Reducing consultancy budget	The grants team use specialist outside consultants for complex works, such as architects for house extensions. The nature of works completed by the team and the surveying skills within the team has meant a reduction in reliance on consultancy.	(0.012)	Achieved	
SHIA243	Efficiency Savings	Home Improvement Agency	Increased grant contribution from Oxfordshire County Council for the Home Improvement Agency	Oxfordshire County Council have agreed to pay a grant contribution to Cherwell DC for the delivery of this service. A inflationary increase was not factored in, which is part of the contract terms	(0.009)	Partially Achieved	Of the £0.009m saving we achieved £0.005m. The shortfall was due to lower than anticipated indexation than budgeted.
SHOAD241	Efficiency Savings	Housing Advice	Reduction in cost of Housing Advice contract	The amount in budget was set on a year one contract cost, this cost is not reflective of the ongoing years costs within the contract. The year one cost was higher than the remaining years. The budget can be profiled accordingly	(0.015)	Partially Achieved	Of the £0.015m saving we achieved £0.008m. This is due to us paying a larger invoice this year to enable the new contract to align with the financial year.

Appendix 7 - Savings Not Delivered 2024/25

SLEIS241	Efficiency Savings	Leisure Contracts and Community Sports Sites	Insure our Leisure Centres through a group insurance policy	Make use of the contractors group insurance on all sites in the contract rather than procuring independently for each Leisure Centre	(0.060)	Partially Achieved	Of the £0.060m saving we achieved £0.045m. This is due to the saving level being estimated before the premium was confirmed by the Operators insurers.
				Total	(1.261)		




Appendix 7 - Savings Not Delivered 2024/25

Resources							
Reference	Existing, New or Efficiency		Title	Description	2024/25 (£m)	Savings achieved in 24/25	Reason for non-achievement
SHUMR233	Existing	Human Resources	Back office efficiencies in HR	Full year impact of reviewing our back-office HR processes in 2023/24.	(0.050)	Not Achieved	The £0.050m saving was a budgeting error that was included in the MTFS for 2024-25. When the initial saving was declared, it related to staff savings but it was misunderstood that this was a 'one-off saving' and not a year-on-year saving. This has been corrected for 2025-26.
SAV025 & SC	Existing	Car Parking	Car park fees	Increase annual car parking charge of no more than 10p per hour	(0.145)	Achieved	
SELEC221	Existing	Elections	Parish Election Charges	Review of recharges to Parishes for CDC running Parish Elections	(0.001)	Not Achieved	
SFCOS231	Existing	Finance	Ensure services funded through external grants reflect the costs of support services required	Through adopting a new approach to allocating any grants we receive towards services we can deliver savings on existing and future grants by ensuring they take into account all the costs of providing the services	(0.040)	Achieved	
SFSUP241	Efficiency Savings	Finance - Corporate Support	Staff Budget Realignment	Realignment in staffing budgets following a review	(0.008)	Achieved	
Page 260 SFREV241	Efficiency Savings	Finance - Revenues & Benefits	Increase overall court costs for Council Tax recovery action	We will increase the overall court costs incurred by the customer for the issuing of Council Tax Summons and Liability Orders	(0.161)	Not Achieved	The saving has not been achieved and was due to a reduction in the number of cases which were required to get to court/OR a reduction in processing of new Court Costs in March due to focussing on the Annual Billing Process. This will be monitored closely in 2025/26 and if this appears to be a permanent adjustment in the base position then will need to be considered as part of the 2026/27 budget process.
SFREV221	Efficiency Savings	Finance - Revenues & Benefits	Vacant Inspections Officer post deleted from establishment	Removing a vacant inspection officer post from the structure	(0.033)	Achieved	
SFREV201	Efficiency Savings	Finance - Revenues & Benefits	Increase overall court costs for Non-Domestic Rates recovery action	We will increase the overall court costs incurred by the business for the issue of Non Domestic Rates summons and Liability Orders.	(0.016)	Not Achieved	The saving has not been achieved and was due to a reduction in the number of cases which were required to get to court/OR a reduction in processing of new Court Costs in March due to focussing on the Annual Billing Process. This will be monitored closely in 2025/26 and if this appears to be a permanent adjustment in the base position then will need to be considered as part of the 2026/27 budget process.
SITBS241	Efficiency Savings	IT - Business Systems , Support & Infrastructure	Operational Efficiencies	By leveraging automation and enhancing vendor support, we can deliver revenue savings associated with back-end IT operations.	(0.070)	Achieved	
SINVP221	Existing	Property	Commercial Rents	Change in rental income from commercial council properties through contractual lease reviews	0.074	Achieved	
SPERF241	Efficiency Savings	Customer Focus	Non renewal of Performance System	As part of the transformation programme is possible that we would not renew our current performance system, which is due to be renew next year (two-year contract until Nov 2024). This proposal will depend on the proof of concept currently being undertaken as part of the digital transformation programme.	(0.009)	Achieved	
SPERF231	Existing	Performance	Performance System Contract	Our performance system contract needs to be renewed every other year	0.010	Achieved	
				Total	(0.449)		
				Total Existing Savings	(0.286)		
				Total New Savings	(0.203)		
				Total Efficiency Savings	(1.221)		
				Total Savings	(1.710)		

Housing that meets your needs - KPI's 2024-2025

Measure	Portfolio Holder	Director/Lead Officer	Good is	Year End Actual	Year End Target	Year End R.A.G
BP1.2.01 Number of Homeless Households living in Temporary Accommodation (TA)	Cllr N Cotter	<ul style="list-style-type: none"> Ian Boll Nicola Riley 	Smaller Is Better	80	45	▲
YTD Commentary The number of households in temporary accommodation has been consistently high and above target throughout the year. This has increased again through Q4, as it did similarly in Q4 of 2023-24. The service has been increasing the numbers of self contained accommodation to try and reduce the number of hotel placements that are made to accommodate this growing client group. The waiting list for permanent housing has increased 10% in the last year, and most of these households are in housing need, so the numbers across the service suggest a significant demand for housing.						
BP1.2.04 No of affordable homes delivered	Cllr N Cotter	<ul style="list-style-type: none"> Ian Boll Nicola Riley 	Bigger Is Better	267	200	★
YTD Commentary The total of 267 affordable homes delivered this year is ahead of the YTD target of 200. Of the 267 homes delivered this year, 57 were Social Rent homes, 134 Affordable Rent, 73 were Shared Ownership and 3 were Discount Market Sale.						
BP1.2.05 % of Homelessness cases successfully prevented rather than relief/main duty being applied	Cllr N Cotter	<ul style="list-style-type: none"> Ian Boll Richard Smith 	Bigger Is Better	63.75%	60.00%	★
YTD Commentary For the last financial year (01/04/2024 – 31/03/2025) we successfully prevented homelessness in 213 cases of which 58 households were assisted into private rental sector accommodation. Whilst our prevention rates have decreased over this last quarter they still remain above the national and regional average.						

Measure	Portfolio Holder	Director/Lead Officer	Good is	Year End Actual	Year End Target	Year End R.A.G
BP1.2.06 Average time taken to process Housing Benefit New Claims and council tax reduction (Days)	Cllr L McLean	<ul style="list-style-type: none"> Michael Furness Stephen Hinds 	Smaller Is Better	11	18	★
YTD Commentary During the year 2024/25 we have continued to monitor this work and have achieved throughout the year a rate higher than our target.						
BP1.2.07 Average time taken to process Housing Benefit Change Events & council tax reduction (Days)	Cllr L McLean	<ul style="list-style-type: none"> Michael Furness Stephen Hinds 	Smaller Is Better	2	8	★
YTD Commentary During the year 2024/25 we have continued to monitor this work and have achieved throughout the year a rate higher than our target.						
BP1.2.08 % of Major Planning Applications determined to National Indicator	Cllr J Conway	<ul style="list-style-type: none"> David Peckford Ian Boll 	Bigger Is Better	84.0%	60.0%	★
YTD Commentary The national target for the speed of determination of major planning applications is to determine at least 60% of applications within the relevant national target period (13 or 16 weeks) unless an extended period has been agreed with the applicant. In Q4, the Council achieved 77.8% (7 out of 9 applications). Against the national target for the 2024/25 the Council has achieved a YTD result of 84% (48 out of 56 applications).						
BP1.2.09 % of Non-Major Planning Applications determined to National Indicator	Cllr J Conway	<ul style="list-style-type: none"> David Peckford Ian Boll 	Bigger Is Better	86.2%	70.0%	★
YTD Commentary The national target for the speed of determination of non-major planning applications is to determine at least 70% of applications within the relevant national target period (8 weeks) unless an extended period has been agreed with the applicant. In Q4, the Council achieved 84.9% (146 out of 172 applications). Against the national target for 2024/25 the Council has achieved a YTD result of 86.2% (846 out of 981 applications).						

Measure	Portfolio Holder	Director/Lead Officer	Good is	Year End Actual	Year End Target	Year End R.A.G
BP1.2.10 % of Major Applications overturned at appeal	Cllr J Conway	<ul style="list-style-type: none"> David Peckford Ian Boll 	Smaller Is Better	11.0%	10.0%	
YTD Commentary The national target is to ensure that less than 10% of major planning application decisions are overturned at appeal by the Planning Inspectorate. During 24/25 10.71% of decisions were overturned (6 out of 56 decisions). National monitoring takes place over a prescribed two year period and allows an additional period for appeal decisions to follow. Over the period April 2022 to March 2024, and allowing for appeal decisions to December 2024, 10.4% of decisions on major applications were overturned at appeal (12 out of 115 decisions). Consequently, the Council is under review for potential designation for the quality of its decisions on applications for major development. Officers are engaging with the Planning Advisory Service about a review of decision-making to support improvement. Had one application fewer been overturned, the Council would have been under the 10% threshold.						
BP1.2.11 % of Non-Major Applications overturned at appeal	Cllr J Conway	<ul style="list-style-type: none"> David Peckford Ian Boll 	Smaller Is Better	1.9%	10.0%	
YTD Commentary Against the national target YTD was 1.9% overturned during 24/25.						
BP1.2.12 Average time taken for new applications to be responded to within 15 working days	Cllr N Cotter	<ul style="list-style-type: none"> Ian Boll Richard Smith 	Smaller Is Better	10	15	
YTD Commentary The average time to respond to new housing register applications has consistently been within the 15 working day target throughout 2024-25.						

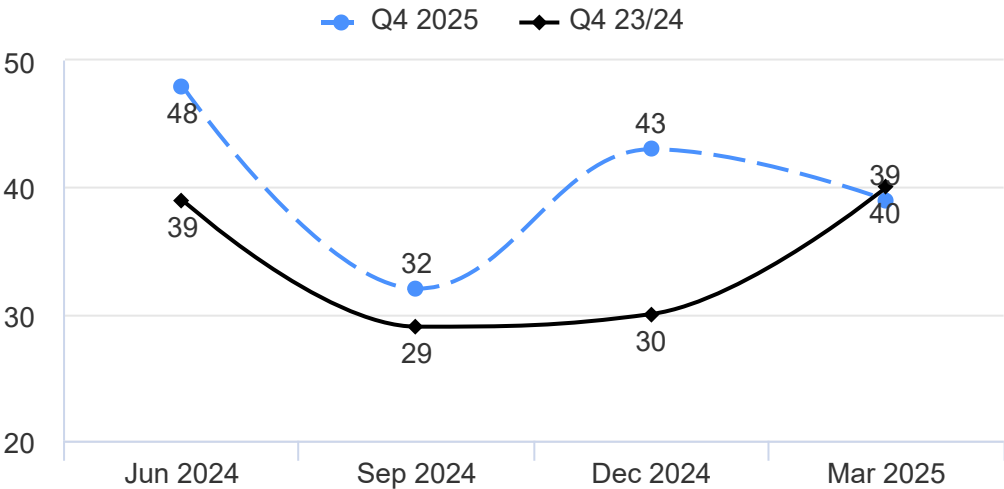
Measure	Portfolio Holder	Director/Lead Officer	Good is	Year End Actual	Year End Target	Year End R.A.G
BP1.2.13 Net Additional Housing Completions to meet Cherwell needs	Cllr J Conway	<ul style="list-style-type: none"> David Peckford Ian Boll 	Bigger Is Better	783	1,142	▲
YTD Commentary The reasons for the under delivery are many and varied. These include national economic factors, high interest rates, uncertainty around changes to the planning system, and inflation. However, there are also local factors including slow delivery at Bicester and Kidlington due to significant infrastructure issues. The Council is preparing a Housing Delivery Action Plan with the aim of improving delivery rates.						
BP1.2.14 % of BC full plans assessed within 5 weeks (or longer with applicant's agreement)	Cllr J Conway	<ul style="list-style-type: none"> Ian Boll Tony Brummell 	Bigger Is Better	90.43%	95.00%	●
YTD Commentary The cumulative full-year percentage is 90.43%. Although the stretch 95% target has not been met there have been no instances where a development has proceeded without approval. We were unable to recover the position from the missed target in the early year but have maintained > 90% against a stretch target of 95%. Lessons have been learned from the early year failings and are implemented.						

Please note in all the charts below the blue line represents the current performance and the black line the previous financial year 2023-24




BP1.2.03 Homes improved through enforcement action

162 homes improved through enforcement action in 2024-25 compared to last years total of 138.

YTD Commentary



Supporting environmental sustainability - KPIs 2024-2025

Measure	Portfolio Holder	Director/Lead Officer	Good is	Year End Actual	Year End Target	Year End R.A.G
BP2.2.01 % Waste Recycled & Composted	Cllr I Middleton	<ul style="list-style-type: none"> Ed Potter Ian Boll 	Bigger Is Better	50.82%	54.00%	
YTD Commentary Recycling rate will end the year down 1% due to the reduction in garden waste of 1,000 tonnes. This was due to the poor weather in the summertime.						
BP2.2.02 % Reduction in fuel consumption	Cllr I Middleton	<ul style="list-style-type: none"> Ian Boll Stuart Cruickshank 	Smaller Is Better	0.994%	1.000%	
YTD Commentary No change in the fleet profile from previous year but a slight reduction in fuel usage.						
BP2.2.03 % of Climate Action Plan delivering to target	Cllr D Hingley	<ul style="list-style-type: none"> Ian Boll Jo Miskin 	Bigger Is Better	58.47%	66.00%	
YTD Commentary At the end of 2024/25 the position of the Climate Action plan is of the 126 Climate Actions, 103 were Ongoing, 13 On-hold, and 10 Completed. RAG ratings showed 56 actions in Green, 54 in Amber, and 16 in Red. Work on the Local Area Energy Planning (LAEP) is progressing in partnership with OCC, ARUP, and neighbouring authorities. Phase 1 began with a mobilisation meeting in January, and we're advancing the baseline report and stakeholder engagement plan. The Climate Action Working Group concluded its work this municipal year, recommending seven priority actions, which were taken to the Overview & Scrutiny Committee. A briefing on the Solar Strategy study was held with councillors, and the final report will be available early next quarter (April'25). We hosted a Climate Community event with around 30 attendees from 14 community groups and organizations. Draft reports for the district's carbon baseline, and a fleet study were received, reviewed, and shared with the consultants for further refinements. Draft report for business and industrial emissions was received and is under review.						

Measure	Portfolio Holder	Director/Lead Officer	Good is	Year End Actual	Year End Target	Year End R.A.G
BP2.2.05 Reduction in total Greenhouse gas emissions for the year	Cllr I Middleton	<ul style="list-style-type: none"> Ian Boll Jo Miskin 	Smaller Is Better	4,119.00	3,900.00	▲
<p>YTD Commentary</p> <p>"During 2023/24 Cherwell District Council (CDC) total emissions increased by 1.2% (49 tonnes CO2e), from 4,071 tonnes CO2e in 2022/23 to 4,119 tonnes CO2e in 2023/24. Comparison for 2024/25 is not yet available.</p> <p>The main reason for the increment in emissions in 2023/24 is related to decarbonisation equipment installed in 2022/23 not realizing reductions in gas demand, particularly in the leisure property portfolio.</p> <p>Emissions increased in areas namely Corporate Electricity, Leisure Electricity, Leisure Gas, Business Travel, Water emissions. One third of emissions increase is directly related to a 5% increase in the carbon intensity of the UK electricity grid. Also, For the first time, CDC is reporting emissions from water supply, water treatment and waste disposal."</p>						

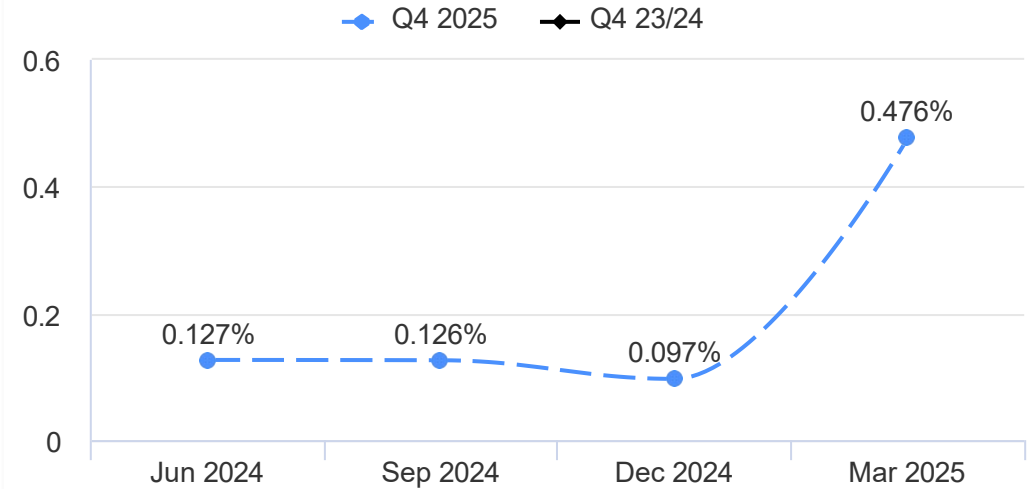
Please note in all the charts below the blue line represents the current performance and the black line the previous financial year 2023-24

YTD Commentary

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BP2.2.04 % of missed waste containers

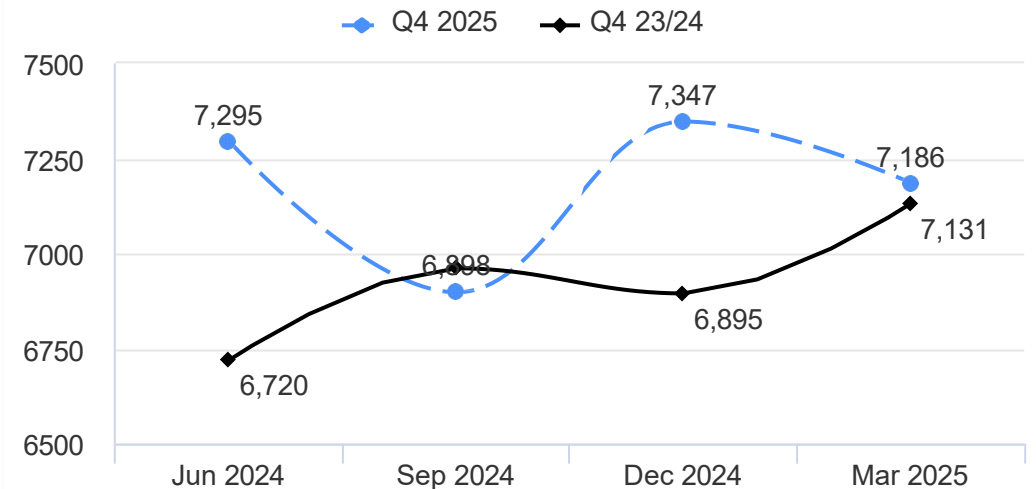
Average 110 missed bins per 100,000 collections is comparable with high performing councils.



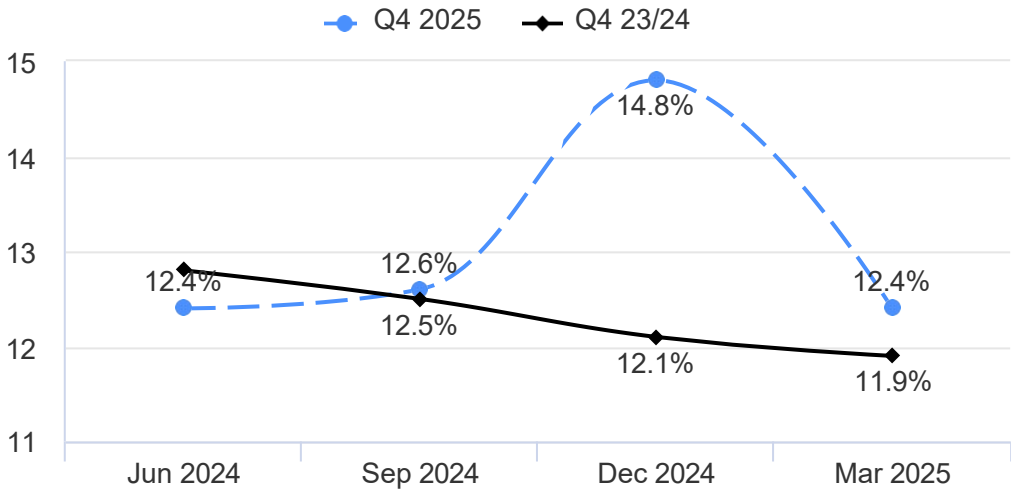
YTD Commentary

BP2.2.01d Tonnes residual household waste collected

Residual waste up by 300 tonnes in line with property growth within the district.



	BP2.2.07 % of Recycling Contamination rate
YTD Commentary	Contamination rate for 2024/25 has been slightly higher than previous years due to the fire at the Materials Recovery Facility causing damage to the testing station. In the final quarter of the year contamination rate has started to reduce due to the work the service development team have carried out.



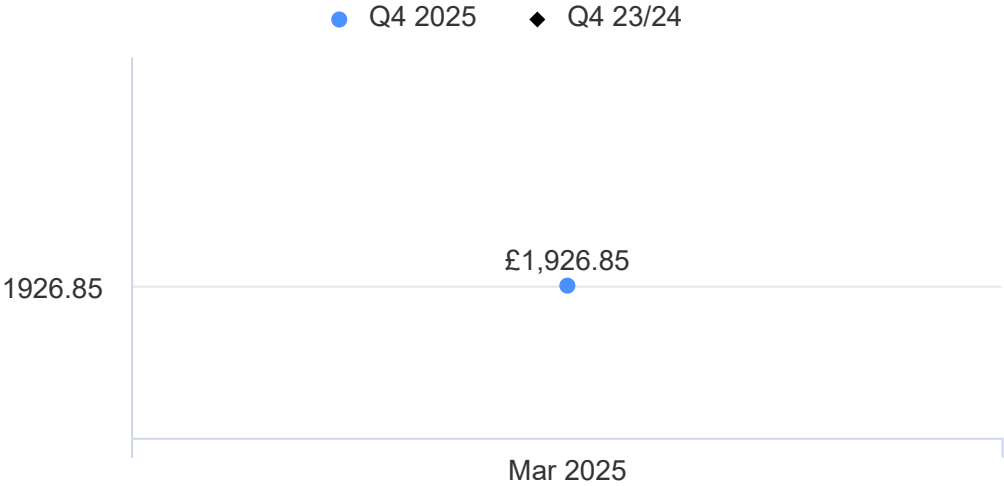
An enterprising economy with strong and vibrant local centres - KPIs 2024-2025

Measure	Portfolio Holder	Director/Lead Officer	Good is	Year End Actual	Year End Target	Year End R.A.G
BP3.2.01 % of Council Tax collected, increase Council Tax Base	Cllr L McLean	<ul style="list-style-type: none"> Michael Furness Stephen Hinds 	Bigger Is Better	98.02%	97.50%	★
YTD Commentary The end of year collection rate was 98.02% which exceeded the end of year target of 97.50%. The Revenues Services team collected in over £139.3m in respect of 2024/25 which is distributed to the preceptors who provide vital services to our residents. The Revenue Services team will continue to pursue any outstanding balances. Achieving a high in-year collection rate benefits the Council's overall cash flow. Minimising the level of arrears also benefits council tax payers generally by reducing the allowance made for non-collection allowed in determining the council tax base for future bills.						
BP3.2.02 % of Business Rates collected, increasing NNDR Base	Cllr L McLean	<ul style="list-style-type: none"> Michael Furness Stephen Hinds 	Bigger Is Better	98.83%	98.50%	★
YTD Commentary The end of year collection rate was 98.83% which exceeded the end of year target of 98.50%. The Revenues Services team collected in over £113.6m in respect of Business Rates due in 2024/25. The Revenue Services team will continue to pursue any outstanding balances. The residents of Cherwell benefit by the Business Rates collected as these funds are used to contribute to the overall budget for Cherwell District Council and Oxfordshire County Council.						

Please note in all the charts below the blue line represents the current performance and the black line the previous financial year 2023-24

BP3.2.03 Council Tax revenue per dwelling

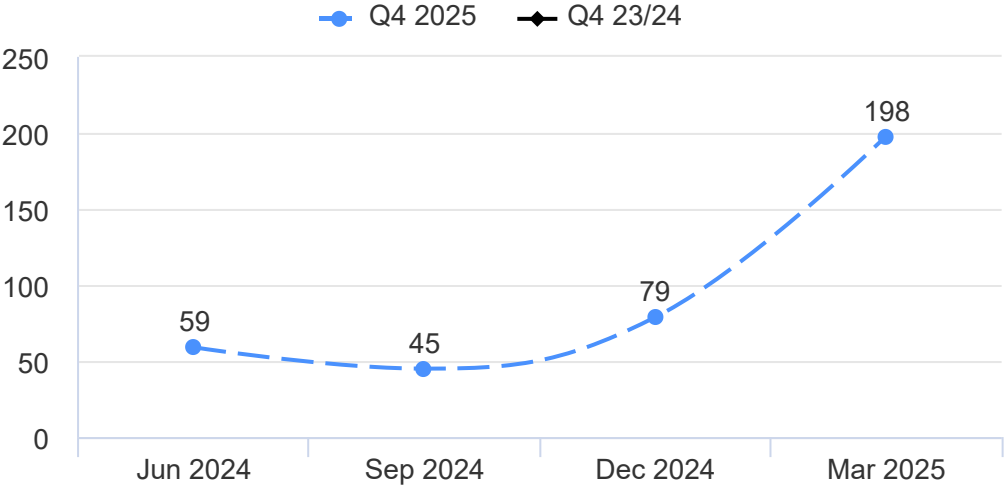
YTD Commentary



BP3.2.04 No. of businesses engaged through UKSPF and REPF funded programmes

YTD Commentary

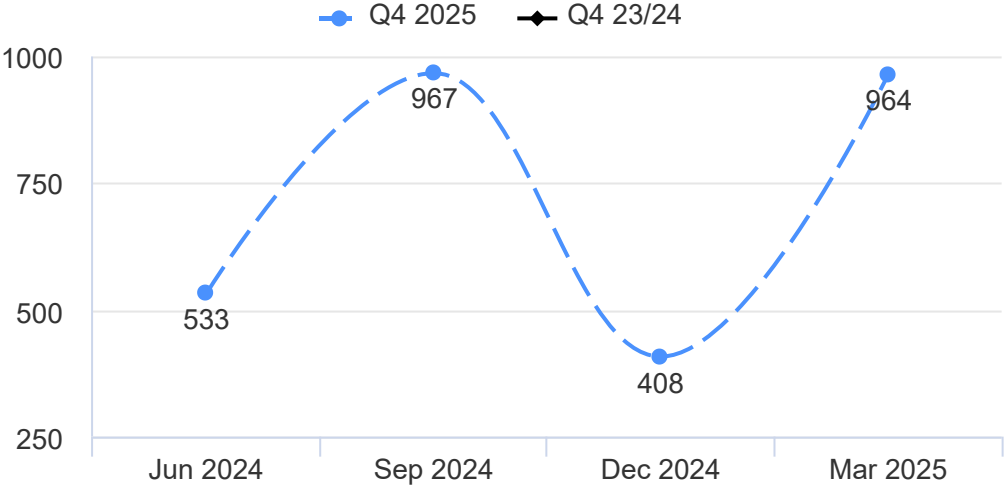
In 2024/25 a total of 381 businesses were provided with support, with the final quarter being the highest for the year at 198 businesses engaged, benefitting from *over 1140 hours of business support for start-up and growing businesses *free Green Skills courses *small grants for businesses based in rural Cherwell *25 Carbon Emission Assessments and Decarbonisation Plans *participation in the 2025 Cherwell Economic Forum *Support to the Cherwell Business Awards, to recognise and showcase the achievements of Cherwell businesses *exhibiting at the Banbury Job Fair



BP3.2.05 No. of residents engaged through UKSPF and REPF funded programmes

YTD Commentary

In 2024/25 a total of 2,872 residents were engaged through UKSPF and REPF funded programmes. In final quarter of the Year 964 residents were engaged, benefitting from *free Green Skills courses *employability support sessions *enterprise activity in secondary schools in partnership with Young Enterprise *widened participation in cultural activities and attendances at performances at a theatre and arts centre *widened access to an existing community garden through new events to bring communities together *attendance at the Banbury Job Fair



Healthy, resilient and engaged communities - KPIs 2024-2025

Measure	Portfolio Holder	Director/Lead Officer	Good is	Year End Actual	Year End Target	Year End R.A.G
BP4.2.04 % of due food hygiene inspections of premises rated A-D completed	Cllr R Parkinson	<ul style="list-style-type: none"> Ian Boll Tim Hughes 	Bigger Is Better	97.43%	95.00%	★
YTD Commentary In 2024/25 a total of 110 Inspections were successfully completed and we have achieved being on target throughout the year. We have achieved a YTD result of 97.43% against the target of 95%.						

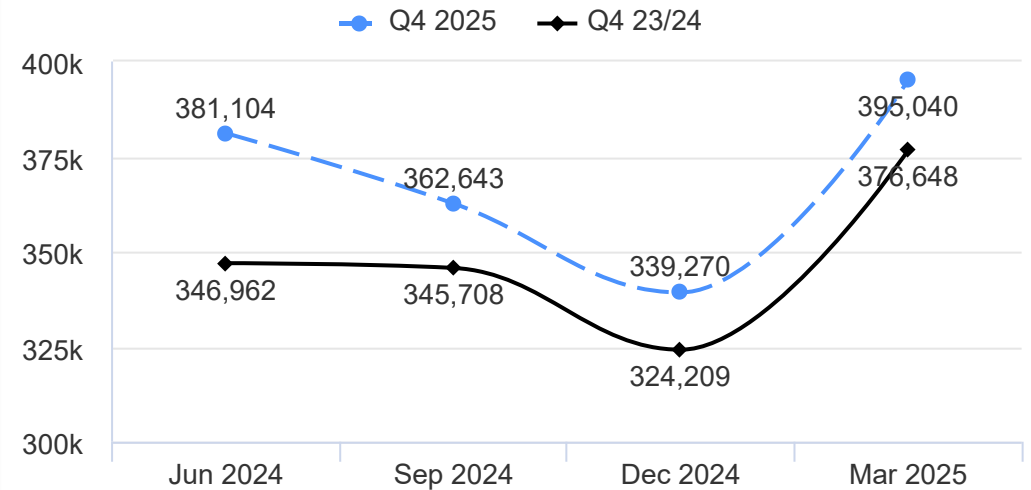
Please note in all the charts below the blue line represents the current performance and the black line the previous financial year 2023-24

BP4.2.01 Number of Visits/Usage of all Leisure Facilities within the District

Usage Figures for all 3 main leisure centres have increased against the 2023/24 totals. Spiceball Leisure Centre evidenced the largest increase of circa 45,000 with a total of 559,000 visits against 514,000 visits. Bicester Leisure Centre followed closely with a 35,000 increase going from 416,000 visits to 451,000. The increase at Kidlington against 2023/24 was 18,000 with total number of unique visits being 308,000

YTD Commentary

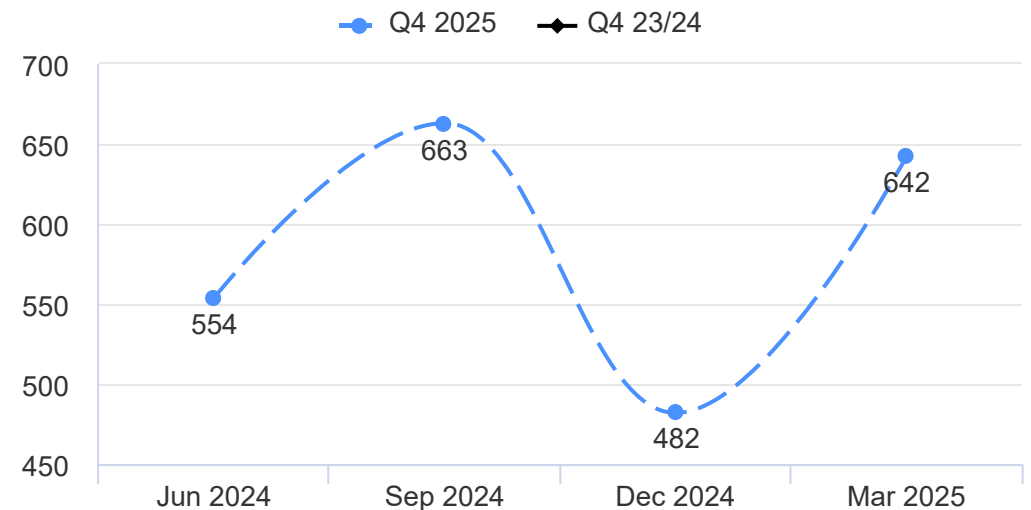
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BP4.2.02 Residents who have taken part in programmes contributing to improving health inequalities

Highly successful year with a large number of residents benefitting from health intervention programmes You Move (3,659 residents on programme) and Move Together (3,252 residents on programme). You Move offers families in receipt of free school meals reduced and free opportunities has seen clear increases in Physical Activity with a 48% increase in Children's activity levels from being part of You Move. You Moves impact features in Oxfordshire's Director of Public Health report as having a positive impact on Mental Wellbeing. Move Together which offers a bespoke physical activity pathway for residents with long term conditions has seen excellent results with 84% of residents reporting an improvement in pain management, 23% fewer falls and 4.5 GP appointments saved per participant per year.

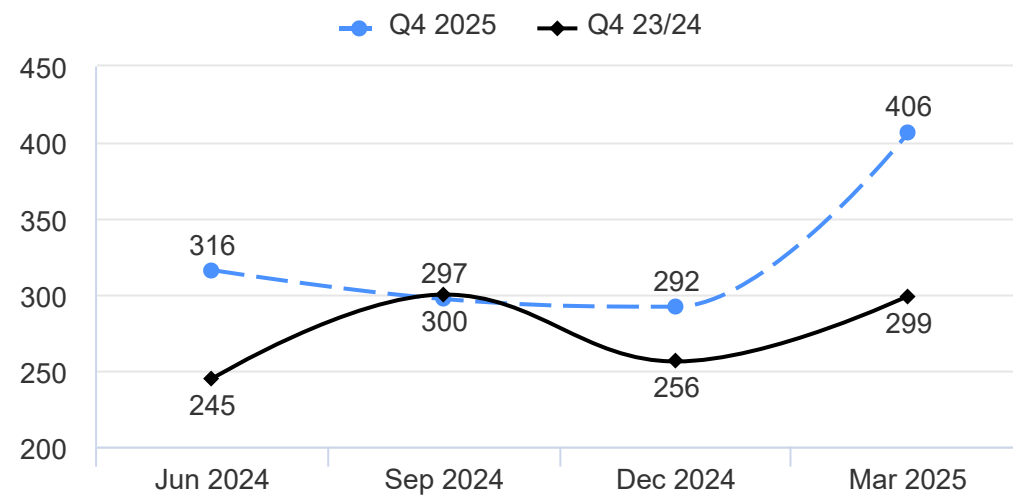
YTD Commentary



BP4.2.05 Number of Illegal Fly Tips

The total number of reports received in 2024/25 was an increase of 211 on the number received in 2023/24

YTD Commentary



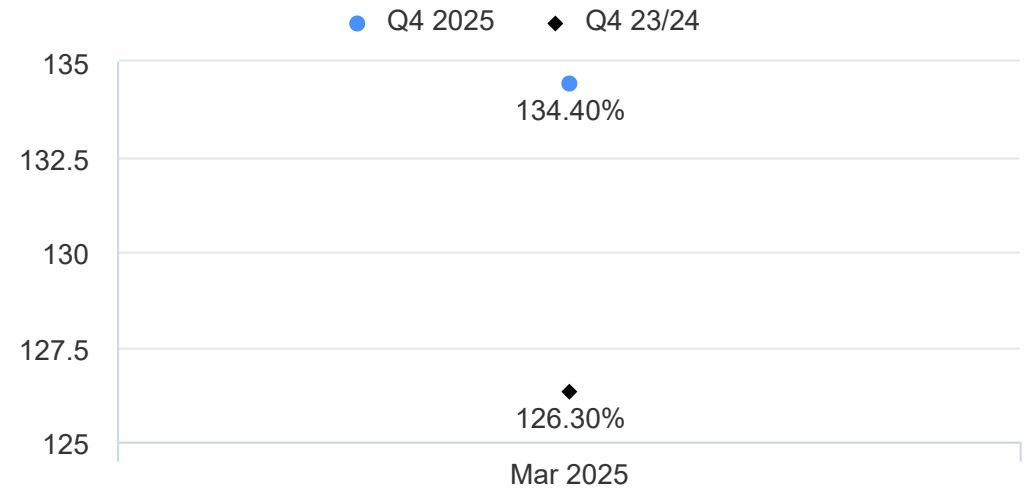
Please note in all the charts below the blue line represents the current performance and the black line the previous financial year 2023-24

BP5.1.01 Non-ringfenced reserves as percentage of net revenue expenditure

This an increase of 8.1% from 126.3% for 2023/24. This is primarily due to a 10% increase in reserves compared to 23/24.

YTD Commentary

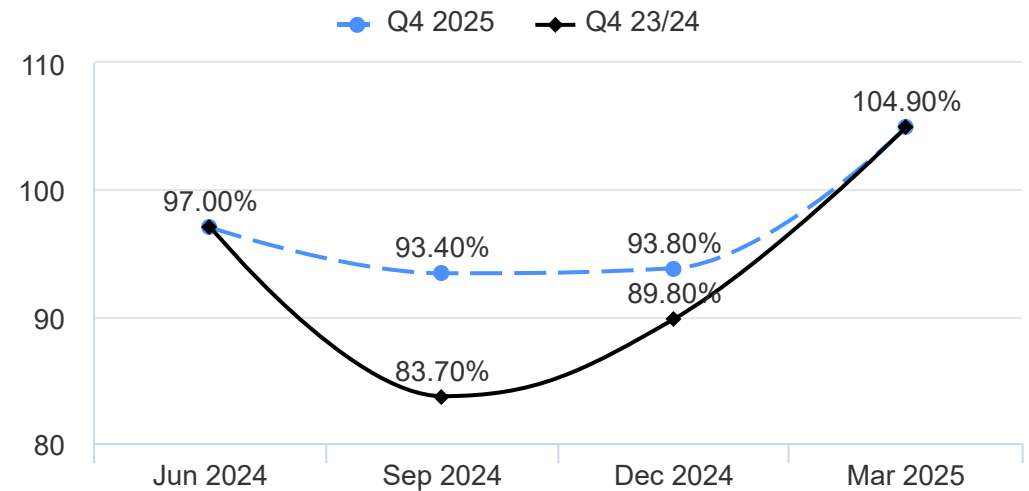
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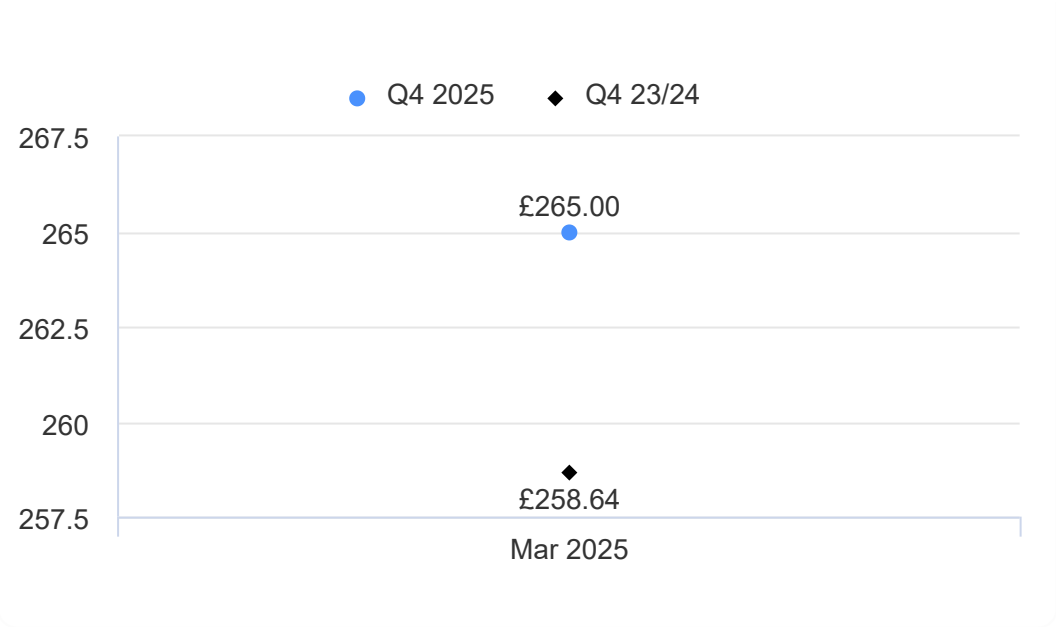
BP5.1.02 Non-ringfenced reserves as percentage of service spend

This is an increase of 11.1% from 93.8% in Q3, but when comparing to Q4 of 2023/24 there is no change. The increase from Q3 to Q4 is due to increased contributions to reserves than that forecast at Q3.

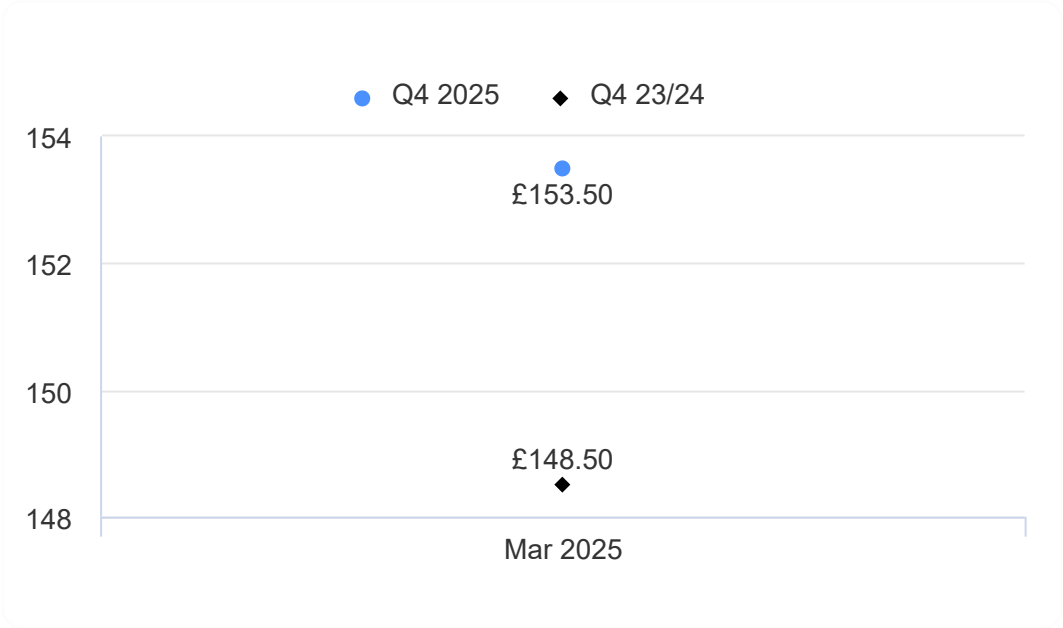
YTD Commentary



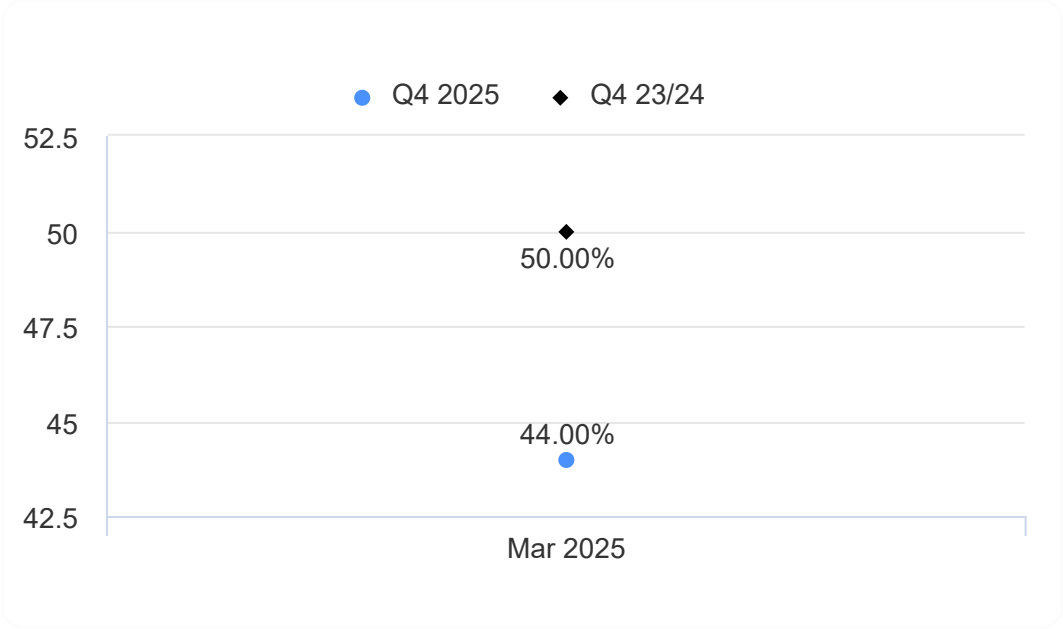
	BP5.1.03 Total core spending power per dwelling
YTD Commentary	<p>The figure is being calculated by Core Spending Power £19.2m / Actual dwelling numbers from Revenues 72,296</p>



	BP5.1.04 Level of band D council tax rates
	CDC Band D Council Tax as agreed at Council February 2024
YTD Commentary	



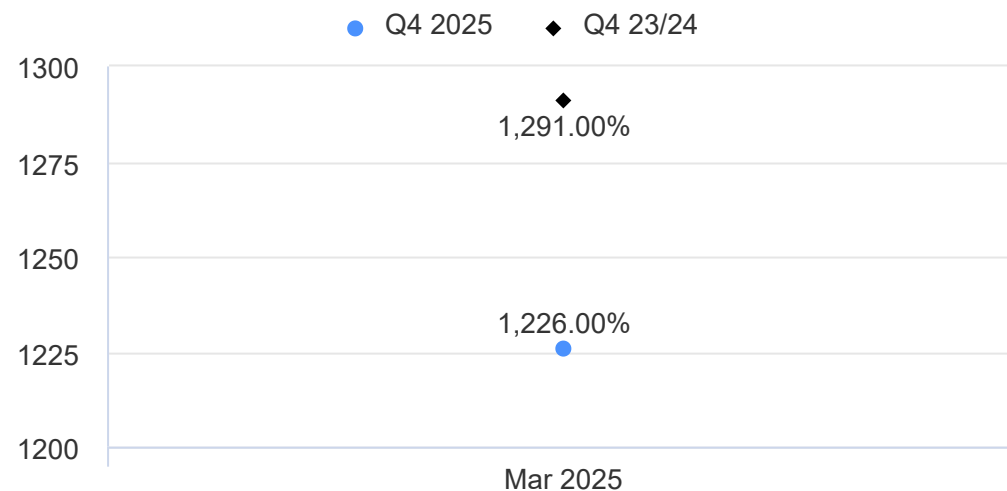
	BP5.1.05 Debt servicing as percentage of core spending power
	This is a decrease of 6% from 50% in 2023/24. This is mainly due to the cut in interest rates during 2024/25.
YTD Commentary	



BP5.1.06 Total debt as percentage of core spending power

This is a decrease of 65% from 1291% in 2023/24. Total debt per the Capital Financing Requirement (CFR) is estimated to increase by approximately £1m, this is lower than anticipated due to the application of additional financial resources to the capital adjustment account following a balance sheet review. The Local Government Finance Settlement 2024/25 provided extra funding which increased Core Spending Power (CSP) by £1m (5%). As a proportion of the CFR, the CSP increased by more, resulting in an overall decrease in the ratio.

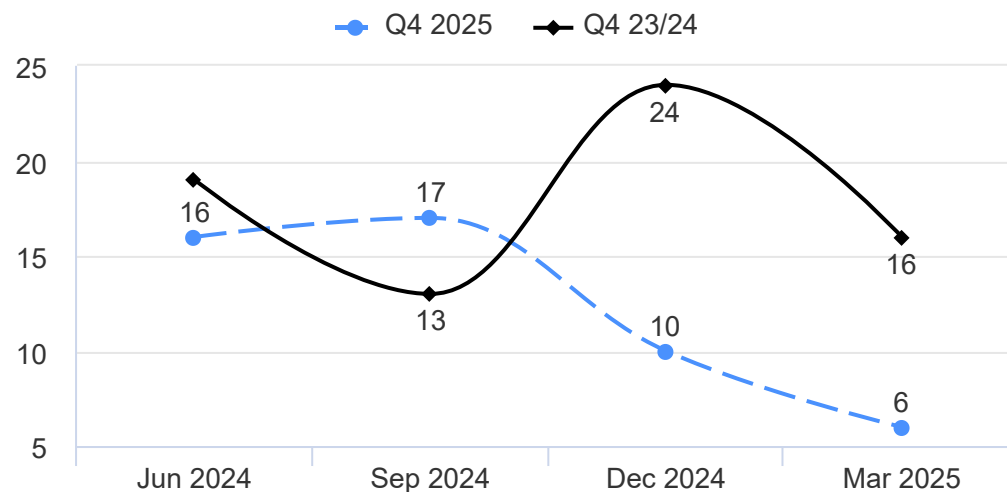
YTD Commentary



BP5.1.07 Number of upheld complaints

Compared to the previous year, accumulating 72 upheld complaints, 2024 accumulated 49, a decrease of nearly 32%. Actions contributing to this improvement were, the implementation of a New Policy and simpler administration methods.

YTD Commentary



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Annual Delivery Plan - Housing that meets your needs						
Priorities & Milestones	Lead/Director	Portfolio Holder	Start Date	Due Date	YTD R.A.G.	YTD Priority update
HMN1 Work with partners and landlords to settle refugees into suitable accommodation in Cherwell through a Migration Moving Plan	<ul style="list-style-type: none"> Ian Boll Nicola Riley 	Cllr N Cotter	01 Apr 2024	31 Mar 2025	Delivering to Plan	The use of Local Authority Housing Fund Round 2 funding has brought void properties back into use allowing families in the Afghan Resettlement Programme to be settled well in properties managed by Registered Providers. There has also been a continuation of private sector tenancies sourced for Refugees on the United Kingdom Resettlement Scheme.
HMN2 To continue delivering on our Housing that meets our needs priority through the development of a new housing strategy	<ul style="list-style-type: none"> Ian Boll Richard Smith 	Cllr N Cotter	01 Apr 2024	31 Mar 2025	Completed	The Housing Strategy was developed, consulted on, agreed by Executive in 2025. The agreed action plan within, and thus its implementation, is ongoing and will continue through the life of the strategy document.
HMN3 Identify the Housing and Infrastructure our communities need in the future to create a healthy, thriving and sustainable Cherwell through developing our new Local Plan.	<ul style="list-style-type: none"> David Peckford Ian Boll 	Cllr J Conway	01 Apr 2024	31 Mar 2025	Delivering to Plan	Significant progress was made on a new Local Plan over the course of 24/25 with evidence gathering, stakeholder engagement, Plan preparation and statutory consultation. Consultation was undertaken from December to 2024 to February 2025. Officers then commenced review of the responses received and the preparation of documents for presentation to the Executive and Council. In the coming months, Councillors will be invited to consider the results of consultation and to decide whether to submit the Plan to the Planning Inspectorate for independent Examination.

Annual Delivery Plan - Supporting environmental sustainability

Priorities & Milestones	Lead/Director	Portfolio Holder	Start Date	Due Date	YTD R.A.G.	YTD Priority update
SES1 As part of our climate action commitments, we will review and update our Air Quality Management Action plan to ensure its effectiveness and suitability	<ul style="list-style-type: none"> Ian Boll Tim Hughes 	Cllr R Parkinson	01 Apr 2024	31 Mar 2025	Completed	The Air Quality Action Plan (AQAP) was reviewed and updated in consultation with partners. The revised AQAP was submitted to Executive and the approved document forwarded to Defra who have also approved the plan. We are currently working on the 2025 Annual Status Report (ASR), reporting on the monitoring undertaken in 2024, for submission to Defra by the 30 June 2025 deadline. As part of this process we will re-consult partners on the actions in the AQAP and include any further updates in the ASR.
SES2 To progress activity within Climate Action Plan to support communities to develop and implement plans to make all of the district a more sustainable place to live and work.	<ul style="list-style-type: none"> Ian Boll Jo Miskin 	Cllr D Hingley	01 Apr 2024	31 Mar 2025	Delivering to Plan	The year end position of the Climate Action plan is as follows - 103 actions were Ongoing, 13 On-hold, and 10 Completed. RAG ratings showed 56 actions in Green, 54 in Amber, and 16 in Red. The Climate Action Plan progress will continue to be reported in the 2025/26 ADP plan.
SES3 Move to a smaller, greener HQ with better public transport, walking and cycling opportunities to reduce costs and reliance on cars.	<ul style="list-style-type: none"> Mona Walsh Stephen Hinds 	Cllr L McLean	01 Apr 2024	31 Mar 2025	Delivering to Plan	Move from Bodicote House to the new Offices at Castle Quay has been successfully completed.

Annual Delivery Plan - An enterprising economy with strong and vibrant local centres

Priorities & Milestones	Lead/Director	Portfolio Holder	Start Date	Due Date	YTD R.A.G.	YTD Priority update
EEV1 To deliver key projects within the third year of the UK Prosperity Fund and Rural England Prosperity Fund	<ul style="list-style-type: none"> Ian Boll Julia Harrington 	Cllr L McLean	01 Apr 2024	31 Mar 2025	Completed	The UK Shared Prosperity Fund and Rural England Prosperity Fund programmes were completed by 31 March 2025.
EEV2 To continue the development of the Banbury Vision 2050, which will identify short and long terms measures to regenerate the town centre	<ul style="list-style-type: none"> Ian Boll Julia Harrington 	Cllr L McLean	01 Apr 2024	31 Mar 2025	Delivering to Plan	The Banbury Vision 2050 report was published in March 2025. Work on the principles of the Banbury Area Priority Plan has been progressed. The initial version of the Priority Plan will be discussed at the first AOG meeting which has been rescheduled to May 2025 in order to engage further with a wider range of stakeholders.
EEV3 To develop a plan for reimaging Bicester and ensure existing and new communities benefit from short and long-term measures of the Garden Town principles	<ul style="list-style-type: none"> Ian Boll Julia Harrington 	Cllr L McLean	01 Apr 2024	31 Mar 2025	Delivering to Plan	The Market Square final concept design was agreed with the Portfolio Holder in February 2025 as required. The Bicester Area Priority Plan was progressed and presented at the first AOG meeting held on 02 April 2025 (due to availability of required attendees, it was not possible to hold this meeting earlier).
EEV4 Developing a Kidlington Vision	<ul style="list-style-type: none"> Ian Boll Julia Harrington 	Cllr L McLean	01 Apr 2024	31 Mar 2025	Delivering to Plan	The Area Priority Plan was progressed and presented at the first AOG meeting held on 27 March 2025.

Annual Delivery Plan - Healthy, Resilient and engaged communities

Priorities & Milestones	Lead/Director	Portfolio Holder	Start Date	Due Date	YTD R.A.G.	YTD Priority update
HRE1 To develop a framework that determines the effectiveness and positive impact of the wellbeing strategy on our communities	<ul style="list-style-type: none"> Ian Boll Nicola Riley 	Cllr R Pattenden	01 Apr 2024	31 Mar 2025	Delivering to Plan	Wellbeing Strategy Outcome framework developed to demonstrate and monitor impact relating to the seven goals along with shaping service delivery going forward.
HRE2 To respond to the Food Insecurity Emergency and improve outcomes for our residents through delivery of the Cherwell Food Action Plan	<ul style="list-style-type: none"> Ian Boll Nicola Riley 	Cllr R Parkinson	01 Apr 2024	31 Mar 2025	Delivering to Plan	The food action plan has been delivered and reviewed for year 1. Next steps will be looking at next years outcomes and ensuring we have a plan to achieve those.
HRE3 To work with partners on delivering against agreed actions to protect women and girls from violence	<ul style="list-style-type: none"> Ian Boll Tim Hughes 	Cllr R Parkinson	01 Apr 2024	31 Mar 2025	Delivering to Plan	<p>During 2024/25 we have:-</p> <ul style="list-style-type: none"> 32 referrals have been received, predominately from social care and early help. 19 young people have been supported with 187 one- to-one sessions have been delivered. We delivered an eight-week programme of 'Escape the Trap' (a teenage relationship abuse programme) to a group of 8 year 11 students in a local secondary school, with all students completing the programme. 372 professionals were trained through our exploitation training, which was designed and delivered in partnership with the Violence Prevention Partnership.

Priorities & Milestones	Lead/Director	Portfolio Holder	Start Date	Due Date	YTD R.A.G.	YTD Priority update
HRE4 To consider and deliver actions that will improve the experience of residents in relation to the cost of living by enabling voluntary and community groups to deliver services through the redistribution of central government grants	<ul style="list-style-type: none"> Ian Boll Nicola Riley 	Cllr R Pattenden	01 Apr 2024	31 Mar 2025	Completed	The cost of living plan has been delivered and HSF 6 has been spent and evidenced.

Annual Delivery Plan - Organisational Health

Priorities & Milestones	Lead/Director	Portfolio Holder	Start Date	Due Date	YTD R.A.G.	YTD Priority update
QOR1 Identifying future services delivery options, to ensure efficiency, best use of resources and continuous improvement through Transformation Programme and Balanced MTFS	<ul style="list-style-type: none"> Shona Ware Stephen Hinds 	Cllr D Hingley	01 Apr 2024	31 Mar 2025	Delivering to Plan	Transformation programme has been approved by Overview and Scrutiny and Executive Committees. Initiatives will be incorporated into the Annual Planning process 2025/26.

Inclusive Communities

EDI1.01 Engage with, and support local community groups and organisations

Action	Owner	Actual	YTD Comments
EDI1.01.01 Evaluate the quality of council's existing relationships with community groups and organisations which further the Council's commitment to equality, diversity and inclusion	Jon Wild	Delivering to plan	Through different grant schemes offered the range of constituted organisations has broadened during the year. An evaluation of partnerships shows a growing number of stakeholders have been identified across the district. This work is ongoing
EDI1.01.02 Establish new relationships with community groups focused on ethnicity or national identity with priority given to those with the largest number of members in need in the district	Jon Wild	Delivering to plan	The range of constituted organisations known to the council and participating in community development activity has expanded during the last year.
EDI1.01.03 Establish a Language Bank where Cherwell staff proficient in community languages can opt-in to assist with outreach efforts to further the Council's EDI objectives	Claire Cox	Delivering to plan	Since our quarter 3 update, we have now had 17 responses with 15 languages covered. We have not yet identified any staff fluent in British sign language but will continue to promote the language bank to existing staff and new starters in the hope of further building on volunteers to call upon should a need arise.

EDI1.02 Promote inclusive behaviour with residents and service users

Action	Owner	Actual	YTD Comments
EDI1.02.01 Promote externally the Council's work to promote inclusivity	Julian Cotton	Delivering to plan	We regularly consider suitable events and awareness days throughout the year that we can support or engage with through external communications. We maintain an awareness calendar to assist with this. We will continue these types of communications in the upcoming year. This measure could serve as a reference or be seen as business as usual.
EDI1.02.02 Add additional pro-forma text on accessibility to the committee meetings pages of the council's website and agenda reports pack	Natasha Clark	Ahead of schedule	This Action was completed in Q1.

EDI1.03 Work directly with communities to identify inequality and tackle disadvantage

Action	Owner	Actual	YTD Comments
EDI1.03.01 Work with partners to promote an ethnically diverse representation at our voluntary sector forum	Nicola Riley	Delivering to plan	The voluntary sector forum is not yet as diverse as the district and more effort is being made to consider how to remove barriers to participation.

EDI1.04 Promote equality, diversity & inclusion through our supply chain and strategic partnerships

Action	Owner	Actual	YTD Comments
EDI1.4.01 Make sure EDI implications and clauses are included in all our procurement processes as stated in our contracts and evaluation process guidelines	Shiraz Sheikh	Ahead of schedule	This action was completed in Q3.

EDI1.05 Promote and encourage inclusive behaviour for future generations

Action	Owner	Actual	YTD Comments
EDI1.05.01 Collaborate with partner organisations to involve young people in volunteering activities and engage with them to undertake active participation in their local communities	Nicola Riley	Delivering to plan	There are multiple factors in securing ongoing volunteer opportunities for young people that are outside the control of the District Council, but efforts have been made to offer sports leaders courses and work with voluntary organisations to improve the access to volunteering opportunities.
EDI1.05.02 Raise awareness of the role of a councillor from an EDI perspective within political leaders	Shiraz Sheikh	Ahead of schedule	This action was completed in Q3.
EDI1.05.03 Raise awareness of the role of councillors and routes to be becoming a councillor targeted at underrepresented group	Natasha Clark Nicola Riley	Delivering to plan	Elections to Cherwell District Council will take place in 2026

EDI1.06 Work with all partner organisations to understand diverse needs & create incl. communities

Action	Owner	Actual	YTD Comments
EDI1.06.01 Implement the recommendations proposed by the strategic review of partnerships	Nicola Riley	Ahead of schedule	This action was completed in Q2.

Inclusive Services

EDI2.01 Ensure information, website and digital services are accessible to all incl. digitally excl

Action	Owner	Actual	YTD Comments
EDI2.01.01 Agree, implement, and publicise the new translations and alternative formats policy	Celia Prado-Teeling	Delivering to plan	The implementation plans are in progress and will continue through the new FY.
EDI2.01.02 Complete an Equalities Impact Assessment on the website (including the terms and conditions)	Celia Prado-Teeling	Slightly behind schedule	We have now completed the draft assessment. There may be work arising from the EIA; therefore, an action reflecting the support work undertaken to improve our website accessibility should be considered going forward.

EDI2.02 Take action to make our buildings accessible to all residents

Action	Owner	Actual	YTD Comments
EDI2.02.01 Conduct an access audit on Castle Quay and other major council buildings, unless up to date audits are already available	Mona Walsh	Ahead of schedule	This action has been successfully completed for 2024/25.
EDI2.02.02 Consider and if appropriate, implement the recommendations of the access audit	Mona Walsh	Delivering to plan	Main tasks for this action was completed in 2024/25 any remaining actions will be completed as Business as usual.

EDI2.03 Better understand those using services & their needs by collecting information & feedback

Action	Owner	Actual	YTD Comments
EDI2.03.01 Implement the recommendations of the review of data from customer contact	Celia Prado-Teeling	Delivering to plan	Recommendations will be included in the Annual planning process.

EDI2.04 Engage residents, those using services and community groups when planning services

Action	Owner	Actual	YTD Comments
EDI2.04.01 When officer review is completed, bring the draft consultation and engagement framework to Equality, Diversity & Inclusion working group for consideration	Celia Prado-Teeling	Delivering to plan	Draft has been amended taken into consideration the recently approved corporate vision and strategy, and will be circulated as soon as final version is completed.

EDI2.05 Plan and deliver services that promote inclusion

Action	Owner	Actual	YTD Comments
EDI2.05.01 Complete an Equalities Impact Assessments on all services and contracts	Celia Prado-Teeling	Delivering to plan	Work is progressing well, making sure all new policies, activities and proposals have the correspondent Equalities Impact Assessment. This is an established Business as Usual activity.

Inclusive Workplaces

EDI3.01 Improve diversity of our organisation at all levels to be representative of our communities

Action	Owner	Actual	YTD Comments
EDI3.01.01 Introduce a yearly report to Personnel Committee, which splits the demographic information on the Council's workforce by grade and department	Claire Cox	Delivering to plan	Workforce Statistics continue to be provided to Personnel Committee on a quarterly basis, outlining quarterly turnover and sickness absence rates, starters and leavers information, agency usage, and demographics by grade and department with additional statistics provided at the financial year end.

EDI3.02 Celebrate and promote diversity in our workforce

Action	Owner	Actual	YTD Comments
EDI 3.02.01 Within the annual report referenced in EDI3.01, include a short update on networks & virtual social groups for employees interested in particular causes	Julian Cotton	Delivering to plan	This was completed as part of the annual report. We anticipate it will be updated naturally each year and may not require dedicated action moving forward.

EDI3.03 Provide a supportive environment so all staff can reach their potential

Action	Owner	Actual	YTD Comments
EDI3.03.01 Deliver new communication plan which promotes development opportunities for the Council's workforce	Julian Cotton	Delivering to plan	We have been promoting training and events in a dedicated section of Sway, our weekly staff newsletter throughout the year. We will not need a new communications plan for next year. This will be an ongoing activity and may not need a dedicated measure.
EDI 3.03.02 Conduct an access audit on Castle Quay and other major council buildings (internal)	Mona Walsh	Slightly behind schedule	Main tasks for this action was completed in 2024/25 any remaining actions will be completed in the following as Business as Usual.

EDI3.04 Identify and tackle discrimination in all its forms

Action	Owner	Actual	YTD Comments
EDI3.04.01 Complete the review and approval by Personnel Committee of the remaining HR policies	Claire Cox	Delivering to plan	Work on updating policies has continued with 2 policies remaining for review. This will happen in June 2025 and all policies will then be on a rolling 3 year review programme.

EDI3.05 Provide managers with the skills to support employees with different needs

Action	Owner	Actual	YTD Comments
EDI3.05.01 Integrate additional inclusion training for manager into the mandatory e-learning suite	Teresa Reed	Delivering to plan	Managers must complete mandatory e-learning in both EDI and Recruitment. We are also in the process of identifying neurodiversity awareness training following a full council motion for members and employees to be trained.

EDI3.06 Train our staff to identify and avoid unconscious bias and deliver inclusive services.

Action	Owner	Actual	YTD Comments
EDI3.06.01 Provide an update on the roll out of unconscious bias training & to what extent the Council has been able to gauge its effectiveness	Teresa Reed	Delivering to plan	HR are running regular Recruitment Training for new and existing managers where unconscious bias is covered in detail.

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This report is public	
Appointments to Partnerships, Outside Bodies, Member Champions and Shareholder Committee 2025/26	
Committee	Executive
Date of Committee	10 June 2025
Portfolio Holder presenting the report	Leader of the Council and Portfolio Holder for Policy and Strategy
Date Portfolio Holder agreed report	27 May 2025
Report of	Assistant Director Law and Governance, Shiraz Sheikh

Purpose of report

To appoint representatives to Partnerships, Outside Bodies, where these are executive functions, Member Champions and the Shareholder Committee, for the municipal year 2025/2026.

1. Recommendations

The Executive resolves:

- 1.1 To make appointments to partnerships, outside bodies, the Shareholder Committee, Member Champions and advisory groups for the 2025/2026 municipal year as set out in Appendix 1 to this report.
- 1.2 To delegate authority to the Assistant Director Law and Governance, in consultation with the Leader of the Council, to appoint Members to any outstanding vacancies and make changes to appointments, including new appointments, as may be required for the 2025/2026 Municipal Year.
- 1.3 To remind appointed members to update their Register of Interests as may be required, to reflect these appointments.

2. Executive Summary

- 2.1 Appointments to outside bodies and partnerships, Member Champion appointments and appointments to the Shareholder Committee are made annually. Appointments will be effective until the following Annual Council meeting, unless the appointee ceases to be an elected Member or the appointment is changed via the agreed delegations.
- 2.2 Paragraph 2.2 of Part 2 of the Constitution, Committee Terms of Reference, states that appointing representatives to outside bodies is a Full Council function, “unless the appointment is an executive function”. The appointments listed in Appendix 1 are Executive functions.

- 2.3 To enable appointments to be made in a timely manner, Executive is requested to consider and agree appointments for 2025/2026 and delegate authority to the Assistant Director Law and Governance, in consultation with the Leader, to appoint to any vacancies and make changes as required during the municipal year.

Implications & Impact Assessments

Implications		Commentary		
Finance		There are no financial implications associated with this report. Any costs will be funded within the approved budget Michael Furness, Assistant Director of Finance/S151 Officer, 21 May 2025		
Legal		There are no legal implications arising directly from this report. Appointments to the roles listed are within the remit of the Executive, as explained in paragraph 2.2 above. Members should update their register of interests and if advice is needed, this can be sought from the Monitoring Officer. Shiraz Sheikh, Assistant Director Law and Governance/Monitoring Officer, 22 May 2025		
Risk Management		There are no risk implications associated with this report Julie Miles, Performance Analyst and Developer 21 May 2025		
Impact Assessments		Positive	Neutral	Negative
Equality Impact				
A Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?				
B Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?				
Climate & Environmental Impact				
ICT & Digital Impact				

Data Impact				N/A
Procurement & subsidy				N/A
Council Priorities	N/A			
Human Resources	N/A			
Property	N/A			
Consultation & Engagement	Leader of the Council, regarding Executive appointments for 2025/26			

Supporting Information

3. Background

- 3.1 Appointments are required to be reviewed following local elections each year, following retirement of Councillors or Councillors not being re-elected and where there are changes to Executive portfolios.

4. Details

- 4.1 Appendix 1 gives details of the proposed appointments for 2025/2026 and are in accordance with nominations by the Leader.
- 4.2 The business of local government includes considerable partnership working and work in the community. The Council's and a Councillors' representational role is enhanced and strengthened by participating in outside bodies.
- 4.3 Members are appointed annually to serve as representatives on outside bodies and partnerships.
- 4.4 Part 17 of the council's [Constitution](#), "An Advice Note for Councillors serving on Outside Organisations", was agreed by all Oxfordshire councils and adopted in August 2015. The note provides general advice for councillors about some issues which can and do arise when they are appointed to serve on partnerships and outside bodies.

Shareholder Committee

- 4.5 The Shareholder Committee is a sub-committee of Executive, comprising five Executive Members. No substitutes are permitted.
- 4.6 The role of the Committee is not operational, it is the means by which the Council shall:

- Be the body for approving council nominated non-executive directors, and approving best practice policies in relation to such appointments, considering any reserved shareholder matters within the company articles;
- Be responsible for agreeing and approving the framework within which the council interfaces with Council owned/influenced companies;
- Exercise strategic functions flowing from the council's ownership of shares.

4.7 It is custom for the Shareholder Committee membership to include the Leader and Portfolio Holders with responsibility for finance and housing.

4.8 Executive is asked to confirm the membership of the Shareholder Committee for 2025/26.

Member Champions

4.9 Following a review of Member Champions in December 2021, the Military Member Champion role was retained, to be appointed to annually.

4.10 Following adoption of the "Motion to declare a Food Poverty Emergency" at the 18 July 2022 Council meeting, a Food Member Champion was established. The Portfolio Holder for Healthy Communities was appointed Food Champion.

4.11 In June 2023, the Healthy Place Shaping Team at Oxfordshire County Council requested Cherwell District Council to consider reappointing a Cycling Member Champion. Following the request, the Portfolio Holder for Sport and Leisure was appointed Cycling Champion. The County, District/City Cycling Champions have an opportunity to feed into strategy before formal consultation and participate in learning events.

4.12 Within their Terms of Reference, a Member Champion may carry out the following functions with regard to the issue for which they have been appointed Member Champion:

- Ambassador – to raise the profile of an issue, provide a visible focus and raise the profile of an issue both internally and externally to the Council;
- Adviser to the Council in relation to the issue to provide a source expertise;
- Bringing issues to the Council's attention;
- Liaising with and providing a bridge between the Council and external groups, bodies and communities; and
- May be appointed by Council to outside bodies by virtue of office.

Informal Advisory Groups

4.13 There is currently one established Executive cross-party informal groups: Local Plan Members' Advisory Group; and there are three areas oversight groups, one each for Banbury, Bicester and Kidlington.

4.14 The Local Plan Members' Advisory Group is chaired by the Portfolio Holder for Planning and Development. It operates in an advisory capacity only and has no decision making powers. It is administered by the relevant service area

- 4.15 The Assistant Director Law and Governance, Assistant Director Planning and Development with liaison with the Portfolio Holder for Planning and Development and Group Leaders regarding the membership of the Local Plan Members' Advisory Group.
- 4.16 The Area Oversight Groups are administered by the Regeneration and Growth team. An area-based approach to regeneration, growth and development has been agreed with the Council's Executive, which aligns to the Council's priorities, with the implementation Area Oversight Group for Banbury, Bicester and Kidlington. .

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 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.

6 Conclusion and Reasons for Recommendations

- 6.1 It is proposed that representatives are appointed to Partnerships, Outside Bodies and as Member Champions as set out at Appendix 1 to ensure that the Council is represented and maintains links with partnerships and outside bodies.
- 6.2 Delegation to the Assistant Director Law and Governance, in consultation with the Leader provides flexibility 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.

Decision Information

Key Decision	No
Subject to Call in	Yes
If not, why not subject to call in	N/A
Ward(s) Affected	All

Document Information

Appendices	
Appendix 1	Outside Bodies List

Background Papers	None
Reference Papers	None
Report Author	Emma Faulkner, Principal Officer – Scrutiny and Democratic Lead
Report Author contact details	democracy@cherwell-dc.gov.uk 01295 221534

Appendix 1 to Outside Bodies appointments

Outside Body / Partnership and Brief Description	Legal Status of Organisation	Representative 2024/2025	Nominated Councillor Representative for 2025/26	Role and Allowances/ Stipends for Outside Body / Partnership*	Commitment to Outside Body / Partnership	Legal or Constitutional Basis of Appointment	Purpose of Appointment
Active Oxfordshire (formerly Oxfordshire Sports Partnership) Active Oxfordshire is one of the 43 Active Partnerships in the UK. It helps people in the most need across Oxfordshire by working with partners to increase physical activity and mental wellbeing.	Charitable Incorporated Organisation (CIO)	Relevant Portfolio Holder	Rob Pattenden	Consultee, no allowance	One meeting every two months.	None	Needs councillor representation as Active Oxfordshire is a county-wide sports partnership. It has a significant role to play in the delivery of the Cherwell District Council's strategy. It is also useful to have oversight on national policy as Active Oxfordshire sits at county level. There is also some funding from Active Oxfordshire for projects.
Age UK Oxfordshire an independent local charity in promoting the well-being of older people throughout Oxfordshire and helping to make life a fulfilling and enjoyable experience. Now includes Banbury Age Concern.	Local Independent Charity	Appointment Based on General Interest / Expertise	Nick Cotter	Consultee, no allowance.	One or two meetings per year, including the Annual General Meeting.	Cherwell District Council have a service level agreement with Age UK Oxfordshire but there is no legal or constitutional requirement for a member to be appointed.	Age UK Oxfordshire do a significant amount of work in promoting the wellbeing of older people across the county. It is important for the Council to be able to oversee and support this at a county level for the district.
Banbury Business Improvement District (BID) Board	Private Company Limited by	Relevant Portfolio Holder	Lesley McLean	Observer to the board.	One board meeting every two months.	None. Council has the right to appoint one	To participate in the board meetings, supporting mutual

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Banbury BID is set up as a Limited Company. It is led, on behalf of its levy payers, by a Board made up of volunteer Directors of the Banbury BID company.	Guarantee Without Share Capital					non-voting observer to the board.	objectives to enhance the vitality of central Banbury.
Banbury Charities Banbury Charities are a group of eight registered charities (registration number 201418) with the aim of benefiting inhabitants of the former Borough of Banbury and within a five-mile radius of Banbury Cross.	Registered Charity	Relevant Portfolio Holder Banbury Councillor (appointment linked to ward)	Rob Pattenden	Appointed to Board and, at present, also appointed as Trustee. Four-year term. No allowance.	One formal meeting once a quarter but informal meetings every other week.	There are potential conflicts of interest for councillors. This is being explored with Banbury Charities.	Banbury Charities is a key, local grant-giving organisation that combats deprivation in Banbury. Councillor input on this is important as the organisation has decision-making powers and officers have little engagement with the organisation.
Banbury Museum Trust The Banbury Museum Trust is a registered charity. Banbury Museum is a purpose-built museum, which displays historic collections relating to North Oxfordshire and beyond, and temporary exhibitions. The Museum engages a broad audience through an	Registered Charity	Relevant Portfolio Holder	Rob Pattenden	Appointed to board of trustees. Allowance to be confirmed. No allowance.	One meeting every quarter.	A Cherwell District Council member is appointed as a trustee according to the Museum Trust's Incorporation Document. There are potential conflicts of	Cherwell District Council is a significant funder for the Banbury Museum. Alongside this, the Museum is a key cultural organisation in the district so having input and oversight of it is important.

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extensive programme of educational activities and also engages in historical research of both activities and collections. It offers professional museum advice to other museums and heritage projects						interest for councillors. This is being explored with the Museum Trust.	
Banbury Traffic Advisory Committee To review traffic issues in Banbury. Local members have a chance to discuss local traffic issues with members and officers from all three levels of local authority. Members able to bring residents' traffic concerns and issues to the table.	Oxfordshire County Council Committee Chaired by Banbury Town Council	Banbury Councillors (2) (appointments linked to ward)	TBC 2 x Banbury & vicinity area members	Representative for Cherwell District Council. No allowance.	Former appointed councillors never attended meetings for this.	None.	To review local traffic issues in Banbury. Officer attends this currently.
Bicester Traffic Advisory Committee To review traffic issues in Bicester. Local members have a chance to discuss local traffic issues with members and officers from all three levels of local authority. Members able to bring residents' traffic concerns and issues to the table.	Oxfordshire County Council Committee Chaired by Bicester Town Council	Bicester Councillors (3) (appointments linked to ward)	Chris Pruden. Plus, TBC 2 x Bicester & vicinity area members	Representative for Cherwell District Council. No allowance.	One meeting every two months.	None.	The Bicester Traffic Advisory Committee is a key body for stakeholders to discuss and influence traffic and transport projects and priorities around Bicester. It is in CDC's interests to be represented on this

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Appendix 1 to Outside Bodies appointments

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traffic concerns and issues to the table.							committee/body so that the views of the Council can be fully considered and taken into account when developing transport/traffic priorities.
Bicester Vision Bicester Vision is an independent public/private partnership bringing together all stakeholders to create a vibrant, ambitious town and community with a sustainable economy that benefits all. Through partnership, all three tiers of local government work with business representatives to overcome challenges and to maximise opportunities, engaging with the people of Bicester to ensure that the town becomes an even better place in which to live, work and play.	Independent Public/Private Partnership	Bicester Councillor (appointment linked to ward)	Lesley McLean	Vice Chairman of Bicester Vision must be a local authority representative. Allowance to be confirmed.	Full partnership meeting (including businesses) meets four times a year. Executive committee meets eight times a year.	Bicester Vision Constitution, 4.iii.b: “Representatives of Oxfordshire County Council, Cherwell District Council and Bicester Town Council will be represented by one senior officer and one member, nominated by their own specific body.”. The Constitution also states that the Vice Chairman must be a local	The Council has a stake in the organisation as it provides funding. Although this is now set to end, there is still an imperative that the Council, through its members, engages with the business community and demonstrates leadership to ensure that business interests are fully understood and that there is a representative voice for business that is being heard by the Council.

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						authority representative.	
Cherwell Local Strategic Partnership The Local Strategic Partnership (LSP) meets regularly to bring together public, private and voluntary organisations within Cherwell.	Working Partnership	Leader of the Council	David Hingley	Chaired by the Leader of Cherwell District Council as a representative on this partnership Allowance to be confirmed.	One meeting every quarter.	The LSP is no longer a statutory body. However, the Council were keen to maintain one and so have led on this Partnership. There is no legal or constitutional necessity for the body.	The LSP delivers the objectives and priorities detailed in the Cherwell Sustainable Community Strategy 'Our District, Our Future'.
Cherwell Safer Communities Partnership Delivery of community safety agenda.	Statutory Partnership (Reports to Safer Oxfordshire Partnership)	Relevant Portfolio Holder	Robert Parkinson	Chaired by Portfolio Holder for Healthy and Safe Communities at Cherwell District Council. Allowance to be confirmed.	One meeting every quarter.	There is a constitutional requirement for this Partnership to be chaired by a member from Cherwell District Council. Under Section 6 of the Crime and Disorder Act 1998.	It is important for Cherwell District Council to have member representation on this to aid deliver the Council's community safety agenda.
Children's Trust Board The Children's Trust Board brings together	Partnership	Relevant Portfolio Holder	Rob Pattenden	Representative for Cherwell	Meetings have now resumed following	There is no legal/constitutional requirement	Cherwell District Council have a place on this as per county's request (by

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the public, private and voluntary sectors to improve outcomes for all children and young people who live in Oxfordshire.				District Council on the board. No allowance.	Terms of Reference review	for a Cherwell District Council member to be appointed.	county social services). Need representation and voice at county level for children in district.
Cotswold National Landscape Conservation Board Previously called Cotswold AONB. The Board encourage all those who work, play, and develop, to not only to respect the AONB, but also to enhance it.	Independent Statutory Body	Relevant Portfolio Holder	Chris Brant	Cherwell District Council has a seat as a board member. Former appointed councillor was also a part of Executive Committee. Members are appointed as individuals rather than representatives. There is an allowance. Amount to be confirmed.	One meeting every quarter.	There is a constitutional requirement to appoint a councillor to the Board. 2.02 of the Board's Constitution states: "The Board comprises 37 members: 15 appointed by local authorities."	Part of the district is within the AONB and a member is needed to represent the interests of the district.

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Digital Infrastructure Programme (DIP) Board The Oxfordshire Digital Infrastructure Programme helps facilitate digital infrastructure delivery and improve access to broadband, mobile and public access to Wi-Fi services across Oxfordshire. It is made up of local authorities, businesses and commercial suppliers.	Working Partnership	Appointment Based on General Interest / Expertise	Lesley McLean	Cherwell District Council has a representative on the board. No allowance.	One meeting every quarter. Officer attends in support.	No legal/constitutional requirement for member appointment. Programme driven by Oxfordshire County Council to encourage more joined-up working with city and districts relating to digital infrastructure.	To ensure the coordination of enhanced digital infrastructure throughout the county. Including, notably, Cherwell. The DIP received external funding and commissioned and supplemented additional work in the county. Enable delivery of digital infrastructure projects.
District Councils' Network (DCN) The District Councils' Network (DCN) is a cross-party member led network of 191 district councils. It is a Special Interest Group of the Local Government Association (LGA) and provides a single voice for all district councils within the Local Government Association.	Special Interest Group of the LGA	Leader of the Council	David Hingley	Representative for Cherwell District Council. Allowance to be confirmed.		The DCN Constitution includes the following clause: "5.1 The Assembly shall comprise the Leaders of the Member Authorities or Executive Mayor or equivalent in the case of Member	In terms of Councillor representative. It is for each Member Authority without a Leader to define an elected member holding an equivalent position.

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						Authorities that do not have a Leader".	
East-West Rail Mainline Partnership The East-West Rail Mainline Partnership consists of local authorities sharing the ambition for a strategic railway connecting East Anglia with central, southern and western England into southern Wales.	Working Partnership	Leader of the Council	David Hingley	No councillor formerly appointed. Allowance to be confirmed.		Cherwell District Council is a full member of the Partnership. Section 2.9 of the Partnership's Terms of Reference state that: "The interests of a local authority that is a member of the Partnership shall be represented by an elected member of that authority.".	As a partnership, it is necessary for Cherwell District Council to have input in the discussions and understand any implications of the Partnership's decisions on the district.
Kidlington Traffic Advisory Committee Provide advice, local knowledge, concerns of local residents and acts as a facilitator on some matters.	Oxfordshire County Council Committee Chaired by Kidlington Parish Council	Kidlington Councillor (appointment linked to ward)	Lesley McLean	Representative for Cherwell District Council. No allowance.	Former appointed councillor never attended a meeting for this.	None.	For awareness and discussion of local traffic issues.

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Local Government Association (LGA) General Assembly The General Assembly - the 'Parliament of Local Government' - meets once a year and is the only LGA decision-making forum which all authorities in membership are eligible to attend and to vote. The General Assembly elects the political leadership of the LGA, receives the annual report and accounts and may debate motions on issues of national significance to local government. It is a key element of the LGA's governance arrangements.	National Membership Body for Local Authorities	Leader of the Council	David Hingley	Member appointed. This has typically been the Council Leader. Allowance to be confirmed.		Per the LGA's Constitution, section 6.1: "Each local authority in full or corporate or voting associate membership of the Association shall be entitled to appoint one democratically elected local representative to the General Assembly".	Member authorities appoint representatives to serve on the LGA General Assembly for the period of one year. The number of Members an authority can nominate is the same as the number of votes the authority is allocated - Cherwell District Council has one vote.
London-Oxford Airport Consultative Committee Forum for local communities to express their concerns and gain updates and feedback	Forum	Kidlington Councillor	Lesley McLean	Observer and forum participant. Former appointed councillor was not	Approximately two meetings a year.	None.	Member oversight may be useful but the Committee has no decision-making power. As such, it is possible for an officer to attend and report back on the

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from the airport on its evolution and any development plans, be they immediate or longer term				called on to attend meetings. No allowance.			meeting (as has been the case most recently).
North Oxfordshire School Sports Partnership North Oxfordshire School Sport Partnership is a non-profit making organisation that now works in partnership with 60 schools from across North Oxfordshire. Their aim is to engage more 4-to-19-year-olds in high quality Physical Education, School and Community Sport, thereby promoting excellence and lifelong participation in health-promoting activity	Working Partnership	Relevant Portfolio Holder	Rob Pattenden	Representative for Cherwell District Council. No allowance.	No meetings attended.	None.	No need for councillor participation.
Oxford to Cambridge Pan-Regional Partnership A group of leaders from local government, Local Enterprise Partnerships,	Pan-Regional Partnership	Leader of the Council	David Hingley	Former Leader was previously the chair of the Pan Regional	No meetings currently due to alteration in governance structure – HAS THIS	According to the Pan-Regional Partnership's Constitution, section 7: "All members, or	From a Cherwell perspective, it is important to remain close to this, it's a vehicle for funding and strategic conversations with

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the Arc Universities Group and England's Economic Heartland are forming a new partnership for the Oxford to Cambridge area.				Partnership's Leaders' Group (due to their experience). Allowance to be confirmed.	NOW CHANGED?	partners, will be represented by their elected Leader, Chair or equivalent on the Oxford to Cambridge Partnership Plenary".	government on infrastructure investment (roads, energy, water, environmental mitigation) and a nationally significant group.
Oxfordshire Association of Local Councils (OALC) Part of a national network and has been representing Town and Parish Councils, and Parish Meetings for over seventy years. OALC provides advice and information for member Town and Parish Council and Parish Meetings, and training for councillors and clerks. OALC represents local council interests through partnerships with other local and regional agencies in the public,	Local Branch of NALC (National Association of Local Councils)	Leader of the Council (appointment based on general interest/expertise)	David Hingley	Representative to OALC appointed by the Council. No allowance.	Meetings not compulsory	None.	The new Parish Charter, which we are a signatory of, sets out the importance of principal authorities keeping open lines of communication with parishes, so it is important for us to continue to have a member representative.

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private and voluntary sectors.							
Oxfordshire Blue Plaques Board The Oxfordshire Blue Plaques scheme promotes recognition and awareness of people, places and events that have been of lasting significance in the life of Oxfordshire or more widely. The scheme is administered by the Oxford Civic Society.	Voluntary Body	Appointment Based on General Interest / Expertise	Robert Parkinson	Former appointed councillor was a historic appointment. Allowance to be confirmed.	One meeting every month.	None.	Officers have had very little involvement with the Blue Plaques.
Oxfordshire Combatting Drugs Partnership The partnership aims to assist residents in accessing the help they need as well as to reduce the crime which drug use is often linked with. The CDP is committed to making a long-term positive impact by creating and delivering on a local action plan which	Working Partnership	Relevant Portfolio Holder	Robert Parkinson	Representative for Cherwell District Council.	One meeting a quarter.	None.	It is recommended by the Combating Drugs Partnership Guidance (2022) that elected members at primary authorities of all tiers are represented at combating drugs partnerships. It is important for Cherwell District Council to have input and oversight on the work done by the CDP and,

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addresses the targets in the national strategy.							given that it works at county level, it helps keep the Council aware of national policy.
Oxfordshire Inclusive Economy Partnership (OIEP) Steering Group The OIEP is working together to create a more equal and sustainable region that creates opportunities and benefits for all people within the county. The OIEP's work supports the delivery of Oxfordshire's Strategic Vision for Long-Term Sustainable Development, which all of Oxfordshire's six councils have adopted.	Partnership Arrangement under Future Oxfordshire Partnership (FOP)	Relevant Portfolio Holder	Lesley McLean	Representative for Cherwell District Council through Portfolio duties. Allowance to be confirmed.	One meeting every quarter.	In June 2023, Cherwell District Council signed the OIEP's charter. Per the resolution at the June 2023 Executive meeting: "That engagement with and membership of the OIEP Steering Group and Working Groups on behalf of the Council be delegated to the Corporate Director – Communities, in conjunction with the Portfolio Holder for Regeneration.".	The OIEP was committed to as part of the Future Oxfordshire Partnership economy work. It is an arms-length partnership reporting back to the Future Oxfordshire Partnership. To reflect the Council's commitment to engaging all in the economy. Pledges have been made to contribute to OIEP's delivery plan.

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Oxfordshire Local Nature Partnership The Local Nature Partnership is a county wide partnership with public/private/third sector involvement and reports back into FOP via the environment advisory group.	Working Partnership	Relevant Portfolio Holder	Tom Beckett	Representative for Cherwell District Council. Allowance to be confirmed.	One ad hoc meeting per year.	None.	The Local Nature Partnership were established as a key commitment of a Natural Environment white paper in 2011 and have been strengthened by the Environment Act and the requirements for biodiversity. There are 47 partnerships across England and they are a key grouping for Oxfordshire.
Oxfordshire Resources and Waste Partnership Oxfordshire Resources and Waste Partnership (ORWP) is a collaborative Partnership for the management of household waste, made up of all six Oxfordshire local authorities	Working Partnership	Relevant Portfolio Holder	Ian Middleton	Representative for Cherwell District Council. Allowance to be confirmed.	One meeting every quarter.	Memorandum of Understanding, 7: "Each Partner will appoint an elected member and a substitute elected member to serve on the Partnership Board (called "Partnership Members")". Cherwell District Council is a partner.	Member-led board that coordinates Oxfordshire waste management. Has budget and Partnership Manager.

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Parking and Traffic Regulations Outside London (PATROL) Adjudication Joint Committee The PATROL (Parking and Traffic Regulations Outside London) Joint Committee represents over 300 local authorities in England (outside London) and Wales. PATROL also provides information in relation to penalties issued from other road user charging schemes.	Statutory Joint Committee	One Elected Member preferably with transport or environment portfolio.	Councillor Robert Parkinson	None	The PATROL Joint Committee hosts an Annual Meeting of all authority committee members in July, with ongoing business throughout the rest of the year delegated to an Executive Sub-Committee, which meets in January and October. The Executive Sub-Committee comprises of councillors from the main Joint Committee who have volunteered to sit.	Joint Committee	The PATROL (Parking and Traffic Regulations Outside London) Joint Committee represents over 300 local authorities in England (outside London) and Wales. PATROL also provides information in relation to penalties issued from other road user charging schemes.

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Appendix 1 to Outside Bodies appointments

Outside Body / Partnership and Brief Description	Legal Status of Organisation	Representative 2024/2025	Nominated Councillor Representative for 2025/26	Role and Allowances/ Stipends for Outside Body / Partnership*	Commitment to Outside Body / Partnership	Legal or Constitutional Basis of Appointment	Purpose of Appointment
Safer Oxfordshire Partnership The Safer Oxfordshire Partnership provides strategic oversight and direction for preventing crime and anti-social behaviour across Oxfordshire.	Working Partnership	Relevant Portfolio Holder	Rob Parkinson	Representative for Cherwell District Council. Allowance to be confirmed.	No meetings.	None.	The partnership supports collaboration on shared community safety priorities across the four district-led Community Safety Partnerships. It acts as the single point of contact for the office of the Police and Crime Commissioner.
The Mill Arts Centre Trust The Mill is a multi-function arts centre which provides a range of education/arts services to community in particular those vulnerable to society.	Registered Charity	Relevant Portfolio Holder	Rob Pattenden	Representative for Cherwell District Council on board as trustee. Allowance to be confirmed.	One meeting every quarter.	A Cherwell District Council member is appointed as a trustee according to the Arts Centre Trust's Incorporation Document. There are potential conflicts of interest for councillors, this is being explored.	The Mill Arts Centre is the only arts centre in the district, making it important for the Council to have input and oversight of it, especially because the Council is a principal funder.

* Where an allowance is listed, this is paid by the outside body or partnership, not Cherwell District Council.

Partnerships or Outside Bodies no Longer Needing Councillor Appointments:

- Banbury Bluecoat Foundation
Cherwell District Council no longer does any work with the Banbury Bluecoat Foundation.
- Banbury Town Centre Partnership
The Banbury Town Centre Partnership no longer exists, formerly run by Banbury Town Council.
- Bicester and District Chamber of Commerce
No appointment needed as the Bicester and District Chamber of Commerce has now been absorbed and is part of Bicester Vision.
- Cherwell Community and Voluntary Service
No appointment needed as Cherwell District Council no longer does work with the Cherwell Community and Voluntary Service and the former appointed councillor had no interaction with them.
- Citizens Advice North Oxon and South Northants
No formal Cherwell District Council representative but Citizens Advice do attend wider partnership meetings and Portfolio Holder for Healthy and Safe Communities determined subsidy for them.
- Community First Oxfordshire
No formal Cherwell District Council representative but Community First Oxfordshire do attend wider partnership meetings and Portfolio Holder for Healthy and Safe Communities determined subsidy for them.
- Kidlington and District Information Centre
No appointment needed as Cherwell District Council no longer does any work with the Centre.
- Oxfordshire Community and Voluntary Association (OCVA)
No formal Cherwell District Council representative but OCVA do attend wider partnership meetings.
- Oxfordshire Community Foundation
No formal Cherwell District Council representative but Oxfordshire Community Foundation do attend wider partnership meetings.
- Oxfordshire Stronger Communities Alliance
No formal Cherwell District Council representative but Oxfordshire Stronger Communities Alliance do attend wider partnership meetings.
- Sanctuary Group
No appointment needed as the Group's monitoring arrangement is no longer.
- Oxford to Cambridge Pan-Regional Partnership
No appointment needed as body no longer exists.

Member Champions

* Where an allowance is listed, this is paid by the outside body or partnership, not Cherwell District Council.

Appendix 1 to Outside Bodies appointments

Cherwell District Council Member Champion appointments are made annually.

Member Champion for...	Councillor Representative for 2024/25	Proposed Councillor Representative for 2025/26	Reason for Appointment
Cycling	Relevant Portfolio Holder	Tom Beckett	Personal interest
Food	Relevant Portfolio Holder	Ian Middleton	Aligns to portfolio
Military	Appointment Based on General Interest/Expertise	Rob Pattenden	Personal interest

Shareholder Committee

The Shareholder Committee is a subcommittee of Executive. No substitutes are permitted.

Shareholder Committee 2025/26: Councillor Tom Beckett, Councillor Nick Cotter, Councillor David Hingley, Councillor Lesley McLean, Councillor Rob Pattenden. (The Chair and Vice-Chair will be appointed at the first Shareholder Committee meeting of the 2025/2026 municipal year on 12 June 2025).

Informal Advisory Groups (Executive Advisory Groups)

Local Plan Members' Advisory Group 2025/26: To be filled by Groups

Kidlington Area Oversight Group: To be filled by Groups

Bicester Area Oversight Group: To be filled by Groups

Banbury Area Oversight Group: To be filled by Groups

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