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Cherwell

DISTRICT COUNCIL
NORTH OXFORDSHIRE

Committee: Executive
Date: Tuesday 3 March 2026
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 Lesley McLean (Vice-Chair)

Councillor Chris Brant
Councillor Nick Cotter
Councillor Rob Pattenden

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

4. Minutes (Pages 7 - 22)

To confirm as a correct record the Minutes of the meeting held on 3 February 2026.

5. Chair's Announcements

To receive communications from the Chair.

6. **Urgent Business**

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

7. **Response to Motion: Free Parking on Remembrance Sunday** (Pages 23 - 28)

Report of Assistant Director Property

Purpose of report

To respond to the motion raised at Full Council in December 2025 requesting Executive to consider providing free car parking each year in Council owned and managed car parks on Remembrance Sunday.

Recommendations

The Executive resolves:

- 1.1 To provide free car parking each year in Council owned and managed car parks, except those at Castle Quay, on Remembrance Sunday.

8. **Non-Domestic Rate Discretionary Relief Policy and Response to Motion, "Supporting our High Streets"** (Pages 29 - 48)

Report of Assistant Director Finance (Section 151 Officer)

Purpose of report

To inform Executive of the reviewed policy for Non-Domestic Rate Discretionary Rate Relief and seek approval of the updated policy and respond to the motion from Council on supporting our high streets.

Recommendations

The Executive resolves:

- 1.1 To note the contents of the reviewed policy for Non-Domestic Rate Discretionary Rate Relief.
- 1.2 To approve the policy for Non-Domestic Rate Discretionary Rate Relief.
- 1.3 To note the response to the motion "Supporting our High Streets".

9. **Housing Payments Policy** (Pages 49 - 72)

Report of Assistant Director Finance (Section 151 Officer)

Purpose of report

To inform Executive of the reviewed policy for Housing Payment (HP), formally known as Discretionary Housing Payments (DHP), and proposed updates.

Recommendations

The Executive resolves:

- 1.1 To note the contents of the reviewed policy for Housing Payments.
- 1.2 To approve the policy for Housing Payments (Appendix 1).

10. Biodiversity Duty Report 2024-2025 (Pages 73 - 104)

Report of Executive Director Place and Regeneration

Purpose of report

To consider and endorse the Biodiversity Duty Report 2024-25.

Recommendations

The Executive resolves:

- 1.1 To endorse the Biodiversity Dury Report 2024-25.
- 1.2 To note that following the completion and adoption of a Community Biodiversity Plan, an annual update be presented to the Executive.

11. Whitelands Farm Sports Ground 3G (Pages 105 - 116)

Report of Interim Executive Director Neighbourhood Services

Purpose of report

To obtain Executive Approval to commence next steps on the development of a new 3G Football Pitch at Whitelands Farm Sports Ground in Bicester. The report outlines any financial risks.

Recommendations

The Executive resolves:

- 1.1 To approve the next steps in developing a new 3G Football Pitch at Whitelands Farm Sports Ground in Bicester accounting for any financial risk outlined within the report.

12. Finance Monitoring Report January 2026 (Pages 117 - 174)

Report of Assistant Director of Finance (Section 151 Officer)

Purpose of report

To report to the Executive the council's forecast year-end financial position as at the end of the January 2026. Further detail can be found in the report and its appendices.

Recommendations

The Executive resolves:

- 1.1 To consider and note the contents of the council's financial management report as at the end of January 2026.
- 1.2 To approve the Use of Reserves as detailed in Appendix 4.
- 1.3 To approve the Write Offs as detailed in exempt Appendix 5.
- 1.4 To approve the Corporate Debt Policy as set out at Appendix 6.

13. Exclusion of the Press and Public

The following items contains exempt information as defined in the following paragraphs of Part 1, Schedule 12A of Local Government Act 1972.

1 – Information relating to any individual

2 – Information which is likely to reveal the identity of an individual

3 – Information relating to the financial or business affairs of any particular person (including the authority holding that information).

Members are reminded that whilst the following items have been marked as exempt, it is for the meeting to decide whether or not to consider it in private or in public. In making the decision, members should balance the interests of individuals or the Council itself in having access to the information. In considering their discretion members should also be mindful of the advice of Council Officers.

No representations have been received from the public requesting that this item be considered in public.

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

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

14. **Finance Monitoring Report January 2026 - Exempt Appendix** (Pages 175 - 176)

15. **Thorpe Place Industrial Estate, Banbury – Roof Replacement** (Pages 177 - 184)

Exempt report of Assistant Director Property

16. **Approval To Award a Contract for the Provision of the Council's HR and Payroll System and Managed Payroll Service** (Pages 185 - 192)

Exempt report of Assistant Director Human Resources

Councillors are requested to collect any post from their pigeon hole in the Members' Lounge before or 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 23 February 2026

Cherwell District Council

Executive

Minutes of a meeting of the Executive held at 39 Castle Quay, Banbury, OX16 5FD, on 3 February 2026 at 6.30 pm

Present:

Councillor David Hingley (Leader of the Council & Portfolio Holder for Strategic Leadership) (Chair)
Councillor Lesley McLean (Deputy Leader of the Council and Portfolio Holder for Finance, Property & Regeneration) (Vice-Chair)
Councillor Tom Beckett, Portfolio Holder for Greener Communities
Councillor Jean Conway, Portfolio Holder for Planning and Development Management
Councillor Nick Cotter, Portfolio Holder for Housing
Councillor Ian Middleton, Portfolio Holder for Neighbourhood Services
Councillor Rob Pattenden, Portfolio Holder for Healthy Communities

Apologies for absence:

Councillor Chris Brant, Portfolio Holder for Corporate Services

Also Present Virtually:

Councillor Amanda Watkins, Leader of the Labour Group
Councillor Les Sibley, Leader of the Independent Group
Councillor David Rogers, Chair, Overview and Scrutiny Committee

Officers:

Gordon Stewart, Chief Executive
Ian Boll, Executive Director Place & Regeneration
Stephen Hinds, Executive Director Resources
Nicola Riley, Interim Executive Director Neighbourhood Services
Michael Furness, Assistant Director Finance & S151 Officer
Heidi Radcliffe Hill, Interim Head of Chief Executive's Office
Tim Hughes, Head of Regulatory Services & Community Safety
Denzil Turbervill, Head of Legal Services
Natasha Clark, Governance and Elections Manager

Officers Attending Virtually:

Mona Walsh, Assistant Director - Property
Richard Smith, Head of Housing

95 **Declarations of Interest**

There were no declarations of interest.

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

There were no petitions or requests to address the meeting.

The Chair welcomed Councillor David Rogers, Chair of the Overview and Scrutiny Committee and Deputy Leader of the Cherwell Conservative and Independent Alliance; Councillor Amanda Watkins, Leader of the Labour Group; and, Councillor Les Sibley, Leader of the Independent Group, to the meeting and invited them to indicate if they wished to speak.

97 **Minutes**

The minutes of the meeting held on 6 January 2026 were agreed as a correct record and signed by the Chair.

98 **Chair's Announcements**

Councillor Parkinson

The Chair advised that Councillor Parkinson had taken the decision to step down from the Executive for personal reasons. The Chair thanked Councillor Parkinson for his hard work as Portfolio Holder for Safer Communities and everything he has contributed to Executive and the Council as a member of the Executive. Councillor Parkinson's insights had been of great value and he would be missed on the Executive.

The Chair advised that for the remainder of this municipal year Councillor Parkinson's portfolio of safer communities would be overseen by Councillor Pattenden in a "healthy and safe communities" portfolio. The Chair thanked Councillor Pattenden for taking on those responsibilities.

Devolution Expression of Interest Update

The Chair referred to the Thames Valley Devolution Expression of Interest that Executive had endorsed in December 2025 and subsequently been sent to the Government by the County Council in conjunction with authorities in Berkshire and advised that a response had been received from the Government. The response had commended Oxfordshire and Berkshire on its interest in the programme and indicating a willingness to discuss this further. Council Leaders would be meeting next week to discuss the evolution going forward.

Local Government Reorganisation Government Consultation

The Chair advised that the Government's consultation on Local Government Reorganisation would commence on Thursday and would run for a seven week period.

99 **Budget Setting and Corporate Plan for 2026/2027 and the Medium-Term Financial Strategy up to 2030/2031**

The Assistant Director Finance (Section 151 Officer) submitted a report to consider and recommend the Budget Setting for 2026/27 and Medium Term Financial Strategy (MTFS) 2030/31.

In introducing the report, the Portfolio Holder for Finance, Regeneration and Property advised that the proposed net budget of the Council was £32.3 million, an increase of £6.1 million from 2025/2026. It was planned to fund £1.9 million of service improvements and £1.3 millions of development funds would be set aside for strategic development and local area development. £2.3 million of savings proposals and operational efficiencies would be delivered as well as a capital programme of £31.6 million, of which £17.9 million was expected to be spent in 2026/2027, including significant investment in homeless provision.

Over the last two years, there had been significant engagement with the Government on the potential impacts of the fair funding review and the business rates reset which could have had a detrimental effect for Cherwell. The Government's provisional financial settlement resulted in the council receiving £4.4 million additional funding in 2026/2027 compared to what it had anticipated it would receive at the time of the public consultation on the budget.

The Portfolio Holder for Finance, Regeneration and Property confirmed that, in addition to the balanced budget for 2026/2027, as legally required, based on current estimates, including growth in business rates and council tax, there would be a balanced budget over the next three years.

In seconding the report, the Chair thanked all respondents to the public consultation for their comments and feedback, which had been taken in consideration when setting the budget.

Councillor Watkins, Leader of the Labour Group, addressed the meeting commenting that she was pleased and appreciated that Executive had considered and acted upon the consultation feedback in respect of proposed changes to the funding of Banbury Museum.

Resolved

- (1) That the budget proposal be recommended to Council, and the summary of consultation responses be noted.
- (2) That authority be delegated to the Section 151 Officer (S151), following consultation with the Leader of the Council and Portfolio Holder for Finance, Regeneration and Property to complete the legal Council Tax calculations once all the information required has been received and submit as appendices to the budget report to Council.

- (3) That authority be delegated to the S151, following consultation with the Leader of the Council and Portfolio Holder for Finance, Regeneration and Property to make appropriate changes to the proposed budget to Council including policies and plans.
- (4) That Council be recommended to approve the proposed Fees and Charges schedule for 2026/27 (Appendix 7 to the report) and statutory notices be placed where required.
- (5) That Council be recommended to consider and note the Equality Impact Assessments of the Budget (Appendix 8 to the report).
- (6) That Council be recommended to note the Corporate Plan Vision and Strategy (Appendix 1 to the report).
- (7) That Council be recommended to approve the Annual Delivery Plan (Appendix 2 to the report).
- (8) That, in relation to the Revenue Budget Strategy (Section 4.2 of the report) and Medium-Term Financial Strategy (MTFS) (Section 4.6 of the report), Council be recommended to approve:
 - i. The net revenue budget for the financial year commencing on 1 April 2026 (Table 4.2.1 of the report) and further analysed in the Budget Book (Appendix 12 to the report).
 - ii. The MTFS and Revenue Budget 2026/27 (Sections 4.6 and 4.2 respectively of the report), including the Savings Proposals and Investments included at Appendices 4 and 5 respectively.
- (9) That, in relation to Council Tax (Section 4.2.49 of the report), Council be recommended to approve:
 - i. An increase in the Basic Amount of Council Tax for Cherwell District Council for the financial year beginning on 1 April 2026 of £5, resulting in a Band D charge of £163.50 per annum.
 - ii. From 1 April 2027 the implementation of a premium (second homes premium) of 100% for dwellings that are no one's sole or main residence and are substantially furnished, following consultation undertaken in November and December 2024 which showed 88% support for the introduction.
 - iii. That the mandatory notice of 12 months to all owners of second homes that a premium will commence from 1 April 2027 be issued.
 - iv. That relevant exceptions be applied as set out by Government guidance (Appendix 22 to the report).
- (10) That, in relation to the Capital Programme and related strategies (Section 4.3 of the report), Council be recommended to approve:

- i. The Capital Bid(s) and Capital Programme at Appendices 17 and 18 of the report respectively.
 - ii. The Capital and Investment Strategy 2026/27 (Appendix 19 to the report), including the Minimum Revenue Provision (MRP) Policy.
 - iii. The Treasury Management Strategy, including the Prudential Indicators, and Affordable Borrowing Limit for 2026/27 (Appendix 21 the report).
- (11) That, in relation to reserves (Section 4.4 of the report), Council be recommended to approve:
- i. A minimum level of General Balances of £8.011m as supported by Appendix 15 of the report.
 - ii. The Reserves Policy (Appendix 14 of the report).
 - iii. The medium-term reserves plan described in Appendix 16 of the report.
- (12) That Council be recommended to approve The Pay Policy Statement, as required by the Localism Act 2010, detailed in Appendix 9 to the report.
- (13) That, in relation to the Pension Fund (Section 4.5 of the report), Council be recommended to approve a pension fund prepayment for the years 2026/27 – 2028/29 of £5.028m.

Reasons

This report provides information around the various building blocks that make up the proposed budget for 2026/27 and beyond, allowing members to consider and scrutinise the elements of the budget and provide advice and guidance to council to help further shape both budget setting for 2026/27 and the MTFS up to 2030/31.

Alternative options

It is a legal requirement to set a balanced budget and the recommendations as outlined set out a way to achieve this. The following alternative option has been identified and rejected for the reasons set out below.

Option 1: To reject the current proposals and make alternative recommendations. Members will not be aware of the medium-term financial forecast or implications of alternatives if they choose to take this option.

The Assistant Director of Finance (Section 151 Officer) and Interim Head of Chief Executive's Office submitted a report to update Executive on the council's forecast year-end financial, performance and risk position as of the end of Quarter 3 2025/2026.

Resolved

- (1) That the council's finance, performance, and risk management report as at Quarter 3 be noted.
- (2) That the approval of £0.010m from Policy Contingency for the Climate Change Action Plan for 2025/26, approved within S151 delegations be noted.
- (3) That the reprofiling of projects in the capital programme (Annex to the Minutes as set out in the Minute Book) be approved.
- (4) That the following budgets approved under S151 delegations within in the capital programme be noted.

S151 Officer Approved Grant Funded Budgets - Q3	2025/26 £m	2026/27 £m
Disabled Facilities Grants	0.186	
Burnehyll - Bicester Country Park	0.025	
UKSPF Rural Fund	0.147	
S106 - Banbury Cricket Club Pavilion Project	0.011	
S106 - Yarnton Village Hall Project		0.023
S106 - Bloxham Bowls Club Roofing Contribution	0.014	
S106 – Fritwell Playing Fields Equipment Contribution	0.067	
Grand Total	0.450	0.023

Reasons

The report updates Executive on the projected year-end financial position of the council for 2025/26, Quarter 3 performance position and updated Leadership Risk Register. Regular reporting is key to good governance and demonstrates that the council is actively managing its financial resources sustainably.

Alternative options

Option 1: This report summarises the council's forecast financial position up to the end of End of Year 2026, and a snapshot of our Performance and Risk position for Quarter 3 2025-26, therefore there are no alternative options to consider.

101

Air Quality Update

The Head of Regulatory Services and Community Safety submitted a report to request Executive approval to confirm the revocation of the Air Quality Management Area (AQMA) in Bicester.

Resolved

- (1) That the Air Quality Management Area (AQMA) No.4 (Kings End/Queens Avenue, Bicester) be revoked.

Reasons

In AQMA No.4 (Kings End/Queens Avenue, Bicester) the measured levels of nitrogen dioxide have been below the air quality objective of 40µg/m³ for the last five years. The guidance from DEFRA is that revocation of an AQMA should be considered following three consecutive years of compliance with the relevant objective, and where there have been no exceedances for the past five years, the AQMA must be revoked. The Executive is therefore recommended to approve the revocation of this AQMA.

Alternative options

Option 1: To not revoke AQMA No.4 (Kings End/Queens Avenue, Bicester). This option was rejected because local authorities are required to revoke AQMAs where there have been no exceedances of the relevant objective for the past five years.

102 **Exclusion of the Press and Public**

Resolved

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

103 **Approval to Appoint a Contract for the Provision of Temporary Accommodation for Homeless Households**

The Interim Executive Director Neighbourhood Services submitted an exempt report to seek approval to appoint a contract for the provision of temporary accommodation for homeless households.

Resolved

- (1) As set out in the exempt Minutes.

Reasons

As set out in the exempt Minutes.

Alternative options

As set out in the exempt Minutes.

104 **Adoption of an Agency Model for the Leisure Centre Service Delivery**

The Interim Executive Director Neighbourhood Services submitted an exempt report to adopt an agency model for the Leisure Centre service delivery.

Resolved

- (1) As set out in the exempt Minutes.
- (2) As set out in the exempt Minutes.
- (3) As set out in the exempt Minutes.

Reasons

As set out in the exempt Minutes.

Alternative options

As set out in the exempt Minutes.

105 **Proposed New Lease to Banbury Young Homeless Project (BYHP)**

The Assistant Director Property submitted an exempt report to approve a proposed new lease to Banbury Young Homeless Project (BYHP)

Resolved

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

Reasons

As set out in the exempt Minutes.

Alternative options

As set out in the exempt Minutes.

106 **Sale of Bodicote House Site, White Post Road, Bodicote, OX15 4AA**

The Assistant Director Property submitted an exempt report in respect of the sale of the Bodicote House site, White Post Road, Bodicote.

Resolved

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

Reasons

As set out in the exempt Minutes.

Alternative options

As set out in the exempt Minutes.

107 **Approval to Appoint a Contract for the Provision of the Council's Revenues and Benefits Software**

The Assistant Director Finance (Section 151 Officer) submitted an exempt report to seek approval to appoint a contract for the provision of the Council's Revenues and Benefits software.

Resolved

- (1) As set out in the exempt Minutes.
- (2) As set out in the exempt Minutes.

Reasons

As set out in the exempt Minutes.

Alternative options

As set out in the exempt Minutes.

108 **Urgent Business**

There were no items of urgent business.

The meeting ended at 7.36 pm

Chair:

Date:

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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This report is public	
Response to Motion: Free Parking on Remembrance Sunday	
Committee	Executive
Date of Committee	3 March 2026
Portfolio Holder presenting the report	Portfolio Holder for Neighbourhood Services, Cllr Ian Middleton,
Date Portfolio Holder agreed report	16 February 2026
Report of	Assistant Director Property, Mona Walsh

Purpose of report

To respond to the motion raised at Full Council in December 2025 requesting Executive to consider providing free car parking each year in Council owned and managed car parks on Remembrance Sunday.

1. Recommendations

The Executive resolves:

- 1.1 To provide free car parking each year in Council owned and managed car parks, except those at Castle Quay, on Remembrance Sunday.

2. Executive Summary

- 2.1 The motion proposed at Full Council on 15 December 2025 by Councillor Donna Ford was as follows:

“This Council notes that Remembrance Sunday is a solemn national occasion when communities come together to honour the memory of all who have served and sacrificed to protect our freedoms and way of life.

Many residents depend on Council-operated car parks to attend such commemorations. At present, standard parking charges apply, meaning serving personnel, veterans, bereaved families, and other attendees may face unnecessary financial barriers when paying their respects.

This Council recognises the profound sacrifice made by our Armed Forces and considers that providing free parking on this day is a practical and meaningful gesture of support for the Armed Forces community.

The financial impact of suspending charges for one day is minimal, while the benefit to residents and veterans is significant.

This Council therefore resolves to:

1. Suspend parking charges in all Cherwell District Council-operated car parks on Remembrance Sunday each year, beginning from the next Remembrance

Sunday following this motion.

2. Publicise this measure in advance through the Council’s communications channels to ensure residents are aware of the free-parking provision.

3. Work with local Royal British Legion branches, Armed Forces organisations, and town and parish councils to support attendance and ensure the policy benefits those it is intended to help.”

- 2.2 Having been proposed, seconded and responded to by the Leader, the motion was referred to Executive.
- 2.3 Supporting the motion and providing free parking in council owned car parks (excluding Castle Quay) can be implemented and managed through usual BAU activities.
- 2.4 There is no budget provision for the loss of revenue arising, estimated at £4,500 - £5,000 excluding VAT and this will need to be met elsewhere within the service budget.

Implications & Impact Assessments

Implications	Commentary			
Finance	The loss of car parking income from the proposed free period will be offset by savings within the service as there is no budget provision for this arrangement. Joanne Kaye, Head of Finance, 10 February 2026			
Legal	The Council has the necessary powers to make the proposed TRO and legal services can assist with making the order. It is best practice to undertake an equality and accessibility assessment prior to making any such order and to clearly signpost/publicise any such changes. Denzil Turbervill, Head of Legal, 9 February 2026			
Risk Management	There are no risk implications arising as a direct consequence of this proposal. Celia Prado-Teeling, Performance Team Leader, 9 February 2026			
Impact Assessments	Positive	Neutral	Negative	Commentary
Equality Impact				N/A
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	x			

impact upon the lives of people with protected characteristics, including employees and service users?				
Climate & Environmental Impact		x		N/A
ICT & Digital Impact		x		N/A
Data Impact		x		N/A
Procurement & subsidy				N/A
Council Priorities	Community Leadership			
Human Resources	N/A			
Property	Report is written by Assistant Director of Property and therefore no further comments are needed			
Consultation & Engagement	If agreed the measure will be publicised in advance through the Council's communications channels to ensure residents are aware of the free-parking provision. In addition, the Council will work with local Royal British Legion branches, Armed Forces organisations, and town and parish councils to support attendance and ensure the measure benefits those it is intended to help.			

Supporting Information

3. Background

- 3.1 The Council owns car parks in Banbury, Bicester and Kidlington. Parking is free at all times in Kidlington due to a covenant on the land. This paper therefore considers the implications of agreeing free parking in Banbury and Bicester only.
- 3.2 Castle Quay is owned by the Council but managed and run separately and is not within the scope of the proposal in this report to provide free parking on Remembrance Sunday. There is adequate parking available elsewhere in Banbury to provide parking for those attending Remembrance Sunday services and events.
- 3.3 Providing free parking in Banbury and Bicester supports people travelling to those towns to attend Remembrance Sunday services and events. Remembrance Sunday is a national day of remembrance to honour the service and sacrifice of the Armed Forces, veterans, and their families.

4. Details

- 4.1 The Council owns car parks in Banbury, Bicester and Kidlington. Parking is free at all times in Kidlington due to a covenant on the land. This paper therefore considers the implications of agreeing free parking in Banbury and Bicester only.
- 4.2 Castle Quay is owned by the Council but managed and run separately and is not within the scope of the proposal in this report to provide free parking on Remembrance Sunday. There is adequate parking available elsewhere in Banbury to provide parking for those attending Remembrance Sunday services and events.
- 4.3 Remembrance Sunday is a national day of remembrance to honour the service and sacrifice of the Armed Forces, veterans, and their families. Parades and church services are held across the country. The Council already supports the day by making some car park area available free of charge for parade mustering at beginning/end of parade.
- 4.4 The Council is a signatory to the Armed Forces Covenant - a promise by the nation ensuring that those who serve or have served in the Armed Forces, and their families, are treated fairly. Agreeing free car parking on Remembrance Sunday each year in Council owned car parks supports the Armed Forces Covenant.
- 4.5 Agreeing free car parking on Remembrance Sunday each year in Council owned car parks can be implemented quite easily – there are limited practical implications. There are however budget and reputational implications.
- 4.6 There are no parking charges in Kidlington due to a covenant on the land. 2 hours free carparking is available in Pioneer Square Bicester daily. There is no free parking provision in Banbury council run car parks.
- 4.7 Lost revenue arising from providing free car parking in all Council owned car parks in Banbury (excluding Castle Quay) and Bicester on Remembrance Sunday would be c£4,500 - £5,000 excluding VAT. This shortfall would need to be provided elsewhere within the service budget. There will be some minor operational matters that need to be carried out to implement free parking but these are de minimus.
- 4.8 Publicising details of the scheme in advance can be managed without any additional resource by CDC Comms through planned BaU activities.
- 4.9 Work with local Royal British Legion branches, Armed Forces organisations, and town and parish councils to support attendance and ensure the policy benefits those it is intended to help can be managed without any additional resource by CDC Comms and the Councils Armed Covenant lead contact.
- 4.7 Offering free car parking in Council owned car parks each year on Remembrance Sunday supports the purpose and aims of the day.

5. Alternative Options and Reasons for Rejection

- 5.1 The following alternative option has been identified and rejected for the reasons as set out below.

Option 1:

Not supporting the motion could infer that the Council is not supportive of the wider purpose and aims of Remembrance Sunday.

6 Conclusion and Reasons for Recommendations

- 6.1 Provision of free car parking in council owned car parks (excl Castle Quay) supports Remembrance Sunday is a national day of remembrance to honour the service and sacrifice of the Armed Forces, veterans, and their families.

Decision Information

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

Document Information

Appendices	
Appendix 1	None
Background Papers	None
Reference Papers	None
Report Author	Mona Walsh, Assistant Director Property
Report Author contact details	Mona.walsh@cherwell-dc.gov.uk 01295 221602
Executive Director Approval (unless Executive Director or Statutory Officer report)	Ian Boll, Executive Director Regeneration and Growth

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This report is public	
Non-Domestic Rate Discretionary Relief Policy and Response to Motion, “Supporting our High Streets”	
Committee	Executive
Date of Committee	3 March 2025
Portfolio Holder presenting the report	Portfolio Holder for Finance, Property and Regeneration, Councillor Lesley McLean
Date Portfolio Holder agreed report	16 February 2026
Report of	Assistant Director Finance (Section 151 Officer), Michael Furness

Purpose of report

To inform Executive of the reviewed policy for Non-Domestic Rate Discretionary Rate Relief and seek approval of the updated policy and respond to the motion from Council on supporting our high streets.

1. Recommendations

The Executive resolves:

- 1.1 To note the contents of the reviewed policy for Non-Domestic Rate Discretionary Rate Relief.
- 1.2 To approve the policy for Non-Domestic Rate Discretionary Rate Relief.
- 1.3 To note the response to the motion “Supporting our High Streets”.

2. Executive Summary

- 2.1 The Non-Domestic Rate Discretionary Rate Relief policy was last reviewed in 2024. It is good practice to review policies to ensure they remain relevant and in line with supporting the delivery of the Council’s policies.
- 2.2 Sections 43, 44a, 47 – 49 of The Local Government Finance Act 1988 deal with the Council’s discretionary powers to reduce the amount of Non-Domestic Rates payable.
- 2.3 The provision allows the discretion to help Non-Domestic Ratepayers where either the existing legislation does not provide a relief or in circumstances where The Council has decided that the level of relief awarded is insufficient given the circumstances.

- 2.4 There is a financial implication to awarding reductions under Sections 43, 44a, and 47 – 49. The reliefs detailed in the policy are partly funded from our own funds.
- 2.5 The way the reliefs are funded are 50% by Central Government, 40% Cherwell District Council and 10% Oxfordshire County Council.
- 2.6 This policy covers the general criteria and exclusions along with the application process for the following reliefs: charitable rate relief top-up, Registered Community Amateur Sports Clubs, not for profit organisations, discretionary rural settlement relief, hardship relief, and Section 44a (partly occupied property) relief.
- 2.7 This policy provides direct support to the high street by enabling targeted discretionary rate relief for eligible small and locally based businesses operating within our town and village centres and finding themselves in hardship. This contributes to sustaining footfall, protecting local employment, and supporting the wider economic health of our high streets. The policy therefore forms an important part of the Council's approach to strengthening local commercial centres, while ensuring all awards remain lawful, transparent, and compliant with Subsidy Control requirements, meaning whilst not excluded, larger businesses and those spread over a wider geographical area are less likely to qualify.
- 2.7 The reliefs detailed in this policy are discretionary. Non-Domestic Rate payers do not have a statutory right to an award.
- 2.8 Cherwell District Council recognises the vital role that strong and vibrant high streets play in supporting economic growth, employment, community wellbeing and placemaking across the district, including Banbury, Bicester and Kidlington.
- 2.9 The Council supports the intent of the motion and acknowledges the ongoing challenges faced by high streets, including changes in consumer behaviour, rising costs, and the legacy of wider economic disruption. Cherwell District Council has already taken, and continues to take, a range of targeted and place-based actions to support town centres and high streets, working closely with partners and stakeholders.
- 2.10 Current Cherwell District Council activity includes
- Economic Development and Regeneration, Cherwell District Council is actively supporting high streets through regeneration, investment and strategic development, including:
 - Banbury Regeneration Programme, including town-centre public-realm improvements and investment in key sites to increase footfall, improve connectivity and enhance the visitor experience.
 - Bicester regeneration and growth initiatives, supporting the town centre alongside the delivery of major employment and housing development, including work linked to the wider garden-town principles.
 - Delivery of public-realm enhancements, streetscape improvements and environmental upgrades where these contribute to town-centre vitality and economic resilience.

- Support for mixed-use town-centre development, encouraging a balance of retail, leisure, residential and community uses to support sustainable day- and evening-time economies.
- The 2026/27 Budget includes additional funding for the Regeneration and Growth team to further support for businesses and economic development in Cherwell.
- Business Support and Business Rates, the Council provides direct support to high-street businesses through, administration of business rates reliefs, including mandatory relief, discretionary relief, retail multipliers , where applicable, and government-funded support schemes that are detailed in the updated Discretionary Rate Relief policy for 2026-27.

2.11 At the Autumn Budget 2024, the Government announced its intention to introduce two lower multipliers for Retail, Hospitality and Leisure (RHL) properties with rateable values (RVs) below £500,000, ensuring lower levels of business rates than if the standard multiplier had been retained. These will commence from April 2026 and will give long-term certainty and support to the high street, in contrast to the previous annual Retail Hospitality and Leisure relief, which created a yearly cliff-edge. However, as part of the revaluation of rateable values from April 2026, a lot of the RHL values have increased meaning that even with the lower multiplier, business rates bills are likely to increase for a large proportion of RHL businesses nationally.

2.12 The Government has set out its intention for these two new lower rates to be funded sustainably. To this end, the government also intends to introduce a higher multiplier for all properties with RVs of £500,000 and above.

2.13 In addition to this the Government has announced a £150 million fund to support high streets most affected by decline. The investment will help revitalise local centres by improving neglected shopfronts, reopening empty units and supporting independent businesses. This forms the first phase of the new High Streets Strategy and builds on existing initiatives, including strengthened council powers over certain premises types, support for community pubs, and regeneration activity through the Pride in Place programme.

2.14 While the Council is committed to supporting high streets, all activity must be delivered within the context of the MTFs and wider budget pressures. The need to secure external funding where possible, clear evidence of value for money and measurable outcomes.

2.15 Any proposals arising from this motion would therefore require careful consideration within existing strategies, resources and governance arrangements.

Implications & Impact Assessments

Implications	Commentary
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Finance	The financial implications are set out in the report. Discretionary rate relief is funded by Central Government 50%, Cherwell District Council 40%, and Oxfordshire County Council 10%. Lynsey Parkinson, Strategic Business Partner, 4 February 2026			
Legal	Finance have reviewed the policy having consideration for the following legislation: Section 43 Local Government Finance Act 1988 Section 44a Local Government Finance Act 1988 Sections 47 – 49 Local Government Finance Act 1998. Any discretionary award will need to be made in line with the provisions of the Local Government Finance Act 1988 and the councils own policy. Denzil Tuberville, Head of Legal Services, 4 February 2026			
Risk Management	There are no risk management issues arising directly from this report. Any arising risk will be managed through the service operational risk and escalated to the Leadership Risk Register as and when necessary. Celia Prado-Teeling, Performance Team Leader, 3 February 2026			
Impact Assessments	Positive	Neutral	Negative	Commentary
Equality Impact				This policy review has been completed in line with the guidelines and commitments established in our Equalities and Diversity Framework. The implementation of this policy will have a positive impact on people within the protected characteristics. Celia Prado-Teeling, Performance Team Leader 3 February 2026.
A Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?		X		
B Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?	X			
Climate & Environmental Impact				N/A
ICT & Digital Impact				N/A

Data Impact				N/A
Procurement & subsidy				N/A
Council Priorities	Support and facilitate a vibrant economy			
Human Resources	N/A			
Property	N/A			
Consultation & Engagement	N/A			

Supporting Information

3. Background

- 3.1 Sections 43, 44a and 47 - 49 of the Local Government Finance Act 1988 provide the Council with discretionary powers to reduce the amount of Non-Domestic Rates payable.
- 3.2 There are financial implications to awarding any relief other than those currently funded through Section 31 Local Government Finance Act 2003. Relief awarded under S43, S44a and S47 – 49 is funded by central government 50%, Cherwell District Council 40% and Oxfordshire County Council 10%.

4. Details

Discretionary Business Rates Relief Policy

- 4.1 The policy to be approved covers the following reliefs:
- 4.2 Charities are awarded 80% mandatory relief if they meet certain criteria. Charities can apply for a further 20% discretionary rate relief thus nullifying their rates liability. In general, top-up will only be considered for scouts/guides/cadets and other organisations for young people, organisations providing support in the form of advice, employment training and counselling, community schemes for those over retirement age including community transport and volunteer organisations, armed forces veterans' association, locally based leisure, and cultural organisation.
- 4.3 In general, charities will be excluded if their primary office is situated outside of the district. National charities will also be excluded unless they can prove they are suffering financial hardship.
- 4.4 Schools, including academies, free schools, grant maintained, faith and trust schools, along with education establishments, will be excluded if they receive central or local government support unless a special case for hardship can be shown.

- 4.5 Top-up of 20% will not be awarded to Housing Associations.
- 4.6 Community Amateur Sports Club qualify for 80% mandatory relief and can be considered for 20% top up. However, it is unlikely they will qualify if their main income is from the sale of food or drink.
- 4.7 Rate relief for not-for-profit organisations can be awarded up to 100% of the liability. The main objectives for these organisations must be related to relief of poverty, philanthropy or religion, education, social welfare, science, literature, fine arts, recreations or otherwise beneficial to the community. Organisations must be able to demonstrate how they meet the local needs and how they benefit local people, are open to all sections of the community as well as providing a valuable service to the community. The organisation must not discriminate against any section of the community and is not conducted or established for the primary purpose of making a profit.
- 4.8 Discretionary rural settlement can be granted up to 100%. The property must fall in a rural settlement (less than 3,000 residents), has a rateable value that doesn't exceed £16,500, the property is occupied by a business that benefits the local community, it is reasonable to grant a relief considering the interests of the Council Tax payer, and that applicants are demonstrate that the business is important to the maintenance of village life.
- 4.9 Discretionary rate relief, if approved, will be granted until the end of the following financial year.
- 4.10 Hardship relief can be considered where a ratepayer is enduring temporary financial difficulties. Consideration will be giving to the residents of Cherwell to ensure it is reasonable for the Council to grant the relief.
- 4.11 Section 44a – partly occupied property relief can be considered where part of a property is unoccupied for a temporary period. A backdated period cannot be considered, and a ratepayer must supply scaled drawings to advise which parts of the property are unoccupied and the period the part occupied period relates too. The period of relief will not exceed either 3 or 6 months depending on the type of property a claim has been made in respect of however all awards will terminate at the end of the financial year.
- 4.12 An organisation will be required to complete an application form and provide two years of audited accounts. In certain circumstances, a backdate of discretionary rate relief could be considered where delays for a relief are outside of an organisation's control.
- 4.13 The outcome of all applications will be notified to ratepayers. Unsuccessful applicants will be able to request a reconsideration of the decision.
- 4.13 A new Supporting Small Business(SSBR) relief will be introduced from 1 April 2026 to provide assistance to those businesses facing a significant increase in their rate liability due to the ending of 40% Retail Leisure and Hospitality. The scheme will also provide relief for those businesses experiencing an increase in the rates bill due to the loss of Small Business Rate Relief and Rural Rate Relief following the

national revaluation. This will be automatically applied to eligible ratepayers at the point of calculating the business rates charge, no application is required.

- 4.14 The Government announced on 27 January 2026 eligible pubs and live music venues will benefit from a 15% business rates relief on top of the support announced at Budget 2025. Their bills will then be frozen in real terms for a further 2 years. The Ministry of Housing, Communities and Local Government (MHCLG) will shortly publish full guidance for local authorities. The Government's policy intention is that pubs and live music venues should be eligible for the relief. The relief should apply to occupied properties only.
- 4.14 Any reliefs detailed in this policy which are not fully funded by the Government are funded by fifty percent to Central Government, forty percent by Cherwell District Council, and ten percent to Oxfordshire County Council.

Response to Motion

- 4.15 The motion proposed at Full Council on 15 December 2025 by Councillor Dr Chukwudi Okeke was as follows:

“Local hospitality businesses across North Oxfordshire — from family-run restaurants, pubs and cafés to small independent venues — face substantial and growing financial pressures due to rising operating costs, higher taxes and a stagnating economy. There is now a growing political consensus about the need to provide meaningful help to small independent retailers and hospitality businesses on our high streets. This Council notes that District councils also have certain discretionary powers to support vulnerable local businesses where urgent relief is justified.

This Council resolves to:

- 1. Request that the Executive reviews any policies that are already in effect surrounding discretionary business rates relief, involving local independent business groups, together with the Overview & Scrutiny and/or Budget Planning committees (as appropriate) about any changes.*
 - 2. Ensure that any such changes focus on local independent businesses facing genuine financial hardship, rather than national chains and/or large retailers.*
 - 3. Further ensure that its discretionary policies surrounding business rates relief are better advertised to ensure that local businesses can benefit from Council support, where it is financially viable.*
 - 4. Ask the Leader to urgently write to the Secretary of State for Business and Trade, copied to North Oxfordshire MPs, urging him to review the national business rates system as regards its impacts on local hospitality and high street businesses as a matter of urgency.*
 - 5. Report back to members on progress surrounding the above steps without delay.”*
- 4.16 Having been proposed, seconded and responded to by the Leader, the motion was referred to Executive.
- 4.17 The following sets out a response to each of the five points raised in the motion:

1. The Discretionary Business Rates Relief Policy (DBRRP) has been reviewed with an amended version proposed within this report with a view to operating within the approved budget of the council.

The policy has also been updated to ensure that it is flexible enough to adopt any national reliefs introduced to support businesses.

In addition to this policy, the council carries out considerable amounts of economic development work within its Growth and Regeneration team as set out in paragraph 2.9. Furthermore, the council's planning policy sets out the conditions by which further economic growth in the district can be achieved, subject to appropriate planning applications being received and being approved.

The most impactful way for the council to help to protect the high streets of Cherwell is to ensure the right conditions for economic growth are in place leading to more jobs in Cherwell and hence greater levels of disposable income to be spent in Cherwell.

2. The proposed DBRRP does include a particular focus on hardship and benefits to the local area – in particular around charitable organisations. Hardship will be taken into consideration but only where there are temporary conditions in place causing hardship. The council should not step in to support a failing business.

Furthermore, the council has a duty to consider whether subsidy control would apply in awarding reliefs. As such it is highly unlikely that national chains would benefit from the discretionary relief policy.

3. Once approved the policy will be updated on the council's internet site and shared via our corporate communication channels as well as ensuring the Development and Growth team promotes the policy with local businesses.
4. Following the announcement of the new business rates regime by the Chancellor in November 2025, the Government has subsequently introduced a further package of measures to support businesses facing significant bill increases as a result of the 2026 revaluation. This includes a £4.3 billion business rates support package, comprising an enhanced transitional relief scheme, expanded supporting small business relief, and sector-specific interventions, alongside permanently lower multipliers for eligible retail, hospitality and leisure properties from April 2026.

The Leader will be writing to the Secretary of State to outline concerns, emphasising that while the increase in Business Rates income is welcomed, the system remains highly sensitive to wider economic pressures. The correspondence will urge the Government to keep the Business Rates regime under review should local businesses begin to experience financial or operational challenges, ensuring it remains sustainable, supportive of economic growth, and responsive to changing conditions.

5. This report updates members on progress in implementing this motion.

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: To not approve the discretionary rate relief policy. Members could choose not to agree the proposed policy, but it would mean that we wouldn't be able to continue to support local businesses, charities and voluntary organisations and would also reduce our financial flexibility in the future. The local authority must have a system in place to allow a person to make the request.

6 Conclusion and Reasons for Recommendations

- 6.1 It is recommended that the policy is endorsed by Executive to conform with legislation.

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	Discretionary Rate Relief Policy
Background Papers	None
Reference Papers	None
Report Author	Jacey Scott, Head of Revenues and Benefits
Report Author contact details	jacey.scott@cherwell-dc.gov.uk
Executive Director Approval (unless Executive Director or Statutory Officer report)	Report of Statutory Office, S151 Officer

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Discretionary Rate Relief Policy

1. Introduction and scope

This policy sets out the approach to the award, administration, and review of Discretionary Rate Relief under both centrally funded and locally funded schemes. It ensures that decisions are lawful, transparent, consistent, and aligned with the Council's strategic priorities and financial responsibilities.

Cherwell District Council recognises the importance of supporting local businesses, charities, and voluntary organisations to promote the provision of local facilities, support economic growth and investment and improve prosperity.

Councils have the power to award relief from the payment of Non-Domestic Rates ('business rates') to organisations and businesses that meet certain criteria. Public funds are not, however, unlimited and a proportion of any relief granted is met by the council taxpayers of the district. We therefore need to be satisfied that money invested this way will be repaid in economic and/or community benefit.

This policy document outlines the areas of local discretion and Cherwell District Council's (The Council) approach to the various awards. This approach has regard to the impact:

- On the Council's wider financial position and how that affects Council tax payers
- On the organisations and businesses that currently receive or may apply for relief in the future
- On Cherwell's residents if relief is awarded and the regeneration benefits to the district.

The principal consideration when making an award is that any relief granted is in the best interests of the residents and taxpayers of Cherwell and produces a local benefit.

This policy is designed to provide guidance to Council Officers and ratepayers on the application of Discretionary Rate Relief. The policy covers the following types of discretionary relief:

- Charitable rate relief – 20% top-up
- Community Amateur Sports Clubs (CASCs)
- Rate relief for not-for-profit organisations.
- Discretionary rural settlement relief
- Hardship Relief

- Temporary relief for partly occupied properties

Details of all other relief not detailed in this policy can be found on our website.

2. The Discretionary Rate Relief Scheme

Discretionary Rate Relief is granted in accordance with:

- Section 43 of the Local Government Finance Act (LGFA) 1988; and
- Section 47- 49 of the Local Government Finance Act (LGFA) 1988 as amended by the Localism Act 2011

Clause 69 of the Localism Act amended section 47 of the Local Government Finance Act (LGFA) 1988 to allow local billing authorities to fund their own local discounts entirely as it sees fit within the limits of the primary legislation and European rules on state aid. These powers can be used to encourage new business and investment, regeneration projects, as well as to support local shops or community services.

The Non-Domestic Rates Bill 2023 removed the backdating of discretionary rate relief; however, it is unlikely that any backdate will be considered unless the delay was outside of the businesses control. An example would be the delay to a new assessment being rated.

This criteria covers:

- Charitable bodies already in receipt of Mandatory Relief at 80% – the Council has further discretion to ‘top up’ this Relief to 100% of the Rates due.
- Registered community amateur sports clubs (CASCs) already in receipt of Mandatory Relief at 80% – the Council has further discretion to ‘top up’ this Relief to 100% of the Rates due.
- Non-profit making organisations – the Council has discretion to grant Discretionary Rate Relief of between 0-100% of the Rates due.
- Discretionary Rural Rate relief - The Council may also grant up to 100% Discretionary Relief to any rural business with a rateable value that does not exceed £16,500

In making decisions about applications for Discretionary Rate Relief the Council may:

- Grant Relief up to a maximum of 100% of the Rates due
- Grant Relief for a sum less than 100% of the Rates due; or
- Refuse any application for Discretionary Rate Relief

3. Charitable bodies (charities)

A Mandatory Rate Relief of 80% is granted to charities in the following circumstances:

Where the:

- Ratepayer of a property is a charity or the trustees of a charity; and
- The property is wholly or mainly used for charitable purposes (including charity shops, where the goods sold are mainly donated and the proceeds are used for the purpose of the charity)

Registration under the Charities Act 1993 is conclusive evidence of charitable status. Bodies which, under the 1993 Act, are exempted from registration or are exempt charities are also eligible for Mandatory Relief. Providing the above criteria are met, 80% Mandatory Rate Relief is granted.

In cases where a charity is in receipt of Mandatory Rate Relief of 80% the Council has further discretion to 'top up' this Relief to 100% of the Rates due.

The Council will consider applications for Discretionary Relief from charities based on their own merits on a case-by-case basis. The principal consideration in awarding the relief is that it is in the best interests of the residents and council taxpayers of the Cherwell district to do so, and it produces a local benefit as the Council must contribute to the cost of each award.

Each case will be assessed on its own merits, but generally top-up Discretionary Relief will only be awarded to the following charities or excepted organisations:

- Scouts, guides, cadets and other clubs and organisations for young people.
- Organisations providing support in the form of advice, employment training and counselling.
- Community schemes including those providing support for those over retirement age, community transport and volunteer organisations.
- Charitable supporting clubs.
- Armed Forces veterans' associations.
- Locally based leisure and cultural organisations.

The following general exclusions will apply:

- 'Top-up' relief will only be granted to local charities (defined as those set up with the sole purpose of assisting residents of the Cherwell district and whose primary office is situated in the district).
- unless a special case for financial hardship can be proved, 'top-up' relief to national charities (including charity shops) will not be granted.
- Academy, free, grant maintained, faith and trust schools are classified as charities and therefore receive 80% mandatory relief. 'Top up' relief for schools and education establishments which receive central or local government support should not be granted unless a special case for hardship can be shown.
- 'Top up' relief for Housing Associations will not be granted.

4. Registered Community Amateur Sports Clubs (CASC)

A Mandatory Rate Relief of 80% is granted to registered CASCs. To qualify as a CASC, the club must fulfil all the following criteria. It must be:

- Open to the whole community
- Run as an amateur club
- A non-profit making organisation; and

- Aiming to provide facilities for, and encourage people to take part in, eligible sport

In cases where a CASC is in receipt of Mandatory Rate Relief of 80%, the Council has discretion to grant up to 20% additional Rate Relief as a Discretionary top up.

The Council will consider applications for a Discretionary Rate Relief top up from CASCs based on their own merits on a case-by-case basis. The principal consideration is that any Relief is granted in the best interests of the residents and taxpayers of Cherwell and produces a local benefit as the Council must bear a percentage of the cost of any Relief granted. However, in determining the application the following matters will be taken into consideration:

- How the CASC supports and links into the Council's corporate vision and priorities.
- A CASC should have an open access policy. If a club effectively discriminates by only accepting members who have reached a particular standard, rather than seeking to promote the attainment of excellence by enhancing access and the development of sporting aptitude, then it does not fulfil the requirements.
- Although clubs should be open to all without discrimination, single sex clubs may be permitted where such restrictions are not discriminatory in intent but a genuine result of physical restraints (such as changing room facilities) or the requirements of the sport. In such cases, the organisation will be required to provide proof of such limiting factors.
- Membership and fee structure

It should be noted that sports clubs and other organisations which run a bar are unlikely to be awarded Relief if their main income is from the sale of food or drink. However, if the sale of food or drink by the organisation aids the overall operation and development of the organisation in achieving its objectives, this would be permissible if the principal objectives of the organisation meet the eligibility criteria detailed above. If the bar makes a profit, this profit must be reinvested to support the organisation in achieving its principal objectives. Financial information will be required to evidence any profit and its use.

5. Rate Relief for Not-for-profit organisations.

The Council has the power to grant Discretionary Rate Relief of up to 100% to other non-profit making organisations. The main objectives of the organisation must be related to:

- Relief of poverty
- Philanthropy or religion
- Education
- Social Welfare
- Science
- Literature
- Fine arts
- Recreation

Or be otherwise beneficial to the community.

An organisation must be able to demonstrate how it:

- meets local needs and benefits local people; and
- provides a valuable service to the community; and

- is open to all sections of the community
- operates in such a way that it does not discriminate against any section of the community; and:
- is not conducted or established for the primary purpose of accruing profit.

The Council will consider applications for Discretionary Rate Relief from non-profit making organisations based on their own merits, on a case-by-case basis. However, the principal consideration is that the Relief is granted in the best interests of the residents and taxpayers of Cherwell and produces a local benefit as the Council must contribute to the cost of each award

Membership and entry fees

If the organisation applying for Discretionary Rate Relief requires membership or an entry fee, the Council will consider whether:

- Membership is open to everyone, regardless of race, ethnic origin, sex, marital or parental status, sexual orientation, creed, disability, age, religious affiliation, or political belief
- The subscription or fee is set at a level which is not prohibitively high and considered to be affordable by most sections of the community
- Fee reductions are offered for certain groups such as, for example, under eighteens or pensioners
- Membership is encouraged from groups who face social barriers, such as, for example, young people not in employment, education, or training; people above working age; or people with disabilities
- Facilities are made available to people other than members

6. Discretionary Rural Settlement Relief

The Council may also grant up to 100% Discretionary Relief to any rural business if all the following criteria are met:

- The property is in a qualifying Rural Settlement.
- The Rateable Value of the property does not exceed £16,500 (£14,000 prior to 1 April 2010) at the beginning of the rating year concerned.
- The property is occupied by a business that benefits the local community.
- It is reasonable for the Council to grant relief having regard to the interests of persons liable to pay the Council Tax set by it.
- Discretionary Relief is not limited to any particular type of business. Applicants will be expected to demonstrate that their business is important to the maintenance of village life.

7. Period of Relief Discretionary Rate Relief

Discretionary Rate Relief will usually be granted until the end of the following financial year. Successful applicants will be sent a letter confirming that their application for Discretionary Rate Relief has been granted. This letter will specify the date the relief will end.

The granting of Relief will be reviewed annually and those in receipt of Discretionary Rate Relief will be asked to supply or confirm relevant information for the purpose of the review.

If a Ratepayer in receipt of Discretionary Rate Relief ceases to meet the eligibility criteria outlined in this Policy, they will cease to receive Discretionary Rate Relief. The Council will give such Ratepayers a full financial year's written notice prior to the withdrawal of Discretionary Rate Relief.

The ratepayer may request reconsideration against this decision. Time limited reliefs will only be granted for a relevant period.

8. Applications Discretionary Rate Relief

Applications for Discretionary Rate Relief must be made on the Council's application form and supported by, and include:

- The main purposes and objectives of the Business, as set out in, for example, a written constitution, a memorandum and/or articles of association, or a set of membership rules
- A full set of audited accounts relating to the two years preceding the date of application. Where audited accounts are not available, projected figures should be provided certified as being a 'true and fair view' by the company secretary or company accountants may be used.
- Details of how the Business meets the criteria outlined in the guidelines below:

As a guide, to be eligible for Discretionary Rate Relief, a charity/organisation must not normally have enough financial resources available in unrestricted funds to continue to operate for more than 12 months, nor should it have sufficient financial resources in unrestricted reserves to continue to operate for more than 12 months, unless a business plan exists detailing how these additional reserves are to be used to benefit the local community.

In such cases, the applicant must be able to prove that it offers a service which the district's residents depend on, and which they would be unlikely to find elsewhere in the district.

Application forms will be available on our website at:

<https://www.cherwell.gov.uk/info/191/business-rates/363/business-rates-reductions-and-relief/5>

All completed application forms should be returned to the Revenue Services Team at Cherwell District Council. By email: business.rates@cherwell-dc.gov.uk

9. Applications for other Reliefs

Hardship Relief

The Council has the power to reduce or remit the Business Rates charged in certain circumstances where the Ratepayer is enduring temporary financial difficulties. This is known as Hardship Relief. The Council may grant Hardship Relief if it is satisfied that:

- The Ratepayer would sustain financial hardship if the Council did not do so: and
- It is reasonable for the Council to grant Relief, regarding the interests of its residents and Council Tax payers

Hardship Relief is a temporary measure which should not be used to artificially sustain a failing business. Hardship Relief may be awarded where the ratepayer is facing temporary financial difficulties and where the community would be significantly disadvantaged if the business were to close.

Successful applicants will be notified in writing of the outcome of their application for Hardship Relief and if approved, will be notified of the amount of relief awarded and the period in which the award relates.

Application forms for Hardship Relief must be accompanied by a full set of audited accounts relating to the two years preceding the date of application. Where audited accounts are not available for the current financial year, projected figures certified as being a 'true and fair view' by the company secretary or company accountants may be used. It is recommended that applicants submit audited accounts dating back further than two years if such information is available.

Temporary Relief for Partly Occupied Properties - Section 44a Relief

The Council has discretion under section 44a of the Local Government Finance Act to award Rate Relief where part of a property is unoccupied for a temporary period. The definition of 'temporary period' is not prescribed with the law and therefore Cherwell District Council has the discretion to decide the period of Relief should be awarded. The amount of Rate Relief that is awarded is determined by statute and is calculated by reference to the Rateable Value attributed to the unoccupied area by the Valuation Office Agency, part of Her Majesty's Revenue and Customs (HMRC).

The situation must be happening at the present time, so retrospective claims cannot be considered.

Applications will only be considered in respect of unoccupied parts of a property that can be clearly defined and are reasonably segregated from the occupied part of the property.

No award shall be made where it appears to the Council that the reason that part of the property is unoccupied is wholly or mainly for the purposes of applying for Rate Relief.

Rate Relief under this section will not be awarded in respect of partly occupied property where the partial occupation of the property may arise due to the ordinary day to day nature of the business (for example the operation of a warehouse).

The period of Relief will not exceed either 3 or 6 months depending on the type of property the claim has been made for, in line with the current legislation for part occupied properties.

Prior to an award being made, a visit to the premises will be made by a Council Officer to establish the exact area of the property that is empty. The application must be supported by a plan of the property which clearly marks the boundary of the empty and occupied parts. This plan will be given to the Valuation Officer to apportion the rateable value.

Further visits may be made to the property throughout the duration of the relief to establish that the property is still partly empty.

Further applications for part empty relief may be considered where there is a change to the area of the property that is unoccupied.

Part occupied relief will end if one of the following applies:

- the financial year ends.
- the end of the award.
- where part or all the unoccupied parts become occupied.
- where the whole of the property becomes unoccupied.
- where the liability for the property changes.

A Ratepayer making an application under section 44a should do so in writing and should include:

- A plan of the property showing the dimensions of the occupied and unoccupied area of suitable quality to enable the Valuation Office Agency to apportion the Rateable value of the property between the occupied and unoccupied areas. Applications will not be considered until such time as the plan is provided.
- The period to which the application relates.
- Contact details to inspect the site where necessary.
- A plan of the property (rating assessment) which clearly shows the occupied and unoccupied areas and the size of those areas.
- A statement clarifying the likely timescales to fully occupy or vacate the property and the reason part of it is unoccupied.
- A signed declaration setting out any amount of State Aid received within the preceding three years.

10. Approval

The initial assessment to award or refuse Relief will be made by a Revenues Services Manager.

Any award of a discretionary rate relief detailed in this policy in which the Revenues Services Manager is seeking approval, a report will be passed to Assistant Director for Finance for recommendation.

Applicants will be notified in writing of any decision within 28 days. A revised Business Rates bill will be sent where appropriate.

Unsuccessful applicants will be notified that they can request a reconsideration of the decision.

These reconsiderations will be reviewed by the Revenues Manager and signed off by the Assistant Director for Finance.

Appeals in relation to any Government initiative schemes will

11. Other uses of discretionary powers under Section 47 LGFA 1988

From time to time, additional measures are proposed by the Government to provide assistance to businesses. These can be either national schemes or locally defined schemes. They are provided under section 47 of the LGFA 1988.

Where the Government puts in place a scheme whereby the Council will be fully compensated for the loss of rates yield arising from an award of discretionary rate relief, awards of relief must be made in accordance with the guidance issued for the scheme.

For 2026-27 the following scheme is in place

Supporting Small Business Relief

In November 2025, the Government announced that businesses in receipt of Supporting Small Business Relief for 2025-26 will have the relief extended for a further 12 months.

A new Supporting Small Business relief will be introduced from 1st April 2026 to provide assistance to those businesses facing a significant increase in their rate liability due to the ending of 40% Retail Leisure and Hospitality. The scheme will also provide relief for those businesses experiencing an increase in the rates bill due to the loss of Small Business Rate Relief and Rural Rate Relief following the national revaluation. The guidance can be found

<https://www.gov.uk/government/publications/business-rates-relief-2026-supporting-small-business-relief-local-authority-guidance/business-rates-relief-2026-supporting-small-business-relief-local-authority-guidance>

The government announced 27th January 2026 that in 2026-27, eligible pubs and live music venues will benefit from a 15% business rates relief on top of the support announced at Budget 2025. Their bills will then be frozen in real terms for a further 2 years. The government's policy intention is that pubs and live music venues should be eligible for the relief. The relief should apply to occupied properties only.

Any new scheme introduced by the Government in future will be administered under this discretion. Any other awards using section 47 powers will be up to the maximum period of time stipulated by Central government or any locally defined scheme.

12. Subsidy Control

Rate relief shall not be awarded in any circumstances where it appears that an award will result in the rate payer exceeding subsidy control level.

If required by the Council, each application from a business, or an organisation engaged in business activities, must be accompanied by a statement signed by the appropriate person representing the ratepayer setting out the amount of subsidy control, including but not limited to discretionary rate relief, which the ratepayer has received within the past three years.

13. Policy Review

The Council reserves the right to review and revise this Policy at any time.

14. Funding of Reliefs

With the introduction of the Business Rates Retention Scheme from 1st April 2013, local authorities now share in the gains and losses associated with changes in Business Rates income. The Government hopes that localising Business Rates in this way will incentivise Local Authorities to adopt strategies to promote businesses and generate additional Business Rates income. The introduction of Business Rates Retention has a major impact on the funding arrangements for all Reliefs available which are now financed as follows:

Fifty percent by Central Government

Forty percent by Cherwell District Council

Ten percent by Oxfordshire County Council

This excludes certain reliefs that Local Authorities may be required to award which may be funded separately by Central Government.

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This report is public	
Housing Payments Policy	
Committee	Executive
Date of Committee	3 March 2026
Portfolio Holder presenting the report	Portfolio Holder for Finance, Regeneration and Property Councillor Lesley Mclean
Date Portfolio Holder agreed report	23 January 2026
Report of	Assistant Director of Finance (Section 151 Officer), Michael Furness

Purpose of report

To inform Executive of the reviewed policy for Housing Payment (HP), formally known as Discretionary Housing Payments (DHP), and proposed updates.

1. Recommendations

The Executive resolves:

- 1.1 To note the contents of the reviewed policy for Housing Payments.
- 1.2 To approve the policy for Housing Payments (Appendix 1).

2. Executive Summary

- 2.1 The DHP policy was last reviewed in 2025. It is good practice to periodically review policies to ensure they remain relevant and in line with supporting the delivery of the Council's policies.
- 2.2 The DHP scheme was introduced on 2 July 2001 and allows councils the discretion to help people on a low income with their housing costs where Housing Benefit (HB) or Housing Costs (HC) included in Universal Credit (UC) alone does not meet all their needs.
- 2.3 As of 1 April 2026, the Discretionary Housing Payment (DHP) will be integrated into a new fund called the Crisis and Resilience Fund (CRF) in the UK. The Housing Payment name itself is not changing, but it will become part of a larger, merged scheme administered by local authorities and will be known as Housing Payments from 1 April 2026 onwards.
- 2.4 The Crisis and Resilience Fund will replace both the existing Household Support Fund and the Discretionary Housing Payments. The new fund aims to provide a

single, streamlined source of local crisis support, combining emergency assistance with preventative approaches to build long-term financial resilience.

- 2.5 There will be a phased approach, meaning that the Housing Payment (HP) element of the new fund will have its funding maintained at 2025/26 level and will continue to be administered by local authorities for the initial years 2026/27 and 2027/28
- 2.6 Detailed guidance on the full scope and operation of the new fund is still being developed by the Department for Work and Pensions (DWP) in consultation with local authorities. Therefore, while the existing DHP scheme will technically be part of the Crisis and Resilience Fund from April 2026, the term "Housing Payment" is still relevant as a specific component of the overall support mechanism during the transition period
- 2.7 For 2026/27 the total funding amount paid to Cherwell District Council by the Department for Work and Pensions is £187,383.00.
- 2.8 Cherwell District Council remains committed to identifying and assisting the most vulnerable residents through effective use of HP monies in order to offer one-off or ongoing support to families in exceptional need affected by the following changes to HB or UC housing costs:
- Benefit cap
 - Changes/restrictions to Local Housing Allowance for claimants who have private sector tenancies.
 - Removal of the Spare Room Subsidy for claimants who have social sector tenancies.
 - The roll out of Universal Credit Full Service where claimants move from claiming HB to UC housing costs.
- 2.9 Cherwell District Council is also committed to the Government's recommendation that Local Authorities should give priority consideration to households where substantial disabled adaptations have been undertaken to meet the disability needs for a household member, and where these households have also been adversely affected by Spare Room Subsidy restrictions and for whom it would not be reasonable to expect them move from their homes into smaller accommodation.
- 2.10 Whilst there are changes to the funding provision for discretionary housing payments through the CRF , there are no changes proposed in the reviewed policy and how Cherwell District Council will administer these for 2026-27.

Implications & Impact Assessments

Implications	Commentary
Finance	The financial implications are set out within the report. HP is funded by grants received by the Council. The Council has budgetary provision to administer the grant funding within the Revenues and Benefits team. Rachel Ainsworth, Finance Business Partner, 22 January 2026

Legal	<p>The Housing Payment Policy has been reviewed having consideration for the following legislation.</p> <ul style="list-style-type: none"> • The Child Support, Pensions and Social Security Act 2000. • Regulations: Discretionary Financial Assistance Regulations 2001. <p>Amendments to the regulations are covered by the Council Tax Benefit Abolition (Consequential Amendments) Regulations 2013 (which came into force on 1 April 2013) and The Welfare Reform Act 2012 (Consequential Amendments) Regulations 2013, a further set of Universal Credit Consequential Amendment Regulations, which make amendments to the Discretionary Financial Assistance Regulations 2001 which are consequential upon the introduction of Universal Credit.</p> <p>Denzil Tuberville, Head of Legal, 23 January 2026</p>			
Risk Management	<p>There are no risk management issues arising directly from this report. Any arising risk will be managed through the service operational risk and escalated to the Leadership Risk Register as and when necessary.</p> <p>Celia Prado Teeling, Performance Team Leader, 19 January 2026.</p>			
Impact Assessments	Positive	Neutral	Negative	Commentary
Equality Impact				N/A
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				N/A
ICT & Digital Impact		X		N/A
Data Impact				N/A
Procurement & subsidy				N/A

Council Priorities	Promote individual wellbeing and healthy communities. Work to prevent homelessness. Response to cost-of-living crisis.
Human Resources	N/A
Property	N/A
Consultation & Engagement	There is no consultation process required

Supporting Information

3. Background

- 3.1 The HP scheme was introduced on 2 July 2001 and allows councils the discretion to help people on a low income with their housing costs where Housing Benefit (HB) or Housing Costs (HC) included in Universal Credit (UC) alone does not meet all their needs.
- 3.2 Cherwell District Council is committed to the Government's recommendation that Local Authorities should give priority consideration to households where substantial disabled adaptations have been undertaken to meet the disability needs for a household member, and where these households have also been adversely affected by Spare Room Subsidy restrictions and for whom it would not be reasonable to expect them move from their homes into smaller accommodation.

4. Details

- 4.1 HP is an award that can be made to claimants who have a shortfall between rental liability and entitlement to HB or UC housing costs element. This would be paid as a weekly 'top up'. this weekly top up cannot exceed the eligible rental liability.
- 4.2 Eligible rental liability means all the payments specified in Regulation 12(1) of the Housing Benefit Regulations 2006 or the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006 except those specified in Regulation 12(3)(b)(i) to (iii) of those regulations, i.e. deductions in respect of certain service charges.
- 4.3 A HP award can also be made as a one-off payment to resolve an issue relating to housing costs.
- 4.4 Housing costs are not defined in the regulations, however, in general, housing costs means rental liability. This can also be interpreted more widely to include:
- Rent in advance
 - Rent deposits
 - Other lump sum costs associated with a housing need such as removal costs.

- 4.5 The claimant must be entitled to HB or UC housing costs at the time they apply for HP.
- 4.6 Local Authorities are allocated Central Government funding for HP. Local Authorities can also make an additional local contribution to the fund (up to 2.5 times the Government allocation).
- 4.7 The funding must be awarded to claimants in the financial year it is allocated and once the fund is exhausted no further funding will be available until the following financial year. Any HP funding not awarded by the end of the financial year must be paid back to the DWP.
- 4.8 For the financial year 2026/27 Cherwell District Council has been allocated £187,383; funding and this will be paid to Cherwell within the CRF for 2026/27 and 2027/28.
- 4.9 The table below details the spend to date and at the time of writing this report was data as of 1 December 2025, spend will continue until 31 March 2026.

Benefit Cap	Removal of spare room subsidy	LHA Reform	Combination	Other (no welfare reform)
£699.04	£3012.15	£21012.27	£1939.00	£102252.01

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: Returning the funds to Department for Works and Pensions 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.

6 Conclusion and Reasons for Recommendations

- 6.1 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.

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 Payments Policy
Background Papers	None
Reference Papers	None
Report Author	Sandra Ganpot – Benefit Services and Performance Manager
Report Author contact details	Sandra.ganpot@cherwell-dc.gov.uk 01295 221721
Executive Director Approval (unless Executive Director or Statutory Officer report)	Report of Statutory Officer, S151 Officer



Housing Payments (HP) Policy 2026-2027 formally (DHP)

1. Legislation

Primary Legislation: The Child Support, Pensions and Social Security Act 2000.

Regulations: Discretionary Financial Assistance Regulations 2001.

These regulations were amended in 2012 to cover the introduction of Universal Credit and the abolition of Council Tax Benefit from April 2013.

Amendments to the regulations are covered by the Council Tax Benefit Abolition (Consequential Amendments) Regulations 2013 (which came into force on 1 April 2013) and The Welfare Reform Act 2012 (Consequential Amendments) Regulations 2013, a further set of Universal Credit Consequential Amendment Regulations, which make amendments to the Discretionary Financial Assistance Regulations 2001 which are consequential upon the introduction of Universal Credit.

2. Introduction.

Discretionary Housing Payments were introduced in July 2001, and the Local Authority is responsible for administration of the DHP scheme. A DHP may be awarded where the Local Authority determines that a Housing Benefit or Universal Credit claimant requires further financial help towards their housing costs.

The new fund will merge both Housing Payments and the Household Support Fund, providing local authorities with a single, multi-year grant to provide both emergency and preventative financial support for vulnerable households.

While the two funds are merging, the government has indicated a phased approach, meaning that in the financial years 2026/27 and 2027/28, the funding allocated specifically for the HP element will be maintained at its 2025/26 level and will continue to be administered by local authorities

While the CRF officially begins in April 2026, the Housing Payment element of the funding is expected to remain ringfenced until 31st March 2028, and local authorities will continue to administer it during this phased transition, however these payments are now referred to as Housing Payments.

Cherwell District Council remains committed to identifying and assisting the most vulnerable residents through effective use of HP monies in order to offer ongoing support to families in exceptional need affected by the following changes to Housing Benefit (HB) or Universal Credit housing costs:

- Benefit cap
- Changes/restrictions to Local Housing Allowance for claimants who have private sector tenancies.
- Removal of the Spare Room Subsidy for claimants who have social sector tenancies.
- The roll out of Universal Credit Full Service where claimants move from claiming Housing Benefit to UC housing costs.

Cherwell District Council is also committed to the Government's recommendation that Local Authorities should give priority consideration to households where substantial disabled adaptations have been undertaken to meet the disability needs for a household member, and where these households have also been adversely affected by Spare Room Subsidy restrictions and for whom it would not be reasonable to expect them move from their homes into smaller accommodation.

3. What is a Housing Payment?

HP is an award that can be made to claimants who have a shortfall between rental liability and entitlement to HB or Universal Credit (UC) housing costs element. This would be paid as a weekly 'top up', for HB this cannot exceed the eligible rental liability.

Eligible rental liability means all the payments specified in Regulation 12(1) of the Housing Benefit Regulations 2006 or the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006 except those specified in Regulation 12(3)(b)(if) to (iii) of those regulations, i.e. deductions in respect of certain service charges.

A HP award can also be made as a one-off payment to resolve an issue relating to housing costs.

Housing costs are not defined in the regulations, however, in general, housing costs means rental liability. This can also be interpreted more widely to include:

- Rent in advance
- Rent deposits
- Other lump sum costs associated with a housing need such as removal costs.

Following the abolition of Council Tax Benefit from April 2013 a HP can no longer be paid to assist with Council Tax liability. A customer who is receiving Council Tax Reduction (CTR) with no rental liability is not entitled to a HP award.

The claimant must be entitled to Housing Benefit or UC housing costs at the time they apply for HP.

Local Authorities are allocated Central Government funding for HP. Local Authorities can also make an additional local contribution to the fund (up to 2.5 of the Government allocation).

The funding must be awarded to claimants in the financial year it is allocated and once the fund is exhausted no further funding will be available until the following financial year. Any HP funding not awarded by the end of the financial year must be paid back to the DWP.

For the financial year 2026/27 Cherwell District Council assumed allocation will be unchanged and £187,383.00 will be allocated by the DWP.

DWP guidance to Local Authorities states payments from the fund should be made to support claimants affected by key welfare forms:

- Reduction in Housing Benefit or UC housing costs as a result of the Removal of the Spare Room Subsidy
- Reductions in Housing Benefit or UC housing costs as a result of LHA reforms
- Non-dependant deductions in HB, or housing cost contributions in UC
- Rent shortfalls to prevent a household becoming homeless whilst the housing authority explores alternative options
- Income taper reduction
- Policy to limit benefit to two children and
- any other policy change that limits the amount of HB payable, for example the removal of the family premium.

HP cannot be used to help with:

- Ineligible service charges.
- Increases in rent due to arrears.
- Shortfalls in the Second Adult Rebate.
- Shortfalls in Council Tax Reduction.
- Certain sanctions and reductions in benefit.
- Any reduction in UC due to a sanction as specified under regulation 100 of the UC Regulations 2013
- Shortfalls caused by HB or UC overpayment recovery: when recovery of an HB or UC overpayment is taking place, such shortfalls should not be considered for a HP.

Further guidance can be found [in Appendix A of the Department for Work and Pensions Discretionary Housing Payments Good Practice Guide](#) (May 2022).

A HP is not a 'means-tested' entitlement of Housing Benefit. It is a short-term additional award made by the Local Authority to a claimant facing financial hardship in order to alleviate that hardship and reduce the risk of homelessness.

HP should not be considered as a long-term solution to maintain customers in accommodation they cannot afford based on their rent liability and normal entitlement to Housing Benefit/UC housing costs.

Due to the limit of a HP award, the DWP recommends claimants are advised by the Local Authority to consider options available to them in order to alleviate their financial and/or housing situation during the period of the award.

4. Cherwell District Council Housing Payments Policy

This policy refers to Cherwell District Council, references within this policy to ‘the Council’ means Cherwell District Council and references to “decision makers” are also officers of the Council or officers authorised to act on behalf of the Council.

The purpose of this policy is to assist with the administration of HPs, specifies how the Council will operate the HP scheme and indicates some factors that will be considered when deciding when to award a HP.

Each application for a HP will be treated on its own merits, taking into consideration the guidelines issued by the DWP and those stated in this policy, to ensure all claimants are treated equally and fairly.

The Council is committed to working with social landlords, the local voluntary sector, homelessness prevention agencies, Citizens Advice Bureau and any other partners and stakeholders within the district to maximise publication of the scheme to help as many residents as possible.

5. Statement of objectives

The Council will consider awarding a HP to claimants who meet the qualifying criteria subject to funding limitations. Before making an award, the Council must be satisfied that the claimant is entitled to:

- HB/UC housing costs element. This includes where the claimant would have been entitled to UC housing costs were it not for the fact that the person occupies specified accommodation or temporary accommodation; and
- Has a rental liability; and
- Requires further financial assistance with housing costs.

The key objectives of this policy in prioritising awards of HP are:

- Preventing homelessness.
- Alleviating poverty.
- Keeping families together.
- Supporting the vulnerable and elderly in sustaining tenancies.
- Helping those who are trying to help themselves.
- Enabling people to secure new sustainable tenancies.
- Providing financial respite for people in short term difficulty.
- Incentivising people into and maintaining work.
- Supporting young people in education.
- Supporting those who are in affordable housing but at risk of becoming homeless due to being unable to meet their full rental liability due to severe financial difficulties from the effects of the current economic climate.
- Assist persons within the area who qualify for Housing Benefit or Universal Credit Housing Element to move or obtain premises more suitable to their requirements.

6. Claiming a Housing Payment

A claim for a HP must be made in writing on the following form [HP application](#).

A request for a paper application can be arranged by emailing benefits@Cherwell-dc.gov.uk.

An award can occasionally be extended for a short period without a further claim form being submitted where the Council is satisfied that the claimant's circumstances continue to remain the same, despite the claimant taking all reasonable steps during the period of the original award to alleviate their situation.

A HP will not be awarded where the Council considers alternative monies, benefits, awards, grants or funds are available or more appropriate for the claimant, for example, the Council's rent deposit scheme, deposit from a previously rented property.

The Council may request any information or documentary evidence reasonable and/or relevant in support of an application for a HP. All requests for additional information will be made in writing or by email, where possible existing information/documentary evidence will be used to support an application in order to avoid duplication.

If a claimant is in receipt of UC, any information held for local Council Tax Reduction may also be used to process a HP application and/or change in circumstances.

The Council may verify the information provided by the claimant with authorised agencies, for example, His Majesty's Revenue and Customs (HMRC) and DWP.

Where the claimant is in receipt of Housing Benefit the Council will carry out a claim review, in order to ensure the correct level of Housing Benefit is being awarded, before making a HP decision.

The claimant will be given one month to provide any additional information/documentary evidence requested. Decision Makers will have discretion to extend the time limit in appropriate circumstances.

However, if information/documentary evidence is not returned within the agreed time limit the Decision Maker will make the HP decision based upon the information available at that time.

7. The decision-making process

Each decision reached is discretionary and is not governed by means-tested regulations, however, the Council will ensure that all decisions made are consistent, fair and in-line with the objectives of this policy.

On receipt of an approved/signed form the Decision Maker will verify that the claimant is [eligible](#).

Where the claimant is not eligible, the Decision Maker will advise the claimant in writing their request has been unsuccessful without requesting further information.

Where the application is made and indicates one or more of the following is the only reason for the claim the HP will be decided as not eligible:

- Ineligible service charges
- Increases in rent due to arrears
- Shortfalls in the Second Adult Rebate
- Shortfalls in Council Tax Reduction (CTR)
- Shortfall in HB due to recovery of an overpayment
- Reduction in HB due to other benefit sanctions

- HB that has been suspended
- The waiting days applied to Universal Credit claims

Where any of the above applies, the Decision Maker will advise the claimant in writing without requesting further information.

Where the claimant's circumstances are eligible for HP, the Decision Maker will consider one or more of the following impacts on the claimant's housing costs circumstances and finances in considering an award. The reason for the request is:

- To cover a reduction in eligible rent due to the Removal of the Spare Room Subsidy
- To cover a shortfall in rent due to the Benefit Cap
- To cover a rent restriction imposed by the Rent Officer for private tenancies.
- To cover the difference between the LHA rate and the rental liability
- To cover the difference between the housing costs in the UC award and the rental liability
- To counteract the effect of any non-dependant deduction
- To support a customer back into work
- To prevent homelessness
- Removal costs in relation to obtaining affordable accommodation.
- Rent deposits and rent in advance in relation to obtaining affordable accommodation: a HP can be awarded for a rent deposit or rent in advance for a property that the claimant has yet to move into if they are already entitled to HB or UC for their present home.
- All other options must be explored prior to a HP being awarded in this instance, such as Cherwell District Council's rent deposit scheme, deposit from a previously rented property etc. Regard should be given to the Court of Appeal's decision in R v LB Lambeth, ex parte Garrett which sets out that any HB already paid towards housing costs must be deducted when calculating the amount of HP to avoid duplicate provision. The following conditions must also be satisfied:
 - the property is affordable for the tenant; and
 - the tenant has a valid reason to move; and
 - the deposit or rent in advance is reasonable.
- To help with liability to pay rent on two homes: the regulations permit a person to have help through a HP award with rent due on a property they have moved into when treated as temporarily absent from their home e.g. the claimant has moved

due to domestic violence. If the customer is liable for the rent on both properties and in both cases, there is a shortfall, a HP could be awarded in respect of both properties subject to the weekly limit on each property.

- If the claimant is liable for payments on one dwelling but is having to pay rent on two, a weekly HP could be made to assist with the temporary accommodation up to the level of the weekly eligible rent on the dwelling from which they are temporarily absent.

(This list is not exhaustive)

The Decision Maker will then consider if the claimant has:

- Demonstrated financial hardship
- Demonstrated a personal life event that has led to financial hardship, for example, the bereavement of a close relative.
- Demonstrated steps already taken to achieve financial independence, for seeking and accepting advice from the Council's Housing Options team, Tenancy Support Officers or Citizens Advice Bureau.

Applications may be considered unsuccessful if one or more of the following apply:

- Other support/provision has been granted for this need/situation
- Eligibility criteria has not been met
- Exceptional need is not evidenced
- Exceptional financial circumstances are not evidenced
- Applicant has accessible capital/savings
- Applicant has already received HP either as
- short-term financial support by way of on-going HP
- rent in advance in lieu of an on-going HP or
- rent deposit in lieu of an on-going HP and has not shown that they have taken any relevant steps to help alleviate their situation
- Applicant chooses to cancel any arrangement whereby support/assistance is being provided by another body such as Citizens Advice Bureau, Housing Options or Landlords' Welfare Officers.

The Decision Maker will compare the actual household income and savings compared with essential household expenditure. The Decision Maker will also take account of any other income, grants, discretionary awards and/or benefits that the claimant could be entitled to in order to determine whether the claimant needs further financial assistance to meet their housing costs.

Where the Council considers the claimant may be entitled to other income or benefits the Council may award a HP to allow time for the claimant to apply for alternative income or benefits.

The Council will refer to the Standard Financial Statement (SFS) trigger figures (April 2024) to determine reasonable expenditure for telephone, housekeeping, and travel.

The Standard Financial Statement trigger figures are widely used in the financial industry as reasonable expenditure levels. This approach is consistent with the financial hardship work undertaken by Citizens Advice.

Where specific expenditure is higher than the trigger figures the Decision Maker will request further information and/or evidence to determine why the figures are higher. Where the claimant is unable to provide satisfactory information to explain the higher figures the expenditure used to calculate any HP award will be adjusted to the trigger figures.

The Decision Maker will also consider the following in relation to the claimant's household and financial circumstances:

- Whether the property has been substantially adapted for the needs of a disabled customer
- Any steps already taken by the customer to reduce their rental liability.
- The financial and medical or social needs of anyone in the household
- Any steps already taken by the claimant to reduce other expenditure.
- Any steps already taken by the claimant to achieve financial stability.
- Any savings or capital held by the claimant or family members.
- Any steps already taken by the claimant to reduce the level of debt in the household.
- Any exceptional circumstances of the claimant or family members
- The possible impact on the authority of not making such an award, for example, pressure on priority homeless accommodation.
- The possible impact on the claimant of not making such an award, for example, the immediate threat of homelessness.
- The amount available in the HP budget at the time of the application
- Any special reasons which make it necessary or particularly desirable for the claimant to occupy the dwelling in respect of which the liability arises.
- The risk of becoming homeless due to rent arrears, particularly where any of the household are vulnerable by reason of age, sickness, or disability.

- Action taken by the landlord to recover arrears of rent.
- Legislative change impacts, for example- restrictions to eligible rent, LHA restrictions, size criteria, benefit cap.
- Any other special circumstances brought to the decision maker's attention.

(This list is not exhaustive)

8. Start dates of an award

A HP will normally be awarded from:

- The Monday following receipt of the application form or
- The Monday following the initial request made where the application form is received within one month of the date of the initial request or
- The date on which entitlement to Housing Benefit or Universal Credit commenced whichever is the most appropriate.

A HP cannot be awarded for any period outside an existing Housing Benefit or Universal Credit period granted under the Housing Benefit or Universal Credit statutory schemes.

9. Backdating

Claimants may apply for a backdated HP. However, awards are expected to meet current financial hardship and household circumstances. Whilst there are no restrictions on the Council considering a request for a backdated award, any payment would normally be restricted to the current financial year due to the DWP funding arrangements.

Any application will be considered on a case-by-case basis in accordance with this policy.

10. Period of award

Any HP award will be made for a period relevant to the claimant's housing and financial circumstances. Consideration will be given to the level of vulnerability of the household and the likelihood of that household circumstances alleviating during the period of award.

The length of the award will vary on a case-by-case basis, as follows:

- There is no minimum period for a HP award which can be made until a change in circumstances results in that household's ability to afford their rental liability; or
- Maximum period of 12 months in the case of exceptional hardship or if the claimant has limited options in making changes to their circumstances; or.
- Bespoke period based on the individual circumstances of the claimant, for example, to the end of a tenancy; or
- A lump sum award relating to a specific amount, for example, a rent deposit.

When awarding a HP to assist the claimant to secure a new tenancy, the Decision Maker will consider the following:

- If the claimant has been offered but not accepted the rent deposit scheme operated by the Council
- If HP is a more appropriate award than the rent deposit scheme.
- If HP has been previously paid for a rent deposit or rent in advance.
- The claimant's deposit or rent paid in advance for previous accommodation.
- Ability of the claimant to move to more affordable accommodation with the help of moving costs, rent in advance or rent deposit.
- What steps the claimant has taken to save to contribute towards rent in advance or rent deposits.

11. Level of Award

The Decision Maker will determine the level of award on a case-by-case basis based on the criteria outlined in this policy.

Where the HP claim is to meet a shortfall between the eligible rent and Housing Benefit award/UC housing costs, the award may be:

- The full amount of the shortfall.
- A part payment of the shortfall

Where the HP claim is a lump sum payment:

- An amount not exceeding the equivalent of one month's rent for rent deposits and/or rent in advance.
- A part payment taking into account available savings or other monies available to the claimant for rent in advance, rent deposit, moving costs etc.

The Decision Maker will consider the household's overall financial circumstances in determining the award for HP, this will include any income or benefits fully or partly disregarded in the normal means tested calculation for Housing Benefit/UC housing costs, for example child benefit, maintenance, Personal Independence Payments, Attendance Allowance, Disability Living Allowance.

Where the Council receives information that the claimant's circumstances have been alleviated during the period of award, the HP end date may be revised, or the level of award reduced for the remainder of the period to reflect this change.

For claimants in receipt of Housing Benefit, the level of the HP award, calculated on a weekly basis, cannot exceed the eligible rent.

For claimants in receipt of UC housing costs, the level of the HP award cannot exceed the housing element.

Where a HP is awarded to recipient of UC, the HP level of award will also take into account:

- Where an Alternative Payment Arrangement (APA) is in place to the claimant's landlord, the award will be the maximum of the shortfall between the payment to the landlord and the claimant's rent. This amount will be converted from a monthly to a weekly amount.
- Where the APA is not in place, the shortfall will be determined with reference to the claimant's circumstances. The maximum HP award is also affected by reductions in the UC housing costs component for items such as a maximum LHA rate or non-dependant deductions as form part of the Schedule 4 to the UC Regulations i.e. the UC housing costs component of the UC award notice.
- Where a claimant is in receipt of UC the maximum HP award that can be made is identified by looking at their UC award notification. Their UC award notice will identify a housing element, and this is the same as the maximum HP that can be made when calculating a HP as a monthly award.

Please note that whilst the housing element of the UC award notification may include financial support for mortgage interest payments, owner-occupiers are not eligible to receive a HP award.

12. Method of payment

The Decision Maker will award the HP to the most appropriate person to pay on a case-by-case basis from the following:

- The claimant
- Their partner
- An appointee
- Their landlord
- Any third party to whom it might be most appropriate to make payment.

Payment will be made by electronic transfer (i.e. BACS).

For claimants in receipt of HB a weekly HP award to meet a shortfall will normally be made in line with the frequency and method of payment of their normal Housing Benefit.

For UC housing costs frequency is at the discretion of the Decision Maker, as payments of Universal Credit are made monthly.

13. Notification

The Council will inform the claimant of the outcome of their application in writing either by letter or email. A copy of the income and expenditure used in the calculation will be provided with the notification where that has been used to calculate the amount of the award.

Where the application is unsuccessful, the Council will set out the reasons to explain the decision.

Where the application is successful, the Council will advise:

- The weekly amount of HP awarded
- The period of the award
- How, when and to whom the award will be paid
- The requirement to report a change in circumstances.

Where the claimant is experiencing financial difficulties due to restrictions implemented as part of welfare reforms associated with their accommodation, their details may be passed to the Council's Housing Options team or Citizens Advice.

Where payment is to be made to a third party, for example a landlord for a rent deposit, the Landlord will also receive a written notification.

The Council will include information about the legal obligations for landlords to protect any deposit paid in a government approved tenancy deposit protection scheme.

Compliance with this requirement will help reduce the need for future help with deposits.

14. Reapplying for a HP

There are no restrictions on the number or amount of HP applications that can be made by a claimant, other than the availability of funding.

However, reapplications will take into account previous awards of HP, steps taken by the claimant during the period of the original award and any barriers that have prevented the claimant alleviating their financial and housing situation.

Where the application is unsuccessful, the claimant may reapply for a HP at any time (or request [a review of the decision](#)). Where an application is successful the claimant may apply for an increase or additional HP payment (for example, a rent deposit) during or at the end of their current period of award.

The Council will not contact the claimant at the end of the award unless there are exceptional circumstances, for example the claimant is vulnerable and/or has known difficulties managing their circumstances.

A claimant will need to complete a new application to reapply for HP at the end of a current award, except in occasional circumstances where the Council is satisfied that their circumstances have remained the same. Claimants can submit an application to reapply for a further award up to 4 weeks before the end of the current award period.

15. The right to seek a review

HP decisions are not subject to the statutory appeals procedure, as they are not awards of Housing Benefit or Universal Credit.

Claimants can request a review of the Council's decision on an unsuccessful HP, a reduced award, a decision not to backdate a HP or a decision that there has been an overpayment of HP.

A request for a review must be submitted to the Council within one month of the date of the HP notification. The Council may consider requests made after this time period

where the claimant has given specific reasons for the delay and the Decision Maker considers these reasonable.

On receipt of a request for a review:

- A Decision Maker, different to the original Decision Maker, will review the decision and all the evidence, as soon as possible.
- Request any additional evidence/information that may be required.
- Notify the claimant of the outcome of the review in writing.
- Where the Council makes the decision to uphold the original decision, the Decision Maker will notify the claimant of their decision in writing, setting out the reasons for their decision.
- The decision is final and binding and may only be challenged via the judicial review process or by complaint to the Local Government Ombudsman where there is an allegation of maladministration.

16. HP Overpayments

A HP overpayment may occur where the Council determines:

- The claimant misrepresented their circumstances or failed to disclose a material fact or change in circumstances, either fraudulently or otherwise, at the start, end or during the period of award.
- HP was awarded as a result of an error made in determining Housing Benefit or UC housing costs entitlement.

The Council may consider the overpayment to be recoverable.

Overpayments deemed recoverable may be recovered from any ongoing HP entitlement or future HP awards.

Where no HP is in payment the Council will issue an invoice to the claimant or other person considered responsible to repay the overpayment. The Council will consider requests by claimants/other responsible persons who wish to repay a HP overpayment by instalments on a case-by-case basis.

The Council cannot recover HP from ongoing Housing Benefit, UC or other attachment of benefits.

17. Publicity

The Council will continue to publicise the HP scheme, working with key stakeholders and partners using various platforms including using the Council's website. Information about the amount spent will not normally be made available except at the end of the financial year.

Decision Makers will liaise closely with social landlords, volunteer agencies and Housing Options team to ensure the most vulnerable customers are made aware of HPs and are assisted in claiming them as required.

18. Fraud

The Council is committed to the fight against fraud. Claimants found to have claimed or attempted to claim a HP by falsely representing their circumstances, providing a false statement or evidence in support of their application, may have committed an offence under the Theft Act 1968, including Sections 17 'False Accounting' and 24A 'wrongful Credit'. Offences may also have been committed under the Fraud Act 2006; the identity documents Act 2010 and the Accessories and Abettors Act 1861. This list is not exhaustive. Where the Council has evidence that such a fraud may have occurred, the matter will be referred for investigation to the Council's Corporate Fraud Team, and this may lead to the start of criminal proceedings.

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This report is public	
Biodiversity Duty Report 2024-25	
Committee	Executive
Date of Committee	3 March 2026
Portfolio Holder presenting the report	Portfolio Holder for Greener Communities, Councillor Tom Beckett
Date Portfolio Holder agreed report	9 February 2026
Report of	Executive Director Place and Regeneration, Ian Boll

Purpose of report

To consider and endorse the Biodiversity Duty Report 2024-25.

1. Recommendations

The Executive resolves:

- 1.1 To endorse the Biodiversity Duty Report 2024-25.
- 1.2 To note that following the completion and adoption of a Community Biodiversity Plan, an annual update be presented to the Executive.

2. Executive Summary

- 2.1 The Environment Act 2021 amended Section 40 of the Natural Environment and Rural Communities Act (NERC) 2006 to strengthen the existing 'Biodiversity duty'. This duty requires all public authorities to consider what they can do to 'conserve and enhance biodiversity'. This is a corporate responsibility that goes across all Council departments, actions and decision making.
- 2.2 All public authorities must:
 - Consider what they can do to conserve and enhance biodiversity
 - Agree policies and specific objectives based on the consideration
 - Act to deliver the policies and achieve the objectives.
- 2.3 The duty will contribute to the government's Environmental Improvement Plan (EIP23) published in January 2023 which set out the nation's commitments to halt the decline in species abundance and to protect 30% of UK land and sea for nature through the Nature Recovery Network by 2030.
- 2.4 A report was approved by the Council's Executive in November 2023 which noted the requirements of the Act in respect of biodiversity and the on-going preparation

for the introduction of statutory Biodiversity Net Gain requirements. The Executive resolved to approve the preparation of a revised Community Biodiversity Plan in the interest of meeting the statutory general biodiversity objective, to monitor the progress in delivering that Plan and to keep it under review.

- 2.5 Although the Community Biodiversity Plan for the current period has not yet been produced, in 2025 the Council restructured services within a new Place and Regeneration Directorate which included the creation of a Biodiversity and Climate Resilience service. A new Head of Service position has been established and filled. The creation of this service will enable more resource and focus for addressing biodiversity and climate change priorities and will result in their integration, where appropriate, to achieve common objectives. The production of the new Community Biodiversity Plan will a priority for the new service.
- 2.6 In the meantime actions for biodiversity conservation and enhancement have been progressed and new objectives set within different Council services. The purpose of this Biodiversity Duty Report is to report on these for the reporting period 2024-25.

Implications & Impact Assessments

Implications	Commentary
Finance	<p>There are no direct financial implications of approving this report, as it supports us in complying with our statutory duties.</p> <p>Kimberley Digweed - Finance Business Partner 16 February 2026</p>
Legal	<p>Section 102 of the Environment Act 2021 amends the duty to conserve biodiversity under Section 40 of the Natural Environment and Rural Communities Act 2006. Section 40 places a duty on public bodies to conserve and enhance biodiversity (the ‘general biodiversity objective’). Section 40A of the Act requires a biodiversity report to be prepared. The Council is required to publish its first biodiversity report no later than 1 January 2026 (being 3 years after the obligation coming into force) to demonstrate the policies and actions carried out to comply with the biodiversity duty. After this, the end date of each reporting period must be within 5 years of the end date of the previous reporting period.</p> <p>Section 40A of the Act also places a duty on Local Authorities who are Local Planning Authorities to report on additional information about biodiversity gain, details of which are included in the report.</p> <p>On 23 December 2025, the Department for Environment and Rural Affairs (DEFRA) clarified that the first reporting period must conclude no later than 1 January 2026 and the report must be published 12 weeks of this date (i.e. by 26 March).</p> <p>The endorsement of the Biodiversity Report would assist the Council in meeting statutory obligations but further work is required. In particular, the Report highlights the on-going</p>

	<p>commitment to produce a Community Biodiversity Plan, which is required to be fully compliant with the Council's statutory duties (as decided by the Executive in November 2023).</p> <p>As far as we are aware, there are no statutory fines or other sanctions for failing to comply with its duties, however, a legal challenge could arise where it can be shown that the Local Authority makes decisions without regard to its biodiversity duties under the Act.</p> <p>Denzil – John Turbervill, Head of Legal Services, 23 February 2026</p>			
Risk Management	<p>There are no risks arising from the proposed endorsement of the Biodiversity Report. Meeting statutory obligations is considered above</p> <p>Celia Prado-Teeling, Performance Team Leader, 9 February 2026</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		The Council's duty to conserve and enhance biodiversity is of benefit to all.
B Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?		X		As above
Climate & Environmental Impact	X			The endorsement of the Biodiversity Report would assist the Council in meeting statutory obligations but further work is required. In particular, the Report highlights the on-going commitment to produce a Community Biodiversity Plan (as decided by the Executive in November 2023).
ICT & Digital Impact		X		N/A
Data Impact		X		N/A
Procurement & subsidy		X		N/A

Council Priorities	Vision for Lasting Change 2025-2030 Priority 3 – Environmental Stewardship, specifically according with ‘to Safeguard the environment and promote biodiversity’.
Human Resources	N/A
Property	N/A
Consultation & Engagement	N/A

Supporting Information

3. Background

- 3.1 The Biodiversity Report includes the policies, objectives and actions for biodiversity, the work activity in relation to the achievement of Biodiversity Net Gain and the future actions for biodiversity. It is the first report produced under the amended requirements of Natural Environment and Rural Communities Act 2006 arising from the Environment Act 2021.
- 3.2 Although the Act only requires a report to be published within 5 years of the end date of the previous reporting period. It is proposed that an annual Biodiversity Report be presented to the Executive.

4. Details

- 4.1 The first Biodiversity Report highlights the policies and objectives for biodiversity arising from:

1. the Cherwell Local Plans
2. Green and Blue Infrastructure Strategy (2022)
3. Well-Being Strategy 2024-2028
4. Cherwell District Councils Business plan 2024-2025
5. Corporate Plan 2025 -2026
6. Climate Action Plan Nov 24 – Apr 26

- 4.2 The report makes clear that actions for biodiversity and nature recovery would not be possible without working in collaboration and partnership with key organisations as well as the contributions of a network of local conservation and community groups. It highlights the actions for biodiversity arising from:

1. Local Nature Recovery Strategy
2. Local Wildlife Site project
3. District Wildlife Site project
4. Great Crested Newt District Licence Scheme
5. Oxfordshire Local Nature Partnership
6. Priority species off setting pilot scheme

7. Planning biodiversity checklist
8. Delivery of projects associated with the Well-Being Strategy
9. Biodiversity enhancement on Council managed land
10. Work to further climate adaptation and resilience.

4.3 With regard to the achievement of Biodiversity Net Gain, the report demonstrates that during 2024-2025 11 Biodiversity Gain Plans were approved, with more than 70 biodiversity net gain metrics assessed. The 11 plans show that an average of 15.51% net gain in 'area' habitats has been achieved and a 63.95% net gain in hedgerow habitats. Of the 11 sites, nine developments achieved net gain on site with two buying off site units from habitat banks (one from inside the LPA boundary and one from a unit provider in an adjacent LPA).

4.4 The Biodiversity Report emphasises that the key action on-going is to develop the 'Community Biodiversity Plan' and ensure it is aligned with habitat and species priorities within the Oxfordshire LNRS. Other areas of focus will be:

1. Monitoring of ecological enhancements within developments
2. Embedding the LNRS within Council decisions on nature recovery and land use
3. Considering any implications arising from any government review of the Environmental Improvement Plan
4. The integration into local policy and development management decisions of species conservation strategies and protected site strategies as and when progressed by the national government.

4.5 There will be continued implementation and monitoring of mandatory Biodiversity Net Gain (BNG) requirements, the on-going provision of support to applicants through the planning system and the use of a recently procured specialist software package (Mycelia) to provide greater detail of BNG delivery and ensure effective monitoring, the continuation and improvement of the service to landowners wishing to secure habitat banks within the district.

4.6 The Council will also continue to assess whether any Council owned land has the potential to be managed effectively as a gain site.

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: The Executive could decide not to endorse the Biodiversity Duty Report. This option is not recommended as the Report will assist in meeting statutory requirements notwithstanding the on-going commitment to produce the Community Biodiversity Plan within the new Biodiversity and Climate Resilience Service.

6. Conclusion and Reasons for Recommendations

6.1 The Biodiversity Duty Report is presented for the reporting year 2024-25 to demonstrate what the Council is doing to conserve and enhance biodiversity, to

highlight the relevant policies and objectives that are contributing to meeting the biodiversity objective and where delivery is being achieved. It also identifies the future actions necessary for on-going statutory compliance and to demonstrably improve the variety of the living organisms and ecosystems that comprise Cherwell's natural environment. Members are invited to endorse the report and the proposal for an annual report following the completion of the Community Biodiversity Plan which will also be presented to the Executive.

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	Biodiversity Duty Report (including appendices)
Background Papers	None
Reference Papers	None
Report Author	Charlotte Watkins, Senior Ecologist David Peckford, Assistant Director – Planning
Report Author contact details	charlotte.watkins@cherwell-dc.gov.uk david.peckford@cherwell-dc.gov.uk
Executive Director Approval (unless Corporate Director or Statutory Officer report)	Ian Boll, Executive Director Place and Regeneration 9 February 2026

Cherwell District Council

Biodiversity Duty Report 2024-2025

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Introduction

What is the Biodiversity Duty?

Biodiversity is the variety of life on Earth, including all living organisms and the ecosystems they form. This includes species diversity – the range of different species, genetic diversity – variation within species, and ecosystem diversity – different habitats and ecological processes.

The Environment Act 2021 amended Section 40 of the Natural Environment and Rural Communities Act (NERC) 2006 to strengthen the existing ‘Biodiversity duty’. This duty requires all public authorities to consider what they can do to conserve and enhance biodiversity. This is a corporate responsibility that goes across all Council departments, actions and decision making.

All public authorities must:

- Consider what they can do to conserve and enhance biodiversity.
- Agree policies and specific objectives based on the consideration.
- Act to deliver the policies and achieve the objectives.

The duty will contribute to the government’s Environmental Improvement Plan (EIP23) published in January 2023 which set out the nation’s commitments to halt the decline in species abundance and to protect 30% of UK land and sea for nature through the Nature Recovery Network by 2030.

To inform a baseline of the biodiversity duty, public authorities were required to carry out first considerations by January 2024 setting out their current biodiversity policies and identifying what further actions should be taken across all Council functions. This then forms the basis of objectives, policies and actions to be set to meet the biodiversity duty.

Aims of the Biodiversity Duty Report

The Council had to complete its first consideration of what action it can properly take to further the general biodiversity objective by 1 January 2024 (i.e. one year after Section 102 of the Act became effective). It was required to agree the policies and objectives for taking action as soon as practicable after this which might include revising existing policies and objectives. It was then required to take the action to meet the biodiversity objective.

A report was approved by the Council’s Executive in November 2023 which noted the requirements of the Act in respect of biodiversity and the on-going preparation for the introduction of statutory Biodiversity Net Gain requirements.

It was determined during the first considerations at the Executive committee that continuing with a commitment to produce a revised Community Biodiversity Plan, to monitor its delivery, and to keep the Plan under review, would be the most appropriate means by which to demonstrate on-going compliance with the biodiversity objective.

The Community Biodiversity Plan for the current period has not yet been produced. However, actions for biodiversity conservation and enhancement have continued with additional objectives and actions set and implemented within different Council services. The purpose of this Biodiversity Duty Report is to report on these actions for the reporting period.

The delivery of the Councils actions for biodiversity and nature recovery would not be possible without working in collaboration and partnership with key organisations as well as the contributions of a network of local conservation and community groups.

Section 1: Policies, objectives and actions for biodiversity

1.1 Policies and objectives for biodiversity

1.1.1 Existing policies, strategies and plans

A key function of the council in terms of the biodiversity duty is its role as a Local Planning Authority. The council has legal obligations relating to important wildlife sites, habitats and species; and requirements under the National Planning Policy Framework (NPPF) relating to conserving and enhancing the natural environment. Conserving and enhancing biodiversity is further achieved through the core policies of **The Cherwell Local Plan (Part 1) 2011-2031**. Policy ESD 9 sets out protection of the Oxford Meadows SAC. ESD 10 seeks protection and enhancement of biodiversity and the natural environment which includes an expectation of overall net gains for biodiversity. ESD 11 has detailed requirements for Conservation Target Areas specifically aimed at biodiversity enhancement opportunities.

Additionally, ESD 16 (The Oxford canal) and ESD 17 (Green infrastructure) seek to protect existing and encourage more open spaces and linkages, protecting existing wildlife habitats and facilitating movement between them. ESD1 (Mitigating and Adapting to Climate Change) and ESD 6 (Sustainable flood risk management) support biodiversity by addressing climate change and seeking opportunities to restore natural river flows and floodplains.

The **Green and Blue Infrastructure Strategy (2022)** sets out a network of high-quality green spaces and other natural features and identifies strategic opportunities to enhance the districts green and blue infrastructure.

A primary goal of the Council's **Wellbeing Strategy 2024-2028 Everybody's Wellbeing is Everyone Can Connect with Nature**.

The **Council's Corporate Plan 2025 -2026** includes four priorities one of which is Environmental Stewardship. A primary goal for this priority is to Safeguard the Environment and Promote biodiversity with an aim 'to implement sustainable policies and practices, protect natural habitats, and support conservation initiatives that enhance ecosystem health and biodiversity while responding to the climate emergency'.

Environmental sustainability is a key aim within **Cherwell District Councils Business plan 2024-2025** which includes promoting the green economy.

Climate Action Plan Nov'24 – Apr'26, goal 12 is to enhance the district's natural capital to support carbon off-setting and biodiversity enhancement. The table below sets out the objectives associated with this goal.

CAP goal	Objective
12.01	Consider the feasibility of a planning policy to achieve 20% Biodiversity Net Gain from new development
12.03	Produce a management plan for Longford Park to reduce regular mowing activities, improve biodiversity and engage with the community
12.04	Enhancement of Banbury Country Park, Longford Park, Burnehyll Woodland and Graven Hill to support biodiversity and carbon sequestration

12.05	Support key biodiversity partners and local communities to protect, manage and enhance habitats which have biodiversity value and carbon removal/storage functions.
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.
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
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.
12.09	Support emergence and facilitation of farmer clusters, boosting their key role in delivery of landscape-scale natural capital enhancement.
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.
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.
12.12	Increase the amount of natural capital in Cherwell through additional habitat creation, especially in urban areas.

1.1.2 Emerging policy

The Submission Cherwell Local Plan Review 2042 was submitted for Examination on 31 July 2025 and is now at examination. In line with the Biodiversity Duty and the National Planning Policy Framework (NPPF) the proposed biodiversity policies are strengthened with a greater focus on maximising the protection, restoration and expansion of protected sites, habitats and species.

Policy CSD 10 of the draft Plan looks for water quality and hydrological regime of the Oxford SAC to be *improved* rather than maintained. CSD 11 seeks positive contributions to biodiversity with strengthened levels of protection for Local Sites of biodiversity value and Priority habitat and species, an expectation of integrated bat or bird provisions at a ratio of 1:1 for new dwellings and for all biodiversity features to be secured for at least 30 years. CSD 12 sets expectations for biodiversity net gain to be achieved for all development, for 20% biodiversity net gain on relevant sites and for off-site biodiversity gains to be sited in areas where they will have most benefit to nature recovery.

The emerging local plan policies will be used to guide development proposals that will be received by the authority on an ongoing basis. Policies to protect biodiversity and guide nature recovery will therefore have an ongoing contribution to compliance with the biodiversity duty.

Section 1.2: Actions for biodiversity

1.2.1 Local Nature Recovery Strategy

The Environment Act 2021 established the requirement on Local Authorities to publish a Local Nature Recovery Strategy (LNRS). Oxfordshire County Council is the Responsible Authority for Oxfordshire and has the duty to prepare and host the LNRS. Cherwell District Council along with the other Oxfordshire Districts, the City Council and Natural England is a supporting authority.

The LNRS is a spatial strategy for nature recovery, the main purpose of which is to identify locations where the creation and/or enhancement of certain habitats would provide the greatest benefit for nature and the wider environment, including reconnecting habitats as part of an ecological network. It encourages the delivery of targeted actions for nature recovery as opportunities for funding and investment arise.

The LNRS is comprised of four key documents/ components:

- Description of the Strategy Area;
- Statement of Biodiversity Priorities;
- Species Priority List;
- Local Habitat Map - an online interactive map tool.

While many species and habitats are identified as priorities at the national level, the Local Nature Recovery Strategy enables these priorities to be specifically identified and linked to local landscapes, ensuring that actions are relevant to the specific ecological needs of Oxfordshire.

The Oxfordshire LNRS was published in November 2025. As a supporting authority the Council has been involved in all stages of its preparation and contributed to its development through representation on the steering group committee, at technical workshops, draft reviews, consultation and advocating for local priorities. The Executive committee endorsed the LNRS in October 2025.

Going forward the LNRS will be a key consideration in the Councils approach to the biodiversity duty and will inform priorities for action in the Community Biodiversity Plan. The Councils Senior Ecologist is part of the LNRS Delivery Advisory Group through which the Council will share expertise, strategic guidance and review work and workplans to help guide the delivery of nature recovery objectives in line with national requirements and local priorities.

1.2.2 Local Wildlife Site Project

Local Wildlife Sites (LWSs) are sites of substantive nature conservation value at a County level taking into consideration species composition, habitat type/quality and local/national importance for biodiversity. They form an important network of habitats for animals and plants within Oxfordshire and are vital to conserving biodiversity - receiving some protection within Planning.

Cherwell District Council, along with the other Oxfordshire Councils, funds the Local Wildlife Sites project and sits on the Project Steering Group. The project team survey proposed Local Wildlife Sites and resurvey designated ones to assess any increase or decrease in biodiversity value against the LWS criteria.

Cherwell district has 84 Local Wildlife Sites, 18 proposed/extensions LWS and 6 overlapping with other districts.

The table below shows the extent of LWS area in Cherwell over the last three years.

Designated Site	Area in ha (2021)	Area in ha (2022)	Area in ha (2023)	Area in ha (2024)	% of district (2024)
Local Wildlife Sites (LWS)	1,460.93	1,457.73	1457.77	1473.69	2.50%

In addition, the LWS project team gives advice to land managers/owners where desired on positive management for biodiversity within the LWS. Site advice, visits and discussions with landowners/managers have been provided during the reporting period for Fields by River Ray LWS, Gavray Drive LWS (East), MOD Otmoor, Various Network Rail sites, Begbroke Wood LWS, Arccott Wood LWS, Noke Wood LWS, Temple Mill Quarries LWS.

The Single Data List 160-00 (SDL160) seeks to measure the performance of Local Authorities at protecting their local biodiversity and geodiversity, by assessing the implementation of conservation management on Local Sites. This is calculated as the percentage of Local Sites that qualify as being in 'positive conservation management'. Positive conservation management, defined as management which contributes to maintaining or enhancing the features of interest for which a site has been selected, serves as a widely accepted proxy for assessing improvements in biodiversity. Across Oxfordshire's Local Wildlife Sites the SDL 160-00 for 2024/2025 is 47% of Local Wildlife Sites in positive conservation management. This compares favourably with the National average of 38%.

1.2.3 District Wildlife Site project

The Council funds the Local Wildlife Site project team to additionally run a District Wildlife Site project. These are Cherwell specific sites which contain semi-natural habitat or have a notable species interest but which have no formal designation. Along with biodiversity value they often have a community value also. They include sites that have been de-notified or rejected as Local Wildlife Sites and have potential for restoration and enhancement.

Along with surveys of proposed DWS in 2024, management advice and visits have been carried out to Island Pond Wood Cherwell DWS, Swalcliffe Common DWS (also led a guided walk for the community), Weaveley Furze, Stratfield Brake (and wider area).

1.2.4 Great Crested Newt District Licence Scheme

The Council holds a District licence for great crested newts (GCN) which in partnership with Nature Space (the delivery body of the scheme) allows for the compensation of impacts on GCN resulting from development to be off-set by newly created or restored aquatic and terrestrial habitat within the District or County.

Nature Space has also carried out spatial modelling of GCN risk zones which are used in Development Management to ensure the potential presence of GCN is flagged and survey information and mitigation as appropriate is sought.

Compensation is created at a 4:1 ratio for ponds that are lost and are secured for a minimum of 25 years. These ponds aim for high quality habitats and use by GCN is high compared with ponds in the wider countryside. The scheme achieves conservation and enhancement for great crested newts at a landscape scale. Compensatory habitat in turn benefits a wide variety of aquatic and wetland plants, amphibians and invertebrates including Priority species with many ponds attaining Priority status .

The photos below show a newly created compensation pond at Bicester Garrison and the same pond one year later. Six months after creation and restoration on this site all the ponds were found to contain breeding great crested newts, as well as smooth newts, common frog and common toad.



Since 2018 the funds from the scheme have secured within Cherwell nearly 130 ha of terrestrial habitat compensation and 24 compensatory ponds. A full report from Nature Space is within the appendices.

1.2.5 Oxfordshire Local Nature Partnership

The Council's membership of the Oxfordshire Local Nature Partnerships (LNP) assists in meeting the biodiversity duty. The overall purpose of an LNP is to:

- drive positive change in the local natural environment, taking a strategic view of the challenges and opportunities involved and identifying ways to manage it as a system for the benefit of nature, people and the economy
- contribute to achieving the Government's national environmental objectives locally, including the identification of local ecological networks, alongside addressing local priorities
- become local champions influencing decision-making relating to the natural environment and its value to social and economic outcomes through working closely with local authorities, Local Enterprise Partnerships (LEPs) and Health and Wellbeing Boards.

The Council have representatives in working groups sitting under the LNP which aim to aid nature recovery through collaboration and discussion. This includes the Biodiversity net gain working group and the Biodiversity Advisory Group which seeks to enable the coordinated delivery of nature's recovery in Oxfordshire by providing a forum for professionals to share knowledge, expertise and guidance on the development of strategic plans for Oxfordshire's biodiversity.

1.2.6 Priority species off setting pilot scheme

In November 2025 the Council joined a pilot of the NatureSpace Priority Species Scheme. This is a new method for assessing development impacts to Priority Species (defined under Section 41 of the NERC Act 2006, as amended) and to allow for the provision of viable and proportionate compensation to be secured as part of the planning process.

The scheme is designed to facilitate the protection and recovery of populations of locally important Priority Species. Currently, it addresses impacts on linnet, Skylark, hedgehog and

yellowhammer for major development but it is intended to roll it out to other species following the pilot period. It offers an integrated approach to off-site compensation by linking with off-site BNG compensation. One aim of this scheme is to enable the provision of BNG habitat that can also deliver effective species compensation.

Given the nascent nature of the pilot, no developments are yet entered into the scheme.

1.2.7 Biodiversity checklist

A biodiversity checklist has been developed and approved at Executive committee in March 2024. This sits as an appendix to the Local Validation list on the CDC Planning webpages and aims to assist those submitting planning applications with determining whether their development is likely to impact biodiversity. This ensures that impacts on biodiversity are flagged, the correct ecological surveys are carried out and information submitted and it encourages development proposals to take biodiversity into account from the earliest stage to improve outcomes for nature within developments.

1.2.8 Wellbeing, communication and engagement

Goal 4 of the Council’s Strategy ‘Everybody’s Wellbeing’ is ‘Everyone Can Connect with Nature’. The ambition is that nature is accessible and valued by everyone in the District.

This is being actioned through a number of projects either delivered by the Council directly or via funded partnerships with experienced organisations. CDC has and is funding a range of projects with partners to increase people’s connection to nature and enable actions to enhance biodiversity within the district.

Projects	Partners/funding	actions
RSPB Otmoor Nature Reserve	RSPB	Funding is given to the RPSB towards management of the flagship Otmoor Nature Reserve
Wild projects	BBOWT	Delivered in Banbury, Bicester and Kidlington. Connecting local residents and groups with each other and to nature and green spaces. Monthly nature connection sessions held at Hanwell Fields throughout 2025.
Nature hour/Wildlife gardening	Wild Oxfordshire	Funding continued from April 2025, for nature hour and wildlife friendly gardening sessions across Kidlington
Habitat improvement objective as a result of green space review	Rural England Prosperity Funding secured	Creation of a wet feature at Park Hill recreation ground to benefit biodiversity and people. Funding to be implemented in 2026.
Bridge Street Community Garden	Banbury Community Action Group, UK shared prosperity fund	Community growing spaces in Banbury, Bicester and Kidlington
Various rural community gardens	Harvest at Home (COMF funding)*	Community growing spaces in rural areas
Nature website Resources and flyer		CDC ‘Connect with Nature’ webpages updated monthly with a seasonal theme. Regular social media posts, nature flyer and

		notes in the Parish bulletin, community link and other publications direct to local people with information on enhancing biodiversity and engaging with nature.
Farm visits	Warriner School Farm	Primary school and youth groups visits on importance of the natural environment and as a food source and its intrinsic value.
Care Farming Project	Warriner School Farm	Farming and nature-based activities to improve mental health and wellbeing
Walking app	Go Jauntly (COMF funding)*	The council has funded the digitisation of health routes and countryside walks in the district with 'green routes' designed to connect people with nature.
Park Ranger project in schools	Peoples Theatre Collective	A program in schools focusing on outdoor exploration, conservation and environmental stewardship

*COMF – Containing Outbreak Management Fund

1.2.9 Biodiversity enhancement on CDC managed land

Project	Funding /partners	Actions
Trow Pool LWS		Willow trees 'veteranised' to create standing deadwood as biodiversity habitat
Kirtlington quarry		Ash removals stacked as deadwood piles to create natural life cycles and support biodiversity
Cassington Road Open Space		Investigating fencing off mature/veteran trees to allow maturity and full life cycle without public risk
Burnehyll Community woodland	Coronation Living heritage fund	Implementation of funding to plant 2 micro-woodlands on site
Burnehyll community woodland	Coronation Living heritage fund	Community orchard creation
Banbury Country Park	Wild Oxfordshire Hedgerow Heroes	exploring options for existing hedgerow supplementation
Dukes Meadow Drive (verge), Banbury	Wild Oxfordshire Hedgerow Heroes/ Wild Banbury volunteers	hedgerow creation and supplementation
Banbury Country Park	Oxfordshire Amphibians and Reptiles Group	Surveys for reptiles with a view to carrying out habitat enhancement/hibernacula creation
Banbury Country Park		10 swift bricks and bat boxes installed in flood alleviation tunnel

Kidlington Open Spaces	Kidlington Parish Council	Selected areas of grassland changed from close mown to 'wildflower cut', with some areas left uncut to provide biodiversity enhancement and connectivity for wildlife
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Swift bricks in the top of tunnel wall, Banbury



1.2.10 Actions relating to Climate adaptation and resilience

Many of the actions taken to support the Council's climate and carbon goals have clear co-benefits for the enhancement of biodiversity. The table below outlines actions taken since 2024 under the Climate Action Plan goal 12 all of which are ongoing.

Climate Action Plan: Actions taken toward Biodiversity Conservation & Enhancement

Action	Objective Supported	Progress / Outcome
12.01 – Feasibility of 20% BNG policy	Achieve higher BNG than mandatory 10%	Policy in LP review submission
12.02 – Explore Oxfordshire carbon offsetting scheme	Support nature-based carbon sequestration	Engagement with Local Nature Partnership ongoing.
12.04 – Enhance parks & woodlands (Banbury Country Park, etc.)	Increase habitat quality and carbon sinks	Active habitat management and community engagement.
12.05 – Support biodiversity partners and communities	Protect and enhance habitats	Collaboration with local environmental groups.
12.08 – Support Oxfordshire LNRS process	Align district with county nature recovery	LNRS published
12.09 – Support farmer	Promote landscape-scale natural capital	Engagement with Cherwell Farmers Cluster on soil carbon

clusters	projects	and flood management.
12.11 – Integrate Green Infrastructure Framework	Embed GI into planning and delivery	Training and policy integration in progress
12.15 – Secure BNG offset sites in Cherwell	Retain biodiversity gains within district	Working with partners to identify and register sites.

Nature Based Carbon sequestration project

In partnership with the LNP and other Oxfordshire district councils the ‘Enabling Nature-Based Carbon Sequestration in Oxfordshire’ project ran from April 2024 to November 2025 funded by Innovate UK. This explored how to generate new finance for nature recovery and provide local carbon offsetting opportunities.

This is in line with the Oxfordshire Net Zero Route Map & Action Plan (Final Report) 2023 action (12) to ‘explore opportunities to enhance carbon sequestration through land use change, including targeted habitat restoration and creation.’

To date, reports:

- 1) A review of nature-based carbon methodologies and routes to market
- 2) Developing a High Integrity Nature-based Carbon Market Framework for Oxfordshire
- 3) Implementation of nature-based markets in Oxfordshire

have been developed including an updated Inventory of Carbon Sequestration for the County and Cherwell.

A study (Cherwell AGILE) has looked at carbon sequestered and stored in Cherwell habitats and completed a case study at Burnehyll Community Woodland to assess the potential for a carbon sequestration and woodland carbon scheme.

Biodiversity and Climate Resilience Service

In 2025 the Council restructured services in a new Place and Regeneration Directorate. This included the creation of a Biodiversity and Climate Resilience service. A new Head of Service position has been created, and the position has been filled. The creation of this service will enable more resource and focus for addressing biodiversity and climate change priorities and will result in their integration where appropriate to achieve common objectives. The production of the new Community Biodiversity Plan will a priority for the new service.

Section 2: Biodiversity net gain

2.1 Biodiversity net gain 2024-2025

The Environment Act 2021 introduced a requirement to secure at least a 10% Biodiversity Net Gain (BNG) from the grant of planning permission for development. This is achieved using a biodiversity metric to measure biodiversity value, and provision by the applicant of a Biodiversity Gain Plan for delivery. Except for limited exemptions every planning permission is deemed to have been granted subject to the condition that the development may not be begun unless a biodiversity gain plan has been submitted to and approved by the planning authority.

A Biodiversity Gain Plan includes how adverse impacts on habitats have been minimised; the pre-development biodiversity value of the on-site habitat; the post development biodiversity value of the on-site habitat; the biodiversity value of any off-site habitat provided in relation to the development; and any statutory biodiversity credits purchased for the development.

Developments must follow the Biodiversity Gain hierarchy where net gains are achieved on site as first preference. Where on-site gains cannot be achieved, developers must create habitat off-site or purchase 'biodiversity units' for doing so from a registered gain site. If developers cannot secure the requisite BNG on or off-site, they must buy statutory credits from the Government as a last resort. Generally, developments which can't achieve BNG on site will use a combination of on and off site.

Until mandatory BNG came forward in 2024, the Council had been seeking 10% net gain on development sites of 0.5 hectares or more on a non-statutory basis in accordance with the Executive's decision on 7 October 2019 and ESD10 *Protection and Conservation of Biodiversity and the Natural Environment* of the Local Plan which sought a net gain. This was calculated using earlier iterations of the DEFRA metric. Measurable net gains were therefore secured both on and off site for numerous developments.

From 12 February 2024, we have been applying the mandatory Biodiversity Net Gain pre-commencement Condition to all non-exempt planning applications coming forward. Biodiversity metric data has been entered into BNG software (Verna's Mycelia) which the Council has invested in to track, monitor and report effectively on BNG, as well as being contained through the corporate Planning software (DEF). BNG guidance for developers and applicants has been developed and made accessible on CDC Planning webpages.

During 2024-2025 eleven Biodiversity Gain Plans have been approved, with more than 70 biodiversity net gain metrics assessed. These eleven gain plans show that an average of 15.51% net gain in 'area' habitats has been achieved and a 63.95% net gain in hedgerow habitats.

Of the 11 sites, nine developments achieved net gain on site with two buying off site units from habitat banks (one from inside the LPA boundary and one from a unit provider in an adjacent LPA).

Further information on the composition of habitat types for gains and losses is set out in the appendices.

2.2 Biodiversity gain sites/Habitat banks

The Council has agreed Cherwell specific criteria and set up the processes and procedures to enter agreements with landowners to facilitate the registration of biodiversity gain sites/ habitat banks in Cherwell.

In July 2025 the council completed a s.106 agreement to secure the first biodiversity gain site in Cherwell at Ells Farm, Bloxham in partnership with the Trust for Oxfordshire's Environment. The site is providing 14.67 hectares of created and enhanced habitats and 1.86km of hedgerow.

A further biodiversity gain site at RSPB Otmoor has also been secured and registered providing 21.07 hectares of habitat adjacent to the Otmoor nature reserve, which is of also of high value to Priority species. A table of the composition of habitat types to be created at these sites is included in the appendices.

The development of gain sites within the district has allowed developers who are unable to deliver net gain on site to buy off site units from within Cherwell, thus ensuring biodiversity value and gains are not lost from the district. The Council will review monitoring reports from habitat banks it has secured over 30 years to ensure proposed habitat types and conditions are achieved.

Two studies have also been carried out on Council owned land to assess their potential to function as habitat banks/gain sites - with an Ecological baseline assessment at Burnehyll Community Woodland and a cost analysis report for habitat creation and enhancement at Banbury Country Park.

Section 3: Future actions

3.1 Actions to be implemented in the next reporting period

Many of the actions outlined in this report are ongoing and therefore will continue to be actioned into the next reporting period.

The key action ongoing is to develop the 'Community Biodiversity Plan' and to set objectives and actions to enhance biodiversity across all Council services. The Community Biodiversity Plan will align with the habitat and species priorities within the Oxfordshire LNRS.

Other areas of focus will be:

- Monitoring of ecological enhancements within developments
- Embedding the LNRS within Council decisions on nature recovery and land use
- Considering any implications arising from any government review of the Environmental Improvement Plan
- The integration into local policy and development management decisions of species conservation strategies and protected site strategies as and when progressed by the national government

3.2 Biodiversity net gain - future actions

- The continued implementation and monitoring of mandatory BNG:
The Council will continue to support applicants through the planning system with the provision of advice from in-house ecologists and the systems and process now in place to record and report on BNG. The specialist software package, (Verna's Mycelia), will be used to provide greater detail of BNG delivery and ensure the ongoing effective monitoring of biodiversity net gain delivery within the district.
- The service for landowners wishing to secure habitat banks within the district will be continued and refined
- The Council will continue to assess whether any Council owned land has the potential to be managed effectively as a gain site.

Appendix 1

Biodiversity Net Gain

The information below is from all biodiversity gain plans approved in the reporting period (up to 1st January 2026)

Overall expected gains and losses	Area habitat	Hedgerow	Watercourse
Total number of pre-development biodiversity units approved on-site	9.38	1.03	0.00
Total number of post-development biodiversity units approved on-site	8.75	1.63	0.00
Total net unit change in biodiversity units, on-site	-0.63	0.60	0.00
Average percentage (%) change in biodiversity units, on-site	-6.71	58.11	0.00
Total number of baseline biodiversity units approved off-site	0.75	0.00	0.00
Total number of post-intervention biodiversity units approved off-site	2.95	0.06	0.00
Total net unit change in biodiversity units, off-site	2.20	0.06	0.00
Average percentage (%) change in biodiversity units, off-site	294.30	0.00	0.00
Total number of biodiversity units offset using statutory credits	0.00	0.00	0.00
Total net unit change in biodiversity units (including any units offset using credits)	1.57	0.66	0.00
Average percentage (%) change (including statutory credits)	15.51	63.95	0.00

J	Coastal saltmarsh	0.00	0.00	0.00	0.00	0.00	0.00
K	Rocky shore	0.00	0.00	0.00	0.00	0.00	0.00
L	Coastal lagoons	0.00	0.00	0.00	0.00	0.00	0.00
M	Intertidal hard structures	0.00	0.00	0.00	0.00	0.00	0.00
N	Watercourse footprint	Not applicable	0.00	Not applicable	0.00	Not applicable	0.00
O	Individual trees	1.91	0.21	2.11	0.50	0.21	0.29
Total		10.12	5.06	11.70	5.37	1.57	0.30

Composition of Biodiversity gains for hedgerows and tree lines

Habitat type - hedgerows and lines of trees	Total biodiversity units at baseline	Total kilometres at baseline	Total biodiversity units post - development	Total kilometres post - development	Net change in biodiversity units	Net change in kilometres
Species-rich native hedgerow with trees - associated with bank or ditch	0.00	0.00	0.00	0.00	0.00	0.00
Species-rich native hedgerow with trees	0.00	0.00	0.00	0.00	0.00	0.00
Species-rich native hedgerow - associated with bank or ditch	0.00	0.00	0.00	0.00	0.00	0.00
Native hedgerow with trees - associated with bank or ditch	0.00	0.00	0.00	0.00	0.00	0.00
Species-rich native hedgerow	0.00	0.00	0.12	0.02	0.12	0.02
Native hedgerow - associated with bank or ditch	0.00	0.00	0.00	0.00	0.00	0.00
Native hedgerow with trees	0.24	0.02	0.24	0.02	0.00	0.00

Ecologically valuable line of trees	0.36	0.09	0.36	0.09	0.00	0.00
Ecologically valuable line of trees - associated with bank or ditch	0.00	0.00	0.00	0.00	0.00	0.00
Native hedgerow	0.32	0.08	0.81	0.26	0.49	0.18
Line of trees	0.00	0.00	0.00	0.00	0.00	0.00
Line of trees - associated with bank or ditch	0.00	0.00	0.00	0.00	0.00	0.00
Non-native and ornamental hedgerow	0.11	0.11	0.16	0.17	0.05	0.06
Total	1.03	0.30	1.69	0.56	0.66	0.26

Biodiversity gain sites in Cherwell secured by the Council
Composition and amount of habitat creation and enhancement

Ells Farm, Bloxham gain site

Area

	Condition	Area (ha)
Grassland - Other neutral grassland	Good	4.3424
Grassland - Other neutral grassland	Moderate	1.9668
Lakes - Ponds (non-priority habitat)	Moderate	0.1
Grassland - Other neutral grassland	Moderate	3.2167
Woodland and forest - Lowland mixed deciduous woodland	Good	0.1044
Heathland and shrub - Mixed scrub	Moderate	0.9894
Grassland - Other neutral grassland	Good	3.2132
Lakes - Ponds (non-priority habitat)	Moderate	0.2
Woodland and forest - Other woodland; broadleaved	Moderate	0.3168

Ells Farm, Bloxham gain site

Area

	Condition	Area (ha)
Woodland and forest - Other woodland; broadleaved	Moderate	0.2166
Total		14.67

Hedgerow	Condition	Length (km)
Species-rich native hedgerow with trees	Good	0.062
Species-rich native hedgerow	Good	0.282
Species-rich native hedgerow with trees	Good	0.177
Species-rich native hedgerow	Good	0.2
Species-rich native hedgerow with trees - associated with bank or ditch	Good	0.187
Species-rich native hedgerow	Good	0.214

Hedgerow	Condition	Length (km)
Species-rich native hedgerow with trees	Good	0.329
Species-rich native hedgerow with trees	Good	0.064
Species-rich native hedgerow with trees	Good	0.146
Species-rich native hedgerow	Good	0.203
Total		1.86

RSPB, Otmoor gain site

Area	Condition	Area (ha)
Grassland - Floodplain wetland mosaic and CFGM	Moderate	9.4675
Grassland - Floodplain wetland mosaic and CFGM	Moderate	6.1621
Grassland - Other neutral grassland	Good	5.4448

Area	Condition	Area (ha)
Total		21.07



Great Crested Newt District Licensing Scheme

Cherwell District holds an Organisational Licence (also known as a District Licence) for great crested newts, for which NatureSpace are the named Delivery Partner. NatureSpace's District Licensing Scheme provides an alternative licensing route to the traditional European Protected Species Mitigation Licence (EPSML) when great crested newts are impacted by development. The scheme is designed to allow developers to pay for high-quality, strategically located off-site compensation that benefit great crested newt populations, whilst allowing construction to proceed on-site with fewer mitigation requirements. The District Licensing Scheme provides Cherwell District Council with a working example of a species conservation strategy (for great crested newts) and is helping to meet the requirements set out in Local Plan policy (ESD10) on nature conservation.

Cherwell District Council forms part of the scheme's Oxfordshire region. This means that funds secured via development in Cherwell District Council are used to create a "pool" of compensation throughout the Oxfordshire region, albeit with a preference to deliver compensation within each of the LPAs wherever possible.

To date (2018-2025), the scheme has generated £1,310,985.60 for great crested newt conservation in Oxfordshire. These funds have secured 129.920ha of terrestrial habitat compensation within Cherwell District Council, and 292.470ha across Oxfordshire; 24 created/restored ponds in Cherwell and 77 created/restored ponds across Oxfordshire.

The legal requirements set out in the District Licence include occupancy multipliers for ponds (depending on location within the scheme's modelled impact risk zones) and different compensation ratios depending on the type of impact and year of the scheme's operation. The compensation delivery meets and exceeds the legal licensing requirements (see table 1 below for details) and provides a clear net gain for the species.

When we look simply at hectares of loss versus gain and numbers of ponds lost and gained, we are also able to demonstrate net gain for aquatic and terrestrial habitats (for great crested newts) at both the LPA and regional levels. Aside from numbers, we are also gaining in quality – the habitats being lost are usually of poorer quality and lower suitability than those being created, and the new habitats are secured under long-term beneficial management plans for newts, with funding secured for at least 25 years.

Approximately 60 - 65% of funding goes directly to the Newt Conservation Partnership to find compensation sites, create highly quality habitats, and monitor great crested newt populations at the local and landscape scale. 20% is spent directly on habitat creation/restoration, 20% is ring fenced in a fund to ensure the management of compensation ponds is secured in perpetuity and 25% is for monitoring. All created and restored ponds and habitats are monitored and managed for a minimum 25-year period.

Table 1: District Licensing Scheme funding from development, impacts and compensation delivery summary in Cherwell and Oxfordshire (ha – hectares)

	Cherwell District Council	Oxfordshire
Compensation requirements (no. of ponds)	5.04	25.99
Compensation delivery (no. of ponds)	24	77
Terrestrial impacts (ha)	75.779ha	165.946ha
Terrestrial compensation delivery (ha)	129.920ha	292.470ha

The remaining contributions are allocated to the administration of the District Licence, including funding District Licensing Officer positions, undertaking site assessments, supporting developers, ecological consultants, and LPAs through the licensing process, increasing the coverage of the scheme to benefit a wider group of developers and planning authorities, annual reporting to Natural England, as well re-modelling, scheme evaluation and licence renewals every 5 years.

Compensation sites have been created throughout Cherwell District Council within land owned by private landowners (see Figure 1). The Newt Conservation Partnership continue to work closely to identify future compensation sites, supporting landowners and Parish Councils to create new high quality great crested newt habitats as part of the scheme.

The District Licensing Scheme is a species conservation strategy at its core. The mitigation hierarchy is fully integrated into the assessments undertaken by NatureSpace; this includes a consideration of whether a development site can be included under the District Licence or whether impacts to newt populations would be so severe as to warrant site avoidance (in whole or in part). Development sites which are authorised under the District Licence benefit from streamlining of licensing requirements, greater flexibility and reduced on-site mitigation requirements when compared to ‘traditional’ mitigation licensing, whilst at the same time delivering better conservation outcomes for the species. Monitoring reports are available to download here: [Resource Hub - NatureSpace Partnership \(naturespaceuk.com\)](https://www.naturespaceuk.com/resource-hub).

Tailored mitigation requirements are applied to high-risk sites in the Red Impact Risk Zone based on the fine-scale considerations of individual developments. This could take the form of timing restrictions on impacting sensitive habitats, requiring searches of suitable features by ecological consultants or a requirement for limited fencing and trapping of favourable habitats prior to clearance. Whilst only sites in the Red Zone may be subject to these specific requirements, every development authorised is able to move any great crested newts discovered to suitable habitat, and out of harm’s way. Regardless of risk zone every development is provided best practice guidance at the time of authorisation and supported throughout the lifespan of their project to increase the level of safeguarding great crested newts receive.

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This report is public	
Whitelands Farm Sports Ground 3G Pitch	
Committee	Executive
Date of Committee	3 March 2026
Portfolio Holder presenting the report	Portfolio Holder for Healthy and Safe Communities, Councillor Rob Pattenden
Date Portfolio Holder agreed report	19 February 2026
Report of	Interim Executive Director Neighbourhood Services, Nicola Riley

Purpose of report

To obtain Executive Approval to commence next steps on the development of a new 3G Football Pitch at Whitelands Farm Sports Ground in Bicester. The report outlines any financial risks.

1. Recommendations

The Executive resolves:

- 1.1 To approve the next steps in developing a new 3G Football Pitch at Whitelands Farm Sports Ground in Bicester accounting for any financial risk outlined within the report

2. Executive Summary

- 2.1 An opportunity has been identified to increase and enhance the leisure facilities within Cherwell with the development of a new 3G Football Pitch at Whitelands Farm Sports Ground in Bicester which would add to the current provision.
- 2.2 S106 funds have been identified to part fund this new facility with the remaining monies being sought from external funding.
- 2.3 Partnership funding has been explored with the Football Foundation and initial conversations suggest that this is a facility that the Football Foundation would consider funding up to 75% of. Overall delivery costs are expected to be circa £900,000
- 2.4 Some pre-construction surveys have already been undertaken by the Football Foundation at their own risk demonstrating their commitment to the proposed scheme.

- 2.5 Any identified risks in progressing with the Football Foundation as a funding partner for the delivery and construction of the new facilities are outlined within the report.

Implications & Impact Assessments

Implications	Commentary
Finance	<p>The funding for the proposed new 3G pitch at Whitelands Farm Sports Ground in Bicester is through identified S106 and partnership funding of up to 75% of project costs with the Football Foundation.</p> <p>However, it must be noted that there is a financial risk to the Council if the funding agreement is signed but the project does not go ahead if the Council decides to withdraw. If this does happen, the Council will be liable to pay the costs of the preliminary investigations, capped at £35k. This will need to be paid through Council resource and not the identified S106.</p> <p>Kelly Wheeler, Finance Business Partner, 22 December 2025</p>
Legal	<p>Legal Services have provided advice in relation to the agreements and funding proposals put forward by the Football Foundation. As noted within the report the overall commitment should the project proceed to completion will be in excess of the £250,000 financial threshold.</p> <p>While at present as the report notes there is no financial risk to the authority, once CDC makes the decision to proceed with an application then it must comply with certain deadlines and requirements or risk having to spend S106 monies reimbursing the Football Foundation.</p> <p>CDC must submit a grant funding application within 12 months of signing the proposed letter and will then be tied into signing up to the funding agreement for the full project within 2 months of a successful application.</p> <p>Legal Services can continue to provide advice on each stage of the project as it proceeds.</p> <p>Denzil – John Turbervill, Head of Legal Services, 31 December 025</p>
Risk Management	<p>The main risks include meeting Football Foundation criteria for funding, such as commitments to women and girls' football and securing a partner club, which could delay progress. Reliance on external partners for procurement and delivery introduces operational and timeline risks, while environmental impacts from floodlighting and artificial surfaces may require mitigation. There is also reputational risk if the project fails to meet community expectations or deliver the benefits outlined in the Playing Pitch Strategy. These risks are being managed through the service operational risk and will be escalated to the leadership risk register as and when deemed necessary.</p> <p>Celia Prado-Teeling, Performance Team Leader, 19 December 2025</p>

Impact Assessments	Positive	Neutral	Negative	Commentary
Equality Impact				N/A
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		N/A
ICT & Digital Impact		x		N/A
Data Impact		x		N/A
Procurement & subsidy	x			Discussions have commenced previously with Procurement team on accessing the Football Foundation Framework and working in partnership
Council Priorities	Community Leadership			
Human Resources	N/A			
Property	Yes – the asset, once constructed will belong to the District Council, however the responsibility for the maintenance and management of the new 3G pitch will be that of Bicester Town Council as part of the long-term lease arrangement			
Consultation & Engagement	Community Engagement will align itself to the values of the Football Foundation and the targeted groups within this to access the funding for a new 3G Facility			

Supporting Information

3. Background

- 3.1 Whitelands Farm Sports Ground in Bicester was constructed and subsequently opened to members of the public in September 2017. The project was funded through s106 developer contributions delivering excellent leisure facilities to residents of Bicester.
- 3.2 Facilities provided on site include, 2 x full-sized floodlit grass rugby pitches, grass football pitches, a floodlit 3G world rugby compliant artificial pitch, cricket pitch, perimeter running track, outdoor gym equipment and associated infrastructure, including a 6-changing room pavilion and car parking.
- 3.3 Function rooms, bar and catering facilities are located on the first floor of the building.
- 3.4 The Sports Ground is an integral part of the leisure provision within Bicester ensuring local clubs and sporting organisations can access facilities for match and training purposes.
- 3.5 On completion of the construction of the Whitelands Farm Sports Ground the facilities were initially operated under contract to Parkwood/Legacy Leisure following a robust tender process for a minimum term of 5 years with options to extend.
- 3.6 At the end of year 4 of the contract, having received the proposed, revised subsidy cost for the next 5 years (in line with the contractual obligations), Bicester Town Council expressed an interest in operating the facilities longer term, rather than pay a subsidy to the management company as well as taking on a long-term lease for the site.
- 3.7 Lease arrangements were agreed between Cherwell District Council and Bicester Town Council which are still waiting to be formally signed.

4. Details

- 4.1 The previously commissioned Cherwell Playing Pitch Strategy (PPS) identifies the need for an additional two 3G football facilities in Bicester to meet both the current and future demand of residents, with the PPS stating that 'installation of a second full-size pitch at Whitelands for football usage to enable greater rugby use of the existing pitch and to reduce localised shortfalls'.
- 4.2 The project will involve the construction and installation of a new 3G football pitch adjacent to the existing one with similar characteristics including fenced surrounds and floodlights to enable the facility to be used into the evening.
- 4.3 Additional infrastructure works such as car parking and changing rooms are unlikely to need to be developed as the current facilities are well served in this aspect.

- 4.4 Adding to existing provision on the site, other benefits will be realised including increased footfall to the café as well as the obvious health benefits that these facilities can bring. The primary benefit however will be to meet the unmet demand of 3G pitches that this would seek to alleviate within the Town.
- 4.5 Funding for the project is to be determined through remaining s106 allocations to Whitelands Farm Sports Ground and Partnership Funding (up to 75% from the Football Foundation). Having previously engaged with the Football Foundation and securing funding on the development of the Playzones in Banbury, there is a desire from the Football Foundation to build on this partnership.
- 4.6 Access to the funding is subject to certain criteria outlined by the Football Foundation which includes a % allocation of access to the 3G pitch for women and girls' football as well as identifying a partner club for the project within the Bicester area, who can deliver on these obligations in developing women and girls football.
- 4.7 The project would be delivered by the Football Foundation in partnership with the District Council and Bicester Town Council, with the Football Foundation leading on procurement of the contractor, through the construction phase and then through to handover of the new facility.
- 4.8 For the District Council to be able to access the 'up to 75%' partnership funding from the Football Foundation there is a requirement to sign a funding agreement which kick starts the projects and allows for the Football Foundation to commence preliminary works beyond those previously mentioned. This would generally include site investigation surveys/site specific surveys etc.
- 4.9 Should the Council sign the funding agreement with the Football Foundation and the Football Foundation decide to **not** offer the grant then there is no requirement for the Council to pay any of these preliminary costs, including should planning permission not be granted.
- 4.10 Should an offer, however, be made to the Council following a successful application, then the Authority will have an obligation committing to the delivery of the new 3G or be responsible for the repayment to the Football Foundation of the preliminary costs which are circa £35,000. At this stage the primary risk lies with this obligation, however for the reasons highlighted earlier, there is a desire to deliver on the actions within the Playing Pitch Strategy but more importantly driving the opportunity to deliver much needed leisure facilities within the district.
- 4.11 Given the unmet demand of 3G facilities within Cherwell (including Bicester) this would appear to be an excellent opportunity to secure a significant amount of grant funding to support with the delivery of this project

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 to be rejected on the basis that without Football Foundation/3rd Party Funding then the delivery of new facilities becomes unaffordable and the unmet demand for 3G pitches in Bicester remains. The ability to deliver on the actions within the Playing Pitch Strategy and provide excellent leisure facilities to residents is extremely important

6 Conclusion and Reasons for Recommendations

- 6.1 In conclusion, it is recommended that officers are to be instructed to continue to work in partnership with the Football Foundation to seek to secure grant funding. Whilst there is a risk that should the Council not wish to proceed with the project even after a grant offer from the Football Foundation the level of this risk is capped at circa £35,000.

Decision Information

Key Decision	Yes – Financial Threshold of over £250,000 Capital Expenditure on whole cost of Project
Subject to Call in	Yes
If not, why not subject to call in	N/A
Ward(s) Affected	Bicester South and Ambrosden

Document Information

Appendices	
Appendix 1	Football Foundation Funding Agreement
Background Papers	None
Reference Papers	None
Report Author	Liam Didcock, Leisure and Community Facilities Manager
Report Author contact details	liam.didcock@cherwell-dc.gov.uk
Executive Director Approval (unless Executive Director or Statutory Officer report)	Interim Executive Director for Neighbourhood Services, 19 February 2025

Cherwell District Council

39 Castle Quay,
Banbury,
OX16 5FD

9th July 2025



— Dear *Helen*,

1. In this letter, the following terms have the corresponding meanings:
 - a. **AGP Framework Suppliers** means the suppliers with which The Football Foundation has agreed terms for the exclusive supply of construction services for Artificial Grass Pitches;
 - b. **Application** has the meaning given in paragraph 2 of this letter;
 - c. **Artificial Grass Pitch** means an artificial grass football pitch, whether a 3G pitch or any other type of artificial grass football pitch;
 - d. **Cap** means £35,000 (excluding any VAT);
 - e. **Grant Agreement** has the meaning given in paragraph 5 of this letter;
 - f. **Grant Funding** means the grant funding for which the Organisation intends to apply;
 - g. **Organisation** means [*Cherwell District Council*];
 - h. **Preliminary Costs** means the costs relating to the Project as set out in paragraph 3 of this letter and the Schedule (excluding any VAT);
 - i. **Project** means the construction and/or development of Artificial Grass Pitch(es);
 - j. **Property** means the property on which the Project is to be delivered;
 - k. **Schedule** means the schedule to this letter; and
 - l. **The Football Foundation** means The Football Foundation, a charitable company limited by guarantee with company number 3876305 and charity number 1079309, whose registered office address is at Wembley Stadium, Wembley Park, London, England, HA9 0WS.

2. You have notified us that you are interested in making an application for Grant Funding from The Football Foundation for the Project (the “**Application**”). The Football Foundation has agreed to cover the Preliminary Costs on the terms set out in this letter. The Football Foundation is a charity and needs to ensure that its funds are spent appropriately and that it only incurs Preliminary Costs in relation to applications by Organisations committed to delivering their planned Project.

3. The Football Foundation will, subject to the terms of this letter, arrange and pay for:
 - a. surveys to be carried out on the Property;
 - b. feasibility and design work to be created for the delivery of the Project;
 - c. the tendering of the Project to the AGP Framework Suppliers

(together, the “**Preliminary Costs**”)

In each case subject to the budgeted amounts set out in the Schedule and cumulatively capped at the Cap. In the event that it is necessary for The Football Foundation to incur Preliminary Costs in excess of the Cap in order to complete the work described in this paragraph, the Organisation shall be responsible for the excess payment.

Schedule

Item	Cost
Site Investigation Surveys	£12,500
Site Specific Surveys	£10,000
Frameworks Design Consultant Fee	£8,391
Framework Managing Consultant Fee	£4,109

4. Subsequent to this letter, the Organisation will submit an Application or will notify The Football Foundation that it does not wish to do so. Upon receipt of the Application, The Football Foundation Grants Panel will consider whether it wishes to offer the Grant Funding to the Organisation. This letter does not constitute an offer of the Grant Funding and The Football Foundation reserves the right to reject the Application. Should The Football Foundation elect (at its absolute discretion) to provide the Grant Funding, it will issue the Organisation with a grant agreement relating to the Project (the “**Grant Agreement**”).
5. If the Organisation submits an Application and The Football Foundation decides not to offer the Grant Funding to the Organisation, The Football Foundation will not seek repayment of the Preliminary Costs. However, if the Organisation:
 - a. does not submit an Application within [12 months] of the date of this letter or notifies The Football Foundation that it does not intend to submit an Application;
 - b. is successful in receiving an offer for the Grant Funding but does not return a properly executed copy of the Grant Agreement within [two months] of the date on which it was sent;

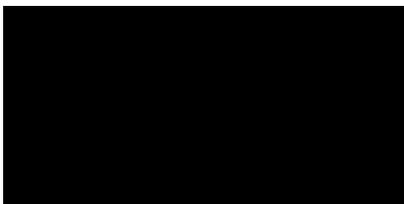
- c. has provided any information to The Football Foundation which is not materially true, accurate and complete or has failed to provide information to The Football Foundation which The Football Foundation considers would have been relevant to its determination of whether or not to award the Grant Funding; or
- d. during the term of the Grant Agreement, fails to deliver the Project in accordance with the terms of the Grant Agreement,

then the Organisation will promptly (and in any event within 28 days of the date of demand for payment by The Football Foundation) pay the Football Foundation a sum equivalent to the Preliminary Costs that have been incurred by the Football Foundation.

- 6. This letter is intended to be legally binding once signed on behalf of the Organisation. It shall continue in full force and effect from the date indicated above until practical completion (as defined in the Grant Agreement) of the Project. This agreement cannot be assigned by the Organisation without the prior written consent of the Football Foundation.
- 7. This letter and any dispute or claim (including non-contractual disputes or claims) arising out of or in connection with it or its subject matter or formation shall be governed by and construed in accordance with the law of England and Wales.
- 8. Each party irrevocably agrees that the courts of England and Wales shall have exclusive jurisdiction to settle any dispute or claim (including non-contractual disputes or claims) arising out of or in connection with this letter or its subject matter or formation.

I would be grateful if you would sign and return page 4 of this letter accepting the terms of this letter.

Yours sincerely,



Dean Potter
Director of Grant Management

[Executed as a deed by)
[Cherwell District Council] acting by a)
director in the presence of:)
)

Signature of director:

Signature of witness:

Name of witness:

Address of witness:

.....

.....

Occupation of witness:]

Executed as a deed by)
THE FOOTBALL FOUNDATION acting by a)
director in the presence of:)
)

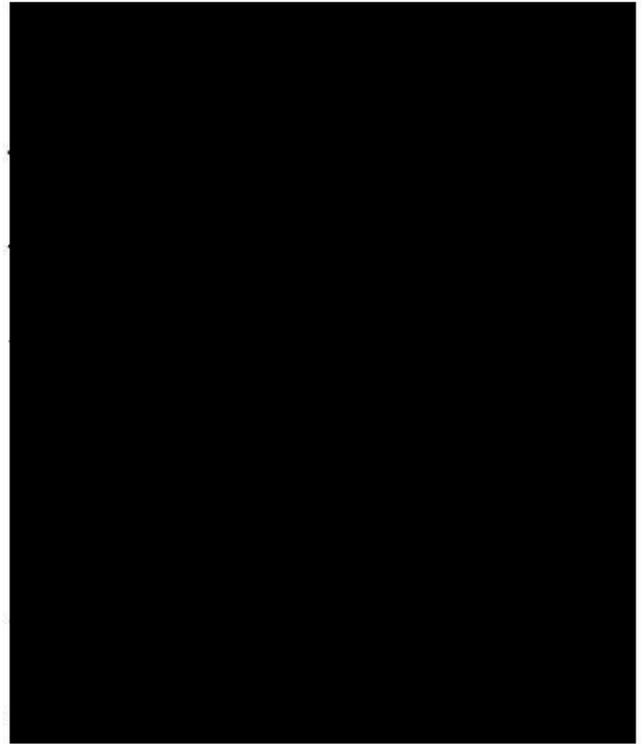
Signature of director:

Signature of witness:

Name of witness:

Address of witness:

Occupation of witness:



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This report is public Appendix 5 to the report is exempt from publication by virtue of paragraphs 1, 2 and 3 of Schedule 12A of Local Government Act 1972	
Finance Monitoring Report January 2026	
Committee	Executive
Date of Committee	3 March 2026
Portfolio Holder presenting the report	Portfolio Holder for Finance, Property and Regeneration, Councillor Lesley McLean
Date Portfolio Holder agreed report	18 February 2026
Report of	Assistant Director of Finance (S151 Officer), Michael Furness

Purpose of report

To report to the Executive the council's forecast year-end financial position as at the end of the January 2026. Further detail can be found in the report and its appendices.

1. Recommendations

The Executive resolves:

- 1.1 To consider and note the contents of the council's financial management report as at the end of January 2026.
- 1.2 To approve the Use of Reserves as detailed in Appendix 4.
- 1.3 To approve the Write Offs as detailed in exempt Appendix 5.
- 1.4 To approve the Corporate Debt Policy as set out at Appendix 6.

2. Executive Summary

- 2.1 This report sets out the forecast year-end position for 2025/26, projecting a balanced position to the financial year end.
- 2.2 The capital year-end position will be reported on a Quarterly basis with the final outturn report being March 2026.

Implications & Impact Assessments

Implications	Commentary			
Finance	<p>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.</p> <p>Joanne Kaye, Head of Finance, 11 February 2026</p>			
Legal	<p>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.</p> <p>The report sets out as at November 2025 finance position for the Council as part of its fiduciary duty to implement budgetary controls and monitoring.</p> <p>Denzil Turberville, Head of Legal Services, 11 February 2026</p>			
Risk Management	<p>There are no risk implications arising directly from this report. Financial resilience and any risks link to it are managed through the Corporate Leadership Risk register.</p> <p>Celia Prado-Teeling, Performance Team Leader, 11 February 2026</p>			
Impact Assessments	Positive	Neutral	Negative	Commentary
Equality Impact		X		<p>There are no equalities implications arising directly from this report.is report.</p> <p>Celia Prado-Teeling, Performance Team Leader, 11 February 2026</p>
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,		X		N/A

including employees and service users?				
Climate & Environmental Impact		X		N/A
ICT & Digital Impact		X		N/A
Data Impact		X		N/A
Procurement & subsidy		X		N/A
Council Priorities	This report links to all council's priorities, as it summarises our progress against them during 2025/26.			
Human Resources	N/A			
Property	N/A			
Consultation & Engagement	N/A			

Supporting Information

3. Background

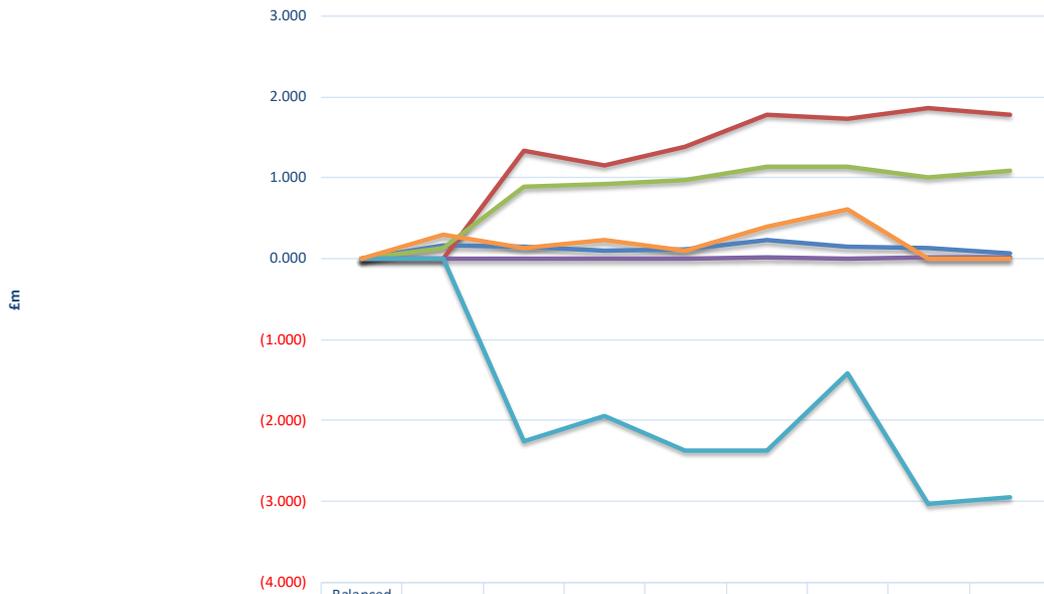
- 3.1 The council actively and regularly monitors its financial position to ensure it can deliver its corporate priorities and respond effectively to emerging issues.
- 3.2 This monitoring takes place monthly for finance, so the council can identify potential issues at the earliest opportunity and put measures in place to mitigate them.
- 3.3 These updates are consolidated on a quarterly basis where Performance and Finance updates are given due to the implications and interdependencies between them, and this is the summary financial forecast for the end of the financial year position for 2025/26.

4. Details

4.1 Finance Update

- 4.1.1 The Finance section presents the forecast year-end revenue position for the 2025/26 financial year and in a summary dashboard as detailed below:

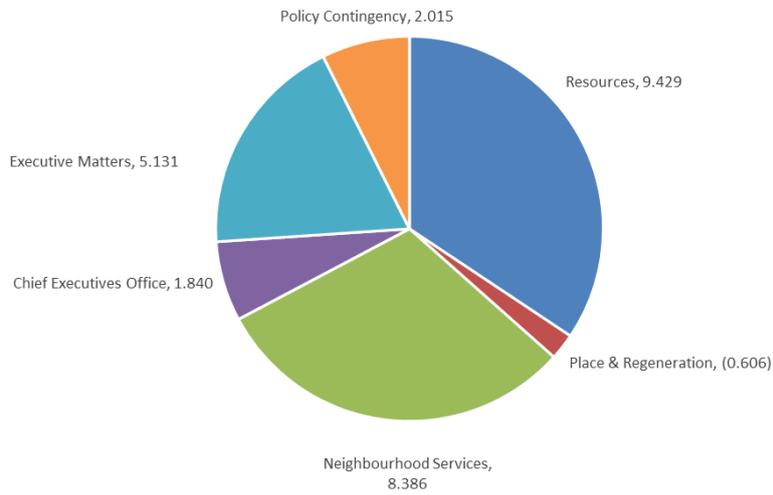
Monthly Forecast Variance By Directorate

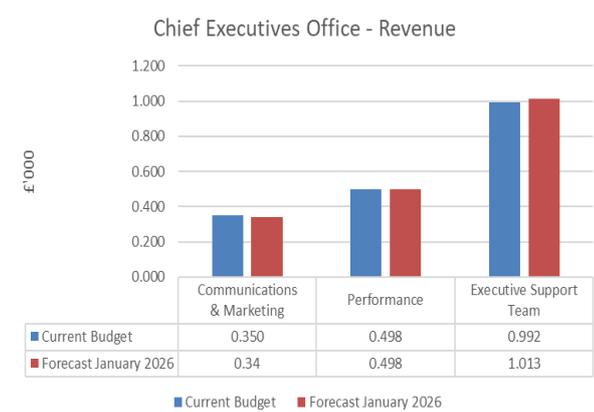
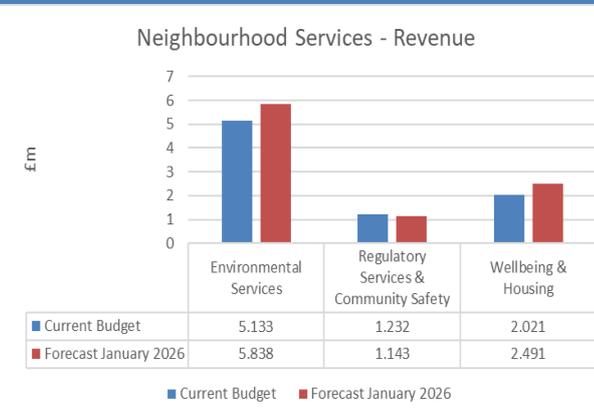
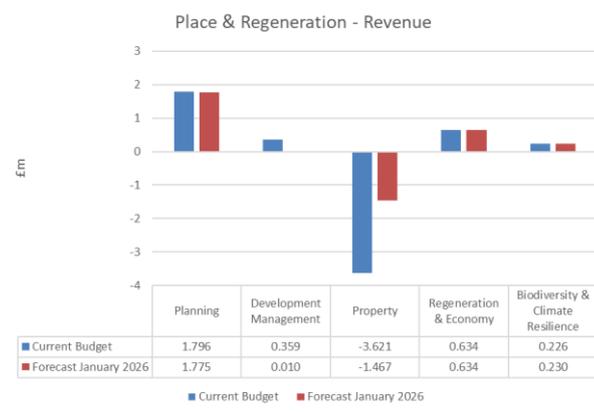
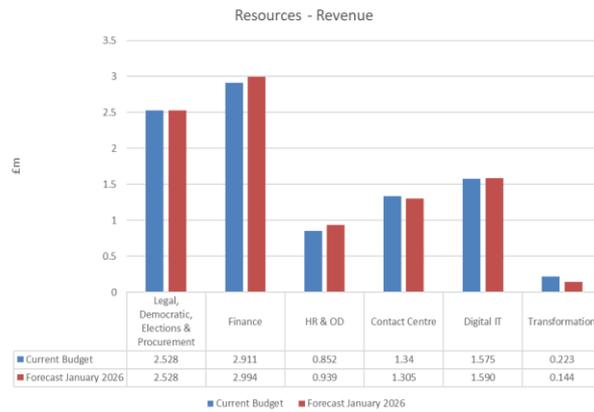


	Balanced Budget	May 25	June 25	Aug 25	Sept 25	Oct 25	Nov 25	Dec 25	Jan 26
Resources	0.000	0.171	0.154	0.108	0.122	0.224	0.153	0.138	0.071
Place & Regeneration	0.000	0.000	1.343	1.154	1.382	1.788	1.728	1.865	1.788
Neighbourhood Services	0.000	0.125	0.894	0.924	0.973	1.132	1.134	1.010	1.086
Chief Executives Office	0.000	0.000	0.000	0.000	0.000	0.011	0.005	0.011	0.011
Policy Contingency & Executive Matters	0.000	0.000	(2.259)	(1.950)	(2.369)	(2.369)	(1.411)	(3.024)	(2.956)
Overall Council Position	0.000	0.30	0.132	0.236	0.108	0.400	0.609	0.000	0.000

Current Budget By Service Area

Total Net Budget £26.195m





Directorate Analysis

Service	Resources £m	Place & Regeneration £m	Neighbourhood Services £m	Chief Executive Office £m	Executive Matters £m	Policy Contingency £m	Total £m
Budget approved by Council	9.419	-0.747	9.603	1.194	4.307	2.420	26.196
<i>Budget Adjustments approved:</i>							0.000
Move of the EPR Budget to Env Svcs			-1.400		1.400		0.000
Remove CLT to Services				0.575	-0.575		0.000
Budget to support The Hill Works			0.040			-0.040	0.000
DocuSign Legal System	0.010					-0.010	0.000
Devolution				0.010		-0.010	0.000
Glass Recycling			0.107			-0.107	0.000
Arts Feasibility			0.050			-0.050	0.000
Carbon Budgeting		0.005				-0.005	0.000
Research & Stakeholder Engagement for Mental Health provision for Young People	0.003					-0.003	0.000
To cover redundancy costs within Biodiversity & Transformation		0.031		0.062		-0.093	0.000
PC to fund Heyford Programme Director		0.025				-0.025	0.000
Climate Action Plan		0.010				-0.010	0.000
PC to fund Property Projects		0.060				-0.060	0.000
Recode Budget to Planning Parish Toolkit		0.015	-0.015				0.000
Roundings		-0.005				0.008	0.003
Current Budget	9.429	-0.606	8.385	1.841	5.132	2.015	26.196
Wellbeing & Housing - Top slice of grants, IT license costs and temporary accommodation costs			0.470				0.470
Environmental - gate fees, agency			1.014				1.014
Property - shortfall in projected income		1.818				-1.100	0.718
Property Maintenance		0.173					0.173
Property - Car Park Overspend		0.163					0.163
Release from Policy Contingency						-0.428	-0.428
Environmental Services - Additional EPR funding			-0.309				-0.309
Treasury					-1.040		-1.040
Dividend					-0.500		-0.500
Provision for bad and doubtful debts					0.112		0.112
Transformation - over recovery of land charges income and vacancies	-0.079						-0.079
Contact Centre - 2 vacant posts and minor underspends	-0.035						-0.035
Planning - Various		-0.021					-0.021
Development Management - Over Recovery of Income		-0.349					-0.349
Regulatory Services underspend - staffing changes & less Contribution to CCTV than anticipated			-0.089				-0.089
Biodiversity & Climate Resilience - Minor overspend		0.004					0.004
IT - Minor overspends across the service	0.015						0.015
HR & OD - Overtime policy changes non-deliver	0.041						0.041
HR & OD - Legal employment advice, Recruitment Costs & Minor Overspends	0.046						0.046
Chief Executives - Minor Overspends across the Directorate				0.011			0.011
Finance - increased expenditure on temporary accommodation & supported accommodation claims	0.152						0.152
Finance - Additional New Burdens Grant Income	-0.069						-0.069
Current (Under)Overspends	0.071	1.788	1.086	0.011	-1.428	-1.528	0.000

Movement in Reserves



4.1.2 The council's overall forecast year-end position for 2025/26 is balanced. The forecast currently shows an overspend across Directorates of £2.956m with potential mitigations that are currently being investigated, these mitigations are not part of the forecast.

The projected outturn for the services is summarised below in Table 1 and further details providing explanations for variances can be found in Appendix 1.

4.1.3 The financial forecast for January 2026 shows the council is on track to deliver a balanced year-end position, with the directorate overspend of £2.956m fully offset by underspends within Executive Matters and Policy Contingency. Pressures are concentrated in areas such as Environmental Services, Property, and Wellbeing & Housing, while favourable variances are most notable in Development Management and Transformation. Variations across other services remain modest, and the overall position has seen a small improvement compared with December.

Table 1: Forecast Year End Position

Service	Current Budget £m	January 2026 Forecast to Year End £m	January Variance (Under) / Over £m	% Variance to current budget %	December Variance (Under) / Over £m	Change since Previous (better) / worse £m	
Legal, Democratic, Elections & Procurement	2.528	2.528	0.000	0.0%	0.000	0.000	
Finance	2.911	2.994	0.083	2.9%	0.122	(0.039)	
HR & OD	0.852	0.939	0.087	10.2%	0.087	0.000	
Contact Centre	1.340	1.305	(0.035)	2.6%	(0.014)	(0.021)	
Digital IT	1.575	1.590	0.015	1.0%	0.015	0.000	
Transformation	0.223	0.144	(0.079)	-35.4%	(0.072)	(0.007)	
Resources	9.429	9.500	0.071	0.75%	0.138	(0.067)	
Planning	1.796	1.775	(0.021)	-1.2%	0.008	(0.029)	
Development Management	0.359	0.010	(0.349)	-97.2%	(0.170)	(0.179)	
Property	(3.621)	(1.467)	2.154	-59.5%	1.975	0.179	
Regeneration & Economy	0.634	0.634	0.000	0.0%	0.052	(0.052)	
Biodiversity & Climate Resilience	0.226	0.230	0.004	1.8%	0.000	0.004	
Place & Regeneration	(0.606)	1.182	1.788	-295.0%	1.865	(0.077)	
Environmental Services	5.133	5.838	0.705	13.7%	0.622	0.083	
Regulatory Services & Community Safety	1.232	1.143	(0.089)	-7.2%	(0.058)	(0.031)	
Wellbeing & Housing	2.021	2.491	0.470	23.3%	0.446	0.024	
Neighbourhood Services	8.386	9.472	1.086	13.0%	1.010	0.076	
Communications & Marketing	0.350	0.340	(0.010)	-2.9%	(0.006)	(0.004)	
Performance	0.498	0.498	0.000	0.0%	(0.008)	0.008	
Executive Support Team	0.992	1.013	0.021	2.1%	0.025	(0.004)	
Chief Executives Office	1.840	1.851	0.011	0.6%	0.011	0.000	
Subtotal for Directorates	19.049	22.005	2.956	15.5%	3.024	(0.068)	
Executive Matters	5.131	3.703	(1.428)	-27.8%	(1.350)	(0.078)	
Policy Contingency	2.015	0.487	(1.528)	-75.8%	(1.674)	0.146	
Total	26.195	26.195	0.000	0.0%	0.000	0.000	
FUNDING	(26.195)	(26.195)	0.000	0.0%	0.000	0.000	
Forecast (Surplus)/Deficit	0.000	0.000	0.000		0.000	0.000	

Note: A positive variance is an overspend or a reduction in forecast income and a (negative) is an underspend or extra income received.

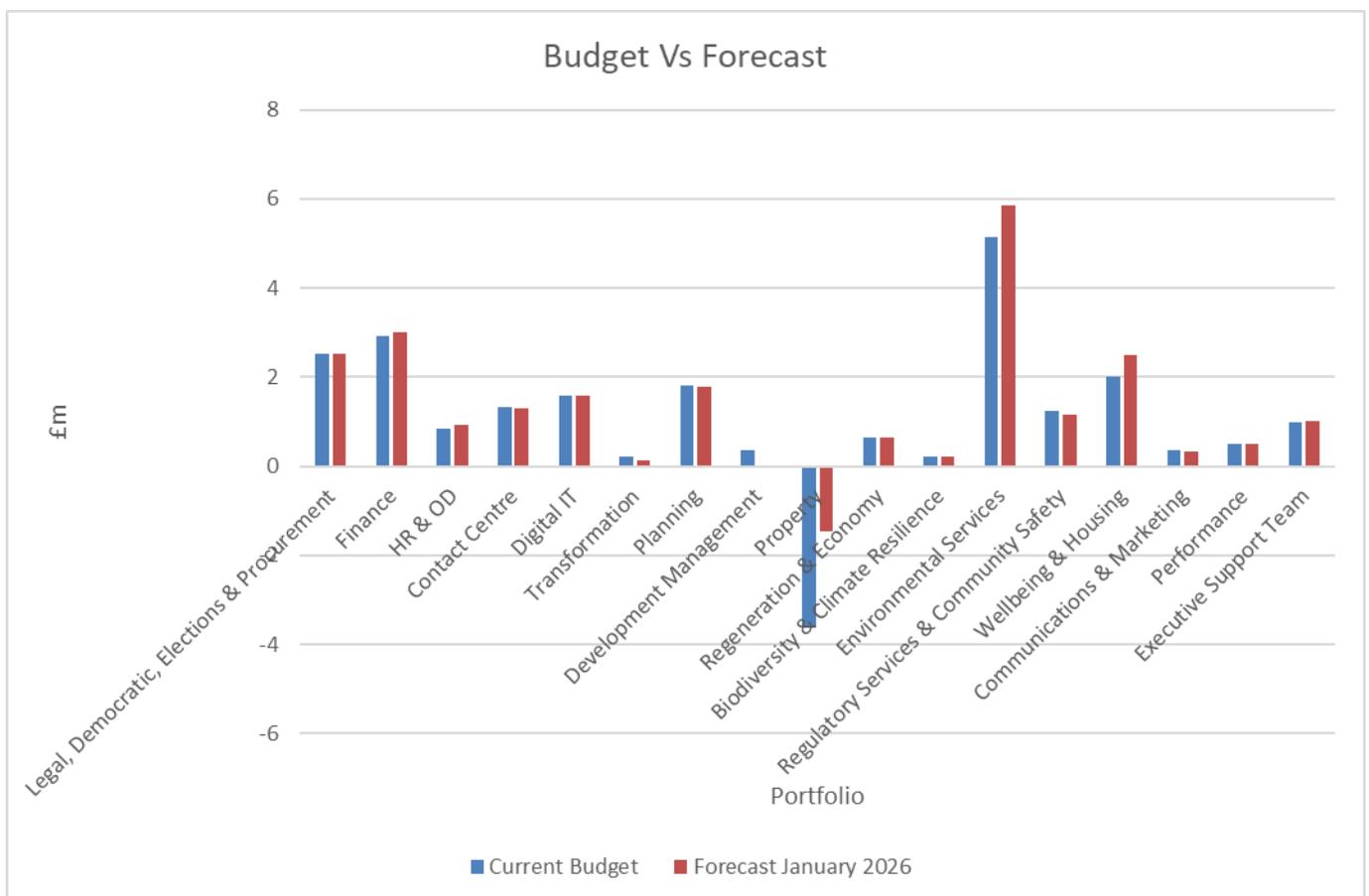
Green represents an underspend and red represents a overspend for the outturn position.

Table 2: Analysis of Variance – January 2026

Breakdown of current month forecast	January 2026 Forecast to Year End £m	Base Budget Over/ (Under) £m	Savings Non-Delivery £m
Resources	9.500	9.429	0.071
Place & Regeneration	1.213	1.115	0.098
Neighbourhood Services	9.472	9.091	0.381
Chief Executives Office	1.851	1.841	0.010
Subtotal Directorates	22.036	21.476	0.560
Executive Matters	3.703	3.703	0.000
Policy Contingency	0.456	0.456	0.000
Total	26.195	25.635	0.560
FUNDING	(26.195)	(26.195)	0.000
(Surplus)/Deficit	0.000	(0.560)	0.560

4.1.4 The graph below shows the Budget compared with the forecast to the end of the financial year.

Graph 1: Budget compared with Forecast



4.1.5 Table 3 below summarises the major forecast variances for the reporting period. Further details can be found in Appendix 1.

Table 3: Top Major Service Variances:

Service	Current Budget	Variance	% Variance
Property	(3.621)	2.154	-59.5%
Environmental	5.133	0.705	13.7%
Wellbeing & Housing	2.021	0.470	23.3%
Total	3.533	3.329	

Reserves

4.1.6 Allocations to and from reserves are made according to the Reserves Policy. Table 4 below summarises the movements, for details of reserve requests this month please see Appendix 4.

Table 4: Reserves forecast:

Reserves	Balance 1 April 2025	Original Budgeted use/ (contribution)	Changes agreed since budget setting	Changes proposed January 2026	Balance 31 March 2026
	£m	£m	£m	£m	£m
General Balance	(8.021)	0.000	0.000	0.000	(8.021)
Earmarked	(31.264)	(2.444)	(1.637)	(0.078)	(35.423)
Non-Ringfenced	(0.033)	0.000	0.033	0.000	0.000
Grant timing Difference					
Ringfenced Grant	(1.918)	0.523	0.129	0.000	(1.266)
Subtotal Revenue	(41.236)	(1.921)	(1.475)	(0.078)	(44.710)
Capital	(5.321)	0.720	0.000	0.000	(4.601)
Total	(46.557)	(1.201)	(1.475)	(0.078)	(49.311)

*According to the Reserves Policy Executive are only required to approve uses of Capital Reserves, not contributions.

4.1.7 Reserves & Grant Funding

- It is estimated there will be a £2.465m shortfall on Business Rates transactions credited to the General Fund at the end of the year, due to a higher levy on growth and lower pooling income than estimated.
- It is estimated there will be a surplus on Business Rates transactions credited to the Collection Fund of £2.859m to offset this but due to statutory accounting requirements this is not available to the Council until 2026/27.

- This timing issue can be mitigated by a transfer from reserves in 2025/26 and replenished in 2026/27 when the income can be recognised.

4.2 Corporate Debt Policy

4.2.1 The Council's Corporate Debt Policy (Appendix 6) has been reviewed and updated to ensure it remains aligned with current legislation and best practice. The revisions reflect the transition from the Housing Benefit Regulations 1987 to the modernised 2006 Regulations, providing clearer, more consistent, and streamlined guidance. This update strengthens the Council's approach to managing debt by ensuring its processes are up to date, legally compliant, and easier for both residents and officers to understand.

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 revenue financial position up to the end of March 2026, therefore there are no alternative options to consider.

6. Conclusion and Reasons for Recommendations

6.1 The report updates the Committee on the projected year-end financial position of the council for 2025/26. Regular reporting is key to good governance and demonstrates that the council is actively managing its financial resources sustainably.

Decision Information

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

Document Information

Appendices	
Appendix 1	Detailed Revenue Narrative on Forecast January 2026
Appendix 2	Virements & Aged Debt January 2026
Appendix 3	Funding January 2026

Appendix 4	Use of Reserves and Grant Funding January 2026
Appendix 5	EXEMPT Write Offs January 2026
Appendix 6	Corporate Debt Policy January 2026
Background Papers	None
Reference Papers	None
Report Author	Leanne Lock, Strategic Business Partner – Business Partnering & Controls
Report Author contact details	leanne.lock@cherwell-dc.gov.uk 01295 227098
Corporate Director Approval (unless Corporate Director or Statutory Officer report)	Report of Statutory Officer, S151 Officer

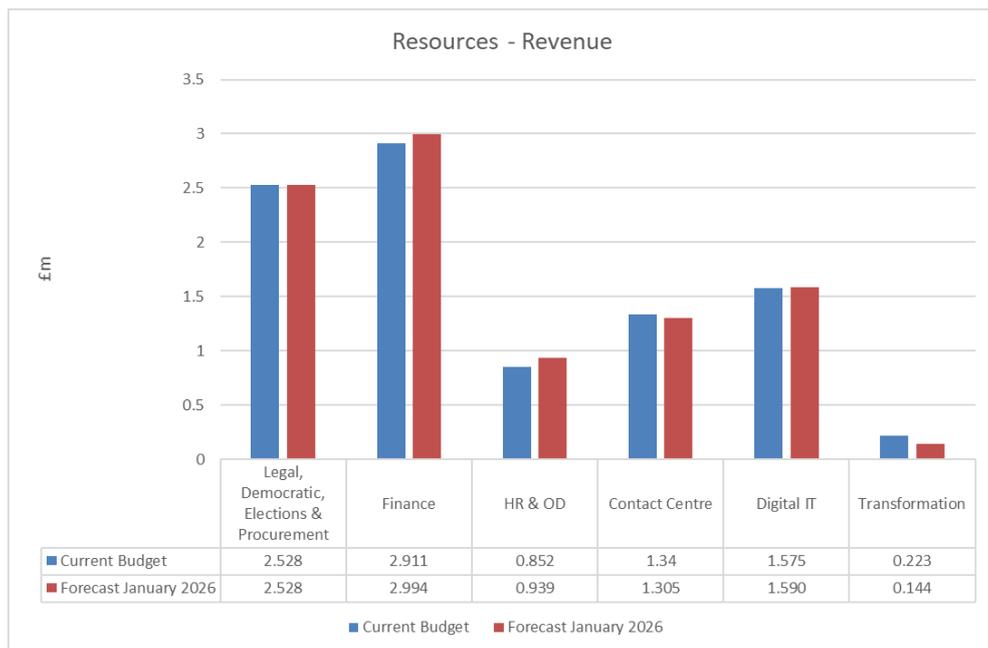
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Appendix 1 – Detailed Narrative on Forecast January 2026

Resources

Revenue:

Resources are forecasting £0.071m overspend against a budget of £9.429m (0.75%). The majority of the directorate’s overspend relates to a share of the overtime policy implications, whilst being offset by other minor underspends. Whilst there is limited ability to reduce the actual overspend due to the reason for it occurring, the directorate monitors all spend to minimise any unnecessary costs and spend and embodies the councils aim for striving to excellence in financial management.



<p>Legal, Democratic, Elections & Procurement</p> <p>Variation £0.000m</p> <p>Variations To December's Forecast £0.000m</p>	<p>We have increased the income forecast, based on current projection, but this is very much dependent on developers/ planners agreeing s106 agreements. Continued recruitment issues also mean that we continue use locum staff in high risk areas such planning and litigation. Recruitment still an issue across law and governance and we are looking at readvertisements.</p>
<p>Finance</p> <p>Variation £0.083m Overspend</p>	<p>The forecast year end position is an overspend of £0.083m. Following the submission of the Mid-year estimate for Housing Benefit Grant to the DWP and including a review of the caseload, despite a reduction in the overall</p>

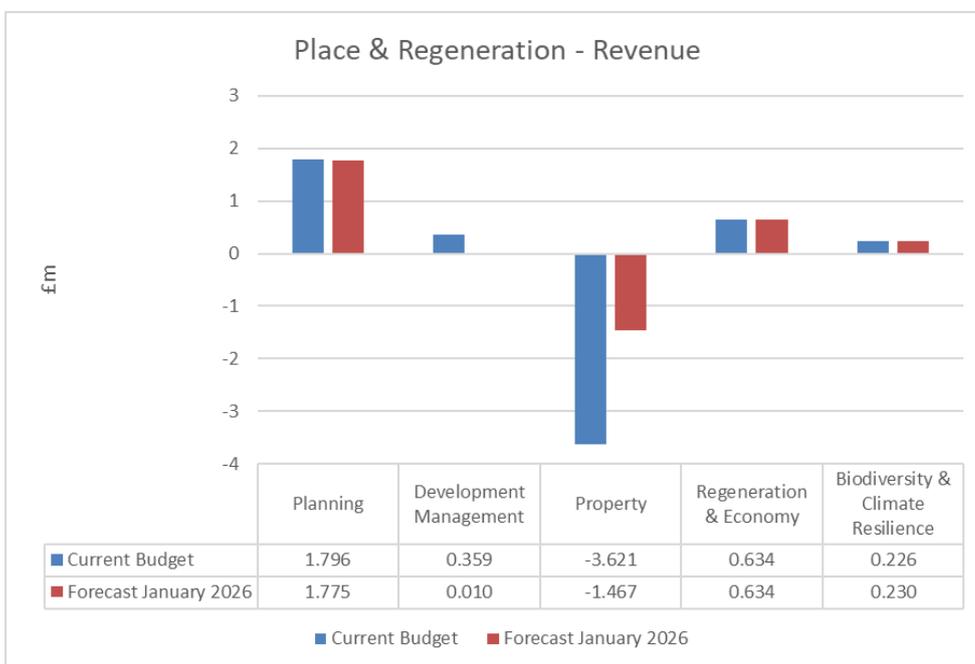
<p>Variation to December's Forecast (£0.039m)</p>	<p>grant payments to be made, we are forecasting a overspend due to increased expenditure on Temporary accommodation and Supported accommodation claims which are not fully grant funded by the Government, but the council has an obligation to pay. Additional New Burdens grant funding has also been received of (£0.069m).</p> <p>Minor changes across budget areas this month.</p>
<p>HR & OD</p> <p>Variation £0.087m Overspend</p> <p>Variation to December's Forecast £0.000m</p>	<p>The main driver of the forecasted overspend is the corporate decision not to proceed with changes to the current overtime policy, resulting in the non-delivery of £0.041m savings. Other overspends have emerged during the year, that were not anticipated at the time of budget setting for 2025/26. These overspends include legal costs for employment advice, graduate recruitment costs, training software licence costs and consultants fees relating to the structure project.</p> <p>Minor changes across the service.</p>
<p>Contact Centre</p> <p>Variation (£0.035m) Underspend</p> <p>Variation to December's Forecast (£0.021m)</p>	<p>Customer Services is showing an underspend due to vacant hours on the establishment.</p> <p>Land Charges is showing a small underspend due to additional income. However, will need to monitor closely as there is a risk that post budget impact on the housing market could reduce income during remainder of financial year.</p> <p>2 posts have given notice and will become vacant in the next couple of weeks, but will not be filled by end of year, resulting in a further in year saving. Additional savings further to Statutory Maternity Pay adjustments.</p>
<p>Digital IT</p> <p>Variation £0.015m Overspend</p> <p>Variation to December's Forecast £0.000m</p>	<p>Minor overspends across the service.</p>
<p>Transformation</p>	

Variation (£0.079m) Underspend	Underspend is due to current Business Process Analyst Vacancy. Planning to recruit for this in Q4 of 2025/26, assuming greater clarity and stability of pipeline of work for the Transformation PMO.
Variation to December's Forecast (£0.007m)	Business Process Analyst Vacancy remains vacant.

Place & Regeneration

Revenue:

Place & Regeneration are forecasting £1.788m overspend against a budget of (0.606m) (-275.0%).



<p>Planning & Development Management</p> <p>Planning Variation (£0.021m) underspend</p> <p>Development Management Variation Underspend (£0.349m)</p>	<p>Building Control is presently forecast to be within budget (£0.029m) due to some additional income receipts and some new staffing costs for land drainage being incurred later than expected. Planning Policy, Conservation & Design is presently forecast to be on budget (£0.007m over). A reserve is available for the Local Plan Examination if required in due course.</p> <p>Development Management is presently forecasting an underspend of (£0.349m). Income is expected to exceed budget by the end of the year. In addition to national fee increases at the start of the financial year, a number of strategic applications have been received with higher fees. Resource needs to meet additional demands are being kept under review. The fees</p>
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<p>Variation to December's Forecast Planning (£0.029m)</p> <p>Development Management (£0.179m)</p>	<p>received are inclusive of those for work that will extend into the next financial year.</p> <p>The main changes since last month comprise additional Development Management income expectations. Continued close monitoring of Development Management income and agency costs to meet work demand.</p>
<p>Property</p> <p>Variation £2.154m Overspend</p> <p>Variation to December's Forecast £0.179m</p>	<p>A detailed review of the in year position, including a number of rent reviews has identified a reduction in the 25/26 forecast, primarily due to lower than expected rental income from delayed lettings, reduced renewal rates and tenant failures. Offsetting this, we anticipate higher turnover rents, improved insurance recovery, and improved income from Lock29.</p> <p>To strengthen future reporting, we have completed a full data review, introduced improved processes for regular financial updates, and are recruiting an in-house resource to replace the current supplier role, ensuring greater clarity and robustness. While unforeseen events remain a risk, these measures will significantly reduce volatility and improve confidence in future forecasts.</p> <p>The variation from last month is due to increased costs relating to repairs and Maintenance on buildings along with reduced income from car parks which we are closely monitoring.</p>
<p>Regeneration & Economy</p> <p>Variation £0.000m Overspend</p> <p>Variation to December's Forecast (£0.052m)</p>	<p>Regeneration & Growth is currently reporting on budget after a review of the team's structure and budget allocation as mentioned in the December report this has led to the mitigation of the overspend previously reported.</p> <p>Through use of external funding to fund officer time allocated to deliver externally funded projects.</p>
<p>Biodiversity & Climate Resilience</p> <p>Variation £0.004m Overspend</p>	<p>Biodiversity & Climate Resilience is reporting a small overspend of £0.004m for 2025/26.</p>

Variation to
December's
Forecast £0.004m

There has been some minor overspends identified as part of forecasting.

Neighbourhood Services

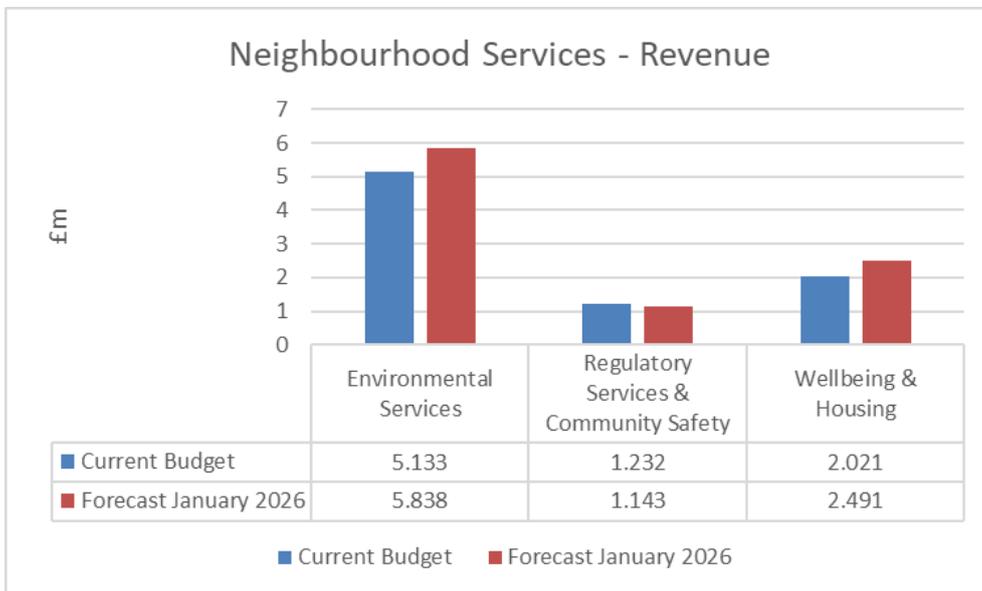
Revenue:

Neighbourhood Services are forecasting £1.086m overspend against a budget of £8.386m (13.0%).

The forecast overspend should remain stable as whole year costs have been reflected.

The drivers for the overspend are long term sickness in our waste crew, additional temporary accommodation costs, and the delayed delivery of implementing an Agency arrangement in our Leisure Centres.

Mitigations are being sought where possible and close working across the services to identify programmes that can be slowed or delayed to ease the budget pressures are being sought.



Environmental Services

Variation
£0.705m
Overspend

The forecasted pressure of £0.705m within Environmental Services is largely due to staffing pressures £0.660m within Waste and Recycling primarily because of the need for agency staff usage.
An under recovery of anticipated income for vehicle repairs of £0.126m.
A reduction of £0.025m in anticipated income for street markets and annual fairs.
The rise in gate fees has also impacted the service.

Variation to
December's
Forecast
£0.083m

There have been movements across many services in the last month resulting in an increased overspend. The main being a result of continued sickness levels which required backfilling by agency staff. Mitigations are being actively sought.

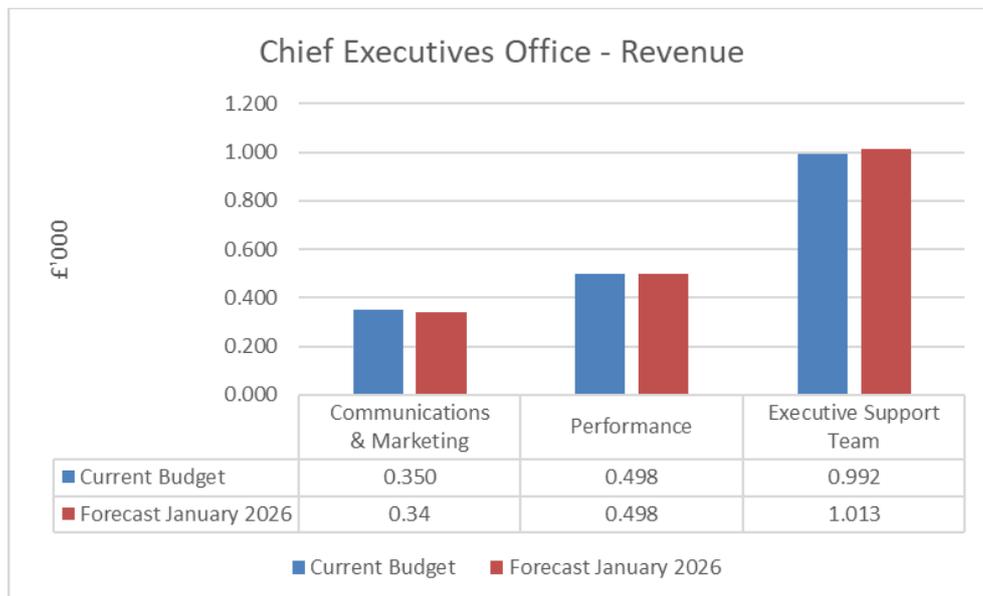
	<p>Mitigations to date include non-recruitment to vacant posts across the service, a reduction in arboricultural works carried out, additional work carried out on behalf of local partners and a reduction in training carried out.</p> <p>Mitigations will continue to be identified throughout the year.</p>
<p>Regulatory Services & Community Safety</p> <p>Variation (£0.089m) Underspend</p> <p>Variation to December's Forecast (£0.031m)</p>	<p>Regulatory Services and Community Safety are forecasting an underspend of (£0.089m).</p> <p>Additional savings from staffing costs due to maternity leave as well as reduced kennel fees and improved fines income.</p>
<p>Wellbeing & Housing</p> <p>Variation £0.470m Overspend</p> <p>Variation to December's Forecast £0.024m</p>	<p>The forecast is based on whole year expenses being needed as budgeted and accounts for increased IT license costs, legal fees and the increase in temporary accommodation demand due to rising homelessness.</p> <p>There is a small increase to the forecasted overspend due to a revised recovery of costs from Council partnership arrangements. Over the course of the year, it has been possible to underspend on some provisions within the budget and reduce the forecasted overspend. The Council has also received increases in grant aid increasing budget provision for temporary accommodation.</p>

Chief Executives Office

Revenue:

Chief Executives Office are forecasting £0.011m overspend against a budget of £1.840m (0.6%).

Overall, the Service is 0.6% over budget for the 25/26 financial year which is largely due to unplanned recruitment costs reported in December 2025.



<p>Communications & Marketing</p> <p>Variation (£0.010m) Underspend</p> <p>Variation to December's Forecast (£0.004m)</p>	<p>The forecast is currently £0.010m behind budget mainly due to lower costs on external print and design that had been budgeted for at the start of the year.</p> <p>Some external costs relating to printing, etc have been less than originally forecast.</p>
<p>Performance</p> <p>Variation £0.000m Overspend</p> <p>Variation to December's Forecast £0.008m</p>	<p>The service is forecast to be on budget for the year.</p> <p>Licencing costs have now been fully accounted for within the year which has reduced the underspend previously reported.</p>
<p>Executive Support Team</p> <p>Variation £0.021m Overspend</p>	<p>Overall, the Service is over budget for the 25/26 financial year which is largely due to some unplanned recruitment costs.</p>

<p>Variation to December's Forecast (£0.004m)</p>	<p>Every opportunity is being taken where possible to make savings that will mitigate the expected overspend.</p> <p>There has been some movement in the budget due to recognition of staff costs that had not previously been apportioned to this service area.</p>
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Executive Matters

Revenue:

Executive Matters are forecasting a (£1.428m) underspend against a budget of £5.131m (-27.8%).

<p>Executive Matters</p> <p>Variation (£1.428m) Underspend</p> <p>Variation to December's Forecast (£0.078m)</p>	<p>Executive Matters are forecasting an underspend of (£1.428m) consisting of (£0.500m) dividend expected from Graven Hill, Provision for bad and doubtful debts £0.112m and an over recovery of net interest of (£1.040m).</p>
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Policy Contingency

Revenue:

Policy Contingency are forecasting a (£1.528m) underspend against a budget of £2.015m (-75.8%).

<p>Policy Contingency</p> <p>Variation (£1.528m) Underspend</p> <p>Variation to December's Forecast £0.146m</p>	<p>Policy Contingency includes £1.100m for Market Risk. This has been released along with £0.428m (and shown as an underspend) in order to offset overspends in the directorates.</p>
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Appendix 2 - Virement Summary

Virement Movement

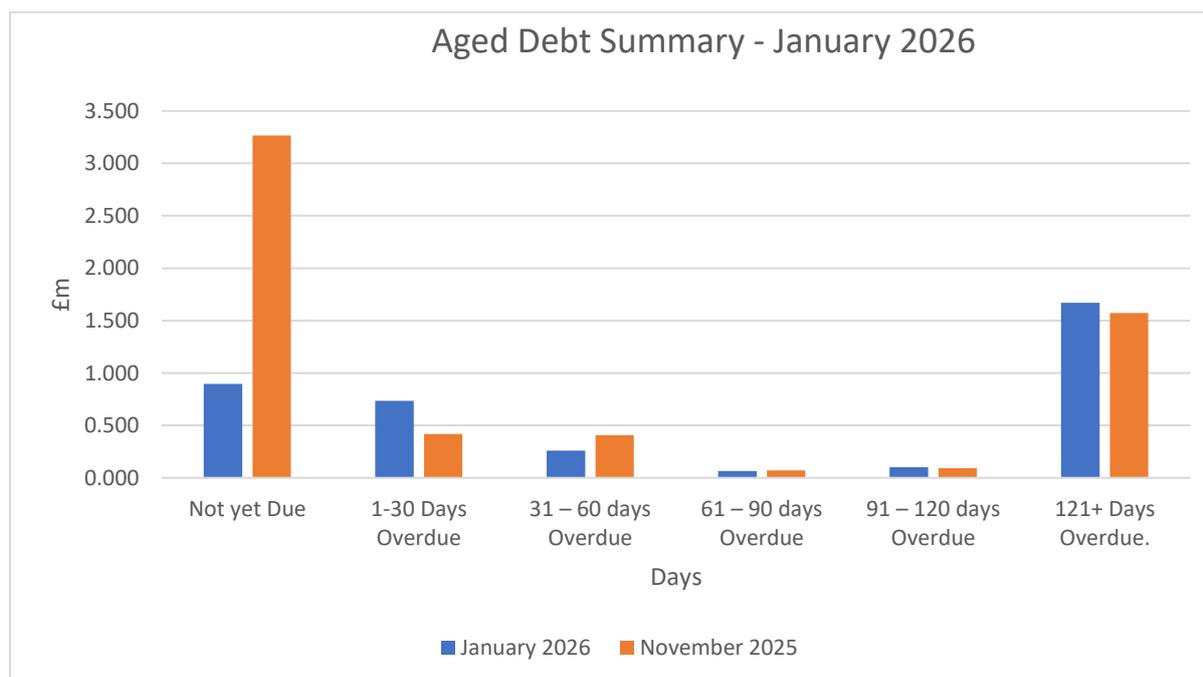
This table shows the movement in Net Budget from December 2025 to January 2026.

Virements - Movement in Net Budget	£m
Directorate Net Budget - January 2026	19.08
Directorate Net Budget - December 2025	18.893
Movement	(0.187)

Breakdown of Movements	£m
Policy Contingency Budget - redundancy costs within Transformation	£0.092
Policy Contingency - release for	£0.060
Policy Contingency - release for Climate Change Action Plan	£0.010
Policy Contingency to fund programme Director	£0.025
Total	0.187

Aged Debt Summary

The below graph shows the movement in sundry aged debt for the period ending 31 January 2026.



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 £0.504m 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 Sundry Debt Write Off Summary:

	£m
Sundry Debts previously written off	0.053
Sundry Debts written off in December 2025, and January 2026 under S151 delegation	0.004
Sundry Debts for write off in over £0.005m details in Appendix 5	0.111
Total write offs in financial year 2025/26	0.168

Housing Benefit Write off Summary:

	£m
Housing Benefit previously written off	0.027
Housing Benefit due to be written off under S151 Delegation	0.000
Housing Benefit Overpayments to be written off via committee	0.000
Total write offs in financial year 2025/2026	0.027

Council Tax Write off Summary:

	£m
Council Tax previously written off	0.374
Council Tax due to be written off under S151 Delegation	0.000
Council Tax to be written off via Committee	0.000
Total write offs in financial year 2025/2026	0.374

Non-Domestic Rates Write off Summary:

	£m
Non-Domestic Rates previously written off	0.105
Non-Domestic Rates to be written off under S151 Delegation	0.000
Non-Domestic Rates written off via Committee Approval	0.000
Total write offs in financial year 2025/2026	0.105

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Appendix 3 - Funding for 2025/26

Specific Funding received since budget was set:

Dept.	Grant Name	Funding £
DLUHC	Homelessness Prevention Grant	(£0.344)
DLUHC	Rough Sleepers Accommodation Programme	(£0.035)
DLUHC	Redmond Review Implementation	(£0.024)
DLUHC	Local Audit Backstop New Burdens	(£0.046)
DLUHC	New Burdens Funding for Accommodation-based Domestic Abuse	(£0.037)
DLUHC	ATLAS	(£0.085)
DLUHC	New Burdens Funding for Renters Rights	(£0.049)
DLUHC	Awaab's Law New Burdens	(£0.002)
DLUHC	Calorie Labelling and Promotions	(£0.002)
DEFRA	Biodiversity Net Gain Grant	(£0.027)
DEFRA	Food Waste Collection Grant	(£0.005)
DWP	Welfare Reform New Burdens Funding	(£0.035)
DWP	LA IT changes Scottish Government Grant	(£0.006)
DWP	LA IT Changes SHBE	(£0.001)
DWP	Housing Benefit Award Accuracy Initiative	(£0.017)
DWP	IT Suppliers	(£0.001)
DWP	Housing Benefit Award Accuracy Initiative	(£0.017)
Home Office	Afghan Relocations and Assistance Policy	(£2.103)
Home Office	Syrian Resettlement Programme	(£0.011)
DSIT	Innovate	(£0.025)
		(£2.872)

Grants included as part of Budget setting:

Directorate	Grant Name	£m
Communities	Afghan Relocations and Assistance Policy	(0.244)
	Asylum Accommodation Dispersal	(0.029)
	Homeless Prevention Grant	(0.763)
	Syrian Resettlement Scheme	(0.183)
	Homes for Ukraine	(0.417)
	UK Shared Prosperity Fund	(0.335)
	Communities Total	(1.972)
Resources	NNDR Cost of Collection Allowance	(0.231)
	Rent Allowances	(25.004)
	Resources Total	(25.235)
Services Sub-total		(27.207)
Corporate	Extended Producer Responsibility	(1.400)
	Funding Floor	(3.400)
	National Insurance Contribution	
	Compensation	(0.258)

	Corporate Total	(5.058)
Cost of Services total		(32.265)
Funding	Business Rates Retained Scheme	(7.490)
	New Homes Bonus	(0.935)
	Revenue Support Grant	(0.368)
	Funding Total	(8.793)
Government Grants Total		(41.058)

Appendix 4 - Reserves and Grant Funding

Uses of/ (Contributions to) Reserves

Specific requests

Directorate	Type	Description	Reason	Amount £m
Place & Regeneration	Reserve	Growth & Regeneration Reserve	Balance of unspent 25/26 reserve allocation approved in Oct 2025 which will be spent in 26/27 to further regeneration projects.	(0.078)
Total Earmarked Reserves				(0.078)
Total Grants				0.000

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Corporate Debt Policy

Contents

1. Introduction
2. Scope
3. Purpose and Objective
4. Assessing the Customer's Ability to Pay
5. Arrangements for Repayment of Arrear
6. Supporting Vulnerable Customers
7. Breathing Space
8. Write Off Policy
9. Monitoring Performance
10. Evasion and Fraud
11. Equality Duty
12. Use of data
13. Complaints
14. Rights of Appeal
14. Review .

Appendices

Appendix A - Business Rates Recovery including flow chart

Appendix B - Council Tax Recovery including flowchart

Appendix C - Sundry Debts Recovery including flowchart

Appendix D - Housing Benefits Overpayment Recovery

Appendix E – Write Off Policy

1. Introduction

- 1.1** It is good practice to have a Corporate Debt Policy and ensures that all the people involved in the collection of money owed to the Council have a consistent approach and an understanding what that approach is. This promotes efficiency, effectiveness and consistency in the collection of debt. An understanding of an individual's or a commercial organisation's problems will enable them to access the appropriate help, assistance and benefits to allow them to pay their bills.

The Council recognises that the minimisation of and effective management of debt is crucial in terms of maximising resources available and providing cost effective services. A high percentage of the Council's revenue expenditure is for local services and is funded from the council tax, business rates, fees and charges and sundry debt income collected. Therefore, it is vital that the Council collects taxes, along with other debts and income, in order to support the local services offered. The full range of collection and recovery methods will be used as appropriate where debts are not paid (see appendices A-D).

- 1.2** We will treat individuals consistently and fairly, ensuring that individual's rights under Data Protection, Equality and Human Rights legislation are protected

2. Scope

- 2.1** The Policy covers all debts owed to the Council including:

- A.** Business Rates
- B.** Council Tax
- C.** Sundry Debts (Domestic & Commercial Charges/Rents)
- D.** Housing Benefit Overpayments

Please refer to Appendices A-D for the billing and recovery process

3. Purpose and Objectives

- 3.1** To set out the general principles of debt management across all services provided by the Council
- 3.2** To seek payment in advance for a service being provided where possible and make it easy for customers to pay
- 3.3** To raise debt/invoices and collect those due to us in as soon as reasonable possible.
- 3.4** To identify and assist those who face difficulties in paying at an early stage and to actively encourage them to contact us to help to reduce the effect of debt

- 3.5 To ensure that where customers can't pay their debt that we consider their individual circumstances and take action on a case by case basis and to negotiate repayment plans that do not cause unnecessary financial hardship
- 3.6 To signpost potential debtors to advice agencies and other sources of support and do everything possible to encourage them to use them.
- 3.7 To have clarity in the enforcement action process and ensure that customers know their obligations and potential consequences of not paying
- 3.8 To recover and enforce debts in accordance with relevant legislation and guidance and in a proportionate, consistent and fair manner
- 3.9 To undertake a proactive stance on recovery by promoting awareness of discount, exemptions, reliefs and council tax reduction to reduce outstanding liabilities where applicable

4. Assessing the Customer's Ability to Pay

- 4.1 During the process of recovery, the Council will act in accordance with statutory regulations and advice issued by professional bodies e.g., Citizens Advice, Money Advice Service, and Money & Pensions Service.
- 4.2 When recovering multiple debts, the Council will endeavour to break the cycle of debt more specifically towards Council Tax and Business Rates by encouraging payment for current year, and then work with the customer to achieve an acceptable payment arrangement for previous year debts such as Council Tax whilst ensuring a satisfactory level of repayment for the Council.
- 4.3 The Council will review payment arrangements to offer flexible options, including different payment dates and amounts to assist those on irregular incomes.
- 4.4 The Council will endeavour to make payment arrangements with customers who are unable to settle their debt(s) in full. However, this may involve legal action being taken against the customer where appropriate.
- 4.5 Debts will only be written off in line with the Council's Financial Procedure Rules.

5. Arrangements for Repayments of Arrears

- 5.1 More detailed information is likely to be required where the debtor claims to be unable to pay the debt over a short space of time and where the debt will not be repaid in full by the end of the financial year.

5.2 Where a debtor refuses to divulge any information that is considered essential to assessing their ability to pay then no payment agreement will be entered into.

6. Supporting Vulnerable Customers

6.1 We will ensure that arrears are pursued in a timely manner with a firm but fair approach. It is Council policy to try to balance customer care with the responsibility of collecting all debts efficiently. We endeavour to be responsive to individual circumstances wherever possible.

6.2 We recognise that everyone will need to be treated in a sensitive way and a more considered approach will need to be taken with our individual customers; the Council recognises that customers do not pay their debts for a variety of reasons. This may include poverty or other financial hardship, which we will endeavour to balance their circumstance against our duty to collect.

6.3 Vulnerability does not mean that a customer will not be required to pay amounts they are legally obliged to pay. The cause of vulnerability may be temporary or permanent in nature and the degree of vulnerability will vary widely.

6.4 Whilst there are several characteristics which may cause an individual to be judged as vulnerable, we will consider each case on an individual basis, and take all relevant factors into account.

6.5 Whilst there is no legal definition of a vulnerable person. Generally, persons considered vulnerable are likely to be those who:

- Are elderly.
- Appear to be physically or mentally ill, severely disabled or suffering mental confusion.
- Have young children and severe social deprivation is evident.
- Are heavily pregnant.
- Are in mourning due to recent bereavement (of immediate family).
- Have difficulty communicating e.g., due to profound deafness, blindness, or language difficulties.
- Are in receipt of state benefits and/or on a low income and severe social deprivation is evident; and/or
- Are suffering from long term sickness or serious illness including the terminally ill.

- Are in a refuge.

7. Breathing Space

- 7.1** The Debt Respite Scheme (Breathing Space Moratorium and Mental Health Crisis Moratorium) (England and Wales) Regulations 2020, effective from 4 May 2021, introduce a scheme known as ‘breathing space’ for people in problem debt who receive professional debt advice.
- 7.2** Upon seeking professional debt advice from an accredited debt advisor, a person in problem debt may be entered into a 60-day period which pauses enforcement action from creditors and freezes charges, fees and certain interest on qualifying debts for up to 60 days.
- 7.3** For people receiving mental health crisis treatment, this scheme creates an alternate route where the protections of a moratorium may be accessed and remain in place for the duration of their crisis treatment, plus 30 days. An approved Mental Health Professional (AMHP) will need to certify that an individual is in receipt of mental health crisis care. The AMHP must be satisfied that in their professional judgement, the person meets one of the three criteria as follows:
- has been detained in hospital under the Mental Health Act for assessment or treatment (including under Part 3 of the Mental Health Act 1983). has been removed to a place of safety by a Police Constable or;
 - is receiving a specialist mental health crisis service such as Home Treatment Team. In addition, the AMHP also needs to: Ask for consent to share personal information Identify a nominated point of contact, as specified in the guidance.
 - Submit the evidence form at www.maps.org/mhcbs. On receipt of the evidence form, a debt advisor will decide if the individual is eligible for a mental health crisis breathing space, linking in with the nominated point of contact.
- 7.4** This scheme is administered by the Insolvency Service who will send notifications to the council and upon receipt we will search for all qualifying debts owed to the council and suspend all recovery action for the duration of the breathing space period. The intention of the breathing space is to give the professional debt advisor time to review the individual’s financial situation and propose a solution which might include a payment plan to cover the debts owed to the council. It is a matter between the professional debt advisor and the individual as to whether or not a solution is found.

7.5 The council is not involved in and has no say in this process

8. Write-off Policy

- 8.1 The Council recognises that a small proportion of its overall debt may not be collectable due to matters beyond its control and where a debt is assessed to be irrecoverable it will be considered for write-off. However, the Council will seek to minimise the cost of write-offs by taking all appropriate action to recover what is due.
- 8.2 Furthermore, if a debt is written off but an individual or businesses circumstances change such debts will be considered for write-on and pursued to the full extent of the law. An example of when this may occur is if a debtor absconds with no forwarding address but is subsequently traced. A further example would be in insolvency cases where an individual/company goes bankrupt or is made insolvent, partial/full dividend(s) can be received many years later.
- 8.3 All officers, members and contractors will ensure that they have no work-related involvement with any account involving any relatives, friends, close associates, organisations of which they or their relatives are members or previous employees of. This includes making any decisions on how money owed to the Council is collected and recovered.
- 8.4 Please refer to write off policy in Appendix E

9. Monitoring Performance

- 9.1 The collection of Council Tax, Non-Domestic Rates and Sundry Debts are all under public scrutiny as Key Performance Indicators (KPIs). The efficiency of this policy and associated procedures will be monitored through the following KPIs:-
- % of Council Tax debt recovered
 - % of Non-domestic Rate debt recovered
 - % of Sundry debt recovered
 - % of Housing Benefit overpayment recovered
 - % of previous year's Council Tax Recovered
 - % of previous year's Business Rates Recovered

10. Evasion and Fraud

- 10.1 The evasion of payments owed to the Council reduces the financial resources available to the Council, this has a direct impact on all our residents, businesses and other organisations that rely on Council services

- 10.2** Evasion or fraud to avoid payment will not be tolerated and where this is identified then in addition to enforce payment, the Council will seek to impose such further penalties or sanctions as the law allows. We are currently in partnership with Veritau where referrals are made to them for Business Rates, Council Tax and Housing Benefit Overpayments for the investigation and detection of fraud.

11. Equality Duty

- 11.1** Under the Equality Act 2010, the Council, in exercising any of its functions, must have due regard to the need to:
- Eliminate unlawful discrimination
 - Advance quality of opportunity; and
 - Foster good relations between people of different background

12 Use of Data

- 12.1** The Council will collect and store personal data for the purposes of the effective billing, collection, and recovery of sums due. Data retained for this purpose will be processed in accordance with the Data Protection Act 2018 and will be always stored securely.
- 12.2** Data will be shared with agents or contractors appointed by the Council for the purposes of the billing, collection, and recovery of sums due. Data may also be shared within the Council or with external organisations where the law allows and where it is in the interests of the debtor or where it will prevent fraud or the unlawful evasion of payment of sums due.

13. Complaints

- 13.1** Should any customer feel dissatisfied with how they have been treated the Council has a complaints procedure which can be accessed and complete an online complaints form at: <https://www.cherwell.gov.uk/complaints> or write to: Customer Complaints Cherwell District Council Bodicote House Whitepost Road Bodicote OX15 4AA

14. Rights of Appeal

- 14.1** There are a number of ways in which customers can appeal about decisions the Council may have taken:
- 14.2** Valuation Tribunal: For people who believe the Council has acted incorrectly on a Council Tax billing matter.
- 14.3** Magistrates Court: For people who are aggrieved by the recovery process for Council Tax and Non-Domestic Rates and for Non-Domestic Rates payers who

believe the Council acted incorrectly on a billing matter.

14.4 Appeal Tribunal: For decisions made on Housing Benefit claims

14.5 County Court: For action taken to recover Housing Benefit overpayments and for Sundry Invoices.

15. Review

15.1 The policy has been reviewed in February 2026 to reflect the latest legislation, Housing Benefit (General) regulation 2006.

15.2 This Policy will be monitored and regularly reviewed and updated where necessary to take account of changes in legislation and best practice. A full review of the Policy will be scheduled for February 2028.

Appendix A - Business Rates Recovery

The bills for Business rates and for any BIDs operating within the District, are issued on an annual basis and the responsibility for issuing bills and the collection and recovery of debt is held by the Chief Finance Officer. Business rates and BID levy payments are payable in line with legislative requirements.

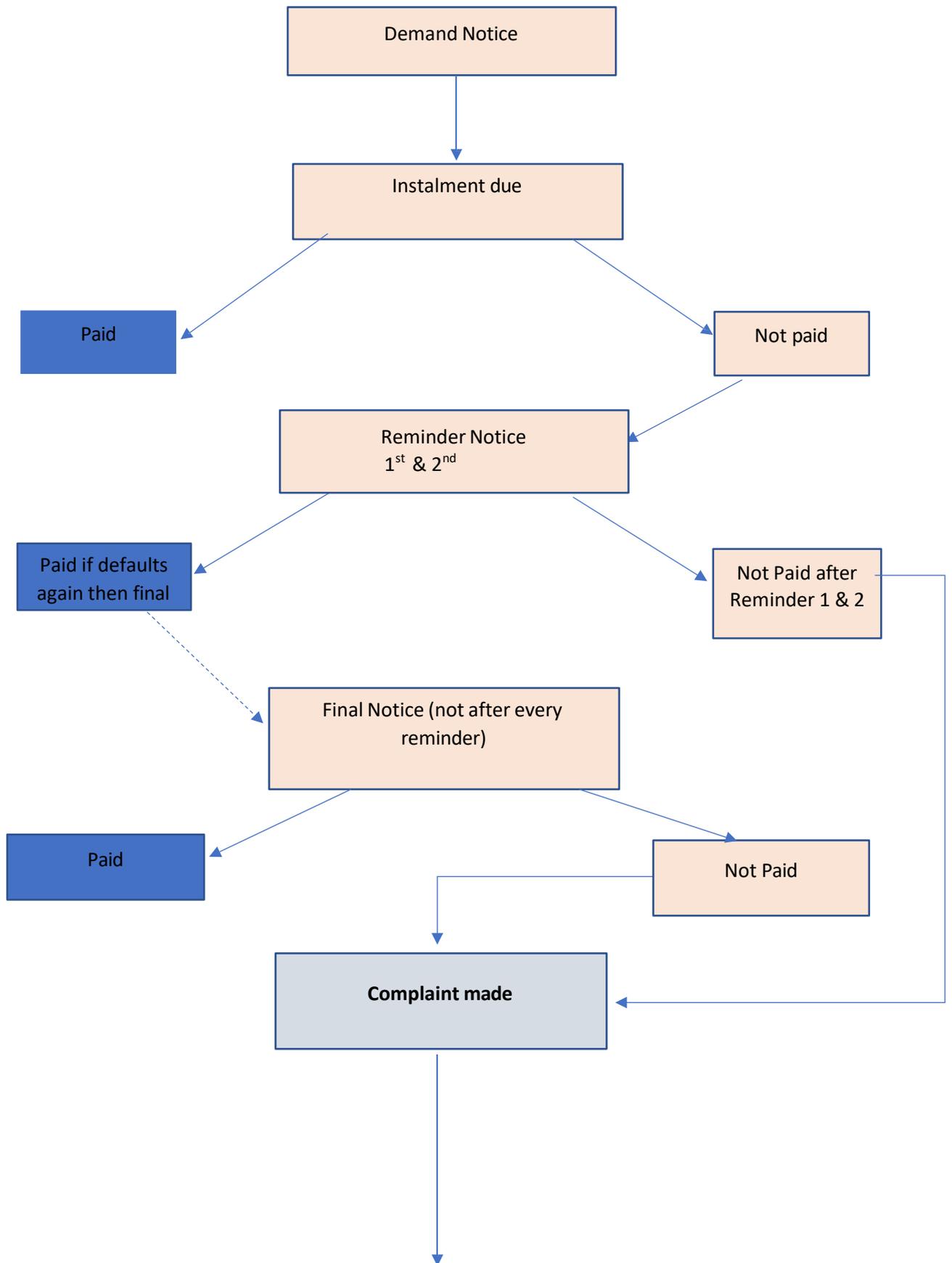
The business rates bill will detail when instalments are due to be paid and the methods which can be used to pay, whereas the BID levy payment is payable in one instalment. If an instalment for either business rates or BID are not paid on time, then a reminder will be issued following non-payment.

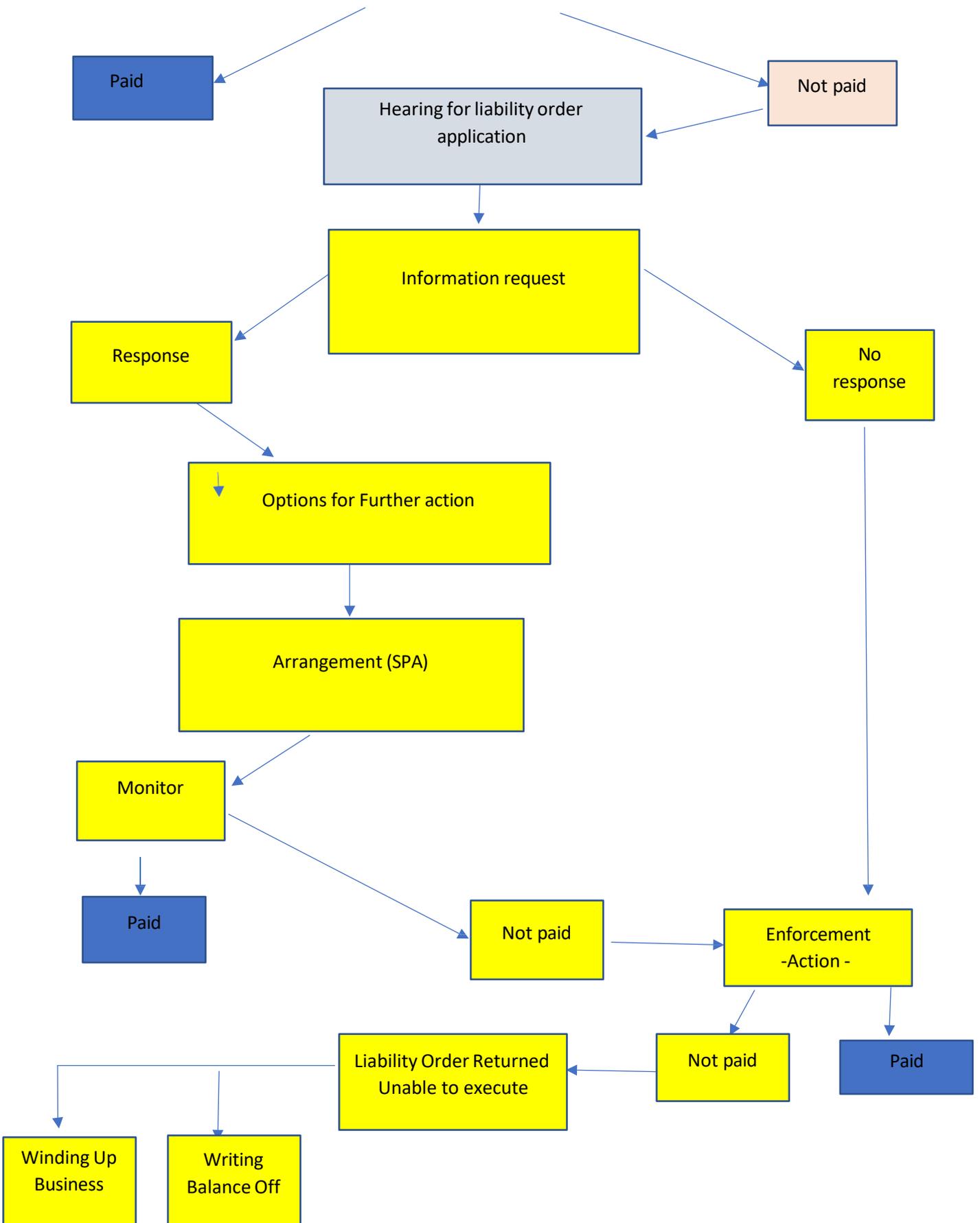
Only one reminder notice will be issued for business rate bills and those of the BID; any further default will result in a final notice being issued. A final notice withdraws from the customer the right to pay by instalments for business rates and requires full payment of the outstanding amount to be made within seven days. The enforcement action to be taken for the BID mirrors that of business rates and therefore the final notice issued will give the ratepayer their final opportunity to settle the outstanding levy payment. If the business rate account or the BID levy payment remains unsettled, the Council will make a complaint to the Magistrates Court by the issue of a summons notice for an application to apply for a liability order to be granted.

The Liability Order enables the Council to consider other enforcement remedies for example: instructing enforcement agents to collect the balance of debt that is outstanding.

If an appeal is made against the rateable value to the independent Valuation Officer, payment must still be made against both the business rates and the BID account until the appeal is settled.

Enforcement agents will be appointed based on the contracts which have been procured in line with contract procedure rules. Enforcement/agent's performance and contract management will be in place to ensure compliance with codes of conduct and good practice. Enforcement/agent's services will comply with the Taking Control of Goods: National Standards, issued by the Ministry of Justice.





Appendix B - Council Tax Recovery

The responsibility for the issuing of council tax demand notices, its collection and recovery of debt is held by the Council's Chief Finance Officer.

The Council will issue a council tax demand notice, which will give instructions on when the instalments are due to be paid. The preferred method of payment for council tax is direct debit and flexibility is available on the date on which the direct debit is collected. Unless paid by Direct Debit the first instalment is due by the first of the month.

A reminder notice will be issued if an overdue instalment is not paid within seven days of the instalment due date. If the instalment is paid as requested, then no further action will be taken. If the instalment is not paid or only partly paid, recovery action will proceed to the summons stage. Within a council tax year (April – March) only two reminders will be issued for late payment of instalments.

A final notice will be issued on the third occasion that an instalment is paid late. The final notice will be a request for the full balance to be paid. The balance must be paid within seven days of a final notice being issued.

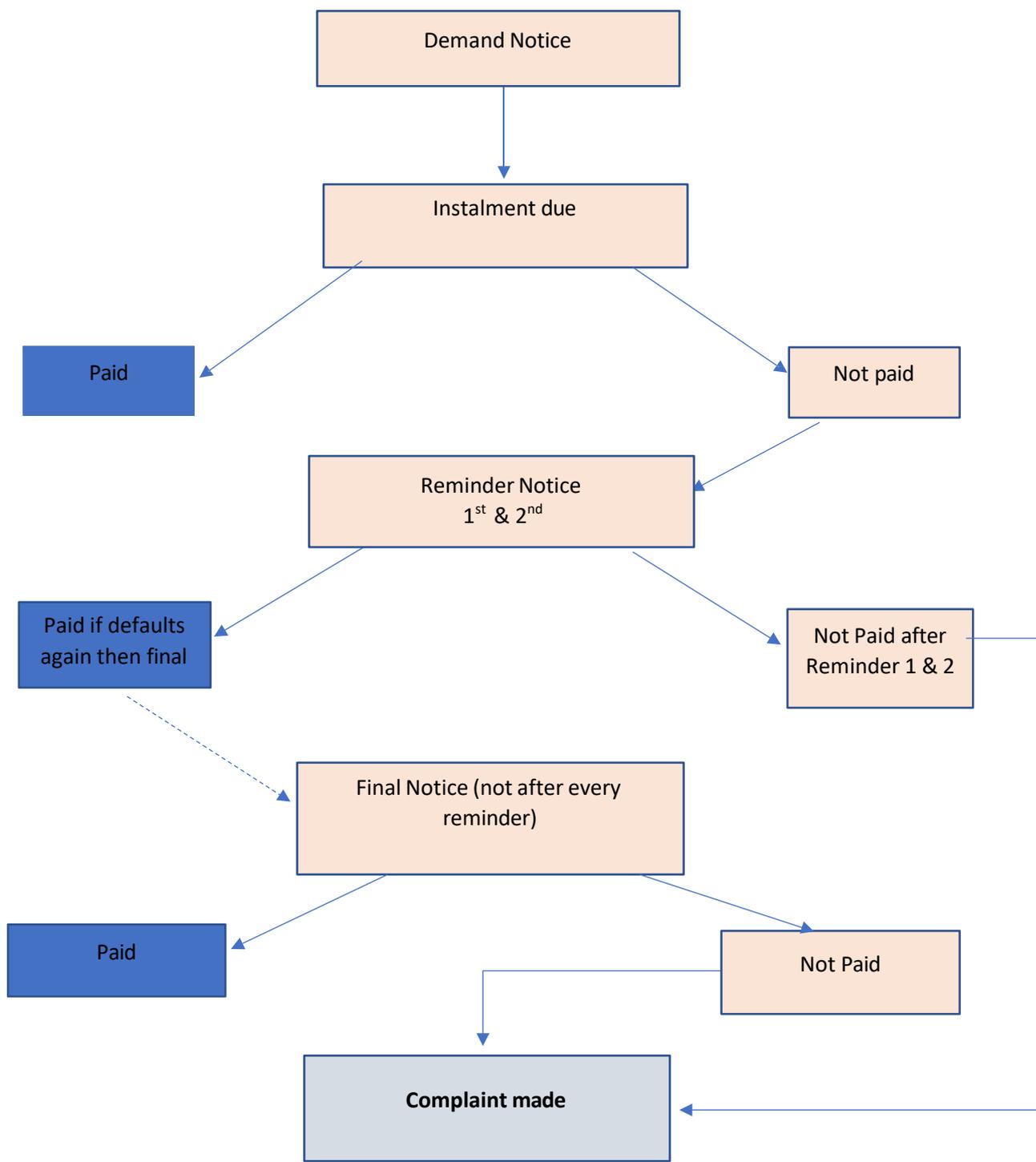
If payment is not received within 14 days after the first or second reminder notice or within seven days of a final notice, the Council will take legal action and a summons will be issued against the customer. All costs incurred are recoverable by the Council and will be added to the amount due when the summons is issued.

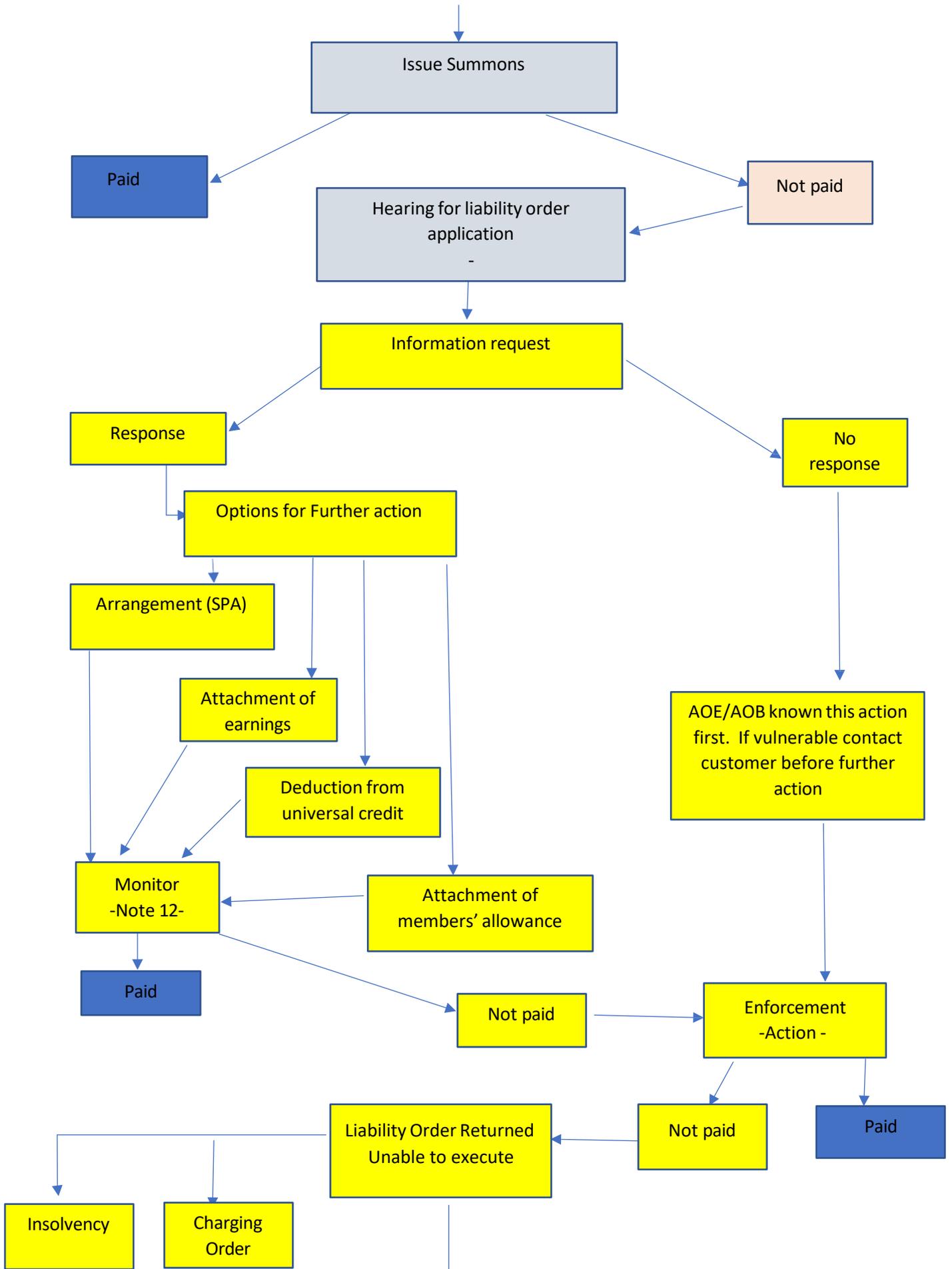
The Council reserves the right to take recovery action where a customer does not pay and does not indicate that they are having trouble paying. Customers are informed of:

- entitlement to housing and council tax support and other income related benefits
- discounts, reliefs, and exemptions

The ability to refer debt to an enforcement agent is an important tool in the recovery process. The Council appreciates the sensitivity attached to the use of enforcement agents and will only use them if it is deemed necessary. The Council will seek to use enforcement agents only where it has been determined that this is the most effective collection method for the debt in question.

Enforcement agents will be appointed based on the contracts which have been procured in line with contract procedure rules. Enforcement/agents performance and contract management will be in place to ensure compliance with codes of conduct and good practice. Enforcement agent's services will comply with the Taking Control of Goods: National Standards, issued by the Ministry of Justice.





Appendix C Sundry Debts Recovery

The responsibility for the raising of sundry debts against a debtor account is set up by Customer Services, each service will request for an invoice to be raised via a 'Finance Sundry Debt' form that can be found on Spelnet via online forms.

The overall responsibility for the collection and recovery of sundry debt is held by the Council's Chief Finance Officer. Finance will be responsible for ensuring that assistance/guidance is provided to the senior managers for each service in recovering the debt due to their Service, where appropriate.

Wherever possible, Cherwell District Council should endeavour to obtain payment in advance or at the time when a service is delivered.

The council will only raise a debtor's invoice where payment in advance for a service is inappropriate. All sundry debtor invoices must be raised using the corporate finance system.

The general settlement terms for sundry debtors are 30 days from the date of the invoice, there are on odd occasions other dates, these are specified by the individual service areas.

A reminder notice will be issued to the debtor, days after the invoice date, which requires the account to be brought up to date within seven days. Some service areas do fall within vulnerable groups, where this applies, consideration on the best way to proceed will be taken in line with the Council's policy on debt collection for vulnerable people.

A final notice letter will be issued after a further period of 14 days which will give a further seven days for the account to be brought up to date.

A further final notice before recovery action is sent asking for payment within seven days.

At this stage an arrears analysis report is run for all outstanding debts that are at reminder letter three stage. This is produced on a quarterly basis and forwarded to the Budget Holder responsible.

All Service areas are required to return this report within four weeks, failure to do this, will result in Revenues and Benefits exercising their professional judgement as

to what action should be taken. The Council's Corporate Leadership Team will receive regular aged debtor reports and monitor performance.

The recovery options are as follows:

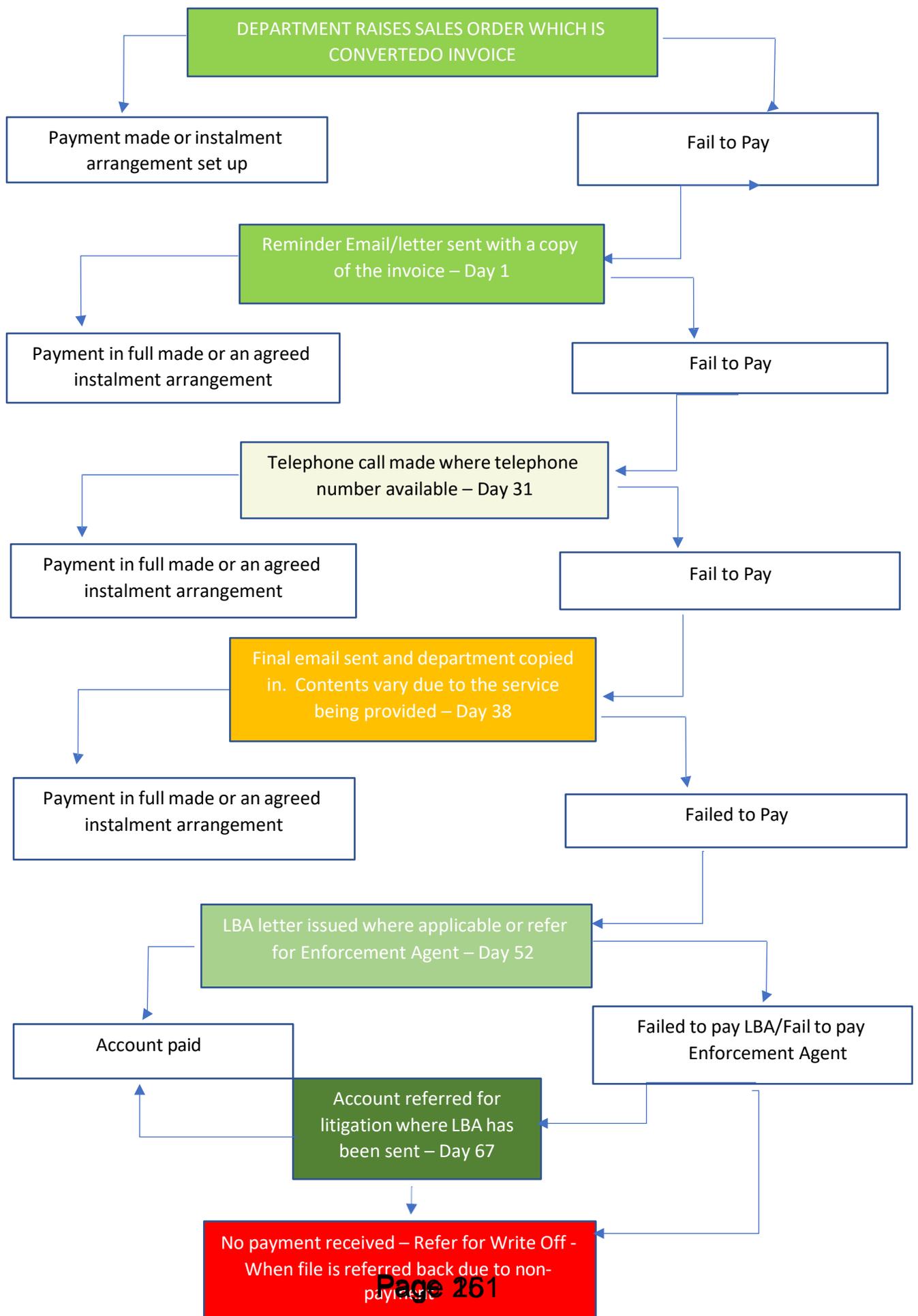
- Letter before action allowing the debtor 14 days to pay
- Referral to the Council's approved debt collection agent

(where additional costs may be incurred)

- A Collection Agency
- Money Advice Service (previously known as County Court action seeking a Judgement e.g., Attachment of Earnings)
- Refer to the Council's own Legal Team.

The list is not exhaustive, and the Council will seek to recover outstanding debt via the most practical and cost-effective manner. Where debt proves uneconomical to collect or the debtors have absconded, we would have to consider to write-off the debt in accordance with the Council's write-off Policy.

NOTE: Some debts are dealt with on a case by case basis when the below has been exhausted



Appendix D Housing Benefits Overpayment Recovery & Council Tax Reduction Schemes

Overpayments of Housing Benefit and Council Tax Benefit/Support are established through a change in benefit entitlement. They are described as an amount of benefit that has been awarded but to which there is no or reduced entitlement under the regulations.

The Council believes that the prevention of overpayment debt is better than the cure

Therefore, measures are to be employed to prevent overpayments occurring. These will include:

- Using a well laid out application form to collate accurate information which contains an unambiguous statement that failure to provide correct information could lead to overpayments of benefit and to prosecution.

Ensuring all benefit notification letters and relevant correspondence informs the people affected of their responsibility to tell the Council of any change of circumstances that may affect their claim.

Making use of reasonable evidence in support of claims and changes or circumstances for example, using checks for:

- identity
- residency and
- National Insurance numbers

Targeted interventions that are risk profiled where possible and appropriate.

Ensuring all staff involved with overpayments receive, suitable training with Comprehensive access to overpayment recovery procedures and an awareness of problems relating to debt.

- Providing fraud awareness training for staff.

Using and developing information technology to automate the identification and recovery of overpayments and to reduce error:

Including publicity material and information on responsibilities for reporting changes of circumstances.

Ensuring that benefit awards are suspended and terminated in line with current regulations and case law.

Dealing as quickly as possible with reported changes of circumstances.

Participating in various data matching exercises with external agencies and cross matching against internal databases whilst adhering to principles laid down by the Data Protection Regulations 2018, Data Protection and Human Rights Act 1998.

The Council aims to calculate overpayments quickly and accurately and to provide quality information to the people affected, ensuring it recovers the correct amount. To achieve this, the Council will:

Invite claimants to apply for underlying entitlement.

Calculate the overpayment, on average, within 14 days of receiving all necessary information.

Use the proper effective date of change to fix the correct overpayment period.

The Council aims to ensure the correct classification of overpayments for subsidy purposes is always used to prevent loss of subsidy.

All necessary invoices, reminders and pre-debt collector stage letters/Financial Enquiry will be raised according to recovery stage, using the Housing Benefits and Debt Management system.

Invoices will only be issued when the overpayment cannot be recovered from benefits.

The Council has a responsibility to act in accordance with all relevant legislation and regulations, when recovering overpayments.

- Social Security Administration Act 1992.
- Social Security Administration Act 1992 (Housing Benefit).
- Social Security Administration Act 1992 (Council Tax Benefit).
- Social Security Contributions and Benefits Act 1992.
- The Housing Benefit (General) Regulations 2006 - and subsequent varying regulations.
- The Council Tax Benefit (General) Regulations 1992 - and subsequent varying regulations.
- Housing Benefit (Recovery of Overpayments) Regulations 1997.
- Social Security (Overpayment and Recovery) Regulations 2013.
- The Housing Benefit and Council Tax Benefit (Decisions and Appeals and Discretionary Financial Assistance) (Consequential Amendments and Revocations) Regulations 2001.
- Welfare Reform Act 2012.

- Housing Benefit Overpayment Guide 2015.

Where the Council decides an overpayment is recoverable, the most appropriate method of recovery will be considered in all cases and arrangements will follow the general hierarchy below:

- From arrears of Housing Benefit.
- On-going deductions from further payments of continuing Housing Benefit.

This will include payments that are sent directly to the Landlord on the claimant's behalf. The Council will base recovery rates as laid down by regulation and will initially seek to recover the standard weekly deduction calculated, unless the health or financial circumstances of the claimant suggests, a more appropriate rate should be used. In all cases, however, a minimum amount of fifty pence per week Housing Benefit must remain in payment. The debtor has the right of appeal against the rate of recovery chosen by the Council.

- Overpayments of recoverable Council Tax Benefit/Support, apart from in exceptional circumstances, will result in an adjustment being made to the respective Council Tax account for the appropriate year.

An amended bill will be issued, and any unpaid monies will be subject to recovery action under the Council Tax regulations.

By deductions from certain Department of Work and Pensions benefits. Section 75(1) of the Social Security Administration Act 1992 allows recovery of overpaid Housing Benefit by deduction from prescribed benefits which are defined in Regulation 105 of the Housing Benefit Regulations 2006.

As of 8 April 2013, Sections 105 and 106 of the Welfare Reform Act 2012 amends the Social Security Administration Act 1992 allows the Council to recover by attachment of earnings without court authority. Known as Direct Earnings Attachments (DEA), their primary purpose is to enforce recovery where a liable person is in Pay as You Earn (PAYE) employment.

Referral to an external debt collection agency (after all the above avenues of recovery are considered and/or exhausted).

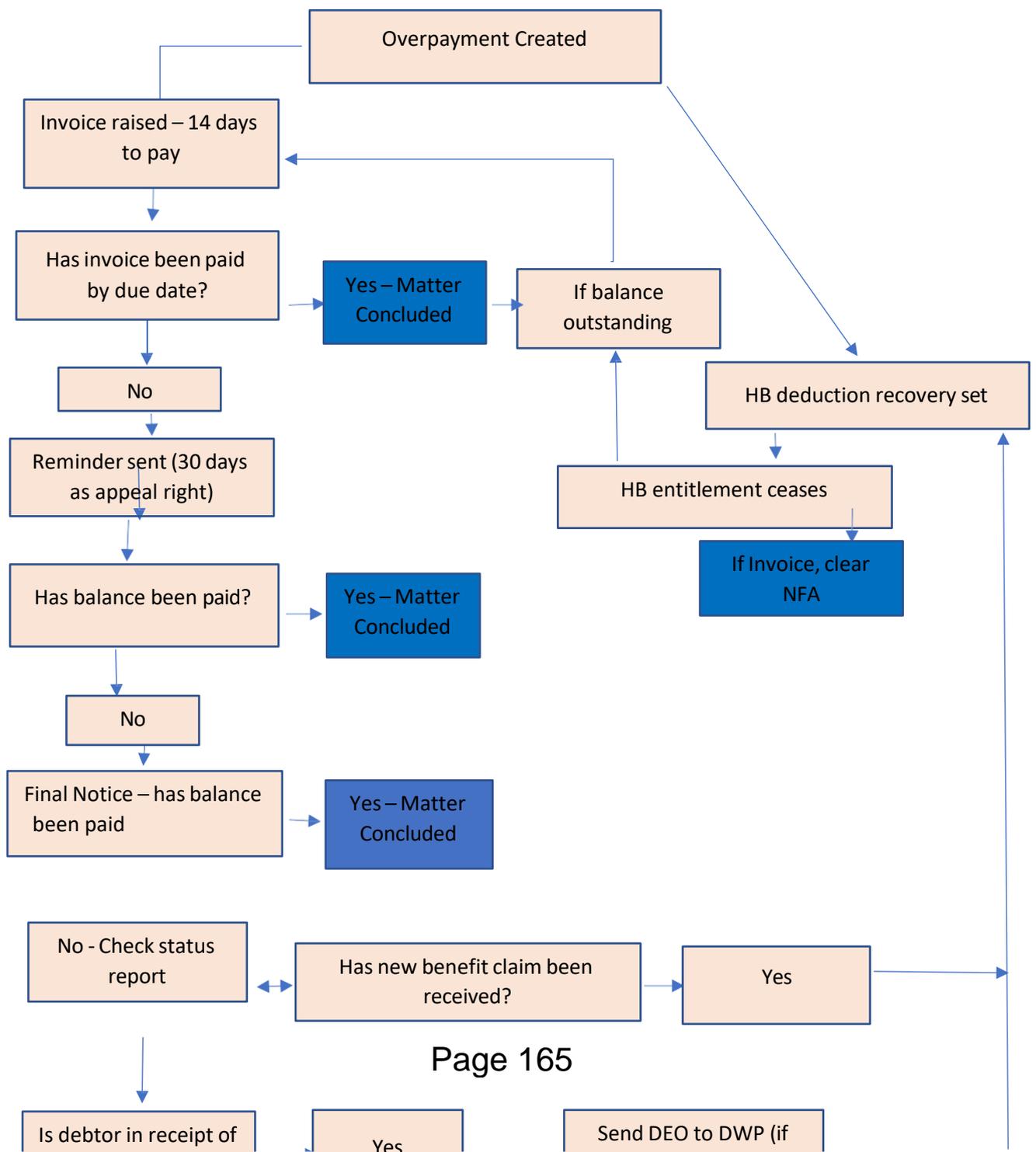
In extreme circumstances Civil Proceedings Application to the County Court for a County Court Judgement (after all avenues of recovery are considered and/or exhausted). With a County Court Judgement (CCJ) further recovery actions can be taken, e.g., application to the High Court to instruct High Court enforcement agents.

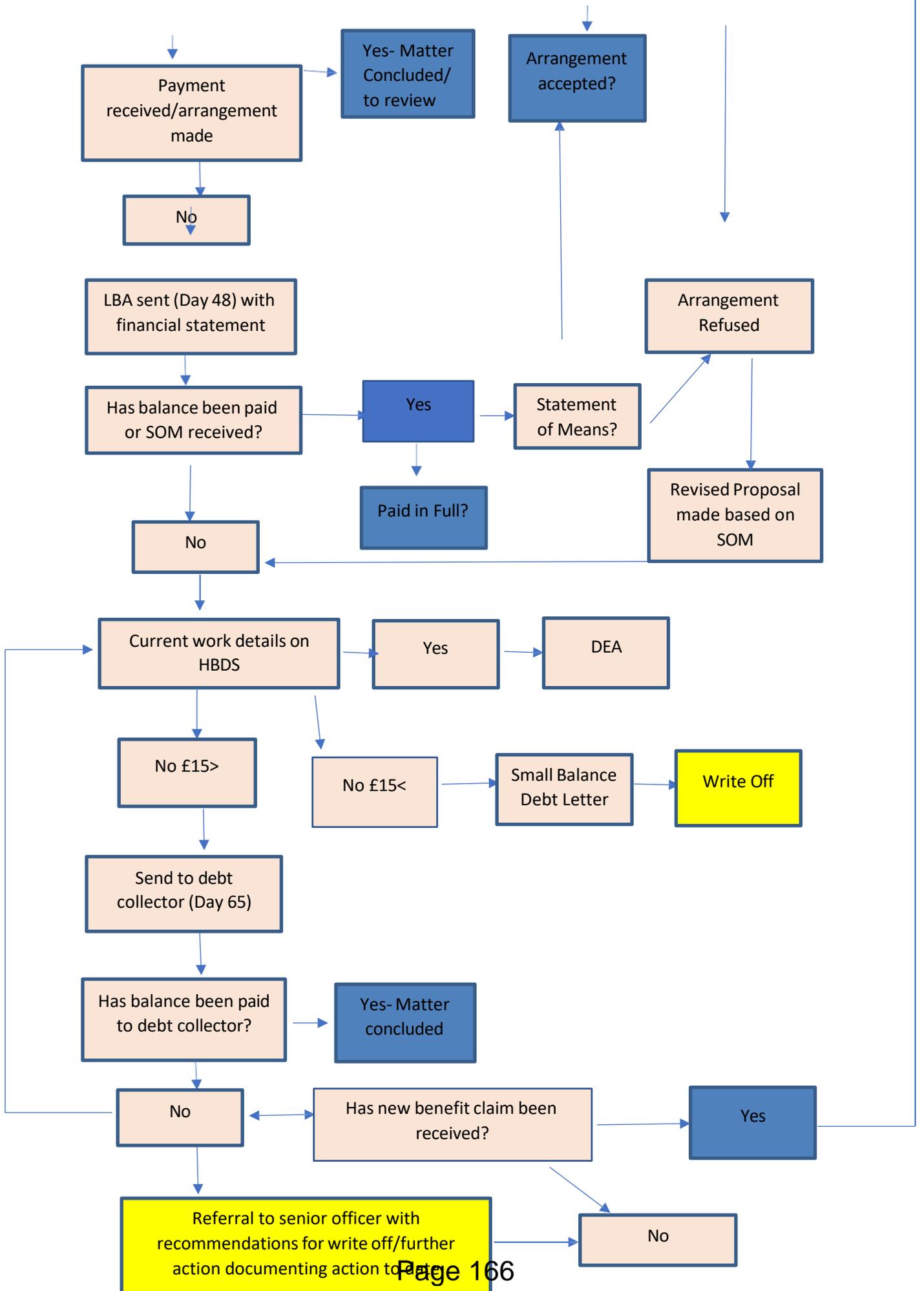
The Housing Benefit (Recovery of Overpayments) Regulations 1997 provide for the opportunity if deemed appropriate for the Council to recover overpayments from landlords, when the landlord has been classed as responsible from their current tenants' entitlement. The Council will, in appropriate circumstances, reduce

payments to landlords for their current tenants to recover overpayments that arose for former tenants, known as 'blameless tenant,' recovery. It will take this action when the original tenant has no continuing Housing Benefit entitlement.

We will ensure recovery is applied in a fair and equitable way. We will also set up payment plans wherever possible to encourage payment of debts considering the claimant's financial circumstances to try and prevent financial hardship but considering the need to clear any outstanding debt.

Only if after all attempts at recovering the overpayment have become exhausted and there is no hope of recovery, or there are qualifying circumstances, shall the debt be recommended for write-off.





Appendix E - Cherwell District Council -Write Off Policy

Introduction

This document sets out the procedure to be followed when writing off irrecoverable amounts (including credit balances) of Council Tax (CTax), Non-Domestic Rate (NDR), Housing Benefit Overpayments (HB), the Local Council Tax Support Scheme and sundry debtors.

Under the Accounts and Audit Regulations 2003 (as amended by the 2006 and 2009 Regulations), bad debts should not be written off without approval of the Chief Finance Officer (subject to limits of delegation), or such member of staff as is nominated by him or her for this purpose. There are no equivalent rules for credit balances although it is prudent to have these written off on a regular basis.

A debt should only ever be written off in accordance with the Council's Financial Procedure Rules; proposed write offs should be reported to Members for approval periodically.

The Council sets rigorous performance targets for the collection of CTax, NDR and sundry debtors. In addition, we strive to minimise HB / CTS overpayment. The Council is committed to accurate collection and timely recovery and will ensure that sums outstanding are correctly recorded and recovery is taken where a debtor is in arrears.

Staff are required to take robust action to collect all debts; however, in some cases, recovery might not be possible, and debts do become irrecoverable. Where a debt is deemed to be non-recoverable (or a credit non-refundable), it needs to be identified at the earliest possible opportunity and properly dealt with. Irrecoverable debts must also be identified and written off promptly.

Writing off irrecoverable items represents good financial management. It allows staff to concentrate on recoverable debts and ensures that the level of debtors / arrears within the accounts is accurate and represents a true and fair reflection of the council's financial position.

Reasons for Write-Off

Every effort will be made to recover a debt owing to the council before it is considered for write off. This includes using tracing agents, contacting the occupants / owners. There is a separate policy that sets out the CTax and NDR billing / reminder processes and the actions to be followed if a debt is not paid. Only where all recovery action has failed, is a debt regarded as irrecoverable.

The circumstances where a debt may be written off have been categorised as follows:

Reason	Description
Insolvency	Debtor or the Company is the subject of bankruptcy, individual voluntary arrangement, liquidation, company voluntary arrangement & administration order or administrative receivership proceedings or has ceased to trade or is subject to a Debt Relief Order.
Unenforceable	Debtor is overseas or outside of jurisdiction or the debt is over 6 years old
Abscond	Tracing agents have been unable to find the debtor
Uneconomical to Collect	Balance is too small for further action
Uncollectable	Custodial sentences / remitted debts / vulnerable people / hardship / local authority error / system roundings
Deceased	No funds in an estate

Should a debtor be subsequently traced, a debt will be re-instated if considered economically viable to recover and it is within the statute of limitations.

In cases where the debtor is jointly and severally liable for the debt with another party, recovery action will continue against all liable individuals and only if this action fails, will monies be recommended for write off.

There will be instances where the Council will need to write off a credit that remains on a closed account. Not knowing the whereabouts of the creditor (or not having sufficient information to determine how or when a credit is to be refunded) will be the reasons for writing off a credit.

Procedures to be undertaken prior to obtaining write-off approval

General

The procedures to be followed prior to the writing off of a debt / credit are analysed below. Once the actions have been undertaken, only then will a debt / credit be included on a list of cases submitted for write off.

Insolvency

The Council will seek to establish the status of the company and if an insolvency practitioner has been appointed discuss with them the outstanding debt.

Bankruptcy

Upon notification of a bankruptcy, a proof of debt will be completed for the outstanding debt that is due at the date of the bankruptcy order and submitted as a claim to the trustee in bankruptcy. In the event of payment being received in full or part from the bankrupt's estate, this money will be credited back to the relevant account.

Individual voluntary arrangement

A voluntary arrangement is an alternative route available to an individual wishing to avoid the restrictions placed upon them by a bankruptcy order. It involves the debtor making an offer to all creditors, which is less than the full amount of the debt outstanding, and agreeing that it be repaid over a period of time in full and final settlement. If 75% (in value) of creditors agree to the offer as an alternative to proceedings for bankruptcy, an insolvency practitioner will be appointed to administer the voluntary arrangement. In the event of payment being received in full or part, this money will be credited back to the relevant account. In the case of part payment the remaining balance will be considered for write off.

Liquidation

Liquidation may either be compulsory (your company cannot pay its debts and you apply to the courts to liquidate it) or creditors voluntary (your company cannot pay its debts and you involve your creditors to liquidate it) or members voluntary (sometimes referred to as a shareholders' liquidation, your company can pay its debts but you want to close it. Upon notification of liquidation, a proof of debt will be completed for the outstanding debt that is due at the date of the winding-up order and submitted as a claim to the liquidator. In the event of payment being received in full or part, this money will be credited back to the relevant account. In the case of part payment the remaining balance will be considered for write off.

Company voluntary arrangement / administration order

A company voluntary arrangement is an alternative route available to a company wishing to avoid the making of a winding up order. It involves the directors making an offer to all creditors, which is less than the full amount of the debt outstanding, and agreeing that it be repaid over a period of time in full and final settlement. If 75% (in value) of creditors agree to the offer as an alternative to liquidation, an insolvency

practitioner will be appointed to administer the voluntary arrangement. In the event of payment being received in full or part, this money will be credited back to the relevant account. In the case of part payment the remaining balance will be considered for write off.

Administrative receivership

This involves an individual being appointed by a lender, usually a bank, which holds a debenture as security over a floating charge on assets of the company, and usually takes effect where the company is in default of agreed lending terms. An insolvency practitioner will assume immediate control of the company in an attempt to sell it as a going concern. However, although remaining in occupation, no action can be taken against the receivers appointed to enforce payment of previous or on-going rate charges. In the event of payment being received in full or part, this money will be credited back to the relevant account. In the case of part payment the remaining balance will be considered for write off.

Company has ceased to trade leaving no assets

On occasions, limited companies will cease to trade on the grounds of having no assets to pay an outstanding and / or on-going debts. They do not go through the formal process of winding-up proceedings, which carry a cost and have legal implications.

In these circumstances, if it is proven that an enforcement agent has failed to recover monies due, or identify assets on which to levy distress, a recommendation for write-off will be made.

Debt Relief Order

A Debt Relief Order (DRO) is a way of dealing with debts if the individual cannot afford to pay them. It means debtors don't have to pay for debts for a specified period, usually 12 months.

An application for a DRO is made through an authorised debt advisor such as Citizens Advice, Christians Against Poverty, Step Change

At the end of the specified period, the debts included will be written off.

If any of the debts have been obtained through fraud, you will need to commence payment of these once the DRO has ended.

- you owe less than £30,000
- you have less than £75 a month spare income
- you have less than £2,000 worth of assets
- you do not own a vehicle worth £2,000 or more

- you have lived or worked in England and Wales within the last 3 years
- you have not applied for a DRO within the last 6 years

The debt will be recommended for write off but will be monitored periodically, as the debtors circumstances must remain the same for a period of usually 12 months in order for the DRO to remain in place.

Unenforceable

Certain debts will fall outside of legal jurisdiction either because the debtor is overseas or six years may have passed since recovery action had been instigated against a debtor and the debt was last acknowledged.

If a debtor is overseas and contact in writing has failed to result in payment or an arrangement to pay, a recommendation for write off will be made. Evidence supplied from external sources would be used to determine this.

In cases where six years may have passed since recovery action had been instigated against a debtor and the debt was last acknowledged, the whole debt will be submitted for write off. Evidence on what action, if any, has been taken will be used to determine this.

Abscond

Closed accounts where no forwarding address is known, there has been no contact for 4 years and the debt is under £250.

For any finalised account with a balance of under £50.00, staff will make basic checks of the authority systems and known third parties, (i.e. solicitors and letting agents). If, after a three month period, a new address is not established, the debt will be submitted for write off.

Before the debt can be recommended for write off, the following enquiries will be undertaken by staff:-

- Check CTax or NDR database to identify if the person has re-registered at another address within the Council's area.
- Check electoral register.
- Contact landlord or letting / estate agent.
- Contact other local authorities where appropriate.
- Undertake visits to property if required.
- Conduct third party searches (i.e. through 'Experian' or similar companies).

If, after all enquiries have been completed, a forwarding address has not been established, the amount will be submitted for write-off.

Uneconomical to Collect

Prior to annual billing, every debt of up to £1, on each financial year, on both live and finalised accounts will be submitted for write off to prevent bills being issued for small sums. These will automatically be written off prior to printing production. The Council Tax system automatically adjusts penny roundings. No adjustment notice or demand is issued if the balance outstanding is less than a £1. Any small balances will be written off to allow the demand / adjustment notice to be produced.

Uncollectable

Debts where the debtor has served a custodial sentence in respect of the debt

If a debtor is the subject of a means enquiry and has been imprisoned for non-payment of CTax or NDR, whilst a debt is not legally remitted on imprisonment, an authority cannot enforce the debt again in the event of continued non-payment.

Therefore, an authority has no option but to write off the debt. Debts which are remitted by the court on the grounds of inability to pay

Debts that have arisen because of local authority error / system roundings

If a debt has arisen as a result of a local authority error or system rounding, the possibility of recovering the debt would be considered in the first instance. If that proves impossible (i.e. legislation prevents recovery where the fault is not of a debtors doing) the debt will be written off. Details of the events that gave rise to the debt being incurred will be taken to evidence this.

Deceased

Where a debtor has died and the estate is insolvent, the debt will need to be written-off. A letter from the executor confirming there are no assets from which to discharge any outstanding liability will be taken to determine this.

Credits

There will be instances where an account is closed and a credit balance remains on an account. If it has not been possible to refund the money, for whatever reason (i.e. forwarding address unknown and debit/credit card expired or paid by a method other than direct debit), the credit will be written off after a period of one year. Credits will

be used to reduced other balances the debtor owes to the Council if the credit remains unclaimed.

Authority for Write off up to £5,000 (£10,000 NDR)

At officer level, only the Assistant Director of Finance (S151 Officer) (or his or her nominated representatives) has the authority to write off a debt.

Debts of over £5,000 (including aggregated debts for one debtor) (over £10,000 NDR)

For the write off of debts of over £5,000 (over £10,000 NDR), it will require a full report to be submitted to the Executive requesting its approval to write the debt off. In this instance, they will be accompanied by an individual write off application stating the reason for the request for the debt to be written off and will be submitted to the Executive on a quarterly basis.

HB and CTB/CTS Overpayments

Factors that should influence the decision whether an overpayment is economical to pursue are:-

- The size and age of a debt in relation to where it is in the recovery process and the cost of certain action, which could be taken to try and secure recovery.
- Any previous action taken on the case and the results.
- Whether we know the current address of the debtor.
- When was the last action taken to try and recover the overpayment?
- Are all documents in sufficient order to support the recovery of the overpayment?

From here, council officers will calculate how much it would cost the authority to proceed with certain action and whether it is economically viable to do so.

Exceptional Circumstances

Whilst rare, it may be necessary to recommend an overpayment for write-off, whether it is claimed in error or fraudulently, due to:-

- A person's age, health or personal circumstances, which would make any prosecution or penalty unsuitable.
- The claimant's diligence in reporting a change of circumstances (if applicable).

- The standard of advice and notification given to the claimant in respect of the overpaid amount.
- Whether it is reasonable to expect the claimant or any other person affected to repay the overpayment.
- Whether recovery will cause unacceptable hardship to the claimant or any other person affected.

The authority (and procedure) for writing off debits and credits will follow the practice adopted for Ctax , NDR and sundry debtors referred to earlier in the document.

Write Off Reporting up to £5,000 (£10,000 NDR)

All debts will be batched as follows:-

- Listed on a spread sheet showing the reference number, amount and year the debt was raised and supported by documentary evidence for each case which demonstrate the steps that have been taken to recover the debt and, if appropriate, the steps that have been made to trace the debtor.
- Sorted into the debt type and reason for the write off, (e.g. insolvency, unenforceable etc.).
- Summarised on a front sheet detailing the number of cases and amount of debt.

Reports will be submitted on a quarterly basis for consideration by the Assistant Director of Finance (S151 Officer)

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