



Cherwell

DISTRICT COUNCIL
NORTH OXFORDSHIRE

Executive Work Programme Supplement

Incorporating the Private Executive Meeting Notice and the Notice of
Intention to make Key Decision

July 2021 to October 2021

Date of publication: 25 June 2021

Executive Work Programme and Notices required by the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

There is a legal requirement for local authorities to publish a notice setting out the key executive decisions that will be taken by the appropriate decision maker at least 28 clear days before such decisions are to be taken.

Urgency – General Exception / Special Urgency

- Where a key decision needs to be taken and it is not included in the 28 day notice, the decision can only be made if:
 - The proper officer has informed the Overview and Scrutiny Committee Chairman in writing
 - The proper officer has placed a copy of the notice on deposit and the website for 5 clear days stating why the normal 28 day notice could not be complied with
- Where a key decision is needed and the above procedure cannot be followed (i.e. shorter than 5 days)
 - The agreement of the Overview and Scrutiny Chairman (or in his/her absence the Chairman of the Council, or in his/her absence, the Vice-Chairman of the Council) that the decision is urgent and cannot be deferred for 28 days or more must be obtained
 - If agreement is given, a notice must be published stating why the normal 28 day notice could not be complied with
- A report to full Council on decisions taken with less than five clear days' notice must be submitted at least annually. CDC will continue to report at each full Council meeting.

This supplementary notice is published in compliance with these requirements in relation to the proposed key decision set out below.

Decisions in Private - Exclusion of the Press and Public

Meetings of decision making bodies are to be held in public, unless confidential or exempt information (as set out below) is likely to be made known. Paragraphs pursuant to Schedule 12A of the Local Government Act 1972.

Paragraph 1 Information relating to an individual

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

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

Paragraph 4 Information relating to any consultations or negotiations, in connection with any labour matters arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority

Paragraph 5 Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings

Paragraph 6 Information which reveals that the authority proposes:

- (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
- (b) to make an order or direction under any enactment

Paragraph 7 Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime

Confidential Information Information given to the Council by a Government Department on terms which forbid its public disclosure or information which cannot be publicly disclosed by Court Order., A resolution to exclude the press and public must be preceded by two public notices:

Two notices must be published advising of private items:

- The first, 28 clear days ahead of the meeting – during this 28 days, the public may make representations about why the meeting should be made in public
- The second, 5 clear days and containing any adverse comments on the proposal and a response to them
- If the 28 clear day process would take too long, the agreement of the Chairman of the Overview and Scrutiny Committee (or in his/her absence the Chairman of the Council, or in his/her absence, the Vice-Chairman of the Council) must be sought and public notice of that agreement given

This supplementary notice is published in compliance with these requirements in relation to the proposed decision set out below.

For further information on the Executive Work Programme Supplement, please contact:

Democratic and Elections,
Cherwell District Council,
Bodicote House,
Bodicote,
Banbury,
Oxfordshire OX15 4AA

E-mail: democracy@cherwell-dc.gov.uk

Issue to be Considered and Reasons for Urgency	Decision Maker	Key Decision (Yes/No)	Item likely to be considered in private (Yes/No)	Lead Member	Contact Officer	Documents to be Submitted to decision maker	Report Sign off
<p>Public Sector Decarbonisation</p> <p>To update the Executive on the outcome of the bid that Cherwell District Council (CDC) has submitted for energy efficiency capital works (non-repayable government grants) and, as a result, to seek approval for CDC to proceed with its proposed programme of capital works.</p> <p>Reason for urgency: To avoid any delay to the programme of works a decision is required before the next scheduled meeting of Executive on 6 September. The decision is key due to the future income/savings. As the key decision was not included on the Executive Forward Plan giving the required 28 days' notice, in the absence of the Chairman of the Overview and Scrutiny Committee, the Vice-Chairman of the Overview & Scrutiny Committee has been notified of the decision being taken.</p>	Executive	Yes	No	Lead Member for Clean and Green, Lead Member for Economy, Regeneration and Property	Robert Fuzesi, Ed Potter Tel: 0300 003205, Tel: 0300 003 0105	Executive report	Corporate Director Commercial Development, Assets & Investment

Issue to be Considered	Decision Maker	Key Decision (Yes/No)	Item likely to be considered in private (Yes/No)	Lead Member	Contact Officer	Documents to be Submitted to decision maker	Report Sign off
<p>Graven Hill Village Development Company (Dev Co) - Creation of Additional Companies.</p> <p>To consider a request from Graven Hill Development Company to create an additional subsidiary company</p> <p>Reason for urgency: Decision non-key. Item added to the agenda to enable timely consideration of the report as the next scheduled Executive meeting is 6 September</p>	Executive	No	No	- Leader of the Council	Steve Jorden, steve.jorden@churwell-dc.gov.uk	Executive report	Corporate Director Commercial Development, Assets & Investment

Issue to be Considered	Decision Maker	Key Decision (Yes/No)	Item likely to be considered in private (Yes/No)	Lead Member	Contact Officer	Documents to be Submitted to decision maker	Report Sign off
<p>Graven Hill Development Company (Dev Co) Bond Request To consider a request from Graven Hill Village Development Company Ltd (Dev Co) for the Council to act as surety in a performance bond for highway works to be undertaken by Dev Co under section 278 of the Highways Act 1980</p> <p>Reason for urgency: Decision non-key. Item added to the agenda to enable timely consideration of the report as the next scheduled Executive meeting is 6 September</p> <p>As the exempt aspect of the item was not included on the Executive Forward Plan giving the required 28 days' notice, due to the matter containing exempt information relating to the financial affairs of the council (paragraph 3 of Schedule 12A of Local Government Act 1972), in the absence of the Chairman of the Overview & Scrutiny Committee, the agreement of the Overview & Scrutiny Committee Vice-Chairman has been given having regard to the commercial nature of the schedule.</p>	Executive	No	Partial - exempt schedule by virtue of paragraph 3 of Schedule 12A of Local Government Act 1972	- Leader of the Council	Steve Jorden, steve.jorden@cherwell-dc.gov.uk	Executive report, exempt schedule	Corporate Director Commercial Development, Assets & Investment