

## **Cherwell District Council**

### **Executive**

Minutes of a meeting of the Executive held at Bodicote House, Bodicote, Banbury, Oxon OX15 4AA, on 5 July 2021 at 6.30 pm

#### Present:

Councillor Barry Wood (Chairman), Leader of the Council  
Councillor Ian Corkin (Vice-Chairman), Deputy Leader and Lead Member for Customers and Transformation  
Councillor Phil Chapman, Lead Member for Leisure and Sport  
Councillor Colin Clarke, Lead Member for Planning  
Councillor Tony Ilott, Lead Member for Financial Management and Governance  
Councillor Andrew McHugh, Lead Member for Health and Wellbeing  
Councillor Richard Mould, Lead Member for Performance  
Councillor Lynn Pratt, Lead Member for Economy, Regeneration and Property  
Councillor Dan Sames, Lead Member for Clean and Green  
Councillor Lucinda Wing, Lead Member for Housing

#### Also Present:

Councillor Sean Woodcock, Leader of the Labour Group

#### Officers:

Yvonne Rees, Chief Executive  
Stephen Chandler, Corporate Director Adults & Housing Services  
Bill Cotton, Corporate Director Environment and Place  
Steve Jordan, Corporate Director Commercial Development, Assets & Investment  
Claire Taylor, Corporate Director Customers and Organisational Development  
Lorna Baxter, Director of Finance & Section 151 Officer  
Anita Bradley, Director Law and Governance & Monitoring Officer  
David Peckford, Assistant Director: Planning and Development  
Ed Potter, Assistant Director: Environmental Services  
Vicki Jessop, Interim Assistant Director Housing and Social Care Commissioning  
Tim Mills, Housing Development and Standards Manager  
Robin Rogers, Programme Director COVID Response  
Louise Tustian, Head of Insight and Corporate Programmes  
Natasha Clark, Governance and Elections Manager

16 **Declarations of Interest**

**14. Graven Hill Village Development Company (Dev Co) - Creation of Additional Companies.**

Councillor Dan Sames, Non Statutory Interest, as a CDC appointed non-Executive Director on Graven Hill Management Company and Graven Hill Development Company and would leave the meeting for the duration of the item.

Councillor Ian Corkin, Non Statutory Interest, as a CDC appointed non-Executive Director on Graven Hill Management Company and Graven Hill Development Company and would leave the meeting for the duration of the item.

**15. Graven Hill Village Development Company (Dev Co) - Request for s278 works bond relating to land at A41 Pioneer Roundabout.**

Councillor Dan Sames, Non Statutory Interest, as a CDC appointed non-Executive Director on Graven Hill Management Company and Graven Hill Development Company and would leave the meeting for the duration of the item.

Councillor Ian Corkin, Non Statutory Interest, as a CDC appointed non-Executive Director on Graven Hill Management Company and Graven Hill Development Company and would leave the meeting for the duration of the item.

**17. Graven Hill Village Development Company (Dev Co) - Request for s278 works bond relating to land at A41 Pioneer Roundabout - Exempt Schedule.**

Councillor Dan Sames, Non Statutory Interest, as a CDC appointed non-Executive Director on Graven Hill Management Company and Graven Hill Development Company and would leave the meeting for the duration of the item.

Councillor Ian Corkin, Non Statutory Interest, as a CDC appointed non-Executive Director on Graven Hill Management Company and Graven Hill Development Company and would leave the meeting for the duration of the item.

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

There were no petitions or requests to address the meeting.

18 **Minutes**

The minutes of the meeting held on 7 June 2021 were agreed as a correct record and signed by the Chairman.

19 **Chairman's Announcements**

There were no Chairman's announcements.

20 **Urgent Business**

There were no items of urgent business.

21 **Changes to the Waste Collection Service**

The Assistant Director Environmental Services submitted a report which updated the Executive on the proposed changes to the Waste Collection Service commencing from autumn 2021.

**Resolved**

- (1) That the policies relating to separate food waste collection & chargeable garden waste (Annex to the Minutes as set out in the Minute Book) be approved.
- (2) That the proposed rollout plan for the introduction of separate food waste collection and chargeable garden waste (Annex to the Minutes as set out in the Minute Book) be approved.
- (3) That the proposed charges for the garden waste collection service (Annex to the Minutes as set out in the Minute Book) be approved.
- (4) That authority be delegated to the Corporate Director Environment and Place, in consultation with the Lead Member for Clean and Green, to make minor operational amendments to the approved policies and plan at resolutions (1), (2) above in the event of technical or IT issues that require this.

**Reasons**

The changes to the Waste & Recycling will be significant and should increase the recycling rate to around 60% in 2022/23. The costs for this new scheme are significant.

Charging for garden waste will cover the costs of garden waste collection and will generate sufficient income to pay back the capital costs needed for this change. Those households who use the garden waste service will pay for the use of the service. There may be some initial resistance to the charges however, all other Oxfordshire authorities have been paying for garden waste service for several years.

**Alternative options**

Option 1: To adopt the recommendations which will lead to a higher recycling rate with the introduction of separate food waste and a revised garden waste service.

Option 2: To ask officers to reconsider the proposed charges and/or amend the proposed policies but any significant delays are likely to increase the cost of the service changes

## 22 **Revised Housing Standards Enforcement Policy**

The Assistant Director Housing and Social Care Commissioning submitted a report which set out an updated and extended policy to be adopted in relation to the regulation and enforcement of housing standards.

### **Resolved**

- (1) That the Housing Standards Enforcement Policy 2021 (Annex to the Minutes as set out in the Minute Book) for adoption by the Council be approved.

### **Reasons**

The new policy replaces a number of existing policies and refreshes and updates their content without introducing any significant changes, but it also takes account of 3 pieces of legislation for which specific policy provisions were not previously in place. By grouping previously separate policies together, the new policy will make information easier to find and use for both officers and the public. It will also assist with future policy reviews.

### **Alternative options**

Option 1: As an alternative to adopting the new policy the existing policies could remain in place. This is not recommended because the 3 existing policies dating from 2012 require review and the Council would also still have to approve separate policies for the legislation which is not currently covered by policy.

## 23 **Oxfordshire's Homelessness and Rough Sleeping Strategy 2021-26**

The Assistant Director Housing and Social Care Commissioning submitted a report to set out the Oxfordshire Wide Homelessness and Rough Sleeping Strategy 2021-26 and Action Plan for approval by the Executive, recognising that Cherwell District Council is a key partner in preventing and resolving homelessness and in supporting systems change county wide. In approving the Strategy, Cherwell District Council agrees to play a key role in delivering the vision, priorities and actions identified.

At the discretion of the Chairman, Councillor Woodcock, Leader of the Labour Group addressed the meeting. In response to Councillor Woodcock's

comments regarding funding for the work, the Corporate Director Adults and Housing Services and the Interim Assistant Director Housing and Social Care Commissioning explained that there were various funding streams and the authorities were bidding for funding as well as lobbying the Government for a long term solution.

### **Resolved**

- (1) That Oxfordshire's Homelessness and Rough Sleeping Strategy 2021-26 and the supporting Action Plan (Annexes to the Minutes as set out in the Minute Book) be approved.

### **Reasons**

A county wide strategy is important in delivering a coordinated approach and is the result of ongoing partnership working to arrive at a common vision, set of principles and agreed actions for preventing homelessness and ending rough sleeping in the county.

The strategy builds on the learning from the Crisis feasibility study carried out in Oxfordshire in 2019/20 and is being used to inform the recommissioning of homelessness services currently being led by Oxfordshire County Council and Oxford City Council with a pooled budget including Cherwell's contribution.

### **Alternative options**

Option 1: not to have a county wide strategy. This would not do justice to the collaborative working that exists between the 6 local authorities and wider partners to prevent homelessness and end rough sleeping. It would also limit the outcomes that can be delivered for people affected by homelessness. By working cross-county and across the professional boundaries of housing, health, social care and the voluntary and community sector we can make the greatest impact in terms of tackling homelessness.

### **Public Sector Decarbonisation Scheme (PSDS)**

The Assistant Director Property, Investment and Contract Management submitted a report 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. The funding body (Salix) has confirmed that CDC's funding application has been rewarded to the amount of £5.986m out of the £6m bid.

At the discretion of the Chairman, Councillor Woodcock, Leader of the Labour Group addressed the meeting. In response to Councillor Woodcock's comments regarding how the buildings were chosen and how other sites could obtain funding, the Lead Member for Clean and Green explained that buildings on the list were the council's biggest carbon emitters. Other buildings had not met the criteria for funding under this tranche but all council

owned buildings would be looked at to see how carbon emissions could be reduced and advice and support given. The Commercial Director Commercial Development, Assets and Investment undertook to provide information to Councillor Woodcock in relation to the Sunshine Centre, Banbury.

### **Resolved**

- (1) That the outcome of the bids that Cherwell District Council has submitted for energy efficient capital works (non-repayable Government Grants) be noted.
- (2) That Cherwell District Council (CDC) progressing its own Public Sector Decarbonisation Scheme capital works programme in line with the grant award to CDC be approved.

### **Reasons**

The 100% grant funding allows CDC to take unprecedented long-term sustainability improvements to its properties to deliver financial and carbon savings. This is in line with CDC's Climate Action Framework, to seek funding opportunities to take action where normal business cases are challenged.

### **Alternative options**

Option 1: Reject the PSDS programme of works in its entirety  
CDC will still need to undertake a large programme of works to achieve carbon neutrality and will be presented with situations, such as leisure centre heating requirements, that will require unique financing mechanisms to provide a suitable business case

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### **Revised Statement of Community Involvement (Planning)**

The Assistant Director – Planning and Development submitted a report to seek approval of a consultation draft of a Statement of Community Involvement (SCI) for the Council's planning services.

### **Resolved**

- (1) That the draft Statement of Community Involvement (SCI) be approved for public consultation.
- (2) That the Assistant Director - Planning and Development be authorised to make any changes he considers to be minor and/or presentational to the draft Statement of Community Involvement prior to the consultation and to determine the format of publication.

### **Reasons**

Option 1: Not to proceed at this time with the revised SCI consultation

The alternative option is to continue to use the existing 2016 SCI. This is not recommended. The existing document does not address all requirements introduced since 2016 and does not provide the necessary flexibility for community engagement in the future. The 2016 SCI will become increasingly out-of-date

Option 2: To reconsider the content of the revised SCI

The draft SCI has been produced having regard to statutory and policy requirements for plan making and development management and to associated guidance. It is considered by officers to be an appropriate consultation document.

Option 3: To adopt the SCI without consultation

SCIs are not subject to a formal requirement to consult. There is an option open to Members to adopt the SCI without a period of consultation. In view of the purpose of the document, consultation is recommended.

### **Alternative options**

Option 1: Reject the PSDS programme of works in its entirety

CDC will still need to undertake a large programme of works to achieve carbon neutrality and will be presented with situations, such as leisure centre heating requirements, that will require unique financing mechanisms to provide a suitable business case.

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## **COVID-19: Progress and Planning Update**

The Chief Executive submitted a report to summarise the current state of the pandemic in Cherwell and Oxfordshire, describe the management and operational response arrangements in place, give an update on the status of Council services and the resource impact of COVID-19, and set out the approach for further recovery and renewal planning.

### **Resolved**

- (1) That the latest public health situation with regard to COVID-19, the management arrangements in place and the resource impact of the pandemic as set out in the report be noted.
- (2) That the joint Oxfordshire County Council and Cherwell District Council programme of activity underway that continues to respond and adapt to the pandemic be noted.
- (3) That the summary of COVID-19 service impact be noted.
- (4) That the plans for recovery planning and for further understanding the lessons learnt for the organisation from the pandemic be noted and it be agreed that a programme of engagement with the Overview and Scrutiny Committee, all council members and key partners should be

developed in consultation with the Leader and Chair of the Overview and Scrutiny Committee.

## **Reasons**

As we reach the end of the originally planned Roadmap period, this report describes the current local COVID-19 situation. It summarises the response to COVID-19 over the past six months, describes ongoing activity and includes a description of the recovery status of Council services. It goes on to set out the requirement to maintain and adapt COVID-19 capacity and management structures as the context in which we work continues to evolve rapidly. Finally, it recommends that the local and organisational lessons learnt from the pandemic should be used to help direct long-term recovery planning and inform future corporate direction.

Developing our approach to recovery with consideration of lessons learnt will put us in the best position to mitigate long term impacts of COVID and support residents, businesses and partners.

## **Alternative options**

Option 1: Not to develop further recovery and renewal plans. Rejected as given the scale and impact of COVID, learning from the pandemic and developing recovery plans are essential to supporting residents and delivering corporate priorities.

## 27 **Monthly Performance, Risk and Finance Monitoring Report - April and May 2021**

The Director of Finance and Head of Insight and Corporate Programmes submitted a report which summarised the Council's Performance, Risk and Finance monitoring positions as at the end of May 2021, covering the first two months of the financial year.

In considering the report, the Chairman suggested that the Lead Member for Financial Management and Governance liaise with officers with a view to the Budget Planning Committee undertaking a full analysis of the capital programme.

## **Resolved**

- (1) That the monthly Performance, Risk and Finance Monitoring Report be noted.
- (2) That the uses of specific grant related reserves be noted.
- (3) That uses of earmarked reserves (within s3.23 savings) be approved.

- (4) That the Capital carry forwards described in the Annex to the Minutes (as set out in the Minute Book) be approved.
- (5) That Council be recommended to approve increases in the capital programme for the following two capital grants: Public Sector Decarbonisation Scheme (Commercial Development, Assets and Investment Directorate) and Garden Town (Growth and Economy Directorate).
- (6) That Council be recommended to approve a transfer of £75k capital budget from the Finance Replacement System to the HR/Payroll System.
- (7) That the revised schedule of fees and charges for Environmental Health and Licensing (Annex to the Minutes as set out in the Minute Book) which are to be applied for the 2021/22 financial year be approved.
- (8) That the carry forward of funding into reserves and agree to the allocations being released for use in 2021/22 as described in the Annex to the Minutes (as set out in the Minute Book) be approved.

### **Reasons**

This report provides an update on progress made during April and May 2021, to deliver the Council's priorities through reporting on Performance, the Leadership Risk Register and providing an update on the financial position.

### **Alternative options**

Option 1: This report illustrates the Council's performance against the 2021-22 business plan. As this is a monitoring report, no further options have been considered. However, Members may wish to request that officers provide additional information.

### **Graven Hill Village Development Company (Dev Co) - Creation of Additional Companies**

The Shareholder Representative submitted a report to consider a request from Graven Hill Village Development Company (Dev Co) for the creation of an additional subsidiary company that is required to facilitate the leases for the commercial units as required as part of the delivery of Graven Hill.

In response the Members' questions regarding if there would be any additional remuneration for the Non-Executive Directors on the Graven Hill Boards as a result creation of the creation of the additional company, the Shareholder Representative undertook to advise Members. (The Shareholder Representative subsequently advised Members that the directors for the

subsidiary company will not be getting paid so there is no extra cost to the company or council.)

### **Resolved**

- (1) That the creation by Graven Hill Development Company (Dev Co) of a special purpose vehicle (SPV) as a company limited by shares be approved and that Dev Co be requested to prepare governance documents for final approval by the Shareholder Representative, in consultation with the Chairman of the Shareholder Board before registration and director nominations occur.
- (2) That the new company be included, along with Dev Co's existing subsidiary companies, within the shareholder agreement between the council (1) Graven Hill Village Holdings Limited (2) and Dev Co (3) entered 30 September 2019.

### **Reasons**

The proposals in this report are designed to ensure that Dev Co has in place an effective governance structure to enable it to meet its aims and delivery objectives and in so doing safeguard the councils' investment and return on investment.

### **Alternative options**

None applicable

## **29 Graven Hill Village Development Company (Dev Co) - Request for s278 works bond relating to land at A41 Pioneer Roundabout**

The Shareholder Representative submitted a report To bring to the attention of the Executive the 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, and for the Executive to agree in principle to that request and to delegate to the Shareholder Representative authority to negotiate and agree the formal documentation in relation to that performance bond, in consultation with the s.151 Officer and the Monitoring Officer.

In response to Members' questions, the Director of Finance advised that a bond was show in the council's accounts in a similar way to a guarantee with no financial transaction. The Director of Finance confirmed that the bond would be in place until the work was complete and was not open ended.

### **Resolved**

- (1) That it be approved in principle that the Council act as surety for Graven Hill Development Company (Dev Co) in respect of a performance bond (up to the sum referred to in the exempt Annex to

the Minutes, as set out in the Minute Book) relating to the construction of highway works by Dev Co on land at A41 Pioneer Roundabout pursuant to an agreement between Dev Co and Oxfordshire County Council (as local highway authority) to be made under section 278 of the Highways Act 1980.

- (2) That authority be delegated to the Shareholder Representative to negotiate and agree the formal documentation in relation to that bond, in consultation with the s.151 Officer and the Monitoring Officer (or, in the event they are conflicted, their nominated deputies).
- (3) That it be agreed that Graven Hill Development Company (Dev Co) be requested to pay to the council 1% of the value of the agreed bond for use of the facility.

### **Reasons**

Through agreeing with the recommendations in this report the council is ensuring that Dev Co can act swiftly to meet its aims and delivery objectives in relation to the works at the A41 Pioneer Roundabout and in doing so safeguard the council's investment and return on investment.

### **Alternative options**

None applicable

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

There being no questions on the exempt schedule to agenda item 15 it was not necessary to exclude the press and public.

### **31 Graven Hill Village Development Company (Dev Co) - Request for s278 works bond relating to land at A41 Pioneer Roundabout - Exempt Schedule**

#### **Resolved**

- (1) That the exempt schedule be noted.

The meeting ended at 7.37 pm

Chairman:

Date: