

## **Cherwell District Council**

### **Executive**

Minutes of a meeting of the Executive held at Bodicote House, Bodicote, Banbury, Oxon OX15 4AA, on 6 November 2023 at 6.30 pm

#### **Present:**

Councillor Barry Wood (Leader and Portfolio Holder for Policy and Strategy) (Chairman)  
Councillor Adam Nell (Deputy Leader and Portfolio Holder for Finance) (Vice-Chairman)  
Councillor Phil Chapman, Portfolio Holder for Healthy and Safe Communities  
Councillor Sandy Dallimore, Portfolio Holder for Corporate Services  
Councillor Donna Ford, Portfolio Holder for Regeneration  
Councillor Nicholas Mawer, Portfolio Holder for Housing  
Councillor Andrew McHugh, Portfolio Holder for Cleaner and Greener Communities  
Councillor Eddie Reeves, Portfolio Holder for Property  
Councillor Dan Sames, Portfolio Holder for Planning and Development  
Councillor Nigel Simpson, Portfolio Holder for Sport and Leisure

#### **Also Present:**

Councillor David Hingley, Leader of the Opposition, Progressive Oxfordshire Group  
Councillor Sean Woodcock, Leader of the Labour Group  
Councillor John Broad, Chairman, Overview and Scrutiny Committee  
Councillor Dr Isabel Creed, Vice-Chair, Overview and Scrutiny Committee

#### **Also Present Virtually:**

Councillor Ian Middleton, Deputy Leader, Progressive Oxfordshire Group

#### **Officers:**

Ian Boll, Corporate Director Communities  
Stephen Hinds, Corporate Director Resources  
Michael Furness, Assistant Director Finance & S151 Officer  
Shona Ware, Assistant Director Customer Focus  
Natasha Clark, Governance and Elections Manager

#### **Officers Attending Virtually:**

Yvonne Rees, Chief Executive  
David Peckford, Assistant Director Planning & Development  
Ed Potter, Assistant Director Environmental Services  
Nicola Riley, Assistant Director Wellbeing & Housing

Mona Walsh, Assistant Director - Property  
Shahin Ismail, Interim Head of Legal Services & Deputy Monitoring Officer  
Kevin Dawson, Corporate Project Manager

44 **Declarations of Interest**

There were no declarations of interest.

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

There were no petitions.

The Chairman welcomed Councillor Hingley, Leader of the Opposition – the Progressive Oxfordshire Group, Councillor Woodcock, Leader of the Labour Group and Councillor Middleton, Deputy Leader of the Progressive Oxfordshire Group, Councillor Broad, Chairman of the Overview and Scrutiny Committee and Cllr Creed, Vice-Chair of the Overview and Scrutiny Committee to the meeting.

The Overview and Scrutiny Committee had considered item 6, 12-Month Climate Action Plan 2023-2024, and item 10, the performance aspects of the Performance, Risk and Finance Monitoring Quarter 2 2023/2024 but made no specific recommendations to Executive on either item.

Councillor Creed, Chair of the Climate Action Working Group, would address Executive on item 6.

46 **Minutes**

The minutes of the meeting held on 2 October 2023 were agreed as a correct record and signed by the Chairman.

47 **Chairman's Announcements**

There were no Chairman's announcements.

48 **12-Month Climate Action Plan 2023 - 2024**

The Corporate Director Communities and Climate Action Manager submitted a report to set out the background and content of a newly produced 12-month Action Plan for climate change, which is based on our 2020 Climate Change Framework.

In introducing the report, the Portfolio Holder for Cleaner and Greener Communities commended the Climate Action Manager for his hard work

producing the Action Plan and thanked the Climate Action Working Group for their invaluable contribution and work with the Climate Action Manager.

The Portfolio Holder for Cleaner and Greener Communities explained that the 12-month Action Plan had been written to detail the actions that needed to be taken over the next year, to help the council achieve the ambitions of the Climate Change Framework. These included CDC becoming a carbon net zero organisation by 2030, and CDC supporting the wider district in its journey to become carbon net zero. The Plan recognised that more work was required to embed climate activity into how the council developed and implemented its policies.

Councillor Creed, Chair of the Climate Action Working Group, addressed Executive commenting that the cross-party group had worked very well with the Climate Action Manager through the process of developing the Action Plan.

The Chairman thanked Councillor Creed for her valuable contribution Chairing the Working Group.

The Leader of the Opposition and Progressive Oxfordshire Group, commented it was positive there was cross-party and ongoing support to tackling climate issues.

### **Resolved**

- (1) That the ambitions of the Climate Action Plan 2023-2024 be accepted.
- (2) That it be recognised that the implementation of the Action Plan will have on-going resource implications for council budgets and that additional requests would be forthcoming, as and when business cases were developed, e.g. for the provision of additional Solar PV to reduce energy bills, and each business case would be assessed and brought forward if affordable.

### **Reasons**

The Action Plan is an ambitious set of actions that sets both the council and the district on the right pathways to reach carbon net zero. The Plan recognises that more work is required to embed climate change into the council's approach and operations, but equally, that a significant amount of work is already being done by the council to support the net zero targets.

The report begins with the actions to achieve six key goals that will lead to reductions in council emissions, across our fleet, our corporate estate and our operations. This is followed by a further eleven key goals with actions, set out to achieve a reduction in the district's emissions. The actions in green are those which our consultant recommends should be prioritised.

The Actions reflect activity which should take place right across the authority if the council is to be successful and fulfil its ambitions to be a climate leader.

The references to Carbon Saving and Relative Cost are included to help prioritise actions, although both of these are only high-level assumptions and further work and analysis would be needed if additional details were requested.

The Climate Change Framework 2020, included the council ambition to be a net zero organisation by 2030. Then, as now, this remains a very ambitious challenge requiring concerted and on-going efforts to achieve emissions reductions across our corporate estate and our fleet. Without a coherent plan, it is unlikely that the council will achieve its 2030 target or that we will in a position to support the district in also achieving significant reductions in emissions.

### **Alternative options**

Option 1: Not to adopt the Climate Action Plan but this leaves CDC with little chance of achieving its 2030 net zero target.

Option 2: Adopt a more ambitious Plan than this iteration, however that is unlikely to be affordable with current budget pressures.

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### **Voluntary Sector Wellbeing Grants Statement 2023 -2025**

The Assistant Director Wellbeing and Housing submitted a report to provide and approve the statement on the provision of grants to the voluntary sector organisations.

### **Resolved**

- (1) That the Wellbeing Grants to voluntary sector statement 2023-2025 be approved.

### **Reasons**

The adoption of this Statement and subsequent publication will improve transparency for organisations who are seeking funds.

### **Alternative options**

Option 1: Not to have a statement sharing the framework.  
Rejected as the publication of the framework makes it easier for community and not-for-profit organisations to understand what and how we fund activity in communities as a council.

50

### **Garden Waste Charges 2024/2025**

The Assistant Director Environmental Services submitted a report to set the garden waste collection charges for 2024/25.

## **Resolved**

- (1) That a single Garden Waste Subscription charge of £49 for 2024/25 effective from 4 December 2023 be approved.

## **Reasons**

The new garden waste subscription fee for 2024/25 will come into effect from 4 December 2023 to give residents certainty on prices in 2024/25 and to smooth demand for licences over a reasonable period.

## **Alternative options**

Option 1: Implement the garden waste subscription service for 2024/25 from a later date with revised prices. This has been rejected as it compresses timescales and makes administration of the process more difficult.

Option 2: Implement the garden waste subscription service for 2024/25 with unchanged prices. This has been rejected due to the rising costs of service delivery, especially fuel costs.

Option 3: Implement the garden waste subscription service for 2024/25 with higher prices than set out. This has been rejected as subscriptions are likely to fall resulting in less overall income to the Council.

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## **Environment Act 2021 and Biodiversity Net Gain Preparation**

The Corporate Director Communities submitted a report to advise Members of the forthcoming statutory requirements in respect of biodiversity under the Environment Act 2021 and of the on-going preparation for meeting those requirements.

## **Resolved**

- (1) That the requirements of the Environment Act 2021 in respect of biodiversity and the on-going preparation for the introduction of statutory Biodiversity Net Gain requirements be noted.
- (2) That 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 be approved.

## **Reasons**

The Council needs to be ready to conform with the requirements of the Environment Act 2021 in relation to biodiversity. Additional ecologist resource has been acquired and officers are preparing for the expected introduction of the statutory requirement to deliver Biodiversity Net Gain. The delay in

implementation to January 2024 provides some additional time but there is a need to continue preparation at pace, albeit while further guidance is awaited. It should be noted that January 2024 will be the real start of the process. To assist meeting the Council's obligations and to ensure an integrated approach to achieving the biodiversity objective, it is recommended that a revised Community Biodiversity Plan is prepared.

### **Alternative options**

The Council must 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 must agree the policies and objectives for taking action as soon as practicable after this which might include revising existing policies and objectives. It must then take the action to meet the biodiversity objective. The Executive could decide that the preparation of a revised Community Biodiversity Plan is not the action it would wish to take to further the general biodiversity objective by 1 January 2024. However, the Council's Community Nature Plan 2020-22 provides a clear starting point for review and should Members decide to take alternative action, this action would need to be determined by 1 January 2024.

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### **Performance, Risk and Finance Monitoring Report Quarter 2 2023**

The Assistant Director of Finance and Assistant Director Customer Focus submitted a report to update Executive on how well the council was performing in delivering its priorities, managing potential risks, and balancing its finances for 2023/24 up to the end of Quarter 2 2023.

#### **Resolved**

- (1) That Council's Performance, Risk and Financial for the current financial year up to the end of Quarter 2 2023 be noted.
- (2) That the following use of reserves be approved:

Directorate: Resources  
Type: Earmarked  
Description: Elections Reserve  
Reason: To cover election costs  
Amount £m: 0.070

Directorate: Resources  
Type: Earmarked  
Description: Market Risk Reserve  
Reason: Over-recovery of Treasury Income  
Amount £m: (0.448)

- (3) That £0.030m grants funding for the UKSPF Community Facilities be approved.

- (4) That the S106 funding for Longford Park Sports Pitches amounting to £0.050m be approved.
- (5) That the S106 funding for Deddington Parish Council projects amounting to £0.040m be approved.
- (6) That the increase in Building Safety Regulator hourly rate to £71.32 be approved.
- (7) That the following write offs of £0.787m be approved and it be noted that they would be funded by the bad debt provision:

<b>Debt to be written off</b>	<b>£m</b>
Sundry debts over £0.005m to be written off	0.774
Housing Benefit Overpayments to be written off	0.013
Council Tax to be written off	0.000
<b>Total write offs for approval</b>	<b>0.787</b>

### **Reasons**

This report provides an update on progress made during Quarter 2, to deliver the council's priorities, manage potential risks and remain within the agreed budget.

### **Alternative options**

This report summarises the council's performance, risk, and financial positions up to the end of Quarter 2, therefore there are no alternative options to consider. However, Members may wish to request further information from officers for inclusion.

### **53 Performance, Risk and Finance Monitoring Report Quarter 2 2023 - Exempt Appendices 6 and 7**

There being no questions on the exempt appendices, it was not necessary to exclude the press and public for their consideration.

### **Resolved**

- (1) That the exempt appendices be noted.

### **54 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.

55 **Relocation of CDC administrative headquarters from Bodicote House to Castle Quay - Exempt report and appendix**

The Corporate Director of Resources submitted a report which sought approval of the Business Case to commence work on the project of relocating the Council's administrative headquarters from Bodicote House to Castle Quay.

In introducing the report, the Portfolio Holder for Property explained that there was a public version of the report and a private version with exempt appendices which would be considered at this time with the meeting in private session.

56 **Readmittance of the Press and Public**

**Resolved**

That the press and public be readmitted to the meeting.

57 **Relocation of CDC administrative headquarters from Bodicote House to Castle Quay**

The press and public having been readmitted to the meeting and the recommendations proposed and seconded, the Chairman moved to the vote.

**Resolved**

- (1) That the Business Case for the relocation of the Council Offices from Bodicote House to Castle Quay be approved.
- (2) That authority be delegated to the Corporate Director of Resources, in consultation with the Portfolio Holder for Property, to initiate a project to relocate the administrative offices of the Council to Castle Quay
- (3) That Council be recommended to approve an increase in the Capital Programme of £4.5m towards the delivery of this project in order to authorise expenditure for the project

**Reasons**

The Council has reviewed the existing office provision over a number of years, cumulating with this final review. It has been ascertained that the most economically advantageous provision of office accommodation would be to relocate to the Castle Quay Shopping Centre. Whilst this is financially the



most appropriate provision of accommodation, it also aligns to the aspirations of creating a multi-use hub at Castle Quay, acting as a catalyst for the regeneration of Banbury Town Centre. The option also has the potential to redevelop the current Bodicote House site (separate decision) and works towards the Council's environmental aspirations in enabling a more efficient office environment with greater public transport connectivity to the site

### **Alternative options**

A number of alternative options were considered and deemed to be less favourable than the recommendation herein, particularly from a financial perspective; these options and reasons for rejection are detailed at length in the exempt Business Case.

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

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.

### 59 **Sale of Bodicote House Site, White Post Road, Bodicote, OX15 4AA - Exempt report and appendices**

The Corporate Director of Resources submitted a report which advised that Bodicote House site had been marketed for sale, to facilitate the Council moving to new offices. The report sought delegated authority and approval to enter into negotiations to agree the Heads of Terms.

In introducing the report, the Portfolio Holder for Property explained that there was a public version of the report and a private version with exempt appendices which would be considered at this time with the meeting in private session.

### 60 **Readmittance of the Press and Public**

#### **Resolved**

That the press and public be readmitted to the meeting.

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

The press and public having been readmitted to the meeting and the recommendations proposed and seconded, the Chairman moved to the vote.

## **Resolved**

- (1) That authority be delegated to the Corporate Director of Resources in consultation with the Portfolio Holder for Property and the S151 Officer, to enter into negotiations to agree the Heads of Terms with Company C.

## **Reasons**

The bid from Company C (the preferred bidder) offers the best value, meets the Councils affordable housing policy, offers the likelihood of achieving the highest density of units and obtaining planning permission for the redevelopment indicated in the bid.

## **Alternative options**

### Option 1: Do Nothing

- The property continues to be a significant cost to the Council.
- There is substantial excess space which is not well utilised and difficult to sublet.
- Surplus to requirement space will continue to need to be maintained for the duration of any occupation.
- Significant capital costs are required to maintain the building.

This option is therefore not considered a viable alternative.

### Option 2: - Sale by Auction.

- This site is not considered appropriate for sale by Auction. Our retained agents have advised that a more favourable outcome would be obtained in the open market.

This option is therefore not considered a viable alternative.

### Option 3: Sale and leaseback

- The Council could potentially stay as a tenant of the new purchaser whilst arrangements to move are finalised.
- It is considered that developers would not want the complication of having a sitting tenant, regardless of the income whilst working up their scheme.
- This type of sale could potentially rule out interested parties.
- Best Value considerations could be compromised and have an adverse effect on bids.
- This option would significantly increase the Council's outgoings for:
  - Rent
  - Rent for space not fully utilised.
  - Costs of upkeep and long-term maintenance

This option is therefore not considered a viable alternative.

## **Urgent Business**

There were no items of urgent business.

The meeting ended at 8.20 pm

Chairman:

Date: