

## **Cherwell District Council**

### **Council**

Minutes of a meeting of Council held at Bodicote House, Bodicote, Banbury,  
Oxon OX15 4AA, on 18 December 2023 at 6.30 pm

#### **Present:**

Councillor Les Sibley (Chairman)  
Councillor Dr Chukwudi Okeke (Vice-Chairman)  
Councillor Tom Beckett  
Councillor Andrew Beere  
Councillor Rebecca Biegel  
Councillor Besmira Brasha  
Councillor John Broad  
Councillor Phil Chapman  
Councillor Mark Cherry  
Councillor Becky Clarke MBE  
Councillor Patrick Clarke  
Councillor Gemma Coton  
Councillor Nick Cotter  
Councillor Andrew Crichton  
Councillor Sandy Dallimore  
Councillor Donna Ford  
Councillor Ian Harwood  
Councillor David Hingley  
Councillor Matt Hodgson  
Councillor Simon Lytton  
Councillor Kieron Mallon  
Councillor Nicholas Mawer  
Councillor Julian Nedelcu  
Councillor Adam Nell  
Councillor Lynne Parsons  
Councillor Rob Pattenden  
Councillor Lynn Pratt  
Councillor Chris Pruden  
Councillor Eddie Reeves  
Councillor Dan Sames  
Councillor Nigel Simpson  
Councillor Dorothy Walker  
Councillor Amanda Watkins  
Councillor Douglas Webb  
Councillor Bryn Williams  
Councillor Barry Wood  
Councillor Sean Woodcock

#### **Apologies for absence:**

Councillor Maurice Billington

Councillor Jean Conway  
Councillor Dr Isabel Creed  
Councillor John Donaldson  
Councillor Simon Holland  
Councillor Harry Knight  
Councillor Andrew McHugh  
Councillor Lesley McLean  
Councillor George Reynolds

Councillors Present Virtually (no voting rights):

Councillor Fiona Mawson  
Councillor Ian Middleton

Officers:

Yvonne Rees, Chief Executive  
Ian Boll, Corporate Director Communities  
Shiraz Sheikh, Assistant Director Law & Governance and Monitoring Officer  
Mona Walsh, Assistant Director - Property  
Natasha Clark, Governance and Elections Manager

Officers Attending Virtually:

Michael Furness, Assistant Director Finance & S151 Officer

41 **Declarations of Interest**

There were no declarations of interest.

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

There were no petitions or requests to address the meeting.

43 **Communications**

**Chief Executive, Yvonne Rees**

The Chairman advised that this was the last Council meeting the Chief Executive would be attending prior to leaving her role in early January.

On behalf of Council, the Chairman paid tribute to the Chief Executive for her dedication and hard work for the district over the six and half years, paying particular tribute to the leading role she took across Oxfordshire during the pandemic. The Chairman shared anecdotes and highlighted many of the Chief Executive's achievements and wished her the very best for the futures.

The Leader of the Council (and Conservative Group Leader), Councillor Wood, the Progressive Leader, Councillor Hingley, and the Labour Group Leader. Councillor Woodcock, paid thanks and tribute to the Chief Executive both personally and on behalf of their respective Groups.

The Chairman presented the Chief Executive with gift as token of appreciation from Members.

### **Meeting Etiquette**

The Chairman asked councillors to be respectful of each other when addressing the meeting and out of courtesy, to remain in their seat during items. If necessary, the Chairman would adjourn the meeting to allow for a comfort break at a suitable point.

### **Chairman's Engagements**

A copy of the events attended by the Chairman or the Vice-Chairman was published with the agenda.

The Chairman thanked Members who had attended and/or donated to his Annual Charity dinner which had taken place on 18 November. The Chairman paid particular thanks to Councillor Wood who had been Master of Ceremony and Senior Support Team Manager, Alex Robinson, for her excellent work selling raffle tickets.

The Chairman explained he would confirm the amount raised once final donations have been received and bills paid.

### **Cherwell Climate Change Network**

The Chairman referred to the motion Council passed that committed the authority to presenting a community event regarding climate change and advised that the that the first Cherwell Climate Change Network would take place at Bodicote House on Wednesday 24 January. Further information would be circulated in due course.

### **Attendance of Police and Crime Commissioner and Chief Constable at Overview and Scrutiny Committee**

The Thames Valley Police and Crime Commissioner and Chief Constable would be attending the Overview and Scrutiny meeting on Tuesday 30 January, to give their annual update on policing in Oxfordshire.

As on previous occasions, all elected Members were invited to attend the meeting, to hear the update and ask questions. Members were asked to submit questions to the Democratic and Elections Team by Wednesday 24 January.

### **Members' Pigeon Holes**

Members were reminded to check their pigeon hole and take any post.

44 **Minutes of Council**

The minutes of the meeting held on 16 October 2023 were agreed as a correct record and signed by the Chairman.

45 **Minutes**

a) **Minutes of the Executive, Lead Member Decisions and Executive Decisions made under Special Urgency**

**Resolved**

That the minutes of the meeting of the Executive and Lead Member decisions as set out in the Minute Book be received and that it be noted that since the last meeting of Council on 16 October 2023, no decisions had been taken which were not included in the 28 day notice.

b) **Minutes of Committees**

**Resolved**

That the minutes of Committees as set out in the Minute Book be received.

46 **Questions**

a) **Written Questions**

The Chairman advised that two written questions, addressed to the Leader, had been submitted with advance notice in accordance with the Constitution and had been published with the agenda. Responses to the questions had been published as a supplement to the agenda (and as an annex to the Minutes as set out in the Minute Book).

The first question was from Councillor Middleton in relation to affordable housing levels within the Draft Local Plan 2024. By way of a supplementary question, Councillor Middleton reiterated the reference in his written question to the motion adopted by Council for a 50% affordable housing requirement and yet the policy in the Local Plan consultation was for 30% affordable housing.

The Leader referred to his written response highlighting that the current draft of the Cherwell Local Plan Review was a consultation document. Respondents to the consultation could respond as they considered appropriate in relation to the affordable housing percentage requirement. Officers would give full consideration to the responses received to the Local Plan consultation and undertake further work before making their recommendations to Members, including on the future affordable housing. It was anticipated the 'Proposed Submission' Plan (reg. 19) would be presented to Members for consideration in Autumn 2024.

The second question was from Councillor Middleton in relation to long term empty homes. By way of a supplementary question, Councillor Middleton repeated his written question, as he did not consider the written response had provided sufficient answer.

The Leader advised that he considered the written response had answered Councillor Middleton's written question. The written response had set out that the numbers of empty homes of all types and categories was consistent.

### **b) Questions to the Leader of the Council**

Questions were asked and answers received on the following issues:

Councillor Okeke: Job losses at the JDE Factory, Banbury

Councillor Walker (on behalf of Councillor McLean): An holistic strategy for Kidlington's Infrastructure

Councillor Pattenden: Wildlife and established trees at Bodicote House

Councillor Watkins: CCTV at Edmonds Road, Banbury

Councillor Cherry: Bottle and clothes banks at Prescott Avenue, Banbury

Councillor Parsons: Future scrutiny arrangements of Registered Providers used by CDC

### **c) Questions to Committee Chairmen on the Minutes**

There were no questions to Committee Chairman on the minutes of meetings.

## **47 Appointment of Chief Executive, Head of Paid Service, Returning Officer and Electoral Registration Officer**

The Assistant Director Human Resources submitted a report to seek Council approval of the recommendations of the Personnel Committee that Gordon Stewart be appointed to the posts of Chief Executive, Head of Paid Service, Returning Officer and Electoral Registration Officer with effect from 8 January 2024.

### **Resolved**

- (1) That the recommendation of the Personnel Committee that Gordon Stewart be appointed Chief Executive from 8 January 2024 be agreed.
- (2) That the recommendation of the Personnel Committee that Gordon Stewart be appointed the Council's Head of Paid Service for the purposes of Section 4 of the Local Government and Housing Act 1989 with effect from 8 January 2024 be agreed.
- (3) That, in accordance with Section 8 of the Representation of the People Act 1983 and all related legislation, Gordon Stewart be appointed as Electoral Registration Officer for Cherwell District Council from 8 January 2024.

- (4) That, in accordance with Section 35 of the Representation of the People Act 1983 and all related legislation Gordon Stewart be appointed as Returning Officer for Cherwell District Council with authority to act in that capacity for elections to the District Council and all parish and town councils within the area of the Cherwell district from 8 January 2024.
- (5) That Gordon Stewart also be appointed or authorised to act in respect of all related electoral, polling or referendum duties, including in relation to County Council elections, and for national and regional polls or referendums and be authorised to exercise all delegated powers of the Returning Officer and Electoral Registration Officer as set out in the Constitution from 8 January 2024.
- (6) That, in relation to the duties of Returning Officer or any other electoral, referendum or polling duties arising from such appointment, it be agreed that the Returning Officer shall be entitled to be remunerated in accordance with the scale of fees approved by Council for local elections, or the relevant scale of fees prescribed by a Fees Order in respect of national or regional elections, polls or referendums.
- (7) That it be agreed that in all cases where it is a legal requirement or normal practice to do so, the Returning Officer may elect for such fees to be superannuable, and the Council shall pay the appropriate employer's contribution to the superannuation fund, recovering such employer's contributions from central government or other local authorities or agencies where this can be done.
- (8) That, in relation to the conduct of local authority elections and polls, and elections to the United Kingdom Parliament, and all other electoral duties where the Council is entitled by law to do so, it be agreed that the Council shall take out and maintain in force insurance indemnifying the Council, the Electoral Registration Officer and the Returning Officer against legal expenses reasonably incurred in connection with the defence of any proceedings brought against the Council, Electoral Registration Officer or the Returning Officer and/or the cost of holding another election in the event of the original election being declared invalid (provided that such proceedings or invalidation are the result of the inadvertent contravention of the Representation of the People Acts or other legislation governing the electoral process, and provided that, in the case of the Electoral Registration Officer and the Returning Officer, such proceedings or invalidation arise from an act or omission which the Officer reasonably believes is within the Officer's powers).
- (9) That, in the event of such insurance carrying an 'excess' clause by which an initial portion of risk is not insured, it be agreed that the Council, through its internal insurance fund or otherwise, will indemnify the Electoral Registration Officer and Returning Officer up to the value of such excess.

- (10) That the Council notes its duty to provide support to the Electoral Registration Officer and Returning Officer.

48 **Council Tax Reduction Scheme 2024/2024**

The Assistant Director of Finance submitted a report to enable Council to consider the proposed banded scheme for Council Tax Reduction for 2024-25

In introducing the report, the Portfolio Holder for Finance, Councillor Nell, explained that the current scheme was introduced from April 2020 following a period of consultation and engagement. In general, it had been well received with limited contact from customers and it was proposed to continue with the current scheme, updated for inflationary factors.

The scheme assessed the maximum level of Council Tax Reduction based on the net income of the applicant and household members, the main principles of the scheme remain unchanged. It was understood by customers and had enabled them to budget for their council tax payments, which was reflected in the Council Tax collection rates in Cherwell being the highest performer across the county for 2022 -23.

The current scheme reduced the number of changes that the customer would experience with less bills and notification letters generated and enables better personal budgeting. There was still a lot of financial uncertainty for many customers and in the current financial climate with the ongoing cost of living crisis it was therefore recommended that the existing scheme should be retained for 2024/25.

**Resolved**

- (1) That report and the financial implications for the council be noted.
- (2) That the option of no change to the Council Tax Reduction Income Banded Scheme for Working Age Customers for 2024-2025 be approved and it be agreed to amend Working Age Regulations in line with annual uprating and to amend the Council Tax Regulations for pensioners in line with uprating announced by Department for Levelling Up Housing and Communities.

49 **Treasury Management Mid-Year Review Report 2023/24**

The Assistant Director of Finance submitted a report to present information on treasury management performance and compliance with treasury management policy for 2023-24 as required by the Treasury Management Code of Practice.

In introducing the report, the Portfolio Holder for Finance advised that all treasury management activities undertaken to date during the financial year

2023-24 complied with the CIPFA Code of Practice and the Council's approved Treasury Management Strategy, and all Prudential Indicators were met during the reporting period.

Over the course of the year, there was an overall Treasury Management forecast underspend of £1.214m compared to the approved budget.

**Resolved**

- (1) That the Treasury Management Mid-Year Review Report be noted.

50 **Dispensation from Attending Meetings**

The Monitoring Officer submitted a report to seek Council approval for a dispensation from attending meetings to a Member who is currently unable to attend any Council meetings due to ill-health.

**Resolved**

- (1) That a dispensation for Councillor Maurice Billington from the statutory requirement to attend a meeting of the Council within a six-month period from the last noted attendance be approved.
- (2) That it be approved that the dispensation last up to and including 6 May 2024.

51 **Amendment to Committee Membership**

The Chairman referred to the agenda which set out that the Progressive Oxfordshire Group Leader, Councillor Hingley, had notified the Proper Officer of a Progressive Oxfordshire Group committee membership change.

**Resolved**

- (1) That the following Progressive Oxfordshire Group committee membership amendment be noted;

Appeals Panel  
Remove – Councillor Rob Pattenden  
Add – Councillor Julian Nedelcu

52 **Urgent Business**

There were no items of urgent business.

53 **Exclusion of the Press and Public**



**Resolved**

That, in accordance with Section 100A(4) of Local Government Act 1972, the press and public be excluded from the meeting for the following item of business, on the grounds that they could involve the likely disclosure of exempt information as defined in paragraph 3 of Schedule 12A of that Act and that in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

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

The Corporate Director of Resources submitted an exempt report which sought approval to an increase in the Capital Programme as set out in the exempt minutes for the gross costs of the delivery of the project to relocate CDC administrative headquarters from Bodicote House to Castle Quay.

**Resolved**

- (1) That an increase in the Capital Programme as set out in the exempt minute for the gross costs of the delivery of the relocation of CDC's headquarters from Bodicote House to Castle Quay.

55 **Readmittance of the Press and Public**

**Resolved**

That the press and public be readmitted to the meeting.

56 **Motions**

The Chairman advised that five motions had been submitted, however as Councillor Middleton was attending virtually and therefore unable to propose he had submitted, consideration of this motion would be deferred to the 26 February Council meeting.,

No amendments to any of the motions had been submitted. In line with the Constitution, no amendments were now permitted.

**Motion One: Solar Energy Strategy**

It was proposed by Councillor Walker and seconded by Councillor Broad that the following motion be adopted:

“Increasing our renewable energy production by wind or solar is vital – yet there is an inconsistency of approach in Cherwell. While wind projects and their suitability for Cherwell's environment and community needs was

independently researched in 2019 for the Local Plan Review, no equivalent independent research was undertaken for solar projects.

The pathway to the increase in solar generation is unclear. Requirements for solar panels on new domestic and commercial buildings are limited and there is no programme for the widespread retrofitting of photovoltaics on public, commercial and domestic properties, nor is there a comprehensive solar power plan integrating all means of solar power generation, only an apparent reliance on the emergence of commercial solar farm proposals. There has been a proliferation of solar farm projects in the district, and we currently face the potential construction (mainly in West Oxfordshire and partially in Cherwell) of the largest solar farm in Europe - and one of the largest in the world.

We ask the Executive to consider commissioning a robust, research-based strategy for solar electricity production in Cherwell, in order to achieve the optimum balance of power generation by solar farms, by roof panels on new commercial and residential developments, and, crucially, their retrofitting on existing public, business and domestic buildings. Two key criteria underpinning this solar power strategy should be environmental impacts and domestic food production needs.”

No amendments to the motion having been proposed, the motion was debated as submitted. On being put to the vote the motion was carried unanimously.

### **Motion Two: Period Poverty**

It was proposed by Councillor Biegel and seconded by Councillor Woodcock that the following motion be adopted:

“We have seen the cost of living crisis leave many of our residents with unacceptable choices between heating or eating.

However, the cost of living crisis has caused highlighted another crucial issue: period poverty. Many women and girls do not have access to sanitary products due to the rising cost of other essentials such as food and energy, which are necessarily being prioritised.

A poll by Action Aid in May 2023 showed that more than 21% or 1 in 5 women and people who menstruate are experiencing period poverty. Furthermore, the percentage of those affected has risen from 12% to 21% in just one year.

Being unable to comfortably leave home for several days every month due to lack of sanitary products is unbearable for the individuals and missing work or school has further financial or educational implications.

There are also serious health risks: 41% of respondents used sanitary products for much longer than recommended and 8% resorted to re-using disposal products. In addition to the physical dangers, the impact of shame and anxiety on mental health is significant.

I hope members will agree this situation is unacceptable in society and in our district.

To combat period poverty, this Council asks the Executive

- a) to investigate and report back on the number of accessible locations across the Council's estate where free sanitary products can feasibly and sensitively be provided.
- b) to consider the report and the recommendations therein to make a decision on implementation."

No amendments to the motion having been proposed, the motion was debated as submitted. On being put to the vote the motion was carried unanimously.

### **Motion Three: Section 21 Notice**

It was proposed by Councillor Woodcock and seconded by Councillor Mawer that the following motion be adopted:

"This council is experiencing unprecedented levels of people presenting as homeless. A key driver of this is landlords serving Section 21, so-called 'no fault', eviction notices on their tenants.

Since 2019, the Conservative government has promised to abolish Section 21 notices and included this as part of its Private Renters Reform Bill.

This has now been indefinitely delayed.

Only a year ago, this council overwhelmingly voted in favour of the government enacting the Private Renters Reform Bill; with the Lead Member for Housing mandated to write to the government to that effect.

This council condemns the decision to delay the ban on Section 21 notices and calls on the Leader of the Council to communicate this to our Members of Parliament and the government in the strongest possible terms."

No amendments to the motion having been proposed, the motion was debated as submitted. On being put to the vote the motion was carried unanimously.

### **Motion Four: Service Hubs**

It was proposed by Councillor Pruden and seconded by Councillor Pattenden that the following motion be adopted:

"This Council notes that over the last few years, in-person access to essential services has been greatly reduced, from banking services to our own council services, while residents are required to travel further or use

online services, which in some cases is difficult or not suitable for the most vulnerable who need these services most. Banks alone have closed over 200 branches in the UK this year, with Banbury, Bicester, and Kidlington having already lost branches and/or the provision of counter service.

This Council believes it should do what it can to help maintain easy access to these vital services. Banking hubs have already been set up elsewhere and been proven to work. We could not only take a lesson from these, but seek to improve the hub concept by including access to services CDC itself provides, noting the closure of CDC counters.

This motion therefore calls on the Executive to:

1. Investigate the feasibility of creating service hubs within our localities and what they can usefully provide, including considering best practice from other local authorities.
2. Develop a strategy that facilitates the use of service hubs to better provide access and support to our communities within our powers.”

No amendments to the motion having been proposed, the motion was debated as submitted. On being put to the vote the motion was carried unanimously.

## **Resolved**

- (1) That the following motion be adopted:

“Increasing our renewable energy production by wind or solar is vital – yet there is an inconsistency of approach in Cherwell. While wind projects and their suitability for Cherwell’s environment and community needs was independently researched in 2019 for the Local Plan Review, no equivalent independent research was undertaken for solar projects.

The pathway to the increase in solar generation is unclear. Requirements for solar panels on new domestic and commercial buildings are limited and there is no programme for the widespread retrofitting of photovoltaics on public, commercial and domestic properties, nor is there a comprehensive solar power plan integrating all means of solar power generation, only an apparent reliance on the emergence of commercial solar farm proposals. There has been a proliferation of solar farm projects in the district, and we currently face the potential construction (mainly in West Oxfordshire and partially in Cherwell) of the largest solar farm in Europe - and one of the largest in the world.

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by roof panels on new commercial and residential developments, and, crucially, their retrofitting on existing public, business and domestic buildings. Two key criteria underpinning this solar power strategy should be environmental impacts and domestic food production needs.”

(2) That the following motion be adopted:

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2. Develop a strategy that facilitates the use of service hubs to better provide access and support to our communities within our powers."

The meeting ended at 9.15 pm

Chairman:

Date: