

WEST OXFORDSHIRE DISTRICT COUNCIL

CABINET

Record of decisions taken at the meeting of the **Cabinet** held in the Council Chamber, Council Offices, Woodgreen, Witney, Oxon on **Wednesday 15 January, 2020** at 2.00pm.

PRESENT

Councillors: James Mills (Leader); Toby Morris (Deputy Leader); Steve Good, Jeff Haine, David Harvey, Norman MacRae MBE and Michele Mead.

Also in Attendance

Councillors Richard Bishop, Julian Cooper, Harry Eaglestone, Andy Graham, Hilary Fenton, Ted Fenton, Dan Levy, Martin McBride, Neil Owen and Alex Postan.

79. NOTICE OF DECISIONS

RESOLVED: That the record of the decisions taken at the meeting held on Wednesday 18 December 2019, copies of which had been circulated, be approved and signed as a correct record.

80. APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor Gill Hill.

81. DECLARATIONS OF INTEREST

There were no declarations of interest from Members or Officers in items to be considered at the meeting.

82. PARTICIPATION OF THE PUBLIC

No submissions were received from the public in accordance with the Council's Rules of Procedure.

83. RECEIPT OF ANNOUNCEMENTS

83.1 Oxfordshire Growth Board and Local Enterprise Partnership Workshop

Councillor Mills reminded Members that a workshop was due to be held on Thursday 16 January 2020 which would give attendees a better understanding of the Oxfordshire Growth Board, the Local Enterprise Partnership, the Oxfordshire Plan, and how they operated and interlinked.

He suggested that anyone with queries or who wished to learn about these matters should attend.

84. COUNCIL PLAN 2020-2024

The Cabinet received and considered the report of the Chief Executive, which reminded members of the previous consideration of the emerging new Council Plan, and to which the text of a revised draft was attached.

In proposing the recommendation, Councillor Mills explained that the version of the plan in the agenda papers was text only and the finalised, polished version would be made available over the forthcoming week. The content however, would remain the same. Councillor Mills drew attention to the key themes detailed on page three of the plan which he considered to be relevant to a number of motions due to be considered by the Council.

The proposition was seconded by Councillor Morris who expressed his thanks to officers for encapsulating the Council's fresh vision and aims. In addition, he was pleased that the draft version had been made available to the Overview and Scrutiny Committees as their input had been valuable.

Councillor MacRae agreed with the comments made and was very pleased that Climate Action was at the top of the list of priority themes for the Council.

Councillor Mills also made reference to the input made by the Parish and Town Councils which had been fed into the plan.

Councillor Graham thanked officers and noted that the Plan had been processed through the Overview and Scrutiny Committees, which he felt had enabled input from all members and had encouraged transparency. He made reference to local businesses and the importance of creating vibrant town centres which reflected changing trends.

A number of the towns in the District and their individual needs were discussed, especially the success of Carterton, where there was currently a full take up of retail units.

Councillor Postan felt that the plan was sound and that he would like to see the spirit of communities reflected and developed into the document. He highlighted the importance of art, theatre, dance, sculpture and the art of engineering – all of which added to the mood of a community.

Councillor Mills made reference to a number of specific and successful community events which had taken place recently including the Carterton lantern procession and the assistance that the Council provided to Chipping Norton Theatre, all of which assisted with and encouraged community cohesion.

DECISION: That the Council be recommended to approve the final draft Council Plan 2020-2024.

REASONS: The Cabinet considered the draft Plan to accord with and reflect the Council's key priorities at a strategic level.

OPTIONS: None appropriate.

85. LOCAL DEVELOPMENT SCHEME UPDATE

The Cabinet received and considered the report of the Planning Policy Manager, which advised that the Local Development Scheme (LDS) had last been updated in January 2019 and accordingly needed to be reviewed, and to which was attached the proposed updated LDS for 2019 to 2022.

Councillor Haine introduced the report and advised that this was an annual update. In proposing its approval he made reference to the Local Plan which had been adopted in 2018 and would be reviewed every five years, the key documents associated with the LDS and the relevant implementation dates.

The proposal was seconded by Councillor Good who reminded Members that the Council was keen to have involvement from all communities. He encouraged Members to reiterate this invitation to their relevant parishes and highlight the mechanisms by which they could participate.

Councillor Mills directed Members attention to details relating to the Woodstock Infrastructure Delivery Strategy on page 5 of Annex A to the report, which had become part of the Work Programme due to Councillors raising it as an issue. In addition, he highlighted

the Oxfordshire Plan 2050 at Page 7 and reiterated that each Council remained sovereign with the Growth Board acting as a vehicle for delivering the decisions.

Councillor Graham received confirmation from officers that the timetable relating to the North Witney Development Framework was accurate, and as set out on page 14.

Councillor Levy made reference to the Garden Village and stated that it was crucial that the ethos remained as described, as there was a danger that the needs of the developer and the Council's wishes may not coincide. The development needed to be something that everyone was proud of and existing residents could get behind.

Councillor Haine agreed completely with the comments made and reiterated that the aims to make the Garden Village carbon neutral and exemplar would all come through in the plan.

DECISIONS:

- (a) That the report be noted; and
- (b) That the updated Local Development Scheme attached at Annex A to the report be approved.

REASONS: The Cabinet considered that the Local Development Scheme provided stakeholders with a clear understanding of the Council's LDF work programme including the Local Plan. The Local Development Framework was considered to accord with the Council's aim to maintain and enhance West Oxfordshire as one of the best places to live, work and visit in Great Britain.

OPTIONS: None appropriate.

86. COUNCIL TAX EXEMPTION FOR CARE LEAVERS

The Cabinet received and considered the report of the Group Manager for Residents' Services, which reminded it of the previous approval in principle of an exemption, and reported on the steps which had been taken since that time, and the recommended criteria for the exemption.

In proposing the recommendation, Councillor Morris was pleased that other authorities had been supportive of the idea and felt able to adopt the exemption as well. He reminded Members that there were five individuals who would benefit from the exemption in West Oxfordshire and this would assist them in gaining independence.

This was seconded by Councillor Mead who wholeheartedly supported the scheme from a Health and Wellbeing angle and welcomed another measure to assist in reducing homelessness.

Members agreed that thanks should be passed to officers for bringing this proposal forward.

DECISIONS: That the Council be recommended:-

- (a) That with effect from 1 April 2020 care leavers who meet the eligibility criteria specified in Annex A to the report shall be eligible to apply for a council tax discount until they reach the age of 21;
- (b) That with effect from 1 April 2020 care leavers who meet the additional eligibility criteria specified in Annex A to this report shall be eligible to apply for a council tax discount between the age of 21 to 25 years;
- (c) To authorise the Group Manager for Residents' Services (Publica Group (Support) Limited) to award the specified discount; and

- (d) To incorporate the authorisation at (c) above into the Officer Delegations Rules in Part 4 of the Constitution.

REASONS: To reflect the previously expressed wishes of Cabinet and the Council, and to provide support for a potentially vulnerable group.

OPTIONS: None appropriate

87. HOUSEHOLD DUTY OF CARE OFFENCES – SETTING THE FIXED PENALTY NOTICE LEVEL

The Cabinet received and considered the report of the Group Manager for Residents' Services, which advised of the householders' duty of care when disposing of waste other than by the normal household collection routes and the associated Fixed Penalty Notice (FPN) powers.

In proposing the recommendations, Councillor MacRae explained that the recent rule changes placed the burden of care upon the householder to ensure that any third parties employed to dispose of waste, were properly authorised.

In seconding the proposal, Councillor Good reiterated that no-one wanted to see occurrences of fly-tipping and again, he encouraged his fellow Members to communicate this message at a parish level.

Councillor Mills confirmed that the intention was to issue a full communication programme and ensure that residents were aware of the changes. He assured Members that the message would be widely disseminated and that work with the communications team had already started.

DECISIONS:

- (a) That the information provided be noted;
- (b) That the Council be recommended to approve a Fixed Penalty Notice level of £400 and early payment reduction of £200 provided payment was made within 10 days of the date the FPN was issued;
- (c) That delegated authority be given to the Service Business Manager for Environment and Regulatory Services to authorise the Council's Officers for Resident Services to issue FPNs under Section 34(2A) of the Environmental Protection Act 1990 to persons whom the officer had reason to believe had committed a breach of the household waste duty of care; and
- (d) That the Council be recommended to approve the incorporation of the necessary amendments to the Officer Delegation Rules contained in Part 4 of the Constitution consequent upon the decision at (c) above.

REASONS: To ensure that the Council had a robust process in place to deal with this legislation, protect the environment and support the local economy.

OPTIONS: Members could choose to use the default penalty and minimum discounted penalty or not use Fixed Penalty Notices and proceed with prosecutions.

88. JOINT MUNICIPAL WASTE STRATEGY FOR OXFORDSHIRE

The Cabinet received and considered the report of the Business Manager, Contracts, which confirmed the implications of adopting the Joint Municipal Waste Management Strategy for

Oxfordshire and entering into a formal Oxfordshire Resources and Waste Partnership, and sought associated approvals.

Councillor MacRae introduced the report and in proposing the recommendations advised that Oxfordshire was one of the top areas for recycling and composting of waste. He reminded Members that as a District there were still areas for improvement including ensuring that all food waste was placed in the appropriate bins.

Councillor Harvey seconded the proposal and endorsed the comments made by Councillor MacRae.

In response to a question from the Leader, Councillor MacRae assured Members that it was hoped to repeat the community engagement exercise from the previous year and continue to educate the public as to the best ways to dispose of their waste.

DECISIONS:

- (a) That funding of £10,000 per annum towards a partnership officer post be authorised, to be met from existing budgets; and
- (b) That the Group Manager, Commissioning be authorised, following consultation with the Cabinet Member with responsibility for the Environment, to agree and sign the Oxfordshire Resources and Waste Partnership Memorandum of Understanding.

REASONS: To ensure the Council continued to deliver excellent modern services whilst ensuring financial sustainability and to comply with the Waste and Emissions Trading Act 2003.

OPTIONS: None appropriate.

89. BUDGET 2020/2021

The Cabinet received and considered the report of the Chief Finance Officer, which sought consideration of draft base budgets for 2020/21, the Medium Term Financial Strategy for the period 2020/21 to 2029/30, the revised Capital Programme for 2019/20, the draft Capital Programme for 2020/21 to 2029/30, adoption of the Council Tax Base for 2020/21 and the delegation of business rates returns.

In proposing the recommendations, Councillor Morris advised of an amendment to one of the figures detailed on page 12.5 of Appendix C. The table in question detailed the cost of various aspects of Pre Application Planning Advice, with the third row down stating that each additional meeting would cost £173 per hour. Councillor Morris advised that this figure should be £166 per hour.

Councillor Morris drew attention to the ability of the Council to maintain a number of services including the provision of free car parking, grants to the Voluntary Sector and Community Facilities Grants, whilst also investing money in Climate Change actions. He felt the budget showed prudent management whilst delivering good value for money.

The Leader seconded the proposal.

In response to queries raised by Councillor Cooper, Councillor Morris clarified that he and officers were working closely with Ubico to assist them with the pressures they were experiencing, and the situation was being monitored. With regard to Building Control, it had been noted that the service had been underperforming and a review was being looked into. However, the difficulties relating to the Valuation Office remained because there was no certainty as to any decision they might reach or what impact that decision might have.

The issue of installing solar panels on Council buildings had been raised previously, with business cases being put forward and all Council properties had been reviewed. However, following this study, there had been only one robust business case, relating to Carterton Leisure Centre. Councillor Morris was mindful that due to the Council's commitment to the Climate Emergency, this could be an area of work that could be revisited.

In relation to the discussion of future housing options with Cottsway, Councillor Morris reminded Councillor Cooper that there were other housing associations that the Council could talk to and build relationships with, however, that was not an issue for the budget setting process.

Councillor Postan commented on the costs associated with the pension liability which was linked to the government interest rate and currently at its lowest rate in history. He raised a concern that this liability was almost certainly going to change and explained how this may result in a large surplus and the difficulties relating to this. Councillor Postan also made reference to the ability for the Council to have made staged payments instead of providing a lump sum.

Councillor Morris assured those present that he did recognise this issue and understood how it worked. He reiterated that any surplus would be dealt with if and when it arose and the Council had been able to maintain services and was in a healthy position. With regard to staged payments, Councillor Morris stated that he and officers had taken the decision to deal with the issue immediately and focus on the future finances of the Council.

Councillor Graham was keen that the provision towards Climate Change did not restrict the work that was planned. He also made reference to the grants available to organisations such as Chipping Norton Theatre which could restrict the number of applications in a set period. He requested that the rules be more flexible so that they did not restrain strategic key contributors to the community. Councillor Graham also queried the long transport journeys that some residents had to make to reach recycling centres, and the level of fly-tipping encountered in this District from outside areas, and endorsed the investment needed in leisure services.

The Leader stated that he was not aware of any restrictions placed on Chipping Norton Theatre, nor was he aware of any recent approach by the group requesting funding. However, he suggested that Councillor Graham discuss this specific issue with Councillor Mead as the Council remained fully supportive of the theatre.

As the Portfolio Holder for Climate Action, Councillor Harvey assured the meeting that work on this was at an early stage and the Action Plan would be considered at Council next week. The Council's commitment had already been demonstrated and this figure was an early provision for funding. Work was just beginning on the future steps to take and would include reassessing building stock, looking at energy consumption and lobbying government. As Portfolio Holder, he had the ability to take actions straight to Cabinet and ensure the council's commitment remained strong.

Councillor McBride suggested that Councillor MacRae might wish to consider an increase in the number of items which could be collected using the Bulky Items Collection service, as this could be useful for some residents.

DECISIONS:

- (a) That, subject to the amendment detailed above on page 12.5 of Appendix C, the following be approved:

- (i) Draft base budgets for 2020/21 totalling £15,835,621 for Net Operating Expenditure and £15,108,523 for Net Expenditure (including investment income) as detailed in Annex A to the report;
 - (ii) Draft Medium Term Financial Strategy for the period 2020/21 to 2029/30, subject to the final version being considered by Cabinet in February 2020 as detailed in Annex B to the report;
 - (iii) Fees and charges for 2020/21 as detailed in Annex C to the report;
- (b) That Council be recommended to approve:
- (i) The revised Capital Programme for 2019/20 totalling £35,027,700 as detailed in Annex D to the report;
 - (ii) The Capital Programme for 2020/21 to 2029/30 totalling £37,281,000 as detailed in Annex D to the report;
 - (iii) The Council Tax Base shown in Annex E to the report, calculated at £44,285.22 for the year 2020/21; and
 - (iv) That the Council's Chief Finance Officer (s.151) be authorised to approve the National Non-Domestic Rates Return I (NNDRI) for submission to the Ministry of Housing, Communities and Local Government is prior to its submission date of 31 January 2020.

REASONS: The Cabinet considered the decisions to accord with the Council's priority to provide efficient, value for money services, whilst delivering quality front line services and maintain the Council's position in the lowest ten levying Shire District Councils.

OPTIONS: None appropriate at this stage.

90. EXCLUSION OF THE PUBLIC

RESOLVED: That the Cabinet being of the opinion that it was likely, in view of the nature of the business to be transacted, that if members of the public were present during the following items of business there would be a disclosure to them of exempt information as defined in paragraph 3 of Part I of Schedule 12A to the Local Government Act 1972, the public be excluded from the meeting.

91. LOAN REFINANCING – SOUTHILL COMMUNITY ENERGY (SOLAR)

The Cabinet received and considered the report of the Group Finance Director, which addressed a refinancing opportunity in respect of the above.

The Deputy Leader proposed the recommendations and welcomed the opportunity for the Council to invest in green energy projects whilst turning the investment from an unsecured to a secured loan.

The proposal was seconded by Councillor Harvey.

With regard to recommendation (c), Councillor Mills suggested that Councillor Morris be appointed as the Board Observer until the end of the year, at which stage the appointment would be considered as part of the Outside Bodies report at the next Annual Council meeting.

DECISIONS:

- (a) That the refinancing of the Southill Solar project based upon the Heads of Terms as set out at Annex B to the report be approved;
- (b) That Council be recommended to approve the inclusion of an additional £2m in the capital programme;
- (c) That Councillor Morris be nominated as a Board Observer for the remainder of the municipal year; and
- (d) That the Chief Finance Officer be authorised to approve the financing of the loan, following consultation with the Cabinet Member for Resources.

REASONS: To secure further community benefit by refinancing a further portion of the loan, convert the previously unsecured position to a secure one and gain a board observer position. This also enabled the Council to increase its exposure to climate positive investments.

OPTIONS: Cabinet could have decided not to support the scheme, or proposed alternative Heads of Terms.

The meeting closed at 3.27pm

Leader of the Council