

## WEST OXFORDSHIRE DISTRICT COUNCIL

### CABINET

Record of decisions taken at the meeting of the **Cabinet** held via video conferencing on **Wednesday 22 July, 2020** at 2.00pm.

### PRESENT

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

Also in Attendance: Councillors Joy Aitman, Alaa Al-Yousuf, Rosa Bolger, Jill Bull, Julian Cooper, Derek Cotterill, Duncan Enright, Hilary Fenton, Ted Fenton, Steve Good, Andy Graham, Gill Hill, Ed James, Dan Levy, Liz Leffman, Martin McBride, Alex Postan, Carl Rylett and Harry St John.

Officers: Giles Hughes (Chief Executive); Elizabeth Griffiths (Chief Finance Officer); Frank Wilson (Executive Director, Finance); Chris Hargraves (Planning Policy Manager); Melanie Dodd (Biodiversity Officer); Ness Scott (Climate Action Manager); Andrea Clenton (Principal Planning Officer); Keith Butler (Head of Democratic Services) and Amy Barnes (Senior Strategic Support Officer).

#### 20. NOTICE OF DECISIONS

**RESOLVED:** That the record of the decisions taken at the meeting held on Wednesday 17 June 2020, copies of which had been circulated, be approved and signed as a correct record.

#### 21. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Richard Bishop, Harry Eaglestone and Elizabeth Poskitt.

#### 22. DECLARATIONS OF INTEREST

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

#### 23. PARTICIPATION OF THE PUBLIC

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

#### 24. RECEIPT OF ANNOUNCEMENTS

##### 24.1 Letter from Oxfordshire Leaders to Secretary of State

Councillor Mills advised that a letter had been sent from the Leaders of Oxfordshire's Principal Councils and the Chair of OxLEP to the Secretary of State for Business, Energy and Industrial Strategy, The Rt Hon Alok Sharma MP, regarding the pending Local Recovery and Devolution White Paper. The letter requested a meeting to better understand the options available to Oxfordshire, and to explore options which would further benefit residents and businesses. Councillor Mills advised that he would update Members once a response had been received.

## 24.2 Oxfordshire / Cambridgeshire ARC

Councillor Mills provided an update on the Oxfordshire / Cambridgeshire ARC and advised that an Executive Group had now been established. The group had held its first meeting, agreeing on membership and the scope of the group.

In response to a query from Councillor Enright, Councillor Mills confirmed which authorities were involved in the ARC and also explained the inclusion of the various Local Enterprise Partnerships, the Business Board for Cambridge and the ten or so Universities, which highlighted the extensive partnership working.

## 24.3 Hanborough Station Sub-Group

Councillor Mills advised that a Hanborough Station Sub-Group had been established and both himself and Ian Hudspeth, Leader of Oxfordshire County Council, had been appointed as representatives. The group's aim was to support the work of the North Cotswold Line Task Force.

Councillor Leffman asked if the Working Group could bear in mind those residents located further up the train line and consider the Cotswold Line as a whole. She also referred to the impact of reducing the number of trains stopping at Charlbury, resulting in people driving to Oxford Parkway instead.

Councillor Mills advised that the North Cotswold Line Task Force would be looking at the line as a whole and Active Travel were also involved in ensuring there were good connections to the Garden Village. However, the Hanborough Station Sub-Group's particular emphasis was to ensure that the station connected into many other priorities for West Oxfordshire, took pressure of the road system and supported the visitor sector.

In response to a query from Councillor Al-Yousuf regarding a feasibility study for a new cycling bridge, Councillor Mills explained that a positive meeting had been held with Network Rail and he would update Councillor Al-Yousuf outside of the meeting.

## 24.4 Re-opening of Lower High Street, Witney

Councillor Mills advised that following extensive discussions, it had been agreed to re-open the lower end of High Street, Witney to traffic, following the introduction of the recent Covid-19 Social Distancing Measure. Having held discussions with local businesses and residents it had been apparent that there was a clear split of opinion but the businesses located there were concerned that the closure was having a detrimental effect on their business. He advised that the decision would be kept under close review.

Councillor Bolger queried what evidence had been seen that reopening the lower end of the High Street to traffic would increase footfall, whilst impacting on congestion and air pollution. She also asked Councillor Mills if the impact on the shops in Marriotts Walk had been considered because access by pedestrians and cyclists had increased.

Councillor Mills advised that the businesses spoken to had suffered due to vehicles being unable to park close enough to collect bulky shopping, such as Majestic Wine. He noted the money that had been provided by Central Government to support businesses and felt the authority should do everything it could to help businesses, following a clear plea from them for assistance.

Councillor Enright thanked the Leader for his clear statement and queried how the re-opening might affect the cafés and restaurants with licences to serve outside on the

pavement. He also hoped that the Council was working with the Chamber of Commerce to promote Witney and support the health of businesses.

In response, Councillor Mills advised that each licence would be looked at individually and assured Members that he and officers talked regularly with the Chamber of Commerce and would continue to do so. The aim was to reinvigorate Witney and the Chamber's input was highly valued.

Councillor Levy congratulated the speed at which the High Street had been closed to vehicles in order to get the shops open again and hoped that it would remain partially closed to assist Active Travel with their work. He requested data on who was using High Street to park as he was surprised if shoppers were choosing to park their cars there, rather than in a larger car park.

Councillor Mills advised that there was a marked difference in the footfall figures for the town, pre and post Covid-19. He felt it was important to provide businesses with the opportunity to reopen lower High Street with a view to it reinvigorating their customer numbers. He noted the work achieved by Active Travel and felt there were still opportunities to be explored with them.

#### 24.5 Royal British Legion and 2021 Census

Councillor Mills was pleased to announce that the Royal British Legion had been successful in their campaign 'Count Them In', to include a question relating to military service in the 2021 Census. It had been agreed the question would ask people to identify if they were an active serving member or a veteran of the armed forces. It was hoped that this would help authorities to deliver appropriate services to individuals.

As someone who had served in the RAF, Councillor MacRae expressed his support for the campaign.

#### 24.6 Works to River

Councillor MacRae updated Members on the works to the river bank in Witney. The clear up was due to be finished by the end of the afternoon of this meeting and the compound was hoped to be cleared by the end of the week. Councillor MacRae also read out an email that he had received from a local resident, expressing their thanks to everyone involved as they had finally been able to sit out in their garden and enjoy the sound of running water again.

#### 24.7 Secretary of State – Letter re Sewerage

Councillor MacRae advised that following the motion agreed at Council to write to the Secretary of State for the Environment regarding the dumping of untreated waste into rivers, he had now received a response. Unfortunately, the response did not answer the question asked and Councillor MacRae would be responding, reiterating the question. He also noted the support given by Philip Dunne MP.

#### 25. FINANCE AND SERVICE PERFORMANCE REPORT 2019/20 YEAR END

The Cabinet received and considered the report of the Chief Finance Officer, which provided details of the Council's operational and financial performance at the end of 2019/20; and enabled Councillors to assess financial and operational performance.

The 2019/20 budget for each service and actual expenditure and income for the full year was shown in Annex A to the report and significant variances, and those of particular note, were explained in the main body of the report.

Based upon the positive outturn position, the report recommended that £700,000 of surplus be transferred to the Council Priorities Fund and an additional £300,000 be transferred to reserves to create a provision for timing differences between the payment of housing benefit and the receipt of housing benefit subsidy from Central Government.

A full list of variances by service and cost centre was included in Annex A to the report.

The report provided detail on the Expenditure Variances, Significant Income Variances, Investment Interest, Business Rates Retention Scheme and Pooling and the use of General Fund Balances.

The capital programme was approved by Council as part of the MTFP for 2019/20 and, due to additional slippage agreed as part of the 2018/19 outturn report, there was now a revised total for 2019/20 of £22,569,928. A number of 'In-year changes' to the Capital Programme were listed at section 3.2 of the report, followed by details of the Capital Budget and expenditure which were set out in full at Annex B to the report.

The report highlighted that work on which budgets needed to be carried forward into 2020/2021 was in progress at the time of the meeting, therefore only the budgets listed in the report were known commitments or schemes actively underway. A full breakdown of the schemes for the year and expenditure at 31st March was attached as Annex B to the report.

The report also provided Members with operational performance data and a summary of the indicators and the key tasks was detailed in Annex C to the report. There were twelve indicators in the core basket of which eight (67%) achieved their annual targets.

Performance against the core basket of indicators for 2019/20 was set out in Annex D to the report and the indicators which did not achieve their targets were considered in more detail in section 5 of the report.

Councillor Morris introduced the report and signposted Members to recommendation (b)(ii) which requested approval to transfer £1,000,000 to Earmarked Reserves to support Council priorities and help deliver Covid-19 response and recovery initiatives in 2020/21. He also highlighted the underspend reported by Publica and was confident that the model still delivered savings. Councillor Morris took Members through some of the key expenditure variances and proposed the recommendations as written.

This was seconded by Councillor Mills who reminded Members that the Council needed to look towards the recovery work taking place following the pandemic.

Concern was raised at the level of expenditure taken up by the replacement of faulty recycling bins and the Cabinet Member for Environment, Councillor MacRae, advised that discussions were taking place with Legal officers to ascertain whose responsibility it was to cover those costs. However, processes had been implemented to tighten up on the requests for replacement bins and officers were working closely with Ubico.

Members also raised concerns about the level of investment in ICT being adequate, the lack of work undertaken with regards to CCTV in the area and costs detailed against Building Maintenance.

Councillor Morris explained that the Council was aware that it needed to continue to invest in ICT and it was hoped that a full conditions survey of the Council's buildings would be undertaken in due course.

With regard to CCTV, Councillor MacRae advised that a report would be forthcoming in October and work was taking place to develop a joint strategy with the County Council and Thames Valley Police.

Councillor Mills reminded Members of the successful implementation of the Salesforce system and highlighted the opportunities to improve ICT packages in partnership with Publica.

Concerns were raised regarding the potential for a spike in unemployment figures in the Autumn, following the pandemic and the Leader advised that work was ongoing with partners and the LEP to address this. It was noted that when the furlough scheme changed in due course, unemployment levels were likely to rise but it was also important to get the local economy back on its feet and the Recovery Group would be looking into this as part of its work.

In response to a question from Councillor Cooper regarding the timetable for the Woodstock car parking review, Councillor MacRae explained the reasons for the delay which included the redeployment of staff and changes to the consultation method.

Councillor McBride reinforced the importance of maintaining cyber security and ensuring that sufficient funding was available to keep the systems robust and secure.

**DECISIONS:**

- (a) That the 2019/20 end of year financial and service performance be noted; and
- (b) That the Council be recommended to:
  - (i) approve the carry-forward of capital budget of £12,881,843 as detailed in Annex B to the report; and
  - (ii) approve the transfer of £1,000,000 to Earmarked Reserves, as detailed at paragraph 2.5 of the report

**REASONS:** To protect the environment whilst supporting the local economy; to work with communities to meet the current and future needs and aspirations of residents and to provide efficient and value for money services, whilst delivering quality front line services.

**OPTIONS:** None appropriate.

26. OXFORDSHIRE GROWTH BOARD TERMS OF REFERENCE AND MEMORANDUM OF UNDERSTANDING

The Cabinet received and considered the report of the Chief Executive which, following a review, proposed revised Terms of Reference and Memorandum of Understanding for the Oxfordshire Growth Board.

The Oxfordshire Growth Board ('the Board') had been established in 2014 as a Joint Committee of the six councils of Oxfordshire, together with key strategic partners. It was set up to facilitate and enable joint working on matters concerning economic development, strategic planning and growth.

On 24 September 2019, the Board had agreed to carry out a formal review of its role and function to ensure that the most pragmatic and effective arrangements were in place to

enable collaboration and delivery on Oxfordshire wide priorities. The review welcomed the views of the public, partners and councillors through several engagement exercises including workshops and an online survey; with over 250 contributions received.

As a consequence of the conclusions reached by the review, the revised Terms of Reference and Memorandum of Understanding for the Growth Board had been produced. These documents were matters for decision within the remit of each local authority Cabinet / Executive and were appended to the report for approval. Each local authority had to agree to these amendments before they could take effect.

With regards to the revised Terms of Reference, these now had a clear purpose with an emphasis on sustainable development, the pursuit of a zero-carbon future, and the oversight of delegated programmes of work within the remit as required. The amendments gave greater emphasis on sustainability in the Board's work and reflected the importance of environmental preservation and tackling climate change.

There had also been changes to the name of the Board, the title of non-voting members and there was an inclusion to request a subscription fee from each member of the Board.

As required under the emerging Oxford to Cambridge Arc governance arrangements, provision had been included in the Terms of Reference, for the Growth Board to appoint representatives to relevant bodies as required.

The Memorandum of Understanding between Oxfordshire County Council and the Growth Board had been established in April 2018. This was principally an operational document to support the administration of the Board's work. A revised version was included at Appendix 2 to the report. The amendments aimed to provide greater operational clarity concerning Freedom of Information requests as well as minor changes to the terminology and arrangements included in the Terms of Reference.

Councillor Mills introduced the report and felt that the changes should be welcomed, along with celebrating the £500m of investment into Oxfordshire that partnership working had already secured. He highlighted the reference to protecting the environment and tackling climate change as detailed in paragraph 2.4 of the report and stated that the Local Nature Partnership was an important part of the jigsaw.

Councillor Mills expressed his disappointment at the lack of a West Oxfordshire Business Representative in the membership listed at 2.2 of the Terms of Reference and proposed that this be highlighted to the Growth Board.

The proposal was seconded by Councillor Morris who agreed that the membership should be amended to make the representation fit for purpose.

Councillor Graham requested clarification on paragraph 2.3 which advised that the documents would be kept under regular review but did not specify a time frame. He also asked how the Growth Board would communicate more widely as suggested in paragraph 2.5 of the report and enquired if Councillor Mills was on the Local Nature Partnership.

Councillor Mills confirmed that the Terms of Reference was being worked on and a paper would be forwarded to Council in due course. He also asked the Chief Executive to communicate the point regarding more specific timings for reviewing the documents and advised that he would come back to Councillor Graham with the detail regarding communication methods.

In response to a query from Councillor Postan, Councillor Mills confirmed that he could report back the discussions from Cabinet to the Growth Board Scrutiny Panel.

**DECISIONS:**

- (a) That the Terms of Reference and Memorandum of Understanding set out in Appendix 1 and Appendix 2 to the report respectively, be approved; and
- (b) That the Chief Executive be authorised, in consultation with the Leader of the Council and the Oxfordshire Growth Board, to make minor amendments to these documents, as required, to support the operational efficiency of the Growth Board's work.

**REASONS:** The Growth Board brought together all of the Principal Councils in Oxfordshire, together with other key partners, to work cooperatively on strategic issues; it was relevant to all of the key priorities identified in the Council Plan; the documents were matters for decision within the remit of each local authority Cabinet / Executive and each local authority must agree to these amendments before they could take effect.

**OPTIONS:** The Council could choose to make comment or propose recommendations on the proposed Terms of Reference and Memorandum of Understanding, or not authorise the Chief Executive to make minor amendments but this was likely to create further delay in the process.

27. NAMING OF THE GARDEN VILLAGE

The Cabinet received and considered the report of the Planning Policy Manager, which asked Members to agree the settlement name for the Garden Village site.

Councillor Haine introduced the report and explained that land to the north of the A40 near Eynsham had been allocated in the adopted West Oxfordshire Local Plan as a Strategic Location for Growth (SLG) to accommodate a new garden village of around 2,200 homes with business space and a range of other supporting services and facilities. To date the working title of the garden village site designated as one of Homes England national Garden Communities programme had been the 'Oxfordshire Cotswolds Garden Village'.

The Council, Grosvenor Developments Ltd and the local community had worked together in a series of activities and events, to explore the site opportunities and constraints and to develop a framework plan for the Garden Village. As part of this collaborative approach in May 2019 a public competition was launched asking the public to submit suggestions for a permanent settlement name.

Competition criteria were set out for name submissions and 115 responses were received following the close of the competition on 31 October 2019. Submissions were then filtered using the published criteria and a copy of the submitted names and the criteria used was attached as Appendix A to the report.

The key criteria which echoed the Garden Village principles, was to ensure that the name was specifically linked to the site in some way to reflect uniqueness of place.

The four potential Garden Village names that met the set criteria were sent to key stakeholders (which included but was not limited to Royal Mail, the County Council and the Parish Council) to ensure the shortlisted names did not conflict locally and finally, the four potential names were informally considered by Cabinet. The consequent decision from that meeting was to bring forward the proposed name of Salt Cross for the Garden Village.

The name Salt Cross met all the identified criteria outlined in the report and had a strong local connection which was unique to the site, in that the historic Salt Way (running north to south) and Saxon Way (running east to west) cross within the site. The crossing points of these historic routes formed a cross fairly central to the site as highlighted in the plan at 2.7 of the report.

Councillor Haine read out an email that he had received from Eynsham Parish Council, documenting its disappointment that a more formal consultation had not been carried out with them. The Parish Council did not recall the name 'Salt Cross' being discussed and reiterated its' previously submitted names for Members' attention.

It was noted that the winner of the naming competition was an Eynsham Parish Councillor, Carl Rylett, and as a result, he would receive two adult tickets to Blenheim Palace in due course.

Councillor Haine therefore proposed the recommendations in the report and this was seconded by Councillor Mead.

**DECISION:** That the name of Salt Cross be approved for the Garden Village.

**REASONS:** Cabinet considered the representatives appointed in each case would enhance the Council's involvement in community organisations and its aim to encourage partnership working.

**OPTIONS:** Members could choose an alternative name but this would appear to be against the spirit of the public consultation and competition entries.

## 28. GARDEN VILLAGE AREA ACTION PLAN

The Cabinet received and considered the report of the Planning Policy Manager, which asked Members to consider and approve the pre-submission draft Garden Village Area Action Plan (AAP) for the purposes of a six-week statutory period of public consultation in accordance with Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

The report reminded Members that as part of the West Oxfordshire Local Plan 2031, land to the north of the A40 near Eynsham was allocated under Policy EV1 for the provision of a new, free-standing exemplar Garden Village, the comprehensive development of which would be led by an Area Action Plan (AAP).

An initial 'Issues and Options' consultation was undertaken from June to August 2018 with the issues paper seeking views on a broad range of issues and opportunities for the site. This generated over 200 responses from a variety of individuals and organisations. Following on from this, a range of technical evidence and analysis was commissioned on various subjects including housing need, employment, infrastructure, landscape, ecology, flood risk, drainage, heritage and transport.

This was supplemented by ongoing community engagement through the garden village community forum, including a number of 'study tours' held in early 2019 and a three day design event held in May 2019.

Subsequently, a 'Preferred Options' consultation was held from August to October 2020 and resulted in a good level of response, with 80 respondents partaking with generally positive feedback. The main issues raised at this stage were listed at section 1.6 of the report.

Following the preferred option consultation, further technical evidence and analysis had been prepared on a number of subjects including zero-carbon, underground waste collection systems, transport, infrastructure and options for the creation of a community land trust.

These, along with ongoing stakeholder feedback, fed into the final, pre-submission draft version of the AAP which was attached at Annex A to the report.

The pre-submission draft AAP would be published for a statutory six week period of public consultation, anticipated to take place from August to September 2020. Provided no significant issues were raised during that time, the pre-submission draft AAP would be formally submitted to the Secretary of State in accordance with Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012, including any minor modifications.

At that point, a timetable for the independent examination of the AAP would be agreed.

The report advised that there would be a cost associated with the formal consultation process and examination but this would be met from existing budgets.

Councillor Haine advised that all Councillors would have received a submission from Nigel Pearce who had wanted to address the meeting with his comments. However, the public participation scheme did not permit public speaking on matters that were the subject of statutory consultation. Queries had also been submitted by Councillors Levy and Rylett and the respective officers would be answering their concerns in due course.

Councillor Haine urged all Councillors and members of the public to respond to the public consultation and submit their comments using the appropriate process. He referred to the seven core themes outlined at section 2.2 of the report and reminded Members that many of the 'niceties' cost money. Extensive meetings had taken place with the Parish Council and other interested parties and the proposals had been designed around the wishes of the people. Councillor Haine announced that it had only recently come to light that there was a potential the Government would be asking the County Council to recoup infrastructure costs via S106 monies.

Having outlined the plan and explained the process that the consultation would follow, Councillor Haine proposed the recommendations as written.

This was seconded by Councillor Harvey who was thrilled with the inclusion of Climate Change and he thanked Councillor Haine and all the officers involved.

A number of formatting issues were raised including background colour and missing images. Officers assured Members that the document would be professionally formatted by a draftsman and the relevant images included.

Councillor Mills thanked all parties involved in creating the AAP and reinforced the need to make sure the document was accessible for everyone. He urged Members to submit their thoughts and opinions through the consultation process so that these could be gathered together.

Concerns were raised regarding the six week consultation spanning the summer holidays but it was noted that the process was unlikely to begin until at least halfway through August. Officers also advised that the timeframe could be extended if it was felt that interaction from the public was low. Hard copies of the papers would also be available and officers would be publicising details shortly.

Members added their thanks to officers and were broadly happy with the document subject to the minor formatting already discussed.

The issue relating to S106 agreements and the potential for Government to recoup money was discussed and the Chief Executive provided some clarification on what was known to date.

It was therefore resolved that the recommendations in the report be approved.

**DECISIONS:**

- (a) That the Council be recommended to approve the pre-submission draft Area Action Plan (AAP) attached at Annex A for the purposes of formal publication for a statutory period of six weeks in accordance with Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012;
- (b) That the Council be recommended to authorise the Chief Executive, in consultation with the Cabinet Member for Strategic Planning, to make any minor factual/typographical amendments to the pre-submission draft AAP in conjunction with Officers, prior to formal publication; and
- (c) That the Council be recommended to agree that subject to there being no significant issues raised during the statutory six-week period, the pre-submission draft Area Action Plan (AAP) be formally submitted to the Secretary of State in accordance with Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012 including any minor modifications.

**REASONS:** Cabinet considered the representatives appointed in each case would enhance the Council's involvement in community organisations and its aim to encourage partnership working.

**OPTIONS:** No alternative options had been considered because if the Council did not undertake consultation, the pre-submission draft AAP could be found to be 'unsound' when considered at independent examination, the Council would have failed to comply with the relevant legislative requirements in preparing the AAP and/or the Council would not have fulfilled its obligations under the Duty to Co-Operate.

The meeting closed at 4.01 pm

Leader of the Council