

Tuesday 7 November 2023

Tel: 01993 861000

email: democratic.services@westoxon.gov.uk

EXECUTIVE

You are summoned to a meeting of the Executive, which will be held in Committee Room 1, Woodgreen, Witney, Oxfordshire, OX28 1NB on **Wednesday 15 November 2023 at 6.00pm.**



Giles Hughes
Chief Executive

To: Members of the Executive.

Councillors: Andy Graham (Leader), Duncan Enright (Deputy Leader), Joy Aitman, Carl Rylett, Andrew Prosser, Alaric Smith, Geoff Saul, Lidia Arciszewska and Tim Sumner.

Recording of Proceedings – The law allows the public proceedings of Council, Executive, and Committee Meetings to be recorded, which includes filming as well as audio-recording. Photography is also permitted. By participating in this meeting, you are consenting to be filmed.

As a matter of courtesy, if you intend to record any part of the proceedings please let the Democratic Services officers know prior to the start of the meeting.

AGENDA

1. **Apologies for Absence**
To receive any Apologies for Absence from Members of the Executive.
2. **Declarations of Interest**
To receive any Declarations of Interest from Members of the Executive on any items to be considered at the meeting.
3. **Minutes of Previous Meeting (Pages 7 - 16)**
To approve the minutes of the previous meeting, held on Wednesday 11 October 2023.
4. **Receipt of Announcements**
To receive any announcements from the Leader of the Council, Members of the Executive or the Chief Executive.
5. **Participation of the Public**
Any member of the public, who is a registered elector in the District, is eligible to ask one question at the meeting, for up to three minutes, of the Leader of the Council, or any Member of the Executive on any issue that affects the district or its people.

Notice, together with a written copy of the question, must be provided to Democratic Services, either by email to:
democratic.services@westoxon.gov.uk

or by post to:
Democratic Services, West Oxfordshire District Council, Woodgreen, Witney OX28 1NB.

Questions are to be received no later than 2.00pm two clear working days before the meeting (e.g. for a Wednesday meeting, the deadline would be 2.00pm on the Friday before).

A response may be provided at the meeting, or within three clear working days of the meeting. If the topic of the question is not within the remit of the Council, advice will be provided on where best to direct the question.

The appropriate Executive Member will either respond verbally at the meeting or provide a written response which will be included in the minutes of the meeting.
6. **Proactive Delivery of Affordable Housing (Pages 17 - 28)**
Purpose:
To outline the Council's aspiration for a more proactive approach to increase the supply of affordable housing within the district, and outline how this can be achieved with the required resources.

Recommendations:
That the Executive Resolves to:
 1. Note the suggestions to be explored, in order to increase the supply of affordable homes within the district;
 2. Approve the appointment of a new Strategic Housing Development & Enabling Manager.

7. **Oxfordshire Local Electric Vehicle Infrastructure (OXLEVI) Programme (Pages 29 - 62)**

Purpose:

To approve the submission of the countywide Local Electric Vehicle Infrastructure (LEVI) Stage 2 application to install electric vehicle (EV) charging Infrastructure in West Oxfordshire.

Recommendations:

That the Executive Resolves to:

- I. Delegate authority to the Council's Director of Finance, in consultation with the Executive Members for Finance and Climate Change to:
 - i. Approve Oxfordshire County Council's (OCC's) submission of a stage 2 application to the Office for Zero Emissions Vehicles for Oxfordshire's allocation of £3.655 million LEVI funding;
 - ii. Approve that OCC accept and spend LEVI funds in accordance with the submitted proposal;
 - iii. Approve that OCC tender for EV charging contracts in Oxfordshire; the tender will be a joint tender on behalf of all Oxfordshire county and district councils, which OCC will lead;
 - iv. Approve that WODC enter directly into the contract with the Charge Point Operator (CPO) following the tender process and completion of full feasibility studies and sign off at the OXLEVI Programme Board.

8. **Council Tax, Housing Benefit and Council Tax Support Penalty and Prosecution Policy (Pages 63 - 76)**

Purpose:

To present Executive with an updated Council Tax, Housing Benefit and Council Tax Support Penalty and Prosecution Policy for approval.

Recommendations:

That the Executive Resolves to:

1. Adopt the Council Tax, Housing Benefit and Council Tax Support Penalty and Prosecution Policy;
2. Delegate to the Director of Finance to approve future minor amendments to the Policy in consultation with the Business Manager Environmental, Welfare and Revenue Service and the Head of Service, Counter Fraud and Enforcement Unit.

9. **UK Shared Prosperity Fund and Rural England Prosperity Fund (Pages 77 - 84)**

Purpose:

To update the Executive of the progress on planning and delivery of the Council's UK Shared Prosperity Fund and Rural England Prosperity Fund.

Recommendations:

That the Executive Resolves to:

1. Note the progress on planning and delivery of the Council's UK Shared Prosperity Fund and Rural England Prosperity Fund;
2. Delegate authority for the approval of future schemes and expenditure to the

Deputy Leader and Cabinet Member for Economic Development, in consultation with the Council's UKSPF / REPF Delivery Group.

10. **Financial Performance Report 2023/24 Quarter Two** (Pages 85 - 100)

Purpose:

To detail the Council's financial performance for Quarter Two 2023-2024.

Recommendations:

That the Executive Resolves to:

1. Note the Council's Financial Performance for Quarter Two 2023-2024.

11. **Infrastructure Funding Statement (IFS) 2022/23** (Pages 101 - 118)

Purpose:

To note the West Oxfordshire Infrastructure Funding Statement (IFS) for 2022/23.

Recommendations:

That the Executive Resolves to:

1. Note the content of the Infrastructure Funding Statement (IFS) attached at Annex A, with a view to it being published on the Council's website by 31 December 2023 in accordance with legislative requirements.

12. **Fixed Penalty Notice Level Increases for Fly Tipping and Waste Crime Offences** (Pages 119 - 124)

Purpose:

To set out the new maximum level fines proposed by the Government, to deter and punish the offences of littering, fly-tipping, householder duty of care, flyposting & the distribution of free printed matter, and to seek approval to introduce these new fine levels.

Recommendations:

That the Executive Resolves to:

1. Note the content of the report;
2. Recommend to Council to agree to an increase in the fine levels to the maximum levels permissible, as outlined in Table 1;
3. Recommend to Council to agree an early payment discount as outlined in Table 1;
4. Delegate authority to the Chief Executive to increase levels of fines, subject to the resolutions of Council on 29 November 2023.

13. **Publica Review** (Pages 125 - 168)

Purpose:

To outline the conclusions from the recent Strategic Review of Publica Services, carried out by Human Engine on behalf of the four Publica Councils, and to consider the next steps.

Recommendations:

That the Executive Resolves to:

1. Note any decisions taken by the Cabinets at Cotswold District Council, Cheltenham Borough Council and Forest of Dean District Council;
2. Support in principle the direction recommended in the Human Engine report to

return a range of services back to the Council and reshape Publica;

3. Instruct the Chief Executive to commence preparatory work and prepare a business case for a new operating model, and an associated transition plan identifying any necessary consultations, in partnership with Cheltenham Borough Council, Cotswold District Council, Forest of Dean District Council and Publica, and to report back to Executive with these;
4. Instruct the Chief Executive to prepare an Equality Impact Assessment as part of the preparatory work;
5. Agree to set the following principles to help guide the preparatory work and transition plan:
 - Recognise the significant contribution of Publica staff and management to West Oxfordshire;
 - Ensure that human resources processes are fair and appropriate, and that there is effective engagement with Unions and staff;
 - Support the financial sustainability of the Council, and the delivery of the Council's ambitions as set out in the Council Plan;
 - Explore the potential for delivering services in partnership to ensure adequate capacity and capability, and realise economies of scale;
 - Ensure that there are effective governance, management and staffing structures in place for the Council, any partnership services, and for Publica, both through the transition process and afterwards;
 - That the transition costs from changes are shared fairly amongst all of the partner Councils;
 - That the funding model for Publica and partnership services in the future is fair and reflects the extent of services received.
6. Instruct the Chief Executive to commence the process for Union recognition for West Oxfordshire District Council staff;
7. Refer the Publica Review and Human Engine Report to the Overview and Scrutiny Committee for their comments, prior to further consideration at the Executive and consideration by Council;
8. Agree to set aside £100,000 from the Corporate Priorities earmarked reserve to fund potential transition and preparatory work required for the Council and for the Publica Partnership during the 2023/24 financial year;
9. Agree to set aside a further £200,000 of earmarked reserve to 2024/25 transition costs within the ongoing budget setting process for 24/25 (and update of the Council's Medium Term Financial Strategy);
10. Agree that for the 2024/25 Budget and Medium-Term Financial Strategy (currently being developed for presentation to Council in February 2024) to consider the financial implications more broadly, including on Council's revenue and capital budgets, its risk profile and its balance sheet (reserves and liabilities).

14. Exclusion of Press and Public

If the Executive wishes to exclude the press and public from the meeting during consideration of any of the items on the exempt from publication part of the agenda, it will be necessary for the Executive to pass a resolution in accordance with the provisions of the Paragraph 4(2)(b) of the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2012 on the grounds that their presence could involve the likely disclosure of exempt information as described in specific paragraphs of Schedule 12A of the Local Government Act 1972.

15. **Lease of Council Offices (Elmfield) (Pages 169 - 172)**

Purpose:

To request approval for the lease of Elmfield Offices and the Gables as set out in the report.

Recommendations:

That the Executive Resolves to:

1. Approve the letting of Elmfield Offices and The Gables on the terms detailed within the report.
2. Delegate authority to the Assistant Director for Property & Regeneration, in consultation with Executive Member for Finance and the Director of Finance to agree the final terms of the lease, including the cost of the Landlord's works.

16. **Disposal And Development of Land At Walterbush Road, Chipping Norton For Custom Build Zero Carbon Homes (Pages 173 - 180)**

Purpose:

To consider a new delivery model for the development of homes at Walterbush Road.

Recommendations:

That the Executive Resolves to:

1. Agree to proceed with GreenAxis based on the model set out in the report, subject to suitable legal agreements being put in place to protect the council's interest; and
2. If agreement cannot be reached, to proceed with seeking formal Expressions of Interest on the site for a development, as agreed by the Executive in June 2023.

(END)

WEST OXFORDSHIRE DISTRICT COUNCIL

Minutes of the meeting of **Executive.**

Held in The New Hall, Warwick Hall, Church Lane, Burford, Oxfordshire OX18 4RY at
6.00pm on **Wednesday 11 October 2023.**

PRESENT

Councillors: Andy Graham, Duncan Enright, Carl Rylett, Andrew Prosser, Alaric Smith, Geoff Saul, Lidia Arciszewska and Tim Sumner.

Officers: Giles Hughes (Chief Executive), James Howse (Interim Director of Finance), Andrea McCaskie (Director of Governance), Frank Wilson (Executive Finance Director - Publica), Zoe Campbell (Assistant Director, Organisational Effectiveness), Phil Martin (Assistant Director, Business Services), Claire Locke (Assistant Director, Property and Regeneration), Jon Dearing (Assistant Director, Resident Services), Sue Hughes (Business Manager, Support and Advice), Max Thompson (Senior Democratic Services Officer), Chris Hargraves (Planning Policy Manager), Heather McCulloch (Community Wellbeing Manager), Anne Learmonth (Democratic Services Officer), Barry Clack (Communications Officer) and Elise Chowdhury (Communications Officer).

Other Councillors in attendance: Michele Mead, Thomas Ashby, Rosie Pearson, Hugo Ashton, Julian Cooper, and David Melvin.

87 Apologies for Absence

Apologies for Absence were received from Councillor Joy Aitman.

Councillor Duncan Enright arrived late to the meeting at 6.15pm.

88 Declarations of Interest

There were no Declarations of Interest made by Members of the Executive.

89 Minutes of Previous Meeting

The minutes of the previous meeting, held on Wednesday 13 September 2023, were unanimously agreed by the Executive, and signed by the Leader of the Council as a true & accurate record.

90 Receipt of Announcements

Councillor Andy Graham, Leader of the Council, welcomed all attendees to the meeting, and thanked members of the public for attending proceedings. The Leader advised that the meeting was the sixth in the Council's "Executive on Tour" series, with previous meetings being held around the West Oxfordshire District in Charlbury, Chipping Norton, Woodstock, Carterton and Eynsham. Councillor Graham also advised that the next meeting of the Executive, would take place on Wednesday 15 November 2023, at 2.00pm in Committee Room 1 at the Council's offices at Woodgreen in Witney.

The Council's Senior Democratic Services Officer, Max Thompson, was invited by the Leader to give the members of the public in attendance an overview of the way that the meeting would run. Public attendees were advised that Members of the Executive would remain in attendance after the meeting had concluded, so they could meet each other on an informal basis.

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The Senior Democratic Services Officer further advised that the final two Agenda Items contained commercially sensitive information and details of a private nature, and as such, the meeting would need to agree to enter private session and that attendees that this would be highlighted at the appropriate juncture.

Councillor Geoff Saul, Executive Member for Housing and Social Welfare announced that as part of the Council's Strategic Housing Project, a recruitment exercise would take place for the recruitment of a Strategic Housing Officer. The post would also be shared with Cotswold District Council, with the post holder being employed by Publica Group, as part of the Council's working partnership.

Councillor Tim Sumner, Executive Member for Leisure and Major Projects announced and welcomed the appointment of Jacqui Wright as the Council's new Head of Leisure and Well-Being. The role had been designed to drive a focus on Leisure and Well-Being provisions within the District, putting residents first.

Councillor Andrew Prosser, Executive Member for Climate Change welcomed Stephany Chan to the meeting who was present in the public gallery. Stephany Chan was an undergraduate from Oxford Brookes University and had taken up post as an internship during the current semester and would be hosted by the Green Party Group of the Council.

Councillor Lidia Arciszewska, Executive Member for the Environment, advised that 23 November 2023 would be 'Waterways Day', taking place at The Corn Exchange in Witney. There would be an extensive list of Speakers at the event, such as Thames Water, Environment Agency, and Oxfordshire County Council. The Executive Member expressed a desire for maximum participation at the event.

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Participation of the Public

Councillor Andy Graham, Leader of the Council, advised the Executive had received 3 public questions, submitted to them through Democratic Services in advance of the meeting.

The Executive provided the following answers to the following questions:

Q1 Asked by Councillor Perryn Bruce, Burford Town Council:

Please could the respective Executive Members for Planning & Sustainable Development (responsible for conservation and the historic environment) and Economic Development (responsible for the visitor economy) outline a programme for achieving remedial works on 121 High Street, Burford?

The Grade 2 listed building at 121 High Street has been empty for at least seven years and is deteriorating rapidly. In the last year or so, the following has been noted:

- Window glass has fallen from rotten window frames onto the High Street, posing a Health and Safety risk to the public;
- A hole in the roof of 121 can be seen from buildings across the road. We assume this hole is enabling rainwater ingress, accelerating the dereliction of the building;
- Rainwater is penetrating a neighbour's property at the rear of 121, creating a potential health hazard for the resident;
- There is a constant drip from an overflow pipe at the side of 121 also affecting the neighbour mentioned above;

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- There has been no maintenance or cleaning in seven years or so, making the building an eyesore for Burford.

Given the Health and Safety issues regarding this property and the impact to a listed building, surely the current situation cannot be sustained?"

A1 Answered by Councillor Carl Rylett, Executive Member for Planning and Sustainable Development:

121 High Street, Burford, has been a property that has been monitored by the planning team, involving regular visits from the Conservation Officers and Enforcement Officers. WODC has a locus in assessing the state of the Listed Building in terms of its architectural and historic integrity, but is not to intervene in civil issues as regards water penetration to a third-party property, and nor does the Listed Building legislation control Health and Safety matters, albeit that it is accepted that there is some overlap between resolving one issue and helping to move others on.

The key problem with this site has been tracking down the owner. It has taken considerable work on behalf of the team, firstly to track the owner down, and secondly to arrange a meeting where the issues can be put face to face. A meeting took place today (Wednesday 11 October 2023) to seek to progress matters more quickly than has been possible whilst we have been trying to establish contact. However, the matter may be extended as the property is registered to a foreign company, which may complicate the enforcement process if enforcement is eventually required. If there are any updates from the meeting, Officers will update you as appropriate.

The defective rainwater goods and potential water penetration may be investigated by the Environmental Health team if required, because depending on the extent of harm, powers under Statutory Nuisance and Building Act legislation can be used to remedy the situation if required.

Q2 Asked by Councillor John White, Burford Town Council:

Oxfordshire County Council (OCC) has a team working on finding a regional solution to the problems caused by HGVs rumbling through small towns and villages in the County, especially Burford.

What is the District Council's position on this project?, and has it, or will it tell OCC where it stands on these issues?

A2 Answered by Councillor Geoff Saul, Executive Member for Housing and Social Welfare, (on behalf of) Councillor Duncan Enright, Deputy Leader of the Council and Executive Member for Economic Development:

In a previous role in the County Council, Councillor Enright put in place a new freight routing strategy, which will use a range of measures to work with hauliers and other HGV users, in order to reduce inappropriate traffic on our rural road network. The pilot for the new approach at the County Council will take place in the Windrush Valley, covering everything in the triangle between Fosseway, A40 and A44 (as well as the Henley area).

As the Executive Member for Economic Development at West Oxfordshire District Council, Councillor Enright is well aware of the need for our many businesses in the district, including in agriculture, quarrying and haulage, to have appropriate access. This must be balanced by the

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need of residents and businesses to be safe on our roads, and not suffer from heavy goods traffic unnecessarily.

There is no solution which fits every situation, and our neighbours (for example in Gloucestershire and Warwickshire) have the same problems. There is goodwill on all sides, which is a strong place to start finding a solution to HGV traffic routing, particularly around our quarrying and construction sites, and in sensitive locations like town centres in Burford and Chipping Norton, Leafield and Woodstock, and on West End in Witney.

West Oxfordshire District Council will work with the County Council to facilitate the pilot and future work to the fullest extent, as well as considering the needs of businesses and residents in the forthcoming new Local Plan.

Q3 Asked by Councillor Peter Higgs, Mayor of Burford:

I submitted a question to you regarding WODC's action plan to improve Car and Coach parking in Burford on 12 September 2023.

Please could I receive the council's formal plans to improve Burford Car Park both in capacity and in resilience against flooding, and how WODC can help provide proper coach parking to support Burford's tourist industry.

A3 Answered by Councillor Andy Graham, Leader of the Council:

Car parking in Burford as everyone knows is very popular, particularly at the Guildenford car park. During a recent usage survey carried out by the District Council, 32.75% stated they travel under 10 miles to the town, indicating that they live in the local area. The remaining 67.25% were from outside the area, and the average occupancy of car parking throughout the duration of the study was 61%.

The Guildenford car park is most popular between the peak times of 1.00pm and 3.00pm, when on average 80% of spaces are occupied. This increases during summer months when it becomes more popular with tourists, reaching levels of 80-90%.

The majority of customers using the car park are short stay, which indicates a high turnaround of customers and spaces. There is additional parking available on the street permitting both short and longer stay, for which there is currently no charge. Analysis of our enforcement activity in the area, highlighted that the majority of enforcement action was taken as a result of customers parking beyond the bay markings.

At the meeting tonight, the Executive are recommended by officers to resolve to:

- a) Agree that a further review in 2024 of Guildenford car park, supports the best use of council assets to identify parking issues and capacity levels; and
- b) Agree to delegate the decision to approve the costs associated with undertaking a further review of Guildenford car park, to the Assistant Director for Resident Services, in consultation with the Executive Member for Leisure and Major Projects.

These reviews would incorporate proposals to mitigate against flood risks, and look at the issues related to coach parking in the town. So, in short, we are on it, and we will work with you to find a solution.

92 Review of Housing Resources

Councillor Geoff Saul, Executive Member for Housing and Social Welfare, introduced and gave an overview of the report, which briefed members on the continuing pressures facing the Housing Service, and outlined the work carried out by Fixed Term Contract Staff.

The report also set out the impact on the service should these be lost, with a recommendation to make these staff permanent, and seek approval to recruit an additional member of staff to assist with the complex and increasing volumes of Housing financial transactions.

In debate, the Executive paid tribute to the ongoing work of officers and for their efforts on the subject matter. Clarification was also provided by officers, whereby the additional member of staff being recruited to assist with the complex and increasing volumes of Housing financial transactions, as well as the three post holders on fixed term contracts, would be employed by Publica Group and would carry out work specifically for West Oxfordshire District Council.

Councillor Geoff Saul proposed that the Executive agree to the recommendations as listed on the report. This was seconded by Councillor Alaric Smith, was put to a vote, and was agreed unanimously by the Executive.

The Executive **Resolved** to:

1. Agree that the three fixed term contract posts as described in Section 4.3 are moved to permanent posts;
2. Approve the recruitment of a new Housing Finance Project Officer (WODC specific) as laid out in Section 6.

93 Human Resources (Employment) & Health and Safety Policies

Councillor Andy Graham, Leader of the Council, introduced and gave an overview of the report, which updated the Executive on plans relating to the refresh of all Employment and Health & Safety policies for West Oxfordshire District Council.

Councillor Andy Graham proposed that the Executive agree to the recommendations as listed on the report. This was seconded by Councillor Andrew Prosser, was put to a vote, and was agreed unanimously by the Executive.

The Executive **Resolved** to:

1. Request that the Constitution Working Group considers the expansion of the terms of reference of the Performance and Appointments Committee to include responsibility for the adoption and amendment of Employment and Health and Safety Policies;
2. Recommend that Council adopts the twenty-six Employment and Health & Safety Policies (included in Annex A of the original report);
3. Recommend to Council to delegate authority to the Chief Executive, in consultation with the Leader of the Council and the Director of Governance, to approve subsequent amendments to any West Oxfordshire District Council employment policies that may be necessary, in line with legal changes and best practice, to ensure the Councils policies remain compliant.

Review of Car Parks

Councillor Alaric Smith, Executive Member for Finance, introduced and gave an overview of the report, which considered proposals promoting the efficient utilisation of the Council's free off-street car parks.

The report also sought to support access to the District's Town Centres and smaller service centres, including the gathering of further data on car park usage and implementation of amended stay times.

In debate, the Executive were pleased to highlight a positive response received from the Store Manager of Waitrose in Witney, whereby the results of a trial of longer, permitted stays in the Woolgate Car Park in central Witney had made a significant difference to the morale of staff at Waitrose, and that it had also made a substantial increase in staff retention at the store. The longer stay time frame had also been of benefit to local charitable organisations who required the car park for their own work. The Executive also gave a further detailed overview of the reviews undertaken by the Council and the benefit it would provide to both residents and businesses.

The Executive also gave an assurance that issues surrounding on-street parking in the town of Woodstock, particularly when outside events take place at Blenheim Palace, would be investigated by Council Officers ahead of the summer season of 2024. The Executive also reaffirmed the ease to both residents and businesses of free car parking within the district, and that the extension of the Oxford Tube bus service to Carterton and Witney from Oxford and London, would also result in increased monitoring of car parks, as a part of ongoing reviews.

The Executive stated that the improvements to signposts and general signage within car parks around the district, would also be of benefit to the local economy, meaning that visitors would not become confused when arriving at car park locations.

Councillor Alaric Smith proposed that the Executive agree to the recommendations as listed on the report. This was seconded by Councillor Tim Sumner, was put to a vote, and was agreed unanimously by the Executive.

The Executive **Resolved** to:

1. Agree that a further review in 2024 of Guildenford car park, Burford, supports the best use of council assets to identify parking issues and capacity levels. As per paragraph 3.5 of the report;
2. Agree to delegate the decision to approve the costs associated with undertaking a further review of Guildenford car park to Assistant Director for Resident Services Group in consultation with the Executive Member for Leisure and Major Projects;
3. Agree that a further review in 2024 of Hensington Road car park, Woodstock, would support best use of council assets once the impact of charging on street by Oxfordshire County Council has been assessed as per paragraph 3.39 of the report;
4. Agree to change the restriction time in Zone G of Woolgate Car Park, Witney, to 12-hour maximum stay as per paragraph 3.30 of the report;
5. If changes to stay times are agreed (as per recommendation D), delegate the decisions following outcome of the legally required consultation to the Assistant Director for Resident Services Group in consultation with the Executive Member for Leisure and Major Projects;

6. Approve expenditure up to £8,000 to improve car park signage from the Support from either UKSPF funding or Council Priorities Reserve;
7. Agree in principle that condition surveys on Council Car parks should be considered further to establish the condition of Council assets as per paragraph 5.2 of the report.

95 Youth Needs Assessment Recommendations

Councillor Andy Graham, Leader of the Council, introduced report, before inviting Heather McCulloch, Community Wellbeing Manager, to provide a further overview regarding the report and its recommendations.

The Youth Needs Assessment Report considered recommendations made to Council as a result of the Youth Needs Assessment, in which the Council obtained views of approximately 4000 young people to better understand the challenges they faced.

The Executive encouraged young persons and other residents within the district to read the findings of the survey undertaken, which were available on the Council's website, and to explore ways of accessing vital funding for projects from a fund set aside by the Council.

Councillor Andy Graham proposed that the Executive agree to the recommendations as listed on the report. This was seconded by Councillor Andrew Prosser, was put to a vote, and was agreed unanimously by the Executive.

The Executive **Resolved** to:

1. Ask officers to engage with Oxfordshire County Council, to work up a proposal to create a dedicated youth specialist role for the County Council, to lead on Young People and carry forward the recommendations of the Youth Needs Assessment. This proposal should come back to the Executive for approval if it has direct financial implications for the Council;
2. Dedicate a specific stream of funding on the WestHive platform for youth activities particularly those led by young people themselves.

96 West Oxfordshire Local Plan 2031 - Regulation 10A Review

Councillor Carl Rylett, Executive Member for Planning and Sustainable Development, introduced and gave a detailed overview of the report, which considered a review of the West Oxfordshire Local Plan 2031 in accordance with Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012.

In debate, the Executive highlighted that work to assess Local Housing Needs would be commissioned externally, owing to the technical nature of the work desired to be undertaken, and that external commissioning would provide appropriate robustness within the project.

The importance of effective updates to the Local Plan was also emphasised by the Executive, and that a series of workshops held around the district, were of vital importance when engaging with residents to determine the most appropriate ways of creating a new, purposeful, and effective Local Plan.

Assurance was also provided that heritage site buffer zones would also be kept fully up to date as part of the Local Plan refresh.

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Councillor Carl Rylett proposed that the Executive agree to recommendation 'A' as listed on the report, with recommendation 'B' amended to include 'subject to the inclusion of additional wording, clarifying that the strategic allocations will be subject to an assessment of anticipated deliverability, prior to being taken forward as identified commitments'.

This was seconded by Councillor Lidia Arciszewska, was put to a vote, and was agreed unanimously by the Executive.

The Executive **Resolved** to:

1. Note the content of the report;
2. Approve the Regulation 10A review of the West Oxfordshire Local Plan 2031, attached at Annex A, subject to the inclusion of additional wording, clarifying that the strategic allocations will be subject to an assessment of anticipated deliverability, prior to being taken forward as identified commitments.

97 Treasury Management Quarterly Update Report

Councillor Alaric Smith, Executive Member for Finance, introduced and gave an overview of the report, which provided a quarterly update on the Council's Treasury Management operations.

Councillor Alaric Smith proposed that the Executive agree to the recommendation as listed on the report. This was seconded by Councillor Andy Graham, was put to a vote, and was agreed unanimously by the Executive.

The Executive **Resolved** to:

1. Note the contents of the report.

98 Exclusion of Press and Public

Councillor Andy Graham, Leader of the Council, proposed that Executive agree to exclude the press and public from the meeting for the remaining exempt items of business, on the basis that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

This was seconded by Councillor Duncan Enright, was put to a vote and was unanimously agreed by the Executive.

The Executive **Resolved** in accordance with the provisions of Paragraph 4(2)(b) of the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2012 to:

1. Exclude the press and public from the meeting on the grounds that their presence could involve the likely disclosure of exempt information as described in paragraphs 1 and 3 of Schedule 12A of the Local Government Act 1972.

99 The Unicorn, Great Rollright - Listed Building in Poor Repair

Councillor Geoff Saul, Executive Member for Housing and Social Welfare, introduced and gave an overview of the report, which reviewed previous decisions to take action to conserve The Unicorn (former Public House) at Great Rollright, a listed building in disrepair.

The report also sought to agree whether the Council should proceed with any action to secure the protection or renovation of the building, based on the financial risk this poses to the Council.

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In debate, the Executive highlighted that problems relating to The Unicorn were not uncommon to the Council, and that ongoing work with officers and the owners of the building had previously been troublesome. The Executive were reassured by Officers that work would continue to find an appropriate and reasonable solution, notwithstanding any related financial implications for the Council, with current market positions taken in to account.

Councillor Geoff Saul proposed that the Executive agree to the recommendations as listed on the report. This was seconded by Councillor Alaric Smith, was put to a vote, and was agreed unanimously by the Executive.


The Executive **Resolved** to:

1. Continue to work with the building owners who are responsible for its condition and renovation, and to monitor the structural condition of the building as set out in Option 4 to comply with its statutory duties but not proceed with discretionary legal action (covered in Options 1, 2 and 3) due to the significant financial risk to the Council and burden on the taxpayer, of doing so;
2. Note that should the structural stability of the building deteriorate further placing people and property at risk from collapse, the Council will have to take action to remove the risk.

The Meeting closed at 7.11pm

CHAIR

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 <p>WEST OXFORDSHIRE DISTRICT COUNCIL</p>	WEST OXFORDSHIRE DISTRICT COUNCIL
Name and Date of Committee	EXECUTIVE – 15 NOVEMBER 2023
Subject	PROACTIVE DELIVERY OF AFFORDABLE HOUSING
Wards Affected	ALL
Accountable Member	Councillor Geoff Saul – Executive Member for Housing and Social Welfare. Email: geoff.saul@westoxon.gov.uk
Accountable Officer	Charlie Jackson – Assistant Director, Planning & Sustainability. Email: charlie.jackson@publicagroup.uk
Report Author	Charlie Jackson – Assistant Director, Planning & Sustainability. Email: charlie.jackson@publicagroup.uk
Purpose	To outline the Council's aspiration for a more proactive approach to increase the supply of affordable housing within the district, and outline how this can be achieved with the required resources.
Annexes	Annex A – Job Description, Strategic Housing Development & Enabling Manager.
Recommendations	<p>That the Executive Resolves to:</p> <ol style="list-style-type: none"> 1. Note the suggestions to be explored, in order to increase the supply of affordable homes within the district; 2. Approve the appointment of a new Strategic Housing Development & Enabling Manager.
Corporate Priorities	<ul style="list-style-type: none"> • A Good Quality of Life for All • Working Together for West Oxfordshire
Key Decision	NO
Exempt	NO
Consultees/ Consultation	Consultation with colleagues, portfolio holders and retained officers.

1. BACKGROUND

- 1.1 Social housing stock has been in steady decline across the county for the past several decades, with former stock being sold off, demolished and not replaced. Shelter report there are 1.4 million fewer households in social housing than in 1980, and 1 million households are currently waiting for social housing. Combined with excessive house prices, making homes unaffordable, this has pushed demand into the private rental sector, where supply has been slow to keep up. The result is above inflationary increases in rents, especially in the south of England and big cities.
- 1.2 West Oxfordshire District Council has identified through its housing register that over 2000 households across the district are in need of affordable housing, and currently aims to deliver 274 new affordable homes every year to 2031 in order to help meet the needs of its residents.
- 1.3 West Oxfordshire is a challenging economical environment for many residents, with house prices in 2021 being on average around 11.4 times higher than average earnings. Furthermore, the council has understood the impact of the changing economical environment upon its residents and wishes to put measures in place to increase the number of truly affordable housing units delivered annually, including the promotion of innovative housing solutions, so that we can reduce the housing waiting list.
- 1.4 West Oxfordshire District Council recognises the national housing crisis and the need to do more to combat the affects within its district. The Council Plan states Priority 2 - Enabling a good quality of life for all will explore the scope for alternative means of delivering the range of homes in the district that meet the diverse needs of our communities, such as investment in tenures and sizes of homes that the market does not currently deliver enough of. And Priority 5 - Working together for West Oxfordshire seeks to invest in the building of homes that meet the diverse housing needs of our residents at all stages of their lives, including for those seeking to downsize or affordable social housing.
- 1.5 Whilst the need has been established and agreed as a priority to address, we now need to consider how the council will address these aspirations.

2. CURRENT DELIVERY METHODS

- 2.1 The council currently seeks to deliver affordable housing requirements through a number of mechanisms, including Developer contributions and land led developments and has been successful in achieving the following numbers of affordable housing units over the last 5 years:

Tenure	Affordable Rent		Social Rent		Shared Ownership		Discount Market Sale	First Homes	Total
	Developer contribution	RP land led / grant	Developer contribution	RP land led / grant	Developer contribution	RP land led / grant	Developer contribution	Developer contribution	
2018/19	76	36			61	7			180
2019/20	276	12			123	58			469
2020/21	240				127		7		374

2021/22	164	77			90	47			378
2022/23	146	29		49	70	11		4	309
Totals	902	154	0	49	471	123	7	4	1710

- 2.2** Under Section 106 agreement, developers are required to build a portion of affordable housing as part of their planning permission. This can make for a valuable contribution to housing supply and helps to create mixed-tenure communities. However, a survey conducted by Inside Housing showed only 49% of the homes completed by housing associations in 2021-22 were acquired via Section 106, although this percentage is higher in West Oxfordshire. Inside Housing considers that this percentage will continue to reduce meaning alternative methods of affordable housing delivery are required to be found, and more housing associations are exploring land led schemes to deliver affordable housing instead.

3. NEXT STEPS

- 3.1** The council wishes to take a more proactive approach in meeting the affordable housing demands of the district and has identified a number of workstreams to pursue. These include:
- 3.2** Developing key working relationships with organisations to support the council's ambitions, including already identified partners such as Cottsway, Oxplace and Homes England, in addition to seeking new relationships that can support these aspirations.
- 3.3** Working with partners to identify different models of delivery including building homes on council owned land, acquiring new land, purchasing homes from the open market and reviewing empty homes across the district.
- 3.4** Created a blended approach to housing delivery utilising existing resources including council plans and policies, reviewing strategic site allocations and brownfield site opportunities and exploring alternative options such as rural exception sites and the use of Compulsory Purchase Orders.
- 3.5** Identifying and defining less obvious areas requiring affordable housing, or what could be termed as "hidden needs" within the district, such as the needs of key workers, supported housing and care leaver requirements.
- 3.6** There are no doubt further ideas that can be brought forward to explore, and best practice across the UK can be reviewed and incorporated into these ambitions.
- 3.7** Reporting on progress and outcomes will be required to demonstrate the impact more proactive delivery models have on our communities and so progress reports will return to Executive at appropriate intervals.

4. RESOURCING

- 4.1** West Oxfordshire District Council currently has 1 FTE Strategic Housing & Development Officer working within the Housing Strategy Team. This colleague plays a crucial role in shaping the growth and development of communities within the district to ensure housing needs are met.
- 4.2** The council's ambition to deliver more affordable homes outside of traditional methods requires additional resource, to enhance and drive the strategic visions for affordable housing

delivery. We require an experienced relationship builder and innovator to seek out new ways of working and explore further routes and models to additional delivery of truly affordable housing. We therefore propose the appointment of a new role, “Strategic Housing Development & Enabling Manager”.

- 4.3 Cotswold District Council shares these ambitions and also wishes to seek out new models for additional delivery. For efficiency it has been agreed that WODC and CDC could share this additional resource in cost and time.
- 4.4 The full job description for this proposed role can be found as an annexe to this paper. As this role is a strategic leader it is proposed that the role will be a L3 or L4 with an approximate salary range of £55-£65,000pa. This will be funding by utilising existing budget and be on a 2 year FTC.
- 4.5 Existing funding will come from the “Project Specialist” role currently vacant within the Strategic Housing team. This post was initially created to focus on priorities and projects around affordable housing delivery within the district, and is therefore fitting that it is utilised to fund this new role.
- 4.6 A 2 year fixed term contract has been proposed as it is not felt this role will be required on an ongoing basis. Once new models and a programme of work has been identified and put into action, we may no longer require this post. Progress should be monitored on a periodic basis to assess.
- 4.7 On Monday 23rd October Publica’s shareholder councils announced the decision to return services currently managed by Publica to back within council management. This may have an impact on where this new role will be appointed into and discussions are required with WODC and CDC to understand their preferred option.

5. ALTERNATIVE OPTIONS

- 5.1 An alternative option would be to reduce the current workload of existing colleagues within the Housing Strategy Team, however this would impact on the ability to deliver housing through traditional methods and may risk targets already set for affordable housing delivery.
- 5.2 Another option would be to not take a proactive approach to delivering more affordable housing. This would mean taking a step back from the council’s ambitions as set out within the Council Plan.

6. CONCLUSIONS

- 6.1 The housing crisis and need for affordable housing continues to grow. Whilst the council is effective in delivery affordable housing through traditional methods, there are alternative options that can be explored to take a proactive approach, meet the needs of the district more specifically, and deliver additional truly affordable housing units for our communities.
- 6.2 In order to achieve this greater capacity and alternative skills are required. A new “Strategic Housing Development and Enabling Manager” role can be appointed using existing budget on a 2 year FTC.

7. FINANCIAL IMPLICATIONS

- 7.1** This paper outlines the proactive approach and ideas to take forward in order to generate additional affordable housing outside of traditional delivery methods. Those workstreams will need to be appraised and costed at the appropriate time and intervals.
- 7.2** Funding for the new role of Strategic Housing Development & Enabling Manager will be shared between this council and Cotswold District Council. Funding for this role will come from existing budget.

8. LEGAL IMPLICATIONS

- 8.1** No additional legal implications.

9. RISK ASSESSMENT

- 9.1** No significant risks identified. There would be some reputational risk if this proactive approach is not adopted or successful in delivering additional affordable housing as set out within the Council Plan.
- 9.2** Some risk that existing funds are used for a new role, but benefits are not realised. This will be mitigated through a robust recruitment process, and support provided to the role by the Strategic Housing team, portfolio holder and Assistant Director for Planning & Sustainability.

10. EQUALITIES IMPACT

- 10.1** Under equality legislation, the Council has a legal duty to pay 'due regard' to the need to eliminate discrimination and promote equality in relation to:
- Race
 - Disability
 - Gender, including gender reassignment
 - Age
 - Sexual Orientation
 - Pregnancy and maternity
 - Religion or belief
- 10.2** No detrimental impact on the above groups. This report outlines an approach to explore new ways to deliver more affordable housing, to support balanced and cohesive communities and meet the needs of those requiring affordable housing.
- 10.3** Recruitment for the new role of Strategic Housing Development & Enabling Manager will be done in a fair and transparent manner in accordance with relevant council policies.

11. CLIMATE AND ECOLOGICAL EMERGENCIES IMPLICATIONS

- 11.1** No impact at this stage.

12. BACKGROUND PAPERS

None

(END)

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Role Description and Employee Specification

We deliver great services to local communities on behalf of their local council. We are owned by the Councils and not shareholders, so we know our priorities and have strong values. At Publica we put people and our communities at the centre of everything.

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Job title:	Strategic Housing Development & Enabling Manager	Location:	Cirencester/ Witney/Hybrid WFH
Department:	Strategic Housing	Service:	Planning and Sustainability
Reports to:	Assistant Director Planning and Sustainability	Working Hours:	37 per week
Job group:	Specialist - Level 4	Peer group no:	PG-Click here to enter text.
Business World Post number:	Click here to enter text.	Direct Reports (if applicable):	2
FTE Salary pro rata:	£55,000 - £65,000	Contract type:	2 year FTC

Main purpose of this specific role:	Cotswold District Council and West Oxfordshire District Council have ambitious Housing Strategies and are looking for a Strategic Housing Enabling Manager to accelerate the delivery of affordable homes in Cotswold and West Oxfordshire Districts. The role will coordinate Council investment and enabling activity, working in partnership with Homes England, registered providers and other third party providers in order to develop and implement affordable housing delivery programmes for the Councils.
Main requirements of this specific role:	<ul style="list-style-type: none"> Work with council officers and elected members to enhance and drive the strategic visions for affordable housing delivery in Cotswold and West Oxfordshire Districts;

- Identify innovative, exemplar and financially sustainable options for the Councils to adopt more interventionist and innovative approaches to sustainable and affordable housing delivery;
- Develop, implement and manage the Councils' affordable housing delivery programmes through your own work and through leading a small team of strategic housing professionals;
- Seek out and develop new working relationships with organisations that can support the council's strategic visions for affordable housing. Foster and maintain excellent partnerships and working arrangements with partners such as Homes England, housing providers, developers, land owners and neighbouring authorities to deliver affordable housing schemes within the Cotswold and Oxfordshire districts.
- Use appropriate programme and project management systems to ensure effective and timely delivery, programme monitoring and reporting on outcomes when required;
- Provide expert advice as an input to the development of Local Plans and other policy documents to maximise opportunities for affordable housing delivery;
- Manage a small team of housing professionals, providing guidance and coaching in order to deliver team outcomes;

General Accountabilities


- Provide advice and recommendations to the management teams and elected members on significant policy decisions and complex and contentious matters within the post holder's service areas and areas of expertise;
- Contribute to the corporate management of the strategic risks associated with affordable housing and housing delivery facing the council, complying with relevant regulations at all times;
- Identify examples of national and regional good practice within the affordable housing service area and take the lead on seeking to implement such practices within the Cotswold and Oxfordshire districts

	<ul style="list-style-type: none"> • Remain current with housing regulations, laws and industry best practices to ensure compliance and inform policy decision making; • Represent the council at regional/national level within your services areas and areas of expertise. Participate in public forums if required, to promote awareness and garner support for housing initiatives and the council's ambitions; • Promote and exemplify robust decision making which is open, inclusive, flexible and responsive; • Embed a culture that places customers first, adopts a can-do approach and focuses on good outcomes in our communities; • Facilitate and enable transformational change within the housing service area through timely and relevant activities and interventions;
Essential qualifications/skills /experience specific to this role:	<p>Knowledge:</p> <ul style="list-style-type: none"> • Understanding of government policy and funding regimes in relation to affordable housing; and housing strategy • Good knowledge and practical understanding of best practice in affordable housing delivery • Familiarity of codes, government programs and regulatory frameworks that may impact affordable housing development and delivery <p>Qualifications:</p> <ul style="list-style-type: none"> • Degree in a subject area relevant to this post and/or proven experience at a mid-senior level in housing management and/or development, with a strong background in strategic planning and policy development. • Evidence of post qualification and/or personal and professional continued development. <p>Experience:</p> <ul style="list-style-type: none"> • Experience in a relevant profession; • Proven track record of enabling or delivering affordable housing projects; and • Experience in the assessment of housing needs, in developing housing related policies and strategies, and in working with Registered Providers and Developers. <p>Skills:</p>

	<ul style="list-style-type: none"> • Strong negotiating and relationship management skills; • Political awareness; • Good level of IT skills; • Communicate effectively at all levels (excellent verbal and written skills); • Achieves results individually and through influencing others; • Ability to motivate others and lead small teams effectively • Customer focussed, responsive, and co-operative with customers; • Proactive and self-motivated; • Able to prioritise and work to deadlines; • Works with employees, colleagues and customers to resolve problems and implement change initiatives; and • Ability to maintain confidentiality in accordance with Data Protection.
Desirable Requirements Qualifications, Skills and Abilities:	<ul style="list-style-type: none"> • Relevant professional membership; and • Experience of working within the local government/public sector/Housing Association environment • Management or post degree qualification or equivalent working experience
	Generic Job Profile:
Main Purpose of a role within this job group:	<p>The purpose of this role is to:</p> <ul style="list-style-type: none"> • Provide organisational leadership, specialist expertise and guidance within the area of specialism, and translate and contribute to the overall strategic direction of Publica • Represent Publica in relation to the area of specialism, as and when required • Influence policy, industry bodies, clients and colleagues to achieve long term business plan objectives of Publica

Key Responsibilities of a role within this job group:	<ul style="list-style-type: none"> • Define, develop and implement plans that translate Publica's Business Plan into strategic plans and initiatives for delivery • Manage key stakeholders, influencing and negotiating with multiple internal and external customers • Provide leadership and actively improve Publica's effectiveness, efficiency and service delivery with reference to the area of specialism • Harness new ways of working and develop innovative ways of service delivery for Publica • Oversee the delivery of strategic projects within the specialist service area and act as a single point of contact • Lead on appropriate legislation, policy, procedure, business requirements and guidelines • Act as an advocate for the organisation and handle complex negotiations and conflicts with confidence, openness and in a positive manner • Ability to interpret legislative requirements and ensure understanding and adherence across the organisation • Carry out duties with discretion, integrity and maintain confidentiality • Support the creation of a business like culture of continuous improvement, customer focus, commercialism and drive forward service improvement • Identify and manage opportunities and threats whilst continuously improving standards of service • Undertake any other duties as reasonably required to do so
General Accountabilities:	<ul style="list-style-type: none"> • The post holder is responsible for maintaining a safe working environment and ensuring as far as reasonably practicable that safe working practices are adopted by employees within this work environment • Work in compliance with the Codes of Conduct, Regulations and policies of Publica • To support the response to a major incident, including taking up a designated role within the emergency management framework
Special Conditions:	<ul style="list-style-type: none"> • There may be a requirement to work at other Publica Group (Support) Ltd and/or client locations to meet the needs of the business • You will be expected to work reasonable additional hours in line with the needs of the service • Full UK Driving License

	<ul style="list-style-type: none">• Ability to travel/ access to a vehicle for work purposes <p>Delete below as appropriate</p> <ul style="list-style-type: none">• You will be required to undertake a standard/enhanced DBS check as part of this role• Your role will require a Baseline Personnel Security Standard Check (BPSS)	
Date reviewed:	October 2023	
Reviewed by:	Charlie Jackson	
Manager job title:	Assistant Director Planning & Sustainability	
Date of issue:	November 2023	
Checked HRBP:	Clare Jones	Date

 <p>WEST OXFORDSHIRE DISTRICT COUNCIL</p>	<p>WEST OXFORDSHIRE DISTRICT COUNCIL</p>
<p>Name and Date of Committee</p>	<p>EXECUTIVE – 15 NOVEMBER 2023</p>
<p>Subject</p>	<p>OXFORDSHIRE LOCAL ELECTRIC VEHICLE INFRASTRUCTURE (OXLEVI) PROGRAMME</p>
<p>Wards Affected</p>	<p>ALL</p>
<p>Accountable Member</p>	<p>Councillor Andrew Prosser – Executive Member for Climate Change . Email: andrew.prosser@westoxon.gov.uk</p>
<p>Accountable officer</p>	<p>Charlie Jackson – Assistant Director, Planning and Sustainability. Email: charlie.jackson@publicagroup.uk</p>
<p>Report Author</p>	<p>Hannah Kenyon – Climate Change Manager. Email: hannah.kenyon@publicagroup.uk</p>
<p>Summary/Purpose</p>	<p>To approve the submission of the countywide Local Electric Vehicle Infrastructure (LEVI) Stage 2 application to install electric vehicle (EV) charging Infrastructure in West Oxfordshire.</p>
<p>Annexes</p>	<p>Annex A – Equalities Impact Assessment</p>
<p>Recommendation(s)</p>	<p>That the Executive Resolves to:</p> <ol style="list-style-type: none"> I. Delegate authority to the Council’s Director of Finance, in consultation with the Executive Members for Finance and Climate Change to: <ol style="list-style-type: none"> i. Approve Oxfordshire County Council’s (OCC’s) submission of a stage 2 application to the Office for Zero Emissions Vehicles for Oxfordshire’s allocation of £3.655 million LEVI funding; ii. Approve that OCC accept and spend LEVI funds in accordance with the submitted proposal; iii. Approve that OCC tender for EV charging contracts in Oxfordshire; the tender will be a joint tender on behalf of all Oxfordshire county and district councils, which OCC will lead; iv. Approve that WODC enter directly into the contract with the Charge Point Operator (CPO) following the tender process

	and completion of full feasibility studies and sign off at the OXLEVI Programme Board.
Corporate Priorities	<ul style="list-style-type: none"> ● Putting Residents First ● Enabling a Good Quality of Life for All ● Creating a Better Environment for People and Wildlife ● Responding to the Climate and Ecological Emergency ● Working Together for West Oxfordshire
Key Decision	YES
Exempt	NO
Consultees/ Consultation	<p>Detailed consultation and collaborative working are ongoing with colleagues from OCC, Oxford City, and all district councils to ensure that the Oxfordshire proposal meets all our strategic aspirations and will deliver for our communities. Consultees include:</p> <p>Town and Parish councils Community First Low Carbon Hub Resident engagement through OCC's Let's Talk platform</p>

I. BACKGROUND

- 1.1 Oxfordshire's per capita transport emissions have decreased by 13.8% in Oxfordshire from 2008 (2.6 tCO₂) to 2019 (2.2 tCO₂). Despite these reductions, Oxfordshire's 2019 per capita transport emissions are still significantly higher than the UK average (1.7 tCO₂).
- 1.2 Responding to the climate and ecological emergency is a corporate priority for WODC, with the Council committed to reaching net zero districtwide by 2050. In line with the commitments set out in the Council Plan 2023-27, the Climate Change Strategy 2021-2025 provides the framework for how the council's priorities for climate action across the district can be achieved.
- 1.3 One of the strategic objectives is to deliver EV infrastructure across the district, including sites in council ownership, meet the policy ambitions and standards set out within the Oxfordshire EV Infrastructure Strategy and aspire to reach a target of 7.5% of local-authority-managed car-parking spaces providing EV charging by 2025.
- 1.4 Oxfordshire has the highest proportion of electric plug-in hybrid or fully electric car sales in the UK, comprising around a quarter of car sales over the past year. Despite the government's recent announcement to postpone the ban on manufacturing petrol/diesel cars, sales of EVs continue to rise and charging infrastructure is required to support this transition to EVs.
- 1.5 Some EV infrastructure is being delivered by the private sector; however, cannot be relied upon to provide the entire solution, for example in rural areas where properties are without off-street parking. An approach is therefore needed which can identify those areas of West Oxfordshire least likely to be targeted by the private sector and which will consider local needs and circumstances.

2. MAIN POINTS

- 2.1 OXLEVI is the Oxfordshire Local Electric Vehicle Infrastructure Programme; a programme led by OCC, in collaboration with Oxfordshire's five district councils.
- 2.2 The programme seeks to support the transition to EVs across Oxfordshire, with a particular focus on supporting residents who need access to public EV charging, due to their lack of off-road parking. The programme targets deployment of EV charging in rural areas, areas with a high concentration of properties without off-road parking, and deprived areas of the county to support Oxfordshire's net zero goals.
- 2.3 OCC – as lead Highways Authority for Oxfordshire – has been allocated c.£3.655 million funding from Office for Zero Emissions Vehicles from the new Local EV Infrastructure (LEVI) fund to work with city and district council partners to deliver public EV charging infrastructure across Oxfordshire in the next two years. OCC have also been granted £529k in revenue funding to contribute towards resourcing of programme delivery.
- 2.4 A stage 1 application was submitted to Office for Zero Emissions Vehicles in May 2023 and formed an Expression of Interest to submit a stage 2 detailed proposal. The expression of interest was approved in September 2023.
- 2.5 A detailed proposal will be submitted to Office for Zero Emissions Vehicles by 30 November 2023 outlining how the grant fund allocation will be spent to meet funding requirements and the strategic objectives of Oxfordshire councils. OCC are leading city and district councils in

a collaborative process to draw up the proposal and on a joint tender exercise via Ox City's Dynamic Purchasing System to appoint the suppliers to deliver the EV charger deployment and operation for all council partners.

2.6 The overall programme of works is being referred to as 'OXLEVI' and delivery will focus on three key workstreams:

- 'Residential EV Hubs' in council-controlled car parks in market towns, larger villages, and in Oxford.
- 'Community EV Microhubs' at community buildings such as village halls, community centres, schools, and churches, primarily in rural areas of Oxfordshire.
- 'Roadside EV Chargers' on residential streets where there are no options for Residential EV Hubs or Community EV Microhubs to be deployed within a 5-minute walk.

2.7 WODC will be directly involved in delivering the Residential EV hubs. The other two workstreams will be delivered by OCC.

2.8 The main benefits of the OXLEVI programme for West Oxfordshire will be:

- A portion of the grant funding investment from the Office for Zero Emission Vehicles of c£3.655m capital and c£529k revenue funding.
- Delivery of new electric vehicle charging points across West Oxfordshire in Phase I (majority delivered by end of 2025) achieving up to 90% of projected requirements for 2025 and 38% of projected requirements for 2030.
- Commercial partnerships with Charge Point Operators to operate and maintain an ongoing concession for EVCPs at Residential EV Hubs over 15 years.
- Charge Point Operators match-funding capital investment in EV infrastructure in Phase I delivery (LEVI Grant Funded Period).
- Charge Point Operator investment in further roll-out of electric vehicle charging points at concession sites beyond the LEVI grant funding period.
- Share of concession chargepoint revenue over the life of the 15-year contract.
- A grant scheme to fund and deliver electric vehicle charging points (with a double socketed charger) at up to 100 Community EV Microhubs at community asset buildings (e.g. village halls and community centres), targeted at rural areas of Oxfordshire.
- A streamlined and controlled process for delivery and management of EV infrastructure in the Highway.
- Delivery on target of converting 7.5% of council managed car park spaces to EV charging by 2025.
- Ability to introduce EV car clubs at a greater number of locations because of increased council controlled public EV charging infrastructure.

2.9 The timetable for the OXLEVI programme is set out in the table below:

Milestone	Estimated completion date
LEVI report to Executive	15 November 2023
Final application submission to LEVI Grant Fund	22 November 2023 (hard deadline)
Procurement tender launch	December/January 2023
LEVI fund notification of application outcome	January 2023
LEVI Funding (90%) released	January 2023
Contract award	March 2024

3. ALTERNATIVE OPTIONS

- 3.1 WODC does not support the LEVI application. WODC may not benefit from a share of the £3.655M funding and have to self-fund, which is likely to result in West Oxfordshire falling behind in its provision of EV infrastructure. Alternatively, LEVI funding could be divided up between councils with WODC being responsible for delivering and procuring electric vehicle charging points. WODC would not gain from economies of scale and better value for money from larger contracts, or the support and coordination provided from OCC.

4. CONCLUSIONS

- 4.1 The LEVI funding will provide investment to support the expansion of EV infrastructure in West Oxfordshire, particularly in areas where residents do not have access to off-street parking. This will support and encourage residents to use EVs, which will lead to significant carbon reduction in the district.
- 4.2 Delegating authority will speed up the implementation of LEVI funding and allow WODC to progress at the same speed as other authorities in Oxfordshire.

5. FINANCIAL IMPLICATIONS

- 5.1 OCC has been allocated £3.655M funding from Office for Zero Emission Vehicles LEVI Capital grant fund for capital delivery as well as £529k funding from the LEVI Capability grant fund for resourcing.
- 5.2 WODC will receive a portion of the grant funding investment (based on the site selection) with minimal impact on future budgets, based upon:
- WODC potential income - £115k over 15 years, i.e. £7.7k pa. There is a risk that lack of private investment and impact on the rollout programme could lessen this figure.

- WODC costs - provision of internal project management support from climate, as well as support from finance, legal, parking, and property teams to deliver Residential EV Hubs on the council's estate.
- 5.3 Capability funding will be used to resource the delivery of the programme using existing staff resources, and the LEVI capital grant will be used the fund:
- Up to 100% of phase I capital expenditure for Community EV Microhubs – community asset building owners/managers will also be offered an opportunity to contribute their own funding to the scheme to help grant go further and/or to enable more or faster speed chargers to be installed as appropriate.
 - 40% of phase I capital expenditure for Residential EV Hubs and Roadside EV Chargers workstream, with the remainder expected to be funded by investment by the contracted Charge Point Operators.
- 5.4 The estimated total cost for delivery of the proposed LEVI phase I programme is £7.3M. An initial cost model for the proposal has been completed and was presented to the OCC Strategic Capital Board on 7 September 2023.
- 5.5 The cost model is still evolving and will not be agreed until discussions have been held with the CPO. OCC financial sign-off is based upon further refinement of the figures. Rather than a straight revenue share model, a bay or licensing fee would be in place from the outset to underwrite all operational costs from day 1.
- 5.6 One of the key requirements of the funding is that it levers in additional private sector finance and creates greater value. The tender specification requires Charge Point Operators to set out the amount of private sector finance which would be invested in West Oxfordshire's charging infrastructure, and the revenue share.
- 5.7 All capital for OXLEVI phase I is expected to be externally funded by grant and private sector investment. Investment is estimated to be £3.655M grant and £3.7M private sector funding. Where issues relating to cost are encountered the overall budget will be maintained by re-scoping the proposed delivery.
- 5.8 Connection costs for the chargers have been estimated. If a commercial partner is unwilling to fund these costs once they are known, the project will be re-scoped so that it remains within budget. None of the councils involved will be required to make additional funds available in relation to utility costs.
- 5.9 OCCs operational revenue costs for the Phase I estate are expected to be £376k over 15 years, which may be offset by income of up to £428k over the same period. It is currently estimated that WODC would have a net revenue share from its contract of £115,774 over this period. Further modelling will be undertaken to firm up this figure.
- 5.10 If grant funding does not lever in private investment, the total cost of Phase I would be contained at £3.655M. OCC would work with all partners to re-scope the programme to ensure it is delivered within the available funding – they would not be looking for any of the local authorities involved to make up the funding.
- 5.11 Beyond Phase I of the programme, OCC will use up to 100% private investment from Charge Point Operators to fund delivery, with potential to include funding from developers (i.e. CIL or S106 funding) particularly in commercially unattractive areas.

- 5.12 WODC will receive a proportion of the revenue funding to assist in the delivery of the project until December 2025. It is anticipated that a Project Manager will function as a shared resource for the delivery of Residential EV Hubs across CDC, SODC, VOWH and WODC sites. This post may be a seconded staff member from a one of the partner councils with EV project management experience. WODC's climate team will also need to support the management of the project.
- 5.13 WODC, along with other Tier 2 councils, will be responsible for providing legal, parking and property teams' resources for decisions relating to site layouts, exact numbers and types of chargers/bays, stakeholder engagement and communication etc. to support delivery of Residential EV Hubs on the council's estate. This internal support will need to be funded by district and city councils from their own identified budgets. The capacity of each team needs to be explored further.
- 5.14 It is likely that the EVCP kit will need to be replaced during the 15-year contract, and the responsibility and cost of upgrading and updating the kit will fall to the Charge Point Operators, rather than the Council.
- 5.15 A refresh and update of Oxfordshire EV Infrastructure Strategy is required next year. This work falls outside LEVI funding and will need to be funded separately. As in the case of Oxfordshire EV Infrastructure Strategy 1, OCC is likely to lead on this work. District and city councils will need to attend meetings and review the draft strategy.

6. LEGAL IMPLICATIONS

- 6.1 As part of the UK's transition to net zero, the Government's EV Infrastructure Strategy sets out roles for major stakeholders including local authorities. The Local Government Act 2000 gives local authorities powers to promote the economic, social, and environmental well-being within their boundaries.
- 6.2 OCC will be tendering three Lots within a joint tender exercise using the Ox City's Dynamic Purchasing System as the chosen route to market. This will be a joint tender on behalf of all Oxfordshire county and district councils, which OCC will lead.
- 6.3 The tender will include three distinct lots as follows:
- Lot 1 will be a 15-year full concession with a Charge Point Operator to install, operate and maintain OCC's public EV charging network in OCC car parks and on the highway. This contract will include the adoption of up to 49 existing charging points in Oxford that have until now been under a contract with Ox City.
 - Lot 2 will be a 15-year full concession contract with a different Charge Point Operator to install, operate and maintain Residential EV Hubs in car parks under the control and in contract with the district and city councils.
 - Lot 3 – which may be tendered at the same time – will procure 'standard' charge point hardware installation and operation/maintenance services from a dependable operator at Community Microhub sites owned by community-based third-party locations such as village halls, community centres and churches. Contract terms will allow hosts to contribute their own funding to access this contract later after the LEVI grant funding is spent. Any tenders will be written on the basis that, once the services have been set

up, the contracts will be novated from OCC to the relevant community-based host authority. This will result in any liabilities under the contract with the Supplier, being transferred from OCC to the host authority.

- 6.4 OCC's and WODC's procurement teams are fully engaged with the project and have drafted a detailed procurement plan and timeline, using soft-market testing conducted in 2022. All supply or concession contracts will comply with OCC's and WODC's Contract Procedure Rules.

7. RISK ASSESSMENT

- 7.1 A full Risk Assessment for this programme has been completed by OCC and key risks will be monitored and reviewed regularly during programme delivery via the newly arranged governance processes for the OXLEVI programme; a monthly Delivery and Operational Group, escalating to a quarterly Strategic Oversight Programme Board.

8. EQUALITIES IMPACT

- 8.1 The OXLEVI project aims to increase access to EVs across all groups and to avoid/redress any inequalities created by an otherwise market-led approach to EV charging infrastructure provision.

- 8.2 An Equalities Impact Assessment has been completed by OCC for the OXLEVI programme which concludes that:

- No groups are disadvantaged or discriminated against by the OXLEVI programme.
- Several groups are positively advantaged by the programme, which are as follows:
 - a) People with disabilities – as at least one DDA compliant accessible EV charging bay will be installed at every EV charging hub (where possible), and all suppliers will be asked in the tender to explain how they intend to meet the new PAS 1899:2022 guidelines for accessible EV charging. Roadside charging will be the lowest priority (and may be installed on buildouts where needed), thereby leaving pavements freely accessible for walking and wheeling.
 - b) Rural communities – who are more isolated and car dependent will be given greater opportunity to benefit from the transition to zero carbon EVs through the Community EV Microhubs scheme, which will be able to offer affordable EV charging at a community level in more remote geographical areas.
 - c) Deprived communities – EV uptake might currently be slower in such areas but is set to increase as more working drivers switch to EV and the second-hand EV market expands. The strategic approach and site selection will mean a fair spread of EV chargers across these as well as the more affluent areas, ensuring more deprived areas are not left behind or disadvantaged.
 - d) Carers – will be advantaged by the programme since they are likely to be regularly driving cars around Oxfordshire to fulfil caring responsibilities and will be more enabled to switch to driving EV when there is a comprehensive network of reliable and affordable chargers right across Oxfordshire.

8.3 The Equalities Impact Assessment is included in Annex A.

9. CLIMATE AND ECOLOGICAL EMERGENCIES IMPLICATIONS

9.1 A full Climate Impact Assessment of the OXLEVI programme shows an overall positive climate impact across energy, sustainable transport, procurement and investment, people, and organisations, and a just transition.

9.2 The programme has built in mitigations to counteract some of the negative impacts indicated by supporting the use of private (although cleaner) vehicles, including co-location with Transport Hubs and inclusion of shared car club vehicles where possible.

9.3 The Climate Impact Assessment has been reviewed and approved by the Head of Climate Change at OCC.

9.4 West Oxfordshire has air quality management areas in Witney and Chipping Norton. EV infrastructure will support the use of EVs which will improve air quality in the district.

10. BACKGROUND PAPERS

10.1 None.

(END)

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Oxfordshire County Council

Equalities Impact Assessment

Oxfordshire Local Electric Vehicle Infrastructure (OXLEVI)

11 July 2023

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Section 1: Summary details

Directorate and Service Area	Led by Zero Emission Vehicle (ZEV) and Energy Integration Team (iHub) part of the IT, Innovation and Digital Service; working with Environment and Place – Highways Operations and Transport & Infrastructure.
What is being assessed (e.g. name of policy, procedure, project, service or proposed service change).	The Oxfordshire Local Electric Vehicle Infrastructure Programme (OXLEVI)
Is this a new or existing function or policy?	New programme to deliver capital aspects of the existing Oxfordshire Electric Vehicle (EV) Infrastructure Strategy (OEVIS) and to move EV infrastructure delivery from innovation projects to mainstream business as usual (BAU) delivery. The project will be funded by the Local EV Infrastructure grant (LEVI) supplied by government.
Summary of assessment Briefly summarise the policy or proposed service change. Summarise possible impacts. Does the proposal bias, discriminate or unfairly disadvantage individuals or groups within the community? (following completion of the assessment).	<p>The OXLEVI programme will deliver EV charging infrastructure to support the transition to Zero Emission Vehicles for residents who are less able to adopt EVs due to a lack of off-street parking. The programme will enable OCC and the District and City Councils to meet the capital infrastructure targets set out in the OEVIS, and provide EV charging distributed fairly across the county, prioritising rural areas where active and public transport options are not readily available. The scheme will support the development of BAU processes for long term EV charging infrastructure provision, and a long-term partnership with a commercial EV chargepoint provider, who will invest in expanding the network after grant funding from central government has been spent.</p> <p>The proposal will not bias, discriminate or unfairly disadvantage any individuals or groups within the community, since the EV chargepoints will be available to all members of the public without restriction and will be equitably spread across a wide range of geographical locations across Oxfordshire.</p> <p>The proposal will positively benefit disabled people/drivers, rural communities and areas of deprivation. It may also potentially benefit carers. It should make all of these named groups more able to transition to electric vehicles than if no intervention were taken, or if a solely market-led approach were taken.</p>
Completed By	Jenny Figueiredo

	EV Charging Project Manager, ZEV and Energy Integration Team, iHub, ITID
Authorised By	
Date of Assessment	12 July 2023

Section 2: Detail of proposal

<p>Context / Background</p> <p>Briefly summarise the background to the policy or proposed service change, including reasons for any changes from previous versions.</p>	<p>In March 2021, Oxfordshire County Council, West Oxfordshire District Council, Cherwell District Council, South Oxfordshire District Council and Vale of White Horse District Council adopted the Oxfordshire EV Infrastructure Strategy (OEVIS), to set out Oxfordshire's strategic policies and actions required to meet growing EV infrastructure demand and support the shift to toward zero carbon transport.</p> <p>The strategy set policies and targets across a number of areas. The OXLEVI project will actively support delivery of;</p> <ul style="list-style-type: none"> • Converting 7.5% of local authority managed public car park spaces, to fast or rapid EV charging by 2025. • Managing local authority parking to promote EV charging bays, encourage destination and overnight charging for private vehicles, car club vehicles, and business vehicles. • Promoting a hierarchy of EV charging solutions for those without access to off-road parking, prioritising off-street charging, and solutions avoiding street clutter. The Office for Zero Emission Vehicles has notified OCC of an allocation of £3.655M Capital and £529k revenue funding for delivery of EV Infrastructure, subject to approval of OCCs application with a detailed proposal. The application will be made with the support of all five of Oxfordshire's district councils, and it is anticipated that the districts will be key delivery partners in activities across the project workstreams. The OXLEVI project will use LEVI grant funding and private investment to meet predicted need for EV infrastructure and support decarbonisation of road transport, particularly in rural, car dependent communities. <p>The proposal also forms the basis of transition from grant funded innovation projects to deliver EV charging, towards business as usual (BAU) delivery in partnership with commercial organisations and other community stakeholders in Oxfordshire.</p>
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<p>Proposals</p> <p>Explain the detail of the proposals, including why this has been decided as the best course of action.</p>	<p>Delivery will focus on 4 key workstreams:</p> <ul style="list-style-type: none"> • ‘Residential EV Hubs’ in Council controlled car parks in market towns, larger villages, and in Oxford. • ‘EV Micro-Hubs’ at community buildings, primarily in rural areas of Oxfordshire. • ‘Roadside EV Chargers’ on residential streets where no Residential EV Hub or EV Micro-Hub can be deployed within a 5-minute walk. • ‘Park & Ride EV Hubs’ at OCC P&R sites <p>Further details of each workstream are as follows:</p> <p>i.) Residential EV Charging Hubs</p> <p>In market towns and urban locations larger ‘Residential EV Charging Hubs’ are required to provide more EVCP spaces where density of households without off-road parking is greater. The workstream will focus on delivering these hubs in; Tier 2 council off-road parking, and in OCC controlled Highway parking which has a ‘car park’ style layout, for example parking in market squares or similar areas. These provide primary overnight charging for local residents, as well as destination charging for businesses, visitors and commuters during the daytime.</p> <p>This workstream will deliver:</p> <ul style="list-style-type: none"> • A network of up to 600 LEVI grant funded standard (7-22kW) EVCPs in ‘residential charging hubs’ across Oxfordshire by end 2025 (phase 1), leveraging up to 60% capital contributions from a commercial CPO partner. • Primary overnight charging for up to 9000 households living within a 5-minute walk of hub sites. • Meeting OEVIS 7.5% target for EV charging spaces in non-P&R council car parks by end 2025. • EV car-club bays, accessible EV charging bays, and light commercial EV charging bays at selected sites – linking with Transport Hub Strategy • Rapid EVCPs commercially funded by CPO at selected sites • Long-term (10-15 year) concession contracts with a chargepoint operator to deliver up to 1,200 further EVCPs using a combination of private investment and developer funding (s106/CIL etc.) over a further 2 delivery phases. <p>Partners</p> <ul style="list-style-type: none"> • OCC – Lead and delivery on OCC controlled land • District and City Councils – delivery on own off-road parking estate • EV Charge Point Operator (CPO) • Possible inclusion of other public bodies i.e., NHS trusts willing to host residential charging hubs. <p>ii.) EV Micro-hubs:</p>
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	<p>EV charging is a key priority for reducing transport emissions in rural communities where residents are more car dependent. However, in rural areas, securing investment in a concession contract by commercial EV Chargepoint Operators (CPOs) is challenging due to low population density making a weaker investment case. Village halls, community centres and other community assets are often located in the centre of a community or residential area, close to homes without access to off-road parking; ideal for community owned EV charging in rural areas.</p> <p>This workstream will deliver;</p> <ul style="list-style-type: none"> • A grant scheme run by OCC to fund community EV charging assets in rural areas - filling gaps in the current network • A network of up to 200 public EV chargepoints in 50-100 EV Micro-Hubs hosted by community centres, village halls and other community assets across Oxfordshire • Owner-operated EV Micro-hubs, already piloted by Suffolk County Council which do not rely on private investment. • No ongoing stewardship responsibilities for OCC - The chargepoint host is responsible for the assets on their land and contract management with the CPO. <p>Partners:</p> <ul style="list-style-type: none"> • OCC (Lead) • EV Micro-hub hosts - Town/Parish Councils and similar non-profit organisations • EV chargepoint supplier/operator • Other stakeholders: District Councils and community organisations may assist in engaging with potential Microhub hosts. District Councils may assist with development of grant assessment criteria. <p>iii.) Roadside EV charging:</p> <p>There are some areas of Oxfordshire where it may be necessary to install EV chargers at the roadside in residential streets because;</p> <ul style="list-style-type: none"> • There is no off-road car park or highway car park within a 5-minute walk where a public EV charging hub can be developed <p>While the scale and distribution of these areas is not known in detail, the majority are likely to be found in the denser urban areas of Oxfordshire.</p> <p>This project work package will deliver;</p> <ul style="list-style-type: none"> • A network of up to 302 safe and appropriate Roadside EV Chargepoints, filling in gaps in provision where there is no alternative option. • Long-term (10-15 year) concession contracts with a chargepoint operator to deliver up to 500 further EVCPs using a combination of private investment and developer funding (s106/CIL etc.) over a further 2-3 delivery phases.
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	<p>Partners</p> <ul style="list-style-type: none"> • OCC will lead across all EV charging installed on Highway land, working directly with the appointed Charge Point Operator (CPO). • Other stakeholders: Tier 2 councils will have opportunities to recommend locations for roadside public EV charging through the programme governance structures. <p>iv.) Park and Ride EV Hubs; There is an urgent need to install EV charging facilities in OCC's Park and Ride sites to meet OCC's commitment to convert 7.5% of parking spaces to EV charging by 2025, to support visitors and commuters travelling in Oxfordshire, and approaching the Oxford ZEZ. Park and Ride sites are key locations for Transport Hubs planned in the Transport Hub Strategy, and EV charging is one of the components required for these developments. A mix of standard and rapid/ultra-rapid charging can support visitors and commuters staying for several hours, and support high-mileage working drivers (taxis, care workers, delivery drivers and other working drivers) who need a quick turnaround. Aggregating these commercially attractive sites with smaller residential EV charging hub sites increases the attractiveness of the overall offer for CPOs although no LEVI grant funding is anticipated to be used to support this work. This workstream will deliver:</p> <ul style="list-style-type: none"> • Up to 200 standard (7kW) and 50 fast/rapid/ultra-rapid EVCPs in OCC Park and Ride sites by 2025 (phase 1), leveraging up 100% capital contributions from a commercial CPO partner. • Destination and rapid charging for visitors, commuters, taxis, care workers and other working drivers. • Meeting OEVIS 7.5% target for EV charging spaces in OCC P&R car parks by end 2025. • EV car-club bays, accessible EV charging bays, and light commercial EV charging bays at selected sites – linking with Transport Hub Strategy • A long-term (10-15 year) concession contract with a chargepoint operator to deliver up to 200 further EVCPs using a combination of private investment and developer funding (s106/CIL etc.) over a further 2-3 delivery phases. <p>Partners</p> <ul style="list-style-type: none"> • OCC working directly with appointed Chargepoint Operator (CPO)
<p>Evidence / Intelligence</p> <p>List and explain any data, consultation outcomes, research findings, feedback from service</p>	<p>This proposal supports a reduction in annual carbon emissions from cars from 730k tonnes in 2022 to 51.5k in 2039, as the Oxfordshire (Car based) vehicle parc transitions to ZEV. This data is based on an assumption that the total vehicle parc for Oxfordshire remains largely similar across this time period, and that annual mileage increases with an uplift factor of 1 applied. (National EV Insight & Strategy (NEVIS) Tool data, 2023). The proposal targets EV charging infrastructure into areas where lack of private off-road parking (and therefore home EV charging) is a</p>

<p>users and stakeholders etc, that supports your proposals and can help to inform the judgements you make about potential impact on different individuals, communities or groups and our ability to deliver our climate commitments.</p>	<p>barrier to ZEV adoption. Over 34% (111,000) of Oxfordshire households have to park their car on the street, and are therefore less likely to switch to a cleaner battery electric vehicle. Currently only 19% of these households are within 5 minutes walking distance (400m) of a public EV charger.</p> <p>In an Oxfordshire survey of 1,758 people in October 2021:</p> <ul style="list-style-type: none"> • 19% of respondents had no off-street parking access • 77% of these said this was a barrier to them owning an EV • 67% of them said this was the biggest barrier <p>Oxfordshire currently has fewer than 500 EV chargepoints (sockets) of various speeds. To support drivers without access to an off-road home EV charger, data from the NEVIS tool indicates that Oxfordshire will need an additional 1284 fast chargers (7-22kW) by 2025, 3816 fast chargers by 2030, and 8345 by 2039. The county will also need up to 175 rapid and ultra rapid by 2025, 300 by 2030 and 607 by 2039. (Nevis Tool data, 2023) The ZEV team has used GIS data to identify locations across Oxfordshire where public EV charging infrastructure is required to support the ZEV transition, including identifying rural areas with a lack of EV charging provision, where residents are in access to services deprivation, and where car dependence on accessing services is high. Further GIS mapping and modelling will be carried out over the coming months as the site selection process for EV chargers progresses.</p>
<p>Alternatives considered / rejected</p> <p>Summarise any other approaches that have been considered in developing the policy or proposed service change, and the reasons why these were not adopted. This could include reasons why doing nothing is not an option.</p>	<p>Options appraisal attached</p>

Section 3: Impact Assessment - Protected Characteristics

Protected Characteristic	No Impact	Positive	Negative	Description of Impact	Any actions or mitigation to reduce negative impacts	Action owner* (*Job Title, Organisation)	Timescale and monitoring arrangements
Age	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	n/a	n/a	n/a	n/a

Disability	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Around 22% of the UK population is estimated to have a disability and 4.3% of the UK population hold a Blue Badge. Disabled people are likely to be some of the more car dependent drivers as well as those most suited to driving electric vehicles due to their ease of use.</p> <p>This project intends to include at least one fully DDA compliant accessible EV charging bay installed in every EV charging hub (<i>or every one over a certain a size tbc</i>) and therefore ensure that public EV charging facilities can be accessed by those with a variety of additional needs.</p> <p>Accessibility will be a key priority for in the tender process and we will require suppliers to outline how they intend to meet the new PAS 1899:2022 guidelines for</p>			
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				<p>accessible EV charging specification in their tender.</p> <p>The OEVIS already prioritises installation of EV charging hubs in off-road car parks over roadside charging in order to keep pavements freely accessible for walking and wheeling. Where roadside charging is the only option for providing EV charging, we will meet the Inclusive Mobility guidelines.</p>			
Gender Reassignment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	n/a	n/a	n/a	n/a
Marriage & Civil Partnership	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	n/a	n/a	n/a	n/a
Pregnancy & Maternity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	n/a	n/a	n/a	n/a
Race	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	n/a	n/a	n/a	n/a
Sex	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	n/a	n/a	n/a	n/a
Sexual Orientation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	n/a	n/a	n/a	n/a

Religion or Belief	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	n/a	n/a	n/a	n/a
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Section 3: Impact Assessment - Additional Community Impacts

Additional community impacts	No Impact	Positive	Negative	Description of impact	Any actions or mitigation to reduce negative impacts	Action owner (*Job Title, Organisation)	Timescale and monitoring arrangements
Rural communities	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Rural communities are recognised as being more car dependent than urban communities and are currently disadvantaged in the transition to EV by having very little public EV charging in rural areas. A market-led approach to EV charging alone may see rural communities continue to be disadvantaged, as the business case for EV charging is weaker in less densely populated areas (with potentially fewer employment opportunities and visitor/commercial offerings).</p> <p>The proposed 'community micro-hubs scheme' will begin to address these gaps in public EV charging provision, by utilising government grant funding to ensure EV charging facilities are provided in more</p>	n/a	n/a	n/a

Additional community impacts	No Impact	Positive	Negative	Description of impact	Any actions or mitigation to reduce negative impacts	Action owner (*Job Title, Organisation)	Timescale and monitoring arrangements
				remote areas and with tariff setting within the control of local community site owners who can choose to provide e.g. lower tariffs for local people. This will therefore give rural communities a more equal opportunity to transitioning to electric vehicles and the environmental and economic benefits that brings.			
Armed Forces	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		n/a	n/a	n/a
Carers	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Carers are potentially more likely to be car dependent/higher mileage drivers than the average resident and will potentially be completing many trips around Oxfordshire on a regular basis. Increasing the spread of reliable and affordable EV chargers across the county should give carers more reassurance about the	n/a	n/a	n/a

Additional community impacts	No Impact	Positive	Negative	Description of impact	Any actions or mitigation to reduce negative impacts	Action owner (*Job Title, Organisation)	Timescale and monitoring arrangements
				possibility of switching from petrol/diesel vehicles to electric, and therefore potentially reducing their own costs and carbon emissions.			
Areas of deprivation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Areas of deprivation are unlikely to have seen early adoption of EV, but as the second-hand EV market increases and more working drivers are switching to EV it is likely that more and more drivers in deprived areas will look to switch to EV, and it's important to ensure that public EV charging is available to meet that growing demand.</p> <p>A solely market-led approach to EV charging alone may see deprived communities disadvantaged, as the business case for EV charging is weaker in these areas traditionally. However, the strategic site selection</p>	n/a	n/a	n/a

Additional community impacts	No Impact	Positive	Negative	Description of impact	Any actions or mitigation to reduce negative impacts	Action owner (*Job Title, Organisation)	Timescale and monitoring arrangements
				<p>approach and use of grant funding in this scheme will ensure a fair and equitable spread of EV charging provision, and the community micro-hubs scheme element will provide an opportunity for community locations within deprived areas to provide potentially lower tariffs to suit their communities.</p> <p>The project team will be using a set of comprehensive mapping tools to inform site selection to ensure that EV chargers are deployed in low- and medium-income areas and not just high-income areas where traditionally EV uptake has been highest until now.</p>			

Section 3: Impact Assessment - Additional Wider Impacts

Additional Wider Impacts	No Impact	Positive	Negative	Description of Impact	Any actions or mitigation to reduce negative impacts	Action owner* (*Job Title, Organisation)	Timescale and monitoring arrangements
Staff	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	A major increase in public EV charging across Oxfordshire will mean OCC staff will likely find themselves living closer to a public EV charging point, therefore making it potentially easier for them to personally switch to driving an electric vehicle and benefit from potentially reduced driving costs as well as lower carbon emissions.	n/a	n/a	n/a
Other Council Services	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	OCC is looking to decarbonise its entire fleet, which for many vehicles will mean switching to electric. The presence of a comprehensive network of fast and rapid public EV chargers across Oxfordshire, along with the potential to introduce EV car club vehicles at many EV charging 'hub' sites, will mean that Council fleets can electrify	n/a	n/a	n/a

Additional Wider Impacts	No Impact	Positive	Negative	Description of Impact	Any actions or mitigation to reduce negative impacts	Action owner* (*Job Title, Organisation)	Timescale and monitoring arrangements
				more quickly, and more staff can have access to EV pool vehicles etc.			
Providers	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	OCC's providers are also likely to be looking to decarbonise their fleets in order to reduce costs and environmental impact and to be prepare for the Oxford ZEZ and the proposed ban on sale of new petrol and diesel vehicles in 2030. The presence of a comprehensive network of fast and rapid public EV chargers across Oxfordshire, along with the potential to introduce EV car club vehicles at many EV charging 'hub' sites, will mean that OCC's providers can electrify more quickly and more staff can have access to EV pool vehicles etc.	n/a	n/a	n/a

Additional Wider Impacts	No Impact	Positive	Negative	Description of Impact	Any actions or mitigation to reduce negative impacts	Action owner* (*Job Title, Organisation)	Timescale and monitoring arrangements
Social Value ¹	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The provision of a comprehensive network of public EV chargers across Oxfordshire will provide more equal opportunities for all residents and businesses to transition to electric vehicles, with the associated environmental and financial benefits this brings. Investing in EV charging infrastructure across a wide variety of geographical areas within Oxfordshire will mean that visitors from outside of the area will continue to be able to visit Oxfordshire and bring money into the local economy when more people are driving electric vehicles.</p> <p>In addition to this, the tender of the chargepoint operator concession will include a 17%</p>	n/a	n/a	The social value impact of the contract will be monitored via the Social Impact Portal

¹ If the Public Services (Social Value) Act 2012 applies to this proposal, please summarise here how you have considered how the contract might improve the economic, social, and environmental well-being of the relevant area


Additional Wider Impacts	No Impact	Positive	Negative	Description of Impact	Any actions or mitigation to reduce negative impacts	Action owner* (*Job Title, Organisation)	Timescale and monitoring arrangements
				social value weighting, therefore the appointed supplier(s) will likely be investing significantly in e.g. local staff/apprenticeships to deliver services, supporting local community initiatives, improving biodiversity etc.			

Section 4: Review

Where bias, negative impact or disadvantage is identified, the proposal and/or implementation can be adapted or changed; meaning there is a need for regular review. This review may also be needed to reflect additional data and evidence for a fuller assessment (proportionate to the decision in question). Please state the agreed review timescale for the identified impacts of the policy implementation or service change.

Review Date	n/a as no bias, negative impact or disadvantage identified
Person Responsible for Review	n/a as no bias, negative impact or disadvantage identified
Authorised By	n/a as no bias, negative impact or disadvantage identified

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 WEST OXFORDSHIRE DISTRICT COUNCIL	WEST OXFORDSHIRE DISTRICT COUNCIL
Name and Date of Committee	EXECUTIVE – 15 NOVEMBER 2023
Subject	COUNCIL TAX, HOUSING BENEFIT AND COUNCIL TAX SUPPORT PENALTY AND PROSECUTION POLICY
Wards Affected	ALL
Accountable Member	Councillor Alaric Smith – Executive Member for Finance. Email: Alaric.Smith@westoxon.gov.uk
Accountable officer	Madhu Richards – Director of Finance. Email: Madhu.Richards@westoxon.gov.uk
Report author	Emma Cathcart – Head of Service, Counter Fraud and Enforcement Unit. Email: Emma.Cathcart@cotswold.gov.uk
Summary/Purpose	To present Executive with an updated Council Tax, Housing Benefit and Council Tax Support Penalty and Prosecution Policy for approval. The Policy has been reviewed to ensure the content reflects current legislation and the Council's Policies and Procedures. The Policy will replace the existing Council Tax, Housing Benefit and Council Tax Support Penalty and Prosecution Policy.
Annexes	Annex A – Council Tax, Housing Benefit and Council Tax Support Penalty and Prosecution Policy
Recommendation(s)	That the Executive Resolves to: <ol style="list-style-type: none"> 1. Adopt the Council Tax, Housing Benefit and Council Tax Support Penalty and Prosecution Policy. 2. Delegate to the Director of Finance to approve future minor amendments to the Policy in consultation with the Business Manager Environmental, Welfare and Revenue Service and the Head of Service, Counter Fraud and Enforcement Unit.
Corporate Priorities	<ul style="list-style-type: none"> ● Working Together for West Oxfordshire
Key Decision	NO

Exempt	NO
Consultees/ Consultation	Any Policies drafted or revised by the Counter Fraud and Enforcement Unit have been reviewed by Legal Services and have been issued to the relevant Senior Officers, Governance Group and Corporate Management for comment.

1. BACKGROUND

- 1.1** The Counter Fraud and Enforcement Unit is tasked with reviewing the Council's Council Tax, Housing Benefit and Council Tax Support Penalty and Prosecution Policy. It is recommended good practice that the Policy is updated and reviewed at least every few years in line with any legislative changes.
- 1.2** In administering its responsibilities, the Council has a duty to prevent fraud and corruption, whether it is attempted by someone outside or within the Council such as another organisation, a resident, an employee or a Councillor.

2. MAIN POINTS

- 2.1** The Policy, attached at Annex A, has been updated in accordance with the review period. Review frequency is as required by legislative changes or every three years. This has been delayed due to events over the last three years.
- 2.2** The Policy and fines set out therein are legislative and have not been altered since the Policy was originally drafted several years ago.
- 2.3** The Council's existing Council Tax, Housing Benefit and Council Tax Support Penalty and Prosecution Policy was developed to reflect (i) latest legislation and (ii) the changes following the creation of the Single Fraud Investigation Services (operated by the Department for Work and Pensions) which subsumed the Council's responsibilities for investigating Housing Benefit Fraud.
- 2.4** The Council Tax Support Scheme was introduced in 2013 and replaced Council Tax Benefit. The scheme is locally agreed with some set parameters and the responsibility to enforce any fraud or abuse of the scheme rests with the Council.
- 2.5** The Council has a responsibility to ensure that Council Tax is billed correctly and that there is no abuse of exemptions and discounts. The Policy seeks to set out the action that the Council may take in relation to fraud and misinformation in relation to this.
- 2.6** It should be noted that legislation outlines that to incur a Civil Penalty for a Housing Benefit overpayment, the value of the overpayment needs to exceed £250 however, the Policy details that for decisions across the Counter Fraud and Enforcement Unit Partnership, this figure will be £500. When setting this figure, consideration was given to current cost of living pressures and the vulnerabilities of the demographic this particular Policy impacts.
- 2.7** The Policy has been reviewed and drafted for the participants within the Counter Fraud and Enforcement Unit Partnership and will provide consistency to the application of penalties and legal action across Gloucestershire and West Oxfordshire.
- 2.8** Executive (previously Cabinet) last considered the Policy in April 2019.
- 2.9** The changes are minor, to reflect changes to departmental names within the Councils and duties and responsibilities within the Department for Work and Pensions. Amendments also ensure continuity across the Counter Fraud and Enforcement Partnership as the Counter Fraud and Enforcement Unit is charged with investigation in this area for six Councils.

2.10 As part of the consultation process, the Policy has been reviewed by the Business Manager, Environmental, Welfare and Revenue Service, the Benefits Manager and Legal Services. The Audit and Governance Committee considered and endorsed the Policy in September 2023.

2.11 Awareness will be raised with all staff following the approval of the Policy.

3. ALTERNATIVE OPTIONS

3.1 None, the Policy is legislative. Consultation regarding local decision-making has been conducted across the Counter Fraud and Enforcement Unit Partnership.

4. FINANCIAL IMPLICATIONS

4.1 The Policy provides Officers with a framework that can be followed when dealing with matters arising from cases of fraud and error. This allows for financial penalties to be charged however, the intention of the Policy is not primarily for revenue raising purposes but to ensure the proper use and protection of public funds.

5. LEGAL IMPLICATIONS

5.1 In general terms, the existence and application of an effective fraud risk management regime assists the Council in effective financial governance which is less susceptible to legal challenge.

5.2 The legislation utilised by the Counter Fraud and Enforcement Unit and other service areas within the Council is identified within the Policy and the Council must comply with all legislative requirements.

6. RISK ASSESSMENT

6.1 The Council is required to proactively tackle fraudulent activity in relation to the abuse of public funds.

6.2 Failure to undertake such activity would accordingly not be compliant and expose the authority to greater risk of fraud and/or corruption. If the Council does not have effective counter fraud and corruption controls it risks both assets and reputation.

7. EQUALITIES IMPACT

7.1 The CFEU seeks to ensure that public authorities' actions are consistent with the Human Rights Act 1998 (HRA). It balances safeguarding the rights of the individual against the needs of society as a whole to be protected from crime and other public safety risks.

8. CLIMATE AND ECOLOGICAL EMERGENCIES IMPLICATIONS

8.1 Not applicable.

9. BACKGROUND PAPERS

9.1 The following documents have been identified by the author of the report in accordance with section 100D.5(a) of the Local Government Act 1972 and are listed in accordance with section 100 D.1(a) for inspection by members of the public:

- Cabinet Report March 2019 – Council Tax, Housing Benefit, Council Tax Support Penalty and Prosecution Policy

9.2 These documents will be available for inspection online at www.westoxon.gov.uk or by contacting democratic services democratic.services@westoxon.gov.uk for a period of up to 4 years from the date of the meeting.

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Version Control:	
Document Name:	Council Tax, Housing Benefit and Council Tax Support Penalty and Prosecution Policy
Version:	2.0
Responsible Officer:	Emma Cathcart, Head of Service, Counter Fraud and Enforcement Unit
Approved by:	Cabinet / Executive / Strategy & Resources Committee
Next Review Date	July 2026
Retention Period:	N/A

Revision History

Revision date	Version	Description
July 2023	2	Overall review and update. Adapted to ensure the same Policy applies to all partner Councils

Consultees

Internal	External
Service Area Lead Officer – Revenues and Benefits	
One Legal / Legal Services	
Audit Committee / Audit and Governance Committee / Audit, Compliance and Governance Committee	

Distribution

Name	
Revenues and Benefits Enforcement Staff	

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1. INTRODUCTION

- 1.1. The Council is committed to the detection of fraud and has a responsibility to ensure that Housing Benefit and Council Tax Support are paid correctly. Council Tax Support is also referred to as the Council Tax Reduction Scheme or Local Council Tax Support Scheme. For the purpose of this Policy, it is referred to as Council Tax Support only. Council Tax Support replaced Council Tax Benefit from 1 April 2013.
- 1.2. The Council is also charged with ensuring that Council Tax is billed correctly and that discounts and exemptions are not claimed incorrectly.
- 1.3. This Policy sets out the Council's approach to prosecution and other sanctions in cases of fraud or misinformation in respect of Council Tax Support, Council Tax and Housing Benefit.
- 1.4. It has been revised in the light of the transfer of Housing Benefit fraud investigation to the Department of Work and Pensions (DWP) in 2015.
- 1.5. This Policy does not include specific reference to National Non-Domestic Rates (NNDR) although the Local Authority has the power to obtain particulars of persons interested in land as set out under Section 16 of the Local Government Act 1976. Pursuant to Section 16(2), if a person fails to comply with such requests, they will be guilty of an offence and liable on summary conviction to a fine not exceeding level five on the standard scale.

2. BACKGROUND

- 2.1 This Policy is governed by legislation and DWP guidance including The Local Government Act 1972, The Local Government Finance Act 1992, Welfare Reform Act 2012, Police and Criminal Evidence Act 1984, Social Security Administration Act 1992 and The Council Tax Reduction Scheme (Detection of Fraud and Enforcement) (England) Regulations 2013.
- 2.2 This Policy has been agreed by the Council and will be reviewed as required in response to changes in legislation or government guidance.

3. PURPOSE

- 3.1 The purpose of the Penalty and Prosecution Policy is to set out the action which the Council may take in cases of fraud or misinformation in relation to;
 - a) Claims, or attempted claims, for Housing Benefit.
 - b) Claims, or attempted claims, for Council Tax Support.
 - c) Council Tax Discounts and Exemptions.
- 3.2 The Policy provides guidelines that will be followed where applicable and clarifies which areas are the responsibilities of the Council and those, which are the responsibility of the DWP.

4. AREAS OF RESPONSIBILITY

- 4.1 Responsibility for investigation and the application of sanctions lies as follows:

4.2 Housing Benefit (and Council Tax Benefit for offences relating to the period prior to April 2013) where there is evidence of fraud:

- a) Investigation is the responsibility of the DWP's Operational Excellence Directorate and cases will be referred to the DWP in accordance with DWP guidance accordingly.
- b) Cautions no longer apply to these cases.
- c) The Council has retained the delegated power to offer an Administrative Penalty following a recommendation from the DWP.
- d) Prosecution of cases is the responsibility of the DWP.

4.3 Housing Benefit where there is no evidence of fraud:

- a) The Council will make enquiries in respect of cases of misinformation or error made by the customer where the overpayment is incurred wholly after 1 October 2012 and the value of any overpayment exceeds £500.
- b) A civil penalty of £50 may be applied by the Council in line with regulations.

4.4 Council Tax Support:

- a) The Council has retained the responsibility to investigate and sanction allegations of fraud and abuse in relation to Council Tax Support claims.
- b) A Caution, Penalty or Prosecution may be considered where there is evidence of fraud.
- c) A civil penalty of £70 may be applied where there is no evidence of fraud.
- d) An Authorised Officer within the Council has the power to obtain information as set out under Regulations 4 and 5 of The Council Tax Reduction Scheme (Detection of Fraud and Enforcement) (England) Regulations 2013. Pursuant to Regulation 6, if a person refuses or neglects to produce any documentation when required to do so, they will be guilty of an offence and liable on summary conviction to a fine not exceeding level three on the standard scale.
Where a person is convicted of an offence and the refusal or failure continues after conviction, the person shall be guilty of a further offence and liable on summary conviction to a fine not exceeding £40 for each day on which it is continued.

4.5 Council Tax:

- a) The Council has responsibility for investigating incorrectly claimed Council Tax exemptions and discounts.
- b) A civil penalty of £70 and an additional civil penalty of £280 may be applied where appropriate – see Table of Civil Penalties on page 7.

5. GENERAL PRINCIPLES

5.1 In deciding what action to take, designated Officers within the Council will consider the following:

- Each case will be considered on its own merits;
- There must be sufficient, reliable evidence to justify the action taken;
- The action taken must be in the public interest;
- Any mitigating circumstances;
- The decision to prosecute an individual is a serious step and has implications for all involved. Decisions to prosecute should always be fair, proportionate, consistent and equitable;
- In exceptional circumstances, an alternative to prosecution (Caution or Penalty) may be considered without regard to the amount of the overpayment.

6. SANCTIONS AVAILABLE FOR OFFENCES RELATING TO COUNCIL TAX SUPPORT

6.1 The three sanctions available where a criminal investigation has been undertaken are a Caution, a Penalty or Prosecution.

6.2 In cases of error or misinformation, a Civil Penalty may be applied.

6.3 LOCAL AUTHORITY CAUTION

6.4 A Caution is an oral warning given in certain, less serious circumstances as an alternative to prosecution to a person who has committed an offence. It is intended to be a meaningful penalty and deterrent where other actions are not appropriate. The Caution may be a verbal warning but both parties sign the Caution Certificate and a record is kept by the Council.

6.5 If a person declines the offer of a Caution the case will be recommended for prosecution.

6.6 A Caution will usually be considered where the amount of the recoverable Council Tax Support is of a low value where the evidence indicates that:

- a) It was a first offence, or
- b) There was no planning involved, or
- c) There was no other person involved in the fraud, and
- d) The person's circumstances and demeanour towards the offence indicates that a Caution would be the most appropriate action and
- e) The person has admitted the offence in an Interview under Caution.

6.7 In these circumstances, the Council will issue an official Local Authority Caution and require full repayment of the recoverable Council Tax Support.

6.8 A Caution is not applicable where the offence is an attempt and there is therefore no financial loss to the Council or gain to an individual.

6.9 PENALTY

6.10 A Penalty is a financial penalty offered as an alternative to prosecution, usually in circumstances not deemed serious enough to warrant prosecution.

6.11 If a person refuses a Penalty, the case will be recommended for prosecution.

6.12 A Penalty will be considered where the evidence indicates that:

- a) It was a first offence, or
- b) The person failed to attend an interview under caution, or
- c) The person has previously been cautioned within the last 5 years for a similar offence but the offence was minor and the current offence is minor; and
- d) There was no planning involved, or
- e) The person has not admitted the offence at an Interview under Caution, and
- f) There was no other person involved, and
- g) The person's circumstances and demeanour towards the offence indicates that a Penalty would be the most appropriate action.

- 6.13 In such circumstances, the Council will make an offer of a Penalty in addition to requiring full repayment of the recoverable Council Tax Support.
- 6.14 The penalty will be a minimum of £100, or 50% of the recoverable amount of Council Tax Support up to a maximum of £1,000.
- 6.15 **PROSECUTION**
- 6.16 Prosecution proceedings will usually be instigated only after the evidential and public interest tests as detailed in the Code for Crown Prosecutors are satisfied, and in line with the Council's own Corporate Enforcement Policy. Prosecution will be considered where:
- a) It was not a first offence, or
 - b) The fraud has been deliberate and calculated, or
 - c) The fraud had continued over a long period; or
 - d) The value of the overpayment or financial gain is significant; or
 - e) The person has failed to attend an interview under caution; or
 - f) There were other persons involved in the fraud and collusion has been investigated, or
 - g) The person has declined the offer of a Penalty or withdrawn agreement to pay and Penalty; or
 - h) The person has declined the offer of a Caution
- 6.17 The decision to prosecute is a serious step and has implications for all concerned. The Council will ensure that decisions to prosecute are made in a fair, proportionate, consistent and equitable-manner.
- 6.18 The Council will also consider the following:
- a) Offender's physical conditions such as illness, disability, age etc and mental capacity.
 - b) Social factors such as domestic violence, coercive control, career or employment impact, childcare etc.
 - c) Voluntary disclosure where the individual makes a full and frank admission without prompting.
 - d) Procedural difficulties, delays, failures in the investigation or administrative process.
- 6.19 **SANCTION RECOMMENDATIONS**
- 6.20 The recommendation to apply any sanction will be made in the first instance by the Counter Fraud and Enforcement Unit (CFEU) Investigating Officer, after consultation with an appropriate CFEU Senior Officer, to the appropriate Revenues and Benefits Department for approval.
- 6.21 Recommendations for criminal sanctions will be referred to the appropriate Legal Department.
- 6.22 An appropriate CFEU Senior Officer will administer Cautions and Criminal Penalties on behalf of the Revenues or Benefits Department.
- 6.23 **CIVIL PENALTIES**
- 6.24 A civil penalty is a financial penalty that that can be imposed where a person has negligently supplied incorrect information or failed to supply information that affects;

- a) The amount of Housing Benefit or Council Tax Support they have been paid or would have been paid or,
- b) The amount of Council Tax they have been billed or would have been billed.

6.25 CIVIL PENALTIES APPEAL PROCESS

- 6.26 If a customer is not satisfied with the decision to impose a civil penalty in relation to Housing Benefit, they can write to the Council's Revenues and Benefits Department within one calendar month of the date of their letter in which the civil penalty is issued, and ask for a reconsideration of the decision. The customer will need to state and provide evidence, where appropriate, why they feel the decision is wrong. An appropriate Senior Officer within the Revenues and Benefits Department will carry out the reconsideration. The outcome of the reconsideration is final and there is no further appeal process.
- 6.27 If a customer is not satisfied with the decision to impose a civil penalty in relation to Council Tax Support, they can write to the Council's Revenues and Benefits Department within one calendar month of the date of their letter in which the civil penalty is issued, and ask for a reconsideration of the decision. An appropriate Senior Officer within the Revenues and Benefits Department will carry out the reconsideration. If the appeal is not successful, the customer may appeal to the Valuation Tribunal. In both instances, the customer will need to state and provide evidence, where appropriate, why they feel the decision is wrong.
- 6.28 If a customer is not satisfied with the decision to impose a civil penalty in relation to Council Tax, they can write to the Council's Revenues and Benefits Department within one calendar month of the date of their letter in which the civil penalty is issued, and ask for a reconsideration of the decision. An appropriate Senior Officer within the Revenues and Benefits Department will carry out the reconsideration. If the appeal is not successful, the customer may appeal to the Valuation Tribunal. In both instances, the customer will need to state and provide evidence where appropriate, why they feel the decision is wrong.

TABLE OF CIVIL PENALTIES			
Service	Amount of penalty	Criteria	Appeal method
Housing Benefit	£50	1. Negligently or carelessly giving incorrect information, or 2. Failing to provide without reasonable excuse, information in respect of a claim or payment of benefit, or 3. Failing to notify, without reasonable excuse, a relevant change in circumstances (reasonable excuse = ill health, significant stress)	The Council
Council Tax Support	£70		The Council and then the Valuation Tribunal
Council Tax	£70	1. Failing to supply information following a request from the Council, or 2. Supplied information about a liable person that is materially inaccurate, or 3. Failing, without reasonable excuse, to notify the Council that a dwelling is no longer exempt, or	The Council and then the Valuation Tribunal

		4. Failing, without reasonable excuse, to notify the Council that a level of discount no longer applies (reasonable excuse = ill health, significant stress)	
Council Tax	£280	1. Where a penalty has been imposed and a further request to supply the same information is made again and is not properly complied with, and may do so each time it repeats the request and the person concerned does not properly comply with it. There is no limit to the number of times this penalty can be imposed.	The Council and then the Valuation Tribunal

7. STRATEGY AND POLICY REVIEW


- 7.1 The appropriate department will review and amend this Policy as necessary to ensure that it continues to remain compliant and meets legislative requirements and the vision of the Council in consultation with the S151 Officer, the Legal Department and Members.

Responsible Department: Revenues and Housing Support Services

Policy Author: Counter Fraud and Enforcement Unit

Date: July 2023

Review frequency as required by legislative changes / every three years.

 <p>WEST OXFORDSHIRE DISTRICT COUNCIL</p>	<p>WEST OXFORDSHIRE DISTRICT COUNCIL</p>
<p>Name and Date of Committee</p>	<p>EXECUTIVE – 15 NOVEMBER 2023</p>
<p>Subject</p>	<p>UK SHARED PROSPERITY FUND AND RURAL ENGLAND PROSPERITY FUND</p>
<p>Wards Affected</p>	<p>ALL</p>
<p>Accountable Member</p>	<p>Councillor Duncan Enright – Deputy Leader of the Council and Executive Member for Economic Development. Email: duncan.enright@westoxon.gov.uk</p>
<p>Accountable Officer</p>	<p>Claire Locke – Assistant Director, Property and Regeneration. Email: claire.locke@publicagroup.uk</p>
<p>Report Author</p>	<p>Will Barton – Business Development Officer. Email: william.barton@westoxon.gov.uk</p>
<p>Purpose</p>	<p>To update the Executive of the progress on planning and delivery of the Council's UK Shared Prosperity Fund and Rural England Prosperity Fund.</p>
<p>Annexes</p>	<p>Nil.</p>
<p>Recommendations</p>	<p>That the Executive Resolves to:</p> <ol style="list-style-type: none"> 1. Note the progress on planning and delivery of the Council's UK Shared Prosperity Fund and Rural England Prosperity Fund; 2. Delegate authority for the approval of future schemes and expenditure to the Deputy Leader and Cabinet Member for Economic Development, in consultation with the Council's UKSPF / REPF Delivery Group.
<p>Corporate Priorities</p>	<ul style="list-style-type: none"> • Putting Residents First • A Good Quality of Life for All • A Better Environment for People and Wildlife • Responding to the Climate and Ecological Emergency • Working Together for West Oxfordshire

Key Decision	NO
Exempt	NO

I. BACKGROUND

- I.1** The UK Shared Prosperity Fund (UKSPF) is part of the government's Levelling Up agenda. It provides £2.6 billion of new funding for local investment by March 2025, with all areas of the UK receiving an allocation from the Fund via a funding formula rather than a competition. The primary goal of the UKSPF is to build pride in place and increase life chances across the UK through the support of high-quality skills training, improving pay, supporting employment and productivity growth.
- I.2** UKSPF has three themes:
- communities and place;
 - supporting local business;
 - people and skills (which comes into effect from 2024/25 onwards).
- I.3** The Rural England Prosperity Fund (REPF) is an additional fund released by the Department for Environment, Food and Rural Affairs (DEFRA) that builds on and is complementary to UKSPF. REPF is applicable to two of the UKSPF themes; communities and place and supporting local business. It funds capital projects for small businesses and community infrastructure which will help to strengthen the rural economy and rural communities.
- I.4** The Council's allocations are as follows:

	2022/23	2023/24	2024/25	Total
UKSPF	£70,467	£140,935	£788,598	£1,000,000
REPF		£180,000	£536,216	£716,216

- I.5** The Council submitted Investment Plans for both UKSPF and REPF to the Government setting out high level plans for how the funds would be used. These two schemes were reported to the WODC Executive on 13 July 2022 and 16 November 2022 respectively with authority delegated to the Executive Member for Economic Development and the Assistant Director for Property and Regeneration to approve the final Investment Plans before submission.
- I.6** A governance structure to oversee WODC's UKSPF programme has been established as follows:
- I.7** Delivery Group comprising WODC officers plus Executive members for Economic Development and Stronger Healthy Communities. This group meets monthly and makes operational decisions on the UKSPF / REPF programme.
- I.8** Local Partnership Group comprising Delivery Group members plus external stakeholders from a range of organisations covering community development, business support and skills. This group meets every two months, acts as a 'critical friend' and offers strategic advice on our programme.
- I.9** In addition, the Local Partnership established two working groups to help develop the business support and skills and people strands of the programme.

2. FIRST YEAR PROJECTS

2.1 The following five projects were included in the first year's plans (Financial year 2022/23):

2.2 Improvements to Accessibility to Deer Park South

2.2.1 This project to improve accessibility to the 'Deer Park South' area of green space is progressing well. Two new bridges have been installed over the Colwell Brook and footpath improvements are underway. A nature trail will be installed and local schools have been approached to involve the children in its design.

2.3 Town and Parish Council Biodiversity Works

2.3.1 Council officers are working with Wild Oxfordshire to update a biodiversity toolkit that will help parish and town councils to manage their land in nature-friendly ways. There will be three pilot projects in Asthall, Eynsham and Filkins & Broughton Poggs to demonstrate the toolkit in action and produce case studies to help other parishes.

2.4 Market Towns Study

2.4.1 The Council commissioned Heartflood to undertake a study of West Oxfordshire's market towns to help identify priority issues for UKSPF funding. The study recommended establishing town partnerships to identify detailed projects in each of the towns. The study also identified that wayfinding, signage and the promotion of towns to visitors were areas on which to focus. Whilst there is currently a lack of detail, officers are working with towns to establish partnerships and identifying specific projects as suggested.

2.5 Rural Services Study

2.5.1 The Council commissioned The Plunkett Foundation to undertake a study of rural services in the district and to identify ways in which the Council can support them. The key recommendations fall into three themes:

- Community outreach activity including the promotion of community-led or parish plans, raising of Assets of Community Value and incentivising the use of community buildings and churches as "host" facilities.
- Provision of funding and support including grant funding for community-run/community-owned businesses, advice and support for rural businesses focusing on energy efficiency and robust financial management and working with local support organisations to make sure that they have the capacity and skills to undertake their work.
- The promotion of match funding and other forms of finance including the Government's Community Ownership Fund

2.5.2 The Delivery Group has reviewed the recommendations including those that sit within the Council's existing services (primarily community outreach activity) and those that can be further supported by UKSPF / REPF, in particular funding and support. These recommendations have helped inform the scope of the Community Infrastructure Fund and are being incorporated into the Business Support strand of work, both of which are described in more detail later in this report.

2.6 Carterton Strategic Plan

- 2.7** The Council commissioned BE Group supported by Hyas to develop a Strategic Plan for Carterton. The consultants are currently engaging with a whole range of stakeholders as part of their work. This included a recent presentation and discussion with the Council's Executive members. This is a significant and important piece of work which will both help to inform the new Local Plan and also wider strategy and activity including future economic growth and town centre regeneration. The study is due to be completed in the new year and is likely to lead to further work in due course.

3. WORK UNDERWAY

- 3.1** A series of workstreams are currently underway for years two and three of the programme:

3.2 Community Infrastructure Fund

- 3.2.1** A Community Infrastructure Fund has been established and is live for applications on the Westhive crowdfunding platform. This fund, totalling £226,000, offers capital grants up to £20,000 to community projects. In meeting the aims of both the UKSPF and WODC's Council Plan and in line with the recommendations from the Plunkett's Rural Services Study, the fund is targeted towards projects run by community organisations that restore a sense of community, local pride and belonging, especially in those places where these have been lost.

- 3.2.2** We are particularly encouraging projects that support the most vulnerable in our communities and which address exclusion for whatever reason (eg mental health, financial or disability) as well as those that meet the needs of young people and indeed projects run by young people. There is £40,000 available in the current financial year with the remainder available in 2024/25.

3.3 Support for Market Towns

- 3.3.1** There is £158,000 allocated for initiatives to help town centres. The main recommendation from the Market Town's Study referred to earlier was to form Town Partnerships in each of the towns to work up detailed priorities. This work is underway and at the time of writing the groups had met in Witney and Chipping Norton. Priorities agreed for Witney were:

- Long term strategic plan for the town
- Promotion of the town to increase footfall
- Improvements to wayfinding and signage

- 3.3.2** Priorities agreed for Chipping Norton were:

- Rejuvenating the weekly market
- Signage and wayfinding
- Street furniture and public realm

3.3.3 Both partnerships are undertaking detailed audits of signage and wayfinding issues. Officers from both planning and parking teams are involved to ensure any proposals will be acceptable in planning terms and also to tie up with the existing work to update car park signage.

3.3.4 In addition to the work stemming from the Market Towns Study, the Council is reviewing the regular weekly retail markets in Witney and Chipping Norton with a view to rejuvenating them. This will help to attract visitors and increase footfall in the town centres. This work will be reported to the Executive at a future meeting but is very closely aligned with the UKSPF town centre work.

3.4 Visitor Economy

3.4.1 A low level of revenue funding (£5,000) was earmarked for the development and promotion of the visitor economy. The Cotswolds Tourism team are using this to run an event called 'Local Connections' in early November. The event will bring together local accommodation providers with local producers and service providers and help them to make links, collaborate and enhance the local supply chain. Using more local suppliers will help improve the accommodation providers' offers, it will increase business for the local producers and ultimately help to reduce supply chain miles.

3.5 Business Grants

3.5.1 WODC's Investment Plans allocated £548,000 for capital business grants split between supporting the visitor economy, local social economy and small rural businesses. A desire to offer two levels of grants was identified early on and both the Delivery Group and Local Partnership have discussed grant levels and apportionment. The grants will initially be structured as follows:

- 77 x £5,000 grants = £385,000
- 8 x £20,000 grants = £160,000

3.5.2 This apportionment will be kept under review and may be adjusted based on demand.

3.5.3 A Small Business Grant Scheme will be launched in the new year and run over both this and the next financial year. The larger grant scheme will be launched in the next financial year, will involve a more rigorous application process and will require a proportion of match funding towards the project from the applicant.

3.5.4 The eligibility criteria for the grants will be wide but the promotion of the grants will in particular target businesses involved in the visitor economy (including retail), small rural businesses and social enterprises.

3.6 Business Support

3.6.1 A significant fund of £246,000 has been allocated for business support in 2024/25. Plans for the use of this funding are still being formed but part of this will pick up the Plunkett Report's recommendation for advice and support for rural businesses, focusing on energy efficiency and robust financial management.

3.6.2 Officers have received and are assessing a proposal from OxLEP for a West Oxfordshire Business Accelerator programme. This is a comprehensive package of support targeted at businesses with up to 20 staff from across all sectors, who have ambitions to grow.

3.6.3 In addition, the delivery group is keen to support start up businesses and young entrepreneurs, help businesses reduce their carbon footprint and offer further support for the visitor economy. All of these elements are being considered in the plans which will be reported in due course.

3.7 Encouraging Business Networking and Collaboration

3.7.1 The Investment Plan included a capital sum of £52,000 to “strengthening local entrepreneurial ecosystems and support businesses at all stages of their development to start, sustain, grow and innovate, including through local networks.” It is suggested these funds are used to adapt space so that it encourages co-working, networking and collaboration. Officers are looking at options to enhance communal areas at Elmfield for this purpose. This work is still at an early stage.

3.8 Skills and People

3.8.1 The Skills and People theme provides £295,000 in 2024/25 for two interventions:

- Funding for local skills needs
- Funding for green skills courses

3.8.2 Work to put schemes together for these strands is currently underway and has been informed by advice from the Skills Working Group which was established by the Local Partnership.

3.8.3 Following the group’s advice, the funding for local skills needs is going to focus on helping people struggling to get into employment to start that journey and hopefully progress into work. There will be an expression of interest round to identify an organisation(s) to undertake this work.

3.8.4 The green skills training will be targeted at existing businesses, particularly those that can play a part in the ‘retrofit’ sector. There is a short supply of both building assessors that can advise and design systems, and installers. The issue is that many of these businesses are already busy with conventional systems and do not have an incentive to train for renewable energy systems. The funding is likely to be used to incentivise businesses to take up the training. The training providers can use these businesses to market test their training courses and create case studies to market the courses commercially.

3.9 Delegated Authority

3.9.1 At its meeting on 13 July 2022, the Cabinet delegated authority for the award of contracts to deliver projects highlighted for delivery in 2022/23 to the Group Manager - Property and Regeneration in consultation with the S.151 Officer and the Cabinet Member for Economic Development.

3.9.2 WODC’s UKSPF / REPF Delivery Group has been established since that request was made and its membership includes the Group Manager - Property and Regeneration, the S.151

Officer and the Executive Members for Economic Development and Stronger Healthy Communities. Delegated authority is requested to allow the UKSPF / REPF Delivery Group to approve future schemes and expenditure under WODC's UKSPF/REPF programme.

4. ALTERNATIVE OPTIONS

4.1 Not Applicable.

5. FINANCIAL IMPLICATIONS

5.1 The UKSPF and REPF funds are Government funds that were allocated to the Council specifically for this work. The Council should receive each year's allocation at the start of each financial year and has already received the funding for 2022/23 and 2023/24.

5.2 The funds have to be defrayed by the council in the corresponding financial year. All funding for the whole programme must be defrayed by 31 March 2025.

5.3 No council funds are involved in the programme.

6. LEGAL IMPLICATIONS

6.1 There are no legal implications arising directly from this report, but the Council will need to enter into formal Grant Funding Agreements with the recipients of the funding which will require support from the Legal Team.

7. RISK ASSESSMENT

7.1 There is a risk that if the funds are not spent by the Council they will have to be returned to the Government. While the Council's own funds are not at risk, there is a significant reputational risk to the council should this happen.

8. EQUALITIES IMPACT

8.1 There are no specific equalities implications from this report.


9. CLIMATE AND ECOLOGICAL EMERGENCIES IMPLICATIONS

9.1 While the UKSPF and REPF programmes are not focussed on climate or ecological issues, the Delivery Group recognises the importance of both and projects that seek to address these issues along with their core aims are encouraged.

10. BACKGROUND PAPERS

10.1 None

(END)

 <p>WEST OXFORDSHIRE DISTRICT COUNCIL</p>	<p>WEST OXFORDSHIRE DISTRICT COUNCIL</p>
<p>Name and Date of Committee</p>	<p>EXECUTIVE – 15 NOVEMBER 2023</p>
<p>Subject</p>	<p>FINANCIAL PERFORMANCE REPORT 2023/24 QUARTER TWO</p>
<p>Wards Affected</p>	<p>ALL</p>
<p>Accountable Member</p>	<p>Councillor Alaric Smith – Executive Member for Finance. Email: alaric.smith@westoxon.gov.uk</p>
<p>Accountable Officer</p>	<p>Madhu Richards – Director of Finance. Email: madhu.richards@westoxon.gov.uk</p>
<p>Report Author</p>	<p>Madhu Richards – Director of Finance. Email: madhu.richards@westoxon.gov.uk</p>
<p>Annexes</p>	<p>Annex A – Detailed Revenue Budget Comparison Annex B – Capital Spend Against Budget</p>
<p>Purpose</p>	<p>To detail the Council's financial performance for Quarter Two 2023-2024.</p>
<p>Recommendation</p>	<p>That the Executive Resolves to: I. Note the Council's Financial Performance for Quarter Two 2023-2024</p>
<p>Corporate Priorities</p>	<ul style="list-style-type: none"> • Putting Residents First • A Good Quality of Life for All • A Better Environment for People and Wildlife • Responding to the Climate and Ecological Emergency • Working Together for West Oxfordshire
<p>Key Decision</p>	<p>NO</p>
<p>Exempt</p>	<p>NO</p>

FINANCIAL PERFORMANCE SUMMARY

WEST OXFORDSHIRE DISTRICT COUNCIL - Budget Monitoring

Revenue Budget Monitoring 2023/24 - Quarter 2, 1st April to 30th September 2023

Quarter 2				
Original Budget 2023/24	Profiled Budget	Actual Exp	Variance (under) / over spend	Forecast Year End
£	£	£	£	£

Service Area

Democratic and Committee Services	1,194,664	695,474	682,408	(13,066)	(14,501)
Environmental & Regulatory Services	594,312	255,591	301,936	46,345	101,657
Environmental Services	8,041,444	3,322,730	3,515,172	192,442	305,390
Finance, Human Resources & Procurement	1,035,476	1,233,976	1,228,749	(5,227)	5,537
ICT, Change & Customer Services	2,210,013	1,525,756	1,529,308	3,552	18,518
Land, Legal & Property	1,147,227	555,798	582,876	27,078	106,467
Leisure & Communities	1,282,513	172,505	(105,915)	(278,420)	(551,886)
Planning & Strategic Housing	1,174,379	568,625	632,127	63,502	56,129
Revenues & Housing Support	1,406,799	730,132	635,632	(94,500)	9,591
Investment Property and Retained Services	(3,125,286)	(599,640)	(168,273)	431,367	846,268
Total cost of services	14,961,541	8,460,948	8,834,020	373,072	883,170

Plus:

Investment income receipts	(1,102,228)	(638,614)	(688,000)	(49,386)	(100,000)
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Cost of services before financing:	13,859,313	7,822,334	8,146,020	323,686	783,170
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The 2023/24 budget was approved by full Council in February 2023 and set an overall annual revenue budget of £350,129 deficit to be funded from General Fund balances. This report sets out the revenue budget position as at Quarter 2 and a forecast position for the year end.

It should be noted that the inclusion of a forecast outturn position is a new development. It is anticipated that this will be an ongoing feature of Financial Performance Reports, and that the processes underpinning it will continue to be refined and modified.

As at Q2, there is an overall overspend compared to the profiled budget, of £323,686.

The position at year end is forecast to be £783,170. This would require an additional contribution from the General Fund of £433,041.

The key factors driving this position relate to the waste and leisure contracts and to underperformance of income budgets (primarily relating to investment properties).

The 2024/25 budgeting process is well underway along with an update to the Medium Term Financial Strategy (MTFS) and Investment, Treasury Management and Capital Strategies. A first draft of the budget will be going forward to Scrutiny Committee and Executive at the beginning of December focussing on revenue (cost of service) changes and pressures. The Local Government finance settlement will be announced just before Christmas and will confirm the level of central government funding in terms of New Homes Bonus, Revenue Support Grants (RSG), Funding

Guarantee Grants etc and this will be incorporated into a second draft of the budget to go forward to Scrutiny Committee and Executive in January, followed by a final update for Council Tax and Retained Business Rates in February.

SIGNIFICANT VARIANCES

A full list of variances by cost centre is included in Annex A. The most significant variances, listed by Service Area (as set out in the table above), are as follows:

Environmental Services - £192,442 overspent at Q2

1.1 Recycling

At the end of Q2 the Suez contract is £135,000 overspent. This is forecast to rise to £265,000 overspend at year end. This is due to a significant rise in tonnages of recycling collected which have increased handling costs. With the contract coming to an end in 2024 the Waste team are currently exploring alternative service delivery models to bring this spend down to achieve sustainable ongoing savings for the Council. There is an additional overspend of £40,000 on recycling bins so far this year, representative of the additional number of homes built in the district in recent years and resident's desire to recycle their waste rather than send it to landfill.

1.2 Green Waste

Income is £51,000 below budget and the service is forecast to be £55,000 overspent at year end. The Waste team have begun a modelling exercise with Ubico, to analyse the capacity for additional collections with the current vehicle fleet and a potential fee increase for 2024/25. Proposals will be put forward to the Executive as part of the budget setting process where a realistic income budget will need to be agreed.

1.3 Trade Waste

Trade Waste is invoiced in April & September therefore the full income for the year has already been raised. Income has exceeded target by £20,000 and tipping charges to the County Council are £10,000 underspent. This overall underspend of £30,000 is not expected to change significantly by the end of the year.

1.4 Household Waste

So far this year there has been no expenditure on bins, producing an underspend of £20,000 at Q2 with a forecast of a £40,000 underspend for the year. This lack of expenditure offsets the overspend on boxes in the recycling service and shows the cyclical nature of box replacement for the different areas of the waste service.

Environmental & Regulatory Services - £46,345 overspent at Q2

1.5 Building Control

Income is £54,000 below budget, a decline of 16% compared to the same period last year. Current economic conditions are impacting the service more than anticipated, with the forecast for the under achievement of income rising from £90,000 to £100,000 at Q4. Discussions are ongoing with Officers responsible for this service to finalise a plan to mitigate the impact of changing market conditions

and general economic factors. A re-assessment of the income budget will be carried out as part of the budget setting process for 2024/25.

Land, Legal & Property - £27,078 overspent at Q2

I.6 Land Charges

Similar to Building Control, Land Charges struggles against competition from the private sector. In Q1 income was £17,000 below target increasing to £39,000 below target in Q2 and forecasted to be £100,000 at year end. Direct competition from the Personal Search companies has significantly impacted our Land Charges income over the last 3 years taking 70% market share, aided by the requirement that we provide access to our data free of charge to Personal search companies and any individual who requests it.

Leisure and Communities - £278,420 underspent at Q2

I.7 The inclusion of an income contingency in the 2023/24 budget was due to significant uncertainty, at the time of setting the budget in February 2023, about the level of income achievable from the leisure contract. Invoices are being raised for the contractual amount which is producing a significant underspend, as shown in Annex A, of £247,833. Officers are working with GLL to improve the outcomes of this contract for both parties.

Planning & Strategic Housing - £63,502 overspent at Q2

I.8 Development Management

Income from Planning applications is difficult to forecast as it is not consistent throughout the year and there is no discernible pattern when looked at over the longer term. Last year income was significantly below target until two major applications were received in Q4 which turned the outturn position into a surplus from the deficit that had been reported in the first 3 quarters of the year.

Major applications often have an extended timeline and it is very difficult to predict when exactly they will be submitted. General economic conditions like interest rates and inflation which although still high are stabilising, which may have a positive impact on planning application volumes as both individuals and developers are able to more confidently estimate their costs.

I.9 Development Management Appeals

Whilst this cost centre is not currently overspent, it should be noted that external legal spend has increased dramatically since 2020. A significant proportion of this expenditure relates to Planning Appeals & Inquiries. Spend to date sits at £104,000 across the Council compared to £168,000 of expenditure in the whole of 2022/23. A single Planning Inquiry can cost the Council up to £55,000 for significant sites and an average of £20,000-£30,000 for more standard sites as well as the requirement to pay the opponent's court costs for certain matters.

Investment Property and Retained Services - £431,367 overspent at Q2

I.10 Bank Charges

There is currently an overspend of £67,000 relating to the costs incurred to process debit & credit card payments to the Council. Procurement is finalising an agreement through the relevant framework to take up a new contract for our card processing which will save the Council £80,000 a year based on current volumes and cost per transaction. It is hoped that the new acquirer contract

will be in place by Q4 which should reduce the overspend at year end to £62,000. The new contract is expected to bring Bank Charges back within the existing budget so no additional growth will be required in 2024/25.

1.11 Non Distributed Costs

There are two elements to the pension contribution the Council makes for its employees. Firstly there is the amount paid monthly through payroll which is balanced by a secondary cash element paid direct to the LGPS that keeps the payroll contribution at a steady rate. The employer rate has been 17.6% for the last 5 years and the cash element moves year on year. The cash contribution this year is higher than the budget and will be £141,000 overspent by the end of the year. As part of the budget setting process the Actuaries for the LGPS will advise on an increased cash contribution required for next year versus a potential change in employers contribution. The budget will account for the most advantageous combination of the two elements.

1.12 Investment Property

An analysis and reconciliation of all investment property income and expenditure has been undertaken for Q2 reporting. The Q2 position is an overspend of £292,176, due to the void units and rent free periods as expressed in Q1. The forecast for year end is an overspend of £599,970, driven mainly by Marriotts, Des Roches and the delay in renting out Elmfield.

A number of these void units have now been let and positive negotiations are ongoing with a number of possible tenants for the remaining void units, with reports coming forward to Executive for approval as these negotiations are finalised.

The 24/25 budget setting process is currently revisiting this income figure and the underlying assumptions for investment property income.

It should be noted that, although income budgets are currently not being met, rent from investment properties of circa £4.6m will be achieved in 23/24, which directly funds the provision of core services.

Revenues & Housing Support, £94,500 underspent at Q2

1.13 Homelessness

It was reported in Q1 that the Government had provided an additional £220,541 of funding to relieve the pressure placed on the Homelessness service from the Afghan & Ukrainian Refugee schemes. Homelessness is currently £91,000 underspent and this represents a timing difference between the grant and the expenditure against it. All grant monies must be spent by 31st March 2024 so the expectation is that Homelessness will be very close to budget at the end of the year.

Council Tax & Business Rates Update

1.14 In recognition of previously identified Covid related arrears issues, this report includes an update on the Council Tax and Business Rates position.

The tables show the arrears specific to 2020/21 to 2022/23, which have been most effected by the Pandemic and Cost of Living Crisis and compares the Q2 position to that at 31st March 2023.

Council Tax Arrears	20/21	21/22	22/23	Total
	£	£	£	£
31.03.2023	1,282,456	2,209,117	2,993,806	6,485,379
Collected in Q1 & Q2	-190,451	-368,148	-711,067	-1,269,666
Credited/Refunded	-114,455	-72,631	-222,615	-409,701
Balance 30.09.23	977,550	1,768,338	2,060,124	4,806,012

Business Rates Arrears	20/21	21/22	22/23	Total
	£	£	£	£
31.03.2023	400,670	749,187	1,319,753	2,469,610
Collected in Q1 & Q2	-114,842	-251,133	-746,250	-1,112,225
Credited/Refunded	-57,411	-193,507	112,773	-138,145
Balance 30.09.23	228,417	304,547	686,276	1,219,240

The above tables show that in the first 2 quarters of the year £2,381,891 (£1,269,666 council tax + £1,112,225 business rates) has been collected in relation to 2020/21, 2021/22 & 2022/23 arrears.

Over and above amounts recovered through direct payments to the Council there are also amounts of refunds and credits for reliefs that have been applied for in the current financial year and backdated where appropriate.

Annex A - Comparison of Q2 Budget Monitoring

	Q2 position			
	Profiled Budget	Actual Exp	Variance (under) / over spend	Forecast Year End (under)/Over spend
	£	£	£	£
Democratic Services				
DRM001-Democratic Representation and Mgmt	99,230	99,482	252	505
DRM002-Support to Elected Bodies	228,998	231,570	2,572	5,144
ELE001-Registration of Electors	62,706	64,048	1,341	2,683
ELE002-District Elections	72,700	69,859	(2,841)	(2,841)
HLD309 - Newspapers	0	22	22	0
SUP001-Administration	231,839	211,848	(19,992)	(19,992)
Total - Democratic Services	695,474	682,408	(13,066)	(14,501)

SUP001- £18k underspend from vacant Director of Governance post until filled at the end of Q1

	Q2 position			
	Profiled Budget	Actual Exp	Variance (under) / over spend	Forecast Year End (under)/over spend
	£	£	£	£
Environmental & Regulatory Services				
BUC001-Building Control - Fee Earning Work	(33,600)	10,430	44,030	85,000
BUC002-Building Control - Non Fee Earning Work	1,683	1,673	(10)	0
EMP001-Emergency Planning	6,999	7,245	246	492
ESM001-Environment - Service Mgmt & Supp Serv	51,411	56,093	4,682	5,000
PSH002-Private Sector Housing-Condition of Dwellings	1,500	0	(1,500)	(3,000)
REG001-Environmental Health General	0	(3,803)	(3,803)	(3,803)
REG002-Licensing	(30,386)	(34,724)	(4,338)	(2,500)
REG009-Environmental Protection	122,093	120,930	(1,163)	(1,163)
REG011-Authorised Process	(6,000)	(9,957)	(3,957)	(2,000)
REG013-Pollution Control	63,570	69,579	6,009	6,009
REG016-Food Safety	72,021	71,592	(429)	(429)
REG021-Statutory Burials	2,500	1,387	(1,113)	3,000
STC011 - Abandoned Vehicles	0	(329)	(329)	(329)
TAC309-Other Trading Services - Markets	3,800	11,489	7,689	15,378
Total - Environmental & Regulatory Services	255,591	301,607	46,016	101,657

BUC001 - Fee income is £54k below target and is forecast to be £100k below target at year end. Income losses are partially offset by an underspend of £8k for IT licences which is expected to be £15k at year end. Fee income budgets are being reviewed as part of 24/25 budget setting and are likely to be set at an achievable level subject to Member approval.

TAC309 - Market income is £10k below target. Discussions about the future of the market offering are underway; a paper will be brought to Executive in December

	Q2 position			
	Profiled Budget	Actual Exp	Variance (under) / over spend	Forecast Year End (under)/over spend
	£	£	£	£
Finance, Human Resources & Procurement				
SUP003-Human Resources	98,123	93,153	(4,971)	(2,300)
HLD319 - New Initiatives	0	458	458	0
SUP009-Accountancy	199,550	201,343	1,792	3,584
SUP010-Internal Audit	63,585	66,520	2,935	5,869
SUP011-Creditors	21,720	18,827	(2,893)	(2,893)
SUP012-Debtors	30,234	26,360	(3,874)	(2,000)
SUP013-Payroll	29,175	26,808	(2,367)	0
SUP019-Health & Safety	17,212	17,236	24	0
SUP020-Training & Development	39,323	41,113	1,790	3,581
SUP033-Central Purchasing	19,583	19,461	(121)	(242)
SUP035-Insurances	5,022	4,991	(31)	(62)
Total - Finance, Human Resources & Procurement	1,233,976	1,228,749	(5,227)	5,537

Q2 position			
Profiled Budget	Actual Exp	Variance (under) / over spend	Forecast Year End (under)/over spend
£	£	£	£

ICT, Change & Customer Services

SUP002-Consultation, Policy & Research	81,744	83,754	2,010	1,000
SUP005-ICT	1,133,764	1,142,820	9,056	18,112
SUP006-Telephones	(2,500)	(2,815)	(315)	(630)
SUP008-Reception/Customer Services	303,329	300,736	(2,592)	(1,000)
SUP014-Cashiers	0	57	57	114
SUP041-Business Solutions	6,057	6,019	(37)	(75)
TMR001-Street Naming & Numbering	0	(695)	(695)	(1,390)
TMR002-Street Furniture & Equipment	(8,051)	(4,357)	3,694	7,387
TOU002-Tourist/Visitor Information Centre	11,413	3,790	(7,624)	(5,000)

Total - ICT, Change & Customer Services

1,525,756	1,529,308	3,553	18,518
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Q2 position			
Profiled Budget	Actual Exp	Variance (under) / over spend	Forecast Year End (under)/over spend
£	£	£	£

Land, Legal & Property

ADB301-3 Welch Way (Town Centre Shop)	32,782	25,083	(7,699)	(10,000)
ADB302-Guildhall	11,577	(2,843)	(14,420)	(13,500)
ADB303-Woodgreen	169,602	171,258	1,656	5,000
ADB304-Elmfield	106,950	144,914	37,963	75,000
ADB305-Corporate Buildings	267,822	259,946	(7,876)	2,000
ADB306-Depot	(57,984)	(66,165)	(8,181)	5,000
LLC001-Local Land Charges	(79,627)	(42,398)	37,229	65,000
SUP004-Legal	134,813	126,297	(8,517)	(17,033)
TAC303-Swain Court & Newman Court Ind Est Witney	(30,138)	(33,216)	(3,078)	(5,000)

Total - Land, Legal & Property

555,798	582,876	27,078	106,467
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ADB302- £8k invoiced to Chipping Norton Town Council for Service Charges & Utilities for prior years plus £4k underspend in Business Rates

ADB304 - timeline for renting out Elmfield has slipped, currently £37k behind target for rental income

LLC001- a £39k shortfall in income continues the trend that we have seen over the last 3 years and is forecast to be £65k at year end. The fee income budget will be reviewed as part of 24/25 budget setting and is likely to be set at an achievable level, subject to Member approval.

Q2 position			
Profiled Budget	Actual Exp	Variance (under) / over spend	Forecast Year End (under)/over spend
£	£	£	£

Leisure & Communities

CCR001-Community Safety (Crime Reduction)	49,560	22,988	(26,573)	(45,000)
CCR002-Building Safer Communities	19,719	11,186	(8,533)	(13,700)
CCR301 - Communities Revenue Grant	133,410	132,491	(919)	(1,838)
CCT001-CCTV	(739)	7,854	8,593	8,593
CSM001-Cultural Strategy	44,195	41,802	(2,392)	(2,392)
CUL001-Arts Development	28,649	20,471	(8,177)	(3,000)
ECD001-Economic Development	64,563	68,923	4,361	5,400
ECD010 – SPF Community and Place	0	(3,596)	(3,596)	0
REC001-Sports Development	31,439	35,183	3,745	3,745
REC002-Recreational Facilities Development	27,987	46,394	18,407	18,407
REC003-Play	41,205	32,672	(8,533)	(25,000)
REC301-Village Halls	7,449	7,403	(46)	(92)
REC302-Contract Management	(419,943)	(667,776)	(247,833)	(495,665)
SUP016-Finance - Performance Review	55,700	55,355	(344)	(344)
TOU001-Tourism Strategy and Promotion	89,313	82,733	(6,580)	(1,000)

Total - Leisure & Communities

172,505	(105,915)	(278,420)	(551,886)
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CCR001- £24k underspend in Professional Fees, a similar position to 22/23. The budget is being reviewed for 24/25 with an estimated saving of £45k

REC002- £18k repairs to Chipping Norton Leisure Centre roof & repairs at Windrush Leisure Centre

REC003- An additional £50k budget was provided in 22/23 and 23/24 as a short term measure to undertake repair & maintenance work to Playgrounds that are to be transferred to Witney Town Council. This will be removed in 24/25 leaving a residual base budget of £11,000 for playground repairs.

REC302 - a prudent income contingency is included in the 23/24 budget which represents the uncertainty, in February 2023, of the level of achievable income from the leisure contract.

Q2 position			
Profiled Budget	Actual Exp	Variance (under) / over spend	Forecast Year End (under)/over spend
£	£	£	£

Environmental Services

CCC001-Climate Change	129,476	121,201	(8,274)	(16,000)
COR301-Policy Initiatives - Shopmobility	8,240	8,189	(51)	(102)
CPK001-Car Parks - Off Street	211,143	220,656	9,513	17,000
ENI002-Grounds Maintenance	245,169	239,285	(5,883)	(11,767)
ENI303-Landscape Maintenance	59,244	63,556	4,312	8,623
FLD001-Flood Defence and Land Drainage	82,956	99,449	16,492	17,400
REG004-Dog Warden	30,546	43,925	13,379	26,758
REG005-Public Health Sewerage	(14)	(13)	0	0
REG018-Pest Control	7,480	137	(7,343)	(14,960)
REG019-Public Conveniences	65,674	68,689	3,016	6,031
REG023-Environmental Strategy	40,987	40,634	(353)	(707)
RYC001-Recycling	1,857,528	2,032,562	175,035	305,000
RYC002-Green Waste	(959,434)	(903,671)	55,763	55,763
STC001-Street Cleansing	19,155	19,041	(114)	(229)
STC004-Environmental Cleansing	553,291	545,364	(7,927)	(15,854)
TRW001-Trade Waste	(85,524)	(115,679)	(30,155)	(30,155)
TRW002-Clinical Waste	(250)	(208)	42	84
WST001-Household Waste	1,012,192	989,301	(22,891)	(40,000)
WST004-Bulky Household Waste	16,973	17,264	292	584
WST301-Env. Services Depot, Downs Rd, Witney	27,901	25,821	(2,080)	(2,080)

Total - Environmental Services

3,322,730	3,515,500	192,770	305,390
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CCC001- DEFRA - Biodiversity Net Gain grant has been received and will offset against Publica costs for 1 FTE providing an estimated underspend of £16k at year end

CPK001 – there has been £9k of expenditure for an online survey and report & mystery shopper exercise to inform the report for Executive on the future parking strategy.

FLD001- An invoice for £17k was received in Q2 for ditch clearance works related to 22/23 and will cause an overspend for the rest of the year.

REG004 – the overspend is due to no income being received for the statutory responsibility of collecting stray dog. This budget will be reviewed for 24/25.

REG018 – the pest control service stopped at the beginning of the year. The net budget is £14,960 so this will be the underspend at year end

RYC001 - £135k overspend on Suez contract, forecast to be £265k overspent by the end of the year. Boxes & bins overspend likely to be £ 40,000 this financial year.

RYC002 - Fee income is £51k below budget. The cost of a green waste licence will be discussed as part of the fees & charges budget setting exercise for 24/25.

TRW001-income is £20,000 above budget & there is a £10,000 underspend on disposal costs paid to OCC. The current position is not expected to change by the end of the year

WST001- So far this year there has been no expenditure on bins resulting in a £23k underspend, the forecast is for a £40k underspend at year end which will offset against the overspend in recycling bins & boxes

	Q2 position			
	Profiled Budget	Actual Exp	Variance (under) / over spend	Forecast Year End (under)/over spend
	£	£	£	£
Planning & Strategic Housing				
DEV001-Development Control - Applications	(162,005)	(106,671)	55,335	0
DEV002-Development Control - Appeals	87,758	82,938	(4,820)	40,000
DEV003-Development Control - Enforcement	87,077	86,889	(188)	(376)
ENA001-Housing Enabling	54,861	58,522	3,661	3,661
ENI301-Landscape Initiatives	29,266	32,211	2,945	4,000
HLD315-Growth Board Project (Planning)	80,997	80,997	(0)	0
PLP001-Planning Policy	268,454	273,848	5,394	6,500
PLP003-Implementation	(516)	(512)	3	0
PLP004-Conservation	54,213	55,046	834	1,668
PSM001-Planning Service Mgmt & Support Serv	68,521	68,859	339	677
Total - Planning & Strategic Housing	568,625	632,127	63,502	56,129

DEV001 - fee income is £64k below budget but is £34k better than the same period last year and is partially offset by Pre Application advice performing £11k better than budget. In 22/23 fee income was below budget until Q4 due to the timing differences of major applications coming in, 23/24 is following the same pattern and it is expected that by year end the current deficit position will be reversed.

Q2 position			
Profiled Budget	Actual Exp	Variance (under) / over spend	Forecast Year End (under)/over spend
£	£	£	£

Retained Services

COR002-Chief Executive	185,894	180,096	(5,798)	(4,000)
COR003-Corporate Policy Making	37,236	36,623	(613)	(1,226)
COR004-Public Relations	3,825	6,516	2,691	5,382
COR005-Corporate Finance	279,800	262,508	(17,291)	(15,000)
COR006-Treasury Management	13,350	6,605	(6,745)	(13,490)
COR007-External Audit Fees	28,500	30,230	1,730	20,000
COR008-Bank Charges	39,250	107,074	67,824	62,000
COR302-Publica Group	60,000	62,897	2,897	0
FIE341-Town Centre Properties	(177,328)	(171,843)	5,485	10,970
FIE342-Miscellaneous Properties	(418,460)	(379,355)	39,105	86,000
FIE343-Talisman	(311,887)	(294,382)	17,505	70,000
FIE344-Des Roches Square	(160,503)	(106,146)	54,356	120,000
FIE345-Gables at Elmfield	(76,683)	(30,609)	46,073	75,000
FIE346 - Marriotts	(85,272)	44,380	129,652	238,000
NDC001-Non Distributed Costs	324,550	395,394	70,844	141,688
TAC304-Witney Industrial Estate	(83,960)	(82,351)	1,609	3,218
TAC305-Carterton Industrial Estate	(251,888)	(223,913)	27,974	47,350
TAC306-Greystones Industrial Estate	(4,628)	(11,997)	(7,369)	(2,500)
TAC308-Other Trading Services - Fairs	(1,438)	0	1,438	2,876

Total - Retained Services

(599,640)	(168,273)	431,367	846,268
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COR005 - £7k underspend in employee costs due to S151 post being vacant between August & October. Interim costs are charged to professional fees which are £10k underspent. A budget of £50k for professional fees is not required ongoing and will be adjusted in the 24/25 budget to provide a saving of £30k

COR008 - Procurement are finalising a new contract for our Merchant Card acquirer through the relevant framework. This should bring expenditure on card processing charges back within the budget envelope from 24/25 ongoing and will reduce our annual expenditure by £80k. Some positive effects will be seen in Q4 once the contract is in place.

NDC001 - Non Distributed costs are the cash element the Council pays to the LGPS pension scheme to enable us to stabilise the employer contribution paid for each employee. This cash element changes year to year and is higher than the budget for this year. A discussion will be held with the Actuaries for the LGPS pension scheme to advise on the rates for 24/25 as part of the budget setting process.

TAC305 - the base budget is overstated by £47,350 which will be adjusted for the 24/25 budget.

Q2 position			
Profiled Budget	Actual Exp	Variance (under) / over spend	Forecast Year End (under)/over spend
£	£	£	£

Revenues & Housing Support

HBP001-Rent Allowances	299,426	299,621	195	195
HBP003-Local Housing Allowance	0	51	51	0
HBP005-Benefit Fraud Investigation	2,944	2,981	37	0
HOM001-Homelessness	216,838	125,478	(91,360)	(5,000)
HOM004-Refugees	400	400	0	0
HOM005-Homelessness Hostel Accomodation	0	(11,070)	(11,070)	(20,000)
HOM006 - The Old Court	0	(4,523)	(4,523)	(9,046)
HOM007-Afghan Resettlement Programme	(119,946)	(119,946)	(0)	0
HOM008-Homes for Ukraine	76,869	76,869	(0)	0
LTC001-Council Tax Collection	197,300	191,882	(5,418)	20,000
LTC002-Council Tax Support Administration	3,567	3,717	150	150
LTC011-NNDR Collection	57,688	65,370	7,682	10,000
PSH001-Private Sector Housing Grants	25,502	25,294	(207)	(207)
PSH004-Home Improvement Service	(30,456)	(20,491)	9,965	13,500

Total - Revenues & Housing Support

730,132	635,632	(94,500)	9,591
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HOM001 - £225k of top up Homelessness Prevention Grant received in Q1 which must be spent by the end of the year is causing an underspend due to the timing difference between receipt and expenditure of the grant.


Annex B

Capital Programme 2023/24

Scheme	2023/24 Original Budget	Funded By	Actual Expenditure Q2
Agile Working	2,150,000.00	Borrowing	30,814 a
Replacement dog and litter bins	25,000	Borrowing	
Chipping Norton Roof Replacement	1,000,000	Borrowing	b
Ubico Fleet - Replace Vehicle Hire Costs	2,000,000	Borrowing	373,526 c
Update to Planning System (Idox)	150,000	Borrowing	
Update to Finance System (ABW)	25,000	Borrowing	
Electric vehicle charging points	200,000	Borrowing	
Investment Strategy for Recovery	5,000,000	Borrowing	
CCTV - Upgrading	255,635	Capital Receipts	
Shop Mobility - Replacement stock	10,000	Capital Receipts	
Affordable Housing in Witney (Heylo)	212,125	S106	253,500 d
Improvement Grants (DFG)	800,000	Grant	329,171
Carterton Leisure Centre PSDS Project	1,300,000	Grant	e
Carterton Leisure Centre Phase 2	0	Earmarked Reserves	88,606
IT Provision - Systems & Strategy	100,000	Revenue contribution	88,261
Council Buildings Maintenance Programme	200,000	Revenue contribution	
IT Equipment - PCs, Copiers etc	40,000	Revenue contribution	
Community Grants Fund	200,000	Revenue contribution	48,835
Windrush Public Art		S106	15,525
Weavers Fold	378,000	S106	
Play Parks	100,000	S106	
EVCP Woolgate	167,000	S106	
Chipping Norton Creative	8,297	S106	
Carterton Connects Creative (Swinbrook s106)	44,500	S106	
Raleigh Crescent Play Area (s. 106)	75,000	S106	
Developer Capital Contributions		S106	600,726
	14,440,557		1,828,964

Annex B

- a. The refurbishment of the ground floor at Woodgreen commences on 29th August to include the relocation of Main Reception and upgrading of the Committee Rooms. Agile working related expenditure will therefore be coming through in the remaining quarters of the year.
- b. A tender pack for immediate repairs in the order of £80,000 has gone out to contractors for costing, with the work taking place as soon as the tender process is complete
- c. Work is being undertaken in conjunction with Ubico to assess the ongoing capital requirement for the replacement of the waste fleet. Due to the extended lead times for new vehicle delivery, alternative options are being investigated and will be brought forward for approval before the end of the year.
- d. This is the final contract payment for the housing scheme delivered last financial year
- e. An Investment Grade Proposal is being prepared for the decarbonisation of Carterton Leisure Centre and will be completed by 31st October 2023 at a cost of £243,000.

 WEST OXFORDSHIRE DISTRICT COUNCIL	WEST OXFORDSHIRE DISTRICT COUNCIL
Name and Date of Committee	EXECUTIVE – 15 NOVEMBER 2023
Subject	INFRASTRUCTURE FUNDING STATEMENT (IFS) 2022/23
Wards affected	ALL
Accountable member	Councillor Carl Rylett – Executive Member for Planning and Sustainable Development. Email: carl.rylett@westoxon.gov.uk
Accountable officer	Chris Hargraves – Planning Policy Manager. Email: Chris.Hargraves@westoxon.gov.uk
Report Author	Chris Hargraves – Planning Policy Manager. Email: Chris.Hargraves@westoxon.gov.uk
Purpose	To note the West Oxfordshire Infrastructure Funding Statement (IFS) for 2022/23.
Annexes	Annex A - Infrastructure Funding Statement 2022/23.
Recommendations	That the Executive Resolves to: <ul style="list-style-type: none"> I. Note the content of the Infrastructure Funding Statement (IFS) attached at Annex A, with a view to it being published on the Council's website by 31 December 2023 in accordance with legislative requirements.
Corporate Priorities	The main purpose of the Infrastructure Funding Statement (IFS) is to provide greater clarity on the receipt and use of developer contributions including Section 106 planning obligations to fund new and enhanced infrastructure in support of planned growth. As such, the IFS will help to support several aims and objectives of the Council Plan.
Key Decision	NO
Exempt	NO
Consultees/ Consultation	Nil.

I. BACKGROUND

- 1.1. Local authorities are required to report annually on the receipt and use of developer contributions through the publication of an Infrastructure Funding Statement (IFS).
- 1.2. The main purpose of the IFS is to set out in a transparent manner, future infrastructure requirements and expected costs, contributions received during the previous financial year, anticipated funding from developer contributions and the Council's future spending priorities.
- 1.3. In particular, the IFS must include:
 - A report relating to the previous financial year on section 106 planning obligations;
 - A report relating to the previous financial year on the Community Infrastructure Levy (where CIL is in place); and
 - A report on the infrastructure projects or types of infrastructure that the Council intends to fund wholly or partly through CIL.
- 1.4. Any authority that receives a contribution from development through Section 106 planning obligations or CIL must prepare an IFS. This includes County Councils.
- 1.5. The IFS must be updated annually (although local authorities can produce more regular updates if they wish) and should be published on the Council's website no later than 31st December each year.
- 1.6. The IFS is intended to feed back into Local Plan reviews and effectively replaces previous local authority CIL regulation 123 lists (which set out CIL spending priorities) where these were in place.
- 1.7. It should be noted that the figures in the IFS are set out as per the requirements in the CIL regulations, which is different from the Council's Statement of Accounts which is compiled in line with accounting standards.

2. WEST OXFORDSHIRE INFRASTRUCTURE FUNDING STATEMENT 2022/23

- 2.1. The Council's latest Infrastructure Funding Statement (IFS) is attached at Annex A and covers the period 1 April 2022 – 31 March 2023.
- 2.2. Section 2 of the IFS provides an overview of future infrastructure needs in West Oxfordshire with reference to several sources of information including the West Oxfordshire Infrastructure Delivery Plan (2016) prepared in support of the Local Plan and more recent infrastructure studies prepared for the Eynsham area and Woodstock respectively.
- 2.3. Section 3 reports on S106 planning obligations (agreed, received, spent etc.) in the period 1 April 2022 – 31 March 2023.
- 2.4. Headline figures to note are as follows:
 - £1,078,895 in financial contributions as well as 159 affordable homes were secured in Section 106 legal agreements during 2022/23;
 - £2,959,488 of Section 106 funds were collected by the District Council in 2022/23 of which the majority (£1,612,355) was collected towards sports, recreation and play facilities and community facilities (£558,353);
 - £1,156,612 of Section 106 funds were either spent by West Oxfordshire District Council or transferred to another party (such as Oxfordshire County Council, Town/Parish Councils or Thames Valley Police) for expenditure;

- £2,158,168 of received Section 106 funds were allocated (i.e. committed to a certain project) but not spent in 2022/23;
- A total of £8,082,935 has been received from Section 106 funds before 1st April 2022 but has not yet been allocated (i.e. committed to a certain project) by the District Council;
- Including £1,411,105 in commuted sums for maintenance, as of 1st April 2023, the District Council held a total of £13,292,586 in S106 monies.

2.5. Section 4 of the IFS provides a brief update on the introduction of CIL with Section 5 explaining the extent of the infrastructure funding gap that exists in West Oxfordshire which is estimated to be in the region of £192.2m - £198m. The extent of the funding gap emphasises the importance of maximising funding through developer contributions.

2.6. Section 5 also provides an overview of the District Council's future spending priorities with reference to several relevant sources including the West Oxfordshire Infrastructure Delivery Plan (2016) and the Council's Developer Contributions Supplementary Planning Document (SPD) which was adopted in July 2023.

3. FINANCIAL IMPLICATIONS

3.1. The IFS provides information on monies received and spent in relation to Section 106 planning obligations during the period 1 April 2022 – 31 March 2023. It also provides an overview of future infrastructure needs and costs and the spending priorities of the Council in relation to Section 106 planning obligations and CIL, subject to future implementation.

4. LEGAL IMPLICATIONS

4.1. Publication of the Infrastructure Funding Statement (IFS) is a requirement of the Community Infrastructure Levy (Amendment) (England) (No. 2) Regulations 2019.

4.2. There are potential legal implications if the Council does not fulfil its obligations in respect of Section 106 legal agreements. The preparation of the IFS provides much greater transparency in relation to S106 funds including those which have been received, spent, allocated and not yet allocated or spent.

5. RISK ASSESSMENT

5.1. The report raises no specific risks.

6. EQUALITIES IMPACT

6.1. The report raises no specific implications in respect of equality.

7. CLIMATE CHANGE IMPLICATIONS

7.1. The report raises no specific implications in respect of climate change.

8. ALTERNATIVE OPTIONS

8.1. None. The publication of the IFS is a legislative requirement. Its content is dictated by the Community Infrastructure Levy (Amendment) (England) (No. 2) Regulations 2019.

9. BACKGROUND PAPERS

9.1. None.

(END)

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West Oxfordshire District Council

Infrastructure Funding Statement (IFS) 2022/2023

November 2023



WEST OXFORDSHIRE
DISTRICT COUNCIL

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I. Introduction

- I.1. In order to support planned growth, developers are often asked to make contributions towards new or improved infrastructure (schools, roads etc.). These developer contributions can take a number of different forms but most typically include Section 106 (S106) legal agreements and the Community Infrastructure Levy (CIL).
- I.2. Section 106 agreements often relate to direct provision e.g. a developer agreeing to provide say 40% affordable housing as part of a residential scheme but can also take the form of a financial contribution e.g. where the developer makes a payment towards improving community facilities nearby.
- I.3. The Community Infrastructure Levy (CIL) applies where local authorities have adopted a CIL Charging Schedule and is essentially a fixed financial contribution based on the size of development proposed. Unlike S106 agreements, money received through CIL is not tied to a particular development and can be spent more flexibly on new and enhanced infrastructure across the District.
- I.4. To ensure greater transparency on the receipt and use of developer contributions, in accordance with the CIL Regulations (2019) as amended¹, local authorities are now required to produce an annual Infrastructure Funding Statement (IFS).
- I.5. The main purpose of the IFS is to ‘look back’ over the previous financial year² in terms of Section 106 agreements and CIL monies agreed, received, allocated and spent.
- I.6. The IFS must also ‘look forward’ setting out, where possible, estimated future income from developer contributions along with the Council’s future infrastructure spending priorities.
- I.7. There is no single format for preparing an IFS but, as a minimum, it must include the following information:
 - A report relating to the previous financial year on section 106 planning obligations;
 - A report relating to the previous financial year on the Community Infrastructure Levy (where CIL is in place); and
 - A report on the infrastructure projects or types of infrastructure that the Council intends to fund wholly or partly through CIL.

¹ Regulation 121A

² For this report from the 1st April 2022 – 31st March 2023.

- I.8. This IFS should also be read in conjunction with Oxfordshire County Council's IFS which is available to view separately at <https://www.oxfordshire.gov.uk/>.

2. Infrastructure needs in West Oxfordshire

West Oxfordshire Infrastructure Delivery Plan

- 2.1. The main source of information on infrastructure needs in West Oxfordshire is the District Council's [Infrastructure Delivery Plan \(IDP\) 2016](#).
- 2.2. The IDP identifies the infrastructure that is needed to support housing and employment growth in West Oxfordshire during the Local Plan period 2011 – 2031.
- 2.3. It considers infrastructure needs under three broad categories.
 - **Physical infrastructure** (including transport, water, energy, waste and recycling, minerals and telecommunications);
 - **Social infrastructure** (including education, leisure and sport, health, public safety, community and culture, social care and criminal justice); and
 - **Green infrastructure** (including informal and formal green space, public rights of way, Local Wildlife Sites, Conservation Target Areas etc.)
- 2.4. The IDP includes a schedule of infrastructure projects based on these three main categories. For each project, the schedule provides details of the anticipated costs (where known) expected delivery partners, any funding which has already been secured and how any shortfall is expected to be funded (e.g. S106, CIL).
- 2.5. A number of key projects identified in the IDP have now been completed including Phase 2 of Carterton Leisure Centre, a pedestrian crossing on Bridge Street in Witney and improvements to the Downs Road/A40 junction at Witney.
- 2.6. Others such as the new Eynsham Park and Ride are currently in the process of coming forwards whilst some projects such as the West End Link Road in Witney are expected to come forward in the later period of the Local Plan. A new Infrastructure Delivery Plan/Strategy covering the period up to 2041 will be prepared to inform the new Local Plan.

Eynsham Area Infrastructure Delivery Plan (July 2020)

- 2.7. The West Oxfordshire Local Plan 2031 identifies the provision of around 3,200 new homes to the north and west of Eynsham, the former comprising a new garden village of around 2,200 homes and the latter, a sustainable urban extension of around 1,000 homes (237 of which are already completed/underway).
- 2.8. Delivery of the garden village (now referred to as Salt Cross) is being led by an Area Action Plan (AAP) and West Eynsham through a developer-led masterplan.

- 2.9. An Eynsham Area IDP ([Stage 1 Draft Report, May 2019](#) and [Updated Draft Report, July 2020](#)) has been prepared, forming part of the evidence base for the Salt Cross AAP and helping to inform discussions on future infrastructure provision at West Eynsham.

Woodstock Community and Infrastructure Delivery Plan (2019)

- 2.10. In February 2019 the Blenheim Estate and Woodstock Town Council commissioned Community First Oxfordshire (CFO) to consult the community about the current and future infrastructure needs of Woodstock.
- 2.11. Following extensive consultation during 2019, the findings of the CFO work were launched at community events held in November 2019. Their report can be viewed [online](#) including a series of supporting appendices.
- 2.12. The report will be taken into account in future discussions on potential planning obligations associated with the two allocated sites at Woodstock (Hill Rise and Banbury Road) and will also be taken into account in the review of the West Oxfordshire IDP (2016).

Oxfordshire Infrastructure Strategy (OXIS)

- 2.13. Further information on the future infrastructure requirements associated with planned growth across Oxfordshire is set out in the Oxfordshire Infrastructure Strategy or OXIS. There have been two previous iterations of OXIS in 2017 and 2022 respectively. Further work is also proposed which will be taken into account as part of the preparation of the new Local Plan 2041.

3. Section 106 Planning Obligations

- 3.1. Planning obligations (generally referred to as S106 agreements) are legal obligations entered into in order to mitigate the impacts of a development proposal and make it acceptable in planning terms.
- 3.2. Most often, this will be via a planning agreement under Section 106 of the Town and Country Planning Act 1990 – known as a Section 106 or S106 agreement and will involve both the person with an interest in the land and the Council. It can also be achieved via a unilateral undertaking without the Council’s involvement.
- 3.3. Planning obligations should only be used where it is not possible to address the unacceptable impact of development through a planning condition or by the use of other statutory controls. They are legally binding and enforceable if planning permission is granted and they are tied to the land.
- 3.4. Importantly, planning obligations must meet three legal tests; they must be:
 - a) Necessary to make the development acceptable in planning terms;
 - b) Directly related to the development; and
 - c) Fairly and reasonably related in scale and kind to the development.
- 3.5. The District Council has been negotiating, securing and entering into S106 agreements for many years and has used this process to successfully deliver a raft of benefits to West Oxfordshire residents including new affordable housing, highway improvements, pedestrian and cycling routes, leisure and sports facilities, culture and art, primary health care provision and so on.
- 3.6. Set out below is an overview of S106 contributions which have been secured (i.e. formally agreed), collected, spent and allocated during the 2022/23 financial year.

Section 106 contributions secured (formally agreed) in 2022/23

- 3.7. The Council secured a total of **£1,078,895.00** in financial contributions through Section 106 agreements entered into during 2022/23. This sum is broken down in Table 1, which sets out the location of each development and the type of provision/contribution made.
- 3.8. These contributions are expected to come forward in a phased manner and it is important to note that the majority of the contributions will be index-linked and therefore this total should not be taken to be an exact sum that will be received by the District Council.
- 3.9. The Council also secured non-monetary obligations from S106 agreements signed in 2022/23, including on-site affordable housing provision. These are categorised and listed by location in Table 2 and Table 3.

Table 1 – Section 106 funds secured through S106 agreements entered into in 2022/23

Reference	Location	Type	Amount (£)
18/03403/FUL	Olivers Garage, Main Road, Long Hanborough	Affordable Housing	N/A ¹
20/01511/FUL	1 Farley Lane, Stonesfield	Affordable Housing	33,300.00
21/02320/FUL	Land South of Giernalls Road, Hailey	Sports and Recreation	37,510.00
		Village Hall	10,560.00
		Sports Pavilion	5,280.00
21/03405/OUT	Land East of Witney Road, Ducklington	Sports and Leisure	204,600.00
		Capital Infrastructure Improvement	18,061.00
		Countryside Enhancements	18,634.00
22/01330/OUT	Land North of Witney Road, Long Hanborough	Affordable Housing	N/A ¹
		Public Art	15,750.00
		Outdoor Pitch	268,500.00
		GP Services	129,600.00
		Sports Hall	65,165.00
		Swimming Pool	71,935.00
		Long Hanborough Hub	200,000.00 ²
			1,078,895.00

¹ This will only become due if First Homes are sold as market housing. Contribution will depend on the sales value.

² This contribution is to be paid directly to Hanborough Parish Council.

Table 2 – Affordable housing required from S106 planning obligations signed in 2022/23

Reference	Location	Total Units
21/02320/FUL	Land South of Giernalls Road, Hailey	9
21/03405/OUT	Land East of Witney Road, Ducklington	48
21/03716/FUL	Downs Road, Witney	25
21/03720/FUL	44 Common Road, North Leigh	2
22/01330/OUT	Land North of Witney Road, Long Hanborough	75
		159

Table 3 – Non-monetary contributions from S106 planning obligations signed in 2022/23

Reference	Location	Type
21/03405/OUT	Land East of Witney Road, Ducklington	Public Open Space
22/01330/OUT	Land North of Witney Road, Long Hanborough	Allotments
		Biodiversity Plan
		Public Open Space
		Play Space
		8 Self/Custom Build Houses

Section 106 contributions collected in 2022/23

- 3.10. The Council collected a total of **£2,959,488.61** through Section 106 planning obligations in 2022/23. Table 4 below provides a full breakdown of the contributions.

Table 4 – Section 106 funds collected in 2022/23

Reference	Location	Contribution for	Received (£)
14/0091/P/OP	Land East of Monahan Way, Carterton	Play	535,989.89
		Recycling	48,189.89
15/03165/FUL	Northmoor Park, Church Road, Northmoor	Village Hall	28,363.91
16/01353/OUT	Land between Wychwood House and Malvern Villas, Witney Road, Freeland	Primary Education	222,861.85
16/02369/FUL	Land on Stanton Harcourt Road, Old Station Way, Eynsham	Highway Improvements	177,185.71
		Travel Plan Monitoring	1,666.39
16/03415/OUT	Land East of Mount Owen Road, Bampton	Play	190,491.34
		Sport and Recreation	235,791.21
17/00629/FUL	Land to the Rear of 65 High Street, Standlake	Play and Recreation	11,557.98
		Sport and Recreation	14,306.52
17/01859/OUT	Land South of Burford Road, Minster Lovell	Burial Ground	21,345.57
		Community Facilities	160,091.74
		Public Art	8,516.88
		Ripley Avenue Play Area	37,103.93
		Wash Meadow	4,802.75
		St Kenelms Hall Play Area	5,336.39
17/03509/FUL	12 Corndell Gardens, Witney	Local Primary Care	16,645.87
17/04117/FUL	Land Between Glebe Farm and The Orchard, Hayway Lane, Weald, Bampton	Affordable Housing	32,535.65
18/01517/FUL	Linden House, Kilkenny Lane, Carterton	Play and Recreation	18,475.16
		Public Art	2,786.39
		Sport and Recreation	22,911.16
18/02841/FUL	Land South East of 84 - 86 Grove Road, Bladon	Play and Recreation	12,286.56
		Public Art	2,512.80
		Sport and Recreation	19,608.37
19/02013/FUL	27 Market Square, Witney	Play	11,889.15
		Sport and Recreation	19,439.58
19/02148/FUL	Land South East of Pinsley Farm, Main Road, Long Hanborough	Village Hall	154,950.00
20/02452/FUL	Land at Downs Road, Curbridge, Witney	Community Facilities	5,574.02
		Play	23,218.62
		Sport	37,964.04
21/00228/FUL	Land South of Milestone Road, Carterton	Biodiversity Net-gain	214,535.93
		Monitoring	11,572.35
		Sport and Recreation	373,195.42
		Thames Valley Police	23,621.99
21/01285/FUL	Land at West Witney, Downs Road, Witney	Community Facilities	198,813.60

21/02320/FUL	Land South of Giernalls Road, Hailey	Sport and Recreation	37,510.00
		Sports Pavilion	5,280.00
		Village Hall	10,560.00
			2,959,488.61

Section 106 funds spent in 2022/23

- 3.11. A total of **£1,156,612.54** collected from S106 planning obligations was spent in 2022/23. Table 5 below provides a full breakdown of this expenditure.
- 3.12. The Council did not spend any funds collected from S106 planning obligations on repaying borrowed money.
- 3.13. The Council did not spend any funds collected from S106 planning obligations on monitoring the delivery of planning obligations.

Table 5 – Section 106 funds spent in 2022/23*

Reference	Development Location	Contribution for	Recipient	Amount (£)
13/1494/P/OP	Aston	Equipment	Thames Valley Police	14,944.00
13/1465/P/OP	Bampton	Equipment	Thames Valley Police	11,983.00
14/0091/P/OP	Brize Norton	Public Art	Brize Norton PC	1,054.00
21/00228/FUL	Carterton	Purchase of Infrastructure	Thames Valley Police	23,621.99
14/01884/FUL	Chipping Norton	Public Art	Chipping Norton Theatre	20,000.00
17/01758/FUL	Chipping Norton	Highway Signage	Oxfordshire CC	1,162.27
15/03148/OUT	Eynsham	Old Witney Road Play Area	Eynsham PC	19,281.55
16/02369/FUL	Eynsham	Travel Plan Monitoring	Oxfordshire CC	1,666.39
16/02369/FUL	Eynsham	Highway Improvements	Oxfordshire CC	177,185.71
16/01353/OUT	Freeland	Play Facilities	Freeland PC	24,788.60
16/01353/OUT	Freeland	Hanborough Primary School	Oxfordshire CC	222,861.85
14/1046/P/FP	Kingham	Play Facilities	Kingham PC	15,855.00
14/1102/P/OP	Long Hanborough	Equipment	Thames Valley Police	6,621.00
14/1102/P/OP	Long Hanborough	Hanborough Surgery	Eynsham Medical Group	29,166.00
14/1102/P/OP	Long Hanborough	Sport and Play	Hanborough PC	16,650.00
15/03128/OUT	Milton u Wychwood	Play and Recreation	Milton under Wychwood PC	2,909.50
15/03128/OUT	Milton u Wychwood	Sport and Recreation	Milton under Wychwood PC	36,910.00
16/03761/OUT	Over Norton	Play Facilities	Over Norton PC	20,863.97
STC032	Various	Maintenance of Open Spaces	West Oxfordshire DC	162,464.80
Various	Various	Affordable Housing	Heylo Housing	310,125.00
12/0084/P/OP	Witney	Public Art	Artist (Mosaic Work)	2,090.00
12/0084/P/OP	Witney	Public Art	Artist (Creative Connector)	9,254.38
13/0345/P/FP	Witney	Land at Langel Common	Landowner	25,153.53
				1,156,612.54

*West Oxfordshire District Council has passed on the contributions and the responsibility for the actual spend is normally with the recipient of the S106 monies.

Section 106 money received by the Council but not spent in 2022/23

- 3.14. The CIL Regulations require local authorities to report on the total amount of money under any planning obligations that was received before the reported year but which has not been allocated by the authority, and the total amount of money under any planning obligations that was allocated but not spent during the reported year.
- 3.15. A total of **£2,158,168.46** received under planning obligations was allocated for funding infrastructure but not spent during 2022/23. Table 4 below provides a breakdown of the allocations.

Table 6 – Allocated Section 106 funds

Reference	Allocated to	Amount (£)
07/1970/P/FP	Temporary public art programme at Windrush Place, Witney	788.24
12/0084/P/OP	Public art and a temporary public art programme led by West Oxfordshire DC	127,439.10
13/0345/P/FP	Public art programme at Witney Community Hospital?	2,603.27
13/0345/P/FP	Raleigh Crescent Play Area	75,000.00
13/1752/P/FP	Temporary public art and interpretation in Carterton provided by West Oxfordshire DC	40,370.90
13/1752/P/FP	Toilets at Kilkenny Lane Country Park	11,133.00
14/0091/P/OP	Public art features and programme in village and Brize Meadow by Brize Norton Parish Council	29,640.98
14/01884/FUL	Temporary public art programmes for youth and community in Chipping Norton delivered by various organisations	11,889.71
14/1215/P/OP	West Witney Sports Ground	356,669.58
16/00758/OUT	Public art features as part of sensory garden by Ducklington Parish Council	2,639.00
16/01450/OUT	3G Football Pitch	941,335.54
18/01517/FUL	Kilkenny Lane Country Park Trees	20,399.00
CGU008	Marriott's Walk Play Area	6,334.50
Various	Chipping Norton Leisure Centre	39,789.22
Various	Car park at Kilkenny Lane Country Park	179,386.42
Various	Heylo Affordable Housing Scheme	51,750.00
Various	Weavers Fold Affordable Housing Scheme	261,000.00
		2,158,168.46

- 3.16. A total of **£8,082,935.72** was received through planning obligations before 1st April 2022, and which has not yet been allocated by the District Council.
- 3.17. A breakdown per category is set out in Table 7 below. As and when decisions are made to allocate these various S106 contributions, this will be set out in future iterations of the IFS as per the information in Table 6 above.

Table 7 – Non-allocated Section 106 funds

Contribution for	Available (£)
Affordable Housing	2,535,782.02
Car Parking	251,563.77
Cemeteries	76,036.50
Community Facilities	402,607.94
Dredging and Sewers	14,180.05
Education	10,147.00
Flood and Water Management	20,155.00
Green Infrastructure	496,383.20
Highways and Sustainable Transport	15,651.11
Libraries	2,900.00
Public Art	213,098.04
Sports, Play and Leisure	3,215,740.81
Town Centre Improvements	750,604.28
Waste/Recycling	78,086.00
	8,082,935.72

3.18. The District Council held a total of **£13,292,586.04** in **S106 monies** on 1st April 2023 of which **£1,248,640.79** were commuted sums for maintenance.

4. Community Infrastructure Levy (CIL)


- 4.1. CIL is a charge which can be levied by local authorities on new development in their area to help fund supporting infrastructure. Whereas S106 planning obligations are specific to particular developments, CIL is a more general financial contribution, the receipts from which can be spent on new and enhanced infrastructure across the whole District. CIL can however only be charged where there is an approved CIL Charging Schedule in place.
- 4.2. The Council consulted on a draft CIL charging schedule in July 2020 but it was not progressed to examination and has therefore not been adopted. new viability evidence is in the process of being prepared to inform a public consultation on a new draft CIL charging schedule early in 2024.
- 4.3. Further information on CIL is available on the Council's website³.

³ <https://www.westoxon.gov.uk/planning-and-building/community-infrastructure-levy/community-infrastructure-levy-examination/>

5. Infrastructure Funding Gap and Future Spending Priorities

- 5.1. The District Council has previously prepared an [Infrastructure Funding Gap Analysis](#) which sets out an assessment of the likely infrastructure funding gap that exists in West Oxfordshire to meet identified needs⁴.
- 5.2. The analysis identifies a total infrastructure funding gap of between £192.2m and £198m when taking account of expected costs and known sources of funding. However, this is considered to be a conservative estimate with the actual funding gap likely to be much higher.
- 5.3. This emphasises the importance of maximising available developer funding.
- 5.4. Future infrastructure spending priorities in West Oxfordshire will be influenced by a number of factors including the West Oxfordshire Infrastructure Delivery Plan (2016) and any subsequent update/replacement prepared to inform the new Local Plan 2041. Regard will also be had to any locally specific evidence of infrastructure needs such as the Eynsham Area IDP and Woodstock Community and Infrastructure Delivery Plan (2019) as well as any relevant countywide assessments of need set out in the Oxfordshire Infrastructure Strategy (OXIS).
- 5.5. In considering infrastructure priorities emerging from these studies the Council will have regard to relevant changes in circumstance (e.g. projects since having been completed, or additional/alternative sources of funding having been identified etc.) as well as the respective degree of importance of each infrastructure item in supporting planned growth.
- 5.6. Future funding will be drawn from a variety of sources including Section 106 legal agreements (planning obligations), CIL and other potential sources of funding where applicable and available (e.g. from Central Government).
- 5.7. Further information on the District Council's future spending priorities is set out in the Developer Contributions Supplementary Planning Document (SPD) which was adopted in July 2023. The SPD provides information on what contributions will be sought from new development in West Oxfordshire and from what source i.e. Section 106 and/or CIL.

⁴ i.e. The shortfall in funding available to meet identified infrastructure requirements when the total cost (where known) is set against known or likely available funding.

 <p>WEST OXFORDSHIRE DISTRICT COUNCIL</p>	<p>WEST OXFORDSHIRE DISTRICT COUNCIL</p>
<p>Name and Date of Committee</p>	<p>EXECUTIVE – 15 NOVEMBER 2023</p>
<p>Subject</p>	<p>FIXED PENALTY NOTICE LEVEL INCREASES FOR FLY TIPPING AND WASTE CRIME OFFENCES.</p>
<p>Wards Affected</p>	<p>ALL</p>
<p>Accountable Member</p>	<p>Councillor Lidia Arciszewska – Executive Member for the Environment. Email: lidia.arciszewska@westoxon.gov.uk</p>
<p>Accountable Officer</p>	<p>Jon Dearing – Assistant Director, Resident Services. Email: jon.dearing@publicagroup.uk</p>
<p>Report Author</p>	<p>Philip Measures – Service Leader, ERS. Email: philip.measures@publicagroup.uk</p>
<p>Purpose</p>	<p>To set out the new maximum level fines proposed by the Government, to deter and punish the offences of littering, fly-tipping, householder duty of care, flyposting & the distribution of free printed matter, and to seek approval to introduce these new fine levels.</p>
<p>Annexes</p>	<p>Nil.</p>
<p>Recommendation(s)</p>	<p>That the Executive Resolves to:</p> <ol style="list-style-type: none"> 1. Note the content of the report; 2. Recommend to Council to agree to an increase in the fine levels to the maximum levels permissible, as outlined in Table I; 3. Recommend to Council to agree an early payment discount as outlined in Table I; 4. Delegate authority to the Chief Executive to increase levels of fines, subject to the resolutions of Council on 29 November 2023.
<p>Corporate Priorities</p>	<p>A Better Environment for People and Wildlife</p>
<p>Key Decision</p>	<p>NO</p>
<p>Exempt</p>	<p>NO</p>
<p>Consultees/</p>	<p>Interim Head of Legal Services, Director of Governance, Chief Executive,</p>

Consultation	Director of Finance, Executive Portfolio Holder, Assistant Director – Resident Services, Executive Finance Director (Publica)
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I. BACKGROUND

- I.1** West Oxfordshire, as a rural area suffers from the criminal behaviour of fly-tippers and people who litter or fly-post. To be successful in finding and punishing those responsible we have to investigate to find evidence linking a suspected offender to the waste and we include the help of the public to provide us with further evidence, whether that's witness accounts, CCTV/video footage or pictures. Often those identified from the physical evidence within the fly-tip are not always the actual fly-tippers, but they may still be guilty of a failure of a Duty of Care for having passed waste to an unlicensed person. We therefore aim to make it wider public knowledge that it is everyone's responsibility to mitigate the transfer of waste to unlicensed handlers and failure to do so is an offence. We are increasing our use of surveillance at identified fly-tip hotspots throughout the district in order to catch those responsible. Many fly-tip offences are dealt with by Fixed Penalty Notice, so the cost of fines issued is critical in deterring people from committing these offences.
- I.2** The Government has laid a statutory instrument increasing the upper limits for various fixed penalty notices (FPNs). This means that in West Oxfordshire, the maximum amount those caught fly-tipping could be fined will increase from £400 to £1,000. The maximum amount those who litter or graffiti could be fined will increase from £150 to £500. The maximum amount those who breach their household waste duty of care could be fined will increase from £400 to £600.

2. Legislative Amendments

- 2.1** Under The Environmental Offences (Fixed Penalties) (Amendment) (England) Regulations 2023, section 33ZA(9)(a) of the Environmental Protection Act 1990 is amended such that the maximum fine for fly-tipping is increased from £400 to £1000. In section 34ZA(8), the maximum fine for household waste duty of care offences is increased from £400 to £600.
- 2.2** Under The Environmental Offences (Fixed Penalties) (Amendment) (England) Regulations 2023, The Environmental Offences (Fixed Penalties) (England) Regulations 2017(1) are amended as follows.
- 2.2.1** For regulation 5 the amount of a fixed penalty capable of being specified by the Council for the offences of littering and graffiti is now increased to not less than £65 and not more than £500, as the principal litter authority under section 88(6A)(a) of the Environmental Protection Act 1990 and the relevant local authority under section 43A(1)(a) of the Anti-social Behaviour Act 2003.
- 2.2.2** For the distribution of free printed matter on land designated by the Council, the amount of a fixed penalty capable of being specified by a principal litter authority under paragraph 7(4)(a) of Schedule 3A to the Environmental Protection Act 1990 is now not less than £65 and not more than £150. Currently there is no such designation within the District of West Oxfordshire.
- 2.3** The Council has the option of lowering the fines to encourage early payment. Officers from Oxfordshire Districts have discussed this issue, but there is no proposed agreed rate between

the Councils. 50% discounts are recommended, but the Council could consider alternative options such as a lower discount of 25% across all offences or to offer no discount at all.

- 2.4** The proposals for the revised fine levels are set out in the report recommendations and TABLE I below.

Offence	Existing Fine	Fine with Discount for early payment	New fine (Payment in 28 days)	Fine with proposed % discount (Payment within 14 days)
Fly-tipping	£400	£200*	£1,000	£500
Duty of Care	£400	£200*	£600	£300
Littering and graffiti	£80	£60 **	£500	£250
Distribution of printed matter	£80	£60**	£150	£75

* Payment within 10 days

**Payment within 14 days

3. ALTERNATIVE OPTIONS

- 3.1** To remove the early payment discount. This is not recommended in order to encourage and provide an incentive for early payment.
- 3.2** To offer a discount of 25% for all early payments.
- 3.3** To consider different fine levels than those proposed. This is highlighted should Members have different views on the fine levels recommended.

4. FINANCIAL IMPLICATIONS

- 4.1** Increasing the fine levels is intended to discourage potential offenders and support the costs of dealing with illegal waste disposal. Within between 10 to 15 FPNS served in a year the fines received will be between £8,000 and £15,000.

5. LEGAL IMPLICATIONS

- 5.1** The legislation outlined in Section 2 defines the fine level range that Councils can set. Councils cannot set fine levels outside the ranges specified.

6. RISK ASSESSMENT

- 6.1** The risk in increasing the fine level is that offenders will not be prepared to pay the fine, or they will be unable to afford the fine. This will increase the number of cases being referred to Court for prosecution. This is mitigated by having an early payment discount. It is also hoped that this risk is mitigated by the deterrent effect of promoting higher fines for these offences.

7. EQUALITIES IMPACT

- 7.1** Under equality legislation, the Council has a legal duty to pay 'due regard' to the need to eliminate discrimination and promote equality in relation to:

- Race
- Disability
- Gender, including gender reassignment.
- Age
- Sexual Orientation
- Pregnancy and maternity
- Religion or belief

- 7.2** The recommendations of this report has no particular impact on any of the above groups. It does not introduce a new service or policy requiring an accompanying EIA.

8. CLIMATE AND ECOLOGICAL EMERGENCIES IMPLICATIONS


- 8.1** None

9. BACKGROUND PAPERS

- 9.1** None

(END)

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 <p>WEST OXFORDSHIRE DISTRICT COUNCIL</p>	<p>WEST OXFORDSHIRE DISTRICT COUNCIL</p>
<p>Name and Date of Committee</p>	<p>EXECUTIVE – 15 NOVEMBER 2023</p>
<p>Subject</p>	<p>PUBLICA REVIEW</p>
<p>Wards Affected</p>	<p>ALL</p>
<p>Accountable Member</p>	<p>Councillor Andy Graham – Leader of the Council. email: andy.graham@westoxon.gov.uk</p>
<p>Accountable Officer</p>	<p>Giles Hughes – Chief Executive. email: Giles.Hughes@westoxon.gov.uk</p>
<p>Report Author</p>	<p>Giles Hughes – Chief Executive. email: Giles.Hughes@westoxon.gov.uk</p>
<p>Summary/Purpose</p>	<p>To outline the conclusions from the recent Strategic Review of Publica Services, carried out by Human Engine on behalf of the four Publica Councils, and to consider the next steps.</p>
<p>Annexes</p>	<p>Annex A – Human Engine Proposal: Strategic Review, August 2023; Annex B – Strategic Review of Publica Services, Human Engine, October 2023.</p>
<p>Recommendations</p>	<p>That the Executive Resolves to:</p> <ol style="list-style-type: none"> 1. Note any decisions taken by the Cabinets at Cotswold District Council, Cheltenham Borough Council and Forest of Dean District Council; 2. Support in principle the direction recommended in the Human Engine report to return a range of services back to the Council and reshape Publica; 3. Instruct the Chief Executive to commence preparatory work and prepare a business case for a new operating model, and an associated transition plan identifying any necessary consultations, in partnership with Cheltenham Borough Council, Cotswold District Council, Forest of Dean District Council and Publica, and to report back to Executive with these; 4. Instruct the Chief Executive to prepare an Equality Impact

	<p>Assessment as part of the preparatory work;</p> <p>5. Agree to set the following principles to help guide the preparatory work and transition plan:</p> <ul style="list-style-type: none"> • Recognise the significant contribution of Publica staff and management to West Oxfordshire; • Ensure that human resources processes are fair and appropriate, and that there is effective engagement with Unions and staff; • Support the financial sustainability of the Council, and the delivery of the Council's ambitions as set out in the Council Plan; • Explore the potential for delivering services in partnership to ensure adequate capacity and capability, and realise economies of scale; • Ensure that there are effective governance, management and staffing structures in place for the Council, any partnership services, and for Publica, both through the transition process and afterwards; • That the transition costs from changes are shared fairly amongst all of the partner Councils; • That the funding model for Publica and partnership services in the future is fair and reflects the extent of services received. <p>6. Instruct the Chief Executive to commence the process for Union recognition for West Oxfordshire District Council staff;</p> <p>7. Refer the Publica Review and Human Engine Report to the Overview and Scrutiny Committee for their comments, prior to further consideration at the Executive and consideration by Council;</p> <p>8. Agree to set aside £100,000 from the Corporate Priorities earmarked reserve to fund potential transition and preparatory work required for the Council and for the Publica Partnership during the 2023/24 financial year;</p> <p>9. Agree to set aside a further £200,000 of earmarked reserve to 2024/25 transition costs within the ongoing budget setting process for 24/25 (and update of the Council's Medium Term Financial Strategy);</p> <p>10. Agree that for the 2024/25 Budget and Medium-Term Financial Strategy (currently being developed for presentation to Council in February 2024) to consider the financial implications more broadly,</p>
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	including on Council's revenue and capital budgets, its risk profile and its balance sheet (reserves and liabilities).
Corporate priorities	<ul style="list-style-type: none"> ● Putting Residents First; ● A Good Quality of Life for All; ● A Better Environment for People and Wildlife; ● Responding to the Climate and Ecological Emergency; ● Working Together for West Oxfordshire.
Key Decision	YES
Exempt	NO
Consultees/ Consultation	In preparing their report Human Engine engaged selected staff from each Council and from Publica, and also engaged with Council Leaders.

1. BACKGROUND

- 1.1** The Council currently delivers a wide range of its services through Publica and through Ubico, both of which are local authority owned companies of which the Council is a shareholder. The West Oxfordshire Council Plan recognises that in order for the Council to deliver on its aspirations it is essential to work collaboratively with others.
- 1.2** In August 2023, the four Publica shareholder councils (West Oxfordshire District Council, Cheltenham Borough Council, Cotswold District Council, and Forest of Dean District Council) commissioned an external review aimed at helping improve the partnership and outcomes for each of the partner councils. Publica was formed in 2017, and 6 years after the formation is an appropriate time to review how the partnership is working. Human Engine were appointed as the consultants to carry out this review.
- 1.3** Publica was originally set up to deliver services back to the Councils, as a vehicle for sharing resources, transforming services, promoting resilience, and achieving economies of scale. Over the last six years Publica has delivered significant annual savings for the Council. This independent review was undertaken to look at whether the Publica model was still able to meet the current and future needs of the Councils.
- 1.4** A copy of the Human Engine proposal is attached at Annex A, and a copy of the final report is included as Annex B.

2. MAIN POINTS

Review Methodology

- 2.1** Human Engine engaged with a range of stakeholders to help inform their report, including:
 - Council Chief Executives
 - Retained officer teams at all four Councils
 - Political Leadership, including I:Is with each Council Leader
 - Publica Leadership, including Managing Director, Finance Director and Board Chair
 - Assistant Directors and Business Managers for selected services
- 2.2** Human Engine also undertook an analysis of service data provided by Publica and by the Councils.

Summary of Findings

- 2.3** The stakeholder engagement identified that there is a difference in perspective around the sovereignty and control that the stakeholder councils experience. Publica sees this as an essential feature of the Publica Model, whereas some of the Councils are concerned over the level of their control.
- 2.4** Human Engine state that Publica was set up as a vehicle for cost savings, in order to provide an acceptable level of service at the lowest possible cost. They outline that Publica is now being asked to be a 'turn-key' operation, being flexible, adaptable and responsive to changing priorities, and not just traditional back-office services.

- 2.5 Governance has been raised by stakeholders and Human Engine note that significant improvements have been made since a review in 2020. Notwithstanding these improvements this remains an important area to consider.
- 2.6 Publica is set up as a Teckal Company, which allows it to trade with third parties for up to 20% of its activities. Human Engine note that there is no strong desire from the partners for the company to trade commercially.
- 2.7 Human Engine also recognise anecdotal evidence that not offering Local Government Pension Scheme is a challenge to recruitment to some public sector specific professions for Publica. Although this comment does need to be seen in the context of the wider Local Government sector recruitment challenges for certain positions.
- 2.8 Human Engine also recognise that the Future Publica Programme sets out an ambitious but achievable target operating model for service delivery in common with many councils across the country. But they consider that there is not a need for a company like Publica to deliver the savings attributed to the Future Publica programme.
- 2.9 In conclusion, Human Engine believe that the purpose of Publica needs to be fundamentally reconsidered in the context of the Councils' priorities. Therefore, they have suggested a range of fundamental options for service delivery which go beyond the list of services originally listed in their original proposal.

Human Engine's Options for Future Delivery and Recommended Option

- 2.10 A range of options were developed by Human Engine ranging from the option proposed by the Publica Board to further invest in Publica and joint working, through to a complete dismantling of the company and any shared service arrangements, and a spectrum of options in between.
- 2.11 After considering benefits and disbenefits Human Engine identified Option 6 – Retain Selected Services as the option they are recommending. This option would return a majority of the services to the Councils, whilst retaining a select few services in Publica effectively as shared services.
- 2.12 It is recognised that this represents a fundamentally different future for the Councils and for Publica.
- 2.13 Human Engine state that this recommendation is not a commentary on the performance of staff. They believe that staff in Publica have worked diligently and professionally to deliver services on behalf of the shareholder councils.
- 2.14 Human Engine identify a number of benefits from Option 6 along with some key risks. Some of the key risks identified relate to the cost of services in the new model, and to the costs of change. At present there is not sufficient information for Human Engine to thoroughly assess the financial implications of the recommended option and its impact on the financial sustainability of the Councils. Further work on transition planning is needed to understand the financial implications.
- 2.15 Human Engine state that services moving from Publica should be returned to the Councils in a phased way. Councils will then have the choice over whether to keep those services wholly sovereign, or to seek to opportunities to share with other Councils.

Benefits

2.16 The recommended option from Human Engine has the following potential benefits:

- Greater autonomy for the Council over service delivery and for shaping future services;
- More direct control over service spend, and greater ownership of savings plans;
- Potentially easier recruitment for hard to recruit roles, given the offer of the Local Government Pension Scheme;
- Ability to provide specific focus on key service areas and programmes for West Oxfordshire; and
- Ability to be more 'fleet of foot' – shaping services specifically to the needs of West Oxfordshire's residents and communities rather than adopting a one size fits all approach.

Cost Considerations

2.17 Human Engine state that the exact costs associated with the proposed change are difficult to isolate at this stage. Their initial analysis is that the proposed model has a net additional cost greater than the current operating model, and that this estimate equates to £150,000 additional cost per year per authority. It should be emphasised that this is presented by Human Engine as a "broad indication of cost" and that the actual cost could therefore be higher or lower than this. The Human Engine analysis does not factor in any savings that can be made from changes to how teams operate. Nor does it factor in the additional costs that might arise from the loss of economies of scale.

2.18 In addition, Human Engine also identify that there will be a number of one-off costs including staffing related costs, and the costs of managing the transition. No figures are provided for these one-off costs, as some aspects are not known. Human Engine note that the Councils have a duty to avoid any compulsory redundancy if at all possible. Human Engine recognise that the Councils do not currently have the capacity to project manage a change of this complexity, and provide some options on how this could be managed.

Contractual Position

2.19 Publica Services are provided to the Council through the following three contracts, which are of different lengths and have different end dates:

- Commissioning Services, 10 years, next renewal date November 2027
- General Services, 7 years, next renewal date November 2024
- Support Services, 5 years, next renewal date November 2027

2.20 Notwithstanding these renewal dates there is a clause within each contract that enables councils to remove a service from Publica at any point with an agreed notice period. As the Human Engine report notes this means that shareholder councils can take a service-by-service decision and use a phased approach to the return of services.

Transition Plan

- 2.21** Human Engine propose that a phased approach to transition should be adopted. They state that this will reduce disruption to service delivery, staff and residents through any change.
- 2.22** The suggested Transition Plan shows the following phases over 2023/24 and 2024/25:
- Phase 1 – Mobilisation and preparation
 - Phase 2 – Transition round I – first wave of services
 - Phase 3 – Transition round II – second wave of services
 - Phase 4 – Review of services
- 2.23** The Human Engine report envisages that a detailed Transition Plan for rounds I and II should be prepared. The detailed work required to prepare this plan will provide important information to allow financial implications to be assessed.
- 2.24** The return of services to the Councils directly as suggested represents a significant and complex change project that will require a comprehensive fully costed business case based on a newly designed operating model. A significant amount of specialist input (including HR, Finance, IT, legal) will be needed as will resource to design the operating model and coordinate and report progress and manage stakeholders.
- 2.25** It should be noted therefore that delivery will potentially require additional posts as well as the activities of current post holders to be adapted. For instance, it is likely that a Project Director and/or Manager will be required to work across all partners to coordinate and deliver this complex project. Workstream leads / managers will also be needed and there will be a need for project assurance. Input will be needed from current (council and Publica) employees. This may require some roles to be backfilled. External capacity and independent external specialist advice will be needed too.
- 2.26** A robust programme governance and project management infrastructure will be needed including appropriate project plans, progress reporting and Board / Workstream meetings. Member oversight will be needed, as will Publica / Partner Council engagement as well as comprehensive and ongoing communications to Publica and Council staff and other stakeholder together with any necessary consultation.

Consideration by Other Shareholder Councils

- 2.27** The Cotswold District Council Cabinet considered the Human Engine report on the 2nd November 2023. The Cabinet agreed to support the recommendations set out in the Human Engine report, to return the majority of services to the Council. They also supported the creation of a detailed transition plan and a process of due diligence to calculate the short and long-term costs.
- 2.28** Forest of Dean District Council are due to consider the report at their Cabinet meeting on the 9th November 2023. Cheltenham Borough Council will consider the issue on the 5th December 2023. A verbal update on any decisions taken at the Forest of Dean meeting will be given at the Executive Meeting.

Union Recognition

- 2.29** Publica has recognition agreements with GMB and Unison. Effective engagement with these unions will be a vital part of the transition planning process. West Oxfordshire District Council has not historically had a recognition agreement with any Union. Given the significance of the proposed changes to the Council's structure, the need to carefully work through human resource implications, and the likelihood that the number of Council employees will increase significantly, the Council should commence the process for Union recognition from West Oxfordshire District Council.

Next steps

- 2.30** Given the significance of the proposals the Leader has asked if there can be a special meeting of the Overview and Scrutiny Committee to consider the Human Engine report. This would allow the Committee's comments to be considered before the matter receives further consideration from the Executive and Council.
- 2.31** As noted above this represents a significant and complex change project across a number of different (interdependent) organisations with multiple stakeholders. Critically in terms of next steps:
- detailed work must be undertaken in the first instance to design the future operating model (in terms of structures, people, teams, IT systems etc) specific to each Council.
 - Specialist input, expertise and advice (financial, legal, HR, TUPE, IT, data & information) will be needed in this regard to clarify the operational, financial and legal (TUPE) implications of this model.
- 2.32** This will help the creation of a comprehensive and fully costed business case in support of any proposed change. Project Management disciplines will then need to be put in place to effectively deliver the change. Features of this would include:
- Governance and Project Management (with clear roles and responsibilities across councils, Publica, advisors)
 - Detailed Project Plan
 - Communications / Stakeholder management Plan
 - Transition Budget
 - Progress Reporting
 - Risk and Issues Log
 - Project Board (regular meetings)
 - Workstreams / Task and Finish Groups (regular meetings)
 - Member Project Oversight / Group

Conclusions

- 2.33** Six years after the establishment of Publica is an appropriate time to review the Publica model. Discussions with the other Publica Councils have shown that there is significant dissatisfaction with aspects of the current Publica model. This is reflected in the recommendation made by Human Engine that a majority of the services should be returned to the Councils.

2.34 There are potential benefits for the Council in having greater autonomy over service delivery and for shaping future services. This would allow the Council to be more 'fleet of foot', shaping services specifically to the needs of West Oxfordshire's residents and communities.

2.35 Human Engine recognise that the exact costs associated with the proposed change are difficult to isolate at this stage. Further work is required to assess the financial implications of the recommended option and its impact on the financial sustainability of the Councils. The preparation of a business case for a new operating model with an associated transition plan is required.

3. ALTERNATIVE OPTIONS

3.1 It is clear from the views and recommendations of the other Councils that maintaining the status quo is not a realistic option.

3.2 As part of the next steps set out above, further work would be undertaken to design the future operating model of the Council. This exercise will consider the options in terms of services. The Council could choose to:

- Deliver all of the returning services itself
- Deliver services in partnership with one or more of the Publica Councils
- Explore other partnership opportunities to deliver services
- Retain individual services within Publica

3.3 The next steps include the development of a business case and associated project plan which will consider the options in terms of implementation, phasing and timing. This work will be carried out in partnership with the other Councils and Publica.

4. FINANCIAL IMPLICATIONS

4.1 The financial implications of returning the majority of Publica services back to being directly managed by the Council (with selected services retained within the Publica model on a case by case basis) as recommended by the Human Engine review ('the review'), remain unclear.

4.2 The financial implications would include any one-off staffing and transition costs, and a recurring revenue budget impact. The review:

- identified the risk of potentially significant one-off staffing costs, including possible redundancy and pension costs, the value of this cannot yet be established;
- identified that there will be transition costs (such as project management), but these cannot yet be established;
- estimated an additional ongoing pension cost of £1m per annum to be shared across partner councils (though it should be noted that this is a high level figure and would need to be tested);
- There could also be significant one-off pension strain costs related to any possible redundancies, and these cannot yet be established.
- identified potential management savings (based on some broad assumptions) which (after pension costs) it is estimated would cost an additional £150,000 per annum per council

(though as stated above this was presented as a “broad indication of cost”, which therefore could be higher or lower than this estimate).

- 4.3** In addition to the above it should be noted that this would constitute a significant change programme which would require the attention of management and staff (of Publica and the Council) for a period of time. Although it is difficult to be precise in estimating the value of any ‘cost of disruption’ with any certainty, there is a risk of impacting progress on other change initiatives and projects (including transformation and current and near future cost saving initiatives) during the transition period.
- 4.4** The review is a strategic review, and it does not provide a detailed analysis of future staffing structures. As such it does not undertake a detailed legal assessment of whether TUPE applies (or not) to those staff or assess risk of redundancy. There is a risk that one off redundancy costs (and pension strain costs) are significant.
- 4.5** In conclusion, the financial implications of returning the majority of Publica services back to being directly managed by the Council (with selected services retained within the Publica model on a case by case basis) as recommended by the review:
- are potentially significant in terms of one-off redundancy costs (pension strain costs) and one-off transition costs;
 - are potentially significant in terms of recurring revenue implications;
 - but remain uncertain at this stage.
- 4.6** Further work is therefore required in order to calculate the recurring and one-off financial implications, as part of an evidence based phased approach.
- 4.7** Consideration will need to be made as to when these costs should be included in the Council’s budgets and at what point they should be disclosed in the Statement of Accounts.
- 4.8** As part of any subsequent project, the Council would need to work with partners and commission the required expert project, legal, HR and financial expertise in order to properly plan and resource this change project and accurately calculate the financial implications of it.
- 4.9** At this stage however, given the above, it would be prudent to:
- set aside £100,000 from the Corporate Priorities earmarked reserve to fund potential transition and preparatory work required during the 2023/24 financial year;
 - set aside a further £200,000 of earmarked reserve to 2024/25 transition costs within the ongoing budget setting process for 24/25 (and update of the Council’s Medium Term Financial Strategy).
 - Undertake further work as part of the budget setting exercise (for 2024/25), to consider the financial implications more broadly, including on Council’s recurring revenue and capital budgets, its risk profile and its balance sheet (specifically reserves and liabilities).

5. LEGAL IMPLICATIONS

- 5.1** As with the financial implications, the legal implications of returning the majority of Council services to be delivered “in-house” cannot be established with certainty at this stage and will need further investigation with the support of external legal advisers, in collaboration with

the Monitoring Officer and Head of Legal Services. At this stage, the legal implications appear to fall into three principal areas:

- Employment law
- Governance and Local Government law
- Contract

5.2 In terms of employment law, this report already identifies that it will be necessary to consider the implications in terms of TUPE and this is necessary because the process of bringing services back in-house is highly likely to amount to a service provision change under the Transfer of Undertakings (Protection of Employment) Regulations 2006 (“TUPE”) which will trigger obligations to transferring staff. Careful consideration will also need to be given of how best to apportion liabilities between the transferring employer (Publica) and the new employer (the Council).

5.3 In terms of general local government law, if the proposals proceed from a formative stage to a one where there is sufficient information to give “intelligent consideration” to them the Council will need to consider the application of section 3 Local Government Act 1999 and whether there is a need to carry out a public consultation if the Council is making arrangements to secure continuous improvement in the way in which its functions are exercised as part of its best value duty.

5.4 In terms of internal governance and compliance with Local Government Act 1972, The Council will need to evaluate its existing non-executive scheme of delegation and satisfy itself that it either employs or has available to it (for example through shared services) the officers empowered to discharge delegated powers. Any new organisational structure will have to align with the scheme of delegation.

5.5 The contractual arrangements between the Council and Publica are referenced elsewhere in this report. The existing relationship is in fact the subject of various legal agreements, including:

- A members’ agreement dated 25 May 2017 between West Oxfordshire District Council, Cotswold District Council and Forest of Dean District Council.
- An admission agreement dated 30 November 2017 between the Council, Oxfordshire County Council and Publica in relation to the Local Government Pension Scheme.
- A services agreement dated 31 October 2017

5.6 Clause 37 of the Services Agreement provides:

“Without prejudice to the Council’s rights of early termination under this Agreement, or otherwise at law or equity, the Company hereby irrevocably grants to the Council a break option in respect of all or any part of its services which may be exercised by the Council by giving not less than 12 months’ prior written notice expiring on 31 March in the following Contract Year.”

This is the basis upon which services might be taken back in-house within an existing contractual term. In addition, the Council might decide against extending the contract beyond the original expiry dates or the expiry date of any extension. The Human Engine Report

correctly identifies that the 7-year term for provision of General Services expires in October 2024.

- 5.7 The consequences of termination under Clause 37 are set out in Clause 38 and include obligations to (inter alia) agree an exit strategy, agree the disaggregation and division of assets, and deliver data.
- 5.8 As well as cessation of existing contractual arrangements, the report's recommendations propose the creation of new ones to provide for shared working arrangements and ongoing provision of the remaining services by Publica.

6. RISK ASSESSMENT

- 6.1 The Human Engine Report (included as an appendix to this report) outlines a number of risks associated with their recommended option.
- 6.2 Staffing costs and pension costs have not been established and could be significant.
- 6.3 Transition costs (such as project management, HR and legal advice) have not been established yet and could be significant.
- 6.4 The return of services to Councils represents a significant change programme that may impact on staff and likely performance in the short term. Retention and recruitment and staff morale may be affected at least in the short term.
- 6.5 Management capacity and attention will be drawn away from other business and projects – including cost saving / efficiency projects. There is a risk that performance in the short term may decline, although there may be performance benefits in the longer term.
- 6.6 Staff may not wish to TUPE transfer and may seek redundancy.
- 6.7 There is a risk that ongoing costs may be higher under the new structures.
- 6.8 An effective partnership approach with the other Publica Councils may help manage some of the risks facing the Council, as will robust governance and project management. The preparation of a business case for a new operating model will help manage the financial risks.
- 6.9 Risks around the Publica Review are addressed in the Council's risk register which will need to be continually updated.

7. EQUALITIES IMPACT

- 7.1 Under equality legislation, the Council has a legal duty to pay 'due regard' to the need to eliminate discrimination and promote equality in relation to:
 - Race
 - Disability
 - Gender, including gender reassignment
 - Age
 - Sexual Orientation
 - Pregnancy and maternity
 - Religion or belief

7.2 The Transition Plan will need to address this legal duty and assess any impacts from the proposed changes. Effective Human Resources advice and processes will be required to manage any redundancies and TUPE processes appropriately.

7.3 An Equalities Impact Assessment should be carried out as part of the preparatory work as further information becomes available.

8. CLIMATE AND ECOLOGICAL EMERGENCIES IMPLICATIONS

8.1 None directly from this report.

9. BACKGROUND PAPERS

9.1 None

(END)

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Human Engine Proposal: Strategic Review

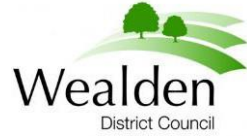
Version 5

About Human Engine

- Human Engine is an independent, Financial Times top-ranked management consultancy with its origins the public sector.
- Our team includes former senior local government officers with extensive experience of national best practice.
- We blend award-winning consulting expertise with lived experience of delivering modern public services.
- Since 2018 we have worked with more than 40 public sector organisations to develop strategies, transform processes, enhance customer experience and change organisational culture.
- Our experience includes organisation-wide transformation across large, complex authorities as well as delivery of projects in specific service areas.
- Our mission is to help organisations and individuals in the public sector to do the best work of their lives.



Past and Current Clients



Your Requirement

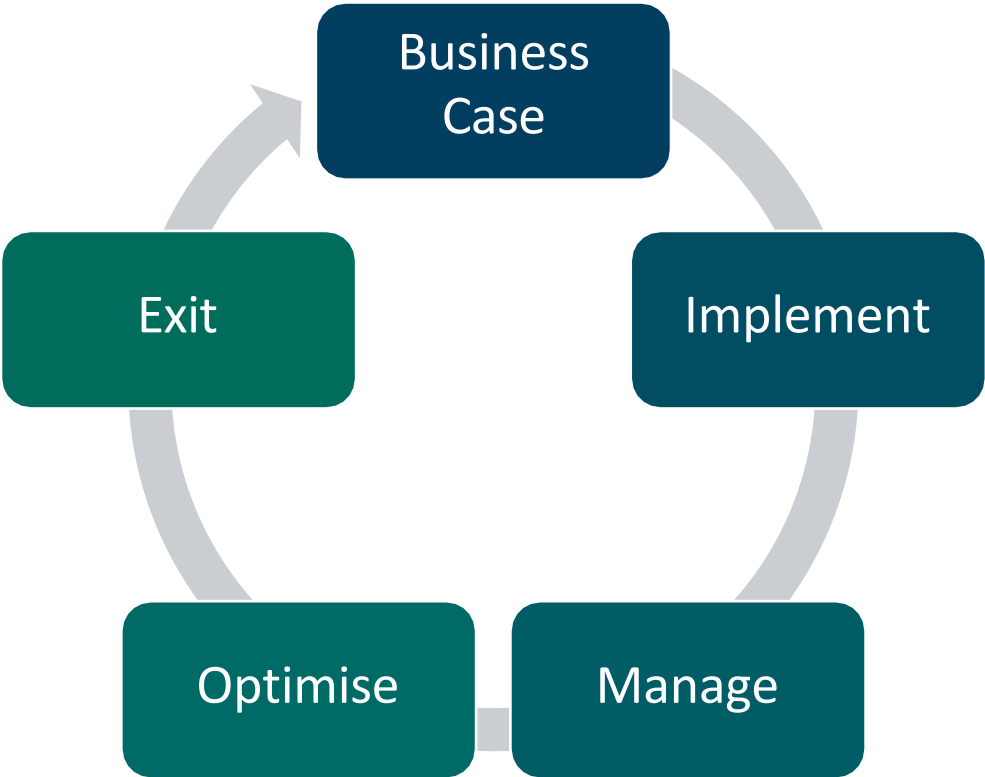
- The majority of local public services in the area are delivered by Publica, a not-for-profit Teckal company established in 2017 and owned by Cotswold District Council, Forest of Dean Council, West Oxfordshire District Councils and Cheltenham Borough Council.
- Since Publica was formed, the context for the shareholder authorities has changed. Cotswold District Council (CDC) and West Oxfordshire District Council have changed political control and all of the shareholder councils have now reinstated Chief Executive positions.
- A recent LGA peer review at CDC recommended that the council review the future delivery options for some services (including whether they should remain with Publica) and revisit the relationship between the council and Publica, particularly around effective commissioner/provider roles.
- CDC has accepted the recommendations of the peer review and incorporated these into an action plan which has been agreed by Full Council.
- Following discussions with all of the shareholder authorities, the councils wish to commission a more detailed review that considers the future of a number of specific services: Democratic Services, Elections, Planning, Strategic Finance, Commissioning and Procurement.
- The Chief Executives of each of the shareholder councils have been involved and engaged in the proposal and commission. The councils have stressed that the outcome of the review cannot increase the overall cost of services, although alternatives could be proposed that offset increased costs in certain services.
- The review should add depth to the lines of enquiry opened by the LGA peer review and provide an options appraisal for the future of those services in scope.

Relevant Experience

Our experience covers the full shared services lifecycle:

Led review and exit management of shared procurement service between London Boroughs of Brent and Harrow, including TUPE and recruitment to new in-house teams

Led a review and transformation of the shared service arrangement between Richmond and Wandsworth Councils, improving commissioning, procurement and contract management practices across £350m combined spend



Assessed the benefits, disbenefits and risks for Buckinghamshire Council of entering the LGSS partnership, resulting in a 'no go' decision with alternative options presented

Implemented a shared HR service between Buckinghamshire and Harrow Councils, saving £1m by the end of Year 3

Managed a shared procurement service across Westminster City Council and Royal Borough of Kensington & Chelsea, covering £700m combined spend

Framework for Review

<p>Return on Investment</p> <p>Evaluate the input resources (contributions made by the councils) against available data on outcomes to establish return on investment.</p> <p>Consider original business case benefits against the current context for the council to determine best ways to achieve ongoing value for money.</p>	<p>Residents</p> <p>Assess whether the current arrangement or transitioning to new arrangement(s) will have a net positive, neutral or negative impact on customers. Consider the ability of different delivery options to respond to changes in demand.</p> <p>Set out mitigations to avoid any negative impact on customers during any possible transition.</p>
<p>Risk</p> <p>Assess the risks of different delivery options, including risk of no change as well as different models. Consider the risks and cost of transition to new models, potential loss of resilience from any disaggregation and mitigation strategies.</p>	<p>Relationship</p> <p>Review the relationship, roles and responsibilities between the councils and Publica. Assess the benefits and disbenefits of the existing shareholder-partnership model versus a client-provider relationship.</p> <p>Recommend necessary changes to governance, roles and capabilities to ensure effective commissioning.</p>



Our Approach

1

Define and Discover

- Kick-off with council Chief Executives to confirm brief, scope, timescales and stakeholder approach
- Initiate data requests (accepting likelihood of gaps)
- Forward plan key dates – Cabinet meeting

2

Engage and Explore

- Workshops with Chief Executives and senior management retained in councils to map out priorities, plans and pressures; evaluate existing service provision; consider future options, benefits and risks
- Interviews with selected Publica personnel to understand the provider perspective
- Review of available documents and data to establish original business case benefits and evaluate success of benefits delivery

3

Devise and Develop

- Develop first draft report, including options appraisal for each service in scope and how this affects the overall model
- Informal debrief with the Chief Executives
- Informal review of findings, options and recommendations with the councils

4

Iterate and Improve

- Develop final draft report, including implementation plan and projected transition costs for recommended options
- Final report to include alternative management structure(s) with costings to stress-test the financial impact of any decisions taken

5

Confirm and Conclude

- Submit final report; Council officers prepare Cabinet reports; HE to brief officers in order to make recommendations to their Cabinets
- Agree handover and next steps

Deliverables

The final deliverables will be:

- A report that summarises the options and recommendations for the services in scope
- Proposed management structures any new arrangements (senior management structures but not full organisational charts)
- High level assessment of any cost differentials between as-is and to-be models
- Implementation plan for transition to any new arrangements
- Estimated transition costs for the move to any new arrangements

Out of scope:

- Process mapping
- Target Operating Models or transformation plans for the councils – although we will feed back anecdotally any opportunities identified
- Detailed service design / blueprints for to-be services
- Implementation activities

Project Plan

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w/c	31/07	07/08	14/08	21/08	28/08	04/09	11/09	18/09	25/09	02/10	09/10	16/10	23/10	30/10	06/11	13/11
Kick-off meeting with sponsors																
Interviews with council personnel																
Interviews with Publica personnel																
Documents and data review																
Develop first draft of report																
Informal review with sponsors																
Develop final draft of report																
Presentation of final recommendations																
Decision making process (Cabinet Meetings)																

Important Notes:

- Most of the engagement with stakeholders will be taking place in August, which may be made challenging by the Summer holiday period.

Governance Timeline

Dates for Cabinet meetings for all four councils (if parallel decisions required):

Cotswold:	Forest of Dean:	Cheltenham:	West Oxfordshire:
<ul style="list-style-type: none">▪ Papers: 18th October▪ Cabinet: 6th November	<ul style="list-style-type: none">▪ Papers: 2nd November▪ Cabinet: 9th November	<ul style="list-style-type: none">▪ Papers: 3rd November▪ Cabinet: 10th November	<ul style="list-style-type: none">▪ Papers: 7th November▪ Executive: 15th November

Project Team



Kelly Page
Director

- Ex-local government Head of Customer
- Experience across all resident-facing services
- Led transition of out-of-hours contact service to second generation outsourcing model
- Developed new model of demand management for Northumberland Council
- Role on project: Resident Services Expert

Full biography CVs are provided in appendices



Jonathon Noble
Managing Director

- Ex-local government Commercial Director
- Developed strategic options appraisal across corporate services for large authority
- Led implementation of £4.5m shared HR service between Bucks and Harrow councils
- Managed exit of Brent and Harrow shared procurement service and transition in-house
- Role on project: Project Lead; Commissioning and Procurement Expert



Tom Mills
Principal Consultant

- Led a review of local government financial resilience, in partnership with LGA
- Developed a new governance and operating framework for Rutland Council
- Led development of strategic business case to save £38m for Northumberland Council
- MSc Public Services Management
- Role on project: Governance and Corporate Expert

 human engine

Strategic Review of Publica Services

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1. Context and Background

- 1.1. Publica, a not-for-profit Teckal company was established in 2017. The company delivers the majority of public services on behalf of Cotswold District Council (CDC), Forest of Dean Council (FoDC) and West Oxfordshire District Council (WODC) and delivers some services on behalf of Cheltenham Borough Council (CBC). The company is owned by the four councils listed above as equal shareholders.
- 1.2. Since Publica was formed the context for the shareholder authorities has changed at both Member level with changes in political control and officer level with all of the shareholder councils now having reinstated Chief Executive positions.
- 1.3. A recent LGA peer review at CDC recommended that the council review the future delivery options for some services (including whether they should remain with Publica) and revisit the relationship between the council and Publica, particularly around effective commissioner/provider roles. CDC has accepted the recommendations of the peer review and incorporated these into an action plan which has been agreed by Full Council.
- 1.4. Off the back of the LGA peer review, the councils commissioned a more detailed review that considers the future of a number of specific services; Democratic Services, Elections, Planning, Strategic Finance, Commissioning and Procurement.
- 1.5. The review has set out to add depth to the lines of enquiry opened by the LGA peer review and provide an options appraisal for the future of service delivery.

2. Review Methodology

2.1 Engagement throughout the review was thorough, with stakeholders from across each council and Publica engaged as part of the process. This included:

- i. Council chief executives
- ii. Retained officer teams at all four councils
- iii. Political leadership, including 1:1s with each council Leader
- iv. Publica leadership, including Managing Director, Finance Director and Board Chair
- v. Assistant Directors and Business Managers for services considered in scope

2.2 In addition to stakeholder engagement the review undertook analysis of service data provided by Publica and councils.

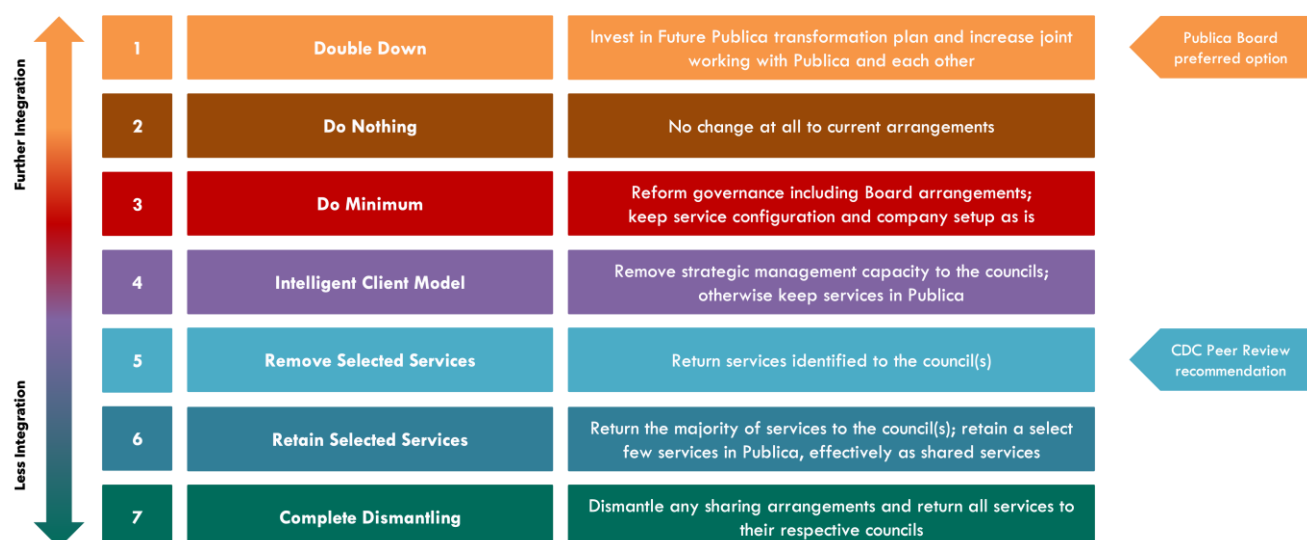
3. Summary of Findings

- 3.1 Findings from stakeholder engagement provided some areas of agreement and disparity of thought in others.
- 3.2 Stakeholders within Publica and the shareholder councils agreed that staff have done a remarkable job over a period of many challenging years for the local government sector. These efforts are recognised and greatly appreciated.
- 3.3 Chief among the areas of disagreement is a fundamental difference in perspective about the sovereignty and control that shareholder councils experience. Publica sees this an essential feature and benefit of the model, whereas some of the councils feel they have very little control at all.
- 3.4 Local Authority Trading Companies provide a compliant mechanism to undertake commercial trading activities that councils themselves may not lawfully do, and this is their primary purpose. At some point in time, councils became aware that they also create an opportunity to employ staff on alternative terms and conditions. Several councils have used this to reduce their employment costs, typically for specific sections of their workforces, particularly by reducing membership over time in the Local Government Pension Scheme (LGPS). This appears to be the main driver for the transition from the GO Shared Services model to the council-owned company, Publica.
- 3.5 The company was set up as a vehicle for cost savings – to provide an acceptable level of service at the lowest possible cost. It is now being asked to be a ‘turn-key’ operation – flexible, adaptable and responsive to changing priorities, providing more project management expertise and not just traditional back office services.
- 3.6 Improvement plans have been developed since the Peer Review and stakeholders have noted improvements in some aspects of service delivery. Transformation plans and projects have also been developed but these are not always agreed by shareholders.
- 3.7 Governance was routinely raised by stakeholders. Significant improvements have been made since the Campbell-Tickell Board Effectiveness Review in 2020, with the introduction of the Shareholder Forum.
- 3.8 No officers, in Publica or the councils, or Elected Members expressed any strong desire for the company to trade commercially. This means that the company is under-utilising the potential it has as a trading company. The only reason to retain Publica as a separate company (rather than some other shared service arrangement) is because around 50% of staff are now on a cost-saving pension scheme.
- 3.9 Stakeholders have provided anecdotal evidence that that not offering LGPS is a challenge for recruitment to public sector-specific professions, e.g., Electoral Services and Planning. There is also evidence of a failure to recruit to certain positions and the need to repeat recruitment processes, although there are different accounts of the reasons for this.

- 3.10 Future Publica sets out an ambitious but achievable target operating model for service delivery in common with many councils across the country. However, there is not a need for a trading company to deliver the savings attributed to the Future Publica plan.
- 3.11 For these reasons, repatriating the services in scope of the CDC Peer Review will not address the underlying issue(s). The purpose of Publica needs to be fundamentally reconsidered in the context of the councils' priorities.

4. Options for Future Delivery

4.1 Having set out the need to fundamentally reconsider what Publica should deliver, and how it should be configured, the full range of options were presented to the shareholder councils. This included the option proposed by the Publica Board to 'double down' on the current model (Option 1), a complete dismantling of the company and any shared service arrangements (Option 7) and a spectrum of options in between.



4.2 Benefits and disbenefits for each options were considered by the councils as part of workshops with the retained officer teams. The conclusions can be summarised as:

	Option	Benefits	Disbenefits
1	Double Down	Potential opportunities for income generation, although there is no serious appetite among partners to do this in the near future and lack of consensus over whether Publica is the right vehicle.	This will not address the underlying issue of a perceived lack of control. Confidence among councils in the model has eroded to the point where it is not feasible to commit further.
2	Do Nothing	This would cause minimal disruption in the short term but will almost certainly lead to a breakdown of stakeholder relationships in the long term.	Current arrangements are not working for any party; the councils are frustrated by a lack of control but Publica considers itself "shackled".

3	Do Minimum	A change in governance arrangements may resolve some of the issues around perceived lack of control. Governance should be reformed in the short term, regardless of which option is pursued in the long term.	This will not address the recruitment issues that have been identified, nor the question of why the councils would continue to operate a trading company with no intention that it will trade.
4	Intelligent Client	This may resolve some of the issues around perceived lack of control and restore the 'strategic thinking' capability of the councils. CBC has indicated that this has been crucial to making the model work for them.	This risks creating a complex commissioner / provider split that could create additional cost and bureaucracy. It is likely that management costs will be duplicated rather than shared.
5	Remove Selected Services	This would address the issue of lack of control and allow the councils to test the putative barriers to recruitment for certain services.	This risks creating a smaller Publica with broadly the same overheads, impairing value for taxpayers. The underlying perceived lack of control of other services would not be resolved.
6	Retain Selected Services	This would address the issue of lack of control and allow the councils to test the putative barriers to recruitment. Services can be shared, via Publica or some other model, on a case by case basis.	The costs of this model will be higher than the current model, including pensions and the cost of future transformation. This option will be disruptive for staff and the change will need to be carefully managed.
7	Complete Dismantling	This would address the issue of lack of control and allow the councils to test the putative barriers to recruitment.	There is no obvious advantage to unpicking services that are working well. Economies of scale would be lost. This option would be maximally disruptive for all parties.

4.3 The conclusion of the options appraisal is that, while the Publica model may have been right for a certain point in time, the needs of the councils have fundamentally changed and a different model is required to deliver their future priorities. Specific consideration was given to the following points:

- i. The Publica model was set up to provide an acceptable level of service at the lowest possible cost. Since then, there have been a number of changes in the leadership of the shareholder councils and a more 'turn key' style of operation is required to deliver their objectives.
- ii. It was anticipated at the time that the company might undertake a level of trading, subject to the limitations of the Teckal exemption. Since there is no current desire among partners that the company should seek out trading opportunities, there is no need to operate a trading company with the associated overheads.
- iii. The main financial driver for continuing to operate a company structure is the saving in pension contributions, but evidence was offered that this is leading to recruitment difficulties (accepting a measure of disagreement about this).
- iv. There are fundamental differences in opinion over the level of influence councils have; whatever the rights and wrongs of this, it must be resolved in order to move forward productively and it is unlikely to be resolved in the current model.
- v. Moving away from a company model will allow the councils to lead and shape services with the autonomy they feel is needed, while still being minimising the overheads involved in delivering public services by sharing some management costs.

4.4 For this reason, the preferred option is Option 6. **The councils are recommended to return the majority of services to be managed directly by the councils, with selected services to be retained within the Publica model on a case by case basis.**

4.5 This represents a fundamentally different future for the councils and for Publica. The Publica of the future will be smaller, leaner and principally a vehicle for sharing services rather than an entity with its own management, cultural identity and high profile brand.

4.6 It is important to note that this recommendation is not a commentary on the performance of Publica staff. Staff in Publica have worked diligently and professionally to deliver services on behalf of the shareholder councils during a time of unprecedented challenge for local government. They are passionate about public service and there is every reason to believe they would be equally passionate in direct employment by the councils.

4.7 The recommended option reflects a view that, on balance of a complex set of considerations, returning services to direct management by the councils will achieve the desired balance of cost effectiveness and control.

5. Preferred Option

5.1 Benefits and Risks

5.1.1 Benefits of Option 6 are diverse and broad but must be balanced against the risks associated with the model.

5.1.2 Benefits can be summarised as:

- i. Provide flexibility for councils in their approach to delivering individual strategic objectives and greater responsibility in doing so.
- ii. Return a critical mass of strategic oversight to councils, enabling councils to better manage the strategic direction of the organisation.
- iii. Increasing capacity within each council's core operating team(s).
- iv. Greater ownership to deliver own savings plans, through a range of different service arrangements that best align to each council's priorities.
- v. Provides individual council identity for services where this is not currently the case and ensuring council identity where services are delivered through Publica hosted but council specific teams (for example, Planning Services).
- vi. Maintain services within the current model where there is agreement that the service is working well – and therefore removing risk of performance reduction during transition.
- vii. Maintain economies of scale and resilience in back-office services where there is less need for a council-specific USP.
- viii. Reduce the risk of recruitment challenges for local government specific roles.
- ix. Minimising risk disruption to large stakeholder groups (staff, residents, businesses) through the ability to prioritise (or deprioritise) services to be retained.
- x. Reduction in corporate overheads of services retained in the Publica model.

5.1.3 Risks are demonstrated below with scores and initial mitigations. Risks are scores on a likelihood / impact matrix, both scored out of five and multiplied to give overall risk score.

Impact	5					
	4					
	3					
	2					
	1					
		1	2	3	4	5
Likelihood						

	Risk (IF/THEN Statement)	Risk Score			Mitigation(s)
		Likelihood	Impact	Score	
1	IF some services are retained within Publica, THEN there will be a two-tier staffing model	5	1	5	Two tier of staffing already in play as part of current model
2	IF some services are retained within Publica, THEN existing challenges with accountability and oversight remain	3	3	9	Implementing governance quick-win changes Improved reporting Increasing role of shareholder forum
3	IF some services are repatriated, THEN there is likely to be increased costs to councils	4	4	16	Ownership of transformation agenda and accountability of savings delivery See section 5.3
4	IF number of services remaining in Publica is significantly reduced THEN costs of leadership may be too high	4	1	4	Suitable restructuring to support remaining services Ensuring best use of staff maintained in Publica
5	IF repatriation of services requires high resource change management requirements, THEN this could distract from political priorities	2	2	4	Phased approach to minimise impact on stakeholders Prioritisation of services based on effort and impact
6	IF change process is complex, THEN key staff could be lost	2	4	8	Strong change management and leadership Transparency and engagement with staff throughout any change
7	IF councils chose to repatriate different services, THEN cost of change needs to be agreed	2	5	10	High level transition plan completed with detailed service-by-service transition plan to be completed

5.2 Proposed Structures

5.2.1 Services should be returned to the councils in a phased way. A transition plan showing this phasing is provided in Section 6. When services are returned, the councils will have a choice over whether to keep them wholly sovereign or to share them with other councils. This could include councils in the existing partnership and/or others. Below is an indication of how services could operate.

Retained in Publica	Sovereign	Opportunities to Share
<ul style="list-style-type: none"> • Customer Services • Complaints • Revenues and Benefits • Housing Services • ICT • Data Protection • Freedom of Information • Subject Access Requests • Procurement • Transactional Finance • Transactional HR including Payroll 	<ul style="list-style-type: none"> • Strategic Finance • Accountancy • Insurance • Economic Development • Tourism • Parking • Property and Estates • Communications • Community Safety and Engagement • Business Intelligence • Corporate Performance • Organisational Development • Electoral Services • Democratic Services • Members Services • Waste • Grounds Maintenance • Leisure 	<ul style="list-style-type: none"> • Strategic Housing • Development Management • Building Control • Land Charges • Risk Management • Health and Safety • Emergency Planning and BCP • Flood Risk • HR Policy and Employee Relations • Legal Services • Commercial Contract Management (could include Waste, Grounds and Leisure) • Environmental Health • Food Safety & Licensing

- 5.2.2 The following shows an indicative to-be structure for the councils, for the purpose of assessing the cost of change and planning for the transition. Further work will need to be considered to refine structures within each service grouping.
- 5.2.3 Councils do not have to agree to adopt the same organisational structures and Forest of Dean Council has indicated it may adopt a different version of the below. However, the councils will benefit from sharing as many senior posts as possible and this will necessarily produce a level of standardisation across structures.
- 5.2.4 The below structure aims to show the majority of services and where they will sit but it is possible that not every team and activity is shown. Where an area of activity does not explicitly appear on the chart, it can be assumed that will sit with the councils.

PUBLICA	COUNCILS	
	CORPORATE SERVICES	RESIDENT SERVICES
Shared Services		
Customer Services	<ul style="list-style-type: none"> Strategic Finance Accountancy Insurance Risk Management 	<ul style="list-style-type: none"> Strategic Housing Development Management Building Control Flood Risk Management Land Charges
<ul style="list-style-type: none"> Customer Services Freedom of Information Complaints Revenues and Benefits Housing Services 	<ul style="list-style-type: none"> Property and Estates Health and Safety Emergency Planning and BCP 	<ul style="list-style-type: none"> Economic Development Tourism Parking
Employee Services	<ul style="list-style-type: none"> Communications Business Intelligence Corporate Performance Organisational Development HR Policy 	<ul style="list-style-type: none"> Waste (Contract Management) Street Cleansing (Contract Management) Grounds Maintenance (Contract Management)
<ul style="list-style-type: none"> Procurement Transactional Finance Transactional HR 	<ul style="list-style-type: none"> Legal Services Electoral Services Democratic Services 	<ul style="list-style-type: none"> Leisure (Contract Management) Community Safety and Engagement Environmental Health Food Safety & Licensing
ICT		<ul style="list-style-type: none"> Climate Change and Climate Action
<ul style="list-style-type: none"> ICT Data Protection Subject Access Requests 		

5.3 Cost considerations

- 5.3.1 The exact costs associated with the proposed change are difficult to isolate at this stage, because they depend on a complex set of considerations particularly concerning pensions. The figures in this section should therefore be read as estimates in order to give a broad indication of cost. Figures could change significantly, although the estimates given err on the side of a higher cost of change in order that councils can plan accordingly.
- 5.3.2 The following shows the difference between the costs of the current model and the proposed model:

Cost / Saving Item	£Value	Notes
Additional pension costs	1,000,000	High level estimate – see paragraph 5.3.3 below
Management savings	- 500,000	Based on the proposed structure shown above
Corporate overheads	- 50,000	Reduction in some (but not all) company costs
Net additional cost	450,000	
Per authority	150,000	

- 5.3.3 Pension costs are both the single biggest line item and the biggest variable in the cost considerations. An approximate figure of £1m has been used based on a figure provided by Publica for the annual saving from moving some staff to the Royal London Pension Scheme. However, there are a complex set of additional considerations. This figure represents savings across the whole company whereas in the proposed model, a number of services will remain within the limited company structure. There are some legacy arrangements from which councils hosted which posts under the former GO Shared Service. Some councils are paying more in pension contributions than the payroll data indicates they should at face value, because of the difference in the actuary estimate of the contributions required to fund the scheme. The pensions cost figure will need to be refined with an actuary estimate based on the final list of staff that will transfer to the councils.
- 5.3.4 With these very important points of clarification noted, the net additional cost to the councils of the proposed model is approximately £150k per year. This does not yet factor in any savings that can be made from changes to how teams operate as only the proposed senior management structures have been modelled at this stage. All of the councils have savings targets over the next three years so will need to undergo significant transformation, in any case.
- 5.3.5 In addition to the ongoing difference in cost between the operating models, there are one-off costs associated with the transition. These are made up of:
- One-off staffing related costs
 - The cost of managing the transition

- 5.3.6 One-off staffing related costs include possible redundancy and pension costs. It is not yet known whether there will be any redundancies or how many people may be affected. The councils have a duty to avoid any compulsory redundancies if at all possible and they will comply with this duty – to protect both the welfare of staff and the public purse. This does not mean that there will be no redundancies, but that all reasonable steps will be taken to avoid redundancies where suitable alternative employment can be found for staff. In this first instance, the possible risk of redundancy or redeployment will apply only to senior managers, who will be consulted on proposals that affect them.
- 5.3.7 The councils do not have the internal capacity to project management a change of this scale and complexity, the key activities for which are set out in Section 6 – Transition Plan. There are three viable options for managing the transition:
- i. Appoint an Interim Programme Manager or Director. One of the councils would employ this post on behalf of all, who would lead and manage the transition over an 18 month period.
 - ii. Appoint an Interim Programme Director and an external consultancy or project management organisation.
 - iii. Appoint only an external consultancy or project management organisation.
- 5.3.8 The recommended option is (ii), the blended delivery model. The benefit of this option is a single accountable lead employed by the councils to lead the transition, with hands-on support for project management. Having an external partner on board will also provide cover and resilience in case of absence. Costs associated with this option will be obtained through market research once CEOs have taken advice on procurement options.
- 5.3.9 Whichever option is ultimately preferred, the councils are recommended to choose the same model in order to share costs and effectively manage the transition in a single, joined up way.
- 5.3.10 The councils should also set aside funds to commission specialist HR and Legal advice, working alongside the HR team in Publica.
- 5.3.11 This does not overlook work that will need to take place by individual councils to determine council specific requirements on a service by service basis, and to give thought to what the future transformation requirements of those services might be.

5.4 Contractual implications

- 5.4.1 Services are provided through three contracts which are of different lengths and have different end dates. The structure of each contract is set in the table below.

5.4.2 There is a clause within each contract that enables councils to remove a service from Publica at any point throughout the period of the contract with an agreed notice period.

5.4.3 This means that shareholder councils can take a service-by-service decision and use a phased approach to any repatriation of services. This will reduce disruption to service delivery, staff and residents throughout any change.

	Commissioning	General	Support
Length of contract	10 years	7 years	5 years
Next Renewal Date	1 st November 2027	1 st November 2024	1 st November 2027
Services	<ul style="list-style-type: none"> • Democratic Services • Electoral Services • Post/Print Room • Communities and Community Engagement • Leisure • Tourism • Waste and Recycling • Parking • Communications • Corporate Functions 	<ul style="list-style-type: none"> • Customer Services • Building Control • Public Protection • Revs & Bens • Housing Services • Development Management • Regeneration, Business and Economy • Planning Policy & Local Plan • Ecology, Heritage & Design • Strategic Housing • Community Alarms • Pest Control 	<ul style="list-style-type: none"> • ICT • Finance • HR & Payroll • Procurement • Property Services • Land Charges • Flood Engineering

6. Transition Plan

	2023/24						2024/25											
Phase and Activity	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar
1.0 Mobilisation and Preparation																		
Decision making process at each council (Cabinet, Executive and Scrutiny (TBC))																		
Creation of transition team; programme director, programme manager, HR, OD, Finance, Communication, Legal																		
Communication with impacted staff of agreed timelines																		
Agreement of future service arrangements (shared vs sovereign)																		
Agreement of phased approach																		
Liaise with Publica leadership																		
Staff consultation							M											
Assessment of company governance and introduction of transition governance arrangements								M										
Development of detailed transition plan for Round I and Round II								M										
1.0 Transition Round I (first wave of services)																		
Creation of full structure charts based on consultation outcomes																		
Ringfencing and job matching for existing staff																		
Recruitment to vacant leadership roles																		
Implement interim management for transition																		
Go live Round I services													M					
3.0 Transition Round II (second wave of services)																		

Creation of full structure charts based on consultation outcomes																		
Ringfencing and job matching for existing staff																		
Recruitment to vacant leadership roles																		
Implement interim management for transition																		
Go live Round II services																		
4.0 Review of Services																		
Three-month review of transition round I																		
Six-month review of transition round I																		
Three-month review of transition round II																		
Undertake target operating assessment for remaining Publica services																		

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