

## WEST OXFORDSHIRE DISTRICT COUNCIL

### Minutes of a meeting of the **Executive.**

Held in the Council Chamber, Council Offices, Woodgreen, Witney, Oxfordshire OX28 1NB  
at 2.00pm on **Monday 22 July 2024.**

#### PRESENT

Councillors: Andy Graham (Leader), Duncan Enright (Deputy Leader), Lidia Arciszewska, Hugo Ashton, Rizvana Poole, Andrew Prosser, Geoff Saul, Alaric Smith and Tim Sumner.

Officers: Giles Hughes (Chief Executive), Madhu Richards (Director of Finance), Andrea McCaskie (Director of Governance), Bill Oddy (Assistant Director – Commercial Development), Phil Martin (Assistant Director – Business Services), Andrew Brown (Business Manager – Democratic Services), Max Thompson (Senior Democratic Services Officer), Anne Learmonth (Democratic Services Officer), Caroline Clissold (Business Manager – Housing), Chris Hargraves (Planning Policy Manager), Cheryl Sloan (Business Manager – Business Continuity, Governance and Risk) and Maria Wheatley (Parking Manager).

Other Councillors in Attendance: Julian Cooper, Dan Levy, Michele Mead and Liam Walker.

#### **199 Apologies for Absence**

There were no apologies for absence received from members of the Executive.

#### **200 Declarations of Interest**

There were no declarations of interest made by members of the Executive.

#### **201 Minutes of Previous Meeting**

Councillor Andy Graham, Leader of the Council, proposed that the minutes of the previous meeting held on Wednesday 12 June 2024, be agreed by the Executive as a true and accurate record.

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

The Executive **Resolved** to:

1. Agree the minutes of the previous meeting, held on Wednesday 12 June 2024, as a true and accurate record.

#### **202 Receipt of Announcements**

Councillor Andy Graham, Leader of the Council, welcomed members and officers to the meeting, and announced that Councillor Hugo Ashton had been appointed to the Executive as Executive Member for Planning. The Executive welcomed Councillor Ashton to the Executive.

The Leader advised that the Council had taken legal advice regarding agenda item 13 (Publica Transition Plan), as to whether officers who were present at the meeting and employed by Publica, who were in scope for Phase I of the transition, would need to declare an interest and/or leave the room whilst the Executive considered the agenda item.

The Leader advised that Publica employees did not have an interest in the context of public law decision making, as they were not the decision maker, however there was a need to avoid the appearance of bias. The Leader stated that Publica employees, who were in scope for Phase I of the transition, would leave the room whilst the Executive considered the agenda

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item. Officers employed by Publica who would advise members in relation to the Publica transition, were permitted to remain in the room, as, in accordance with the viewpoint of the Council's Director of Governance, the need for members to receive answers to questions outweighed the appearance of bias.

The Leader further advised that an annex contained within the final agenda item (Public Convenience Contract) included commercially sensitive information. The Leader advised that if the Executive wished to discuss the information contained within the exempt annex, the meeting would need to agree to enter private session with the appropriate juncture being highlighted when necessary.

### **203 Participation of the Public**

The Executive provided the following answer to the following question:

**QI** Asked by Andrew Eaton, Associate – JPPC Chartered Town Planners:

Can the Council seek to charge only on new build dwellings and set a nil rate for residential extensions, outbuildings and annexes?

If the Council applied a zero rating to residential extensions, outbuildings and annexes, it would unquestionably save an awful lot of unnecessary CIL work for both officers and applicants/developers, and at a time when one of the main objectives for the country is to provide new homes.

**AI** Answered by Councillor Andy Graham, Leader of the Council:

People who extend their own homes or erect residential annexes within the grounds of their own homes are exempt from having to pay CIL, provided that they meet the criteria laid down in regulations 42A and 42B of the CIL regulations (as amended).

### **204 Reports from the Overview and Scrutiny Committee**

No matters had been raised by the Overview and Scrutiny Committee.

### **205 Matters raised by Audit and Governance Committee**

No matters had been raised by the Audit and Governance Committee.

### **206 Community Infrastructure Levy (CIL) Draft Charging Schedule**

Councillor Andy Graham, Leader of the Council, introduced the report, which recommended Council approve a new draft CIL charging schedule for the purpose of public consultation prior to submission for independent examination.

The Leader stated that the public consultation on the CIL charging schedule would run between 16 August 2024 and 27 September 2024, to allow extra time for responses to be submitted over the summer holiday period, in addition to the statutory 4-week period.

Chris Hargraves, Planning Policy Manager, was invited by the Leader to give an overview of the report. The Planning Policy Manager detailed the robustness of the charging schedule that had been formulated by external consultants, and detailed the simplicity of the charging schedule as set out in the report.

In debate, the Executive highlighted the impact of the Draft Charging Schedule on Town and Parish Councils and how the schedule would impact 'strategic' sites in relation to development. The Planning Policy Manager acknowledged the requirement for discussions with

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Town and Parish Councils surrounding Section 106 agreements as a part of the forthcoming consultation.

At the invitation of the Leader, Councillor Julian Cooper queried which parishes would be involved in discussions regarding strategic sites and non-residential developments. The Planning Policy Manager stated that non-residential development exemptions stemmed from a viability report received in relation to the charging schedule, and the consultation would provide opportunities for non-residential development to be examined as part of the schedule. The Planning Policy manager also confirmed that discussions relating to the schedule would take place with Town and Parish Councils who were deemed to be most affected, including Eynsham and Hailey Parish Councils, as well as Chipping Norton & Witney Town Councils.

Councillor Dan Levy urged the Executive to work constructively with external partners, in particular Oxfordshire County Council.

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

The Executive **Resolved** to:

1. Approve the Community Infrastructure Levy Draft Charging Schedule (DCS) attached at Annex A for the purposes of a six-week period of public consultation in accordance with the Community Infrastructure Levy Regulations 2010 (as amended);
2. Delegate authority to the Planning Policy Manager to make any minor factual/typographical amendments to the CIL Draft Charging Schedule (DCS) following consultation with the Executive Member for Planning and Sustainable Development, prior to publication;
3. Recommend to Council to delegate authority to the Planning Policy Manager to submit the CIL charging schedule for independent examination in accordance with the Community Infrastructure Levy Regulations 2010 (as amended) including any minor modifications, following consultation with the Executive Member for Planning and Sustainable Development, subject to there being no significant issues raised during the six-week consultation period;
4. Ensure that appropriate mechanisms are put in place to enable Town and Parish Councils to meaningfully contribute with regard to potential Section 106 planning obligations when these are being negotiated.

## **207 Financial Performance Report 2023-24 Quarter Four**

Councillor Alaric Smith, Executive Member for Finance, introduced the report, which reported the financial performance of the Council in 2023/24 Quarter Four.

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

The Executive **Resolved** to:

1. Note the 2023/24 financial performance;
2. Recommend to Council to carry forward the capital budget of £4,086,328;

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3. Recommend to Council to approve the transfers to and between Earmarked Reserves as detailed in the report.

## 208 West Oxfordshire Local Plan 2041

Councillor Andy Graham, Leader of the Council, introduced the report, which provided an update on the emerging West Oxfordshire Local Plan 2041, and sought to agree a revised timetable for taking the plan through to adoption.

Chris Hargraves, Planning Policy Manager, was invited by the Leader to give the Executive an overview of the pathway that had been followed to bring the Council to its current position, and highlighted the desired future actions and timetable that would be followed for the Local Plan to be externally examined and adopted.

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

The Executive **Resolved** to:

1. Note the content of the report;
2. Approve the updated Local Development Scheme (LDS) attached at Annex A, including the following key milestones for the West Oxfordshire Local Plan 2041:
  - Regulation 18 preferred option consultation – October 2024,
  - Regulation 19 pre-submission draft publication – March 2025,
  - Submission for examination – June 2025.

## 209 Our House Project Funding Extension 2024-2026

Councillor Geoff Saul, Executive Member for Housing and Social Welfare, introduced the report, which updated members on the 'Our House' project since its inception with a recommendation that funding be extended from 1 November 2024 to 31 October 2026.

In seconding the recommendations, Councillor Rizvana Poole affirmed their support for the outcomes of the extension, adding that the previous Council administration had worked hard to provide empowerment and self-worth to residents who would benefit from the project.

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

The Executive **Resolved** to:

1. Approve a 2-year funding extension for the Our House project from 1 November 2024 to 31 October 2026;
2. Agree to continue with the current Support Provider via waiver;
3. Delegate authority to the Business Manager for Housing, in consultation with the Executive Member for Housing and Social Welfare, to approve the delegation of any minor amendments to this funding extension;
4. Delegate authority to the Business Manager for Housing, in consultation with the Executive Member for Housing and Social Welfare, to apply for external funding should any become available;

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5. Recommend to Council that it agrees to utilise Housing Projects Reserves as set out in section 4 of the report.

## 210 Outside Body Appointments

Councillor Andy Graham, Leader of the Council, introduced the report, which provided a list of appointments to Outside Bodies for the civic year 2024/25.

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

The Executive **Resolved** to:

1. Note the appointments to outside bodies as set out in Annex A;
2. Recommend to Council to note the appointments to outside bodies as set out in Annex A;
3. Note the guidance for members who are appointed to outside bodies (Annex B).

## 211 Publica Transition Plan

Ahead of the agenda item being considered, the Leader stated that Publica employees, who were in scope for Phase I of the transition, would leave the room. Officers employed by Publica who would advise members in relation to the Publica transition, remained in the room, as, in accordance with the viewpoint of the Council's Director of Governance, the need for members to receive answers to questions outweighed the appearance of bias.

Councillor Andy Graham, Leader of the Council, introduced the report, which considered a Detailed Transition Plan for Publica. The report also sought the Executive to note its content and approve recommendations therein.

The Leader reaffirmed the Executive's commitment, in partnership with Cabinets at partner Councils, to ensuring that the transition process was as smooth as possible, and that services to residents would not be affected during the transition. The Leader also stated that the Executive remained steadfast in ensuring that the terms and conditions of staff were protected as part of the transition, and paid tribute to the work of those directly involved in the transition project.

By invitation of the Leader, Giles Hughes, Chief Executive, reminded the Executive that the Publica model was not the same as the one that was initially set up in 2017, and the needs and aims of both individual councils and residents had changed over the time that the partnership working model had been in place. The Chief Executive highlighted that generic working practises had changed significantly since Publica's creation in 2017, and the project was underpinned with the Council's future in full view. The project was key to ensuring the Council's ambitious plans were better placed to be achieved as a result of the transition.

The Chief Executive stated that the first phase of the transition would take effect on 1 November 2024, with Council staff employed by Publica in roles which directly supported a sole Council from the partnership, being transferred to the Council's employment via a TUPE process. The Chief Executive highlighted that employment which would fall under the Council's direct ownership would have greater clarity and certainty in the work undertaken by sovereign departments and employees.

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The Chief Executive stated that employees who would remain in shared roles with partner councils (e.g. Cotswold District Council) would be employed by one District Council as appropriate, in keeping with detail contained within the transition plan. The Chief Executive reaffirmed commitments to ensure that any redundancy measures were minimised as much as possible.

In debate, the Executive paid tribute to all staff employed as part of the Publica partnership, highlighting that additional work related to the transition came on top of normal working commitments. The Executive also stated that the transition was part of a wider aspiration of partner councils to return to previous working arrangements, and that each council would play their own role in the transition. The Executive also paid tribute to the work of the transition team to ensure that financial implications pertaining to the transition were fully visible and thorough.

At the invitation of the Leader, Councillor Julian Cooper queried the shared working proposals between partner councils and how that would work in practise. The Chief Executive confirmed that initial shared working would remain between partner councils of Publica, and that any potential opportunities for shared working with other councils or organisations would be considered when appropriate.

Councillor Michele Mead queried if any staff training would be undertaken in relation to a move to a non-partner council working arrangement. The Chief Executive stated that appropriate training would be considered for all employees as appropriate and would be built into further transition plans and then implemented at the appropriate juncture.

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

The Executive **Resolved** to recommend to Full Council to:

1. Approve the implementation of Phase I of the Publica Transition on the basis of the Detailed Transition Plan;
2. Delegate to the Chief Executive in consultation with the Leader of the Council the decision to deal with any final detail matters arising from the Detailed Transition Plan;
3. Delegate authority to the Director of Governance in liaison with the Leader to update the constitution by making any consequential changes required as a result of Phase I of the Publica Transition;
4. Carry out a budget re-basing for the 2026/7 financial year so that the funding provided to Publica is proportionate to the services received.

Officers employed by Publica Group, who had left the room ahead of the agenda item being considered, returned to the Council Chamber.

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### **One-Year Publica Business Plan**

Giles Hughes, Chief Executive, introduced the report by invitation of the Leader, which considered the Draft Publica Business Plan 2024-25 produced by the Publica Board, in consultation with Directors and Shareholders, and recommended that the Leader (as Shareholder Representative) approve the plan.

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

The Executive **Resolved** to:

1. Note the 2024/25 Publica Business Plan;
2. Note that the Leader of the Council, as shareholder representative, will approve the Publica Business Plan 2024-2025 in due course.

### **213 Public Convenience Contract**

Councillor Lidia Arciszewska, Executive Member for Environment, introduced the report, which considered whether to agree a contract award for the cleaning and maintenance of public conveniences.

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

The Executive **Resolved** to:

1. Award the contract for cleaning and maintenance of public conveniences to the preferred contractor.

### **214 Exclusion of Press and Public**

The item was not considered at the meeting.

### **215 Exempt Annex B – Public Convenience Contract – Contract Award**

The exempt annex was considered as part of the public consideration of the Public Convenience Contract.

The Meeting closed at 3.02pm.

CHAIR