

Tuesday 1 October 2024

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EXECUTIVE

You are summoned to a meeting of the Executive, which will be held in the Council Chamber, Council Offices, Woodgreen, Witney, Oxfordshire OX28 1NB on **Wednesday 9 October 2024 at 2.00pm.**



Giles Hughes
Chief Executive

To: Members of the Executive

Councillors: Andy Graham (Leader), Duncan Enright (Deputy Leader), Lidia Arciszewska, Hugo Ashton, Rachel Crouch, Andrew Prosser, Geoff Saul, Alaric Smith 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.
The quorum for the Executive is 3 Members.
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 5 – 14)**
To approve the minutes of the previous meeting, held on Wednesday 11 September 2024.
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. **Reports from the Overview and Scrutiny Committee**
To consider any reports or recommendations from the Overview and Scrutiny Committee, which meets on Wednesday 2 October 2024.
7. **Matters raised by Audit and Governance Committee**
No recommendations were made by the Audit and Governance Committee, which met on Thursday 26 September 2024.

8. **Waste Fleet Purchase (Pages 15 – 28)**

Purpose:

To seek approval to procure ten new waste fleet vehicles and the associated infrastructure for any electric vehicles.

Recommendations:

That the Executive resolves to:

1. Agree to the purchase of 3 fully electric supervisor vehicles;
2. Agree to the purchase 1 standard fuel ultra-narrow access vehicle;
3. Delegate authority to the Assistant Director for Commercial Development, in consultation with the Executive Members for Environment and Finance, and the Director of Finance, to purchase or lease up to 2 x full size HGV's and up to 4 food waste vehicles and necessary charging infrastructure up to an estimated cost of £2.8M, (including a procurement contingency and estimated cost of borrowing).

9. **Long Term Empty Property Strategy 2024-2029 (Pages 29 – 52)**

Purpose:

To present an updated Long Term Empty Property Strategy to support the management of long-term empty properties within West Oxfordshire district.

Recommendation:

That the Executive resolves to:

1. Approve the implementation of the Long-Term Empty Property Strategy for 2024 – 2029.

10. **Council Tax Premiums – Second Homes and Long Term Empty Properties (Pages 53 – 64)**

Purpose:

To consider the proposals to introduce a Council Tax Premium on second homes and apply a premium to long term empty properties after one year.

Recommendations:

That the Executive resolves to recommend to Council to:

1. Agree from 01 April 2025 to levy the maximum level of premium for Empty Homes as set out in the Levelling Up and Regeneration Act 2023:
 - a) Premium of 100% for dwellings which are unoccupied and substantially unfurnished (Empty Homes Premium) after 1 year up to 5 years of becoming empty;
 - b) Premium of 200% for dwellings which are unoccupied and substantially unfurnished (Empty Homes Premium) between 5 years and 10 years;
 - c) Premium of 300% for dwellings which are unoccupied and substantially unfurnished (Empty Homes Premium) for 10 years or more;
2. Agree from 1 April 2025 to the implementation of a premium (Second Homes Premium) of 100% for dwellings that are no one's sole or main residence and which are substantially furnished;
3. Note that where premiums are to be applied, the Council is mindful of the outcome of the government consultation which recommends exceptions in certain circumstances outlined within the report may be amended, and as such guidance may change;

4. Agree that any amendments to the guidance which may change the criteria for Premiums be delegated to the Chief Finance Officer in consultation with the Executive Member for Finance.

11. **Public Health Funeral Policy (Pages 65 – 76)**

Purpose:

To consider and approve a new policy in respect of Public Health Funerals.

Recommendation:

That the Executive resolves to:

1. Approve the Public Health Funeral Policy, attached at Annex A.

(END)

WEST OXFORDSHIRE DISTRICT COUNCIL

Minutes of a meeting of the
Executive.

Held in The Upper Hall, Chipping Norton Town Hall, High Street, Chipping Norton,
Oxfordshire OX7 5NA at 2.30pm on **Wednesday 11 September 2024.**

PRESENT

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

Officers: Giles Hughes (Chief Executive), Madhu Richards (Director of Finance), Andrea McCaskie (Director of Governance), Max Thompson (Senior Democratic Services Officer), Christine Elsasser (Democratic Services Officer), Chris Hargraves (Planning Policy Officer), Elise Chowdhury (Communications Officer), Rachel Biles (Strategic Leisure Projects Lead), Susan McPherson (Senior Officer), Phil Measures (Service Lead), Simon Winfield (Economic Development Team Assistant), Sam Stronach (Economic Development Manager), Emma Phillips (Market Towns Officer), Claire Locke (Assistant Director, Property and Regeneration), Bill Oddy (Assistant Director, Commercial Development), Alison Borrett (Senior Performance Analyst), Mark Pritchard (Business Manager, Communications), and Daniel Jacecko (Operations and Transport Manager, Ubico).

Other Councillors in attendance: Paul Marsh, Dan Levy, Julian Cooper and David Melvin.

216 Apologies for Absence

Apologies for absence were received from Councillor Rizvana Poole.

217 Declarations of Interest

Councillor Duncan Enright, Deputy Leader of the Council and Executive Member for Economic Development, declared an interest during the consideration of Agenda Item 12 'Allocation of S106 Monies to Witney Town Council to Design, Build and Operate a New Third Generation (3G) Pitch at West Witney Sports Ground'.

218 Minutes of Previous Meeting

Councillor Andy Graham, Leader of the Council, proposed that the minutes of the previous meeting held on Monday 22 July 2024, be agreed by the Executive as a true and accurate record and signed by the Leader of the Council.

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

The Executive **Resolved** to:

- I. Agree the minutes of the previous meeting, held on Monday 22 July 2024, as a true and accurate record.

219 Receipt of Announcements

Councillor Andy Graham, Leader of the Council, welcomed attendees to the meeting, and thanked members of the public for attending proceedings. The Leader gave the members of the public in attendance a brief overview of the way that the meeting would run.

The Leader advised that the meeting was the Council's first in a new series of "Executive on Tour", and highlighted meetings that took place in the previous meeting series around the West Oxfordshire District in Charlbury, Woodstock, Carterton, Eynsham and Burford, along

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with a previous 'on tour' meetings held in Chipping Norton in November 2022 and February 2024.

The Leader advised that at the conclusion of the meeting, a public engagement session would be held with the Council's Economic Development Team, which would focus on outdoor markets and general economic development within the local area of Chipping Norton. The Leader highlighted the importance of the public engagement session and encouraged members of the public in attendance to stay behind and participate.

The Leader advised that Chipping Norton Theatre had been awarded a 3-year grant of £75,000 during a funding agreement. The Leader stated that the funding was welcome news to the theatre, and allowed them to plan for the future with the peace of mind arising from the stability of the funding agreement as the theatre would not have to work in a revolving 12-month cycle.

Councillor Duncan Enright, Deputy Leader of the Council and Executive Member for Economic Development stated that 12 businesses within the West Oxfordshire district area had been awarded grants of up to £5,000 from the continuing UK Shared Prosperity Fund (UKSPF) to enhance their prominence and stature within the local area. Businesses that were awarded funding included Cotswold Grooming Company and Beehive Home & Lifestyle.

Councillor Tim Sumner, Executive Member for Leisure and Major Projects, provided an update regarding progress of refurbishment and improvement works which had taken place at Chipping Norton Leisure Centre. These included works to repair the roof, flooring, lighting, tiling and general redecoration of the Leisure Centre where it was felt this was needed. The Executive Member stated this was a good news story for Chipping Norton.

Councillor Geoff Saul, Executive Member for Housing and Social Welfare, advised that the Council had exchanged contracts with 'Green Access' in relation to the Walterbush Road affordable housing site of Chipping Norton. The Executive Member stated that the contract exchange would pave the way for works to get underway at the site and for the appropriate funding to be obtained ahead of the transfer of Section 106 Funding, and work was anticipated to be completed by August 2025.

The Executive Member also stated that in their role as Chair of the West Oxfordshire Community Safety Partnership, they had been given assurance by the local Probation Service surrounding the Government's Early Release Scheme for prisoners. The Executive Member added the reassurance they had given, contained plans for accommodation and wider resettlement arrangements for prisoners integrating back into the community.

The Leader concluded by stating that the next meeting of the Executive would take place on Wednesday 9 October 2024, at 2.00pm in the Council Chamber at the Council's Woodgreen Offices in Witney.

220 Participation of the Public

The Executive provided the following answers to the following questions:

Q1 Asked by Alison Huitt, Resident – Chipping Norton:

What measures is WODC taking to check and follow up with any necessary action:

- (i) On who is authorised to have a wheelie bin or a 'Grundon' type bin in the upper and lower parts of Market Street;

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- (ii) On whether these bins are being used appropriately and emptied regularly to avoid the unpleasant smells, infestation of maggots, broken and lidless bins as currently the case;
- (iii) On the nearby Chequers in Spring Street leaving several used commercial cooking oil containers and an up-ended WODC wheelie bin on the footpath beside their premises?"

The Town Council raised enthusiastic support to help "Keep Chippy Beautiful" at their Annual Town Meeting some 16 months ago. Residents of Spring Street are doing their bit by weeding and tidying up Market Street and Spring Street. Action is needed from WODC to deal with the bins and other detritus".

A1 Answered by Councillor Lidia Arciszewska, Executive Member for Environment, in conjunction with Mr. Bill Oddy, Assistant Director for Commercial Development:

"I would like to thank Alison Huitt for bringing this to the attention of the Council.

A site visit to the area was arranged by Officers last week. This meeting took place in the Market Street and Middle Row with Alison Huitt and Councillor Keyser from Chipping Norton Town Council last Thursday, I wanted to look for myself at the extent of the problem.

The meeting was also attended by Councillor Geoff Saul, local Ward Councillor for Chipping Norton, and Mr Bill Oddy, the Assistant Director responsible for Waste and Environmental Services at West Oxfordshire District Council. I will now ask Mr Oddy to outline the Environmental Action Plan that had been agreed at the site meeting.

"A total of 13 actions had been agreed at the site meeting which fell into 3 broad categories.

1. Removing fly tipped items and street sweeping Market Street and Middle Row to improve the environment;
2. Replacing unsightly and damaged domestic and business waste bins to improve the visual impact they have on the street scene;
3. Asking Oxfordshire County Council to undertake repairs to the railings in the Market Square between Market Street and Middle Row.

The 13 actions have all been allocated to officers to complete, and the initial target dates for the work to be completed is 4 October 2024, when Alison Huitt and Councillor Keyser will be updated."

Q2 Asked by Sandra Coleman, Mayor and Town Council Chair – Chipping Norton:

"Can you confirm the process followed by West Oxfordshire District Council when a resident misses a Council Tax payment, and if this helps residents who fall behind to pay in the future? Have the Council ever considered taking a more holistic approach to help residents recover from this situation?"

A2 Answered by Councillor Alaric Smith, Executive Member for Finance:

Thank you. Yes. This question was given at short notice so I'm happy to take it as it's a good one.

I would like to thank the Mayor for their question. In order to make sure that we answer it properly, we will give a full written response in the next 7 days. But in the meantime, I would like to encourage any residents who do have problems and concerns with Council Tax, to contact the Council. We can help to come up with a course of action to resolve their

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difficulties. I think it's very important that we engage with residents with difficulties and seek to help them through that.

221 Reports from the Overview and Scrutiny Committee

Councillor Hugo Ashton, Executive Member for Planning, introduced and gave an overview of the recommendations made to the Executive by the Overview and Scrutiny (O&S) Committee, which had made two recommendations to the Executive regarding the Development Management Improvement Programme.

The Executive Member advised that the Committee considered a report it had requested as part of its work plan titled "Development Management Improvement Programme – Progress Update", on 4 September 2024.

The Executive agreed unanimously to the recommendations made by the O&S Committee.

A document containing the full recommendations and responses from the Executive is appended to the minutes of the meeting.

222 Matters raised by Audit and Governance Committee

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

223 Proposed Reforms to the National Planning Policy Framework and other changes to the Planning System

Councillor Hugo Ashton, Executive Member for Planning, introduced the report, which considered a number of proposed changes to National Planning Policy Framework (NPPF) and sought to agree West Oxfordshire District Council's response to those proposed changes.

In debate, the Executive agreed that the formal response must be of a robust nature, and that the response must be challenging to the Government.

At the invitation of the Leader, Councillor Julian Cooper stated that the response would benefit from highlighting Rural Exception Sites, and that more exposure to these sites would adopt fresh thinking in relation to the subject matter.

Councillor Hugo Ashton proposed that the Executive agree the recommendations as listed on the original 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 content of the report, including the summary overview of the proposed changes to national planning policy;
2. Delegate responsibility to the Planning Policy Manager, in consultation with the Executive Member for Planning, to agree, finalise and submit the suggested draft consultation response.

224 Financial Performance Report 2024-25 Quarter One

Councillor Alaric Smith, Executive Member for Finance, introduced the report, which detailed the Council's financial performance for Quarter One 2024-2025.

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In debate, the Executive highlighted the progress that had been made in relation to financial performance by the Executive administration since taking office in 2022. The Executive highlighted that they had taken a more robust approach to public finances and the protection of the Council's assets.

Councillor Alaric Smith proposed that the Executive agree the recommendations as listed on the original 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 Council's Financial Performance for Quarter One 2024-2025;
2. Recommend to Council that an additional £750,000 should be included in the revised Capital Budget for 2024/25, as set out in 2.25 in the report.

225 Service Performance Report 2024-25 Quarter One

Councillor Andy Graham, Leader of the Council, introduced the report, which provided details of the Council's operational performance at the end of 2024-25 Quarter One (Q1).

In debate, the Executive highlighted the positive impact of the Council's published Biodiversity Toolkit and the positive wider impacts being felt surrounding nature recovery, which involved partnership working with Town and Parish Councils. The Executive also stated that they were pleased to announce that gym and leisure memberships with the Council's leisure partner GLL, at sites including Carterton, Witney and Chipping Norton, had also increased during the quarter, along with increased gym attendance figures overall throughout the quarter.

The Executive also highlighted the work of the Council's Development Management team, who had seen a rise in the levels of planning applications being granted permission which had come during a time where there had been uncertainty regarding levels of staff retention. The Executive also acknowledged the work of the Council's homelessness prevention and housing teams for their ongoing hard work supporting those in the district who needed their help the most, amidst a rise in housing applications during the quarter.

The Executive also praised the work of the Council's waste collection partner Ubico, who had contributed to a 25% reduction in the rate of missed waste collections in the district, with the current missed collection rate at just 86 in 100,000. At the invitation of the Leader, Daniel Jacecko, Operations and Transport Manager at Ubico, gave an overview of the continuing work that their service area had undertaken during the quarter and more broadly in recent years, and praised the work of the wider Ubico workforce for their ongoing efforts for the district. The Operations Manager thanked the Executive for their ongoing support to Ubico.

The Leader stated they were pleased to see and present a flurry of good news, in the light of ongoing general challenges, and that Council staff and Officers continued to go above and beyond in the call of duty. The Leader stated that the work of Officers was invaluable, with much of it taking place behind the scenes with little exposure. The Executive collectively thanked the continuing work of the wider Council, and asked that the recognition did not go unnoticed.

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

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The Executive **Resolved** to:

1. Note the 2024/25 Q1 service performance report.

226 Storage of Non-Motor Vehicles and Structures on the Public Highway Policy

Councillor Lidia Arciszewska, Executive Member for Environment, introduced the report, which considered and sought to approve a new policy in respect of the enforcement of Storage of Non-Motor Vehicles and Structures on the Public Highway.

Councillor Lidia Arciszewska proposed that the Executive agree the recommendations as listed on the original 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. Approve the Storage of Non-Motor Vehicles and Structures on the Public Highway Policy.

227 Allocation of S106 Monies to Witney Town Council to Design, Build and Operate a New Third Generation (3G) Pitch at West Witney Sports Ground

Councillor Duncan Enright, Deputy Leader of the Council and Executive Member for Economic Development, declared an interest ahead of the consideration of the report, and stated they were a Member of Witney Town Council. The Deputy Leader advised that the interest was non-pecuniary, and that they would abstain when voting upon the recommendations.

Councillor Tim Sumner, Executive Member for Leisure and Major Projects, introduced the report, which sought to obtain approval to release Section 106 funding to Witney Town Council for the design, build and operation of a new third generation (3G) pitch with sports lighting at West Witney Sports Ground.

At the invitation of the Executive Member, Rachel Biles (Strategic Leisure Lead) set out to the Executive the progress that had been made in relation to the subject matter, which had resulted in the report being able to be considered by the Executive. The Strategic Leisure Lead outlined the partnership working provisions that had taken place with Witney Town Council, The Football Association, The Football Foundation and Oxfordshire Football Association to help bring the plans forward for consideration.

The Executive highlighted that a future pitch strategy related to the town of Chipping Norton would come forward for consideration.

Councillor Tim Sumner proposed that the Executive agree the recommendations as listed on the original report. This was seconded by Councillor Alaric Smith and was put to a vote. There were 7 votes in favour, 0 votes against and 1 abstention (Councillor Duncan Enright). The vote was carried.

The Executive **Resolved** to:

1. Approve that West Witney Sports Ground is the preferred location for a new 3G pitch and approves S106 spend on the project to be transferred to Witney Town Council to design, build and operate the facility;
2. Delegate authority to Assistant Director of Communities in consultation with Section 151 Officer, Executive Members for Leisure and Major Projects and Executive Member for Finance, to finalise the legal agreement for terms of transfer.

228 Carterton Leisure Centre Decarbonisation

Councillor Andrew Prosser, Executive Member for Climate Action and Nature Recovery, introduced the report, which reviewed opportunities to apply for funding and deliver the decarbonisation of Carterton Leisure Centre.

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

The Executive **Resolved** to:

1. Note the review of costs contained within this report and proceed with the preparation of a business case for solar PV and battery storage at Carterton Leisure Centre;
2. Agree that an application for Public Sector Decarbonisation Scheme or other grant funding should be made with the agreement of the Director of Finance, if grant terms are subsequently published which provide funding which would mean the Council would not have an ongoing revenue deficit.

229 Witney & Chipping Norton Air Quality Action Plan

Councillor Lidia Arciszewska, Executive Member for Environment, introduced the report, which sought to approve the Witney and Chipping Norton Air Quality Action Plan, prior to being published on West Oxfordshire District Council's website. The Executive Member paid tribute to the work of the Council's Senior Environmental Officer, Susan McPherson, for their work in bringing the Air Quality Action Plan forward for adoption.

In debate, the Executive highlighted that the plans showed significant improvement to current air quality levels in Witney and Chipping Norton, against levels detailed in the report from 2008, which had been accelerated by the increasing number of electric vehicles and reductions in speed limits across the county, in conjunction with Oxfordshire County Council. It was also noted that the Covid-19 pandemic period had also played a significant factor in the improvement to air quality, as a result of less movement and traffic flow during the Covid lockdown periods in the 2-year pandemic.

The Executive also described plans to help the local air quality improve further by adopting a HGV Routing Policy, where Heavy Goods Vehicles would be re-routed around towns such as Chipping Norton, and neighbouring similar towns in the Cotswolds like Moreton-in-Marsh and Stow-on-the-Wold.

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

The Executive **Resolved** to:

1. Approve the Witney and Chipping Norton Air Quality Action Plan.

230 Dry Mixed Recycling Bulking and Haulage Contract

Councillor Lidia Arciszewska, Executive Member for Environment, introduced the report, which sought approval to enter into a contract with N+P Group for bulking, haulage and processing of recycling collected as part of the residential kerbside and business waste collections.

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The Executive Member praised the work of Bill Oddy (Assistant Director, Commercial Development), Simon Anthony (Business Manager, Environmental Services) and Bob Lightfoot (Waste Contract Manager), for their efforts and resolve in helping to bring forward the contract for consideration by the Executive.

In debate, the Executive highlighted that the contract was a huge step forward within the realm of waste collection provisions, and that an expansion of waste collection provisions at the kerbside would be cascaded through the Council's communication channels in due course.

At the invitation of the Leader, Councillor Dan Levy queried whether in the midst of the new contract being agreed, kerbside collection modelling would remain the same across the district. The Executive stated that kerbside collections would not change as a result of the proposed contract agreement.

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

The Executive **Resolved** to:

1. Agree to enter into a Dry Mixed Recycling Bulking and Haulage Contract with N+P for 2 years from 1 October 2024;
2. Delegate authority to the Assistant Director for Commercial Development, in consultation with the Executive Member for Environment and Director of Finance, to award a Glass Recycling Bulking and Haulage Contract with the preferred bidder for up to 2 years from 1 October 2024, following a procurement exercise.

231 Exclusion of Press and Public

The item was not considered at the meeting.

232 Exempt Annex A: Dry Mixed Recycling Bulking and Haulage Contract

The exempt annex was considered as part of the public consideration of the Dry Mixed Recycling Bulking and Haulage Contract agenda item.

The meeting closed at 3.53pm.

CHAIR



Executive response to recommendations from the Overview and Scrutiny Committee on the Development Management Improvement Programme – Progress Update

Context

The Overview and Scrutiny Committee considered a report it had requested as part of its work plan titled “Development Management Improvement Programme – Progress Update”, on 4 September 2024. The Committee commended the quality of the report and the progress that has been made.

In response to questions about enforcement, the Committee heard that some years ago the Council had employed a proactive enforcement officer which had proven to be a very effective resource, and considered the reintroduction of this function would be beneficial.

The Committee also discussed the legal framework the Council has to operate within when dealing with enforcement cases and felt that it would be very beneficial if training on planning enforcement was offered to all Members.

Item	Recommendation	Agree (Y / N)	Comment	Responsible Executive Member	Lead Officer
Development Management Improvement Programme – Progress Update	I. That a business case is developed and considered for a proactive enforcement officer post.	Y	This is an agreed action. Historically there was such a post and the evidence was that it assisted in driving up the number of applications as agents volunteered prospective changes as opposed to not applying or replying retrospectively. As such	Councillor Hugo Ashton – Executive Member for Planning	Phil Shaw – Business Manager, Development Management



			there will be a likely increase in fee income but possibly not enough to cover costs. A business case will be made following the repatriation of the service and the completion of the existing round of recruitment.		
	2. That training is offered to elected Members on planning enforcement, including the legal framework and the role of Members.	Y	This is an agreed action. A provisional date has been set for early next year alongside a training session on modern design.	Councillor Hugo Ashton – Executive Member for Planning	Phil Shaw – Business Manager, Development Management

 <p>WEST OXFORDSHIRE DISTRICT COUNCIL</p>	<p>WEST OXFORDSHIRE DISTRICT COUNCIL</p>
<p>Name and Date of Committee</p>	<p>EXECUTIVE – 9 OCTOBER 2024</p>
<p>Subject</p>	<p>WASTE FLEET PURCHASE</p>
<p>Wards Affected</p>	<p>All</p>
<p>Accountable Member</p>	<p>Councillor Lidia Arciszewska – Executive Member for Environment Email: lidia.arciszewska@westoxon.gov.uk</p>
<p>Accountable Officer</p>	<p>Bill Oddy – Assistant Director, Commercial Development Email: bill.oddy@publicagroup.uk</p>
<p>Report Author</p>	<p>Simon Anthony – Business Manager, Environmental Services Email: simon.anthony@publicagroup.uk</p>
<p>Purpose</p>	<p>To seek approval to procure ten new waste fleet vehicles and the associated infrastructure for any electric vehicles.</p>
<p>Annexes</p>	<p>Annex A – eHGV Trial Results.</p>
<p>Recommendations</p>	<p>That the Executive resolves to:</p> <ol style="list-style-type: none"> 1. Agree to the purchase of 3 fully electric supervisor vehicles; 2. Agree to the purchase 1 standard fuel ultra-narrow access vehicle; 3. Delegate authority to the Assistant Director for Commercial Development, in consultation with the Executive Members for Environment and Finance, and the Director of Finance, to purchase or lease up to 2 x full size HGV's and up to 4 food waste vehicles and necessary charging infrastructure up to an estimated cost of £2.8M, (including a procurement contingency and estimated cost of borrowing).
<p>Corporate Priorities</p>	<ul style="list-style-type: none"> • Putting Residents First • A Better Environment for People and Wildlife • Responding to the Climate and Ecological Emergency
<p>Key Decision</p>	<p>YES – Budget expenditure of more than £150,000.</p>

Exempt	NO
Consultees/ Consultation	<ul style="list-style-type: none"> • Cabinet Members for Climate, Environment, and Finance • Ubico Head of Fleet Operations • Waste Contract Manager • Climate Change and Nature Recovery Manager • Section 151 Officer • Chief Accountant • Finance Business Partner responsible for waste • Ubico Head of Operations

1. BACKGROUND

- 1.1** This report relates to the procurement of waste vehicles for use by Ubico to deliver the council's waste collection services. Waste vehicles have a finite life and need replacing approximately every seven years, some vehicles last longer than the seven years depending on their use and care throughout their lifetime. To continue provision of an efficient and effective high performing waste service a number of vehicles currently in use require replacement.
- 1.2** In February 2024 the Executive agreed to procure four standard fuel HGV's and hire a further two to ensure a degree of flexibility and allow for potential alternative fuel vehicles in the future. This report requests approval to purchase a further four vehicles as part of the vehicle replacement programme and delegated authority for the future procurement of up to a further six.
- 1.3** For the initial 3-5 years of a waste vehicles life, the cost of repairs and maintenance is comparatively low. As vehicles age, they require additional repairs and planned preventative maintenance, this increases the costs associated with operation of each vehicle. Older vehicles breakdown more frequently because of mechanical failure, this not only impacts on revenue budgets but also frontline service delivery performance with containers being missed and rounds not completed.
- 1.4** A modern waste vehicle replacement programme must account for three competing factors; operations, environment, and financial. Vehicles must be operationally robust to allow them to perform a demanding waste service to a high level with preferably minimal repair, breakdown and refuelling requirements. Carbon emissions from vehicles should be minimised to achieve carbon neutrality as a council by 2030. Vehicles should also be affordable, not only to purchase but also to operate.
- 1.5** The UK waste fleet industry is very much in a 'transition phase' moving away from fossil fuel to renewable energy. It is expected that green fuelled, affordable and reliable Heavy Goods Vehicles (HGVs) will become available on the market in the future. To this point Ubico trialled a fully electric 27tonne collection vehicle in May 2024, the results of which are discussed as part of the report and a summary document is attached as Annex A.

2. MAIN POINTS

- 2.1** The waste service has thirty-five frontline collection vehicles with most of these approaching the end of their life. This paper asks the Executive to consider the purchase of four vehicle and to delegate the purchase or lease of a further six vehicles. This will make the procurement of the vehicles smoother and will allow for better management of the Council's Capital Programme.
- 2.2** Without reliable replacements, the vehicles, and therefore the service, will become unstable and could result in service disruption and additional costs relating to repairs and maintenance. Waste is the only council provided service that most residents use each week, having an unreliable vehicle fleet will lead to reputational damage and could lead to significant impact on residents.

- 2.3** A Member/Officer Steering Group met on 17 July and determined that the following vehicles are due for renewal:
- 4 x Food Waste Vehicles 7.5te and retain one of the existing fleet as a spare;
 - 1 x 7.5te vehicle with bin lift for ultra narrow access collections;
 - 2 x 26te vehicles used across both refuse and garden waste collections;
 - 3 x supervisor vans.

3. DELEGATED AUTHORITY OF 2 x 26 TONNE HGV's AND 4 x FOOD WASTE VEHICLES

- 3.1** A recent trial of a full size, 26-tonne, eHGV in May 2024 revealed that the technology has achieved a level where it can adequately perform standard frontline collections comparable with standard fuel vehicles. Performance of the eHGV included being deployed on WODC's most challenging collection day and completing the rounds with a 30% charge remaining. Collections were completed by the trial vehicle across the trial week and performed well on each collection day. A full review of trial can be found in Annex A.
- 3.2** However, eHGV waste collection vehicles are still in the first-generation stage and improvements around efficiency and reliability are expected to be met by future generations of eHGVs. It is expected that in early 2025 second generation eHGV's will become available. Given that The Council can be comfortable with the environmental and operational performance of these vehicles this paper recommends delegating authority to the Assistant Director Commercial Development, in consultation with the Executive Member for the Environment, the Executive Member for Finance, and the Director of Finance to purchase up to 2x HGV's to use on either garden or general waste collection rounds.
- 3.3** A full cost assessment will be completed at procurement as this is point at which actual capital costs will be known. The comprehensive cost assessment will include, but not limited to:
- The cost of borrowing to the council;
 - vehicle capital costs;
 - cost of infrastructure works for electric vehicle charging;
 - potential energy costs throughout the life of the vehicle;
 - repairs and maintenance costs throughout the life of the vehicle;
 - any reasonable assumptions around vehicle life and the value of the vehicle at end of its life.
- 3.4** The comprehensive assessment will compare standard fuel vehicles with the eHGV prices and forecast full life costs to determine the most suitable option. Finance officers will be included in the financial assessment, which will then be taken to senior officers and members with delegated authority from this report.
- 3.5** The waste service currently has four food waste vehicles approaching the end of their life which need replacing. These are operationally reliable given the length of rounds and the weight collected. These vehicles have zero tailpipe emissions and are planned to be charged

using at The Council's depot in Witney. Ubico have confirmed that four fully electric food waste vehicles could be deployed onto the service from an operational perspective provided there is reliable and suitable infrastructure to charge the vehicles.

3.6 Should the Council decide to procure electric food waste vehicles, the vehicles would be the larger 12te version, rather than the standard 7.5te principally as a 7.5te version is not available as an electric. The larger electric food waste vehicles have additional capacity and can accommodate larger rounds without needing to tip off as frequently, this adds additional resilience to the waste service to accommodate housing growth and potentially increased rates of food waste recycling. As per 3.4 a full comprehensive financial assessment will be completed which will include all points set out in 3.4. The finance assessment will determine how many, electric vehicles should be procured, however as 4 replacement vehicles are needed this could mean a mix of electric and standard fuel vehicles.

4. PROCUREMENT OF SUPPORT VEHICLES AND ULTRA NARROW ACCESS VEHICLE

4.1 The waste service deploys several support vehicles to provide ancillary duties which allow for the smooth running of a frontline waste service, these duties typically include crew monitoring, property visits, and other discrete duties which are performed by supervisors in small vans. Three supervisor vehicles have already been carried over from 22/23 when they were due for replacement and their usable life has already been extended. Supervisor vehicles are used every day and shared among supervisors and management staff where appropriate. Supervisor vehicles completed between 200 and 300 miles per week and remain essential for the smooth running of the service.

4.2 Supervisor vans have many equivalents and are reasonably generic in their design, as such there are suitable equivalent electric alternatives which could be considered as part of vehicle replacement options.

Table 1. Supervisor Vans Estimated Costs

Vehicle Type	Purchase Cost	Cost of Borrowing	Fuel Full Life Costs	Whole Life Costs
Supervisor Van (Standard Fuel)	£35,000	£6,300	£26,000	£67,300
Supervisor Van (Electric)	£35,000	£6,300	£20,000	£61,300

4.3 The costs quoted above are also only forecasts and the actual capital cost of each vehicle will only be known at the time of procurement. Similarly, fuel costs are estimates and subject to variation linked to oil and electricity prices. Repairs and maintenance of each option have been discounted as part of the financial assessment as the difference is estimated as marginal due to the current arrangements of externally supplied contracted maintenance.

4.4 Electric supervisor vans can complete the mileage a supervisor covers during standard daily activities, therefore there would be no compromise in the productivity of supervisors who use an electric vehicle. Similarly electric vans have zero tailpipe emissions and are currently more affordable than standard fuel version over their life and making a small annual revenue saving.

4.5 The service also deploys an ultra-narrow access vehicle for collections in hard-to-reach locations, this vehicle is a 7.5tonne specialist vehicle. Having reliable ultra narrow waste collection vehicles is important for any waste collection service as these vehicles tend to be a single point of failure without ready access to spare replacement vehicles as is the case with other vehicles. Having reviewed alternative fuel options, and the distance this vehicle travels each day, Officers do not recommend an electric, or any other alternative fuel version of this vehicle at this point. The table below provides a breakdown of the costs of such a vehicle:

4.6 Table 2. Ultra-Narrow Vehicle Estimated Costs

Vehicle Type	Purchase Cost	Cost of Borrowing	Fuel Full Life Costs	Whole Life Costs
Ultra Narrow Access (standard fuel)	£113,000	£20,300	£42,000	£175,000

4.7 As reported above in 4.3 the costs quoted above are also forecasts and the actual capital cost of the vehicle will only be known at the time of procurement. Similarly, fuel costs are estimates and subject to variation linked to oil prices and other factors.

5. INFRASTRUCTURE REQUIREMENTS

5.1 Downs Road Depot, where most of The Council’s waste services are operated from, currently has electric vehicle charge points for smaller electric vehicles already deployed to deliver the service. The depot requires additional vehicle recharging infrastructure to be added to accommodate the additional electric vehicles outlined in this report.

5.2 Exploratory work has already been completed and determined that there is enough capacity in the existing supply to increase the amount of electricity entering the depot. There will be a capital cost to install the additional infrastructure, so the vehicles have suitable and sufficient charge points to access. Installing charge points themselves has become standardised with a range of suppliers fully able to install charge points and complete and enabling ducting works for example.

5.3 It should be noted that supervisor vehicles can be charged at most public charge points, or charge points at the supervisors place of residents if they have them, should supervisors need to charge while away from the depot charge point.

5.4 The cost of installing additional charge points would be fully investigated as part of the comprehensive financial assessment completed as part of the proposed vehicle procurement work outlined in the report.

6. ALTERNATIVE OPTIONS

6.1 The Council has considered alternative fuel options, particularly electric versions of all vehicles due for replacement as part of this report, and where possible this report recommends electric versions which supports the Authority’s commitment to net-zero by 2030. Given the sensitive and important nature of narrow access vehicles and the non-availability of spare vehicles it is of primary importance that these vehicles are reliable and in addition have adequate range, this discounts the potential for electric equivalents at this point in time.

6.2 The Council could retain existing vehicles and not replace for a further 12 months in anticipation that affordable and reliable electric alternatives arrive on the market. This option would risk frontline services as key vehicles would, and in some cases are becoming unreliable.

6.3 The Council, and its partner, Ubico, continue to review the market for opportunities to retrofit diesel engine vehicles with batteries which may become an option as local authorities progress towards 2030 and net-zero targets.

7. CONCLUSIONS

7.1 Following a rigorous assessment of the options for the replacement of waste vehicles, Officers believe the recommendations are sound and will be affordable and will ensure the authority to continue providing robust service in the future.

8. FINANCIAL IMPLICATIONS

8.1 These are covered in the main body of the report, or will be fully investigated as part of financial assessments.

8.2 The costs associated with the recommendations can be met by the existing budget for the waste fleet of £3.5M in the Councils 2024/25 Capital Programme.

8.3 There will be reduced repair and maintenance costs following the procurement of new vehicles and the replacement of the existing vehicles.

8.4 Some value is likely to be achieved following the sale of existing vehicles which will be returned to the council.

8.5 The table below provides a breakdown of recommended costs within the paper:

Table 3. Vehicle cost summary

Vehicle	Per vehicle Purchase and Borrowing Cost	Total Cost
7.5te Ultra Narrow Collection Standard Fuel Vehicle x 1	£133,300	£133,300

Supervisor Van Electric x 3	£41,300	£123,900
2 x full size HGV's and up to 4 food waste vehicles and necessary charging infrastructure		£2,832,000
	Total Cost	£3,089,200

8.6 The figures presented in Table 3 are forecast costs with the true capital cost only becoming known at the point of procurement.

9. LEGAL IMPLICATIONS

9.1 Procurement of the vehicles will be undertaken by Ubico on the Council's behalf following a standard procurement process.

9.2 Ubico will ensure the procurement of new vehicles will not breach their Operators Licence.

10. RISK ASSESSMENT

10.1 The risks identified with the recommended approach are outlined in the main body of the report. There is a good level of confidence in the performance and longevity of batteries used in the proposed electric vehicles, this is based on available evidence from local authorities that are already using these vehicles. However, as the vehicles are first generation and there is not 7 years of evidence of good battery life in equivalent vehicles it is important to record the risk that batteries may not last the full 7 years.

11. EQUALITIES IMPACT

11.1 Not Applicable

12. CLIMATE AND ECOLOGICAL EMERGENCIES IMPLICATIONS

12.1 This is covered in the main body of the report.

13. BACKGROUND PAPERS

None.

(END)



Ubico Limited

West Oxfordshire District Council Trial of Battery Electric Refuse Collection Vehicle (e-RCVs)

Internal Briefing Paper

To: Rob Heath, Director of Operations; Marc Osment, WODC Operations Manager.

From: Ian Bourton, Ubico Head of Fleet Operations

Background

- At the West Oxfordshire District Council (WODC) electric vehicle meeting (11 March 2024) where Elected Members, Ubico and Publica were present, discussions were had in relation to the feasibility of operating one, maybe two, 27 tonne open chamber battery electric refuse collection vehicle(s) (e-RCV) to collect residual waste within the WODC collection area.
- Ubico provided some expert guidance to the meeting, including that this type of vehicle was available in the market and that Ubico had undertaken some tachograph analysis to support the operational activity of an e-RCV. This analysis confirmed, on paper, that in certain WODC areas an e-RCV could be practically utilised for residual waste collections.
- Ubico also provided some expert guidance to the meeting on the known problems, benefits and constraints of e-RCVs, the early adoption risk that WODC would face and the necessary recharging infrastructure that would be required.
- The known constraints of the current and available e-RCVs to operate within the WODC collection area include the rural locations and distances to be travelled, the topography of the area and the current recharging infrastructure capability at WODC operational depots. The known industry constraints include the introduction of new technology for e-RCVs (battery electric trucks ARE new technology and cannot be compared with battery electric cars/vans), power train reliability and capability, variable energy sources required for RCVs (hydraulics, pneumatics etc).
- An action was generated from the vehicle procurement strategy meeting for Ubico's Head of Fleet to organise a trial of e-RCV.
- The operational trial dates were organised for Tuesday 14th May 2024 to Thursday 23rd May 2024 inclusive (8 working days). The vehicle trial was arranged through Ubico and Dennis Eagle Limited (the leading UK manufacturer of RCVs) and the vehicle deployed was a 27 tonne (gross vehicle weight) 'e-Collect' e-RCV.

Note; due to vehicle/charging failures during the trial the vehicle did not operate at all on the 24th May 2024. However, an additional trial day (Monday 27th May 2024) was added, in agreement with the manufacturer maintaining 8 working days for the trial data.

- A post-trial briefing paper was requested from Ubico’s Head of Fleet Operations. This is that paper, generated from the vehicle CANbus data, industry expertise and knowledge and in liaison with the Ubico operational teams at WODC.

Trial Approach

- Ubico Fleet issued trial recording documents and completion instructions to drivers, loaders, and operational supervisors to record experiences of practical vehicle use and operation.
- Ubico Operations at WODC compiled daily route maps for areas that were known to be achievable, and those that would be challenging for the e-RCV. The Operations team dedicated a supervisor to monitor the practical performance and to liaise with the trail team.
- The fleet team were enabled to capture the CANbus data from the vehicle which contains vehicle performance and operational data in electronic form.
- The actual trial was executed seamlessly to the plan by the drivers, loaders, fleet, and operational management to provide some useful conclusions.

Relevant Vehicle Operational CANbus Data

- Operational activity data was collected from the vehicle on each day the vehicle was in use and relevant data is covered in this document.
- The e-RCV vehicle covered an average of 50.36 miles over the trial period, operating between 37.2 miles and 75.8 miles.

Date	Kms Covered	Miles Covered	No. Loads
14.5.24	60	37.2	1
15.5.24	73	45.3	2
16.5.24	65	40.3	2
17.5.24	96	59	2
21.5.24	80	49.7	1
22.5.24	90	55.9	2
23.5.24	64	39.7	2
27.5.24	122	75.8	1

- On 27th May 2024, the maximum mileage covered of 75.8 miles included the e-RCV returning with 23% of its battery energy remaining. This is impressive but it should be noted that the

weather conditions to operate an e-RCV on the day were ideal at 16 degrees centigrade, with no vehicle heating or air conditioning in use. Regenerative braking, feeding energy back into the battery, would also have been in use on this day due to the topography of the operational area.

- Regenerative braking is standard functionality for e-RCVs and with good driver application it can recover several kWh of energy.
- E-RCV batteries operating between 0 and 5 degrees centigrade typically lose 12% of their energy capability. The e-RCV heater or air conditioning operating for a full shift will typically lose 15% of the vehicle's energy capability.
It should be noted that the best daily mileage obtained during the trial would have extinguished all the vehicles battery energy before the completion of the collection round, if it had not been ideal conditions.
- The vehicle was capable of completing the two loads that are required during a WODC operational day.
- The vehicle completed 4,220 packing cycles during the trial, averaging 528 per day. The maximum cycles for one day being 638 (16th May 2024).
- The vehicles bin lift (an electric Terberg OmniDel Twin Auto Lift) lifted 6,683 wheelie bins, averaging 835 per day. The maximum number of bins lifted on any one day was 1052 (16th May 2024). On this day the bins were a combination of two sizes - 240 and 180 litre, mixed with some manual loading of residual waste bags.
- The vehicle collected a combined weight of 94,820kg (94.82 tonnes) of residual waste over the 8 working day, and average of 7,294kg (7.294 tonnes) per day.
The maximum load compacted during one collection round before needing to tip was 10,480kg (10.48 tonnes). This is comparable to a 26 tonne diesel RCV of similar design.
- The CANbus data shows that the vehicle stopped charging at 85% overnight on the 17th May 2024. This fault remains unexplained but was an unforeseen 15% reduction in energy for the crews to undertake their collection round.
- The CANbus data shows a complete failure to charge over the weekend of 19th May 2024. Investigations conclude a failing of the vehicles recharging technology. This would have led to an unforeseen service failure during the trial but was replaced by a diesel vehicle from the WODC vehicle fleet.
- The average energy that the vehicle used collecting residual waste over the 8 days was 56% per day. It should be noted that the vehicle was used in ideal temperatures with no heating or air conditioning in use by the driver.
- The air conditioning is used less in the e-RCV as there is no heat generated from the diesel engine. The engine usually sits directly below the driver's cab, providing some cab heat. The heating on the e-RCV would usually be used more in the winter, for the same reason that there is no naturally generated engine heat. Therefore, vehicle energy available to operate the vehicles drive train and packing modes are significantly reduced during the winter.

- The table below shows the kWh used per day, the kWh used per tonne, per bin lifted and per km travelled, of residual waste collected:

Date	kWh used	kWh per Tonne	kWh per Bin	kWh per km
14.5.24	105	14.71	0.19	1.75
15.5.24	150	10.71	0.15	2.05
16.5.24	156	10.89	0.15	2.40
17.5.24	171	12.56	0.19	1.78
21.5.24	177	20.25	0.27	2.21
22.5.24	204	16.04	0.21	2.27
23.5.24	153	10.52	0.16	2.39
27.5.24	231	23.72	0.36	1.89

- The e-RCV has a dashboard alert indicator to the driver when 15% energy remains to encourage the driver to return to base or to find a recharge station. At 10% the indicator turns red and goes into limp/low energy use mode.
- If batteries become fully depleted the recovery of the e-RCV is necessary. The recovery is significant, will require specialist HGV recovery and will require the prop and half shaft removal to allow a 'suspend and tow' recovery.

Driver/Loader Operational Feedback

- The driver and loader crews recorded daily feedback on how they felt about operating the e-RCV. The views were generally positive. Some of the crew comments are listed below.
- The position of the batteries is lower when compared to the position of the fuel tank. Although this didn't cause any problems within the WODC area, it should be noted.
- Frustration when the vehicle failed on charging, another vehicle had to be sought (diesel).
- Communication is better as the loaders could hear each other clearer because of reduced noise levels. Loaders could also hear ambient noise around them better and felt safer. Drivers commented that they could hear very well – traffic noise and loader noise/communications.
- Reduced noise levels from the vehicle could be a danger to pedestrians crossing the road who would normally hear a diesel vehicle.
- Would missed bins increase as some residents rush out with their wheelie bin when they hear the diesel vehicle approaching? With e-RCV there is minimal sound to advise residents the crews are working in their street.

- Drivers feel more relaxed and less stressed as the drive feels calmer. This positive effect on the driver can lead to reduced road traffic collisions.
- Throttle response is impressive especially after bin loading. Wheelie bin lifting is quiet and fast. Wheelie bin lifters can be used without engaging neutral.

Points of Note

- Currently the trial e-RCV has a single gear transmission. This translates into a factory set top speed of 38mph but allows a hill climb. This could cause some issues on dual carriageways within the WODC collection area (there are no motorways in WODC collection area).
- The increased torque from electric motors and faster wheelie bin lifting operation allows for a more efficient operation, with a greater number of bin collections a possibility. Industry e-RCV users have found that crews finish their collection rounds quicker than with a diesel RCV – some by up to 30 minutes.
- Driver performance and the application of acquired skills for driving e-RCVs have a variable impact on the energy used during the operational day. Conserving vehicle energy by eco-driving, use of regenerative braking, controlled torque on take-off are some of the driver skills that can have a significant effect on vehicle performance.
- The e-RCV on trial is a current but first-generation model and comes with reliability issues that should be expected with new vehicle technology. WODC would be early adopters of this technology and thus should assume unexpected failures that cannot be put right quickly, potentially leading to service failures. WODC would need to facilitate a contingency should Ubico operations experience similar e-RCV reliability issues that were experienced during the trial, and thus avoid a service failure.
- Failures of recharging infrastructure are not uncommon. A failure to recharge an-RCV due to an outage or similar supply interruption would lead to a service failure for that collection round unless a contingency is in place. Clearly with a diesel RCV refuelling could be undertaken at any refuelling forecourt, and option that is not available for e-RCVs.
- To recharge e-RCVs similar to the trial vehicle, each e-RCV would need an infrastructure with off-board vehicle charging supply of 600 volts minimum (up to 80A), direct current (DC). The charger plug would need to be 48 kW CCS2 connection type. WODC would need to secure funding (on top of the vehicle price) to install a recharging infrastructure that meets this specification into Downs Road. Note Downs Road is a leased depot and not owned by WODC.
- Standard diesel residual waste collection vehicles have a maximum gross weight of 26 tonnes. Standard e-RCVs are registered with an extra tonne by the manufacturers, providing a maximum 27 tonne gross vehicle weight. This extra tonne accounts for the additional weight of the batteries. This means in practice that there is no loss of the vehicle payload to the operator when using an e-RCV.

- The supply into Downs Road has been identified as having adequate capacity to recharge two 27 tonne 300 kWh e-RCVs. This would need to be confirmed prior to any installation project commencing.


Conclusion

- Ubico operation teams had no operational issues with completing the collection rounds that were within 60 miles routing from the Downs Road depot.
- The trial materialised generally as expected. Ubico currently operate six residual waste collection rounds for WODC and could accommodate the objective of operating two e-RCVs, replacing two diesel RCVs. However, the e-RCVs would need to be practically utilised across different collection crews to achieve a full week's work from the vehicle.
- A contingency of a spare vehicle(s) would be required to support the operation of an e-RCV. As is represented throughout similar organisations operating e-RCVs, WODC would be early adopters of this type of technology and should assume some unexpected failure from the vehicle and the recharging infrastructure.
- The vehicle on trial was a first-generation e-RCV with single gear electric motors and dual manufacturer technology integrated on board. A second-generation e-RCV by the same manufacturer is being produced that elevates these two significant issues. It would be prudent to wait until the second-generation e-RCV is available if WODC decide to purchase e-RCVs. Delivery dates for second generation e-RCVs of this type are expected around August 2025.

Ian Bourton

Head of Fleet Operations, Ubico Ltd

13.05.2024

 <p>WEST OXFORDSHIRE DISTRICT COUNCIL</p>	<p>WEST OXFORDSHIRE DISTRICT COUNCIL</p>
<p>Name and Date of Committee</p>	<p>EXECUTIVE – 9 OCTOBER 2024</p>
<p>Subject</p>	<p>LONG TERM EMPTY PROPERTY STRATEGY 2024–2029</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>Jon Dearing – Assistant Director for Resident Services Email: jon.dearing@publicagroup.uk</p>
<p>Report Author</p>	<p>Mandy Fathers – Business Manager for Environmental, Welfare and Revenues Email: mandy.fathers@publicagroup.uk</p>
<p>Summary</p>	<p>To present an updated Long Term Empty Property Strategy to support the management of long-term empty properties within West Oxfordshire district.</p>
<p>Annexes</p>	<p>Annex A – Long Term Empty Property Strategy 2024 – 2029 Annex B – Equality Impact Assessment</p>
<p>Recommendations</p>	<p>That the Executive Resolves to:</p> <ol style="list-style-type: none"> I. Approve the implementation of the Long-Term Empty Property Strategy for 2024 – 2029.
<p>Corporate Priorities</p>	<p>Enabling a good Quality of Life for all Responding to the Climate and Ecological Emergency Working Together for West Oxfordshire</p>
<p>Key Decision</p>	<p>NO</p>
<p>Exempt</p>	<p>NO</p>
<p>Consultees/ Consultation</p>	<p>Executive Member for Finance, Chief Executive, Director of Governance, Chief Finance Officer, Interim Head of Legal Services, Interim Executive Director, Interim Managing Director (Publica)</p>

1. EXECUTIVE SUMMARY

- 1.1 This strategy states the objectives West Oxfordshire District Council has set itself to bring as many long-term empty properties back into occupation as is practicable.
- 1.2 Work has continued over the years to address the impact that long term empty properties have within the district, and the objectives within this strategy aim to build on the this.
- 1.3 The Council's intentions are to work with the owners of such properties to initially understand their reasons for keeping them vacant, but then to support them, where possible, in bringing the properties back into use, to allow this unused resource to better serve the communities, mitigate the negative impact they have, and provide an increased opportunity to meet the Councils housing needs.

2. BACKGROUND

- 2.1 Section 3 of the Housing Act 2004 (the Act) requires local authorities to consider housing conditions within their district, with a view to determining what action to take under their duties and powers to deal with housing conditions, including empty properties.
- 2.2 The definition of an empty property under the Act is "a dwelling that has remained vacant for more than six months," although there are exemptions detailed with section 134(6) of the Act.
- 2.3 There is no legal requirement for a local authority to have a Long-Term Empty Property strategy, but it is good practise to have one and helps to give clarity, direction and focus to the issue of dealing with empty homes.
- 2.4 The adopted West Oxfordshire District Council Local Plan 2031 describes housing provision as critically important and sets out ambition to provide 15,950 homes throughout the plan period. The plan describes the importance of protecting the existing stock in meeting the housing needs of our residents
- 2.5 Long-term empty homes are known to have a negative influence on a community, both in relation to the removal of a potential housing opportunity, but also, in that they tend to attract an element of anti-social behaviour. In some cases, the empty home is neglected further such that they become a local nuisance, sometimes becoming an eyesore, or needing the intervention of the council to mitigate a nuisance, all of which contributed to the negative impact they have on the local community. It is the latter group that tends to lead to the greatest number of complaints to the council, usually in relation to complaints about over-grown gardens the presence of household waste or pests, or that they have become insecure and a venue for attracting crime.
- 2.6 Whilst there are enforcement powers available and used by the council to deal with certain matters associated with long-term empty homes, the most effective way of bringing them into reoccupation does tend to be through working with owners, and trying to first understand why the home is vacant, and then trying to reduce the barriers so that the home can be reoccupied.

3. MAIN POINTS

- 3.1 At the end of March 2024 West Oxfordshire District had 1128 properties classed as long-term empty. This figure represents 2% of its total council tax base, which is currently set at 53,533.

3.2 The purpose of this strategy is to set out the five key objectives that the council aim to deliver on for the Long-Term Empty Property Strategy as detailed within Annex A of this report:

- 1) To gather relevant, accurate and current information about empty homes in the district.
- 2) To provide advice, assistance and guidance to landlords and property owner
- 3) To raise awareness of empty homes in the district and promote the strategy.
- 4) To introduce a Council Tax Premium on second homes and apply a premium to long term empty properties after one year
- 5) To reduce the number of empty homes and return empty homes back into use, through all available and appropriate means.

4. FINANCIAL IMPLICATIONS

4.1 This strategy outlines the intentions of the Council to work to reduce the number of long-term empty homes in the district, and although it refers to legal obligations under specific legislation, it does not directly identify or impose any additional financial obligations on the Council.

4.1 The Council has a share of 0.81 FTE of an officer to facilitate the work required to fulfil the objectives of this strategy.

4.2 Due to the recognised negative impact some long-term empty homes have on their communities, regulatory services of the Council may be required to intervene to mitigate the worst of these effects. This intervention costs the Council so any reduction in the number of long-term empty homes is likely to reduce this demand, thus reducing the costs to those regulatory services. This would be an indirect benefit of implementing this strategy, although one which would be difficult to financially quantify.

4.3 The Council may see a reduction in Council Tax income as long-term empty properties which are currently charged a Council Tax premium, and upon reoccupation this would be lost, but as a number of long-term empty homes also carry a charge owed to the Council for various reasons, this charge is likely to be either repaid, or written off as part of the sale, if it is deemed non-recoverable.

5 LEGAL IMPLICATIONS

5.1 Whilst there is no statutory provision requiring the Council to have or adopt a Long-Term Empty Strategy, the Government has set out the principles encouraging Councils to identify and then reduce the number of long-term empty homes in their district.

6 RISK ASSESSMENT

6.1 This strategy seeks to define how the Council will meet the challenges posed locally by long-term empty homes, especially with respect to trying to bring as many as practicable back into occupancy. Although this has been highlighted as a desirable obligation the Council should strive for, producing and adopting a strategy is not a legal requirement.

6.2 Whether long-term empty homes cause a local nuisance or not is not influenced by this strategy, and similarly, when such a home does pose a potential breach of a statute, for example, provide harbourage to rats, or allows for the accumulation of household waste even if dumped by someone else, these breaches remain actionable by the regulatory service authorised to act.

6.3 Long-term empty homes, even where there is no statutory detriment to the area are known to have a negative impact on a neighbourhood. Whilst this is unlikely to pose a direct impact on the Council, it can be a source of dissatisfaction and complaint by local residents, and risk lowering the acceptable standards otherwise present in the community.

7 EQUALITIES IMPACT

7.1 An equalities impact assessment has been completed that shows no negative impact on those who shared a protected characteristic and those who do not.

8 CLIMATE AND ECOLOGICAL EMERGENCIES IMPLICATIONS

8.1 Creating homes from empty properties saves substantial amounts of material compared to building new homes, minimises the amount of land used for development and avoids wasting embedded carbon; helping to combat climate change.

9 ALTERNATIVE OPTIONS

9.1 The Council could decide not to approve the updated Long-Term Empty Property Strategy; however, this would not be recommended as it could fail to demonstrate a commitment to managing and reducing empty homes within the district.

10. BACKGROUND PAPERS

10.1 None

(END)



WEST OXFORDSHIRE
DISTRICT COUNCIL

LONG TERM EMPTY PROPERTY STRATEGY 2024 - 2029

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1. Introduction

- 1.1 This strategy describes the council's intentions to reduce the number of empty homes in the district and bring them back into use.
- 1.2 Returning empty homes back into use not only helps to meet housing needs but can also reduce problems associated with vacant properties. Empty homes can adversely affect the lives of people in the vicinity, can be a magnet for anti-social behaviour and an unnecessary drain on public services.
- 1.3 The council is committed to taking action to reduce the number of empty homes in the area by taking a proactive approach in supporting owners to help return their empty properties back into use or to redevelop them. A coordinated and sustainable approach can deliver an increase in housing supply, improve housing standards, and reduce the number of empty homes.

2. The National Context

- 2.1 The Government classes properties that have been empty for longer than 6 months as long-term empty. It is recommended that local authorities have an empty homes strategy for their area, with the aspiration to reduce the number of long-term empty homes.
- 2.2 Government policy to incentivise the reoccupation of long-term empty homes allows local authorities to vary the amount of council tax payable on some empty homes, with the option of imposing an 'empty homes premium.'
- 2.3 Despite this, long term empties are now at their highest level. The most recent Government statistics (November 2023) report 261,189 long term empty homes in England, representing a rise of 12,556 compared to 2022, up by 5% annually and 16% since before the pandemic in 2019.

3. The Local Context

- 3.1 The adopted West Oxfordshire District Council Local Plan 2031 describes housing provision as critically important and sets out ambition to provide 15,950 homes throughout the plan period. The plan describes the importance of protecting the existing stock in meeting the housing needs of our residents.
- 3.2 Any empty property can be a problem, and therefore all owners of long-term empty properties will be contacted to encourage the return to use. Many long-term empty homes will be returned to use without continued council intervention. Therefore the focus of more significant work will generally be on those properties that have been empty for more than two years or have received specific complaints. These longer-term empty homes cause most concern as they are more likely to remain empty for longer without intervention and are also more likely to be an increasing source of blight and complaint.
- 3.3 The Council Tax database is used to determine the number of empty homes in West Oxfordshire. At the end of March 2024 there was registered 1128 long-term empty properties which represents 2% of all domestic properties in the district, of which 125 were

classed as being empty in excess of 2 years. 64% of these were within the towns of Chipping Norton and Witney; with 9.8% of those properties awaiting demolition.

4. Why Homes are Empty

4.1 For the purposes of this strategy the term 'empty property' is taken to be a dwelling which is unoccupied and without furniture.

4.2 There are two main types of empty residential properties:

- 1) Transactional empty properties; and,
- 2) Long-term empty properties

4.3 Homes that have been recorded as empty for more than 6 months are classified as long-term empty by the Council. The Ministry of Housing, Communities & Local Government (MHCLG) classes problematic empty properties as those that are inactive in the housing market and have been empty for more than 6 months. Transactional empty properties are generally up to 6 months, usually due to a change in tenant or ownership and are part of the normal cycle of people moving to a new house; although they may be empty for longer should they be subject to major renovations works.

4.4 A property does not have to be used all the time to be classed as occupied. For example, if it is:

- A second home or holiday home
- A property which is part of a wider regeneration programme and could be in the process of being developed or marked for demolition
- A property which has pending planning permission, could be waiting refurbishments, or could be waiting for new occupant to move in
- A property where the owner is living elsewhere to provide or receive personal care.

4.5 There are many reasons for properties being left empty. Some are easily categorised, and other circumstances are more complex with owners having their own individual reasons for keeping their property empty. Some of the most common barriers that exist for owners of long-term empty properties are preventing them from returning their property back into use include:

- Issues with inheritance and/or delays with probate
- Lack of finance to carry out necessary repairs and/or refurbishment
- Perceived problems associated with letting of properties
- Owner unwilling to bring the property back into use
- Sentimental attachment to the property
- Lack of decision as to whether to sell or rent the property
- The owners are not local and are uncontactable, therefore effectively abandoning the property

- Part of a larger portfolio of properties, where one empty property does not affect their overall income.

5. Challenges Presented by Empty Homes.

- 5.1 Dealing with an empty home is not always straightforward. A property may be used as a second home, and so not occupied on a permanent basis, but is in use. It may be that non-residential space such as that often found above shops is being used for storage or other business-related matters and although not immediately obvious it is in use.
- 5.2 There may be properties awaiting planning permissions and work is unable to commence whilst this is being sought. A number of these may include specialist permissions if they are a Listed Building or located in a Conservation Area.
- 5.3 Ownership Issues: A property may be owned by a number of different people or companies. The property may be subject to legal proceedings such as probate, divorce settlements, proceeds of crime restrictions or other legal restrictions.
- 5.4 Land Registry Issues: Although it is now compulsory in England to register any property which changes ownership or has a mortgage taken out against it for the first time, properties which have not changed ownership since before this requirement may not be registered with the Land Registry and information regarding the property will not be available from this source.
- 5.5 Absentee Owner: It may not be immediately evident who the owner of a property is or where they are, as they may have moved away with little information available to trace them.
- 5.6 Intentionally Vacant: Some properties are deliberately kept empty by the owner for specific reasons such as for their children when they leave home or elderly relatives who are in care. Some are kept empty until the owner feels the housing market is suitable to sell the property at the price they want. Others feel unwilling to sell due to emotional/past family connections with the property. Some owners are reluctant to engage with the Council and believe that as the property is privately owned the Council does not have the right to require action to return it to use. They may be unaware, or have no concern for, the effect the property has on the local area and surrounding properties. These are properties which are likely to be left empty for many years and fall into disrepair.

6. Why Empty Homes Matter

- 6.1 The ambition of the adopted West Oxfordshire District Council Local Plan 2031 to provide 15,950 homes over the plan period is challenging. High numbers of un-occupied homes are damaging when offset against this number. The plan also has a target of achieving 274 homes for the affordable sector annually. In addition to increasing the availability of housing in the district, tackling long term empty homes could also provide benefits for housing affordability.

- 6.1 Empty properties are a wasted resource, both for the community and the owner. The Council receives complaints about empty properties, including those that have been neglected or fallen into disrepair, from local people who rightly object to unsightly discussed properties. For properties in this state, there are implications for the Council's Environmental Protection and Planning Enforcement Teams that have to use staff time and other resources to intervene to deal with pests, dilapidation, overgrown gardens, damage to neighbouring properties and other such issues.
- 6.2 For owners leaving a property empty can become costly and be a source of unnecessary anxiety.
- 6.3 There is an increased risk of vandalism and crime, and the property can be difficult to insure, which could result in high repair costs or even mean a complete loss of asset.
- 6.4 Even the general deterioration of an unlive property will result in costs, including those due to works necessary to maintain it even in its vacant state, as well as to enable the property to be brought back up to suitable living standards.
- 6.5 For the local community empty homes can have a direct impact on adjoining properties through issues such as damp and structural problems. Alongside this, unsightly empty homes can have a detrimental effect on the neighbourhood, affecting neighbouring house prices and pose an attraction for local crime, including vandalism, breaking into the property for various reasons, and can contribute to a lack of pride in the area.

7 Opportunities from Empty Homes

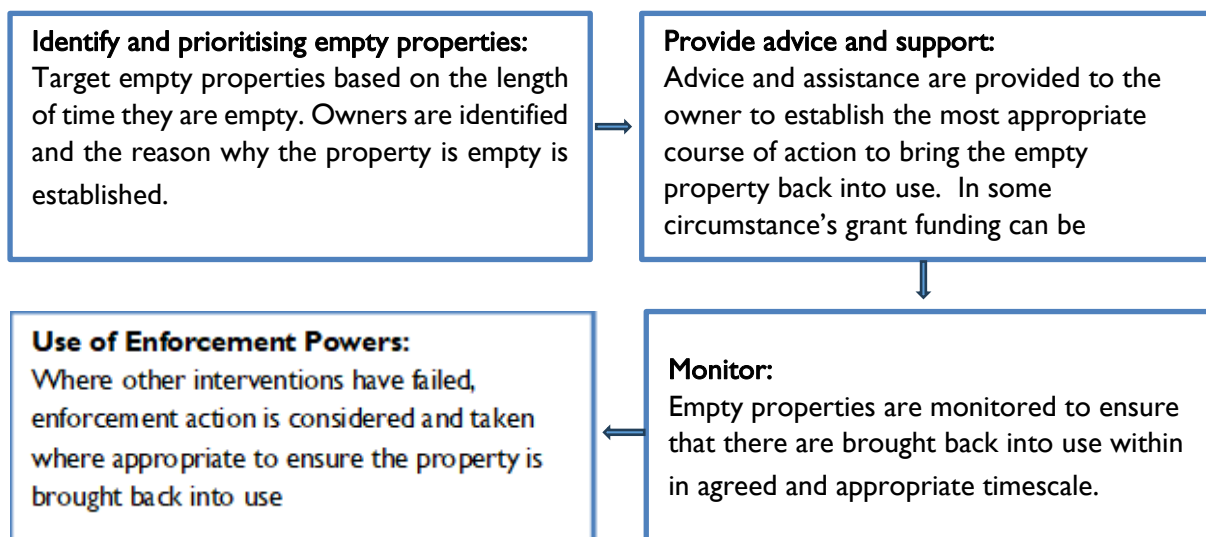
- 7.1 By renting or selling the property to allow occupation not only are the above issues resolved, but whilst not necessarily problem-free, there is the added advantage of gaining regular rental income or the capital from the sale of the property, and a beneficial impact on local housing needs.
- 7.2 Returning empty homes into occupation can help eliminate many of these issues and ensure that house prices in the immediate vicinity are protected from preventable reductions. Improving an area can also encourage investment in the local economy and a return of any lost pride in the community created by empty homes.
- 7.3 Empty homes returned to residential use increase the availability of homes. Instead of being a source of concern these homes can be transformed from a wasted resource into a home for an individual or family in housing need. There are approximately 2215 households on the waiting list for social housing. The utilisation of empty homes could prevent some of these people from facing issues such as homelessness or overcrowding or provide a first home for a local person and/or family.

8. Our Approach to Empty Homes

8.1 The council will work to prevent properties becoming empty over the long term by responding to enquiries about such properties from the public, undertaking media campaigns in the local press and other social media platforms as well as promotions of its work on the council website.

8.2 Where properties do become empty, the council will try and locate owners and starting with an informal approach will work with them cooperatively in an attempt to bring properties back into use. Generally this will take the form of offering advice and guidance. Where this is not successful, the council will move onto enforcement against the owner to require the property be brought back into use.

The Council's approach to tackling empty properties is summarised as follows:



8.3 The council follows an investigation process in order to trace owners of empty properties with a view to encouraging them to bring properties back into use. However, in some circumstances it is not always possible to identify or make contact with owners, or owners are reluctant or unable to bring properties back into use.

8.4 Under these circumstances, or if there is an imminent risk to health and safety, the council will consider a number of enforcement options. The options available include, but are not limited to: -

- **Enforced Sale** – Allows the council to force the sale of a property to recover debts owed to the council that are registered as a charge on the property.
- **Empty Dwelling Management Orders (EDMO)** – Enables the council to secure occupation and responsible management of some privately owned houses and flats that have been empty for two or more years.

- **Compulsory Purchase Orders (CPO)** – Enables the council to purchase and sell an empty property for the purpose of providing housing accommodation or facilities connected to housing accommodation.

8.5 A summary of the various enforcement powers that are available to the council in respect of property aesthetics. Maintenance and addressing long-term empty concerns are described in Annex A.

9. Aims, Objectives and Approach to Tackling Empty Homes

9.1 The over-riding aim of this strategy is to bring empty homes back into use and tackle the issues posed by those that are long term vacant, are problematic or could help to meet some of the local housing need.

9.2 The starting point for any intervention will be to work with the property owner where possible. Each empty home is different and there are many reasons why they become empty. However, despite these, it is also important to recognise that an empty home is a potential blight on the community and wasted resource.

9.3 In order to achieve the aims this strategy focusses on five objectives:

- 1) To gather relevant, accurate and current information about empty homes in the district.
- 2) To provide advice, assistance and guidance to landlords and property owner
- 3) To raise awareness of empty homes in the district and promote the strategy.
- 4) To introduce a Council Tax Premium on second homes and apply a premium to long term empty properties after one year.
- 5) To reduce the number of empty homes and return empty homes back into use, through all available and appropriate means.

9.4 Table I below shows the key actions that will be taken to implement the objectives of this strategy.

Objective 1: To gather relevant, accurate and current information about empty homes		
Actions	Timescales	Responsible officer/team
Maintain an empty property database containing information provided by council tax, environmental protection, and development management	Continuous	Revenues Team

Continue to carry out reviews of empty properties using council tax data and information from questionnaires sent to all owners of known empty properties about the occupancy status of the properties.	Annually	Revenues Team
Map location of reported empty homes	TBC	Revenues Team/GIS Team
Carry out risk assessments on known empty properties and identify for proactive enforcement	On a case-by case basis	Revenues Team/Environmental Protection Team/Legal Team
Objective 2: Provide advice, assistance and guidance to landlords and property owner		
Actions	Timescales	Responsible officer/team
Produce an updated empty property guide/information leaflet for owners of empty homes	January 2025 and reviewed annually	Revenues Officer/Revenues Manager and Communications Team
Ensure early engagement with owners of empty homes and that engagement is continuous	Case-by-case	Revenues Officers
Objective 3: To raise awareness of empty homes in the district and promote the strategy		
Actions	Timescales	Responsible officer/team

Review and update information on the council's website and provide relevant updates via the council's media channels.	As required	Revenues Manager/Communications Team
Run at least one awareness raising campaign to coincide, where possible, with the National Empty Homes week	Annually	Revenues Manager
Objective 4: To introduce a Council Tax Premium on second homes and apply a premium to long term empty properties after one year.		
To seek approval from the Council to apply premiums on second homes from 1 April 2025	January 2025	Business Manager/Revenues Team
To seek approval from the Council to apply premiums on long term empty properties after one year of being empty	January 2025	Business Manager/Revenues Team
Objective 5: To reduce the number of empty homes and return empty homes back into use, through all available and appropriate means		
Actions	Timescales	Responsible officer/team
Seek to identify funding to offer financial assistance	Continuous	Revenues Manager
Actively look for any Government initiatives that assist with finances for bringing properties back to use	Continuous	Revenues Manager
Work in partnership with internal departments to ensure delivery of aims	Continuous	Revenues Team, Environmental Health,

		Development Management, Legal, CFU, Building Control
Continue to review the use of enforcement options for empty homes on a case-by-case basis	As required	Revenues Team, Environmental Health, Development Management, Legal, CFU, Building Control

10. Performance Monitoring and Review

10.1. The purpose of this strategy is to explain the current situation with regard to empty homes both on a national and local basis and to set out the Council's future plans. It is essential that the effectiveness of actions delivered by the implementation of the strategy is closely monitored and reviewed. In order to develop a good system of performance management it is proposed to undertake the following actions: -

- Monitor the number of empty homes brought back into use
- Develop up to date knowledge of best practice through research and liaison
- Monitor and review delivery of actions within the Implementation Plan

Annex A – Enforcement Powers

Problem/Concern	Legislation	Statutory Powers
Dangerous or dilapidated buildings or structures	Building Act 1984 (s77 & s78)	To require the owner to make the property safe (section 77) or enable the Local Authority to take emergency action to make the building safe (Section 78)
	Building Act 1984 (s79)	To require the owner to repair ruinous or dilapidated buildings seriously detrimental to an area
	Housing Act 2004 (part 1)	Under the Housing health and Safety Rating system local authorities can evaluate the potential risks to health and safety arising from deficiencies within properties and take appropriate enforcement action
Unsecured properties (where it poses the risk that it may be entered or suffer vandalism, arson or similar)	Building Act 1984, s78 Local government (Miscellaneous Provisions) Act 1982, s29	To allow Local Authority to fence off the property. To require the owner to take steps to secure a property or allow the Local Authority to board it up in an emergency.
Blocked or defective drainage or private sewers	Local Government (Miscellaneous provisions) Act 1976 (s35)	To require the owner to address obstructed private sewers.
	Building Act 1984 (s59)	To require the owner to address blocked or defective drainage.
	Public health Act 1961 (s17)	To require the owner to address defective drainage or private sewers.
Vermin (where it is either present or there is a risk of attracting vermin that may detrimentally affect people's health)	Public Health Act 1961 (s34)	To require the owner to remove waste so that vermin is not attracted to the site, destroy any infestation and remove any accumulations prejudicial to health.
	Prevention of Damage by Pests Act 1949 (s4)	
	Public Health Act 1936 (s83)	

	Environmental Protection Act 1990 (s80)	
	Building Act 1984 (s76)	
Unightly land and property affecting the amenity of an area	Public Health Act 1961 (s34)	To require the owner to remove waste from the property (see above)
	Town and Country Planning Act 1990 (s215)	To require the owner to address unsightly land or the external appearance of a property
	Building Act 1984 (s79)	To require the owner to address unsightly land or the external appearance of a property
Recovery of debts against a property	Law of Property Act 1925 (s101 & s103)	To apply for an order of sale of the property to recover council tax debts or debts secured as a legal charge after work in default carried out
Properties empty for over 2 years and causing nuisance in the community	Housing Act 2004 (s133 – 183)	To apply for an Empty Dwelling Management Order (EDMO) to enable the local authority to take over the management of eligible empty properties, to bring them back into use
Long-term empty properties where no traceable owners, or where all efforts to return the property to use have been exhausted	Housing Act 1985 (s17)	To seek to acquire a property under a Compulsory Purchase Order (CPO)
Anti-Social Behaviour	Anti-Social Behaviour, Crime and Policing Act 2014. Community Protection Notices	To prevent an owner's persistent, continuing or unreasonable behaviour, having a negative impact on the local community's quality of life.

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Equality and Rurality Impact Assessment Form

When completing this form you will need to provide evidence that you have considered how the ‘protected characteristics’ may be impacted upon by this decision. In line with the General Equality Duty the Council must, in the exercise of its functions, have due regard for the need to:

- a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

This form should be completed in conjunction with the guidance document available on the Intranet

Once completed a copy should be emailed to cheryl.sloan@publicagroup.uk to be signed off by an equalities officer before being published.

1. Persons responsible for this assessment:

Names: Mandy Fathers	
Date of assessment: 29.07.24	Telephone: 01285 623571 Email: mandy.fathers@publicagroup.uk

2. Name of the policy, service, strategy, procedure or function:

Long-Term Empty Property Strategy 2024 – 2029

3. Briefly describe it aims and objectives

To present an updated Long Term Empty Property Strategy to support the management of long-term empty properties within West Oxfordshire district.

4. Are there any external considerations? (e.g. Legislation/government directives)

N/A

5. What evidence has helped to inform this assessment?

Source	✓	If ticked please explain what
--------	---	-------------------------------

Demographic data and other statistics, including census findings	<input type="checkbox"/>	
Recent research findings including studies of deprivation	<input type="checkbox"/>	
Results of recent consultations and surveys	<input type="checkbox"/>	
Results of ethnic monitoring data and any equalities data	<input type="checkbox"/>	
Anecdotal information from groups and agencies within Oxfordshire	<input type="checkbox"/>	
Comparisons between similar functions / policies elsewhere	<input checked="" type="checkbox"/>	Other Local Authority policies
Analysis of audit reports and reviews	<input type="checkbox"/>	
Other:	<input checked="" type="checkbox"/>	Internal data

6. Please specify how intend to gather evidence to fill any gaps identified above:

N/A

7. Has any consultation been carried out?

N/A

If NO please outline any planned activities

N/A

8. What level of impact either directly or indirectly will the proposal have upon the general public / staff? (Please quantify where possible)

Level of impact	Response
NO IMPACT – The proposal has no impact upon the general public/staff	

LOW – Few members of the general public/staff will be affected by this proposal	✓
MEDIUM – A large group of the general public/staff will be affected by this proposal	<input type="checkbox"/>
HIGH – The proposal will have an impact upon the whole community/all staff	<input type="checkbox"/>
Comments: e.g. Who will this specifically impact?	

9. Considering the available evidence, what type of impact could this function have on any of the protected characteristics?

Negative – it could disadvantage and therefore potentially not meet the General Equality duty;

Positive – it could benefit and help meet the General Equality duty;

Neutral – neither positive nor negative impact / Not sure

	Potential Negative	Potential Positive	Neutral	Reasons	Options for mitigating adverse impacts
Age – Young People			✓	The proposal is inclusive to people of different age groups, but it is not specific to age	
Age – Old People			✓	The proposal is inclusive to all ages	
Disability			✓	The proposal is inclusive to people with disabilities but is not specific to disability	
Sex – Male			✓	The proposal is inclusive to all gender groups, but it is not specific to gender	
Sex – Female			✓	The proposal is inclusive to all gender groups, but it is not specific to gender	
Race including Gypsy and Travellers			✓	The proposal is inclusive to people of all races, but it is not specific to race	
Religion or Belief			✓	The proposal is inclusive to people of all religions, but it is not specific to religion	
Sexual Orientation			✓	This proposal is inclusive to all types of sexual orientation, but it is not specific to sexual orientation	

Gender Reassignment			✓	The proposal is inclusive to all gender groups, but it is not specific to gender	
Pregnancy and maternity			✓	The proposal is inclusive to people who are pregnant and/or on maternity, but it is not specific to this group	
Geographical impacts on one area		✓		The strategy aims to increase the supply of housing in a sustainable way and tackle the negative impact of empty homes on communities	
Other Groups			✓	This proposal is inclusive to all other groups that are not mentioned	
Rural considerations: ie Access to services; leisure facilities, transport; education; employment; broadband.			✓	The proposal is inclusive to the whole of the West Oxfordshire district	

10. Action plan (add additional lines if necessary)



Action(s)	Lead Officer	Resource	Timescale
Implement Strategy	Chris Kent/Joseph Williams	Daisy Ball	Following council call-in procedures

11. Is there is anything else that you wish to add?


n/a

Declaration

I/We are satisfied that an equality impact assessment has been carried out on this policy, service, strategy, procedure or function and where a negative impact has been identified actions have been developed to lessen or negate this impact. We understand that the Equality Impact Assessment is required by the District Council and that we take responsibility for the completion and quality of this assessment.

Completed By:	Mandy Fathers	Date:	27.7.24
Line Manager:		Date:	27.7.24
Reviewed by Corporate Equality Officer:		Date:	29.07.2024

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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 – 9 OCTOBER 2024</p>
<p>Subject</p>	<p>COUNCIL TAX PREMIUMS – SECOND HOMES AND LONG-TERM EMPTY PROPERTIES</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>Jon Dearing – Assistant Director for Resident Services Email: jon.dearing@publicagroup.uk</p>
<p>Report Author</p>	<p>Mandy Fathers – Business Manager for Environmental, Welfare and Revenues Email: mandy.fathers@publicagroup.uk</p>
<p>Summary</p>	<p>To consider the proposals to introduce a Council Tax Premium on second homes and apply a premium to long term empty properties after one year.</p>
<p>Annexes</p>	<p>Annex A – Council Tax Premium Exemptions Policy (Long-Term Empties and/or Second Homes)</p>
<p>Recommendations</p>	<p>That Executive resolves to recommend to Council to:</p> <ol style="list-style-type: none"> 1. Agree from 01 April 2025 to levy the maximum level of premium for Empty Homes as set out in the Levelling Up and Regeneration Act 2023: <ol style="list-style-type: none"> i) Premium of 100% for dwellings which are unoccupied and substantially unfurnished (Empty Homes Premium) after 1 year up to 5 years of becoming empty; ii) Premium of 200% for dwellings which are unoccupied and substantially unfurnished (Empty Homes Premium) between 5 years and 10 years; iii) Premium of 300% for dwellings which are unoccupied and substantially unfurnished (Empty Homes Premium) for 10 years or more; 2. Agree from 1 April 2025 to the implementation of a premium (Second Homes Premium) of 100% for dwellings that are no one’s sole or main residence and which are substantially furnished; 3. Note that where premiums are to be applied, the Council is mindful of the outcome of the government consultation which recommends

	<p>exceptions in certain circumstances outlined within the report may be amended, and as such guidance may change;</p> <p>4. Agree that any amendments to the guidance which may change the criteria for Premiums be delegated to the Chief Finance Officer in consultation with the Executive Member for Finance.</p>
Corporate Priorities	<ul style="list-style-type: none"> • Putting Residents First
Key Decision	YES
Exempt	NO
Consultees/ Consultation	Executive Member for Finance, Chief Executive, Director of Governance, Chief Finance Officer, Interim Head of Legal Services, Interim Executive Director, Interim Managing Director (Publica)

1. EXECUTIVE SUMMARY

- 1.1** This report sets out for consideration the introduction of a 100% Council Tax premium in respect of Second Home properties commencing on 1 April 2025 as well as reducing the period a premium can be applied to a Long-Term Empty property from two years to one from 1 April 2025.
- 1.2** It supports the Local Plan and its ambition to provide 15,950 homes over its period and is an incentive for those owners of unoccupied or second homes to consider their properties to be brought back into use and made available for either rent or sale.

2. BACKGROUND

- 2.1** This report sets out for consideration the introduction of a 100% Council Tax premium in respect of Second Home properties as well as reducing the period a premium can be applied to a Long-Term Empty property from two years to one from 1 April 2025.
- 2.2** The adopted West Oxfordshire District Council Local Plan 2031 describes housing provision as critically important and sets out ambition to provide 15,950 homes throughout the plan period. The plan describes the importance of protecting the existing stock in meeting the housing needs of our residents
- 2.3** The Government encourages all billing authorities to adopt Council Tax premiums on empty properties with a view to incentivising property owners to bring those back into use. Premiums are currently being charged where properties are left unoccupied and unfurnished for periods exceeding 2 years within the district.
- 2.4** These proposals also support the councils Long Term Empty Property Strategy objectives with incentivising owners in bringing their empty properties back into use.
- 2.5** In March 2023 Executive Members agreed in principle to the implementation of charging 100% premium for second homes and reducing the term for applying a charge for empty properties from two years to one subject to emerging legislation being passed under the Levelling Up and Regeneration Bill (“the Bill”). The Bill received Royal Assent on 26 October 2023.

3. MAIN POINTS

- 3.1 Changes to Empty Homes Premiums (From 01 April 2024)**
- 3.2** Legislation was introduced in 2013 to allow premiums to be charged on empty properties with a view to encouraging homeowners to occupy homes and not leave them vacant in the long term. Initially premiums could only be charged at 50%, but legislation changed to allow a progressive charge to be made as follows:
 - Dwellings left unoccupied and substantially unfurnished for 2 years or more, up to 100%
 - Dwellings left unoccupied and substantially unfurnished for 5 years or more, up to 200%; and
 - Dwellings left unoccupied and substantially unfurnished for 10 years or more, to up 300%
- 3.3** Section 80(1)(b) of the Levelling Up and Regeneration Act 2023 (“the Act) permits billing authorities in England to impose an empty homes premium after one year instead of two.

- 3.4 Section 80(2) and 81(4) provided that from 1 April 2024, a property can be charged an empty homes premium at 100% after one year.
- 3.5 This premium has not yet been implemented within the West Oxfordshire district.
- 3.6 Introduction of Premium for Second Homes (From 01 April 2025)**
- 3.7 For council tax purposes, a second home is defined as a dwelling, which is not a person's sole or main home and is substantially furnished. There are approximately 996 second homes in the West Oxfordshire district. These properties are currently subject to the full 100% council tax charge.
- 3.8 Second home ownership within parts of the district is significant and is recognised to have a negative impact in terms of the supply of homes available to meet local housing need. The Act recognises the impact that high levels of second home ownership can have, and that more needs to be done to disincentivise people from simply doing nothing with their property, or not using it to its full potential.
- 3.9 The Act now allows councils to apply a council tax premium of up to 100%, ensuring that the mandatory 12-month notice has been given to second homeowners.
- 3.10 Notification letters were sent to all second homeowners in March 2024 advising that the council is considering implementing this premium from 1 April 2025.

4. FINANCIAL IMPLICATIONS

- 4.1 If a 100% premium on second homes was charged, the additional revenue would be approximately £2.1 million with West Oxfordshire District Council retaining around £117,346 (prior to accounting for any reduction for second home properties that may be excluded as set out in the Policy)
- 4.2 For the additional revenue raised by implementing the 100% premium on long-term empty properties after one year is difficult to account for due to movements in property status; however a snapshot of properties taken on 3 July 2024 indicates that there were 375 properties that would fall into this premium. The council tax charged through a premium would be an additional £905,457 of which the council would retain £48,536. This figure does not account for those properties that may fall within the exemptions detailed within the policy.

5 LEGAL IMPLICATIONS

- 5.1 Section 79 of the Act amends the Local Government Finance Act 1992 (LGFA) by reducing the period a premium can be applied to a long-term empty property from two years to one.
- 5.2 Section 80 of the Act amends the LGFA by introducing the ability to levy a 100% premium on Second Home properties
- 5.3 There may be the need to review the legalities once the final guidance has been issued. A paper will be submitted to the Chief Finance Officer on amendments which will be consulted on with Executive Member for Finance.

6 RISK ASSESSMENT

- 6.1** There is a risk that second homeowners may seek to migrate from council tax to business rates assessments and offer their second home as a holiday let. This would reduce the level of council tax available to the local authority and the preceptors; however, the Valuation Office Agency have now put in place safeguards to mitigate this risk and not only do holiday lets need to be advertised for a period of time (140 days in a 12 month period), owners also have to provide sufficient evidence to show the property has been let for a period of time (70 nights in a 12 month period)

7 EQUALITIES IMPACT

- 7.1** None

8 CLIMATE AND ECOLOGICAL EMERGENCIES IMPLICATIONS

- 8.1** There are none associated with this report.

9 ALTERNATIVE OPTIONS

- 9.1** The council could choose:

- Not to introduce a premium on Second Homes or Long-Term Empty Properties that have been empty for one year; or
- Introduce a premium of Second Homes only; or,
- Introduce the premium of Long-Term Empty Properties that have been empty for one year.

10. BACKGROUND PAPERS

- 10.1** 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:

- Executive report 8 March 2023 – Item Number 21.

(END)

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Annex A – Council Tax Premium Exemptions Policy (Long-Term Empties and/or Second Homes)

1. Introduction

- 1.1 The council will automatically apply a long-term empty homes council Tax premium at the following rates:
 - Properties empty for more than 1 year, but less than 5 years – 100%
 - Properties empty for between 5 and 10 years – 200%
 - Properties empty for 10 years or more – 300%
- 1.2 The council will, from 1 April 2025, automatically apply a council tax second homes premium of 100% on unoccupied second homes.
- 1.3 This policy considers the latest proposed guidance from the Local Taxation Division of the Department for Levelling Up, Housing and Communities. (Council Tax information letter 2/2024, published 11 March 2024).
- 1.4 There may be circumstances where an owner of a property is unable to bring their property back in to use for reasons outside of their control. Those owners can apply for an exemption in accordance with this policy.
- 1.5 An application for an exemption must be made in writing, with the appropriate evidence and information for the council to consider an exemption.

2. Empty Properties undergoing probate

- 2.1 The council recognises that the period after someone passes away is particularly challenging for their relatives and friends, especially for those managing the estate.
- 2.2 Unoccupied properties which have become vacant due to the death of the owner or tenant and where no one is liable for council tax except an executor or administrator, are exempt from council tax until probate is granted. Following a grant of probate (or the issue of letter of administration) a further period of exemption of up to 6 months is possible (Class F exemption), as long as the property remains unoccupied and has not been sold or transferred to someone else.
- 2.3 If the property remains unoccupied following the end of the Class F exemption period, normal rules on the application of council tax to empty properties apply. This means that where a property has been unoccupied and substantially unfurnished for at least one year, it may become liable for the long-term empty home council tax premium immediately. The liability for the empty home premium is determined by the length of time that the property has been empty. Depending on the circumstances, this one-year period could start prior to the passing of the previous owner.

- 2.4 Alternatively, if such a property has been unoccupied since the passing of the previous owner and is substantially furnished, it could become liable for the council tax second home premium immediately after the Class F exemption period has ended.
- 2.5 The council recognises that it may take some time to determine the future use of a property that has been left unoccupied or has no resident following the death of its owner or tenant. The council does not consider it appropriate that such properties should become subject to either second homes or long-term empty property premiums immediately following the grant of probate.
- 2.6 The council will therefore consider an application requesting the granting of an exemption to both the second home and empty home premium for a maximum of 12 months from the date probate has been granted. This does not affect the Class F exemption or the ability for the council to charge the normal rate of council tax following the expiry of the Class F exemption.
- 2.7 In most circumstances the property is brought back in to use or has a new owner within the Class F exemption period. However, if there are reasons why the own has been unable to do this, they will be able to apply for an exemption from the premium of up to a maximum of 12 months from the date probate was granted.
- 2.8 If the property is then put on the market for sale or let, the owner of the property would be able to apply for the 'sales or let' exemption (see below). This would provide the owner an additional 12-month exemption period. As such, where both exemption are granted, the maximum exemption period would be up to 24 months.

3. Empty Properties being actively marketed for sale or let

- 3.1 The governments published guidance is clear that the decision to provide local authorities with the power to charge a premium was not to penalise owners of property that is genuinely on the housing market for sale or rent.
- 3.2 The Council will therefore grant an exemption to council tax premiums of up to a maximum of 12 months from the date that active marketing commenced, or until the property has been sold or rented, whichever is the sooner.
- 3.3 In order to qualify for an exemption to the premiums, the owner (of either a long-term empty home, or a second home) will be expected to demonstrate they are actively marketing the property for sale or let at a reasonable price on the open market. Examples of evidence to be provided is:
- Evidence that the property is being actively marketed by an agent
 - Evidence that the property is being actively marketed by a sale or letting website.

- Evidence that the property has recently been sole subject to contract or rented out subject to tenancy agreement but is still vacant because the sale or rental agreement is taking time to complete because it is part of a chain.

3.4 The maximum period of 12 months exemption will be considered once the evidence has been provided. The exemption will be available only once to the same owner of a property. The exemption may apply again if the property has new owners, and they begin the process of marketing for sale or rent.

4. New owners of empty properties undergoing major works

4.1 Homes that have remained empty for extended periods may require extensive repair work. In situation where a new owner of an empty property is undertaking major work or structural alterations to make it habitable, the council will not charge a premium as soon as the property has been empty for one year as this could be a disincentive for a potential purchaser.

4.2 The council will therefore grant an exemption for up to 12 months from the date major repair works and/or structural work has been completed, whichever is the sooner. The exemption could be applied at any time after the property has been purchased and empty for at least 12 months, as long as the council is satisfied that the necessary repaired work is being undertaken. This could mean, for example, that a premium is applied once a property has been empty for more than 12 months but will be removed if and when the council is satisfied that the conditions for the exemption are met. Examples of evidence to be provided is:

- Schedule of works
- Builders estimates and receipts
- Photographs of property before and during work
- Access to visit the property if required

4.2 New owners using this exemption could also potentially benefit from the proposed exemption for properties being actively marketed for sale or rent, as detailed in section 2 of this annex. As long as the criteria for both exemptions are met, then a potential exemption of up to 24 months may be available in circumstances where a new owner has carried out major repaired works and then is carrying out active marketing of the property for sale or rent.

5. Second home job-related dwellings

5.1 Currently, there is a council tax discount of up to 50% for properties which are not occupied because the owner is required to live elsewhere for employment purposes.

5.2 In order to be considered as residing in a job-related accommodation, a job-related dwelling is prescribed as job-related if it is provided by reason of a person's employment or for the person's spouse or civil partner by reason of their employment including in any of the following cases (subject to some exemptions):

- a) Where it is necessary for the proper performance of the duties of the employment.

- b) Where the dwelling is provided for the better performance of the duties of the employment, and it is one of the kinds of employment in the case of which it is customary for employers to provide dwellings for employees.
- c) Where it is contractually obligated to be resident at that property and to carry on a trade or profession at the address.

5.3 It is for the local authority in the first instance, to determine the application of the job-related discount.

5.4 Where a job-related dwelling discount is in place, the council will also treat as an exemption to the second homes premium. The exemption will not apply to cases where someone chooses to have an additional property to be closer to work whilst having a family home elsewhere or where an individual is posted to a new location but maintain their previous address.

6. Seasonal homes where year-round or permanent occupation is prohibited or has been specified use

6.1 The council recognises that there are at times legal, technical and/or planning restrictions that prevents an owner from occupying a property for the full 12 months of a year.

6.2 Where properties have planning restrictions or other conditions on occupation or use in place which prevent year-round occupation, the council will exempt these from the second home premium.

7 Changes of circumstance

7.1 The council may need to revise the decision to grant an exemption to the premiums if it becomes aware that the applicant's circumstances have materially changed. Individuals must advise the council of any change in circumstances affecting the decision within 21 days of the change. Failure to do so may result in the exemption being revoked in full.

8. Notification

8.1 The council will inform the applicant in writing of the outcome of their application within 28 days of receipt, or as soon as practicable thereafter. Where the application is unsuccessful, the council will set out the reason the decision was made and explain the right of review..


9. The right to seek a review

9.1 As the exemptions to the premiums is currently determined locally, any decisions are not subject to a statutory appeals mechanism. Decisions will be determined at management level within the Revenues Service.

- 9.2 An application (or their appointee or agent) who disagrees with a decision not to award an exemption may dispute the decision. A request for a review must be made in writing to the revenues manager within one calendar month of the written decision being issued.
- 9.3 The revenues manager will review all the evidence held and may ask for further clarification to be provided. A decision will be made within 28 days of the request for a review or as soon as practicable thereafter. The decision will be notified to the claimant in writing, setting out the reasons for the decision.
- 9.4 There is no further right of appeal following the review, and a refusal will not be considered as a complaint under the Council's Complaint policy.

10. Fraud

- 10.1 The council is committed to the fight against fraud in all its forms. An applicant (or their appointee or agent) who tries to fraudulently claim an exemption from the council tax premiums by falsely declaring their circumstances, providing a false statement or evidence in support of their application, may have committed a criminal offence. Where fraud is suspected, the council will investigate, and this may lead to criminal proceedings.
- 10.2 The council reserve the right to remove the exemption and seek recovery of the premium even in cases where the property is no longer owned.

 <p>WEST OXFORDSHIRE DISTRICT COUNCIL</p>	<p>WEST OXFORDSHIRE DISTRICT COUNCIL</p>
<p>Name and Date of Committee</p>	<p>EXECUTIVE – 9 OCTOBER 2024</p>
<p>Subject</p>	<p>PUBLIC HEALTH FUNERAL POLICY</p>
<p>Wards Affected</p>	<p>All</p>
<p>Accountable Member</p>	<p>Councillor Lidia Arciszewska – Executive Member for Environment Email: Lidia.arciszewska@westoxon.gov.uk</p>
<p>Accountable Officer</p>	<p>Jon Dearing – Assistant Director for Resident Services Email: jon.dearing@publicagroup.uk</p>
<p>Report Author</p>	<p>Mandy Fathers – Business Manager for Environmental, Welfare and Revenues Email: mandy.fathers@publicagroup.uk</p>
<p>Summary</p>	<p>To consider and approve a new policy in respect of Public Health Funerals.</p>
<p>Annexes</p>	<p>Annex A – Public Health Funeral Policy</p>
<p>Recommendation</p>	<p>That the Executive resolves to:</p> <ol style="list-style-type: none"> I. Approve the Public Health Funeral Policy, attached at Annex A.
<p>Corporate Priorities</p>	<ul style="list-style-type: none"> • Putting Residents First • Working Together for West Oxfordshire
<p>Key Decision</p>	<p>NO</p>
<p>Exempt</p>	<p>NO</p>
<p>Consultees/ Consultation</p>	<p>Executive Member for Finance, Chief Executive, Director of Governance, Chief Finance Officer, Interim Head of Legal Services, Interim Executive Director, Interim Managing Director (Publica)</p>

1. BACKGROUND

- 1.1 A Public Health Funeral can be defined as a funeral arranged by local authorities for those people who have died and have no known relatives to arrange or pay for their funeral; or have relatives who do not want to; or are unable to arrange their funeral. Local authorities have responsibility to arrange such funerals under Section 46 of the Public Health (Control of Disease) Act 1984.

2. MAIN POINTS

- 2.1. The council does not currently have an adopted Public Health Funerals policy. This could possibly leave the council open to legal challenge from interested parties if it takes on a very basic funeral arrangement and the family wants something more tailored.
- 2.2. The council needs to ensure it has an adopted policy to provide both a basis for a procedural framework for staff and further provide a consistent and transparent approach to the public on how it deals with such cases.
- 2.3. The provisions of section 46 of the Public Health (Control of Disease) Act 1984 state:
- “It shall be the duty of a local authority to cause to be buried or cremated the body of any person who has died or has been found dead in their area, in any case where it appears to the authority that no suitable arrangements for disposal of the body have been or are being made otherwise than by the authority”.
- 2.4. The purpose of section 46 is to prevent the spread of disease through the proper disposal of bodies of deceased individuals where no-one else is willing or able to take responsibility for the funeral arrangements.
- 2.5. In many cases the lack of suitable arrangement is due to there being no known next of kin. These cases are generally referred to the council by the coroner’s office but on other occasions family members are traced who are unable or unwilling to take responsibility for arranging the funeral.
- 2.6. In some circumstances a successful application to the Social Fund will help meet the cost of paying for the funeral including arrangement fee costs.
- 2.7. Where the aforementioned cannot be achieved the council has an obligation to make and pay for the necessary arrangements. The council undertakes on average four to six public health funerals per year at a current cost of approximately £1,650 per funeral.
- 2.8. These costs, however, can be offset through the removal and sale of possessions from the deceased estate.

3. FINANCIAL INPLICATIONS

- 3.1. The council currently has a budget of £5,000 per year to support such burials.

4. LEGAL IMPLICATIONS

- 4.1. The legislation is detailed within the body of this report.

5. RISK ASSESSMENT

- 5.1 The risks are detailed within the body of this report.

6. EQUALITIES IMPACT

- 6.1. There is sometimes a stigma around public health funerals that these are paupers’ funerals. This is an outdated opinion, and the reality is that anyone who passes away in the district

will be treated with respect and dignity, regardless of wealth and will receive a dignified burial.

7. CLIMATE CHANGE IMPLICATIONS

7.1. None

8. ALTERNATIVE OPTIONS

8.1. The council has a statutory responsibility to process such funerals; therefore, there are no available alternative options.

9. BACKGROUND PAPERS

9.1. None.

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WEST OXFORDSHIRE
DISTRICT COUNCIL

Public Health Funerals Policy

Version Control: VI May 2024

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1. Introduction

- 1.1 This document sets out the council's public health funeral policy and how West Oxfordshire District Council (the Council) will exercise its statutory duty under Section 46(1) of the Public Health (Control of Disease) Act 1984 (the Act) which states:

“It shall be the duty of a local authority to cause to be buried or cremated the body of any person who has died or been found dead in their area, in any case where it appears to the authority that no suitable arrangements for the disposal of the body have been or are being made otherwise than by the authority”.

- 1.2 When someone dies it can be a very distressing time for those arranging a funeral, especially if there are concerns about how the funeral is to be paid for. It is normally a partner, executor or other family members who would be responsible for making funeral arrangements for a deceased person, and they would also be responsible for the costs.
- 1.3 The council cannot get involved where funeral arrangements have already been made, or if the funeral has already taken place. The Council cannot provide any funding for funeral arrangements to families, whether the funeral has taken place or not.

2. Referrals

- 2.1 If no individual is willing or able to make the funeral arrangements for the deceased, the case will be referred to the council, who will then be responsible for making the arrangements under the Act.
- 2.2 Referrals to the council are only accepted in the following ways:
- A section 46 of the Public Health (Control of Disease) Act 1984 notice from the coroner detailing time of death and place of death
 - Social Services or similar provider
 - Nursing or residential care homes
- 2.3 The council will deal with the organisation of a funeral, including registering the death, liaising with the funeral directors, and paying for the funeral.
- 2.4 The council has no duty in the following situations and therefore will not take responsibility for funeral arrangements:
- The death occurred in a National Health Service (NHS) premises
 - Funeral arrangements have already been made
 - The funeral has taken place
 - The death occurred outside of the district but where the person's main residence is in the district

3. Death in Hospital

- 3.1 If a person dies in hospital it is traditionally the responsibility of the hospital to make the funeral arrangements, but in further guidance produced in 2005 by the Department of Health Document, removes the requirement contained in the earlier documents for hospitals to become responsible for funeral arrangements. Instead it states:

“It will be particularly important for Trusts to consider having a formal policy that takes account of the interests and/or responsibilities of other partners. For example, the local authority in whose area the body lies may arrange for burial or cremation under Section 46(1) of the Public Health (Control of Disease) Act 1984. However, practice will vary widely depending on local circumstances and Trusts may wish to liaise closely and develop protocols with local authorities and others to establish responsibilities and help ensure the most respectful burial or cremation takes places as quickly as possible.”

- 3.2 Although the 2005 document essentially relieves NHS Trusts of the responsibility for making funeral arrangements, many still chose to do so. It is commonly the case that the hospital will make the arrangements for those that die without any relatives, or where relatives cannot afford the costs but do not qualify for Social Fund payments.

4. Persons not able to make arrangements

- 4.1 If the deceased has a family, but they are unable or unwilling to pay for the funeral the nearest surviving relative will be asked to inform the coroner who may supply a section 46 form to the council. The council will not accept direct referrals from relatives.
- 4.2 The nearest surviving relative will be asked to complete a Next of Kin form relinquishing their responsibility to organise a funeral and agreeing to the recovery of any costs from the deceased's estate. Where there is no estate or surviving relatives, the council will arrange and cover the costs of the funeral.

5. Search of the Deceased's Home

- 5.1 The council will conduct an inspection of the property in which the deceased passed away and/or in the case of a nursing home death, the main residence of the deceased.
- 5.2 The search will focus on finding a will, evidence of family and friends, and any items that may be used to pay for the funeral costs. The council has a power of entry under Section 61 of the Act. Unless access has been supplied by the coroner or a keyholder, a warrant is required to force entry.
- 5.3 Any shared accommodation will require the consent of any other occupier.
- 5.4 If the relevant property is in another district/borough council officers will inform that authority and will still inspect that property.

- 5.5 Any items removed by council officers from the property will be logged and retained under secure conditions at the council office for a minimum of 6 months following the funeral.
- 5.6 The inspection, carried out by two officers, is to ascertain whether there is a will, any relatives, personal information to be able to register the death and assess the financial status of the deceased in order to fund the funeral.
- 5.7 No other persons such as friends, neighbours or relatives are able to access the property with the officers.
- 5.8 In cases where the deceased's will is found and the executor is traced, the executor would be expected to organise the funeral. If the executor wishes to revoke their duties, council officers will request that the executor make a formal renunciation of the will and declare that they wish to have no further involvement in the funeral arrangements.

6. Rented Accommodation

- 6.1 Landlords should be advised not to enter or remove any items from the deceased's accommodation until after the house search has taken place.
- 6.2 The council is not responsible for clearing or cleaning the property and cannot deal with services or property matters. However, public health matters such as pest infestations and statutory nuisance can be addressed if appropriate.
- 6.3 Following the completion of the search, the property will be secured, and the keys returned to the landlord.

7 Owner Occupier

- 7.1 If the property was owned by the deceased, the case will be referred to the Treasury Solicitor after the funeral and their instructions regarding the property will be followed, unless there is a living relative, an executor or a will.

8. Registering a Death

- 8.1 Subject to guidance from the coroner; the council will register the death with the Registrar and confirm that they will dispose of the body in an appropriate matter, including naming the funeral director.
- 8.2 Only one death certificate will be purchased to allow the council to make funeral arrangements.
- 8.3 Where an inquest is being held, the coroner can release the body and issue an interim death certificate to the council or the designated funeral director. The council will not register the death.

8.4 Where the death occurs in a nursing or residential home, the coroner is not normally involved. The manager of the home can register the death but is often unable or unwilling to do so if there are no funds. The home will forward all details of the death including the doctor's medical certificate, financial status and Social Service contacts as required. On receipt of the relevant material an officer will register the death.

9. The Funeral Service

9.1 A cremation service will normally be held at a local Crematorium, unless it is established that the deceased would have chosen burial for religious, cultural or personal reasons, or if a check of the burial records reveals that the deceased owned a grave in a local Cemetery and there is room for them to be buried in it. If a burial is required and the deceased did not own a grave, burial will take place in an unmarked public grave in a cemetery.

9.2 The funeral director will provide everything necessary for a simple, dignified service, including a coffin, transport of the deceased to the Crematorium or Cemetery in a hearse, and sufficient bearers to transfer the coffin to the chapel.

9.3 The service will not normally include a minister of religion or a representative of the faith of the deceased to lead the service unless this is specified in a will.

9.4 The council will not pay for flowers, orders of service or any other expenses.

9.5 If known, the council will inform family and friends of details of the funeral and invite them to attend.

9.6 Family and friends may attend the funeral service but will have no choice as to where and when it is held. As long as there is no additional cost to the authority, family and friends can also choose a eulogy and music. The council will agree one nominated contact to liaise with the funeral director.

9.7 If a cremation is chosen, the council will give the ashes of the deceased to the family or friends if requested, at no cost to the family and friends. Where family or friends wish to collect the ashes from the crematorium, the authority officer acting as the Applicant for the Cremation should nominate them to do so on the Application for Cremation, if known. After this date, the next of kin should request the ashes from the council within 6 months of the funeral. If after 6 months the ashes remain with the council, officers will arrange for the ashes to be scattered within a garden of remembrance.

10. Estate Administration

10.1 The council is entitled to recover the cost of making funeral arrangements under Section 46 of the Public Health (Control of Disease) Act 1984. The council is not, however, empowered to administer the estate. Where there is a surplus of over £500 once all costs incurred in making the funeral arrangements have been reimbursed, the council will refer the case to the Treasury Solicitor, under Bona Vacantia.

- 10.2 Where there are known family, the case cannot be referred to the Treasury Solicitor. Under such circumstances, the council will hold all monies until a legally entitled person demonstrates their suitability to administer the estate through the holding of letters of administration from the courts.
- 10.3 Under no circumstances will money or property from the estate be given to any family member without proper lawful authority.

Glossary of Terms

Bona Vacantia

“Bona Vacantia” means vacant goods and is the legal name for ownerless property that passes to the Crown. They administer the estates of persons who die intestate without known next of kin and collect the assets of dissolved companies and failed trusts.

Intestate

Where no will has been made

Treasury Solicitor

The Treasury Solicitor’s Department is the largest provider of legal services across Government, working with over 180 Government departments and agencies. It also collects bona vacantia on behalf of the Crown

Executor

The person appointed to administer the estate of a person who has died leaving a will which nominate that person.