

# Public Document Pack

## WEST OXFORDSHIRE DISTRICT COUNCIL

### CABINET

Record of decisions taken at the meeting of the **Cabinet** held  
on **Wednesday, 26 May 2021** at 2.00 pm

### PRESENT

Councillors: Councillor Michelle Mead (Leader), Councillor Suzi Coul, Councillor Merilyn Davies, Councillor Jane Doughty, Councillor Jeff Haine, Councillor Norman MacRae MBE and Councillor Michele Mead

Also in Attendance: Councillors

Officers: Amy Bridgewater-Carnall (Senior Strategic Support Officer), Elizabeth Griffiths (Chief Finance Officer, Deputy Chief Executive and Section 151 Officer), Giles Hughes (Chief Executive) and Frank Wilson (Group Finance Director - Publica)

#### **1** Notice of Decisions

The decisions taken at the meeting on 21 April 2021 were noted.

#### **2** Apologies for Absence

Apologies for absence were received from Cabinet Member, Councillor David Harvey, and non-Cabinet Members Councillors Good and Levy.

#### **3** Declarations of Interest

There were no declarations of interest received.

#### **4** Participation of the Public

There was none.

#### **5** Receipt of Announcements

##### Welcome

Councillor Mead welcomed everyone back to the Council Chamber for the first time since lockdown restrictions eased and highlighted that this was her first meeting as Leader in the Chamber and the first Cabinet meeting for her newly appointed Cabinet Members.

##### Regulatory Excellence Awards 2021 - finalists

Councillor McRae addressed the meeting and advised that The Oxfordshire Coronavirus Regulatory Partnership had submitted a nomination to the Local Government Awards and had been selected as a Regulatory Excellence Awards 2021 Coronavirus Category finalist.

He highlighted the work undertaken by three members of West Oxfordshire staff who had pulled together, worked across the county, broken down barriers and improved relationships. These staff members were Liz Walters – Hospitality and Events Officer, Andrew Bartlett – Covid Support Officer, Maria Harper – Covid Business Support and Ruth Levett – Service Leader. Councillor MacRae then shared some extracts from the nomination form which explained the achievements and the legacy left by the team. He finished by thanking all involved for the fantastic work and the achievement in being selected as finalists for the award.

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**6** Appointments of Representatives to Outside Bodies

Members received a report from Democratic Services which advised that appointments to Outside Bodies were a responsibility of Cabinet and this exercise was carried out annually in May. The proposed appointments for 2021/22 had been included in an annex to the report, however, a revised version was circulated prior to the meeting, following Group Meetings and discussions with Group Leaders.

The report asked any Councillor who did not wish to continue with an existing appointment appointed; or who wished to be considered as an appointee to one or more particular bodies, to let Democratic Services know as soon as possible.

Councillor Mead introduced the report as Leader and proposed the appointments as per the revised Annex A. This was seconded by Councillor Haine.

**Resolved** that the appointments to Outside Bodies listed in the revised Annex A to the report, be approved.

**7** Ubico Business Case for Expansion and Extension of the Partnership to Gloucester City Council

Members received a report from the Business Manager – Contracts, which presented them with a proposal for Gloucester City Council to become an equal shareholder in Ubico Limited and presented the findings of a due diligence appraisal of the business case.

Councillor MacRae outlined the report and explained that West Oxfordshire District Council (WODC) and Cotswold District Council (CDC), along with Forest of Dean District Council (FoDDC), and four other partners in Gloucestershire were shareholders in Ubico Limited, a teckal company designed to deliver environmental services, offering better value for money than commercial contracts. Ubico had submitted a tender bid to Gloucester City Council (GCi) for its environmental services contract, which had been successful and would mean that GCi would join the partnership and become an equal shareholder in the company.

The appraisal of the business case had taken the form of an assessment of three key areas of risk –the Environmental Services Innovation Programme, the business support costs to Publica whilst integrating GCi into Ubico and the ongoing business support costs to Publica. These were detailed individually in the report under sections 3, 4 and 5.

Cheltenham Borough Council (CBC), and the other Ubico shareholders were performing their own reviews whilst Stroud District Council and Forest of Dean District Council had already agreed to GCi joining the partnership. In order to effectively review the business case, senior officers from Waste, Finance, HR, ICT, Legal, and South West Audit Partnership (SWAP) had been involved in the appraisal.

Following the review, it was concluded that Ubico had provided sufficient assurance to the Council to enable the Cabinet to recommend that the Leader approve the admission of GCi to Ubico as a shareholder. In addition, there would be a financial benefit to the Council through an estimated reduction of £33,000 per annum in corporate overhead costs.

An alternative option was that the Council could choose to oppose GCi joining the Ubico Partnership as an equal shareholder, however, the final decision would be made based on the majority.

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Councillor MacRae, therefore, proposed the recommendations in the report as laid out and this was seconded by Councillor Davies.

In response to a query from Councillor Graham, Councillor MacRae confirmed that £33,000 was West Oxfordshire Council's share of the savings across the partnership. In addition, Councillor MacRae provided clarification on the potential for depot sharing with Gloucester and the opportunities this could provide with regards to a larger workshop for servicing the fleet of vehicles. There were also discussions to be had about the potential of covering each other's outlying, rural collection areas, when these were located within easy access of one another, offering up carbon reduction and fuel savings.

Councillor Graham also asked what mechanism would be used to review and monitor the changes. Councillor MacRae advised that the Environmental Services Innovation Programme would be looking at the service improvement and there would be constant reiterations.

In response to a comment from Councillor Postan, Members were reminded that the performance of the Ubico contract was reviewed annually by Council.

Having read the report and having heard from the Members present, Cabinet

**Resolved** that the proposal contained within this report is endorsed and the Leader (As the Ubico Shareholder Representative) formally supports Gloucester City Council joining Ubico Limited, as an equal shareholder.

## 8 Local Development Scheme (LDS) Update

Members received a report from the Planning Policy Manager which requested approval of an update of the Council's Local Development Scheme (LDS). This provided information on which planning policy documents the Council intended to prepare and when, to ensure transparency and enable effective community engagement. The LDS also provided information on Neighbourhood Planning.

The report highlighted that a Local Development Scheme (LDS) was required under section 15 of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011). The LDS must specify the development plan documents which form the development plan for the area. The LDS must be made publicly available including on the Council's website and kept up to date, being revised at least annually or more frequently where the need arose. The Council's most recent LDS was approved in November 2020, however, a number of issues had arisen which meant that it was necessary to agree a further update.

An updated version of the LDS was attached at Annex A to the report and covered the period May 2021 – May 2024 and a summary of the main changes was provided in the report.

Councillor Haine outlined the report and explained the need to review the Local Plan every five years, work for which was on schedule. He also provided an update on the latest situation regarding the examination hearings for the Salt Cross development and the ongoing discussions within government relating to their intention to abolish CIL and Section 106 and replace with a new, nationally set, value-based flat rate charge. Councillor Haine reiterated that unfortunately, there was still no clarity from government on this.

With regards to the Supplementary Planning Documents, Councillor Haine signposted Members to paragraph 2.13 of the report which advised that in light of the legal advice received, the updated LDS no longer referred to the preparation of SPD's for the four

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strategic areas. Councillor Haine then proposed the recommendations as laid out and this was seconded by Councillor Davies.

Councillor Graham raised a concern that the work undertaken so far on the SPD's would be put aside and noted that there would have been a cost incurred in producing them. In addition, he queried how prepared the Council was to act once the Government announced its changes with regard to CIL and Section 106. In response, Councillor Haine recognised that there had been a cost involved in preparing SPD's, particularly in relation to officer time and repeated that as yet, there was no clarity from Government on their plans moving forwards.

The Chief Executive, Mr Hughes, addressed the meeting and stated that he did not feel the work that had gone into preparing the SPD's would be wasted because of the legacy of communication and idea harvesting that had been borne from the process. He echoed the frustrations felt at the lack of clarity from government and highlighted the work being carried out on the Oxfordshire Plan which the government were very supportive of.

Councillor Graham also wondered when consultation would be carried out, if the masterplans were to be created by the developers. In response, Councillor Haine advised that officers would be providing guidance to the developers and the plans would need to come to Council for approval. In addition, these were all strategic sites and would any proposals would undergo public consultation.

Having considered the report, and having heard from the Members present, Cabinet

**Resolved** that the updated Local Development Scheme attached at Annex A to the report is approved.

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## Opening Woodstock Outdoor Pool

Members received a report from the Business Manager – Contracts which sought approval for a revised outdoor pool opening programme for the 2021 season, allowing the Woodstock Outdoor pool to open as an addition to the GLL planned Covid 19 recovery programme.

Following the announcement of the Government Roadmap (the Roadmap) GLL were asked to provide a schedule of the re-opening of facilities in accordance with the relaxation of lockdown restrictions. This resulted in GLL establishing the minimum viable offer (MVO) which was a forecast of the allowed activities and the order in which the services could be opened whilst minimising the risk that the business could become insolvent through lack of income.

As part of establishing the MVO, GLL identified that the Woodstock Outdoor Pool operated at a financial loss of £57,000 annually, however, the benefits could still be delivered in normal circumstances as the deficit was covered by GLL as part of the contracts overall financial arrangement.

The report detailed two options for consideration – the pool remain closed resulting in zero subsidy but the potential of costs associated with dilapidation; or open for the school summer holidays resulting in a £19,000 subsidy.

The legal implications relating to any amendment to the contract and the risks associated with the proposals were outlined at sections 4 and 5 of the report. A table at paragraph 5.4 demonstrated the benefits and weaknesses of the options.

An alternative option was that the Council could choose to explore different timeframes for the re-opening, although each would have a different effect on the modelling. The report, therefore, recommended a revised opening programme as detailed at Annex A and asked

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Members to decide if the amendment to the contract be for the remainder of 2021 or if it should be extended to cover future years.

Due to the recent change in portfolio remits, it was recognised that Councillor Doughty had only just taken ownership of this service area and therefore, Councillor Coul presented the report as the previous Cabinet Member for Health and Leisure.

Councillor Coul outlined the report and assured Members that this was a positive move in order for residents to enjoy the health and wellbeing benefits the facility provided. She highlighted the offers that would be publicised to encourage the public back to the pool and hoped that opening for the summer holidays would be a good compromise.

She therefore proposed recommendations a), b) and c) i and this was seconded by Councillor Doughty.

Councillor Cooper addressed the meeting and stated his disappointment at hearing about this decision from a third party and not from Cabinet members. He advised that the pool had been in existence for over 50 years and had served Woodstock and surrounding areas including Cherwell. He queried if the model operated by Hinksey outdoor pool had been considered, which included staying open longer to provide a facility for cold water swimming.

In response, the Leader noted the request for Ward Members to be consulted in future but reminded the meeting that until this report had been considered, no decision had been made.

Councillor Davies was not convinced that the comparison of the Woodstock pool with the Hinksey facility was fair as they were very different facilities. However, it was agreed that a re-think of the future provision at Woodstock would be beneficial in order to encourage future usage.

Councillor Graham raised a concern that schools had not been consulted with as previously stated but had instead been advised that the pool would not be available to students. The new Cabinet Member for Customer Delivery, Councillor Doughty assured him she would look into this and had taken the comments relating to Ward Members on board.

Having considered the report and having heard from the Members present, Cabinet

**Resolved** that

- a) the proposed school summer holiday opening programme for Woodstock Outdoor Pool for the 2021 season, is approved;
- b) the forecast additional cost of this addition to the Recovery programme of the Leisure Contract, is acknowledged; and
- c) authority is delegated to the Head of Paid Service, in consultation with the Section 151 Officer and Cabinet member, to allow an amendment to the minimum opening hours of the leisure contract via an exchange of letters for 2021.

The Meeting closed at 2.42pm

Leader of the Council

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