

WEST OXFORDSHIRE DISTRICT COUNCIL

Minutes of the meeting of the

Cabinet

Held in the Council Chamber at 2.00 pm on **Wednesday, 15 December 2021**

PRESENT

Councillors: Michele Mead (Leader, David Harvey (Deputy Leader), Suzi Coul, Merilyn Davies, Jane Doughty, Jeff Haine and Norman MacRae MBE.

Also present: Councillors Cooper, Enright, Fenton, Graham and Postan.

Officers: Amy Bridgewater-Carnall (Democratic Services Manager), Georgina Dyer (Chief Accountant), Mandy Fathers (Business Manager - Operations Support and Enabling), Elizabeth Griffiths (Chief Finance Officer, Deputy Chief Executive and Section 151 Officer), Giles Hughes (Chief Executive) and Frank Wilson (Group Finance Director - Publica).

57 Notice of Decisions

The notice of decisions taken at the meeting on 10 November 2021 were noted.

58 Apologies for Absence

There were no apologies for absence received.

59 Declarations of Interest

There were no declarations of interest received.

60 Participation of the Public

There was none.

61 Receipt of Announcements

Budget Consultation

Councillor Cool reminded the meeting that the Council's Budget Consultation 2022 to 2023 was now live and she asked Members to encourage residents to participate.

Find Al the Elf

Councillor Coul hoped that all Members had seen the competition, launched in conjunction with Love West Oxfordshire, asking children to help 'Find Al', one of Santa's elves. There were ten pictures of Al displayed in each of the towns and two children would win a prize if they could spot where he had been. It was hoped that the competition would encourage visitors and residents to shop locally and support local businesses. Over 350 competition entries had been received so far.

Christmas Tree Recycling Service

Councillor MacRae advised that any real Christmas trees presented at the kerbside between Monday 10th and Monday 31 January 2022 inclusive, would be collected for all households, regardless of whether they had a current garden waste licence.

He stressed that trees would need to be presented on the scheduled garden waste collection day and small trees should be placed in the garden waste bin, where possible. Larger trees could be left next to the bin but must be reduced to 2 to 3 foot sections in order for crews to collect.

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Covid-19 Update

The Leader thanked Members and officers for adhering to the policy of wearing masks whilst walking around the building and reiterated the importance of staying safe. She advised that discussion were ongoing with the Local Government Association about the reintroduction of on-line meetings moving into the New Year and assured Members she would keep them up to date. Councillor Mead also congratulated everyone involved in helping to run the pop up vaccination centre in Witney, which had delivered over four thousand injections. She also advised that the smaller venues were working well and there was a possibility of these returning in the District. Again, the Leader reiterated that she would update Members when she knew more.

Finally, Councillor Mead took the opportunity to wish that everyone had the best Christmas they could have and hoped that the New Year would bring better times.

62 Finance Performance Report 2021-22 Quarter Two

Members received a report from the Deputy Chief Executive and Section 151 Officer, which provided details of the Council's financial performance at the end of 2021-22 Quarter Two.

The report outlined significant variances in the finances and a full list of these, by cost centre, were included in Annex A. Those variances felt to be of note were explored in the report with further explanation and detail provided in paragraphs 1.6 to 1.12. It was noted that the results for quarter two were in line with those reported in quarter one, with no significant budget pressures reported.

In addition, Covid specific grants which had created surpluses in quarter one were being spent consistently and were on track to be exhausted by year end. The underspend in quarter two was a little less than twice the reported underspend in Q1 reinforcing the consistency between the two sets of results. One of the issues exacerbated by Covid was the Council's level of aged debt but the Council had successfully engaged a credit controller on a fixed term contract and this was being addressed. The report summarised that overall Q2 remained encouragingly on track.

There were no alternative options available because the report was for noting.

The Cabinet Member for Finance, Councillor Coul introduced the report and reiterated that the Council's finances were in an encouraging position. She proposed the report as written. This was seconded by Councillor Mead.

Councillor Graham raised a number of queries relating to the fall in revenue for car park enforcement on page 21 of the report. The Chief Finance Officer advised that this was due to a fall in the number of people using the car parks due to lockdown, which in turn, impacted on the level of enforcement measures being taken. Councillor Graham asked what the expected shortfall may be for the next quarter and was reminded that income from car parking penalty charge notices was not a revenue generating area of the budget. It was noted that the fall could also be due to car park users adhering to the conditions of parking.

Having considered the report, Cabinet

Resolved that the report is noted.

63 Approval of Extension to Agreement for Support Services with Publica

Members received a report from the Chief Executive which asked them to consider an extension of the Publica service agreement for Support Services.

The Publica Support Service Agreement (“the Agreement”) expires on 31st October 2022. Shareholder Councils are required to give 12 months’ notice of their intention to grant an extension and consequently a decision is required now. Publica was set up in early 2017 and its contracts to supply services to the Councils commenced on 1st November 2017.

As part of the arrangements the Councils entered into agreements with Publica to deliver the joint services from Autumn 2017 and it was agreed by the Councils that the duration for the Support Service Provision would be five years, plus opportunity to extend for two further periods each of four years. This resulted in the next expiry being 31 October 2022.

There were a number of alternative options available to members detailed in full at section 8 of the report and these included not extending the agreement, outsourcing the service or bringing the service back in house.

This report was considered by the Council’s Finance and Management Overview and Scrutiny Committee on the 1 December 2021. The Committee resolved to support the extension of the agreement for another four years, and commented that before the next renewal decision, a review of options should take place to inform that future decision.

The Leader introduced the report and reminded Members that this report had been discussed thoroughly at the Finance and Management Overview and Scrutiny Meeting and the Member briefing provided. Councillor Mead proposed that the report be approved as written and this was seconded by Councillor Coul.

Councillor Graham queried the length of the extension to 2026. The Chief Executive explained that the report was before Members now because the current agreement was due for renewal in October 2022. He advised that the timeframes had been agreed at the start of the contract and were felt to be reasonable to deliver long term continuity. In addition, they reflected the complexity of the areas covered and the amount of work required, should the Council decide to take a different approach to delivering these services.

In response to a further query from Councillor Graham, officers confirmed that the Flood consent and enforcement area of work related to the Council’s Shared Principal Engineer, Laurence King’s role.

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

Resolved that the Support Services Agreement with Publica Group (Support) Limited be extended for a further four year term until 31 October 2026.

64 Infrastructure Funding Statement

Members received a report from the Planning Policy Manager which asked them to consider and approve the West Oxfordshire Infrastructure Funding Statement (IFS) for 2020/21.

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Following changes to the Community Infrastructure Levy (CIL) Regulations in 2019, local authorities were required to report on the receipt and use of developer contributions through the publication of an annual Infrastructure Funding Statement (IFS). The IFS must be published by 31 December each year and cover the previous financial year (1 April - 31 March). Its main purpose was to set out future infrastructure requirements and expected costs, contributions received during the previous financial year, anticipated funding from developer contributions (e.g. Section 106 and CIL) and the Council's future spending priorities.

The IFS must be updated annually and was intended to feed back into Local Plan reviews and effectively replaced previous local authority CIL regulation 123 lists.

The report provided an overview of the different sections of the IFS along with the headline figures relating to S106 contributions, what they would be used for and those amounts to be transferred to Oxfordshire County Council and Parish and Town Councils.

There was no alternative option listed because the publication of the IFS was a legislative requirement and its content was dictated by the Community Infrastructure Levy (Amendment) (England) (No. 2) Regulations 2019.

The Cabinet member for Strategic Planning, Councillor Haine introduced the report and explained the reasons for reporting due to changes in regulations. He congratulated the officers for a very thorough and well written report, which reflected exactly what Members had asked for. Councillor Haine proposed the recommendation as laid out.

This was seconded by Councillor Davies who echoed the comments made and passed her compliments to the officers involved.

In response to a query raised by Councillor Fenton, it was confirmed that the report related to S106 contributions that had been spent by the District Council.

Councillor Cooper addressed the meeting and highlighted the key local priority relating to Marlborough School, detailed on page 55 of the document pack. He suggested that officers may wish to check this priority as historically the church had blocked improvements to the school. It was felt this was because they were one of the few Church of England schools in the area and they did not want their facilities to be used on a Sunday.

Councillor Haine noted the comment and advised that the priority had been created following information received through the consultation process. He agreed to look into the matter and respond to Councillor Cooper.

Councillor Graham raised a number of issues relating to Section 106 funds secured at The Driving Centre, Enstone Airfield, the reference to 'Education – Primary' on page 59, and asked for an update on how officers were planning to proceed with the CIL Charging Schedule.

The Chief Finance Officer advised that the extensive Section 106 database would be able to confirm if the funds relating to Enstone Airfield had been secured and collected. She agreed to check and respond to Councillor Graham.

Councillor Haine agreed to find out about the 'Education – Primary' reference and respond in due course. With regard to the update on the CIL Charging Schedule, Councillor Haine

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advised that there had been several major projects being dealt with by the Planning team which had taken time. However, he had requested that officers focus on CIL, whilst awaiting further information from the Government. He estimated that this work could take in the region of six months and Members would be updated as and when there was more to report.

Councillor Fenton advised that having looked up the planning reference next to 'Education – Primary', this related to the Batt School in Witney.

Having been proposed and duly seconded, the Cabinet

Resolved that the Infrastructure Funding Statement (IFS), attached at Annex A to the report, be approved and published on the Council's website by 31 December 2021 in accordance with legislative requirements.

65 Annual Monitoring Report

Members received a report from the Planning Policy Manager which asked them to consider the Council's Local Plan Annual Monitoring Report for 2020-2021, attached at Annex A to the report.

Publication of a Local Plan Annual Monitoring Report was a requirement under current legislation and provided an update on the progress of the local plan and any other related documents against agreed timetables; implementation of Local Plan policies; Neighbourhood Planning; Community Infrastructure Levy (CIL) where this had been introduced; and how the Council had fulfilled its obligations under the Duty to Co-Operate.

The report explained that the AMR was structured in line with the six main themes of the West Oxfordshire Council Plan (2020 – 2024) and provided a brief overview for each theme. The themes included Climate Action, Healthy Town and Villages, a Vibrant District Economy, Strong Local Communities, Meet the Housing Needs of our Changing Population and Modern Council Services and Sustainable Finance.

There were no alternative options listed because preparation of an Annual Monitoring Report was a legal requirement under the Town and Country Planning (Local Planning) (England) Regulations 2012.

The Cabinet Member for Strategic Planning, Councillor Haine introduced the report and highlighted the legislative requirements for producing the document. He proposed the recommendations as laid out and this was seconded by Councillor Harvey. In seconding, Councillor Harvey thanked the officers for a lucid and well written report.

Councillor Enright addressed the meeting and highlighted the reference to air quality under the Climate Action theme. Whilst he noted that the report referred to a decrease in carbon emissions he felt that this was mainly due to the impact of Covid-19 and the subsequent lockdowns. Councillor Enright also drew Members attention to the ongoing work with the County Council to establish a new website addressing this important issue.

Councillor Graham raised a concern about the discrepancy in information relating to 'Meeting the Housing Needs of our Changing Population'. He felt that the number and type of properties being delivered was disproportionate to the need of residents. Councillor Haine noted his concerns and agreed to look into the issue.

Councillor Davies reminded Members that developers did not always want to build one or two bedroom properties and a balance needed to be met. However, this issue was continually being addressed, as evidenced by her recent meeting that week with developers. She assured Councillor Graham that she was using her position as Cabinet Member for Communities and Housing to address these issues.

Councillor Postan suggested that a central list or forum could be established to identify the changes required to the Local Plan. In response, the Leader explained that this work was already underway with a variety of bodies looking at this as part of the imminent review.

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

Resolved that the content of the Local Plan Annual Monitoring Report be noted.

66 Performance Monitoring Report Q2 - 2021/22

Members received a report from the Chief Executive which provided details of the Council's operational performance at the end of 2021-22 Quarter Two (Q2).

The Council monitored service performance each quarter and a report on progress towards achieving the aim and priorities set out in the Corporate Plan was produced at the end of Q2 and Q4. A review of performance indicators was underway, and Portfolio Holders were having discussions with relevant managers about priority areas and finding metrics that would be most representative and provide assurance as to how the Council is performing.

The report drew attention to a number of issues that had contributed to a reduced level of operational service in some areas and the actions being taken to improve performance.

There were no alternative options because the report was for noting.

The Cabinet Member for Finance, Councillor Coul introduced the report and reminded Members that work was ongoing to formulate a new reporting process and it was hoped that the next quarter's report would reflect this. Councillor Coul highlighted some of the key indicators that had come out of this report including abandoned phone call rates, the Council Tax support system and issues relating to planning applications and resourcing.

She advised that investigations were underway to understand when individuals were abandoning calls to the Councils as it was thought this could coincide with the automated message advising people to access the website. It was acknowledged that the introduction of the new Council Tax support IT system had caused problems and delays but these had been addressed. With regard to the difficulties being experienced in the Planning department, an improvement plan was now in place but it was noted that this would take time.

Councillor Coul then took the opportunity to highlight the challenges that the Council's staff and Members had experienced over the past two years. She praised the work and dedication of officers and acknowledged the huge support of Members during this time. Councillor Coul concluded by noting that whilst the report may appear quite 'black and white' it did not reflect the huge amount of work undertaken by officers to continue to deliver services, for which she thanked them. She therefore, proposed that the report be noted.

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This was seconded by Councillor MacRae who echoed Councillor Coul's gratitude to officers. He requested that the staff at Ubico also be included in this as they should be recognised for their continued work and support.

Councillor Graham agreed with the comments and added his whole hearted support to officers for their continued dedication.

Having considered the report, Cabinet

Resolved that the 2021/22 Q2 service performance be noted.

67 Exclusion of Public and Press

Resolved that, in view of the likely disclosure of exempt information, as defined in paragraphs 1 and 2 of Part 1 of Schedule 12A to the Local Government Act 1972, the public were excluded from the meeting for the remaining item of business.

68 Consideration to write off debt

Members received a confidential report from the Group Manager for Resident Services which sought approval for the writing off of Council Tax debts in excess of £5,000.

The report provided details about the individual circumstances of the resident, along with the background and support that had been provided over a number of years. The report explained that at present the Council's Financial Rules state that any amounts in excess of £5,000 requested for write off must be approved by Cabinet.

Following discussions with Cabinet Members and officers it was felt that the threshold for approving write offs was low and due to the sensitive nature of these issues, it would be more appropriate for the Section 151 Officer to have delegated authority, in consultation with the Cabinet Member for Finance. Therefore, recommendation b) proposed that the Financial Rules and the Constitution be updated to reflect this.

Alternative options were that the Cabinet could choose to write off a proportion or none of the debt.

The Cabinet Member for Finance, Councillor Coul introduced the report and proposed the recommendations as laid out. This was seconded by Councillor Mead.

In response to a query from Councillor Cooper relating to Parish Precepts, the Council's Chief Accountant outlined the processes involved in dealing with 'bad debt' and the implications on the District and Parish Councils.

Councillor Graham queried the rationale for amending the figure in the Scheme of Delegation and officers confirmed that this was a legacy amount, brought in a number of years ago. Cabinet members had also been keen to respect the dignity of any person facing such financial difficulty and reiterated the support and advice that was provided by officers.

Having considered the report, Cabinet

Resolved that

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- a) the write off as detailed within the report, is approved; and
- b) the Scheme of Delegation and Council's Financial Rules be amended to state that:
 - i. any amount in excess of £5,000 that is requested for write off must be approved by the Section 151 Officer in consultation with the Cabinet Member for Finance; and
 - ii. any amount in excess of £10,000 that is requested for write off must be approved by Cabinet.

The Meeting closed at 2.38 pm

CHAIRMAN