

WEST OXFORDSHIRE DISTRICT COUNCIL

Minutes of the meeting of the **Cabinet**

Held in the Charlbury Community Centre, Enstone Road, Charlbury, OX7 3PQ at 2.00 pm on
Wednesday, 21 September 2022

PRESENT

Councillors: Duncan Enright (Deputy Leader and Cabinet Member for Economic Development), Joy Aitman (Cabinet Member for Stronger, Healthy Communities), Dan Levy (Cabinet Member for Finance), Mathew Parkinson (Cabinet Member for Customer Delivery) and Geoff Saul (Cabinet Member for Housing and Social Welfare).

Also present Councillors: Hugo Ashton, Mike Cahill, Colin Dingwall, Gill Hill, Charlie Maynard, Michelle Mead and Alaric Smith.

Officers: Giles Hughes (Chief Executive), Elizabeth Griffiths (Chief Finance Officer, Deputy Chief Executive and Section 151 Officer), Susan Sale (Monitoring Officer), Mandy Fathers (Business Manager, Environmental, Welfare & Revenue Service), Andrew Turner (Business Manager, Assets & Council Priorities), Murry Burnett (Strategic Housing & Development Officer), Elizabeth Stacey, Georgia Jones (Communications Officer), Anne Learmonth and Janet Eustace (Democratic Services).

55 Minutes of Previous Meeting

The minutes of the meetings held on Wednesday 17 August 2022 and 14 September 2022 were approved and signed by the Deputy Leader.

56 Apologies for Absence

Councillors: Andy Graham (Leader), Lidia Arciszewska (Cabinet Member for Environment), Andrew Prosser (Cabinet Member for Climate Change) and Carl Rylett (Cabinet Member for Planning and Sustainable Development).

57 Declarations of Interest

Declarations of Interest were received as follows:

Councillor Levy (Cabinet Member for Finance) declared an interest in item 68 and after introducing the paper, took no part in the decision making process.

58 Participation of the Public

The Deputy Leader reported that Michael Anderson (Chair of Chilson Parish Meeting) had submitted three written questions. Councillor Arciszewska (Cabinet Member for Environment) had provided the following answers:

Q1. The removal of recycling facilities in local car parks has proved a real inconvenience (given the distance to our nearest recycling centres) and appears to have increased fly tipping. Given the increasing importance of the need to meet recycling targets, will the Council reconsider its position on this issue?

A1. The council provides an extensive doorstep recycling service to residents of West Oxfordshire, it is in the top 10% of local authorities in the country for recycling. Levels of fly tipping in West Oxfordshire have reduced during the last year. The council has commissioned a review of its waste and recycling services that is scheduled to report to the Cabinet later

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this year and I have asked Officers to review recycling provision in West Oxfordshire following the removal of community recycling sites by the previous Administration.

Q2. In order to support the area's town centres, can the Council confirm that it has no plans to stop free on street parking, and in Council car parks?

A2. We have no current plans to introduce Parking Charges in Council (off street) Car Parks. The management of On Street Parking transfers back to the County Council in April next year.

Q3. What actual action can the Council take to prevent the regular discharge of sewage into the Evenlode?

A3. The Council is working closely with Thames Water on the issue of raw sewage discharges into the Evenlode. Thames Water will be attending a Council meeting in September where they will be providing an update on their current performance as well as what their detailed plans are for the Evenlode catchment, which is included in their smarter water catchment initiative / scheme.

The Council is also demanding that this government reverse its recent legislation that allows water companies to continue to pollute our rivers without any legal sanctions and that the regulators insist on proper investment to upgrade the current infrastructure which is clearly not 'fit for purpose'.

59 Receipt of Announcements

Councillor Enright (Deputy Leader) recorded his thanks to officers who had facilitated activities which had enabled residents of West Oxfordshire to pay tribute to Her Majesty Queen Elizabeth II during the period of mourning.

The meeting observed a short silence to reflect on the life of HM Queen Elizabeth.

60 Hackney Carriage Fare Review

Councillor Enright (as Cabinet Member for Economic Development) introduced the report on the Hackney Carriage Fare Review. He explained that fares were reviewed from time to time and that recent increases in the cost of living made this review timely.

Councillor Mead asked why only 10% of taxi drivers had been consulted and flagged up concerns that increases in fares could result in increased social isolation particularly in rural areas. Councillor Dingwall noted that fuel costs were going down and said he hoped drivers would charge lower fares where possible. Mandy Fathers ((Business Manager, Environmental, Welfare & Revenue Service) explained that these were maximum fares and that all drivers had an opportunity to comment on the proposals.

Resolved by Cabinet to

- a) Agree the proposed increase to the hackney carriage table of fares is advertised as a public notice in accordance with the requirements of Section 65, of the Local Government (Miscellaneous Provisions) Act 1976; and
- b) Agree subject to there being no objections received in accordance with the statutory provisions within 14 days of publication of the notice, the proposed fare increase will

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take effect from 12 October 2022. If objections are received within the 14 days, the matter will need to be considered further by Cabinet within two months of the first specified date.

61 Implementation of Local Connection Criteria and Fee Regime for the Self-Build Register

Councillor Saul (Cabinet Member for Housing and Social Welfare) introduced this item. He explained that Regulations now allow for the Register to be split to identify those with a local connection. It was proposed to apply a local connection test similar to the Council's Housing Allocation Scheme which would require the applicant to demonstrate residence, employment or a family connection in the District. Councillor Aitman supported the proposals saying that it was important to be ready for the increased demand that was expected.

Councillor Dingwall expressed concerns that the financial capability test might exclude those people who could not provide the upfront finance needed. Murry Burnett (Strategic Housing & Development Officer) confirmed that the intention was to be as flexible as possible and that the absence of upfront finance would not necessarily prevent an applicant joining the list.

Resolved by Cabinet to

- a) approve the introduction of a local connection and financial capability criteria for entry on to the Council's Self & Custom Build Register be agreed; and
- b) approve a review of the Register and the creation of Part 1 and Part 2 of the register. With Part 1 being formed of those who meet local connection criteria set and Part 2 to be formed of those who conform with all criteria except the local connection test; and
- c) approve that the fee structure set out within Section 5 of this report for new applicant to join the register is adopted from 1st April 2023 and that this fee can be monitored and varied if necessary with the agreement of the Cabinet Member;

62 Review of Monitoring Officer Arrangements

Councillor Enright (Deputy Leader) introduced this item. He paid tribute to the support provided by Susan Sale who is the Council's interim Monitoring Officer. He emphasised the importance of the Monitoring Officer role and explained that the proposal was to appoint a full time Director of Governance and Development who would also be the Council's Monitoring Officer. Other posts would be converted from temporary to permanent to support the Council's emerging priorities.

In discussion it was agreed that the Job Description for the Director of Governance and Development should be amended so that key responsibility 3 reads 'Develop an innovative and commercial approach across the Council' deleting reference to 'within your specific service areas'.

Resolved by Cabinet to

- a) Support the recruitment of a full time Director of Governance & Development to act as the Council's Monitoring Officer.
- b) Request that the Performance and Appointments Committee be requested to consider the terms and conditions for the Director of Governance & Development and any consequential amendments to those of the retained officer structure.
- c) Support the conversion of the following temporary roles into permanent roles into permanent roles in light of the central role they will play in delivering the Shared Prosperity Fund and the Council's emerging priorities:

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- Market Towns Officer
 - Climate Change Manager
- d) Review other temporary roles relevant to West Oxfordshire through the 23/24 budget process to consider permanent contracts for those roles that are needed on an ongoing basis.
- e) Give consideration to extending the temporary contract for the Biodiversity/Countryside Land Management Officer role to allow this role to be considered through the 23/24 budget process.
- f) Note that the funding for the roles set out in (c) above be in the first instance financed from the New Initiatives Funding Reserve previously approved by Council pending any permanent funding being approved in the 2023/24 budget process.

63 Performance Monitoring Report Q1 - 2022/23

Councillor Levy (Cabinet Member for Finance) introduced this item and reported that most of the indicators demonstrated that performance continued to improve. The report served to highlight those areas which needed more work.

There was discussion around the collection of green waste where fewer households were buying licences. It was felt that efforts should be made to find out why this was happening. It was noted that changes in central government policy could have a big impact on the number of enquiries to the Council. The Chief Executive explained that a small number of key planning indicators were being reported on. Other data would be available within the systems but it was noted that pre application discussions did not follow set timescales and would be difficult to measure. Councillor Enright noted that the Council would shortly begin work on a new waste contract.

Resolved by Cabinet to note the 2022/23 Q1 service performance

64 Financial Performance Q1 2022/23

Councillor Levy (Cabinet Member for Finance) introduced this report. He explained that Q1 showed an overall overspend compared to budget largely due to inflation and the increase in fuel prices. He warned that the position would become more difficult as the cost of living crises bites. Various services, including green waste, trade waste and car parking enforcement had been identified as areas to keep under close review. Also officers were looking to renegotiate the current high bank charges. The Chief Finance Officer explained that there were a number of reasons why recycling costs were increasing including that some materials were very expensive to recycle.

Resolved by Cabinet to note the 2022/23 Q1 finance performance.

65 Exclusion of Public and Press

Cabinet **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.

66 Write Off of Unpaid Business Rates in Excess of £5,000

Councillor Levy (Cabinet Member for Finance) explained that business rates to the value of £5,170.74 had been incurred on a property in the District. The proposed write off would

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result in a deficit in the business rates which will form part of the Collection Fund Surplus or Deficit at the end of 2022/23.

Resolved by Cabinet to approve the write off of £5,170.74.

67 New Lease at Unit 1 Talisman Business Centre, Bicester

Councillor Levy (Cabinet Member for Finance) introduced this item. He explained that the previous tenant had agreed a dilapidations payment of £165,000. He confirmed that a new tenant had been found and would be paying the same rent as the previous tenant. It was encouraging that a new tenant had been found so quickly.

Resolved by Cabinet to

- (a) approve the granting of a lease of Unit 1 Talisman Business Centre, Bicester on the terms contained in this report;
- (b) approve the funding of works recommended within the report from the £165,000 dilapidations payment from the previous tenant and £154,000 from the Investment and Incentive Fund, with the tenant to carry out the works as a preference as detailed in the report;
- (c) approve delegated authority be given to the Group Manager for Property and Regeneration in consultation with the Head of Legal Services and the Deputy Chief Executive to approve the final terms of the lease.

68 S13A Discretionary Council Tax Discount Appeal Application

Councillor Levy (Cabinet Member for Finance) introduced this item. He explained that he had considered the original application under delegated decisions and had decided against awarding a rebate. The applicant had now appealed and the matter was being considered by Cabinet. Councillor Levy said that he would take no part in the decision regarding the appeal.

Councillor Enright asked whether this case would set a precedent and was assured that each application was considered on a case by case basis.

Resolved by Cabinet to

- (a) Consider the appeal for Council Tax Section 13A Discretionary discount submitted under Section 13A of the Local Government Finance Act 1992; and,
- (b) Approve the award of a Council Tax discount under S13A of the Local Government Finance Act 1992 as detailed in paragraph 2.9 of this report

The Meeting closed at 2.47 pm

CHAIR