

WEST OXFORDSHIRE DISTRICT COUNCIL

Minutes of the meeting of **Executive.**

Held in Committee Room One, Woodgreen, Witney, Oxfordshire OX28 1NB at 6.00pm on
Wednesday 15 November 2023.

PRESENT

Councillors: Andy Graham, Duncan Enright, Carl Rylett, Andrew Prosser, Alaric Smith, Geoff Saul, Lidia Arciszewska and Tim Sumner.

Officers: Giles Hughes (Chief Executive), Frank Wilson (Group Finance Director - Publica), Bill Oddy (Assistant Director for Commercial Development), Phil Martin (Assistant Director for Business Support), Charlie Jackson (Assistant Director - Planning and Sustainability), Max Thompson (Senior Democratic Services Officer) and Michelle Ouzman (Strategic Support Officer, Democratic Services), Philip Measures (ERS Service Leader), William Barton (Business Development Officer), Georgina Dyer (Chief Accountant), Chris Hargraves (Planning Policy Manager), Michelle Ouzman (Democratic Services Officer), Barry Clack (Communications Officer) and Elise Chowdhury (Communications Officer).

Other Councillors in Attendance: Michele Mead, Harry St. John, Charlie Maynard, Liam Walker, Phil Godfrey, Thomas Ashby, Rosie Pearson, David Melvin, and Julian Cooper.

100 Apologies for Absence

Apologies for Absence were received from Councillor Joy Aitman.

101 Declarations of Interest

Councillor Andy Graham, Leader of the Council, made a declaration on behalf of the Publica Officers in attendance, stating the Officers had a pecuniary interest in agenda item 13 (Publica Review), adding they would leave the room whilst the report was considered by the Executive.

There were no Declarations of Interest made by Members of the Executive.

102 Minutes of Previous Meeting

Councillor Duncan Enright, Deputy Leader of the Council and Executive Member for Economic Development, proposed that the minutes of the previous meeting, held on Wednesday 11 October 2023, be agreed by the Executive as a true and accurate record, and signed by the Leader of the Council.

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 the minutes of the previous meeting, held on Wednesday 11 October 2023, as a true and accurate record.

103 Receipt of Announcements

Councillor Andy Graham, Leader of the Council, welcomed all attendees to the meeting, and thanked members of the public for attending. The Leader also welcomed the public watching proceedings on the Council's website.

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The Leader advised attendees of the rationale for the meeting starting at 6.00pm, rather than the usual time of 2.00pm, which was in order to allow greater public attendance at the meeting, which could not have ordinarily been achieved by holding the meeting during normal working hours.

The Leader gave the public and officers in attendance an overview of the way that the meeting would run. Public attendees were also advised that Members of the Executive would remain in attendance after the meeting had concluded, so that those in attendance could meet each other on an informal basis.

The Leader further advised that the final two Agenda Items contained commercially sensitive information and details of a private nature, and as such, the meeting would need to agree to enter private session with the appropriate juncture being highlighted when necessary.

The Leader announced that the meeting was the final meeting that Councillor Carl Rylett would be in position for as the Executive Member for Planning and Sustainability. Councillor Rylett would step down from the Executive and be replaced by Councillor Charlie Maynard with effect from the following day.

Members of the Executive thanked Councillor Rylett for his hard work and commitment as a Member of the Executive, and stated they looked forward to continuing to work with him in the future.

The Leader also announced that the latest version of the 'WODC Voice' newsletter had been released and would be sent by mail to residents of the district. The Leader explained that there had been positive feedback after the previous newsletter, and was pleased to see the newsletter reaching residents to keep them informed of the latest activities undertaken by the Council.

The Leader also announced that the next Executive meeting would be held on Wednesday 13 December, and that the meeting would be the next meeting in the series of "Executive on Tour". The meeting would be held at Charlbury Community Centre, starting at 2.00pm, and further details would be cascaded at the right time by Officers.

Councillor Carl Rylett, Executive Member for Planning and Sustainability, gave the Executive an update regarding the Council's Housing Numbers Position, which embodied the Council's 5-Year Housing Land Supply. The Executive Member announced that the Council had reached a position where it was able to demonstrate a 5-Year Housing Land Supply. The Executive member stated that this would give the Council a greater say when determining applications for development within the district.

Councillor Duncan Enright, Deputy Leader of the Council and Executive Member for Economic Development, gave the Executive an update regarding events that would take place over the Christmas Period of 2023. The Deputy Leader stated that events were detailed in the recently published 'WODC Voice' newsletter. The Deputy Leader also affirmed the aspirations of the Council to work together with local businesses, Town Councils, churches, and hospitality settings, and that promoting events more widely, and on an annual basis, would help to achieve greater prosperity. Planned events included a Christmas Market, which would take place at Marriott's Walk in Witney between 8 and 10 December 2023, with over 30 wooden chalets, offering a range of festive fun and treats.

Councillor Lidia Arciszewska, Executive Member for the Environment, announced the release of a new draft flood map for the Ducklington area, in particular 'The Moors', which had been

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devised by the Environment Agency (EA), and had come forward after work undertaken between the Council, and the local community.

The Executive Member stated that the EA had reviewed the flood mapping for the area, and that the update would also help the Council to better determine applications for development. The Executive Member thanked the EA, Councillors, and the local community for their work and engagement respectively,

Councillor Geoff Saul, Executive Member for Housing and Social Welfare, announced that the Council, in conjunction with Cottsway Housing Association, had secured an additional 23 units for affordable housing within the district, which would accommodate in the first instance, refugees from Ukraine and Afghanistan. The Executive Member stated that the units had arisen from receipt of Government funding, and at no cost to local residents.

Councillor Tim Sumner, Executive Member for Leisure and Major Projects, announced that through the Sports England Swimming Pool Support Fund, the Council had been awarded £354,000, which would benefit the swimming pools in Carterton, Chipping Norton and Witney.

The Executive Member further stated that a 'Phase 2 of Funding' had been applied for, which would further help the pools in Carterton, Chipping Norton and Witney, as well as the pool located in Woodstock.

The Executive Member paid tribute to those who had worked on the project in order to secure the funding.

104 Participation of the Public

There was no public participation at the meeting.

105 Proactive Delivery of Affordable Housing

Councillor Geoff Saul, Executive Member for Housing and Social Welfare, introduced the report, which outlined the Council's aspiration for a more proactive approach to increasing the supply of affordable housing within the district. The report further outlined how this could be achieved with the required resources.

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

The Executive **Resolved** to:

1. Note the suggestions to be explored, in order to increase the supply of affordable homes within the district;
2. Approve the appointment of a new Strategic Housing Development & Enabling Manager.

106 Oxfordshire Local Electric Vehicle Infrastructure (OXLEVI) Programme

Councillor Andrew Prosser, Executive Member for Climate Change, introduced the report, which sought to approve the submission of the countywide Local Electric Vehicle Infrastructure (LEVI) Stage 2 application, to install electric vehicle (EV) charging Infrastructure in West Oxfordshire.

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

The Executive **Resolved** to:

- I. Delegate authority to the Council's Director of Finance, in consultation with the Executive Members for Finance and Climate Change to:
 - i. Approve Oxfordshire County Council's (OCC's) submission of a stage 2 application to the Office for Zero Emissions Vehicles for Oxfordshire's allocation of £3.655 million LEVI funding;
 - ii. Approve that OCC accept and spend LEVI funds in accordance with the submitted proposal;
 - iii. Approve that OCC tender for EV charging contracts in Oxfordshire; the tender will be a joint tender on behalf of all Oxfordshire County and district councils, which OCC will lead;
 - iv. Approve that WODC enter directly into the contract with the Charge Point Operator (CPO) following the tender process and completion of full feasibility studies and sign off at the OXLEVI Programme Board.

107 Council Tax, Housing Benefit and Council Tax Support Penalty and Prosecution Policy

Councillor Alaric Smith, Executive Member for Finance, introduced the report, which presented the Executive with an updated Council Tax, Housing Benefit and Council Tax Support Penalty and Prosecution Policy for approval.

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

The Executive **Resolved** to:

1. Adopt the Council Tax, Housing Benefit and Council Tax Support Penalty and Prosecution Policy;
2. Delegate authority to the Director of Finance to approve future minor amendments to the Policy, in consultation with the Business Manager Environmental, Welfare and Revenue Service and the Head of Service, Counter Fraud and Enforcement Unit.

108 UK Shared Prosperity Fund and Rural England Prosperity Fund

Councillor Duncan Enright, Deputy Leader of the Council and Executive Member for Economic Development, introduced the report, which provided an overview of the progress on the planning and delivery of the Council's UK Shared Prosperity Fund and Rural England Prosperity Fund.

The Deputy Leader gave the Executive a detailed overview of some of the planned projects which would be supported by the funds, and how the implication of the funds would be of wider benefit to the district. It was further highlighted that reports relating to the UK Shared Prosperity Fund, were able to be found [on the Council's website](#).

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

The Executive **Resolved** to:

1. Note the progress on planning and delivery of the Council's UK Shared Prosperity Fund and Rural England Prosperity Fund;
2. Delegate authority for the approval of future schemes and expenditure to the Deputy Leader and Cabinet Member for Economic Development, in consultation with the Council's UKSPF / REPF Delivery Group.

109 Financial Performance Report 2023/24 Quarter Two

Councillor Alaric Smith, Executive Member for Finance, introduced the report, which provided details of the Council's financial performance for Quarter Two 2023-2024.

The Executive Member also referred to a recommendation made from the Council's Overview and Scrutiny Committee, which requested that the Council drew up plans for major refurbishment works to be undertaken at Chipping Norton Leisure Centre.

The Executive Member stated that the Executive were supportive of the recommendation in principle and were keen to address the issues caused by the water damage. The Executive stated they would, however, want a more extensive capital refurbishment programme to be an informed piece of work more generally.

A recently commissioned Strategic Outcomes Planning Model would provide the evidence base for the most effective use of a capital allocation at Chipping Norton Leisure Centre.

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

The Executive **Resolved** to:

1. Note the Council's Financial Performance for Quarter Two 2023-2024.

110 Infrastructure Funding Statement (IFS) 2022/23

Councillor Carl Rylett, Executive Member for Planning and Sustainable Development, introduced the report, which sought to note the West Oxfordshire Infrastructure Funding Statement (IFS) for 2022/23.

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

The Executive **Resolved** to:

1. Note the content of the Infrastructure Funding Statement (IFS), with a view to it being published on the Council's website by 31 December 2023 in accordance with legislative requirements.

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111 Fixed Penalty Notice Level Increases for Fly Tipping and Waste Crime Offences

Councillor Lidia Arciszewska, Executive Member for Environment, introduced the report, which set out the new maximum level fines proposed by the Government, to deter and punish the offences of littering, fly-tipping, householder duty of care, flyposting & the distribution of free printed matter. The report also sought approval to introduce these new fine levels.

In debate, the Executive thanked the work of officers who had ensured that communications regarding illegal fly-tipping were published through the Council's online channels, and to officers who had ensured that prevention and monitoring work had taken place effectively.

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

The Executive **Resolved** to:

1. Note the content of the report;
2. Recommend to Council to agree to an increase in the fine levels to the maximum levels permissible, as outlined in Table 1;
3. Recommend to Council to agree an early payment discount as outlined in Table 1;
4. Delegate authority to the Chief Executive to increase levels of fines, subject to the resolutions of Council on 29 November 2023.

112 Publica Review

Ahead of the item of business being considered by the Executive, Officers employed by Publica Group left the Committee Room.

Councillor Andy Graham, Leader of the Council, introduced the report, which outlined conclusions from the recent Strategic Review of Publica Services, carried out by Human Engine on behalf of the four Publica Councils, and further sought to consider the next steps.

The Leader gave a detailed, high-level overview of the implications that were associated with the report, and explained that, whilst not fully known, a wide-ranging scale of financial costings would be associated with the proposals, as well as legal and recruitment implications, and that a full transitional plan and full business case would be formulated, to enable that residents remain foremost in the aims of the Council.

The Leader explained that the review process would take time, and that every stage will have the due diligence associated with it, to manage a smooth transition of services, as recommended to the Council.

The Leader further advised the Executive that the proposals would be considered by the Council's Overview and Scrutiny Committee, at a 'spotlight' meeting being held on 18 December 2023 at 5.30pm, before being re-considered by the Executive and then Council.

In debate, a number of non-executive members were invited to speak and expressed their disappointment at the decisions that were to be taken, and referred to Publica being owned by the Council, rather than being an external organisation. Members also suggested that a better course of action would have been to invest in Publica and re-formulate the working partnership that was already in place, rather than strip it back to a level similar to previous arrangements that existed before Publica's creation.

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Members also highlighted an apparent lack of Transitional Management qualifications, and questioned whether the Chief Executives of the partner Councils were qualified in that field. It was subsequently confirmed that an external Programme Director would be appointed to oversee the proposed transition.

Reference was also made to the residents of West Oxfordshire being dissatisfied with the Publica 'model' of operation, and that residents were keen to see services delivered by the Council in its own right.

Members of the Executive stated that the operation of Publica was perceived to be 'opaque', and that partner Councils were willing to change the status quo. Members of the Executive unanimously agreed that throughout the process, the aim was to help deliver services for the better, and to put residents of the district first. The Executive also provided reassurance that the proposals had not arisen as a reflection of the efforts of staff employed by Publica but were reflective of the operating model in its current form.

Members also expressed caution about the proposals being considered, whilst all of the financial facts and implications were not fully detailed, and that this would make the role of the Overview and Scrutiny Committee difficult when it scrutinises the proposals. The Chief Executive reassured Members that the Overview and Scrutiny Committee would have the appropriate time to consider the review proposals, allowing time for the fullest financial, modelling and governance implications to be scrutinised.

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

The Executive **Resolved** to:

1. Note any decisions taken by the Cabinets at Cotswold District Council, Cheltenham Borough Council and Forest of Dean District Council;
2. Support in principle the direction recommended in the Human Engine report to return a range of services back to the Council and reshape Publica;
3. Instruct the Chief Executive to commence preparatory work and prepare a business case for a new operating model, and an associated transition plan identifying any necessary consultations, in partnership with Cheltenham Borough Council, Cotswold District Council, Forest of Dean District Council and Publica, and to report back to Executive with these;
4. Instruct the Chief Executive to prepare an Equality Impact Assessment as part of the preparatory work;
5. Agree to set the following principles to help guide the preparatory work and transition plan:
 - a. Recognise the significant contribution of Publica staff and management to West Oxfordshire;
 - b. Ensure that human resources processes are fair and appropriate, and that there is effective engagement with Unions and staff;
 - c. Support the financial sustainability of the Council, and the delivery of the Council's ambitions as set out in the Council Plan;

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- d. Explore the potential for delivering services in partnership to ensure adequate capacity and capability, and realise economies of scale;
 - e. Ensure that there are effective governance, management and staffing structures in place for the Council, any partnership services, and for Publica, both through the transition process and afterwards;
 - f. That the transition costs from changes are shared fairly amongst all of the partner Councils;
 - g. That the funding model for Publica and partnership services in the future is fair and reflects the extent of services received.
6. Instruct the Chief Executive to commence the process for Union recognition for West Oxfordshire District Council staff;
 7. Refer the Publica Review and Human Engine Report to the Overview and Scrutiny Committee for their comments, prior to further consideration at the Executive and consideration by Council;
 8. Agree to set aside £100,000 from the Corporate Priorities earmarked reserve to fund potential transition and preparatory work required for the Council and for the Publica Partnership during the 2023/24 financial year;
 9. Agree to set aside a further £200,000 of earmarked reserve to 2024/25 transition costs within the ongoing budget setting process for 24/25 (and update of the Council's Medium Term Financial Strategy);
 10. Agree that for the 2024/25 Budget and Medium-Term Financial Strategy (currently being developed for presentation to Council in February 2024) to consider the financial implications more broadly, including on Council's revenue and capital budgets, its risk profile, and its balance sheet (reserves and liabilities).

Attendees and Officers employed by Publica Group, returned to the Committee Room at the conclusion of the item.

113 Exclusion of Press and Public

Councillor Andy Graham, Leader of the Council, proposed that Executive agree to exclude the press and public from the meeting for the remaining exempt items of business, on the basis that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

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

The Executive **Resolved** in accordance with the provisions of Paragraph 4(2)(b) of the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2012 to:

1. Exclude the press and public from the meeting on the grounds that their presence could involve the likely disclosure of exempt information as described in paragraph 3 of Schedule 12A of the Local Government Act 1972, with the public interest in maintaining the exemption outweighing the public interest in disclosing the information.

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114 Lease of Council Offices (Elmfield)

Councillor Alaric Smith, Executive Member for Finance, introduced the report, which requested approval for the lease of the Council's Elmfield Offices and the Gables, as detailed in the report.

In debate, the Executive highlighted the effective use of Council assets that the proposal would bring, and that the leasing would be of use to local businesses who would look to work more flexibly, as well as being helpful to the Council. The Executive gave particular thanks to the work of the proposed tenant for their commitment to secure a vital lease for their services in the longer term.

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

The Executive **Resolved** to:

1. Approve the letting of Elmfield Offices and The Gables on the terms detailed within the report;
2. Delegate authority to the Assistant Director for Property & Regeneration, in consultation with Executive Member for Finance and the Director of Finance, to agree the final terms of the lease, including the cost of the Landlord's works.

115 Disposal And Development of Land At Walterbush Road, Chipping Norton For Custom Build Zero Carbon Homes

Councillor Geoff Saul, Executive Member for Housing and Social Welfare, introduced the report, which considered a new delivery model for the development of homes at Walterbush Road, Chipping Norton.

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

The Executive **Resolved** to:

1. Agree to proceed with GreenAxis, based on the model set out in the report, subject to suitable legal agreements being put in place to protect the council's interest;
2. Proceed, if agreement cannot be reached, with seeking formal Expressions of Interest on the site for a development, as agreed by the Executive in June 2023.

The Meeting Closed at 7.31pm.

CHAIR