

WEST OXFORDSHIRE DISTRICT COUNCIL

CABINET

Record of decisions taken at the meeting of the **Cabinet** held via video conferencing on **Wednesday 13 January, 2021** at 2.00pm.

PRESENT

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

Also in Attendance: Councillors Joy Aitman, Alaa Al-Yousuf, Richard Bishop, Jill Bull, Julian Cooper, Derek Cotterill, Harry Eaglestone, Duncan Enright, Hilary Fenton, Ted Fenton, Andy Graham, Gill Hill, Dan Levy, Martin McBride, Alex Postan, Carl Rylett and Harry St John.

Officers: Giles Hughes (Chief Executive); Elizabeth Griffiths (Chief Finance Officer); Frank Wilson (Executive Director, Finance); Astrid Harvey (Community Planning Officer); Chris Hargraves (Planning Policy Manager); Ciaran O’Kane (Senior Procurement Business Partner); Jasmine McWilliams (Assets Manager); Keith Butler (Head of Democratic Services) and Amy Bridgewater-Carnall (Senior Strategic Support Officer).

89. NOTICE OF DECISIONS

RESOLVED: That the record of the decisions taken at the meeting held on 16 December 2020, copies of which had been circulated, be approved and signed as a correct record.

90. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Steve Good.

91. DECLARATIONS OF INTEREST

There were no declarations of interest from Members or Officers relating to matters to be considered at the meeting.

92. PARTICIPATION OF THE PUBLIC

No submissions were received from the public in accordance with the Council’s Rules of Procedure.

93. RECEIPT OF ANNOUNCEMENTS

93.1 Flooding on Christmas Eve

Councillor MacRae addressed Members and advised that many properties, people and businesses had fallen victim to flooding over the Christmas weekend. He paid tribute to everyone who had responded on Christmas Eve, in particular, local residents, Oxfordshire Fire and Rescue Service, Councillor Morris and all Councillors as well as the public who rallied round.

In particular, Councillor MacRae thanked WODC Officers Frank Wilson; Bill Oddy; Laurence King; Phil Martin; Phil Shaw, Karen Rushworth; Andrew Smith, Chelsea Hopkins, Louise Oddy, Mandy Fathers, Michelle Clifford and Bob Lightfoot from Ubico along with his team. He described the extensive assistance that was provided from the provision of sandbags to

emergency accommodation and again thanked farmers, residents and RAF officers for stepping in when needed.

Following the emergency, Councillor MacRae contacted the Chief Executive with a view to looking at any lessons that could be learned, and whether the flood prevention strategy needed reviewing. Work had now begun on this and, as a reflection of the importance of the work, the Leader, Councillor Mead, would be assuming the role of Responsible Cabinet Member for this item. Finally, Councillor MacRae requested that any observations and experiences of flooding issues over Christmas be reported to Laurence King as the single point of contact.

Councillor Enright asked a question relating to the potential for residents to request specialist waste collections in light of the flood damage caused to their properties. Councillor MacRae advised that he would speak to officers and provide an answer outside of the meeting but was wary in case this had implications on insurance claims for individuals.

93.2 Waste Collections

Councillor MacRae thanked colleagues from Ubico for maintaining the refuse and recycling collection service during the pandemic and recent severe weather. Customer satisfaction rates were high, with over 24,000 bins collected every week and accuracy hitting 99.92%, meaning that the level of missed bins was low. Councillor MacRae reminded Members that the new strain of Coronavirus was particularly aggressive and could result in crews being reduced in numbers temporarily. He asked that everyone be patient and understanding should this happen.

93.3 Covid Winter Funding

Councillor Coul announced that the Covid Winter Funding scheme was being facilitated by colleagues at the Citizens Advice Team in Witney. She encouraged anyone who knew of a resident in need to signpost them to the service.

93.4 Clinically and Extremely Vulnerable Residents

Councillor Coul advised that since the announcement of the latest lockdown and the news of the latest strain of Coronavirus, all residents classed as clinically and/or extremely vulnerable had once again been contacted and offered assistance and support, should they need it.

94. DESIGNATION OF ASCOTT UNDER WYCHWOOD NEIGHBOURHOOD AREA

The Cabinet received and considered the report of the Chief Executive, which requested the determination of the Ascott under Wychwood Neighbourhood Area, which was proposed to encompass the entire Parish of Ascott under Wychwood and also to include an area of land with five properties within the Parish of Shipton under Wychwood as detailed in Annex A to the report.

In the application submitted, Ascott under Wychwood Parish Council noted that the five properties located within Shipton under Wychwood Parish 'straddle, sit on or are very close to the border with Ascott under Wychwood but are up to two miles from the nearest Shipton properties. They have always been treated as part of Ascott Parish; homeowners have traditionally regarded themselves as Ascott residents and have participated in the life of Ascott community'.

Shipton under Wychwood Parish Council resolved on 15 October 2020 to support the Ascott under Wychwood Neighbourhood Area as proposed and Oxfordshire County Council confirmed that it had no objections.

The Cabinet Member for Strategic Planning, Councillor Haine introduced the report and advised that this was a relatively straight forward matter but would allow Ascott under Wychwood to proceed with the development of their Neighbourhood Plan.

Having considered the report, and having heard from officers and Members present, Cabinet resolved that the application be approved.

DECISION: That the application for Neighbourhood Area Designation by Ascott under Wychwood Parish Council be approved, as explained in the report and the Annex to the report.

REASONS: To enable the pursuit of the Ascott under Wychwood neighbourhood plan and contribute to the achievement of the following corporate priorities: Climate action, Healthy towns and villages, a vibrant district economy, building strong local communities and meeting the housing needs of our changing population.

OPTIONS: The Council could choose not to support the Neighbourhood Area which includes land outside the Ascott under Wychwood parish boundary. Ascott under Wychwood Parish Council would, however, be able to produce a Neighbourhood Plan for a Neighbourhood Area which follows the Ascott under Wychwood Parish Boundary.

95. REVISED DRAFT AFFORDABLE HOUSING SUPPLEMENTARY PLANNING DOCUMENT

The Cabinet received and considered the report of the Planning Policy Manager, which sought approval for the publication of a revised draft Affordable Housing Supplementary Planning Document (SPD), for the purposes of a six-week public consultation.

Policy H3 of the Local Plan sought to boost the supply of new affordable homes in a number of ways including on-site as a proportion of larger market housing schemes of eleven or more units, through financial contributions from smaller market housing schemes of six to ten units and through the provision of rural exception sites (RES).

To provide further detail on the operation of Policy H3, the Council was in the process of preparing an Affordable Housing Supplementary Planning Document (SPD) which, if adopted, would replace the previous version published in 2007.

An initial draft was published for a six-week period of public consultation from 10 July until 21 August 2020 and responses were received from eight organisations, detailed at 1.4 of the report. A full schedule of comments was attached at Annex A and the revised draft was attached at Annex B to the report.

The Cabinet Member for Strategic Planning, Councillor Haine introduced the report and proposed that the revised draft be published for a further six week consultation period. He expressed his frustration that the measures relating to Climate Change were not stronger at this stage but noted that this would not be possible until legislation changed at Central Government. He had been advised by Mr Parnes of Woodstock Town Council that there was a mistake at section 9.1 of the document and assured Members that this would be amended to read 'This model has been successfully implemented in Long Hanborough and will also be offered on their other sites for development at **Woodstock**', removing the reference to East Woodstock.

Councillor Davies seconded the proposal and recognised the frustration felt regarding the Climate Change measures but was satisfied that the SPD went as far as it could at this stage.

Councillor Cooper requested clarification on section 2.5 of the report which read “Greater clarity on the Council’s affordable housing tenure preferences including increased reference to low cost affordable home ownership options”. He asked if Government went ahead with this, it would appear to undermine what Blenheim Estates are offering the Council, therefore had any work been done to see what that would mean for the Council.

Councillor Haine advised that he would enquire and get back to him.

Councillor Postan felt this was an interesting paper as the definition of affordable was often confusing. However, he asked if the details relating to modern building techniques could be enhanced and suggested incentivising developers to be more forward thinking with modern methods of construction. Councillor Haine stated that modern building techniques were referenced in the report and the issue was being taken forwards.

Councillor Graham asked for clarification on the dates and methods of consultation and queried the lack of reference to infrastructure in the document. In response, Councillor Haine advised that consultation was due to commence shortly and would be conducted via the Council’s website and other usual avenues. The document did not contain references to infrastructure as this was not part of the work being looked at.

Having considered the report, and having heard from officers and Members present, Cabinet resolved that the recommendation be approved.

DECISION: That the revised draft Affordable Housing Supplementary Planning Document (SPD) attached at Annex B to the report be published for a six-week period of public consultation.

REASONS: To enable the Council to secure the provision of high quality affordable homes, as outlined as a key aspect of the West Oxfordshire Council Plan (2020 – 2024) and the West Oxfordshire Local Plan 2031.

OPTIONS: Members could request amendments to the draft, choose not to publish it for consultation or amend the consultation period.

96. PROPOSED CHANGES TO CONTRACT PROCEDURE RULES

The Cabinet received and considered the report of the Senior Procurement Business Partner, which sought a recommendation to Council to simplify the procurement process for low value procurements, change the thresholds outlined in the current Contract Procedure Rules (CPRs) and align them with other Publica Councils. The proposed changes would enable officers to self-serve under £25,000.

The proposed new Contract Procedure Rules document was attached as Annex A to the report.

The report was considered by the Finance and Management Overview and Scrutiny Committee at the meeting on 9 December 2020 and the Committee was supportive of the changes.

The last review of the Contract Procedure Rules was carried out in 2012 and since then the Procurement Department had introduced improvements such as an eProcurement portal which provided improved contract management in response to recent audit reports.

Whilst undertaking the review of the CPRs, the necessary changes had also been made to terminology in preparation for the UK's transition out of the EU on 31 December 2021. These changes were minimal and had no legal implications.

The Cabinet Member for Resources, Councillor Morris introduced the report and advised that this would bring the procedure rules in line with the partner councils, enabling officers to work with the same guidelines across the Publica group. He assured Members that the Procurement Team would retain the responsibility of authorising spend over £10,000 and the update also took into account changes following the exit from the EU and the ability to use electronic signatures.

This was seconded by Councillor MacRae and Cabinet resolved that the recommendations be approved.

DECISION: That Council be recommended to adopt the proposed revised Contract Procedure Rules appended to this report, with immediate effect.

REASONS: To enable the Council to continue to provide modern services and ensure sustainable finance.

OPTIONS: Cabinet could choose to amend the document or not adopt it, however, this would not bring West Oxfordshire in line with the other partner councils.

97. 2021/2022 BUDGET

The Cabinet received and considered the report of the Chief Finance Officer, which sought consideration of (i) the initial draft base budgets for 2021/22; (ii) Fees and charges for 2021/22; (iii) the adoption of the Council Tax Base for 2021/22; and (iv) the submission of the required business rates return.

The initial draft budget was presented to the Council's Overview and Scrutiny Committees with no specific issues raised and Scrutiny Members were reassured that all possible steps had been taken to reduce costs and increase income where possible. This report asked Cabinet to make initial recommendations to Council on 13 January 2021 whilst final budget matters for 2021/22 would be resolved by Council on 24 February 2021.

A summary of the draft base revenue budget for 2021/22 was attached at Annex A together with detailed revenue budget breakdowns at Annex B to the report.

Since the budget was presented to the Scrutiny Committees, officers had received not only the Provisional Local Government Finance Settlement but were closer to calculating the expected Rates income through the NNDRI. The impact of both of these was substantial and the report advised of the affect on the MTFs and stated that an updated version would be presented along with the final budget proposal.

The report also provided substantial information relating to the Business Rates Retention Scheme, the National Funding Position, Growth and Budget pressures, the Capital Programme and draft Fees and Charges. Annexes C and D to the report detailed the Budget pressures and the proposed Fees and Charges for 2021/22. Section 2.14 of the report outlined the details of the current Investment Interest budget followed by the Council Tax Base (attached as Annex E to the report) Parish Precepts and the Local Council Tax Support Scheme.

A number of changes had been made to the budget since it was reviewed by the Overview and Scrutiny Committees and a summary was provided at 2.20 of the report.

The Cabinet Member for Resources, Councillor Morris introduced the report and provided an oversight of the current financial position of the Council. He recognised the work that officers had put in up to this point and in particular thanked the Chief Finance Officer and Services Managers for their input.

Councillor Coul echoed Councillor Morris comments and was pleased that the Council had produced a robust budget in such a challenging year.

In response to a query from Councillor Cotterill, Councillor Morris advised that he did not expect officers to be in a position to submit a revised report to the Finance and Management Overview and Scrutiny meeting in February and directed him to the summary of changes detailed in the report. However, officers agreed to respond to Councillor Cotterill outside of the meeting once the Committee's work programme had been taken into account.

Councillor Graham highlighted the financial strain that the pandemic had placed on many families and asked if enough had been done to increase savings through digitalisation of services. He also asked for clarification on the consultation methods to be used.

In response, Councillor Morris explained that there was a savings programme built into the budget with Publica delivering on their savings targets. He reiterated that the Council's usual consultation methods would be undertaken, including on line consultation which had always resulted in a good response.

Councillor Postan queried if the report from the Council's Financial Advisors, Arlingclose, would be submitted to the February Finance & Management Overview and Scrutiny meeting and was advised that the Committee Officer would investigate.

In response to a query from Councillor Al-Yousuf regarding the figures in Annex A relating to a change of approximately £4,000,000, Councillor Morris confirmed that this was as a consequence of the one off pension contributions.

Having considered the report, and having heard from officers and Members present, Cabinet resolved that the recommendations be approved.

DECISIONS:

- (a) That the draft base budgets for 2021/22 be approved, as set out in Annex A to the report;
- (b) That the fees and charges for 2021/22 be approved for inclusion as part of the Budget recommendations to Council on 24 February 2021, as set out in Annex D to the report;
- (c) That Council be recommended to approve:
 - (i) The Council Tax Base shown in Annex E, calculated as £44,917.91 for the year 2021/22;
 - (ii) Authorising the Chief Finance Officer to submit the National Non-Domestic Rates Return 1 (NNDRI) to the Ministry of Housing, Communities and Local Government by the submission date of 31 January 2021; and
 - (iii) Authorising the Chief Finance Officer to approve the annual uprating of allowances and non-dependant deductions in the Local Council Tax Support Scheme in line with national regulations.

REASONS: To ensure the Council maintains its' commitment to deliver excellent modern services whilst ensuring financial sustainability. The budget supports all other Council priorities.

OPTIONS: Members could request an amendment to the budget papers or choose not to recommend them to Council.

98. EXCLUSION OF THE PUBLIC

RESOLVED: That, in view of the likely disclosure of exempt information, as defined in paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972, (information relating to the financial or business affairs of any particular person), the public be excluded from the meeting for the remaining item of business.

99. OPTIONS FOR THE FUTURE USE OF THE GUILDHALL, CHIPPING NORTON

The Cabinet received and considered the report of the Assets Manager, Assets, which asked Members to consider options for the future use of the Guildhall, Chipping Norton.

The report explained that the Council currently owned the freehold of the listed building and detailed various external and structural repairs, along with the relevant costs, which had been undertaken in 2014/15.

The current occupants of the building were Chipping Norton Town Council who had a right to occupy after the 1974 Local Government Reorganisation, whilst contributing a percentage towards utility and repair costs.

Following the cessation of the ground floor and first floor offices by tenants, an options appraisal was prepared by the Valuer and Estates Surveyor.

The report outlined four options for the future use of the Guildhall, along with the relevant financial implications associated with them and asked Members to consider which solution to undertake. A recommendation to authorise the Group Manager for Commissioning to approve the final details under whichever option was chosen, was also included. This would be in consultation with the Cabinet Member for Resources, the Chief Finance Officer and the Monitoring Officer.

In response to a query from Councillor Cooper, Councillor Morris agreed to confirm which piece of legislation and Act Of Parliament restricted the District Council from levying the full commercial rent on the Town Council.

Having considered the report and having heard from the officers present, Cabinet resolved that Option 2 was the preferred option at this time.

DECISIONS:

- (a) That Option 2 of the report be progressed and discussions with Chipping Norton Town Council be initiated; and
- (b) That the Group Manager for Commissioning be authorised, in consultation with the Cabinet Member for Resources, the Chief Finance Officer and the Monitoring Officer, to approve the final detailed heads of terms under the option chosen.

The meeting closed at 2.43 pm

Leader of the Council