

Minutes of a meeting of the Cabinet on Wednesday 18 October 2023



Cabinet members present:

Councillor Brown	Councillor Turner
Councillor Chapman	Councillor Hunt
Councillor Railton	Councillor Linda Smith
Councillor Upton	

Officers present for all or part of the meeting:

Tom Bridgman, Executive Director (Development)
David Butler, Head of Planning and Regulatory Services
Lucy Cherry, Policy and Partnerships Officer
Rose Dickinson, Carbon Reduction Team Manager
Sarah Harrison, Team Leader (Planning Policy)
Tom Hook, Executive Director (Corporate Resources)
Emma Jackman, Head of Law and Governance
Nigel Kennedy, Head of Financial Services
Emma Lund, Committee and Member Services Officer
Tina Mould, Capital Programme Project Manager
Mish Tullar, Head of Corporate Strategy
Rachel Williams, Planning Policy and Place Manager

Apologies:

Councillors Munkonge and Rehman sent apologies.

66. Addresses and Questions by Members of the Public

Helen Marshall, on behalf of CPRE Oxford, had submitted a representation relating to the Oxford Local Plan 2040 Regulation 19 Consultation Document.

Kaddy Beck, on behalf of the Save Bertie Park Campaign, addressed Cabinet on the subject of the Oxford Local Plan 2040 Regulation 19 Consultation Document.

Both statements, and the responses provided, are attached to these minutes.

67. Councillor Addresses on any item for decision on the Cabinet agenda

None.

68. Councillor Addresses on Neighbourhood Issues

None.

69. Items raised by Cabinet Members

None.

70. Scrutiny reports

The Climate and Environment Panel had met on 12 September 2023; the Housing and Homelessness Panel had met on 5 October 2023 and the Scrutiny Committee had met on 10 and 16 October 2023. Recommendations had been made at those meetings relating to:

- (i) Air Pollution
- (ii) Delivery of Electric Vehicle Infrastructure for Oxford
- (iii) Oxford Local Plan 2040 Regulation 19 Consultation Document

In the absence of the Chair of the Scrutiny Committee, Cabinet noted the recommendations during consideration of the individual agenda items. Responses had been provided in a separately published supplement, and the scrutiny recommendations had been largely accepted.

In relation to Air Pollution, which was not on the Cabinet agenda, it was noted that the Climate and Environment Panel had made two recommendations which related to (i) producing an accessible summary of the annual Air Quality Status Report and (ii) considering how to identify and promote the broader benefits of action to improve air quality. Both recommendations had been accepted.

71. Oxford Local Plan 2040 Regulation 19 Consultation Document

The Head of Planning and Regulatory Services had submitted a report to seek approval for the Oxford Local Plan 2040 Proposed Submission Document for public consultation and recommend to Council its approval for consultation and, subject to the outcome of the consultation, if no matters are raised that materially impact upon the Plan strategy, submit the Submission Draft Oxford Local Plan 2040 to the Secretary of State for formal examination.

Councillor Louise Upton, Cabinet Member for Planning and Healthier Communities, highlighted the importance of the Local Plan in achieving the Council's goals, which included ensuring that future developments did not adversely affect climate change, and tackling the issue of unaffordability of housing for many of Oxford's residents. Councillor Upton outlined that the draft Local Plan incorporated a broad range of policies covering areas such as protecting the world class heritage buildings of the city whilst ensuring that they could adapt to climate change; protecting district and local centres so that valued services remained close at hand for residents; ensuring that Oxford remained a vibrant and attractive place to live; requiring a higher level of social housing within developments than in neighbouring districts; and ensuring that Oxford's residents benefitted from a thriving economy by being able to access well-paid jobs. Policies had also been included relating to affordable workplaces being provided in large developments; allowing the loss of some badly placed employment land to housing whilst allowing densification of employment at sites closest to transport hubs; increasing biodiversity by 10% within developments; and encouraging greening of the urban environment. Councillor Upton highlighted the innovative nature of many of these policies.

Cabinet noted that the Scrutiny Committee had considered the report on 16 October and had made eight recommendations. Of these, six had been accepted. Several minor changes had been made to the document as a result, which had mostly related to points of clarification. Two recommendations had not been accepted. These related to the definition

of a Local Centre and the list of Local Centres. The response had outlined the process which had been undertaken to define the list and its appropriateness, and signposting the definition of a Local Centre which was shown in the glossary.

Cabinet resolved to:

1. **Recommend to Council** that it approves the Oxford Local Plan 2040 Proposed Submission Document for consultation;
2. **Recommend to Council** that it approves the following supporting statutory documentation: the Sustainability Appraisal, Habitats Regulation Assessment, Infrastructure Development Plan (IDP) and Equalities Impact Assessment;
3. **Authorise** the Head of Planning and Regulatory Services, in consultation with the Cabinet Member for Planning and Healthier Communities, to make any necessary minor typographical changes and modifications to the proposed submission document, IDP, Sustainability Appraisal and Habitat Regulations Assessment, and to agree the final publication style of the draft version before publication; and
4. **Authorise** the Head of Planning & Regulatory Services, in consultation with the Cabinet Member for Planning and Healthier Communities, to make any minor changes to the document following publication which are deemed necessary as a result of the consultation, and then to formally submit the Oxford Local Plan 2040 to the Secretary of State for examination. In the event that significant issues are raised that suggest the Plan is not sound and major amendments are required, the Plan will need to be re-drafted and brought back to Council to approve another public consultation before submission.

72. Partial CIL Charging Schedule Review

The Head of Planning and Regulatory Services had submitted a report to seek approval for the Draft CIL Charging Schedule to be published for public consultation.

Councillor Louise Upton, Cabinet Member for Planning and Healthier Communities, outlined that the Community Infrastructure Levy (CIL) was a tariff charged on new developments. The CIL charging schedule had been reviewed to assess whether the tariffs were still at the appropriate level, or whether any changes were needed as a result of changing circumstances. The review had determined that for most of the use classes an increase in the CIL rate would result in developments becoming unviable. However, there were three business class uses where the amounts had been set much lower than that of housing land. It was considered that these would remain viable with much higher CIL rates and it was therefore proposed to increase these from £31.50 per sqm to £158.00 per sqm, which was in line with the charges for many other types of development including housing.

Cabinet resolved to:

1. **Approve** the Community Infrastructure Levy (CIL) Draft Charging Schedule to be published for public consultation (Appendix 1);
2. **Authorise** the Head of Planning and Regulatory Services, in consultation with the Cabinet Member for Planning and Healthier Communities, to make any minor typographical changes to the Draft Charging Schedule before publication; and

3. **Authorise** the Head of Planning and Regulatory Services to formally publish the Draft Charging Schedule and associated evidence base for public consultation.

73. Delivery of Electric Vehicle Infrastructure for Oxford

The Head of Corporate Strategy had submitted a report to (i) seek approval for Oxford City Council's Electric Vehicle Infrastructure (EVI) Delivery and Implementation Plan, which clarifies the work packages and resources needed to deliver the first chapter of Oxford's EVI strategy (OxEVIS) up to April 2026; (ii) seek delegated authority for officers to enter into contracts and agreements with third parties to deliver the OxEVIS Implementation Plan; and (iii) agree to changes to the GULO (Go Ultra Low Oxford) project.

Councillor Anna Railton, Cabinet Member for Zero Carbon Oxford and Climate Justice set out the background to the report, principally the increasing shift in responsibility for electric vehicle infrastructure (EVI) to Tier 1 authorities. In this context, Oxfordshire County Council had expressed the wish to take full control of EVI on the highways, including the existing installed Go Ultra Low Oxford (GULO) estate and future GULO phase 2 deployment which had to date been managed by the City Council. The report therefore sought the required authorities and delegations to allow the various contract arrangements, stock and remaining funding to be migrated. It also signalled the County Council's intention to honour Oxford City Council's existing EVI strategy.

Four scrutiny recommendations had been made, which had all been accepted.

Cabinet Members expressed regret that the City Council would not be able to oversee its own infrastructure strategy to fruition, or fully benefit from projects in which resources of time and investment had been made. It was noted that Oxford City Council could still install its own EVI on land which it owned (such as city-owned car parks and park and ride), and potentially on third party land through back-to-back contract agreements.

Cabinet resolved to:

1. **Approve** the draft Implementation Plan for the Council's Electric Vehicle Infrastructure Strategy (OxEVIS) delivery as set out in Appendix 4 and **delegate authority** to the Head of Corporate Strategy in consultation with the Cabinet Member for Planning and Healthier Communities and the Cabinet Member for Zero Carbon Oxford and Climate Justice to make amendments to the Implementation Plan where required to ensure delivery of the OxEVIS;
2. **Delegate authority** to the Head of Corporate Strategy, in consultation with the Cabinet Member for Planning and Healthier Communities, the Cabinet Member for Zero Carbon Oxford and Climate Justice, the Head of Financial Services/Section 151 Officer, and the Council's Monitoring Officer, to enter into partnerships and collaborative working arrangements with third parties as required to deliver the Implementation Plan;
3. **Delegate authority** to the Head of Corporate Strategy, in consultation with the Cabinet Member for Planning and Healthier Communities, the Cabinet Member for Zero Carbon Oxford and Climate Justice, the Head of Financial Services/Section 151 Officer, and the Council's Monitoring Officer, to accept tenders and enter into concession contracts (within the constraints set out in paragraph 39 of this Cabinet report) for the purposes of delivering the Implementation Plan;

4. **Delegate authority** to the Head of Corporate Strategy, in consultation with the Cabinet Member for Planning and Healthier Communities, the Head of Financial Services/Section 151 Officer, and the Council's Monitoring Officer, to give grants for the purposes of delivering the Implementation Plan up to an aggregate value of £500k;
5. **Delegate authority** to the Head of Corporate Strategy, in consultation with the Head of Corporate Property, the Cabinet Member for Planning and Healthier Communities, the Head of Financial Services/Section 151 Officer, and the Council's Monitoring Officer, to enter into leases up to a rental value of £5M for the purposes of delivering the Implementation Plan;
6. **Note** the interdependency with the funding bid under the standard 2024 MTFP budget setting process (detail as per Table 1 of the report). Over the four year budget period this implementation plan delivers an estimated net income of £24k. Net income for 2029-2040 is estimated at up to £5.2M;
7. **Agree** the On-street elements of the Go Ultra Low Oxford project (GULO) transition from Oxford City Council delivery to Oxfordshire County Council delivery, subject to the following conditions being fulfilled:
 - a. The County Council is satisfied that it can meet the funding obligations within the GULO funding agreement;
 - b. The funding body for GULO agrees (Office for Zero Emission Vehicles/OZEV) for the transfer to take place;
 - c. There is an agreement by both Councils on the methodology for delivery of the key outputs of GULO Phase 2, including the number of electric vehicle charging points and cable channels (GUL-e) committed under GULO are delivered to updated timeframes that are agreed with Oxford City Council and the funding body;
 - d. The existing GULO estate and highways related GULO Phase 2 funding are both transferred; and
 - e. An updated partnership agreement, including a revenue share arrangement for the assets associated with GULO is put in place that recovers the City Council investment to date; and
8. **Note** the reduction of Oxford City Council control over delivery of the OxEVIS Strategy due to national delegation of Local Electric Vehicle Infrastructure (LEVI) grant deployment to tier 1 authorities. Moving from overseeing city-wide delivery of OxEVIS to collaborating with Oxfordshire County Council on relevant OxEVIS policies related to highways EV Infrastructure deployment.

74. Utilities Procurement 2024 - 2028

The Head of Corporate Strategy had submitted a report to seek delegated authority for the Head of Corporate Strategy, in consultation with the Head of Financial Services / Section 151 Officer, to approve contracts for gas and electricity and agree to extend the current contract for water utilities.

Councillor Anna Railton, Cabinet Member for Zero Carbon Oxford and Climate Justice outlined that the report set out options for re-procurement of utilities contracts which were due to expire in October 2024. The Council had, since 2004, purchased energy on a framework agreement with LASER (Local Authority South East Region), a Public Buying Organisation. Options for re-procurement included buying into a new Public Buying Organisation contract, which was currently the preferred option. The report also reiterated the Council's decision not to buy green electricity due to high premiums, but to instead use the price gap to deliver projects which decarbonised the Council's operations. This was a pragmatic decision which had been taken on the advice of the Council's scientific advisor.

Authorisation was also sought to extend the current water contract, which would expire in September 2024, with a recommendation to exercise the option to extend existing contract for a further two years on the same terms, conditions and pricing.

It was noted that an Energy Procurement Review was proposed within the next six months or so, to inform the Council's longer-term approach from 2027 onwards.

Cabinet resolved to:

1. **Delegate authority** to the Head of Corporate Strategy, in consultation with the Head of Financial Services / Section 151 Officer, to:
 - decide the procurement route for purchasing the supply of gas and electricity from October 2024
 - agree to enter into contracts for gas and electricity, subject to a maximum term of four years from October 2024;
2. **Approve** the extension of the Council's water contract with Wave for a further two years; and
3. **Note** the proposal to undertake an Energy Procurement Review to inform the Council's longer-term approach (from 2027 onwards).

75. Local Government Association (LGA) Corporate Peer Challenge

The Chief Executive had submitted a report to update members on the key scope, process and recommendations from the July 2023 Peer Review Team and to outline the future Action Plan.

Councillor Susan Brown, Leader and Cabinet Member for Inclusive Economy and Partnerships commented that the peer review had been a helpful process which had been reassuring in many aspects but had also involved challenge. Ten recommendations had been made, which were set out in the report. Work had already started on a number of these, and an action plan was being developed proactively by the Corporate Management Team and was expected to be brought to Cabinet in December. This would include commentary on areas which it was felt hadn't been properly communicated at the time of the peer review. A progress review would be undertaken by the LGA in March and April of 2024.

A Cabinet Member commented that the LGA's compressed timescale for progress reporting and review meant that the impact of actions against some of the recommendations (for example, training for new Councillors) may not be able to be

fully assessed at that time. It was agreed that it would be helpful to have a further update to Cabinet in a year's time, to allow for a fuller internal review of progress.

Cabinet resolved to:

1. **Note** the Local Government Peer Challenge Feedback report of July 2023; and
2. **Note** the recommendations from the Peer Review Team and that the Chief Executive has already commenced action planning to address these.

76. Minutes

Cabinet resolved to approve the minutes of the meeting held on 13 September 2023 as a true and accurate record.

77. Dates of Future Meetings

Meetings are scheduled for the following dates:

15 November 2023

13 December 2023

24 January 2024

7 February 2024

13 March 2024

17 April 2024

All meetings start at 6pm.

The meeting started at 6.00 pm and ended at 7.01 pm

Chair

Date: Wednesday 15 November 2023

When decisions take effect:

Cabinet: after the call-in and review period has expired

Planning Committees: after the call-in and review period has expired and the formal decision notice is issued

All other committees: immediately.

Details are in the Council's Constitution.

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