

Council Minute Book

19 July 2010

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Council Minute Book

Monday, 19th July, 2010

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Cherwell District Council

Executive

Minutes of a meeting of the Executive held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 24 May 2010 at 6.30 pm

Present: Councillor Barry Wood (Chairman)
Councillor G A Reynolds (Vice-Chairman)

Councillor Ken Atack
Councillor Norman Bolster
Councillor Colin Clarke
Councillor Michael Gibbard
Councillor James Macnamara
Councillor D M Pickford
Councillor Nicholas Turner

Also Present: Councillor Leslie F Sibley □ Councillor Lawrie Stratford

Apologies for absence: Councillor Nigel Morris

Officers: Mary Harpley, Chief Executive and Head of Paid Service
Ian Davies, Strategic Director - Environment and Community
John Hoad, Strategic Director - Planning, Housing and Economy
Martin Henry, Chief Finance Officer / Section 151 Officer
Pam Wilkinson, Principal Solicitor
Tony Brummell, Head of Building Control & Engineering Services
Philip Clarke, Head of Planning Policy and Economic Development
Gillian Greaves, Head of Housing Services
David Marriott, Head of Regeneration & Estates
Chris Rothwell, Head of Safer Communities, Urban & Rural Services
Lisa Chaney, Urban Centres Development Officer
Craig Forsyth, Communications Officer
Linda Rand, Design & Conservation Team Leader
James Doble, Democratic, Scrutiny and Elections Manager

1 **Declarations of Interest**

Members declared interests with regard to the following agenda items:

6. Proposed Mollington Conservation Area

Councillor Nicholas Turner, Personal, as Chairman of Banbury and Bicester area National Farmers Union.

9. Request for Approval of Funding for various Affordable Housing Schemes from CDC Capital Reserves.

Councillor Norman Bolster, Personal, as a member of Oxfordshire County Council which owns the Dashwood School site.

Councillor Michael Gibbard, Personal, as a resident of Yarnton, member of Yarnton Parish Council and a member of Oxfordshire County Council which owns the Dashwood School site.

Councillor G A Reynolds, Personal, as a member of Oxfordshire County Council which owns the Dashwood School site.

Councillor Nicholas Turner, Personal, as a member of Oxfordshire County Council which owns the Dashwood School site.

2 Petitions and Requests to Address the Meeting

The Leader of the Council reported that with regard to agenda item 6 the proposed Mollington Conservation Area Mr Lapthorne had asked to present further signatures to the meeting in addition to the petition he had previously submitted to the council and Mrs Jeffries had also asked to address the meeting with regard to the same agenda item.

The Leader of the Council also confirmed he had agreed that Councillor Sibley could address the meeting with regard to agenda item 7 Bicester Market Square Highway and Environmental Improvement Scheme.

3 Urgent Business

There was no urgent business.

4 Minutes

The minutes of the meeting held on 12 April 2010 were agreed as a correct record and signed by the Chairman.

5 Proposed Mollington Conservation Area

The Head of Planning Policy and Economic Development submitted a report to designate a conservation area in Mollington.

Mr Lapthorne presented the additional signatures to his petition and addressed the meeting in opposition to the conservation area.

Mrs Jeffries addressed the meeting in opposition to the conservation as had been proposed.

Members of the Executive discussed the proposal and it was confirmed that the boundary had been amended which took account of the concerns raised by Mrs Jeffries.

Resolved

- (1) That the representations received following consultation and the changes made to the draft conservation area appraisal be noted and the proposed conservation area boundary as a result be agreed.
- (2) That the conservation area appraisal for Mollington be approved
- (3) That the Mollington conservation area be formally designated.

Reasons

The Planning (Listed Buildings and Conservation Areas) Act 1990 [The Act] places a duty on local planning authorities [LPAs] to identify areas of special architectural or historic interest and to designate those areas as conservation areas. Thereafter the LPA is required to formulate and publish proposals for the preservation and enhancement of the conservation area, submit these to a public meeting and have regard to views expressed.

Options

- | | |
|---------------------|---|
| Option One | Designate a conservation area in Mollington as identified in the recommendation |
| Option Two | To decline to designate a conservation area in Mollington |
| Option Three | To designate a conservation area with a different boundary, as Members see fit. |

6 Bicester Market Square Highway and Environmental Improvement Scheme

The Head of Regeneration and Estates submitted a report to confirm the Council's approval of the final design for the environmental Improvement Scheme of Bicester Market Square.

Councillor Sibley addressed the meeting.

Resolved

- (1) That the presented final design for the Environmental Improvement Scheme of Bicester Market Square be approved, for it to proceed to the County Council for approval.

Reasons

The environmental improvements of Bicester Market Square has been a project that this Council has been involved with for some time. The scheme is now a joint financial collaboration between Oxfordshire County Council and

Cherwell District Council. The Executive resolution of September 2009 approved three design options to go to public consultation in November 2009. This report now seeks the approval of the Council to the final design. This is a scheme created as a result of the consultation event in November and the public feedback on the original three options.

Options

Option One Approve the final scheme for it to proceed to the County Council for approval.

Option Two Reject the scheme. However this may result in a delay to the scheme moving forward, if a new option is drafted or changes made to the other options in light of any comments.

7

Bicester Car Parking

The Head of Safer Communities, Urban and Rural Services submitted a report to identify likely impact on car parks income and the Medium Term Financial Strategy (MTFS) arising from the Bicester town centre and Market Square developments and to secure approval for changes to car parking arrangements in Bicester as a consequence of these developments to ensure a balanced and viable parking strategy for the town.

Resolved

- (1) That the potential effects on car parks income and the MTFS arising from the Bicester town centre and Market Square developments be noted.
- (2) To approve the changes to car parking arrangements for Bicester as set out below:

Car Park	Current Tariff (hours)	Current capacity + disabled	Proposed capacity	Proposals
Market Square	1	33 +2	No pay and display parking, subject to Executive decision -24 May 2010	CLOSED
Crown Walk	2	65 +10	0	CLOSED
Crown	2	198 +10	0	CLOSED
Victoria Road	24	28	28	Change to Short Stay 3 hours
Claremont	24	164 +9	164 +9	Change to Short Stay 3 hours *1 *2
Chapel	24	14	12	No Change 24 hours.

Street				Cashless parking only (i.e. Ring-go or Season Ticket) Then closes on completion of Chapel Brook extension in conjunction with Sanctuary Housing.
Chapel Brook	24	28 +1	40	Change to Short Stay 3 hours
Franklins Yard	24	85	Temporary reconfiguration to 94. Then 75 Then 0	Initially Short Stay 3 hours Then CLOSED
Cattle Market	24	117 + 8	c270 + 8	No Change 24 hours

*1: Lease of part of the car park which runs out 31 March 2019 with option to renew for further 40 years at open market rental. We currently pay nominal rent.

*2: Lease requires 7 Annual Season tickets (Mon-Fri) to be issued to West Norfolk Tomatoes (an investment company).

- (3) That the Head of Safer Communities, Urban and Rural Services in conjunction with the Portfolio Holder for Community Safety, Street Scene and Rural be authorised to finalise these arrangements.
- (4) That the Council consult, on these proposals with Bicester Town Council, Bicester Vision and Bicester Chamber of Commerce.

Reasons

There are significant developments planned for Bicester that will have major impact on current car parking arrangements and parking capacity with a total estimated reduction in Council operated pay and display parking spaces of 230 (31%) by 2012. These changes to Bicester town centre require a review of the arrangements currently in place across the Council operated car parks.

Options

Option One Do nothing to amend the parking arrangements as a consequence of town centre works.

Option Two Provide public pay and display parking on a different basis to that proposed in this report in all or some of the car parks

Option Three Adopt the proposals set out in this report.

8 **Request for Approval of Funding for various Affordable Housing Schemes from CDC Capital Reserves**

The Head of Housing Services submitted a report to seek approval for grant funding from the Capital Reserves for Affordable Housing for an Extra Care Housing Scheme, Cassington Road, Yarnton and to explore options for funding affordable housing at Dashwood Road Primary School site, Banbury.

In making their decision members had regard to the exempt annex to this agenda item.

Resolved

- (1) That funding for the Extra Care Housing Scheme at Cassington Road, Yarnton of £200,000 from the Capital Reserves for Affordable Housing be approved in return for nomination rights.
- (2) That the request for approval of funding for the Dashwood Road Primary School site is not approved at this time and that officers be instructed to explore ways in which the level of District Council social housing grant support required might be reduced and report back as appropriate.

Reasons

The two schemes are being considered for funding by the Homes and Communities Agency (HCA) but need additional funding to make them viable. They will all make a much needed contribution to meeting local housing needs and affordable housing targets. The Council often uses its ear marked capital reserves for social housing schemes being undertaken by Registered Social Landlords and this grant buys social housing nomination rights for the Council.

Options

Option One That the Committee finally rejects the requests for approval to fund the schemes on one or both sites.

Option Two To try and secure the wider non housing objectives of delivery of development on the Dashwood school site the Committee agree to fund £400,000 towards the cost of the scheme at this stage.

Option Three That the committee approves the Cassington Road scheme but asks for further partnership investigation of the Dashwood School site viability issues. This is the recommended option.

9 **Medium Term Financial Strategy (MTFS) Update**

The Head of Finance submitted a report on the Medium Term Strategy (MTFS) - the Council's key financial planning document. The 2010/11 local government finance settlement represented the final year of the "fixed" three year funding regime announced in 2008/09. Due to the current economic climate and national deficit it is clear that local authorities will continue to need to plan on the basis of a very restricted financial envelope from 2011/12 onwards. The report considered 3 scenarios for funding and calculated the potential shortfalls which will need to be addressed to deliver a balanced budget.

Resolved

- (1) That the contents of report and MTFS scenarios detailed in Appendix 1 of the report be noted.
- (2) That the process and approximate timings of the Formula Grant Settlement and Concessionary Fares Transfer Impact
- (3) That the council lobby Department of Communities and Local Government (DCLG) with our counterparties in Oxfordshire and approach Northamptonshire for a joint approach on the financial implications of the concessionary fares transfer.
- (4) That it be agreed that each MTFS scenario modelled will have a specific action plan developed to address the projected shortfall.
- (5) That not further scenarios be modelled and / or matters taken into consideration in developing the action plans at this time.
- (6) That the timetable and process for the development of the next MTFS forecast and action plans be agreed.

Reasons

The MTFS is a key part of the Council's Policy, Service Planning and Performance Management framework which aims to ensure that all revenue and capital resources are directed towards the Council's strategic priorities. The Strategy describes the financial direction of the Council for planning purposes and outlines the financial pressures over a 4 year period.

The meeting ended at 7.57 pm

Chairman:

Date:

Cherwell District Council

Executive

Minutes of a meeting of the Executive held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 7 June 2010 at 6.30 pm

Present: Councillor Barry Wood (Chairman)
Councillor G A Reynolds (Vice-Chairman)

Councillor Ken Atack
Councillor Norman Bolster
Councillor Colin Clarke
Councillor Michael Gibbard
Councillor James Macnamara
Councillor Nigel Morris
Councillor D M Pickford
Councillor Nicholas Turner

Officers: Mary Harpley, Chief Executive and Head of Paid Service
Ian Davies, Strategic Director - Environment and Community
John Hoad, Strategic Director - Planning, Housing and Economy
Liz Howlett, Head of Legal & Democratic Services and Monitoring Officer
Karen Curtin, Head of Finance
Philip Clarke, Head of Planning Policy and Economic Development
Martin Henry, Chief Finance Officer / Section 151 Officer
Richard Hawtin, Team Leader Property and Contracts
Paul Marston-Weston, Head of Recreation & Health
Claire Taylor, Corporate Strategy and Performance Manager
Craig Forsyth, Communications Officer
James Doble, Democratic, Scrutiny and Elections Manager

10 **Declarations of Interest**

Members declared interests in the following agenda items:

6. Banbury Cultural Quarter.

Councillor Norman Bolster, Personal, as a County Councillor due to the County Council interest in the project.

Councillor Michael Gibbard, Personal, as a County Councillor due to the County Council interest in the project.

Councillor G A Reynolds, Personal, as a County Councillor due to the County Council interest in the project.

Councillor Nicholas Turner, Personal, as a County Councillor due to the County Council interest in the project and as a member of The Mill management committee.

7. Homes & Communities Agency (HCA) Single Conversation - Local Investment Plan and Agreement.

Councillor Norman Bolster, Personal, as a County Councillor due to the County Council interest in the project.

Councillor Michael Gibbard, Personal, as a County Councillor due to the County Council interest in the project.

Councillor Nicholas Turner, Personal, as a County Councillor due to the County Council interest in the project.

Councillor G A Reynolds, Personal, as a County Councillor due to the County Council interest in the project.

8. Local Transport Plan 3 (2011-2030) Cherwell District Council Response to Consultation by Oxfordshire County Council.

Councillor Norman Bolster, Personal, as a County Councillor due to the County Council interest in the project.

Councillor Michael Gibbard, Personal, as a County Councillor due to the County Council interest in the project.

Councillor G A Reynolds, Personal, as a County Councillor due to the County Council interest in the project.

Councillor Nicholas Turner, Personal, as a County Councillor due to the County Council interest in the project.

11 **Petitions and Requests to Address the Meeting**

There were no petitions or requests to address the meeting.

12 **Urgent Business**

There was no urgent business.

13 **Minutes**

The minutes of the meeting held on 24 May 2010 were agreed as a correct record and signed by the Chairman.

14 **Banbury Cultural Quarter**

The Strategic Director Environment and Community submitted a report to consider progress of the Banbury Cultural Quarter and the Council's contribution to it.

Resolved

- (1) That the Council continue to offer its full support to delivering a Banbury Cultural Quarter in conjunction with Oxfordshire County Council and the Mill Management Committee;
- (2) That it be agreed in principle, subject to a funding agreement, to enhance the County Council's new library/Mill project with up to £2m of capital funding;
- (3) That the Strategic Director Environment and Community in consultation with the Head of Finance and the Portfolio Holder for Environment, Recreation and Health be authorised to negotiate and conclude the final terms of the funding agreement.

Reasons

The opening of the new Spiceball Leisure Centre, the ongoing success of the Banbury Museum and the County Council's intention to create a new and vibrant arts and library centre at The Mill will create sufficient collective recreational and cultural activity to form a basis of a Cultural Quarter for the town. Further developments of a complementary nature such as improved car parking and adjacent commercial developments will enhance the Cultural Quarter accessibility and attractiveness. Additional funding for the new library/Mill development is required if it is to achieve its full potential and meet more fully the future needs of local people.

Options

- | | |
|---------------------|--|
| Option One | Not to invest in the new library/Mill development. |
| Option Two | Invest up to £2 m in the new library/Mill development. |
| Option Three | Invest a higher sum in the new library/Mill development. |

15

Homes & Communities Agency (HCA) Single Conversation - Local Investment Plan and Agreement

The Strategic Director Planning, Housing and Economy submitted a report to present the results of partnership work with the Homes & Communities Agency (HCA) on the Oxfordshire Local Investment Plan (LIP) and to recommend entering into a Local Investment Agreement (LIA) based on it.

Resolved

- (1) That the partnership work recently undertaken on the HCA Single Conversation process and the resultant Local Investment Plan (LIP) be noted.

- (2) That it be agreed that the Council enters into the proposed Oxfordshire Local Investment Agreement (LIA) (Draft at Appendix 1 to the Report).
- (3) That the council delegate responsibility for finalisation of the Local Investment Agreement (LIA) wording to the Chief Executive in consultation with the Leader of the Council.

Reasons

The Homes and Communities Agency (HCA) is currently piloting a new approach to its method of planning distribution of funding. This involves what has been termed the 'Single Conversation'. The intent is for HCA to work with local authorities to produce a comprehensive Local Investment Plan (LIP) detailing agreed priorities for government investment that can support local development and infrastructure schemes.

Options

- Option One** Enter into the Local Investment Agreement with HCA and the other Oxfordshire local authorities
- Option Two** Decline to enter into the Local Investment Agreement

16 **Local Transport Plan 3 (2011-2030) Cherwell District Council Response to Consultation by Oxfordshire County Council**

The Head of Planning Policy and Economic Development submitted a report to present information and update the Executive of the consultation on the emerging third Local Transport Plan (LTP3) with a view to making a further representation to the full consultation in late 2010.

Resolved

- (1) That the contents of this report and consultation to date be noted and it be agreed to continue to monitor the preparation of the Local Transport Plan with a view to making a further response to the consultation on the Draft Local Transport Plan in late 2010
- (2) That the proposed responses set out in paragraphs 1.25 to 1.52 of annex 1 to these minutes (as set out in the minute book) be agreed as the basis of the Council's response to the "scenarios" public consultation.
- (3) To comment additionally that:-
 - The scenario-based consultation is not helpful in considering the specific transport needs and issues relating to areas of Cherwell District. There should, therefore be specific consultation on scheme choices relating to specific locations in the county.

- The final LTP should be organised district-by-district and by settlements to create a stronger spatial link with Local Development Frameworks.

Reason

Oxfordshire County Council is currently preparing its third Local Transport Plan (LTP). The LTP sets out a vision for transport in Oxfordshire. It is required to produce an LTP by April 2011 in order to meet the requirements of the Transport Act 2000 (amended by the Local Transport Act 2008). The previous two LTPs cover a 5 year period and the current LTP runs to 2011. The emerging LTP will cover a longer time period of 20 years allowing greater flexibility in its development and sets the long term strategy and transport objectives for the area. This brings it into line with the Oxfordshire Sustainable Communities Strategy ("Oxfordshire 2030") and provides some headroom beyond 2026 which is the timeframe within which LDFs are being prepared.

Options

- | | |
|---------------------|--|
| Option One | To endorse the views expressed in this report as the Council's response to the consultation on scenarios within the LTP3 |
| Option Two | To amend or add to the consultation response as the Executive considers appropriate. |
| Option Three | Not to respond to the consultation |

17

Petitions and E-Petitions

The Head of Legal and Democratic Services submitted a report to enable the council to implement the Local Democracy, Economic Development and Construction Act 2009 which introduced a duty to respond to petitions and the requirement to provide a facility for the electronic submission of petitions on the Council website.

Resolved

- (1) That the Petition Scheme set out at Annex 2, to the minutes (as set out in the minute book) be approved for recommendation to Council on 19 July.
- (2) That the Monitoring Officer be requested to prepare the constitutional amendments required for Council to consider.
- (3) That Officers be requested to begin work on developing the system and guidance regarding e-petitions and that this be reported to the Executive in October 2010 for consideration, prior to approval by Council in October.

Reasons

The Local Democracy, Economic Development and Construction Act 2009 introduced a duty to respond to petitions and the requirement to provide a facility for the electronic submission of petitions on the Council website.

Options

- Option One** To agree the recommendations
- Option Two** Not to agree the recommendations
- Option Three** To amend the recommendations

18 **Sport Centre Modernisation - End of Project Appraisal**

The Strategic Director, Environment and Community submitted a report to provide an end of project report for the Sport Centre Modernisation Programme.

Resolved

- (1) That the end of project report and the positive outcomes that have already been achieved be noted.
- (2) That it be agreed that the capital under spend be returned to reserves.

Reasons

The Executive received a Sport Centre Modernisation report in November 2008 detailing the financial position. This report serves as an end of project report and appraisal and details the outcomes and objectives achieved.

Options

- Option One** To note the report and determine what action should be taken with regard to the capital under spend.
- Option Two** To explore reinvesting some of the under spend in the leisure centres as a means of spend to save and/or improving energy efficiency.

19 **Performance Management Framework 2009/2010 End of Year Performance and Finance Report**

The Head of Finance and the Corporate Strategy and Performance Manager submitted a report covering the Council's performance in 2009/2010, as measured through the Corporate Scorecard, and summarises the Council's provisional Revenue and Capital performance for the financial year 2009/2010. The Leader of the Council requested that a 1 page aide memoire regarding this document be produced for councillors.

Resolved

- (1) That it be noted despite tougher performance targets, the Council has met or made satisfactory progress on 96% of the performance targets in the Corporate Scorecard and met or made satisfactory progress on 97% of the performance targets in the Corporate Plan.
- (2) That it be noted despite tougher performance targets, the Council has met or made satisfactory progress on 98% of the targets in the Corporate Improvement Plan.
- (3) That the progress in delivering the Council's strategic objectives and the many achievements referred to in paragraphs 1.4 and 1.5 be noted.
- (4) That an update on the issues highlighted below be given:
 - The performance for processing new benefits claims and changes in circumstances. Throughout the year monthly performance reports kept a watching brief on the performance of the service and the impact of the new service delivery contract. Performance has shown a steady trend of improvement, in March 2010 the average time to process a new claim was 18.7 days (below the target of 20 days) and the average time to process a change in circumstance was 10.97 against a target of 13. However, the Council recognises that this is an issue that needs to be kept under review and the quarter one performance report for 2010/11 will include a summary of ongoing performance.
 - Planning performance in terms of appeals and major developments. An update will be given in the next quarterly report; this indicator has been kept under review in the light of the impact of the recession.
 - In 2009/10 Banbury Museum and Tourist Information Centre received only 1518 fewer visits than in the previous year despite the changes to opening hours. The target for 2010/11 will be re-profiled, reflecting the Sunday closure and included within the next quarterly performance report.
 - Adult and children's participation in sport and positive activities. County wide surveys indicate a possible drop in performance. We don't yet have the detailed information at a district level but this will be kept under review to identify any impacts for Cherwell.
 - Percentage of invoices paid within 30 days: this target is slightly off track and actions are in place to improve performance. In addition a new target has been added to the performance management framework for 2010/11 which sets tougher targets of 14 days for local suppliers (in line with our sustainable procurement strategy). An update will be brought forward in the next quarterly performance report.

- (5) That the provisional revenue out-turn position for 2009/2010 detailed in Annex 3 to the minutes (as set out in the minute book) be agreed.
- (6) That agreement be give to the carry forward revenue budgets which have slipped in 2009/2010 being carried forward into the 2010/2011 revenue budget as set out in Annex 4 to the minutes (as set out in the minute book).
- (7) That the continued improvement in accuracy and reliability that the Council has made in projecting the year end position through the embedding of the Corporate Dashboard be noted.
- (8) That the provisional capital out-turn position for 2009/2010 detailed in Annex 5 to the minutes (as set out in the minute book) be noted.
- (9) That the balances on capital schemes which have slipped in 2009/2010 to be carried forward into the 2010/2011 capital programme be agreed as set out in Annex 6 to the minutes (as set out in the minute book).

Reasons

The Council's performance in 2009/10 as measured through the Performance Management Framework and the provisional revenue and capital position. Central to this is the Corporate Scorecard, which is made up of the Council's priority performance targets. The Corporate Scorecard covers seven areas of performance. These are performance against the Local Area Agreement and the Community Strategy, the Corporate Plan promises, National Indicators, priority service indicators, finance, human resource, and customer satisfaction targets.

Options

Option One To review current performance levels and consider any actions arising.

Option Two To approve or reject the recommendations above.

20

Annual Review of Representation on Outside Bodies

The Head of Legal and Democratic Services submitted a report to present proposals to improve the effectiveness of the support arrangements for member representation on outside bodies prior to the appointment of representatives for 2010/2011 by the Leader of the Council. It was noted that Councillor Clarke would replace Councillor Donaldson on the Mill management committee. The Leader of the Council thanked Councillor Attack for his work on the review.

Resolved

- (1) That the proposals to improve the effectiveness of the support arrangements for member representation on outside bodies be agreed.

- (2) That the proposed changes to the list of outside bodies to which the Leader of the Council will make appointments in 2010/11 be noted.

Reasons

The continued focus at all levels of government on the value and benefits to be derived from working in partnership to achieve shared objectives and common goals reaffirms the importance of this review of the Council's support arrangements for member representation on outside bodies. The introduction of clear processes will allow the Council to build strong and structured relationships with outside organisations across the community.

Options

- Option One** To continue with the present arrangements for outside organisations to which appointments are currently made.
- Option Two** To adopt the proposals to improve the effectiveness of the support arrangements for member representation on outside bodies and to agree the proposed changes to the list of outside bodies to which the Leader of the Council will make appointments in 2010/11.

The meeting ended at 7.57 pm

Chairman:

Date:

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Cherwell District Council

Executive

Minutes of a meeting of the Executive held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 5 July 2010 at 6.30 pm

Present: Councillor Barry Wood (Chairman)
Councillor G A Reynolds (Vice-Chairman)
Councillor Ken Atack
Councillor Norman Bolster
Councillor Colin Clarke
Councillor Michael Gibbard
Councillor James Macnamara
Councillor Nigel Morris
Councillor Nicholas Turner

Also Present: Councillor Mrs Catherine Fulljames

Apologies for absence: Councillor D M Pickford

Officers: Mary Harpley, Chief Executive and Head of Paid Service
Ian Davies, Strategic Director - Environment and Community
John Hoad, Strategic Director - Planning, Housing and Economy
Martin Henry, Chief Finance Officer / Section 151 Officer
David Marriott, Head of Regeneration & Estates
Gillian Greaves, Head of Housing Services
James Doble, Democratic, Scrutiny and Elections Manager
Nigel Bell, Solicitor

21 **Declarations of Interest**

Members declared interests in the following agenda items:

6. Bicester Town Centre development - compulsory purchase proposals.

Councillor Barry Wood, Personal, as persons known to him have a land interest in the area of, but outside the proposed eco-town..

Councillor G A Reynolds, Personal, as a County Councillor due to the County Council holding a land interest at Gowells Farm.

Councillor Michael Gibbard, Personal, as a County Councillor due to the County Council holding a land interest at Gowells Farm.

Councillor Nicholas Turner, Personal, as a County Councillor due to the County Council holding a land interest at Gowells Farm.

Councillor Norman Bolster, Personal, as a County Councillor due to the County Council holding a land interest at Gowells Farm.

22 **Petitions and Requests to Address the Meeting**

There were no petitions or requests to address the meeting.

23 **Urgent Business**

There were no items of urgent business.

24 **Minutes**

The minutes of the meeting held on 7 June 2010 were agreed as a correct record and signed by the Chairman.

25 **Bicester Town Centre development - compulsory purchase proposals**

The Head of Regeneration and Estates, Head of Legal and Democratic Services and Head of Development Control and Major Developments submitted a joint report:

- To advise the Executive of the possible need to use compulsory purchase powers to secure the necessary land and rights to complete the Bicester town centre redevelopment.
- To seek Executive approval to the recommendation to Council to the use of compulsory purchase powers to facilitate the implementation of the redevelopment as proposed by Town Centre Retail (Bicester) Ltd in planning permission 07/00422/F, as amended in relation to the central part of the redevelopment site by planning permission 09/01687/F, to assemble the land interests required for the redevelopment, such land interests being shown for indicative purposes only edged red and, in the case of new rights, hatched blue on the plan at annex one to the minutes (as set out in the minute book).
- To approve the appropriation of the land edged red on the plan at Annex two, to the minutes (as set out in the minute book) being land in the Council's ownership, for planning purposes.
- To approve the acquisition of the existing service yard to the Crown Walk shopping centre shown edged green on the plan at Appendix Three for planning purposes so that, if necessary, the powers in section 237 of the Town and Country Planning Act 1990 may be relied upon to override legal interests which might impede the implementation of the redevelopment.

Resolved

That Council be recommended to approve the following:

- (1) To confirm that Council is minded to make a compulsory purchase order in respect of:
 - (a) the land shown edged red on the plan attached at Appendix One under Section 226(1)(a) of the Town and Country Planning Act 1990 (as amended) because it thinks that the acquisition will facilitate the carrying out of the redevelopment, and the redevelopment is likely to contribute to the promotion or improvement of the economic, social and environmental well-being of Bicester and the surrounding district; and
 - (b) new rights in relation to the land shown hatched red and blue on the same plan as are required to facilitate the redevelopment under Section 13 of the Local Government Act (Miscellaneous Provisions) Act 1976.
- (2) To authorise the Head of Legal and Democratic Services to take all necessary steps as considered appropriate to secure the making of a compulsory purchase order including the publication and service of all relevant notices.
- (3) To authorise the Head of Regeneration and Estates to approve the terms for the acquisition of legal interests by agreement including for the purposes of resolving any objections to the compulsory purchase order.
- (4) To confirm the appropriation of the land edged blue on the plan attached at Appendix Two for planning purposes as described in section 226 and 246 of the Town and Country Planning Act 1990 (as amended) on the commencement of Phase 2 of the redevelopment scheme (i.e. following the initial highway and other enabling works within Phase 1) in accordance with Section 122 of the Local Government Act 1972.
- (5) To authorise the acquisition of the land edged green on the plan attached at Appendix Three for planning purposes in accordance with section 227 of the Town and Country Planning Act 1990 (as amended).

Reasons

The proposed redevelopment of Bicester town centre will improve the range of facilities available. It will provide better shopping, leisure and car parking facilities. Over the last 15 years or so, Bicester has experienced very substantial population growth, but this has not been matched by any growth in town centre facilities. There is a significant unsatisfied demand for additional retail space, and in particular an additional foodstore. Applications have been received to provide this on the edge of the town, but these have been refused as the opportunity exists to locate the required facilities in the town centre. In addition, Bicester is poorly served with leisure facilities, and in particular has

no cinema. Since 2005 the Council has been working to secure a town centre redevelopment scheme which will address these deficiencies.

The development is one of the key priorities for the Council and complements the development of the eco-town on the edge of Bicester. The development of the eco-town will reinforce the need for a town centre with a scale and range of facilities to match the enlarged area of the town and ensuring that the needs of that population are better met locally without the need for car-borne travel.

Given that there are a number of land interests still to be acquired, it is appropriate that the Council should signal its resolve to make a compulsory purchase order to facilitate the redevelopment. This is consistent with the advice of the Secretary of State, which gives positive encouragement to local authorities to use their compulsory purchase powers to ensure real gain for residents and the business community without delay.

It is expedient to appropriate land in the Council's ownership and to acquire the Crown Walk service yard (both for planning purposes) in order to rely upon the power in Section 237 of the 1990 Act to override existing interests and rights.

Options

- | | |
|-------------------|---|
| Option One | To recommend that Council agree, in principle, to use its compulsory purchase powers to facilitate this redevelopment |
| Option Two | To delay a decision on compulsory purchase in the hope that negotiations will progress and agreement can be reached |

26

Horton General Hospital

The Strategic Director Environment & Community submitted a report to consider the outcome of the Better Healthcare Programme, the decisions of the Oxfordshire Primary Care Trust and Oxford Radcliffe Hospitals Trust, plus the future of the Community Partnership Forum.

Resolved

- (1) That the outcome of the process in clarifying and confirming the future of paediatric, anaesthetic and obstetric services at the Horton General Hospital be endorsed.
- (2) That the Oxfordshire Primary Care Trust and the Oxford Radcliffe Hospitals Trust be congratulated in developing sustainable service proposals for the future.
- (3) That the Oxfordshire Primary Care Trust and the Oxford Radcliffe Hospitals Trust be encouraged to continue to investigate further ideas

to improve services at the Horton General Hospital and the way the hospital works with the providers of healthcare.

- (4) That the Council continue to support the work of the Community Partnership Forum during the critical implementation phase.
- (5) That the Oxfordshire Primary Care Trust and Oxford Radcliffe Hospitals Trust be urged to build on the successful Community Partnership Forum model as a means of ongoing community engagement for local healthcare provision.

Reasons

The services provided at the Horton General Hospital (HGH) have been under some threat for many years. The latest proposals to downgrade paediatric and obstetric services have been the subject of Secretary of State intervention and have for the last two years been the subject of review in order to find alternative service models.

27 **Brighter Futures in Banbury**

The Strategic Director, Environment & Community submitted a report to consider the progress to date with the Brighter Futures in Banbury programme and proposals for future activity.

Resolved

- (1) That the good progress made to date be noted.
- (2) That the strong leadership role being given by this Council for the Brighter Futures in Banbury programme be endorsed.
- (3) That a further report on the implications of the funding cut to Local Area Agreement 1 Grant be received.
- (4) That it be agreed that mainstream services should be aligned to those in greatest need to support the programme.
- (5) That further reports on the outcomes achieved be received as appropriate.

Reasons

The Brighter Futures in Banbury programme is one of the Council's main priorities as reflected in its Corporate Plan from 2010/11. It is also an Oxfordshire priority. Much preparatory work has already been completed and the programme is soon to move into its engagement and implementation phases.

Options

Option One The Council can choose to not lead or participate in the Brighter Futures in Banbury programme.

- Option Two** The Council can participate but let others lead.
- Option Three** The Council can take a strong leadership role as is proposed in this report.

28

Miller Road Youth Self Build Housing Scheme

The Head of Housing Services submitted a report to seek approval to the commitment and allocation of those monies towards the costs of the works, a structured training programme run in tandem, and the provision of life skills coaching/mentoring, all in accordance with the funding bid for an innovative youth self build affordable housing scheme which has received a Reward Grant from the Oxfordshire Public Services Board.

The Executive noted the revised exempt appendix to the report and additional recommendation 5a that was tabled at the meeting.

Resolved

- (1) That the securing of £324,000 Reward Grant funding specifically for the scheme and the receipt of the first tranche of that funding in the sum of £224,000 be noted.
- (2) That a Supplementary Capital Estimate of £238,936 grant to Sanctuary Housing Association in order for them to meet the extra development costs arising from the youth self build elements of the scheme, to be granted in two tranches, £154,936 on start on site and; subject to the receipt of the second tranche of Reward Grant, £84,000 on practical completion of the building works be approved.
- (3) That a Supplementary Revenue Estimate of £40,000 grant to Southwark Habitat for Humanity [a registered charity] for the provision and procurement of life skills coaching / mentoring, in three tranches £10,000 on conclusion of a funding agreement, £14,000 on start on site and subject to the receipt of the second tranche of Reward Grant, £16,000 on practical completion of the building works be approved.
- (4) That a Supplementary Capital Estimate of £45,064 to meet the costs incurred by Southwark Habitat for Humanity [a registered charity] arising from the pre start on site and design / site feasibility costs work which has been completed to date be approved.
- (5) That the Head of Housing, in consultation with the Strategic Director Planning, Housing and Economy, the Head of Finance and the Portfolio Holder for Planning and Housing be authorised to negotiate and conclude terms for funding agreements to secure the aims and objectives in [2], [3], and [4] above.
- (5a) That the supplementary capital and revenue estimates to be funded from the £162,000 LAA reward grant funding, £28,000 from the Council's Reserves and the balance of up to £134,000 to be funded

from capital receipts set aside for housing capital projects as outlined in the revised Exempt Annex to the report.

- (6) That a Supplementary Capital Estimate as contained in the Exempt Annex to the minutes (as set out in the minute book) be approved.

Reasons

This scheme is a youth self build affordable housing for rent development comprising ten one bedroom maisonettes and provides on site and class based training in construction skills to 20 students who are under 25 years old and are NEETS [not in employment, education, or training]. The young people will receive a Diploma Level One in construction skills and will receive housing options advice appropriate to their circumstances. Up to ten of the students will be rehoused into properties upon completion. In addition the young people will receive life skills / mentoring during the project, and continuing tenancy support will be available to the young people who eventually occupy the properties.

29

Eco Town Arrangements - Local Authority Funding Arrangements

The Project Manager, Eco Bicester submitted a report to advise Members of the outcome of the Council's Eco Town Funding Bid and to agree the mechanism for determining, and authorisation for, the spend of the funding received.

Resolved

- (1) That the outcome of the funding bid be noted and the Governance and decision making arrangements (Eco Bicester Strategic Delivery Board) shown in place to manage allocation and use of the monies received be approved.
- (2) That the Chief Executive in consultation with the Leader of the Council, be delegated to make decisions on spend of the funding, (within the framework of priorities and a budget plan set by the Eco Bicester Strategic Delivery Board).

Reasons

Following the announcement by the Government of £60 million ring fenced allocation for eco towns in July 2009 the Council submitted a bid for growth funding from this allocation. The Bid was reported to the Executive on the 2 November 2009. The purpose of this funding is to pump prime and support private sector development.

Options

- Option One** To delegate to the Chief Executive in consultation with the Leader to authorise spending
- Option Two** For the Executive to retain authorisation of expenditure from the eco town growth fund bid.

30 **Exclusion of the Press and Public**

Resolved

That, in accordance with Section 100A(4) of Local Government Act 1972, the press and public be excluded from the meeting for the following item of business, on the grounds that they could involve the likely disclosure of exempt information as defined in paragraph 3 of Schedule 12A of that Act.

31 **Miller Road Youth Self Build Housing Scheme - Exempt Annex 2**

Resolved

That the exempt annex be noted.

The meeting ended at 7.45 pm

Chairman:

Date:

**COUNCIL MEETING –
RECORD OF PORTFOLIO HOLDER DECISIONS**

SCHEDULE

April 2010 – July 2010

Portfolio	Ref.	Decision Subject Matter
Community Safety, Street Scene and Rural Environment, Recreation and Health	a)	Grants to Voluntary Organisations
	b)	Play Grants 2010-11
	c)	Grants for Arts 2010-11
	d)	2010-11 Community Halls, Recreation and Sports Facilities Grants
Planning and Housing	e)	Oxfordshire Mental Health and Housing and Support Strategy
Policy, Community Planning & Community Development	f)	Renaming of Telford Road, Bicester
	g)	Appointment of Representatives to Partnerships and Outside Bodies 2010/11

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Cherwell District Council

Accounts, Audit and Risk Committee

Minutes of a meeting of the Accounts, Audit and Risk Committee held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 19 May 2010 at 7.30 pm

Present: Councillor Trevor Stevens (Vice-Chairman)

Councillor Ken Atack
Councillor Tim Emptage
Councillor Nicholas Mawer
Councillor Lawrie Stratford
Councillor Rose Stratford
Councillor Barry Wood

Apologies for absence: Councillor John Donaldson

1 **Appointment of Chairman**

Resolved that Councillor John Donaldson be elected Chairman of the Accounts, Audit and Risk Committee for the 2010/11 Council year.

2 **Appointment of Vice-Chairman**

Resolved that Councillor Trevor Stevens be elected Vice-Chairman of the Accounts, Audit and Risk Committee for the 2010/11 Council year.

The meeting ended at 7.40 pm

Chairman:

Date:

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Cherwell District Council

Accounts, Audit and Risk Committee

Minutes of a meeting of the Accounts, Audit and Risk Committee held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 16 June 2010 at 6.30 pm

Present: Councillor John Donaldson (Chairman)
Councillor Trevor Stevens (Vice-Chairman)

Councillor Tim Emptage
Councillor Nicholas Mawer
Councillor Lawrie Stratford
Councillor Rose Stratford

Apologies
for
absence: Councillor Ken Atack
Councillor Barry Wood

Officers: Mary Harpley, Chief Executive and Head of Paid Service
Martin Henry, Chief Finance Officer / Section 151 Officer
Chris Dickens, Chief Internal Auditor
Karen Curtin, Head of Finance
Karen Muir, Corporate System Accountant
Jessica Lacey, Technical Accountant
Natasha Clark, Senior Democratic and Scrutiny Officer

3 Declarations of Interest

There were no declarations of interest.

4 Petitions and Requests to Address the Meeting

There were no petitions or requests to address the meeting.

5 Urgent Business

There was no urgent business.

6 Minutes

The Minutes of the meetings held on 22 March 2010 and 19 May 2010 were agreed as correct records and signed by the Chairman.

7

Review of Statutory Accounts 2009/10

The Chief Financial Officer and the Head of Finance submitted the Draft Statutory Accounts for 2009/10 for the Committee's consideration. The Chairman advised the Committee that this was an opportunity for Members to examine the draft Statement in detail and question Officers on the content.

During the course of the review Members of the Committee made 32 observations including questions and comments which were duly responded to by Finance Officers. The Head of Finance advised the Committee that the draft Statement of Accounts (Subject to Audit) 2009/10 would be circulated to Members together with a summary of the amendments made ahead of the Committee's 23 June 2010 meeting at which Members would be requested to approve the draft Statement of Accounts (Subject to Audit) 2009/10.

The Head of Finance circulated the draft Annual Report and Summary of Accounts 2009/10 and advised the Committee that the final version would be circulated in advance of the 23 June 2010 meetings at which Members would be requested to sign off the document.

The Chairman advised the Committee that Councillors Atack and Wood, who had submitted apologies for the meeting, would be meeting separately with the Finance Team to review the Statutory Accounts 2009/10. All Committee Members were also invited to contact the Finance Team with any further questions or comments they may have.

The Committee thanked all staff in the Closedown Team for their hard work in preparing the Statutory Accounts 2009/10 and responding to all of their comments and questions.

The meeting ended at 8.15 pm

Chairman:

Date:

Cherwell District Council

Accounts, Audit and Risk Committee

Minutes of a meeting of the Accounts, Audit and Risk Committee held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 23 June 2010 at 6.30 pm

Present: Councillor John Donaldson (Chairman)
Councillor Trevor Stevens (Vice-Chairman)

Councillor Ken Atack
Councillor Tim Emptage
Councillor Nicholas Mawer
Councillor Barry Wood

Apologies
for
absence: Councillor Lawrie Stratford
Councillor Rose Stratford

Also Present: Maria Grindley, District Auditor, Audit Commission
Nicola Jackson, Audit Manager, Audit Commission
Katherine Bennet, Audit Team Leader, PricewaterhouseCoopers

Officers: Mary Harpley, Chief Executive and Head of Paid Service
Chris Dickens, Chief Internal Auditor
Karen Curtin, Head of Finance
Jessica Lacey, Technical Accountant
Karen Muir, Corporate System Accountant
Natasha Clark, Senior Democratic and Scrutiny Officer

8 Declarations of Interest

There were no declarations of interest.

9 Petitions and Requests to Address the Meeting

There were no petitions or requests to address the meeting.

10 Urgent Business

There was no urgent business.

11 Minutes

The Minutes of the meeting held on 16 June 2010 were agreed as a correct record and signed by the Chairman.

12 **Statement of Accounts (Subject to Audit) 2009/10**

The Head of Finance submitted the Draft Statement of Accounts for 2009/10 for the Committee's consideration, together with a note of the meetings held on 16 and 17 June 2010 where the Statement had been examined in detail. The note contained answers and explanations to all 37 questions raised by Members on 16 and 17 June 2010 and since that meeting, and where necessary, the Statement had been revised and amended accordingly.

The Head of Finance circulated a supplementary sheet which was an amendment to page 8 of the previously circulated statement due to recategorisation of the 'sources of finance' categories.

Members examined the revised Statement. Officers outlined the changes and answered further questions. The Head of Finance and Chief Executive advised the Committee that they felt the Statement was a fair reflection of the Council's current position.

The Committee thanked all staff in the Closedown Team for their hard work in preparing the Statement of Accounts 2009/10 and answering all of their questions.

Resolved

- (1) That the Financial Statement "Subject to Audit" 2009/10 be approved subject to the inclusion of the amended table on page 8 of the Statement.

13 **Annual Report and Summary of Accounts**

The Head of Finance submitted the combined Annual Report and Summary of Accounts (Subject to Audit) 2009/2010 for the Committee to consider. The Head of Finance advised the Committee that the document had been prepared three months earlier than in 2008/09 in order to achieve a top score of 4 in the Audit Commission's Key Lines of Enquiry assessment. Although the regime had been removed, the ambition to improve remained.

The Committee noted that the report and summary provided an opportunity for the Council to present its achievements to local residents and businesses, how the Council managed its finances and set out its targets for 2010/11. Members also noted that the 2009/2010 report and summary also recognised achievements that had been delivered through successful partnership working.

The Committee thanked the Finance Team for their efforts in producing the Annual Report and Summary of Accounts (Subject to Audit) 2009/2010.

Resolved

- (1) That the Annual Report and Summary of Accounts (Subject to Audit) 2009/2010 be approved.

- (2) That delegated authority be granted to the Head of Finance to make a minor update to the capital receipts table on page 6 of the Annual Report and Summary of Accounts (Subject to Audit) 2009/10 by 26 June 2010.

14 **Treasury Management 2009/10 Outturn Report**

The Committee considered a report of the Head of Finance which updated Members on the actual return on investments for the period to March 2010, detailed the counterparties that have been used for investments and considered compliance with the investment strategy.

The Head of Finance reminded Members that as part of the Council's Investment Strategy the Committee had responsibility for considering the investment performance to date and the Council's compliance with counterparties being used. The Committee was advised that the actual variance at the end of the financial year was £794k which was higher than anticipated and had been attributed to the current low base rate. The Head of Finance advised the Committee that the Council had used its Interest risk reserve to offset the interest shortfall, consequently performance for 2009/10 was within budget tolerances.

The Head of Finance updated the Committee on the joint procurement exercise with Oxford City Council for Council's contract for treasury advice. The contract for Treasury Advisors was awarded to Sector with effect from 1 April 2010.

The Head of Finance updated Members on the current situation regarding the Council's investments with the failed Icelandic bank Glitnir. Decisions on the priority status of local authority deposits would be made by Icelandic courts. Due to the length of the legal processes, it was anticipated that there would not be a settled position on priority status before June 2011. The Head of Finance advised the Committee that while the Council remains confident of getting the full investment amount back as a priority creditor, the possibility of receiving a reduced amount has been considered and built into the Medium Term Financial Forecast.

Resolved

- (1) That the contents of the report and performance to date be noted.

15 **Audit Commission Triennial Review of Internal Audit**

The Committee considered a report of the Head of Finance which set out the outcomes of the Audit Commission triennial review of the work of Cherwell District Council's Internal Audit Function that is provided by PricewaterhouseCoopers (PwC).

Nicola Jackson (Audit Manager, Audit Commission) advised the Committee that the Audit Commission undertakes a review of the work of internal audit to

ensure it complies with Local Government Internal Audit standards. The Audit Manager reported that the review had concluded that PricewaterhouseCoopers complied with the Internal Audit Standards in all material respects and that the Audit Commission had concluded that they can place reliance on Internal Audit's work. There were a few areas that had been identified as scope for improvement and an action plan had been agreed to address these.

The Chief Internal Auditor advised the Committee that he was satisfied with the report and would present an updated version of the Internal Audit Charter to the Committee's September meeting.

Resolved

- (1) That the contents of the report be noted.

16 **Audit Commission Opinion Plan**

The Committee considered a report of the Head of Finance which set out the work that the Audit Commission would undertake in order to form an opinion on the financial statements for 2009/10 taking into account risk which satisfies their responsibilities under the Audit Commission's Code of Audit Practice.

Nicola Jackson (Audit Manager, Audit Commission) advised the Committee that, as part of the audit process, the Audit Commission was required to assess whether the Council's 2009/10 financial statements were prepared without any material misstatements and issue an audit report giving an opinion on whether the statements accounts present fairly the financial position of the Council as at 31 March 2010. This report would be presented to the Committee's September meeting.

The Audit Manager reported that no significant risks had been identified, however, two specific risks relating to Cherwell's investments in Iceland and service concessions. The Chief Executive assured the Committee that officers had met with the Audit Commission and that their risk areas were being addressed.

Resolved

- (1) That the contents of the report be noted.

17 **Audit Commission Fee Letter 2010/11**

The Committee considered a report of the Head of Finance which set out the work that the Audit Commission proposed to undertake during the 2010/11 financial year at Cherwell District Council and the fee associated with this work.

Maria Grindley (District Auditor, Audit Commission) advised the Committee that since the letter had been issued, a number of changes had been announced by the Coalition Government, including the abolition of

Comprehensive Area Assessments which had resulted in the Audit Commissions ending the use or resources assessment work. As a consequence, there would be changes to the original fee. The fee for the 'managing performance element of the organisational assessment' was no longer applicable and there would be a reduced fee for the 'use of resources/Value for Money conclusion' audit area.

The District Auditor reported that the Government had advised the Audit Commission that there would be a consultation on the future direction of the Commission in due course. It was anticipated that the Government and Department for Communities and Local Government would announce the future role of the Audit Commission in the autumn.

Resolved

- (1) That the contents of the report be noted.;

18 Internal Audit Progress Report

The Committee considered a report of the Chief Internal Auditor which summarised the progress made against the internal audit plan for 2009/2010 for the period to the year end 31 March 2010. The Committee was advised that all of the planned work for the year had been completed and an outturn statement detailing assignments undertaken and actual activity for the year was detailed in the Chief Internal Auditor's Annual Audit Letter which would be considered by the Committee at the next agenda item.

Katherine Bennett (Audit Team Leader, PriceWaterhouseCoopers) reported that since the Accounts, Audit and Risk Committee meeting of 22 March 2010, four final reports had been issued and a survey on the Council's governance arrangements had been completed.

Resolved

- (1) That the internal audit progress report be approved.

19 Internal Audit Annual Report 2009/10

The Chief Internal Auditor submitted the Internal Audit Annual Report 2009/10 for the Committee's consideration. The report presented the Chief Internal Auditor's annual opinion on the adequacy and effectiveness of the Council's system of internal control, as required by the Accounts and Audit Regulations.

The Chief Internal Auditor reported that the program of internal audit work for the year ended 31 March 2010 had not identified any significant control weaknesses. The Committee was advised that internal auditors had identified mostly low and medium rated risks during the course of their audit work on business critical systems, however there had been some isolated high risk recommendations. As a consequence, the internal audit team had given 'moderate assurance' on the design adequacy and effectiveness of the system of internal control.

Resolved

- (1) That the Internal Audit Annual Report 2009/10 be approved.

20 **Exclusion of the Public and Press**

Resolved

That, in accordance with Section 100A(4) of Local Government Act 1972, the press and public be excluded from the meeting for the following item of business, on the grounds that it could involve the likely disclosure of exempt information as defined in paragraph 3 of Part 1, Schedule 12A of that Act.

21 **Treasury Management 2009/10 Outturn Report - Exempt Annex 2**

The Committee considered the exempt annex to the report of the Head of Finance updating Members on Treasury Management Performance, which listed the investments that Cherwell District Council had across all funds at 31 March 2010.

Resolved

- (1) That the exempt annex be noted.

The meeting ended at 8.00 pm

Chairman:

Date:

Cherwell District Council

Licensing Committee

Minutes of a meeting of the Licensing Committee held at Bodicote House,
Bodicote, Banbury, OX15 4AA, on 19 May 2010 at 7.30 pm

Present: Councillor Kieron Mallon (Chairman)
Councillor Tony Ilott (Vice-Chairman)

Councillor Fred Blackwell
Councillor Nick Cotter
Councillor Timothy Hallchurch MBE
Councillor P A O'Sullivan
Councillor Lawrie Stratford
Councillor Rose Stratford
Councillor Douglas Webb

Apologies for absence: Councillor Michael Gibbard
Councillor G A Reynolds

1 **Appointment of Chairman**

Resolved that Councillor Kieron Mallon be elected Chairman of Licensing Committee for the 2010/11 Council year.

2 **Appointment of Vice-Chairman**

Resolved that Councillor Tony Ilott be elected Vice-Chairman of Licensing Committee for the 2010/11 Council year.

The meeting ended at 7.40 pm

Chairman:

Date:

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Cherwell District Council

Overview and Scrutiny Committee

Minutes of a meeting of the Overview and Scrutiny Committee held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 19 May 2010 at 7.30 pm

Present: Councillor Daniel Sames (Chairman)
Councillor Lynda Thirzie Smart (Vice-Chairman)

Councillor Ann Bonner
Councillor Nick Cotter
Councillor Andrew Fulljames
Councillor Alastair Milne Home
Councillor Chris Smithson
Councillor Trevor Stevens
Councillor Lawrie Stratford

Apologies for absence: Councillor John Donaldson
Councillor Keith Strangwood

1 **Appointment of Chairman**

Resolved that Councillor Dan Sames be elected Chairman of the Overview and Scrutiny Committee for the 2010/11 Council year.

2 **Appointment of Vice-Chairman**

Resolved that Councillor Lynda Thirzie Smart be elected Vice-Chairman of the Overview and Scrutiny Committee for the 2010/11 Council year.

The meeting ended at 7.40 pm

Chairman:

Date:

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Cherwell District Council

Overview and Scrutiny Committee

Minutes of a meeting of the Overview and Scrutiny Committee held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 22 June 2010 at 6.30 pm

Present: Councillor Daniel Sames (Chairman)
Councillor Lynda Thirzie Smart (Vice-Chairman)

Councillor Ann Bonner
Councillor Nick Cotter
Councillor John Donaldson
Councillor Andrew Fulljames
Councillor Trevor Stevens
Councillor Keith Strangwood
Councillor Lawrie Stratford

Substitute Members: Councillor Rose Stratford (In place of Councillor Alastair Milne Home)

Also Present: Councillor Tim Emptage
Councillor Douglas Williamson
Councillor Michael Gibbard
Parish Councillor David Betts, Chairman of Kidlington Parish Council
Parish Councillor Chris Pack, Chairman of the Kidlington Village Centre Management Board

Apologies for absence: Councillor Alastair Milne Home
Councillor Chris Smithson

Officers: Philip Clarke, Head of Planning Policy and Economic Development
Karen Curtin, Head of Finance
Lisa Chaney, Urban Centres Development Officer
Catherine Phythian, Senior Democratic and Scrutiny Officer

3 Declarations of Interest

5. Kidlington Pedestrianisation Capital Bid.

Councillor Trevor Stevens, Personal, as the owner of a business in Kidlington High Street that might be affected by the proposed pedestrianisation scheme.

4 Urgent Business

There was no urgent business.

5 **Minutes**

The minutes of the meetings held on 9 March 2010 and 19 May 2010 were agreed as a correct record and signed by the Chairman.

6 **Kidlington Pedestrianisation Capital Bid**

The Chairman welcomed Parish Councillor Betts, Chairman Kidlington Parish Council and Parish Councillor Pack, Chairman of the Kidlington Village Centre Management Board, the local district ward members, Councillor Williamson and Councillor Emptage and the county council ward member, Councillor Gibbard, to the meeting.

The Scrutiny Officer explained that the Kidlington Pedestrianisation capital bid (value £25,000) had been referred to scrutiny for further consideration by Council in February 2010. The bid had been rejected as part of the 2010/11 budget process as it failed to reach the minimum score threshold for approval. However, the Portfolio Holder for Resources and Communication indicated that a supplementary estimate could be made if the scrutiny review considered that the project was justified. The Committee was advised that the expansion of pedestrianisation in the village is an aspiration of the Kidlington Village Centre Management Board and that it was also a Cherwell District Council service plan objective to deliver such a scheme.

The Chairman invited Councillors Betts and Pack to explain the background to the capital bid. They made the following arguments:

- The problem with traffic control in the High Street at Kidlington was a long standing and significant concern to the residents and shoppers and was identified as a key issue in the 2008 village health check.
- A project team had been established in 2009 to address the problem. This included member and officer representatives from the Parish, District and County Councils and from Thames Valley Police.
- Technically the High Street in Kidlington was already a pedestrian area with delivery/residential access but lack of traffic enforcement and the physical appearance of the street (paved and removal of curbs) had resulted in long term and widespread abuse of the traffic regulations. A recent survey revealed some 106 traffic movements in the High Street in a single one hour period. Recently there had been a near fatal accident in the area and there were significant safety concerns, particularly for the elderly and young families wanting to shop.
- These problems represented a threat to the commercial vitality of the village centre and lessened the benefits that could be derived from previous investment in the new shopping centre.
- The project was intended to enhance the pedestrianisation of the village centre for a core period (10 am – 4.30 pm) during the day;

- In the first instance pedestrianisation would be achieved through the use of traffic orders and improved signage.

The Chairman then asked the County Councillor for Kidlington and Yarnton and the District Council ward members if they wished to comment. They endorsed all of the points made by the representatives from the Parish Council and the Village Centre Management Board and stressed the importance of this project in addressing the perceived disparity between Kidlington and the other urban centres in the district. They commended the pedestrianisation scheme to the Committee on the basis that it would bring Kidlington in to line with the other urban centres of the district.

The Head of Finance informed the Committee that this capital bid had been excluded purely on the basis that it did not meet the minimum score threshold. She explained that approval of the scheme would result in a loss in interest income of £250 per year.

In response to questions from the Committee, the Urban Centres Development Officer explained that the £25,000 capital bid was to fund the public consultation and legal services on the preparation of the traffic order and that this was what was meant by the reference to contractors in the capital bid paperwork.

Members of the Committee cited the success of the bollard schemes in Parsons Street, Banbury and Sheep Street, Bicester and asked why a similar approach was not being advocated in Kidlington. The Urban Centres Development Officer explained that the wording of the existing traffic regulation order would not permit the installation of a bollard. A new and more tightly defined traffic regulation order was required before it would be possible to consider installing a bollard scheme. She confirmed that the installation of a bollard scheme would be one of the options presented in the public consultation. The Committee noted that the costs of a bollard scheme were of order £30,000 plus on-going maintenance. These arguments notwithstanding the Committee urged the representatives from the Kidlington High Street Pedestrianisation Board to pursue the possibility of installing a bollard as a priority as they considered that this was the only realistic method of controlling the traffic in the High Street.

Resolved

That the Portfolio Holder for Resources and Communication be recommended to make available a supplementary estimate for the Kidlington Pedestrianisation capital bid (value £25,000) in order to bring the village in to line with the other urban centres of the district.

7

Houses in Multiple Occupation and Planning Policy

Councillor Bonner and Councillor L Stratford presented the conclusions of the informal Task & Finish Group review of guidance criteria for the planning control of Houses in Multiple Occupation (HMOs) within the district. They explained that the Task & Finish Group understood and appreciated that HMOs were a necessary tool in meeting the demand for housing across the district but that the concern was with the Council's ability to control the density

and concentration of such properties in particular areas. There seemed to be no effective mechanism to identify the overall location and number of HMOs in the district as we are only able to track those that applied for planning permission.

After lengthy discussion with officers the Task & Finish Group had concluded that only the issues relating to the general amenity provision, such as traffic, parking and litter and refuse, were those that Council could realistically address through the planning process. They had been pleased to note the work by the Design and Conservation team to produce an informal planning guidance document which would be a valuable tool in addressing many of the points of concern.

The Head of Planning Policy and Economic Development briefed the Committee on the recent government announcement to reverse the effects of the new regulations brought in by the previous government in April 2010 by giving permitted development rights for small HMOs (use class C4) to change use to dwelling houses (use class C3). He stressed that no details were available about how or when these latest changes would be introduced but he understood that they would not require primary legislation. He explained that the Government is encouraging local authorities to use Article 4 Directions to remove the permitted development rights of HMOs but the Committee should be aware that this had significant resource implications for the Council. Also it was not yet clear whether the Article 4 Direction powers would be delegated to local authorities or reserved by the Secretary of State. He explained that this reversal of the legislation meant that the Council was unlikely to see an increase in the number of planning applications for HMOs but that in broad terms the conclusions of the Task & Finish Group were still valid.

Resolved

- (1) That the proposed guidance criteria for the planning control of Houses in Multiple Occupation (HMOs) within the district be referred to the Portfolio Holder, Planning and Housing and the Local Development Framework (LDF) Advisory Panel for consideration and, if accepted, inclusion in the LDF:
 - a) The Portfolio Holder for Planning and Housing should make resources available to ensure that the informal planning and design guidance document ("Sub Division of Buildings for Residential Uses") is published (following public consultation) and in use for planning applications within the District as soon as possible.
 - b) Planning Officers should begin to build up a case history/evidence base to demonstrate the precedence given to the informal planning and design guidance document (Sub Division of Buildings for Residential Uses) in determining HMO applications.
 - c) The Portfolio Holder for Planning and Housing and the LDF Advisory Panel should consider whether to develop a formal policy document (or documents) for inclusion in the LDF to be

based on contents of the document (Sub Division of Buildings for Residential Uses).

- d) Planning Committee and Planning Officers should ensure that consideration of planning applications for HMOs takes into account the general amenity provision and the implications and proposed arrangements for traffic flow, parking provision and recycling or waste bins.
- (2) That the Portfolio Holder, Planning and Housing be invited to task the Private Sector Housing Manager to prepare a briefing paper on the options for the implementation of additional discretionary licensing for HMOs.
- (3) That the Portfolio Holder, Breaking the Cycle of Deprivation be invited to consider addressing the existing “community based” problems in Grimsbury as part of the Banbury Brighter Futures project and to report back to the Overview and Scrutiny Committee at an appropriate date.
- (4) That the conservation area issues in Grimsbury be addressed as part of the separate Overview and Scrutiny Committee review into conservation area policy.

8 **Draft Overview and Scrutiny Annual Report 2009 -1010**

The Chairman introduced the draft Overview and Scrutiny Annual Report 2009/10, which summarised the work of the Overview and Scrutiny Committee, the Resources and Performance Scrutiny Board and task and finish groups during the year. The Committee noted that it had a constitutional obligation “to produce a unified annual report for the whole scrutiny process” and to present it to Council. They suggested that the draft document would benefit from the addition of captions to the photographs but had no further comments on the text.

Resolved

That the draft Overview and Scrutiny Annual Report 2009/10 be approved, subject to the insertion of captions for the illustrations, and referred to Council for noting.

9 **Draft Overview and Scrutiny Work Programme 2010 - 2011**

The Committee considered the report on the draft overview and scrutiny work programme 2010/11 and made a number of observations. The Committee acknowledged the need to take account of potential resource constraints and the boundaries of the District Council’s responsibilities when determining the work programme. They noted that it was important to ensure that any scrutiny review would deliver tangible results for the benefit of the residents of the district.

Monitoring of past scrutiny reviews

The Committee noted the status of the previous scrutiny reviews and proposed timescales for further updates and progress reports. They confirmed that they wished to consider the final version of the reports on Democratic Engagement with Young People and Crime and Anti-social Behaviour at the July meeting.

Scrutiny topics for 2010/11

Built Environment Conservation Area Policy

The Scrutiny Officer reminded the Committee that they had already determined to undertake a review of the Council's Built Environment Conservation Area Policy during 2010/11. The Committee considered the draft scoping document for the review and agreed that it would be best conducted in select committee rather than by a task and finish group. The Committee felt that although the list of outcomes should include the "*wider understanding of, and support, for the built environment conservation work of the Council*" it was important not to present this as the prime driver for the review. The Committee took account of advice from officers regarding resource constraints in the planning team and agreed that it would be sensible to schedule this work for the meetings in October and December 2010 and January 2011. The Scrutiny Officer was asked to liaise with planning officers and present a more detailed project plan to the Committee in due course.

Youth Services

The Committee noted that this topic had been carried forward from the previous year pending the value for money review of that service area. The Committee felt that "Youth Services" was too wide a remit for a productive scrutiny review and that any such work in this area would need to be more clearly defined. They agreed to defer any further consideration of this topic until January 2011 when they anticipated that the value for money review would have been completed. In the meantime the Scrutiny Officer undertook to bring more details about the value for money review membership and timescales to the July meeting.

Preparations for an Ageing Population

The Committee noted that this topic had been carried forward from the previous year. They were concerned that it was also too wide ranging and that, based on some members personal experience of a lengthy county council review of the same topic, it was unlikely to produce any tangible results. It was agreed that the Scrutiny Officer should circulate information on the outcomes of the County Council review and that the Committee would then take a view as to whether there was any particular issue that they wished to pursue further.

Review of Secondary Education Attainment Levels in Cherwell

The Committee considered a draft scoping document for a review into secondary education attainment levels in Cherwell. Some members of the Committee felt that this would be an important and worthwhile review topic given its links to issues around deprivation and the Council's corporate priority to promote a district of opportunity. However, other members of the Committee believed that this was a matter for the County Council and that the ability of the District Council to influence matters and produce tangible

benefits was limited. The Committee was informed that the County Council Scrutiny Committee had just completed a review into this matter and that the conclusions were due to be published at the end of the month. The Committee agreed that the Chairman should write to the County Council inviting the Cabinet Member and lead officer to attend a meeting in the autumn to present the findings of the scrutiny review and to comment on the proposed response from the Cabinet. It was suggested that this discussion could be broadened to include consideration of the work on NEETS (the acronym for the government classification for people currently "Not in Employment, Education or Training").

In discussion members of the Committee also suggested that the following might be appropriate topics for a scrutiny review: deprivation, the motor car as the scourge of society and the impact of new benefit payment regimes on the voluntary sector. However, the Committee concluded that these topics were not of sufficient priority to be taken up at this time. They agreed that if individual members wished to bring these, or any new topics, forward they should prepare a scoping document for consideration. The Scrutiny Officer confirmed that she would be able to support members in preparing the scoping documents.

The Committee noted that it they would need to be flexible in work programme planning as it might need to undertake work at short notice in response to the demands on the Council to deliver savings and efficiencies.

The Committee also expressed its desire to support the Portfolio Holder for Breaking the Cycle of Deprivation and agreed that it would be appropriate to invite him to the July meeting so that they could learn more about the Banbury Brighter Futures project and offer their support.

Meeting Dates

Finally the Committee agreed to move the dates of its meetings in July and September to accommodate the annual leave commitments of several of the members. They proposed the following changes:

- Move the meeting on 27 July to 21 July
- Move the meeting on 14 September to 21 September.

Resolved

- (5) That the Overview and Scrutiny Committee element of the draft work programme for 2010/11 be agreed.
- (6) That the update on past scrutiny reviews carried forward from the 2009/10 overview and scrutiny work programme be noted.
- (7) That the following items be included on the 2010/11 Work Programme:

July meeting	Youth Services ~ project brief Breaking the Cycle of Deprivation ~ briefing
September meeting	Secondary Education Attainment ~ briefing
October / December	Built Area Environment Conservation Policy

January 2011

Built Area Environment Conservation Policy
Youth Services Value for Money Review

The meeting ended at 8.45 pm

Chairman:

Date:

Cherwell District Council

Personnel Committee

Minutes of a meeting of the Personnel Committee held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 19 May 2010 at 7.30 pm

Present: Councillor Victoria Irvine (Chairman)
Councillor Rick Atkinson (Vice-Chairman)

Councillor Ken Atack
Councillor Norman Bolster
Councillor Russell Hurle
Councillor George Parish
Councillor Chris Smithson
Councillor Lawrie Stratford
Councillor Rose Stratford
Councillor Lynda Thirzie Smart
Councillor Barry Wood

Apologies for absence: Councillor G A Reynolds

1 **Appointment of Chairman**

Resolved that Councillor Victoria Irvine be elected Chairman of Personnel Committee for the 2010/11 Council year.

2 **Appointment of Vice-Chairman**

Resolved that Councillor Rick Atkinson be elected Vice-Chairman of Personnel Committee for the 2010/11 Council year.

The meeting ended at 7.40 pm

Chairman:

Date:

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Cherwell District Council

Personnel Committee

Minutes of a meeting of the Personnel Committee held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 2 June 2010 at 6.30 pm

Present: Councillor Rick Atkinson (Vice-Chairman, in the Chair)

Councillor Ken Atack
Councillor Norman Bolster
Councillor Russell Hurle
Councillor George Parish
Councillor G A Reynolds
Councillor Lawrie Stratford
Councillor Rose Stratford
Councillor Lynda Thirzie Smart
Councillor Barry Wood

Apologies for absence: Councillor Victoria Irvine

Officers: Mary Harpley, Chief Executive and Head of Paid Service
AnneMarie Scott, Head of People and Improvement
Stephanie Rew, HR Manager
Natasha Clark, Senior Democratic and Scrutiny Officer

3 Declarations of Interest

There were no declarations of interest.

4 Petitions and Requests to Address the Meeting

There were no petitions or requests to address the meeting.

5 Urgent Business

There was no urgent business.

6 Minutes

The Minutes of the meetings held on 10 March 2010 and 19 May 2010 were agreed as a correct record and signed by the Chairman.

7 **Employment Statistics**

The Head of People and Improvement submitted a report which detailed employment statistics, by Directorate, for information and monitoring purposes for the period January to March 2010. The Committee was advised that there had been a peak in the number of leavers which was primarily due to redundancies and retirements from the expressions of interest process. The number of voluntary leavers remained low which was attributed to the current economic climate.

In response to Members' questions, the Head of People and Improvement advised the Committee that following changes in the Extended Management Team some posts would fall within different service areas in future employment statistics reports.

Resolved

That the contents of the report be noted.

8 **MORI Survey**

The Chief Executive gave a presentation which presented the headline results of the Employee Survey 2010 which was conducted by Ipsos MORI in March and April 2010.

The Chief Executive reported that this was the second formal staff survey that the council had undertaken. The first was carried out in 2008 when a commitment was made to conduct a staff survey every two years. The response rate in 2010 had been 84% compared to 64% in 2008. The Chief Executive reported that the council had improved its position on almost every measure since 2008 and demonstrated some exceptionally strong results.

The Committee discussed the contents of the presentation. Members commended officers for implementing actions to address areas of focus that had been identified in the 2008 staff survey and noted the need to build on these improvements and to add actions to address areas which had weakened or were below expected performance in the 2010 staff survey.

The Chief Executive advised the Committee that she would be sending emails to all staff and Members containing links to the presentation to the Personnel Committee, the full survey report and the responses by team

9 **Exclusion of the Public and Press**

Resolved

That, in accordance with Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business, on the grounds that they could involve the likely disclosure of exempt information as defined in paragraphs 1, 3 and 4 of Schedule 12A of that Act.

10 **Extended Management Team Review**

The Chairman advised the Committee that this item had been deferred and would be considered at the Committee's September meeting.

11 **Redeployment and Redundancy Procedures**

The Head of People and Improvement submitted a report which sought the Committee's consideration of the council's policies in relation to redeployment and redundancy.

The Head of People and Improvement advised the Committee that the council's current policies were developed and agreed to support the major organisational restructure in 2007. The Committee noted that it was necessary for the policies to be reviewed to ensure that the Council is able to respond flexibly and quickly to the changing economic environment.

The Committee discussed the proposals presented in the report and agreed that the current policies should be reviewed in line with agreed consultation procedures and requested that the Head of People and Improvement bring revised policies to the Committee's September meeting.

Resolved

- (1) That potential changes to the redundancy and redeployment procedure be reviewed.
- (2) That an outline for consultation on changes with the employee side be agreed.

The meeting ended at 8.00 pm

Chairman:

Date:

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Cherwell District Council

Resources and Performance Scrutiny Board

Minutes of a meeting of the Resources and Performance Scrutiny Board held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 19 May 2010 at 7.30 pm

Present: Councillor Nicholas Mawer (Chairman)
Councillor David Hughes (Vice-Chairman)

Councillor Alyas Ahmed
Councillor Rick Atkinson
Councillor Maurice Billington
Councillor Margaret Cullip
Councillor Tim Emptage
Councillor Neil Prestidge
Councillor Patricia Tompson
Councillor Douglas Webb
Councillor Martin Weir

Apologies for absence: Councillor Carol Steward

1 **Appointment of Chairman**

Resolved that Councillor Nicholas Mawer be elected Chairman of the Resources and Performance Scrutiny Board for the 2010/11 Council year.

2 **Appointment of Vice-Chairman**

Resolved that Councillor David Hughes be elected Vice-Chairman of the Resources and Performance Scrutiny Board for the 2010/11 Council year.

The meeting ended at 7.40 pm

Chairman:

Date:

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Cherwell District Council

Resources and Performance Scrutiny Board

Minutes of a meeting of the Resources and Performance Scrutiny Board held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 15 June 2010 at 7.00 pm

Present: Councillor Nicholas Mawer (Chairman)
Councillor David Hughes (Vice-Chairman)

Councillor Alyas Ahmed
Councillor Rick Atkinson
Councillor Maurice Billington
Councillor Tim Emptage
Councillor Neil Prestidge
Councillor Carol Steward
Councillor Martin Weir

Apologies for absence: Councillor Margaret Cullip
Councillor Douglas Webb

Officers: Gillian Greaves, Head of Housing Services
Mark Taylor, Housing Grants Team Leader
Natasha Clark, Senior Democratic and Scrutiny Officer

2 **Declarations of Interest**

There were no declarations of interest.

3 **Urgent Business**

There was no urgent business.

4 **Minutes**

The Minutes of the meetings held on 16 February 2010 and 19 May 2010 were agreed as a correct record and signed by the Chairman.

5 **Disabled Facilities Grants ~ Briefing**

The Chairman welcomed the Head of Housing Services and the Housing Grants Team Leader to the meeting.

The Chairman explained that this was an opportunity for the Board to learn more about Disabled Facilities Grants (DFGs) which had been considered by one of the budget scrutiny working groups as part of the 2010/11 budget scrutiny process. The topic has also been raised by Board Members as a potential topic for scrutiny in 2010/11. Following the discussion the Board would reflect on the evidence presented and if there were any issues that they wished to explore further, these should be added to the 2010/11 Work Programme.

The Head of Housing Services began by explaining that Disabled Facilities Grants are mandatory and as the as the housing authority Cherwell District Council has to meet its statutory duty to respond. The delivery of DFGs is also enshrined in the Councils priorities, including the Sustainable Communities Strategy, the Cherwell Housing Strategy 2005-11 and the Private Sector Housing Strategy which was adopted in March 2010. The Head of Housing Services highlighted that to address one of the Strategy's four priorities 'Support vulnerable people so that they can remain living in their own homes, and improve their health outcomes' a number of actions linked to DFGs had been developed. These included the need for a DFG policy to address prioritisation and allocation of resources and the development of practices and procedures to improve the efficiency and value for money for the DFG service.

The Housing Grants Team Leader advised the Board that applications were processed as they were received from the Oxfordshire County Council Occupational Therapists. The government's test of "fairness" applied to the assessment of need which is the responsibility of the Occupational Therapists and not a matter for the Housing team. Cherwell District Council cannot select or reject applications. All applications are capped at £30K and all are means tested except for disabled children under 19 years.

In terms of funding, the Board was advised that the DFG budget for 2010-11 was set at £950k. This was made up of a fixed £375k Government grant and £575k capital programme funding. It was not yet clear what, if any, impact the new Governments proposed cuts to public spending would have on DFGs.

The Housing Grants Team Leader explained that the Housing team were working with the Housing Association to explore ways for Registered Social Landlords (RSLs) to fund adaptations. At present only Charter had an obligation (under the terms of the stock transfer) to fund DFG related work and the current spend was about £350K each year. Historically this has not been the case with Banbury Homes, however, now that Charter and Banbury Homes have merged there will need to be a more equitable approach to meet the needs of the ex Charter and ex Banbury Homes residents.

The Board was advised that a significant volume of very small scale adaption work was undertaken by the Small Repairs Handyman. This was a very successful scheme that Cherwell District Council had been operating for a couple of years. Funding came from other grants and the work was not included in the DFG figures. Other local authorities were now replicating this scheme.

In response to questions from the Board, the Housing Grants Team Leader explained that Cherwell District Council was entirely reliant on Oxfordshire County Council for referrals. Therefore any delays at the County would affect Cherwell's ability to allocate and carry out work. The Head of Housing Services advised the Board that Cherwell was working with partners to improve the service to disabled people. Work was underway on a new joint strategy, the County Physical Disabilities Strategy, which will provide an opportunity for Cherwell, the County and the other Districts to contribute to shared objectives. It is anticipated that a draft will be ready in September 2010 for consultation with all stakeholders.

The Board commented that the development of both the "County Physical Disabilities Strategy" and Cherwell District Council's "Disabled Facilities Grants Policy" would contribute to an improved service. The Board agreed that they would nominate Members to meet with Housing Services Officers to consider aspects of the Disabled Facilities Grants Policy and that the Head of Housing Services be invited to a future meeting to present a draft version of the policy.

The Chairman thanked the Head of Housing Services and the Housing Grants Team Leader for attending the meeting and the detailed information provided. The Board thanked and commended the Housing Services staff for their hard work for the delivery of Disabled Facilities Grants which supported and assisted vulnerable members of the community.

Resolved

- (1) That Councillors Steward, Billington, Cullip and Ahmed be nominated to meet with Housing Services staff to consider aspects of Cherwell District Council's Disabled Facilities Grants Policy.
- (2) That the Head of Housing Services be invited to attend a future meeting of the Board to present a draft version of the Disabled Facilities Grants Policy.

6

Draft Overview and Scrutiny Annual Report 2009/10

The Board considered the Draft Overview and Scrutiny Annual Report 2009/10. The draft Annual Report contained information relating to the work of the Overview and Scrutiny Committee, the Resources and Performance Scrutiny Board and various Task and Finish Group reviews.

The Board noted that the production of an annual report was a constitutional requirement and that the Overview and Scrutiny Committee would consider the report at its meeting on 22 June 2010 and refer it to Council in July 2010.

Resolved

That the contents of the draft Overview and Scrutiny Board Annual Report 2009/10 be noted.

7 **Appointment of Working Group Members**

The Chairman welcomed Councillors Atkinson, Emptage, Hughes and Prestidge as new members of the Board.

The Board considered a report which set out proposals for the membership of the Finance Scrutiny Working Group and the Performance Scrutiny Working Group for 2010/11.

The Chairman advised the Board that following changes to the membership of the Resources and Performance Scrutiny Board there were currently two vacancies on both the Finance Scrutiny Working Group and the Performance Scrutiny Working Group. Members of the Board confirmed that they were happy to remain on the same working group for the coming year and agreed that the three new Board Members would fill the vacancies on the Working Groups.

Resolved

- 1) That the following Councillors be appointed to the Finance Scrutiny Working Group for 2010/11: Councillor Mawer (Chairman), Councillor Hughes (Vice-Chairman), Councillor Atkinson, Councillor Emptage, Councillor Tompson, Councillor Webb, Councillor Weir.
- 2) That the following Councillors be appointed to the Performance Scrutiny Working Group for 2010/2011: Councillor Hughes (Chairman), Councillor Mawer (Vice-Chairman), Councillor Ahmed, Councillor Billington, Councillor Cullip, Councillor Prestidge, Councillor Steward.

8 **Draft Overview and Scrutiny Work Programme 2010/11**

The Board considered the report on the draft overview and scrutiny work programme 2010/11 and made a number of observations. The Board acknowledged the need to take account of potential resource constraints and the boundaries of the District Council's responsibilities when determining the work programme. They noted that it was important to ensure that any scrutiny review would deliver tangible results for the benefit of the residents of the district.

Update to Work Programme Items 2009/10

The Board noted the update to the work programme items 2009/10 including the status of previous scrutiny reviews and proposed timescales for further updates and progress reports. The Board noted that Councillors Steward and Weir had previously been nominated to participate in the fees and charges review group. Members requested further information from Officers about the group to enable them to appoint a further participant at the July meeting.

Work Programme Items for 2010/11

Members of the Board had suggested a number of topics for inclusion on the 2010/11 work programme.

Disabled Facilities Grants

This had been considered at agenda item 5.

The Cost and Length of Planning Appeals

The Board noted that the Performance Scrutiny Working Group had previously raised this item when considering the quarterly Performance Management Framework data. Members requested the Scrutiny Officer to liaise with planning officers and the performance team to provide an update to the Performance Scrutiny Working Group at their next meeting.

The cost of Cherwell District Council employing external consultants

The Board agreed that this was an interesting issue and would they would consider it in more detail later in the year.

Resolved

- (1) That the Resources and Performance Scrutiny Board element of the draft Overview and Scrutiny Work Programme 2010/11 be noted.
- (2) That the update on items carried forward from the 2009/10 overview and scrutiny work programme be noted.
- (3) That Councillors Steward and Weir be nominated to participate in the fees and charges policy review group and that a further Member be nominated at the Board's July 2010 meeting.
- (4) That the items suggested for inclusion on the 2010/11 Work Programme be noted.

The meeting ended at 8.45 pm

Chairman:

Date:

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