

# Meeting of Council

Monday 23 February 2009

Members of Cherwell District Council,

A meeting of Council will be held at Bodicote House, Bodicote, Banbury, OX15 4AA on Monday 23 February 2009 at 6.30 pm, and you are hereby summoned to attend.

Mary Harpley  
Chief Executive

Friday 13 February 2009

## AGENDA

1 **Apologies for Absence**

2 **Declarations of Interest**

Members are asked to declare any interest and the nature of that interest which they may have in any of the items under consideration at this meeting.

**Local Government and Finance Act 1992 – Budget Setting, Contracts & Supplementary Estimates**

Members are reminded that any member who is two months in arrears with Council Tax must declare the fact and may speak but not vote on any decision which involves budget setting, extending or agreeing contracts or incurring expenditure not provided for in the agreed budget for a given year and could affect calculations on the level of Council Tax.

3 **Communications**

To receive communications from the Chairman and/or the Leader of the Council.

#### **4 Petitions and Requests to Address the Meeting**

The Chairman to report on any requests to submit petitions or to address the meeting.

#### **5 Urgent Business**

The Chairman to advise whether they have agreed to any item of urgent business being admitted to the agenda.

#### **6 Minutes of Council**

To confirm as a correct record the Minutes of Council held on 19 January 2009.

#### **7 Questions on Minutes of Council**

The Chairman to invite any questions, on matters arising from the minutes of the Council meetings as set out at Agenda Item 6.

#### **8 Executive Decisions - Special Urgency**

The Leader of the Council to report for information, that since the last meeting of Council, no Executive decisions have been taken that were subject to the special urgency provisions of the constitution.

#### **9 Minutes of the Executive**

To consider the non-exempt minutes of the meetings of the Executive as set out in the Minute Booklet (**circulated separately**).

##### **Minutes of Committees**

To consider the non-exempt minutes of committees, as set out in the Minute Booklet, (**circulated separately**).

#### **10 Minutes of Overview and Scrutiny Committee**

#### **11 Minutes of Standards Committee**

#### **12 Written Questions**

To receive any written questions and answers which have been submitted with advance notice in accordance with the constitution.

#### **13 Motions**

No motions which have been submitted in accordance with the constitution.

#### **14 Members Allowances 2009/2010 (Pages 1 - 14)**

To consider the report of the Head of Legal and Democratic Services

Council is requested to:

Consider the report of the Independent Remuneration Panel and resolve accordingly:-

- (1) the levels of the allowances to be included in the 2009/2010 Members' Allowances Scheme and whether, in that regard, the Panel's recommendations should be adopted or modified in any way;
- (2) whether to backdate the proposed increases to the Chairman of Overview and Scrutiny Committee and Resources and Performance Scrutiny Board from 9//9/08

and 16/9/08 respectively, the Chairman of Planning Committee from 15/5/08 and Chairman of Accounts, Audit and Risk Committee from 14/5/08 as the relevant dates when their responsibility increased.

- (3) that the Head of Legal and Democratic Services be authorised to prepare an amended Members' Allowances Scheme, in accordance with the decisions of the Council for implementation with effect from 1 April 2009;
- (4) that the Head of Legal and Democratic Services be authorised to take all necessary action to revoke the current (2008/2009) Scheme and to publicise the revised Scheme pursuant to The Local Authorities (Members' Allowances) (England) Regulations 2003 (as amended); and
- (5) that the Independent Remuneration Panel be thanked for its thorough and detailed report.

## **15 Corporate Plan Revisions (Pages 15 - 23)**

The purpose of this report is to set the debate on the 2009/10 budget in the context of the Council's Corporate Plan which was adopted by Councillors in February 2007.

Council is requested to:

- (1) note the previously-agreed Corporate Plan aims and targets in advance of considering the 2009/10 budget in detail.

## **16 Estimates 2009/2010, Collection Fund Estimates 2008/2009 and Service Plans 2009/2010 (Pages 24 - 32)**

To consider the Estimates 2009/2010, Collection Fund Estimates 2008/2009 and Service Plans 2009/2010 (budget book circulated separately), together with any recommendations contained in the Executive minutes of 9 February 2009.

(Service Plans are on deposit at Bodicote House and available in the Members Room, the Budget Book is circulated separately)

Council is requested to:

### **A BUDGET 2009/10**

(1) to consider the contents of this report in approving the General Fund and Capital Programme 2009/10 budgets and that the s 25 report on the robustness of the budget be noted.

(2) that the updated draft budget recommended by the Executive at its meetings on 9 February 2009 and detailed in the 09/10 budget book, (Minute 162 (which is to be tabled)) be approved;

### **B COLLECTION FUND 2008/2009**

(3) that the Collection Fund estimates as now submitted be approved (see Annex 6 of the budget booklet).

### **C SERVICE PLANS 2009/10**

(4) that the draft Service Plans 2009/10 be endorsed as recommended by the Executive at its meeting on 9 February 2009 (Minute 162).

**17 Adjournment of Council Meeting**

The Council to adjourn, if necessary, to allow the Executive to meet to consider Council proposals which do not accord with the Executive's recommendations.

**18 Calculating and Setting Council Tax for 2009/2010 (Pages 33 - 44)**

Council is requested to set the level of Council Tax for 2009/2010 in accordance with the recommendations as set out in the report.

**19 Section 151 Officer Arrangements (Pages 45 - 46)**

To consider a report of the Chief Executive regarding future Section 151 arrangements for Cherwell District Council.

Council is requested to:

(1) agree that the Strategic Director, Customer Service and Resources be appointed as the Council's Section 151 and Chief Finance Officer and the Monitoring Officer be authorised to make consequential amendments to the constitution to enable this decision.

(2) note that that the Strategic Director, Customer Service and Resources has nominated the Chief Accountant , Karen Curtin, as Deputy Section 151 and Deputy Chief Finance Officer authorised to act in her absence.

**20 Constitutional Amendment: Call-in Arrangements (Pages 47 - 58)**

To consider proposals from Overview and Scrutiny Committee (via Executive and Standards Committee) for revised Call-in arrangements.

It is recommended:

(1) that the Council note the results of the consultation on the review of Call-in and the proposals from the Overview and Scrutiny Committee and Executive;

(2) that the Council adopts the revised Call-in model (Appendix 2) into the Constitution at Part 4 (e) 15 – 17 Overview and Scrutiny Procedure Rules.

**21 Exclusion of the Press and Public**

The following agenda items contain exempt information as defined in the following paragraphs of Part 1, Schedule 12A of Local Government Act 1972.

Paragraph 3 – Information relating to the financial or business affairs of any particular person (including the authority holding that information).

Members are reminded that whilst the following agenda items have been marked as exempt, it is for Council to decide whether or not to consider each of them in private or in public. In making the decision, members should balance the interests of individuals or the Council itself in having access to the information. In considering their discretion members should also be mindful of the advice of Council Officers.

Should Members decide not to make a decision in public, they are recommended to pass the following recommendation:

“That, in accordance with Section 100A(4) of Local Government Act 1972, the press and public be excluded form the meeting for the following item(s) 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, as set out on the agenda.”

## **Exempt Minutes**

To consider the exempt minutes, as set out in the Minute Booklet, **(circulated separately)**.

### **22 Exempt Minutes of Executive**

## **Information about this Agenda**

### **Apologies for Absence**

Apologies for absence should be notified to [democracy@cherwell-dc.gov.uk](mailto:democracy@cherwell-dc.gov.uk) or 01295 221587 prior to the start of the meeting.

### **Declarations of Interest**

Members are asked to declare interests at item 2 on the agenda or if arriving after the start of the meeting, at the start of the relevant agenda item. The definition of personal and prejudicial interests is set out in Part 5 Section A of the constitution. The Democratic Support Officer will have a copy available for inspection at all meetings.

**Personal Interest:** Members must declare the interest but may stay in the room, debate and vote on the issue.

**Prejudicial Interest:** Member must withdraw from the meeting room and should inform the Chairman accordingly.

With the exception of the some very specific circumstances, a Member with a personal interest also has a prejudicial interest if it is one which a Member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice the Member's judgement of the public interest.

### **Local Government and Finance Act 1992 – Budget Setting, Contracts & Supplementary Estimates**

Members are reminded that any member who is two months in arrears with Council Tax must declare the fact and may speak but not vote on any decision which involves budget setting, extending or agreeing contracts or incurring expenditure not provided for in the agreed budget for a given year and could affect calculations on the level of Council Tax.

### **Queries Regarding this Agenda**

Please contact James Doble, Legal and Democratic Services [james.doble@cherwell-dc.gov.uk](mailto:james.doble@cherwell-dc.gov.uk), (01295) 221587

## CHERWELL DISTRICT COUNCIL

### COUNCIL MEETING

23 FEBRUARY 2009

#### REPORT OF THE HEAD OF LEGAL AND DEMOCRATIC SERVICES

##### MEMBERS' ALLOWANCES - 2009/2010

#### **1 Introduction and Purpose of Report**

- 1.1 To consider and determine the levels of the allowances to be paid to Members for the forthcoming 2009/2010 financial year following the submission of the report of the Council's Independent Remuneration Panel on the review of the 2008/2009 Members' Allowances Scheme.

#### **2 Wards Affected**

- 2.1 Potentially all Wards.

#### **3 Effect on Policy**

- 3.1 The Council has previously adopted its approach to the setting of the allowances payable to Members. The decisions taken at the meeting should not therefore, represent new Council policy.

#### **4 Contact Officer**

- 4.1 James Doble (Ext 1587).

#### **5 Members' Allowances**

- 5.1 The Council's Independent Remuneration Panel has met to review the current (2008/2009) Members' Allowances Scheme and its report on the recommended levels of the allowance payments for the 2009/2010 financial year has been submitted to the Council and is attached to this report.
- 5.2 The Council is required to have regard to the Panel's recommendations but is under no obligation to accept them if they are deemed to be inappropriate. It is open to the Council to revise the levels of the recommended allowance payments for 2009/2010 (either up or down) as is considered appropriate.

#### **6 Risk Assessment, Financial Effects and Contributions to Efficiency Savings**

- 6.1 The following details approved by Karen Curtin (extension 1551) (financial) and Rosemary Watt (extension 1556) (risk).
- 6.2 Risk Assessment – there are no risks associated with the report other than the possibility of

exceeding the budget provision.

6.3 Financial Effects – provision has been included in the draft 2009/2010 budget for Members' Allowances. There are principally three options available in terms of settling the levels of the allowances for the forthcoming financial year as follows:-

- (1) to adopt the recommendations of the Independent Remuneration Panel including the increase in the basic allowance and Special Responsibility Allowances – the full year cost can be accommodated within the draft budget as mentioned above;
- (2) not to adopt the Panel's recommendations and to retain the allowance payments at their existing levels – this would reduce the current budget provision;
- (3) to increase the levels of the allowances over and above those recommended by the Panel although this would increase the provision included in the draft budget.

6.4 Consideration of this item falls within the provisions of Section 106 of the Local Government Finance Act 1992 and Members affected by that Section should declare accordingly and refrain from voting.

6.4 Efficiency Savings – none.

## 7 Recommendations

7.1 It is **RECOMMENDED** that the Council consider the report of the Independent Remuneration Panel and resolves:-

- (1) the levels of the allowances to be included in the 2009/2010 Members' Allowances Scheme and whether, in that regard, the Panel's recommendations should be adopted or modified in any way;
- (2) Consider whether to backdate the proposed increases to the Chairman of Overview and Scrutiny Committee and Resources and Performance Scrutiny Board from 9/9/08 and 16/9/08 respectively, the Chairman of Planning Committee from 15/5/08 and Chairman of Accounts, Audit and Risk Committee from 14/5/08 as the relevant dates when their responsibility increased.
- (3) that the Head of Legal and Democratic Services be authorised to prepare an amended Members' Allowances Scheme, in accordance with the decisions of the Council for implementation with effect from 1 April 2009;
- (4) that the Head of Legal and Democratic Services be authorised to take all necessary action to revoke the current (2008/2009) Scheme and to publicise the revised Scheme pursuant to The Local Authorities (Members' Allowances) (England) Regulations 2003 (as amended); and
- (5) that the Independent Remuneration Panel be thanked for its thorough and detailed report.

Background Papers:

None





Report of the Independent Remuneration  
Panel on the Review of Members' Allowances  
for the  
2009/2010 Financial Year

For

Cherwell District Council

January 2009

## CHERWELL DISTRICT COUNCIL

### REPORT OF THE INDEPENDENT REMUNERATION PANEL

#### REVIEW OF MEMBERS' ALLOWANCES FOR THE 2009/2010 FINANCIAL YEAR

#### 1 Summary

- 1.1 The Council on the recommendations of the Panel introduced a reviewed Scheme of Members' Allowances with effect from 1 April 2008 to operate over the 2008/2009 financial year.
- 1.2 The Panel have recommended that for 2009/2010 adjustments be made to the Chairmen of the Overview and Scrutiny Committee, Resources & Performance Board, Planning Committee and Accounts, Audit & Risk Committee. Due to a reduction in posts eligible to claim special responsibility allowances in 2008/2009, these adjustments would still result in a reduction in the special responsibility allowance for 2009/2010 as compared to the 2008/2009 budget.

Other levels of remuneration remain at the current rate apart from a 3% 'cost of living' adjustment which reflect the outcome of the Council's negotiations with the staff side on the salary increase for 2009/2010.

- 1.3 No recommendations are included to change the level of co-optees allowance, other than the 3% 'cost of living' increase, or the travelling allowances (subject to notification of the revised rates by HM Revenues and Customs). The subsistence allowances are recommended to increase in accordance with the agreed index linking formula.

#### 2 Recommendations

- 2.1 The recommendations are as follows:

- (a) the basic allowance payable to all Members be £4,155;
- (b) the Special responsibility Allowances be paid as follows:

(i) Executive Members	£6,291
(ii) Leader of the Council (to which should be added the SRA as a Member of the Executive)	£7,209
(iii) Chairman of the Licensing Committee and Service Appeals Panel	£2,250
(iv) Chairman of the Overview and Scrutiny Committee	£3,702
(v) Chairman of the Resources & Performance Scrutiny Board	£3,702
(vi) Chairman of Planning Committee	£4,200
(vii) Chairman of Standards Committee (Independent Member)	£1,296
(viii) Chairman of Personnel and General Committee	£1,296
(ix) Chairman of the Accounts, Audit and Risk Committee	£2,250

(x) Leader of the Opposition	£2,898
(xi) Co-optees Allowance	£831

- (c) the Carers' Allowance continues to be paid at its current levels and on the basis that:-
- (i) the allowance can only be claimed when an 'approved duty' is performed subject to the submission of receipts and, in the case of the childcare allowance, to that allowance not being paid to a member of the claimant's household; and
  - (ii) the basis of the Carers' Allowance be the actual cost incurred up to the maximum hourly rates set out below and to a maximum cap of 20 hours per month:-
    - Childcare - £8 per hour
    - Dependent Relative Care - £15 per hour
- (d) subject to the notification of any adjustments later in the year, HM Revenues and Customs specified mileage rates of 24p per mile for motorcycles regardless of the cc and 40p per mile (with no tax implications) regardless of the cc of the motor vehicle be paid up until such time any revisions are notified by HM Revenues and Customs and the revised rates then be implemented;
- (e) the supplements relating to the payment of tolls and other parking charges continue to be paid;
- (f) subject to the proviso detailed in (d) above, the HM Revenue and Customs specified rate of 20p per mile be paid for travel by bicycles and other 'non-motorised' forms of transport;
- (g) the travelling allowance payment for electric or similar specialised vehicles remain at £1.10 per journey regardless of the distance travelled (with no tax implications);
- (h) the specified occasions when Members travel otherwise than by their own vehicle continue to be included in the Allowances Scheme;
- (i) the subsistence allowances be paid at the levels index linked in accordance with the agreed formula; and
- (j) Members be reminded of the importance the Panel attaches to the completion of the activity questionnaire, the outcome of which will continue to be an important part of the information collated to inform the 2010/2011 review.

## CHERWELL DISTRICT COUNCIL

### REPORT OF THE INDEPENDENT REMUNERATION PANEL

#### REVIEW OF MEMBERS' ALLOWANCES FOR THE 2009/2010 FINANCIAL YEAR

#### **1 Introduction**

- 1.1 Cherwell District Council, after considering the recommendations of this Panel introduced reviewed Scheme of Members' Allowances from April 2008 which has operated over the 2008/2009 municipal year.
- 1.2 This report has been prepared by the Panel in accordance with the provisions of the Local Authorities (Members' Allowances) (England) Regulations 2003 (as amended). The report sets out the Panel's findings following the review of the Council's current (2008/2009) Scheme and sets out recommendations for inclusion in the 2009/2010 Scheme in respect of:
  - the levels of basic and special responsibility allowances;
  - the travelling and subsistence and dependent carers' allowances;
  - co-optees allowance

#### **2 The Independent Remuneration Panel**

- 2.1 The Independent Remuneration Panel was appointed in 2001. Its membership is as follows:

Mr Robert Palmer – retired Local Government Chief Officer  
Mr A Flux – retired Manufacturing Manager with Proctor and Gamble, and Chairman of the Banbury Council for Voluntary Service  
Mr C White – Director, White Commercial, Chartered Surveyors
- 2.2 Mr J Richardson had been a member of the Panel but retired after the 2008/2009 review.
- 2.3 Background information has been gathered and research undertaken, and this helped to inform and determine the basis for the review of the current Allowances Scheme.
- 2.4 Mr R Palmer was re-appointed as Chairman of the Panel. The Panel's findings are set out in the remainder of this report together with recommendations for consideration by the Council.

#### **3 Terms of Reference**

- 3.1 The terms of reference as originally agreed by the Council when the Panel was first constituted, as amended by the 2003 Consolidating Regulations which relate to the determination of local schemes for travelling and subsistence allowances, are set out in our reports dated 3 July 2001 and 4 July 2003.
- 3.2 The principal matters on which we must make recommendations are:
  - the amount of basic allowance to be paid to all Members of the Council
  - the Council member posts which should qualify, as they involve significant additional responsibilities, for Special Responsibility Allowance (SRA) payments

and the levels of those allowances;

- the appropriateness, and the amounts to be paid in respect of the childcare and dependent carers' allowances;
- the levels, and appropriateness, of the travelling and subsistence allowances; and
- the amount of the co-optees allowance to be paid to the independent members and parish council representatives serving on the Council's Standards Committee and the amount of the SRA payable to the independent member who will chair that Committee in future.

#### **4 The Panel's Work**

4.1 We received, as requested, a range of background information which included:-

- a copy of the Council's 2008/2009 Members' Allowances Scheme;
- details of the Members' Allowances survey undertaken by the South East Employers Organisation which sets out the basic, special responsibility and other allowance payments made by some 38 local authorities in the South East Region; and
- a summary of the Member questionnaire responses relating to (i) the amount of time Members estimate they spend on Council business during an average week; (ii) a breakdown of the activity areas involved and (iii) Members' views on the adequacy, or otherwise, of the current levels of allowance payments.

4.2 We continue to place much importance on the information provided in the activity questionnaires. We were extremely disappointed that only 18 questionnaires were returned, representing just 36% of the Council's membership. However, we propose to repeat the questionnaire exercise again next year as we firmly believe that the information requested by means of the questionnaire is vital to our efforts in undertaking proper and meaningful reviews. We can once again only conclude that the majority of Members are, and continue to be, satisfied with the levels of the various allowances payments.

4.3 Ever since the Council moved away from its Local Pay Formula, we have used the annual pay settlement for staff as one of the main criteria for adjusting the levels of the basic and Special Responsibility Allowances. The agreed increase over recent years has been 3%. We were advised that this years pay settlement had just been agreed at 3%, and the provision in the Council's budgets was set at this level.

#### **5 The Adopted Approach and Underlying Principles**

5.1 In our July 2001 report, we set out our adopted approach to determining the levels of the allowances. This provides that recommendations should be formulated appropriate to the circumstances of Cherwell District Council given that the political management structure and the roles of the Executive and non-Executive Members are now well established.

5.2 We again agreed that the following underlying principles were still relevant and should continue to form the fundamental basis of our review:-

- the allowances should take account, as far as possible, of the amount of time taken by Members to fulfil their roles.
- the scheme should ensure, as far as practical, that as wide a range of people as

possible should be able to stand for election and that they should not be financially penalised in so doing. This, in turn, should increase the likelihood of an inclusive approach to Council services:

- the levels of the allowances should not be treated as salary but rather as a level of 'compensation';
- the reviewed scheme should take account of the payments included in the current scheme and any increases which might be recommended should be balanced against the interests of the Council Tax Payers in the District, although we accept that the Council must consider the political implications of the levels of the allowances open to it to pay;
- an element of Members' time in terms of their work as a Councillor should continue to be treated as voluntary which should not be remunerated – the principle of voluntary service is fully set out in paragraphs 9.4 and 9.5 of our July 2001 report;
- the Special Responsibility Allowance payments should be banded to reflect both the time commitment and workload of the identified special responsibilities;
- the assumption that all Members will participate as fully as possible in Council business and play an active role in their Wards and that the importance of these mutually inclusive roles should be reflected in the level of the basic allowance; and
- the reviewed scheme should continue to be subject to well informed periodic reviews.

5.3 The background to the pay negotiations are detailed in paragraph 4.3 above. We feel that a 'cost of living' increase is justified and should continue to be applied to the Council's scheme of allowances.

## **6 Basic Allowance**

6.1 We had regard when considering the basic allowance payment to the approach set out in our July 2004 report, our December 2004 report and to the responses in the activity questionnaire.

6.2 We noted that those Members who responded to the questionnaire continued to show a very wide variation in the estimates of the time they spend on their roles as Councillors (the figures ranged from 5 to 36 hours per week). We do see it as inevitable that time commitments will vary for a number of reasons as this reflects, amongst other things, the constituency work Members undertake in their wards, the discharge of portfolio holder responsibilities, and often the time consuming work of some of the Chairmen of Committees'.

6.3 We noted that the analysis of the questionnaire responses included suggested increases in the current level of basic allowance although the majority offered no comments or felt that the current level of basic allowance was adequate. Those Members who put forward proposals for an increase were in the minority. With only 18 Members returning the questionnaire, we can only assume the remainder who didn't, are happy with the current level.

6.4 We did note the suggestion that the allowance should be set at £4,500 or £5,000, but no reasons were offered as to why this may be appropriate.

6.5 We did receive comparative information from a significant number of authorities as part of the background papers. We felt that the basic allowance payable to Cherwell Members could be favourably compared to the allowances paid by the Council's

neighbouring, comparator and other authorities. We feel that a 3% 'cost of living' increase is justified and in line with that provided for Council staff.

**We RECOMMEND that the basic allowance be increased by 3% from £4,035 to £4,155 for the 2009/2010 financial year.**

## **7 Speciality Responsibility Allowances**

### **(a) Introduction**

- 7.1 We have considered and formulated recommendations in our previous reports on the levels of the SRA payments to the Leader of the Council, Members of the Executive, the Chairmen of the two Select Committees, the Chairmen of the two area Planning Committees and the Chairmen of the Standards Committee, the Personnel and General committee and the Licensing Committee and Service Appeals Panel as well as the Leader of the main Opposition Group.
- 7.2 We noted that the Select Committees had been disbanded and replaced with the Overview and Scrutiny Committee and Resources and Performance Scrutiny Board, and that the two Area Planning Committees had become one Planning Committee.

### **(c) The Chairman of Accounts, Audit and Risk Committee**

- 7.3 It was brought to our attention that the responsibilities of the Chairman of Accounts, Audit and Risk Committee have increased over the past year. Therefore the Chairman, Councillor Atack, was invited to the meeting so we could hear his comments first hand.
- 7.4 We noted that the Committee was meeting more frequently and was regularly using the reserve meetings. The technicalities and importance of this Committee puts pressure on the Members, particularly the Chairman who drives the agenda and has taken the initiative to attend training course and develop his knowledge, in order to further this important area of council activity.
- 7.5 We heard from Councillor Atack that CIPFA were developing new areas of activity for audit committees and he had to keep up to date with these changes, as well as new regulations brought in by the Government. This also involved frequent meetings with officers of the Council.
- 7.6 We came to the view that, based on the information available to us the SRA payable to the Chairman of the Audit, Accounts and Risk Committee should be adjusted and that an increase from £1,257 to £2,250 (inclusive of the 3% 'cost of living' increase) was fully justified.

### **(d) Portfolio Holder for Community, Health and Environment**

- 7.7 It was brought to our attention that there appears to be an inequality in the distribution of work between portfolio holders, particularly with regard to the Portfolio Holder for Community, Health and Environment, and the Portfolio Holder for Planning and Housing, both large portfolios covering several services. Accordingly we invited the Portfolio Holder for Community, Health and Environment to attend and provide us with evidence of the breadth and complexity of issues covered and the corresponding level of time involved. We noted that in addition to this role the portfolio holder is also Deputy Leader. It is our view that there is a significant level of difference across portfolios with regard to the number of services covered, the salience of the issues involved and the level of member involvement required. However, we do not feel that it is appropriate or helpful at

this time to establish a two tier allowance structure for portfolio holders. We also note that the allocation of portfolio holder responsibilities is within the gift of the leader of the Council and it up to an individual whether to accept the post which they have been offered. Therefore, we do not propose any change with regard to the level of remuneration for Portfolio holders, (other than a 3% cost of living increase) and would recommend that the Leader of the Council keep this issue within his consideration.

#### **(e) The Chairman of Resources and Performance Scrutiny Board**

7.8 It was brought to our attention that the responsibilities of the Chairman of the Resources and Performance Scrutiny Board have increased over the past year and that this change also applied to the Overview and Scrutiny Committee. Therefore the Chairman, of the Resources and Performance Scrutiny Board, was invited to the meeting so we could hear his comments first hand.

7.9 Councillor Clarke outlined to us the structure and function of the new Overview and Scrutiny process, the proactive approach that this involved and the increased role of the Chairman in this process. It was also noted that meetings were only a part of the new process with much working taking place in 'real time' and outside of meetings.

We were also aware that the role that was formerly being carried out by the Overview and Scrutiny Co-ordinating Group had been absorbed into the two new committees with most of this work occurring outside of meetings,

We came to the view that based on the information available to us the SRA payable to both the Overview and Scrutiny Committee and Resources and Performance Scrutiny Board Chairmen should be adjusted and that an increase from £3,123 to £3,702 (inclusive of the 3% 'cost of living' increase) was fully justified.

#### **(f) The Chairman of Licensing Committee and Service Appeals Panel**

7.10 We have kept the SRA payable to the Chairman of the Licensing Committee and Service Appeals Panel under review since 2004 when the responsibilities for liquor licensing transferred from the Magistracy to the Council.

We believe that despite initial concerns over the volume of work this could create and an initial flurry of applications, this has now settled down and there are now occasional hearing reviews taking place.

Therefore whilst we will keep this issue under consideration we do not propose any change to the level of SRA at this time, other than the 3% 'cost of living' increase.

#### **(g) Introduction of an SRA for 'Champions'**

7.11 We noted that the position of 'Champion' had not yet been formalised and as the roles were still under consideration, this should be kept under review and further details reported for the 2010/2011 review.

#### **(h) The Chairman of Planning Committee**

7.12 It was brought to our attention that the responsibilities of the Chairman of the Planning Committee have increased over the past year due to the three weekly planning cycle and the reduction from two to one planning committees. Additionally, the role of the Chairman has increased in terms of the planning call-in process.



We are aware that in order to manage this process the Chairman of Planning Committee has regular meetings and briefings with officers and will soon be required to manage public speaking at meetings of Planning Committee. It is our belief that this represents a significant increase in responsibility and volume of work.

We came to the view that based on the information available to us the SRA payable to the Chairman of Planning Committee should be adjusted and that an increase from £3,123 to £4,200 (inclusive of the 3% 'cost of living' increase) was fully justified.

**We RECOMMEND that**

- (1) the SRA payment to the Executive Leader be increased by 3% from £6,999 to £7,209 for the financial year 2009/2010;**
- (2) the SRA payment to each Executive Member be increased by 3% from £6,108 to £6,291 for the financial year 2009/2010;**
- (3) the SRA payment to the Chairman of the Licensing Committee and Service Appeals Panel be increased by 3% from £2,184 to £2,250 for the financial year 2009/2010;**
- (4) the SRA payment to the Chairman of the Overview and Scrutiny Committee be increased from £3,123 to £3,702 including the 3% 'cost of living' adjustment for the financial year 2009/2010;**
- (5) the SRA payment to the Chairman of the Resources & Performance Scrutiny Board be increased from £3,123 to £3,702 including the 3% 'cost of living' adjustment for the financial year 2009/2010;**
- (6) the SRA payment to the Chairman of Planning Committee be increased from £3,123 to £4,200 including the 3% 'cost of living' adjustment for the financial year 2009/2010;**
- (7) the SRA payment to the Chairman of Personnel and General Committee be increased by 3% from £1,257 to £1,296 for the financial year 2009/2010;**
- (8) the SRA payment to the Chairman of the Account, Audit and Risk Committee be increased from £1,257 to £2,250 including the 3% 'cost of living' adjustment for the financial year 2009/2010; and**
- (9) the Leader of the Opposition Group be increased by 3% from £2,814 to £2,898 for the financial year 2009/2010.**

**8 Co-optees Allowance**

- 8.1 In considering the Co-optees Allowance we were aware that this figure had been calculated as 20% of the 2004/2005 members basic allowance and subsequently increased by 3% year on year. We were aware that this had the potential to lag behind the basic allowance and therefore we recommend that this should in future be calculated as 20% of the proposed members basic allowance for the year in question. This equates to an allowance of £831 based on this formula, as opposed to an allowance of £816 based on the previous method of calculation inflated by 3%. In 2008/09 this was £792.

**We RECOMMEND that**

- (1) the SRA payment to the Chairman of Standards Committee (Independent Member) be increased by 3% from £1,257 to £1,296 for the financial year 2009/2010; and
- (2) the co-optees allowance payable to the independent members and parish council representatives serving on the Standards Committee be increased by from £792 to £831 for the financial year 2009/2010 and in future the formula '20% of the proposed members basic allowance for the year in question' be adopted.

## **9 Dependent Carers' Allowance**

**We RECOMMEND that**

- (1) the dependent relative carers allowance remain at its current level of £15 per hour for the financial year 2009/2010 subject to the previously agreed conditions; and
- (2) the child care allowance remains at its current level of £8 per hour for the financial year 2009/2010 subject to the previously agreed conditions.

## **10 Travelling and Subsistence Allowances**

**We RECOMMEND that**

- (1) subject to the notification of any adjustments later in the year, the HM Revenues and Customs specified mileage rates of 24p per mile for motor cycles regardless of the cc, and 40p per mile regardless of the cc of the motor vehicle (with no tax implications) continue to be paid up until the time any revisions are notified and the revised rate then be implemented;
- (2) the supplements relating to the payment of tolls and other parking charges continue to be paid;
- (3) subject to the proviso set out in (1) above, the HM Revenues and Customs specified rate of 20p per mile continue to be paid for travel by bicycle and other 'non-motorised' forms of transport;
- (4) the travelling allowance payment for electric or similar specialised vehicles remain at £1.10 per journey regardless of the distance travelled (with no tax implications)
- (5) the decision not to introduce a walking allowance, be confirmed.

**We RECOMMEND that the matters outlined above continue to be included in the Allowances Scheme.**

### **Subsistence Allowances**

We agreed that the subsistence allowances should continue to be paid on the basis of the agreed formula. The adjusted recommended rates are:-

Breakfast Allowance	£6.02
Lunch Allowances	£8.31
Tea Allowance	£3.24

Evening Meal Allowance	£10.29
<b>Overnight Subsistence</b>	
Absence overnight	£91.14
Absence overnight in London or at the Annual Conference of the LGA	£103.96

**We RECOMMEND that the subsistence allowances for 2009/2010 be paid up to the maximum rates previously notified by the NJC for Officers index linked to the RPI (excluding mortgages) as set out above.**

**Future Reviews**

**We RECOMMEND that Members be again reminded of the importance we attach to the completion of the activity questionnaire, the outcome of which will continue to be an important part of the information collated to inform future reviews.**

.....

Mr Robert Palmer  
 Chairman  
 Independent Remuneration Panel

January 2009

## CHERWELL DISTRICT COUNCIL

### COUNCIL

23 FEBRUARY 2009

### REPORT OF THE CHIEF EXECUTIVE

### CORPORATE PLAN, 2007-2012

#### **1 Introduction and Purpose of Report**

- 1.1 The purpose of this report is to set the debate on the 2009/10 budget in the context of the Council's Corporate Plan which was adopted by Councillors in February 2007.

#### **2 Wards Affected**

- 2.1 All

#### **3 Effect on Policy**

- 3.1 The Corporate Plan was compiled in light of the Council's four strategic objectives. Some of the aims and targets contained in it are around policy development. Each area of new policy development will be considered separately by the Council.

#### **4 Contact Officer(s)**

- 4.1 Mary Harpley, Chief Executive (ext 1573).

#### **5 Background**

- 5.1 The Council's Corporate Plan was adopted by Councillors in February 2007. It lays out the Council's 5-year aims and targets for the period 2007/08 to 2011/12 by strategic objective. We are coming now to the end of the second year of delivery of the Corporate Plan. We are making no changes to the Corporate Plan aims or 5-year targets for 2009/10, but will review these fully as the first step in preparing for the 2010/11 round of service and financial planning. The targets around homes and jobs almost certainly need reviewing but the uncertainty of current times makes this very difficult to do accurately now. We should be much better placed to do this in six months time.
- 5.2 We have made some changes to the year-by-year targets and milestones but none of these have any impact on our overall delivery of the 5-year targets.
- 5.4 The Appendix to this report details the 5-year aims and targets and the year-by-year targets and milestones. In both 2007/08 and 2008/09 we published a set of 'Public Promises' in the Council Tax leaflet. We will do the same this year. The targets which, subject to approval of the budget, will feature in the 2009/10 Council Tax leaflet, are highlighted in bold in the in the 2009/10 column of the Appendix. The 2008/09 'Public Promises' are also highlighted for

ease of reference.

## **6 Risk Assessment, Financial Effects and Contributions to Efficiency Savings**

- 6.1 The following details approved by (Karen Curtin, Chief Accountant) (Ext 1551 ).
- 6.2 Risk assessment – There are performance and reputational risks associated with not delivering our Corporate Plan. These are mitigated by ensuring that service plans and the budget are prepared explicitly to deliver the Corporate Plan aims and targets.
- 6.3 Financial effects – The financial effects of delivering the 2009/10 element of the Corporate Plan are built directly into the 2009/10 budget.
- 6.4 Efficiency savings – There are targets relating directly to efficiency savings within this Corporate Plan.

## **7 Recommendation**

- 7.1 That Councillors note the previously-agreed Corporate Plan aims and targets in advance of considering the 2009/10 budget in detail.

## A district of opportunity

Corporate Plan Aim	5 Year Corporate Targets	2008/09 Corporate Targets	2009/10 Corporate Targets	2010/11 Corporate Targets	2011/12 Corporate Targets
1. Balance employment and housing growth by developing businesses and homes that meet local need within an overall robust planning policy framework.	<ul style="list-style-type: none"> <li>Have a new Local Development Framework in place by 2009</li> </ul>	<ul style="list-style-type: none"> <li>Present and consult on choices about major development locations in the District (taking into account the Government's Eco Towns Programme)</li> </ul>	<ul style="list-style-type: none"> <li>Submit Local Development Framework Core Strategy</li> <li>Complete Canalside Regeneration Area Supplementary Planning Document (SPD) draft</li> </ul>	<ul style="list-style-type: none"> <li>Public Examination of Local Development Framework (LDF) Core Strategy</li> <li>Adoption of LDF Core Strategy</li> <li>Submission and public examination of LDF Delivery Planning Document (DPD)</li> <li>Approval of Canal side Regeneration Area SPD</li> </ul>	<ul style="list-style-type: none"> <li>Adopt the LDF Delivery DPD</li> <li>Adopt the Planning Obligations and Building in Harmony with the Environment SPDs</li> </ul>
2. Provide business land and premises opportunities to support local economic development	<ul style="list-style-type: none"> <li>Complete an employment land assessment and include provision of at least 2 major new business sites in the Local Development Framework</li> <li>Start construction on Bicester Town Centre Development</li> </ul>	<ul style="list-style-type: none"> <li>Complete land assessments for business sites in the Local Development Framework</li> </ul>	<ul style="list-style-type: none"> <li><b>Work with partners to start the Bicester town centre development</b></li> <li>LDF Core strategy submission to include justification for new employment land provision</li> </ul>	<ul style="list-style-type: none"> <li>LDF draft to include proposals for at least two major new business sites</li> </ul>	<ul style="list-style-type: none"> <li>Bicester town centre scheme completed</li> <li>Land provision for at least two major new business sites secured</li> </ul>
3. Support business success by fostering innovation and helping businesses to recruit and retain skilled employees	<ul style="list-style-type: none"> <li>Create 6200 additional jobs by 2011</li> </ul>	<ul style="list-style-type: none"> <li><b>Contribute to the creation of 200 new jobs</b></li> </ul>	<ul style="list-style-type: none"> <li><b>Contribute to the creation of 200 new jobs</b></li> <li><b>Help and support Cherwell's residents and businesses through uncertain times</b></li> </ul>	<ul style="list-style-type: none"> <li>Contribute to the creation of 300 new jobs</li> </ul>	<ul style="list-style-type: none"> <li>Contribute to the creation of 400 new jobs</li> </ul>
4. Make it easier for you to get where you need to go	<ul style="list-style-type: none"> <li>Complete transport studies and infrastructure needs assessment of the main urban areas and incorporate the results in the new LDF.</li> <li>Deliver £1 million of developer funding toward transport infrastructure improvements</li> </ul>	<ul style="list-style-type: none"> <li>Complete transport studies and infrastructure needs assessment for Banbury and Bicester</li> <li>Deliver £200,000 funding for transport infrastructure improvements through developer contributions</li> </ul>	<ul style="list-style-type: none"> <li>Deliver £200,000 funding for transport infrastructure improvements through developer contributions</li> </ul>	<ul style="list-style-type: none"> <li>Deliver £300,000 funding for transport infrastructure improvements through developer contributions</li> </ul>	<ul style="list-style-type: none"> <li>Deliver £300,000 funding for transport infrastructure improvements through developer contributions</li> </ul>
5. Secure housing growth that meets Government targets and the needs of the District through an appropriate mix of market and affordable housing	<ul style="list-style-type: none"> <li>Achieve an annual average rate of new homes constructed of 600, of which 100 are affordable</li> </ul>	<ul style="list-style-type: none"> <li><b>Achieve 400 new homes including a minimum of 100 affordable homes</b></li> </ul>	<ul style="list-style-type: none"> <li>Achieve 300 new homes</li> <li><b>Deliver 100 affordable homes</b></li> </ul>	<ul style="list-style-type: none"> <li>Achieve 700 new homes</li> <li>Deliver 100 affordable homes</li> </ul>	<ul style="list-style-type: none"> <li>Achieve 700 new homes</li> <li>Deliver 100 affordable homes</li> </ul>

Corporate Plan Aim	5 Year Corporate Targets	2008/09 Corporate Targets	2009/10 Corporate Targets	2010/11 Corporate Targets	2011/12 Corporate Targets
6. Give you advice and support to find a home if you are without one	<ul style="list-style-type: none"> <li>Develop the housing service to provide information on the full range of housing opportunities within the District and including information on all housing tenures</li> <li>Develop a range of information to help people understand their housing options, and the range of support that is available to them</li> </ul>	<ul style="list-style-type: none"> <li>Expand Choice Based Letting to be a countywide scheme</li> <li>Temporary Accommodation Strategy approved</li> </ul>	<ul style="list-style-type: none"> <li>Fully integrated Choice Based Letting scheme and housing advice available through the Customer Contact Centre</li> <li>Temporary Accommodation Strategy operational</li> </ul>	<ul style="list-style-type: none"> <li>85% customer satisfaction with Choice Based Letting Scheme</li> <li>Temporary Accommodation Strategy outcomes achieved</li> </ul>	<ul style="list-style-type: none"> <li>90% customer satisfaction with Choice Based Letting Scheme</li> <li>Temporary Accommodation Strategy outcomes achieved</li> </ul>
7. Improve the standard of housing particularly for vulnerable people	<ul style="list-style-type: none"> <li>Provide and facilitate assistance, through both CDC grants and insulation and heating discounts in the private sector delivered by partners, to achieve the Decent Homes Standard for vulnerable households</li> </ul>	<ul style="list-style-type: none"> <li>Spend £300,000 on investing in better quality housing for vulnerable people</li> </ul>	<ul style="list-style-type: none"> <li>Spend £400,000 on investing in better quality housing for vulnerable people</li> </ul>	<ul style="list-style-type: none"> <li>Spend £420,000 on investing in better quality housing for vulnerable people</li> </ul>	<ul style="list-style-type: none"> <li>Spend £440,000 on investing in better quality housing for vulnerable people</li> </ul>
8. Develop safe and pleasant urban centres which provide you with good facilities	<ul style="list-style-type: none"> <li>Complete environmental enhancement schemes for Watts Way, Kidlington and Parsons Street, Banbury</li> </ul>	<ul style="list-style-type: none"> <li>Complete the design of the environmental enhancement scheme for Parson's Street, Banbury</li> <li><b>Enhance the village centre environment of Kidlington through the replacement of the street furniture</b></li> </ul>	<ul style="list-style-type: none"> <li><b>Make major improvements to Parsons Street, Banbury</b></li> <li>Undertake improvements to open markets</li> <li>Invest in enhancement of market square in Bicester</li> <li>Implement the Banbury Visitor Management Plan</li> <li>Prepare a Banbury Residents Parking Scheme</li> </ul>	<ul style="list-style-type: none"> <li>Strategy in place for Canalside Banbury</li> <li>Banbury Flood Alleviation Scheme in place</li> <li>Strategy in place for the redevelopment of the Bolton Road, Banbury Regeneration Area</li> <li>Implement an Integrated Parking Strategy in urban areas</li> </ul>	<ul style="list-style-type: none"> <li>Further programme of environmental enhancement and regeneration projects for urban centres agreed</li> </ul>
9. Improve local services and opportunities in rural areas	<ul style="list-style-type: none"> <li>Complete a review of planning policy framework for villages through the new Local Development Framework – to support sustainable levels of development in rural areas</li> <li>Establish improved support initiatives for existing rural services to assist viability</li> <li>Encourage creation of new services to rural areas to meet established demand and gaps in provision</li> </ul>	<ul style="list-style-type: none"> <li>Launch and implement a new Cherwell Rural Strategy</li> <li>Deliver improved community information to rural communities through the development of online services</li> </ul>	<ul style="list-style-type: none"> <li>Complete a review of planning policy framework for villages through the new LDF</li> <li>Carry out web-based consultation with parishes on the forward plan</li> </ul>	<ul style="list-style-type: none"> <li>Support rural communities in implementing improved ICT access for young and older people</li> </ul>	

## A safe and healthy Cherwell

Corporate Plan Aim	5 Year Corporate Targets	2008/09 Corporate Targets	2009/10 Corporate Targets	2010/11 Corporate Targets	2011/12 Corporate Targets
10. Help you feel safe in your home and community, working to reduce further our very low level of crime	<ul style="list-style-type: none"> <li>Reduce crime by 5% and achieve a perception of feeling safe in Cherwell in 80% of residents</li> <li>Increase partnership working across the public sector and ensure that there are information sharing protocols</li> </ul>	<ul style="list-style-type: none"> <li>Ensure at least 78% of residents when asked say they feel safe at home and in the community</li> <li>Work with Thames Valley Police to reduce crime involving theft from vehicles, robbery and household burglary by 5%</li> <li>Invest significantly in technology (CCTV) to improve crime detection rates and deter crime</li> <li>Introduce the Nightsafe initiative in Bicester</li> <li>Implement a new Cherwell Community Safety strategy</li> </ul>	<ul style="list-style-type: none"> <li>Ensure at least 79% of residents when asked say they feel safe at home and in the community</li> <li>Work with partners to reduce crime and anti-social offences by 200 compared to 2008/09</li> <li>30% of CCTV recorded incidents to result in arrests (estimated target of 1400)</li> <li>Invest in the digital upgrade of the CCTV network and the use of fibre optic cables</li> </ul>	<ul style="list-style-type: none"> <li>Ensure at least 79% of residents when asked say they feel safe at home and in the community</li> <li>Work with partners to reduce crime and anti-social offences by 200 compared to 2009/10</li> <li>32% of CCTV recorded incidents to result in arrests</li> </ul>	<ul style="list-style-type: none"> <li>Ensure at least 80% of residents when asked say they feel safe at home and in the community</li> <li>Work with partners to reduce crime and anti-social offences by 200 compared to 2010/11</li> <li>34% of CCTV recorded incidents to result in arrests</li> </ul>
11. Involve you in making your community stronger through Neighbourhood Management	<ul style="list-style-type: none"> <li>Establish 6 Neighbourhood Action Groups (NAGs) with representation from local communities</li> <li>Ensure community engagement during preparation of strategic assessments</li> </ul>	<ul style="list-style-type: none"> <li>Complete the District-wide coverage of neighbourhood management with representatives from local communities</li> <li>Local community survey carried out by NAGs to identify current local concerns</li> </ul>	<ul style="list-style-type: none"> <li>Support 4 voluntary neighbourhood management initiatives to reduce anti-social behaviour</li> <li>Invite the public to a minimum of 3 public Neighbourhood Action Group meetings to develop local priorities for action</li> </ul>	<ul style="list-style-type: none"> <li>Support 5 voluntary neighbourhood management initiatives to reduce anti-social behaviour</li> <li>Invite the public to a minimum of 4 public Neighbourhood Action Group meetings to develop local priorities for action</li> </ul>	<ul style="list-style-type: none"> <li>Support 6 voluntary neighbourhood management initiatives to reduce anti-social behaviour</li> <li>Invite the public to a minimum of 5 public Neighbourhood Action Group meetings to develop local priorities for action</li> </ul>
12. Help to deliver improved healthcare for Bicester and Banbury	<ul style="list-style-type: none"> <li>Support the Oxfordshire Primary Care Trust in delivering improved local and responsive healthcare services to meet current and future needs of residents.</li> <li>Reduce the levels of increasing obesity and reduce coronary illness in under 75 year olds by 25% through joint healthy lifestyle promotion initiatives with the Oxfordshire Primary Care Trust</li> </ul>	<ul style="list-style-type: none"> <li>Support the provision of the best possible services at the Horton Hospital</li> <li>Support new and improved health care services for Bicester and surrounding areas</li> <li>Implement a new Cherwell Public Health Strategy</li> </ul>	<ul style="list-style-type: none"> <li>Work with the Primary Care Trust to deliver the new GP-led health centre in Banbury</li> <li>Continue to support the provision of the best possible services at the Horton Hospital</li> <li>Continue to support new and improved health care services for Bicester and surrounding areas</li> <li>Establish a programme to address health inequalities in the District.</li> </ul>	<ul style="list-style-type: none"> <li>Review current programme of work to meet the targets within the Obesity Strategy</li> <li>Deliver the programme to address health inequalities in the District</li> </ul>	



Corporate Plan Aim	5 Year Corporate Targets	2008/09 Corporate Targets	2009/10 Corporate Targets	2010/11 Corporate Targets	2011/12 Corporate Targets
	<ul style="list-style-type: none"> <li>Increase participation in active recreation by 1% a year</li> </ul>	<ul style="list-style-type: none"> <li>Help increase participation in active recreation by 1%</li> <li>Prepare a funding and delivery plan for a Bicester multi-sports village</li> </ul>	<ul style="list-style-type: none"> <li>Increase participation in active recreation by 1%</li> <li>Increase the number of new walkers participating annually in local health walks by 10%</li> <li>Secure funding to deliver the Bicester Multi-Sports Village project</li> </ul>	<ul style="list-style-type: none"> <li>Increase participation in active recreation by 1%</li> <li>Increase the number of new walkers participating annually in local health walks by 10%</li> <li>Establish and promote a 'Tour of Otmoor' cycle ride</li> </ul>	<ul style="list-style-type: none"> <li>Increase participation in active recreation by 1%</li> <li>Increase the number of new walkers participating annually in local health walks by 10%</li> <li>Establish and promote a Bicester area circular walk.</li> </ul>
<p><b>13.</b> Make it easy for you to lead a healthy and active life through our countryside, leisure facilities and tourist attractions</p> <p><b>14.</b> Make big improvements to our sports centres</p>	<ul style="list-style-type: none"> <li>Complete the modernisation of sports centres at Bicester and Kidlington and construct a new sports centre in Banbury</li> </ul>	<ul style="list-style-type: none"> <li>Invest £15m in rebuilding or refurbishing our sports centres to deliver better future services in Banbury, Bicester and Kidlington</li> </ul>	<ul style="list-style-type: none"> <li>Open our new Spiceball leisure centre and improved Bicester and Kidlington leisure centres and re-open the Woodgreen Open Air Pool</li> <li>Replace the synthetic pitch surfaces at Coopers School and North Oxon Academy</li> </ul>		
<p><b>15.</b> Provide community facilities and activities to meet local need</p>	<ul style="list-style-type: none"> <li>Support and improve 10 existing community centres/village halls and build new centres at Banbury and Bicester where significant new housing development takes place.</li> <li>Provide 30 formal and informal recreation opportunities for young people</li> <li>Support 160 older people groups and increase the numbers of older people participating in group activities by 10%</li> </ul>	<ul style="list-style-type: none"> <li>Support and improve 12 existing community centres/organisations and 17 village halls through grant aid funding</li> <li>Provide 820 formal and informal recreation opportunities for young people</li> <li>Increase the numbers of older people participating in group activities by 3%</li> </ul>	<ul style="list-style-type: none"> <li>Support and improve 30 community recreation venues through grant aid funding</li> <li>Increase the numbers of new older people participating in group activities by 300</li> <li>Increase participation by young people in positive activities by 1%</li> <li>Support Banbury Town Council in preparing a football development plan for the town</li> </ul>	<ul style="list-style-type: none"> <li>Support and improve 30 community recreation venues through grant aid funding</li> <li>Increase the numbers of new older people participating in group activities by 350</li> <li>Increase participation by young people in positive activities by 1%</li> </ul>	<ul style="list-style-type: none"> <li>Support and improve 30 community recreation venues through grant aid funding</li> <li>Increase the numbers of new older people participating in group activities by 380</li> <li>Increase participation by young people in positive activities by 1%</li> </ul>

## A cleaner, greener Cherwell

Corporate Plan Aim	5 Year Corporate Targets	2008/09 Corporate Targets	2009/10 Corporate Targets	2010/11 Corporate Targets	2011/12 Corporate Targets
16. Keep streets and open spaces clean and free from litter, graffiti and abandoned vehicles and well maintained	<ul style="list-style-type: none"> <li>Achieve 80% resident satisfaction with street and environmental cleanliness</li> </ul>	<ul style="list-style-type: none"> <li><b>Ensure at least 90% of our streets and parks are clean at any one time</b></li> <li>Extend the cleaning times of all urban centres</li> </ul>	<ul style="list-style-type: none"> <li><b>Increase residents' satisfaction with street and environmental cleanliness from 66% to 70% by improving the removal of dog mess and abandoned vehicles</b></li> <li><b>Remove 90% of fly tipping within 48 hours of reporting</b></li> <li>Achieve 94% of land inspected at an acceptable litter standard</li> </ul>	<ul style="list-style-type: none"> <li>Achieve 75% resident satisfaction with street and environmental cleanliness</li> <li>Remove 92% of fly tipping within 48 hours</li> <li>Achieve 95% of land inspected at an acceptable detritus standard</li> </ul>	<ul style="list-style-type: none"> <li>Achieve 80% resident satisfaction with street and environmental cleanliness</li> <li>Remove 94% of fly tipping within 48 hours</li> <li>Achieve 96% of land inspected at an acceptable detritus standard</li> </ul>
17. Help you recycle so we can reduce the amount of landfill waste	<ul style="list-style-type: none"> <li>Recycle 55% of household waste</li> <li>Reduce the amount of waste sent to landfill by 5000 tons</li> </ul>	<ul style="list-style-type: none"> <li><b>Increase the household recycling rate to 49% by 31 March 2009</b></li> <li><b>Reduce the amount of waste sent to landfill by 1500 tonnes by 31 March 2009</b></li> </ul>	<ul style="list-style-type: none"> <li><b>Increase the household recycling rate to 50% by 31 March 2010</b></li> <li>Reduce the amount of waste sent to landfill by 1000 tonnes by 31 March 2010</li> <li>Introduce a food waste recycling service</li> </ul>	<ul style="list-style-type: none"> <li>Increase the household recycling rate to 54% by 31 March 2011</li> <li>Reduce the amount of waste sent to landfill by 2000 tonnes by 31 March 2011</li> </ul>	<ul style="list-style-type: none"> <li>Increase the household recycling rate to 55% by 31 March 2011</li> <li>Reduce the amount of waste sent to landfill by 500 tonnes by 31 March 2012</li> </ul>
18. Protect our environment, wildlife habitats and the country side, by working with others	<ul style="list-style-type: none"> <li>Achieve a measurable improvement to biodiversity</li> </ul>	<ul style="list-style-type: none"> <li>Undertake 10 county wildlife site surveys</li> </ul>	<ul style="list-style-type: none"> <li>Undertake 10 county wildlife site surveys</li> </ul>	<ul style="list-style-type: none"> <li>Undertake 10 county wildlife site surveys</li> </ul>	<ul style="list-style-type: none"> <li>Establish an accessible community woodland on the edge of Bicester</li> </ul>
19. Maximise energy efficiency and minimise carbon emissions in our own buildings, and developments	<ul style="list-style-type: none"> <li>Reduce the Council's carbon emissions by 22%</li> <li>Require developers to follow best practice in the design of low carbon and sustainable development</li> </ul>	<ul style="list-style-type: none"> <li><b>Reduce the Council's carbon dioxide emissions by 4%</b></li> </ul>	<ul style="list-style-type: none"> <li><b>Reduce the Council's vehicle emissions by 10%</b></li> </ul>	<ul style="list-style-type: none"> <li>Reduce the Council's carbon emissions by a further 5%</li> </ul>	<ul style="list-style-type: none"> <li>Reduce the Council's carbon emissions by a further 5%</li> </ul>
20. Keep you informed about climate change and what we can all do to help	<ul style="list-style-type: none"> <li>Inform all residents annually on actions individual households can take to reduce emissions</li> <li>Establish a local climate change partnership group and develop 10 joint initiatives</li> </ul>	<ul style="list-style-type: none"> <li>Inform all residents on actions individual households can take to reduce carbon emissions (by a special issue of Cherwell Link)</li> </ul>	<ul style="list-style-type: none"> <li>Inform all businesses on the actions they can take to reduce carbon emissions</li> </ul>	<ul style="list-style-type: none"> <li>Inform all residents on the actions individual households can take to reduce carbon emissions</li> </ul>	<ul style="list-style-type: none"> <li>Inform all businesses on the actions they can take to reduce carbon emissions</li> </ul>
21. Significantly improve green spaces and public places so that you really notice the difference where you live and work	<ul style="list-style-type: none"> <li>Achieve 70% resident satisfaction with green spaces and public areas</li> </ul>	<ul style="list-style-type: none"> <li>Achieve at least 71% resident satisfaction with green spaces and public areas</li> </ul>	<ul style="list-style-type: none"> <li>Achieve at least 72% resident satisfaction with green spaces and public areas</li> </ul>	<ul style="list-style-type: none"> <li>Achieve at least 73% resident satisfaction with green spaces and public areas</li> </ul>	<ul style="list-style-type: none"> <li>Achieve at least 74% resident satisfaction with green spaces and public areas</li> </ul>

## An accessible, value for money council

Corporate Plan Aim	5 Year Corporate Targets	2008/09 Corporate Targets	2009/10 Corporate Targets	2010/11 Corporate Targets	2011/12 Corporate Targets
22. Be easy to contact, approachable and responsive	<ul style="list-style-type: none"> <li>Publish our customer service standards and monitor our performance against national standards with the aim to be among the best</li> </ul>	<ul style="list-style-type: none"> <li>Introduce a single, centralised customer complaints process</li> <li><b>Ensure that at least 90% of our customers when asked are satisfied with our customer service when they contact the Council</b></li> <li>Increase Cherwell Link to four editions per year</li> </ul>	<ul style="list-style-type: none"> <li>Provide customers with a simple choice of numbers to access Council services</li> <li>Ensure that at least 90% of our customers when asked are satisfied with our customer service when they contact the Council</li> </ul>		
23. Always treat everyone with dignity and respect and meet the specific needs of young people, older people, disabled people and ethnic minorities	<ul style="list-style-type: none"> <li>Secure and retain level 3 status of the national equality standard</li> </ul>	<ul style="list-style-type: none"> <li>Secure level 3 and work towards level 4 status of the national equality standard</li> </ul>	<ul style="list-style-type: none"> <li>Work towards achieving excellent status in the Equality Standard for Local Government</li> </ul>	<ul style="list-style-type: none"> <li>Maintain excellent status in the Equality Standard for Local Government</li> </ul>	<ul style="list-style-type: none"> <li>Maintain excellent status in the Equality Standard for Local Government</li> </ul>
24. Put things right quickly if they go wrong	<ul style="list-style-type: none"> <li>Resolve 95% of complaints across all three stages of the complaints process within 14 days</li> </ul>	<ul style="list-style-type: none"> <li>Baseline our existing complaints resolution performance</li> </ul>	<ul style="list-style-type: none"> <li>90% complaints received are resolved within Stage One</li> <li>95% of all complaints that are escalated to stage 2 are resolved</li> <li>No complaints escalated from Stage Three to the Ombudsman</li> </ul>	<ul style="list-style-type: none"> <li>90% complaints received are resolved within Stage One</li> <li>95% of all complaints that are escalated to stage 2 are resolved</li> <li>No complaints escalated from Stage Three to the Ombudsman</li> </ul>	<ul style="list-style-type: none"> <li>90% complaints received are resolved within Stage One</li> <li>95% of all complaints that are escalated to stage 2 are resolved</li> <li>No complaints escalated from Stage Three to the Ombudsman</li> </ul>
25. Deliver value for money by achieving the optimum balance between cost, quality and customer satisfaction for all services	<ul style="list-style-type: none"> <li>Seek the views of our customers annually through our own customer satisfaction survey and public consultation on budget priorities</li> <li>Achieve the top rating for the Use of Resources assessment and recognition as a value for money council</li> <li>Meet government targets for efficiency improvements and maximise efficiency gains across the organisation</li> </ul>	<ul style="list-style-type: none"> <li>Achieve a score of 3 against the Key Lines of Enquiry for value for money in the Use of Resources assessment</li> <li>Secure £210,000 in efficiency savings of which £160,000 are savings in the way the Council procures goods and services</li> <li>Deliver a balanced, revenue-based budget without calling on reserves</li> </ul>	<ul style="list-style-type: none"> <li>Retain an overall score of 3 in the Use of Resources Assessment and secure a score of 4 for at least 1 of the 3 Key Lines of Enquiry</li> <li>Secure £600,000 efficiency savings of which £200,000 are savings secured by the way the Council procures goods and services</li> <li><b>Make it easier for local businesses to trade with us</b></li> </ul>	<ul style="list-style-type: none"> <li>Secure a score of 4 in the Use of Resources assessment and a score of 4 for at least 2 of the 3 Key Lines of Enquiry</li> <li>Secure £630,000 efficiency savings of which £200,000 are savings secured by the way the Council procures goods and services</li> </ul>	<ul style="list-style-type: none"> <li>Retain a score of 4 score in the Use of Resources assessment and a score of 4 for all the Key Lines of Enquiry</li> <li>Secure £645,000 efficiency savings of which £200,000 are savings secured by the way the Council procures goods and services</li> </ul>

<b>Corporate Plan Aim</b>		<b>5 Year Corporate Targets</b>	<b>2008/09 Corporate Targets</b>	<b>2009/10 Corporate Targets</b>	<b>2010/11 Corporate Targets</b>	<b>2011/12 Corporate Targets</b>
26. Reduce financial burden to local taxpayers	<ul style="list-style-type: none"> <li>Maintain council tax rises at or below the rate of inflation (subject to amount of Government grant received)</li> </ul>	<ul style="list-style-type: none"> <li>Keep our council tax rise for 2009/10 to below the rate of inflation</li> </ul>	<ul style="list-style-type: none"> <li>Take the steps needed to reduce our costs by a further £1m by the beginning of 2010/11</li> </ul>	<ul style="list-style-type: none"> <li>Keep our council tax rise to below the rate of inflation</li> </ul>	<ul style="list-style-type: none"> <li>Keep our council tax rise to below the rate of inflation</li> </ul>	<ul style="list-style-type: none"> <li>Keep our council tax rise to below the rate of inflation</li> </ul>
27. Explain how your council tax is spent and why	<ul style="list-style-type: none"> <li>Publish a comprehensive annual report</li> </ul>	<ul style="list-style-type: none"> <li>Produce a combined annual report of performance and finance</li> </ul>	<ul style="list-style-type: none"> <li>Produce a combined annual report of performance and finance</li> </ul>	<ul style="list-style-type: none"> <li>Produce a combined annual report of performance and finance</li> </ul>	<ul style="list-style-type: none"> <li>Produce a combined annual report of performance and finance</li> </ul>	<ul style="list-style-type: none"> <li>Produce a combined annual report of performance and finance</li> </ul>
28. Work with others to provide you with local services and access to information about them	<ul style="list-style-type: none"> <li>Adopt a customer access strategy setting out how services can be delivered to all sectors of the Cherwell population</li> <li>Provide opportunities through our one stop shop to access services delivered by other providers</li> <li>Provide direct access through our website to information about services provided by others</li> </ul>	<ul style="list-style-type: none"> <li>Review the outcome of the One Stop Shop pilot at Bodicote House</li> <li>Re-launch town centre offices in Banbury and Kidlington</li> <li><b>Provide rural customers with more ways to access our services, including 10 new access points in local communities</b></li> </ul>	<ul style="list-style-type: none"> <li>Promote the web based Positive Activities Offer to young people</li> <li><b>Place 10 new 'Link Points' in our rural areas to provide residents and businesses with a greater choice of access to our services</b></li> <li>Enable access to a limited number of services provided by our partners through Council access points</li> <li>Promote local events through the North Oxfordshire.com website</li> </ul>	<ul style="list-style-type: none"> <li>Support the development of six village websites</li> <li>Expand access to services provided by our partners through Council access points</li> </ul>	<ul style="list-style-type: none"> <li>Support the development of six village websites</li> <li>Expand access to services provided by our partners through Council access points</li> </ul>	<ul style="list-style-type: none"> <li>Re-launch the Bicester Town Centre Office</li> <li>Expand access to services provided by our partners through Council access points</li> </ul>
29. Demonstrate that we can be trusted to act properly for you	<ul style="list-style-type: none"> <li>Maintain transparent and public decision-making processes, web-casting meetings wherever possible</li> </ul>	<ul style="list-style-type: none"> <li>Review the 6 month Webcasting pilot extension</li> </ul>	<ul style="list-style-type: none"> <li>Increase the number of public Council meetings which are webcast</li> </ul>			
30. Improve the way we communicate with the public, partners and other stakeholders in order to explain what the Council is doing and why	<ul style="list-style-type: none"> <li>Improve the percentage of customers who say they feel well-informed year on year</li> <li>Provide a choice of two-way communication channels: electronic, in person, in writing and over the telephone</li> </ul>	<ul style="list-style-type: none"> <li><b>Ensure that 70% of our customers when asked feel well informed about the Council</b></li> <li>Increase the proportion of customer interactions that are handled online to 14%</li> </ul>	<ul style="list-style-type: none"> <li>Ensure that 72% of our customers when asked feel well informed about the Council</li> <li>We will increase the percentage of transactions completed electronically to 50%</li> </ul>	<ul style="list-style-type: none"> <li>Ensure that 74% of our customers when asked feel well informed about the Council</li> <li>We will increase the percentage of transactions completed electronically to 60%.</li> </ul>	<ul style="list-style-type: none"> <li>Ensure that 74% of our customers when asked feel well informed about the Council</li> <li>We will increase the percentage of transactions completed electronically to 60%.</li> </ul>	<ul style="list-style-type: none"> <li>Ensure that 75% of our customers when asked feel well informed about the Council</li> <li>We will maintain the percentage of transactions completed electronically at 60%.</li> </ul>
31. Listen to your views and comments, however you want to make them						

# Agenda Item 16

## CHERWELL DISTRICT COUNCIL

### COUNCIL

23 FEBRUARY 2009

#### REPORT OF THE CHIEF FINANCIAL OFFICER

#### 2009/10 BUDGET AND LEVEL OF RESERVES AND BALANCES

### 1 Introduction and Purpose of Report

To review the Council's General Fund Budget, Capital Programme, Earmarked Reserves and General Fund Balances to ensure the robustness of the estimates included.

### 2 Wards Affected

2.1 All

### 3 Executive Summary

#### Introduction

1.1 Under Section 25 of the Local Government Act 2003, the Council's Chief Financial Officer is required to report to the Council on:

- 1) The robustness of the estimates included within the budget
- 2) The adequacy of the reserves and balances

1.2 Under the Act, Members must have regard to the contents of this report when making their decisions on the budget.

#### Proposals

1.3 It is proposed that Members consider the contents of this report when making their decisions on the Council's budgets at this meeting.

#### Conclusion

1.4 The conclusion is that the processes followed have been generally sound and similar to those that have produced robust estimates in the past. In the light of information made available during the budget process, there is sufficient capacity in the proposed budget and available reserves and balances to cope with the financial risks the Authority faces in 2009/10.

1.5 The strength of the service and financial planning process, with the involvement of Heads of Service, Strategic Directors, Service Accountants, Corporate Management Team and elected Members; the extensive consultation; the assessment of risk; the rigorous challenge; the inclusion of a central contingency; and the way in which it is underpinned by adequate reserves; means that the draft budget is robust, comprehensive and geared to the delivery of the Council's key objectives and

service priorities.

#### **4 Contact Officer(s)**

- 4.1 01295 227936 phil.o'dell@cherwell-dc.gov.uk  
01295 221551 karen.curtin@cherwell-dc.gov.uk

#### **Background Information**

#### **5**

- 2.1 Section 25 of The Local Government Act 2003 includes a specific personal duty on the Chief Financial Officer ("CFO") to make a report to the authority when it is considering its budget and Council Tax. Also, Section 26 of the Act gives the Secretary of State power to set minimum level of reserves for which an authority must provide in setting its budget. The Secretary of State stated that "the provisions are a fallback against the circumstances in which an authority does not act prudently, disregards the advice of its CFO and is heading for serious financial difficulty".
- 2.2 The Local Government Finance Act 1992 also requires that authorities have regard to the level of reserves needed for meeting estimated future expenditure when calculating the next budget requirement.
- 2.3 There are also a range of safeguards to ensure authorities do not over- commit themselves financially. These include:
- The CFO 'S114' powers, which require a report to all members of the authority if there is or is likely to be unlawful expenditure or an unbalanced budget
  - The Prudential Code which applied to capital financing from 2004/5.
- 2.4 These safeguards are reinforced by the Use of Resources Assessment by the Audit Commission which includes a methodology to assess the financial performance and standing of the authority.

#### **Budget Process 2009/10**

- 2.5 The budget preparation process for 2009/10 began with the Executive issuing Budget Guidelines at their meeting on 1<sup>st</sup> September 2008, following discussion of the projected scenario for 2009/10 and beyond based on information held at that time. These guidelines included the decision that any service growth should be self-funding via efficiencies and that the council tax increase should be below the level of inflation. The initial target for efficiencies required to balance the budget was set at £1m, although this rose as the economic recession and banking crisis affected the Council's budget. The changing target and the progress in achieving it were tracked in a transparent fashion until such time as the required efficiencies were agreed.
- 2.6 The Budget Guidelines were used to prepare the base budget (cost of existing service provision) and to steer the Service Planning process which followed. This Service Planning process involved Heads of Service being challenged by both officers and Members regarding their budgets, the need for their service and ways to

improve efficiency.

- 2.7 The Corporate Management Team received regular updates on the overall budget position from September 2008 through to January 2009 and managed the overall process.
- 2.8 The Executive received reports on December 1<sup>st</sup> 2008 as well as January 12<sup>th</sup> and February 9<sup>th</sup> 2009, all outlining the latest position regarding efficiencies identified and remaining sums required to balance the budget. On 1<sup>st</sup> December 2008 the Executive approved the revised schedule of fees and charges for 2009/10.
- 2.9 On 9<sup>th</sup> December 2008 a Budget Scrutiny Event involving Members of the Resources and Performance Scrutiny Board was held to challenge various aspects of the budget as it stood at that stage. Action points arising were fed into the process and the outcomes reported to the Executive on 12<sup>th</sup> January 2009.
- 2.10 For a number of years the Council's budget process has included consultation with the stakeholders of Cherwell to find out which services were most important to residents and others and what they thought spending and savings priorities should be in the coming budget year. The current budget process has continued this trend by seeking the views of the general public, the business community, the voluntary sector and other key partners on issues such as the most important services to spend on, where to decrease spending and the level the council tax should be set at.
- 2.11 During the whole budget process particular attention was paid to both inflation levels and interest rates during a time of unusual economic instability. Both these factors were tracked in detail as they represented key elements of the Council's likely spending needs (due to inflation), interest receipts (due to interest rates) and council tax increase permissible within the 'below-inflation' pledge made when the Budget Guidelines were set.

### **Guidance on Evaluation of the Estimates**

- 3.1 The Local Government Act 2003 does not provide any specific guidance on how to evaluate the robustness of the estimates. The explanatory notes to the Act do, however, stress that decisions on the appropriate level of reserves should not be based on a rule of thumb, but on an assessment of all the circumstances considered likely to affect the authority. In addition reference is also made to the CIPFA guidance on reserves and balances.
- 3.2 The Chartered Institute of Public Finance and Accountancy (CIPFA) states that the following factors should be taken into account when the CFO considers the overall level of reserves and balances:
  - Assumptions regarding inflation
  - Estimates of the level and timing of capital receipts
  - Treatment of demand led budgets (i.e. budgets where expenditure or income are to some extent beyond the Council's control)
  - Treatment of efficiencies
  - Risks inherent in any new partnerships etc
  - Financial standing of the authority (level of borrowing, debt outstanding etc)
  - The authority's track record in budget management (including the robustness of the Medium Term Financial Strategy)
  - The authority's capacity to manage in-year budget pressures

- The authority's virement and year-end procedures in relation to under- and over- spends
- The adequacy of insurance arrangements.

3.3 The above issues are also of relevance when evaluating the robustness of the budget.

The Audit Commission's Use of Resources Assessment also provides a form of guidance when considering the robustness of the draft budget. The Financial Standing element of the Assessment considers the level of financial reserves. In order to achieve the at least the 'good' ranking (Level 3 Use of Resources) an authority has to meet either of the following criteria:

The aggregate balance of

- General Balance
- Other earmarked revenue reserves
- Liabilities not recognised in the financial statements

should either be in surplus at the year end and the General Balance should be at least equal to 5% but not more than 100% of forecast net operating expenditure for the year, or a formal financial risk management process should be operating, which the authority uses to justify a level of reserves and balances.

Cherwell met both of these criteria during the period examined by the Audit Commission with the Use of Resources scores reported to the Accounts Audit and Risk Committee in December 2008 and continues to do so when the budget year 2009/10 is assessed against the same criteria.

The Use of Resources Assessment system is currently being changed and in future years the Council will face further tests of its financial standing, but at the moment the key criteria are met.

## **Reserves**

4.1 The estimated level of reserves as at 31 March 2009 are shown in the Council's Budget Book contained elsewhere on the agenda. The rationale for each of these reserves and the level required in each has been reviewed. The remaining reserves are considered to be both necessary and at adequate levels. In addition to the various earmarked reserves, the Council will have an estimated General Fund Balance of approximately £2m at 31<sup>st</sup> March 2009. The General Fund balance comfortably exceeds the recommended minimum of 5% of the budgeted net operating expenditure for the financial year 2009/10.

4.2 Reserves can be held for three main purposes:

- general reserves to meet the potential costs of emergencies or unexpected events, including a working balance to help cushion the impact of uneven cash flows and avoid unnecessary temporary borrowing
- a contingency to meet the costs of events that are possible but whose occurrence is not certain – this also forms part of general reserves. For the financial year 2009/10 an Economic Factors Reserve has been set up to deal with any increased demand on Council services, additional costs (e.g. fuel cost rises), fall in income from fees and charges or reduced investment



income.

- earmarked reserves to meet known or predicted liabilities over a period of time usually of more than one year. These earmarked reserves protect the Council against specific financial risks and this is a factor to be taken into account when assessing the adequacy of the totality of balances and reserves and the level of the General Fund Balance.

### **Strategic Budget Issues to Evaluate for Robustness**

#### 5.1 Inflationary pressures

Provision has been made for a locally agreed pay award of 3%. An assumption on staff turnover savings is made and monitored centrally. Budgets have been prepared at out-turn prices (i.e. to take account of known or expected increases in the prices of goods and services). This is a tried and tested approach, although in the unusual economic situation currently being experienced an Economic Factors Reserve has also been set up as outlined previously in this report.

#### 5.2 Capital Programme Revenue Effects and Financing

The revenue budget includes all revenue effects of capital schemes. Particular emphasis has been placed on the major schemes regarding the Council's Sports Centres. Assumptions of new capital receipts in 2009/10 are based on realistic estimates received from the relevant officers in the Council.

#### 5.3 Treatment of demand led pressures and efficiencies

Particular care has been taken in compiling the key Council budgets which are often described as 'demand led' because their achievement is to some degree outside the Council's control. These types of budgets, including spending on housing benefits and receipt of income from planning applications, land charges, car parking charges and interest on the Council's cash and financial reserve management are likely to contribute significantly to any overall variation of actual achievement against budgets. Some of these budgets could be affected by the prevailing economic recession and in all cases a prudent approach has been adopted in the estimates prepared.

#### 5.4 Efficiencies Identified

Efficiencies proposals leading to reductions in budgets for 2009/10 total approximately £2m. The main priority in achieving these efficiencies was to protect front line services. Each of these efficiency proposals was evaluated for feasibility of achievement and found to be realistic. Each expenditure efficiency has been removed from the relevant budget and each agreed increase in income added to the relevant budget. Both expenditure and income efficiencies will be profiled on the Council's Financial Management System to make it clear that efficiencies are expected to be realised from the agreed date. Prior to the commencement of the financial year 2009/10 officers responsible for these services and the associated budget reductions or additional income will be reminded of the need to achieve the figures put forward within the agreed timescales. Monthly financial information will then be provided to help monitor progress, and any significant variations will be reported to both the Corporate Management Team and the Executive. These reports will contain proposals for corrective action where necessary.

- 5.5 At the time of writing this report there were a small number of efficiencies where the detailed managerial action plan for implementation had not been completed. On this basis these efficiencies have been included in the budget on a part year basis. In view of the clear political and managerial intent, relatively small sums involved, the robustness of the remaining budget and the overall adequacy of reserves, it is considered that there is no significant risk to the Authority arising from the inclusion of these sums.
- 5.6 Any one-off costs of achieving ongoing efficiencies have been built into rationale and projections of use of earmarked reserves.

#### Investment Income/Icelandic Banks

- 5.7 The Council is one of at least 123 local authorities that have been affected by the collapse of Icelandic banking institutions. The Council currently has a total of £6.5 million in short term investments (i.e. those with maturity periods of up to one year) with one of the affected banks Glitner. The position relating to the recovery of Council investments in Icelandic banks and the associated interest is uncertain with no reliable forecast available of what might be re-paid, or at what time. At this stage the extent of financial loss, if any, is unknown and in accordance with guidance from CIPFA we have not made any provision for loss. The Council is co-operating with and supporting the work of the Local Government Association (LGA) in its discussions with Treasury on these matters and any Government support to be made available to the affected authorities
- 5.8 The 2009/10 revenue budget for investment income is based on ensuring security of investment, income yield and liquidity, in that order. It assumes that the interest due from the Council's £6.5m investment in the Glitnir Bank will not be received following the collapse of that bank. This assumption will not prevent the Council continuing to press for the payment of the sum due.
- 5.9 The Council's investment income budget for 2009/10 has been compiled on the basis of close tracking of actual and likely interest rates and with the help of external advice. The emphasis has been on the least risky places to invest the Council's money and this, along with the trend in interest rate reductions and the agreed use of capital receipts has led to a significant reduction in the investment income built into the budget. In budgetary terms this is prudent and places the Council at less risk of exposure in-year. A revised Treasury Management Strategy will be considered by the Executive on 2<sup>nd</sup> March 2009.

#### **Capacity to Manage in-year Budget Pressures**

- 6.1 The Authority has a record of maintaining good financial and budgetary discipline in the face of mid-year pressures, including virement procedures that allow funds to be moved to areas of pressure. Although underspends and overspends are not automatically carried forward, the Authority does have an approved carry forward scheme.
- 6.2 For many years, year-end out-turn has been within approved budget levels, although the trend to significant underspends has now been eliminated. This is a welcome change, although it does mean, quite rightly, that there can be no reliance on underspends being available to deal with any unwanted overspends. This has put more reliance on accurate budgeting and forecasting.

- 6.3 The Audit Commission have frequently commended the Council's record in financial management. This is also reflected in the Use of Resources Score overall of 3 reported to the Accounts, Audit and Risk Committee in December 2008. Of particular relevance are the scores of 3 for Financial Management, Internal Control and Value for Money, all of which give good evidence to support the view that budgetary pressures will be well managed. The Council has received particular praise for its accessible and informative Annual Report and Summary of Accounts document
- 6.4 Managers with budgetary responsibility receive ongoing financial training and support and attend regular briefings regarding issues such as the Budget Guidelines.
- 6.5 Budget holders receive regular information from their relevant service accountant and regular Financial Management System (FMS) reports through on-line access to the information. Both budget profiling and commitment accounting are used to assist the budgetary control process. The Council has developed a 'Dashboard' reporting system which gives budget managers prompt information about financial and service performance. This has proved extremely popular and well used, leading to a very detailed and timely position statement being available on the Council's finances.
- 6.6 The Executive receives quarterly budgetary control reports, including proposed actions to deal with any variances from budget.

### **Risk Management and Insurance Arrangements**

- 7.1 The Council has a well developed risk management approach which regularly updates the key strategic and operational risks and identifies actions which can reduce the likelihood and impact of those risks. The risk registers identified are fed into the budgetary process as appropriate. In recent months the economic recession has featured as a key risk for several of the Council's budgets and appropriate budgetary provision has been made in respect of these.
- 7.2 The Authority has a very low record of claims against its insurance policies. A comprehensive range of insurance policies are held, although these are subject to regular review to ensure that this is the most appropriate response to the risks faced.

### **Longer Term Considerations**

- 8.1 Although this report has the 2009/10 budget as its focus it is worthwhile considering briefly some of the key longer term financial issues facing the Council so that it can be established that no hidden issues could affect the forthcoming budget year.
- 8.2 The Council has a robust Medium Term Financial Strategy which is regularly updated and gives multi-year projections of the Council's revenue and capital position. The next Medium Term Financial Strategy, covering the years 2009/10 to 2013/14 will be considered by the Executive at its meeting on 16th March 2009. Although managerial action will be required during the 2009/10 budget year to deal with the likely budget deficit from 2010/11 onwards there are currently no plans which will affect the 2009/10 budget itself.
- 8.3 The Council makes contributions to the Oxfordshire County Council Pension Fund on behalf of staff. The next actuarial review of the fund will be based on the position as at 31 March 2010. The results of the review should be known in late 2010 with any changes to contribution rates expected to be implemented with effect from 2011/12. The anticipated impact for the Authority will be reviewed as information becomes available.

- 8.4 The Council is debt free, with no realistic need to borrow money long term likely to materialise in the next few years.

### **Specific Service Budget Risk Considerations**

- 9.1 Housing Benefit – Estimates in respect of Council Tax Benefit and Housing Benefit payment, Government reimbursement of these payments and payment of administrative subsidy have been calculated based on the latest information available about take-up of benefits, the latest levels of correctly paid benefits and government notifications of reimbursements and subsidy levels. These estimates are therefore as robust and practicable as possible for an area of expenditure that is demand led.
- 9.2 The Building Control function operates in a competitive environment. Fee income is subject to such competitive pressures and will be monitored during the year. The income from car parking will be closely monitored, as it is demand led and the fees were increased as part of the budget process
- 9.3 Planning fees and land charges fees are significant factors in the Council's budget. The budgeted sums have been reduced in 2009/10 and will be closely monitoring during the year.
- 9.4 Rental income from the Council's property portfolio is again subject to market forces and best estimates from officers concerned have been used and will be monitored closely.
- 9.5 The homelessness budget is demand-led and therefore difficult to accurately estimate. It will be closely monitored.
- 9.6 An Economic Risk Reserve has been set up to cover any major variations on the budgets covered in the previous paragraphs.

### **Key Issues for Consideration and Options**

- 10.1 The key issues are whether:
- the base budget is realistic
  - the expenditure efficiencies are achievable
  - the additional income will be received
  - the reserves are adequate to deal with any shortfall in the budget
- 10.2 It is considered that these requirements are in fact met.
- 10.3 The Full Council can of course make changes to the budget even at this late stage, although it is advised that any such changes, if significant, could adversely affect the robustness of the budget if a full appraisal of their likely consequences is not undertaken.

## **6 Risk Assessment, Financial Effects and Contributions to Efficiency Savings**

- 6.1 Risk assessment – The draft budget has been built with consideration of relevant risks. Comments checked by Karen Curtin, Chief Accountant, ext 1551.
- 6.2 Financial effects – The report looks at the robustness of the Council's draft 2009/10 budget. Comments checked by Karen Curtin, Chief Accountant, ext 1551.

## **7 Recommendation**

- 7.1 The Council is recommended:

### **A BUDGET 2009/10**

1) to consider the contents of this report in approving the General Fund and Capital Programme 2009/10 budgets and that the s 25 report on the robustness of the budget be noted.

2) that the updated draft budget recommended by the Executive at its meetings on 9 February 2009 and detailed in the 09/10 budget book, (Minute 162 (which is to be tabled)) be approved;

### **B COLLECTION FUND 2008/2009**

3) that the Collection Fund estimates as now submitted be approved (see Annex 6 of the budget booklet).

### **C SERVICE PLANS 2009/10**

4) that the draft Service Plans 2009/10 be endorsed as recommended by the Executive at its meeting on 9 February 2009 (Minute 162).

### Background Papers:

Budget Working Papers 2009/10  
Budgetary Control Reports 2008/09  
Reports to the Executive, September 2008 to February 2009

## CHERWELL DISTRICT COUNCIL

### COUNCIL MEETING

23 FEBRUARY 2009

#### REPORT OF THE HEAD OF FINANCE

##### CALCULATING AND SETTING COUNCIL TAX FOR 2009/2010

#### 1 Introduction and Purpose of Report

- 1.1 Sections 32 to 36 of the Local Government Finance Act 1992 require each billing authority to calculate its own amount of tax for each category of dwellings in its area, reflecting its budget requirement.
- 1.2 Section 30 of the 1992 Act requires each billing authority to set the amounts of tax for its area, including the amounts levied on it by way of precept from major precepting authorities.
- 1.3 Section 35 provides for (amongst other things) any expenses incurred in performing in part of the District a function performed elsewhere in the District by a parish council or the Chairman of a parish meeting to be the authority's special expenses unless a resolution to the contrary is in force.

#### 2 Wards Affected

- 2.1 All

#### 3 Effect on Policy

- 3.1 By approving the Council's budget requirement and calculating the effect in Council Tax terms, this determines the Council's spending plans for 2009/2010.

#### 4 Contact Officer(s)

- 4.1 Phil O'Dell (Ext 7098) and Steve Newman (1861)

#### 5 The Tax Base

- 5.1 At its meeting on 12 January 2009, the Executive calculated the following amounts for 2009/2010 in accordance with regulations made under Section 33(5) of the Local Government Finance Act 1992, as amended:-
  - a. 49,923 being the amount calculated by the Council, in accordance with regulation 3 of the Local Authorities (Calculation of Council Tax Base) Regulations 1992, as its council tax base for the year;
  - b. the amounts in the Tax Base for 2009/10 column of Annex 1 (attached) being the amounts calculated by the Council, in accordance with regulation 6 of the Regulations, as the amounts of its council tax base for the year for dwellings in those parts of its area to which one or more special items relate.

## 6 The Budget Requirement

- 6.1 Section 32 of the Local Government Finance Act 1992 requires a billing authority to calculate its budget requirement before 11th March in the year preceding the financial year, to which the budget applies.
- 6.2 In calculating its budget requirement, the billing authority must take into account the amount of special items, which includes local precepts (for parish and town councils). The budget requirement, which also takes into account movements in reserves, is as follows:-

	<u>Approved Estimates</u> £	<u>Special Items</u> £	<u>Total</u> £
Estimated General Fund expenditure for 2009/2010, chargeable to revenue, including contingencies:	67,134,116		67,134,116
Additions to reserves			
Parish precepts		3,885,910	3,885,910
<b>Estimated expenditure 2009/2010</b>	<b>67,134,116</b>	<b>3,885,910</b>	<b>71,020,026</b>
Estimated General Fund income for 2009/2010	49,995,774		49,995,774
To be taken from reserves	253,928		253,928
<b>Estimated income 2009/2010</b>	<b>50,249,702</b>		<b>50,249,702</b>
<b>BUDGET REQUIREMENT</b>	<b>16,884,414</b>	<b>3,885,910</b>	<b>20,770,324</b>

## 7. Calculation of the Basic Amount of Tax

- 7.1 Section 33 of the 1992 Act provides the following formula to calculate the basic amount of tax:-

$$\text{The basic amount of Council Tax} = \frac{R - P}{T}$$

Where -

R is the budget requirement

P is the aggregate of the sums, which the authority estimates will be receivable in respect of redistributed non-domestic rates, revenue support grant and additional grant as well as transfers from the Collection Fund

T is the Council Tax base for the year

- 7.2 The budget requirement is that calculated at 6.2 above, which is £20,770,324.
- 7.3 The Department for Communities and Local Government notified local authorities of the amount of external financial support the Secretary of State has included in the Local Government Finance Report. In addition the Executive has approved the budget allowing for an amount of

£108,313 transferred from the Collection Fund to the General Fund, representing this Council's share of the projected surplus of council tax for 2009/2010. The amounts to be applied as item P are shown below:-

	£
Transfer from the Collection Fund (Council Tax)	108,313
Redistributed non-domestic rates	9,314,023
Revenue support grant	1,296,587
	<u>10,718,923</u>

7.4 As referred to in paragraph 5.1.a, the tax base for the District Council is 49,923.

7.5 By substituting the above amounts for the formula in 7.1 above,

$$\text{the basic amount of Council Tax} = \frac{20,770,324}{49,923} - 10,718,923$$

$$\frac{10,051,401}{49,923}$$

$$\text{THE BASIC AMOUNT OF TAX} = \text{£}201.34$$

## 8 Additional Calculations for Special Items

8.1 Section 34 of the 1992 Act provides for additional calculations to take into account special items.

8.2 Section 35 lists those items to be classed as special items, and includes any precept (local precepts) and any expenses which are the Council's special expenses included in the budget requirement.

8.3 Paragraph 13.1 contains the necessary formal resolution so that the Council can have a general "opt out" resolution in place with regard to special expenses. Without such a resolution any General Fund expenditure incurred in performing functions that a parish council performs somewhere in the District has to be regarded as special expenses.

8.4 Section 34(2) requires each billing authority to calculate the basic amount of its Council Tax for dwellings in a part (or parts) of its area, to which no special item relates, by applying the following formula:-

$$B - \frac{A}{T}$$

Where

B is the basic amount of tax

A is the aggregate of all special items

T is the taxbase used to calculate the basic amount of tax

8.5 The basic amount of tax calculated at 7.5 above is £201.34

8.6 The aggregate of all special items is £3,885,910, being the total amount of precepts issued by local precepting authorities.

8.7 The tax base is 49,923.



8.8 By substituting the above amounts for the formula in 8.4 above,

the basic amount of tax in Areas without special items = £201.34 -  $\frac{£3,885,910}{49,923}$

= £201.34 - £77.84

**THE BASIC AMOUNT OF TAX FOR PARTS OF THE AREA TO WHICH NO SPECIAL ITEM RELATES = £123.50**

8.9 Section 34 (3) requires each billing authority to add to the figure calculated under Section 34 (2) an amount calculated from the following formula:-

$$\frac{S}{TP}$$

Where -

S is the special item for that part of the area  
TP is the tax base for that part of the area

8.10 The special items for each part of the area are shown in Annex 1 in the column titled "Parish Precept 2009/10".

8.11 The value of TP is shown in Annex 1, in the column entitled "Tax Base 2009/10".

8.12 The result of the formula  $\frac{S}{TP}$  is to be found in the column of Annex 1, entitled "Parish Needs"

8.13 The amount in the Parish Needs column is then added to the amount calculated at 8.8 above (shown in the column titled "Cherwell Needs") to show the basic total amount of tax calculated for each part of the area, appropriate to a band D property (shown in the column titled "Total Tax Calculated").

## 9 The Calculation of Tax for Different Valuation Bands

9.1 Section 36 of the 1992 Act provides the following formula to calculate the tax applicable to each band:-

$$A \times \frac{N}{D}$$

Where –

A is the amount calculated under Section 34 (3).  
N is the proportion relevant to the valuation band (see Section 5(1) of the 1992 Act).  
D is the proportion relevant to band D, i.e. 9.

9.2 As there are 78 parts to the area (parishes and town councils), each with 8 valuation bands, there are 624 calculations to be performed and these are shown in the columns headed by a valuation band A to H in Annex 1.

## 10 Setting the Council Tax

10.1 Section 30 of the 1992 Act requires each billing authority to set an amount of Council Tax for

each category of dwellings in its area before 11th March.

10.2 Such an amount set is the aggregate of:-

- a. the amount calculated under Sections 32 to 36 of the Act, and
- b. the amount calculated under Sections 43 to 47 by each major precepting authority and issued as a precept under Section 40 of the Act.

10.3 Oxfordshire County Council is one of the two relevant major precepting authorities as far as this Council is concerned and has issued a precept of £56,443,942, which represents a basic amount of tax at band D of £1,130.62. The amount of tax calculated for each band is as follows:-

A	B	C	D	E	F	G	H
£753.75	£879.37	£1005.00	£1,130.62	£1,381.87	£1,633.12	£1,884.37	£2,261.24

10.4 Thames Valley Police Authority is the other relevant major precepting authority as far as this Council is concerned. It has issued a precept of £7,552,056 which represents a basic amount of tax at band D of £151.27. The amount of tax calculated for each band is as follows:

A	B	C	D	E	F	G	H
£100.85	£117.65	£134.46	£151.27	£184.89	£218.50	£252.12	£302.54

10.5 There are again 624 calculations to be performed and these are shown in the columns headed by a valuation band A to H in Annex 2.

## 11 The Calculation of the Council's Demand on the Collection Fund

11.1 Section 97 of the Local Government Finance Act 1988, as amended by paragraph 22 of Schedule 10 of the Local Government Finance Act 1992, provides for the calculation of each billing authority's demand on the Collection Fund.

11.2 The formula  $B \times T$  is to be used,

Where -

- B= the amount of Council Tax calculated by the billing authority under Section 33 of the 1992 Act  
T= the Council tax base

11.3 The basic amount of tax calculated under Section 33 is £201.34 and the value of T is 49,923, which gives an amount of £10,051,401, being the amount to be transferred from the Council's Collection Fund to the Council's General Fund.

## 12 Risk Assessment, Financial Effects and Contributions to Efficiency Savings

12.1 The following details approved by Stephen Newman (Ext 1861), (Denise Westlake) (Ext 1559).

12.2 Risk assessment – – this report assumes that the estimates recommended for approval by the Executive, at its meeting held on 23 February 2009, are adopted by the Council.

- 12.3 Financial effects – by setting tax levels in accordance with the recommendations, the tax set should raise the amount required to be met from the Collection Fund to pay the precepts to Oxfordshire County Council and Thames Valley Police Authority as well as to meet this Council's demand, which includes local precepting authority precepts.

Members should be aware that Section 106 of the Local Government Finance Act 1992 applies to decisions made in accordance with this report and any member affected by it is obliged to disclose the fact and refrain from voting.

- 12.4 Efficiency savings – are no efficiency savings identified as a result of this report.

### 13 Recommendation

- 13.1 It is **RECOMMENDED** that the Council resolves:-

That pursuant to Section 35 of the Local Government Finance Act 1992, any expenses incurred by the Council chargeable to its General Fund, in performing functions and providing services undertaken elsewhere within the District by a parish council shall be a general expense falling upon the whole district.

- 13.2 That it be noted that at its meeting on 12 January 2009 the Executive calculated the following amounts for the year 2009/2010 in accordance with regulations made under Section 33(5) of the Local Government Finance Act 1992:-

- a. 49,923 being the amount calculated by the Council, in accordance with regulation 3 of the Local Authorities (Calculation of Council Tax Base) Regulations 1992, as its council tax base for the year.
- b. the amounts in the Tax Base 2009/10 column of Annex 1, being the amounts calculated by the Council, in accordance with regulation 6 of the Regulations, as the amounts of its council tax base for the year for dwellings in those parts of its area to which one or more special items relate.

- 13.3 That the following amounts be now calculated by the Council for the year 2009/2010 in accordance with Sections 32 to 36 of the Local Government Finance Act 1992:-

- a. £71,020,026 being the aggregate of the amounts which the Council estimates for the items set out in Section 32(2)(a) to (e) of the Act;
- b. £50,249,702 being the aggregate of the amounts which the Council estimates for the items set out in Section 32(3)(a) to (c) of the Act;
- c. £20,770,324 being the amount by which the aggregate at 13.3(a) above exceeds the aggregate at 13.3(b) above, calculated by the Council, in accordance with Section 32(4) of the Act, as its budget requirement for the year;
- d. £10,718,923 being the aggregate of the sums which the Council estimates will be payable for the year into its general fund in respect of redistributed non-domestic rates, revenue support grant and additional grant or as a transfer from or to its collection fund being a reduction or increase in its provision for estimated surplus of council tax.
- e. £201.34 being the amount at 13.3(c) above less the amount at 13.3(d) above, all divided by the amount at 13.2(a) above, calculated by the Council, in accordance with Section 33(1) of the Act, as the basic amount of its council tax for the year;
- f. £3,885,910 being the aggregate amount of all special items referred to in Section 34(1) of the Act;

- g. £123.50 being the amount at 13.3(e) above less the result given by dividing the amount at 13.3(f) above by the amount at 13.2(a) above, calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its council tax for the year for dwellings in those parts of its area to which no special item relates;
- h. the amounts in the column of Annex 1, headed Total Tax Calculated, being the amount given by adding to the amount at 13.3(g) above, the amounts of the special item or items relating to dwellings in those parts of the Council's area mentioned above divided in each case by the amounts at 13.2(b) above, calculated by the Council, in accordance with Section 34(3) of the Act, as the basic amounts of its council tax for the year for dwellings in those parts of its area to which one or more special items relate;
- i. the amounts in the final eight columns of Annex 1 (headed Tax Calculated for Each Valuation Band by Cherwell and each column headed with its appropriate band title A to H) being the amounts given by multiplying the amounts at 13.3(g) and 13.3(h) above by the number which, in the proportion set out in Section 5(1) of the Act (6 to 18), is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D (9), calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands;

13.4

That it be noted that for the year 2009/2010 the Oxfordshire County Council and the Thames Valley Police Authority, being major precepting authorities, have stated the following amounts as precepts to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown overleaf -

Oxfordshire County Council

A	B	C	D	E	F	G	H
£753.75	£879.37	£1005.00	£1,130.62	£1,381.87	£1,633.12	£1,884.37	£2,261.24

Thames Valley Police Authority

A	B	C	D	E	F	G	H
£100.85	£117.65	£134.46	£151.27	£184.89	£218.50	£252.12	£302.54

13.5 That, having calculated the aggregate in each case of the amounts at 13.3(i) and 13.4 above, the Council, in accordance with Section 30(2) of the Local Government Finance Act 1992, hereby sets the following amounts of council tax for the year 2009/2010 for each of the categories of dwellings shown in Annex 2.

13.6 That having calculated the basic amount of council tax in 13.3(e) above to be £201.34 and the tax base for the district, as noted at 13.2(a) above is 49,923; the Council hereby determines that its demand on the collection fund for the year 2009/2010 shall be £10,051,401

Background Papers:

- (a) Various Estimates 2009/2010 Working Papers Files
- (b) Local Government Finance Settlement 2009/2010

2009/10		CALCULATIONS REQUIRED BY SECTIONS 32 to 36 OF THE LOCAL GOVERNMENT FINANCE ACT 1992										TAX CALCULATED FOR EACH VALUATION BAND BY CHERWELL							
Tax Base 2009/10	PARISH PRECEPT 2009/10	CALCULATIONS AT BAND D					VALUATION BAND AND APPROPRIATE PROPORTION												
		PARISH NEEDS	CHERWELL NEEDS	TOTAL TAX CALCULATED	6 A	7 B	8 C	9 D	11 E	13 F	15 G	18 H							
£	£	£	£	£	£	£	£	£	£	£	£	£	£	£	£	£	£		
Adderbury	1,160	31,999	27.59	123.50	151.09	100.73	117.51	134.30	151.09	184.67	218.24	251.82	302.18						
Ambrosden	587	9,500	16.18	123.50	139.68	93.12	108.64	124.16	139.68	170.72	201.76	232.80	279.36						
Ardley	262	5,660	21.60	123.50	145.10	96.73	112.86	128.98	145.10	177.34	209.59	241.83	290.20						
Arnclott	269	11,700	43.49	123.50	166.99	111.33	129.88	148.44	166.99	204.10	241.21	278.32	333.98						
Banbury	14,475	1,735,678	119.91	123.50	243.41	162.27	189.32	216.36	243.41	297.50	351.59	405.68	486.82						
Barford	263	7,000	26.62	123.50	150.12	100.08	116.76	133.44	150.12	183.48	216.84	250.20	300.24						
Begbroke	349	21,464	61.50	123.50	185.00	123.33	143.89	164.44	185.00	226.11	267.22	308.33	370.00						
Bicester	10,275	999,935	97.32	123.50	220.82	147.21	171.75	196.28	220.82	269.89	318.96	368.03	441.64						
Blackthorn	146	10,060	68.90	123.50	192.40	128.27	149.64	171.02	192.40	235.16	277.91	320.67	384.80						
Bletchington	336	12,900	38.39	123.50	161.89	107.93	125.91	143.90	161.89	197.87	233.84	269.82	323.78						
Bloxham	1,301	50,000	38.43	123.50	161.93	107.95	125.95	143.94	161.93	197.91	233.90	269.88	323.86						
Bodicote	835	22,995	27.54	123.50	151.04	100.69	117.48	134.26	151.04	184.60	218.17	251.73	302.08						
Bourton	283	7,500	26.50	123.50	150.00	100.00	116.67	133.33	150.00	183.33	216.67	250.00	300.00						
Broughton	128	3,500	27.34	123.50	150.84	100.56	117.32	134.08	150.84	184.36	217.88	251.40	301.68						
Bucknell	110	4,000	36.36	123.50	159.86	106.57	124.34	142.10	159.86	195.38	230.91	266.43	319.72						
Caversfield	405	2,500	6.17	123.50	129.67	86.45	100.85	115.26	129.67	158.49	187.30	216.12	259.34						
Charlton on Otmoor	198	5,500	27.78	123.50	151.28	100.85	117.66	134.47	151.28	184.90	218.52	252.13	302.56						
Chesterton	338	14,000	41.42	123.50	164.92	109.95	128.27	146.60	164.92	201.57	238.22	274.87	329.84						
Claydon	137	4,000	29.20	123.50	152.70	101.80	118.77	135.73	152.70	186.63	220.57	254.50	305.40						
Cottisford	74	0	0.00	123.50	123.50	82.33	96.06	109.78	123.50	150.94	178.39	205.83	247.00						
Cropredy	302	7,700	25.50	123.50	149.00	99.33	115.89	132.44	149.00	182.11	215.22	248.33	298.00						
Deddington	914	33,342	36.48	123.50	159.98	106.65	124.43	142.20	159.98	195.53	231.08	266.63	319.96						
Drayton	90	3,000	33.33	123.50	156.83	104.55	121.98	139.40	156.83	191.68	226.53	261.38	313.66						
Duns Tew	222	10,475	47.18	123.50	170.68	113.79	132.75	151.72	170.68	208.61	246.54	284.47	341.36						
Epwell	135	3,275	24.26	123.50	147.76	98.51	114.92	131.34	147.76	180.60	213.43	246.27	295.52						
Fencott and Murcott	124	1,500	12.10	123.50	135.60	90.40	105.47	120.53	135.60	165.73	195.87	226.00	271.20						
Finnerie	213	5,000	23.47	123.50	146.97	97.98	114.31	130.64	146.97	179.63	212.29	244.95	293.94						
Fringford	266	9,950	37.41	123.50	160.91	107.27	125.15	143.03	160.91	196.67	232.43	268.18	321.82						
Fritwell	278	6,500	23.38	123.50	146.88	97.92	114.24	130.56	146.88	179.52	212.16	244.80	293.76						

2009/10	CALCULATIONS REQUIRED BY SECTIONS 32 to 36 OF THE LOCAL GOVERNMENT FINANCE ACT 1992												
	CALCULATIONS AT BAND D					TAX CALCULATED FOR EACH VALUATION BAND BY CHERWELL					18		
	Tax Base 2009/10	PARISH PRECEPT 2009/10	PARISH NEEDS 2009/10	CHERWELL NEEDS 2009/10	TOTAL TAX CALCULATED	6	7	8	9	11		13	15
£	£	£	£	£	£	£	£	£	£	£	£	£	£
Godington	20	0	0.00	123.50	123.50	82.33	96.06	109.78	123.50	150.94	178.39	205.83	247.00
Gosford and Water Eaton	515	15,290	29.69	153.19	153.19	102.13	119.15	136.17	153.19	187.23	221.27	255.32	306.38
Hampton Gay and Poyle	74	1,000	13.51	137.01	137.01	91.34	106.56	121.79	137.01	167.46	197.90	228.35	274.02
Hanwell	128	6,000	46.88	170.38	170.38	113.59	132.52	151.45	170.38	208.24	246.10	283.97	340.76
Hardwick with Tusmore	37	0	0.00	123.50	123.50	82.33	96.06	109.78	123.50	150.94	178.39	205.83	247.00
Heihe	118	3,800	32.20	155.70	155.70	103.80	121.10	138.40	155.70	190.30	224.90	259.50	311.40
Hook Norton	922	48,000	52.06	175.56	175.56	117.04	136.55	156.05	175.56	214.57	253.59	292.60	351.12
Horley	162	3,604	22.25	145.75	145.75	97.17	113.36	129.56	145.75	178.14	210.53	242.92	291.50
Hornton	158	5,200	32.91	156.41	156.41	104.27	121.65	139.03	156.41	191.17	225.93	260.68	312.82
Horton cum Studley	242	6,000	24.79	148.29	148.29	98.86	115.34	131.81	148.29	181.24	214.20	247.15	296.58
Islip	318	0	0.00	123.50	123.50	82.33	96.06	109.78	123.50	150.94	178.39	205.83	247.00
Kidlington	4,949	516,075	104.28	227.78	227.78	151.85	177.16	202.47	227.78	278.40	329.02	379.63	455.56
Kirtlington	429	15,000	34.97	158.47	158.47	105.65	123.25	140.86	158.47	193.69	228.90	264.12	316.94
Launton	494	15,000	30.36	153.86	153.86	102.57	119.67	136.95	153.86	188.05	222.24	256.43	307.72
Lower Heyford	221	7,500	33.94	157.44	157.44	104.96	122.45	139.95	157.44	192.43	227.41	262.40	314.88
Merton	142	5,448	38.37	161.87	161.87	107.91	125.90	143.88	161.87	197.84	233.81	269.78	323.74
Middle Aston	64	0	0.00	123.50	123.50	82.33	96.06	109.78	123.50	150.94	178.39	205.83	247.00
Middleton Stoney	149	3,200	21.48	144.98	144.98	96.65	112.76	128.87	144.98	177.20	209.42	241.63	289.96
Milcombe	217	9,400	43.32	166.82	166.82	111.21	129.75	148.28	166.82	203.89	240.96	278.03	333.64
Milton	122	0	0.00	123.50	123.50	82.33	96.06	109.78	123.50	150.94	178.39	205.83	247.00
Mixbury	112	0	0.00	123.50	123.50	82.33	96.06	109.78	123.50	150.94	178.39	205.83	247.00
Mollington	216	8,250	38.19	161.69	161.69	107.79	125.76	143.72	161.69	197.62	233.55	269.48	323.38
Newton Purcell	41	0	0.00	123.50	123.50	82.33	96.06	109.78	123.50	150.94	178.39	205.83	247.00
Noke	74	1,300	17.57	141.07	141.07	94.05	109.72	125.40	141.07	172.42	203.77	235.12	282.14
North Aston	94	600	6.38	129.88	129.88	86.59	101.02	115.45	129.88	158.74	187.60	216.47	259.76
North Newington	149	2,000	13.42	136.92	136.92	91.28	106.49	121.71	136.92	167.35	197.77	228.20	273.84
Oddington	62	0	0.00	123.50	123.50	82.33	96.06	109.78	123.50	150.94	178.39	205.83	247.00
Piddington	177	5,000	28.25	151.75	151.75	101.17	118.03	134.89	151.75	185.47	219.19	252.92	303.50
Prescote	6	0	0.00	123.50	123.50	82.33	96.06	109.78	123.50	150.94	178.39	205.83	247.00
Shenington	202	4,000	19.80	143.30	143.30	95.53	111.46	127.38	143.30	175.14	206.99	238.83	286.60
Shipton on Cherwell	151	4,400	29.14	152.64	152.64	101.76	118.72	135.68	152.64	186.56	220.48	254.40	305.28
Shufford	211	5,500	26.07	149.57	149.57	99.71	116.33	132.95	149.57	182.81	216.05	249.28	299.14
Sibford Ferris	195	4,095	21.00	144.50	144.50	96.33	112.39	128.44	144.50	176.61	208.72	240.83	289.00
Sibford Gower	248	6,000	24.19	147.69	147.69	98.46	114.87	131.28	147.69	180.51	213.33	246.15	295.38
Somerton	136	5,000	36.76	160.26	160.26	106.84	124.65	142.45	160.26	195.87	231.49	267.10	320.52

2009/10		CALCULATIONS REQUIRED BY SECTIONS 32 to 36 OF THE LOCAL GOVERNMENT FINANCE ACT 1992											
Tax Base 2009/10	PARISH PRECEPT 2009/10	CALCULATIONS AT BAND D											
		2009/10	2009/10	2009/10	2009/10	2009/10	2009/10	2009/10	2009/10	2009/10	2009/10		
	£	PARISH NEEDS	CHERWELL NEEDS	TOTAL TAX NEEDS CALCULATED	6 A	7 B	8 C	9 D	11 E	13 F	15 G	18 H	
	£	£	£	£	£	£	£	£	£	£	£	£	
Southern	195	5,000	25.64	123.50	149.14	99.43	116.00	132.57	149.14	182.28	215.42	248.57	298.28
South Newington	156	4,700	30.13	123.50	153.63	102.42	119.49	136.56	153.63	187.77	221.91	256.05	307.26
Steeple Aston	417	20,725	49.70	123.50	173.20	115.47	134.71	153.96	173.20	211.69	250.18	288.67	346.40
Stoke Lyne	103	3,000	29.13	123.50	152.63	101.75	118.71	135.67	152.63	186.55	220.47	254.38	305.26
Stratton Audley	199	5,750	28.89	123.50	152.39	101.59	118.53	135.46	152.39	186.25	220.12	253.98	304.78
Swalcliffe	107	5,000	46.73	123.50	170.23	113.49	132.40	151.32	170.23	208.06	245.89	283.72	340.46
Tadmarton	259	6,500	25.10	123.50	148.60	99.07	115.58	132.09	148.60	181.62	214.64	247.67	297.20
Upper Heyford	376	12,000	31.91	123.50	155.41	103.61	120.87	138.14	155.41	189.95	224.48	259.02	310.82
Wardington	240	10,000	41.67	123.50	165.17	110.11	128.47	146.82	165.17	201.87	238.58	275.28	330.34
Wendlebury	195	4,040	20.72	123.50	144.22	96.15	112.17	128.20	144.22	176.27	208.32	240.37	288.44
Weston on the Green	240	8,300	34.58	123.50	158.08	105.39	122.95	140.52	158.08	193.21	228.34	263.47	316.16
Wiggington	105	2,000	19.05	123.50	142.55	95.03	110.87	126.71	142.55	174.23	205.91	237.58	285.10
Wroxton	285	6,000	21.05	123.50	144.55	96.37	112.43	128.49	144.55	176.67	208.79	240.92	289.10
Yarnton	1,016	45,600	44.88	123.50	168.38	112.25	130.96	149.67	168.38	205.80	243.22	280.63	336.76
49,923													

Total of special items	3,885,910
Cherwell Net Expenditure	
BUDGET REQUIREMENT	3,885,910
Less External Support etc	
THE BASIC AMOUNT OF TAX	3,885,910
Less Average Parish etc	77.84
Cherwell DC needs	(77.84)
Oxfordshire County Council Precept	123.50
Thames Valley Police Precept	

BASIC AMOUNT OF OXFORDSHIRE CC TAX	1,130.62												
BASIC AMOUNT OF THAMES VALLEY POLICE TAX	151.27												

TAX CALCULATED FOR EACH VALUATION BAND BY CHERWELL												
VALUATION BAND AND APPROPRIATE PROPORTION												
753.75	879.37	1,005.00	1,130.62	1,381.87	1,633.12	1,884.37	2,261.24					
TAX CALCULATED FOR EACH VALUATION BAND BY TVP												
100.85	117.65	134.46	151.27	184.89	218.50	252.12	302.54					

2009/10 23-Feb-09	COUNCIL TAX SETTING REQUIRED BY SECTION 30 OF THE 1992 ACT							
	COUNCIL TAX SET FOR EACH VALUATION BAND							
	VALUATION BAND AND APPROPRIATE PROPORTION							
	6 A £	7 B £	8 C £	9 D £	11 E £	13 F £	15 G £	18 H £
Adderbury	955.33	1,114.53	1,273.76	1,432.98	1,751.43	2,069.86	2,388.31	2,865.96
Ambrosden	947.72	1,105.66	1,263.62	1,421.57	1,737.48	2,053.38	2,369.29	2,843.14
Ardley	951.33	1,109.88	1,268.44	1,426.99	1,744.10	2,061.21	2,378.32	2,853.98
Arncott	965.93	1,126.90	1,287.90	1,448.88	1,770.86	2,092.83	2,414.81	2,897.76
Banbury	1,016.87	1,186.34	1,355.82	1,525.30	1,864.26	2,203.21	2,542.17	3,050.60
Barford	954.68	1,113.78	1,272.90	1,432.01	1,750.24	2,068.46	2,386.69	2,864.02
Begbroke	977.93	1,140.91	1,303.90	1,466.89	1,792.87	2,118.84	2,444.82	2,933.78
Bicester	1,001.81	1,168.77	1,335.74	1,502.71	1,836.65	2,170.58	2,504.52	3,005.42
Blackthorn	982.87	1,146.66	1,310.48	1,474.29	1,801.92	2,129.53	2,457.16	2,948.58
Bletchington	962.53	1,122.93	1,283.36	1,443.78	1,764.63	2,085.46	2,406.31	2,887.56
Bloxham	962.55	1,122.97	1,283.40	1,443.82	1,764.67	2,085.52	2,406.37	2,887.64
Bodicote	955.29	1,114.50	1,273.72	1,432.93	1,751.36	2,069.79	2,388.22	2,865.86
Bourton	954.60	1,113.69	1,272.79	1,431.89	1,750.09	2,068.29	2,386.49	2,863.78
Broughton	955.16	1,114.34	1,273.54	1,432.73	1,751.12	2,069.50	2,387.89	2,865.46
Bucknell	961.17	1,121.36	1,281.56	1,441.75	1,762.14	2,082.53	2,402.92	2,883.50
Caversfield	941.05	1,097.87	1,254.72	1,411.56	1,725.25	2,038.92	2,352.61	2,823.12
Charlton on Otmoor	955.45	1,114.68	1,273.93	1,433.17	1,751.66	2,070.14	2,388.62	2,866.34
Chesterton	964.55	1,125.29	1,286.06	1,446.81	1,768.33	2,089.84	2,411.36	2,893.62
Claydon	956.40	1,115.79	1,275.19	1,434.59	1,753.39	2,072.19	2,390.99	2,869.18
Cottisford	936.93	1,093.08	1,249.24	1,405.39	1,717.70	2,030.01	2,342.32	2,810.78
Cropredy	953.93	1,112.91	1,271.90	1,430.89	1,748.87	2,066.84	2,384.82	2,861.78
Deddington	961.25	1,121.45	1,281.66	1,441.87	1,762.29	2,082.70	2,403.12	2,883.74
Drayton	959.15	1,119.00	1,278.86	1,438.72	1,758.44	2,078.15	2,397.87	2,877.44
Duns Tew	968.39	1,129.77	1,291.18	1,452.57	1,775.37	2,098.16	2,420.96	2,905.14
Epwell	953.11	1,111.94	1,270.80	1,429.65	1,747.36	2,065.05	2,382.76	2,859.30
Fencott and Murcott	945.00	1,102.49	1,259.99	1,417.49	1,732.49	2,047.49	2,362.49	2,834.98
Finmere	952.58	1,111.33	1,270.10	1,428.86	1,746.39	2,063.91	2,381.44	2,857.72
Fringford	961.87	1,122.17	1,282.49	1,442.80	1,763.43	2,084.05	2,404.67	2,885.60
Fritwell	952.52	1,111.26	1,270.02	1,428.77	1,746.28	2,063.78	2,381.29	2,857.54
Godington	936.93	1,093.08	1,249.24	1,405.39	1,717.70	2,030.01	2,342.32	2,810.78
Gosford and Water Eaton	956.73	1,116.17	1,275.63	1,435.08	1,753.99	2,072.89	2,391.81	2,870.16
Hampton Gay and Poyle	945.94	1,103.58	1,261.25	1,418.90	1,734.22	2,049.52	2,364.84	2,837.80
Hanwell	968.19	1,129.54	1,290.91	1,452.27	1,775.00	2,097.72	2,420.46	2,904.54
Hardwick with Tusmore	936.93	1,093.08	1,249.24	1,405.39	1,717.70	2,030.01	2,342.32	2,810.78
Hethe	958.40	1,118.12	1,277.86	1,437.59	1,757.06	2,076.52	2,395.99	2,875.18
Hook Norton	971.64	1,133.57	1,295.51	1,457.45	1,781.33	2,105.21	2,429.09	2,914.90
Horley	951.77	1,110.38	1,269.02	1,427.64	1,744.90	2,062.15	2,379.41	2,855.28
Hornton	958.87	1,118.67	1,278.49	1,438.30	1,757.93	2,077.55	2,397.17	2,876.60
Horton cum Studley	953.46	1,112.36	1,271.27	1,430.18	1,748.00	2,065.82	2,383.64	2,860.36
Islip	936.93	1,093.08	1,249.24	1,405.39	1,717.70	2,030.01	2,342.32	2,810.78
Kidlington	1,006.45	1,174.18	1,341.93	1,509.67	1,845.16	2,180.64	2,516.12	3,019.34
Kirtlington	960.25	1,120.27	1,280.32	1,440.36	1,760.45	2,080.52	2,400.61	2,880.72
Launton	957.17	1,116.69	1,276.22	1,435.75	1,754.81	2,073.86	2,392.92	2,871.50
Lower Heyford	959.56	1,119.47	1,279.41	1,439.33	1,759.19	2,079.03	2,398.89	2,878.66
Merton	962.51	1,122.92	1,283.34	1,443.76	1,764.60	2,085.43	2,406.27	2,887.52
Middle Aston	936.93	1,093.08	1,249.24	1,405.39	1,717.70	2,030.01	2,342.32	2,810.78
Middleton Stoney	951.25	1,109.78	1,268.33	1,426.87	1,743.96	2,061.04	2,378.12	2,853.74
Milcombe	965.81	1,126.77	1,287.74	1,448.71	1,770.65	2,092.58	2,414.52	2,897.42
Milton	936.93	1,093.08	1,249.24	1,405.39	1,717.70	2,030.01	2,342.32	2,810.78
Mixbury	936.93	1,093.08	1,249.24	1,405.39	1,717.70	2,030.01	2,342.32	2,810.78
Mollington	962.39	1,122.78	1,283.18	1,443.58	1,764.38	2,085.17	2,405.97	2,887.16
Newton Purcell	936.93	1,093.08	1,249.24	1,405.39	1,717.70	2,030.01	2,342.32	2,810.78



Noke	948.65	1,106.74	1,264.86	1,422.96	1,739.18	2,055.39	2,371.61	2,845.92
North Aston	941.19	1,098.04	1,254.91	1,411.77	1,725.50	2,039.22	2,352.96	2,823.54
North Newington	945.88	1,103.51	1,261.17	1,418.81	1,734.11	2,049.39	2,364.69	2,837.62
Oddington	936.93	1,093.08	1,249.24	1,405.39	1,717.70	2,030.01	2,342.32	2,810.78
Piddington	955.77	1,115.05	1,274.35	1,433.64	1,752.23	2,070.81	2,389.41	2,867.28
Prescote	936.93	1,093.08	1,249.24	1,405.39	1,717.70	2,030.01	2,342.32	2,810.78
Shenington	950.13	1,108.48	1,266.84	1,425.19	1,741.90	2,058.61	2,375.32	2,850.38
Shipton on Cherwell	956.36	1,115.74	1,275.14	1,434.53	1,753.32	2,072.10	2,390.89	2,869.06
Shutford	954.31	1,113.35	1,272.41	1,431.46	1,749.57	2,067.67	2,385.77	2,862.92
Sibford Ferris	950.93	1,109.41	1,267.90	1,426.39	1,743.37	2,060.34	2,377.32	2,852.78
Sibford Gower	953.06	1,111.89	1,270.74	1,429.58	1,747.27	2,064.95	2,382.64	2,859.16
Somerton	961.44	1,121.67	1,281.91	1,442.15	1,762.63	2,083.11	2,403.59	2,884.30
Souldern	954.03	1,113.02	1,272.03	1,431.03	1,749.04	2,067.04	2,385.06	2,862.06
South Newington	957.02	1,116.51	1,276.02	1,435.52	1,754.53	2,073.53	2,392.54	2,871.04
Steeple Aston	970.07	1,131.73	1,293.42	1,455.09	1,778.45	2,101.80	2,425.16	2,910.18
Stoke Lyne	956.35	1,115.73	1,275.13	1,434.52	1,753.31	2,072.09	2,390.87	2,869.04
Stratton Audley	956.19	1,115.55	1,274.92	1,434.28	1,753.01	2,071.74	2,390.47	2,868.56
Swalcliffe	968.09	1,129.42	1,290.78	1,452.12	1,774.82	2,097.51	2,420.21	2,904.24
Tadmarton	953.67	1,112.60	1,271.55	1,430.49	1,748.38	2,066.26	2,384.16	2,860.98
Upper Heyford	958.21	1,117.89	1,277.60	1,437.30	1,756.71	2,076.10	2,395.51	2,874.60
Wardington	964.71	1,125.49	1,286.28	1,447.06	1,768.63	2,090.20	2,411.77	2,894.12
Wendlebury	950.75	1,109.19	1,267.66	1,426.11	1,743.03	2,059.94	2,376.86	2,852.22
Weston on the Green	959.99	1,119.97	1,279.98	1,439.97	1,759.97	2,079.96	2,399.96	2,879.94
Wiggington	949.63	1,107.89	1,266.17	1,424.44	1,740.99	2,057.53	2,374.07	2,848.88
Wroxton	950.97	1,109.45	1,267.95	1,426.44	1,743.43	2,060.41	2,377.41	2,852.88
Yarnton	966.85	1,127.98	1,289.13	1,450.27	1,772.56	2,094.84	2,417.12	2,900.54

## CHERWELL DISTRICT COUNCIL

### COUNCIL

23 FEBRUARY 2009

#### REPORT OF THE CHIEF EXECUTIVE

#### SECTION 151 OFFICER ARRANGEMENTS

#### **1 Introduction and Purpose of Report**

- 1.1 The purpose of this report is to recommend changes to the Council's current arrangements for a Section 151 Officer and Chief Finance Officer.

#### **2 Wards Affected**

- 2.1 All

#### **3 Effect on Policy**

- 3.1 Not applicable

#### **4 Contact Officer(s)**

- 4.1 James Doble, Democratic, Scrutiny and Elections Manager (Ext 1587).

#### **5 Background**

- 5.1 In accordance with Local Government Act 1972, there is a statutory requirement on the authority to designate three statutory officers; Head of Paid Service (Chief Executive), Monitoring Officer and Section 151 Officer/ Chief Finance Officer, who is required to be a suitably qualified individual, holding a CCAB recognised professional accountancy qualification, and preferably a member of the Chartered Institute of Public Finance (CIPFA) .
- 5.2 In July 2008 the Council received a report detailing that the Chief Executive (in consultation with the Monitoring Officer) had exercised her emergency powers to appoint Phil O'Dell as the authority's Section 151 Officer on an interim basis. Phil O'Dell has fulfilled this role since that time.
- 5.3 Julie Evans, the Council's Strategic Director, Customer Service and Resources, has recently qualified as a CCAB accountant with full elected membership of CIPFA. Phil O'Dell's contract with the Council comes to an end on 31<sup>st</sup> March 2009 and it is proposed that Julie Evans becomes the Council's Section 151 Officer from 1<sup>st</sup> April

2009.

## **6 Risk Assessment, Financial Effects and Contributions to Efficiency Savings**

- 6.1 Risk assessment – The designation of a Section 151 and Chief Finance Officer is a statutory requirement.
- 6.2 Financial effects – The move from the current interim arrangements to these proposed permanent arrangements will save the Council money.

## **7 Recommendation**

- 7.1 That Strategic Director, Customer Service and Resources be appointed as the Council's Section 151 and Chief Finance Officer and the Monitoring Officer be authorised to make consequential amendments to the constitution to enable this decision.
- 7.2 That it be noted that Julie Evans has nominated the Chief Accountant , Karen Curtin, as Deputy Section 151 and Deputy Chief Finance Officer authorised to act in her absence.

Background Papers:

- (a) None

## CHERWELL DISTRICT COUNCIL

### COUNCIL

23 FEBRUARY 2009

### REPORT OF THE CHIEF EXECUTIVE

#### CONSTITUTIONAL AMENDMENT: CALL IN ARRANGEMENTS

##### **1 Introduction and Purpose of Report**

- 1.1 To consider the proposals arising from the Overview and Scrutiny Committee review of Call-in arrangements and, taking account of comments from the Executive meeting on 17 November 2008 and Standards Committee on 22 January 2009, to adopt the revision to the Constitution: Part 4 (e) 15 – 17 Overview and Scrutiny Procedure Rules.

##### **2 Wards Affected**

- 2.1 All wards.

##### **3 Effect on Policy**

- 3.1 Not applicable.

##### **4 Contact Officer(s)**

- 4.1 James Doble, Democratic, Scrutiny and Elections Manager, 01295 221587  
[james.doble@Cherwell-dc.gov.uk](mailto:james.doble@Cherwell-dc.gov.uk)

##### **5**

- 5.1 In 2008 the Leader of the Council asked the Overview and Scrutiny Committee to review the Call-in process, in light of councillors' concerns about our current arrangements following the Call-in earlier in the year. The scrutiny review established that Call-in is currently ill-defined in the constitution which gives precise guidance on the timescales and criteria for Call-in but it is vague about the practicalities of preparing for and conducting the hearing. The fact that the Call-in process is used so infrequently has compounded the problem as our arrangements have not been reviewed and updated, unlike those in authorities where Call-ins are more frequent. The current Call In procedure is set out at Appendix 1.
- 5.2 The rest of this report lays out the Overview and Scrutiny Committee's recommendations and the amendments proposed by the Executive and Standards Committee.

- 5.3 Appendix 2 contains a full description of the model proposed by the Overview and Scrutiny Committee, amended in light of the recommendations from the Executive and Standards Committee. This includes a new section at paragraph 17: Call-in Protocol at Overview and Scrutiny Committee which sets out in detail the practical arrangements for a Call-in hearing.

## **6 Risk Assessment, Financial Effects and Contributions to Efficiency Savings**

- 6.1 The following details approved by Denise Westlake, Service Accountant 01295 221559 and Rosemary Watts, Risk and Insurance Manager 01295 221566
- 6.2 Risk assessment – An effective Call-in process will help minimise risks to the Council, through enabling effective challenge of the Council’s decisions, processes and policies. The proposals are in line with the Local Government Act 2000.
- 6.3 Financial effects – There are no financial implications arising from this report.
- 6.4 Efficiency savings – The revised Call-in procedure aims to improve the efficiency of the authority as a consequence of the faster and more streamlined administrative arrangements.

## **7 Recommendations**

- 7.1 It is **RECOMMENDED**:-
- (1) that the Council note the results of the consultation on the review of Call-in and the proposals from the Overview and Scrutiny Committee and Executive;
  - (2) that the Council adopts the revised Call-in model (Appendix 2) into the Constitution at Part 4 (e) 15 – 17 Overview and Scrutiny Procedure Rules.

## Background information

- 1.1 The Overview and Scrutiny Committee sent a questionnaire to all members of the Council and held a review meeting with scrutiny members (referred to in this document as the focus group). Input from both these exercises was used to inform the discussion at the Overview and Scrutiny Committee on 7 October 2008, which resulted in a series of recommendations which are laid out in this report.
- 1.2 The Overview and Scrutiny Committee review of Call-in procedures drew on the research conducted by the Centre for Public Scrutiny which looked at the Call-in arrangements in 288 local authorities in England. It identified 7 key variables for further consideration:
1. Length of time to call-in a decision
  2. Who can call-in a decision?
  3. Validity of a call-in request
  4. Length of time for scrutiny to consider call-in
  5. How the call-in hearing operates
  6. Length of time for reconsideration by decision maker
  7. Effective date for decision implementation

### 1. Length of time to call-in a decision

OSC Recommendation:

That the call-in period be extended from 2.5 to 5 days and that notification of decisions should take place by e-mail to all members and decisions should be published on the Council website.

Executive amendment:

That the period in which a decision is available for call-in be kept as at present and not extended.

Call In timeframe	
Monday	Executive Decision taken
Tuesday	Publication & despatch by 5pm
Wednesday	Notification Decision open to Call-In
Thursday	Decision open to Call-In
Friday	AM: Decision open to Call-in
	Call-in period closes at Noon.
	PM: Decision implemented
Saturday	Offices Closed
Sunday	Offices Closed

### 2. Who can call-in a decision?

OSC Recommendation:

That the following criteria be adopted:

‘That the Chief Executive shall call in a decision for scrutiny if so requested in

writing, by e-mail or by text from a known or recognised source by any six members of the Council.

However if at any point during a municipal year the total number of opposition councillors is six or less the total number of members required to call in a decision shall be the total number of opposition Councillors less two. This reduced number will apply to any Call-in, regardless of the political affiliation of the members concerned.

### **3. Validity of a Call-in request**

OSC Recommendation:

That the Chief Executive should call in a decision for scrutiny if requested to do so within the timescales and by the number of Councillors as set down in the constitution.

Executive amendment:

That paragraph 17 of Appendix 3 be amended to confirm that the Chief Executive will confirm the validity of the Call in.

### **4. Length of time for scrutiny to consider call-in**

OSC Recommendation:

That Call-in requests should be heard within 10 days of the Chief Executive confirming the validity of the request to Call-in.

### **5. How the call-in hearing operates**

OSC Recommendation:

That the draft protocol set out at paragraph 17 of Appendix 3 be adopted.

Executive amendment:

That paragraph 15(g) of Appendix 3 be amended to reflect that portfolio holders do not make decisions at scheduled meetings.

That paragraph 17 of Appendix 3 be amended to bring in 5 minute time limits on speakers.

Standards Committee amendment:

That the words "move in to" be deleted from Appendix 3, paragraph 17, The meeting, item 9).

### **6. Length of time for reconsideration by decision maker**

OSC Recommendation:

That reconsideration by the decision maker shall take place at the next scheduled meeting or earlier at the discretion of the relevant Portfolio holder in consultation with the Chief Executive and Leader of the Council. In the case of delegated decisions taken by officers, the decision shall be referred back to the Portfolio Holder in the first instance for reconsideration. Portfolio Holders have the option of referring any decision referred to them to the Executive for reconsideration.

## **7. Effective date for decision implementation**

OSC Recommendation:

That if Overview and Scrutiny decide not to refer a decision back to the decision maker, the decision may be implemented after the meeting.

If Overview and Scrutiny decide to refer the decision back to the decision maker, the decision may be implemented immediately after the decision maker has made their decision. The decision shall not be subject to a Call-in period subject to either the original decision being upheld or the recommendations of Overview and Scrutiny being accepted.

If for any reason either Overview and Scrutiny or the decision maker fails to meet and carry out their obligations under this process, the issue may be referred to Council for the process to be resolved. Implementation may not occur until Council has determined how it shall be resolved.



### EXTRACT FROM THE CONSTITUTION: Part 4 (e) 15 – 16

#### Overview and Scrutiny Procedure Rules

##### 15. Call-in of Executive and Other decisions

- (a) A summary sheet of the decisions taken at a meeting of the Executive or a Committee of the Executive shall generally be published on the next working day (or in any event as soon as possible) after such meeting, and shall be despatched to all Members of the Council
- (b) Such summary sheet (which may be published electronically) will bear the date on which it is published, and will distinguish between those matters that have been resolved and will come into force immediately on the expiry of the call-in procedure, and those that are recommendations to the Council.
- (c) Details of all decisions of individual portfolio holders, and any "key" decisions taken by Officers shall generally be published on the next working day (or in any event as soon as possible) after such decision has been taken, and shall be despatched to all Members of the Council. Such details (which may be published electronically) will bear the date on which they were published.
- (d) The date of notification of the decisions set out in the documents referred to in (a) and (c) above is deemed to be the day after despatch of the said document to Members
- (e) The Chief Executive shall call in a decision for scrutiny if so requested in writing by:-
  - (i) the Chairman of the relevant Select Committee; or
  - (ii) any five Members of the relevant Select Committee; or
  - (iii) any six Members of the Council, or the combined total number of Opposition Group members less two, whichever is the smaller number;

by noon on the third working day after and including the day of notification. The notice in writing must state the reason or reasons why 'call in' has been requested. The Chief Executive shall notify the decision taker if a valid call in notice is received. The decision will then be referred to the next scheduled meeting of the Select Committee and shall stand deferred until the Select Committee has considered it. The Select Committee shall meet specially to consider the matter if there is no convenient scheduled meeting at which it could be considered and which would otherwise cause unreasonable delay in resolving the matter. If the Select Committee does not meet within 4 weeks and consider the matter the decision shall take effect on the expiry of that period.

- (f) The Select Committee may refer the matter to the Council if it is of the view that a resolved matter is contrary to the Council or policy framework, or not wholly consistent with the budget, or
- (g) The Select Committee may refer it back to the decision taker for reconsideration setting out in writing the reasons for its concerns.
- (h) Where a matter is referred back to the decision taker, they must

reconsider the matter within one month and then either take the final decision as already proposed, take a final decision which incorporates amendments, or refer the matter to Council for decision.

- (i) If the Select Committee considers a called-in matter and does not then wish to refer the matter to the Council or decision taker, the decision shall take effect on the date of the Select Committee.
- (j) If the Select Committee is considering a matter which the decision taker is recommending to the Council it may formulate alternative proposals for the Council to consider.
- (k) Pending consideration of the called in decision, the decision shall not be implemented unless two or more of the Members who signed the notice sign a further notice to indicate that they no longer require the call-in procedure to be implemented in respect of the decision in question.
- (l) *If the Council consider a reference from a Select Committee in relation to a called in matter, but do not wish to object to the decision or make any representations about it, then the decision has effect on the date of the Council Meeting. Otherwise if the Council make representations to the decision maker as a result of the call in, the Council will submit its views in writing to the decision maker who shall consider the representations before finally deciding the matter. In these circumstances the decision will remain deferred until the decision maker has finally considered it but will then come into force immediately.*
- (m) If the Council concur that a called-in decision was contrary to the budget or policy framework it shall over-rule the decision in question.
- (n)
  - (i) Non-executive decisions taken by Committees or Sub-Committees of the Council may be subject to the procedure set out in Rules 12.3 to 12.9 (Rescission and or Variation of Resolutions of Committees and Sub-Committees) of the Council Procedure Rules.
  - (ii) Non-executive decisions taken by Committees and Sub-Committees (excluding decisions relating to individual planning applications, licensing applications and staffing matters) may, instead of being subjected to the procedure for rescission referred to in (i), be called in for scrutiny by the relevant Select Committee by any of the Members referred to in (d) (i) – (iii). In circumstances where such a reference of a decision to a Select Committee arises any procedure which has commenced separately for possible rescission of the decision will be nullified and the decision will be subject to the Select Committees scrutiny and report.
  - (iii) References to the Select Committee shall take place by any of the individuals or groups of members referred to in (d) (i) – (iii) above notifying the Chief Executive of the decision to be referred within 4 working days of the date on which the Committee or Sub-Committee made the decision. All members of the Council will be notified of the reference of such decision to the Select Committee.
  - (iv) It shall be in order for any two of the members in rule (d) (ii) or (iii) who may have requested a decision to be called in to indicate that they no longer wish the call in procedure to be implemented in respect of that decision.
  - (v) A decision properly called in will be referred to the next scheduled meeting of the Select Committee and shall stand deferred until the Select Committee has considered it. The Select Committee shall meet specially to consider the matter if there is no convenient

scheduled meeting at which it could be considered and which would otherwise cause unreasonable delay in resolving the matter.

- (vi) The Select Committee may refer the matter to the Council if it is of the view that it should be so referred, or it may refer it back to the Committee or Sub-Committee for reconsideration setting out in writing the reasons for its concerns.
- (vii) Where a matter is referred back it must be reconsidered at the next available Committee or Sub-Committee meeting and then either decided as already proposed or decided with any amendments as suggested by the Select Committee.
- (viii) If the Select Committee considers a called-in matter and does not then wish to refer the matter to the Council or back to the Committee or Sub-Committee, the decision shall take effect on the date of the Select Committee.
- (ix) If the Select Committee does not meet to consider the called in matter within 4 weeks of the request the decision shall take effect on the expiry of that period.
- (o) Day to day management or operational decisions taken by Officers under delegated authority are not subject to a call-in procedure.
- (p) The call-in procedure is not intended to be used to challenge decisions as a matter of course, and should not be abused in order, for example, simply to cause delay in implementing decisions.

## **16. Call-in and Urgency**

The call-in procedures set out above shall not apply where the decision taken by the Executive, individual portfolio holder, Committee or Sub-Committee is urgent. A decision is urgent if any delay is likely seriously to prejudice the Council's or the public's interest. The record of the decision and the notice by which it is made public shall state whether in the opinion of the decision-making person or body, the decision is an urgent one and therefore not subject to call-in. The Chairman of the Council must agree both that the decision proposed is reasonable in all the circumstances and to it being treated as a matter of urgency. In the absence of the Chairman, the Vice-Chairman's consent shall be required, and in the absence of the Vice-Chairman, the Chairman of Overview and Scrutiny Committee.

### PROPOSED CONSTITUTION TEXT

#### (e) Overview and Scrutiny Procedure Rules

##### 15. Call-in of Executive and Other decisions

- (a) Details of the decisions taken at meetings of the Executive or a Committee of the Executive, and any decisions taken by individual portfolio holders or “key” decisions taken by officers will normally be published by 5pm on the next working day after they have been made. This decision notice will be made publicly available and all Members of the Council will receive notification (normally by e-mail) of the decisions taken.
- (b) The notice will specify that the decision will come into force and take effect at noon on the third working day following publication of the decision, unless it is called-in.
- (c) The Chief Executive shall call in a decision for scrutiny if so requested in writing, by e-mail or by text from a known or recognised source by any 6 non-executive members of the Council within the specified timescale.

However if at any point during a municipal year the total number of opposition councillors is 6 or less the total number of non-executive members required to call in a decision shall be the total number of opposition Councillors less two. This reduced number will apply to any Call-in, regardless of the political affiliation of the members concerned.

In all cases the request for Call-in must set out the reasons for the request.

On receipt of a Call-in request, the Chief Executive shall call-in the decision and notify the decision taker and Chairman of the Overview and Scrutiny Committee of the Call-in.

- (d) The Overview and Scrutiny Committee must consider the decision within 10 days of the decision to Call-in, and if necessary, it may be dealt with as an item of urgent business at a scheduled meeting of the Overview and Scrutiny Committee within that period. If the Overview and Scrutiny Committee does not meet within 10 days and consider the matter the decision shall take effect on the expiry of that period.
- (e) The Overview and Scrutiny Committee upon hearing a Call-in may decide to let the decision stand, refer the decision back to the decision maker for reconsideration or exceptionally refer the decision to Council if it is of the view that the decision is contrary to the Council or policy framework, or not wholly consistent with the budget.
- (f) If the Overview and Scrutiny Committee refer a decision back to the decision maker for reconsideration they must set out in writing the reasons for their concerns and their preferred course of action.
- (g) Reconsideration by the decision maker shall take place at the next scheduled meeting of the Executive or a Committee of the Executive. In the case of decisions taken by individual portfolio holders the date of reconsideration will be set by the relevant portfolio holder in consultation with the Chief Executive and Leader of the Council. In the case of delegated decisions taken by

officers, the decision shall be referred back to the portfolio holder in the first instance for reconsideration. Portfolio holders have the option of forwarding any decision referred to them to the full Executive for reconsideration.

- (h) If on reconsideration by the decision maker the original decision is upheld or the recommendations of the Overview and Scrutiny Committee are accepted then the decision shall take effect immediately and shall not be subject to a further Call-in period.
- (i) If for any reason either Overview and Scrutiny or the decision maker fails to meet and carry out their obligations under this process or in the event of any situation not foreseen in this procedure the issue will be referred to Council for the process to be resolved. Implementation of the decision will be postponed until Council has determined how it shall be resolved.
- (j) If the Overview and Scrutiny Committee decide not to refer a decision back to the decision maker or to Council, the decision shall take effect immediately at the conclusion of the meeting at which the Call-in has been considered.
- (k) If the Overview and Scrutiny Committee is considering a called-in matter where the decision taker is recommending to the Council it may formulate alternative proposals for the Council to consider.
- (l) A request to Call-in a decision may only be nullified by agreement of all the Call-in signatories.

In the case of a Called-in decision being referred Council If the Council decide that the called-in decision was contrary to the policy framework or not wholly consistent with the budget it shall decide on the issue in question.

If the Council decide that the called-in decision was not contrary to the policy framework or consistent with the budget then no further action is necessary and the decision will take effect on the date of the Council meeting.

- (m) The call-in procedure is not intended to be used to challenge decisions as a matter of course, and should not be abused in order, for example, simply to cause delay in implementing decisions.

## **16. Call-in and Urgency**

The call-in procedures set out above shall not apply where the decision being taken by the Executive, individual portfolio holder, Committee or Sub-Committee is urgent. A decision is urgent if any delay is likely seriously to prejudice the Council's or the public's interest. The record of the decision and the notice by which it is made public shall state whether in the opinion of the decision-making person or body, the decision is an urgent one and therefore not subject to call-in. In all cases, the Chief Executive must agree both that the decision proposed is reasonable in all the circumstances and to it being treated as a matter of urgency and if agreed, shall circulate the decision electronically to members of Executive and Overview and Scrutiny.

The Chief Executive shall then ask the Chairman of the Overview and Scrutiny Committee to agree to Call-in being waived. In the absence of the Chairman, the Vice-Chairman's consent shall be required, and in the absence of the Vice-Chairman, the Chairman of Council.

## **17. Call-in Protocol at Overview and Scrutiny Committee**

In considering a Call-in decision the Overview and Scrutiny Committee will follow this protocol:

### **Before Receipt of Call-in**

Overview and scrutiny support officers will work with the Call-in signatories to complete the reasons for Call-in. Completed reasons for Call-in will be received by Chief Executive, who will then consider whether to Call-in the decision.

### **After Receipt of Call-in and before the meeting**

The Chief Executive will confirm the validity of the Call-in and advise all Councillors and Corporate Management Team members of the Call-in request. The Chief Executive will determine which portfolio holder or decision taking officer should attend the Call-in, which officer should accompany them and which officer they appoint to advise the Overview and Scrutiny Committee on the Call-in.

Overview and scrutiny support officers will meet with the Call-in signatories, to clarify the procedure, consider how they will present the Call-in and prevent duplication. Overview and scrutiny support officers will brief the Chairman on the Call-in.

### **Documents**

The agenda will contain:

- This Call In Protocol
- The Call-in request
- The Portfolio Holder decision statement or minutes\*
- The original report(s) upon which the decision was made

\* (In the case that either the minutes or report are exempt a public summary of information will be provided as far as is possible).

Any other document that the Chief Executive, Portfolio Holder or Call-in signatories feel would assist the Committee in considering the Call-in.

### **At the start of the meeting**

The Chairman will outline the procedure for the meeting, setting the tone and approach that will be taken.

### **The meeting**

1. The spokesperson(s) for the Councillors who have made the Call-in request (who shall be seated together) should outline the reasons for the Call-in. Each speaker will be time limited to 5 minutes.
2. The relevant Portfolio Holder or decision taking officer explains the rationale for the decision and may be supported by officers and the Leader of the Council as appropriate. They shall also be seated together. Each speaker will be time limited to 5 minutes.
3. Councillors who have made the Call-in request have the opportunity to question the Portfolio Holder or decision taking officer.
4. Other members of the Overview and Scrutiny Committee have the opportunity to question the Portfolio Holder or decision taking officer.
5. At the discretion of the Chairman, other members present may have the opportunity to question the Portfolio Holder or decision taking officer or make a brief statement.
6. At the discretion of the Chairman, anyone else present may have the opportunity to make a statement (limited to 5 minutes) on the issue.
7. The Portfolio Holder or decision taking officer will have a right of reply to any brief statement made on the issue.
8. Before forming a decision, the Chairman may decide to adjourn the meeting in order to allow the Call-in signatories to reflect on the

evidence received and to consider any proposals they wish the Committee to consider.

9. The Overview and Scrutiny Committee will debate on the issue, only members of the Committee and the officer appointed by the Chief Executive to advise the Overview and Scrutiny Committee on the Call-in may speak.
10. If there is no proposal the Chairman or another member may propose a motion which can be voted on in the normal way.

#### **Options available to the Overview and Scrutiny Committee**

There are only three options available to the Overview and Scrutiny Committee when they are considering a call in:

- Let the decision stand
- Refer the decision back to the decision taker, stating their concerns and the decision that the Committee wish the decision taker to make.
- Refer the decision to full Council if the decision is contrary to the policy framework or contrary to or not wholly consistent with the budget.

Additionally the Overview and Scrutiny Committee may make other recommendations as a result of the Call-in to relevant bodies, which shall be considered after a decision has been reached on the Call-in.