

Cherwell District Council

Executive

Minutes of a meeting of the Executive held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 6 September 2010 at 6.30 pm

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

Councillor Norman Bolster
Councillor Colin Clarke
Councillor James Macnamara
Councillor Nigel Morris
Councillor D M Pickford
Councillor Nicholas Turner

Apologies for absence: Councillor Ken Atack □ Councillor Michael Gibbard

Officers: Mary Harpley, Chief Executive and Head of Paid Service
Ian Davies, Strategic Director - Environment and Community
John Hoad, Strategic Director - Planning, Housing and Economy
Pam Wilkinson, Principal Solicitor
Martin Henry, Chief Finance Officer / Section 151 Officer
Philip Clarke, Head of Planning Policy and Economic Development
David Marriott, Head of Regeneration & Estates
Claire Taylor, Corporate Strategy and Performance Manager
Steven Newman, Economic Development Officer
Gareth Jones, Information Systems Manager
James Doble, Democratic, Scrutiny and Elections Manager

38 Declarations of Interest

There were no declarations of interest.

39 Petitions and Requests to Address the Meeting

There were no petitions or requests to address the meeting.

40 Urgent Business

There was no urgent business.

41 **Minutes**

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

42 **Local Economic Partnerships (LEP)**

The Chief Executive and Strategic Director Planning, Housing and Economy submitted a report to understand the implications of the Government's proposals to create Local Enterprise Partnerships (LEP) and to seek approval for Cherwell District to be included in the submissions being made to the Secretary of State by two prospective LEPs.

Resolved

- (1) That the inclusion of Cherwell District in both the Oxfordshire City Region Enterprise Partnership and the South East Midlands Enterprise Partnership as they are submitted to the Secretary of State for Communities & Local Government for consideration be supported.
- (2) That a further report be requested when the Secretary of State for Communities & Local Government responds to all the LEP submissions he has received and when he provides final information on any rules which might be put in place which would prevent Cherwell District being part of two LEPs simultaneously (should the Secretary of State accept both the Oxfordshire City Region and South East Midlands LEP bids).

Reasons

The Coalition Government has announced its intention to abolish Regional Development Agencies (including the South East England Development Agency (SEEDA)) and enable the setting up of "local enterprise partnerships". The role of Local Enterprise Partnerships (LEPs) is to provide strategic leadership within their areas and set out local economic priorities. The Government has asked local business and civic leaders to put forward proposals for new LEPs by 6 September 2010. There is no single model for an LEP that is uniquely suited to Cherwell District. For the time being it is considered right to pursue membership of two and to review the situation once more is known from the Secretary of State.

Options

- | | |
|---------------------|--|
| Option One | To support the recommendation and pursue membership of both the Oxfordshire City Region and South East Midlands LEPs. |
| Option Two | To not support the recommendation but to pursue membership of either the Oxfordshire City Region LEP or the South East Midlands LEP. |
| Option Three | To not support the recommendation and not to |

pursue membership of either LEP.

43

Review of the ICT Service

The Strategic Director Environment and Community and Head of Customer Service and Information Systems submitted a joint report to seek Executive consideration of the outcomes of the Member and Officer IT Review Group and approval for the way forward. The Executive thanked the ICT team for their support and flexibility with regard to the review.

Resolved

- (1) That measures to reduce the cost of the Council's ICT Service through the implementation of an integrated, scalable and flexible staffing structure, selective external hosting of systems and improved procurement be agreed
- (2) That by the end of 2012/13, it be agreed to make savings of a minimum of £300,000 resulting in a minimum 15% reduction to the base budget and which brings the costs of the function to 2.3% total Council spend (based on 2010/11 estimated total spend)
- (3) That further cost reductions through shared service and joint opportunities with other Councils continue to be explored
- (4) That the proposed change to the ICT service desk availability from 8am – 6pm, to 7am – 5.15pm Monday to Friday be agreed
- (5) That it be agreed not to implement an additional Out Of Hours support service based on an assessed low risk of failure and impact plus additional cost
- (6) That the setting up of an Information Systems Corporate Governance group with a remit to provide a corporate overview to the use of ICT resources, approve projects for delivery and realise targeted savings identified in the project business cases be agreed.

Reasons

It is the view of the Member and Officer ICT Review Group that outsourcing the whole of ICT Service Delivery is not a realistic option; the possible benefits do not outweigh the costs, and the national picture, and our local strategy is such that within three years other procurement options for data storage and communications will become available.

Structural changes are needed to reduce the management overhead and recognise the shifting requirements of the ICT team that will both reduce costs and put in place an integrated and scalable Information Systems team.

Establishing an IS Corporate Governance group to oversee ICT decisions with strategic significance including how we procure applications and systems

in the future will improve the service overall, tying it more closely to Council objectives and priorities.

The benefits of a comprehensive out of hours monitoring and support service do not yet outweigh the costs; the proposed IS Corporate Governance group will review this as more customer services are delivered through online channels.

Options

Option One Improved service governance

Establish an IS Corporate Governance Group to identify and realise "whole Council" benefits from the use of technology, ensuring best value and proper prioritising of the corporate IT Infrastructure resource.

This option is recommended to be implemented

Option Two Improved value for money both in the function and across the whole council

Seek to reduce the base revenue budget, reduce further the capital investment in the infrastructure, and secure one off savings to bring ICT costs as a proportion of total council spend to under x% this year and for the next three years. This to be achieved through

- structural change and staff reduction
- ICT automation, with savings in other services identified and realised through the IS Corporate Governance Group
- More self service through the online channel, reducing service-delivery resource need in other services. There are additional costs and risks attached to this approach, including security of data. However, a strategy of transferring out, over time, key public facing service will mean that the security requirements are transferred also, while the Council retains control of the strategic direction.
- better asset management, ensuring the Council is not over-licensed, have equipment or applications that are not used etc.
- increased flexible working (fewer desks than staff) across the whole Council, with clearly identified savings to be achieved;
- further rationalisation of printing
- better portfolio management through application reviews

- long term commitment to virtualisation and thin client
- further simplification of the ICT infrastructure
- reviewing how the Council sources its external services

This option is recommended to be implemented.

**Option
Three**

Outsource the Council's datacentre, releasing the server room and the need to maintain and monitor it, power it and cool it.

The virtualisation project will, when complete this summer, allow the Council greater flexibility with regards to its physical infrastructure, including the possibility of moving the physical hardware elsewhere. Virtualisation will greatly reduce the physical space that is required to host its infrastructure.

The usual reason for choosing to locate servers elsewhere is to transfer the risk arising from a poor environment. The Council has good power into the building, has a site generator, has good power into the server room etc the current physical setup is appropriate for our requirements.

Additional costs would be incurred from staff travelling to the off-site location, or contracting the host to carry out work.

In the medium term, it is likely that applications used by the Council are increasingly provided direct centrally, or from a supplier; this will reduce the future requirement for the Council to "own" services and hardware. Therefore it does not make sense to commit and limit flexibility now by entering into a costly and long-lived hosting agreement.

In addition, there are no staffing savings to be made by taking this approach; physically looking after the hardware is the smallest part of the roles in the ICT team.

Finally, the good quality of our datacentre makes it possible to consider seriously a shared service with another authority.

The option to outsource the hardware is not recommended

**Option
Four (a)**

Out of hours provision: outsource the monitoring our systems, and the taking action if an agreed list of services fail, out of hours.

This is an unbudgeted extension of the service we currently provide to the Council but would address the risk of service loss, and can be accommodated in the savings that will accrue from the staffing structure changes.

This would extend the supported day for a sub-set of applications to match the published flexible working day of 07:00 to 22:00, Monday to Friday and to extend that support through the weekend and other non-supported days, Bank Holidays etc.

The Council already possesses the required tools to allow for event monitoring by a third party outside of the current supported hours of 08:00 to 18:00.

Feedback from users and members has indicated that support outside of the standard day is best targeted at the mail and web services including Blackberries. Business application availability is not expected by most users. However, certain systems do feed information or make services available to the public via the web site so it is proposed that these systems are also monitored.

Exploratory discussions with providers indicate this kind of service is available for around £36,000 locally, around double that from a larger, regional operation. To extend the cover to include overnight between 22.00 and 07.00 would increase this cost to over £70,000.

This option is desirable but not recommended as the need is not currently deemed sufficient to warrant the level of spend associated with it.

**Option
Four (b)**

Out of Hours provision: Staff-up the in-house team to provide the out of hours standby and callout in respect of the services set out in Option Two.

To deliver what is described at Option Two, through use of in-house staff, would require 2 FTE technicians at approx £50,000 pa, plus additional costs arising from the need to move to a different pattern of working – 5 days from 7 rather than Monday to Friday, and a shift pattern spanning 07.00 to 22.00.

However, dependent upon the Council's needs, known weekend working such as patching and major system upgrades could be accommodated without recourse to overtime, offsetting the cost.

A far greater range of extended support could also be managed than through a third party, as well as more actual working hours in which "work" could be done.

However, this approach requires a critical mass of FTEs and can only work within a larger single technical team. It is vulnerable to sickness and leavers, and given that we do not yet have a robust picture of out of hours needs

This option is not recommended at this time.

**Option
Four (c)**

Change the working patters of the service desk team

This will allow earlier morning starts to meet the needs of Capita and pick up overnight failures earlier in the day, reducing the impact on public availability hours.

This option is seen as proportionate and is recommended.

**Option Five Exploration of the shared services opportunities with
neighbouring and other local authorities.**

The Review Group found that while there is not currently a like for like partner which would offer the maximum shared service benefit, efforts should continue both in seeking shared procurement, collocation of data centres and shared service provision.

This option is recommended.

44 **Overview and Scrutiny: (1) Committee Report on Democratic
Engagement with Young People and (2) Task and Finish Group Report
on Crime and Anti-Social Behaviour**

The Overview and Scrutiny Committee submitted a report to consider the following overview and scrutiny reports:

- Democratic Engagement with Young People (Appendix 1)
- Crime and Anti-Social Behaviour (Appendix 2)

Resolved

- (1) That the work of the Overview and Scrutiny Committee scrutiny review into the Council's approach to Democratic Engagement with Young People be noted.
- (2) That the Overview and Scrutiny Committee recommendation regarding the Council's approach to Democratic Engagement with Young People as detailed below be agreed:

Recommendation 1:

That the Council should adopt a more pro-active and structured approach to youth engagement in local democracy and that the Young People's Champion and officers should be invited to develop a formal policy and action plan to achieve this.

- (3) That the work of the Task & Finish Group scrutiny review into Crime and Anti Social Behaviour be noted.
- (4) That the Task & Finish Group recommendation regarding Crime and Anti Social Behaviour as detailed below be agreed:

Recommendation 1:

That the Council take an active role in promoting the positive activities which young people in the district are involved in.

Recommendation 2:

That the Council promote the success of the Street Wardens in Bicester and Banbury and that the possibility of developing the scheme in other areas of Cherwell be investigated.

Recommendation 3:

That Overview and Scrutiny investigate how the Council engages with young people in the District in more detail.

Recommendation 4:

That the Council embarks on intergenerational activities to tackle the perception of crime in the District.

Recommendation 5:

That the Council develop a policy on youth engagement and involvement as part of the Council's consultation and decision making arrangements.

Reasons

These two reports present the work of the Overview and Scrutiny Committee in 2009/10 and of a Task & Finish Group from the summer of 2008 to the winter of 2009. The reports are presented together because the themes emerging from these two separate reviews are complementary and focus our attention on the fundamental importance of creating a meaningful role for young people in our society.

Options

Option One

To accept all of the recommendations contained in the two Overview and Scrutiny reports.

Option Two

To accept some of the recommendations contained in the two Overview and Scrutiny reports.

Equality Performance Review & Self Assessment

The Chief Executive and Corporate Strategy and Performance Manager submitted a joint report which provided an overview of the Council's achievements relating to our equalities work during 2009/2010 and report the results in relation to the internal self assessment which has been completed under the Equality Framework for Local Government (EFLG) 'Achieving' standard.

Resolved

- (1) That the progress in delivering the Corporate Equalities Action Plan and the Corporate Equalities Improvement Project be noted.
- (2) That the completed 'Achieving' Equality Self Assessment' be agreed
- (3) That the council continue with the equalities work programme for 2010/2011
- (4) That it be agreed not to seek external accreditation of our performance under the equalities standard for local government at this time and take the costs of this inspection as an efficiency saving.

Reasons

By completing the Equality Framework for local Government 'Achieving' Self Assessment we have been able to build a comprehensive picture of the success of our equalities work programme over the last year which will ensure we focus and streamline our future objectives which will benefit all of our local communities. We are confident that we have a structured and robust work programme which will continue to ensure that Cherwell District Council is ensuring fair access to all its services. The cost of the external inspection would have been met by the Corporate Strategy, Performance and Partnerships Team and will now act as an efficiency saving

Options

Option One Agree recommendations as outlined above

Option Two Executive to request that an external inspection to take place in November 2010 using the Self Assessment attached.

46

Asset Management Plan

The Head of Regeneration and Estates submitted a report which presented the Council's Asset Management Plan for 2010/11

Resolved

- (1) That the Asset Management Plan for 2010 be approved.
- (2) That the proposal that vacant small industrial units be used for economic development purposes through lettings on flexible terms, and that this policy be monitored through future reporting on the Asset Management Plan be approved.

Reasons

The Council's investment portfolio provides a significant revenue income, at a yield which is much greater than that achievable on cash investments. The Council has agreed to increase these investments in order to ensure that the

Bicester town centre redevelopment is progressed. Other small commercial investments are proving hard to let in current circumstances. In the past these assets have been let on commercial terms, but it is proposed that vacant industrial units be offered to small businesses on flexible terms, with support from Oxfordshire Business Enterprises, in order to ensure that these properties are utilised in line with the Council's economic development objectives. Flexible terms are likely to comprise a reduced rental for a limited period of up to a year, the inclusion of break clauses operable by tenants at an early date, or the ability to share premises. The precise detail will be subject to negotiation according to circumstances, but agreements will be relatively short term and without security of tenure.

Options

Option One

The Plan is presented for approval subject to any amendments the Executive may wish to make. The only change in policy presented comprises the use of vacant small industrial units for economic development purposes, and option available is to continue to seek lettings on conventional commercial terms.

47 Performance and Risk Management Framework 2010/11 First Quarter Performance Report

The Chief Executive and Corporate Strategy and Performance Manager submitted a joint report which covered the Council's performance for the period 1 April to 30 June 2010 as measured through the Performance Management Framework. The Leader of the Council requested Paragraph 1.4 of the report to be summarised in short bullet points for members to use.

Resolved

(1) That the following achievements:

A Cleaner Greener Cherwell

- The recycling rate for the first quarter is 62.5% and expected to be within a range of 58-60% at year end. As such we are currently well within range of meeting the target.
- 10 parish councils have benefited from recycled items from the former Spiceball Sports Centre, including doors, flooring and sanitary ware this has helped to improve community facilities.
- The Council has met its data centre power consumption targets and reduce costs from £33513 per year to £11,300.

A Safe and Healthy Cherwell

- Wood Green Leisure Centre opened as planned for Whitsun and

has remained open throughout June to take advantage of the good weather.

- The Banbury Area Cohesion Group held its second community event. A large community marquee at the Banbury Show was run by the group to showcase the work of diverse community groups in Banbury. The event was well attended and supported Banbury Town Council through participation in the Banbury Show, community groups also benefited from the fund raising opportunity.

An Accessible Value for Money Council

- The performance for processing new benefits claims and changes to circumstances remains on target following the work to improve performance during 2009/10.

- (2) That officers be requested to report in the second quarter on the following items where performance was below target or there are emerging issues:

A Cleaner Greener Cherwell

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An Accessible Value for Money Council

- The performance for processing new benefits claims and changes to circumstances remains on target following the work to improve performance during 2009/10.

- (3) Agree the responses identified to issues raised in the end of year performance report in paragraph 2.1 of the report or to request additional action or information.
- (4) That officers be requested to prepare a synopsis of the changes to performance management and national performance indicators and what changes this will involve at a local level to the Cherwell Performance Management Framework.

Reasons

The Performance Management Framework allows Councillors to monitor the progress made in delivering our objectives and to take action when performance is not satisfactory or new issues arise.

Options

- Option One**
1. To note the many achievements referred to in paragraph 1.3.
 2. To request that officers report in the first quarter on the items identified in paragraph 1.4 where performance was below target or there are emerging issues.
 3. To agree the responses identified to issues raised in the end of year performance report in paragraph 2.1 or to request additional action or information.

Option Two To identify any additional issues for further consideration or review.

48 2010/11 Projected Revenue and Capital Outturn at 30 June 2010 and 2009/10 Treasury Management Annual Report

The Head of Finance submitted a report that summarised the Council's Revenue and Capital performance for the first 3 months of the financial year 2010/11 and projections for the full 2010/11 period. These are measured by the budget monitoring function and reported via the Performance Management Framework (PMF) informing the 2010/11 budget process currently underway.

Resolved

- (1) That the projected revenue & capital position at June 2010 be noted.
- (2) That the changes in the 2010/11 capital programme be approved as follows:

- Slip £4.8m of project funding into the 2011/12 capital programme (detailed in Appendix 1) and consider this as part of the 2011/12 budget process
- (3) That the performance against the 2009/10 investment strategy and the financial returns from each of the 3 funds be noted and that it be recommended that this report is considered by Full Council in line with CIPFA best practice.
 - (4) That the Q1 performance against 2010/11 investment strategy be noted
 - (5) That the change in cumulative counterparty limits from £8m to £15m be noted.

Reasons

In line with good practice budget monitoring is undertaken on a monthly basis within the Council. The revenue and capital position is reported monthly to the Corporate Management Team and formally to the Executive on a quarterly basis. The revenue and capital expenditure in Q1 has been subject to a detailed review by Officers and reported monthly to management as part of the corporate dashboard. An additional benchmark has been included this year to measure the accuracy of projections by budget holders on a month by month basis. The CIPFA Code of Practice on Treasury Management which this Council has adopted requires an Annual Report to be presented to the Executive at the end of each financial year.

Options

Option One	To review current performance levels and consider any actions arising.
Option Two	To approve or reject the recommendations above or request that Officers provide additional information.

Strong Leader Model

The Head of Legal and Democratic Services submitted a report to consider arrangements for adopting the so called 'Strong Leader' model of Executive governance as required by the Local Government and Public Involvement in Health Act 2007, until this clause is repealed later in the year.

Resolved

- (1) That it be noted that the Government intend to repeal these requirements later in the year and consequently to agree a minimal response to ensure legislative compliance as set out in the following recommendations and endorsed by the minister in his letter.
- (2) That it be noted that Cherwell already operates a Strong Leader Model

- (3) That the proposals set out below, including the changes to the approval process for the Scheme of Delegation, the appointment of Leader and Annual Council and recommend them to Council for approval be agreed:
- That the following minimal actions be taken to ensure the council complies with legislative requirements until the requirements are repealed.
 - That the constitution be amended to confirm the Leader of the Council's power to determine the size of the Executive, appoint members of the Executive, allocate all Executive functions and serve for a four year term of office.
 - That the constitution be amended to confirm the method by which the Leader may be removed from office.
 - That the constitution be amended to allow the Leader of the Council to make changes to the scheme of delegation, however these will not take effect until, they are reported to Council.
 - That the constitution be amended with regard to the procedure to be followed at Annual Council in light of the above proposals.
- (4) That a summary of the proposed changes be placed on the internet and any responses be reported to Council.
- (5) That the Head of Legal and Democratic Services be requested to draft constitutional amendments for consideration by Council to implement the changes.

Reasons

Under the Local Government and Public Involvement in Health Act 2007, local authorities which had previously adopted an Executive and Leader model of governance are required to consult on changing to either a directly elected mayor or new style leader and Executive. This was part of a rolling 3 year programme beginning with counties, then unitaries and finally districts by 31 December 2010.

The Local Government Act 2000 requires local authorities to consult on any such change to governance arrangements; however the coalition government has informed all district council's that this consultation should not incur significant expenditure and should be minimal, as it is intended to repeal the legislation later in the year. However it is the law now and the council must comply with it.

Options

Option One To agree the recommendations

Option Two To amend the recommendations

Executive - 6 September 2010

The meeting ended at 8.03 pm

Chairman:

Date: