

Committee: Executive
Date: Monday 1 November 2010
Time: 6.30 pm
Venue: Bodicote House, Bodicote, Banbury, OX15 4AA

Membership

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

AGENDA

1. Apologies for Absence

2. Declarations of Interest

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

3. Petitions and Requests to Address the Meeting

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

4. Urgent Business

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

5. Minutes (Pages 1 - 12)

To confirm as a correct record the Minutes of the meeting held on 11 October 2010.

Strategy and Policy

6. Planning Policy for Wind Energy Development (Pages 13 - 58) 6.35 pm

Report of Head of Planning Policy and Economic Development

Summary

To seek approval for public consultation a draft “Planning Guidance on the Residential Amenity Impacts of Wind Turbine Development”.

Recommendations

The Executive is recommended:

- (1) To approve the attached draft document entitled “Planning Guidance on the Residential Amenity Impacts of Wind Turbine Development” as a basis for public consultation.
- (2) To agree that a public consultation is undertaken with relevant key stakeholders and that after this, the outcome of that public consultation is reported to members alongside a revised draft of the policy for approval.

7. Air Quality (Pages 59 - 94) 6.50 pm

Report of Head of Environmental Services

Summary

This report considers the issue of air quality across the district and the areas of concern identified by monitoring and assessment.

Recommendations

The Executive is recommended:

- (1) To support the declaration of an Air Quality Management Area in Hennef Way, Banbury;
- (2) To note the possible implications which may arise from developing an action plan to deal with an Air Quality Management Area; and
- (3) To note the further areas where elevated nitrogen dioxide levels have been identified and may lead to them being declared Air Quality Management Areas in the future.

8. Economic Development Strategy (Pages 95 - 162)

7.05 pm

Report of Head of Planning Policy and Economic Development

Summary

To ask the Executive to consider a draft version of the Economic Development Strategy for public consultation.

Recommendations

The Executive is recommended:

- (1) To approve the Draft Economic Development Strategy attached as appendix 1 to this report for public consultation
- (2) To give delegated authority to the Head of Planning Policy & Economic Development, in conjunction with the Portfolio Holder (Economic Development & Estates) to make minor further modifications to the draft Economic Development Strategy prior to it being published for public consultation.

9. Hardship Relief (for National Non Domestic Rates) (Pages 163 - 178) 7.20 pm

Report of Head of Finance

Summary

Section 49 of The Local Government Finance Act 1988 gives the Council discretionary power to reduce or remit business rates on the grounds of hardship. The purpose of this report is to agree an up to date policy which sets guidelines for considering applications and to give delegated authority to award relief. It is important that we ensure that all ratepayers making applications for this relief are treated in a fair, consistent and equitable manner.

The report outlines the :

- Legislation requirements of the award of hardship relief
- Criteria for hardship relief

Financial implications of awarding hardship relief

Recommendations

The Executive is recommended:

- (1) To consider the hardship discount scheme outlined in this report
- (2) To approve the proposed Hardship Relief policy framework to be adopted forthwith and be reviewed on an annual basis. (Appendix 1)

10. **Discretionary Rate Relief for Charities, Community Amateur Sports Clubs and 'Not for Profit' Bodies (for National Non Domestic Rates)** (Pages 179 - 194)
7.25 pm

Report of Head of Finance

Summary

Section 47 of The Local Government Finance Act 1988 gives the Council discretionary power to reduce or remit business rates for Charities, Community Amateur Sports Clubs and 'not for profit' bodies. The purpose of this report is to agree an up to date policy which sets guidelines for considering applications and to give delegated authority to award relief. It is important that we ensure that all ratepayers making applications for this relief are treated in a fair, consistent and equitable manner.

The report outlines the:

- Legislation requirements of the award of discretionary relief
- Criteria for discretionary relief
- Financial implications of awarding discretionary relief

Recommendations

The Executive is recommended:

- (1) To consider the discretionary scheme outlined in this report.
- (2) To approve the proposed Discretionary Relief policy framework to be adopted forthwith and be reviewed on an annual basis. (Appendix A)

Service Delivery and Innovation

11. **Local Development Framework Annual Monitoring Report** (Pages 195 - 202)
7.30 pm

Report of Head of Planning Policy and Economic Development

Summary

To seek approval of the Local Development Framework's Annual Monitoring Report (AMR) for submission to the Secretary of State for Communities and Local Government, and to present the district's current housing land supply position.

Recommendations

The Executive is recommended:

- (1) To approve the Annual Monitoring Report for submission to the Secretary of State;
- (2) To note the district's housing delivery position

Value for Money and Performance

12. **Early response to the Comprehensive Spending Review and potential implications for the 2011/12 budget and the medium-term** **7.45 pm**

Report of Chief Executive and Head of Finance

Summary

****Report to Follow****

To highlight the key announcements in the 2010 Comprehensive Spending Review, the potential implications for the Council in the short- to medium-term and the nature of the cost reductions which the Council must now consider in advance of finalising these once we have further information on our future grant from central government, expected in late November/early December.

The Comprehensive Spending Review was announced on 20 October 2010. Officers are considering the implications of the review for inclusion in this report which will be published as soon as it is available.

13. **Value for Money Review of Development Control and Major Developments** **8.15 pm**
(Pages 203 - 212)

Report of Strategic Director for Planning, Housing & Economy and Improvement Project Manager

Summary

To consider the findings of the Value for Money Review report for Development Control and Major Developments (DC&MD VFM Review) and the recommendations arising from the report

Recommendations

The Executive is recommended:

- (1) To endorse the updated VFM Review conclusion that the DC&MD service:
 1. has exceed delivery of the savings target from the 2007 full VFM Review and delivered all the key improvements
 2. has driven down its costs since the full VFM Review was undertaken
 3. although, on the face of it, is above average cost, analysis shows core service costs would be closer to average when local factors and accounting practices of other comparator authorities are taken into account
 4. has good performance and productivity, provides good quality with improving levels of customer satisfaction
 5. is at a balanced point. There is capacity to cope if applications increase, though this may be at the expense of performance, but with the flexibility to down-size the service relatively quickly if income or applications decline.

- (2) To adopt the following recommendations from the update VFM Review, changing the way the service is delivered in the future, achieving savings of up to £167k and, thereby, reducing the Council's reliance on Housing and Planning Delivery Grant.

Savings:

1. Reduce application advertising by only placing the minimum legal level requirement in the Oxford Times, saving £76k per annum
2. Remove duplication in minor application publicity (mainly neighbourhood notifications), saving £3k per annum
3. Introduce e-consultation to all parishes and internal and external consultees, saving £15k per annum
4. Reduce the professional fees budget by £20k per annum by no longer utilising the services of agricultural/retail specialist advice in routine applications
5. Deletion of a vacant, part-time, career planner post, saving £7k per annum
6. In the event that fee income remains the same or declines, reduce staff establishment costs by ending the temporary contract to "backfill" resources allocated to the Eco Town project. This gives budget flexibility of £46k and, should there be a small upturn in fee income, allows for the continuation of this temporary post.

Income:

7. Introduce charges for pre-application advice from 2011/12. It is estimated that income in the region of £10K per annum may be achievable.

Service Improvements:

8. Redirect staff resources released by the changes in service delivery associated with achieving the savings above, to improve support for the application process and other resource pinch points (especially speed of validation/registration).
- (3) To note the endorsement of the findings of this Review by the Performance Scrutiny Working Group at its meeting on 21 September 2010 and their request that further consideration be given to a more efficient and less costly way of undertaking Ward Notifications such as using the e-mail system or appending Notifications to the Members' Newsletter.

14. Value for Money Review of Planning Policy (Pages 213 - 218) 8.25 pm

Report of Strategic Director for Planning, Housing & Economy and Improvement Project Manager

Summary

To consider the findings of the Value for Money Review report for Planning Policy and the recommendations arising from the report

Recommendations

The Executive is recommended to:

- (1) Endorse the updated VFM Review conclusion that the Planning Policy service:
 1. has exceeded delivery on the savings target from the 2007 full VFM Review and delivered all the key improvements
 2. has steadily driven down its costs since the full VFM Review was undertaken
 3. compared with similar local authorities, costs are now below average spend for the family group
 4. levels of satisfaction have improved for the way the Council manages local development, which is influenced by planning policy
 5. the service is achieving on or just below its performance targets
 6. will need to reduce the services it delivers if it is to achieve the VFM savings block of £50k.
- (2) To agree that the proposal for achieving the £50k savings block be adopted as part of the Council's Medium Term Financial Strategy.

15. **Performance Management Framework 2010/11 Second Quarter Performance Report** (Pages 219 - 260) **8.30 pm**

Report of the Chief Executive and Corporate Strategy and Performance Manager

Summary

This report covers the Council's performance for the period 01 July to 30 September 2010 as measured through the Performance Management Framework.

Recommendations

The Executive is recommended:

- (1) To note the many achievements referred to in paragraph 1.4.
- (2) To request that officers report in the third quarter on the items identified in paragraph 1.5 where performance was below target or there are emerging issues.
- (3) To agree the responses identified to issues raised in the quarter one performance report in paragraph 2.1 or to request additional action or information.

16. **2010/11 Projected Revenue & Capital Outturn at 30 September 2010** (Pages 261 - 300) **8.40 pm**

Report of Head of Finance

Summary

This report summarises the Council's Revenue and Capital performance for the first 6 months of the financial year 10/11 and projections for the full 10/11 period. These are measured by the budget monitoring function and reported via the Performance Management Framework (PMF) informing the 10/11 budget process currently underway.

This report also reviews the treasury and procurement action plan performance for the first 6 months of 2010/11.

Recommendations

The Executive is recommended:

- (1) To note the projected revenue & capital position at September 2010.
- (2) To approve the transfer of £234,000 to the organisational change reserve.
- (3) To approve the Capital Slippage of £2.2m from the 2010/11 capital programme as detailed in Appendix 1 and consider this as part of the 2011/12 budget process.
- (4) To note the Q2 performance against 2010/11 investment strategy and the mid year report in Appendix 2.
- (5) To note progress against the Procurement Action plan detailed in Appendix 3 and the savings recorded in Appendix 4.

Urgent Business

17. **Urgent Business**

Any other items which the Chairman has decided is urgent.

(Meeting scheduled to close at 8.50 pm)

Information about this Agenda

Apologies for Absence

Apologies for absence should be notified to 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 (01295) 221587

Mary Harpley
Chief Executive

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