

Meeting of Council

Monday 22 February 2010

Members of Cherwell District Council,

A meeting of Council will be held at Bodicote House, Bodicote, Banbury, OX15 4AA on Monday 22 February 2010 at 6.30 pm, and you are hereby summoned to attend.



Mary Harpley
Chief Executive

Friday 12 February 2010

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.

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 (Pages 1 - 6)

To confirm as a correct record the Minutes of Council held on 18 January 2010.

7 Minutes

- a) Minutes of Executive, Portfolio Holder Decisions and Executive Decisions made under Special Urgency

The Leader of the Council to formally propose that the minutes of the meetings of the Executive and Portfolio Holder decisions as set out in the Minute Book (circulated separately) be received and to report that since the last meeting of Council, no urgent Key Decisions have been taken by the Executive that were not included in a Forward Plan.

- b) Minutes of Committees

The Leader of the Council to formally propose that the minutes of committees as set out in the Minute Book (circulated separately) be received.

8 Questions

- a) Written Questions

To receive any written questions and answers which have been submitted with advance notice in accordance with the constitution. A written response to the question will be circulated at the meeting.

After receiving the written response the member submitting the question will be entitled to ask a follow up or supplementary question.

- b) Questions to the Leader of the Council

The Chairman to invite questions to the Leader of the Council (including any matters arising from the minutes).

Following a response to their question being provided members will be entitled to a follow up or supplementary question.

- c) Questions to Committee Chairman on the minutes

The Chairman to invite questions to Chairmen of Committees on any matter arising from the minutes of their committee (if any).

9 Motions

To debate any motions which have been submitted with advance notice, in accordance with the constitution.

Recommendations from Committees

10 Members Allowances 2010/2011 (Pages 7 - 20)

Report of the Head of Legal and Democratic Services

Summary

To consider and determine the levels of the allowances to be paid to Members for the forthcoming 2010/2011 financial year following the submission of the report of the Council's Independent Remuneration Panel on the review of the 2009/2010 Members' Allowances Scheme.

Recommendations

Council is recommended:

- (1) To consider the Independent Remuneration Panel's recommended levels of allowance to be included in the 2010/11 Members' Allowances Scheme, (that is recommending no change to the levels agreed for 2009/10) and whether these recommendations should be adopted or modified in any way.
- (2) To authorise the Head of Legal and Democratic Services to prepare an amended Members' Allowances Scheme, in accordance with the decisions of the Council for implementation with effect from 1 April 2010.
- (3) To authorise the Head of Legal and Democratic Services to take all necessary action to revoke the current (2009/10) Scheme and to publicise the revised Scheme pursuant to The Local Authorities (Members' Allowances) (England) Regulations 2003 (as amended).
- (4) To thank the Independent Remuneration Panel for its thorough and detailed report, to agree to recruit two panel Members prior to the commencement of work on the 2011/12 allowance scheme, and set a fee of £300 for IRP Panel Members for the work carried out in 2009/10 and propose the same level of fee for 2010/11.

11 2010/11 Service and Financial Planning Process, Corporate Plan, Revenue Budget and Capital Programme (Pages 21 - 50)

Report of Chief Financial Officer

Summary

To review the Council's General Fund Budget, Capital Programme, Earmarked Reserves and General Fund Balances to ensure the robustness of the estimates included and to seek formal adoption of all parts of the Council's financial plans and Corporate Plan for the 2010/11 budget year.

****Please note the Budget Book will be circulated on 15 February 2010****

Recommendations

Council is recommended:

- (1) To consider the contents of this report in approving the General Fund Budget and Capital Programme for 2010/11 and to formally record that consideration
- (2) To approve the 2010/11 General Fund Budget and Capital Programme proposed by the Executive on 1st February 2010, as detailed in the Budget Book at Appendix 1
- (3) To approve the Collection Fund Estimates contained in Annex 6 of the Budget Book
- (4) To approve the Prudential Indicators contained in Annex 9 of the Budget Book
- (5) To approve the final Service Plans for 2010/11 as proposed by the Executive on 1st February 2010 and summarised in the Budget Book
- (6) To approve the Corporate Plan as detailed in Annex 1 of the Budget Book
- (7) To approve the Treasury Management Strategy for 2010/11 proposed by the Executive on 1st February 2010 at Appendix 2

12 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.

13 Calculating and Setting Council Tax for 2010/2011 (Pages 51 - 66)

Report of Head of Finance

Summary

To detail the Calculations for the amounts of Council Tax for 2010/11 and the setting of Council Tax for 2010/2011

Recommendations

Council is recommended:

- (1) To approve the Calculations for the amount of Council Tax for 2010/11 as detailed in Annex 1.
- (2) To recommend the Setting of Council Tax for 2010/2011 as per the detailed recommendations per Annex 1.

Council Business Reports

14 Section 151 Officer Arrangements (Pages 67 - 70)

Report of Chief Executive

Summary

The purpose of this report is to seek approval for the Council's arrangements for a Section 151 Officer and Chief Finance Officer going forward.

Recommendations

Council is recommended:

- (1) Confirm that the Council is happy to pursue the principle of a shared Section 151 Officer and Chief Finance Officer with another local authority.
- (2) Delegate to the Chief Executive and the Leader of Council authority to negotiate and conclude an arrangement for sharing a Section 151 Officer and Chief Finance Officer with South Northamptonshire District Council and confirm that if such arrangements are successfully concluded that the shared officer will be this Council's designated Section 151 Officer until end 28th February 2011.
- (3) That Phillip O'Dell continue as the Council's Section 151 and Chief Finance Officer after 31st March 2010 until such time as alternative arrangements are approved.
- (4) That it be noted that Phillip O'Dell has nominated the Head of Finance, Karen Curtin, as Deputy Section 151 Officer and Deputy Chief Finance Officer authorised to act in his absence and it is anticipated that a shared 151 Officer would do the same.

15 Exclusion of the Press and Public

The Chairman will if necessary move the exclusion of the press and public if members have indicated (under the relevant agenda item) they wish to ask a question on any matter arising from an exempt minute.

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 discuss the issue 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 from 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 paragraphs of Schedule 12A of that Act, as set out on in the Minute Book".

16 Questions on Exempt minutes

Members of Council will ask questions on exempt minutes, if any.

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 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