

**Summary of the decisions taken at the meeting
of the Executive held on 17 November 2008**

1. Date of publication of this summary:-

18 November 2008

2. Decisions (if any) taken as a matter of urgency under Overview and Scrutiny Procedure Rule 16 (and not therefore subject to the call-in procedure):-

None

3. Date by which notice of call-in of any of the following decisions must be received in writing by the Chief Executive (see notes below):-

Noon on Friday 21 November 2008

4. Notes:-

- (a) For background documentation to the following decisions, please refer to the agenda and supporting papers (copies of which are available on the Council's website (www.cherwell-dc.gov.uk) or from the Head of Legal and Democratic Services);
- (b) Notice of call-in must be submitted in writing to the Chief Executive by the deadline specified above, and must state the reason or reasons why "call-in" has been requested;
- (c) Call-in can be requested by:-
 - (i) the Chairman of the relevant Select Committee;
 - (ii) any five Members of the relevant Select Committee;
 - (iii) any six Members of the Council, or the combined total of Opposition Group members less two, whichever is the smaller number.
- (d) Decisions not called-in by the deadline specified above will become effective immediately the deadline has expired (unless they are recommendations to the Council).
- (e) The Council has stipulated that the call-in procedure should not be used to challenge decisions as a matter of course and should be used only when fully justified.

**M Harpley
Chief Executive**

Decisions

Agenda Item No.	Agenda Item and Recommendations	Decision
5	<p>Proposed Eco-Town at Weston Otmoor - Update</p> <p>Recommendations</p> <p>The Executive is recommended:</p> <p>(1) To note the contents of the Report and the supporting Appendices.</p>	<p>Agreed, with the amendment that a further report be requested for the December meeting setting out the next steps that will be required with regard to this issue.</p>
6	<p>RAF Bicester Conservation Area</p> <p>Recommendations</p> <p>The Executive is recommended:</p> <p>(1) to note the Overview and Scrutiny Committee belief that, having regard to the situation and historic status of RAF Bicester it should not be considered as a suitable site for housing, and that the Executive be requested to feed this view into the consultation process for the Local Development Framework.</p> <p>(2) to confirm and recognise the historic status of the RAF Bicester site and their commitment to ensure that the appropriate bodies ensure the historic buildings are maintained.</p> <p>(3) That in light of recommendation two above, the Portfolio Holder for Planning and Housing be requested to keep this issue within his consideration and to take action as appropriate.</p> <p>(4) To welcome proposals such as that of Bomber Command Heritage to raise the profile of the heritage and value of the RAF Bicester site.</p>	<p>Agreed</p>

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7	<p>Cherwell Rural Strategy</p> <p>Recommendations</p> <p>To present the initial outcomes and findings from the consultation on the Draft Cherwell Rural Strategy and to consider the adoption of the main themes for the final document.</p>	Agreed
8	<p>Local Authority Business Grant Incentive Scheme</p> <p>Recommendations</p> <p>The Executive is recommended:</p> <p>(1) That the Council place £45,000 in a reserve account to finance up to £15,000 pa for 3 years from 2009/10 to fund the continuation of the business mentoring service currently administered by Oxfordshire Business Enterprises.</p> <p>(2) That the remaining LABGI funds received this year be placed in a reserve account, to be used to finance economic development activities and projects in future years</p> <p>(3) That £5,000 be allocated to finance a contribution towards the cost of an employer skills survey being undertaken in this area by the Learning and Skill Council this year.</p> <p>(4) That authority to allocate the remaining funds referred to in paragraph (2) above to individual projects be delegated to the Portfolio Holder for Economic Development and Estates.</p> <p>(5) That the Council respond to the Government consultation on the future of the LABGI scheme, indicating its view that the method of allocating funds in future be based on increases in NNDR contributions calculated on a sub-</p>	Agreed

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	regional basis, as defined by Government, divided more equally between County and District Councils.	
9	<p>Sports Centres Modernisation - Update Recommendations</p> <p>The Executive is recommended:</p> <ul style="list-style-type: none"> (1) To note the current position and progress to date; and (2) To endorse the approach to contingency planning (3) Approve a supplementary capital estimate of £295,154 	Agreed – Recommendations 1 and 2
10	<p>2008/09 Projected Revenue & Capital Outturn at 30 September 2008 and 2009/10</p> <p>Recommendations</p> <p>The Executive is recommended:</p> <ul style="list-style-type: none"> 1) To note the revenue & capital position at Sept 08 detailed in Appendix 1 and 2. 2) To note the projected revenue position for 08/09 detailed in Appendix 3 and the actions taken to date to reduce the projected overspend. 3) To agree that £3,605,367 of capital schemes listed in Appendix 4a approved as part of the 08/09 budget but profiled for expenditure in 2009/10 are bought forward for utilisation in 08/09 as per the revised profiles of the accommodation review and sports centre modernisation project. 4) To agree that £607,100 of capital schemes listed in Appendix 4b approved as part of the 08/09 budget are to be delayed and agree that they are carried forward for utilisation in 09/10. This delay will generate additional investment income in 2008/09. 	Agreed, with the clarification that no further actions be taken in accordance with Recommendation 7.

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	<p>5) To agree that £467,833 of schemes listed in Appendix 4c as no longer required and approved as part of the 08/09 budget can be deleted from the capital programme and approve supplementary estimates totalling £135,328 detailed in Appendix 4d for inclusion into the 08/09 capital programme comprising of:</p> <ul style="list-style-type: none"> • £20,000 Data Encryption Software • £25,000 Service Desk Software • £35,328 Iclipse Software Licences • £27,000 Iclipse System Upgrade • £28,000 Banbury Visitor Management Plan <p>The net decrease of £332,505 on cashflow projections will generate additional investment income.</p> <p>6) Subject to agreement of points 4-7 inclusive note the projected capital out-turn position for 2008/09 detailed in Appendix 5.</p> <p>7) To consider and recommend whether any of the actions proposed below to further contain expenditure during this period of economic downturn should be further explored by Officers in the Q3 projection.</p> <ul style="list-style-type: none"> • Delete or defer capital schemes that have yet to start as at 31st October 2008 and detailed in Appendix 6 • To cut any discretionary expenditure planned in the second half of the year • To consider a review of reserves and the need to make provision for further economic issues as part of the Q3 projection. 	

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11	<p>Performance Management Framework 2008/2009 - Second Quarter Progress Report</p> <p>Recommendations</p> <p>The Executive is recommended:</p> <ol style="list-style-type: none"> 1) To note the progress made in delivering performance against the Corporate Scorecard and the other performance frameworks appended to this report. 2) To note the responses to the issues raised in the 1st Quarter Report and to seek further information or a further report in the next Quarterly Report as appropriate. 3) To agree that in the next Quarterly Report there will be an update on the impact of the economic downturn on: <ol style="list-style-type: none"> a) The Council's ability to deliver the 2008/09 corporate targets of 400 new homes, including 100 units of social housing, and the creation of 200 net new jobs. b) The income received through building control, planning applications, and land charges and the budget implications of rising costs (fuel costs for example). c) The progress of key development projects such as Banbury Canalside, Bicester Town Centre, and South West Bicester. 4) To agree that in the next Quarterly Report there will be an update on the following: <ol style="list-style-type: none"> a. The time taken to process 'minor and other' planning applications. b. Increasing the visitor numbers to Banbury Museum. 	<p>Agreed, with the amendments:</p> <ol style="list-style-type: none"> a) That a colour scorecard be circulated separately to the Executive with the next two PMF monitoring reports. b) That Portfolio Holders and officers (assisted by the Improvement Team) be requested to consider if reports on any performance elements are required prior to the next PMF Monitoring report and that the Forward Plan be updated accordingly.

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	<ul style="list-style-type: none"> c. Addressing the 2.1% rise in overall crime figures, the failure to meet the target for reducing acquisitive crime and the timetable and process for producing the Anti Social Behaviour Strategy. d. Improving the average time taken to process new benefits claims. e. Reducing the amount of waste going to landfill (and implementing the Food Waste Pilot). f. The progress on delivering Nightsafe Bicester. g. The financial impact of the Government's Free Swimming Programme for over 60's and under 16's. 	
12	<p>Review of Call-in Arrangements</p> <p>Recommendations</p> <ul style="list-style-type: none"> (1) that the Executive note the results of the consultation on the review of Call-in and the proposals from the Overview and Scrutiny Committee; (2) that the Executive consider the Overview & Scrutiny Committee's preferred Call-in model and decide what recommendations to put to Council. 	<p>Agreed, with the amendments that:</p> <ul style="list-style-type: none"> a) That paragraph 15g of Appendix 3 be amended to reflect that portfolio holders do not make decisions at scheduled meetings. b) That paragraph 17 of Appendix 3 be amended to bring in 5 minute time limits on speakers and confirm that the Chief Executive will confirm the validity of the Call-in. c) That the period in which a decision is available for call-in be kept as at present and not extended.
13	<p>Authorisation of Staff</p> <p>Recommendations</p> <p>The Executive is recommended to:</p> <ul style="list-style-type: none"> (1) Authorise Daniel Rowson for the purposes of the following legislation:- 	<p>Agreed.</p>

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	<p>Building Act 1984 Caravan Sites Act 1968 Clean Air Act 1956, 1968 and 1993 Clean Neighbourhoods and Environment Act 2005 Control of Pollution Act 1974 Dogs (Fouling of Land) Act 1996 Environmental Protection Act 1990 Factories Act 1961 Litter Act 1983 Offices, Shops and Railway Premises Act 1963 Prevention of Damage by Pests Act 1949 Public Health (Control of Disease) Act 1984 Refuse Disposal (Amenity) Act 1978 Sunday Trading Act 1994 Water Acts 1973 and 1989 Water Industry Act 1991</p> <p>(2) Invite the Council to authorise Daniel Rowson for the purposes of the following legislation:-</p> <p>Animal Boarding Establishments Act 1963 Breeding of Dogs Act 1973 Breeding and Sale of Dogs (Welfare) Act 1999 Caravan Sites and Control of Development Act 1960 Dangerous Wild Animals act 1976 Food Hygiene (England) Regulations 2006 Food Safety Act 1990 Health Act 2007 Health and Safety at Work, etc Act 1974 Local Government (Miscellaneous Provisions) Acts 1976 and 1982 Noise and Statutory Nuisance act 1993 Official Feed and Food Controls (England) Regulations 2007 Pet Animals Act 1951</p>	

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	Public Health Acts 1936 and 1961 Riding Establishments Acts 1964 and 1970 Scrap Metal Dealers Act 1964 Zoo Licensing Act 1981	
16	Sports Centres Modernisation Update - Exempt Financial Appendix	Noted and Recommendation 3 of Agenda item 9 agreed.
17	Banbury Flood Alleviation Scheme Exempt Report	Recommendations of exempt report agreed as set out below: 1) To approve the completion of agreements between the Council and funding partners as described in the report, securing contributions towards the cost of the Flood Alleviation Scheme. 2) To approve the completion of an agreement with the Environment Agency, under which the Council agrees to pay over contributions received under agreements referred to at (1) above, to the Agency.