

**Committee:** Executive  
**Date:** Monday 6 April 2009  
**Time:** 6.30 pm  
**Venue:** Bodicote House, Bodicote, Banbury, OX15 4AA

### **Membership**

<b>Councillor Barry Wood (Chairman)</b>	<b>Councillor G A Reynolds (Vice-Chairman)</b>	
<b>Councillor Norman Bolster</b>	<b>Councillor Kieron Mallon</b>	<b>Councillor Nicholas Turner</b>
<b>Councillor Michael Gibbard</b>	<b>Councillor Nigel Morris</b>	
<b>Councillor James Macnamara</b>	<b>Councillor D M Pickford</b>	

## **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**

To confirm as a correct record the minutes of the meeting held on 30 March 2009 (to follow).

6. **Forward Plan** (Pages 1 - 13)

Report of the Leader of the Council

**Summary**

To review the Forward Plan of the key Executive decisions which will be taken over the next four months. These are the key decisions of which the Council's Executive is currently aware.

**Recommendations**

The Executive is recommended to:

- 1) Resolve to note the Forward Plan for the next four months.

7. **Annual Audit and Inspection Letter March 2009** (Pages 14 - 34) **6.35 pm**

Report of Chief Executive

**Summary**

Mr Robert Hathaway, the Comprehensive Area Assessment Lead (CAAL) for Oxfordshire, Buckinghamshire and Milton Keynes will be presenting the Council's Annual Audit and Inspection Letter (AAIL) to Executive members on 6 April 2009. The AAIL will be published on 31<sup>st</sup> March and is attached.

**Recommendations**

The Executive is recommended to:

- 1) Note the contents of the Annual Audit and Inspection Letter and question the Comprehensive Area Assessment Lead directly after his presentation.
- 2) Thank the Audit Commission team for their support this year.
- 3) Ask the Chief Executive and Head of Improvement to ensure that the areas of improvement highlighted are appropriately reflected in the Improvement Plan 2009/10 which will be considered by the Executive on 27<sup>th</sup> April 2009

8. **Comprehensive Area Assessment (CAA)** (Pages 35 - 39) **7.05 pm**

Report of Chief Executive

**Summary**

To provide an overview of the Audit Commission's Comprehensive Area Assessment (CAA) which comes into effect from 1 April 2009

## **Recommendations**

The Executive is recommended to:

- 1) Note this overview of the Comprehensive Area Assessment.
- 2) Take the opportunity of the attendance of our Comprehensive Area Assessment Lead at the meeting to ask him any further questions about this new assessment.
- 3) Endorse Cherwell's participation in a county-wide officers group working to ensure that the Oxfordshire Local Authorities, Thames Valley Police and NHS Oxfordshire are best-placed for the first inspection of their work *together* to tackle local issues.

## **Strategy and Policy**

### **9. Oxfordshire 2030 - A Sustainable Community Strategy for Oxfordshire (including a review of the Local Area Agreement 2) (Pages 40 - 175) 7.20 pm**

Report of Chief Executive and Community and Corporate Planning Manager

#### **Summary**

To adopt Oxfordshire 2030, Oxfordshire's Sustainable Community Strategy and note progress on the development of its delivery plans, in particular, the renegotiated targets for the Local Area Agreement.

#### **Recommendations**

The Executive is recommended to:

- 1) Invite Council to adopt Oxfordshire 2030, Oxfordshire's Sustainable Community Strategy, as a key strategic document for Cherwell District Council.
- 2) Invite Council to agree the renegotiated targets for the Oxfordshire Local Area Agreement.
- 3) Request that a detailed report outlining the implications of the Place Survey is brought to Executive when national comparison data is available.

### **10. Medium Term Financial Strategy and 2008/09 Projected Revenue and Capital Out-Turn (Pages 176 - 199) 7.40 pm**

Report of Strategic Director for Customer Service and Resources and the Chief Accountant

#### **Summary**

This report presents the proposed revised Medium Term Financial Strategy, setting out the context, objectives, and fundamental principles for the planning of the Council's financial resources over the next four years.

This report also summarises the Council's revenue and capital projections for the financial year 2008/09 as at 28<sup>th</sup> February 2009.

## **Recommendations**

The Executive is recommended to:

- 1) Approve the new Medium Term Financial Strategy (MTFS) and, specifically:
  - i) the objective to eliminate revenue dependence on investment income by 2012/13
  - ii) the intention to relax our 'debt-free' policy to give us future flexibility (although any proposal to do this will be subject to further discussion)
- 2) Note the revenue and capital projections at Feb/May 2009 (Appendix 2 and 3).
- 3) Agree that a provision of £80,000 be made from the Investec interest gains achieved in December 2008 to fund support for the Horton Hospital and to fund work to increase the community benefit of places of worship in Bicester.
- 4) Agree that the accrued interest expected from investments at risk in the Icelandic Bank Glitner of £551k be written off to zero in the 2008/09 financial statements.
- 5) Agree that £3,897,623 of capital schemes listed in Appendix 2a approved as part of the 2008/09 budget and profiled for expenditure in 2008/09 are carried forward for utilisation in 2009/10.
- 6) Agree that £300,000 of the Woodgreen capital schemes profiled for expenditure in 2009/10 be brought forward for utilisation in March 2009.

## **Service Delivery and Innovation**

11. **Addressing Health Inequalities in Cherwell** (Pages 200 - 215) **8.00 pm**

Report of Strategic Director Environment and Community

### **Summary**

To consider the factors affecting health inequality and deprivation in the District and the approach to addressing these.

### **Recommendations**

The Executive is recommended to:

- 1) Endorse the approach outlined in the report to address health inequality and deprivation in Banbury.
- 2) Agree to develop clear targeted outcomes for improvement.

- 3) Nominate the Portfolio Holder for Community, Health and Environment as the lead member.

**12. Environmental Crime Enforcement (Pages 216 - 221)**

**8.15 pm**

Report of Head of Environmental Services

**Summary**

To consider an increase the areas of environmental enforcement, to introduce a reduced fine for early payment of litter fixed penalty notices and to increase the number of staff able to issue fixed penalty notices.

**Recommendations**

The Executive is recommended to:

- 1) Note the achievements of the enforcement team
- 2) Authorise the issuing of Fixed Penalty Notices for smoking related litter following a publicity campaign during the Summer 2009
- 3) Reduce the fixed penalty notice fine for litter to £50 if paid early (within 7 days)
- 4) Authorise additional staff able to issue Fixed Penalty Notices

**Value for Money and Performance**

**13. Corporate Scorecard (Pages 222 - 245)**

**8.25 pm**

Report of the Chief Executive and Head of Improvement

**Summary**

This report presents the proposed format and content of Corporate Scorecard for the 2009/10 through which the Council will monitor its priority targets around service delivery and organisational performance.

**Recommendations**

The Executive is recommended to:

- 1) Agree the format and content of the proposed 2009/10 Corporate Scorecard

**Other Matters**

**14. Support for the Horton Hospital (Pages 246 - 248)**

**8.40 pm**

Report of Strategic Director Environment and Community.

## **Summary**

To consider a request for a donation to the cancer appeal fund.

## **Recommendations**

The Executive is recommended to:

- 1) Agree to donate £30,000 to support the Brodey Centre Cancer Care Appeal Fund

## **15. Constitutional Changes (Pages 249 - 382)**

**8.45 pm**

Report of Head of Legal and Democratic Services

## **Summary**

To seek approval from the Executive to recommend to Council the changes to the constitution proposed

## **Recommendations**

The Executive is recommended to:

- 1) Consider and comment on the proposed changes to the constitution
- 2) Approve, subject to any amendments the Executive may wish to make, and subject to any comments or amendments from the Standards committee on 8 April, the attached Introduction, Terms of Reference and Scheme of Delegation, Rules of Procedure and Planning Guidance and to recommend to Council that these documents be approved.
- 3) Recommend to Council that delegated powers be given to the Head of Legal and Democratic Services, to make any minor or consequential amendments that may be needed, in particular with inconsistencies or duplications that may exist within the part of the constitution not yet reviewed.
- 4) Recommend to Council that the financial limit for key decisions for 2009/2010 be £50,000

## **Urgent Business**

### **16. Urgent Business**

Any other items which the Chairman has decided is urgent.

### **17. Exclusion of the Press and Public**

The following report(s) contain exempt information as defined in the following paragraph(s) of Part 1, Schedule 12A of Local Government Act 1972.

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 item(s) have been marked as exempt, it is for the meeting 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 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 paragraph(s) 2 of Schedule 12A of that Act.”

## **Value for Money and Performance**

18. **Hurran's Garden Centre** (Pages 383 - 387) **9.00pm**

Report of Head of Economic Development and Estates

**(Meeting scheduled to close at 9.10 pm )**

## **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 (01295) 221587

**Mary Harpley**  
**Chief Executive**

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