

## Cherwell District Council

### Executive

Minutes of a meeting of the Executive held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 6 April 2009 at 6.30 pm

Present: Councillor Barry Wood (Chairman)

Councillor G A Reynolds  
Councillor Norman Bolster  
Councillor Michael Gibbard  
Councillor Kieron Mallon  
Councillor D M Pickford  
Councillor Nicholas Turner

Apologies for absence: Councillor James Macnamara  
Councillor Nigel Morris  
Councillor Nick Cotter

Officers: Mary Harpley, Chief Executive and Head of Paid Service  
Ian Davies, Strategic Director - Environment and Community  
Julie Evans, Strategic Director - Customer Service & Resources  
John Hoad, Strategic Director - Planning, Housing and Economy  
Mike Carroll, Head of Improvement  
Liz Howlett, Head of Legal & Democratic Services and Monitoring Officer  
Jo Smith, Communications Manager  
Karen Curtin, Chief Accountant  
Ed Potter, Head of Environmental Services  
Mark Harmon, Environmental Protection Manager  
David Marriott, Head of Economic Developments & Estates  
James Doble, Democratic, Scrutiny and Elections Manager

### Recommendations to Council

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#### **Oxfordshire 2030 - A Sustainable Community Strategy for Oxfordshire (including a review of the Local Area Agreement 2)**

The Chief Executive and Community and Corporate Planning Manager submitted a report requesting the Executive to adopt Oxfordshire 2030, Oxfordshire's Sustainable Community Strategy and note the progress on the development of its delivery plans, in particular, the renegotiated targets for the Local Area Agreement.

**Resolved**

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

**Reasons** - Oxfordshire 2030, the Oxfordshire Sustainable Community Strategy, sets out a strategic vision for Oxfordshire. The themes, priorities, pledges and actions that it contains should be acceptable to Cherwell District Council as it will be responsible for contributing to their delivery.

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**Constitutional Changes**

The Head of Legal and Democratic Services submitted a report to seek approval from the Executive to recommend to Council the changes to the constitution proposed.

**Resolved**

- 1) That the Introduction, Terms of Reference and Scheme of Delegation, Rules of Procedure and Planning Guidance be approved subject to any comments or amendments from the Standards Committee on 8 April.
- 2) That it is recommended to Council that delegated powers be given to the Head of Legal and Democratic Services in consultation with the Leader of the Council, 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.
- 3) That it is recommended to Council that the financial limit for key decisions for 2009/2010 be £50,000

**Reasons** - **the objectives of this review of the constitution are to update the constitution, make it easier to use, remove inconsistencies and duplication and make the decision making process better value for money.**

## Options

The following options have been identified:

<b>Option One</b>	Leave the constitution as it is. This is not recommended as it is out of date. It is also very difficult to find what you need and therefore leaves the Council open to challenge because it is not used properly.
<b>Option Two</b>	Update the layout, formatting and presentation only and ensure references to legislation are correct. This would be a huge improvement in itself and could be adopted
<b>Option Three</b>	Approve the draft appendices attached which both update and improve presentation and streamline decision making to ensure democratic accountability and efficient decision making

## Resolutions

### 211 **Declarations of Interest**

There were no declarations of interest.

### 212 **Petitions and Requests to Address the Meeting**

There were no petitions or requests to address the meeting.

### 213 **Urgent Business**

There was no urgent business.

### 214 **Minutes**

The minutes of the meeting held on 30 March 2009 were agreed and signed by the Chairman.

### 215 **Forward Plan**

The Chief Executive submitted the Forward Plan of key decisions to be taken over the next four months.

#### **Resolved**

That the Forward Plan for the next four months be noted.

**Reasons** - to create a Forward Plan for the Council as required by the Local Government Act 2000.

### 216 **Annual Audit and Inspection Letter March 2009**

Mr Robert Hathaway, the Comprehensive Area Assessment Lead (CAAL) for Oxfordshire, Buckinghamshire and Milton Keynes presented the Council's Annual Audit and Inspection Letter (AAIL).

#### **Resolved**

- 1) That the contents of the Annual Audit and Inspection Letter and the Comprehensive Area Assessment Lead's presentation be noted.
- 2) That the Audit Commission team be thanked for their support this year.
- 3) That the Chief Executive and Head of Improvement be asked 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.

**Reasons** - The Annual Audit and Inspection Letter is part of the Audit Commission inspection regime for local authorities.

217 **Comprehensive Area Assessment (CAA)**

The Chief Executive submitted a report to provide an overview of the Audit Commission's Comprehensive Area Assessment (CAA) which came into effect from 1 April 2009

**Resolved**

That 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 be endorsed.

**Reasons** - CAA is a joint assessment made by a group of independent inspectorates about the performance of local public services and the prospects that they will achieve improvement in their local priorities. The participating inspectorates are the Audit Commission, Ofsted, Her Majesty's Inspectorates of Constabulary and Probation and the Care Quality Commission. The last of these takes over the former work of the Commission for Social Care Inspection, the Healthcare Commission and the Mental Health Act Commission from next month.

218 **Medium Term Financial Strategy and 2008/09 Projected Revenue and Capital Out-Turn**

The Strategic Director for Customer Service and Resources and the Chief Accountant submitted a report presenting 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. The report also summarises the Council's revenue and capital projections for the financial year 2008/09 as at 28<sup>th</sup> February 2009.

**Resolved**

- 1) That the new Medium Term Financial Strategy (MTFS) and, specifically :
  - a) The objective to eliminate revenue dependence on investment income by 2012/13
  - b) 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) That the revenue and capital projections at Feb/May 2009 be noted.
- 3) 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) That it be agreed 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) That it be agreed 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) That it be agreed that £300,000 of the Woodgreen capital schemes profiled for expenditure in 2009/10 be brought forward for utilisation in March 2009.

**Reasons** - The strategy commits the Council to eliminating revenue dependency on investment income within the remaining 4-year lifetime of the strategy. This requires some limited and reducing support from reserves during the period to ensure effective implementation while protecting service levels during any transition period.

**Options**

The following options have been identified:

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

**Addressing Health Inequalities in Cherwell**

The Strategic Director Environment and Community submitted a report to consider the factors affecting health inequality and deprivation in the District and the approach to addressing these.

**Resolved**

- 1) That the approach outlined in the report to address health inequality and deprivation in Banbury be endorsed.
- 2) That clear targeted outcomes for improvement be developed.
- 3) That the Portfolio Holder for Community, Health and Environment be nominated as the lead member.

**Reasons** - The Council has agreed to support a multi-agency approach to improve the health inequalities and deprivation evident in Banbury. This report considers how that should be progressed based on the current relevant data.

**Options**

The following other options have been identified.

<b>Option One</b>	The Council could attempt to address those issues relevant to its own services and function on its own. This is not recommended due to the wide and cross organisation nature of the health inequality issues.
<b>Option Two</b>	The Council could choose not to participate and leave the exercise to other bodies to pursue. Again, this is not recommended because left unaddressed, the inequalities and level of deprivation evident is likely to get worse.

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**Environmental Crime Enforcement**

The Head of Environmental Services submitted a report 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.

**Resolved**

- 1) That the achievements of the enforcement team be noted.
- 2) That the issuing of Fixed Penalty Notices for smoking related litter following a publicity campaign during the summer of 2009 be authorised
- 3) That the fixed penalty notice fine for litter be reduced to £50 if paid early (within 7 days)
- 4) That the Head of Environmental Services be delegated to authorise additional staff able to issue Fixed Penalty Notices.

**Reasons** - The performance of the Enforcement team has been good and the overall enforcement capability is contributing towards a Cleaner Greener Cherwell. By making some amendments further performance improvements in enforcement can be expected.

**Options**

The following options have been identified.

<b>Option One</b>	To increase the number of staff able to issue fixed penalty notices and to reduce the fixed penalty notice charge for littering for early payment.
<b>Option Two</b>	To keep the status quo

221 **Corporate Scorecard**

The Chief Executive and Head of Improvement submitted a report that presented 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.

**Resolved**

That the format and content of the proposed 2009/10 Corporate Scorecard be approved.

**Reasons** - The award of an Excellent rating under the national Comprehensive Performance Assessment inspection regime is clear evidence of the huge improvement in performance the Council has made since its previous assessment in 2004. An important factor in delivering and sustaining this improvement has been a rigorous approach to performance management. A key part of this has been our adoption of a scorecard approach which enables us to combine information on the delivery of our corporate priorities, our key services and the aspects of organisational performance that most support service delivery.

222 **Support for the Horton Hospital**

The Strategic Director Environment and Community submitted a report to consider a request for a donation to the cancer appeal fund.

**Resolved**

That it be agreed to donate £30,000 to support the Brodey Centre Cancer Care Appeal Fund.

**Reasons** - The appeal is looking to raise £300,000 including furnishings and equipment. To date, almost £250,000 has been raised. The Oxford Radcliffe Hospitals Trust is committed to funding current and future staff requirements which will be part of the budget setting and business planning process. It has already invested in extra clinical and support staff to enable the Centre to treat more patients, and offer them access to important clinical trials. In addition, it will fund on-costs such as the ongoing maintenance of the building and equipment.

**Options**

The following options have been identified:

<b>Option One</b>	To make a donation to the appeal fund of varying levels
<b>Option Two</b>	Not to make a donation



223 **Exclusion of the Press and Public**

**Resolved**

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 of business, on the grounds that it could involve the likely disclosure of exempt information as defined in paragraph 3 of Schedule 12A of that Act.

224 **Hurran's Garden Centre**

The Head of Economic Development and Estates submitted an exempt report regarding Hurran's Garden Centre.

**Resolved**

That the resolutions as set out in the exempt minute be agreed.

The meeting ended at 8.35 pm

Chairman:

Date: