

Public Document Pack



Committee: Executive

Date: Monday 6 June 2016

Time: 6.30 pm

Venue Bodicote House, Bodicote, Banbury, OX15 4AA

Membership

Councillor Barry Wood (Chairman)

Councillor Ken Atack

Councillor John Donaldson

Councillor Kieron Mallon

Councillor Lynn Pratt

Councillor G A Reynolds (Vice-Chairman)

Councillor Colin Clarke

Councillor Tony Ilott

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 - 8)

To confirm as a correct record the Minutes of the meeting held on 4 April 2016.

6. **Chairman's Announcements**

To receive communications from the Chairman.

7. **Private Hire Licensing and Hackney Carriage Policy 2016** **6.35pm** (Pages 9 - 90)

Report of Public Protection Manager

Purpose of report

To seek approval of the joint draft Cherwell and South Northamptonshire Council Private Hire and Hackney Carriage Licensing Policy prior to public and stakeholder consultation.

Recommendations

The meeting is recommended:

- 1.1 To approve the joint draft Cherwell and South Northamptonshire Council Private Hire and Hackney Carriage Licensing Policy.
- 1.2 To delegate authority to the Public Protection Manager to consider responses and, if necessary amend the policy in consultation with the Lead Member for Public Protection.

8. **Disabled Facilities Grants and Better Care Funding** (Pages 91 - 96) **6.45pm**

Report of Head of Regeneration and Housing

Purpose of report

To provide an update on changes to Disabled Facilities Grant (DFG) funding and to seek the Executive's direction on suggested opportunities to improve the Council's service to disabled residents that arise from those funding changes.

Recommendations

The meeting is recommended:

- 1.1 To leave the Council's capital contribution for Disabled Adaptations unchanged.
- 1.2 To confirm that any of the total DFG capital budget in excess of what is required to deliver mandatory DFGs should be utilised to make identified improvements to the delivery of adaptations and assistance to eligible disabled residents.
- 1.3 To note that, in accordance with its Scheme of Delegation to Officers and its Private Sector Housing Grants and Assistance Policy, the Head of Regeneration & Housing and the Lead Member for Housing will determine

what additional forms of grants and loans may be appropriate to improve DFG service and delivery.

9. Safeguarding Policy and Internal Review Update (Pages 97 - 124) 6.55pm

Report of Director of Operational Delivery

Purpose of report

To consider an update of the Council's joint safeguarding policy and receive an update on the progress made to date on implementing the recommendations from the internal safeguarding review.

Recommendations

The meeting is recommended:

- 1.1 To approve the updated joint Safeguarding policy as attached at Appendix 1.
- 1.2 To note the work carried out to date to implement the agreed recommendations from the internal review.

10. Bicester Healthy New Town Status (Pages 125 - 132) 7.05pm

Report of Operational Delivery

Purpose of report

To consider Bicester's participation in the NHS England Healthy New Town Programme. The Leader of the Council has agreed to the submission of this report which has not featured on the Forward Plan as the NHS England Programme requirements have only recently been clarified.

Recommendations

The meeting is recommended:

- 1.1 To support Bicester's participation in the NHS England Healthy New Town Programme.
- 1.2 To agree for the Council to act as the lead and accountable body for the Bicester Healthy New Town Programme.
- 1.3 To support the inclusion of this activity in the consideration by the Bicester Strategic Delivery Board.
- 1.4 To agree to a Healthy New Town Cherwell fund of £20,000 to serve as an enabling fund to secure further external funding for the Bicester initiatives beyond 2016/17.

11. **Performance Report 2015-2016 Quarter 4 / End of Year** **7.15pm**
(Pages 133 - 186)

Report of Director of Strategy and Commissioning

Purpose of report

To provide information relating to quarter four of the annual performance year, for the period 1 January - 31 March 2016. The report also reflects end of year outturns as measured through the performance management framework.

Recommendations

The meeting is recommended to:

- 1.1 Note that despite tough performance targets, a challenging economic environment, and on-going policy and organisational change, Cherwell District Council has met or made satisfactory progress on 96% of all the performance targets outlined in its performance management framework as detailed in paragraph 3.2.
- 1.2 Note that any feedback on performance issues from Overview & Scrutiny Committee at its meeting on 31 May 2016 will be provided directly to The Leader.
- 1.3 Approve the Annual report (appendix 4) for publication.

12. **2015/16 Draft Revenue Outturn** (Pages 187 - 192) **7.20pm**

Report of Chief Finance Officer / Section 151 Officer

Purpose of report

To provide an initial draft update on the Council's revenue outturn for 2015/16

Recommendations

The meeting is recommended:

- 1.1 To note the contents of the report.

13. **Proposal for a Joint Revenues and Benefits Service with South Northamptonshire Council** (Pages 193 - 200) **7.25pm**

Report of Chief Finance Officer / Section 151 Officer

Purpose of report

This report presents the final business case following consultation for a joint Revenues and Benefits service across Cherwell District and South Northamptonshire Councils (hereafter "Cherwell" or "CDC" and "South Northamptonshire" or "SNC" respectively).

The report recommends the formation of a two way joint Revenues and Benefits service and in doing so seeks the Executive's agreement for the non-staffing elements of the business case.

The proposal is part of the wider transformation programme across the two Councils.

Recommendations

The meeting is recommended:

- 1.1 To consider the attached final business case and the consultation responses in relation to non-staffing matters as outlined in section 5.1.
- 1.2 To note that the business case will be considered by the Joint Commissioning Committee with regard to staffing matters on 26 May 2016. This will include consultation responses from affected staff and trade union representatives.
- 1.3 To approve and implement the proposed final business case to share a joint Revenues and Benefits Service between CDC and SNC, subject to similar consideration and approval by SNC Cabinet on 13 June 2016 and approval of the staffing implications by the Joint Commissioning Committee.
- 1.4 To delegate to the Chief Finance Officer in consultation with the Leader of the Council any non-significant amendment that may be required to the business case following the decision by SNC Cabinet and/or the Joint Commissioning Committee.
- 1.5 To approve the allocation of £200,000 from general fund balances to cover 50% of the implementation costs.

14. Proposal for a Joint Community and Leisure Service with South Northamptonshire Council (Pages 201 - 206)

7.30pm

Report of Director of Operational Delivery

Purpose of report

This report presents the final business case following consultation for a Joint Community and Leisure service across Cherwell District Council and South Northamptonshire Council (hereafter "Cherwell" or "CDC" and "South Northamptonshire" or "SNC" respectively).

The report recommends the arrangement of a two-way Joint Community and Leisure Service and in doing so seeks the Executive's agreement for the non-staffing elements of the business case.

The proposal is part of the wider transformation programme across the two Councils.

Recommendations

The Executive is recommended to:

- 1.1 Consider the attached final business case (Appendix 1) and the consultation responses (Appendix 2) in relation to non-staffing matters.
- 1.2 To note that the business case has been considered on 26 May 2016 by the Joint Commissioning Committee (JCC) with regard to staffing matters. This included consideration of consultation responses from affected staff and trade union representatives. A verbal update on the outcome of this meeting will be given.
- 1.3 Subject to the approval of the JCC to the staffing matters, to approve and implement the proposed final business case to share a Joint Community and Leisure Service between CDC and SNC, subject to similar consideration and approval by SNC Cabinet; and
- 1.4 To delegate to the Director of Operational Delivery in consultation with the Leader of the Council any non-significant amendment that may be required to the business case following the decision by SNC Cabinet.

15. Exclusion of the Press and Public

The following items contain exempt information as defined in the following paragraphs of Part 1, Schedule 12A of Local Government Act 1972.

1 – Information relating to any individual

2 – Information which is likely to reveal the identity of an individual

3 – Information relating to the financial or business affairs of any particular person (including the authority holding that information).

4 – Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.

Members are reminded that whilst the following item has been marked as exempt, it is for the meeting to decide whether or not to consider it 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.

No representations have been received from the public requesting that these items be considered in public.

Should Members decide not to make a decision in public, they are recommended to pass the following recommendation:

“That under Section 100A of the Local Government Act 1972, the public and press be excluded from the meeting for the following items of business on the ground that, if the public and press were present, it would be likely that exempt information falling under the provisions of Schedule 12A, Part 1, Paragraphs 1, 2, 3 and 4 would be disclosed to them, and that in all the circumstances of the case, the public

interest in maintaining the exemption outweighs the public interest in disclosing the information.”

16. **Proposal for a Joint Revenues and Benefits Service with South Northamptonshire Council - Exempt Appendix** (Pages 207 - 236) **7.45pm**
17. **Proposal for a Joint Community and Leisure Service with South Northamptonshire Council - Exempt Appendices** (Pages 237 - 304) **7.35pm**

(Meeting scheduled to close at 7.50pm)

Information about this Agenda

Apologies for Absence

Apologies for absence should be notified to

natasha.clark@cherwellandsouthnorthants.gov.uk or 01295 221589 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.

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.

Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

This agenda constitutes the 5 day notice required by Regulation 5 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 in terms of the intention to consider an item of business in private.

Evacuation Procedure

When the continuous alarm sounds you must evacuate the building by the nearest available fire exit. Members and visitors should proceed to the car park as directed by Democratic Services staff and await further instructions.

Access to Meetings

If you have any special requirements (such as a large print version of these papers or special access facilities) please contact the officer named below, giving as much notice as possible before the meeting.

Mobile Phones

Please ensure that any device is switched to silent operation or switched off.

Queries Regarding this Agenda

Please contact Natasha Clark, Democratic and Elections
natasha.clark@cherwellandsouthnorthants.gov.uk, 01295 221589

Sue Smith
Chief Executive

Published on Thursday 26 May 2016

Cherwell District Council

Executive

Minutes of a meeting of the Executive held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 4 April 2016 at 6.30 pm

Present: Councillor Barry Wood (Chairman), Leader of the Council
Councillor G A Reynolds (Vice-Chairman), Deputy Leader of the Council

Councillor Ken Atack, Lead Member for Financial Management
Councillor Norman Bolster, Lead Member for Estates and the Economy

Councillor John Donaldson, Lead Member for Housing
Councillor Michael Gibbard, Lead Member for Planning
Councillor Tony Ilott, Lead Member for Public Protection
Councillor D M Pickford, Lead Member for Clean and Green
Councillor Nicholas Turner, Lead Member for Change Management, Joint Working and IT

Also Present: Councillor Sean Woodcock, Leader of the Labour Group
Councillor Andrew Beere

Apologies for absence: Councillor Kieron Mallon, Lead Member for Banbury Futures

Officers: Sue Smith, Chief Executive
Karen Curtin, Commercial Director (Bicester)
Ian Davies, Director of Operational Delivery
Scott Barnes, Director of Strategy and Commissioning
Kevin Lane, Head of Law and Governance / Monitoring Officer
Paul Sutton, Head of Finance and Procurement
Ed Potter, Head of Environmental Services
Natasha Clark, Team Leader, Democratic and Elections

138 **Declarations of Interest**

There were no declarations of interest.

139 **Petitions and Requests to Address the Meeting**

There were no petitions or requests to address the meeting.

140 **Urgent Business**

There were no items of urgent business.

141 **Minutes**

The minutes of the meeting held on 7 March 2016 were agreed as a correct record and signed by the Chairman.

142 **Chairman's Announcements**

The Chairman made the following announcements:

1. Members of the public were permitted to film, broadcast and report on the meeting, subject to the efficient running of the meeting not being affected.
2. This was the last Executive of the municipal year and the last Executive meeting Councillor Gibbard would be attending as he is not standing at the forthcoming election. The Leader thanked Councillor Gibbard for his hard work and valuable contributions to Executive and the Council, in particular, the delivery of the Local Plan.

143 **Upper Heyford Masterplan**

The Chairman advised Members that consideration of this item was deferred to the next meeting of Executive.

144 **Construction Apprenticeship and Skills Interim Planning Policy Guidance**

The Commercial Director (Bicester) submitted a report which sought approval of the Interim Position Statement relating to the securing of construction apprenticeships and skills through the land use planning system.

Resolved

- (1) That the Draft Cherwell District Council Interim Position Statement on Planning Obligations for Construction Apprenticeships and Skills, April 2016 be approved as guidance which will operate informally to secure construction apprenticeships and skills through the processing of planning applications by the Council, prior to informing a relevant policy within the Cherwell District Council Local Plan Part 2 and the Planning Contributions Supplementary Planning Document, which are currently in the early stages of preparation.
- (2) That, after the Annual Council meeting in May 2016 the Leader nominates a Cherwell District Council representative on to the Apprenticeship and Training Company Apprenticeship and Training Agency (ATA) Board.

Reasons

Increasing the number of new apprenticeships in England is a high profile Government objective. Cherwell District Council supports this aspiration. The amount of new development taking place in the District over the next 20 years or so, coupled with the evidenced shortage of construction skills provides both an incentive and opportunity to secure the provision of new construction related apprenticeships through the land use planning system.

The Cherwell District Council Local Plan Part 1 as well as CDC's Economic Strategy contains strategic aspirations relating to the need to support an increase in skills and training within the District. The Guidance provides detail on how this overarching strategic aim can be achieved through the land use planning process.

CDC is anticipating that developers will generally support the approach being promoted in this Guidance as an important and progressive initiative designed both increase the number of local skilled construction operatives available to support the building industry, as well as promoting the construction trades generally as a valuable future career path for young people. As such, the Executive is recommended to approve Appendix 1 to operate as informal guidance to secure construction apprenticeships and skills through the processing of planning applications by the Council, prior to informing a relevant policy within the Cherwell District Council Local Plan Part 2 and the Planning Contributions Supplementary Planning Document, which are currently in the early stages of preparation.

The setting up and operating of The Apprenticeship and Training Company to manage apprenticeships on behalf of developers and their contractors is a key element of delivering the apprenticeships. This is because it will make the whole process easier for developers by acting as the apprentices' employer - rather than the developer needing to. Given that the OXLEP grant is supporting the first year or so of the Company's operation and CDC is the accountable body for this grant, as well as its strategic commitment to support skills and training, it would seem appropriate that there is a CDC representative to sit on the Board.

Alternative options

Option 1: Not to progress the interim informal guidance but wait until a relevant policy can be included in Local Plan Part II and Planning Contributions Supplementary Planning Document. Rejected as this will present an opportunity lost and would potentially put the Council in breach of one of the key deliverables tied to the funding, which is to demonstrate measures undertaken to roll out this approach more widely than at NW Bicester.

Option 2: Not to seek a representative on the Board of the Apprenticeship and Training Company from Cherwell District Council. Rejected as this would potentially lead to some risk for the Council in terms of being the accountable body for the OxLEP grant. A key deliverable of the funding is that each

relevant delivery partner in the project should have representation on the Board.

145 **District Wide Cleansing Service**

The Head of Environmental Services submitted a report which updated the Executive on the actions and strategies being followed to ensure the district had a good level of cleanliness.

Resolved

- (1) That the good levels of customer satisfaction (69% in 2015) with the Council's Street Cleansing service be noted.
- (2) That the enforcement actions to combat fly tipping, littering and dog fouling be supported.
- (3) That the combination of education, enforcement and operational efficiency to keep the District clean be supported.

Reasons

To keep the District clean a range of activities are required. Removing litter & fly tips quickly is important but if residents can be educated to be responsible with their waste the amount of fly tipping and litter can be reduced. For those who wish to ruin the environment through selfish actions, an enforcement team investigates all fly tipping and helps to reduce littering by the issuing of fixed penalty notices.

Customer satisfaction is good with 69% achieved in 2015 a rise from 67% in 2014

To keep the District clean a range of activities are required. Removing litter & fly tips quickly is important but if residents can be educated to be responsible with their waste the amount of fly tipping and litter can be reduced. For those who wish to ruin the environment through selfish actions, an enforcement team investigates all fly tipping and helps to reduce littering by the issuing of fixed penalty notices.

Customer satisfaction is good with 69% achieved in 2015 a rise from 67% in 2014.

Alternative options

Option 1: To support the activities to keep the district clean

Option 2: To reject the activities used to keep the district clean

Option 3: To ask officers to consider alternative improvements

146

Hampton Gay and Poyle Parish Meeting Section 109 Order

The Head of Law and Governance submitted a report to seek approval for the making of an order pursuant to section 109 of the Local Government Act 1972 in respect of Hampton Gay and Poyle Parish Meeting in order to vest in it certain powers of a parish council.

Resolved

- (1) That the making of an order in the form appended pursuant to section 109 of the Local Government Act 1972 in respect of Hampton Gay and Poyle Parish Meeting be approved.

Reasons

A valid request has been made to the Council by the parish meeting and it is recommended that the request is granted.

Alternative Options

Executive could reject the request but there are no justifiable reasons for doing so.

147

Devolution - Update

The Chief Executive submitted a report to provide an update on devolution and to authorise further joint working in support of it.

Resolved

- (1) That agreement be given to work with the other District Councils and partners to further develop the initial unitary devolution proposals.
- (2) That it be agreed that independent consultants should be jointly appointed by the Districts to undertake detailed work on viability and sustainability and governance; specialist work on collaboration around Children and Adult services; public consultation and involvement; and preparation of a revised Devolution Deal and that Full Council be recommended to approve the addition of the pursuance of a devolution bid to the adopted policy framework and a contribution of up to £50k to be made to facilitate those studies, which will be funded from General Fund balances.
- (3) That in view of the need to confirm the Council's commitment to the joint appointment of consultants prior to the next scheduled council meeting the Chief Executive be requested to exercise her urgency action powers to implement the recommendations to Full Council in resolution (2) above in consultation with the Chairman of Council.

Reasons

There is clearly a lot of detail to be worked through over the coming months. The next step will be to jointly commission independent experts with our partners to produce detailed, costed plans for the preferred option and test them against other options to ensure the best and most cost-effective solutions. It is proposed that our Council contribute up to £50,000 to jointly commission this detailed work.

Detailed proposals will be considered by each of the Councils prior to full public consultation in the summer. We would need to be certain of the benefits for the residents of the district.

The approval of £50,000 to fund the collective pot for the unitary bid needs Full Council approval as there is no specific approved budget that Executive can call upon – General Fund balances being the source. In addition the CDC business plan does not identify anything specific relating to the allocation of resources to devolution in general and the unitary bid in particular so Full Council needs to approve the addition of the pursuance of devolution to the adopted policy framework so that Executive can deal with any future decisions itself.

In view of the need to confirm the Council's commitment to the joint appointment of consultants prior to the next scheduled council meeting the Chief Executive is requested to exercise her urgency action powers to implement the recommendations to Full Council in consultation with the Chairman of Council.

Alternative options

Option 1: Not to support the study – This is not supported as it is important that the councils are able to make an informed decision based on a sound evidence base

148 Exclusion of the Press and Public

Resolved

That under Section 100A of the Local Government Act 1972, the public and press be excluded from the meeting for the following item of business on the ground that, if the public and press were present, it would be likely that exempt information falling under the provisions of Schedule 12A, Part 1, Paragraph 3 would be disclosed to them, and that in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

149 New Woodgreen Leisure Centre Management Contract and Facility Improvements

The Director of Operational Delivery submitted an exempt report to consider the award of a long term contract for operation of Woodgreen leisure Centre and facility improvements.

Resolved

- (1) That a contract be awarded to Parkwood Leisure Ltd for the operation of Woodgreen Leisure Centre for up to 18 years and agreed facility improvements.
- (2) That authority be delegated to the Director of Operational Delivery, the Head of Finance and Procurement and the Head of Law and Governance in consultation with the Deputy Leader and the Lead Member for Resources to finalise the contractual detail.

Reasons

The Council through the Executive have effectively agreed a preferred scheme which only now needs approval for contract award which this reports seeks to achieve.

Alternative options

Option 1: To reject or delay the contract award. This is not recommended due to the process already undertaken and the service benefits realised through accelerating the new contract delivery timescale

The meeting ended at 7.15pm

Chairman:

Date:

This page is intentionally left blank

Cherwell District Council

Executive

6 June 2016

<p>Private Hire Licensing and Hackney Carriage Policy 2016</p>

Report of Public Protection Manager

This report is public

Purpose of report

To seek approval of the joint draft Cherwell and South Northamptonshire Council Private Hire and Hackney Carriage Licensing Policy prior to public and stakeholder consultation.

1.0 Recommendations

The meeting is recommended:

- 1.1 To approve the joint draft Cherwell and South Northamptonshire Council Private Hire and Hackney Carriage Licensing Policy.
- 1.2 To delegate authority to the Public Protection Manager to consider responses and, if necessary amend the policy in consultation with the Lead Member for Public Protection.

2.0 Introduction

- 2.1 It is intended that those using taxis in Cherwell and South Northamptonshire to have a safe, reliable and pleasant experience.
- 2.2 Taxis regularly transport passengers who may be vulnerable, for example when the passenger is under the influence of drink or drugs or is travelling alone. There is a need to promote the highest safeguarding standards to protect both passengers and drivers. It is also important that drivers are aware of the signs, and have the confidence to alert the authorities about the concerns that they may have about the safety of vulnerable passengers.
- 2.3 This report proposes a new joint Private Hire and Hackney Carriage Licensing Policy which improves and strengthens existing policies. With a new shared Public Protection Team in place, it provides an opportunity to publish a new joint policy which builds on the best practice identified from each Council.

- 2.4 The conclusions of both the Jay Report into child sexual exploitation in Rotherham and Oxfordshire Safeguarding Children’s Board (OSCB) serious case review into child sexual exploitation have emphasised the necessity for a robust licensing policy to safeguard and protect public safety.
- 2.5 The Oxfordshire Joint Operating Framework (JOF) for Transporting Children/Adults with Care and Support Needs and Taxi Licensing was commissioned by the Child Sexual Exploitation Sub-Group of Oxfordshire Safeguarding Children Board and is the result of collaboration between the City and District Councils, the county council and the police. The minimum standards set out in the Framework are included in this policy.

3.0 Report Details

- 3.1 The new policy aligns the current Cherwell District and South Northamptonshire Council policies and includes a number of updates and improvements with a clear policy statement.
- 3.2 This policy document sets out the driver, vehicle and operator standards and the way the Council will discharge its responsibilities for hackney carriage and private hire licensing. The policy sets out a clear approach to these matters for officers, members of the trade and the public.
- 3.3 The significant changes in this policy focus on:
- improved driver standards,
 - strengthening the “fit and proper person” test
 - a more rigorous convictions policy
 - mandatory safeguarding training
 - spoken English testing
 - driving standards training
- 3.4 The focus of this policy is to increase standards and therefore increase public safety. The policy will apply to all current licence holders and to new applicants.

4.0 Conclusion and Reasons for Recommendations

- 4.1 By approving the joint draft Private Hire and Hackney Carriage Licensing Policy we will be able to consult and then implement a policy which will improve and strengthen our taxi licensing regime, ensuring public safety.

5.0 Consultation

- 5.1 In the interests of transparency, and in keeping with the principles of the Regulators Code, a consultation will be carried out to seek the views of those affected by the policy.

- 5.2 As well as publishing the consultation on each website, the Council will consult directly with its licensed drivers and operators.
- 5.3 Consultation will take place widely with partners and stakeholders including the public; neighbouring local authorities; Thames Valley and Northamptonshire Police Forces.
- 5.4 The Licensing Committee will be consulted to seek member opinion.

6.0 Alternative Options and Reasons for Rejection

- 6.1 The following alternative options have been identified and rejected for the reasons as set out below.

Option 1: Not to approve the joint draft Cherwell and South Northamptonshire Council Private Hire and Hackney Carriage Licensing Policy. This is not recommended as the proposed policy includes a number of updates and improvements with a clear policy statement.

7.0 Implications

Financial and Resource Implications

- 7.1 There will be a small additional cost for licensees who will have to pay for training as part of the application process. The policy will be applied to existing licensed drivers who will also have to pay for training. There are no other financial implications to the Councils.

Comments checked by Brian Wallace, Service Accountant, 01295 221737, brian.wallace@cherwellandsouthnorthants.gov.uk

Legal Implications

- 7.2 The licensing of Hackney Carriage / Private Hire Vehicle drivers, operators and vehicles within Cherwell District and South Northamptonshire is undertaken pursuant to the Town and Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976. The Hackney Carriage and Private Hire Vehicle Licensing Policy serves as a framework and guidance to licence applicants and licensing officers. The Policy specifies criteria, standards, procedures and processes to ensure so far as possible the Council's overarching aim of protecting the public, by granting licences only to those who have satisfied the Council that they are 'fit and proper' to hold such a licence. The application and enforcement regime specified in the policy is intended to be fair, transparent and consistent, whilst providing that each application and/ or sanction is determined on a case by case basis. The Policy is however guidance and not a straightjacket; the Council may exercise discretion and make reasonable departures from the Policy as and when the circumstances of a particular case dictate.

Comments checked by Matt Marsh, Solicitor, 01295 221691, matt.marsh@cherwellandsouthnorthants.gov.uk

8.0 Decision Information

Key Decision

Financial Threshold Met: No

Community Impact Threshold Met: No

Wards Affected

All

Links to Corporate Plan and Policy Framework

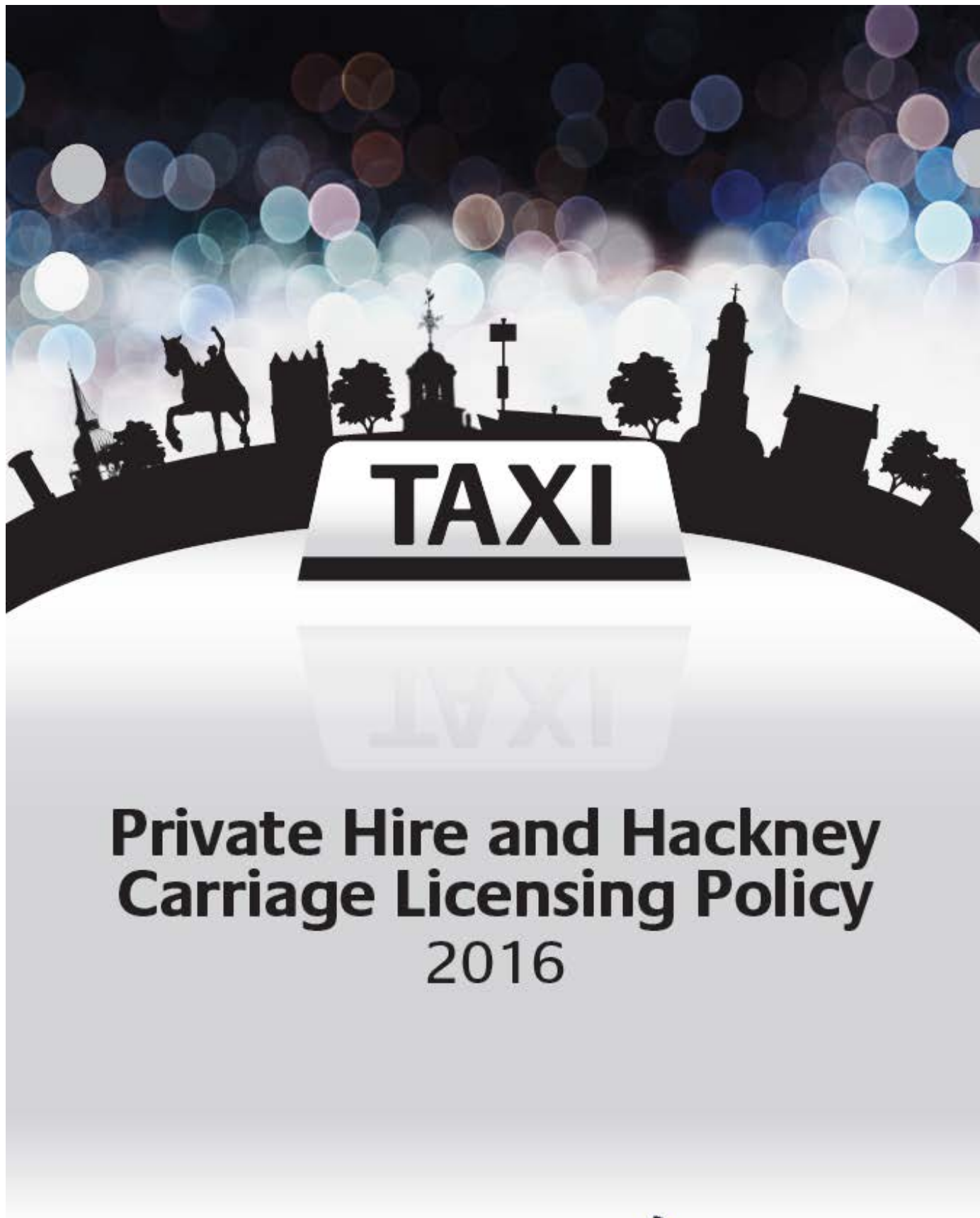
Cherwell: Safe, Clean and Green – Work with partners to ensure the District remains a low crime area, reducing the fear of crime, tackling anti-social behaviour and focussing on safeguarding our residents and businesses

Lead Councillor

Councillor Tony Ilott, Lead Member for Public Protection

Document Information

Appendix No	Title
1	Private Hire and Hackney Carriage Licensing Policy and Appendices A –E
Background Papers	
None	
Report Author	Nicholas Sutcliffe, Licensing Manager, 01327 322278
Contact Information	Jackie Fitzsimons, 01327 322283 Jackie.fitzsimons@cherwellandsouthnorthants.gov.uk



Private Hire and Hackney Carriage Licensing Policy 2016



Contents

- 1) Introduction**
- 2) Scope**
- 3) Policy Statement**
- 4) Background and Definitions**
- 5) Private Hire and Hackney Carriage Drivers**
- 6) Fit and Proper – Our Test**
- 7) Disclosure and Barring Service Process**
- 8) The Knowledge Test**
- 9) Medical Requirements**
- 10) Assistance Dogs**
- 11) Private Hire and Hackney Carriage Vehicles**
- 12) Executive Hire (Discreet Plates)**
- 13) Private Hire Vehicle Operators**
- 14) Driver, Vehicle and Operator Licence Conditions and Application Process**
- 15) Enforcement, Compliance and Complaints**

Appendices

- Appendix A – Criminal Records Policy**
- Appendix B – Driver Application Process and Conditions**
- Appendix C – Vehicle Application Process and Conditions**
- Appendix D – Operator Application Process and Conditions**
- Appendix E – Private Hire and Hackney Carriage Penalty Points Scheme**

1. Introduction

1.1 South Northamptonshire and Cherwell District Councils are responsible for the licensing and enforcement Private Hire and Hackney Carriage Vehicle trades within their respective districts. The key objectives of the Private Hire and Hackney Carriage Vehicle licensing regime is ensuring public safety and the protection of residents and visitors to the districts.

1.2 This policy and the appendices detail how the licensing of drivers, vehicles and operators will be undertaken by each Council. The policy has immediate effect and will be applied to all existing licences and all new applications.

1.3 The Councils reserve the right to review and if necessary reverse any decision if information comes to light that identifies the initial decision as being incorrect.

1.4 In developing this policy the Councils have had regard to the following:

- Local Government (Miscellaneous Provisions) Act 1976
- Town Police Clauses Act 1847
- Guidance on the Rehabilitation of Offenders Act 1974 – March 2014
- Disclosure Barring Service Information Note on Rehabilitation of Offenders Act 1974 and Police Act 1997 Orders – 2013
- Taxi and PHV Licensing Criminal Convictions; Policy, Local Government Regulation, Sept 2010
- Equalities Act 2010
- Regulators Code 2014
- Road Traffic Acts
- Crime and Disorder Act 1998
- Health Act 2006
- Data Protection Act 1998

- The Department of Transport “Taxi and Private Hire Vehicle Licensing: Best Practice Guidance” (Currently under review)
- Jay Report into Child Sexual Exploitation (CSE) in Rotherham
- The Serious Case Review into Child Sexual Exploitation in Oxfordshire
- South Northamptonshire and Cherwell District Council Enforcement Policy
- Other relevant legislation

2. Scope

- 2.1 This policy sets out the process for applying for a Private Hire or Hackney Carriage driver, operator and vehicle licence; the requirements to hold a licence; the conditions to be adhered to, and the grounds for and process by which the Council may take action against a licence.

3. Policy Statement

- 3.1 The Council recognise the important role that Private Hire and Hackney Carriage Vehicle drivers play in enabling people to travel around the districts and while doing so act as ambassadors for their Council. In promoting these licensing aims and objectives the Council will expect licence holders to continuously adhere to the high standards outlined within this policy. This will help portray a positive image of both the Council and the licensed trade.
- 3.2 The principle purpose of Private Hire and Hackney Carriage Vehicle licensing is to protect the public and promote public safety. South Northants and Cherwell District Council (The Council) will adopt and carry out the Private Hire and Hackney Carriage licensing functions with a view to promoting the following;

- The protection of the public
- Safeguarding children and the vulnerable
- The prevention of crime and/or disorder
- The safety and health of public and drivers
- Vehicle safety and suitability

3.3 The protection of the public, safeguarding children and the vulnerable, and the prevention of crime and /or disorder;

- Raising awareness amongst licensees of issues of safeguarding children and the vulnerable
- Operating rules, conditions and disciplinary processes
- Vetting , training and monitoring of licensees
- Commitment to work with the police, neighbouring authorities and other relevant agencies
- An expectation that licensees will treat all customers, members of the public and authorised licensing officers with respect and courtesy at all times

3.4 The safety and health of the public and licensees;

- Consideration of history of convictions, cautions, formal warnings, arrests, complaints and information received from partner agencies and other local authorities.
- Knowledge of the relevant Council topography
- Health and fitness of licensees
- Relevant safeguarding training
- A relevant professional driving qualification

3.5 Vehicle safety and suitability;

- Standards of vehicles
- Regular testing of vehicles including roadside checks
- Location of ranks
- Provision of wheelchair accessible vehicles

4. Background and definitions

4.1 The Local Government (Miscellaneous Provisions) Act 1976, as amended and the Town Police Clauses Act 1847 is the legislative framework for the Hackney Carriage and Private Hire licences.

4.2 This policy applies to the following:

4.2.1 **Hackney Carriages:** A vehicle available to transport members of the public that has no more than 8 seats for passengers, which is licensed to ply for hire. A Hackney Carriage may stand at designated taxi ranks and/or be hailed in the street by members of the public. A Hackney Carriage may also undertake pre booked journeys.

4.2.3 **Private Hire Vehicles:** These are licensed to carry no more than 8 passengers and must be booked in advance through a licensed Private Hire Operator. A Private Hire Vehicle cannot ply for hire nor use any designated taxi ranks.

4.2.4 **Private Hire Operators:** are required to take and record bookings for Private Hire vehicles. Bookings must be recorded and records be made available for inspection within the specified timescales.

4.2.5 **Hackney Carriage and Private Hire Drivers:** Licensed individuals who have undertaken certain tests and checks. Only a licensed driver can drive a licensed vehicle.

5. Private Hire and Hackney Carriage Drivers

5.1 This licence allows a person to drive a licensed vehicle, whether it is a Hackney Carriage or a Private Hire vehicle. The Council issues a joint Hackney Carriage and Private Hire driver licence. Licences shall be issued for a maximum period of 3 years but can

be granted for a lesser period if deemed appropriate. The only exemptions to this are those applicants whose right to remain and/or work in the UK is for less than the 3 year period. In such cases the licence shall only be issued for the same period as the leave to remain or right to work allows.

- 5.2 All applicants must satisfy the Council that they are a fit and proper person to hold a Hackney Carriage and Private Hire Drivers Licence (HCPHD). Once the licence has been granted the licence holder must remain a fit and proper person throughout the duration of the licence. The fitness and propriety of the license holder will be monitored and assessed throughout the licence period. Where licence holders have broken any licence condition, or any complaints and/ or criminal behaviour are brought to the attention of the Council the license holder may be subject to enforcement action. This may result in the revocation of a licence.
- 5.3 All applicants for a HCPHD licence must act with honesty and integrity and ensure all information that is provided is correct and up to date. Throughout the application process the applicant must provide and disclose all necessary information in a timely manner. This includes information relating to previous convictions, warnings, cautions, arrests, or any current or pending criminal investigations being undertaken, as well as any civil actions, injunctions or other factors which may bring into question the suitability of the applicant. Failure to do so will have a negative impact on the assessment of the application and may result in the licence being refused.
- 5.4 The process for applying for a HCPHD licence is provided in Appendix B. It is essential that all applicants understand and are familiar with this process prior to application and renewal to ensure that information requested is provided within the specified timescales. Failure to do so may result in the application being refused.

6. The Fit and Proper Person Test

6.1 Section 51 and 59 of the Local Government (Miscellaneous Provisions) Act 1976 require that all applicants and licence holders are, and remain, fit and proper to hold a licence. There is no legal definition of what constitutes a fit and proper person for the purposes of Private Hire and Hackney Carriage Vehicle licensing. However, the Council must be satisfied, based on the information provided that the applicant or licence holder is suitable to hold a licence and the public will be safe with the licence holder.

6.2 In determining whether a person is fit and proper to hold a licence, the Council is effectively asking the following question:

“Would you allow your son or daughter, spouse or partner, mother or father, grandson or granddaughter or any other person for whom you care, to get into a vehicle with this person alone?”

6.3 If the answer to the question is an unqualified ‘yes’, then the applicant or licence holder can be considered to be fit and proper. If there are any doubts in the minds of the Council, then further consideration will be given as to whether the applicant or licence holder should hold a licence.

6.4 If there is any doubt as to the suitability of the applicant or licence holder the Council will undertake any checks and apply any process necessary to ensure that licences are not issued or held by unsuitable persons. It is important to note that applications and any issues with current licence holders are dealt with on a case by case basis and as such it is not possible to detail an exhaustive list

of all checks or requirements that may be asked of the applicant or licence holder in order to satisfy this criteria but any decision will be transparent and relayed to the applicant/licence holder.

6.5 The Council will consider a number of factors when determining if an individual is a fit and proper person;

- Criminality
- Driving history
- Driving ability
- Right to work
- Medical history
- Standard of verbal and written English
- Any previous licensing history
- Anything else that may bring into question the applicants suitability to hold a licence.

A more detailed, but non- exhaustive list, is provided in Appendix A.

6.6 In addition the Council will consider any further information provided by other agencies including the Police, Neighbouring Authorities, Child and Adult Safeguarding Boards and County Councils that may have a bearing on the fit and proper standard of the individual.

6.7 The Council may, at any time throughout the duration of the licence access the DVLA records of the applicants to ensure their driving meets the requirements of this policy. Licence conditions in Appendix B require all licensed drivers to notify the licensing authority within 7 working days of any DVLA penalty points issued or any other driving offence. Failure to do so will result in the licenced driver receiving Council penalty points, under the Penalty Point Scheme (See Appendix E)

- 6.8 In submitting an application to the Council for a drivers licence, the applicant will be required to sign certain disclosures relating to the application form and their information. Details contained within the application may be shared with other agencies including but not limited to the Police, Immigration and HM Customs and Excise. In addition declarations must be signed that allow for the applicants DVLA record to be reviewed throughout the duration of the licence, alongside their DBS record through the online update service. The Council retains and shares information in accordance with Information Sharing Agreements and the Data Protection Act 1998.
- 6.9 An applicant will not be considered to be a fit and proper person to hold a licence if there is any evidence that the applicant has been dishonest in making the application or it can be evidenced that an applicant or an existing licence holder has misled, or attempted to mislead, the Council (officers or elected members of the licensing committee) during any part of the application process or with the administration of the licence throughout its duration.

7. Disclosure and Barring Service (DBS)

- 7.1. A criminal record check for any potential driver is essential and is an important safety measure in ensuring that an applicant is a fit and proper person and to protect public safety. All applicants will be required to undergo an Enhanced Disclosure through the Disclosure and Barring Service. This will list information on all live and spent convictions, police cautions and other relevant information. Details of the DBS application process can be found within Appendix B as part of the application process.
- 7.2 Private Hire and Hackney Carriage Drivers are included as “exceptions” within the Rehabilitation of Offenders Act 1974

(Exceptions) Order 1975. As such all applicants will be asked to disclose on their application form any conviction or caution regardless of the date of the conviction or caution. The DBS certificate will disclose convictions and cautions and where these have not been disclosed on the application form by the applicant the integrity and honesty of the applicant will be questioned. All licence holders must notify the Council of any convictions or cautions received during their licence period as stated in the licence conditions. Failure to do so may result in suspension or revocation of the licence.

7.1.3 All applicants (both new and renewals) must declare on the application form all convictions, cautions, informal warnings, fixed penalty notices, driving offences, civil actions, county court judgements, arrests and any on-going criminal, civil or traffic related investigation. Failure to inform the relevant Council of any information may result in the application being refused or a licence being suspended or revoked.

7.1.4 Applicants are responsible for the costs of obtaining a DBS certificate. It is a licence condition that applicants sign up to the DBS online update service and on the grant of a licence, the licence holder must maintain the subscription. The subscription costs are the responsibility of the applicant / licence holder and permission must be given to the relevant Council to undertake checks of the DBS status should the Council consider it necessary and appropriate to do so. The update service will be used to monitor the criminal record of the license holder and can also be used at the time of licence renewal. If no changes have been recorded on the DBS certificate a full DBS check will not be required.

7.1.5 In order to sign up to the online service the applicant, on receipt of their completed Enhanced DBS Certificate, must register for the

service within 19 days of the DBS certificate issue date. Upon licence renewal the applicant will need to provide the Council with their original certificate in order for the update service to be checked.

7.1.6 DBS Certificates will only be accepted when the application has been made through the relevant Council (South Northants or Cherwell). However, DBS certificates from other local authorities will be accepted providing the applicant has signed up to Update Service and has been checked to an enhanced level.

7.1.7 A Licence will not be issued without a current enhanced DBS certificate.

7.2 Applicants with Residency Periods Outside of the UK

7.2.1 Where an applicant has spent six months or more continuously outside the UK evidence of a criminal record check from the Country/Countries visited covering the duration overseas will be required. For stays longer than 6 months outside of the European Union a certificate of good conduct is required to be authenticated by the relevant embassy.

7.3 Right to Work in the UK

7.3.1 All applicants must provide evidence of their right to work in the UK. This is required for the first application and all renewals.

7.3.2 The list below states what evidence needs to be provided to prove the applicant has a right to work in the UK, this list is not

exhaustive and other documents may be accepted (please follow this link; <https://www.gov.uk/government/organisations/uk-visas-and-immigration>), however this must be discussed with the Council in advance of the application being submitted. Any issues with the documentation provided may result in a delay in issuing the licence or renewal of an existing licence.

- A UK passport confirming that the holder is a British Citizen (or citizen of another EEA country – including Switzerland),
- Passport or other travel document endorsed to show that the holder is allowed to stay in the United Kingdom and undertake paid employment,
- Full UK Birth/Adoption Certificate,
- An Immigration Document issued by the Border and Immigration Agency to the holder which indicates that the person named in it can stay in the United Kingdom and undertake paid employment,
- A work permit or other approval to take employment issued by the Home Office or the Border and Immigration Agency when produced in combination with either a passport or another travel document endorsed to show the holder is allowed to stay in the United Kingdom and is allowed to undertake paid employment.

7.4 Convictions, Cautions and Driving Offences

7.4.1 Where convictions and cautions have been declared by the applicant or disclosed on the DBS Certificate the Council must ensure that it is satisfied that the applicant is a fit and proper person to hold a licence. The Council will refer to The Criminal Records Policy for guidance which can be found in Appendix A.

7.4.2 Where convictions, cautions and driving offences have been imposed on a licence holder the same Criminal Records Policy will

be referred to in order to determine that the licenced driver remains a fit and proper person to hold the licence.

8. The Knowledge Test

8.1 All applicants are required to pass the relevant Council's Knowledge Test. The purpose of the test is to ensure that the applicant has sufficient knowledge in the following areas:

- Numeracy
- Topography
- Communications
- Road Safety
- Safeguarding and Child Sexual Exploitation (CSE)

8.1.2 In addition to the Knowledge Test all applicants will be required to attend (at their own cost) Council approved Safeguarding and CSE training prior to submitting their applications.

8.1.3 The Safeguarding, CSE and Disability Awareness training is mandatory for all applicants and licence holders regardless of whether the application is for a new or renewed licence. This is to ensure that applicants and licenced drivers are receiving the most up to date information at the time of the application.

8.1.4 Applicants are entitled to 2 attempts at the Knowledge Test as part of the application.

- Should an applicant fail s/he will have to wait 4 weeks before taking another test.
- A 3rd and 4th test will be permitted should the applicant require one and s/he will be charged at the fee set at the time.

- After 4 failures applicants will have to wait 6 months before taking the test again.
- A further 4 failures will result in the applicant being deemed not “fit and proper” and the application refused.

9. Medical Fitness Assessments

9.1 It is essential the licensed drivers are in good health and meet the requirements of Group 2 Standards of Medical Fitness as stated by the DVLA. Licensed drivers are expected to carry passengers' luggage and shopping, will drive on the road for longer periods than most car drivers and may have to assist disabled passengers. The Council must therefore be satisfied that the applicant /licensed driver is fit enough to undertake these tasks. Any pre-existing medical condition must be disclosed and be under control to the satisfaction of a General Practitioner and the relevant Council.

9.1.2 Applicants shall submit to the Council the supplied medical form completed by their own General Practitioner or a doctor who has full access to the applicant's medical records at the time of their application. A medical examination form will be required upon first application, then at the point of renewal of a 3 year licence until the applicant reaches the age 65 when an annual medical fitness assessment is required. Where an applicant has applied for a licence at the age of 64 and turns 65 within the first year the applicant will not be required to complete another medical assessment until renewal. Where certain conditions are noted by the GP, additional medicals or an alternative frequency may be required.

9.1.3 All licence holders must advise the licensing authority within 7 working days if any pre-existing medical conditions have deteriorated or his / her health has changed in any way that may affect the licence holder's fitness to drive.

9.1.4 Where the licensing authority is in any doubt as to the medical fitness of the applicant, further medical examinations may be required to be undertaken. Any costs relating to these additional assessments shall be paid for by the applicant.

9.1.5 No medical fitness assessment form will be accepted where the person completing the form does not have access to the applicant's patient records.

10. Assistance Dogs

10.1.1 All licensed drivers are under a legal duty to carry guide, hearing and any other assistance dogs in their vehicles without any additional charge to the passenger. A licensed driver may only refuse to do so where s/he has a medical exemption. A medical exemption may be granted by the licensing authority where the licensed driver has provided detailed medical evidence that shows a medical condition will be aggravated by exposure to dogs. If the medical exemption is granted the licensed driver will be issued with an exemption certificate and a notice of exemption. The notice must be displayed in the vehicle by fixing it in a prominent position facing outwards on the dashboard.

10.1.2 When hired to carry a guide dog, the owner should be asked where s/he would prefer their dog to be.

10.1.3 Most dogs are trained to lie in the front passenger foot well between the feet of their owner. If the vehicle is fitted with front and side air bags, it is essential that the dog is lying down at all times. Licensed drivers must inform the owner accordingly.

Assistance dogs are trained not to move and will not harm a licensed driver in any way.

10.1.4 If the front foot well is not large enough to accommodate the dog, the owner should be advised to travel in the rear of the vehicle with the dog in the foot well behind the front passenger seat. The seat should be pushed forward to make room for the dog.

11. Private Hire and Hackney Carriage Vehicle Licences

11.1.1 The procedure for applying for a Private Hire Vehicle or Hackney Carriage Vehicle Licence is detailed in Appendix C. Only vehicles less than 6 years old will be considered for a new licence.

11.1.2 In order for an application to be considered the applicant must submit the following documentation to the Council:

- The fully completed vehicle licence application form
- Application Fee
- The original of the Vehicle Registration Document (Log Book/V5) certificate of registration for the vehicle (the new keeper's supplement section of the V5 document will be accepted in the case of vehicles that are not licensed at the time that the application is made, and the vehicle has recently been purchased by the applicant (documentary evidence will be required). Licences will not be renewed unless the full V5 document is made available to the Council at the time of application)

- The original insurance or insurance cover note for the vehicle. The document must state that the vehicle is insured for Private Hire (Hire and Reward) or Hackney (Public Hire)
- A valid MOT no older than 28 days from an approved MOT testing station within the relevant Councils area.

In addition to the above:

Incomplete application forms, incorrect fees or supporting documentation that does not conform will result in the application being rejected. Only when a complete application has been provided will the assessment process begin.

11.2 Grant and Renewal of Vehicle Licences

11.2.1 All vehicles will be inspected by a licensing officer prior to a licence being issued. All vehicles should be safe and must remain safe for passengers and therefore the Council expects vehicles to be in such a condition that the inspection will be passed.

11.2.2 Vehicle licences are for a period of 1 year and will be subject to MOT testing throughout that period. Vehicles with less than 100,000 miles on the odometer will be tested every 6 months. Vehicles with more than 100,000 miles on the odometer will be tested every 4 months. The relevant dates will be printed on the licence. No reminders will be sent. There is no upper age limit for vehicle renewals however all vehicles older than 10 years will have to present a full service history from the time the applicant obtained the vehicle.

11.3 Insurance

11.3.1 All insurance documents for the vehicle to be licensed must be provided with all the other relevant information at the time of application. In order to satisfy the Council that appropriate insurance is in place for the vehicle, the following is required:

- A valid Certificate of Insurance or Cover Note. This must confirm that insurance is in place for each driver of the vehicle and specify that it is covered for its use as a Hackney Carriage or Private Hire vehicle
- A Hackney Carriage vehicle requires insurance to cover public hire
- A Private Hire vehicle requires insurance to cover Private Hire and hire and reward
- A Cover Note will be accepted and the licence issued on the understanding that a certificate of insurance will be presented as soon as possible.

11.3.2 All insurance dates are noted on the Council system at the time of application and follow ups will be undertaken to ensure the vehicle is appropriately insured. Where a new insurance certificate has not been submitted to the Council for that vehicle it will be deemed to have no insurance and the licence suspended until such time as an appropriate insurance document is provided and penalty points will be issued to the licence holder.

11.4 Vehicle Specifications

11.4.1 The Council have set down a number of specifications, in order to apply for a vehicle to be a licensed Private Hire or Hackney Carriage Vehicle it must comply with the specifications at the time of application.

The specifications for a Private Hire and Hackney Carriage Vehicles are detailed in Appendix C

11.5 Licensed Vehicle Conditions

11.5.1 Conditions are imposed on all operator, driver and vehicle licences and the Council is empowered to impose any conditions that are considered reasonably necessary in the granting of a licence. The conditions will be attached to the licence upon issue and are detailed in Appendix C. All applicants will be expected to have read and understood these conditions, any breach in the conditions will result in penalty points being issued or the licence considered for review.

11.6 Identification of Vehicles as a Private Hire Vehicle or Hackney Carriage

11.6.1 All vehicles must clearly indicate to the public that the vehicle is licensed. The public must be able to clearly distinguish the difference between a Private Hire and Hackney Carriage Vehicle. No signs, stickers or insignia shall be added/ attached to the vehicle unless in compliance with Council requirements. Permission will be required in writing. The Vehicle Licence conditions in Appendix C provide detail on the following:

- The position/location of the licence plates
- The position of permanent door signs
- Required wording for the door signs and roof lights
- Requirements to display certain notices in the vehicles

11.7 Tyres

11.7.1 It is essential that the tyres on all licensed vehicles are in good condition. All tyres must conform to the following requirements:

- Tyre treads are designed to efficiently and effectively remove water from the road surface and provide maximum grip. All tyres fitted to the vehicle must have at least 2.0 mm tread depth throughout a continuous band in the centre 3/4 of the tread and around the entire circumference of the tyre. (please be aware that this is a more stringent standard than the MOT test)
- Tyre fitted to a motor vehicle or trailer must be fit for purpose and be free from any defects which might damage the road or endanger any person. Fit for purpose means that a tyre must:
 - be compatible with the types of tyres fitted to the other wheels,
 - not have any lump, bulge or tear caused by separation or partial failure of the structure,
 - not have a cut or tear in excess of 25mm or 10% of the sectional width of the tyre, whichever is the greater, and which is deep enough to reach the ply or cord,
 - not have any part of the ply or cord exposed.
- Tyres must be correctly inflated to the vehicle/tyre manufacturer's recommended pressure.
- All replacement tyres fitted to licensed vehicles must be new (i.e. not have been used previously on any other vehicle) and have been fitted by a reputable vehicle maintenance company/contractor. Vehicle proprietors are required to retain invoices/receipts to show that any tyre that is purchased meets this requirement.
- The fitting of part worn tyres to licensed vehicles is not permitted.
- 'Space saving' spare wheels must only be used in an emergency, and then only in accordance with the manufacturer's instructions. Should the use of a 'space saving' spare wheel become necessary during a period of hire then the journey may continue, but the wheel must be replaced before another journey commences.

11.8 Accidents

11.8.1 If, at any time, a licensed vehicle is involved in any kind of accident, regardless of how minor or who was at fault, the driver must inform the Council of the accident within 72 hours of the accident; this can be done by telephone or email. An accident report form is available upon request and should be completed and submitted to the Council along with photographs of the damage within 24 hours of reporting the accident.

11.8.2 Following submission of the accident report form the Council will review and determine whether, by nature of the accident, or the stated damage caused, the vehicle must be inspected by an MOT approved garage to ensure the safety of the vehicle. If the damage (whether mechanical or cosmetic) means the vehicle is no longer fit to be licensed a Section 68 notice will be issued. The notice requires that the vehicle is repaired to the required standard within 2 months of issue.

11.9 Meters

All Hackney Carriages must be fitted with an approved meter. This forms part of the vehicle test. Meters must be calibrated to the tariff set by the relevant Council.

11.10 Additional Provisions for Private Hire Vehicles Only

11.10.1 Advertisements

Limited advertising is allowed on a Private Hire Vehicle subject to preapproval by the Council. Advertisements must be in accordance with the requirement set out in Appendix C.

11.11 Additional Provisions for Hackney Carriage Vehicles Only

11.11.1 Hackney Carriage Wheelchair Accessibility Requirements:-

1. Wheel chair spaces requirements: 1130mm length, 690mm width, 1290mm height (min).
2. Acceptable intrusions into the wheelchair space: One or more tipping, folding or easily removed seats. Padded head and back restraint. Handrails or handholds provided that they do not extend into the wheel chair space by more than 90mm. Wheelchair restraint system and wheelchair user restraint system and appropriate anchorages and fittings.
3. Wheelchair user safety provisions: Every wheelchair space shall be fitted with a wheelchair tie-down system and a wheelchair user restraint system.
4. The vehicle must have type approval certification i.e. EU Whole Type Approval Certificate or UK Low Volume Type Approval Certificate.

11.12.1 Boarding Lifts and Ramps

1. Dimensions: Single piece ramp – width 700mm (min), length 1600mm (max)
2. Ramp gradients: Side entry: Kerb (125mm): 14 degs (max)
 - i. Ground: 19 degs (max)
3. Slip resistant surfaces: all surfaces over which a wheelchair user may travel shall have a slip resistant finish applied.
4. Colour contrasting edge marks: a band contrasting with the remainder of the boarding ramp surface, 45mm to 55mm in width around and abutting the edge of the ramp or lift surface.
5. Control and fail safe mechanisms or power operated equipment: power operated equipment shall only be capable of operation from a control adjacent to the ramp.
6. Load sensors and re-cycling mechanisms for power operated equipment: a device to stop the movement of the boarding ramp when motion is likely to cause injury.
7. Manual override provisions for power operated equipment: a provision to repeatedly operate the equipment in the event of power failure shall be provided.

8. Manual/portable ramp: Such ramps must have a designated stowage location which can store the equipment such that it does not present a risk of injury.

Entrances and Exits

1. Number and position: a minimum of 1 located on the nearside
2. Minimum doorway width: 740mm
3. Minimum doorway height: 1230mm

11.13.1 Taxi Ranks

A list of Taxi Ranks will be made available on request.

Private Hire Vehicles are not permitted to park on Taxi Ranks. Private Hire Vehicles are not permitted to pick up or set down passengers on a Taxi Rank. Where Private Hire drivers are found to be using a Taxi Rank penalty points may be issued.

12. Executive Hire (discreet plates)

- 12.1 Any vehicle proposed to be used for Executive Hire must be licensed as a Private Hire Vehicle. Vehicles used for this purpose must meet the requirements for Private Hire Vehicles. An application for a discreet plate must be made and approved by the Council. A discreet plate means that the vehicle does not need to display the same number of signs that a standard vehicle is required to do. However, these vehicles must display a plate issued by the Council, which states details of the vehicle, issue date and the number of persons allowed to be carried. This plate must be displayed in the front window of the vehicle. Licences will be conditioned to reflect any restrictions the Council feels necessary.

12.1.2 Drivers of Executive Vehicles must complete the licensing application process in the same way as any other licensed driver.

12.1.3 Vehicles with discreet plates must never be used for day to day Private Hire work.

12.1.4 Applicants wishing to apply for a discreet plate must satisfy the following Council requirements;

- a) Vehicles accepted include luxury brands such as Mercedes Benz, BMW, Jaguar, Rolls Royce, Bentley and Lexus. The highest specification executive type cars from other manufacturers may also be considered. American style stretched vehicles will normally qualify for discreet plates.
- b) The vehicle must be in immaculate condition with no visible defects, dents or blemishes to the external bodywork or internal trim.
- c) The type of work undertaken is 'executive' in nature. This would mean that the vehicle is used specifically for clients that for security reasons would not want the vehicle to be identifiable. Documentary evidence of contracts will be required.

Application for exemption will be made to the Licensing Authority in writing by a person holding a Private Hire operator's licence issued by the Council. The application must be accompanied by documentation to evidence compliance with point a) and c).

Provided that conditions a) and c) are satisfactorily met, an appropriate appointment will be made to inspect the vehicle to satisfy the requirement of clause b).

If all points above are satisfied discreet plates will be issued.

13. Private Hire Vehicle Operators

13.1.1 The Private Hire Vehicle Operator is responsible for all persons employed, sub-contracted or used in the course of the Private

Hire Vehicle business. The operator must undertake sufficient checks so as to be satisfied that only suitable drivers are used (and continue to be used) in the course of the business.

13.1.2 The Private Hire Vehicle Operator licence is not transferable and the person to whom it is issued must display it in a prominent position at each business premises recorded on the licence. The licence must be displayed at all times during the currency of the licence, so as to be on view to members of the public, except on such occasions as the licence is presented to the Council for amendment or if it is required to be produced for inspection by an Authorised Licensing Officer of the Council or a Police Officer.

13.1.3 A separate licence will be issued in respect of each approved secondary booking office if applicable.

13.2 Requirement for a Private Hire Vehicle Operator Licence

13.2.1 A licensed Private Hire Vehicle can only be despatched to a customer by a licensed Private Hire Vehicle Operator. The operator licence requires the operator to ensure all its Private Hire Vehicle drivers are licensed by the same Council along with their vehicles.

13.2.2 A Private Hire Vehicle operator may sub contract work to operators licensed in other districts if unable to fulfil a booking with its own licensed drivers. Accurate records of any sub-contracting must be kept by the operator and be available for inspection on request. A Private Hire Vehicle operator can also despatch work to any Hackney Carriage. South Northants and Cherwell District Council licensed operators will only be able to use Hackney

Carriage drivers who have undertaken recognised Safeguarding training.

13.2.3 Applications for a Private Hire Vehicle operator licence must be made on the Council application form, with the appropriate fee and the applicant must undergo a Basic Disclosure Barring Service check if not already a licensed driver within the Council area. The Council will then decide whether the applicant is a fit and proper person to hold an operator licence. The Council will grant operator licences for a period of 5 years. A licence will only be granted for less than 5 years in exceptional circumstances.

13.3 Fitness and propriety

13.3.1 Applications will only be granted where the Council is satisfied that the applicant is a fit and proper person to hold a Private Hire Vehicle Operator licence. In order to determine the applicant's fitness the following will be considered:

- Criminal record (including convictions, cautions, warnings and reprimands),
- Factors such as demeanour, general character, non-criminal behaviour, honesty and integrity,
- Previous conduct (particularly in cases where the applicant holds or has previously held a licence issued by either Council),
- Business practices demonstrated by the applicant (for example standard of record keeping, compliance with other regulatory requirements, financial practices etc.)

13.3.2 In addition the Council will also consider further information sources such as the Police (including abduction notices), Children and Adult Safeguarding Boards, other licensing authorities and statutory agencies.

13.3.3 If an application is received from a person that is not a driver licensed by the Council the applicant will be required to provide a Basic Disclosure from the Disclosure and Barring Service.

13.4 Insurance

13.4.1 Every operator shall put in place Public Liability Insurance for the premises that are to be licensed. Where the operators directly employ the licensed taxi drivers Employer's Liability Insurance must also be in place. Evidence of these insurances should be provided as part of the application.

13.5 Conditions

13.5.1 The Council has the power to impose conditions on an operator's licence and will do so upon issue. A copy of the operator conditions are provided in Appendix D.

13.5.2 Additional conditions may be added to a licence when it is deemed necessary by the Council. Failure of the operator to adhere to the conditions of the licence will lead to enforcement action which may include the issuing of penalty points, suspension or revocation of the licence or prosecution.

13.6 Operator responsibility

The Council expects licensed operators to work with the Council and to support the aim of improving safety and safeguarding. Operators must alert the Council to any concerns as to public

safety or safeguarding and failure to do so will call into question the fitness and propriety of the operator to hold a licence.

14. Driver, Vehicle and Operator Licence Conditions and Application Process

14.1 Conditions are attached at the time of the issuing of the relevant licence. These conditions are available to view in Appendix D and are sent out with the application packs. Applicants and licence holders must be aware of these conditions and adhere to them at all times throughout the duration of the licence.

Failure to do so may result in penalty points being issued which could result in the suspension or revocation of the licence.

14.2 The application process for driver, vehicle and operator licences can be found in Appendices B, C and D respectively.

15. Enforcement, Compliance and Complaints

Need to cover sharing information and data protection act – authorisation and scheme of delegation should be covered here

15.1 The purpose of licensing the taxi trade is to protect the public and promote public safety. The Council will utilise all legislative powers available to ensure the public are protected. The Council has an overarching Enforcement Policy to ensure that enforcement is efficient, targeted, proportionate and transparent. The Enforcement Policy is available on the Council's website.

15.2 Enforcement Penalty Points

15.2.1 The Council operates a penalty point Scheme.

Where breaches of the terms and conditions of any licence (drivers, vehicle or operator) are determined by the Council, penalty points may be issued. Details of the penalty points scheme can be found in Appendix E.

15.2.2 The Scheme is a way of formalising warnings being issued to licence holders. Every licence holder will know what penalty points are attributed to the different types of breaches. Greater penalty points are issued for the condition breaches that are the most serious.

15.2.3 The penalty points are issued per incident and are cumulative. If one incident has resulted in several breaches of the licence conditions the points issued may reach a trigger level that would require further action against the licence. This could result in suspension or revocation of the licence.

15.2.4 All Authorised Licensing Officers are authorised to operate the scheme and issue points accordingly.

15.3 Suspension or Revocation of a Licence

15.3.1 Where a vehicle fails to meet the licence conditions determined by an Authorised Licensing Officer, action may be taken to suspend the licence until the vehicle meets the required standard

15.3.2 A Section 68 Notice may be served suspending the use of the vehicle until the defects are remedied. The suspension will only be lifted once the vehicle has been inspected by an Authorised Licensing Officer. A Section 68 Notice may also result in Penalty Points being issued.

15.3.3 In situations where a serious risk to the safety of the public is known, under delegated powers an Authorised Licensing Officer is permitted to suspend the licence of a driver, vehicle or operator.

15.3.4 The Council does not suspend or revoke licences lightly but will not hesitate to do so if it is felt it is necessary for the protection of the public.

15.4 Refusal to Renew a Licence

15.4.1 Any renewal application where new criminal convictions are shown on the DBS or there are any other concerns may result in that application being refused.

15.4.2 A person whose licence renewal application is refused may appeal such a decision to the Magistrates' Court.

15.4.3 Where an applicant has failed to provide all relevant information or documentation; or has failed to comply with any of the requirements needed to renew a licence, the application and renewal of the licence may be refused.

15.5 Prosecution of Licence Holders

15.5.1 The Council may prosecute licence holders for relevant offences in accordance with the Council Enforcement Policy.

15.6 Appeals

15.6.1 Information on any right of appeal will be issued when a decision is made on any enforcement action.

15.7 Service Requests and Complaints

15.7.1 The Council has a duty to investigate complaints made by members of the public or partner agencies and any such complaint will be logged as a service request and investigated.

15.7.2 In determining the most appropriate course of action the Council will have regard to the evidence collated, the credibility of both the licence holder and the complainant.

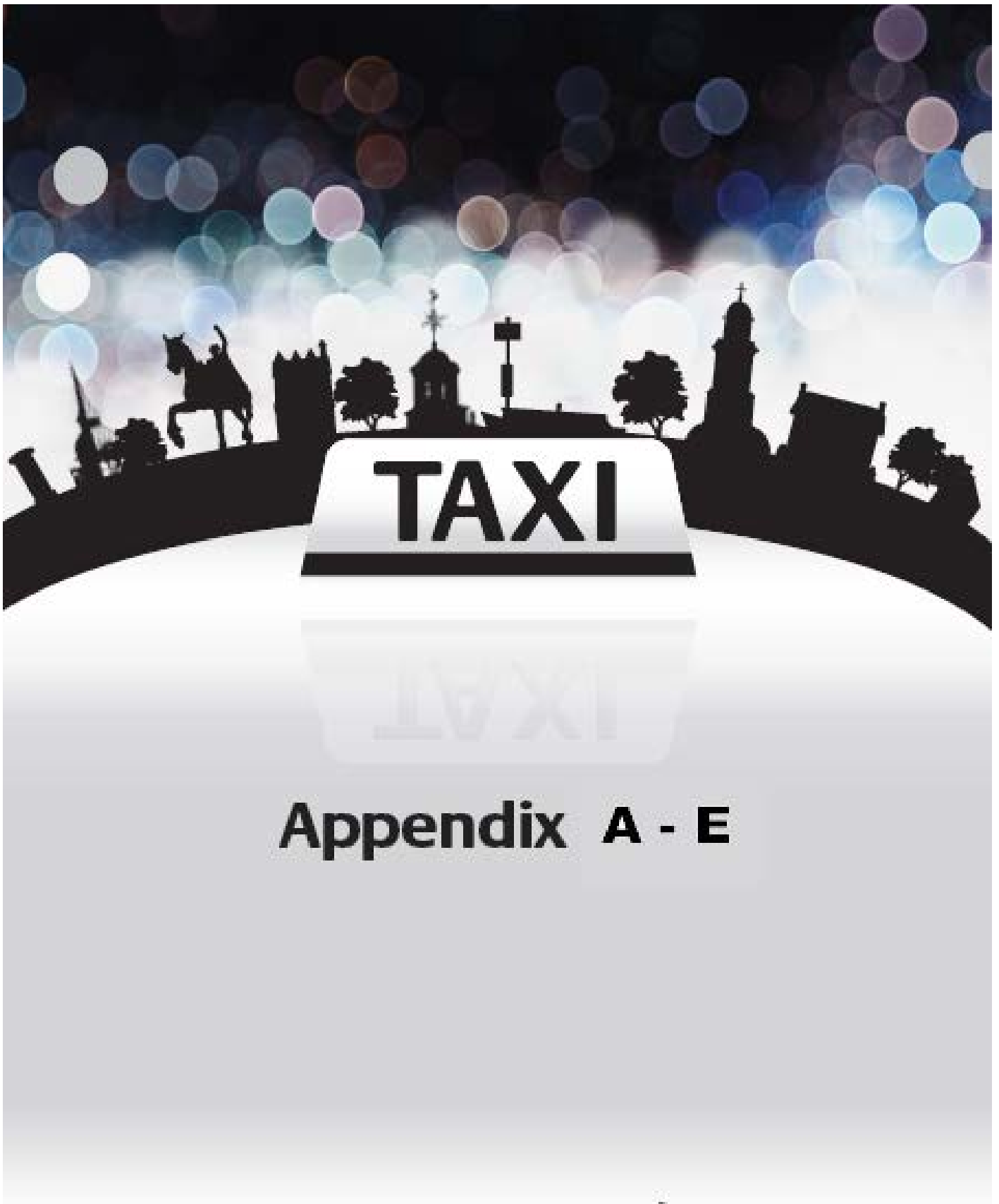
15.7.3 The Council operates a complaints process should any person be unhappy with the service received from the Council. Details can be found on the Council website;

South Northamptonshire Council

<http://www.southnorthants.gov.uk/complaints-and-comments.htm> a

Cherwell District Council

<http://www.cherwell.gov.uk/index.cfm?articleid=3985>



Appendix A - E

Appendices

Appendix A – Criminal Records Policy

Appendix B – Driver Application Process and Conditions

Appendix C – Vehicle Application Process and Conditions

Appendix D – Operator Application Process and Conditions

Appendix E – Hackney Carriage and Private Hire Driver Penalty Points Scheme

Criminal Records Policy

Contents

- 1) **Introduction**
- 2) **Scope**
- 3) **Background**
- 4) **General Policy**
- 5) **Serious Offences Involving Violence**
- 6) **Sexual and Indecency Offences**
- 7) **Dishonesty**
- 8) **Alcohol and Drugs**
- 9) **Driving Offences Involving Loss of Life**
- 10) **Other Traffic Offences**
- 11) **Outstanding Charges or Summonses**
- 12) **Non Conviction Information**
- 13) **Licensing Offences**
- 14) **Insurance Offences**
- 15) **Applicants with a Period of Residency Outside the UK**
- 16) **Summary**

1. Introduction

- 1.1 Cherwell District and South Northamptonshire Councils are responsible for issuing Hackney Carriage and Private Hire licences under the Local Government (Miscellaneous Provisions) Act 1976 and therefore must ensure, to the best of their abilities, that those who are granted a licence are 'fit and proper'. In undertaking this duty the Council's primary concerns are protecting public safety.

2. Scope

- 2.1 This policy provides guidance for licence applicants on what is taken into account when determining if an applicant is a 'fit and proper' person to hold a licence. This policy relates to any application regardless of whether it is a new or a renewal application. Whilst criminal convictions will play a large part in the determination of the application other information relating to the applicant's honesty and integrity, driving ability and information provided by the Police or any other body will also be taken into account.
- 2.2 This policy mainly relates to the determination of a driver licence application/ renewal however its principles are equally applicable in the determination of a Hackney Carriage/ Private Hire Vehicle licence and a Private Hire Vehicle Operator licence. Therefore when a conviction is noted on any application form and is considered relevant in determining if an applicant is 'fit and proper' this policy will be referred to in order to assist the determination of the application.
- 2.3 This policy applies from the date of publication to all current licences and to all new licence and renewal applications after the publication date.

3. Background

- 3.1 In order to protect public safety the Council is mindful of the following:
- That a person is a **fit and proper** person in accordance with Sections 51 and 59 of the Local Government (Miscellaneous Provisions) Act 1976 (Part II)
 - That the person does not pose a threat to the public

- That the public are safeguarded from dishonest persons
- The safety of children, young persons and vulnerable adults

3.2 There is no strict legal definition for what constitutes a 'fit and proper person' and it will be in the opinion of the Council as to whether or not an applicant is a 'fit and proper' person.

3.3 To assist in determining whether an applicant is a 'fit and proper' person to hold a licence the Council will undertake any checks deemed necessary and will take every step to ensure that licences are not issued to or used by unsuitable people. The Council will take the following into consideration:

- Criminality – details provided from the Disclosure Barring Service (DBS) Certificate or intelligence from the Police
 - Period of holding a DVLA driver's licence – An applicant who has not held their licence for at least one year will not be eligible to apply for a licence
 - Number of endorsed driving licence penalty points – as detailed in the DVLA licence check
 - Right to work – Evidence that the applicant is eligible to work in the UK must be provided within the application. If the leave to work is less than the drivers licence (3 years) the licence will only be issued for the same period however the fee remains the same.
 - Medical fitness – A completed medical must be provided with the application by a doctor who has full access to the applicant's medical records and history. If we are not satisfied with the medical submitted further assessments may be required
 - The Standard of verbal and written English
 - The Standard of driving/driving ability
 - General conduct/standards of behaviour (including online activity)
 - The conduct of the applicant in making the application (e.g. whether they have acted with integrity during the application process) – For example, where an applicant has not disclosed all criminal convictions on the application form as requested but the DBS Certificate details convictions this will be considered to be dishonest and the application may not be looked on favourably
 - The previous licensing history of existing/former licence holders – including information sought from neighbouring authorities that the applicant may have previously worked in
 - Knowledge and understanding of requirements of a licenced driver
 - Or anything else that may bring into doubt the applicants suitability to hold a licence
- **To ask the question “Would you allow your son or daughter, spouse or partner, mother or father, grandson or granddaughter or any other person for whom you care, to get into a vehicle with this person alone?”**

- 3.4 The Council may also take into account information and intelligence provided by other agencies including, but not limited to, the Police, Immigration Services, Children and Adult Safeguarding Teams.
- 3.5 This policy is a guide for applicants, Council officers and members, however, it is not possible to detail every possible situation and every application is dealt with on a case by case basis. If exceptional circumstances dictate, it may be necessary for the Council to depart from the policy and the Council reserves the right to do so.
- 3.6 For the avoidance of doubt, where it is detailed in this policy that a specified period of time from conviction is required to elapse before an application will be considered, the date of conviction is the date upon which an applicant pleads guilty or is found guilty. Where it is detailed in this policy that a specified period of time from the completion of sentence/ licence period is required to elapse before an application will be considered, the completion of sentence is the date upon which an applicant's sentence, including any licence period, is completed.
- 3.7 The Council reserves the right to review and if necessary reverse any previous decisions if information comes to light that identifies that the initial decision as being was incorrect.

4. General Policy

- 4.1.1 A previous conviction is not an automatic bar to an applicant being granted a licence. The criteria set out below (4.2.3) will be considered and an applicant with a previous conviction will be expected to:-
1. Have remained free of further conviction for a specified period of time; and
 2. Provide evidence that s/he is a fit and proper person to hold a licence. It is the applicant's responsibility to produce any evidence s/he thinks relevant to assist in the determination of his/ her 'fit and proper' status. Simply remaining free from convictions is not necessarily enough to demonstrate that an applicant is fit and proper, particularly in light of evidence of poor driving or where the behaviour of the applicant has been called into question.
- 4.1.2 The criteria set out below (4.2.3) would normally be applied in the determination of all applications. The Council may depart from this policy where required to do so by exceptional circumstances. The otherwise good character and driving record of the applicant or licence holder will not ordinarily be considered as exceptional circumstances.

4.1.3 Applicants must include on the application form all details of:-

- Any arrest or request to voluntarily attend a police station for interview or formal questioning;
- Convictions, cautions, binding overs, reprimands or final warnings;
- Being charged with an offence or summonsed to court;
- Issued with a Fixed Penalty Notice;
- DVLA driving licence endorsements;
- Civil proceedings, orders or injunctions.

4.2 Appeals

4.2.1 Any applicant refused a driver or operator licence, or who has a licence suspended or revoked on the grounds that the Council is not satisfied that the applicant is a fit and proper person to hold such a licence has a right to appeal to the Magistrate's Court within 21 days of the notice of refusal [Local Government (Miscellaneous Provisions) Act 1976, S 77 (1)].

4.3 Powers

4.3.1 **Section 61 of the Local Government Miscellaneous Provisions Act 1976:** Allows the Council to suspend, revoke or refuse to renew a licence if the applicant licence holder has been convicted of an offence involving dishonesty; indecency; violence; failure to comply with the provisions of the Town Police Clauses Act 1847; failure to comply with the provisions of Part II of the Local Government (Miscellaneous Provisions) Act 1976; or any other reasonable cause.

4.3.2 **The Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975:** Allows the Council to take into account all convictions recorded against an applicant or licence holder whether 'spent' or not. The Council will have regard to all relevant convictions, particularly where there is a long history of offending or a recent pattern of repeat offending. Applicants need to be aware that, in accordance with this Act, all convictions, cautions, warnings and reprimands must be declared. The time periods post-conviction referred to later in this policy are guidelines only. For example being 10 years clear of an arson offence will not mean a licence will be automatically granted.

4.3.3 Sections 51, 55 and 59, Local Government (Miscellaneous Provisions) Act 1976:

The Councils are required to ensure that an applicant for the grant or renewal of a Hackney Carriage and/or a Private Hire Vehicle driver licence or Operator Licence is a “fit and proper” person to hold such a licence. However, if an applicant has any convictions, cautions, warnings, charges awaiting trial or on-going investigations, the Council will consider:

- How relevant the offence(s) are to the licence being applied for
- How serious the offence(s) were
- When the offence(s) were committed
- The date of the conviction, warning, caution etc.
- Circumstances of the individual concerned
- Any sentence imposed by the court
- The applicant’s age at the time of offence/incident leading to the conviction, warning, caution etc.
- Whether the conviction, caution, warning etc. forms part of a pattern of offending
- Any other character check considered reasonable (e.g. personal references)
- Any other factors that might be relevant, for example:
 - The previous conduct of an existing or former licence holder,
 - Whether the applicant has intentionally, knowingly or recklessly misled the Council or lied as part of the application process,
 - Information provided by other agencies/Council departments.

4.3.4 In accordance with the conditions attached to the licence, existing holders of a driver licence or operator licence are required to notify the licensing department of the Council in writing, by letter or email within 7 days of his/ her being:-

- Arrested or requested to voluntarily attend a police station for interview or formal questioning;
- Administered with a caution, binding over, reprimand or final warning;
- Charged with an offence or summonsed to court;
- Convicted of an offence;
- Issued with a Fixed Penalty Notice;
- Receiving a DVLA driving licence endorsement;
- The subject of any civil proceedings, orders or injunctions.

4.3.5 All drivers will have an enhanced Disclosure Barring Service (DBS) check undertaken at the time of application. All new and renewal applicants must attend the Council Offices for the DBS check to be completed. Once the certificate has been received by the applicant the applicant must sign up to the DBS Online Update Service within 19 days of the certificate issue. The costs of all DBS checks are the responsibility of the applicant. The DBS Online Update Service is a less expensive service that ensures a quicker turnaround of the certificate; the fee for the service must be paid on an annual basis by the applicant. The applicant must sign up to the service before the licence is issued as it is a condition

of the licence that the applicant / licence holder has signed up, and remains signed up to the service.

- 4.3.6 Information as to the suitability of the applicant may be sought from any external organisations. The Common Law Disclosure Policy used by all Police forces may result in receiving information which calls into question the suitability of the applicant. Such information may be provided to the Council at the point of application or throughout the duration of the licence.
- 4.3.7 It is an offence for any person to intentionally, knowingly or recklessly make a false declaration, or to omit any material particular in giving information required by way of the application for a licence (s57 Local Government (Miscellaneous Provisions) Act 1976). Where an applicant has made a false statement or a false declaration on the application for the grant or renewal of a licence, the licence will normally be refused.
- 4.3.8 Any offences or behaviour not stated in this Policy will not prevent the Council from taking into account those offences or behaviours.

4.4 Options when Determining an Application and Reviewing a Licence

- 4.4.1 When determining an application or reviewing an existing licence the Council has the following options:
- approve the application or take no further action
 - refuse the application/ revoke the licence/ suspend the licence
 - issue a warning which may include the use of enforcement penalty points

5. Serious Offences Involving Violence

- 5.1 Licenced drivers have close regular contact with the public. Serious consideration will be given to applicants and licence holders convicted of offences of violence. No application will be granted and an existing licence revoked where a conviction offence has resulted in a loss of life.

5.2 A licence application will be refused or an existing licence revoked where the applicant / licence holder has a conviction or is convicted of any of the following offences:

- Murder
- Rape
- Offences related to Child Sexual Exploitation
- Manslaughter
- Manslaughter or Culpable Homicide while Driving
- Offences related to Child Sexual Exploitation
- Terrorism
- Any offences (including attempted or conspiracy to commit offences) that are similar to those above.

5.3 Consideration will only be given to the granting of a licence if at least 10 years have passed since the completion of any sentence and/ or licence period following conviction the following offences:-

- Arson
- Malicious wounding
- Actual bodily harm
- Grievous bodily harm
- Robbery
- Possession of firearm
- Riot
- Assault Police
- Violent disorder
- Resisting arrest
- Any racially-aggravated offence against a person or property
- Common assault
- Affray
- Any offence that may be categorised as domestic violence
- Any Public Order Act 1986 offence (harassment, alarm or distress, intentional harassment or fear of provocation of violence)
- Any offence (including attempted or conspiracy to commit offences) that are similar to those above.

A licence application will be refused if the applicant has more than one conviction for an offence of violence, irrespective of the dates of conviction.

An existing licence will ordinarily be revoked if the licence holder is convicted of an offence of violence

5.4 Consideration may only be given to the granting a licence if at least 5 years have passed since the completion of sentence and/ or licence period following conviction for an offence shown below:

- Obstruction
- Criminal damage
- Any offence (including attempted or conspiracy to commit offences) that are similar to those above.

5.2 Possession of a Weapon

5.2.1 If an applicant or licence holder has been convicted of possession of a weapon or any other weapon related offence, this will give serious concern as to whether the applicant/ licence holder is a fit and proper person to hold such a licence. At least 3 years must have passed since the completion of the sentence/ and or licence period, before a licence is granted.

6. Sexual and Indecency Offences

6.1 Licenced drivers often carry unaccompanied and vulnerable passengers; the Council will take a strong line in relation to applicants or existing licence holders with convictions for sexual offences. All sexual and indecency offences will be considered as serious. Convictions for sexual or indecency offences will result in the refusal of an application or revocation of an existing licence. Such offences include:

- Rape
- Assault by penetration
- Offences involving children or vulnerable adults
- Trafficking, sexual abuse against children and/or vulnerable adults and preparatory offences (as defined within the Sexual Offences Act 2003)
- Making or distributing obscene material
- Possession of indecent photographs depicting child pornography
- Sexual assault
- Indecent assault
- Exploitation of prostitution
- Soliciting (kerb crawling)
- Grooming
- Making obscene/indecent telephone calls
- Indecent exposure

- Any similar offence (including attempted or conspiracy to commit) offences which replace the above

6.2 In addition to the above the Council will not grant a licence to any applicant who is currently on the Sex Offenders Register or any other similar register.

7. Dishonesty

7.1 A licenced Hackney Carriage/Private Hire Vehicle driver is expected to be trustworthy. In the course of their working duties a Hackney Carriage/ Private Hire Vehicle driver will deal with cash transactions and valuable property may be left in their vehicles. Drivers will also deal with passengers who are vulnerable or intoxicated and potentially easily confused. For these reasons, a serious view is taken of any conviction involving dishonesty.

7.2 In general, a minimum period of 5 years free of conviction or at least 5 years have passed since the completion of sentence/ and or licence period should be required before granting a licence to an applicant convicted of a dishonesty offence. Offences involving dishonesty include:

- Theft
- Burglary
- Fraud
- Benefit fraud
- Handling or receiving stolen goods
- Forgery
- Obtaining money or property by deception
- Other deception
- Taking a vehicle without consent
- Or any similar offence (including attempted or conspiracy to commit) offences which replace the above

7.3 An existing licence will ordinarily be revoked if the licence holder is convicted of an offence of dishonesty.

8. Alcohol and Drugs

- 8.1 A serious view is taken of any drug related offence. Taking drugs and driving poses an obvious risk to public safety. Whilst applicants who have convictions for the supply of drugs should also be treated with considerable concern, the nature and quantity of the drugs, whether for personal use or supply are issues which will be considered carefully.
- 8.2 Hackney Carriage / Private Hire Vehicle drivers are professional, vocational drivers and a serious view is taken by the Council of convictions for driving, or being in charge of a vehicle while under the influence of alcohol or drugs. More than one conviction for an alcohol or drug related offence raises significant doubts as to the fitness of an applicant / driver to drive the public. At least 5 years, after the restoration of the driving licence following a drink drive conviction should elapse before an application will be granted. If there is any suggestion that the applicant is alcohol or drug dependent, a satisfactory special medical report must be provided before the application can be granted.
- 8.3 A licence will not be granted where the applicant has a conviction for an offence related to the supply of drugs and a current licence will be revoked, because of the nature of a driver's involvement with the public.
- 8.4 A licence will not be granted where the applicant has a conviction for offences related to the possession of illegal/controlled drugs until at least 5 years have passed since the completion of any sentence and/ or licence period, and only then after full consideration of the nature of the offence and the quantity/type of drugs involved.
- 8.5 If there is evidence of persistent alcohol or drugs use, misuse or dependency, a specialist medical examination (in accordance with DVLA Group 2 medical standards) and a satisfactory medical report may be required before the licence is granted. If the applicant is a recovering addict evidence will be required to show 5 years free from alcohol / drug use after detoxification treatment is required.

9. Driving Offences involving the Loss of Life

9.1 A very serious view is to be taken of any applicant or licenced driver convicted of a driving offence that resulted in the loss of life. A Hackney Carriage / Private Hire Vehicle driver licence will be refused or revoked if the applicant / licenced driver has a conviction for:

- Causing death by dangerous driving
- Causing death by careless driving whilst under the influence of drink or drugs
- Causing death by careless driving
- Causing death by driving: unlicenced, disqualified or uninsured drivers
- Or any similar offences (including attempted or conspiracy to commit) offences which replace the above

10. Other Traffic Offences

10.1 Traffic offences such as obstruction, some speeding offences (usually dealt with by means of a fixed penalty), pedestrian crossing offences, traffic light offences, waiting in a restricted area, or offences of a similar nature may not ordinarily merit the refusal of an application, but the application will be subject to consideration as part of the Council's Penalty Points Scheme. However, if an applicant has more than 6 points or 6 points for a singular offence the application will be refused. If a licenced driver totals up more than 6 DVLA points or has his/ her licence endorsed with 6 DVLA points for a singular offence, the licence will be revoked. Hackney Carriage / Private Hire Vehicle drivers are professional drivers and the Council expects such drivers to maintain the highest standards of driving.

10.2 Traffic offences such as driving without due care and attention, reckless driving, more serious speeding offences (usually dealt with by a court rather than a fixed penalty), or offences of a similar nature will give rise to serious doubts about the applicant's suitability to be a driving professional. An applicant with any such convictions will be required to show a period of at least one year free of such convictions. For applicants with more than one offence this should normally be increased to two years.

10.3 Where the courts have imposed a disqualification in respect of the DVLA driving licence, the periods stated above should normally commence from the date of the restoration of the licence.

10.4 A list of all DVLA offence codes can be found here: <https://www.gov.uk/penalty-points-endorsements/endorsement-codes-and-penalty-points>

11. Outstanding Charges or Summonses

- 11.1 If an applicant is the subject of an outstanding charge or summons his/ her application may be suspended until the matter is resolved. If an existing licence holder is subject to an outstanding charge or summons his/ her licence may be suspended or revoked dependant on the information available. Such a decision will be made on a case by case basis.

12. Non-Conviction Information

- 12.1 The Council will also take into account situations and circumstances that have not resulted in a prosecution or conviction. This may include acquittals, circumstances in which convictions were quashed due to misdirection by the court, circumstances where the decision was taken not to prosecute, situations where the applicant or licence holder has been arrested and bailed but not yet charged, and complaints from the public. In considering the most appropriate action to take in relation to non-conviction information (or a complaint), the credibility of the witness/ complainant and the licence holder will also be taken into account.
- 12.2 If an applicant has been arrested or charged, but not prosecuted or convicted, in relation to a serious offence which calls into question his/ her fit and proper status, serious consideration will be given to refusing the application. An existing licence holder in the same situation is subject to the same. His/ her licence may be suspended or revoked dependant on the information available. Such offences include violent and/ or sexual offences of dishonesty and drug related offences.
- 12.3 In assessing the action to take, the safety of the travelling public will be the overriding consideration.

13. Licensing Offences

- 13.1 Certain offences under the Hackney Carriage / Private Hire Vehicle licensing legislation such as plying for hire, overcharging (Hackney Carriages), refusing to carry disabled persons or assistance dogs (in the absence of the requisite exemption) will prevent a licence being granted. An existing licence holder should expect his/ her licence to be

revoked following a conviction for a licensing offence. In such circumstances a licence will not be granted until a period of 3 years has passed since the date of conviction.

14. Insurance Offences

- 14.1 A serious view will be taken of convictions of driving or being in charge of a vehicle without insurance. An isolated incident in the past will not necessarily prevent a licence being granted provided the applicant has been free of conviction for 3 years; however strict warning should be given as to future behaviour. More than one conviction for these offences will prevent a licence being granted or renewed. If the second conviction occurs whilst a licence is held that licence will be revoked.
- 14.2 An operator found guilty of aiding and abetting the driving of passengers for hire and reward whilst without insurance will have an Operator licence revoked immediately and will not be permitted to hold a licence for a period of at least three years from the date of conviction.

15. Applicants with Periods of Residency outside the UK

- 15.1 If an applicant has spent 6 continuous months or more overseas (since the age of 16) the Council will expect to see evidence of a criminal record check from the Country/Countries visited covering the 6 month period.
- 15.2 Due to the potential lifetime relevance for some of the most serious offences mentioned in this policy, the Council will need to ensure that sufficient background checks are conducted for those applicants who have lived overseas. For EU nationals a disclosure that is similar to the UK DBS will be required; for those Countries for which checks are not available, the Council will require a Certificate of Good Conduct authenticated by the relevant Embassy.

16. Summary

- 16.1 A previous conviction will not always automatically result in the refusal of a licence and a conviction obtained during the period of a licence will not always automatically result in the revocation of an existing licence. In most cases, an applicant or licence holder whose licence has been revoked as a result of a conviction would be expected to have remained free from conviction for 3 to 10 years (depending on the offence committed

before an application is likely to be successful. If there is any doubt about the suitability of an individual to be a licence holder, the Council's primary consideration is the need to protect the public.

- 16.2 While it is possible that an applicant may have a number of convictions that, individually, meet the above guidelines, the overall offending history must be considered when assessing an applicant's suitability to be licenced. A series of convictions over a period of time is more likely to give cause for concern than an isolated conviction, but in all case the protection of the public is the Council's primary consideration.
- 16.3 A suspension or revocation of the licence of an existing licence holder takes effect at the end of the period of 21 days beginning with the day on which notice is given to the licence holder. If it appears that the interests of public safety require the suspension or revocation of the licence to have immediate effect, and the notice given to the licence holder includes such a statement and explanation,, the suspension or revocation takes effect when the notice is given to the driver [s61(2B) of the Local Government (Miscellaneous Provisions) Act 1976].

Driver Application Process and Conditions

The Application Process

If you are a new driver wishing to apply for a driver's licence for a Hackney Carriage/Private Hire Vehicle please visit www.cherwell-dc.gov.uk or www.southnorthants.gov.uk to download an application form. Alternatively you can email licensing@cherwell-dc.uk or licensing@southnorthants.gov.uk to request a copy be emailed to you.

If you are already a driver and your licence is due for renewal, your renewal date will appear on the paper counter part of your licence, you will not receive a separate reminder. Please allow sufficient time before expiry when booking your appointment, leaving it to the latter part of the month may result in your application not being processed in time. It is your responsibility to apply to renew your licence in time.

You must complete all sections of the application form. It is important to note that the following matters must be disclosed on the application form, irrespective of the age of the matter:-

- Arrests and/ or voluntary attendances at police station for interview or formal questioning;
- Convictions, cautions, binding overs, reprimands or final warnings;
- Charges awaiting trial;
- Summons to court;
- Fixed Penalty Notices
- DVLA driving licence endorsements;
- Civil proceedings, orders or injunctions.

The Council is seeking to ensure the honesty and integrity of the Hackney Carriage / Private Hire Vehicle drivers it licences and will not look favourably at an application where offences have not been detailed on an application form, but appear on the Disclosure Barring Service Certificate, or if the Council receives information from other agencies which should have been disclosed on the application form.

If you have spent six months or more continuously outside the UK evidence of a criminal record check from the Country/Countries visited covering the duration overseas will be required. For stays longer than 6 months outside of the European Union a certificate of good conduct is required to be authenticated by the relevant embassy. If the applicant has resided in this country for less than 5 years a Certificate of Good Conduct is required from either the local Police from where they lived or the Embassy of that country where they resided previously. This also applies to overseas stays of 6 months more during that 5 year period.

All applicants must provide evidence of their right to work in the UK. This is required for the first application and all renewals.

The list below states what evidence needs to be provided to prove the applicant has a right to work in the UK, this list is not exhaustive and other documents may be accepted (please follow this link; <https://www.gov.uk/government/organisations/uk-visas-and-immigration>), however this must be discussed with the Council in advance of the application being submitted. Any issues with the documentation provided may result in a delay in issuing the licence or renewal of an existing licence.

- A UK passport confirming that the holder is a British Citizen (or citizen of another EEA country – including Switzerland),
- Passport or other travel document endorsed to show that the holder is allowed to stay in the United Kingdom and undertake paid employment,
- Full UK Birth/Adoption Certificate,
- An Immigration Document issued by the Border and Immigration Agency to the holder which indicates that the person named in it can stay in the United Kingdom and undertake paid employment,
- A work permit or other approval to take employment issued by the Home Office or the Border and Immigration Agency when produced in combination with either a passport or another travel document endorsed to show the holder is allowed to stay in the United Kingdom and is allowed to undertake paid employment. You must make an appointment to attend the Council Offices with your completed application and supporting documentation.

During your appointment your application and supporting documentation will be reviewed. Your DVLA record will be checked online and your Disclosure Barring Service (DBS) application form checked to ensure it has been completed correctly. For licence renewals a check of the DBS Online Update Service will be undertaken if you have brought your current certificate to your appointment. If you have not signed up to the DBS Online Update Service your application may be delayed or refused.

Payment for the application must be made at the time of submitting the paperwork and a receipt will be given. An application will be progressed until:

- The application is completed in full
- Group 2 Medical form completed by a doctor with access to your patient records
- Payment for the application has been made
- All supporting documents required have been seen and photocopied (including 2 passport photographs)
- The Disclosure Barring Service application has been completed
- Council approved safeguarding training has been undertaken

- A Council approved Spoken English qualification has been produced
- A Council approved driving qualification has been produced
- Topographical Knowledge Test

If you have any offences on your application form or Disclosure Barring Service (DBS) Certificate the Council will refer to the Criminal Convictions Policy (see appendix A) in determining your application.

Once your DBS Certificate has been posted to you, you must apply to the DBS Online Update Service as part of the terms and conditions of your licence within 19 days of the certificate being issued. This ensures that your criminal record can be checked throughout the duration of your licence and enables a faster licence renewal application process at a lower cost. The licence fee for your application/renewal is in addition to this fee. To register your Certificate visit: www.gov.uk/dbs-update-service.

All driver licences will be issued for a period of three years unless otherwise determined by the Council. All licences will be a joint Hackney Carriage/ Private Hire Vehicle driver licence.

All applications for a Hackney Carriage / Private Hire Vehicle drivers licence are to be made on the Council's official form and must be submitted together with all necessary documentation.

Licence applications will be determined by an Authorised Licensing Officer.

Driver Licence Conditions

1. Driver Badge/Licence

- 1.1 The driver must at all times, when driving a licensed vehicle for hire or reward, wear the driver's badge issued by the Council in a prominent visible place on the outer clothing. The badge must be clearly visible to passengers and made available on request.
- 1.2 The driver's badge remains the property of the Council. The badge must be returned to the Council immediately if the licence is suspended or revoked. Upon expiry the badge must be returned to the Council within 7 days.
- 1.3 The driver of a Hackney Carriage / Private Hire Vehicle /shall submit the original Private Hire Vehicle Driver's licence to his/ her employer (Private Hire Vehicle Operator) before commencing employment as a driver of Private Hire Vehicle. The employer (Private Hire Vehicle Operator) shall retain the original Private Hire Vehicle Driver's licence until such time as the driver ceases to be so employed.

- 1.4 Hackney Carriage and Private Hire Vehicles shall not be driven by unlicensed drivers under any circumstances.

2. Conduct of Driver

- 2.1 The driver of a Hackney Carriage/Private Hire Vehicle shall at all times when the vehicle is being driven for hire be clean and smartly dressed.
- 2.2 The driver shall not at any time behave in an abusive, aggressive or threatening manner to any passenger, officer of the Council or any officer authorised by the Council.
- 2.3 Drivers of Private Hire Vehicles shall not ply the street for hire nor shall s/he use Hackney Carriage stands (taxi ranks)
- 2.4 Drivers must at all times when working with vulnerable passengers comply with the below detailed safeguarding principles:-

A vulnerable passenger is a passenger whose age or disability means that s/he is more susceptible to harm than a typical passenger. Vulnerable passengers include children, elderly persons or somebody with learning difficulties. In addition, an individual should be considered vulnerable if she does not fall within one of the above categories, but whose condition is such as to render him/ her more susceptible to harm than may otherwise be the case (for example as a result of being under the influence of alcohol).

The following safeguarding principles aim to promote good safeguarding practice for drivers and staff working with vulnerable passengers in the Hackney Carriage or Private Hire trade. The following safeguarding principles must be complied with and embedded into driver working practice:

- Drivers must carry photo ID at all times and wear it in accordance with the conditions of the licence.
- A lone vulnerable passenger must not be transported in the front passenger seat of the vehicle.
- The driver/operator must confirm that appropriate provision has been made for the vulnerable person prior to accepting the booking or commencing the journey. This does not necessarily mean that the driver/operator is responsible for the provision of appropriate measures, however if appropriate measures are not in place then the driver/operator must not undertake the journey.
- Drivers should always ask if a vulnerable passenger needs help and should not make assumptions.

- Drivers must remain professional at all times and should not:
 - Touch a person inappropriately
 - Make offensive or inappropriate comments (such as the use of swearing, sexualised or discriminatory language)
 - Behave in a way that may make a passenger feel intimidated or threatened
 - Attempt to misuse personal details obtained via the business about a person; these standards are equally applicable when working with vulnerable and non-vulnerable passengers.

 - Drivers and operators must remain alert to issues around the safeguarding of children and vulnerable adults. Drivers should ensure that children and vulnerable adults leave the vehicle directly onto the kerb and immediately outside their destination (if it is safe and legal to do so). If a driver/operator is concerned about the safety, welfare or behaviour of a vulnerable person, the driver must report this to the police by telephoning 101 (or in appropriate cases by calling 999).

 - If a driver/operator is concerned about someone else's conduct, they should report any concerns to the Council's Licensing Department; South Northants Council 01327 322278 and Cherwell District Council 01295 753744, Police (101) or Crimestoppers (0800 555111).
- 2.5 Licensed Drivers must comply with all reasonable requirements of any person hiring or being conveyed in the vehicle.
- 2.6 Licensed Drivers must afford all reasonable assistance with passenger luggage and shopping as may be required. At the conclusion of the journey the driver must similarly offer all reasonable assistance to passengers leaving the vehicle and assist them with luggage, shopping, disability aids or wheelchair.
- 2.7 Licensed Drivers must take all reasonable steps to ensure the safety of passengers entering, travelling in, or alighting from the vehicle, especially those passengers with a disability.
- 2.8 Licensed Drivers must not smoke tobacco or a similar substance, or E-Cigarettes /Vaping Cigarettes in the vehicle at any time as provided by the Health Act 2006.
- 2.9 Licensed Drivers must at all times when driving a licensed vehicle ensure that the vehicle is clean, road worthy and well maintained, meets Council vehicle licence conditions

- 2.10 Licensed Drivers must ensure that none of the markings/signs/notices that are required to be displayed on the vehicle become concealed from public view or be so damaged or defaced that any figure or material particular is rendered illegible. The licence plate must be securely attached externally to the rear of the vehicle.
- 2.11 Licensed Drivers must, when aware that the vehicle has been hired to be in attendance at an appointed time and place, or when otherwise instructed by the operator or proprietor of the vehicle to be in attendance at an appointed time and place, punctually attend at the appointed time and place unless delayed or prevented by sufficient cause.
- 2.12 Licensed Drivers must undertake an inspection of any vehicle being driven whilst working as a Hackney Carriage/ Private Hire Vehicle driver. This inspection must be undertaken at least daily and before the first carriage of a fare paying passenger in the vehicle whilst it is being driven by the licence driver.

3. Change of Address

- 3.1 Licensed Drivers must notify the Council in writing within 7 days of any change of his/her address taking place during the period of the licence, whether permanent or temporary.

4. Customer and Other Personal Information

- 4.1 Personal information must not be used for any other purpose other than that for which it was collected without the express permission of the individual to which the information relates.

For example, telephone numbers provided by customers so that they can be alerted/ updated by SMS text message with regard to a booking they have made must only be used for this purpose. The information must not be retained by the driver after the text message has been sent and/or used for any other purpose (such as unsolicited marketing calls). If a driver is found to be contacting a customer after the booking has been completed his/ her licence may be suspended or revoked.

5. Accidents

- 5.1 If at any time the vehicle is involved in an accident, however minor, the driver must inform the Council of this fact as soon as possible and in any event within 72 hours (by telephone or email). An accident report form (available from the licensing office) must then be completed and submitted to the Council within 24 hours of reporting the accident (except in exceptional circumstances when the report must be made as soon as possible after the accident – an example of an exceptional circumstance would be

that the driver is incapacitated due to the accident and physically unable to make the notification).

6. Fares

- 6.1 Licensed Drivers must not, if driving a licensed vehicle fitted with a taximeter, cause the fare to be cancelled or concealed until the hirer has had the opportunity of examining it and has paid the fare.
- 6.2 Licensed Drivers must not demand from any hirer of a licensed vehicle a fare in excess of any previously agreed for that hiring between the hirer and the operator or if the vehicle is fitted with a taximeter, and there has been no previous agreement as to the fare, the fare shown on the face of the taximeter.
- 6.3 Licensed Drivers must, if requested by the hirer, provide a written receipt for the fare paid. The receipt must bear the name and address of the proprietor of the vehicle together with the badge number of the driver.

7. Passengers

- 7.1 The licence holder must not carry more persons than is permitted by the vehicle licence.
- 7.2 Licensed Drivers not allow to be conveyed in the front of a licensed vehicle:
- more than one person, unless the vehicle is manufactured to carry two front seat passengers, and seat belts are fitted for both passengers, or
 - any child under the age of 13 years old.
- 7.3 Licensed Drivers must not, without the consent of the hirer of the vehicle, convey or permit to be conveyed any other person in that vehicle.
- 7.4 Licensed Drivers must provide all reasonable assistance to passengers and especially those with a disability. The Equality Act 2010 places the following duties on licensed Hackney Carriage/ Private Hire Vehicle drivers:

Duty to Assist Passengers in Wheelchairs

Section 36 of the Disability Discrimination Act 1995 (DDA) places a duty on the driver of a designated* wheelchair accessible Hackney Carriages and Private Hire vehicles to:

- Carry the passenger while in the wheelchair;
- Not to make any additional charge for doing so;
- If the passenger chooses to sit in a passenger seat to carry the wheelchair;
- To take such steps as are necessary to ensure that the passenger is carried in safety and reasonable comfort; and
- To give the passenger such mobility assistance as is reasonably required.

* Designated vehicles are those listed by the Council under section 167 of the Equality Act 2010 as being a 'wheelchair accessible vehicle'. (a list can be obtained on request)

Section 36 of the DDA 1995 remains in effect until such time as section 165 of the Equality Act 2010 comes into force. It will then be a condition of a licence that drivers adhere to the requirements of s165 of the 2010 Act.

8. Duty to Carry Guide Dogs and Assistance Dogs

- 8.1 Drivers must not fail or refuse to carry out a booking by or on behalf of a person with disabilities who is accompanied by an 'assistance dog' unless the driver has a Medical Exemption granted by the Council and the Notice of Exemption is displayed in the approved manner by it being fixed in a prominent position facing outwards on the dashboard.
- 8.2 Any animal belonging to or in the custody of any passenger should remain with that passenger and may be conveyed in the front or rear of the vehicle.
- 8.3 Drivers hired to carry a guide dog must ask the owner where s/he would prefer the dog to be. Most dogs are trained to lie in the front passenger foot well between the feet of the owner. If the vehicle is fitted with front and side air bags, it is essential that the dog is lying down at all times. Drivers must let the visually impaired person know that this applies.
- 8.4 If the front foot well is not large enough to accommodate the dog, the guide dog owner must be advised to travel in the rear of the vehicle with the dog in the foot well behind the front passenger seat. The seat should be pushed forward to make room for the dog.

9. Found Property

Licensed Drivers must, following the setting down of passengers, ascertain if any property belonging to the hirer(s) has been left in the vehicle and if not immediately able to return any such property, must deliver the item to the local police station within 24 hours, unless an alternative arrangement has been made with the owner of the property.

10. Medical Conditions

- 10.1 Licensed Drivers must notify the Council in writing without undue delay of any change in medical condition.
- 10.2 Licensed Drivers must at any time, or at such intervals as the Council may reasonably require, produce a certificate in the form prescribed by the Council signed by a registered medical practitioner to the effect that s/he is or continues to be physically fit to be a driver of a Hackney Carriage/ Private Hire Vehicle

11. Convictions, Cautions, Arrest etc.

- 11.1 Throughout the duration of the licence, Licensed Drivers must notify the relevant Council **within 3 days** providing full details of any:-
- Convictions, cautions, binding overs, reprimands or final warnings,
 - Charges awaiting trial,
 - Summons to court,
 - Fixed Penalty Notices,
 - DVLA driving licence endorsements,
 - Civil proceedings, orders or injunctions

Failure to notify the Council of the above will result in enforcement action being taken.

12. Disclosure and Barring Service Online Update Service and Online DVLA System

- 12.1 Licensed Drivers must subscribe to the Disclosure and Barring Service (DBS) Online Update Service. Any costs associated with maintaining this subscription must be met by the licensed driver.
- 12.2 Licensed Drivers must give permission for the Council to undertake checks of their DBS and DVLA status should the Council consider it necessary to do so. The Councils will use the DBS Online Update Service to monitor the criminal record of Licensed Drivers.

13. Change of Operator

- 13.1 Licensed Drivers must notify the Council in writing within 5 working days of a change their operator.

14. CCTV Recording Equipment

- 14.1 Drivers are permitted to install in Hackney Carriage Private Hire Vehicles CCTV recording equipment if previously approved by the Council. Approved CCTV recording equipment will have a hard drive which is only accessible by an Authorised Officer of the Council or a Police Officer. Misuse of any approved installed CCTV or use of unauthorised CCTV systems will result in action being taken against the licensed driver which could ultimately result in the revocation of the driver's licence. All installed CCTV must comply with the Information Commissioners CCTV Code of Practice.

Appendix C

Vehicle Application Process and Conditions

Application Process

Any vehicle that is not currently licenced with the relevant Council, no matter how recently the licence elapsed or was transferred will be treated as a new vehicle application.

If you are wishing to apply for a new licence for a Hackney Carriage/Private Hire vehicle please visit www.cherwell-dc.gov.uk or www.southnorthants.gov.uk to download an application form. Alternatively you can email licensing@cherwell-dc.uk or licensing@southnorthants.gov.uk to request a copy be emailed to you. Please note that new licence applications can only be submitted for vehicles under 6 years old. Once licenced a vehicle is required to be tested depending on its age. These are known as periodical tests. Vehicles under 6 years will require an MOT every 6 months and vehicles over 6 years every 4 months.

If you already have a vehicle and your licence is due for renewal your renewal date will appear on the paper counter part of your licence, you will not receive a separate reminder. Please allow sufficient time before expiry when booking your appointment, leaving it to the latter part of the month may result in your application not being processed in time. It is the licence holder's responsibility to apply to renew their licence in time.

Any vehicle must be first MOT tested before a request for an appointment is made at the relevant Council. The cost of this test is not included in the licence application fee, neither are the costs included for the periodical tests.

Any vehicle MOT failures at any time will require retesting at the applicant's expense. It is your responsibility to ensure that your vehicle is safe at all times and therefore a vehicle should not fail when presented to be tested.

Payment for the application must be made at the time of submitting the paperwork and a receipt will be given. No application will be progressed until:

- The application is completed in full
- MOT test showing a pass is enclosed with proof that all mechanical/safety advisories have been rectified
- Insurance documents are enclosed (your insurance document must specify that it is insured to convey passengers for reward) Hackney Carriages require 'Public Hire' on insurance. Private Hire vehicles require 'For hire and reward'
- V5 registration document is enclosed or New Keeper Supplement along with letter headed sales receipt should the vehicle have been recently acquired
- Any other supporting documentation required must be submitted to the Council with the appropriate fee

Procedure for vehicles leased by a hire company:

- The vehicle(s) in question will be licenced in the driver's name; however the V5 can show the company name
- Must have a signed hire agreement between company and driver
- We will not accept fleet insurances, all insurance certificates must show the relevant drivers name for the vehicle(s) in question
- Should the driver of a vehicle(s) change, we must be informed in writing and have a new hire agreement showing new driver details – this must be done before the new driver has the vehicle
- Should any of the above be breached or not adhered to, the licence will be revoked

During your appointment at the relevant Council your vehicle will be inspected. Provided it meets the required standards outlined below you will be issued a licence and relevant plates. The external plate must be attached securely to the rear exterior of the vehicle. Once the vehicle is licenced only a person holding a drivers licence issued by the relevant Council will be permitted to drive the vehicle.

VEHICLE LICENCE CONDITIONS

PRIVATE HIRE VEHICLES

1.1 GENERAL

- a) Front engine - petrol, diesel, LPG, hybrid or electric front or rear wheel drive
(if a vehicle is fuelled with LPG and the system is not factory fitted as original equipment the installation must be certified as satisfactory by a qualified vehicle engineer).
- b) The vehicle must be right hand drive.
- c) The vehicle must have least three body-side doors for passengers with a separate means of access for the driver. Rear doors may be included in this number as long as there is unobstructed access of at least 30cms via these doors to the rear row seats; this relates to minibus type vehicles.
- d) All seats must be fitted with lap & diagonal safety belts as a minimum standard, and may face forwards or backwards, but not sideways.
- e) Backward facing seats over or behind the rear wheels and axle(s) having normal access only through a rear door will not be accepted.
- f) Both Councils follow guidelines from the Department for Transport in respect of multi-purpose vehicles (MPVs). Accordingly:
 - i) Vehicles with folding for moving seats which are constructed to provide access to other seats to which there is no direct access are acceptable, will be licenced for the same number of passengers as there are seats.
 - ii) Certain models of Vauxhall Zafira and a number of other models have a rear row of seats which under normal circumstances should only be used by children. In the interests of passenger's comfort and public safety, these vehicles will only be licenced to carry four passengers.
- g) The vehicles must have at least four road wheels; which – unless alloy – must have matching trims.
- h) All tyres must be the same dimensions unless specifically designed otherwise. Tyres with embedded nails, etc., are not acceptable; they must be replaced, not repaired. The minimum tread depth will be 2mm and wear must be even.
- i) Seats must still be fully 'sprung', free of stains, tears, cigarette burns or repair, and not threadbare. Floor coverings must not be unduly worn and present no trip hazards. Household carpeting or similar is unacceptable and must not be used. Upholstery (headlining and side panel coverings) must be free of ingrained grime, fractures and maintained in the manufacturers original style

1.2 DIMENSIONS

- a) A row of seats provided for three persons shall be at least 1295mm (51") wide.
- b) Seats designed for two persons shall be at least 865 mm (34") wide.

2 WHEELCHAIR ACCESSIBLE PRIVATE HIRE VEHICLES

Both Councils adhere to the Equalities Act 2010 in respect of wheelchair accessible vehicles.

- a) Suitably modified “people mover” type vehicles may be deemed acceptable for licensing. The vehicle will generally have to comply with the requirements relating to vehicles that carry 5 or more passengers, pending the publication of a national Hackney Carriage and Private Hire vehicles. Further advice may be obtained from the Licensing team at the relevant Council.
- b) The vehicle must have a satisfactory arrangement for ramps, steps, handrails and storage of wheel chairs. Fixing of wheelchairs must also be satisfactory. The vehicle must be capable of taking a passenger in a wheelchair; which in turn must be suitably anchored with a safety belt / harness. The dimensions for the door aperture giving access for wheelchair-based persons and the interior dimensions of the vehicle must also be acceptable to the Licensing Authority.
- c) All such vehicles will be licenced for the number of non-wheelchair customers only.

3 STRETCH LIMOUSINES

The majority of these vehicles are imported from the USA via Belgium. In the interests of passenger safety, South Northamptonshire Council and Cherwell District Council will licence them as long as they meet the required specification and are under six years of age from the date of first registration wherever that may have been.

4 REQUIREMENTS FOR ALL VEHICLES

4.1 LUGGAGE SPACE

A separate lockable luggage compartment shall be provided. For non-saloon vehicles, passengers must be protected from items of luggage contained in the loads space being propelled into the passenger compartment by the vehicle movement. In the case of LPG fuelled vehicles, the vehicle will not be licenced if the LPG tank adversely impacts on the load carrying capacity.

4.2 AGE AND CONDITION OF VEHICLES, AND MECHANICAL TESTING

- a) Only vehicles less than six years old will be considered for first-time licensing.
- b) All vehicles must have inspections carried out at an approved MOT testing centre. For vehicles with less than 100000 miles on the odometer this inspection shall be carried out every six months; for vehicles with more than 100000 miles on the odometer, every four months.
- c) A vehicle more than ten years old will not be licenced unless it is in an ‘exceptionally well maintained’ condition and currently licenced by the relevant Council.

To be classed as ‘exceptionally well maintained’, a vehicle must: -

- i) Have a full service history showing from the date when the vehicle was first licenced;
- ii) The bodywork must be in an unmarked condition i.e. no dents rust or body-filler, and paintwork must be of a uniform colour;

- iii) The interior of the vehicle must be clean; all door fittings must be in place and working. All seats must be intact and not sagging, torn, ripped or repaired. All carpets must be clean and properly fitted; headlining must be clean and properly fixed;
- iv) There must be no wires hanging loose from the dashboard or anywhere else;
- v) The load carrying space must be clean and dry, with flooring in good condition and correctly fitted matting;
- vi) Any other items or modifications must be to the satisfaction of an authorised Licensing Officer and be to EU safety standards

4.3 COLOUR, MARKINGS, SIGNS, ADVERTISEMENTS AND WINDOWS

- a) The vehicle may be any single colour, but **MUST NOT** resemble a Hackney Carriage. Signs showing the words TAXI or CAB must not be displayed on or above roof height. Paintwork must be factory standard – no “crackle” or “custom” paint.
- b) The name of the company / owner and telephone number may appear on the vehicle subject to the prior approval of the Council. Third party advertising is not permitted.
- c) Glass should be kept clean to give a clear view both into and out of the vehicle. Tinted windows, which prevent clear vision into vehicle are not permitted. Only factory fitted tinted glass will be acceptable which must meet the requirements of the Road Vehicles (Construction and Use) Regulations 1986. Under no circumstances will stick on style tinting be permitted.

4.4 EQUIPMENT

The following shall be provided: -

- a) Spare wheel and tyre – properly stowed to protect passengers’ luggage;
- b) Jack;
- c) Wheel brace;
- d) Any current alternative to the above that allows the vehicle to complete the journey.
- e) Nearside and offside exterior rear view mirrors;
- f) The standard factory exhaust system

4.5 RADIO AND AUXILLIARY EQUIPMENT

Any equipment fitted to the vehicle for operational requirements, such as two-way radio, or navigation systems must be fixed to the satisfaction of the Council. The microphone must be properly fixed to the vehicle dashboard.

4.6 DISPLAY OF INFORMATION

Every vehicle (except those with a discreet plate exemption) must have:-

- a) The plate issued by the Council displayed securely on the rear outside (and not inside the rear window);
- b) Displayed inside and visible to passengers, the smaller plate issued by the Council;

- c) Signs with the words “**This vehicle must be pre-booked**” and the Councils name and crest. These must be displayed on both nearside and offside front doors. With the permission of the Licensing Manager they may incorporate the Private Hire company’s name.
- d) At least one interior sign showing the red ‘no smoking’ symbol.

4.7 MODIFICATIONS

No modifications shall be made to the standard factory built vehicle without prior consent of the licensing authority.

5. EXCEPTIONS

If a vehicle does not meet all of the above requirements, but is: -

- a) built to a higher standard than that which is normally acceptable for licensing, or
- b) as a result of model changes, does not fully comply with the current specification, the Licensing Manager may use discretion in deciding its suitability for use as a Private Hire vehicle.

HACKNEY CARRIAGES

1.1 GENERAL

- a) All Hackney Carriages (taxis) must be; for SNC – black and wheelchair accessible, for CDC- all vehicles must be white unless purpose built “London style” taxis and all new grants must be wheelchair accessible.
- b) Front engine - petrol, diesel, LPG, hybrid or electric
front or rear wheel drive
(If vehicle is fuelled with LPG and the system is not factory fitted as original equipment the installation must be certified by a qualified vehicle engineer as satisfactory).
- c) The vehicle must be right-hand drive.
- d) Must have at least 3 body-side doors for passengers with a separate means of access for the driver and excluding any rear door.
- e) All seats must be fitted with lap & diagonal safety belts as a minimum standard, and may face forwards or backwards, but not sideways. Minimum access to rear seating will be 30cms
- f) Backward facing seats over or behind the rear wheels and axle(s) having normal access only through a rear door will not be accepted.
- g) The vehicle must have at least four road wheels; which – unless alloy – must have matching trims.
- h) All tyres must be the same dimensions unless specifically designed otherwise. Tyres with embedded nails, etc, are not acceptable; they must be replaced, not repaired. The minimum tread depth will be 2mm and wear will be even.
- i) A roof sign shall be provided which is capable of being illuminated at night. The roof sign must display the word TAXI, and there must be a sign to indicate when the vehicle is available FOR HIRE.

1.2 DIMENSIONS

- a) A row of seats provided the three persons shall be at least 1295mm (51") wide.
- b) Seats designed for two persons shall be at least 865mm (34") wide
Any vehicle which has to be modified to meet this requirement will not be accepted.

2. HACKNEY CARRIAGES MUST BE CONSTRUCTED FOR THE CARRIAGE OF PASSENGERS IN WHEELCHAIRS – SNC ALL VEHICLES / CDC NEW GRANTS

- a) The Councils adhere to the Equalities Act 2010 in respect of wheelchair accessible vehicles.
- b) The vehicle must have satisfactory arrangement for ramps, steps, handrails and storage of wheelchairs. Fixing of wheelchairs must also be satisfactory. It must be capable of taking a wheelchair with passenger, suitably anchored with a safety belt / harness. The dimensions for the door aperture giving access for wheelchair-based persons must also be acceptable to the Licensing Authority relevant Council.

3. REQUIREMENTS FOR ALL VEHICLES

3.1 LUGGAGE SPACE (GENERAL)

A separate lockable luggage compartment shall be provided. Passengers must be protected from items of luggage contained in the load space being propelled into the passenger compartment by the vehicle movement. In the case of LPG fuelled vehicles, the vehicle will not be licenced if the LPG tank adversely impacts on the load carrying capacity.

3.2 AGE AND CONDITION OF VEHICLES AND MECHANICAL TESTING

- a) Only vehicles less than six years old will be considered for first-time licensing
- b) All vehicles must have inspections carried out at an approved MOT testing centre. For vehicles with less than 100000 miles on the odometer this inspection shall be carried out every six months; for vehicles with more than 100000 miles on the odometer, every four months.
- c) A vehicle more than ten years old will not be licenced unless it is in an 'exceptionally well maintained' condition and currently licenced by the relevant Council.
To be classed as 'exceptionally well maintained', a vehicle must:-
 - i) *Have a full service history showing from the date when the vehicle was first licenced;*
 - iii) *The bodywork must be in an unmarked condition, meaning no dents, rust or body-filler, and paintwork must be of a uniform colour;*
 - iii) *The interior of the vehicle must be clean; all door fittings must be in place and working. All seats must be intact and not sagging, torn, ripped or repaired. All carpets must be clean and properly fitted; headlining must be clean and properly fixed;*

- iv) *There must be no wires hanging loose from the dashboard or anywhere else;*
- v) *The load carrying space must be clean and dry, with flooring in good condition and correctly fitted matting;*
- vi) *Any other items or modifications must be to the satisfaction of an authorised Licensing Officer.*

3.3 COLOUR, MARKINGS, SIGNS, ADVERTISEMENTS AND WINDOWS

- a) For SNC the vehicle must be black, for CDC the vehicle must be white unless a purpose built "London style" taxi. All paintwork must be factory standard – no "crackle" or "custom" paint.
- b) The name of the company / owner and telephone number may appear on the vehicle subject to the prior approval of the Council. Third party advertising is not permitted without prior approval from the Council.
- c) A windscreen sign should be fitted, displaying the words "FOR HIRE".
- d) Glass should be kept clean to give a clear view both into and out of the vehicle. Tinted windows, which prevent clear vision into vehicle are not permitted. Only factory fitted tinted glass will be acceptable which must meet the requirements of the Road Vehicles (Construction and Use) Regulations 1986. Under no circumstances will stick on style tinting be permitted.

3.4 TAXIMETER

- a) a taximeter must be fitted to all vehicles and it must comply with the following requirements: -
 - i) be capable of being locked so that when the meter is not in use no fare is recorded;
 - ii) when in use the fare shall be displayed in clearly legible figures;
 - iii) must be fitted so that all letters and figures on the meter can be clearly visible to any person travelling in the vehicle;
 - iv) the letters and figures must be illuminated at night;
 - v) must be fixed to the vehicle with seals so that no unauthorised person can alter or tamper with the meter without the seal being broken;
 - vi) vehicles with improperly sealed meters will not be licenced. The meter must be used for all journeys including those booked through a Private Hire operator.
 - vii) the Measuring Instruments (Taximeters) Regulations 2006 applies to all meters fitted

3.5 EQUIPMENT

The following must be provided: -

- a) a spare wheel and tyre – properly stowed to protect passengers' luggage;
- b) a jack;
- c) Any current alternative to the above that allows the vehicle to complete the journey.
- d) nearside and offside exterior rear view mirrors;
- e) standard factory exhaust system;
- f) Wheelchair accessible vehicles; ramps, securing straps and other associated items.

3.6 RADIO AND AUXILLIARY EQUIPMENT

Any equipment fitted to the vehicle for operational requirements, such as two-way radio, or navigation systems must be fixed to the satisfaction of the relevant Council. Any microphone must be properly fixed to the vehicle dashboard.

3.7 DISPLAY OF INFORMATION

Every vehicle must have:-

- a) the plate issued by the Council displayed securely on the outside rear (and not inside the rear window);
- b) the smaller plate issued by the Council displayed inside and visible to passengers;
- c) At least one sign showing the red 'no smoking' symbol prominently displayed.
- d) Door signs on nearside and offside front doors displaying the word "TAXI"

3.8 MODIFICATIONS

No modifications shall be made to the standard factory built vehicle without prior consent of the licensing authority.

4. EXCEPTIONS

If a vehicle does not meet all of the above requirements, but is:-

- a) built to a higher standard than that which is normally acceptable for licensing, or
- b) as a result of model changes, does not fully comply with the current specification, the Licensing Manager may use discretion in deciding its suitability for use as a Hackney Carriage.

Right of appeal

Nothing in these conditions will remove the right to appeal to a Magistrates' Court against the Council's refusal to grant or renew a licence, or any decision to suspend or revoke a licence, nor against any conditions which may have been imposed on any such licence by the local authority. Any appeal must be made to the relevant Council's Magistrates' Court within 21 days of the refusal or decision.

Appendix D

Operator Application Process and Conditions

The Application Process

If you are already a licensed driver with the relevant Council you are not required to undergo an additional Disclosure Barring Service check in order to apply for your operator's licence. You should be subscribed to the DBS Update Service and when you apply for a new or renewal of an operator's licence we will check your information online as part of the application process.

If you are not a licenced driver with the relevant Council you will be required to submit as part of your application process a standard Disclosure Barring Certificate. You can apply for a Standard Disclosure Barring Certificate online at <http://www.disclosurescotland.co.uk/basicdisclosureonline>

If you are already an operator and your licence is due for renewal your renewal date will appear on the paper counter part of your licence, you will not receive a separate reminder. Please allow sufficient time before expiry when booking your appointment, leaving it to the latter part of the month may result in your application not being processed in time. It is the operator's responsibility to apply to renew their licence in time. Failure to renew in time could result in your business ceasing to operate until such time as the new licence is granted.

If you are a new operator wishing to apply for a licence to operate Private Hire vehicles please visit www.cherwell-dc.gov.uk or www.southnorthants.gov.uk to download an application form. Alternatively you can email licensing@cherwell-dc.uk or licensing@southnorthants.gov.uk to request a copy be emailed to you.

You must complete the relevant application form and then make an appointment with the relevant Council

Payment for the application must be made at the time of submitting the paperwork and a receipt will be given. No application will be progressed until:

- The application is completed in full
- Either a Standard Disclosure Barring Certificate is provided or confirmation that the applicant is subscribed to the DBS Update Service
- A full list of all vehicles you intend to operate
- Proof of identity – a passport or driving licence photocard
- Proof of National Insurance number
- Proof of right to work in the UK
- Public liability insurance

Please note we consult with Planning and they have 14 days in which to make any comments.

Operator Licence Conditions

1. Records

Private Hire operators must keep records in accordance with the above legislation.

The records kept by the operator under Section 56 Local Government (Miscellaneous Provisions) Act 1976 must be kept in a manner, whether written or on a computer, which enables them to be examined or audited. Written records must be kept in a bound book.

In any case, all records must be kept for at least three years, and made available to an authorised officer of the Council or police officer within the requested time scale.

If the operator uses a computerised record system, hard copies of all records must be printed and kept in accordance with the above at the end of each daily working period.

All computerised systems must be checked regularly for time accuracy (this can easily be done online at <http://www.greenwichmeantime.co.uk/>)

Records to be kept:-

- Vehicle details
- Make & model
- Registration number
- Vehicle owner
- Relevant Councils plate number
- Fleet number/call-sign (if issued). If a call sign or number is allocated for a temporary period, a record must be kept of the relevant dates and the vehicle and driver concerned
- Copy of the vehicle licence
- Copy of the insurance certificate / cover note
- Copy of the vehicle's most recent MOT certificate

Driver details

- Name
- Address
- Relevant Councils driver's licence number
- Copy of the Private Hire drivers licence

2. Bookings

General

Before the commencement of each journey, the operator (or in his/her absence, a responsible member of staff) must enter either in a bound book or on a computer system, the particulars of every booking of a Private Hire vehicle accepted by him. The bookings must follow this format:

- Date and time of receipt of booking
- Name of the hirer
- Contact details of hirer (address and/or phone number)
- Location and time of the pick-up point
- Destination
- The fare quoted for the booking
- Date & time a driver was allocated the booking
- Identity of the driver and vehicle

Example: -

Date	Time	Name of hirer	Contact details	Pick-up location	Pick-up date/time	Destination	Fare	Date/time	Dvr No	Veh No
			add / phone no				quoted	allocated		

Computerized systems (e.g. Diplomat, Autocab, Avakia, and others)

When a computerized system with GPS tracking is installed – and where the software allows this function – it must be used to indicate where a vehicle is at any given time. In addition, a printed plot of a vehicle’s movements must be made available on request.

3. Insurance

The operator must keep a copy of all cover notes and certificates of insurance issued to the drivers/proprietors. The dates shown on such documents must show continuation of cover throughout the period that the vehicle is working in connection with the operator. When a "block" policy is held by the operator, a full list of all vehicles and drivers covered should be kept for at least one year. The insurance document should show:

- (a) name and address of insurance company (and broker if applicable) insuring the use of the vehicle;
- (b) date of commencement of any policy of insurance and of any cover notes issued with policy and cover note numbers relating to the use of the vehicle;

- (c) date of expiry of the policy and of any cover notes issued;
- (d) persons entitled under the terms of the policy to drive the vehicle and details of any limitations as to use (e.g. Private Hire or public hire).

4. Standard of Service

The operator must at all reasonable times provide a prompt, efficient and reliable service to members of the public and shall in particular ensure that: -

- (a) when a vehicle has been hired to attend at an appointed time and place, the vehicle shall attend punctually unless delayed or prevented by sufficient cause. Where possible, the operator should contact the customer and inform them of any delay;
- (b) premises provided by the operator, either for waiting or booking shall be kept clean, adequately heated, ventilated and well lit and also adequate seating provided;
- (c) any telephone facilities and radio equipment are maintained in a sound condition;
- (d) any complaints received by the operator shall be referred in writing to the Council, together with any action taken;
- (e) the operator shall ensure, without prejudice to any other liabilities imposed under the Act that all vehicles and drivers owned, controlled or operated in association with the operator shall observe and perform the conditions of their licence;
- (f) and that all vehicles operated by him shall be maintained in a satisfactory and road worthy condition;
- (g) in that respect, the Council will hold the owner and / or operator of a Private Hire vehicle responsible for the general condition and roadworthiness of the vehicle(s), and for ensuring that drivers are familiar with all conditions, legislation and byelaws regulating the operation of vehicles;
- (h) in certain instances therefore the proprietor or operator may be subject to enforcement action as a result of an offence committed by the driver of their vehicle;
- (i) the Councils will take into account the circumstances of each offence and how far the proprietor has carried out their obligations in deciding whether to take any action against the proprietor.

5. Reference to the Council

The licenced operator must inform the relevant Council in writing within 7 days of: -

- (a) any convictions incurred by him or any partner, director or company secretary during the period of the licence for any offence;
- (b) change of address, in writing, within 7 days. (Note: It is your responsibility to ensure that your address is also changed on your driving licence, insurance documents and V5);

It is in your interest to also tell us if you are stopping work for any length of time, especially if it is likely to affect the date of your licence renewal.

6. Driver / vehicle licences

It is the licenced operator's responsibility to ensure that the licences of all drivers currently working for and vehicles being used by him/her are current.

7. Complaint Book

In relation to condition 4(d) above, each operator must keep in a bound book approved by the Council, a record of all complaints made to him or his agents or managers relative to any aspect of his business or persons at that time working with or employed by that operator. The complaint book shall be available at all times for inspection by an authorised officer of the Council.

8. Door Signs/Advertisements

When an operator wishes to provide drivers/proprietors with door advertising panels (other than the ones issued by the relevant Council) the below procedure must be followed: -

- (a) the sign must be approved by an authorised officer before being put into use;
- (b) it must be displayed on both front doors of the vehicle;
- (c) it may contain the name of the company and the telephone number but must incorporate the words, '**South Northamptonshire Council /Cherwell District Council. Private Hire Vehicle. This vehicle must be pre-booked.**'
- (d) it must not show the words "TAXI" or "CAB", nor any other word of similar meaning or appearance which may be taken to indicate that the vehicle is a Hackney Carriage.

9. Planning consent for operating base

This Council's current planning policy allows one car to be operated without planning permission. Any more than one car would require an application for change of use of the premises. Planning consent for each operating base must be maintained during the period of a licence.

10. Change of circumstances

Any material change of the circumstances since the licence was granted must be reported to the Council immediately. This includes any changes to drivers or vehicles which must be notified to a licensing officer in writing within 48 hours.

11. General Conduct

Whilst in the course of your business you must not cause a nuisance to individuals or other businesses. A maximum of 2 vehicles can be in attendance at the business address at any one time.

FAILURE TO COMPLY WITH THE CONDITIONS SET OUT IN THIS DOCUMENT MAY RESULT IN PENALTY POINTS BEING AWARDED AGAINST YOU, LEGAL ACTION BEING TAKEN, OR YOUR LICENCE BEING SUSPENDED OR REVOKED

Right of appeal

Nothing in these conditions will remove the right to appeal to a Magistrates' Court against the Council's refusal to grant or renew a licence, or any decision to suspend or revoke a licence, nor against any conditions which may have been imposed on any such licence by the local authority. Any appeal must be made to the relevant county's Magistrates' Court within 21 days of the refusal or decision.

Hackney Carriage and Private Hire Driver Penalty Points Scheme

Introduction

Points based enforcement is a method by which licenced drivers, operators or owners can be issued with points against their Council issued Hackney Carriage/ Private Hire Drivers or Operator Licence by authorised licensing officers of the Council. Points would be used for less serious breaches of a licence condition or legislative provision. The issuing of points formalises the Councils previous practice of issuing warnings. The aim is to encourage licence holders to comply with licence conditions and legislation and to behave in an acceptable manner at all times, thereby improving the professionalism and reputation of the licenced vehicle trade. The points system operates in addition to all existing enforcement options and has regard to the principles of the Councils overarching 'Enforcement Policy' and the Regulators Code.

1. The points system aims to provide a fast and efficient way of dealing with lesser breaches of licence conditions or primary legislation. Licence holders who habitually disregard the less serious aspects of the licensing regime will accumulate points. Points will be issued according to a scale developed by the Council as part of the scheme. Points will accumulate on a licence until a trigger level is reached, at which time the licence holder could be subject to more formal sanctions including the suspension or revocation of his/her licence.
2. The points will be administered by an authorised licensing officer and recorded on the Council's licensing database. The points system will be used for less serious offences which would not normally trigger more formal enforcement action in the first instance and which are resolved by the licence holder after it is brought to his/her attention. The points system will help provide an open and transparent method of how a licence holder will be assessed in terms of the 'fit and proper person' test.
3. Points will remain on a licence for between 12 and 36 months from the date of issue depending on the seriousness of the offence.
4. Where a licence holder accumulates the trigger level of penalty points more than once in any three year period, the Council will decide whether a licence should be suspended or revoked if it is considered that the accumulation of points indicates that the licence holder is no longer a 'fit and proper person' to hold a licence. Each case will be considered on its own merits.
5. Points can be issued at the roadside or at the Council's offices by authorised licensing officers. Points issued to a licence holder will be confirmed in writing within ten working days from the contravention or at the conclusion of an investigation into a complaint.
6. The Council may cancel penalty points issued to a licence holder and take more with formal enforcement action, if additional information becomes available subsequent to the issuing of points which the Council considers to increase the severity of the offence to a level beyond that which can be sanctioned by way of penalty points.

7. The penalty points system will operate without prejudice to the Council's ability to take alternative enforcement action as provided for by the Private Hire and Hackney Carriage Licensing Policy and/or legislation.



Penalty points system for Hackney Carriage/Private Hire drivers & Private Hire operators

	Offence/breach of condition	No. of pts	Dvr	Op		Offence/breach of condition	No. of pts	Dvr	Op
1	Driver not holding a current Hackney Carriage/Private Hire driver licence	12*	✓	✓	16	Failure to notify transfer of Private Hire or Hackney Carriage licence within 14 days	4*	✓	✓
2	Failure to notify the Council of change of address within 7 calendar days	3*	✓	✓	17	Failure to provide information on vehicle garaging arrangements	3	✓	✓
4	Touting/illegally plying for hire	9*	✓	✓	18	Failure to display "taxi" sign on roof of Hackney Carriage	4	✓	✓
5	Failure to display/no vehicle excise licence	6	✓	✓	19	Failure to maintain, keep or produce records of Private Hire bookings, or other documents required to be kept	6*		✓
6	Using unlicensed vehicle or vehicle without insurance	12*	✓	✓	20	Unsatisfactory behaviour or conduct of driver	3	✓	
7	Failure to produce documents within timescale, when requested to do so	4*	✓	✓	21	Using a non-approved taximeter	6	✓	✓
8	Vehicle in unsatisfactory condition inside or out	4	✓	✓	22	Driver not holding a current DVLA licence	12	✓	✓
9	Failure to produce vehicle for testing when required	4*	✓	✓	23	Failure to wear driver's badge	4*	✓	
10	Using a vehicle subject to a prohibition/suspension order	12	✓	✓	24	Failing to notify change of medical circumstances	6	✓	
11	Using a vehicle for which the licence has been suspended or revoked	12*	✓	✓	25	Failure to return driver's badge within 7 days of being requested to do so	4*	✓	✓
12	Failure to report within 72 hours an accident or damage to a licenced vehicle	3	✓	✓	26	Failure to return vehicle licence plate within 7 days of being requested to do so	4*	✓	
13	Overloading of licenced vehicle (including exceeding the licenced number of passengers)	6*	✓		27	Failure to notify the Council of any motoring or criminal convictions or cautions during period of current licence	6	✓	✓
14	Failure to display external or internal licence plate or door sign as required (including not attaching plate in suitable manner)	4*	✓		28	Providing false/misleading information on application form, or failing to provide relevant information	6*	✓	✓
15	Carrying an offensive weapon in the vehicle	4-12	✓		39	Any other offence not outlined above namely	3-12	✓	✓

Driver Name:

Driver Badge No:

Vehicle Plate No:

Signature of Officer Date:

Notes:

General

- Those items marked with an asterisk (*) are direct contraventions of the Local Government (Miscellaneous Provisions) Act 1976 or other legislation and may result in prosecution in addition to any points penalty imposed
- Ticks (✓) indicate potential recipients of penalty points for infringements may result in both driver and operator receiving penalty points
- Where there is a range in points available the Licensing Officer has the discretion to award the number of points according to the severity of the breach
- Points generally remain on the driver's file for a period of 12 months from the date of issue
- Points awarded for more serious offences (in **bold** print) will remain on the driver's file for a period of 36 months
- Any driver or operator awarded points has a right to appeal to the Magistrates Court within 21 days

Drivers

- On accumulation of 12 or more points in a rolling 12 month period, a driver will be subject to a recommendation to suspend his/her licence
- For drivers on the first occasion of an accumulation of 12 points, the recommendation would be suspension for 28 consecutive days
- For drivers on the second occasion of an accumulation of 12 points, the recommendation would be revocation of licence

Operators

- On accumulation of 24 or more points in a rolling 12 month period, an operator will be subject to a recommendation to suspend his/her licence
- For an operator on the first occasion of an accumulation of 24 points, the recommendation would be suspension of the operator's licence for 28 consecutive days
- For an operator on the second occasion of an accumulation of 24 points, the recommendation would be revocation of licence
- All suspensions and revocations will be determined by the Licensing Committee
- Once a suspension has been served, all points will be removed
- Any driver or operator subject to suspension or revocation has a right to appeal to the Magistrates Court within 21 days of the decision

- Suspensions and revocations will not be implemented until the 21 day appeals period has elapsed; however, driver suspensions on public safety grounds will take immediate effect.

Cherwell District Council

Executive

6 June 2016

Disabled Facilities Grants and Better Care Funding

Report of Head of Regeneration and Housing

This report is public

Purpose of report

To provide an update on changes to Disabled Facilities Grant (DFG) funding and to seek the Executive's direction on suggested opportunities to improve the Council's service to disabled residents that arise from those funding changes.

1.0 Recommendations

The meeting is recommended:

- 1.1 To leave the Council's capital contribution for Disabled Adaptations unchanged.
- 1.2 To confirm that any of the total DFG capital budget in excess of what is required to deliver mandatory DFGs should be utilised to make identified improvements to the delivery of adaptations and assistance to eligible disabled residents.
- 1.3 To note that, in accordance with its Scheme of Delegation to Officers and its Private Sector Housing Grants and Assistance Policy, the Head of Regeneration & Housing and the Lead Member for Housing will determine what additional forms of grants and loans may be appropriate to improve DFG service and delivery.

2.0 Introduction

- 2.1 Disabled Facilities Grants (DFGs) are mandatory grants that the Council has to administer in accordance with prevailing legislation¹. However, subject to its own Private Sector Housing Grants and Assistance Policy 2012, the Council also has wide discretion to provide other forms of financial assistance.
- 2.2 Historically the capital funding for (DFGs) has been provided jointly by both central government and local housing authorities, with the government's allocation being passed directly to authorities such as Cherwell. This longstanding arrangement

¹ Principally the Housing Grants, Construction & Regeneration Act 1996 and Regulations made under it.

changed for 2015-16 when DFG capital was incorporated into the new Better Care Fund and passed to Health and Well Being Boards (HWBs) as part of the programme to better integrate health and social-care services. However, HWBs were not only instructed to pass on the DFG capital to the housing authorities but were also required to achieve specified minimum allocations.

- 2.3 In Cherwell's case this resulted in an increased allocation, with the HWB providing £457k to the Council for 2015-16 rather than the £375k we had typically received from central government for a number of years previously. When added to the £375k capital provided by the Council that gave a total DFG budget for 2015-16 of £832k.
- 2.4 This arrangement has continued for 2016-17 but the allocation to Cherwell has been confirmed as £847k (an 85% increase) which, when added to the £375K the Council has again allocated for DFGs, makes the total budget £1.22M (a 47% increase in total over last year's budget). Funding intentions beyond 2016-17 are not known, although this year's allocation is the first from what central-government has said is a four-year settlement.
- 2.5 In Cherwell, demand for DFGs and expenditure has remained relatively stable for the past 4 years despite an ageing population. In 2015-16 the full £832k budget was committed in the form of approved grants, payments totalling £765k were made on 97 completed jobs and £76k carried-forward pending payments on work that was still to be completed.
- 2.6 On the basis of expected demand the Council is unlikely to require a budget of £1.22M to deliver mandatory disabled facilities grants but, in negotiation with HWB and other partners, this budget presents a singular opportunity to reconfigure and improve local provision to disabled residents.

3.0 Report Details

- 3.1 Although the Council, as housing authority, is the body with the mandatory responsibility for providing DFGs, it has only ever been responsible for part-funding those grants. Delivery of an effective DFG service is therefore dependent on co-funding from our partners, but also upon close working with Oxfordshire County Council (OCC) as the Welfare Authority (with which we are statutorily obliged to consult). OCC's Occupational Therapists (OTs) are responsible for assessing the physical needs of individuals presenting to OCC and then for referring potential DFG cases to us. The Council's Home Improvement Agency (HIA) then provides essential practical help to a majority of applicants, many of whom might otherwise have difficulty taking advantage of a DFG². The Council receives significant revenue funding from OCC to help ensure that an HIA service is available (£128k for 2016-17).
- 3.2 We have established a close working relationship with the County Council's OT service (which has, amongst other things, led to joint funding of an in-house OT in the Private Sector Housing Team), and believe this has contributed to managing client expectations and to helping balance demand with the available budget, whilst

² Typical HIA work includes help with form-filling, obtaining estimates, builder selection and supervision and, in some cases, making planning and building-regulation applications.

also ensuring we are able to provide a good quality service from referral to completion of works.

- 3.3 The increase in the DFG allocation applies nationally, not just to Cherwell, and whilst some authorities may require all of their additional allocation to deliver previously under-funded mandatory DFGs, that is not the position in Cherwell, where members have always regarded adequate funding of help for disabled residents as a priority³.
- 3.4 We have received no real explanation of the reasons behind the increased allocation (other than passing mention of the fact that money previously allocated to Adult Care Capital Grant (ACCG) has this year been moved to the overall DFG budget, and it is understood that there may previously have been some overlap between what was funded under ACCG and our DFGs.) Officers have been in discussion with the Joint Commissioning Team at OCC and have been able to establish only that OCC wishes to meet with Cherwell and the other housing authorities about its need to better understand the output value of the capital investment being made and its contribution towards the HWB's key priorities, including reduction in 'care-home admissions, non-elective hospital admissions and delayed transfers of care'.
- 3.5 Subject to further confirmation from OCC, we currently understand that the HWB DFG allocation is not specifically ring-fenced for mandatory DFGs and that they are likely to welcome discussions about its best use, particularly regarding proposals that might enhance delivery of such key performance measures as are to be determined with us.
- 3.6 The additional allocation this year presents an opportunity to look again at our DFG service and to consider changes that may improve what we can currently provide to disabled residents and their families. Although any such proposals will require detailed investigation and further discussion with partners, the following initiatives immediately suggest themselves, although others too may arise:

Suggested proposals:

- 3.6.1 Reconfigure the work of the HIA and amend the Small Adaptations grants it currently delivers so as to raise the maximum grant from £1,000 to £2,500. This will extend the range of work that can be done through the HIA and the number of jobs it can deliver but will also simplify both the operation of our service and the reports we provide to OCC under the terms of our service level agreement. (OCC provide funding for the HIA and its subsidised service). Currently all jobs costing more than £1k have to be dealt with as DFGs, so this change would also have the positive effect of reducing the number of jobs that have to be put through the mandatory DFG process, will speed up delivery of the required work significantly and will also reduce the administrative resources needed to process the mandatory grants. Officers anticipate that £100k allocated to these modified grants will be sufficient but the HIA will be able to earn its typical 12% fees on this expenditure (as it does for grants currently). It is also reasonable to expect an, as yet unquantified, reduction in mandatory DFG spend.
- 3.6.2 Provide repayable loans to supplement DFGs where works in excess of the statutory £30k maximum grant put adaptations beyond the reach of applicants.

³ In both 2009-10 and 2010-11 for example, Cherwell contributed £575k to DFGs against a government allocation of £375k.

Such cases most frequently involve property extensions for families with disabled children and are often dependent upon applications to OCC for what are known as Deferred Interest Loans. The available budget for such loans is restricted and, in our experience, decisions can take many months, with the result that adaptations can be significantly delayed. Such delays are invariably very stressful for clients with significant need for assistance, but also create difficulties for the Council in programming work and anticipating budget allocation and spend. Officers propose exploring the option for the Council to provide secured loans⁴ of up to £20k, in specified cases, as a means of speeding up delivery and ensuring better budgetary control. It is anticipated that the cost might be £80-100k per annum, subject to continued budget provision.

- 3.6.3 Explore options for increasing the supply of adaptation-ready accommodation to reduce the cost of future adaptations and/or for increasing the supply of accommodation such as family-sized (3 or 4-bedroom bungalows) to help address a currently un-met need. This proposal is likely to require the most developmental work but might, for example, lead to the design of a building archetype that would allow the number of bedrooms to be varied according to changing needs. It might also include providing funding to vary the design of a certain number of homes in commercial developments or in the Council's Build programme, so as to meet the needs of disabled future residents, or similar funding (in the form of Local Authority Social Housing Grant (LASHG)) to Residential Providers. This proposal is likely to be the most costly but could be progressed on the basis that it would only be allocated monies not required for delivery of mandatory DFGs or committed to the preceding 2 options.

4.0 Conclusion and Reasons for Recommendations

- 4.1 The total DFG budget resulting from an increased HWB contribution will allow services to disabled households to be improved beyond the scope of what can be achieved through the established mandatory grants. Officers believe, in particular, that there are opportunities to simplify operations and speed up delivery. Although a suggested range of possible improvements will all require further investigation and working-up, they do not require additional funding by the Council, simply for the existing capital allocation to be maintained for 2016-17.

5.0 Consultation

None

6.0 Alternative Options and Reasons for Rejection

- 6.1 The following alternative options have been identified and rejected for the reasons as set out below.
- Option 1: To reduce the Council's £375k capital allocation for 2016-17, by a sum to be determined, and thereby reduce the total DFG budget. This option

⁴ Note that the Council already has experience of providing secured loans through its Flexible Home Improvement Loans

would result in the Council foregoing some, or all, of the opportunities to develop and enhance the service provided to disabled residents.

7.0 Implications

Financial and Resource Implications

- 7.1 This report requires no additional funding commitment beyond the capital allocation the Council has already made. Whilst the Council is required to provide mandatory DFGs, the capital it chooses to commit to that end is not subject to any statutory ring-fencing and so could be properly applied to related grants and loans. The HWB has yet to confirm what, if any, restrictions may apply to the specific use of the capital it is providing, but the proposals in this report are not reliant upon use of the HWB allocation for anything other than the provision of mandatory DFGs, albeit that less restrictive use of the funding seems likely to meet with HWB approval, in achievement of their developing objectives.

Comments checked by:

Paul Sutton, Chief Finance Officer / Section 151 Officer, 01295 221634,
paul.sutton@cherwellandsouthnorthants.gov.uk

Legal Implications

- 7.2 Provided the Council continues to meet its statutory obligation to administer DFGs and provided the use of capital provided by HWB adheres to any conditions pursuant to that allocation, there is nothing to prevent the Council proceeding in accordance with the recommendations in this report.

Comments checked by:

Kevin Lane, Head of Law and Governance 0300 0030107
kevin.lane@cherwellandsouthnorthants.gov.uk

Risk Implications

- 7.3 Failure to deliver mandatory DFGs would place the Council in breach of its statutory duties, but this report seeks approval to extend and improve the delivery of services to disabled residents rather than restrict or diminish them and poses no risk to the Council's ability to meet its obligations.

Comments checked by:

Ed Bailey, Corporate Performance Manager, 01295 221605
edward.bailey@cherwellandsouthnorthants.gov.uk

8.0 Decision Information

Key Decision

Financial Threshold Met: Yes

Community Impact Threshold Met: No

Wards Affected

All

Links to Corporate Plan and Policy Framework

- Cherwell LSP's Sustainable Community Strategy: Ambition 3 - Ensure existing homes are decent.
- Housing Strategy objectives: Ensure homes are safe, warm and well managed.

Lead Councillor

Councillor John Donaldson, Lead Member for Housing

Document Information

Appendix No	Title
None	
Background Papers	
None	
Report Author	Tim Mills, Private Sector Housing Manager
Contact Information	01295 221655 Tim.mills@cherwell-dc.gov.uk

Cherwell District Council

Executive

6 June 2016

Safeguarding Policy and Internal Review Update

Report of Director of Operational Delivery

This report is public

Purpose of report

To consider an update of the Council's joint safeguarding policy and receive an update on the progress made to date on implementing the recommendations from the internal safeguarding review.

1.0 Recommendations

The meeting is recommended:

- 1.1 To approve the updated joint Safeguarding policy as attached at Appendix 1.
- 1.2 To note the work carried out to date to implement the agreed recommendations from the internal review.

2.0 Introduction

- 2.1 The Council has an approved joint safeguarding policy with South Northamptonshire Council that is reviewed at least on a triennial basis or more frequently according to changes in legislation and/or emerging good practice. A review of the policy is due now due to the introduction of duties around the prevention of terrorism and anti-extremism as well as a general update being required following the joint internal review of Safeguarding undertaken last year. The updated policy document is attached at Appendix 1.
- 2.2 In addition, the opportunity has been taken to provide the Executive with an update on progress made to date on the approved recommendations from the 2015 joint internal review and a revised action plan for any outstanding items. This is attached at Appendix 2.

3.0 Report Details

- 3.1 The Council has duties and responsibilities for safeguarding children and vulnerable adults under a range of legislation. District councils have a statutory 'duty to cooperate' to safeguard children as prescribed in The Children Act (1989). This includes engagement with the Local Safeguarding Children Board. In addition, District councils have a duty 'to make arrangements to ensure that in discharging their functions they have regard to the need to safeguard and promote the welfare of children' under Section 11 of The Children Act 2004. Further guidance is contained within Working Together to Safeguard Children (2014). Duties and responsibilities to safeguard vulnerable adults are set out in various pieces of legislation and guidance including The Care Standards Act (2000) and The Care Act (2014).
- 3.2 The Safeguarding Vulnerable Groups Act (2006) sets out statutory requirements preventing the employment of 'unsuitable people' to work with children and vulnerable adults. District councils must ensure they practice safe recruitment and selection and have human resources policies and practice that deal effectively with safeguarding concerns.
- 3.3 District councils have very limited direct responsibilities for safeguarding - particularly they do not have responsibility for (and indeed should not) determine whether abuse has or is taking place nor do they have responsibility for investigating incidents or allegations as to whether abuse has taken place or making judgments about whether abuse has taken place.
- 3.4 The responsibilities of district councils are to put in place a safeguarding policy and procedures, to ensure that staff, managers and elected members are aware of the policy and procedures, to provide training and development on safeguarding, to know what the signs of abuse are and to know when and how to report concerns. This includes the making of referrals to the statutory agencies including the county councils and the police.
- 3.5 District councils should make a contribution to plans to safeguard and promote the wellbeing of individual children and vulnerable adults, including contributing to multi-agency planning through Child Protection Plans, the Common Assessment Framework and Team Around the Child meetings and assessments and plans made under the Care Act for vulnerable adults and vulnerable young people aged 16+ under transition arrangements.
- 3.6 District councils must also ensure that children and vulnerable adults are safeguarded within those services that they directly provide or those that they commission, through the provision of safe environments and safe working practices. This includes ensuring safeguarding standards are in place where external organisations use District Council land or premises, whether or not a charge is made to do so.
- 3.7 Finally, district councils must engage with local partnership arrangements including the Local Safeguarding Children Board and The Adult Safeguarding

Board. This has proved problematic in Oxfordshire with recent chairmen vacancies for both Safeguarding Boards.

- 3.8 The joint internal review resulted in a series of recommendations and a six monthly report is now due on progress. This is attached at Appendix 2. Good progress has been made in most areas but training is the significant issue that requires attention and further input. There is no central register of training undertaken by staff or an evaluation of the training taken and its impact that is easily accessible. Through appraisal records, staff record their training and managers have oversight of this and should be aware of who needs refresher training or new training following new legislation. However, a more systematic and automated process needs to be put in place which is under development.

4.0 Conclusion and Reasons for Recommendations

- 4.1 The revised joint policy is comprehensive and makes reference to the latest legislation providing a robust and thorough Safeguarding Policy document. The procedures for reporting a concern are clear and reference the new See it Report it intelligence gathering system.

5.0 Consultation

None

6.0 Alternative Options and Reasons for Rejection

- 6.1 The following alternative option has been identified and rejected for the reasons as set out below.

Option 1: Not to update the policy; this is not a viable alternative given the change in duties placed upon Local Authorities

7.0 Implications

Financial and Resource Implications

- 7.1 The implementation of a joint policy has no financial implications. The financial implications of the recommendations outlined in the approved action plan following the joint internal review have already been noted and approved.

Comments checked by
Brian Wallace Principal Accountant, 01295 221737,
brian.wallace@cherwellandsouthnorthants.gov.uk

Legal Implications

- 7.2 The policy now reflects the duties placed on local authorities and, provided it is adhered to, ensures compliance.

Comments checked by Kevin Lane, Head of Law and Governance
kevin.lane@southnorthants.gov.uk – 0300 0030107

8.0 Decision Information

Key Decision

Financial Threshold Met: No

Community Impact Threshold Met: No

Wards Affected

All

Links to Corporate Plan and Policy Framework

Cherwell: Safe, Clean and Green – work with partners to ensure the District remains a low crime area, reducing the fear of crime, tackling anti-social behaviour and focussing on safeguarding our residents and businesses.

Lead Councillor

Councillor Tony Ilott, Lead Member for Public Protection

Document Information

Appendix No	Title
1	Joint Policy for Safeguarding Children and Vulnerable People
2	Internal Safeguarding Review Recommendations, Action and Progress Update
Background Papers	
None	
Report Author	Ian Davies, Director of Operational Delivery
Contact Information	030000 30101 ian.davies@cherwellandsouthnorthants.gov.uk



DISTRICT COUNCIL
NORTH OXFORDSHIRE



**South
Northamptonshire
Council**

**Safeguarding Children, Young
People and Vulnerable Adults,
Policy and Procedures**

Introduction

1. This policy is for all staff, elected members who may come into contact with children, young people and vulnerable adults in the course of their work, whether it is in someone's home, on council premises or in the community.
2. Cherwell District Council (CDC) and South Northants Council (SNC) aim to work in a way that contributes to the safeguarding of children, young people and vulnerable adults, preventing harm and radicalisation.
3. CDC and SNC will ensure that:
 - all employees involved in working with children, young people and vulnerable adults implement good working practices to ensure a safe and healthy environment;
 - all employees are aware of safeguarding and radicalisation issues both in the context of organised activities and within the home and community;
 - standard procedures are in place to identify and report suspected abuse or actual abuse of children or vulnerable adults and that all employees providing services for these groups understand these procedures.
4. CDC and SNC recognise that in providing services for children, young people and vulnerable adults there is a need to provide and maintain a high degree of physical and emotional wellbeing. Therefore the following procedures will be implemented:
 - ensure employees are aware of the safeguarding children, young people and vulnerable adults policy and procedures;
 - ensure employees and members of the public can effectively report concerns about children, young people and vulnerable adults at risk;

- operate sound recruitment and selection procedures for employees to ensure suitability for working with children, young people and vulnerable adults;
- identify and enable appropriate safeguarding training to take place for employees who work with children, young people and vulnerable adults;
- identify and enable appropriate safeguarding awareness training for Members and other staff not directly working with children, young people and vulnerable adults
- maintain appropriate records of training, risk assessments, referrals and escalation of concerns;
- demonstrate best practice in ensuring the safety of children, young people and vulnerable adults;
- participate in activities designed to increase community intelligence and reduce the risk of criminal acts

Recruitment and Selection of Employees

5. CDC and SNC have a legal obligation to ensure that all job applicants (including casual and volunteer staff) do not have a history that would make them unsuitable for posts involving contact with children, young people and vulnerable adults.

In addition to the Safer Recruitment Policy and Practices of satisfactory references, medical reports / examinations and asylum and immigration checks, offers of appointment may be subject to receipt of a satisfactory disclosure from the DBS.

The DBS policy must be adhered to and sets out clear guidelines for recruitment. The DBS policy should be read in conjunction with this Safeguarding Children, Young People and Vulnerable Adults Policy.

Risk Assessment Protocol

6. The line manager will carry out a risk assessment for any post identified on the vacancy assessment as having contact with children, young people or vulnerable adults. In all such posts the individual is not permitted to commence employment until satisfactory clearance has been received by the Council.

In exceptional circumstances and if restrictions can be applied to the role to negate any risks prior to the receipt of DBS clearance, such as identifying office based duties, the employee may be able to commence employment. Continued employment under these circumstances will still be conditional upon receipt of a satisfactory Disclosure being received. Failure to obtain clearance will result in non-engagement/instant dismissal. This policy and procedure includes paid employees, volunteers, elected Members and contractors.

Training

7. Training is a crucial element in supporting employees to meet their responsibilities toward safeguarding children, young people and vulnerable adults. CDC will utilise the training provided by the Oxfordshire Safeguarding Children and Safeguarding Adults Boards and will support the Boards by offering members of staff to train as trainers.
8. SNC will utilise the training provided through a training contract identified by the Northamptonshire Safeguarding Children and Safeguarding Adults Board.
9. Additional training from other providers will be accessed to support the continuing professional development of staff in specific circumstances i.e. national legislation changes or staff in new roles.
10. There are three levels of training which respond to the specific types of contact employees have with children, young people and vulnerable adults. Managers will identify which level of training is appropriate to all posts and this information will be held in a central HR register and reviewed each time a post is recruited to. Attendance at the appropriate level of training will be mandatory.
11. Attendance will be monitored by Managers as part of the appraisal process. Failure to participate in training provided can lead to disciplinary action. In addition, safer recruitment training will be provided for staff involved with recruitment of these groups. Ad hoc training will also be provided to up skill staff in relation to specific areas of the broader safeguarding agenda through the knowing your communities programme. (this may be referred to as Level 4 training)

12. Level 1 (Awareness)

All employees will be provided with a basic understanding of the principles and their responsibilities towards safeguarding children, young people and vulnerable adults via this Safeguarding policy and a Safeguarding presentation. This will form part of the induction process for new staff. All managers will be required to attend Know Your Community briefings and attendance will be monitored and recorded.

13. Level 2 (Generalist)

This ½ day training course or e learning modules covers definitions of abuse, indicators and managing concerns and is designed for employees who work with or have contact with children, young people and vulnerable adults during the course of their role. This includes staff who have regular or intense contact or who have an enforcement role or who have contact within a single setting, such as family homes, community events or schools or at Council offices to access services.

14. Level 3 (Specialist)

This course is designed for the named lead / designated members for CDC with a specific responsibility for safeguarding children, young people and vulnerable adults within their job role, including all staff who may make a safeguarding referral or may participate in an assessment, safeguarding plan or be a member of a vulnerable adults or safeguarding children statutory meeting.

Definitions of Abuse

15. Abuse may arise through neglect or through infliction of harm, or by failure to act to prevent harm. Children, young people and vulnerable adults may be abused in a wide variety of settings, by people known to them, or by strangers. Further information on the categories of abuse can be found at Appendix 1.

Responding to Disclosure, Suspicions and Allegations of Abuse

16. It is not the responsibility of CDC employees to decide whether or not abuse is taking place. It is the responsibility of CDC/SNDC staff to be alert to signs of abuse and to report concerns. If a person says or indicates that they are being abused or information is obtained which gives concern that a person may be being abused the concerns should be reported promptly.

17. Staff should participate in child and adult protection proceedings where their professional expertise is needed to ensure positive safeguarding outcomes for children, young people or vulnerable adults. These proceedings may be called by social care colleagues or the police.

Confidentiality

18. Confidentiality is a key issue in safeguarding children, young people and vulnerable adults. Sharing information with appropriate agencies, even when the individual does not consent, is allowed under these circumstances

- if there are safeguarding concerns
- in the case of concerns over radicalisation
- where there may be a need to share information to prevent a crime being committed.

Data Protection

19. Occasionally there will be a need or requirement to collect and use certain types of information on children, young people and vulnerable adults. This personal information must be dealt with properly however it is collected, recorded and used – whether on paper, in a computer, or recorded on other material - and there are safeguards to ensure this in the Data Protection Act 1998. (Personal information is data that relates to a living individual who can be identified from the data or other data held by the Council).

20. The lawful and correct treatment of personal information is very important and wherever such information is kept there is a need to comply and adhere to the principles of data protection, as laid out in the Data Protection Act 1998. The Council's joint Data Protection Policy is available on the intranet. In most cases

the need to safeguard a child or vulnerable adult will mean that sharing of the data with other relevant persons or agencies will represent fair and lawful processing of the data under the Act and where an employee is uncertain about this they should seek advice from Legal Services.

Reporting Concerns

21. If you have any concerns you should report them using the See It Report It process. Guidance is provided on the intranet. The form captures written evidence of what you have seen or heard that gives you concern, keeps that document safe and confidential, and is reviewed by the Nominated Officer who is the joint Safeguarding Lead (detailed at Appendix II) as soon as possible.
22. Officers who have received specialist training may make their own referral to either MASH or Adult Social Care. A copy should be forwarded to the Nominated Officer for review and monitoring purposes.
23. If there is an imminent risk of harm then you should phone 999

Nominated Officer

24. This person is available to advise employees and elected members and is required to:
 - be familiar with safeguarding procedures;
 - ensure there are effective internal procedures to handle concerns;
 - be the link person with relevant agencies;
 - attend appropriate training.

Acceptable and Unacceptable Behaviour

25. CDC and SNC have published Safeguarding Guidance to support employees and elected members in understanding what is acceptable and unacceptable behaviour when working with children, young people or vulnerable adults (Annex A).
26. CDC and SNC have a duty to have a designated officer to be involved in the management and oversight of individual cases. The Nominated Officer will have this designation.
27. This person has responsibility for:
 - Ensuring that each authority operates procedures for dealing with allegations in accordance with the local Safeguarding Boards' guidance resolving inter-agency issues;
 - Liaison with the Local Safeguarding Boards on any issues.

Review Processes for Child Death, Domestic Homicide Review and Serious Case Review

28. All members of the Local Safeguarding Boards are required to provide a senior officer contact to the Board. This person will act as a first point of contact for any

review processes undertaken, including, but not limited to deaths of children, young people and vulnerable adults, domestic homicide reviews that the organisation is made aware of.

29. If you become aware of the death of a child, young person or vulnerable adult in the course of your professional duties you should immediately contact the Nominated Officer as well as calling 999.

Appendix 1

Categories and signs of abuse

Physical abuse

May involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm. Physical harm may also be caused when a parent or carer feigns the symptoms of, or deliberately causes, ill health to a person for whom they are caring.

Emotional abuse

Is the persistent emotional ill-treatment such as to cause severe adverse effects.. For example, it may involve conveying to children, young people and vulnerable adults that they are worthless or unloved, inadequate, or valued only in so far as they meet the needs of another person. It may feature age or developmentally inappropriate expectations being imposed. It may involve causing children, young people and vulnerable adults to frequently feel frightened or in danger, or their exploitation or corruption. Some level of emotional abuse is involved in all types of ill-treatment, though it may occur alone.

Sexual abuse

involves forcing or enticing a person to become involved in any way in sexual activities, whether or not they are aware of what is happening.

Sexual Exploitation

Sexual exploitation of children and young people under 18 involves exploitative situations, contexts and relationships where young people (or a third person or persons) receive 'something' (e.g. food, accommodation, drugs, alcohol, cigarettes, affection, gifts, money) as a result of them performing, and/or another or others performing on them, sexual activities.

Child sexual exploitation can occur through the use of technology without the child's or young person's immediate recognition; for example being persuaded to post sexual images on the Internet/mobile phones without immediate payment or gain.

In all cases, those exploiting the child/young person have power over them by virtue of their age, gender, intellect, physical strength and/or economic or other resources.

Violence, coercion and intimidation are common, involvement in exploitative relationships being characterised in the main by the child or young person's limited availability of choice resulting from their social/economic and/or emotional vulnerability.

Neglect is the persistent failure to meet basic physical and/or psychological needs, and is likely to result in the serious impairment of health or development.

Financial or material abuse, including theft, fraud, exploitation, pressure in connection with wills property or inheritance or financial transactions or the misuse or misappropriation of property, possessions or benefits of vulnerable adults.

The Signs of Abuse

The following factors should act as indicators in situations of potential or actual abuse:

- unexplained or suspicious marks, bruises, fractures, burns/scalds or injuries to the mouth and eyes;
- poor physical condition or delayed speech and language development in children
- a change in behaviour or appearance;
- inappropriate sexual awareness in children
- a statement by a child or person that he or she has been victimised;
- distrust of others, particularly those with whom a close relationship would normally be expected;
- difficulty making friends or socialising;
- prevention from socialising with other children, young people or adults.

It should be recognised that this list is not exhaustive and the presence of one or more of these indicators is not proof that abuse is actually taking place.

Appendix II

Nominated Officer

Nicola Riley
Shared Interim Communities, Partnerships and Recreation Officer
01295221724
Nicola.riley@cherwellandsouthnorthants.gov.uk

Promoting Good Practice when working with children, young people and vulnerable adults

It is possible to reduce situations in which abuse can occur and help protect employees by promoting good practice. The following guidelines should be used to ensure this can be achieved:

- Always ensure that you follow safer recruitment practices and undertake DBS checks;
- Always work in an open environment, avoiding private or unobserved situations;
- Treat all children, young people and vulnerable adults with equal dignity and respect
- Always put the welfare of the person first;
- Maintain a safe, appropriate and professional distance with children, young people and vulnerable adults
- Build balanced relationships based on mutual trust which empowers children, young people and vulnerable adults to share in the decision making process;
- Make activities fun, enjoyable and promote fair play;
- Ensure that if any form of manual / physical support is required, it should be provided openly and with due care;
- Keep up to date with the appropriate technical skills and qualifications; ensure that if children are supervised that they are accompanied by at least two employees;
- Be an excellent role model - this includes not smoking or drinking alcohol, use of appropriate language and topics of conversation in the company of children, young people and vulnerable adults; give enthusiastic and constructive feedback rather than negative criticism;
- Recognise the developmental needs and capacity of children, young people and vulnerable adults;
- Ensure that equipment and facilities are safe and appropriate to the age and ability of the person
- Ensure that high standards are maintained at all times.

Practice to be avoided

The following should be avoided except in emergencies. If cases arise where these situations are unavoidable they should only occur with the full knowledge and consent of a senior officer, guardian or carer or the child's parent, for example:

- spending excessive amounts of time alone with children, young people and vulnerable adults away from others oversight;
- taking unaccompanied children, young people or vulnerable adults on car journeys, however short, on your own
- taking children, young people and vulnerable adults to your home.

Employees should never:

- engage in rough, physical or sexually provocative games, including horseplay;
- allow or engage in any form of inappropriate touching;
- allow children to use inappropriate language unchallenged;
- make sexually suggestive comments to a person, even in fun;
- allow allegations made by a person to go unrecorded or not acted upon;
- do things of a personal nature for children, young people and vulnerable adults that they can do for themselves;
- invite or allow children, young people and vulnerable adults to stay at their home;
- constantly shout at and/or taunt a person.

This page is intentionally left blank

Appendix 2

Internal Safeguarding Review Recommendations, Action and Progress Update

Recommendation	Action	Lead Officer	Deadline	Progress	RAG
1. The senior management review should establish clearly the lead roles for safeguarding at Director, third tier and service manager levels. This needs to be explicit in job roles and structures and managers should have the capacity built into their responsibilities to allow dedicated time to safeguarding activity.	To be considered as part of the shared services review	Ian Davies	March 2016	Underway – dealt with in current Community Services business case and the first phase joint management restructure	Green
3. The planned internal safeguarding leads network should be established as a priority, with Nicola Riley as lead officer. Ian Davies should engage with the network to reinforce his strategic lead responsibility. Those services which have a greater contact with the public and therefore with safeguarding issues should have identified safeguarding leads to form this network. These safeguarding leads should be identified in service documents particularly the service business plans. The network should have a clear purpose to include sharing information, feedback from partnership meetings, sharing learning and ensuring clarity of expectations and responses in relation	Safeguarding leads meeting set up quarterly to Include Public Protection, Community Safety, Housing, Customer Services and Performance	Nicola Riley and Ian Davies	From October 2015	Implemented	Green

to safeguarding matters. This should include monitoring the use of See It, Report It.					
The network should engage with and be accountable to elected members, specifically the lead members with safeguarding responsibilities and with the scrutiny committees and should support the lead members to present to their respective scrutiny committees.	Scrutiny Committees at both Councils have expressed a desire and willingness to keep safeguarding on their agenda and to consider regular reports and sign off of Section 11 reports. Further Internal Review consideration was given by both scrutiny committees in January 2016	Nicola Riley	January 2016	Implemented	Green
The network should take responsibility for completing the S11 Audits, for consulting with the overview and scrutiny committee's on the development of the S11 audits, for ensuring the outcomes of the S11 audits are included in Service Business Plans and for auditing internally the quality of the safeguarding aspects on the Service Business Plans.	Subject to views of Scrutiny in January, each committee to consider the draft S11 returns before issue	Nicola Riley	November 2016		Amber
The network should have responsibility for planning and delivering level one safeguarding training and elected member safeguarding training and	To be considered as an agenda item by the safeguarding leads group and to be combined with	Nicola Riley and Vicki Claridge	From November 2015	Limited progress on delivery but action plan in place	Amber

awareness raising. This network could also usefully have oversight of which posts are identified for DBS checks, that those checks are undertaken in line with policy and also monitoring that staff and elected members undertake mandatory training and how this impacts on practice.	the rollout of Prevent training				
4. The partnership arrangement with Daventry District Council for the provision of community safety, Anti-Social Behaviour (ASB) and associated partnership functions should be reviewed urgently with the council considering terminating those arrangements and bringing responsibility for community safety staff into the shared service internal management arrangements.	Negotiation with Daventry District Council to terminate in 2016/17 the shared Community Partnership Unit arrangement.	Jackie Fitzsimons	By March 2016	Implemented to coincide with the implementation of the shared service plans for Public Protection	Green
5. Further briefings should be held for key managers stressing the requirement to use See It, Report it, including in situations when the service rightly deals with the concern by reporting them directly to the responsible authority. See It Report It should be implemented in South Northamptonshire as soon as possible.	See it Report it to be included in CEx briefings and rollout to SNC is currently being planned. Also to be part of June Managers' Forum agenda	Louise Tustian and Caroline French	November 2015 – Jan 2016 June 2016	See it Report It launch in SNC 1 st Feb 2016 Safeguarding is a standing item on Managers briefings	Green
6. Members should be briefed	Members communication	Nicola Riley,	January/	Limited progress	Amber

specifically on the safeguarding responsibilities of district councils set out earlier in this report and the implications for areas including taxi licensing.	and training schedule to be prepared to include induction process, awareness raising sessions, regular Comms updates and specific Lead member/PFH/Champion support	Vicky Claridge and Janet Ferris	February 2016	on delivery.	
8. Managers should be briefed specifically on the safeguarding responsibilities of district councils set out earlier in this report. Service plans should set out specifically how these responsibilities are being met.	Safeguarding section of business plans to be reviewed by Safeguarding leads groups.	Safeguarding Leads group	January 2016	Implemented	Green
9. There is an urgent need to provide mandatory training, briefings and challenge for elected members to help them understand that safeguarding issues can and do impact on all communities and that they must ensure their responsibilities are taken seriously.	As per 6 above To be co-ordinated with Democratic Services colleagues following the scrutiny meetings in January	Nicola Riley and/ Vicky Claridge	December 2015/January 2016	Limited progress	Amber
10. A system should be established for the identification and recording of all posts requiring a DBS check, the level of check required and the date the check should be renewed. This should include a requirement that the new HR and Payroll system will trigger an alert to a designated officer when a renewal	This system is overseen by HR. Looking at ways to improve automation	Nicola Riley/Paula Goodwin	December 2015 and onwards	Investment decisions about payroll and HR systems	Amber

is due.					
13. The senior management review should establish a substantive role for safeguarding within a third tier officer post.	To be considered through Shared Service development	Ian Davies	By March 2016	In the process of being implemented through the Community and Leisure Shared Service Business Case	Green
14. Middle managers would benefit from some development work on strategic planning, including policy development to build their skills and understanding. This should be linked with the new management competency framework.	To be considered as part of the training opportunities developed from the new competency framework and through the Managers Forum	Claire Taylor, Paula Goodwin and Jo Pitman	By March 2016	Consideration of strategic planning and policy development for key roles will be considered as the management competency framework rolls out over the next 12 months	Amber
19. Key messages about safeguarding should be available on the public websites. Information posters and leaflets should be available and displayed in reception areas. The Communications Team should be engaged to develop a rolling programme of public awareness raising activities.	A communications plan to be developed and implemented	Nicola Riley, Paula Judd and Janet Ferris	By November 2015	Website updates have been planned	Amber
20. The completed S11 Audit for each	Deadline for submission	Nicola Riley,	November	Implemented	Green

<p>district council should be quality assured and signed off by the Director of Community and Environment and the Lead Members. Each scrutiny committee should consider the S11 Audits during development with scrutiny members trained to scrutinise safeguarding practice. Each Service Plan should reflect the S11 Audit requirements.</p>	<p>of Section 11 audits for 2015/16 is December 1st. Ian Davies and Councillors Ilott and Herring will have oversight of the submission this year. In future years sign off is recommended to become part of the scrutiny function for each Council</p>	<p>Ian Davies, Cllrs Ilott and Herring. Louise Tustian</p>	<p>2015 January 2016</p>		
<p>21. Work should be undertaken to identify which posts require safeguarding training and what level that training should be.</p> <p>An audit of training should then be undertaken and remedial action taken to ensure all staff receive the appropriate level of training and that their training is refreshed to an agreed timescale. This information should be held centrally within the new combined HR and Payroll system being commissioned by HR managers.</p>	<p>Claire Cox, Vicky Claridge and Paula Judd are currently undertaking this work.</p>	<p>Nicola Riley</p>	<p>End of November 2015 End of 2016</p>	<p>Complete Investigation of new software to hold personal records for staff of competencies and personal development plans is current. Potential to capture all training through this including Safeguarding</p>	<p>Green Amber</p>
<p>22. All managers should be briefed on the specific requirements to communicate clearly and effectively and</p>	<p>To be undertaken via JMT, SMTs and Managers Forum</p>	<p>Ian Davies</p>	<p>February 2016</p>	<p>Implemented</p>	<p>Green</p>

<p>this should be monitored through supervision and appraisal. Senior managers should communicate clearly their expectations.</p>	<p>supported by briefing notes</p>				
<p>24. Safeguarding capacity should be built into key senior and middle management posts, a central budget for safeguarding training and development, a budget for community awareness raising and adequate budgets to implement emerging work (for example the Joint Operating Framework for Taxi Licensing) should be identified.</p> <p>In addition resources should be identified for partnership working including a financial contribution to the statutory safeguarding adults and children's boards and officer contribution to the boards and sub-groups.</p>	<p>For consideration as part of shared service development and Budget allocation for 2016/17 and beyond. Already implemented for the Public Protection joint service business case. To be included in planned Housing and included in the proposed Community and Leisure shared service business cases.</p> <p>Consideration as part of 2016/17 draft budget process. Likely need for c£5k/10k per council. Also, lead SNC/CDC attendees for each partnership body to be identified</p>	<p>Ian Davies and Chris Stratford</p> <p>Paul Sutton</p>	<p>By March 2016</p> <p>January 2016</p>	<p>Implemented</p> <p>Implemented</p>	<p>Green</p>

Recommendations that impact on external partners

Recommendation	Action	Lead Officer	Deadline	Progress	RAG
2. The district councils should proactively engage with the four independent chairs of the adults and safeguarding children boards to introduce the strategic and operational safeguarding leads. This should be the first stage in strengthening those key external partnership arrangements.	This partnership development work will form part of the revised work plan for 2015/16	Nicola Riley and Ian Davies	January 2016	All four Board Chairmen have been approached but personnel changes have meant limited progress. Input achieved through Districts dialogue	Amber
7. Both districts should establish with their county council partners the extent of their safeguarding responsibilities including which officers will contribute to Common Assessment Framework Assessments and Team Around the Child Meetings. District Council officers should not act as lead officer in either of these processes.	OCC and NCC Dialogue required with key housing reps included	Nicola Riley, Jo Harrison, Marianne North and Jackie Fitzsimons	January 2016	Implemented	Green
11. The Cherwell Safeguarding lead should work with the Oxfordshire Districts to propose the development of a more formal county safeguarding leads network with the purpose of ensuring meaningful representation on strategic	This partnership development work will form part of the revised work plan for 2015/16	Nicola Riley	2016	Virtual network achieved	Green

<p>partnerships and the sharing of learning and resources where appropriate.</p> <p>Once established there may be an opportunity to share this learning across the Northamptonshire Districts.</p>					Amber
<p>12. The districts should map current partnership arrangements and partnership meetings and their membership and terms of reference to identify overlaps and potential efficiencies and potential for merging or stopping those that duplicates others.</p>	<p>This partnership development work will form part of the revised work plan for 2015/16 and will influence the roles of individuals through the new shared services structures</p>	<p>Nicola Riley and Ian Davies</p>	<p>2016</p>	<p>Through the safeguarding leads meeting improvements to joint working and communication are being made</p>	<p>Green</p>
<p>15. There should be discussions at a strategic level between South Northamptonshire Council and Northamptonshire Police to establish a more appropriate working relationship and a better understanding of their respective roles and responsibilities and how the police and district council will work together going forward.</p>	<p>To be undertaken by CEx and Strategic Director in the first instance.</p>	<p>Sue Smith, Ian Davies and Nicola Riley</p>	<p>2016</p>	<p>Northamptonshire Police meeting in May 2016</p>	<p>Amber</p>
<p>16. The wider partnership issues across Northamptonshire should be addressed. This should begin</p>	<p>To be undertaken by Chief Executive and Strategic Director in the first instance.</p>	<p>Sue Smith and Ian Davies</p>	<p>2016</p>	<p>Being raised through joint chief executives group</p>	<p>Amber</p>

with engagement with the local safeguarding children board and the safeguarding adult board where concerns about thresholds and responses at County level should be raised.					
17. The district safeguarding leads should approach the four safeguarding boards and request the development of district level training and awareness raising opportunities for elected members, staff and partners. This could be developed as a partnership across the four boards with district safeguarding leads contributing to the development and delivery.	A review of existing training material will be undertaken. Work with partners to develop a programme of engagement and awareness raising	Paula Judd and Vicky Claridge Nicola Riley and Tracie Dark	By Jan 2016 From January 2016		Amber
23. The review of information sharing protocols should be used to determine only those that the district councils are required to sign. The Chief Executive, on behalf of both councils, should sign these and then advise officers that they should not sign other protocols, as they do not have the authority to do so on behalf of their employers. This should be agreed with key	Work has already been undertaken in this area to identify the protocols already in place. A data protection and information sharing awareness campaign will be devised to up skill staff to ensure they are working within the protocols and that information is being correctly stored, shared and destroyed	Nicola Riley, Sarah Moller and Janet Ferris	From November 2015	Data Awareness week undertaken on March 14 th -18th	Green

partners.					
24. In addition resources should be identified for partnership working including a financial contribution to the statutory safeguarding adults and children's boards and officer contribution to the boards and sub-groups.	Consideration as part of 2016/17 draft budget process. Likely need for c£5k/10k per council. Also, lead SNC/CDC attendees for each partnership body to be identified	Ian Davies and Paul Sutton	January 2016	Implemented	Green

This page is intentionally left blank

Cherwell District Council

Executive

6 June 2016

Bicester Healthy New Town Status

Report of Director of Operational Delivery

This report is public

Purpose of report

To consider Bicester's participation in the NHS England Healthy New Town Programme. The Leader of the Council has agreed to the submission of this report which has not featured on the Forward Plan as the NHS England Programme requirements have only recently been clarified.

1.0 Recommendations

The meeting is recommended:

- 1.1 To support Bicester's participation in the NHS England Healthy New Town Programme.
- 1.2 To agree for the Council to act as the lead and accountable body for the Bicester Healthy New Town Programme.
- 1.3 To support the inclusion of this activity in the consideration by the Bicester Strategic Delivery Board.
- 1.4 To agree to a Healthy New Town Cherwell fund of £20,000 to serve as an enabling fund to secure further external funding for the Bicester initiatives beyond 2016/17.

2.0 Introduction

- 2.1 In June 2015, the NHS issued a prospectus to invite bids to participate in a Healthy New Towns (HNT) Programme. The initiative was aimed at putting health at the heart of new neighbourhoods and towns by future-proofing new communities for the health and care challenges of this new century – obesity, dementia, new models of digital health, by designing in health and modern care from the outset.
- 2.2 The objectives of the programme were;

- Designing-in healthy living (developing new and more effective ways of shaping new towns, neighbourhoods and strong communities that promote health and wellbeing, prevent illness and keep people independent)
- Capitalising on new home-based care and technologies to support older people at home
- Sharing infrastructure across public services to make smarter use of taxpayers investment.
- Making learning available to other national programmes as well as other local areas and to show what is possible when we radically rethink how health and care services could be delivered, freed from the legacy constraints

2.3 The NHS was seeking long-term partnerships from across the country covering housing developments that meet the following criteria:

- Are in areas identified for future population growth or housing need (e.g. in regional or local plans).
- Are in the pre-application, pre-master planning or master planning phase.
- Are planning schemes of at least 250 homes (with no upper limit on the size of a development).
- Have the active backing of the relevant local authorities even if subsequent planning decisions are outstanding.
- Applications from local authorities, housing associations and the construction sector (as well as other key stakeholders who could form a broader coalition or partnership, including the Local Planning Authority).

2.4 Led by this Council, representatives from a range of local health sector organisations, local government, the voluntary sector and A2Dominion - the NW Bicester lead developer, submitted a partnership based expression of interest (EoI) and then following long listing from the 114 EoIs nationally, a presentation for a day's 'Dragon's Den' shortlisting event was held on 3 February 2016. On 1 March 2016, the NHS announced 10 shortlisted bids to become part of the Programme of which Bicester was one.

3.0 Report Details

The Bicester Healthy New Town Partnership

3.1 The lead partners who presented to the NHS and have shaped the proposal so far are;

Ian Davies, Director of Operational Delivery, Cherwell District Council
 Rosie Rowe, Head of Provider Development (Out of Hospital Care), Oxfordshire Clinical Commissioning Group
 Dr Nick Scott-Ram, Director of Commercial Development, Oxford Academic Health Science Network
 Louise Caves, Strategic Partnerships Manager, A2 Dominion Housing Group
 Jenny Barker, Bicester Delivery Manager, Eco Bicester Project Team, Cherwell District Council

3.2 The wider Bicester partnership contains the following additional organisations;

NHS England South, Oxford Health NHS Foundation Trust, Oxford University Hospitals NHS Trust, Oxfordshire County Council, Bicester Town Council, Oxford Brookes University, Oxford University, Age (UK) Oxfordshire, Healthwatch Oxfordshire, Bicester Locality Patient Forum, North Oxfordshire Community Partnership Network, ISIS Innovation, ONEFED GP Federation, Health Education Thames Valley, Oxfordshire Sport and Physical Activity, Oxfordshire Local Enterprise Partnership and the Oxfordshire Health and Wellbeing Board.

- 3.3 The partnership already has an 'engine of innovation' in the Eco Bicester Living Lab set up by Bioregional and Oxford Brookes University to provide support for research and innovation and the Digital Health Network led by Oxford University, ISIS Innovation and the Oxford AHSN to improve health outcomes through providers of innovative digital technologies and health services.

The Bicester Healthy New Town Bid

- 3.4 The bid focuses on Bicester - a market town that is planned to near double in size, including the innovative national exemplar Eco Town development at North West Bicester led by A2Dominion. The HNT Initiative provides the opportunity to develop further the innovations at NW Bicester and to identify the impacts they have on public health and be replicated across the later phases of large scale planned growth for the town, other areas of the town and elsewhere in the country.
- 3.5 The town currently has approximately 13,000 dwellings and a population of about 30,000 people. Over the next 20-30 years a further 13,000 homes are planned to be built which will effectively double the size of the population. Bicester was designated as a Garden Town in 2014 under the government's Garden Cities initiative and is a strategic location for growth within the Oxfordshire Strategic Economic Plan.
- 3.6 The NW Bicester development is the only site in the UK being developed to PPS1 Eco Town standards, including design for healthy lifestyles, and as such is unique in the holistic approach to sustainability that has resulted in innovative new development. The first phase of this is the 393 home Elmsbrook site, with the first occupations taking place in May 2016.
- 3.7 At Elmsbrook, we have a built environment which will be **a catalyst for Healthy Living** through:
- Its **integrated design**, featuring highly energy efficient, adaptable homes that support independent living within a well designed public realm, where 40% of the site will be multi-functional green active space supported by a network and hierarchy of safe cycle and walking routes with accessible public transport.
 - Digital, community and travel connectivity functions which are hard wired into the design. Digitally enabled communities with smart tablets called Shimmy's in every home to encourage healthy lifestyles with real-time energy, travel and community information.
 - A community and physical infrastructure to promote and actively engage residents to live **healthy lives** as the norm
- 3.8 The scale of development in Bicester is such that lessons from early developments such as NW Bicester can be used to inform further town development and innovation in the built environment and community buildings. This learning will be

relevant county wide and nationally as the level of housing delivery increases to meet the country's need.

3.9 Bicester was identified in the Oxfordshire Clinical Commissioning Group's 5 Year Forward View as a Garden Town offering opportunities to deliver innovative health and social care to its rapidly growing population. The scale of the development creates opportunities to:

- Improve **access** to health and social care services;
- Facilitate **early detection and prevention** through active monitoring and management;
- Assist the **management of long term conditions** to improve outcomes;
- Help individuals **remain in their own homes and communities**;

3.10 These objectives will be achieved through:

- Delivering a **greater number of services locally** than traditionally available in general practice;
- Using **new technologies** within the home, health and social care settings;
- **Enhanced integration** between health and care, housing, transport, and other public services, and of services (between primary and secondary care, mental and physical health, health and social care, and preventative and treatment services);
- Using a **place based approach** to funding of health and social care services and expanding outcome based contracts currently in place;
- Developing **workforce initiatives** that deliver health and social care in innovative ways.

3.11 The Bicester HNT Programme is proposed with four multi-agency work streams. It is these which will be the main focus for delivering innovation and change. The four work streams and leads for are;

1. Urban Environment and Design – led by Cherwell District Council, this includes the healthy living aspects for all ages of the urban and built environment of new developments Bicester, with learning from what's being implemented at NW Bicester – energy efficient and life time adaptable homes, cycle ways, walkways, sustainable transport, public transport, urban design especially physical connectivity and accessibility, multi-activity open space, green corridors and community assets
2. Digital Innovations – led by Oxford Academic Health Science Network, this includes new digital technologies and health related applications to promote self-diagnosis, self-monitoring and self-care. To consider the optimum approaching to matching the needs of the Bicester HNT with the technology opportunities available and how such technologies could be introduced. This is to include the joint development of A2D's Shimmy tablet and the public need to adopt an inclusive and healthy lifestyle.
3. Health Care Services Remodelling – led by Oxfordshire CCG, this includes adopting the care closer to home principle plus full social and health care service integration and remodelling by providers and commissioners. Exploration of new models of care and patient activated self-care where appropriate.
4. Community Infrastructure Support – led jointly by A2Dominion and Cherwell District Council, this revolves around people based activities and the social support infrastructure. It therefore includes the voluntary sector, new and

emerging local groups, education and learning opportunities, healthy lifestyle activities and programmes, social inclusion programmes, carers etc.

- 3.12 A stocktake workshop was held on 26 May 2016 in order to develop further detail of the multi- agency activities of these work streams. A verbal update will be provided about the outcomes from this.

NHS England and Other Support

- 3.13 NHS England is seeking the relevant local authority to become the lead and accountable body for this initiative. It is offering £150,000 grant aid in 2016/17 plus a range of other support interventions such as access to further capital funding sources, national expertise, coordination of research and innovations, shared learning opportunities with other shortlisted HNT locations and evaluation support. To secure this, the Council will be expected to enter into a Funding Agreement with NHS England in early June 2016.
- 3.14 The process subsequent to the formal bid has called for an indication of spending priorities associated with the NHS grant. At such an early stage in the process, the indicative Bicester spend proposals submitted included seed investment/match funding for innovations, programme management, communications, healthy lifestyles activities, research, partnership management and clinical engagement. The NHS England response to these suggestions has been positive.
- 3.15 The NHS England funding is for 2016.17 only at this stage as officials are unable to provide any funding certainty beyond this period. Such a programme calls for a longer term approach to maximise the benefits and whilst further NHS funding is anticipated, an effective collective effort is required locally. Other external funding opportunities are already being pursued enabled by the NHS England HNT Programme. It will however be important for the Bicester partners to develop a local fund for programme continuity purposes and to lever additional external finance for individual initiatives. In this respect, £20,000 is sought from this Council to act as a catalyst for other local partners to contribute financially for this purpose.

4.0 Conclusion and Reasons for Recommendations

- 4.1 The scale and nature of Bicester's development has provided an excellent opportunity to be enhanced through the NHS England Healthy New Town programme. NHS England has recognised in its shortlisting of Bicester to participate along with the offer of a range of support including financial.
- 4.1 A wider multi-disciplinary and multi-sector partnership group from Bicester and Oxfordshire has also responded very positively to this initiative and is now in the process of preparing a detailed set of proposals which turn intent into action. This requires a programme lead which is proposed to be undertaken by this Council and it is this which is reflected in the report recommendations

5.0 Consultation

NHS England South, Oxford Health NHS Foundation Trust, Oxford University Hospitals NHS Trust,

Positive support and engagement

Oxfordshire County Council, Bicester Town Council, Oxford Brookes University, Oxford University, Age (UK) Oxfordshire, Healthwatch Oxfordshire, Bicester Locality Patient Forum, North Oxfordshire Community Partnership Network, ISIS Innovation, ONEFED GP Federation, Health Education Thames Valley, Oxfordshire Sport and Physical Activity, Oxfordshire Local Enterprise Partnership and the Oxfordshire Health and Wellbeing Board.

6.0 Alternative Options and Reasons for Rejection

6.1 The following alternative option has been identified and rejected for the reasons as set out below.

Option 1: Not to engage in the NHS England HNT Programme and withdraw for these activities. This is not proposed due to the relevance and benefits of this programme to Bicester

7.0 Implications

Financial and Resource Implications

7.1 The proposal for the Council to act as the accountable body and enter into a Funding Agreement with NHS England is acceptable subject to the terms of the funding agreement. The £20,000 Council contribution to establish a local HNT fund with other partnership contributions can be funded from general fund balances.

Comments checked by:

Paul Sutton, Chief Finance Officer / Section 151 Officer, 01295 221634;

paul.sutton@cherwellandsouthnorthants.gov.uk

Legal Implications

7.2 There are no notable legal implications arising from this report. Legal officers will consider the Funding Agreement when it is drafted by NHS England to ensure the conditions are acceptable.

Comments checked by

Kevin Lane, Head of Law & Governance, 01295 221661,

Kevin.Lane@cherwellandsouthnorthants.gov.uk

8.0 Decision Information

Key Decision

Financial Threshold Met: No

Community Impact Threshold Met: No

Wards Affected

All Bicester wards

Links to Corporate Plan and Policy Framework

Cherwell: A Thriving Community - Work to promote and support health and wellbeing across the district.

Lead Councillor

Councillor Barry Wood, the Leader of the Council and lead for Bicester

Document Information

Appendix No	Title
None	
Background Papers	
None	
Report Author	Ian Davies, Director of Operational Delivery
Contact Information	030000 30101, ian.davies@cherwellandsouthnorthants.gov.uk

This page is intentionally left blank

Cherwell District Council

Executive

6 June 2016

<p>Performance Report 2015-2016 Quarter 4 / End of Year</p>

Report of Director Strategy & Commissioning

This report is public

Purpose of report

To provide information relating to quarter four of the annual performance year, for the period 1 January - 31 March 2016. The report also reflects end of year outturns as measured through the performance management framework.

1.0 Recommendations

The meeting is recommended to:

- 1.1 Note that despite tough performance targets, a challenging economic environment, and on-going policy and organisational change, Cherwell District Council has met or made satisfactory progress on 96% of all the performance targets outlined in its performance management framework as detailed in paragraph 3.2.
- 1.2 Note that any feedback on performance issues from Overview & Scrutiny Committee at its meeting on 31 May 2016 will be provided directly to The Leader.
- 1.3 Approve the Annual report (appendix 4) for publication.

2.0 Introduction

- 2.1 This is a report of the Council's performance in the fourth quarter of 2015/16 measured through the performance management framework. The report covers key areas of performance against the Council's 12 public pledges and the 2015/16 business plan.
- 2.2 The report also contains performance information around the Corporate Equalities Plan and Significant Partnerships.
- 2.3 To measure performance we use a 'traffic light' system where Green* is exceeding the target, Green is 100% of the target met, Amber 90% and above, and Red below

90%. Detailed performance indicators with commentary are presented in the appendices to this report.

2.4 Although this is primarily a report of corporate performance, the Council's performance management framework also includes monitoring at the directorate level against service plans and strategies. The majority of operational performance issues are dealt with at service and directorate level. However significant service successes and issues are reported upwards and where appropriate included in this report.

2.5 The Executive is asked to note the significant progress made in delivering the Council's four strategic objectives:-

- District of Opportunity
- Safe, Green and Clean
- Thriving Communities
- Sound Budgets and Customer focused Council

3.0 Report Details

3.1 In 2015/16 the Council continued to set itself challenging performance targets and we are delighted to report that the Council has met, or made satisfactory progress on 96% of all the performance targets set out in the Corporate Performance Management Framework including Equalities, Programmes and Partnership plans.

A general summary of our performance at year end, against each of our scorecards is outlined in the table below:-

Table 1

END OF YEAR 2015/16 Summary Outturn					
No. of measures	Green *	Green	Amber	Red	Total
Performance Pledges	0	10	2	0	12

END OF YEAR 2015/16 Summary Outturn					
No. of measures	Green *	Green	Amber	Red	Total
District of Opportunity	0	22	6	0	28
Safe, Green and Clean	1	7	8	2	18
Thriving District	9	31	2	0	42
Sound budgets & Customer focussed Council	1	21	3	2	27
Corporate Business Plan Total (not including Pledges)	11	81	19	4	115

3.2 Whilst appendices 1- 4 provide a more comprehensive analysis of our performance, it is worth highlighting some examples of where we have performed particularly well during quarter four/full year:

Table 2 - Areas of performance strength relating to each of the 4 strategic priorities:-

District of Opportunity	
Complete Bicester Town Centre regeneration including the Council's commercial Community Building	
✓	Practical completion achieved on 29 March 2016 and building opened on 4 April 2016. The project was delivered within budget and work continues on marketing the space available on the second and ground floor.
Support business growth, skills & employment in local companies & the visitor economy to strengthen the economy of the District	
✓	<p>36 detailed business enquiries served in Q4, including inward investors from UK and overseas, expanding indigenous companies and businesses seeking advice and information. A wide range of projects and services are being developed and provided including:</p> <ul style="list-style-type: none"> • Provision of one-to-one advice to local residents starting their own businesses through active partnership and hosting a venue for Oxfordshire Business Enterprises services • Development of 'sector propositions' with Local Enterprise Partnerships to support the expansion of key clusters of Cherwell's economy such as performance engineering, bio-science, space technology, construction and logistics • Support for the development of the Bicester Eco-Business Centre, Pioneer Square and Graven Hill business investment opportunities • Attraction of businesses into Pioneer Square and Franklin House units and collaboration with Oxfordshire County Council to relocate the Bicester Job Club to the new library from April
Safe, Green and Clean	
Deliver an additional 1,000 blue recycling bins this year	
✓	Target significantly exceeded full year due in part to publicity campaigns, reduction in the price of Blue Bins in conjunction with Blitz events and specific bin sale in December, all of which proved popular.
Undertake 6 neighbourhood blitzes with community involvement	
✓	All of the six planned Neighbourhood Blitz events have been completed. They all proved to be very popular with members of the public and Councillors alike. We have also recently supported Banbury Town Council in the "Clean for the Queen" initiatives, which involved our staff, members of the public, and local Councillors.

Thriving District	
Average time to process change in circumstances (days)	
✓	<p>Processing of changes of circumstances has remained well within target due to the impact of ATLAS automation. 43,617 changes in circumstances were actioned this year compared with 39,081 last year.</p> <p>An exceptional full year performance of 3.16 days which compares favourably with 4.17 days in 2014/15.</p>
Average time taken to process new claims and changes for Housing Benefit (days)	
✓	<p>A good improvement in performance during Q4 and comfortably within target for the period and also full year; it is expected this level of performance will be maintained in the coming year.</p> <p>This year's full year performance of 3.56 days reflected a good improvement over 5.75 days achieved in 2014/15.</p>
Sound Budgets and Customer Focussed Council	
Make successful bids for external funding	
✓	<p>The Business Support Unit has been considering the options for accessing external funding opportunities, including using external funding databases to support this process. The Grants Officer has investigated the options and a decision has been made on a preferred supplier to support this process. Once we go live with the product in the first quarter of 2016-2017, we will be able to advise, support and encourage the bid process in order to enable the organisation to make successful bids for external funding.</p>
Percentage of council tax collected	
✓	<p>As expected the change to paying by 12 monthly instalments means that collection rates have recovered in the final quarter of the year with 98.65% collection vs a target of 98.25%.</p>
Percentage of NNDR collected	
✓	<p>Collection targets have been met (98.96% vs a target of 98.5%) due to proactive work by the Service Assurance and Customer Service teams in cooperation with Capita's staff. The collection rate would have been even higher but for a number of large units entering the list just before the end of the financial year.</p>

3.4 Corporate Equalities Plan

The corporate equalities plan is a cross-council plan that aims to improve customer access, tackle inequality and disadvantage, build strong communities and improve community engagement. It also ensures that the Council is compliant with all equalities legislation. As legislation changes Cherwell District Council equalities policies are reviewed. Details can be found in Appendix 2.

3.5 Partnerships

The corporate partnerships programme is reported twice a year in September and March. Details for quarter four/end of year can be found in Appendix 3.

3.6 Annual Report

The 2015/16 Corporate Pledges and 4 strategic priorities successes are summarised within Appendix 4; a glossy document for this committee and citizens of Cherwell District Council.

4.0 Conclusion and Reasons for Recommendations

- 4.1 In this final quarter report we show that the Council has made strong progress towards delivering its ambitions to improve the services delivered to the public and against key projects and priorities, despite tough performance targets, a challenging economic environment, and on-going policy and organisational change. It also demonstrates the Council's proactive performance management of issues raised and the inclusive role of Overview and Scrutiny in supporting performance review.
- 4.2 Section 3 of this report provides a summary of the Council's performance against its comprehensive performance framework and corporate scorecard for 2015/16. The detailed performance indicators and commentary against each of these are contained within appendices 1 to 4 including the annual report.
- 4.3 With a 96% delivery rate against the key strategic priorities and the deliverables that sit underneath them the report clearly demonstrates that the council's performance is excellent, and that together we are making a significant and positive difference to the District, our residents, businesses and other key stakeholders. There can be no other recommendations to make, other than to commend everyone who has contributed to such excellent performance, of which we should all be proud.

5.0 Consultation

As part of the Council's engaging and comprehensive approach to performance management the Overview and Scrutiny Committee is invited to review the Council's performance on a quarterly basis and to provide any feedback to the Executive. Because of the timing of the two meetings, any feedback from the meeting of the Overview and Scrutiny Committee on 31 May will be provided directly to the Leader following the meeting.

It should also be noted that several indicators are based on public consultation or customer feedback.

6.0 Alternative Options and Reasons for Rejection

- 6.1 The following alternative options have been identified and rejected for the reasons as set out below.

Option 1: To request additional information on items and/or add to the work programme for review and/or refer to Overview and Scrutiny.

7.0 Implications

Financial and Resource Implications

- 7.1 Financial Effects – The resource required to operate the Performance Management Framework is contained within existing budgets. However the information presented may lead to decisions that have financial implications. These will be viewed in the context of the Medium Term Plan and Financial Strategy and the annual Service and Financial Planning process.

Comments checked by:

Paul Sutton – Chief Finance Officer / Section 151 Officer, 03000 030106

Paul.Sutton@cherwellandsouthnorthants.gov.uk

Legal Implications

- 7.2 There are no legal issues arising from this report.

Comments checked by:

Kevin Lane - Head of Law and Governance / Monitoring Officer

0300 0030107 Kevin.lane@cherwellandsouthnorthants.gov.uk

Risk Implications

- 7.3 The purpose of the Performance Management Framework is to enable the Council to deliver its strategic objectives. All managers are required to identify and manage the risks associated with achieving this. All risks are logged on the Risk Register and reported quarterly to the Audit Committee.

Comments checked by:

Louise Tustian – Senior Performance & Improvement Officer

01295 221786 Louise.tustian2@cherwellandsouthnorthants.gov.uk

Data Quality

- 7.4 Data for performance against all indicators has been collected and calculated using agreed methodologies drawn up by accountable officers. The Council's performance management software has been used to gather and report performance data in line with performance reporting procedures.

Comments checked by:

Ros Holloway - Performance Information Officer

01295 221758 Ros.Holloway@cherwellandsouthnorthants.gov.uk

8.0 Decision Information

Key Decision

Financial Threshold Met: No

Community Impact Threshold Met: No

Wards Affected

All

Links to Corporate Plan and Policy Framework

The Performance Management Framework covers all of the Council's Strategic Priorities

Lead Councillor

Councillor Barry Wood, Leader of the Council

Document Information

Appendix No	Title
1	Business Plan (Performance data tables)
2	Corporate Equalities
3	Partnerships
4	Annual Report 2015/16
Background Papers	
None	
Report Author	Ed Bailey – Corporate Performance & Insight Manager
Contact Information	01295 221605 Edward.Bailey@cherwellandsouthnorthants.gov.uk

This page is intentionally left blank

Cherwell District Council Business Plan : 2015/2016
A District of Opportunity - Quarter 4

Ref	Objective/Measure Definition	Quarter 3 31/12/2015	Quarter 4/ End of Year 31/03/2016	Q on Q Direction of Travel	Comments on Performance
Implement the Cherwell Local Plan as framework for sustainable housing, new employment & infrastructure investments over the next 20 years					
CBP1 1.1	Deliver a Community Infrastructure Levy (CIL), Bicester, Banbury Town and Kidlington Masterplans & Supplementary Planning Documents for strategic sites to guide investment	G	G	⇒	Consultations on CIL assessment and Kidlington & Banbury Masterplans are underway. The Supplementary Planning Document for NW Bicester has been adopted.
Complete and implement the Masterplan for Bicester helping to provide new housing, jobs & leisure opportunities					
CBP1 2.1	Pledge Make progress onsite for the initial housing development at North West Bicester	G	G	⇒	The first phase of development at NW Bicester, known as Elmsbrook, is nearing completion and is due for first occupations next quarter. The phase includes a mix of housing including flats, terrace, semi detached and detached houses. The houses are a mix of tenures with affordable rented properties, shared ownership and market sale properties. In addition to housing the first primary school is under construction and planning permission has been resolved to be granted for the local centre to serve the development. The development is achieving true zero carbon and very high standards of sustainability as required by the Local Plan policy Bic 1. Following completion of the first phase of the Elmsbrook development construction is due to commence on the second phase.
CBP1 2.2	Deliver the Eco – Bicester Business Centre in North West Bicester	G	G	⇒	Soft market testing has been undertaken with business centre operators to inform the project. Delivery and procurement options have been explored with a view to reporting to the Project Board by the end of April 2016. This will inform the next report to the Executive.
CBP1 2.3	Facilitate the 5 applications for the Northwest Bicester site	A	A	⇒	Three planning applications for 3,500 dwellings and key road infrastructure have been reported to the Council's Planning Committee and have resolutions to grant planning permission subject to the completion of legal agreements. Two further applications for 1,850 dwellings and 53,000m ² of employment space have also been reported to committee and deferred. These applications are likely to be reported back to the Planning Committee during the next quarter for determination.
CBP1 2.4	Complete Bicester Town Centre regeneration including the Council's commercial Community Building	G	G	⇒	Practical completion achieved on 29 March 2016 and building opened on 4 April 2016. The project was delivered within budget and work continues on marketing the space available on the second and ground floor.

Ref	Objective/Measure Definition	Quarter 3 31/12/2015	Quarter 4/ End of Year 31/03/2016	Q on Q Direction of Travel	Comments on Performance
CBP1 2.5	Pledge Make progress on site for the initial infrastructure at Graven Hill and promotion of the self-build plots	A	A	⇒	New Managing Director was appointed in January 2016 as we now push towards the implementation phase. Infrastructure work has commenced on the demonstrator project. The first self builders are due on site in June 2016 and phase 1A plots due for release in Summer 2016.
CBP1 2.5a	Deliver the demonstration project on the Graven Hill site	G	A	⇩	Project progressing well. Ten plots allocated and on track for a June 2016 start on site once the foundations have been completed.
CBP1 2.5b	Set up a sales and marketing suite to promote the plots at Graven Hill	A	A	⇒	The Graven Hill Board will consider a report at the April 2016 board meeting regarding the design proposals for the sales suite/village square promotion area.
CBP1 2.5c	Appoint an infrastructure contractor for Graven Hill	>>	G	⇒	Careys, (infrastructure provider) have been appointed to deliver the initial infrastructure required to access the Graven Hill Pioneer plots from the main entrance of the site. They will also deliver the golden brick for each of the 10 plots.
CBP1 2.6	Deliver the SW Bicester Phase 2 (Sports Pavilion and 3G pitch)	A	A	⇒	Initial procurement process resulted in only one tender submission which was not considered to be value for money. The Executive Committee agreed to re-tender the construction contract to a national market in order to try and get a more competitive tender.
Complete and implement the Masterplan for Banbury helping to provide retail, employment and town centre development opportunities					
CBP1 3.1	Pledge Commission and complete a commercial appraisal for Banbury town centre, and subsequently bring forward appropriate redevelopment proposals for urgent consideration	G	G	⇒	<p>Business Improvement District bid: The tender to undertake the BID study, the essential first stage to creating a BID has been let and responses are awaited. The option of a BID has been discussed with the Chamber of Commerce and is referred to in the draft Banbury Masterplan.</p> <p>Banbury Vision and Masterplan progress: The draft Masterplan has been published and completed its four week consultation. Responses are being compiled and assessed, with a view to considering what changes may be required to the draft Masterplan. The final Supplementary Planning Document is to be considered at Executive in July and adopted.</p> <p>Hella Site: A viability assessment has been commissioned and completed. Officers have considered the report and have asked that the Canalside site phasing plan is completed to enable the Hella report to be considered in relation to how it might assist the relocation of companies from Canalside and so enable development land to become available at Canalside in a phased way.</p>

Ref	Objective/Measure Definition	Quarter 3 31/12/2015	Quarter 4/ End of Year 31/03/2016	Q on Q Direction of Travel	Comments on Performance
CBP1 3.2	Prepare a scheme for the redevelopment of the Bolton Road site	G	A	↓	Draft report received but further survey work needed on the car park structure before a final recommendation can be made. To be reviewed at the May Board meeting.
CBP1 3.3	Take steps to develop a Masterplan for the redevelopment of Canalside within Banbury Town Centre redevelopment	G	G	⇒	The Canalside site phasing plan is being worked on and this will inform the drafting of the Supplementary Planning Document for Canalside.
CBP1 3.4	Develop a car parking strategy for Banbury Town	G	G	⇒	A car parking strategy for Banbury will be influenced by a review of all the Council's car parking services which has recently commenced and will be completed by the end of the first half of 2016/17.
CBP1 3.5	Secure a start on site by the developer subject to the detailed development agreement being completed, and maximise the Council's income and returns from Castle Quay and Castle Quay 2	G	G	⇒	Negotiations continue with Aberdeen investments around a potential scheme for Castle Quay 2 and we will update when further progress has been made.
CBP1 3.6	Extension and improvement of Woodgreen Leisure centre as a better facility for the town (including procurement of new contract arrangements including dry side facilities)	G	G	⇒	Stakeholder presentations, displays and meetings completed during February and March. Contract documents currently being finalised. Executive on 4 April 2016 approved delegated powers to award contract late April subject to the Alcatel period (this is a 10 day procurement stand-still period). Project is on target for 1 May 2016 Contract commencement.
CBP1 3.7	Review future arts provision	G	G	⇒	Progress has been made in working with the Mill and Banbury Museum to refine their capital development plans. From 1 April 2016 the Mill will operate as a new independent Charitable Incorporated Organisation (CIO). The Masterplan has been received by both organisations and they will respond outlining their ambitions for growth to match the increasing importance of Banbury as a Market Town of significant size. Strategic development sites have been identified for the inclusion of public art and progress has been made on these and on commercial development sites, such as Banbury Gateway and Central M40 too.

Ref	Objective/Measure Definition	Quarter 3 31/12/2015	Quarter 4/ End of Year 31/03/2016	Q on Q Direction of Travel	Comments on Performance
Complete and implement the Masterplan for Kidlington, helping to develop a strong village centre afforded by its location.					
CBP1 4.1	Pledge Complete and implement the Masterplan for Kidlington, helping to develop a strong village centre	G	G	⇒	Consultation is underway on the Kidlington Masterplan.
CBP1 4.2	Agree next steps for development options for Kidlington against agreed timescales & milestones	G	G	⇒	
CBP1 4.3	Establish new management arrangements for Stratfield Brake Sports Ground on behalf of Kidlington Parish Council	A	G	↑	Kidlington and Gosford and Water Eaton Parish Councils have made the decision to go out to the market for an operator. Project documents are currently being drawn up with a view of procurement commencement during late May 2016.
CBP1 .5 : Promote inward investment and support business growth within the District					
CBP1 5.1	Support business growth, skills & employment in local companies & the visitor economy to strengthen the economy of the District	G	G	⇒	<p>36 detailed business enquiries served in Q4, including inward investors from UK and overseas, expanding indigenous companies and businesses seeking advice and information. A wide range of projects and services are being developed and provided including:</p> <ul style="list-style-type: none"> •Provision of one-to-one advice to local residents starting their own businesses through active partnership and hosting a venue for Oxfordshire Business Enterprises services •Development of 'sector propositions' with Local Enterprise Partnerships to support the expansion of key clusters of Cherwell's economy such as performance engineering, bio-science, space technology, construction and logistics; •Development of services with Experience Oxfordshire to promote the visitor economy in Cherwell; •Support for the development of the Bicester Eco-Business Centre, Pioneer Square and Graven Hill business investment opportunities; •Attraction of businesses into Pioneer Square and Franklin House units and collaboration with Oxfordshire County Council to relocate the Bicester Job Club to the new library from April; •Representing the interests of north Oxfordshire in the EU-funded LEADER rural business development programme seeking to develop skills and investment in the community; •Support and guidance to emerging EU programme operators to provide practical support to tackle long term unemployment; •Meetings with businesses at their premises to support their growth and/or local relocation, including recruitment and apprenticeships.

Ref	Objective/Measure Definition	Quarter 3 31/12/2015	Quarter 4/ End of Year 31/03/2016	Q on Q Direction of Travel	Comments on Performance
CBP1 5.1 continued	continued ... Support business growth, skills & employment in local companies & the visitor economy to strengthen the economy of the District	G	G	⇒	<ul style="list-style-type: none"> •Contributions to emerging Masterplans and policies to ensure business and employment matters to add detail and market intelligence to the Local Plan and future inward investment services to businesses; •Practical assistance and advice given to the Bicester Technology Studio (School) towards the opening of this key facility in September 2016 to nurture construction and business skills; •Active involvement with the Beaumont Road Industrial Estate Group and preparations for the Wildmere Group to address operational issues and develop the capacity of businesses alongside the vitality of the estates; •A public meeting held with businesses and Stagecoach to establish how public transport services can be extended to new employment areas in Banbury; •Regular meetings with the local Chambers of Commerce; •Continuation of the Banbury Town Team Co-ordination project, including the development of Banbury Presents activity. The Co-ordinators have also provided practical help to traders to enhance their business and assisted CDC to reassess its licensing and regulation services to be more 'customer friendly'. The number of vacant units has reduced to 33 (7%); •Preparation for the second phase of support for the vitality of central Bicester: establishment of an advice service to retailers and commissioning cost-effective and high quality public Wi-Fi coverage and Participation in the Organisational Awareness Days to ensure that the regulatory services of CDC are more effectively providing for the needs of businesses.
CBP1 5.2	Continue to use the Cherwell Investment Partnership (CHIP) as a hub for inward investment and ensuring sufficient business sites and employment land are available to meet the needs of the District	G	G	⇒	<p>Provision of responsive, high quality services to respond to business needs and promote the district for commercial investment continues through the Cherwell Investment Partnership. The results of CHIP work often take years to be realised but since it was established in 1991 by the Council and businesses, it has operated continuously to attract and retain the many businesses that are in Cherwell today. CHIP ensures that the skills and services of commercial estate agents developers, recruitment companies, professional services and public bodies are aligned to provide practical help and strategic planning to support the economy through investment and job creation.</p> <p>Promotion of key sites and premises through www.cherwell-m40.co.uk ensures that the Council as the Planning Authority also provides practical help and support for business growth.</p> <p>In recent years, Oxfordshire Investment Partnership has been formed to develop additional strategic services with the active assistance of CDC/CHIP, including the sharing of a database of enquiries to provide efficient 'joined up' professional help to clients. This local co-operation also attracts the support of Government services on inward investment and exporting, through UK Trade and Investment (UKTI) to be most effectively provided to Cherwell's businesses.</p>

Ref	Objective/Measure Definition	Quarter 3 31/12/2015	Quarter 4/ End of Year 31/03/2016	Q on Q Direction of Travel	Comments on Performance
CBP1 5.3	Produce marketing material to promote commercial & industrial business sites and the area	G	G	⇒	Guides produced for 'Local Business Contacts' and 'Employment Support for Businesses'. CDC has gained sponsorship by local businesses to produce a comprehensive 'Cherwell Business Guide', incorporating a business-to-business directory and social media links, to promote local supply chains and the district as a location for business investment - publication and on-line in Summer 2016. Regular e-newsletters 'Business Moves' is sent to the mailing list of businesses and partners every other month, providing news of opportunities and support for growth locally. Press releases issued on job fairs and town centre vitality work.
CBP1.6 : Deliver high quality regulatory services that support the growth of the local economy					
CBP1 6.1	Build on the Council's 'Better Business' approach to support new and existing businesses	G	G	⇒	<p>It has been a great year for Better Business. Approximately 200 staff attended four Organisational Awareness Days across Cherwell and South Northamptonshire which provided an opportunity for staff to experience what it felt like to be a start up business in our district and to shape how our services assist. 88% of delegates agreed that the workshops met a number of objectives including ensuring that services recognise and understand that they need to work together as a whole Council to support our businesses.</p> <p>Our programme with South East Midlands Local Enterprise Partnership (SEMLEP) continues with a regulators workshops and a work programme which will include working with businesses to find out what the barriers are. We held workshops in Banbury with local businesses earlier in the year and developed a funded single regulatory point of contact based on feedback from businesses. We have extended this project as it is showing early signs of success which will add value to the final evaluation.</p> <p>The new Public Protection shared service is structured to optimise business support and will be implemented fully in 2016-17. We have launched our Licensing pre-application service so that businesses can take advantage of skilled professional support when applying for licences.</p>
CBP1 6.2	Work proactively with developers on both planning applications and pre-application enquiries to enable the speedy delivery of new commercial projects	G	G	⇒	A Development Management team approach continues to facilitate the delivery of new commercial development. The use of Planning Performance Agreements (PPAs) is continuing and provides certainty to the developer in terms of the provision of pre-application advice and the timely consideration of future planning applications. The use of PPAs also allows the Council to generate additional income to deliver against the agreed timeframe.

Ref	Objective/Measure Definition	Quarter 3 31/12/2015	Quarter 4/ End of Year 31/03/2016	Q on Q Direction of Travel	Comments on Performance
CBP1 6.3	Identify the blockages to development and investigate a range of solutions, in consultation with planning agents	G	G	⇒	<p>The Development Management team approach and use of Planning Performance Agreements (PPAs) is a direct solution to address concerns that have been raised by developers.</p> <p>Agent and Developer Forums have been arranged during the course of May and will further develop the relationship between Development Management and agents to ensure that the service delivery meets their expectations. One developer forum is taking place with volume house builders focussing on delivery and a second taking place with regular architects and agents focussing on the benefits of pre-application engagement and how this can deliver timely planning permission.</p> <p>The Business Process Re-engineering (BPR) programme continues to identify clear improvements to process and these have started to be introduced. The programme will continue in the next financial year and will assist Development Management in working efficiently and effectively, ensuring the delivery of timely decision making.</p>
CBP1 6.4	Provide high quality responsive regulatory services	G	G	⇒	<p>Our new shared Regulators Forum has developed a work plan to ensure that all of our regulators are consistent and to further support and deliver the Better Business programme. The forum brings together all of our regulatory services and legal representation so that we can ensure that our policies are business friendly, are trained competent and that we are maximising our resources efficiently. We continue to develop our Primary Authority services alongside our successful flagship partnership with Sainsburys.</p>
CBP1 6.5	Embed the Regulatory Code and Corporate Enforcement Policy	G	G	⇒	<p>The Regulators Forum has reviewed and amended all policies to ensure that they can be cross referenced with the corporate enforcement policy. A new Council regulators commitment has been developed in preparation for publishing in 2016-17.</p>

Cherwell District Council Business Plan : 2015/2016
Safe, Green and Clean - Quarter 4

Ref	Objective/Measure Definition	Quarter 3 31/12/2015	Quarter 4 31/03/2016	Q on Q Direction of Travel	End of Year Position 31/03/2016	Comments on Performance
CBP2 : Provide high quality recycling and waste services, aimed at helping residents recycle as much as possible						
CBP2 1.1	Pledge Maintain the District's high household recycling rate	A Actual 54.44% Target 57.00%	R Actual 49.26% Target 57.00% <i>provisional</i>	↓	A Actual 55.78% Target 57.00% <i>provisional</i>	<p>Although some recovery has been seen in the amount of garden waste collected this quarter, overall we are down on composting for this year. The decision by the sorting facility to not include glass in the blue bins as recycled has also had an impact on the total tonnage collected, however we have recycled more street sweepings this year.</p> <p>Recycling rates across England as a whole have plateaued or gone down slightly this year. Figures are estimates at this stage - final official results will be available in June 2016 when Waste Data Flow is complete.</p>
CBP2 1.2	Tonnage of waste sent to landfill	G Actual 6,408 Target 6,443	A Actual 6,285 Target 6,237	↓	A Actual 25,452 Target 26,053	<p>This indicator needs to be reviewed as almost all waste now goes to the Energy Recovery Facility instead of landfill.</p> <p>The total amount of residual waste remains steady despite the strong growth in Housing in the district.</p>
CBP2 1.3	Residual household waste per household (kgs)	G Actual 106.08 Target 106.65	A Actual 104.04 Target 103.24	↓	G Actual 421.32 Target 431.27	<p>The tonnage of residual waste for Q4 is lower than that for Q3 because many of the collection days disrupted by the Christmas/New Year holidays were undertaken in December; this meant that Q4 has less working days.</p> <p>An average of 35.11 kgs waste per household, per month was collected during the year which reflects a slight improvement on 35.95 kgs per household, per month, last year.</p>
CBP2 1.4	Increase the number of glass recycling bank sites to 130	G	A	↓	A Actual 125 Target 130	<p>There were 125 sites at the end of March which is marginally short of the target. We are actively trying to identify new sites all the time as well as maintaining the existing sites.</p>

Ref	Objective/Measure Definition	Quarter 3 31/12/2015	Quarter 4 31/03/2016	Q on Q Direction of Travel	End of Year Position 31/03/2016	Comments on Performance
CBP2 1.5	Deliver an additional 1,000 blue recycling bins this year	G*	G*	⇒	G* Actual 1,557 Target 1,000	Target significantly exceeded full year due in part to publicity campaigns, reduction in the price of Blue Bins in conjunction with Blitz events and specific bin sale in December, all of which proved popular.
CBP2 1.6	Maintain the current high levels of customer satisfaction with our waste and recycling services	A	A	⇒	A	In order to maintain/enhance customer satisfaction on waste collection we will take the following measures:-
CBP2 1.6a	Customer satisfaction with Waste Collection services	G 2014 85.00%	A 2015 83.00%	⇩	A 2015 83.00%	<ul style="list-style-type: none"> • Ensure all our collection staff are trained and competent. • Ensure all staff are smart, wearing corporate Personal Protective Equipment (PPE) and carry out their duties professionally. • Regularly remind staff of the need for high quality customer service through team briefings. • Ensure our supervisors monitor the performance of our collection staff in areas such as returning bins to the point of collection. • Investigate any complaints and put in place any actions needed.
CBP2 1.6b	Customer satisfaction with Household Recycling services	G 2014 88.00%	A 2015 87.00%		A 2015 87.00%	
Provide high quality street cleansing services, and tackle environmental crime (littering, fly tipping, graffiti) where it arises.						
CBP2 2.1	Pledge Improve local residents' satisfaction with street & environmental cleanliness continuing our successful programme of neighbourhood litter blitzes	G 2014 67.00%	G Actual 69.00%	⇒	G Actual 69.00%	We have overseen the smooth transition of the Banbury Town "Open Spaces" contract. The Town Council are very happy with the level of service provided to date and have seen in a fall in complaints which is recorded as being in excess of 90%. This has also generated regular income for Cherwell District Council.
CBP2 2.1a	Undertake 6 neighbourhood blitzes with community involvement	G Actual 1 Target 1	G Actual 2 Target 2	⇒	G Actual 6 Target 6	All of the six planned Neighbourhood Blitz events have been completed. They all proved to be very popular with members of the public and Councillors alike. We have also recently supported Banbury Town Council in the "Clean for the Queen" initiatives, which involved our staff, members of the public, and local Councillors.

Ref	Objective/Measure Definition	Quarter 3 31/12/2015	Quarter 4 31/03/2016	Q on Q Direction of Travel	End of Year Position 31/03/2016	Comments on Performance
CBP2 2.1b	Number of fly tips recorded (compared with same period 2014/15)	R Actual 119 Target 101	R Actual 145 Target 130	↑	R Actual 551 Target 479	<p>A further rise in fly tips recorded in Q4. Issues include householders using the "man in a van" to dispose of their waste, which is invariably dumped rather than being disposed of it correctly. During 2016/17 we will be working with Comms to educate the public on how to ensure their waste is dealt with and disposed of in the correct manner; this will include the information they should gather when using somebody to take their waste.</p> <p>It also appears that a lot of the smaller types of fly tips and the single items that are dumped could have very easily been recycled, for example cardboard, small electrical items and general waste that contains recyclable material. Where possible fly tip contents will be examined in more detail with a view to identifying items that could have been recycled in one form or another and then working again with Comms and the recycling team, we can bring these to the attention of the public.</p>
Page 150 CBP2 2.1c	Number of fly tips enforcement actions (compared with same period 2014/15)	R Actual 70 Target 151	R Actual 53 Target 71	↑	R Actual 244 Target 345	<p>Following recruitment of the Enforcement Officer on 22 February 2016, the number of fly tip inspections will now increase enabling officers to increase the formal action taken.</p> <p>There will also be some work with the Comms team to educate and bring to the public's attention the problems with using unlicensed waste carriers and to reinforce the recycling regime as many fly tips contain waste that can be easily and freely recycled.</p>
CBP2 3 : Work with partners to help ensure the district remains a low crime area, reducing fear of crime and tackling Anti-Social Behaviour.						
CBP2 3.1	Develop an alternative CCTV operational system for our Urban centres	G	G	⇒	G	<p>Thames Valley Police are re distributing staff across the county. They are also commissioning a technical consultant to investigate smarter working using new technology.</p> <p>One potential outcome is the progression to minimal staffing of rooms and maximum access to data from officers on the ground. Although beneficial to the police this may not suit the longer term aspirations for the authority if we wish to pursue commercialisation.</p>

Ref	Objective/Measure Definition	Quarter 3 31/12/2015	Quarter 4 31/03/2016	Q on Q Direction of Travel	End of Year Position 31/03/2016	Comments on Performance
CBP2 3.2	Pledge Work with local police & licensees to ensure town centres remain safe & vibrant in the evenings	G	G	⇒	G	There has been no appreciable increase in night time violence in the towns. Numbers of exclusions from the towns have fallen indicating that generally licensees are managing responsibly and co-operating with the police. The Autumn customer satisfaction survey may give a clearer indication of our direction of travel.
CBP2 3.2a	Percentage of ASB/Nuisance service requests resolved within 56 working days	A Actual 94.00% Target 96.00%	A Actual 94.00% Target 96.00%	⇒	A Actual 94.00% Target 96.00% <i>provisional</i>	The aim is to resolve service requests within 56 days, however, depending on the nature and complexity of the case it can take longer than this. For service requests received in February and March the 56 day period expires at end of April and May respectively, and so this data has not, as yet, been reported.
CBP2 3.2b	Percentage of ASB/Nuisance cases responded to within prescribed period of 2 working days	G Actual 97.38% Target 96.00%	G Actual 96.69% Target 96.00%	⇩	G Actual 96.77% Target 96.00%	Although Q4 performance showed a slight reduction over Q3 both are above target. Full year performance saw 1,736 service requests of which 1,680 were responded to within the 2 working day agreement.
Page 151 CBP2 4 : Reduce our carbon footprint and protect the natural environment.						
CBP2 4.1	Deliver the Council's Biodiversity Action Plan (BAP) "Protecting and Enhancing Cherwell's Natural Environment"	G	G	⇒	G	The 2015/16 BAP was approved at Executive in June 2015. Appropriate year-end reports have been received from all BAP delivery partners in accordance with service level agreements. The reports will be published on the website.
CBP2 4.2	Develop and begin Implementation of a new carbon management plan from 2015-20 which increases the energy efficiency of the organisation and lowers the carbon footprint	A	A	⇒	A	Due to the complexities of the necessary data to be transmitted, it will be unavailable until the end of May.

**Cherwell District Council Business Plan : 2015/2016
Thriving Communities - Quarter 4**

Ref	Objective/Measure Definition	Quarter 3 31/12/2015	Quarter 4 31/03/2016	Q on Q Direction of Travel	End of Year Position 31/03/2016	Comments on Performance
CBP3.1 : Deliver affordable housing and work with private sector landlords to help improve affordable housing options						
CBP3 1.1	Pledge Deliver 150 units of affordable housing and 100 self-build housing projects as part of the HCA funded Build!® programme whilst exploring new diverse funding regimes for the longer term sustainability of affordable housing across the district and the potential development of an off-site construction facility for the long term production of off-site units for affordable housing	G	G	⇒	G	Over Q4 a number of planning pre-applications have been submitted in order to move forward with regeneration sites identified in Banbury which includes the newly secured Admiral Holland pub site and another large brownfield site in Banbury which could enable a number of new affordable housing opportunities created. The year overall has been positive with new opportunities identified as well as established sites progressed to position which will enable new affordable housing to be delivered in the district under the Council's Build!®
CBP3 1.1a	Deliver 150 affordable homes in the District	G Actual 67 Target 49	G* Actual 115 Target 8	↑	G* Actual 322 Target 150	This month's completions have been significantly higher than targeted, representing an overall quarterly and annual completion rate of affordable homes which has surpassed the annual target. This has come from hard work of officers in the Investment and Growth Team as well as good partnership working with Registered Providers in the district, as well as internal departments including planning and legal
CBP3 1.1b	Deliver 100 self build housing projects	G Actual 8 Target 8	A Actual 81 Target 86	↓	A Actual 95 Target 100	The target for self build housing projects was marginally missed as 95 self-build housing projects were delivered during the year. It was originally anticipated that the Admiral Holland pub site may well have commenced construction works prior to the end of the financial year, providing additional affordable housing opportunities through the Build programme. This site was originally scheduled to deliver between 15-17 units which would have allowed the achievement of the full year delivery target. However there were a number of acquisition delays outside of the Council's control, which then impacted on the development schedule. Further work is currently underway to bring this site forward to enable the development of additional affordable homes on the site.

Ref	Objective/Measure Definition	Quarter 3 31/12/2015	Quarter 4 31/03/2016	Q on Q Direction of Travel	End of Year Position 31/03/2016	Comments on Performance
CBP3 1.2	Explore new diverse funding regimes for longer term sustainability of affordable housing	G	G	↔	G	<p>Over the past quarter the development team have continued to engage with the private finance sector over opportunities that may enable the Council to continue to deliver affordable housing in innovative and cost effective ways.</p> <p>Generally over the past year the Development Team have engaged with a range of parties to explore potential funding streams which the Council could utilise in order to continue to deliver on its commitment to deliver affordable housing across the district. This has included bidding for European funding for a off-site construction method prototype which we are waiting to hear on. We have also kept close links with the Homes & Communities Agency and any new funds which the Council may be able to access, as well as progressing the Local Housing Company in order to transfer the Build!@ stock to.</p>
CBP3 1.2a	Explore development of off-site construction facility for affordable housing production	G	G	↔	G	<p>The development team have bid for European funding to enable a prototype to be developed which will lead to a pilot construction facility being explored as well as engaging with Graven Hill and the Bicester Team in order to offer expertise and knowledge around the self-build off-site construction industry together with continuing to build partnerships and interest in the Off-site industry. There is now an internal project team set up which includes members of the Development Team which will lead on setting up an off-site construction facility in or around Bicester. This work will progress over the coming year.</p>
CBP3 1.3	Extend enforcement actions in private sector to bring empty dwellings back into use	G	G	↔	G	<p>The Council has recruited its first dedicated Empty Property Officer, on a 2-year contract initially (0.5 FTE, with SNC also funding 0.5 FTE). This officer will join us on 25/4/16 and will lead on our efforts to bring empty homes back into use and will provide a level of resource for this work that has not previously been available.</p> <p>Four properties were brought back into use in Q4 with a total of seven during the year; however, considerable time and effort have been invested and progress is being made with several further cases including a property that is being converted to three new units with grant aid and at four properties where active efforts to sell or renovate are underway. (This area of work has been rather squeezed by reactive work during the year and by the loss of a team member in early January which necessitated a reallocation of resources to provide cover for reactive and statutory duties).</p>
CBP3 1.3a	Provide housing/grant advice to encourage private sector landlords to improve their stock	G	G	↔	G	<p>Six private-rented properties were improved through Cherwell Energy Efficiency Project (CHEEP) energy-efficiency grant contributions during the year; one of which was in Q4.</p> <p>We are actively working with the leaseholders of 11 rented flats in a residential block to get window replacements installed and expect to see those 11 grant jobs completed in 2016-17.</p> <p>14 private-rented properties were renovated by means of Landlord Home Improvement Grants securing nomination-rights and affordable rent. Seven of which were completed in Q4.</p>

Ref	Objective/Measure Definition	Quarter 3 31/12/2015	Quarter 4 31/03/2016	Q on Q Direction of Travel	End of Year Position 31/03/2016	Comments on Performance
CBP3.2 : Work with partners to support financial inclusion and help local people into paid employment.						
CBP3 2.1	Commissioning of high quality financial and debt advice for vulnerable residents	G	G	⇒	G	<p>The corporate Money and Debt advice contract continues to be monitored quarterly by the Housing Team. Figures for the final quarter are not yet available but throughout the year the greatest need for support has been for issues relating to benefits, debts and housing costs.</p> <p>The existing contract is due to expire on 31 March 2017. The Housing department have started initial discussions regarding retendering for a new service to begin in April 2017 and will need to progress early in 2016/17 for a formal tendering process to be completed. We are keen to progress as this service helps to maintain our homeless prevention and service delivery.</p> <p>It is expected that the need for this type of support is likely to increase over the coming years as further welfare reforms start to be introduced including the lowering of the benefit cap from £26,000 to £20,000 for families (expected to be introduced in Autumn 2016) and the extension to the roll out of universal credit to all new claimants leading to one payment per month including their housing costs will all require a robust money and debt advice service to be available within the district moving forward.</p>
CBP3 2.2	Effective implementation of welfare reform and administration of benefits	G	G	⇒	G	<p>Universal Credit (UC) started in Cherwell District Council on 6 May 2015. Take up has been slow, as expected and there have been no issues. The timetable for the 2016/17 UC rollout has been and this will not impact the Council.</p>
CBP3 2.2a	Average time to process new Housing Benefit claims (days)	G Actual 13.14 Target 14.00	G Actual 13.00 Target 14.00	↑	G Actual 12.75 Target 14.00	<p>Performance levels have been maintained in the final quarter despite the additional processing work and disruption due to annual uprating processes. This performance should continue into the next quarter.</p> <p>1,957 new housing benefit claims were received during the year (2,291 in 2014/15); full year processing performance was 12.75 days compared with 13.87 last year.</p>

Ref	Objective/Measure Definition	Quarter 3 31/12/2015	Quarter 4 31/03/2016	Q on Q Direction of Travel	End of Year Position 31/03/2016	Comments on Performance
CBP3 2.2b	Average time to process change in circumstances (days)	G Actual 5.06 Target 12.00	G* Actual 2.52 Target 12.00	↑	G* Actual 3.16 Target 12.00	Processing of changes of circumstances has remained well within target due to the impact of ATLAS automation. 43,617 changes in circumstances were actioned this year compared with 39,081 last year. An exceptional full year performance which compares favourably with 4.17 days in 2014/15.
CBP3 2.2c	Average time taken to process new claims and changes for Housing Benefit (days)	G Actual 5.59 Target 12.00	G* Actual 2.81 Target 12.00	↑	G* Actual 3.56 Target 12.00	A good improvement in performance during Q4 and comfortably within target for the period and also full year; it is expected this level of performance will be maintained in the coming year. This year's full year performance reflected a good improvement over 5.75 days achieved in 2014/15.
CBP3 2.3	Number of covert surveillances applied for	G	G	⇒	G	No requests for covert surveillances were made during the year.
CBP3 2.4	(Pledge) Continue working with our partners to provide support to improve the lives and opportunities for the most vulnerable individuals and families in the district, building on Brighter Futures in Banbury programme	G	G	⇒	G	The second workshop for the Brighter Futures in Banbury programme involve a successful 'employability' workshop on 18 March 2016 which brought secondary and higher education together with local employers. A range of actions and initiatives were developed from this which are now being considered.
CBP3 2.5	(Pledge) Continue to support skills development, apprenticeships and job clubs in order to help support local employment and reduce the number of young people not in education, employment or training.	G	G	⇒	G	On 18 March, the Council led an Employable Banbury workshop as part of the Brighter Futures in Banbury programme, held at Banbury College and including Victoria Prentis MP. Particular emphasis was placed upon 'building bridges' between businesses, educators and organisations. Two apprentices from a local engineering company provided an impressive insight to the opportunities that are already available to young people. Discussions enabled further links to be established between businesses, for instance in the promotion of the science, technology, engineering and maths (STEM) subjects. An action plans is being developed and further workshops are being planned to address related issues such as housing affordability.

Ref	Objective/Measure Definition	Quarter 3 31/12/2015	Quarter 4 31/03/2016	Q on Q Direction of Travel	End of Year Position 31/03/2016	Comments on Performance
CBP3 2.5	(Pledge)... continued Continue to support skills development, apprenticeships and job clubs in order to help support local employment and reduce the number of young people not in education, employment or training.	G	G	⇒	G	<p>March also featured the National Apprenticeship week, with specialist events held at North Oxfordshire Academy and other venues across Cherwell. Day-to-day liaison with businesses by the economic growth team also provided referrals into the Oxfordshire Apprenticeship Services (also represented at job fairs, including popular ones with students during the half term week).</p> <p>The Brighter Futures in Banbury programme is also providing a grant of £10,000 to Ethnic Minority Business Service to allow the continuation of guidance for long-term unemployed people (due to delays in European Union and LEP funding).</p> <p>Job clubs and job fairs were provided in Banbury and Bicester, with 533 visits made during the quarter. This included two job fairs being held (Banbury & Bicester) in addition to weekly job clubs. All age groups are helped and also people that were already in employment to change careers. The job club partnership links have also promoted apprenticeships and traineeships to businesses as a practical means of engaging young people and supporting them in their career paths.</p>
Page 156 CBP3 2.5a	Contribute to the creation and/or safeguarding of 200 jobs	G* Actual 536 Target 51	G* Actual 82 Target 50	⇩	G* Actual 1,083 Target 200	<p>Considerable assistance provided to businesses recruiting local people. Tailored events provided to business needs through the job club and job fair services enabled the recruitment of over 1,000 staff : this support a wide range of businesses across the district that required help to fill vacancies in manufacturing, logistics, retail, care, research and development, leisure, etc.</p>
CBP3 2.6	Extend Jobs Match service to support local companies to fill vacancies	G	G*	⇧	G*	<p>Excellent feedback has been received from job seekers and employers alike. The matching of job seekers and employers has evolved from the successful Cherwell Job Clubs which continue to alternate between Bicester and Banbury. During the 12 month period of 2015-16, a record number of six major job fairs were held, providing 180 stands for local employers and training providers, attracting over 1,000 job seekers and career changers. A database of job seekers and employers continues to be developed and regular communication is made to ensure that skills and opportunities are matched for the benefit of the local economy - today and in future. Employers have also attended job clubs which has involved advance notification being given to job seekers so that they can discuss face-to-face with potential employers: most recently with the new Tesco at Bicester but also for a range of employers across the district providing various job opportunities.</p>
CBP3 2.7	Extend the contract with Citizens Advice Bureau (CAB) for debt advice, volunteering and volunteer driver scheme	G	G	⇒	G	<p>Extended contract will end 31/03/17. Replacement proposals will be devised during the first half of 2016/17.</p>

Provide high quality housing options advice and support to prevent homelessness.

Ref	Objective/Measure Definition	Quarter 3 31/12/2015	Quarter 4 31/03/2016	Q on Q Direction of Travel	End of Year Position 31/03/2016	Comments on Performance
CBP3 3.1	Deliver the actions identified within the revised Homelessness prevention strategy adopted by the Council	G	G	↔	G	<p>The new Homeless Prevention Action plan for 2016-17, setting out our priorities for the coming year, has recently been launched with a partnership multiagency event hosted by the lead member for housing. It highlights the continued importance of multi-agency and partnership working with both statutory and voluntary sector organisations to ensure we provide a comprehensive network of support to the most vulnerable within our communities. This in turn assists us to maintain our excellent performance in homelessness prevention at Cherwell and in keeping numbers in temporary accommodation placements as low as possible and within the Council's target. The new action plan will be regularly monitored by a multi-agency steering group and also includes specific actions to try to prevent rough sleeping in Cherwell; this will be uploaded onto the CDC website shortly.</p> <p>The newly commissioned Oxfordshire County Council (OCC) 'Single Homeless Pathway' (which provides short term housing options for single homeless) began operating a new service from 1st February 2016. The new service has provided the support to make available 13 beds for single homeless clients to be located in Cherwell for the first time. This supported housing is managed by the county with first priority to always be given to local people from Cherwell. This is a partnership venture with the support tender won by a voluntary sector partner and properties used provided through the CDC Build!® development team. We are monitoring the introduction of this new service very closely to ensure it is managed robustly and meets our local needs successfully and to find ways for it to continue when the county funding for support ceases in April 2017. OCC have announced their budget for support for single homeless will be reduced to zero by the end of March 2017. We continue to participate in all discussions with the County and Districts of Oxfordshire to consider options to continue to provide this type of accommodation from April 2017. The Housing team are also considering whether this type of housing provision can be successfully provided through the Local Housing Company.</p>
CBP3 3.1a	No of households in temporary accommodation	G* Actual 33 Target 41	G Actual 39 Target 41	↓	G Actual 39 Target 41	<p>This quarter has shown an increase in presentations from 33 in the last quarter to 39 in this one. The figures in Cherwell broadly reflect the national picture with an increase in homelessness due to households finding less options available and therefore approaching local authorities for assistance. So far and due to the numbers of new social housing tenancies advertised on Choice based lettings, Cherwell have managed this demand effectively. We have also continued our partnership working and put in place strategies through the Homeless Action plan to provide the support to face anticipated higher demands.</p>

Ref	Objective/Measure Definition	Quarter 3 31/12/2015	Quarter 4 31/03/2016	Q on Q Direction of Travel	End of Year Position 31/03/2016	Comments on Performance
CBP3 3.1b	Housing advice : repeat homelessness cases	G* Actual 0 Target 3	G* Actual 0 Target 3	⇒	G* Actual 0 Target 3	We are pleased to continue our 100% record of ensuring that those previously accepted as homeless have achieved long term settled outcomes (according to the official definition).
Work to promote and support health and wellbeing across the district						
CBP3 4.1	Support the work of the Community Partnership Network (CPN) with financial, clinical and technological changes in the health and social care sector	G	G	⇒	G	The Council continues to support the CPN through hosting and meeting chairmanship. The 8 March 2016 meeting considered the issues around Delayed Transfer of Hospital Care, current Horton Hospital activities, issues and developments, the strategic review of all the Oxfordshire University Hospitals Foundation Trust's hospital buildings and services including the Horton, Oxfordshire Healthcare Transformation agenda, the Bicester Healthy New Town, and the work of the Oxfordshire Health Inequalities Commission.
CBP3 4.2	Enable the development of volunteer transport schemes to support the health and wellbeing needs of vulnerable residents	G	G	⇒	G	Some further discussion with Oxfordshire County Council has taken place but definitive plans still awaited. Councillor Atack regularly briefed in his role as rural champion.
Provide high quality and accessible leisure opportunities.						
CBP3 5.1	Maintain a minimum usage level of visits to leisure facilities (Total of visits to District Leisure Centres and WGLC, NOA and Cooper)	G Actual 365,582 Target 360,947	G Actual 415,893 Target 413,827	↑	G Actual 1,539,121 Target 1,513,937	Cumulatively the Leisure Facilities have maintained and marginally increased participation in the final quarter of 2016 compared to 2015.
CBP3 5.1a	Number of visits to District Leisure Centres (Spiceball, Kidlington & Gosford and Bicester)	G Actual 324,034 Target 322,272	G Actual 375,110 Target 373,744	↑	G Actual 1,391,964 Target 1,372,227	Cumulatively the 3 main leisure centres have maintained and marginally increased participation in the final quarter of 2016 compared to 2015.
CBP3 5.1b	Number of visits to Woodgreen Leisure Centre (WGLC), North Oxfordshire Academy (NOA) and Cooper School	G Actual 41,548 Target 38,675	G Actual 40,783 Target 40,083	↓	G Actual 147,157 Target 141,710	Cumulatively the visits to NOA, Woodgreen and Cooper are broadly the same as when comparing 2016 to 2015. Cooper performed below its target position however this in part can be attributed to the loss of both Basketball and Cricket bookings in the same period last year.

Ref	Objective/Measure Definition	Quarter 3 31/12/2015	Quarter 4 31/03/2016	Q on Q Direction of Travel	End of Year Position 31/03/2016	Comments on Performance
CBP3 5.2	Commence Phase 2 pavilion works for SW Bicester Sports Village	G	G	⇒	G	The tender documents and procurement process for awarding a construction contract has been revised and is being re-tendered to a wider market.
CBP3 5.3	Increase access to Leisure and Recreation opportunities through development and outreach work	G	G	⇒	G	Sportivate year 5 programme finished in March 2016 with £19,589 secured for delivery of programmes. Over the year more than 2,000 11-25 year olds took part in activities. There was an 11-16 year old programme with all eight secondary schools which focused on Dance, Gym, Table Tennis, Multi Sports Squash and Badminton. 18-25 year olds participating in opportunities such as Gym, Dance, Canoeing, Swimming, Squash, Rush Hockey, Triathlon, Basketball and more. As a result of the Sportivate programme fourteen new community clubs and development teams have been formed. Bicester Football Development Partnership has been formed and is supported by officers, the Town Council and Oxfordshire Football Association.
Provide support to the voluntary and community sector.						
Page 159 CBP3 6.1	Secure social and community infrastructure for housing developments across the District	G	G	⇒	G	The Cherwell community spaces development study was approved by the Executive in March and establishes a platform for Local Plan Part 2 policies. The community provision identified at Graven Hill doesn't meet the established standard and will need to be enhanced in future phases. The review of Community Assets is continuing and separate representation has been made on this.
CBP3 6.2	Continue to support the voluntary sector and community groups	G	G	⇒	G	A comprehensive package of support delivered for and by voluntary organisations through our commissioning over the last 12 months. 2016/17 will see significant reductions in support from Oxfordshire County Council and this will impact on how we commission services and the range of those services in future. Service level agreements and contracts will need to be re-tendered for April 2017 .
CBP3 6.3	Continue to support the growth & development of neighbourhood community associations	G	G	⇒	G	New associations established for Kingsmere and a nascent association for Longford Park helped to refresh the membership of Hanwell Fields Association. We continue to work alongside colleagues in facilities management to progress the review of community assets.
CBP3 6.4	Increase and promote volunteering opportunities throughout the District.	G	G	⇒	G	Volunteer fair held and volunteer connect continuing to drive a bid for people to volunteer more in their local community.

Ref	Objective/Measure Definition	Quarter 3 31/12/2015	Quarter 4 31/03/2016	Q on Q Direction of Travel	End of Year Position 31/03/2016	Comments on Performance
CBP3 6.5	Local Strategic Partnership (LSP)	G	G	⇒	G	The LSP continues to be a useful forum for co-ordinating partnership work and providing a sounding board for new ideas and initiatives.
Protect our built heritage by supporting effective conservation, managing the impacts of growth and working to ensure development takes place in appropriate areas.						
CBP3 7.1	Continue programme of Conservation Reviews (5 reviews during 2015/16)	G Actual 2 Target 2	G Actual 3 Target 3	⇒	G Actual 5 Target 5	We have completed five Conservation Area Appraisals during the year; appraisals were completed for Mixbury, Souldon, Hampton Proyle, Wroxtton and Swalcliffe.
CBP3 7.2	Provide design guidance on major developments	G	G	⇒	G	The Design and Conservation team feed into the pre-app and planning applications for major and strategic sites.
Page 160	CBP3 7.3 Processing of Major Applications within 13 weeks	G* Actual 100.00% Target 50.00%	G* Actual 87.50% Target 50.00%	⇩	G* Actual 92.21% Target 50.00%	24 Major applications were determined, 21 within the 13 week period resulting in a performance figure for Q4, significantly above target. The performance figure has been achieved through the pro-active use of Planning Performance Agreements and negotiating extensions of time limits. It is important to note that Section 62B of the Town and Country Planning Act 1990 (as amended) which allows the Secretary of State to designate Local Planning Authorities that are not 'adequately performing their function of determining applications' relates to their performance against major applications only, rather than minors and others.
	CBP3 7.4 Processing of Minor Applications within 8 weeks	G* Actual 89.17% Target 65.00%	G* Actual 85.25% Target 65.00%	⇩	G* Actual 79.39% Target 65.00%	During Q4, 122 Minor applications were determined, of which 104 were within the 8 week period. This has been achieved through effective performance management and negotiating extensions of time limits with agents and applicants.
	CBP3 7.5 Processing of Other Applications within 8 weeks	G* Actual 88.70% Target 80.00%	G* Actual 96.09% Target 80.00%	⇧	G* Actual 88.31% Target 80.00%	Of 255 Other applications determined, 246 were processed within the 8 week period. This exceeds the performance achieved in Q3 and significantly exceeds the performance target during a period of high workloads. Again this has been achieved through effective performance management.

Ref	Objective/Measure Definition	Quarter 3 31/12/2015	Quarter 4 31/03/2016	Q on Q Direction of Travel	End of Year Position 31/03/2016	Comments on Performance
CBP3 7.6	Percentage of planning appeals allowed against refusal decision (%) <i>Note the basis of this measure has changed</i>	G* Actual 4.50% Target 20.00%	G* Actual 0.50% Target 20.00%	↑	G* Actual 0.50% Target 20.00%	The government's stated threshold for the quality of a local planning authority's performance (i.e. no more than 20 per cent of an authority's decisions on applications for major development should be overturned at appeal).
Work to ensure rural areas are connected to local services						
CBP3 8.1	Work with British Telecom (BT), Broadband Delivery United Kingdom (BDUK) and Oxfordshire County Council to extend Superfast Broadband across the District	G	G	⇒	G	<p>Phases 1 to 6 of the Oxfordshire Rural Broadband Project are now completed (December 2015), achieving coverage of 90% of premises (business and residential) being served with Superfast speeds (over 24mbps).</p> <p>From January 2016, Cherwell District Council is investing £580,000 in phases 6 to 9 which will extend the programme to over 95% of premises by December 2017. This funding has been matched by Government (BDUK) and added to by both Local Enterprise Partnerships (LEPs) serving Cherwell, including £120,000 from the South East Midlands LEP. Economic Growth officers have also identified and resolved issues relating to gaps in the service to business clusters in urban areas, as well as extending the broadband voucher scheme to assist other, often isolated, businesses.</p> <p>The issue of how to enable the final 5% of business and residential premises to gain superfast speeds remains and is being considered in relation to technological advancement and partnership action. Information has been provided day-to-day to residents, businesses and parish councils. Working towards 100% coverage remains an ambition of the Council and its partners with options expected to emerge over the coming months.</p>
CBP3 8.2	"Rural Proof" significant new policies and initiatives to ensure they are equitable to rural residents	A	A	⇒	A	Currently this process is somewhat ad-hoc. Officers are working towards a more clearly defined and consistently applied approach. There is now some work on Rural proofing taking place at a national level which may be useful.

**Cherwell District Council Business Plan : 2015/2016
Sound Budgets and Customer Focused Council - Quarter 4**

Ref	Objective/Measure Definition	Quarter 3 31/12/2015	Quarter 4 31/03/2016	Q on Q Direction of Travel	End of Year Position 31/03/2016	Comments on Performance
CBP4 1 : Reduce the cost of providing our services through partnerships, joint working and other service delivery models.						
CBP4 1	Pledge Extend the Joint working Transformation Programme to include new service delivery methods/more services delivered in partnership, to enable the council to save money and maintain a low council tax	G	G	⇒	G	Significant progress delivered by year end. Business cases agreed for economic growth, communications, public protection and environmental health, customer service, revenues and benefits (subject to consultation) leisure and community (subject to consultation). Options under development for housing and planning.
Page 162 CBP 4 1.2	Identify and remove unnecessary work from service delivery processes to help deliver savings and efficiencies	A	A	⇒	A	ICT continue to work with and support the transformation team in the creation of business cases for shared services. We are embarking on a procurement for voice and data networks across CDC and SNC which should help to deliver cost savings for the councils, we are in the process of drafting a specification and hope to take this to tender in June 2016.
CBP 4 1.3	Plan to reduce the number of ICT systems required to deliver and manage services, through sharing where possible, and taking advantage of new procurement opportunities	G	G	⇒	G	The shared Lagan Customer Relationship Management (CRM) system went live in February 2016. Civica Financial Management System went live April 2016 as planned. Northgate Human Resources and Payroll system is being updated to improve functionality for a further 2 years, work will begin to procure a replacement ready for April 2018.
CBP 4 1.4	Through a 3-way Working Group with South Northamptonshire (SNC) and Stratford upon Avon District Councils (SDC), review service delivery operating models using the Transformation Challenge Funding provided by Department for Communities and Local Government (DCLG) in order to further our exemplar model of sharing services and deliver quantifiable efficiencies and savings; deliver a minimum of 10% financial savings	R	R	⇒		Target closed: In January 2016 SDC made the decision not to adopt the three way joint working approach as set out in the business case considered by the councils in December 2014 and February 2015. This change in direction reflects different strategic objectives in terms of the devolution agenda and commercial ways of working. CDC and SNC have continued to implement the proposals adopted in the business case on a two way basis and have achieved savings targets in line with projections.

Ref	Objective/Measure Definition	Quarter 3 31/12/2015	Quarter 4 31/03/2016	Q on Q Direction of Travel	End of Year Position 31/03/2016	Comments on Performance
CBP 4 1.5	Make successful bids for external funding	G	G	⇒	G	The Business Support Unit has been considering the options for accessing external funding opportunities, including using external funding databases to support this process. The Grants Officer has investigated the options and a decision has been made on a preferred supplier to support this process. Once we go live with the product in the first quarter of 2016-2017, we will be able to advise, support and encourage the bid process in order to enable the organisation to make successful bids for external funding.
CBP 4 1.6	Maximise income through designing services that can attract a market	G	G	⇒	G	Commercial development is underway, a number of options are being developed specifically related to housing and development.
CBP 4 1.7	Deploy solutions which reduce 'non-productive' time spent travelling between sites and deliver reductions in mileage and subsistence costs through increased use of technologies such as video conferencing.	G	G	⇒	G	The 2015/16 work programme continues to deliver two key projects - Citrix and Lync telephony. These will enable officers to work more flexibly from different locations and in doing so reduce non productive time spent travelling.
CBP 4 1.8	Review all ICT contracts to harmonise where possible to gain cost savings through economies of scale achieved through increased joint working	A	A	⇒	A	An external review of the three-way ICT service has identified a number of issues (encompassing strategy, governance, projects and service delivery). Following this review and the decision to cease any further plans for three-way joint working ICT will revert to a two-way service. The scope of Workstream 7 (ICT Vision and Strategy) will alter significantly, to focus on transition and will address performance issues and set out a new strategy and prioritised work plan.
Work to effectively communicate with local residents and businesses to better understand and respond to their needs						
CBP4 2.1	Continue to increase our use of social media to communicate with residents and local businesses	G	G	⇒	G	Social media is considered one of our key communications channel. Both likes and engagement continue to increase.
CBP4 2.1a	Social media ratings: Facebook likes (cumulative) Target is 2015 actual for comparison	A Actual 8,155 Target 8,566	A Actual 8,506 Target 9,000	⇒	A Actual 8,506 Target 9,000	Facebook likes for year end stand at 8,506 and growth continues steadily. Although we were disappointed to fall slightly short of the stretch target we had set - it is still an achievement to reach this figure and the CDC Facebook page remains the most active in Oxfordshire.

Ref	Objective/Measure Definition	Quarter 3 31/12/2015	Quarter 4 31/03/2016	Q on Q Direction of Travel	End of Year Position 31/03/2016	Comments on Performance
CBP4 2.1b	Social media ratings: Twitter followers (cumulative) Target is 2015 actual for comparison	R Actual 5,856 Target 6,951	R Actual 6,054 Target 7,500	⇒	R Actual 6,054 Target 7,500	Twitter growth is slower than that of Facebook, but whereas Facebook has benefited from some boosted (paid for) activity, all likes through Twitter are organic. Additional effort will be put into Twitter next year, including the use of the hashtag, and some paid for promotion.
CBP4 2.2	Pledge Continue to improve our website, and implement additional online services for customers and maintain the Society of Information Technology Management (SOCITM) rating of 3/4 stars	G	G	⇒	G	The website has been maintained on an on-going basis, although development has been staid as there are plans to move to a new single platform. Work on this was place 'on hold' whilst discussions were on-going about the future working with Stratford. We await the SOCITM rating, but early indications should the integration with Bartech may have caused an issue with reporting a missing bin.
CBP4 2.3	Continue to develop our business focused communications	G	G	⇒	G	Through the year the team has worked with the Economic Development team to support Job Clubs, Job Fairs and the Town Centre coordinators. During the year the Job Fairs achieved record highs in terms of exhibitors (businesses) and attendee numbers. The e-bulletin has been revamped and a new wordle identity has been implemented across a number of publications and online applications.
Improve customer service through the use of technology and responding to customer feedback						
CBP4 3.1	Implement additional online services for customers and deliver a significant reduction in phone contact in relation to those services	G	G	⇒	G	Lagan Upgrade complete with both Councils using a single Platform, this will give the service the foundation to further develop shared practices and harmonise first point of contact for services that have already become shared. On-going work with services to assist with their shared service planning and channel shift work, to compliment and meet the aims of the various transformation programme work streams. Single telephone directory for use across both Councils is complete.
CBP4 3.2	Increased capacity to build service delivery processes suitable for online services	G	G	⇒	G	Lagan Upgrade complete with both Councils using a single Platform, building back office capacity to develop further online services. Shared Customer Service business case approved and structure in place for implementation from 01/04/16.

Ref	Objective/Measure Definition	Quarter 3 31/12/2015	Quarter 4 31/03/2016	Q on Q Direction of Travel	End of Year Position 31/03/2016	Comments on Performance
CBP4 3.3	Bring about a measurable plan to increase significantly the proportion of our total customer demand that is met through self service	G	G	⇨	G	In line with Customer Services (CS) transformation work stream, the plan to phase in a shared approach across the 2 Councils for CS has been developed for implementation during 2016.
CBP4 3.4	Target the reduction of avoidable contact from customers by improved information signposting, more information on line and improved letters and communications with clear, understandable instructions and information	G	G	⇨	G	This includes process mapping and redesign to enable online capability to increase self-service so customers can understand and access our information easily so that avoidable contact is reduced and queries can be dealt with at first point of contact. Bicester Office at Franklins House opened on 04/04/16 with six new self service PC and telephone access points.
Deliver rolling strategy of the five year business strategy, medium term financial plan and a capital programme that ensures the Council is resourced to deliver its strategic priorities.						
Page 165 CBP4 4.1	Deliver the rolling annual balanced budget setting of the financial plan (Medium Term Financial Strategy)	G	G	⇨	G	The provisional settlement announcement was better than expected for 2016/17 meaning that setting a balanced budget is achievable. There is an offer of a 4 year settlement, which will give us the ability to plan but will see a significant reduction in funding from 2018/19.
CBP4 4.2	Pledge Deliver the savings targets £500,000 within the agreed timescales	G	G	⇨	G	These have been delivered in 2015-16 and have also been included the budget for 2016-17.
CBP4 4.3	Develop a car parking strategy	G	G	⇨	G	A car parking services strategy is being developed to consider the future site and service delivery options for the Council. This is expected to be concluded by the end of the first half of 2016/17.
CBP4 4.5	Reduce costs by increasing customer use of online services rather than face to face	G	G	⇨	G	ICT are supporting the communications manager who is leading on the creation of a website specification that can be used to tender for the website redevelopment. This is a change in approach following the decision to return the ICT service to a 2-way SNC/CDC service.

Ref	Objective/Measure Definition	Quarter 3 31/12/2015	Quarter 4 31/03/2016	Q on Q Direction of Travel	End of Year Position 31/03/2016	Comments on Performance
HR001/2/3	Sickness absence - average days lost per full time equivalent (FTE) (note: cumulative throughout the year full year target 8 days)	G* Actual 4.62 Target 6.00	G* Actual 6.66 Target 8.00	↑	G* Actual 6.69 Target 8.00	<p>Overall 6.69 average days per FTE were lost due to sickness absence amounting to 2717.29 days lost overall. This is a reduction of 0.38 days per FTE in comparison to 2014/15.</p> <p>3.7 days per FTE were lost due to short term sickness absence, amounting to 1515.12 days lost. 2.72 days per FTE were lost due to long term sickness absence, amounting to 1202.16 days lost.</p> <p>The main reason for short term absence is infections (including cold and flu symptoms) accounting for 28.71% of all short term absence. The main reason for long term absence is stress, depression and anxiety, accounting for 48.54% of all long term absence.</p> <p>This year we have continued to work closely with Occupational Health to carefully manage sickness absence cases with a view to employees returning to health and work as quickly as they are able.</p> <p>Flu jabs were also offered to the entire workforce at both Councils and stress management workshops have been provided by our Occupational Health provider for managers to assist with managing employees suffering from stress. These were delivered in January 2016 so it is too early to tell if these have had any impact as yet.</p>
COM001	Number of customer complaints received (compared with same period last year)	G Actual 57 Target 60	G* Actual 53 Target 72	↑	G Actual 261 Target 288	<p>There was a reduction in the number of complaints received during Q4 when compared to the same period last year. 93.05% of these complaints were responded to within the agreed 3 day target and 73.61% within 10 day resolution period.</p> <p>Of the total complaints received during the year, 129 were deemed as being valid after investigation and 43 Stage 1 complaints were escalated and investigated as Stage 2 complaints. The number of complaints acknowledged within the 3 day Service Level Agreement (SLA) decreased from 95.49% in 2014/15 to 90.04%; this drop was isolated to a period in Q3 when recruitment into the Performance & Insight Administrator post took place.</p> <p>Full year performance for investigations completed within the 10 day SLA was 79.31%, however this figure does not include the number of complaints where extension dates were agreed, in accordance with the policy.</p>

Ref	Objective/Measure Definition	Quarter 3 31/12/2015	Quarter 4 31/03/2016	Q on Q Direction of Travel	End of Year Position 31/03/2016	Comments on Performance
Work to ensure the Council gets the most out of its resources, including land and property through effective asset management.						
CBP4 5.1	Develop and implement a commercial investment strategy, incorporating DTZ recommendations as adopted.	G	G	⇒	G	Continued dialogue with members through the Asset Management Group continues. It is not possible at this stage to come to a final view around an Asset Management disposal and investment strategy but will be produced subject to the service review process and further meetings of the Asset Management Members Group.
CBP4 5.2	Total of All Car Parking Revenue (Cash Machines & Ringgo only)	G Actual £320,823 Target £313,827	G Actual £339,645 Target £322,019	↑	G Actual £1,343,942 Target £1,264,003	The income processed in Q4 was £17.6k more than budget and this has resulted in the annual income, subject to any year end adjustments, being £79.9k more than budget.
Deliver below inflation increases to the CDC element of Council Tax						
Page 167 CBP4 6.1	Percentage of council tax collected	A Actual 86.10% Target 86.50%	G Actual 98.65% Target 98.25%	↑	G Actual 98.65% Target 98.25%	As expected the change to paying by 12 monthly instalments means that collection rates have recovered in the final quarter of the year.
CBP4 6.2	Percentage of NNDR collected	A Actual 83.73% Target 86.00%	G Actual 98.96% Target 98.50%	↑	G Actual 98.96% Target 98.50%	Collection targets have been met due to proactive work by the Service Assurance and Customer Service teams in cooperation with Capita's staff. The collection rate would have been even higher but for a number of large units entering the list just before the end of the financial year.

**Cherwell District Council : 2015/2016
Equalities - Quarter 4 / End of Year**

Ref	Objective/Measure Definition	Quarter 3 31/12/2015	Quarter 4/ End of Year 31/03/2016	DOT	Comments on Performance
Theme 1 : Fair Access and Customer Satisfaction					
CEQ1 1	To provide accessible and meaningful consultation events throughout the Cherwell community	G	G	⇒	<p>The Draft Joint Consultation and Community Engagement Strategy and Actions Plans are being reviewed and will be submitted to Executive and Cabinet for approval during Q1 2016/17.</p> <p>During 2015/16 the Faith Forum met three times; there was a provision of grants to local faith projects (the reports of these projects will be included in the full Annual Report) and we successfully joined the Inter Faith Network that allows us access to shared faith resources and the ability to run an Annual Inter Faith Community Event during Inter Faith Week. Further discussion and planning has occurred regarding the future structure of the Faith Forum to align with the changes to the Local Strategic Partnership (LSP). A briefing paper will go to the LSP meeting on the 21 April 2016 with an Annual Report & Proposal for the continued involvement of Faith Groups with LSP and Connecting Communities at the LSP Board on 4 August 2016.</p> <p>Connecting Communities Event "Have Faith in Community" was held in the Brighter Futures in Banbury Grimsbury Ward on the 21 November 2015 and an evaluation report was prepared of this event including lessons learnt from it; over 23 different partner organisations attended, with a 'Give & Take' recycling opportunity as well as the waste recycling trailer that attracted the local residents to the event. It demonstrated a new method of cross working of different faith and community groups with multi agency's including CDC departments and was promoted as an excellent Inter Faith Community Event by the Inter Faith Network.</p> <p>The consultation 'wall' has been used at events in partnership with Sanctuary Housing at their Community Days held in their housing centres across Cherwell. Views of the residents were captured and passed onto the relevant CDC department or external agents (Oxfordshire County Council and Thames Valley Police). The relationship with Sanctuary Housing has been strengthened through sharing knowledge and event attendance. The Consultation & Engagement Officer attended the Bicester & Banbury Police Independent Advisory Groups where further opportunities for the 'wall' to be used have been scheduled for 2016 to link in with Police community consultation.</p>

Ref	Objective/Measure Definition	Quarter 3 31/12/2015	Quarter 4/ End of Year 31/03/2016	DOT	Comments on Performance
CEQ1 2	To ensure that the Council's services are accessible to everyone and delivered at an excellent standard	G	G	⇒	<p>A new online based Customer Satisfaction survey has been developed and approved within the housing team to be used as a trial to help gain better insight into the department's performance. We will be reviewing responses closely to check if this type of survey can meet our needs and be used to improve the Housing Needs service.</p> <p>All Leisure facilities mystery visitor reports are sent to the General Manager at Parkwood Leisure and any improvements are addressed by the centre management teams. Any items that require urgent attention are raised by officers with the General Manager to ensure improvements are made.</p> <p>In the final quarter of the year 21 mystery visits were carried out. Whilst there were an array of comments both negative and positive the common theme was the response time at Kidlington Leisure Centre for phone calls. This has been previously reported and an automated system is being investigated for improvement.</p>
Theme 2 : Tackling Inequality and Deprivation					
CEQ2 1	Continue to deliver the 'Breaking the Cycle of Deprivation' projects	G	G	⇒	<p>The second workshop for the Brighter Futures in Banbury programme involved a successful 'employability' workshop on 18 March 2016 which brought secondary and higher education together with local employers. A range of actions and initiatives were developed from this which are now being considered.</p> <p>Citizens Advice Bureau "Volunteer Connect" contract is increasing volunteer opportunities & providing volunteers for local organisations. Contract ends 31/03/17. Consideration to be given to alternative/less expensive method of volunteer engagements in the future.</p>
Theme 3 : Building Strong Communities					
CEQ3 1	Improve opportunities for community groups to work together and build strong community relations	G	G	⇒	<p>The proactive approach has continued; Consultation & Engagement Officer has continued to attend both the Bicester & Banbury Independent Advisory Group meetings as well as working closely with the Police Neighbourhood Teams of Banbury and Kidlington due to other engagement events/shared information. To move forward further discussions have been held to plan to make greater use of shared events to engage with the community in 2016/17.</p>
CEQ3 2	Joint working with Thames Valley Police to highlight and reduce any community tension and build trust in local services.	G	G	⇒	<p>The Community Safety Partnership action plan has now gone live with 21 actions, some of these being picked up from the old plan. Many are focused on preventing radicalisation and child sexual exploitation. Activity already taking place is: delivery of a Barnardos detached worker in Banbury, engaging with the communities. A prevent interactive workshop in all secondary schools wishing to participate and a cybercrime workshop aimed at secondary schools to raise awareness of cyber issues such as bullying, radicalisation and grooming.</p>

Ref	Objective/Measure Definition	Quarter 3 31/12/2015	Quarter 4/ End of Year 31/03/2016	DOT	Comments on Performance
CEQ3 3	Continue to increase Cherwell's knowledge and understanding of the wider community to ensure we fulfil all residents' needs within our services	G	G	⇒	The Community Spaces and Development Study was approved by Executive on 1 February 2016. Some further work is now needed to ensure it dovetails with the forthcoming Developer Contributions Supplementary Planning Document.
Theme 4 : Positive Engagement and Understanding					
CEQ4 1	Work with local schools, colleges & sixth forms to engage with the districts younger generation	G	G	⇒	The Youth Website continues to be updated on a weekly basis to hold key up to date youth information and promotion for the district. All Cherwell secondary schools are signed up and attend quarterly Youth Parliament meetings. Work with schools on going from October local democracy event - Q&A arranged with local MP for youth action teams. Key Council members are linked to local secondary schools, this work continues to be on-going.
CEQ4 2	Explore and establish links with minority representation/community groups to help us improve our services	G	G	⇒	The historic Equality and Access Panel used to consult with minority groups has been disbanded in line with the Community Engagement and Consultation Strategy review. This review will be complete and a new strategy put in place during Q1 of 2016/2017 whereby actions for linking with minority groups will be put in place. Milton Keynes Equality Council (MKEC) has taken over third party reporting from Stop Hate UK for all of the Thames Valley area. The Council's website has been updated with the new reporting information including a link under the 'report it' section on the front page. Council staff have been advised of the new reporting process via In Brief and a Knowing your Community event. The Disability Sports Development Plan has achieved its set objective with many new activities such as "Wheels for all" becoming established programme opportunities. The Plan has been revised with new targets for 2016/17.
CEQ4 3	Raise Cherwell District Council Employees and Partners awareness of diversity within our community	G	G	⇒	Knowing our Community briefing was held on 9 March 2016 on the subject of Hate Crime; it was not well attended and to avoid low numbers for 2016/17 further work has been done to ensure that for development, all managers will be expected to attend the Knowing our Community briefings (links with Safeguarding training). The subject of the briefings will be considered by suggesting options of topics as a 'poll' in In-Brief and to direct by email to those whom previously have previously attended a staff Knowing our Community event.

Ref	Objective/Measure Definition	Quarter 3 31/12/2015	Quarter 4/ End of Year 31/03/2016	DOT	Comments on Performance
Theme 5 : Demonstrating our Commitment to Equality					
CEQ5 1	Ensure the Council meets all government requirements	G	G	⇒	Cherwell District Council remains compliant and aware of legislation and duties associated with the Equality Act 2010 and the specific duties to Local Authorities.
CEQ5 2	Review CDC performance against Achieving criteria to maintain/improve standards	G	G	⇒	Action completed during Q1 of 2015/16 for previous year. Q1 2016/17 will see review take place for overall performance against the Equality Scorecard and presented to the Executive meeting on Monday 4 July 2016.

Significant Partnerships 2015/2016 : Quarter 4 / End of Year

Partnerships reports six-monthly	Quarter 2 30/09/2015	Quarter 4/ End of Year 31/03/2016	Direction of Travel	Comments on Performance
Sub-Regional Partnerships				
Health and Well Being Partnership Board (H&WB)	G	G	⇒	County partnership activities still underway. Strategic change is proposed through the devolution bid to Government which will integrate health and social care under the governance of the H&WB Board. Further activities include the development of a healthy weight strategy to improve the obesity position in the county.
Oxfordshire Safer Community Partnership (OSCP)	G	G	⇒	The OSCP has completed a review and will now be in two parts; the first an officer group known as the coordination group, the second a members group known as the Oversight committee under the title Safer Oxfordshire Partnership. The main thrust of the change is the re alignment with the adult and child safeguarding boards. This facilitates a statutory link to governance and accountability.
Local Enterprise Partnerships (LEP) (Oxfordshire)	G	G	⇒	European Union (EU) funding awarded, awaited. Extends service of Eco Development team with Business Advisers for Business.
Local Enterprise Partnerships (LEP) (South Midlands)	G	G	⇒	The Velocity Programme is being revised to align with the new EU funded posts.
Cherwell-specific Partnerships				
Cherwell Local Strategic Partnership (LSP)	G	G	⇒	The LSP continues to be a useful forum for co-ordinating partnership work and providing a sounding board for new ideas and initiatives.
Cherwell Safer Community Partnership (CSCP)	G	G	⇒	The CSCP continues to meet quarterly with Councillor Ilott as chairman. The action plan is re written and the strategy published on the Cherwell web site. Funding for the year 2016-17 has been continued by the Police and Crime Commissioner although there is no guarantee in future years this will be continued.

Significant Partnerships 2015/2016 : Quarter 4 / End of Year

Partnerships reports six-monthly	Quarter 2 30/09/2015	Quarter 4/ End of Year 31/03/2016	Direction of Travel	Comments on Performance
Cherwell M40 Investment Partnership (CHIP)	G	G	⇒	<p>Considerable success is now being recorded through property completions and job creation as the result of support provided over recent years in partnership with businesses, commercial property agents and developers. Retail, logistics and manufacturing companies have also worked with the job match and job fairs co-ordinated by CDC to expand their workforce and skills. Further developments currently in the 'pipeline' are expected in the coming months.</p> <p>158 detailed business enquiries served during the year 2015-16, including inward investors, expanding indigenous companies and businesses seeking advice and information.</p>
Banbury Town Centre Partnership (BTCP)	G	G	⇒	<p>The BTCP receives input from the Town Centre Coordinators appointed using Portas funding. Currently working with the town businesses to implement a package of additional marketing and promotional changes in support of strengthening the town centre as a place to shop, visit and spend leisure time</p>
Bicester Vision (BV)	G	G	⇒	<p>Membership continues and the focus on the partnership is job creation.</p>
Homelessness Strategy Partnership	G	G	⇒	<p>We have worked in partnership through service level agreements with Banbury Community Church (The Hill), Banbury and District Housing Coalition (drop in centre for Rough Sleepers and those unsuitably housed), Banbury Young Homelessness Project (support for young people aged 16 - 25), Citizens Advice (Fast track housing advice service), Connection Floating Support (Rough Sleeper Outreach and verification to access Homeless Hostel beds), Reducing the Risk (outreach support for victims of low/medium level Domestic Abuse) and Bicester Salvation Army (Drop in Centre for rough sleepers and those unsuitably housed in Bicester and surrounding area). By working in partnership through agreements we ensure that all parties understand our aims to prevent homelessness. We monitor these partnerships closely to ensure they help to prevent homelessness when possible and also provide appropriate advice to those in housing need whilst also achieving value for money.</p> <p>The Homeless Prevention Action Plan has been reviewed and has identified the key role these partnerships play to support the council in fulfilling its responsibilities around homelessness and the importance of continued partnership working in 2016/17. In future we are expecting further changes to support funding and service delivery both nationally and locally. This will require us to undertake a further review in 2016/17.</p>

Significant Partnerships 2015/2016 : Quarter 4 / End of Year

Partnerships reports six-monthly	Quarter 2 30/09/2015	Quarter 4/ End of Year 31/03/2016	Direction of Travel	Comments on Performance
Cherwell RSL Partnership & Sanctuary Housing Group	G	G	⇒	<p>Quarterly meetings have continued to be held for all Registered Providers (RPs) operating within the district to attend. These meetings provide opportunities for staff to network, discuss national policy changes and share good practice. The forum ensures the council has good dialogue with Housing providers operating in the District and ensures they link with other teams across the Council as there is representation from Anti-Social Behaviour (ASB), Customer Services and Revenue and Benefit teams to support the Housing team. During the last 6 months a working agreement between the Council and RPs has been finalised and is circulated for signature to strengthen partnership working. This document clarifies all parties expectations, monitoring and cooperation and we hope can improve working relationships and understanding.</p> <p>Quarterly monitoring is received from all RPs with housing stock in the district. This is monitored to ensure they are allocating properties in accordance with the nominations agreement and Council Allocations scheme rules. In 2016/17 we also anticipate establishing annual formal appraisals with larger social housing providers in the District to improve partnership working. Sanctuary remain the largest provider and we have agreed to meet them bi-annually to review performance and local working arrangements.</p>
NW Bicester Strategic Delivery Board	G	G	⇒	The Bicester Strategic Delivery Board continues to meet on a quarterly basis. Within the last quarter the Board has reviewed its Terms of Reference and membership to ensure it remains fit for purpose to steer the strategic direction of the growth of Bicester.
Banbury Brighter Futures	G	G	⇒	The Brighter Futures in Banbury Programme is focussing its multi agency efforts on a series of specific workshops. Health Improvement and Health Inequalities were considered in December 2015, Employability was considered in March 2016 and Child Poverty is being planned for June 2016. Each of these workshops are expected to develop a range of actions and new multi agency initiatives targeted at those local Banbury people most in need.

Annual Performance Report June 2016

Looking back on 2015-16



Contents

1. Foreword	3
4. Key achievements	5
5. Summary of pledges	7
5. Summary of our performance	11
7. Getting in touch	16

Key Achievements at a glance

Local Plan was adopted in July 2015
200 hectares of new employment land and 22,800 houses
Improved rail connections between Bicester, Oxford and London
Growing economy
Low levels of unemployment
1,083 jobs created or safeguarded
Extension of Begbroke Science Park
New Technology Studio School in Bicester
Employable Banbury workshop
'building bridges' between businesses, educators and organisations
Bicester designated as a Garden Town and an NHS England Healthy Town
The UK's largest self-build programme
322 affordable homes

Page 176

Foreword

Welcome to our Annual Report which provides an overview of the council's performance and highlights our key achievements in 2015/16.

During the year the council has continued to deliver high quality services, new projects and innovations, whilst ensuring our customer satisfaction levels remained high.

We have continued proactive working with our partner South Northamptonshire Council in developing further shared working to provide resilience and to make savings so that the council is prepared for the future and any further government reduction in grants and revenues.

We have promoted economic growth; helping local companies to expand, securing high quality and high value jobs, with increased opportunities for all, and supporting more affordable homes for local people so that Cherwell District is a place where people want to live and work. We also work with partners to help deliver the right services and new projects for the District.

Our effective financial management has ensured we have balanced our budget and delivered no increase on the council element of Council Tax for 2016/17.

Although this is an opportunity to look back on our achievements we are not standing still and are looking forward to this year 2016/17 with a refreshed annual business plan in place to take us on our journey. The 2016/17 business plan can be found here www.cherwell.gov.uk/yourcouncil



Councillor Barry Wood

Leader of Cherwell District Council



Sue Smith

Joint Chief Executive, Cherwell District and South Northamptonshire Councils

In 2015/16 Cherwell District Council continued to work with the four strategic priorities.

Cherwell: a district of opportunity

Supporting economic development, employment, conservation, regeneration and development of the District.

Cherwell: safe, green, clean

Working to ensure the District has high standards of environmental cleanliness, great recycling and waste management, tackling crime and supporting energy efficiency.

Cherwell: a thriving community

Providing affordable housing, leisure and sports facilities and activities. Working with partners to improve access to health services. Providing arts, cultural and community services.

Cherwell: sound budgets and customer focused council

Ensuring the council is run as efficiently as possible, consulting with local people, helping vulnerable people to access our services, and the provision of council tax and housing benefits.

Each year, from the key objectives and actions under our strategic priorities, several are highlighted as performance pledges. These pledges reflect local priorities and demonstrate our commitment to the delivery of important local services and new projects to help make Cherwell a great place to live.

One year on, it's time to reflect on our progress in delivering the 2015-16 Business Plan. The next few pages highlight some of the achievements that the council, working with its partners has achieved.

Key achievements

The **Local Plan was adopted in July 2015** and the Development Framework for the District is in place concentrating growth on Bicester, Banbury and Upper Heyford. All the sites are coming forward to deliver **200 hectares of new employment land and 22,800 houses.**

The East West Rail line **improved connections between Bicester, Oxford and London** for commuters and business links.

The **economy is growing** and we are recording historical **low levels of unemployment** and through the Job Fairs the Economic Growth Team have seen large increases in local employment and company support.

The Banbury Gateway opened with the 9th largest Marks and Spencer in the country with **staff recruited through the Job Fairs.** Considerable assistance has been provided to businesses recruiting local people. Tailored events provided to business needs through the job club and job fair services enabled the recruitment of over 1,000 staff: this supported a wide range of businesses across the district that required help to fill vacancies in manufacturing, logistics, retail, care, research and development and leisure. The full year saw **1,083 jobs created or safeguarded.**

The new **extension of Begbroke Science Park** is under construction and is a major extension of Oxford University presence in Cherwell District.

Throughout the year, partnership plans have progressed well towards establishing a **new Technology Studio School in Bicester**, due to open in September 2016. As part of the Brighter Futures in Banbury programme, skills issues have also been considered alongside matters relating to health, families and housing culminating on 18 March with the Council leading an **Employable Banbury workshop**, held at Banbury College and including Victoria Prentis MP. Particular emphasis was placed upon **'building bridges' between businesses, educators and organisations.** Two apprentices from a local engineering company provided an impressive insight to the opportunities that are already available to young people.

Bicester/Graven Hill - We are **proud of Bicester as a place, as a designated Garden Town, and as an NHS England Healthy Town**, and we want a full range of housing choices. The easiest way to genuinely speed up delivery is to be in charge of it. There is an unmet demand for self build and custom build in this country, so the opportunity to purchase a brown field site from MoD was too good to miss. "Do it Yourself" has become our motto in every respect.

Build - From tackling run down empty properties in Banbury to **the UKs largest self-build programme**, over the last 5 years Cherwell has transformed its approach to affordable housing, development and building new communities by creating an innovative, sustainable and scalable housing model. During 2015/16 **322 affordable homes** were delivered in the District with 95 of these being self build housing projects.



Awards

Green Apple Environment award MRW Team of the Year award Champion of the Year Primary Authority of the Year Best Town/ City award

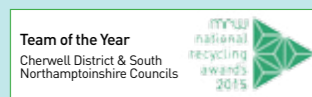
Cherwell District Council's EcoBicester team, sustainability charity Bioregional and developers A2Dominion were jointly awarded the **Green Apple Environment award** for the Built Environment category. The Green Apple Environment awards have been taking place since 1994 to promote, recognise and reward schemes which promote environmental best practice across the world. The award recognised the organisations' One Shared Vision initiative to extend the sustainability concept for 6,000 net zero carbon homes at NW Bicester across the rest of the town.

Cherwell District Council, along with partner Sainsbury's, was nominated in the **Primary Authority of the Year** awards and received a 'highly commended' accolade after having been among the shortlisted finalists. "Primary Authority" is a scheme that aims to reduce burdens on business and encourage economic growth.

Cherwell District Council and sustainability charity Bioregional collectively took the **Best Town/City award** at the P. E. A. (People. Environment. Achievement) Awards which recognise efforts by individuals and organisations to support a green agenda. To take the accolade, Cherwell and Bioregional had to demonstrate measures which had been implemented to reduce the carbon footprint of the town. Bicester had been shortlisted for the award alongside other towns/cities including Bristol and Brighton but took the title for the work which had taken place to embed sustainable development throughout the entire town with designs that could be easily replicated by all local authorities.

Cherwell District and South Northamptonshire Councils jointly scooped the **Team of the Year award** at the national MRW Recycling Awards in July 2015 for a joint campaign using social media to raise residents awareness of recycling.

At the 2015 national Local Authority Recycling Advisory Committee (LARAC) awards the Joint Recycling Officer was named **Champion of the Year** for his portfolio of successful recycling initiatives.



Our performance pledges for 2015/16 – a review

Cherwell: a district of opportunity

Supporting economic development, employment, conservation, regeneration and development of the District.

Make progress onsite for the initial housing development at North West Bicester.

- The first phase of development at NW Bicester, known as Elmsbrook, is nearing completion and is due for first occupations in late spring 2016. The phase includes a mix of housing including flats, terrace, semi detached and detached houses. The houses are a mix of tenures with affordable rented properties, shared ownership and market sale properties. In addition to housing, the first primary school is under construction and planning permission has been resolved to be granted for the local centre to serve the development. The development is achieving true zero carbon and very high standards of sustainability as required by the Local Plan policy Bic 1.

- Banbury Vision and Masterplan progress: The draft Masterplan has been published and completed a four week consultation. Responses are being compiled and assessed, with a view to considering what changes may be required to the draft Masterplan. The final Supplementary Planning Document is to be considered at Executive in July and adopted.
- Hella Site: A viability assessment has been commissioned and completed. Officers have considered the report and have asked that the Canalside site phasing plan is completed to enable the Hella report to be considered in relation to how it might assist the relocation of companies from Canalside and so enable development land to become available at Canalside in a phased way.

Make progress on site for the initial infrastructure at Graven Hill and promotion of the self-build plots.

- A new Managing Director was appointed in January 2016 as we now push towards the implementation phase. Infrastructure works have commenced on the demonstrator project and the first self builders are due on site in June 2016 with phase 1A plots due for release in Summer 2016.

Complete and implement the Masterplan for Kidlington, helping to develop a strong village centre.

- Consultation is underway on the Kidlington Masterplan.

Commission and complete a commercial appraisal for Banbury town centre, and subsequently bring forward appropriate redevelopment proposals for urgent consideration.

- Business Improvement District bid: The tender to undertake the BID study, the essential first stage to creating a BID has been let and responses are awaited. The option of a BID has been discussed with the Chamber of Commerce and is referred to in the draft Banbury Masterplan.



Our performance pledges for 2015/16 – a review

Cherwell: safe, green, clean

Working to ensure the District has high standards of environmental cleanliness, great recycling and waste management, tackling crime and supporting energy efficiency.

Maintain the District's high recycling rate.

- The target has been missed and the provisional figures show 55.78% v target of 57%. Composting is down this year which affects the tonnage collected. However overall the amount sent to landfill is less than last year and most of the waste that cannot be recycled is sent to the Energy Recovery Facility. 1,557 blue bins have been delivered to customers this year encouraging more recycling.

Work with the local police and licence holders to ensure our town centres remain safe and vibrant in the evenings.

- There has been no appreciable increase in night time violence in the towns and the numbers of exclusions from the towns have fallen. This indicates that generally licensees are managing responsibly and co-operating with the police.

Improve local residents' satisfaction with street and environmental cleanliness continuing our successful programme of neighbourhood litter blitzes.

- All six of the planned Neighbourhood Blitz events have been completed. They all proved to be very popular with members of the public and Councillors alike. We also supported Banbury Town Council in the Clean for the Queen initiatives, which involved staff, members of the public, and local Councillors. The satisfaction survey in 2015 showed 69% of respondents were satisfied with the level of street cleanliness, a slight increase on the previous year and 75% were satisfied with the care of parks and open spaces.



Page 179

Our performance pledges for 2015/16 – a review

Cherwell: a thriving community

Providing affordable housing, leisure and sports facilities and activities, working with partners to improve access to health services, providing arts, cultural and community services.

Continue working with our partners to provide support to the most vulnerable individuals and families in the district, building on the Brighter Futures in Banbury programme.

- The second workshop for the Brighter Futures in Banbury programme involved a successful 'employability' workshop in March 2016 which brought secondary and higher education together with local employers. A range of actions and initiatives were developed from this, which are now being considered.

Deliver 150 units of affordable homes in the District and support opportunities for self-build and developing self-build skills.

- The year overall has been positive with new opportunities identified as well as established sites progressed to a position which will enable new affordable housing to be delivered in the district under the Council's Build! banner. A total of 322 affordable homes were delivered within the District during the year, significantly exceeding target.

Continue to support skills development, apprenticeships and job clubs in order to help support local employment and reduce the number of young people not in education, employment or training.

- In March 2016, the Council led an Employable Banbury workshop as part of the Brighter Futures in Banbury programme, held at Banbury College and including Victoria Prentis MP. Particular emphasis was placed upon 'building bridges' between businesses, educators and organisations. Two apprentices from a local engineering company provided an impressive insight to the opportunities that are already available to young people. Discussions enabled further links to be established

between businesses, for instance in the promotion of the science, technology, engineering and maths (STEM) subjects. An action plan is being developed and further workshops are being planned to address related issues such as housing affordability.

- March also featured the National Apprenticeship week, with specialist events held at North Oxfordshire Academy and other venues across Cherwell. Day-to-day liaison with businesses by the Economic Growth team also provided referrals into the Oxfordshire Apprenticeship Services.
- The Brighter Futures in Banbury programme is also providing a grant of £10,000 to Ethnic Minority Business Service to allow the continuation of guidance for long-term unemployed people.
- Job clubs and job fairs were provided in Banbury and Bicester, with over 2,000 visits made during the year. This included six job fairs being held (Banbury & Bicester) in addition to weekly job clubs. All age groups are helped as well as assisting people that were already in employment to change careers. The Job Club partnership links have also promoted apprenticeships and traineeships to businesses as a practical means of engaging young people and supporting them in their career paths.



Our performance pledges for 2015/16 – a review

Cherwell: sound budgets and customer focused council Ensuring the council is run as efficiently as possible, consulting with local people, helping vulnerable people to access our services, and the provision of council tax and housing benefits.

Continue to improve our website, and implement additional online services for customers and maintain the SOCITM rating of 3/4 stars.

- The website has been maintained on an on-going basis, although development has been staid as there are plans to move to a new single platform. Work on this was placed 'on hold' whilst discussions were on-going about the future working with Stratford. This will be addressed in 2016/17.

Extend the Joint Working Programme to include new methods of service delivery and more services delivered in partnership.

- Significant progress has been made over the year with Business Cases agreed for Economic Growth, Communications, Environmental Health & Public Protection and Customer Service, Revenues and Benefits (subject to consultation) Leisure and Community (subject to consultation). Options are under development for Housing and Planning. The joint programme is designed to provide resilience and savings to the council.



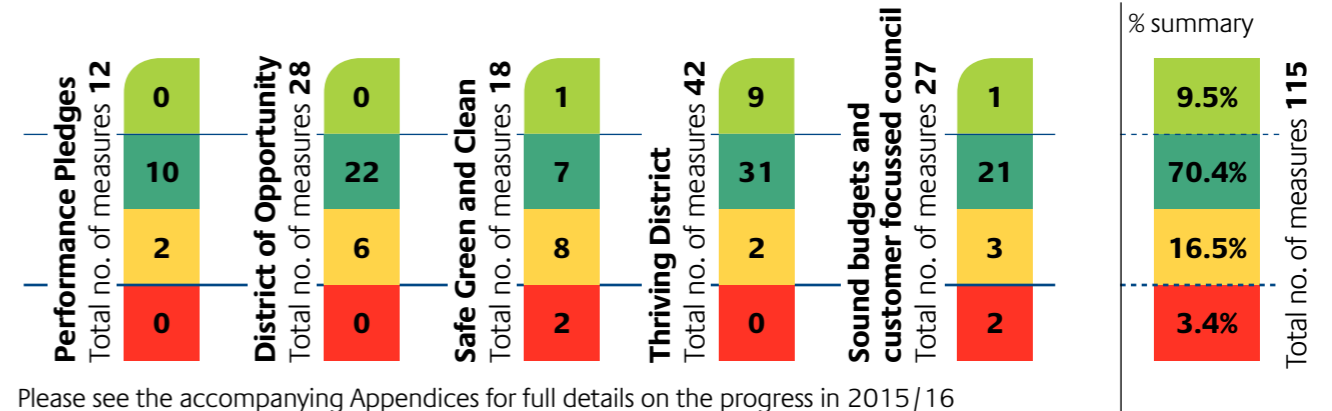
A summary of our performance:

Summary of our performance

The table below summarises the progress we have made delivering against the activities, task and projects outlined in our business plan under each of the four strategic priorities.

We use a 'RAGG*' (red, amber, green, green*) system where green* refers to a target that has been over achieved, green to a target wholly met, amber to a target narrowly missed and red to a target missed by 10%.

End of year 2015/16 summary outturn



Community Engagement

A Connecting Community Event “Have Faith in Community” was held during Inter Faith Week (15 – 21 November 2015) providing information regarding the community services offered by the District, the County and the voluntary groups in and around Banbury. The ambitious event linked the Faith Forum and Connecting Communities with over 70 people attending. The Give or Take and Radio Horton really helped to bring people forward and it was a joint effort to encourage participation.



Customer Contact and Feedback

Every year since 2006 Cherwell District Council has undertaken a customer satisfaction survey. In 2015 the survey was carried out between May and July revealing that 79% of residents are satisfied with the council's performance; the highest level of satisfaction since the survey began and the fourth year running that satisfaction has increased.



As a place to live Cherwell is at its highest satisfaction level at 88%.

Street cleaning services scored 69%, the best ever.

Perceptions of value for money offered by the council reached 55%, highest score to date.

Full details of the satisfaction survey can be found at www.cherwell.gov.uk/satisfactionsurvey.

This is the highest rating of satisfaction recorded since the survey began.

Page 181

Complaints Summary

No of complaints received	No of valid complaints	No of complaints escalated to Stage 2	Percentage acknowledged in 3 working days	Percentage responded to in 10 working days
261	129	43	90.04%	79.31%

The figures regarding the 10 working day response time do not include the number of complaints that received agreed extension dates as per the policy. During 2016/2017 new reporting functions will enable reporting on the number of complaints to receive extension requests which will provide a more accurate figure for the adherence to the policy.

Ombudsman summary

No of Ombudsman Complaints received	No of valid complaints	No of complaints escalated to Stage 2	Percentage acknowledged in 3 working days	Percentage responded to in 10 working days
tbc	tbc	tbc	tbc	tbc

Freedom of information requests

Number of requests received during 2015/16:

Apr – June	July – Sept	Oct - Dec	Jan – March	Year Total
136	111	109	138	494

Getting in touch

Throughout the year the council provides opportunities for local people to have their say. Whether this be through customer satisfaction surveys, budget consultation, consultation on new projects and services, talking to local business organisations or feedback via our link-points or web site we are keen to listen to what you like and what needs to be improved. Our consultations are published on our one-stop consultation portal which can be found at:

<http://consult.cherwell.gov.uk/portal/>

However, if you would like to feedback about any other matter you can do so using the contact details on this page.

Email: consultation@cherwell-dc.gov.uk

To find and email your ward councillor:
<http://modgov.cherwell.gov.uk/mgFindCouncillor.aspx>

Call the Performance and Insight Team:
01295 221605

Customer Services: 01295 227001

Write:

The Performance and Insight Team
Bodicote House
Bodicote
Banbury
Oxfordshire, OX15 4AA

For general enquiries visit www.cherwell.gov.uk
or contact the customer service team
01295 227001.

Business Plan 2016-17



Business Plan 2016-17



Cherwell:
a district of
opportunity

Cherwell:
safe, green,
clean

Cherwell:
a thriving
community

Cherwell:
sound budgets
and customer
focused council

Cherwell: a great place to live

 [cherwelldistrictcouncil](https://www.facebook.com/cherwelldistrictcouncil)  [@cherwellcouncil](https://twitter.com/cherwellcouncil) www.cherwell.gov.uk

Page 185

Cherwell

DISTRICT COUNCIL
NORTH OXFORDSHIRE

This page is intentionally left blank

Cherwell District Council

Executive

6 June 2016

2015/16 Draft Revenue Outturn

Report of the Chief Finance Officer / Section 151 Officer

This report is public

Purpose of report

To provide an initial draft update on the Council's revenue outturn for 2015/16

1.0 Recommendations

The meeting is recommended:

- 1.1 To note the contents of the report.

2.0 Introduction

- 2.1 The Executive has the responsibility for managing the Council's resources. A key element of this is budgetary control, and the final outturn for the year is the measure of the accuracy of budgeting and budgetary control throughout the year.
- 2.2 The table in section three of this report shows the first draft of the final outturn. Work is ongoing to close the accounts and finalise the position, and there are likely to be changes to the figures before the final position is confirmed. This will then be reviewed at Accounts, Audit and Risk Committee on 30 June, prior to audit.

3.0 Draft Revenue Outturn 2015/16

- 3.1 The latest draft outturn:

REVENUE OUTTURN 2015-16	Adjusted Budget 2015-16 £000	Draft Outturn 2015-16 £000	Variance 2015-16 £000
Services			
Bicester Regeneration Projects	(437)	(747)	(310)
Community Services	5,419	4,775	(644)
Environmental Services	5,291	5,645	354
Directorate Admin	47	70	23
Community & Environment	10,757	10,489	(267)
Chief Executive	378	400	22
Strategic Planning & the Economy	1,375	1,589	214
Public Protection & Development Mgt	1,066	808	(258)
Development Directorate	143	206	63
Regeneration & Housing	1,035	2,210	1,175
Development	3,619	4,814	1,194
Transformation	620	505	(115)
Finance & Procurement	3,066	2,710	(356)
Legal & Democratic	793	716	(77)
Resources	54	65	11
IT	(5)	107	112
Resources	4,528	4,103	(425)
Services Total	18,845	19,059	214
Capital Charges Reversed	(4,000)	(4,000)	0
Use of Reserves within Services	1,623	1,467	(156)
NET BUDGET REQUIREMENT	16,468	16,526	58
FUNDING			
Business Rates Baseline	(3,466)	(3,466)	0
Revenue Support Grant	(2,711)	(2,733)	(22)
Formula Grant Equivalent	(6,177)	(6,199)	(22)
Transfer to Parish Councils for CTRS	349	349	0
Other Grants	101	0	(101)
Investment Income	161	(343)	(504)
Council Tax Compensation Grant	(63)	(65)	(2)
Collection Fund	(233)	(233)	0
New Homes Bonus	(2,543)	(2,542)	1
Business Rates			
Growth above baseline/Pooling	(2,103)	(2,625)	(522)
Council Tax Income	(5,959)	(5,959)	0
Use of Reserves			0
TOTAL INCOME	(16,467)	(17,617)	(1,150)
Service Budget Carry Forwards			96
Transfer to Earmarked Reserves			100
Transfer from Earmarked Reserves			(85)
Accruals <£20k			12
			123
Provisional Outturn			(969)

3.2 The above position shows a surplus of almost £1.2m. This consists of an overall service variance of £58k, funding in excess of budget of £1.374m and carry forwards and transfers to and from reserves totalling £123k. A commentary has been included for the key areas:

Service Expenditure and Income

The net overall position for services shows an overall variance of £58k, less than 0.5%. There are significant variances within this for individual services:

- Significant additional income for Community Services and Development Management,
- Salary underspends in a number of areas
- Reduced income for recycling and car parks in Environmental Services
- A shortfall in rental income, particularly at castle Quay. This is currently being reviewed.

Funding

There are two significant variances in funding:

- Investment income, where it was assumed that we may have to borrow to fund Graven Hill and the Build Programme. It has not yet been necessary to borrow as all funding has not been paid to Graven Hill. Instead of paying interest on borrowing of £161k, as was assumed in the budget, the Council received interest of £343k giving a variance of £504k.
- The funding from business rates was significantly above budget, with a variance of £522k. This is partly due to a cautious budget, as this was made in February 2014 when there were a number of unknown areas within business rates. An analysis of business rates, comparing budget to actual is shown below.

Business Rates Analysis	Budget	Actual	Variance
Baseline	-3,466,000	-3,466,000	0
Retained Business Rates	-1,454,094	-1,531,129	-77,035
Renewables	-94,560	-145,878	-51,318
S31 grants (multiplier cap only)	-272,153	-82,784	189,369
Pooling Gain	-705,704	-1,288,262	-582,557
Deficit in NNDR1	423,512	423,512	0
Total	-5,569,000	-6,090,541	-521,541

4.0 Conclusion and Reasons for Recommendations

4.1 The Executive has the responsibility for managing the Council's resources. A key element of this is budgetary control, and the final outturn for the year is the measure of the accuracy of budgeting and budgetary control throughout the year.

5.0 Consultation

None

6.0 Alternative Options and Reasons for Rejection

- 6.1 The following alternative options have been identified and rejected for the reasons as set out below.

Option 1: To not note the report but members will not be aware of the likely outturn and performance against budget for 2015/16 if they choose to take this option.

7.0 Implications

Financial and Resource Implications

- 7.1 There are no direct financial implications stemming from this report.

Comments checked by:
George Hill, Corporate Finance Manager
george.hill@cherwellandsouthnorthants.gov.uk

Legal Implications

- 7.2 There are no legal implications arising from this report

Comments checked by:
Kevin Lane, Head of Law and Governance
kevin.lane@cherwellandsouthnorthants.gov.uk

Risk Management

- 7.3 The outturn position highlights the relevance of maintaining a minimum level of reserves and budget contingency to absorb the financial impact of changes during the year.

Comments checked by:
Ed Bailey, Corporate Performance Manager, 01295 221605
edward.bailey@cherwellandsouthnorthants.gov.uk

Equality and Diversity

- 7.4 Impact assessments were carried out in advance of setting the 2015-16 budget.

Comments checked by:
Caroline French, Corporate Policy Officer, 01295 221586
caroline.french@cherwellandsouthnorthants.gov.uk

8.0 Decision Information

Key Decision

Financial Threshold Met: No

Community Impact Threshold Met: No

Wards Affected

All

Links to Corporate Plan and Policy Framework

This links to the Council's priority of Sound Budgets and a Customer Focussed Council.

Lead Councillor

Councillor Ken Atack, Lead Member for Financial Management.

Document Information

Appendix No	Title
None	
Background Papers	
None	
Report Author	Paul Sutton, Chief Finance Officer / Section 151 Officer
Contact Information	0300 003 0106 paul.sutton@cherwellandsouthnorthants.gov.uk

This page is intentionally left blank

Cherwell District Council

Executive

6 June 2016

<p>Proposal for a Joint Revenues and Benefits Service with South Northamptonshire Council</p>
--

Report of Chief Finance Officer / Section 151 Officer

This report is public

The appendix is exempt from publication by virtue of paragraphs 1, 2, 3 and 4 of part 1 of Schedule 12A of Local Government Act 1972.

Purpose of report

This report presents the final business case following consultation for a joint Revenues and Benefits service across Cherwell District and South Northamptonshire Councils (hereafter “Cherwell” or “CDC” and “South Northamptonshire” or “SNC” respectively).

The report recommends the formation of a two way joint Revenues and Benefits service and in doing so seeks the Executive’s agreement for the non-staffing elements of the business case.

The proposal is part of the wider transformation programme across the two Councils.

1.0 Recommendations

The meeting is recommended:

- 1.1 To consider the attached final business case and the consultation responses in relation to non-staffing matters as outlined in section 5.1.
- 1.2 To note that the business case will be considered by the Joint Commissioning Committee with regard to staffing matters on 26 May 2016. This will include consultation responses from affected staff and trade union representatives.
- 1.3 To approve and implement the proposed final business case to share a joint Revenues and Benefits Service between CDC and SNC, subject to similar consideration and approval by SNC Cabinet on 13 June 2016 and approval of the staffing implications by the Joint Commissioning Committee.
- 1.4 To delegate to the Chief Finance Officer in consultation with the Leader of the Council any non-significant amendment that may be required to the business case following the decision by SNC Cabinet and/or the Joint Commissioning Committee.

- 1.5 To approve the allocation of £200,000 from general fund balances to cover 50% of the implementation costs.

2.0 Introduction

- 2.1 The 'Revenues' and 'Debt and Welfare Advice' (SNC) and 'Service Assurance' (CDC) teams are currently not wholly joint teams although there are parts of the Revenues functions, which are shared. For the purpose of this report these service groupings are referred to collectively as Revenues and Benefits. This does not include the provision of debt and welfare advice at CDC, which is provided on behalf of the Council by the Citizens Advice Bureau as part of a contract that covers a range of services.
- 2.2 CDC outsourced the transactional back office functions of its Revenues and Benefits service in February 2010 to Capita for an initial period of 5 years and later took advantage of a 2 year extension built into the contract to make it 7 years in total. The first point of contact customer facing functions were retained in house and delivered via Customer Services.
- 2.3 A Service Assurance team manages the Capita contract for CDC. The contract is due to expire in February 2017. The SNC service is managed wholly in-house.
- 2.4 CDC Executive on 7 September 2015 approved insourcing as the Council's preferred option for the revenues and benefits service and approved the commencement of work on a business case to deliver a joint service, subject to agreement by SNC.
- 2.5 The Joint Commissioning Committee endorsed the draft business case for consultation with staff on 7 April 2016, having previously been discussed and endorsed by the Transformation Joint Working Group. The final proposal, amended in order to reflect some of the comments made as part of the staff consultation process and to update/correct some of the information included in the draft version, is attached as Appendix 1 to this report.

3.0 Report Details

- 3.1 The draft business case sets out the proposal to establish a Joint Revenues and Benefits Service across CDC and SNC. The new joint team would be established and fully resourced in time for the insourcing of the current CDC Capita contract in May 2017.
- 3.2 The proposed service would be managed by a Joint Revenues and Benefits Manager. Under the joint manager, there would be two functional areas (Revenues and Benefits) each led by a Team Leader. There would also be a support team led by a Senior Systems, Performance and Subsidy Officer reporting directly to the joint manager.
- 3.3 On implementation the new joint service would deliver the current revenues and benefits functions for CDC and SNC (including managing the Capita contract at CDC). The capacity of the service would then need to be increased in preparation for the insourcing of the current CDC Capita contract. In order to achieve this, it is proposed that an additional 19.5 FTE staff are recruited and trained by April 2017.

- 3.4 It is proposed that the additional staff that would need to be recruited to enable the joint service to deliver the CDC insourced service be appointed by a wholly council owned company that both authorities will be seeking to establish (subject to separate decision) as part of the confederation model ahead of the implementation of this business case. However some of the new posts may need to be held to be filled from Capita if staff are transferred from the current arrangement under TUPE.
- 3.5 Following the insourcing of the Capita contract in May 2017, the remainder of the Revenues and Benefits service would transfer into this company structure (subject to separate decision and appropriate consultation with staff and trade unions).
- 3.6 Should the service be wholly delivered through the proposed council owned company there will be a need for a retained commissioning function within the Councils. Responsibility and accountability for the commissioning function will rest with the Chief Financial Officer and this is clearly identified within the new job description for that post. It is recommended that, as part of the second phase of the management restructure and/or future review of the Business Support Unit and reporting lines for the fraud team, any technical support for the commissioning function be identified.

Financial Case

- 3.7 The financial implications associated with the business case are set out in detail in Section 13 of the attached business case.
- 3.8 The proposal if approved will deliver annual revenue savings of £134,250 for CDC and £126,000 for SNC from 2017-18 onwards following the insourcing of the CDC Capita contract.

HR Implications

- 3.9 The staffing implications relating to the proposal will be considered by the Joint Council Employee Engagement Committee and the Joint Commissioning Committee on 26 May 2016.
- 3.10 As background information, the expectation is that existing staff would continue to be employed by their current, respective authority under the pay, and terms and conditions of that employing organisation. New and revised job descriptions have been devised in order to standardise responsibilities across the two organisations. The new job descriptions have been through the job evaluation process at each organisation.

Decision making timetable

The timetable and recommendations arising from the democratic process for both Councils is outlined in the table below:

Date	Committee and Council	Decision
26.05.16	Joint Council Employee Engagement Committee	To be advised verbally
26.05.16	Joint Commissioning Committee	To be advised verbally
06.06.16	CDC Executive	This meeting
13.06.16	SNC Cabinet	To be determined

4.0 Conclusion and Reasons for Recommendations

- 4.1 The recommendation is to establish a Joint Revenues and Benefits Service between CDC and SNC.
- 4.2 The business case sets out the significant financial and operational benefits to establishing the proposed joint service.

5.0 Consultation

Group	Summary
All staff in-scope of the business case.	The consultation was positively received. A number of questions were raised through the consultation log. The consultation log will be considered by the Joint Commissioning Committee on 26 May 2016.
Unison Representatives from each Council.	Consultation has been positively received.
Joint Commissioning Committee (JCC)	Endorsed business case for staff consultation.
Transformation Joint Working Group	Endorsed business case for consideration by JCC.

- 5.1 Consultation with all employees, in scope of the proposal and the Unison representatives from both Councils, commenced on Tuesday 12 April and ran for a period of three and a half weeks until the 6 May 2016 in line with the Councils Joint Organisational Change policy.

The consultation period included a joint initial meeting with employees of both teams along with Unison representatives and subsequent meetings with individuals as requested.

All responses received during the consultation period were recorded on a consultation log along with the answers provided. The full consultation log will be considered by the Joint Council Employee Engagement Committee and the Joint Commissioning Committee prior to a decision being made on the staffing elements of the business case. In total 44 questions were received and responded to. These were predominantly related to job descriptions, the proposed staffing structure, working arrangements and seeking clarification on a number of issues in the business case. A number of other individual and personal matters were also responded to.

Some concerns were raised from staff about the capacity of certain teams within the proposed structure. Having considered the responses, no changes are proposed to structure at this time as it is considered that the overall capacity of the team is sufficient.

We would like to thank the staff who volunteered this information during the consultation process and those who helpfully enabled us to update the business case.

6.0 Alternative Options and Reasons for Rejection

- 6.1 The following alternative options have been identified and rejected. The reasons for each option being rejected are set out in section 3 of the business case:

Option1: Status Quo (No Change)

Following the decision taken by CDC Executive on 7 September 2015, retaining the status quo is no longer an option for CDC who will be insourcing the Revenues and Benefits service in 2017. While retaining the status quo is an option for SNC, it is not considered an appropriate option given the benefits and savings associated with delivering a joint service with CDC.

Option 2: Three-way Shared Service with Stratford-on-Avon District Council (SDC)

A three-way shared service with SDC is no longer a realistic option although serious consideration was previously given to this option.

Due to the different visions and strategic priorities of the three Councils regarding how to meet the financial challenges and respond to regional opportunities for devolution it has been agreed that no further three-way business cases are prepared.

- 6.2 The approach in the recommendations is believed to be the best way forward. The proposal is to establish a Joint Revenues and Benefits service between CDC and SNC which will deliver significant financial and operational benefits.

7.0 Implications

Financial and Resource Implications

- 7.1 Section 13 of the draft business case sets out the financial implications.
- 7.2 The proposal if approved will deliver an annual revenue saving of £260,250 across CDC and SNC from 2017-18 onwards following the insourcing of the CDC Capita contract.
- 7.3 Based on a cost allocation model the proposal results in a saving of £134,250 for CDC and £126,000 for SNC.
- 7.4 The potential implementation costs of £400,000 to cover new ICT, 2016-17 additional staff costs, staff training and potential redundancy and pay protection costs should be split equally between the two Councils. With the costs being funded from General Fund Balances.
- 7.5 Based on the estimated implementation costs the payback period would be approximately 18 months which for a project of this size is extremely good.

- 7.6 There could be redundancy or pay protection costs as a result of implementing the proposal. During the consultation process, three members of staff requested that they be considered for voluntary redundancy. The requests are from individuals currently ring-fenced to positions in the proposed structure and since the redundancies would not be in the interests of the service are not recommended for support. There is a risk that the proposal could result in a small number of redundancy situations during implementation.

Comments checked by:

George Hill, Interim Corporate Finance Manager 01295 221731
george.hill@cherwellandsouthnorthants.gov.uk

Legal Implications

- 7.7 As with all two-way shared services this proposal, if implemented, will be covered by the section 113 agreement (as varied) entered into between the two Councils.
- 7.8 Following the decision of CDC and SNC Councils in February 2015 to approve the final business case for developing the approach to joint working and the delivery of local authority services, all services at both Councils are now included on the policy framework for the consideration of shared working. This means that the decision making process has been streamlined as the Cabinet/Executive will be able to approve draft business cases for two-way shared working without the prior need of a decision of full Council.
- 7.9 A decision making timetable is included in Section 16 of the draft business case.
- 7.10 It is anticipated that the proposed company will be limited by shares and wholly owned by the two Councils. Its incorporation will be the subject of separate consideration of the CDC Executive and SNC Cabinet at an appropriate time. In due course all existing Council employees, as well as new starters and any transferees, will transfer to the company's employment under TUPE.

Comments checked by:

Kevin Lane, Head of Law and Governance, 0300 0030107
kevin.lane@cherwellandsouthnorthants.gov.uk

Risk Implications

- 7.11 Section 14 of the draft business case sets out the risk implications and how they will be mitigated.

Comments checked by:

Claire Taylor, Business Transformation Manager
claire.taylor@cherwellandsouthnorthants.gov.uk / 0300 0030113

Equality Implications

- 7.12 An Equality Impact Assessment initial screening assessment has been carried out and it has been determined that the proposal does not have any adverse impact on equality groups and as a result a full impact assessment and associated action plan is not required. This is included as part of the business case in Appendix 1.

Comments checked by:

8.0 Decision Information

Key Decision

Financial Threshold Met: Yes

Community Impact Threshold Met: No

Wards Affected

All

Links to Corporate Plan and Policy Framework

Sound budgets and a customer focused council

Lead Councillor

Councillor Ken Atack, CDC Lead Member for Financial Management.

Document Information

Appendix No	Title
1	Joint Revenues and Benefits – Final Business Case
Background Papers	
None	
Report Author	Paul Sutton, Chief Finance Officer
Contact Information	0300 003 0106 Paul.sutton@cherwellandsouthnorthants.gov.uk

This page is intentionally left blank

Cherwell District Council

Executive

6 June 2016

<p>Proposal for a Joint Community and Leisure Service with South Northamptonshire Council</p>
--

Report of Director of Operational Delivery

This report is public.

The appendices are exempt from publication by virtue of paragraphs 1, 2, 3 and 4 of part 1 of Schedule 12A of Local Government Act 1972.

Purpose of report

This report presents the final business case following consultation for a Joint Community and Leisure service across Cherwell District Council and South Northamptonshire Council (hereafter “Cherwell” or “CDC” and “South Northamptonshire” or “SNC” respectively).

The report recommends the arrangement of a two-way Joint Community and Leisure Service and in doing so seeks the Executive’s agreement for the non-staffing elements of the business case.

The proposal is part of the wider transformation programme across the two Councils.

1.0 Recommendations

The Executive is recommended to:

- 1.1 Consider the attached final business case (Appendix 1) and the consultation responses (Appendix 2) in relation to non-staffing matters.
- 1.2 To note that the business case has been considered on 26 May 2016 by the Joint Commissioning Committee (JCC) with regard to staffing matters. This included consideration of consultation responses from affected staff and trade union representatives. A verbal update on the outcome of this meeting will be given.
- 1.3 Subject to the approval of the JCC to the staffing matters, to approve and implement the proposed final business case to share a Joint Community and Leisure Service between CDC and SNC, subject to similar consideration and approval by SNC Cabinet; and

- 1.4 To delegate to the Director of Operational Delivery in consultation with the Leader of the Council any non-significant amendment that may be required to the business case following the decision by SNC Cabinet.

2.0 Introduction

- 2.1 Following the adoption of a Business Case for Joint Working by CDC and SNC in February 2015 and the commitment to deliver the business case objectives as soon as is practicable, the two way transformation programme was reshaped to meet the needs of CDC and SNC pending a decision from Stratford-on-Avon District Council (SDC) regarding its participation after the election in 2015. In February 2016, in the light of SDC's continuing lack of a commitment to the three way transformation programme, both Councils agreed that no further three way shared service business cases would be pursued.
- 2.2 Following the decision of CDC and SNC Councils in February 2015 to approve the final business case for developing the approach to joint working and the delivery of local authority services, all services at both Councils are now included on the policy framework for consideration for shared working.
- 2.3 This is one of a number of business cases for two way shared services across CDC and SNC to be considered following the adoption of the business case in February 2015 and is part of the on-going Transformation Programme across the two Councils.
- 2.4 This business case remodels the existing services at both councils into a new joint service and as a result delivers savings in excess of the guidance targets set out in the February 2015 business case.

3.0 Report Details

- 3.1 The draft business case for the Joint Community and Leisure Service was endorsed for consultation with staff by the JCC on 17 March 2016 having been previously discussed and endorsed by the Transformation Joint Working Group. The final business case has been amended in order to reflect some of the comments made as part of the staff consultation process and is attached as Appendix 1 to this report.

Proposal

- 3.2 The business case sets out the rationale for establishing a joint Community and Leisure Service.
- 3.3 Combining the current Community and Leisure teams at CDC and SNC will provide an improved service, addressing identified corporate priorities at both councils whilst delivering savings.
- 3.4 Following the learning from the interim arrangements that have been in place to deliver these services, the proposed structure is divided into two distinct elements. It is expected that these elements will work together to deliver the wide range of services currently enjoyed throughout both districts.

3.5 Included in the proposal are a dedicated Safeguarding post to elevate this work in-line with the findings of the internal review carried out and reported to Cabinet and Executive in late 2015, a health and wellbeing focus given the external changes taking place and an increased emphasis on supporting and maximising the benefit from the growth agenda in both councils.

4.0 Financial Case

4.1 The financial implications associated with the business case are set out in detail in Section 11, 12 and 13 of the attached final business case.

4.2 The proposal generates savings of £57,000 across both councils in a full year. This is achieved through reducing and streamlining management and supervisory posts within the proposal.

5.0 HR Implications

5.1 The staffing implications relating to the proposal were considered by the Joint Council Employee Engagement Committee (JCEEC) on 26 May 2016 and by the JCC also on 26 May 2016. A verbal update on the outcome of those meetings will be provided.

6.0 Decision making timetable

6.1 The timetable and recommendations arising from the democratic process for both Councils is outlined in the table below:

Democratic process and decision

Date	Committee and Council	Decision
26.05.2016	JCEEC	To be advised
26.05.2016	JCC	To be advised
06.06.2016	CDC Executive	To be determined
13.06.2016	SNC Cabinet	To be determined

7 Conclusion and Reasons for Recommendations

7.1 The business case represents a significant step in the revised transformation programme across CDC and SNC. The proposed joint service would provide realigned delivery teams designed to meet the agendas for each district.

8 Consultation

8.1

All affected staff within the two Community and Leisure Service teams.	A range of feedback topics given, with few changes.
Unison Representatives from each Council.	Involved during the consultation
Transformation Joint Working Group	Endorsed business case for consideration by JCC with minor amendments.
Joint Commissioning Committee	Endorsed business case for staff consultation.

8.2 Consultation with the employees in scope of the proposed business case and their Unison representatives commenced on 4 April 2016 for a period of four weeks until 29 April 2016. This was extended by one week in line with the Council's Joint Organisational Change Policy to allow staff involved in school holiday activities to fully participate.

8.3 The consultation period included an initial meeting, which was recorded to allow any staff who were unavailable to subsequently see it.

8.4 The full consultation log along with the answers provided was considered by the JCEEC and the JCC prior to a decision being made on the staffing elements of the business case.

9 Financial and Resource Implications

9.1 The detailed financial implications are set out in section 11, 12 and 13 of the business case. However in summary, the proposal will deliver a £57,000 net saving per annum. The savings are achieved predominantly through streamlining management and supervisory posts from the existing structure and reducing business support.

9.2 The gross savings represents a 6% reduction on current salary costs.

9.3 Based on the cost allocation model the proposal results in a saving of £43,900 for CDC and £13,100 for SNC. The cost allocation model is detailed in section 13.2 of the business case. However, the application of the Council's pay protection policy over the first two years is likely to reduce this total during that period.

9.4 There could be redundancy or pay protection costs as a result of implementing the proposal. Implementation costs are outlined in section 12 of the business case and should be split equally between the two Councils, with the costs being funded through earmarked reserves.

Comments checked by:

Paul Sutton, Chief Finance Officer, 01295 221634;

paul.sutton@cherwellandsouthnorthants.gov.uk

10.0 Legal Implications

- 10.1 All two way shared services this proposal, if implemented, will be covered by the Section 113 agreement (as amended) entered into between the two Councils.
- 10.2 Decisions regarding human resources cannot be made by CDC Executive or SNC Cabinet. Human resource elements of the business case are considered by the JCC. The business case must be approved by CDC Executive and SNC Cabinet in respect of non-staffing matters and by the JCC in respect of staffing matters before the Councils can be deemed to have approved the business case.
- 10.3 A redundancy situation arises where the requirement of the employing council for work of a particular kind to be undertaken are expected to cease or diminish as a result of the proposed changes.

Comments checked by:

Kevin Lane, Head of Law & Governance, 01295 221661,
Kevin.Lane@cherwellandsouthnorthants.gov.uk

11.0 Risk Implications

- 11.1 Section 14 of the draft business case sets out the risk implications.

The risks associated with the HR elements of the business case relate to the usual range of employment risks which will be considered by the JCEEC and the JCC. The Councils have HR policies in place to ensure that the change is managed in line with best practice and the law which mitigates these risks as far as possible.

Comments checked by:

Claire Taylor, Business Transformation Manager, 01295 221563;
claire.taylor@cherwellandsouthnorthants.gov.uk

12.0 Equality Implications

- 12.1 An Equality Impact Assessment initial screening assessment has been carried out and it has been determined that the proposal does not have any adverse impact on equality groups and as a result a full impact assessment and associated action plan is not required.

Comments checked by:

Caroline French, Corporate Policy Officer, 01295 221586
caroline.french@cherwellandsouthnorthants.gov.uk

13.0 Decision Information

Key Decision

Financial Threshold Met: Yes

Community Impact Threshold Met: No

Wards Affected

All wards

Links to Corporate Plan and Policy Framework

Cherwell: A Thriving Community – Work to support health and wellbeing across the District: Provide high quality and accessible leisure opportunities: and Provide support to the voluntary and community sector.

Lead Councillors

Councillor George Reynolds, Deputy Leader
Councillor Tony Illott, Lead Member for Public Protection.

Document Information

Appendix No	Title
1	Joint Community and Leisure Service Business Case
2	Community and Leisure Business Case Consultation Log 4 April to 29 April 2016
Background Papers	
None	
Report Author	Ian Davies : Director of Operational Delivery
Contact Information	03000 030101 Ian.Davies@cherwellandsouthnorthants.gov.uk

By virtue of paragraph(s) 1, 2, 3, 4 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 1, 2, 3, 4 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 1, 2, 3, 4 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank