

Meeting of Council

Monday 18 December 2017

Members of Cherwell District Council,

A meeting of Council will be held at Bodicote House, Bodicote, Banbury, OX15 4AA on Monday 18 December 2017 at 6.30 pm, and you are hereby summoned to attend.



Yvonne Rees
Chief Executive
Friday 8 December 2017

AGENDA

1 Apologies for Absence

2 Declarations of Interest

Members are asked to declare any interest and the nature of that interest which they may have in any of the items under consideration at this meeting.

3 Communications

To receive communications from the Chairman and/or the Leader of the Council.

4 Petitions and Requests to Address the Meeting

The Chairman to report on any requests to submit petitions or to address the meeting.

5 Urgent Business

The Chairman to advise whether they have agreed to any item of urgent business being admitted to the agenda.

6 Minutes of Council (Pages 1 - 10)

To confirm as a correct record the Minutes of Council held on 16 October 2017.

7 Minutes

- a) Minutes of Executive, Lead Member Decisions and Executive Decisions not included in the 28 day notice

The Leader of the Council to formally propose that the minutes of the meetings of the Executive and Lead Member Decisions as set out in the Minute Book (circulated separately) be received and to report that since the last meeting of Council held on 16 October 2017 one decision has been taken which were not included in the 28 day notice relating to: Retail Unit A4, Block A Pioneer Square, Bicester.

- b) Minutes of Committees

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

8 Thames Valley Police - Address by Chief Constable

The Police and Crime Commissioner for Thames Valley, Anthony Stansfeld, the Chief Constable of Thames Valley Police, Francis Habgood, and the Cherwell Local Area Commander Superintendent, Emma Garside, will be invited to address Council.

Members have been asked to submit question in advance to which responses will be given. If time permits, there will be an opportunity for Members to ask any further questions.

9 Questions (Pages 11 - 12)

- a) Written Questions

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

At the time of agenda publication, one written question had been received, from Councillor Barry Richards to the Leader of the Council, Councillor Barry Wood.

b) Questions to the Leader of the Council

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

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

c) Questions to Committee Chairmen on the Minutes

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

10 Motions

To debate the following motion which has been submitted with advance notice, in accordance with the constitution.

Social Media

We as elected members of this council deplore the use of social media to denigrate members of the public and elected members at all levels of public life.

In the words of the Prime Minister:

“All of us should have due care and attention to the way we refer to other people and should show those within public life the respect they deserve.”

And in the words of the Leader of Her Majesty’s opposition:

“So I say to all activists, cut the personal abuse, cut the cyber bullying online.”

We therefore pledge that as elected members and representatives of our political parties we will:

- not ourselves misuse social media;
- seek out and stop any personal attacks by our own political parties, the elected members of our parties, paid up members and activists of our political parties; and
- show due respect to the people we represent and to our elected colleagues.

Proposer: Councillor Kieron Mallon

Council Business Reports

11 **Council Tax Reduction Scheme 2018-2019 and Council Tax Discounts 2018-2019** (Pages 13 - 28)

Report of Chief Finance Officer

Purpose of report

To provide members with an update on the consultation process that has taken place on the proposals for a Council Tax Reduction Scheme for 2018-2019 and to seek approval for a Council Tax Reduction Scheme for the year 2018-2019 on the recommendation of the Executive and Budget Planning Committee.

To provide members with an update of Council Tax discounts and seek approval for the Council Tax discounts for the year 2018-19.

Recommendations

The meeting is recommended:

- 1.1 To approve a Council Tax Reduction Scheme (CTRS) for the year 1 April 2018 to 31 March 2019 as set out in the report and implement the scheme with effect from 1 April 2018.
- 1.2 To grant delegated authority to the Section 151 Officer to make further amendments to the CTRS Regulations up to and including 31 January 2018 in consultation with the Lead Member for Financial Management.
- 1.3 To review the proposed level of Council Tax discounts for 2018-2019 and to approve the following:
 - Retain the discount for second homes at zero
 - Retain the discount for empty homes (unoccupied and substantially unfurnished) at 25% for 6 months and thereafter at zero.
 - Retain the discount for empty homes undergoing major repair at 25% for 12 months and thereafter at zero.
 - Retain the empty homes premium of an additional 50% for properties that have remained empty for more than 2 years.

12 Bespoke / Custom Build Mortgage Bridging Loan Fund (Pages 29 - 34)

Report of Chief Finance Officer

Purpose of report

To consider the creation of a capital budget for a pilot scheme of 10 bridging loans available to self-builders qualifying for mortgages under the Arlingclose Bespoke/Custom Build Mortgage scheme which will be considered by Executive in January 2018.

Recommendations

The meeting is recommended:

- 1.1 To approve the creation of a capital budget of up to £2,500,000 to be made available in the event that Executive agree the business case for the pilot scheme in January 2018.

- 1.2 To delegate authority to the Chief Finance Officer to approve the final amount of each individual loan within the pilot scheme and the form of the loan agreements to facilitate those loans.

13 Constitutional Amendments and Review of Constitutional and Governance Arrangements (Pages 35 - 40)

Report of Interim Assistant Director Transformational Governance / Monitoring Officer

Purpose of report

To amend the terms of reference of the Joint Commissioning Committee (JCC), to delegate authority to the Monitoring Officer to reassign to the officer scheme of delegation in light of the newly agreed senior management structure and to agree the proposed approach to review constitutional and governance arrangements.

Recommendations

The meeting is recommended to:

- 1.1 Agree to amend the terms of reference of the Joint Commissioning Committee to include the determination of terms and conditions and the determination of HR policies, the creation of new posts where there is an increase to the establishment and no budget and the restructuring of teams involving more than five posts for all staff employed by Cherwell District and South Northamptonshire Councils.
- 1.2 Delegate authority to the Monitoring Officer, in consultation with the Chief Executive, to reassign the officer scheme of delegation in accordance with the new senior management structure as agreed by JCC; to add the proposed delegations as set out at 3.11 and to amend the constitution accordingly.
- 1.3 Request officers to carry out a review of constitutional and governance arrangements for discussion and consideration by group leaders.

14 Community Governance Review - Graven Hill (Pages 41 - 46)

Report of Chief Executive

Purpose of report

To agree to carry out a Community Governance Review (CGR) as soon as practical to consult on the principle of including the development of Graven Hill within the boundaries of Bicester Town Council.

Recommendations

The meeting is recommended:

- 1.1 To agree to hold a Community Governance Review as soon as practical to consult on the principle of including the development site of Graven Hill within the boundary of Bicester Town Council.

15 Calendar of Meetings 2018/19 (Pages 47 - 56)

Report of Assistant Director – Transformational Governance

Purpose of report

Council is asked to consider the calendars of meetings for the municipal year 2018/19.

Recommendations

The meeting is recommended:

- 1.1 To approve the calendar of meetings for Cherwell District Council (CDC) for the municipal year 2018/19 (Appendix 1).
- 1.2 To approve the joint committees calendar of meetings for the municipal year 2018/19 (Appendix 2), subject to similar agreement by South Northamptonshire Council.

16 Local Government Ombudsman Annual Report 2016/17 (Pages 57 - 64)

Report of Assistant Director – Transformational Governance and Monitoring Officer

Purpose of report

To provide council with the Local Government Ombudsman's annual report on Cherwell District Council for the financial year 2016/17.

Recommendations

The meeting is recommended:

- 1.1 To note the report

17 Exclusion of the Press and Public

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

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

Members are reminded that whilst the following items have been marked as exempt, it is for the meeting to decide whether or not to consider them in private or in public. In making the decision, members should balance the interests of individuals or the Council itself in having access to the information. In considering their discretion members should also be mindful of the advice of Council Officers.

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

“That 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, 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.”

18 Questions on Exempt Minutes

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

19 Retail Unit A4, Block A Pioneer Square, Bicester (Pages 65 - 68)

Exempt report of Chief Finance Officer

20 Acquisition of Castle Quay

** Please note this report will follow as professional due diligence is being reviewed and finalised **

Exempt report of Chief Finance Officer

Councillors are requested to collect any post from their pigeon hole in the Members Room at the end of the meeting.

Information about this Agenda

Apologies for Absence

Apologies for absence should be notified to democracy@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.

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