

# Meeting of Council

**Monday 17 December 2018**

**Members of Cherwell District Council,**

**A meeting of Council will be held at Bodicote House, Bodicote, Banbury, OX15 4AA on Monday 17 December 2018 at 6.30 pm, and you are hereby summoned to attend.**



**Yvonne Rees  
Chief Executive**

**Friday 7 December 2018**

## **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 (Pages 1 - 2)**

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 3 - 14)

To confirm as a correct record the Minutes of Council held on 30 October 2018.

## 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 30 October 2018, one decision had been taken which was not included in the 28 day notice relating to: Property Acquisition in Banbury.

- 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 **Questions** (Pages 15 - 16)

- 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.

- 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).

## 9 **Motions**

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

## **Maternity and Paternity Leave for Parents to Premature Babies**

This Council supports extending paternity and maternity leave for any of its staff whose babies have been born too soon.

Parents to premature babies are faced with financial, mental and physical stress and hardship, yet their maternity leave begins the day after the birth.

We believe that the added pressure of worrying about the length of maternity or paternity leave is not good for the wellbeing of employees.

This council therefore seeks to adopt a policy of providing one extra week of leave to employees for every week a premature baby spends in hospital before the due date.

Proposer: Councillor Sean Woodcock

Seconder: Councillor Hannah Banfield

## **Council Business Reports**

### **10 Purchase of The Mill Arts Centre (Pages 17 - 24)**

Report of Interim Executive Director: Finance and Governance

#### **Purpose of report**

To establish a budget in order to complete the transfer of The Mill Arts Centre from Oxfordshire County Council to Cherwell District Council following the Executive's decision in July 2018 to negotiate the purchase of The Mill Arts centre building in Banbury. It was also agreed that there would be an increase in revenue support to the Mill Arts Centre Trust in the short term to enable The Trust to meet its commitment following the cessation of the financial relationship with Oxfordshire County Council.

Following on from the purchase, there will be a need to carry out a full investment options appraisal on the site to report back to members on the scale and scope of potential investment in the Towns cultural facilities to create a sustainable venue for the Town.

This will be subject to further reports once we are able to work with the Trust on those options. An internal officer working group will be established to take this work forward.

#### **Recommendations**

The meeting is recommended:

- 1.1 To approve the expenditure of £1 to secure the transfer of The Mill Arts Centre from Oxfordshire County Council to Cherwell District Council in line with the Executive decision of July 2018.
- 1.2 To agree to the establishment of a revenue budget of £50,000 to cover costs of transition funding and arrangements in 2018/19 to be funded from general reserves. Future funding will be considered when setting the budget and medium term financial plan in February 2019.

- 1.3 To note that immediate remedial works (expected early in 2019/20) in the region of £250,000 may be required, with further phases of works due later in 2019/20 or the 2020/21 to ensure that the building is fit for purpose and will be subject to detailed capital proposals as part of the budget setting process and medium term financial plan for 2019/20 to 2023/24
- 1.4 To note that an officer working group will be established to establish the options and Business case for any further investment into the site to ensure that the Trust is financially more sustainable in the medium to long term
- 1.5 To note that the offer to acquire the asset is subject to a restrictive covenant from Oxfordshire County Council to ensure that at least 80% of the site is used for cultural purposes otherwise state aid applies.
- 1.6 To delegate the final agreement for the legal agreement to transfer the asset to the Monitoring officer for Cherwell District Council in consultation with the Interim Executive Director of Finance and Governance.

**11 Gambling Act 2005 - Review of Statement of Licensing Principles (Pages 25 - 52)**

Report of Assistant Director Environmental Health and Licensing

**Purpose of report**

To consider a revised Statement of Licensing Principles as part of the Gambling Act 2005.

**Recommendations**

The meeting is recommended:

- 1.1 To approve and adopt the revised Cherwell District Council Statement of Licensing Principles.

**12 Council Tax Reduction Scheme 2019-2020 and Council Tax Discounts 2019-2020 (Pages 53 - 58)**

Report of Interim Executive Director: Finance and Governance

**Purpose of report**

To seek approval for a Council Tax Reduction Scheme for the year 2019-2020 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 2019-20.

**Recommendations**

The meeting is recommended:

- 1.1 To approve a Council Tax Reduction Scheme (CTRS) for the year 1 April 2019 to 31 March 2020 as set out in the report and implement the scheme with effect from 1 April 2019.
- 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 2019 in consultation with the Lead Member for Financial Management and Governance.
- 1.3 To review the proposed level of Council Tax discounts for 2019-2020 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.

### **13 Calendar of Meetings 2019/2020 (Pages 59 - 66)**

Report of Director: Law and Governance

#### **Purpose of report**

Council is asked to consider the calendars of meetings for the municipal year 2019/20.

#### **Recommendations**

The meeting is recommended:

- 1.1 To approve the calendar of meetings for Cherwell District Council (CDC) for the municipal year 2019/20 (Appendix 1).

### **14 Exclusion of the Press and Public**

The following item contains exempt information as defined in the following paragraph of Part 1, Schedule 12A of Local Government Act 1972.

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

Members are reminded that whilst the following item 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.

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.”

**15 Land in Banbury - Proposed Acquisition (Pages 67 - 94)**

\*\* Please note exempt appendices 4, 5 and 6 will follow \*\*

Exempt report of Interim Executive Director Finance and Governance

**16 Questions on Exempt Minutes**

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

**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](mailto: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