

# Meeting of Council

Monday 25 February 2019

Members of Cherwell District Council,

A meeting of Council will be held at Bodicote House, Bodicote, Banbury, OX15 4AA on Monday 25 February 2019 at 6.30 pm, and you are hereby summoned to attend.



Yvonne Rees  
Chief Executive

Friday 15 February 2019

## 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 - 6)

To confirm as a correct record the Minutes of Council held on 7 January 2019.

## 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 at which this was submitted on 17 December 2018, no decisions have been taken by the Executive which were not included in the 28 day notice.

- 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

- 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.

## **Private Sector Housing**

“This council notes government figures showing that 1/5 of nearly five million private sector tenants are not satisfied with their accommodation.

Following previous years of poor performance; this council renews its commitment to driving up standards in the local private rented sector.

As part of this, Cherwell District Council will:

1. Improve engagement with private sector tenants by establishing a private tenants forum or association.
2. Make it easier for private renters to raise concerns with dedicated, easy-to-find space on the council website.
3. Raise awareness of the council's role in private sector housing enforcement with a dedicated campaign in the local press and on social media.
4. Develop an accreditation and license scheme for private sector landlords to identify and reward good practice.”

Proposer: Councillor Barry Richards

Seconder: Councillor Sean Woodcock

## **Council Business Reports**

### **10 Members' Allowances 2019/2020 (Pages 7 - 26)**

Report of Director Law and Governance and Monitoring Officer

#### **Purpose of report**

To determine the levels of the allowances to be paid to Members for the forthcoming 2019/2020 financial year following the submission of the report of the Council's Independent Remuneration Panel (IRP).

#### **Recommendations**

The meeting is recommended to:

- 1.1 Consider the levels of allowances to be included in the 2019/2020 Members' Allowances Scheme, and whether the Panel's recommendations should be adopted or modified in any way
- 1.2 Authorise the Monitoring Officer to prepare an amended Members' Allowances Scheme, in accordance with the decisions of the Council for implementation with effect from 1 April 2019.
- 1.3 Authorise the Monitoring Officer to take all necessary action to revoke the current (2018/2019) Scheme and to publicise the revised Scheme pursuant to The Local Authorities (Members's Allowances)(England) Regulations 2003 (as amended).

- 1.4 Thank the Independent Remuneration Panel for its report and set a fee of £300 for Panel Members for the work carried out on this review for 2018/2019 and propose the same level of fee for any reviews carried out in 2019/2020 capped at a maximum of £1200.

**11 Robustness of Estimates and the Adequacy of Reserves and Balances Local Government Act 2003 (Section 25) (Pages 27 - 34)**

Report of Executive Director Finance and Governance (Interim) and Section S151 Officer

**Purpose of report**

Section 25 of The Local Government Act 2003, places a duty on the Chief Finance Officer to make a report to the authority on the robustness of estimates and adequacy of reserves. This report fulfils this requirement and provides Members with assurance that the budgets have been compiled appropriately and that the level of reserves is adequate. It is a statutory requirement that councillors must consider this report when considering and approving a budget.

Under Section 25 of the Local Government Act 2003, the Council's Chief Finance Officer is required to report to the Council on:

- The robustness of the estimates included within the budget
- The adequacy of the reserves and balances

Members must have regard to the contents of this report when considering the budget.

**Recommendations**

The meeting is recommended:

- 1.1. To note the contents of this report

**12 Business Plan 2019/20 and Medium Term Financial Strategy 2019/20 - 2023/24 (Pages 35 - 140)**

\*\* Please note that Appendix 10 to this report will follow as it is currently being reviewed and finalised \*\*

Report of Executive Director Finance and Governance (Interim) & Section 151 Officer

**Purpose of report**

The Business Plan and Summary Medium Term Financial Strategy are presented as an integrated report. This demonstrates the Council's strategic approach to aligning its resource to the delivery of Council's priorities.

This report details the Business Plan 2019/20 and the Council's Medium Term Financial Strategy (MTFS) for 2019/20 to 2023/24 prior to final approval by full Council in February 2019.

## **Recommendations**

The meeting is recommended:

- 1.1. To consider and approve the Business Plan set out in Appendix 1.
- 1.2. To note the Risk Register contained at Appendix 2.
- 1.3. To consider and approve an increase in the level of Council Tax for Cherwell District Council of £5 for 2019/20.
- 1.4. To consider and approve the Medium Term Financial Strategy (MTFS), Revenue Budget 2019/20 and Capital Programme including recommending the growth and savings proposals included at Appendix 9.
- 1.5. To consider and approve a minimum level of General Fund reserves of £2m.
- 1.6. To consider and approve that authority be delegated to the Chief Finance Officer in consultation with the Lead Member for Finance & Governance, and where appropriate the relevant Director and Lead Member to:
  - Transfer monies to/from earmarked reserves should that become necessary during the financial year.
  - Update prudential indicators in both the Prudential Indicators Report and Treasury Management Strategy Report to Council, for any budget changes that impact on these.
- 1.7. To consider that the Fees & Charges set out in Appendix 7 be approved.
- 1.8. To consider that the Treasury Management Strategy be approved, including the Prudential Indicators, Minimum Revenue Provision (MRP) Policy and Affordable Borrowing Limit for 2019/20.
- 1.9. To consider and approve that authority be delegated to the Chief Finance Officer to make any technical changes necessary to the papers for the Council meeting of 25 February 2019, including changes related to the finalisation of the national Finance Settlement and any associated changes to Parish Precepts and Council resulting from those changes.
- 1.10. To note the contents of the Section 25 report from the Chief Finance Officer in relation to the robustness of estimates and adequacy of reserves.
- 1.11. To consider and approve the appended statement of pay policy for 2019/20 as required by the Localism Act and detailed in Appendix 10.
- 1.12. To note the equality impact assessment for 2019/20 detailed in Appendix 11.

## **13 Adjournment of Council Meeting**

The Council to adjourn, if necessary to allow the Executive to meet to consider any proposals which do not accord with the Executive's recommendations.

**14 Calculating the amounts of Council Tax for 2019/20 and setting the Council Tax for 2019/20 (Pages 141 - 152)**

Report of the Executive Director of Finance and Governance (Interim) & Section 151 Officer

**Purpose of report**

To detail the Calculations for the amounts of Council Tax for 2019/20 and the setting of Council Tax for 2019/20.

**Recommendations**

It is recommended that the Council resolves:-

- 1.1 That it be noted that at the Executive meeting held on 7 January 2019 the Council calculated the Council Tax Base 2019/20:
  - a) for the whole Council area as 53,876.9 [item T in the formula in Section 31B of the Local Government Finance Act 1992, as amended (the "Act")]; and
  - b) For dwellings in those parts of its area to which a Parish Precept relates as in the attached Appendix 1.
- 1.2 That the Council Tax requirement for the Council's own purposes for 2019/20 (excluding Parish Precepts and Special Expenses) is £6,923,182.
- 1.3 That the following amounts be calculated for the year 2019/20 in accordance with Sections 31 to 36 of the Act:-
  - a) £117,224,652 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act, taking into account all precepts issued to it by Parish Councils and any additional special expenses.
  - b) £105,174,128 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (3) of the Act.
  - c) £12,050,524 being the amount by which the aggregate at 3(a) above exceeds the aggregate at 3(b) above, calculated by the Council, in accordance with Section 31A(4) of the Act, as its Council Tax requirement for the year (Item R in the formula in Section 31B of the Act).
  - d) £223.67 being the amount at 3(c) above (Item R), all divided by Item T (6(a) above), calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year (including Parish Precepts and Special Expenses);
  - e) £5,127,342 being the aggregate amount of all special items (Parish Precepts and Special Expenses) referred to in Section 34(1) of the Act as per the attached Schedule 2.

- f) £128.50 being the amount at 3(d) above less the result given by dividing the amount at 3(e) above by Item T(1(a) above), calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no Parish Precept or special item relates;

- 1.4 It be noted that for the year 2019/20 the Oxfordshire County Council and the Police and Crime Commissioner for Thames Valley have issued precepts to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each category of dwellings in the Council's area as indicated below :-

<b><u>Valuation Band</u></b>	<b>Oxfordshire County Council</b>	<b>Police and Crime Commissioner for Thames Valley</b>
	£	£
<b>A</b>	979.22	137.52
<b>B</b>	1,142.42	160.44
<b>C</b>	1,305.63	183.36
<b>D</b>	1,468.83	206.28
<b>E</b>	1,795.24	252.12
<b>F</b>	2,121.64	297.96
<b>G</b>	2,448.05	343.80
<b>H</b>	2,937.66	412.56

- 1.5 The Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the amounts shown in Appendix 2 as the amounts of Council Tax for the year 2019/20 for each part of its area and for each of the categories of dwellings.

- 1.6 The Council's basic amount of Council Tax for 2019/20 is not excessive in accordance with principles approved under Section 52ZB Local Government Finance Act 1992.

- 1.7 To approve the discounts and exemption set out below:

- 1 Agree that in respect of properties within Class A and B as defined by the Council Tax (Prescribed Classes of Dwellings) (England) (Amendment) Regulations 2012 (furnished chargeable dwelling that are not the sole or a main residence of an individual) the discount provided by Section 11a of the Local Government Finance Act 1992 shall be zero.
- 2 Agree that in respect of properties within Class C as defined by the Council Tax (Prescribed Classes of Dwellings) (England) (Amendment) Regulations 2012 (a property that is unoccupied and substantially unfurnished) the discount provided by the Section 11A of the said Act shall be 25% for a period of 6 months and thereafter zero.
- 3 Agree that in respect of properties within Class D as defined by the said Regulations (chargeable dwellings that are vacant and undergoing major repair work to render them habitable) the discount provided by Section 11A of the said Act shall be 25%

- 4 Agree no council tax discount shall be applied to dwellings that are unoccupied and unfurnished for more than two years and that council tax payable on such properties is 200% (except for those properties which fall into prescribed Classes E and F).

**15 Business Rates Retail Relief Policy (Pages 153 - 162)**

Report of Executive Director Finance and Governance (Interim) & Section 151 Officer

**Purpose of report**

To provide members with an update on the retail relief scheme announced in the Budget and to seek approval for the Business Rates Retail Relief Policy for 2019-2020.

**Recommendations**

The meeting is recommended:

- 1.1 To note the contents of this report.
- 1.2 To approve the proposed Business Rates Retail Relief Policy (Appendix 1).

**16 Local Discretionary Business Rate Relief Scheme 2019-20 (Pages 163 - 170)**

Report of Executive Director Finance and Governance (Interim) & Section 151 Officer

**Purpose of report**

For members to consider the proposed Local Discretionary Relief Policy and to seek approval for the Discretionary Business Rate Relief Scheme for 2019-2020.

**Recommendations**

The meeting is recommended:

- 1.1 To note the contents of the report.
- 1.2 To approve the adoption of the local Discretionary Business Rate Relief Scheme for 2019-20 (Appendix 1).

**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](mailto:natasha.clark@cherwellandsouthnorthants.gov.uk), 01295 221589