

Meeting of Council

Tuesday 14 May 2019

Members of Cherwell District Council,

A meeting of Council will be held at Bodicote House, Bodicote, Banbury, OX15 4AA on Tuesday 14 May 2019 at 6.30 pm, and you are hereby summoned to attend.



Yvonne Rees
Chief Executive

Friday 3 May 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 Urgent Business

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

5 Minutes of Council (Pages 3 - 16)

To confirm as a correct record the Minutes of Council held on 25 February 2019.

6 Election of Chairman for the Municipal Year 2019/2020

7 Investiture of Chairman

8 Vote of Thanks to Immediate Past Chairman

9 Past Chairman's Response

10 Election of Vice-Chairman for the Municipal Year 2019/2020

11 Investiture of Vice-Chairman

Council Business Reports

12 Annual Business Report (Pages 17 - 24)

Report of Chief Executive

Purpose of report

To note the results of the 2 May 2019 district elections, note the constitution of Political Groups, note the appointment of the Deputy Leader and Executive for the Municipal Year 2019/20, and consider and agree the disbanding of the joint committees with South Northamptonshire Council and the suggested constitution of Committees for the Municipal year 2019/2020 and appoint representatives to the Oxfordshire County Council Health Overview and Scrutiny Committee, the Police and Crime Commissioner Scrutiny Panel, the Oxfordshire Growth Board and the Growth Board Scrutiny Panel.

Recommendations

*The recommendations are also included in the relevant section of the report *

The meeting is recommended:

- 1.1 To note the results of the District elections held on 2 May 2019.
- 1.2 To note the constitution of Political Groups and notification of Group Leaders.
- 1.3 To note the appointment of Deputy Leader of the Council, the membership of the Executive and the Executive Portfolios for 2019/20.

- 1.4 To disband the existing joint committees with South Northamptonshire Council: Joint Commissioning Committee; Joint Appeals Committee; Joint Scrutiny Committee and request the Director Law and Governance to amend the Constitution accordingly.
- 1.5 To agree the allocation of seats on committees that are subject to the political balance requirements as set out in Table 1 (addendum to report to follow).
- 1.6 To agree the allocation of seats on committees not subject to political balance requirements as set out in Table 2 (addendum to report to follow).
- 1.7 To appoint members (and where appropriate, substitute members) to serve on each of the committees and other bodies set out in Tables 1 and 2 in accordance with the nominations to be made by political groups (Appendix 2 - to follow).
- 1.8 To appoint a representative to the Oxfordshire County Council Health Overview and Scrutiny Committee.
- 1.9 To appoint a representative to the Police and Crime Commissioner Scrutiny Panel.
- 1.10 To appoint a representative and substitute to the Oxfordshire Growth Board.
- 1.11 To appoint three representatives to the Oxfordshire Growth Board Scrutiny Panel.

13 **'Making' (Adoption) of the Mid-Cherwell Neighbourhood Plan** (Pages 25 - 32)

** Due to the size of the documents, Appendix 1 will be published as a supplement to the main agenda and can be accessed online. Hard copies will not be circulated to Members but available to view at the Council offices **

Report of Interim Executive Director - Place & Growth

Purpose of report

To seek the 'making' of the Mid-Cherwell Neighbourhood Plan following the successful referendum and the recommendation of the Executive at its meeting on 1 April 2019.

Recommendations

The meeting is recommended:

- 1.1 To note the referendum result of 21 March 2019 where 90.2% of those who voted were in favour of the Mid-Cherwell Neighbourhood Plan which is above the required 50%.
- 1.2 To formally 'make' the Mid-Cherwell Neighbourhood Plan presented at Appendix 1 to this report so that it continues to have effect as part of the statutory Development Plan for the District.

- 1.3 To authorise the Interim Executive Director - Place and Growth in consultation with the Lead Member for Planning to issue and publicise a Decision Statement.

14 **Overview and Scrutiny Annual Report 2018/19** (Pages 33 - 44)

Report of Director – Law and Governance

Purpose of report

This report presents the Overview and Scrutiny Annual Report for 2018/19.

Recommendations

The meeting is recommended:

- 1.1 To note the contents of the Overview and Scrutiny Annual Report 2018/19.

FIRST MEETINGS OF COMMITTEES

Meetings of various Committees will be held immediately on the rising of the Council Meeting, in order to elect their Chairman and Vice-Chairman for 2019/20, and to conduct any other business as may be specified.

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

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CHAIRMAN'S ENGAGEMENTS

26 February 2019 – 13 May 2019

Date	Event
8 March	The Chairman and his Consort attended the Mayor of Witney's Charity Dinner which was held at Witney Lakes Resort. The event was held in aid of the Mayor's Charity Fund which, in a break from tradition, was set up to help as many local groups and charities as possible during the Mayor's year in office. The Mayor's hope is that the groups/charities will be able to carry out a number of smaller scale projects within the Witney area.
9 March	The Chairman and his Consort attended the Lord Mayor of Oxford's Charity Dinner which was held at St. Edmund Hall in Oxford and was raising funds for Oxford Samaritans and Oxford Nightline.
22 March	The Chairman and Consort attended the Mayor of Thame's Charity Dinner at the Hilton Oxford Belfry Hotel. The event was held to raise funds for the Mayor's chosen charities – Sharing Life Trust and Thame Youth Projects.
23 March	The Chairman and Consort attended the Mayor of Didcot's Civic Charity Masquerade Ball. The theme was 18 th Century Masquerade and most people dressed accordingly. The dinner was held to raise funds for the Mayor's charities – Didcot Volunteer Centre and SSAFA the Armed Forces charity.
29 March	The Vice Chairman and his wife attended a Spring Reception at RAF Croughton at the invitation of Col. William Kale III, Commander 501 st Combat Support Wing. The event was held so that Civic Leaders could meet with USAF senior leadership and learn about activities and the mission on base.
29 March	The Chairman held another of his fund-raising Bingo and Supper nights at St. John's Hall in Kidlington. The event was another success raising funds for the Chairman's chosen charities.
6 April	The Chairman and his Consort attended the South Oxfordshire District Council Chairman's Charity Dinner which was held at Phyllis Court Club in Henley on Thames. The dinner was held to raise funds for the Chairman's charities – The Smallwood Trust and Citizens' Advice in Henley.
11 April	The Chairman cut the ribbon to mark the re-opening of the Kidlington Mid-Counties Co-op branch. The Kidlington and West Oxfordshire Co-op Stores are in charity partnership with Daybreak a charity supported last year by the Chairman.
13 April	The Chairman hosted his own Charity Dinner which this year was again held at Exeter Hall in Kidlington. The event was enjoyed by the 176 guests who attended and the proceeds from the various raffles/auction will go towards the Chairman's chosen charities for this year. The Chairman will report further on this at the Annual Meeting of Council.

- 27 April The Chairman and his Consort attended the Mayor of Carterton's St. George's Day Dinner at Carterton Community Centre. The event was held to raise funds for Carterton Day Centre and Carterton Educational Trust.
- 7 May The Chairman and his Consort attended the Inauguration of the new Mayor at Banbury Town Council.
- 9 May The Chairman attended the Cherwell Staff Long-Service Awards which were held in the Council chamber. The event was attended by staff who had completed 20, 25 and 30 years of service.
- 10 May The Vice Chairman and his wife attended the Cherwell Business Awards which were held at Heythrop Park.
- 10 May The Chairman held another of his Bingo and Supper nights at St. John's Hall in Kidlington. Again, the event was very well supported and all proceeds will be added to the total to be donated to the Chairman's chosen charities.
- 13 May The Vice Chairman and his wife attended the Bicester Mayor Making event organised by Bicester Town Council.

Correct at time of publication, 3 May 2019

Cherwell District Council

Council

Minutes of a meeting of the Council held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 25 February 2019 at 6.30 pm

Present: Councillor Maurice Billington (Chairman)

Councillor Hannah Banfield
Councillor Andrew Beere
Councillor Claire Bell
Councillor John Broad
Councillor Phil Chapman
Councillor Mark Cherry
Councillor Colin Clarke
Councillor Surinder Dhesi
Councillor John Donaldson
Councillor Sean Gaul
Councillor Carmen Griffiths
Councillor Timothy Hallchurch MBE
Councillor Chris Heath
Councillor Shaida Hussain
Councillor Tony Ilott
Councillor Mike Kerford-Byrnes
Councillor Alan MacKenzie-Wintle
Councillor James Macnamara
Councillor Nicholas Mawer
Councillor Andrew McHugh
Councillor Cassi Perry
Councillor D M Pickford
Councillor Lynn Pratt
Councillor G A Reynolds
Councillor Barry Richards
Councillor Dan Sames
Councillor Les Sibley
Councillor Jason Slaymaker
Councillor Tom Wallis
Councillor Douglas Webb
Councillor Bryn Williams
Councillor Barry Wood
Councillor Sean Woodcock

Apologies
for
absence: Councillor David Hughes
Councillor David Anderson
Councillor Hugo Brown
Councillor Ian Corkin
Councillor Richard Mould
Councillor Alaric Rose
Councillor Lucinda Wing

Officers: Yvonne Rees, Chief Executive
Claire Taylor, Director: Customers and Service Development
Nick Graham, Director of Law and Governance / Monitoring Officer
Hedd Vaughan Evans, Assistant Director Performance and Transformation
Kelly Watson, Deputy Section 151 Officer
Natasha Clark, Governance and Elections Manager

86 **Declarations of Interest**

9. Motions.

Councillor Carmen Griffiths, Declaration, as a private landlord and would leave the meeting for the duration of the item.

Councillor G A Reynolds, Declaration, as a private landlord and would leave the meeting for the duration of the item.

Councillor Douglas Webb, Declaration, as a private landlord and would leave the meeting for the duration of the item.

87 **Communications**

The Chairman made the following announcements:

Chairman's Engagements

The Chairman advised Members that a copy of the events attended by himself or the Vice-Chairman had been published with the agenda and referred to his Chairman's Dinner that was taking place on 13 April 2019. Further details were available from the Chairman's PA, Liz Matthews.

Healthy Places Video

At the request of the Chairman, the Chief Executive advised Council of the Local Government Association (LGA) and District Councils Network (DCN) report on healthy place shaping, which was a case study document exploring the role of districts in health and features 10 examples from across the country. At the DCN National Conference, an animation that had been produced by the council's Communications and PR Officer to support the report had been launched. The report and animation demonstrated the critical role District councils play in the prevention agenda.

Having watched the animation, Members commended officers for their excellent work in highlighting this important area and the role of district councils.

Member Seminar

The Chairman advised Members that the scheduled member seminar at 6.30pm on Tuesday 12 March would focus on Brexit. More details would be circulated in due course.

Related Party Transactions

The Chairman referred to the Related Party Transaction forms on Members' desks. All Members were required to complete the form, even if the response was "None".

Post

The Chairman reminded Members to collect any post from pigeon holes.

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

There were no petitions or requests to address the meeting.

89 **Urgent Business**

There were no items of urgent business.

90 **Minutes of Council**

The minutes of the meeting held on 7 January 2019 were agreed as a correct record and signed by the Chairman.

91 **Minutes**

a) **Minutes of the Executive, Lead Member Decisions and Executive Decisions made under Special Urgency**

Resolved

That the minutes of the meeting of the Executive and Lead Member decisions as set out in the Minute Book be received and that it be noted that since the last meeting of Council on 7 January 2019, no decisions had been taken by the Executive which were not included in the 28 day notice.

b) **Minutes of Committees**

Resolved

That the minutes of Committees as set out in the Minute Book be received.

92 **Questions**

a) **Written Questions**

There were no written questions.

b) **Questions to the Leader of the Council**

Questions were asked and answers received on the following issues:

Councillor Sibley: Letterbox heights
Councillor Sibley: Number of swifts in the district and swift bricks in buildings
Councillor Cherry: Defibrillators
Councillor Mawer: Brexit
Councillor Richards: Ambulance service training
Councillor Dhesi: Bins in Castle Quay shopping centre
Councillor Dhesi: Calls to Cherwell District Council Customer Services
Councillor Dhesi: Pedestrianised area in Castle Quay 2

c) Questions to Committee Chairmen on the Minutes

There were no questions to Committee Chairman on the minutes of meetings.

93

Motions

It was moved by Councillor Richards and seconded by Councillor Woodcock, that the following motion be adopted:

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.”

Councillor Wood proposed the following amendments to the motion (deletions crossed and additions in italics), which was duly seconded by Councillor Donaldson:

“This Council notes government figures showing that 1/5 of nearly five million private sector tenants are not satisfied with their accommodation. *To stay ahead of this trend, this council reconfirms its commitment to high standards in the local private rental market.*

~~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."~~

The Council notes that significant improvements to the website are nearing completion which will make it easier for tenants to understand what we can do and how to contact us.

The Council believes that an improved website, periodic communications and press releases (especially after successful prosecutions) are likely to be the best ways to increase awareness.

The Council instructs the Executive to periodically review the need for any further selective licensing and/or accreditation schemes, and to consider setting up a private resident's forum."

On being put to the vote, the amendment was approved. The motion as amended was debated and on being put to the vote, was supported.

Resolved

- (1) That the following motion, as amended, be adopted:

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. To stay ahead of this trend, this council reconfirms its commitment to high standards in the local private rental market.

The Council notes that significant improvements to the website are nearing completion which will make it easier for tenants to understand what we can do and how to contact us.

The Council believes that an improved website, periodic communications and press releases (especially after successful prosecutions) are likely to be the best ways to increase awareness.

The Council instructs the Executive to periodically review the need for any further selective licensing and/or accreditation schemes, and to consider setting up a private resident's forum."

Members' Allowances 2019/2020

The Director Law and Governance and Monitoring Officer submitted a 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).

In presenting the report, Councillor Wood, Leader of the Council, thanked the Panel for their hard work in producing the report and acknowledged the recommendations and the Panel's reasoning.

Councillor Woodcock requested that a recorded vote be taken, which was seconded by Councillor Banfield.

Having been proposed and seconded, a recorded vote was duly taken and members voted as follows:

Councillor Banfield	Against
Councillor Beere	Against
Councillor Bell	Against
Councillor Billington	For
Councillor Broad	For
Councillor Chapman	For
Councillor Cherry	Against
Councillor Clarke	For
Councillor Dhesi	Against
Councillor Donaldson	For
Councillor Gaul	For
Councillor Griffiths	For
Councillor Hallchurch MBE	For
Councillor Heath	For
Councillor Hussain	Against
Councillor Ilott	For
Councillor Kerford-Byrnes	For
Councillor Mackenzie-Wintle	For
Councillor Macnamara	For
Councillor Mawer	Abstain
Councillor McHugh	For
Councillor Perry	Against
Councillor Pickford	Abstain
Councillor Pratt	For
Councillor Prestidge	For
Councillor Reynolds	For
Councillor Richards	Against
Councillor Sames	For
Councillor Sibley	For
Councillor Slaymaker	For
Councillor Wallis	For
Councillor Webb	For
Councillor Williams	For
Councillor Wood	For
Councillor Woodcock	Against

Resolved

- (1) That, having given due consideration to the levels of allowances to be included in the 2019/2020 Members' Allowances Scheme, the Panel's

recommendations (annex to the Minutes as set out in the Minute Book) be adopted without modification.

- (2) That the Monitoring Officer be authorised to prepare an amended Members' Allowances Scheme, in accordance with the decisions of the Council for implementation with effect from 1 April 2019.
- (3) That the Monitoring Officer be authorised 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).
- (4) That the Independent Remuneration Panel be thanked for its report and fee of £300 for Panel Members be set for the work carried out on this review for 2018/2019 and the same level of fee (£300) for any reviews carried out in 2019/2020 capped at a maximum of £1200 be agreed.

95 **Robustness of Estimates and the Adequacy of Reserves and Balances Local Government Act 2003 (Section 25)**

The Executive Director Finance and Governance (Interim) and Section S151 Officer submitted a report to accord with Section 25 of The Local Government Act 2003, which 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 fulfilled this requirement and provided Members with assurance that the budgets have been compiled appropriately and that the level of reserves is adequate. It was a statutory requirement that councillors must consider this report when considering and approving a budget.

Resolved

- (1) That the report be noted.

96 **Business Plan 2019/20 and Medium Term Financial Strategy 2019/20 - 2023/24**

Prior to consideration of the item, the Chairman sought the agreement of Members to suspend standing orders with regard to the duration of the speech by the proposer of the budget, or the speeches of the group spokesperson and group Leaders. Members indicated agreement.

The Director: Law and Governance reminded Council that it was required in legislation that any motion or amendment to the budget or council tax setting reports be taken by recorded vote and this would be done at the appropriate time.

The Executive Director Finance and Governance (Interim) & Section 151 Officer submitted a report to consider the Business Plan 2019/20 and Medium Term Financial Strategy 2019/20 - 2023/24. The Business Plan and Summary Medium Term Financial Strategy were presented as an integrated report,

which demonstrated the Council's strategic approach to aligning its resources to the delivery of Council's priorities.

In introducing the report, the Lead Member for Financial Management and Governance explained that the Council was required to produce a balanced budget for 2019/20 as the basis for calculating its level of Council Tax. It had to base that budget on its plans for service delivery during the year, recognising any changes in service demand that may arise in future years.

The proposed Business Plan and Medium Term Financial Strategy were presented as an integrated report, incorporating updated Performance and Risk management frameworks, to ensure effective delivery. This clearly demonstrated that the Council adopted a strategic approach in aligning its allocation of all of its resources, to the delivery of the Council's priorities.

Councillor Ilott thanked the Chief Finance Officer and the finance team who had worked hard on the budget process and submitted a balanced budget to Council. Councillor Ilott also thanked the Budget Planning Committee, Overview and Scrutiny Committee and Accounts, Audit and Risk Committee for their hard work supporting the budget setting and business plan process.

Having presented the report, Councillor Ilott proposed the Business Plan 2019/20 and Medium Term Financial Strategy 2019/20 - 2023/24. Councillor Wood seconded the proposal.

Councillor Woodcock, on behalf of the Labour Group, addressed Council in response to the budget and confirmed that he would be proposing no amendments.

Councillor Sibley, on behalf of the Independent Group, addressed Council in response to the budget and confirmed that he would be proposing no amendments.

A recorded vote was taken and members voted as follows:

Councillor Banfield	Against
Councillor Beere	Against
Councillor Bell	Against
Councillor Billington	For
Councillor Broad	Abstain
Councillor Chapman	For
Councillor Cherry	Against
Councillor Clarke	For
Councillor Dhesi	Against
Councillor Donaldson	For
Councillor Gaul	For
Councillor Griffiths	For
Councillor Hallchurch MBE	For
Councillor Heath	For
Councillor Hussain	Against
Councillor Ilott	For
Councillor Kerford-Byrnes	For
Councillor Mackenzie-Wintle	For

Councillor Macnamara	For
Councillor Mawer	For
Councillor McHugh	For
Councillor Perry	Against
Councillor Pickford	For
Councillor Pratt	For
Councillor Prestidge	For
Councillor Reynolds	For
Councillor Richards	Against
Councillor Sames	For
Councillor Sibley	For
Councillor Slaymaker	For
Councillor Wallis	For
Councillor Webb	For
Councillor Williams	For
Councillor Wood	For
Councillor Woodcock	Against

Resolved

- (1) That, having given due consideration, the Business Plan (annex to the Minutes as set out in the Minute Book) be approved.
- (2) That the Risk Register (annex to the Minutes as set out in the Minute Book) be noted.
- (3) That, having given due consideration, an increase in the level of Council Tax for Cherwell District Council of £5 for 2019/20 be approved.
- (4) That, having given due consideration, the Medium Term Financial Strategy (MTFS), Revenue Budget 2019/20 and Capital Programme including recommending the growth and savings proposals (annexes to the Minutes as set out in the Minute Book) be approved.
- (5) That, having given due consideration, a minimum level of General Fund reserves of £2m.
- (6) That, having given due consideration, authority be delegated to the Chief Finance Officer in consultation with the Lead Member for Financial Management & 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.
- (7) That, having given due consideration, the Fees & Charges (annex to the Minutes as set out in the Minute Book) be approved.
- (8) That, having given due consideration, the Treasury Management Strategy, including the Prudential Indicators, Minimum Revenue

Provision (MRP) Policy and Affordable Borrowing Limit for 2019/20 (annexes to the Minutes as set out in the Minute Book) be approved.

- (9) That, having given due consideration, 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.
- (10) That the contents of the Section 25 report from the Chief Finance Officer in relation to the robustness of estimates and adequacy of reserves be noted.
- (11) That, having given due consideration, the statement of pay policy for 2019/20 as required by the Localism Act (annex to the Minutes as set out in the Minute Book) be approved.
- (12) That the equality impact assessment for 2019/20 (annex to the Minutes as set out in the Minute Book) be noted.

97 **Adjournment of Council Meeting**

The Leader of the Council confirmed that he did not require Council to adjourn to allow Executive to meet discuss any issues arising from the budget.

98 **Calculating the amounts of Council Tax for 2019/20 and setting the Council Tax for 2019/20**

The Executive Director of Finance and Governance (Interim) & Section 151 Officer submitted a report to detail the Calculations for the amounts of Council Tax for 2019/20 and the setting of Council Tax for 2019/20.

Councillor Ilott introduced and proposed the Council Tax for 2019/20, which was duly seconded by Councillor Wood.

A recorded vote was taken and members voted as follows:

Councillor Banfield	For
Councillor Beere	For
Councillor Bell	For
Councillor Billington	For
Councillor Broad	For
Councillor Chapman	For
Councillor Cherry	For
Councillor Clarke	For
Councillor Dhesi	For
Councillor Donaldson	For
Councillor Gaul	For
Councillor Griffiths	For
Councillor Hallchurch MBE	For

Councillor Heath	For
Councillor Hussain	For
Councillor Ilott	For
Councillor Kerford-Byrnes	For
Councillor Macnamara	For
Councillor Mawer	For
Councillor McHugh	For
Councillor Perry	For
Councillor Pratt	For
Councillor Prestidge	For
Councillor Reynolds	For
Councillor Richards	For
Councillor Sames	For
Councillor Sibley	For
Councillor Slaymaker	For
Councillor Wallis	For
Councillor Webb	For
Councillor Williams	For
Councillor Wood	For
Councillor Woodcock	For

Resolved

- (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 annex to the Minutes (as set out in the Minute Book).
- (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.
- (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 (annex to the Minutes as set out in the Minute Book).
 - 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.
- (4) That 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 :-

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

- (5) That the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the amounts shown in the annex to the Minutes (as set out in the Minute Book) 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.
- (6) That 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.
- (7) That the following discounts and exemption be approved:

- 1 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 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 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 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).

99

Business Rates Retail Relief Policy

The Executive Director Finance and Governance (Interim) & Section 151 Officer submitted a 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.

Resolved

- (1) That the contents of the report be noted.
- (2) That the Business Rates Retail Relief Policy (annex to the Minutes as set out in the Minute Book) be approved.

100

Local Discretionary Business Rate Relief Scheme 2019-20

The Executive Director Finance and Governance (Interim) & Section 151 Officer submitted a 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.

Resolved

- (1) That the report be noted.

- (2) That the adoption of the Local Discretionary Business Rate Relief Scheme for 2019-20 (annex to the Minutes as set out in the Minute Book) be approved.

The meeting ended at 8.55 pm

Chairman:

Date:

Cherwell District Council

Council

14 May 2019

Annual Council Business Report

Report of Chief Executive

This report is public

Purpose of report

To note the results of the 2 May 2019 district elections, note the constitution of Political Groups, note the appointment of the Deputy Leader and Executive for the Municipal Year 2019/20, and consider and agree the disbanding of the joint committees with South Northamptonshire Council and the suggested constitution of Committees for the Municipal year 2019/2020 and appoint representatives to the Oxfordshire County Council Health Overview and Scrutiny Committee, the Police and Crime Commissioner Scrutiny Panel, the Oxfordshire Growth Board and the Growth Board Scrutiny Panel.

1.0 Recommendations

** The recommendations are also included in the relevant section of the report **

The meeting is recommended:

- 1.1 To note the results of the District elections held on 2 May 2019.
- 1.2 To note the constitution of Political Groups and notification of Group Leaders.
- 1.3 To note the appointment of Deputy Leader of the Council, the membership of the Executive and the Executive Portfolios for 2019/20.
- 1.4 To disband the existing joint committees with South Northamptonshire Council: Joint Commissioning Committee; Joint Appeals Committee; Joint Scrutiny Committee and request the Director Law and Governance to amend the Constitution accordingly.
- 1.5 To agree the allocation of seats on committees that are subject to the political balance requirements as set out in Table 1 (addendum to report to follow).
- 1.6 To agree the allocation of seats on committees not subject to political balance requirements as set out in Table 2 (addendum to report to follow).

- 1.7 To appoint members (and where appropriate, substitute members) to serve on each of the committees and other bodies set out in Tables 1 and 2 in accordance with the nominations to be made by political groups (Appendix 2 - to follow).
- 1.8 To appoint a representative to the Oxfordshire County Council Health Overview and Scrutiny Committee.
- 1.9 To appoint a representative to the Police and Crime Commissioner Scrutiny Panel.
- 1.10 To appoint a representative and substitute to the Oxfordshire Growth Board.
- 1.11 To appoint three representatives to the Oxfordshire Growth Board Scrutiny Panel.

2.0 Introduction

- 2.1 The Council's Constitution requires that at the annual meeting, Council shall:
 - Note the results of the District Elections, if held, and the constitution of Political Groups and Group Leaders and elect the Leader of the Council if required
 - Conduct any business concerning the establishment of and appointments to the Executive, including the appointment of Deputy Leader and the allocation of functions to Lead Members
 - Conduct any business concerning the establishment of, and appointment to:
 - The Overview and Scrutiny Committee
 - The Standards Committee
 - Such other Committees as the Council consider appropriate

3.0 Report Details

District Election Results

- 3.1 The following were elected for the Wards shown at the district elections held on 2 May 2019. All Councillors elected in the scheduled elections will serve a 4 year term, with the exception of one seat.
- 3.2 Following the resignation of former Councillor Alaric Rose, a vacancy in the Kidlington West ward was contested alongside the scheduled elections. The term of office for this seat is three years and the differing terms for this ward are indicated below.

Ward	Elected
Adderbury, Bloxham and Bodicote	Councillor Mike Bishop - Conservative
Banbury Calthorpe and Easington	Councillor Colin Clarke - Conservative
Banbury Cross and Neithrop	Councillor Hannah Banfield - Labour

Banbury Grimsbury and Hightown	Councillor Perran Moon - Labour
Banbury Hardwick	Councillor Nathan Bignell - Conservative
Banbury Ruscote	Councillor Sean Woodcock - Labour
Bicester East	Councillor Richard Mould - Conservative
Bicester North and Caversfield	Councillor Jason Slaymaker - Conservative
Bicester South and Ambrosden	Councillor Nick Cotter - Independent
Bicester West	Councillor Fraser Webster - Independent
Cropredy, Sibfords and Wroxton	Councillor Doug Webb - Conservative
Deddington	Councillor Hugo Brown - Conservative
Fringford and Heyfords	Councillor Ian Corkin - Conservative
Kidlington East	Councillor Ian Middleton - Green
Kidlington West	Councillor Katharine Tyson – Liberal Democrat (elected for a 4 year term) Councillor Conrad Copeland – Liberal Democrat (elected for a 3 year term)
Launton and Otmoor	Councillor Tim Hallchurch - Conservative

Recommendation

1.1 To note the results of the District Elections held on 2 May 2019.

Constitution of Political Groups

3.3 The Chief Executive will report on the notifications of the constitution of Political Groups received prior to the meeting and the appointments of Group Leaders.

3.4 Group Leaders have been appointed as follows:

Conservative Group: Councillor Barry Wood

Labour Group: Councillor Sean Woodcock

Independent Group: Councillor Les Sibley

Liberal Democrat Group: To be advised

Recommendation

1.2 To note the constitution of Political Groups and notification of Group Leaders.

Deputy Leader of the Council and Executive 2019/20

- 3.5 The Leader of the Council, Councillor Barry Wood, will advise Council of his appointment of Deputy Leader and the Executive Portfolios for the Municipal Year 2019/20.

Recommendation

- 1.3 To note the appointment of Deputy Leader of the Council, the membership of the Executive and the Executive Portfolios for 2019/20.

Committee Appointments 2019/20

- 3.6 The current constitution of the Council (48 Members) is:

32 Conservative (67%)
9 Labour (19%)
4 Independent (8%)
2 Liberal Democrat (4%)
1 Green (2%)

- 3.7 As a consequence of Local Government Reorganisation in Northamptonshire, Cherwell District Council (CDC) and South Northamptonshire Council (SNC) have decided to end their joint working partnership. A programme of service separation is being undertaken, with proposals considered and endorsed by the Joint Arrangements Steering Group (JASG) with any formal decisions required being taken by the respective Personnel Committees at each council. There is therefore no longer any business for the Joint Commissioning Committee, Joint Appeals Committee and Joint Scrutiny Committee and it is proposed that these committees be disbanded and consequently removed from the Constitution and proportionality calculations. The informal JASG will continue and is not subject to the formal committee proportionality requirements.
- 3.8 At the July 2018 Council meeting, members agreed to develop joint working arrangements with Oxfordshire County Council (CDC and OCC). Two formal joint non-executive committees (Joint Personnel and Shared Services Committee and Joint Appeals Committee) and an informal partnership working group have been established between the two councils. The committees will be included in the proportionality calculations.
- 3.9 The proportionality calculations will be published as an addendum to this report.
- 3.10 Appendix 1 (to follow) sets out members (and where appropriate, substitute members) to serve on each of the committees and other bodies set out in Tables 1 and 2 (addendum to report to follow) in accordance with the nominations to be made by political groups.

Recommendations

- 1.5 To disband the existing joint committees with South Northamptonshire Council: Joint Commissioning Committee; Joint Appeals Committee; Joint Scrutiny Committee and request the Director Law and Governance to amend the Constitution accordingly.

- 1.6 To agree the allocation of seats on committees that are subject to the political balance requirements as set out in Table 1 (addendum to report to follow).
- 1.7 To agree the allocation of seats on committees not subject to political balance requirements as set out in Table 2 (addendum to report to follow).
- 1.8 To agree that the Constitution be amended to remove the requirement for named substitutes for Licensing Committee and the Assistant Director Law and Governance be requested to amend the Constitution accordingly.
- 1.9 To appoint members (and where appropriate, substitute members) to serve on each of the committees and other bodies set out in Tables 1 and 2 (addendum to report to follow) in accordance with the nominations to be made by political groups (Appendix 2 - to follow).

Appointment of Representatives

- 3.11 Council is asked to appoint a representative to the Oxfordshire County Council Health Overview and Scrutiny Committee. The representative cannot be a member of the Executive. The 2018/19 appointed representative was Councillor Sean Gaul.
- 3.12 Council is asked to appoint a representative to the Police and Crime Commissioner Scrutiny Panel. The 2018/19 representative on the Police and Crime Commissioner Scrutiny Panel was Councillor Tony Ilott.
- 3.13 Council is asked to appoint a representative and substitute to the Oxfordshire Growth Board for the municipal year 2019/20.
- 3.14 Council is asked to appoint members to the Oxfordshire Growth Board Scrutiny Panel. The Scrutiny Panel comprises 18 councillors, three appointed annually by each constituent Council of the Growth Board. Executive members of the constituent councils shall not be members of the Scrutiny Panel. As the Scrutiny Panel is an informal committee it is not taken into account as part of the political balance calculations.
- 3.15 In 2019/20, the representatives were Councillor Neil Prestidge, Councillor Sean Gaul and Councillor Sean Woodcock with substitutes permitted from the relevant political party.
- 3.16 The Oxfordshire Growth Board (OGB) has established three sub-groups: OGB JSSP Sub-Group; OGB Infrastructure Sub-Group; and the OGB Housing Sub-Group. The terms of reference of the Growth Board (para 8.1) indicate that the elected representatives on the sub-groups will be appointed by the leaders of the respective Growth Board member Councils.

Recommendations

- 1.8 To appoint a representative to the Oxfordshire County Council Health Overview and Scrutiny Committee.
- 1.9 To appoint a representative to the Police and Crime Commissioner Scrutiny Panel.

1.10 To appoint a representative and substitute to the Oxfordshire Growth Board.

1.11 To appoint three representatives to the Growth Board Scrutiny Panel.

4.0 Conclusion and Reasons for Recommendations

4.1 The Council is required to note the results of the District Council elections, appoint a Leader (if required), agree the allocation of seats on committees that are subject to the political balance requirements and also on committees not subject to political balance requirements and to agree the appointments to each of the Committees in accordance with the nominations made by political groups.

5.0 Consultation

Group Leaders

Nominations and information from group leaders has been included in the report and appendices

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 amend the appointments to Committees.

7.0 Implications

Financial and Resource Implications

7.1 There are no financial implications arising directly from the report.

Comments checked by:

Adele Taylor, Executive Director Finance, 0300 003 0103, adele.taylor@cherwell-dc.gov.uk

Legal Implications

7.2 It is a legal requirement for Council to agree proportionality after an election and appoint committees. It is for the Council Leader to appoint the Deputy Leader and the other Executive members, and to allocate Lead Member responsibilities.

Comments checked by:

Nick Graham, Director Law and Governance & Monitoring Officer, nick.graham@cherwell-dc.gov.uk

Risk Implications

7.3 In ensuring the legal requirements are met risk to the authority is mitigated.

Comments checked by:
Nick Graham, Director Law and Governance & Monitoring Officer,
nick.graham@cherwell-dc.gov.uk

8.0 Decision Information

Wards Affected

All

Links to Corporate Plan and Policy Framework

All

Lead Councillor

None

Document Information

Appendix No	Title
One	Committee Membership – to follow
Background Papers	
None	
Report Author	Natasha Clark, Governance and Elections Manager
Contact Information	01295 221589 natasha.clark@cherwellandsouthnorthants.gov.uk

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Cherwell District Council

Council

14 May 2019

<p>'Making' (Adoption) of the Mid-Cherwell Neighbourhood Plan</p>
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Report of Interim Executive Director - Place & Growth

This report is public

Purpose of report

To seek the 'making' of the Mid-Cherwell Neighbourhood Plan following the successful referendum and the recommendation of the Executive at its meeting on 1 April 2019.

1.0 Recommendations

The meeting is recommended:

- 1.1 To note the referendum result of 21 March 2019 where 90.2% of those who voted were in favour of the Mid-Cherwell Neighbourhood Plan which is above the required 50%.
- 1.2 To formally 'make' the Mid-Cherwell Neighbourhood Plan presented at Appendix 1 to this report so that it continues to have effect as part of the statutory Development Plan for the District.
- 1.3 To authorise the Interim Executive Director - Place and Growth in consultation with the Lead Member for Planning to issue and publicise a Decision Statement.

2.0 Introduction

- 2.1 The Council's Executive resolved at a meeting on 7 April 2015, to designate a Neighbourhood Plan area for the production of a 'Mid Cherwell' Neighbourhood Plan.
- 2.2 The designated Neighbourhood Area comprises the following parishes:

- Ardley with Fewcott Parish
- Kirtlington Parish
- Duns Tew Parish
- Lower Heyford Parish
- Middleton Stoney Parish
- Somerton Parish

- Steeple Aston Parish
- Middle Aston Parish
- North Aston Parish
- Fritwell Parish
- Upper Heyford Parish

- 2.3 A Mid-Cherwell Neighbourhood Forum was formed to facilitate plan preparation comprising the Parish Councils and including the Dorchester Group (developers of former RAF Upper Heyford) and Heyford Park Residents Association as associate Members. The Forum engaged with the local community in preparing its Plan and formal consultations took place during 2017 and 2018.
- 2.4 In October 2018 Council officers submitted the draft Mid-Cherwell Neighbourhood Plan for independent examination supported by associated documents and representations received. The Examiner recommended that the Neighbourhood Plan should, subject to recommended modifications, proceed to referendum.
- 2.5 On 1 February 2019 the Lead Member for Planning considered the Examiner's report and the recommended modifications and resolved that the Neighbourhood Plan proceed to referendum.
- 2.6 The referendum took place at locations in the Mid-Cherwell Area on 21 March 2019 in accordance with Neighbourhood Planning Referendum Regulations. More than 50% of those who voted were in favour of the Plan.
- 2.7 The Mid-Cherwell Neighbourhood Plan now operates as part of the statutory Development Plan for Cherwell District and the Council is asked to formally 'make' the Plan so that it continues to operate as part of the Development Plan. The Plan proposed to be made is found at Appendix 1 to this report.
- 2.8 On 1 April 2019, a report was considered by the Executive which included the referendum result and a copy of the Neighbourhood Plan. The Executive resolved:
1. To note the referendum result of 21 March 2019 where 90.2% of those who voted were in favour of the Mid-Cherwell Neighbourhood Plan which is above the required 50%.
 2. To recommend to Council that it 'makes' the Mid-Cherwell Neighbourhood Plan so that it continues to have effect as part of the statutory Development Plan for the District.
 3. To recommend to Council that it approves the issuing and publication of a decision statement.

3.0 Report Details

Referendum

- 3.1 The Neighbourhood Plan and other required information was made available for public viewing on the Council's website, at locations in each Parish in the Mid-

Cherwell Area and at the Council's Offices at Bodicote House before and during the referendum. The documents made available were:

- a Notice of Referendum;
- an Information Statement which provides general information about neighbourhood planning, the referendum and a map of the referendum area;
- the draft Mid-Cherwell Neighbourhood Plan, Basic Conditions Statement and Consultation Statement (referendum version);
- the report of the independent Examiner into the Neighbourhood Plan;
- summaries of the written representations submitted to the independent examiner;
- a Referendum General Statement;
- a Decision Statement confirming the Lead Member's determination that the Plan should proceed to referendum.

3.2 Those eligible to vote were sent the requisite information to enable participation in the referendum.

3.3 The question posed for the referendum (as specified by the regulations) was:

'Do you want Cherwell District Council to use the Neighbourhood Plan for Mid-Cherwell to help it decide planning applications in the neighbourhood area?'

3.4 More than 50% of those who voted, voted 'Yes' in response to this question. The declaration of poll results is attached at Appendix 2 to this report. 1231 people voted in favour of the Neighbourhood Plan with 128 against, providing a majority vote of 90.2%. The result of the referendum has been publicised on the Council's website.

'Making' the Neighbourhood Plan

3.5 As a result of legislative changes made in 2017, a neighbourhood plan comes into force as part of the statutory Development Plan once it has received majority support at a referendum. The Mid-Cherwell Neighbourhood Plan now has this status.

3.6 However, the Council is still required to formally 'make' the Neighbourhood Plan for it to continue to have effect and must do so within a prescribed eight week period from the day after the referendum, which is by 17 May 2019.

3.7 Section 38A of the Planning and Compulsory Purchase Act 2004 (as amended) requires the Council to 'make' the Neighbourhood Development Plan if more than half of those voting in the applicable referendum have voted in favour of the Plan.

3.8 The Council is not subject to this duty if the making of the plan would breach, or would otherwise be incompatible with, any EU or human rights obligations. There is no known breach or incompatibility. Officers consider that the Mid-Cherwell Neighbourhood Plan can be formally 'made'. If the Council decided not to formally 'make' the Plan, it would cease to have effect as part of the Development Plan.

- 3.9 As soon as possible following the decision to make a Neighbourhood Plan, the Council must publish a Decision Statement stating that the Plan has been made and the reasons. A copy of the Decision Statement must be sent to the qualifying body (in this case Ardley with Fewcott Parish Council) and anyone who asked to be notified of the decision. The District Council must also publish where and when the Decision Statement can be inspected.
- 3.10 The Council is also required to publish the Mid-Cherwell Neighbourhood Plan on its website and notify any person who has asked to be notified of the making of the Plan that it has been made and where and when it may be inspected.

4.0 Conclusion and Reasons for Recommendations

- 4.1 A referendum was held on the Mid-Cherwell Neighbourhood Plan on 21 March 2019. Of those eligible to vote, 1231 voted in favour of the Plan with 128 against. The vote of 90.2 % in favour, meets the requisite majority and the Plan is now part of the statutory Development Plan. The Council is still required to formally 'make' the Plan and there is no known breach or incompatibility with EU or human rights obligations which prevents this. The Council is therefore requested to 'make' the Mid Cherwell Neighbourhood Plan which would be within the prescribed eight week period.

5.0 Consultation

Cllr Colin Clarke - Leader Member for Planning

6.0 Alternative Options and Reasons for Rejection

- 6.1 There is no known breach or incompatibility with, any EU or human rights obligations. The Council has no options or alternatives to making the Plan.

7.0 Implications

Financial and Resource Implications

- 7.1 The cost of 'making' the Neighbourhood Plan is being met within existing budgets prior to reclaiming costs. LPAs can claim £20,000 once they have set a date for a referendum following a successful examination where a neighbourhood plan has not previously been made for that area.

Comments checked by:

Kelly Wheeler, Principal Accountant (Wellbeing and Environment), 01327 322230, kelly.wheeler@cherwellandsouthnorthants.gov.uk

Legal Implications

- 7.2 The Mid-Cherwell Neighbourhood Plan has been prepared in accordance with the Town and Country Planning Act 1990 (as amended), the Planning and Compulsory Purchase Act 2004 (as amended) and the Neighbourhood Planning (General)

Regulations 2012 (as amended). The referendum on the Plan garnered more than 50% of the vote. The Council is now under a duty to make the Plan within the above-mentioned timeframe and would be in breach if it failed to do so.

Comments checked by:

Matthew Barrett, Planning Solicitor, 01295 753798

matthew.barrett@cherwellandsouthnorthants.gov.uk

8.0 Decision Information

Wards Affected

Fringfords and Heyfords

Deddington

Launton and Otmoor

Link to Corporate Priorities

This report directly links to all three themes from the Joint Corporate Strategy 2018-19:

- District of Opportunity & Growth
- Protected, Green & Clean
- Thriving Communities & Wellbeing

Lead Councillor

Councillor Clarke – Lead Member for Planning

Document Information

Appendix No	Title
Appendix 1	Mid-Cherwell Neighbourhood Plan for 'making'
Appendix 2	Declaration of results of poll
Background Papers	
None	
Reference Documents	
Mid-Cherwell Neighbourhood Plan - https://www.cherwell.gov.uk/info/221/neighbourhood-plans/400/mid-cherwell-neighbourhood-plan	
Report Author	Chris Thom, Principal Planning Policy Officer
Contact Information	Chris Thom – 01295 221849 chris.thom@cherwell.gov.uk

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DECLARATION OF RESULT OF POLL

Neighbourhood Planning Referendum

Mid Cherwell Neighbourhood Plan
on Thursday 21 March 2019

I, **Natasha Clark**, being the Deputy Counting Officer at the above Referendum, do hereby give notice that the results of the votes cast is as follows:

Question	Votes Recorded	Percentage
Do you want Cherwell District Council to use the Neighbourhood Plan for Mid Cherwell to help it decide planning applications in the neighbourhood area?		
Number cast in favour of a Yes	1231	90.2%
Number cast in favour of a No	128	9.4%

* If elected the word 'Elected' appears against the number of votes.

The number of ballot papers rejected was as follows:	Number of ballot papers
A want of an official mark	0
B voting for more answers than required	2
C writing or mark by which voter could be identified	0
D being unmarked or wholly void for uncertainty	4
E rejected in part	0
Total	6

Electorate: 5514

Ballot Papers Issued: 1365

Turnout: 24.8%

And I do hereby declare that more than half of those voting ~~HAVE~~ ~~HAVE NOT~~ voted in favour of the Neighbourhood Plan.



Dated Thursday 21 March 2019

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Natasha Clark
Deputy Counting Officer

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Cherwell District Council

Council

14 May 2019

Overview and Scrutiny Annual Report 2018/19

Report of Director – Law and Governance

This report is public

Purpose of report

This report presents the Overview and Scrutiny Annual Report for 2018/19.

1.0 Recommendations

The meeting is recommended:

- 1.1 To note the contents of the Overview and Scrutiny Annual Report 2018/19.

2.0 Introduction

- 2.1 The Overview and Scrutiny Annual Report 2018/19 is attached at Appendix 1.
- 2.2 The Annual Report contains information relating to the work of the Overview and Scrutiny Committee during 2018/19.

3.0 Report Details

- 3.1 The Overview and Scrutiny Committee has a constitutional obligation “to produce a unified annual report for the whole scrutiny process” and present it to Council.
- 3.2 The Annual Report 2018/19 was approved by the Overview and Scrutiny Committee on 26 March 2019.

4.0 Conclusion and Reasons for Recommendations

- 4.1 Council is invited to note the content of the Overview and Scrutiny Annual Report 2018/19.

5.0 Consultation

Consultee Name:

Overview and Scrutiny Committee

Consultee Response:

Approved

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 accept the report. This is rejected, as the report meets the Constitutional requirement.

7.0 Implications

Financial and Resource Implications

- 7.1 There are no financial implications arising directly from this report.

Comments checked by: Adele Taylor, Executive Director – Finance,
adele.taylor@cherwell-dc.gov.uk

Legal Implications

- 7.2 The Overview and Scrutiny Committee has a constitutional obligation “to produce a unified annual report for the whole scrutiny process” and present it to Council.

Comments checked by: Chris Mace, Solicitor, 01327 322125,
christopher.mace@cherwellandsouthnorthants.gov.uk

8.0 Decision Information

Wards Affected

All

Links to Corporate Plan and Policy Framework

Detailed in the Annual Report

Lead Councillor

None

Document Information

Appendix No	Title
Appendix 1	Overview and Scrutiny Annual Report 2017/18
Background Papers	
None	
Report Author	Emma Faulkner/Lesley Farrell – Democratic and Elections Officers
Contact Information	Tel: 01327 322043/01295 221591 Email: emma.faulkner@cherwellandsouthnorthants.gov.uk Lesley.farrell@cherwellandsouthnorthants.gov.uk



Overview and Scrutiny Annual Report 2018/19

March 2019

Foreword

This annual report for overview and scrutiny at Cherwell District Council outlines the work of the Overview and Scrutiny Committee in 2018/19.

Councillor Neil Prestidge
Chairman, Overview and Scrutiny Committee
2018/19

Overview & Scrutiny Committee

Membership

Councillor Neil Prestidge (Ch)
Councillor Mike Bishop
Councillor Mark Cherry
Councillor Tony Mepham
Councillor Sandra Rhodes
Councillor Bryn Williams

Councillor Sean Gaul (V-Ch)
Councillor Phil Chapman
Councillor Chris Heath
Councillor Cassie Perry
Councillor Les Sibley
Councillor Lucinda Wing

Substitutes

Councillor David Hughes
Councillor Nicholas Mawer

Guests in attendance

Lead members:

Councillor Andrew McHugh – Lead Member Health and Wellbeing
Councillor Debbie Pickford – Lead Member for Clean and Green

External guests:

Gary Brewer, Gypsy and Traveller Service Manager – Oxfordshire County Council
Chief Inspector Emma Garside
Victoria Fletcher – Oxfordshire County Highways

Officers:

Graeme Kane, Executive Director: Environment
Jane Carr, Executive Director: Wellbeing
Ed Potter, Assistant Director: Environmental Services
Trevor Dixon, Environmental Protection Manager
James Doble, Assistant Director: Law and Governance / Monitoring Officer
Adele Taylor, Interim Executive Director: Finance and Governance & Section 151 Officer
Hedd Vaughan Evans, Assistant Director Performance and Transformation
Robert Fuzesi, Assistant Director: Property, Investment and Contract Management
Chris Hipkiss, Property and Investment Consultant
Louise Tustian, Team Leader Insight Team
Paul Almond, Street Scene and Landscape Manager
Rosie Row, Healthy New Towns Officer
Nicola Riley, Assistant Director: Communities
Colin Wilderspin, Interim Community Safety Manager
Maria Wareham, Safeguarding
Richard Webb, Assistant Director: Regulatory Services and Community Safety
Gillian Douglas – Assistant Director, Housing
Tim Mills – Private Sector Housing Manager

Carol MacKay – Oxford shire Emergency Planning Officer
 Claire Taylor – Director – Customers and Service Development
 Geoff Kent – Assistant Director, Customer and Corporate Services
 Natasha Barnes – Contact Centre Services Manager
 Yvonne Markie – Strategic Housing Facilitator
 Natasha Clark – Governance and Elections Manager
 Emma Faulkner – Democratic and Elections Officer
 Lesley Farrell – Democratic and Elections Officer

Scrutiny Topics 2018/19 – Links to Corporate Priorities	
What is Scrutiny?	Covers all priorities
Performance Monitoring	Covers all priorities
Draft Business Plan and Budget	Covers all priorities
Castle Quay Shopping Centre	Covers all priorities
Changing Models of Primary Care	Thriving Communities & Wellbeing
Show and Tell – Street Scene, including Markets – Environment Directorate	Protected Green & Clean
Show and Tell – Community Safety	Protected Green & Clean
Safeguarding and to endorse Safeguarding section 11 return	Protected Green & Clean
Unauthorised Encampments	Covers all priorities
Housing Strategy	Thriving Communities & Wellbeing
Show and Tell – Customer Services	Covers all priorities
Show and Tell – Landscape maintenance Contract – Environment Directorate	Protected Green & Clean
Emergency Planning	Thriving Communities & Wellbeing
Car Parking Review Group	Covers all priorities

What is Scrutiny?

In July 2018 Overview and Scrutiny was re-launched with the Assistant Director Law and Governance giving a presentation on what good Scrutiny looks like. Members were asked to consider Topics for scrutiny, and suggestions were added to a list that was submitted to each meeting. The annexe to this report gives a brief description of the subjects raised by Members, and how each one was addressed.

The Committee could scrutinise issues that were not part of the Council’s responsibility, as long as members were mindful of the need to make meaningful recommendation.

James Doble, the Assistant Director; Law and Governance emphasised that potential review subjects didn’t have to be raised at a formal meeting, and reiterated the ‘iceberg’ analogy regarding two thirds of the work of the Committee being carried out outside the formal meeting structure with the remaining third in committee meetings.

“Show and Tell” items had been scheduled on the work programme. It was explained to Members that it was important for members to understand the work of each

directorate and team within it, and to have an overview of what each department was looking at to help them select possible review subjects.

Performance Monitoring

In August 2018 The Assistant Director; Performance and Transformation and the Strategic Intelligence and Insight Team Leader gave a presentation on how performance management was used throughout the council.

Each quarter the Overview and Scrutiny Committee reviewed the Council's performance as measured through the Performance Management Framework.

The Council had maintained generally excellent performance as in previous years.

Draft Budget and Business Plan

In January 2019 Adele Taylor, Interim Executive Director: Finance and Governance & Section 151 Officer and Hedd Vaughan Evans, Assistant Director Performance and Transformation attended the Committee to present the draft business plan and budget for 2019.

The Directors explained that 2019/20 was the last year of a four year financial settlement from Central Government. Figures for subsequent years were therefore an estimate. A more detailed report went to Budget Planning Committee on 29 January 2019.

Castle Quay Shopping Centre – Castle Quay II

In November 2018 Chris Hipkiss, the Interim Property Investment Manager, Regeneration and Estates gave an exempt presentation to the Committee on the progress made with Castle Quay Shopping Centre and Castle Quay II.

Changing Models of Primary Care

The Committee considered a briefing paper by Rosie Rowe, Healthy New Towns Officer which informed the Committee of the Changing Models of Primary Care and its implication for Cherwell District Council.

The Oxfordshire Clinical Commissioning Group (OCCG) approach to planning for future health and care services involved working collaboratively with local government and health and care providers to focus on how to meet the specific needs of their local population.

The Healthy New Towns Officer explained that OCCG were keen to engage with Cherwell District Council on future planning of primary care in the district and that there would be opportunity to make sure any concerns were taken into consideration.

Show and Tell – Street Scene, including Markets – Environment Directorate

The presentation covered; Overall Strategy; Street Cleansing Team; Vehicle Fleet; Scope of work; Performance and Enforcement.

Victoria Fletcher of Oxfordshire County Council Highways gave an update on the Air Quality Action Plan. The AQMA was reviewed every year, with actions being

updated as required. The location of the diffusion tubes which collected the data was also kept under review.

Show and Tell - Community Safety

Colin Wilderspin, the Interim Community Safety Manager gave a presentation giving details of the current work and challenges of community safety in Cherwell District.

Chief Inspector Garside gave a verbal update on the perspective of the police force and their work with regards to community safety in the district.

Safeguarding – Training Framework and Draft Section 11 Audit Return

Jane Carr the Executive Director for Wellbeing attended the meeting of the Committee in November 2018 and gave details of the draft Cherwell District Council Section 11 return ahead of its submission to the Oxfordshire Safeguarding Children Board (OSCB) and Oxfordshire Safeguarding Adults Board (OSAB)

The Committee endorsed the return alongside a summary of outcomes of a practitioner survey carried out on front line staff and a summary of safeguarding training.

Unauthorised Encampments

In January 2019, Gary Brewer, Gypsy and Traveller Service Manager, Oxfordshire County Council gave a presentation on Unauthorised Encampments within Cherwell District.

The process of dealing with unauthorised encampments was explained to the Committee.

The Committee raised concerns at the lack of official sites available to travellers in the Cherwell District. The Committee anticipates a briefing note from the Executive Director; Place and Growth (Interim) relating to the current position on Authorised Encampment sites in the Local Plan part 2.

Housing Strategy

In February 2019 Gillian Douglas, the Assistant Director – Social Care Commissioning and Housing attended Committee to present the draft Housing Strategy for the period 2019 to 2024.

The Assistant Director – Social Care Commissioning and Housing explained that a period of public consultation had been held, and the Strategy had been updated following feedback received.

With regard to a recent change in legislation concerning Houses of Multiple Occupation (HMOs), the Committee asked about the impact of changes on the Council in terms of workload. The Assistant Director – Social Care Commissioning and Housing explained that no impact was anticipated, as the change related to the number of storeys in the house rather than the number of occupants.

Following a request from the Committee the Assistant Director – Social Care Commissioning and Housing agreed to provide an update on progress of the action

plan. The Committee noted that the action plan started on 4 March 2019 and agreed an update in 12 months' time should be added to their work programme.

The Committee supported the draft strategy, which went on to be approved by the Executive at its meeting on 4 March 2019.

Show and Tell – Customer Services

Geoff Kent, Assistant Director, Customer and Corporate Services, attended the Committee in March 2019 to give an overview of the Customer Services team and the way they work.

The Assistant Director, Customer and Corporate Services explained that the team would be undertaken a 'Customer Services Marathon', which was a programme of improvements that would be completed over 26 weeks. The programme would cover four key areas: Customer Service Excellence; Maximise Capacity; Staffing; and Using IT.

The Committee found the presentation very informative.

Show and Tell – Landscape and Arboricultural Service – Environment Directorate

In March 2019, Graeme Kane, Executive Director: Environment and Paul Almond, Street Scene and Landscape Manager, gave an overview of the Landscape and Arboricultural Service, including the landscape maintenance contract.

The presentation covered the make-up of the Landscape Team; the landscape contract; partners in the contract; services covered; performance of the contract; and how the landscape service contributed to the Council's overall priorities.

In response to questions from the Committee, the Street Scene and Landscape Manager confirmed that any complaints made in relation to landscape maintenance were discussed with the contractor, and regular meetings were held

Emergency Planning

Following a request to officers in October 2018 Graeme Kane attended Committee in March 2019 to give an overview of the Emergency Planning process in place at the Council.

The Executive Director: Environment explained that Cherwell District Council (CDC) had entered into a partnership arrangement with Oxfordshire County Council (OCC). This meant that. Over the coming months, the full time Emergency Planning team at OCC would assist CDC with training and development of relevant officers in relation to Emergency Planning.

Task and Finish Working Groups

Just one task and finish group took place during 2018/19 Municipal Year. The topic was Car Parking in the Cherwell District and Civil Parking Enforcement.

Car Parking Review Group

Following the request for possible topics for scrutiny Cost versus benefit of delivering free parking in town centres and decriminalisation of parking were two suggestions received.

The Car Parking Review Group was formed, and the terms of reference agreed that the group would hear from officers about the council's current car parking provision and arrangements, as well as any future proposals with a view to producing a new Car Parking Strategy.

The group has met four times and a draft strategy is due for consideration by the Committee in May.

TOPIC	ACTION/STATUS/OUTCOME
<p><u>Unlawful Gypsy and Traveller encampments</u></p> <p>Suggested by Cllr Wing</p>	<p>Environmental Health Officers, supported by representatives from Oxfordshire County Council, gave a presentation on the powers to respond to unlawful encampments at the Committee's January 2019 meeting.</p> <p>The Committee requested information arising from this briefing on Unauthorised Encampments about the current position relating to Authorised Encampment sites in the Local Plan part 2. This item has been carried over to the 2019/20 Work Programme due to an ongoing Planning appeal.</p>
<p><u>County Lines (Violence, Exploitation and Drug Supply)</u></p> <p>Suggested by Cllr Prestidge</p>	<p>There is an awareness of specific problem in Banbury and a growing problem in Bicester. The Chief Constable gave a presentation to Full Council on 15 October with an opportunity to ask questions.</p> <p>Chief Inspector Emma Garside, The Executive Director; Wellbeing, The Assistant Director; Communities and the Interim Community Safety Manager attended the Overview and Scrutiny meeting on 15 November 2018. A presentation was given to the Committee on Community Safety which included information on County Lines.</p>
<p><u>Tree Management</u></p> <p>Suggested by Cllr Prestidge</p>	<p>Councillors were having difficulty finding out who was responsible for specific trees in their ward. Democratic & Elections Officers discussed with Arboricultural Officers who have all relevant information on trees. Enquiries can be directed to a common email: ssls.arboricultural@cherwelldc.gov.uk or telephone: 01295 221804 (CDC Trees).</p>
<p><u>Car Parking and Civil Parking Enforcement</u></p> <p>Car Parking suggested by Cllr Gaul Civil parking enforcement suggested by Cllr Prestidge</p>	<p>A working group was set up to consider the development of a Car Parking Strategy for the district and to discuss the feasibility of Civil Parking Enforcement for Cherwell District. A draft strategy will be going to the May meeting of the Overview and Scrutiny Committee for consideration.</p>
<p><u>East West Rail Link – London Road Level Crossing.</u></p> <p>Suggested by Cllr Wing</p>	<p>This item formed part of the work of the Bicester Strategic Delivery Board. Minutes of the meetings were published on the Cherwell District Council website</p>
<p><u>Strategy for walking and cycling between key destinations in Bicester.</u></p> <p>Suggested by Cllr Wing</p>	<p>The Bicester Delivery Team provided information on mapped cycle and waling routes within Bicester and key destinations in Bicester. The Bicester Delivery Team are able to provide information on work carried out to improve walking and cycling in Bicester.</p>

TOPIC	ACTION/STATUS/OUTCOME
<p><u>Consideration of emissions plan for HS2 in relation to the Air Quality Management plan.</u></p> <p>Suggested by Cllr Bishop</p>	<p>As this item was of a wider interest to all councillors, it was agreed that, if feasible, an all member briefing with HS2 be organised which would address the issues raised.</p>
<p><u>Canalside Strategy</u></p> <p>Suggested by Cllr Perry</p>	<p>A member briefing took place on the Banbury Canal-side regeneration project on 17 September 2018.</p> <p>A report 'Banbury Strategic Investment Vision' was submitted to the 1 October 2018 Executive. The report set out how CDC would use its own resources to enable the overall vision for Banbury and Banbury Canal-side to be realised. 1 October Executive</p>
<p><u>Kidlington and Bicester Town Centres</u></p> <p>Suggested by Cllrs Wing and Prestidge</p>	<p>The Overview and Scrutiny Committee was advised that Economic Growth was embarking upon the preparation of District Industrial Strategies and there would be an opportunity for all stakeholders to be part of identifying the issues/opportunities. It is anticipated urban centres will feature prominently.</p> <p>Members were also referred to the performance monitoring report: JBP3.1.3 Deliver the masterplans for the key economic centres, where an update is given on masterplan progress</p>
<p><u>Emergency Planning</u></p> <p>Suggested by Cllr Cherry</p>	<p>This topic was presented to the Committee at their March 2019 meeting. The committee received an overview of Emergency Planning and Business Continuity arrangements.</p>
<p><u>Youth Provision</u></p> <p>Suggested by Cllr Prestidge</p>	<p>This topic arose following the Show and Tell on Community Safety to the November 2018 meeting of the Committee and added as a potential topic for 2019/20</p>

Committee: First Meetings of Committees
Date: Tuesday 14 May 2019
Time: 6.35pm or on the rising of Council which ever is later
Venue: Bodicote House, Bodicote, Banbury, Oxon OX15 4AA

AGENDA

Meetings of various Committees will be held immediately on the rising of the Council Meeting, in order to elect their Chairman and Vice-Chairman for 2019/20, and to conduct any other business as may be specified.

Members are asked to remain in their places at the conclusion of the Council Meeting and to stand for the period during which Committees of which they are a member are called into session.

The Chairman of the Council will preside over the election of the Chairman of each Committee who, once appointed, will preside over the election of the Vice-Chairman. In each case, the names of Members moved and seconded will be put to the vote, unless only one name is submitted, in which case that Member will be declared appointed unopposed.

1. Accounts, Audit and Risk Committee

- a) The Chairman of the Council will call for nominations for the office of Chairman.
- b) The Chairman of the Committee will then call for nominations for the office of Vice-Chairman.

2. Appeals Panel

- a) The Chairman of the Council will call for nominations for the office of Chairman.
- b) The Chairman of the Committee will then call for nominations for the office of Vice-Chairman.

3. Budget Planning Committee

- a) The Chairman of the Council will call for nominations for the office of Chairman.
- b) The Chairman of the Committee will then call for nominations for the office of Vice-Chairman.

4. Licensing Committee

- b) The Chairman of the Council will call for nominations for the office of Chairman.
- b) The Chairman of the Committee will then call for nominations for the office of Vice-Chairman.

5. Overview and Scrutiny Committee

- a) The Chairman of the Council will call for nominations for the office of Chairman.
- b) The Chairman of the Committee will then call for nominations for the office of Vice-Chairman.

6. Personnel Committee

- a) The Chairman of the Council will call for nominations for the office of Chairman.
- b) The Chairman of the Committee will then call for nominations for the office of Vice-Chairman.

7. Planning Committee

- a) The Chairman of the Council will call for nominations for the office of Chairman.
- b) The Chairman of the Committee will then call for nominations for the office of Vice-Chairman.

8. Standards Committee

- a) The Chairman of the Council will call for nominations for the office of Chairman.
- b) The Chairman of the Committee will then call for nominations for the office of Vice-Chairman.

Information about this Agenda

Apologies for Absence

Apologies for absence should be notified to Natasha Clark, 01295 221589
natasha.clark@cherwellandsouthnorthants.gov.uk prior to the start of the meeting.

Queries Regarding this Agenda

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

Yvonne Rees
Chief Executive

Published on 3 May 2019

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