



Cherwell

DISTRICT COUNCIL
NORTH OXFORDSHIRE

Meeting of Council

Monday 24 February 2020

Members of Cherwell District Council,

A meeting of Council will be held at Bodicote House, Bodicote, Banbury, OX15 4AA on Monday 24 February 2020 at 6.30 pm, and you are hereby summoned to attend.

Yvonne Rees
Chief Executive

Friday 14 February 2020

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.

Please note that the deadline for requests to address the meeting is noon on Friday 21 February 2020. Further information on publication participation is available at: [Public Participation](#)

5 **Minutes of Council** (Pages 3 - 16)

To confirm as a correct record the Minutes of Council held on 16 December 2019.

6 **Minutes**

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

The Leader of the Council to formally propose that the minutes of the meetings of the Executive and Lead Member Decisions as set out in the Minute Book (circulated separately) be received and to report that since the last meeting of Council held on 16 December 2019 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.

7 **Questions**

- a) Written Questions

The deadline to submit written questions has passed. No written questions have been submitted.

- 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).

8 **Motions** (Pages 17 - 18)

To debate two motions which have been submitted with advance notice, in accordance with the Constitution.

Proposer	Topic
Councillor Hugo Brown	Tree Planting
Councillor Hannah Banfield	Peat-free Compost

Please note that the deadline to submit motions has passed. The deadline for Members to submit amendments to motions is noon on Thursday 20 February 2020.

Council Business Reports

9 **Robustness of Estimates and the Adequacy of Reserves and Balances Local Government Act 2003 (Section 25)** (Pages 19 - 24)

Report of Executive Director Finance (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.

10 **Final Budget, Business Plan and Council Tax for 2020/21** (Pages 25 - 130)

** Please note that appendix 9 will follow as it is currently being reviewed and finalised **

Report of Executive Director – Finance (Interim)

Purpose of report

This report provides information on the Council's Medium-Term Financial Strategy (MTFS) for 2020/24 along with more detailed information on setting the Council's budget for 2020/21.

Recommendations

- 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 2020/21 on a Band D property.
- 1.4 To consider and approve the MTFS, Revenue Budget 2020/21 and Capital Programme, including the growth and savings proposals included at Appendix 8.
- 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 the proposed Fees & Charges schedule as set out in Appendix 7.
- 1.8 To consider and approve the Treasury Management Strategy, including the Prudential Indicators, Minimum Revenue Provision (MRP) Policy and Affordable Borrowing Limit for 2020/21 (Appendix 6).
- 1.9 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.
- 1.10 To consider and approve the appended statement of pay policy for 2020/21 as required by the Localism Act and detailed in Appendix 9.
- 1.11 To note the equality impact assessment for 2020/21 detailed in Appendix 10.

11 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.

12 **Calculating the Amounts of Council Tax for 2020/21 and Setting the Council Tax for 2020/21** (Pages 131 - 140)

Report of the Executive Director of Finance (Interim)

Purpose of report

To detail the Calculations for the amounts of Council Tax for 2020/21 and the setting of Council Tax for 2020/21.

Recommendations

It is recommended that the Council resolves:-

- (1) That it be noted that at the Executive meeting held on 3 February 2020 the Council calculated the Council Tax Base 2020/21:
 - a) for the whole Council area as 55,559.9 [item T in the formula in Section 31B of the Local Government Finance Act 1992, as amended by sections 72 to 79 of the Localism Act 2011 (“the 1992 Act”)]; and
 - b) For dwellings in those parts of its area to which a Parish Precept relates as in the attached Appendix 1.
- (2) That the Council Tax requirement for the Council’s own purposes for 2020/21 (excluding Parish Precepts and Special Expenses) is £7,417,247.
- (3) That the following amounts be calculated for the year 2020/21 in accordance with Sections 31 to 36 of the 1992 Act:-
 - a) £113,849,841 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the 1992 Act, taking into account all precepts issued to it by Parish Councils and any additional special expenses.
 - b) £101,052,405 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (3) of the 1992 Act.
 - c) £12,797,436 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 1992 Act, as its Council Tax requirement for the year (Item R in the formula in Section 31B of the 1992 Act).
 - d) £230.34 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 1992 Act, as the basic amount of its Council Tax for the year (including Parish Precepts and Special Expenses);
 - e) £5,380,189 being the aggregate amount of all special items (Parish Precepts and Special Expenses) referred to in Section 34(1) of the 1992 Act as per the attached Schedule 2.
 - f) £133.50 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 1992 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) It be noted that for the year 2020/21 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 1992 Act, for each category of dwellings in the Council's area as indicated below :-

<u>Valuation Band</u>	<u>Oxfordshire County Council</u>	<u>Police and Crime Commissioner for Thames Valley</u>
	£	£
A	1,018.29	144.19
B	1,188.01	168.22
C	1,357.72	192.25
D	1,527.44	216.28
E	1,866.87	264.34
F	2,206.30	312.40
G	2,545.73	360.47
H	3,054.88	432.56

- (5) The Council, in accordance with Sections 30 and 36 of the 1992 Act, hereby sets the amounts shown in Appendix 2 as the amounts of Council Tax for the year 2020/21 for each part of its area and for each of the categories of dwellings.
- (6) The Council's basic amount of Council Tax for 2020/21 is not excessive in accordance with principles approved under Section 52ZB of the 1992 Act.
- (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 1992 Act 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% for a period of 12 months and thereafter zero.
 - 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).

13 Local Discretionary Business Rate Relief Scheme for 2020-2021 (Pages 141 - 148)

Report of the Executive Director Finance (Interim)

Purpose of report

For members to consider and approve the local Discretionary Business Rate Relief Scheme for 2020-2021.

Recommendations

The meeting is recommended:

- 1.1 To note the contents of the report and any financial implications for the Council.
- 1.2 To approve the adoption of the local Discretionary Business Rate Relief Scheme for 2020-2021 (appendix 1).

14 Business Rates Retail Relief Policy (Pages 149 - 158)

Report of Executive Director of Finance (Interim)

Purpose of report

To provide members with an update on the retail relief scheme announced in the Queen's Speech on 19 December 2019, and to seek approval of the Business Rates Retail Relief Policy for 2020 -21.

Recommendations

The meeting is recommended:

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

15 Business Rates Retail Pub Relief Policy (Pages 159 - 166)

Report of Executive Director of Finance (Interim)

Purpose of report

To provide members with an update on the forthcoming changes to Business Rates Relief and seek approval for the proposed Pub Relief Scheme.

Recommendations

The meeting is recommended:

- 1.1 To note the contents of this report.

1.2 To approve the proposed Business Rates Pub Relief Policy (Appendix 1).

16 Partial Review of the Cherwell Local Plan 2011-2031 - Oxford's Unmet Housing Needs: Submission of Main Modifications (Pages 167 - 194)

** Please note that the appendices for this report are published as a supplement to the main agenda pack. The appendices for this report and the equivalent report for Special Executive are exactly the same and published in full on each agenda page
**

Report of Assistant Director – Planning and Development

Purpose of report

To seek approval for the submission of Main Modifications to the Partial Review of the adopted Cherwell Local Plan 2011-2031 to the Secretary of State for Housing, Communities and Local Government for the continuance of the independent examination.

Recommendations

The meeting is recommended:

- 1.1 To note the responses to the consultation on the Main Modifications summarised in the Statement of Consultation at Appendix 1.
- 1.2 To note the supporting documents relevant to the preparation of the Main Modifications at Appendices 1 - 17 and available on line at <http://modgov.cherwell.gov.uk/ieListDocuments.aspx?CId=114&MId=3241&Ver=4>.
- 1.3 To approve the Schedule of Main Modifications presented at Appendix 2.
- 1.4 To approve the Minor Modifications at Appendix 3 and authorise the Assistant Director – Planning and Development to make any further changes he considers appropriate to minor or presentational issues.
- 1.5 To approve the submission of the Modifications to the Secretary of State for Housing, Communities and Local Government for the continuance of the independent examination with all necessary prescribed and supporting documents.

(Copies of representations can be found at the following link: [Local Plan Proposed Main Modification Consultation](#))

17 Appointment of Section 151 Officer (Pages 195 - 198)

Report of Chief Executive

Purpose of report

To appoint Lorna Baxter as the Cherwell District Council Section 151 (S151) officer with effect from 25 February 2020.

Recommendations

The meeting is recommended:

- 1.1 To appoint Lorna Baxter as the Council's S151 Officer with effect from 25 February 2020.

18 Members' Allowances 2020/2021 (Pages 199 - 220)

Report of Director Law and Governance

Purpose of report

To determine the levels of the allowances to be paid to Members for the forthcoming 2020/2021 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 2020/2021 Members' Allowances Scheme, and whether the Panel's recommendations should be adopted or modified in any way
- 1.2 Authorise the Director Law and Governance to prepare an amended Members' Allowances Scheme, in accordance with the decisions of the Council for implementation with effect from 1 April 2020.
- 1.3 Authorise the Director Law and Governance to take all necessary action to revoke the current (2019/2020) 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 2019/2020 and propose the same level of fee for any reviews carried out in 2020/2021 capped at a maximum of £1200, which will be funded from within the Council's existing budgets.

19 Amendments to Proportionality Calculations and Committee Membership (Pages 221 - 226)

Report of Chief Executive

Purpose of report

To note the amendments to the constitution of political groups and amendments to the proportionality calculations and committee membership arising

Recommendations

The meeting is recommended:

- 1.1 To note the amended constitution of Political Groups.
- 1.2 To note the amended allocation of seats on committees that are subject to the political balance requirements as set out in Table 1.
- 1.3 To note the amended allocation of seats on committees that are not subject to political balance requirements as set out in Table 2.
- 1.4 To note the amendments to committee membership, as advised by the respective Spokespersons of the Independent Group and Progressive Oxfordshire Group (to follow).

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 prior to the start of the meeting to democracy@cherwellandsouthnorthants.gov.uk or 01295 221589

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
democracy@cherwellandsouthnorthants.gov.uk, 01295 221589