



Cherwell

DISTRICT COUNCIL
NORTH OXFORDSHIRE

**Summary of the decisions taken at the meeting
of the Executive held on Monday 6 January 2020**

1. Date of publication of this summary: 7 January 2020
2. Decisions (if any) taken as a matter of urgency under Overview and Scrutiny Procedure Rules as set out in the Constitution (and not therefore subject to the call-in procedure): None
3. Date by which notice of call-in of any of the following decisions must be received in writing by the Chief Executive (see notes below):- Noon on Friday 10 January 2020
4. Notes:-
 - (a) For background documentation to the following decisions, please refer to the agenda and supporting papers (copies of which are available on the Council's website (www.cherwell.gov.uk) or from Democratic Services);
 - (b) Notice of call-in must be submitted in writing, by email or text to the Chief Executive by the deadline specified above, and must state the reason or reasons why "call-in" has been requested;
 - (c) Call-in can be requested by any six non-executive members of the Council.
However, if at any point during a municipal year the total number of opposition councillors is six or less the total number of non-executive members required to call-in a decision shall be the total number of opposition councillors less two.
 - (d) Decisions not called-in by the deadline specified above will become effective immediately the deadline has expired (unless they are recommendations to the Council).
 - (e) The Council has stipulated that the call-in procedure should not be used to challenge decisions as a matter of course and should be used only when fully justified.

**Yvonne Rees
Chief Executive**

Agenda Item and Recommendation	Decision	Reasons	Alternative Options	Conflicts of Interest Declared and Dispensations Granted by Head of Paid Service
<p>Agenda Item 6 Climate Emergency Update Report</p> <p>Report of Assistant Director Environmental Services</p> <p>Recommendations</p> <p>The meeting is recommended:</p> <p>1.1 to note the progress being made and advise officers to continue with their approach to tackling the Climate Emergency.</p>	<p>Resolved</p> <p>(1) That the progress being made be noted and officers be advised to continue with their approach to tackling the Climate Emergency.</p>	<p>This paper updates Members on the initial steps the authority has taken to respond to the Climate Emergency. This initial work creates the framework and foundation from which further work can be undertaken to create an action plan for the district and the Council's operations.</p> <p>It is recommended that Members note the report so that further work can continue as quickly as possible within the existing resources.</p>	<p>Option 1: Members advise officers to take a different approach to that outlined in the report.</p> <p>Option 2: Members advise officers to undertake no further work on this agenda.</p>	<p>None</p>
<p>Agenda Item 7 Resumption of Land Drainage and Flood Risk Management Services</p> <p>Report of Director Communities</p>	<p>Resolved</p> <p>(1) That it be agreed to develop a policy to provide land drainage and flood risk management services.</p>	<p>In 2011 the Flood and Water Management Act 2010 created Oxfordshire County Council as the "Lead Local Flood Authority" (LLFA) for the whole of the County. There was an expectation at that time that the LLFA would take on all the services being undertaken by Cherwell.</p>	<p>The proposal is not to replicate the work or role of the Lead Local Flood Authority (LLFA) but instead to ensure that the local services are provided in addition to the largely strategic role provided by the LLFA</p>	<p>None</p>

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<p>Recommendations</p> <p>The meeting is recommended to agree that:</p> <p>1.1 The policy decision taken by the Executive on 11 October 2010 to disengage altogether from land drainage and flood risk management services is rescinded.</p> <p>1.2 A policy to re-engage with these services, at a slightly reduced level than previously, is agreed.</p> <p>1.3 A revenue budget of £50,000 per annum is allocated to a reinstated land drainage and flood risk management service for 2020/21 and ensuing years.</p>	<p>(2) That it be agreed to allocate a revenue budget of £50,000 per annum to provide a land drainage and flood risk management service for 2020/21 and ensuing years.</p> <p>(3) That it be agreed that Cherwell District Council work in partnership with the Lead Local Flood Authority (OCC) and partners to minimise the risk of flooding to the residents and businesses in Cherwell.</p>	<p>However, the Act only intended the LLFA to undertake a more strategic role, leaving the day to day management of watercourses and other elements of the service to district authorities but working within the wider strategic partnership. This left a gap in the local community leadership space across the District.</p> <p>District Council powers in this service area have not diminished as a result of the Flood and Water Management Act. The powers to manage, maintain and where necessary undertake enforcement are still intact and remain largely contained in the Public Health Act 1936, the Land Drainage Act 1976 and the Land Drainage Act 1991.</p> <p>It is now proposed that Cherwell reviews its land drainage and flood risk management policy in order to mitigate the risk to the</p>	<p>The status quo position would expose the residents of Cherwell to increased impact of flooding and with the current forecasting changing weather patterns and increasing likelihood of occurrence. When (not if) the next flood event occurs, the community would first look to Cherwell for local leadership.</p>	

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<p>Agenda Item 8 Annual Monitoring Report 2019</p> <p>Report of Assistant Director – Planning and Development</p> <p>Recommendations</p> <p>The meeting is recommended:</p> <p>1.1 To approve the 2019 Annual Monitoring Report (AMR) presented at Appendix 1.</p> <p>1.2 To note the district's housing delivery and five year housing land supply positions (for conventional housing and for Gypsies and Travellers) at Section 5 of the AMR and the need for updating of the land supply positions should these materially change.</p>	<p>Resolved</p> <p>(1) That the 2019 Annual Monitoring Report (AMR) (annex to the Minutes as set out in the Minute Book) be approved.</p> <p>(2) That the district's housing delivery and five year housing land supply positions (for conventional housing and for Gypsies and Travellers) at Section 5 of the Annual Monitoring Report and the need for updating of the land supply positions should these materially change be noted.</p> <p>(3) That the 2019 Infrastructure Delivery Plan (IDP) update (annex to the Minutes as set out in the Minute Book) be approved.</p>	<p>The Annual Monitoring Report (AMR) provides important information to measure the effectiveness of planning policies and to assist policy making and development management decision making. It is the statutory mechanism for monitoring housing delivery. Its most significant conclusion is that although the district is presently unable to demonstrate a five year housing land supply, the identified supply of 4.6 years is still well in excess of the 3 year ministerial flexibility.</p> <p>The AMR is accompanied by an updated 2019 Infrastructure Delivery Plan and a 2019 Brownfield Land Register which must be reviewed annually.</p> <p>It is recommended that all three documents be approved, and that Development Management officers and Planning Committee are advised of the</p>	<p>Option 1: Amendment of the 2019 Annual Monitoring Report, Infrastructure Delivery Plan and Brownfield Land Register in consultation with the Lead Member for Planning Officers consider the documents to be robust, supported by data and research. Delay could lead to uncertainty within the development industry and risks for decision making.</p> <p>Option 2: Not to approve the documents - Production of an authorities monitoring report is a statutory requirement and necessary to monitor implementation of the Local Plan. Updating the Brownfield Land Register is also a statutory requirement. The Infrastructure Delivery Plan is required to monitor and support delivery of the adopted Cherwell Local Plan 2011 – 2031.</p>	<p>None</p>

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<p>1.3 To approve the 2019 Infrastructure Delivery Plan (IDP) update presented at Appendix 2.</p> <p>1.4 To approve the 2019 Brownfield Land Register (BLR) presented at Appendix 3.</p> <p>1.5 To authorise the Assistant Director for Planning and Development to make any necessary minor and presentational changes to the Annual Monitoring Report, Infrastructure Delivery Plan update and Brownfield Land Register if required prior to publication.</p>	<p>(4) That the 2019 Brownfield Land Register (BLR) (annex to the Minutes as set out in the Minute Book) be approved.</p> <p>(5) That the Assistant Director for Planning and Development be authorised to make any necessary minor and presentational changes to the Annual Monitoring Report, Infrastructure Delivery and Brownfield Land Register if required prior to publication.</p>	<p>latest monitoring information as required.</p>		
<p>Agenda Item 9 Review of Council Tax Base Setting</p> <p>Report of Executive Director of Finance (Interim)</p>	<p>Resolved</p> <p>(1) That having given due consideration to the report of the Executive Director of Finance for the calculation of the</p>	<p>For the purposes of Section 31B of the Local Government Finance Act 1992 and the Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012, the Council is</p>	<p>Option 1: None. The Council has to set a tax base in order to set its council tax for 2020-2021.</p>	<p>None</p>

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<p>Recommendations</p> <p>The meeting is recommended:</p> <p>1.1 That the report of the Executive Director of Finance for the calculation of the Council's Tax Base for 2020-2021 be considered and:</p> <p>(a) That pursuant to the Executive Director of Finance's report and in accordance with the Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012, the amount calculated by Cherwell District Council as its Council Tax Base for the year 2020-2021 shall be 55,559.9 This shall be subject to final</p>	<p>Council's Tax Base for 2020-2021, it be resolved:</p> <p>(a) That pursuant to the Executive Director of Finance's report and in accordance with the Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012, the amount calculated by Cherwell District Council as its Council Tax Base for the year 2020-2021 shall be 55,559.9 This shall be subject to final confirmation by the Section 151 Officer in consultation with the Lead Member for Financial Management & Governance</p>	<p>required to calculate the tax base (which will be used for tax setting purposes in February 2020) in respect of:</p> <p>(a) the whole of its area and;</p> <p>(b) for any parts of its area for the purposes of:</p> <p>(i) Apportioning precepts and levies and;</p> <p>(ii) Calculating the tax base for each area subject to a special item</p>		

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<p>confirmation by the Section 151 Officer in consultation with the Lead Member for Financial Management & Governance.</p> <p>(b) As for the parishes which form part of its area shown in Appendix 2, the amount calculated as the Council Tax Base for the year 2020-2021 in respect of special items shall be as indicated in the column titled Tax Base 2020-2021.</p> <p>(c) As for the Flood Defence Areas which form part of its area, the amount calculated as the Council Tax Base for the year 2020-2021 for the purposes of levies on:</p>	<p>(b) As for the parishes which form part of its area shown in the annex to the Minutes (as set out in the Minute Book), the amount calculated as the Council Tax Base for the year 2020-2021 in respect of special items shall be as indicated in the column titled Tax Base 2020-2021.</p> <p>(c) As for the Flood Defence Areas which form part of its area, the amount calculated as the Council Tax Base for the year 2020-2021 for the purposes of levies on Oxfordshire County Council by River Authorities,</p>			

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<p style="text-align: center;">Oxfordshire County Council by River Authorities, shall be</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%;">Thames Flood Defence Area</td> <td style="text-align: right;">53,234.4</td> </tr> <tr> <td>Anglian (Great Ouse) Flood Defence Area</td> <td style="text-align: right;">1,873.2</td> </tr> <tr> <td>Severn Region Flood Defence Area</td> <td style="text-align: right;">452.3</td> </tr> <tr> <td>TOTAL</td> <td style="text-align: right;">55,559.9</td> </tr> </table> <p>1.2 To delegate final approval of the Council Tax Base for 2020-2021 to the Section 151 Officer in consultation with the Lead Member for Financial Management & Governance.</p>	Thames Flood Defence Area	53,234.4	Anglian (Great Ouse) Flood Defence Area	1,873.2	Severn Region Flood Defence Area	452.3	TOTAL	55,559.9	<p style="text-align: center;">shall be:</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%;">Thames Flood Defence Area</td> <td style="text-align: right;">53,234.4</td> </tr> <tr> <td>Anglian (Great Ouse) Flood Defence Area</td> <td style="text-align: right;">1,873.2</td> </tr> <tr> <td>Severn Region Flood Defence Area</td> <td style="text-align: right;">452.3</td> </tr> <tr> <td>TOTAL</td> <td style="text-align: right;">55,559.9</td> </tr> </table> <p>(2) That final approval of the Council Tax Base for 2020-2021 be delegated to the Section 151 Officer in consultation with the Lead Member for Financial Management & Governance.</p>	Thames Flood Defence Area	53,234.4	Anglian (Great Ouse) Flood Defence Area	1,873.2	Severn Region Flood Defence Area	452.3	TOTAL	55,559.9			
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<p>Agenda Item 10 Monthly Performance, Risk and Finance Monitoring Report - November 2019</p> <p>Report of Executive Director: Finance (Interim) and Assistant Director: Performance and Transformation</p> <p>Recommendations</p> <p>The meeting is recommended:</p> <p>1.1 To note the monthly Performance, Risk and Finance Monitoring Report.</p>	<p>Resolved</p> <p>(1) That the monthly Performance, Risk and Finance Monitoring Report be noted.</p>	<p>The Council is committed to performance, risk and budget management and reviews progress against its corporate priorities on a monthly basis.</p> <p>This report provides an update on progress made so far in 2019-20 to deliver the Council's priorities through reporting on Performance, the Leadership Risk Register and providing an update on the financial position.</p>	<p>Option 1: This report illustrates the Council's performance against the 2019-20 business plan. As this is a monitoring report, no further options have been considered. However, members may wish to request that officers provide additional information.</p>	<p>None</p>