



# Meeting of Council

Monday 28 February 2022

Members of Cherwell District Council,

A meeting of Council will be held at Bodicote House, Bodicote, Banbury, Oxon OX15 4AA on Monday 28 February 2022 at 6.30 pm, and you are hereby summoned to attend.

**Yvonne Rees**  
Chief Executive

Friday 18 February 2022

## 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**

To receive communications from the Chair and/or the Leader of the Council.

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

The Chair to report on any requests to submit petitions or to address the meeting.

The deadline to present a petition has passed (14 February 2022)

Addresses may be presented by:

- A Local Government elector for the area,
- A person who is wholly or mainly resident in the area,
- A Council Taxpayer or National Non-Domestic Ratepayer for the area

Addresses must be on an item on the Agenda before the meeting and not exceed 5 minutes. No person may address more than one meeting on any particular issue.

Requests to address the meeting (including the reason for the address) should be submitted to [democracy@cherwell-dc.gov.uk](mailto:democracy@cherwell-dc.gov.uk) The deadline for petitions and requests to address this meeting is noon on Friday 25 February 2022.

Full details of public participation at meetings is available in the Constitution.

## 5 Urgent Business

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

## 6 Minutes of Council (Pages 13 - 18)

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

## 7 Minutes

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

The Leader of the Council to formally propose that the minutes of the meetings of the Executive and Lead Member Decisions as set out in the Minute Book (circulated separately) be received and to report that since the last meeting of Council at which this was reported, 13 December 2021, no key decisions have been taken by the Executive which were not included in the 28 day notice.

- b) Minutes of Committees

The Leader of the Council to formally propose that the minutes of committees as set out in the Minute Book (circulated separately) be received.

## 8 Questions (Pages 19 - 20)

- a) Written Questions

One written question has been submitted with advance notice in accordance with the Constitution. This is attached to the agenda.

Question from	Question topic
Councillor Andy Beere	Council Tax Rebates of £150 for Domestic Properties Bands A to D 2022 /23

A written response to the questions will be published on the working day before the meeting.

The Member who submitted the written question may ask a supplementary question provided it is relevant to the reply and does not introduce any new matter. The Member(s) to whom the question was addressed may reply to such supplementary question or undertake to reply in writing.

b) Questions to the Leader of the Council

The Chair to invite questions to the Leader of the Council (including any matters arising from the minutes). In accordance with the Constitution, advance notice is not required.

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 Chair to invite questions to Chairmen of Committees on any matter arising from the minutes of their committee (if any). In accordance with the Constitution, advance notice of questions is not required.

## **Council Business Reports**

### **9 Members' Allowances 2022/2023 (Pages 21 - 48)**

Report of Director of Law and Governance

#### **Purpose of report**

To determine the levels of the allowances to be paid to Members for the forthcoming 2022/2023 financial year and proposed changes to the Members Allowance Scheme following the consideration of the report of the Council's Independent Remuneration Panel (IRP) attached at Appendix 1.

#### **Recommendations**

The meeting is recommended to:

- 1.1 Consider the levels of allowances to be included in the 2022/2023 Members' Allowances Scheme, and whether the Panel's recommendations (as set out at paragraphs 3.1 of this report and sections 7.3, 8.4, 9.1 and 10.3 of Appendix 1) should be adopted or modified in any way.
- 1.2 Consider the proposed amendments to the Members Allowance Scheme regarding the introduction of an IT allowance (as set out at paragraph 3.9 of this report and section 14.9 of the Panel's Report, attached at Appendix 1) and whether the Panel's recommendations should be adopted or modified in any way.

- 1.3 Authorise the Director of Law and Governance to prepare an amended Members' Allowances Scheme, in accordance with the decisions of Council for implementation with effect from 1 April 2022.
- 1.4 Authorise the Director of Law and Governance to take all necessary action to revoke the current (2021/2022) Scheme and to publicise the revised Scheme pursuant to The Local Authorities (Member's Allowances)(England) Regulations 2003 (as amended).
- 1.5 Thank the Independent Remuneration Panel for its report and set a fee of £300 for each Panel Member for the work carried out on this review and propose the same level of fee for any reviews carried out in 2022/2023 capped at a maximum of £1200 per person, which can be funded from existing budgets.

**10 Budget Setting for 2022/23 and the Medium-Term Financial Strategy up to 2026/27 (Pages 49 - 230)**

Report of Assistant Director of Finance & Section 151 Officer

**Purpose of report**

This report is the culmination of the Budget and Business Planning process for 2022/23 to 2026/27 and sets out the Executive's proposed Business Plan and related revenue budget for 2022/23, medium term financial strategy to 2026/27, capital programme to 2026/27 and all supporting policies, strategies and information.

**Recommendations**

The Council is recommended:

- 1.1 In relation to the Business Plan (Section 3.1):
  - 1.1.1 To approve the Business Plan set out in Appendix 1.
- 1.2 Have regard to the statutory report of the Chief Finance Officer (Section 25 report) at Appendix 2 in approving recommendations 1.3 – 1.6.
  - 1.2.1 To delegate authority to the S151 Officer, in consultation with the Lead Member for Finance and Governance, to agree the apportionment of settlement costs relating to the ending of the S113 Partnership Agreement with Oxfordshire County Council, in line with the Financial Principles agreed by Council 7 February 2022 for the termination of the Agreement.
- 1.3 In relation to the Revenue Budget (Section 3.3) and Medium-Term Financial Strategy (MTFS) (Section 3.6).
  - 1.3.1 To agree that the net revenue budget for the financial year commencing on 1 April 2022, as set out in Table 3.3.1, and further analysed in the Budget Book provided at Appendix 11, be approved.

1.3.2 To agree that the MTFs and Revenue Budget 2022/23 (Sections 3.6 and 3.3 respectively), including the Savings Proposals, and Pressures included at Appendices 3 and 4 respectively.

1.4 In relation to Council Tax:

1.4.1 To agree an increase in the Basic Amount of Council Tax for Cherwell District Council for the financial year beginning on 1 April 2022 of £5, resulting in a Band D charge of £143.50 per annum.

1.5 In relation to the Capital Programme and related strategies (Section 3.4):

1.5.1 To approve the Capital Bids and Capital Programme at Appendix 16 and 17 respectively.

1.5.2 To approve the Capital and Investment Strategy (Appendix 18).

1.5.3 To approve the Treasury Management Strategy, including the Prudential Indicators, Minimum Revenue Provision (MRP) Policy and Affordable Borrowing Limit for 2022/23 (Appendix 19)

1.5.4 To approve the Property Investment Strategy (Appendix 20).

1.6 In relation to reserves:

1.6.1 To approve a minimum level of General Balances of £6m.

## 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 2022/23 and setting the Council Tax for 2022/23** (Pages 231 - 240)

Report of Assistant Director of Finance & Section 151 Officer

### **Purpose of report**

To detail the Calculations for the amounts of Council Tax for 2022/23 and the setting of Council Tax for 2022/23.

### **Recommendations**

It is recommended that the Council resolves: -

- (1) To note that the Council Tax Base 2022/23 was determined at the Executive meeting held on 10 January 2022:
  - a) for the whole Council area as 56,801.60 [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 2022/23 (excluding Parish Precepts and Special Expenses) is £8,151,030.
- (3) That the following amounts be calculated for the year 2022/23 in accordance with Sections 31 to 36 of the 1992 Act:
- a) £116,132,464 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) £102,218,905 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (3) of the 1992 Act.
- c) £13,913,559 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) £244.95 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) £5,762,529 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 Appendix 2.
- f) £143.50 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 2022/23 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>
	£	£
<b>A</b>	1,101.07	160.85
<b>B</b>	1,284.59	187.66
<b>C</b>	1,468.10	214.47
<b>D</b>	1,651.61	241.28
<b>E</b>	2,018.63	294.90
<b>F</b>	2,385.66	348.52
<b>G</b>	2,752.68	402.13

- (5) That 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 2022/23 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 2022/23 is not excessive in accordance with principles approved under Section 52ZB of the 1992 Act.

### 13 **Pay Policy Statement 2022/23** (Pages 241 - 256)

Report of Director of Human Resources

#### **Purpose of report**

The Localism Act requires all councils to agree and publish a Pay Policy Statement every financial year. The Act lays down requirements on the content of the statement. This requirement is supplemented by detailed guidance from the Department for Communities and Local Government entitled 'Openness and Accountability in Local Pay: Guidance under Section 40 of the Localism Act'.

The Act requires the Pay Policy Statement to be agreed by Full Council. As required by the Act and Code of Practice, once approved by Council the Pay Policy Statement will be published on the Council's website and will be available on request.

#### **Recommendations**

The meeting is recommended:

- 1.1 To approve the Pay Policy Statement for 2022/2023.
- 1.2 To recommend that an updated Pay Policy Statement is sought in year to reflect any change to structural arrangements during 2022/2023 following the decision to formally end the s113 arrangements between Cherwell District Council and Oxfordshire County Council.
- 1.3 To note that that the cost of living pay award for 2021/2022 has not yet been agreed or implemented and is therefore not reflected in the figures.

### 14 **Gambling Act 2005 Statement of Licensing Principles** (Pages 257 - 300)

Report of Assistant Director Regulatory Services & Community Safety

#### **Purpose of report**

To consider a revised Statement of Licensing Principles which is required to be published by the council under the Gambling Act 2005.

This report introduces a revised Gambling Act 2005 Statement of Licensing Principles (attached as Appendix 1). It explains the reason for the review, provides a summary of the main changes to the current statement of licensing principles, and

outlines the consultation process followed in revising the current document. Council is requested to approve the revised statement of licensing principles.

### **Recommendations**

The meeting is recommended:

- 1.1 To agree that the revised Statement of Licensing Principles under the Gambling Act 2005 be adopted by the Council.

## **15 Parliamentary Boundary Review update (Pages 301 - 304)**

Report of Chief Executive

### **Purpose of report**

To update Council on the next stages of the Parliamentary Boundary Review 2023

### **Recommendations**

The meeting is recommended:

- 1.1 To note the update on the Parliamentary Boundary Review 2023.
- 1.2 To note that the Parliamentary Boundary and Community Governance Review working group will consider and draft a submission to the second and any subsequent consultations.
- 1.3 To delegate authority to the Chief Executive, in consultation with the Chairman (or Vice-Chairman in the Chairman's absence) of the Parliamentary Boundary and Community Governance Review working group, to finalise the council's submission and respond on behalf of Cherwell District Council to the second and any subsequent consultation periods held during the review, including via attendance at a public hearing if considered appropriate.

## **16 Revision to the Council's Resolution made 26 February 2018 regarding Oxfordshire Housing and Growth Deal (Pages 305 - 310)**

Report of Interim Assistant Director, Housing and Social Care Commissioning

### **Purpose of report**

To request a revision to the Resolution made by Council at its meeting on 26 February 2018, regarding the authority delegated to the Chief Executive to agree the Growth Deal Affordable Housing Delivery Plan, and to explain the reasons for the request.

### **Recommendations**

The meeting is recommended:



- 1.1 To delegate authority to the Chief Executive, in consultation with the Leader, to agree the necessary changes and substitutions to the Cherwell District Council Growth Deal affordable housing delivery programme; and
- 1.2 Delegate authority to the Chief Executive, in consultation with the S.151 Officer and Lead Member for Finance and Governance, to agree Growth Deal grant agreements and Cherwell District Council Growth Deal 'Top Up' grant agreements subject to available funding.

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

The following items of business contain exempt information as defined in the following paragraphs of Part 1, Schedule 12A of Local Government Act 1972.

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

Members are reminded that whilst the following items have been marked as exempt, it is for the meeting to decide whether or not to consider each of them in private or in public. In making the decision, members should balance the interests of individuals or the Council itself in having access to the information. In considering their discretion members should also be mindful of the advice of Council Officers.

Should Members decide not to make a decision in public, they are recommended to pass the following recommendation:

“That, in accordance with Section 100A(4) of Local Government Act 1972, the press and public be excluded from the meeting for the following items of business, on the grounds that they could involve the likely disclosure of exempt information as defined in paragraph 3 of Schedule 12A of that Act and that in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.”

## **18 Proposed Community-led Housing Scheme - Hook Norton (Pages 311 - 336)**

Exempt report of Head of Estates, Assets and Investments and Housing Development & Standards Manager

## **19 Notification of Urgent Decision Taken by Director of Finance (Pages 337 - 344)**

Exempt report of Interim Assistant Director, Housing and Social Care Commissioning

## **20 Inclusion of additional Growth Deal Scheme in the Capital Programme 2021/2022 (Pages 345 - 350)**

Exempt report of Interim Assistant Director, Housing and Social Care Commissioning

## 21 Readmittance of the Press and Public

Following consideration of the exempt items of business, Council to resolve to readmit the press and public to the meeting

## 22 Motions (Pages 351 - 352)

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

Topic	Proposer	Secunder
Oxfordshire Growth Needs Assessment (OGNA)	Councillor Ian Middleton	TBC

Please note that the deadline to submit motions has passed. The deadline for Members to submit amendments to the motion is noon on Thursday 24 February 2022. No amendments will be permitted after this deadline.

Any amendments submitted will be published as a supplement to the agenda on the afternoon of Friday 25 February 2022. Amendments to the motion will be dealt with in the order submitted.

### **For information**

Please note:

The next scheduled Council meeting is the Annual Council meeting at 6.30pm on Wednesday 18 May 2022. Questions and motions are not included on the agenda at the Annual Council meeting.

Members are advised that written questions and motions for the next Council meeting at which these items will be considered, Monday 18 July 2022, must be submitted to the Director of Law and Governance, [democracy@cherwell-dc.gov.uk](mailto:democracy@cherwell-dc.gov.uk), by noon on Wednesday 6 July 2022.

**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@cherwell-dc.gov.uk](mailto:democracy@cherwell-dc.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 [democracy@cherwell-dc.gov.uk](mailto:democracy@cherwell-dc.gov.uk), 01295 221589