

# Public Document Pack

## **Cherwell District Council**

### **Executive**

Minutes of a meeting of the Executive held at Bodicote House, Bodicote, Banbury, Oxon OX15 4AA, on 4 July 2022 at 6.30 pm

Present:

Councillor Ian Corkin (Vice-Chairman, in the Chair), Deputy Leader of the Council and Portfolio Holder for Economy and Regeneration

Councillor Phil Chapman, Portfolio Holder for Healthier Communities  
Councillor Colin Clarke, Portfolio Holder for Planning  
Councillor Nicholas Mawer, Portfolio Holder for Housing  
Councillor Richard Mould, Portfolio Holder for Corporate Services  
Councillor Adam Nell, Portfolio Holder for Finance  
Councillor Lynn Pratt, Portfolio Holder for Property  
Councillor Eddie Reeves, Portfolio Holder for Safer Communities  
Councillor Dan Sames, Portfolio Holder for Cleaner and Greener Communities

Apologies for absence:

Councillor Barry Wood, Leader of the Council and Portfolio Holder for Policy and Strategy

Officers:

Yvonne Rees, Chief Executive  
Ian Boll, Corporate Director - Communities  
Stephen Hinds, Corporate Director - Resources  
Nathan Elvery, Interim Chief Operating Officer  
Michael Furness, Assistant Director of Finance & S151 Officer  
Shahin Ismail, Assistant Director - Law, Governance & Democratic Services & Monitoring Officer (Interim)  
Simon Hope, Interim Head of Communications and Marketing  
Celia Prado-Teeling, Assistant Director - Customer Focus (Interim)  
Richard Webb, Assistant Director Regulatory Services  
Natasha Clark, Governance and Elections Manager

## 16 **Declarations of Interest**

There were no declarations of interest.

## 17 **Petitions and Requests to Address the Meeting**

There were no petitions or requests to address the meeting.

18 **Minutes**

The minutes of the meeting held on 6 June 2022 were agreed as a correct record and signed by the Vice-Chairman in the Chair.

19 **Chairman's Announcements**

There were no Chairman's announcements.

20 **Urgent Business**

There were no items of urgent business.

21 **Proposal to Consult on a Hackney Carriage Tariff Increase**

The Assistant Director Regulatory Services & Community Safety submitted a report to seek agreement to consult on a Hackney Carriage tariff increase.

The Council's Licensing Team had been asked by the Cherwell Valley Taxi Association to increase the fare tariff for hackney carriage which requires public consultation. The Executive are asked to agree that the council should commence this consultation and implement the statutory procedure for altering the fare tariff pursuant to the Local Government (Miscellaneous Provisions) Act 1976.

An updated version of the proposed tariffs to be consulted on had been published as a supplement to the agenda as the Cherwell Taxi Association had requested further amendments to the proposed tariffs after publication of the original proposals. .

**Resolved**

- (1) That it be agreed to commence the public consultation on increasing the fare tariff for hackney carriages to the levels as set out on the Annex to the Minutes (as set out in the Minute Book) with a view to increasing the maximum fares that licenced Hackney Carriages can charge.

**Reasons**

Local authorities have a statutory power to set the maximum fares that licensed hackney carriages can charge for a journey. To enable implementation of new tariff as requested by Cherwell Valley Taxi Association it is recommended that the Executive agree to commence public consultation on the revised table of fares (amended appendix 1 to the report).

**Alternative options**

Option 1: To propose alternative tariffs in the table of fares. This was rejected as the proposed revisions were determined in discussion with the trade and appear to meet the balance of ensuring the licensed hackney carriage fares allow drivers to recover costs and make reasonable profit whilst not becoming prohibitive to customers.

Option 2: To retain the current fare tariffs. Given the rises in fuel costs since the current tariffs were set not considering an increase in fares charged by drivers could result in a substantial reduction in the number of taxis operating in the district and therefore impacting on the community.

## 22 Monthly Performance, Risk and Finance Monitoring Report May 2022

The Assistant Director of Finance and Interim Assistant Director – Customer Focus submitted a report which summarised the Council’s Performance, Risk and Finance monitoring positions as at the end of May 2022.

In response to Members’ questions regarding addressing the forecast position for 2022/2023 of an overspend and the impact of inflation, the Portfolio Holder for Finance explained that there were reserves that could be drawn on if required to address any overspend at the year end. In relations to inflation, contingency was built into the budget for inflation.

### Resolved

- (1) That the monthly Performance, Risk and Finance Monitoring Report May 2022.
- (2) That the following changes in use of reserves be approved:

Directorate	Type	Description	Amount £m
Communities	Ringfenced	Heat Networks Delivery	0.027
		<b>Total Ringfenced</b>	<b>0.027</b>
Communities	Earmarked	Development Management	0.335
Chief Executives	Earmarked	“Improving the Customer Experience” programme of works	0.050
Resources	Earmarked	Member laptops	0.028
Resources	Earmarked	Elections reserve	0.100
Communities	Earmarked	Country Parks	0.025
		<b>Total Earmarked</b>	<b>0.538</b>

- (3) That authority be delegated to the Assistant Director of Finance, in consultation with the Portfolio Holder for Finance, to agree budget adjustments from the Policy Contingency Budget in excess of their £250,000 delegation where the budget adjustment is in accordance with the contingency.

### **Reasons**

This report provides an update on progress made during May 2022, to deliver the Council's priorities through reporting on Performance, Leadership Risk Register and providing an update on the Financial Position. The Council is committed to performance, risk and budget management and reviews progress against its corporate priorities on a monthly basis.

### **Alternative options**

Option 1: This report illustrates the Council's performance against the 2022-23 Business Plan. Regarding the monitoring aspects of the report, no further options have been considered. However, members may wish to request that officers provide additional information. Regarding the recommendation to approve changes in use of reserves, members could choose not to reject the change of use, however, the request is in accordance with the Council's Reserves Policy and within existing budgets. If members chose not to agree to the changes in transfers to reserves, then this would mean resource would need to be found for these projects separately in future years.

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

### **Resolved**

That under Section 100A of the Local Government Act 1972, the public and press be excluded from the meeting for the following item of business on the ground that, if the public and press were present, it would be likely that exempt information falling under the provisions of Schedule 12A, Part 1, Paragraph 3 would be disclosed to them, and that in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

## **24 Approval of Delegated Authority to Seal Plans for Residential Properties within the Council's Housing Assets Portfolio**

The Assistant Director – Growth and Economy submitted and exempt report to seek approval to apply the Council's seal for plans to two properties within the Council's housing assets portfolio (as set out on the exempt annex to the Minutes as set out in the Minute Book), which will enable Registration of the transactions at the Land Registry. In addition, Executive was requested to agree to put in place appropriate delegations for similar transactions in the future.

## **Resolved**

- (1) That the applying of seals for plans to two properties within the Council's housing assets portfolio be approved and thereby completion of the transactions enabling Registration at the Land Registry be authorised.
- (2) That the power to authorise the sealing of plans and agreements of similar transactions within the Council's housing assets portfolio be delegated to the Assistant Director – Growth and Economy (or such other Assistant Director or officer with responsibility for the management of the Council's housing assets portfolio), in consultation with the Council's s151 Officer and Monitoring Officer and it be noted that this delegation will be inserted into the Council's Scheme of Delegations.

## **Reasons**

The transactions for the two properties can only be registered at the Land Registry with sealed plans.

By the Executive approving applying of seals for plans to these two properties within the Council's housing assets portfolio, Executive will thereby authorise completion of the transactions enabling Registration at the Land Registry

Providing the delegation to authorise the sealing of plans and agreements of similar transactions within the Council's housing assets portfolio will avoid the need to return to Executive for any future similar transaction.

## **Alternative options**

Option 1: Not to agree to the approval; and to the delegation of authority requested – this has been rejected because to do so would leave uncertainty around the two properties and the Council's management of its housing assets portfolio.

The meeting ended at 7.05 pm

Chairman:

Date:

## Appendix 01 Tariffs v2

Note: This appendix was amended on 29 June 2022 and is different from that originally published with the papers for the Executive meeting on 4 July 2022. The changes to the original proposals are those underlined below. These changes are as a consequence of further discussions with Cherwell Taxi Association in late June. In consideration of the volatility of fuel prices and the rapid increase in prices in recent weeks, the proposed maximum tariffs are considered to better reflect the increased costs faced by licensed drivers and reduce the likelihood of a further review being required in the short-term.

	<b>Mileage</b>	<b>Fare</b>
Tariff 1 – Day Tariff Between 0600 & 2200 hrs	If the distance does not exceed one quarter mile, or 403 metres, for the whole distance; or if the distance exceeds one quarter mile, or 403 metres, for the first quarter mile. <i>[Increase of £0.80]</i>	£3.00
	For each subsequent one thirteenth of a mile, or 123 metres or uncompleted part thereof. <i>[Increase of £0.03]</i>	£0.15
Tariff 2 – Night Tariff Between 2200 & 0600 hrs	If the distance does not exceed one quarter mile, or 403 metres, for the whole distance; or if the distance exceeds one quarter mile, or 403 metres, for the first quarter mile. <i>[Increase of £0.50]</i>	£3.50
	For each subsequent one fourteenth of a mile, or 114 metres or uncompleted part thereof. <i>[Increase of £0.02]</i>	£0.15
Tariff 3 – Christmas & New Year Tariff Between 2100 on 24 Dec & 0600 hrs on 27 Dec & 2100 hrs on 31 Dec and 0600 hrs on 2 Jan	If the distance does not exceed one quarter mile, or 403 metres, for the whole distance; or if the distance exceeds one quarter mile, or 403 metres, for the first quarter mile. [No change]	£4.00
	For each subsequent one twelfth of a mile, or 123 metres or uncompleted part thereof [No change]	£0.25
* Tariff 4 [Sunday & Public Bank Holidays 0600 to 2200 hrs – during the day]	If the distance does not exceed one quarter mile, or 403 metres, for the whole distance; or if the distance exceeds one quarter mile, or 403 metres, for the first quarter mile. <i>[Increase £0.50]</i>	£3.00
	For each subsequent one fifteenth of a mile or 107 metres <i>[Increase of £0.02]</i>	£0.15
Other Charges	Waiting time for 20 seconds [No change]	£0.10
	Soiling charge [No change]	£50.00

# Minute Item 24

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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