

## Cherwell District Council

### Executive

Minutes of a meeting of the Executive held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 18 June 2012 at 6.30 pm

Present: Councillor Barry Wood, Leader of the Council (Chairman)  
Councillor G A Reynolds, Deputy Leader of the Council (Vice-Chairman)

Councillor Ken Atack, Lead Member for Financial Management  
Councillor Norman Bolster, Lead Member for Estates and the Economy  
Councillor John Donaldson, Lead Member for Banbury Brighter Futures  
Councillor Michael Gibbard, Lead Member for Planning  
Councillor Tony Ilott, Lead Member for Public Protection  
Councillor D M Pickford, Lead Member for Housing  
Councillor Nicholas Turner, Lead Member for Performance and Customers

Also Present: Councillor Patrick Cartledge, Leader of the Labour Group  
Councillor Tim Emptage, Leader of the Liberal Democrat Group  
Councillor Leslie F Sibley

Officers: Sue Smith, Chief Executive  
Ian Davies, Director of Community and Environment  
Martin Henry, Director of Resources / Section 151 Officer  
Kevin Lane, Head of Law and Governance / Monitoring Officer  
Jo Pitman, Head of Transformation  
Claire Taylor, Corporate Performance Manager  
Martyn Swann, Strategic Housing Manager  
Kate Winstanley, Strategic Housing Officer  
Natasha Clark, Team Leader, Democratic and Elections

#### 14 **Declarations of Interest**

Members declared interests in the following agenda items:

##### **6. Tenancy Strategy.**

Councillor G A Reynolds, Personal, as a Landlord.

Councillor Nicholas Turner, Personal, as a Landlord.

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

There were no petitions or requests to address the meeting.

16 **Urgent Business**

There were no items of urgent business.

17 **Minutes**

The minutes of the meeting held on 28 May 2012 were agreed as a correct record and signed by the Chairman, subject to the following amendment:

**Minute 6 – Local Plan 2012**

Add sentence: "Councillor Turner left the meeting for the duration of this item."

18 **Tenancy Strategy**

The Head of Regeneration and Housing submitted a report which provided Executive with a Tenancy Strategy for approval.

In introducing the report, the Lead Member for Housing explained that the Tenancy Strategy would provide guidance for Registered Providers (RPs) operating in the Cherwell District Council area. It sets out the Council's position on the provision of affordable housing including the use of Flexible Tenancies, Affordable Rents and the use of private sector tenancies for homeless households. This policy supports the Government's aim to make best use of housing stock, focussing support on the most vulnerable people in society and ensure the Council complies with the Localism Act 2011 duty for Local Authorities to produce a Tenancy Strategy by November 2012.

In response to questions from Councillor Cartledge, Leader of the Labour Group, the Strategic Housing Officer provided clarification on a number of points. Members were advised that the Tenancy Strategy recommended an absolute minimum term of two years in exceptional cases, with a tenancy term of at least five years being the norm. The Housing Team has a good partnership with Registered Providers and is confident that any increased risk of homelessness would be well managed and monitored through these relationships. Should tenancies not be renewed, it was anticipated that the reason would be that the individual's circumstances had changed for the good. In terms of consultation, the Strategic Housing Officer reported that consultation responses had not been received from all parties who had been contacted as part of the process, however, positive responses had been received from Registered Providers and members of the public.

Members agreed that it was important that a review period was built into the Tenancy Strategy to allow for further Government policy changes to be taken account of and the effectiveness of the Strategy to be reviewed.

**Resolved**

- (1) That the Tenancy Strategy be adopted.
- (2) That a six month review period for the Tenancy Strategy be agreed.

## **Reasons**

An early policy statement in the form of the Tenancy Strategy is required to give guidance to Registered Provider partners and customers/other partners and to allow the Council to move forward with strategic planning for the delivery of Affordable Housing in an environment where the Council's position is understood.

The Policy environment is fast changing and the effect of the introduction of Affordable Rent and Flexible Tenancies must be monitored to judge their effects. A review of this policy after six months is recommended.

## **Options**

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|---------------------|---|
| <b>Option One</b>   | To adopt the proposed Tenancy Strategy with a six month review period |
| <b>Option Two</b>   | To adopt the proposed Tenancy Strategy with amendments                |
| <b>Option Three</b> | Not to accept the proposed Tenancy Strategy                           |

## 19 **Health Sector Changes and a Response to the draft Oxfordshire Health and Wellbeing Strategy**

The Director of Community and Environment submitted a report which provided an update on local progress with the health sector reforms, asked the Executive to respond to the Draft Oxfordshire Health and Wellbeing Strategy which is out to consultation and provided the latest position on the Community Partnership Network (CPN) and in particular, its potential role supporting Oxfordshire HealthWatch.

In considering the proposed response to the Draft Oxfordshire Health and Wellbeing Strategy, Members commented that greater reference should be made to the Banbury Brighter Futures project. In response to Members' comments regarding Supporting People, Officers provided assurance that appropriate dialogue would take place.

At the discretion of the Chairman, Councillor Les Sibley addressed Executive. Councillor Sibley noted that there had been several county wide consultation processes run by Oxfordshire County Council or Oxfordshire NHS associated with the new clinical commissioning arrangements, Healthwatch and the Public Involvement Board but raised concerns about the lack of consultation with individuals who would be affected by the proposals. The need to provide easy access to care for people in the community was also highlighted.

## **Resolved**

- (1) That the progress on the local health sector reforms be noted.

- (2) That the Community Partnership Network engaging directly with a formative Oxfordshire HealthWatch body be endorsed.
- (3) That the proposed response to the Draft Oxfordshire Health and Wellbeing Strategy be considered and that authority be delegated to the Director of Community and Environment, in consultation with the Deputy leader, to amend the response to incorporate the comments of Executive, Members and officers, prior to submission.

### **Reasons**

The Council has for many years been engaged with the health and social care sector on many issues. This report outlines the ongoing changes in that sector and the way in which the Council can and should continue to be involved to influence key service provision, more often than not by others.

HealthWatch is set to become the new independent voice and consumer champion for patients, service users and the public in health and social care, replacing the Oxfordshire Local Involvement Networks (LINKs).

### **Options**

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|---------------------|--|
| <b>Option One</b>   | To fully engage with this change process and with partners, to influence future service provision as much as possible. This option is the basis of the report recommendations. |
| <b>Option Two</b>   | To withdraw from health and social care sector matters and not become involved. Given the good work associated with the Horton General Hospital, this option is not proposed.  |
| <b>Option Three</b> | To engage only on an invited basis. Again, a passive approach such as this is not recommended as it is likely to result in only limited benefit.                               |

### **The Future of RAF Bicester**

The Chief Executive submitted a report which highlighted the opportunities presented by the marketing of RAF Bicester in relation to Heritage and economic growth and sought approval for Cherwell District Council's involvement in the project.

### **Resolved**

- (1) That the establishment of a strategic partnership (Cherwell District Council, Bomber Command Heritage and other key agencies and interested parties) to investigate the potential of securing the site for heritage purposes and to enable the provision of an education centre and museum be approved.

## Reasons

The development of an education centre and museum on the current RAF Bicester technical site would provide employment opportunities to local people and a visitor attraction that would appeal on a local, national and potentially international scale. Bomber Command Heritage believe that the contribution that this council can bring to the project will be critical in determining the way forward

## Options

**Option One** Support the proposals as set out and approve the establishment of a Strategic Partnership

**Option Two** No to support the proposal

## 21 Performance Management Framework 2011/2012 Annual Performance Review

The Head of Transformation submitted a report which presented the Council's annual performance review for 2011/12 as measured through the Corporate Performance Management Framework.

In introducing the report, the Lead Member for Customers and Performance thanked the former Lead Member for Change (Councillor Morris), whose areas of responsibility during 2011/12 had included performance management, for his hard work.

In considering the report, Executive thanked the Corporate Performance Manager and the Performance Team for producing a comprehensive performance report and the draft Annual Report. Members agreed that it was commendable that whilst there had been significant organisational change, the authority continued to deliver. Members commended officers who worked hard to ensure that targets were met. The Lead Member for Housing extended her gratitude to the Housing Team for achieving record affordable housing delivery, being the best in the county for extra care delivery and winning the Local Government Chronicle's Innovation Award 2012 for Cherwell District Council.

Councillor Cartledge, Leader of the Labour Group also commended the Annual Performance Review and good performance of the Council in difficult times. In response to the Labour Group Leader's comments regarding customer dissatisfaction and lesson learnt in relation to the changes to car parking charges, the Leader explained that it was important for the Council to remain flexible and amend policies if and as necessary.

Members commented on the value and importance of performance management and monitoring as it enabled monitoring across the breadth of the Council, enabled achievements to be highlighted and areas performing

below target or issues emerging to be identified and addressed in a timely manner.

## Resolved

- (1) That it be noted that, despite tough performance targets, a challenging economic environment, and a year of unprecedented organisational change with the implementation of a joint management team shared with South Northamptonshire Council, Cherwell District Council has met or made satisfactory progress on 95.5% of the performance targets outlined in its performance management framework.
- (2) That it be noted that, the Council has delivered a challenging value for money programme. This has ensured that the pledge to reduce the Council's budget by £1 million has been met.
- (3) That the following progress in delivering the Council's strategic objectives and the summary of performance be noted:
  - The Council has met or made satisfactory progress on 95.5% of all the performance targets set out in the Corporate Performance Management Framework.
  - With regards to the Council's Corporate Plan, 97.5% of the performance targets have been met or made satisfactory progress.
  - The Council has delivered a challenging value for money programme through both service efficiencies and implementing shared management arrangements with South Northamptonshire Council. This approach has ensured that the pledge to reduce costs by £1 million during 2011/12 has been met and that plans are well underway to ensure that the 12/13 budget is also balanced.
  - In the Council Tax Leaflet (published in February 2011) the Council outlined its performance promises for 2011/12. Of the 14 promises all but one have been met have been met with strong performance in most areas and minor issues arising in two.
  - Summary of performance against each of our scorecards:

Performance Framework	Performance % Red, Amber Green				Targets set
	Red	Amber	Green	No Data	
Corporate Plan : Pledges	7.1% (1)	14.3% (2)	78.6% (11)	0% (0)	14
Corporate Plan	2.5% (1)	5.0% (2)	92.5% (37)	0% (0)	40 *
Customer/Finance/HR Measures	12.5% (1)	25.0% (2)	62.5% (5)	0% (0)	8
Priority Service Indicators	9.5% (4)	16.7% (7)	73.8% (31)	0% (0)	42

Brighter Futures in Banbury	0% (0)	18.2% (2)	81.8% (9)	0% (0)	11
Corporate Equalities Plan	0% (0)	0% (0)	100% (13)	0% (0)	13
Major Programmes	0% (0)	22.2% (2)	77.8% (7)	0% (0)	9
Significant Partnerships	0% (0)	5.6% (1)	94.4% (17)	0% (0)	18
<b>TOTALS</b>	<b>4.5%</b> <b>(7)</b>	<b>11.6%</b> <b>(18)</b>	<b>83.9%</b> <b>(130)</b>	<b>0%</b> <b>(0)</b>	<b>155</b>

\* Note this excludes DCP2 2.3 Prepare a new Community Development Strategy which was closed in December 2011 and deferred to 2012/13

(4) That officers be requested to report in the first quarter report of 2012/13 on the following items where performance was below target or there are emerging issues or risks:

- **Customer Satisfaction:** a number of satisfaction measures are off track at year end. These include general satisfaction and satisfaction with street cleanliness. In addition complaints are slightly higher at year end. As such a review will be undertaken with regards to customer satisfaction to ensure there are no trends or underlying issues and this will be reported in the first quarter.
- **Reduce the number of fly tips:** At year end this measure is reporting red with a rise of 20 additional fly tips recorded this year (440) in comparison to 420 recorded in 2010/11. Proactive enforcement continues with 5 successful prosecutions during 2011/12. During 2012/13 figures will continue to be monitored, especially to ascertain whether the rise is a result of a one of change or part of an underlying change. Likewise proactive enforcement and publicity will continue in order to inform residents about how to dispose of their waste and the consequences of not doing so lawfully.

(5) That the draft Annual Performance Report be agreed and authority be delegated to the Head of Transformation, in consultation with the Lead Member for Performance and Customers, to make any minor changes to the document as required before publication.

## Reasons

The report shows the Council's performance against the Corporate Scorecard and Performance Management Framework in 2011/2012. From this information the Executive can make a judgement about the progress the Council is making in meeting its objectives, identify the achievements it wishes to celebrate and the areas where action is required to improve performance.

## Options

**Option One** To review current performance levels and consider any actions arising.

**Option Two** To approve or reject the recommendations above.

## 22 **2011/2012 End of Year Finance Report**

The Head of Finance and Procurement submitted a report which summarised the Council's provisional Revenue and Capital performance for the financial year 2011/2012 and reported on performance against the procurement action plan. The figures were still subject to further validation work to ensure compliance with statutory requirements and proper accounting practices.

### **Resolved**

- (1) That the provisional revenue out-turn position for 2011/2012 be noted.
- (2) That the carry forward of budget underspends within 2011/2012 to 2012/13 be agreed.
- (3) That transfer to general fund balances as detailed be noted.
- (4) That the continued improvement in accuracy and reliability that the Council has made in projecting the year end position through the embedding of the Corporate Dashboard be noted.
- (5) That provisional capital out-turn position for 2011/2012 detailed in be noted.
- (6) That it be agreed that the balances on capital schemes which have slipped in 2011/2012 be carried forward into the 2012/2013 capital programme.
- (7) That progress against the Councils Procurement Action plan and savings achieved be noted.
- (8) That the review of reserves undertaken by the Head of Finance & Procurement and the Lead Member for Financial Management be noted.
- (9) That authority be delegated to the Head of Finance and Procurement, in consultation with the Lead Member for Financial Management, to consider and implement further changes relating to all aspects of the closedown of the accounts for 2011-12 including the transfer of costs from revenue to capital, amendments of the revenue and capital budgets and implementation of a minimum revenue provision accordingly.

### **Reasons**

This report illustrates the Council's provisional performance against the 2011/2012 Revenue and Capital Budget and progress achieved against our Procurement action plan and targets.

## **Options**

**Option One** To review current performance levels and considers any actions arising.

**Option Two** To approve or reject the recommendations above.

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

### **Resolved**

That, in accordance with Section 100A(4) of the 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 paragraphs 1, 2 and 4 of Schedule 12A of that Act.

## 24 **Performance and Research Business Case**

The Head of Transformation submitted an exempt report which This report sought approval of the business case to implement a joint performance and research team across Cherwell District Council (CDC) and South Northamptonshire Council (SNC) in order to deliver cost reductions, increased organisational resilience and business systems harmonisation.

### **Resolved**

That, subject to approval of the staffing implications by Appointments and Personnel Committee and similar approval by the respective Cherwell District Council decision making bodies:

- (1) The consultation comments and responses contained in the log be noted.
- (2) The business case to implement a joint performance and research team across South Northamptonshire and Cherwell District Councils be endorsed.
- (3) (If Cherwell District Council approve in similar terms) Authority be delegated to the Head of Transformation to take all necessary steps to implement the team in compliance with the Organisational Change Policy and in consultation with the Human Resources Managers at both Councils.
- (4) Authority be delegated to the Head of Finance and Procurement in consultation with the Resources and Change Management Portfolio Holder to fund the implementation costs from earmarked reserves.

## **Reasons**

There are clear benefits to be gained from a joint performance and research team by both organisations in terms of increased resilience, consistent policies and procedures, best practice across the two authorities, efficiency and effectiveness.

## **Options**

**Option One** No joined up functions – each council's performance and research functions to run independently under a shared manager.

**Option Two** Endorse the Business Case to implement a joint performance and research team across CDC and SNC together with the granting of delegated authority to the Head of Transformation to take all necessary steps to implement the team in compliance with the Organisation Change Policy and in consultation with the Human Resource Managers at both Councils.

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## **Joint JMT (Joint Management Team) Support Service**

The Director of Resources submitted an exempt report which sought approval of the final business case for the Joint Management Team (JMT) support arrangements.

## **Resolved**

That, subject to similar approval by the respective SNC decision making bodies:

- (1) The consultation comments and responses contained in the log be noted.
- (2) The business case to implement a Joint Management Team support service across Cherwell District Council and South Northamptonshire Council and be approved.
- (3) (If South Northamptonshire Council approve in similar terms) Authority be delegated to the to the Head of Transformation to take all necessary steps to implement the non staffing aspects of the business case in compliance with the Organisational Change Policy and in consultation with the HR Managers at both Councils.
- (4) Authority be delegated to the Head of Finance and Procurement, in consultation with the Lead Member for Financial Management, to fund the implementation costs from earmarked reserves.

**Reasons**

The business case sets out in detail the proposal for a JMT support team to ensure JMT can operate as effectively as possible. The final business case incorporates changes since the original draft business case was considered by the Joint Arrangements Steering Group on the 22 March 2012.

The meeting ended at 8.15 pm

Chairman:

Date: