

## Cherwell District Council

### Executive

Minutes of a meeting of the Executive held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 23 June 2014 at 6.30 pm

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

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 Kieron Mallon, Lead Member for Performance and Communications  
Councillor D M Pickford, Lead Member for Housing  
Councillor Nicholas Turner, Lead Member for Joint Working and IT

Also Present: Councillor Sean Woodcock, Leader of the Liberal Democrat Group

Apologies for absence: Councillor Tony Ilott, Lead Member for Clean and Green

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  
Natasha Clark, Team Leader, Democratic and Elections

#### 9 **Declarations of Interest**

Members declared interests in the following agenda items:

##### **10. Brighter Futures in Banbury 2013/14 Annual Report.**

Councillor Sean Woodcock, Declaration, as his employer was the provider to CDC of the Mortgage Rescue Scheme, and should this be discussed he would not participate.

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

There were no petitions or requests to address the meeting.

11 **Urgent Business**

The Chairman advised the meeting he had agreed to one item of urgent business, Superfast Broadband. The report not envisaged at time of agenda publication due to on-going discussions, however a decision was required to ensure the matter could progress. The item would be considered at agenda item 11.

12 **Minutes**

The minutes of the meeting held on 16 June 2014 were agreed as a correct record and signed by the Chairman.

13 **Chairman's Announcements**

There were no Chairman's announcements.

14 **Corporate Equalities Annual Update**

The Head of Transformation submitted a report which reviewed the completion of the annual Self-Assessment undertaken by the Council against the Achieving Standard under the Equality Framework for Local Government.

**Resolved**

- (1) That the evidence and information submitted in the Council's Self-Assessment against the 'Achieving Standard' under the Equality Framework for Local Government be noted.
- (2) That the equalities action plan for 2014/15 noting the areas of good practice upon which it builds and the areas for development that it addresses be noted.

**Reasons**

Cherwell District Council has made significant progress delivering against the equalities agenda in recent years. This year the Council received the findings and recommendations following the Public Sector Equality Duty Review (PSED) and its impact upon the work of Corporate Equality Performance. The review arose from the Government's Red Tape Challenge and was established to examine whether the PSED is operating as intended. A key aim of the PSED was to sensitise public bodies to equality while addressing the bureaucracy associated with the previous duties on race, disability and gender.

Based on the conclusions drawn by the PSED Steering Group and suggestions for improvements raised by participants in the review, the PSED Steering Group developed nine recommendations split across different sectors with the clearest being:

- It is too early to make a final judgement about the impact of the PSED. Government should consider conducting a formal evaluation of the Duty in three years' time. This would enable the PSED to embed more thoroughly and should consider whether the Duty is an effective means of achieving the goal of sensitising public bodies to equality issues and what alternatives there might be. This work could also be informed by the Equality and Human Rights Commission (EHRC) medium-term work on how the PSED and the more prescriptive specific duties operate in Scotland and Wales.

Cherwell District Council continues to adopt a proportionate to equality performance with meaningful and relevant Corporate Action Plans to support this work.

The self-assessment identifies areas of strength and key developmental priorities and has been undertaken in line with a nationally agreed self-assessment model.

The updated action plan demonstrates how the Council will continue to deliver its equalities objectives over the coming year. Progress will be reported via the performance management framework on a quarterly basis.

The three year impact assessment rolling plan also provides assurance that the Council is mindful of policy change and seeks to understand and address the impacts of service and policy change where appropriate.

### **Alternative Options**

Option 1: To note the report

Option 2: To request additional information on items within this report

## 15 **Performance Management Framework 2013/14 Annual Performance Review**

The Head of Transformation submitted a report which covered the Council's performance review for 2013/14 as measured through the Performance Management Framework.

In considering the report, Members commented on the robustness of performance monitoring and stressed the need for this to be maintained to ensure on-going high levels of performance.

The Executive thanked the Performance and Insight Team for their hard work coordinating the Performance Management Framework and all officers for their hard work during 2013/14 resulting in very good year end performance results.

### **Resolved**

- (1) That it be noted that, despite tough performance targets, a challenging economic environment, and on-going policy and organisational change,

Cherwell District Council has met or made satisfactory progress on 95% of all the performance targets outlined in its performance management framework.

- (2) 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 Communications, to make any minor changes to the document as required before publication.

### **Reasons**

In this annual report we show that the Council continues to make strong progress on delivering its ambitions to improve the services delivered to the public and against key projects and priorities. It also demonstrates the Council's proactive performance management of issues raised and the role of Overview and Scrutiny in supporting performance review.

### **Alternative Options**

Option 1: To note the report

Option 2: To request additional information on items and/or add to the work programme for review and/or refer to Overview and Scrutiny.

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### **Provisional 2013-14 Revenue and Capital Outturn Report**

The Interim Head of Finance and Procurement submitted a report which summarised the Council's provisional Revenue and Capital performance for the financial year 2013-2014 and reports 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 carry forward of budget underspends within 2013-2014 to 2014-2015 as detailed in Appendix 1 (annex to the Minutes as set out in the Minute book) be agreed.
- (2) That the review of reserves as detailed in Appendix 3 (annex to the Minutes as set out in the Minute book) be agreed.
- (3) That the provisional capital out-turn position for 2013-2014 detailed in Appendix 2 (annex to the Minutes as set out in the Minute book) be noted.
- (4) That it be agreed that the balances on capital schemes which have slipped in 2013-2014 be carried forward into the 2014-2015 capital programme as set out in Appendix 2 (annex to the Minutes as set out in the Minute book).
- (5) That the Treasury out-turn position for 2013-14 be noted.

- (6) That progress against the Council's Procurement Action Plan be noted.
- (7) That authority be delegated to the Director of Resources, in consultation with the Interim Head of Finance and Procurement and Lead Member for Financial Management, to consider and implement further changes relating to all aspects of the closedown of the accounts for 2013-14 including: realigning reserves; the transfer of costs from revenue to capital; amendments of the revenue and capital budgets; and implementation of a minimum revenue provision accordingly.

### **Reasons**

The financial performance in terms of both capital and revenue are underspent on capital or within set tolerance targets (once revenue carry forwards are processed). The performance demonstrates the Council's ability to respond positively and actively to changing economic circumstances and deliver sizeable capital programmes and effective financial management.

The continued focus on monthly budget monitoring and continued use of the "dashboard" has enabled more efficient use of the Council's resources.

The variances on the revenue out-turns is within the Council's stated tolerance of 2% of budget. Capital was outside the tolerance of 5% of budget.

### **Alternative Options**

To reject the current proposals and to make alternative recommendations or ask officers for further information.

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### **Brighter Futures in Banbury 2013/14 Annual Report**

The Director of Community and Environment submitted a report which sought consideration of the progress made in 2013/14 of the long term and multi-agency Brighter Futures in Banbury Programme and the proposed priorities for 2014/15.

### **Resolved**

- (1) That the good progress made in the fourth year of the Brighter Futures in Banbury Programme be noted.
- (2) That the areas of emphasis and proposed activity in 2014/15 be supported.

### **Reasons**

The Brighter Futures in Banbury Programme has seen continued progress and development in 2013/14. There have been notable achievements in most of the six themes and a number of new initiatives relevant to supporting those most in need.

2014/15 requires a continued focus and the need to look at new and innovative means of delivering more effective and targeted services involving a greater range of organisations. In particular, will be the need to review and respond to the emerging changes in the make-up of the ward population arising from the recent census information to ensure that the priorities and activities within each theme are still appropriate. It is also expected that the benefits of the Council's Build Programme will begin to emerge in 2014/15 as three developments sit within the target Banbury wards. In addition, specific proposals are being developed for improved support for the over 50s unemployed, encouraging via the Banbury and Bicester College the skills and talents of primary school children and additional mentoring for young people.

The Brighter Futures in Banbury programme as a Council priority falls within the Council's Place Programme governance arrangements set up to manage multiple projects across both Cherwell and South Northants councils. As such, the Executive will receive further high level reports on this subject through that process along with the quarterly performance reporting requirements.

### **Alternative Options**

Option 1: Adopt the recommendations as set out

Option 2: Amend/add to the areas of focus for 2014/15

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### **Urgent Business - Superfast Broadband**

The Chief Executive submitted a report which sought consideration of the level of financial support to be provided for the roll out of superfast broadband across the District.

### **Resolved**

- (1) That £783,000 of the 2014-15 New Homes Bonus Allocation be allocated for Economic Development across the District.
- (2) That £500,000 be invested for the provision of superfast broadband across the District.
- (3) That it be noted that a further £500,000 will remain available to consider funding other solutions for the areas of the District not covered.

### **Reasons**

The Council is working closely with the County Council who in turn are working closely with BDUK to increase the coverage of Superfast Broadband throughout the District.

A proposal has been received by the County Council which seeks to increase coverage across the County and for Cherwell will extend coverage and requests a contribution of £500,000 from Cherwell District Council.

## **Alternative Options**

Option 1: To not invest £500,000 in the County Council's Superfast Broadband project and miss the opportunity to improve communication infrastructure across the District with the resultant impact on the local economy.

## 19 **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, Paragraphs 1, 2, 3 and 4 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.

## 20 **Proposal for a Joint Legal Service with South Northamptonshire Council and Stratford-On-Avon District Council**

The Head of Law and Governance submitted an exempt report which outlined the proposal for a three way joint Legal service between Cherwell District Council (CDC), South Northamptonshire Council (SNC) and Stratford on Avon District Council (SDC). The proposal was part of the wider transformation programme across the three Councils and driven by a need to ensure that the three Councils not only survive the financial challenges of the future years, but go on to grow and prosper as individual sovereign bodies.

### **Resolved**

- (1) That the responses to the consultation process with the affected staff and trade union representatives be noted.
- (2) That it be noted that the business case would be considered by the Personnel Committee on 2 July 2014.
- (3) That approval be given for the implementation of the proposed final business case to share a joint Legal service between Cherwell District Council (CDC), South Northamptonshire Council (SNC) and Stratford-On-Avon District Council (SDC), subject to similar consideration and approval by the respective decision making bodies of SNC and SDC.

### **Reasons**

The business case represents a major milestone in the transformation programme across CDC, SNC and SDC. The proposed joint team will increase resilience (including in the Land Charges function), improve the quality and broaden the range of services provided, increase income earning opportunities and reduce external legal expenditure across the three Councils.

## **Alternative Options**

Option One: To reject the proposal meaning the three Legal services continue to operate independently. This would not deliver the benefits or financial savings to any of the three Councils, the improvements to the customer, or the transformational change that is associated with the DCLG funding awarded to the Councils as part of the Transformation Challenge award.

Option Two: Approve the business case as attached.

The meeting ended at 7.45 pm

Chairman:

Date: