

Cherwell District Council

Executive

Minutes of a meeting of the Executive held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 7 September 2015 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 Housing
Councillor Michael Gibbard, Lead Member for Planning
Councillor Tony Ilott, Lead Member for Public Protection
Councillor Kieron Mallon, Lead Member for Banbury Futures
Councillor D M Pickford, Lead Member for Clean and Green

Also Present: Councillor Mark Cherry, representing the Leader of the Labour Group
Councillor Nicholas Mawer

Apologies for absence: Councillor Nicholas Turner, Lead Member for Change Management, Joint Working and IT
Councillor Sean Woodcock, Leader of the Labour Group

Officers: Martin Henry, Director of Resources
Karen Curtin, Commercial Director (Bicester)
Ian Davies, Director of Community and Environment
Kevin Lane, Head of Law and Governance / Monitoring Officer
Paul Sutton, Head of Finance and Procurement
Jo Pitman, Head of Transformation, for agenda item 6
Adrian Colwell, Head of Strategic Planning and the Economy, for agenda item 10
Ed Potter, Head of Environmental Services, for agenda items 17 and 19
Natasha Clark, Team Leader, Democratic and Elections

23 **Declarations of Interest**

There were no declarations of interest.

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

There were no petitions or requests to address the meeting.

25 **Urgent Business**

There were no items of urgent business.

26 **Minutes**

The minutes of the meeting held on 6 July 2015 were agreed as a correct record and signed by the Chairman.

27 **Quarter 1 2015/16 Performance Report**

The Head of Transformation submitted a report which presented the Council's performance for the period 01 April – 30 June 2015 (quarter one), as measured through the performance management framework.

Resolved

- (1) That the following achievements be noted: Neighbourhoods blitzes; Processing of Housing Benefit (HB) Claims; Continue to support skills development; Contribute to the creation and safeguarding of jobs; Processing of planning applications; Car parking revenue; and, Council Tax / NNDR Collections.
- (2) That the following performance related matters be identified for review or consideration in future reports: Establish new management arrangements for Stratfield Break Sports Group on behalf of Kidlington Parish Council; Fly Tips Recorded; Fly Tip Enforcement Actions; ASB/Nuisance Cases responded to and resolved; Carbon management plan; and, 3-way Joint Working with SNC and SDC : Transformation.
- (3) That the lack of feedback on performance issues from the Overview & Scrutiny Committee at its meeting on 1 September 2015 provided directly to The Leader be noted.

Reasons

In this report we show that the Council has again commenced the new performance year well, building on the high performance of 2014/15 and continuing the positive impact upon the 4 strategic priorities for our District that we set out to achieve. There are a small number of areas which the Council needs to keep under review to ensure targets are met and actions delivered. These and the rest of the business plan will be closely monitored over the next quarter and reported through the performance management framework.

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

28

Quarter 1 2015-16 - Revenue and Capital Budget Monitoring Report

The Director of Resources submitted a report which summarised the Council's Revenue and Capital position as at the end of the first three months of the financial year 2015-16 and projections for the full 2015/16 period.

Resolved

(1) That the projected revenue and capital position at June 2015 be noted.

Reasons

In line with good practice budget monitoring is undertaken on a monthly basis within the Council. The revenue and capital position is reported monthly to the Joint Management Team and formally to the Budget Planning Committee on a quarterly basis.

The revenue and capital expenditure in Q1 has been subject to a detailed review by Officers and reported monthly to management as part of the corporate dashboard.

Alternative options

Option 1: This report illustrates the Council's performance against the 2015-16 Financial Targets for Revenue and Capital. As this is a monitoring report, no further options have been considered. However, members may wish to request that officers provide additional information.

29

Annual Review and Report of the Brighter Futures in Banbury Programme

The Director of Community and Environment submitted a report to consider the activity and achievements of the Brighter Futures in Banbury Programme during 2014/15 and to consider a different approach to managing the partnership activity and its areas of focus from this year.

In introducing the report, the Lead Member for Banbury Futures reported that the programme had continued to meet its objectives and address the local challenges during 2014/15 and seen a greater push on engagement with the voluntary and community sector in Banbury with a range of support initiatives.

The lessons that had been learned during the past six years of the Programme could be exported to other areas in the district if there were similar issues.

The Lead Member for Banbury Futures explained that the recently obtained 2011 census information had identified changes in the make-up of the ward population which needed to be considered in the context that the whole public sector was still under fiscal pressure with on-going austerity measures and welfare reform. The meeting was advised of the change in approach to partnership activity, whereby alongside the six themes, there would be focus on specific issues and best use of existing resources made. The priorities for 2015/16 were based on partnership activity concentrating on child poverty, health inequalities, employability and supporting the most vulnerable.

Resolved

- (1) That the Brighter Futures in Banbury Programme progress made in 2014/15 and the areas requiring continuous improvement be noted.
- (2) That the change in approach to partnership activity be supported.
- (3) That the new priorities from 2015/16 be supported.
- (4) That a further detailed report on the changes to the County Council's Children's Early Intervention Services to enable the Council to contribute to the formal consultation process be received.

Reasons

The Brighter Futures partnership has for several years continued to work effectively in focussing the best use of resources on those most in need. The work of the six themes is proving valuable but continuous improvement remains to be achieved as there are still specific areas of concern which are well below comparative averages.

The context in which the partnership is operating is changing in relation to population, funding and organisational change. Organisational and service change in a partnership context is particularly challenging. This combined with future significant budget and service cuts means that it is even more important for the Council to lead and concentrate partnership resources to best effect.

The Programme to date has been progressed based on a number of theme lead meetings for coordination purposes and occasional wider Steering Group meetings to consider the overall Programme and its direction. This has required support from CDC to administer and is dependent on the availability of key representatives in different organisations being able to attend. This has proven to be challenging on occasions due to the additional pressures caused by regular changes in partnership organisations.

The recently obtained 2011 census information has identified changes in the make-up of the ward population in relation to a big increase in private rented households, an increase in single adults, lone parents and HMOs, increasing ethnic diversity, and specific issues such as a lack of qualifications of lone

parents. Of particular concern is the comparatively high level of child poverty in our wards.

It is important to periodically review the Programme and in light of the scale and nature of the challenges described above, now is an appropriate time. When doing so, there is a need to take account of current strengths and to consider what other partnership opportunities there are along with specific issues which are relevant to the people of the wards being supported. This is why the proposed wider partnership activity concentrating on child poverty, health inequalities, employability and supporting the most vulnerable are all inter related, relevant to the Brighter Future's Programme's objectives and capture other partnership opportunities which are in place.

Alternative options

Given the very wide ranging nature of the Brighter Futures Programme, there can be many different options and permutations of key priorities, areas of focus and mechanisms to progress. Therefore, no specific alternative options are identified.

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Empty Homes Premium

The Head of Finance and Procurement submitted a report to seek approval to recommend to Council that, from 1 April 2016, an Empty Homes Premium of 50% be applied for properties that have remained empty for over two years.

Resolved

- (1) That Full Council be recommended to agree that an Empty Homes Premium of 50% be introduced from 1 April 2016 for properties that have been empty for over two years.

Reasons

From 1 April 2013, Local Authorities have been able to charge a premium on a class of property which has been unoccupied and unfurnished for a period of two years or more. The premium can be up to 50% on the property.

The decision to make a determination is made under Section 11B of the Local Government Finance Act 1992 and is made at the discretion of the Council. The Government has provided guidance as to which properties should be charged the premium but ultimately, the decision is one for members to make.

Alternative options

Option 1: To decide not to make a recommendation to Council on introducing an Empty Homes Premium of 50%.

Proposal for a Joint Economic Growth Service with South Northamptonshire Council

The Head of Strategic Planning and the Economy submitted a report which presented the final business case, following consultation, for a Joint Economic Growth Service across Cherwell District Council (CDC) and South Northamptonshire Councils (SNC).

The report recommended the formation of a two way Joint Economic Growth Service and in doing so sought the Executive's agreement for the non-staffing elements of the business case. The proposal was part of the wider transformation programme across the two Councils.

Resolved

- (1) That the exempt final business case and the consultation responses in relation to non-staffing matters be considered and noted.
- (2) That it be noted that the exempt business case would be considered by the Joint Commissioning Committee with regard to staffing matters on 1 October 2015 and this would include consultation responses from affected staff and trade union representatives.
- (3) That the implementation of the proposed final business case to share a joint Economic Growth Service between CDC and South Northamptonshire Council (SNC) be approved, subject to similar consideration and approval by SNC Cabinet and approval of the staffing implications by the Joint Commissioning Committee.
- (4) That authority be delegated to the Head of Strategic Planning and the Economy, in consultation with the Leader of the Council, to make any non-significant amendment that may be required to the business case following the decision by SNC Cabinet and/or the Joint Commissioning Committee.

Reasons

The business case represents a major milestone in the revised transformation programme across CDC and SNC. The proposed joint team would provide an improved and strengthened service to support economic growth in each district by existing businesses and those looking to invest by working together, sharing expertise and best practice and taking advantage of economies of scale and providing resilience.

Alternative options

Option 1: Retain the status quo

Retaining the status quo is an option should Members wish to do so as each team has demonstrated its effectiveness in delivering economic growth and each Council has examples of best practice. However, retaining the status quo would limit the opportunities available to progress the work carried out by Deyton Bell and the recommendations from the LGA report, including

collaboration and moving towards an 'open for business' approach. The 'do-nothing' option is not recommended.

Option 2: Two-way shared service with a single Economic Growth Manager

An alternative two way shared service structure has been considered. This would see an additional post 'Economic Growth Manager' reporting directly to the Head of Service and having line management responsibility over the two team leaders.

This option has been discounted as the preferred option of two Lead Officers is an affordable model that provides geographic focus for the partners and reflects the different priorities and economies of each district. Adding an additional service manager would represent a cost increase on the proposed structure. This option could be re-visited in the future should additional partners join the structure or significant changes occur to the organisational structure of the Councils.

Option 3: Three-way collaboration and shared service with Stratford-on-Avon District Council.

A three-way collaboration with SDC is certainly a realistic option and has been given serious consideration. However, while it remains possible to progress with certain economic collaboration activities with SDC and this should be encouraged where it benefits all parties, due to the SDC Council decision in December no further formal shared service projects are being considered across the three Councils at this time.

Option 4: Three-way collaboration and shared service with other partners.

A three-way collaboration with other partners is certainly an option to consider in the future, as there are clear benefits to wider economic growth collaboration.

However, other than SDC (considered above) there are no other existing relationships at a sufficient stage to consider as part of a three-way shared service at this point. The process of developing such a relationship is likely to be lengthy and while this option should be considered again in the future, it should not be pursued at this time to the detriment of other options.

The approach in the recommendations is believed to be the best way forward. The proposal is to establish a Joint Economic Growth service between CDC and SNC and to begin a programme of collaboration and alignment including the sharing of best practice, aligning strategies and developing common projects.

Asset Management Strategy Action Plan Update

The Commercial Director (Bicester) and Head of Housing and Regeneration submitted a report to update the Executive on the progress of the priority actions arising from the Asset Management Strategy Review as reported in December 2014 and as part of the 2015/16 budget process.

Resolved

- (1) That updates on the priority actions arising from the Asset Management Plan (exempt annex to the Minutes as set out in the Minute Book) be noted.
- (2) That the allocation of up to £120k from earmarked reserves, which will allow the progression of the key activities which focus on the priority actions arising from the Asset Management Strategy Review (exempt annex to the Minutes as set out in the Minute Book) be approved.
- (3) That the use of £80k of the approved The Hill Youth and Community Centre capital budget to progress the Hill project to the next stage as be approved.
- (4) That it be noted that a comprehensive project plan was being monitored through the Accommodation Asset Strategy Board to ensure the vision set out in the 2014–2019 Asset Review and Strategy (exempt annex to the Minutes as set out in the Minute Book) would be delivered by 2019 and that progress against this action plan would be presented to the Executive in March 2016.

Reasons

It is important that adequate resource and a number of specialist reviews are available during this financial year in order to inform the work programme, capital programme and current strategic development projects. It has been estimated that the resources required in 2015/16 can be met from windfall income or earmarked capital receipts subject to Executive approval.

Alternative options

There is an option not to provide funding during 2015/16 and submit bids for the 2016/17 budget process. This is not recommended as a number of priority actions require resources now as they impact on other Council projects and priorities.

Graven Hill Update

The Director of Resources and Commercial Director (Bicester) submitted a report to update members on the work being undertaken by the Graven Hill Development Company in delivering the large scale self build project and to present the 2015/16 business plan and financial forecast as per the Council's governance and financing requirements for this investment.

Resolved

- (1) That the significant progress being carried out by the Graven Hill Development Company be noted.
- (2) That the 2015/16 Business Plan and objectives be approved.
- (3) That the updated Financial Forecast (exempt annex to the Minutes as set out in the Minute Book) be approved and officers asked to reflect

the changes from the baseline model into Council financial forecasts and funding plans.

- (4) That, subject to resolution (6) below, the membership of the Partnering Board be approved as follows: 5 Elected Members - Leader of the Council, Lead Member for Financial Management, Lead Member for Housing, Lead Member for Estates and the Economy and the Leader of the Opposition group and the Council's S 151 Officer and the Monitoring Officer.
- (5) That it be noted that the Partnership Board has responsibility for safeguarding the Council's equity investment and lending to the Company by undertaking more detailed monitoring of the Business Plan and providing advice and recommendations to Executive.
- (6) That the addition of a member of the Overview and Scrutiny Committee to the membership of the Partnering Board be approved and that the Overview and Scrutiny Committee be requested to appoint a member to the Board at its next meeting.

Reasons

As at 24 August 2015 (latest Board Meeting) the work programme for Graven Hill is on track in terms of current programme, budget and risk management.

This is a significant investment for the Council and one that is innovative and delivers many positive benefits to the District. It is therefore imperative that the strong governance that has been put place continues to actively manage the work programme, budgets, risks and mitigations.

The Partnering Board has as per the governance arrangements actively managed and monitored the delivery of the initial work programme and financial appraisal of the development company. The vision document and updated financial appraisal has been reviewed in detail and is presented to the Executive for ratification.

The Executive will receive an update in Q4 on progress against the targets.

Alternative options

There is an option to ask for a further review of the vision document and financial forecast.

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 items 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 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.

35 **Proposal for a Joint Economic Growth Service with South Northamptonshire Council - Exempt Appendix**

Resolved

- (1) That the exempt appendix be noted.

36 **Asset Management Plan 2015/16 - Exempt Appendices**

Resolved

- (1) That the exempt appendices be noted.

37 **Graven Hill Update - Exempt Appendix 2**

Resolved

- (1) That the exempt appendix be noted.

38 **Dry Recycling Contract**

The Head of Environmental Services submitted an exempt report relating to the dry recycling contract.

Resolved

- (1) As set out in the exempt minutes.
- (2) As set out in the exempt minutes.

Reasons

As set out in the exempt minutes.

Alternative options

Option 1: Approve the recommendations as set out.

Option 2: Reject the recommendations and accept the proposed price reduction.

Option 3: Ask officers to develop alternative options.

39 **Revenues and Benefits Service Options**

The Head of Finance and Procurement submitted an exempt report relating to Revenues and Benefits Service options.

Resolved

- (1) As set out in the exempt minutes.
- (2) As set out in the exempt minutes.

Reasons

As set out in the exempt minutes.

Alternative options

As set out in the exempt minutes.

40 **Highway Verge Grass Cutting**

The Head of Environmental Services submitted an exempt report to consider the highway verge grass cutting difficulties in 2015 and alternative service delivery options for 2016.

Resolved

- (1) That the action taken to address in part the 2015 highway verge difficulties in Cherwell's three urban parishes be noted and supported.
- (2) That Oxfordshire County Council (OCC) be requested to reinstate a highway verge grass cutting agency agreement for 2016 with this Council for Bicester and Kidlington/Gosford & Water Eaton for five years.
- (3) That Cherwell District Council supports Banbury Town Council to achieve the same for Banbury.
- (4) That Cherwell District Council offers to share the additional costs net of any OCC funding on a 50:50 basis with the urban parishes to achieve a reinstatement of the 2014 highway verge grass cutting standards.
- (5) That the additional cost to Cherwell District Council of the 2015 action be included in the mid-year budget review process and the longer term proposal be considered as a growth item in the 2016/17 draft Revenue Budget process.

Reasons

The inadequacy of the highway verge grass cutting standards in 2015 in Cherwell's three urban parishes and the widespread adverse public response prompted the need for immediate action given OCC's stance of only

undertaking one grass cut. The town councils of Banbury and Bicester agreed a 2015 response through the use of Cherwell's landscape management contractor for additional two cuts which mitigated in part the difficulties caused.

However, there is a need to consider putting in place alternative longer term, cost efficient arrangements which avoid a repetition of the 2015 difficulties. The options considered are to repeat the approach in 2015 with supplementary grass cuts funded jointly with the urban parishes or to reinstate the OCC agency agreement in the most cost efficient and best value way.

The recommended approach for the future is to reinstate the agency agreement for grass cutting on the highway verges of the three urban areas (albeit there will be two agreements to accommodate a more cost efficient Banbury solution) and through this plus the reduced funding from OCC, to reinstate the grass cutting standard of 2014 with the additional cost shared on a 50:50 basis between this Council and the urban parishes.

Alternative options

Option 1: to repeat the supplementary cuts arrangement in 2015. This approach has not been well received due to the late start by OCC, the grass height between cuts and the subsequent significant arisings remaining and has been confusing for the public because of no clarity regarding about who is responsible. It also carries the risk that OCC can unilaterally change its cutting schedule with little time for this Council to respond through its own contractor.

Option 2: to do nothing and allow OCC to continue with two cuts of urban area highway verges. This will result in a repeat of the significant adverse public reaction experienced in 2015.

41

New Woodgreen Leisure Centre Management Contract and Facility Improvements

The Director of Community and Environment submitted an exempt report which updated the Executive with the progress of this project, sought consideration of specific aspects to enable the project to move forward, the outcome of the tender evaluation process and to agree the shortlist for final tender submissions.

The Executive commended officers for their hard work in ensuring that the timetable for the project had been met to date.

Resolved

- (1) That the evaluation process outcome and conclusion be noted.
- (2) That the evaluation conclusion to invite remaining bidders to submit final tenders as indicated in the report be supported.
- (3) That the request in the final tenders in relation to the loss of whole or part of the bowls hall not be supported.

- (4) That the analysis of the financial implications arising from this report for this stage in the process be noted.
- (5) That both mandatory variants of lifecycle annual maintenance and utility tariff risk be included in the request for final tenders.
- (6) That the retained, shared and transferred risk approach be supported.
- (7) That the progress of all other aspects of the project be noted.
- (8) That the approach taken with Oxfordshire County Council in relation to the incorporation of the Woodgreen Library be supported.
- (9) That the timeline and key decision dates of the project plan be noted.
- (10) That Full Council be recommended to approve a supplementary capital estimate of up to £130,000 in order to undertake the priority building works prior to new contract commencement.

Reasons

As set out in the restricted minutes.

Alternative options

As set out in the restricted minutes.

The meeting ended at 7.35 pm

Chairman:

Date: