

Cherwell District Council

Executive

Minutes of a meeting of the Executive held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 4 June 2018 at 6.30 pm

Present: Councillor Barry Wood (Chairman), Leader of the Council
Councillor G A Reynolds (Vice-Chairman), Deputy Leader of the Council and Lead Member for Leisure and Sport

Councillor Colin Clarke, Lead Member for Planning

Councillor Ian Corkin, Lead Member for Customers and Transformation

Councillor John Donaldson, Lead Member for Housing

Councillor Tony Ilott, Lead Member for Finance and Governance

Councillor Richard Mould, Lead Member for Performance

Councillor D M Pickford, Lead Member for Clean and Green

Councillor Lynn Pratt, Lead Member for Economy, Regeneration and Housing

Also Present: Councillor Sean Woodcock, Leader of the Labour Group
Councillor Andrew Beere
Councillor Ian McCord, Leader, South Northamptonshire Council

Apologies for absence: Councillor Andrew McHugh, Lead Member for Health and Wellbeing

Officers: Yvonne Rees, Chief Executive
Adele Taylor, Interim Executive Director: Finance and Governance / Section 151 Officer
Claire Taylor, Director: Customers and Service Development
Paul Feehily, Interim Director of Planning and Regeneration
Richard Hawtin, Deputy Monitoring Officer
Natasha Clark, Governance and Elections Manager

1 **Declarations of Interest**

12. Joint Working Arrangements between Cherwell District Council and Oxfordshire County Council.

Councillor Ian Corkin, Declaration, as an Oxfordshire County Councillor.

Councillor Tony Ilott, Declaration, as an Oxfordshire County Councillor.

Councillor G A Reynolds, Declaration, as an Oxfordshire County Councillor.

Yvonne Rees, Declaration, as the report referred (subject to agreement by Council) to the establishment of a joint Chief Executive post and would leave the meeting for the duration of the item.

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

There were no petitions or requests to address the meeting.

3 **Minutes**

The minutes of the meeting held on 3 April 2018 were agreed as a correct record and signed by the Chairman.

4 **Chairman's Announcements**

There were no Chairman's announcements.

5 **Local Discretionary Business Rate Relief Scheme for 2018-19**

The Executive Director Finance and Governance submitted a report to consider the proposed Local Discretionary Relief Policy and to approve the local Discretionary Business Rate Relief Scheme for 2018-2019.

Resolved

- (1) That the contents of the report and any financial implications for the Council be noted.
- (2) That the adoption of the local Discretionary Business Rate Relief Scheme for 2018-2019 (annex to the Minutes as set out in the Minute Book) be approved.

Reasons

The Government expects billing authorities to use their discretionary powers under section 47 of the Local Government Finance Act to deliver a scheme for Local Discretionary Business Rate Relief. Billing authorities will be compensated through a Section 31 grant for the cost to the authority of granting the relief, up to a maximum amount based on the authority's allocation of the £300m fund.

Alternative options

Option 1: Members could choose not to recommend the proposed schemes but in view of the fact that expenditure will be reimbursed the Government expects billing authorities to grant relief to all qualifying ratepayers

Central Area Growth Board

The Executive Director for Place and Growth submitted a report to seek approval for Cherwell District Council to join the Central Area Growth Board, a newly established body which has been created by local authorities involved in the Oxford to Cambridge Corridor to assist coordination of activities aiming to support the development of the corridor.

Resolved

- (1) That within the context of the National Infrastructure Commission and Government's work on the Cambridge - Milton Keynes - Oxford corridor, it be agreed that Cherwell District Council becomes a full member of the Central Area Growth Board, adopting the Terms of Reference (annex to the Minutes as set out in the Minute Book).
- (2) That it be agreed that the Council commits to an associated contribution of £5k of ongoing revenue to support the work of the Growth Board.

Reasons

To demonstrate its commitment to regional working and to be an active partner within the Cambridge - Milton Keynes - Oxford corridor, Cherwell District Council has been actively engaging in discussions to establish a Central Area Growth Board across the 'middle' of the corridor. This will sit alongside the arrangements already in place for Oxfordshire and Cambridgeshire.

Establishing a Growth Board demonstrates to government that authorities across the South East Midlands area, based on the SEMLEP footprint, of which Cherwell District Council is a member committed to delivering a step change in sub-regional collaboration. The Growth Board will allow the area to speak with a single voice to government on cross-boundary issues, matters of sub-regional importance and coordinate any 'Housing and Growth deals' agreed across the sub region.

Alternative options

Option 1: Not to approve joining the Board

Establishing joint working at the two ends of the corridor (ie: Oxfordshire and Cambridgeshire) has played a significant role in securing investment, flexibilities and commitments from government. Doing nothing would mean that South Northants would not have a voice in similar regional discussions.

Additionally, for Cherwell, as both East-West rail and the proposed Expressway are likely to pass through Cherwell into Aylesbury District, there is merit in participating in a Board which brings together the Councils which lie to the east of Oxfordshire.

Option 2: Become a full member of the Central Area Growth Board

Working in partnership is an important means by which the Councils priorities are secured. Collaborating and proactively planning for growth through the

forum of a Growth Board will allow regional partners to proactively shape the future growth of their areas, rather than having growth imposed from above.

By becoming a full member of the Central Area Growth Board, the Council will be an active participant in contributing to the agenda for strategic planning, economic development and infrastructure planning in the central part of the corridor which is taking shape.

7 **End of year 2017-2018 Performance, Finance and Risk Monitoring Report**

The Assistant Director: Performance and Transformation and Assistant Director: Finance and Governance submitted a report which summarised the Council's Performance, Finance and Risk monitoring position as at the end of the year.

At the discretion of the Chairman, Councillor Woodcock, Lead of the Labour Group, addressed Executive regarding the redevelopment of the Hill in Banbury. Councillor Woodcock highlighted the ongoing delays to the project, the current status of the site and stated that he therefore felt an apology was due to centre users, staff and local residents.

In response to the comments of Councillor Woodcock, the Chairman acknowledged the points raised and agreed that the situation was not acceptable with the series of delays that had hampered the project. Additionally the delays and disruption and frustration to affected people could not be defended and he took the opportunity to apologise to all parties that had been and continued to be affected and stressed that officers and Members were working hard to progress the project. A new architect had been appointed to revise the specification to deliver the project within budget.

Whilst acknowledging the status of the Hill, the Chairman commented that overall performance in 2017/18 had been very good with 89% of measures reporting green at the year-end, 8% amber and 3% red.

Resolved

- (1) That the outline revenue and capital position for 2017/18 be noted.
- (2) That the performance position at the end of the year 2017/18 be noted.
- (3) That it be noted that the risk register was now reviewed and updated on a monthly basis.

Reasons

In line with good practice budget monitoring is undertaken on a monthly basis within the Council. The revenue, capital and reserves position for 2017/18 is currently in the final stages of a detailed review by officers. As a result of the current work to finalise the Statement of Accounts and year-end financial position, the final outturn will be reported to Executive and Budget Planning Committee in July.

The Council's performance management framework sets out the key objectives, projects and programmes of work that contribute to the Council's corporate business plan. This plan sits alongside the Council's budgets and risk registers.

Alternative options

Option 1: This report illustrates the Council's performance against the 2017-18 business plan. As this is a monitoring report, no further options have been considered. However, members may wish to request that officers provide additional information.

8 Monthly Performance, Finance and Risk Monitoring Report - April 2018

The Assistant Director: Performance and Transformation and Assistant Director: Finance and Governance submitted a report which summarised the Council's Performance, Finance and Risk monitoring position as at the end of each month.

In presenting the finance aspects of the report, the Lead Member for Finance and Governance advised Executive that the Finance Team were focussing on the 2017/18 account closedown and Statement of Accounts as the deadline for its completion was now earlier than previous years and thanked them for their hard work and effort in ensuring the deadline would be met.

With regards to the processing of new housing benefit claims which was currently reporting red, the Director Customers and Service Development advised Executive that this all targets in relation to the revenues and benefits team were on track. The Executive thanked the team for their hard work and noted the improvements and excellent performance in processing changes to benefit claims.

The Chairman asked the Chief Executive to pass on the thanks of Executive to all staff for their ongoing hard work and excellent performance achieved. Whilst acknowledging the uncertainty and challenging period ahead, it was important to continue delivering high quality services to residents and businesses.

Resolved

(1) That the monthly Performance, Finance and Risk Monitoring Report.

Reasons

This report provides an update on progress made so far in 2018-19 to deliver the Council's priorities through reporting on performance, the financial position and providing an update on the Leadership Risk Register.

Alternative options

Option 1: This report illustrates the Council's performance against the 2018-19 business plan. As this is a monitoring report, no further options have been

considered. However, members may wish to request that officers provide additional information.

9 **Appointment of Representatives to Partnerships, Outside Bodies and Member Champions 2018/19**

The Assistant Director: Law and Governance submitted a report to appoint representatives to Partnerships and Outside Bodies and Member Champions for the municipal year 2018/2019.

In presenting the report, the Chairman advised that he had not yet had the opportunity to discuss all proposed appointments with Members and was therefore proposing that the making and ceasing of appointments for 2018/19 be delegated in their entirety to the Assistant Director: Law and Governance, in consultation with himself as Leader.

Resolved

- (1) That authority be delegated to the Assistant Director: Law and Governance, in consultation with the Leader, to make and cease appointments and make changes to appointments as may be required for the 2018/2019 Municipal Year.

Reasons

Representatives are appointed to Partnerships, Outside Bodies and as Member Champions to ensure that the Council is represented and maintains links with partnerships and outside bodies.

Delegation to the Assistant Director – Law and Governance in consultation with the Leader provides flexibility to ensure appointments and any amendments during the municipal year are made in a timely manner.

Alternative options

Option 1: Not to appoint representatives to outside bodies, partnerships and as Member Champions. This is not recommended as the internal working groups would be ineffective and the Council would not be represented on these the outside bodies and could miss valuable information and opportunities.

10 **Urgent Business**

The Chairman advised that he had agreed to add one item of urgent business to the agenda: Joint Working Arrangements between Cherwell District Council and Oxfordshire County Council

The matter had arisen after publication of the work programme giving 28 days' notice. Earlier that afternoon the Cabinet of Oxfordshire County Council had agreed to formally approach Cherwell District Council to develop joint working arrangements and to the establishment of a joint Chief Executive post. The

formal approach was received immediately prior to the meeting of Executive and due to the need to respond to the County Council the Chairman and proper officer had agreed that this should be considered as urgent business.

11 **Joint Working Arrangements between Cherwell District Council and Oxfordshire County Council**

The Director of Customers and Service Development and Assistant Director: Law and Governance submitted an urgent report for Executive to agree in principle, subject to agreement by Council, to give South Northamptonshire Council notice of the intention to end the Section 113 agreement. Furthermore, and subject to agreement by Council, to develop joint working arrangements with Oxfordshire County Council and to the establishment of a joint Chief Executive post.

In introducing the report, the Chairman explained that the proposed joint working partnership was not connected to, and would not deliver, unitary reorganisation proposals. It would offer an innovative opportunity to make two tier local government more effective.

Resolved

- (1) That, subject to agreement by Council, it be agreed in principle, to give South Northamptonshire Council notice of the intention to end the Section 113 agreement.
- (2) That, subject to agreement by Council, it be agreed in principle to develop joint working arrangements with Oxfordshire County Council and the establishment of a joint Chief Executive post.
- (3) That, subject to agreement by Council, authority be delegated to the Assistant Director Law and Governance, in consultation with the Leader, the finalisation of a s113 Agreement including joint committees to allow for implementation as business cases are agreed for each element of joint working.
- (4) That the establishment of an informal Partnership Working Group to oversee the development of joint working be agreed.

Reasons

Following a review of the strategic case, potential financial and operational benefits; this report recommends Cherwell District Council enters into a joint working partnership with Oxfordshire County Council. This follows the necessary decision to separate from SNC as the moves to establish new unitary arrangements for Northamptonshire will inevitably unpick the joint service delivery arrangements between CDC and SNC.

The report sets out the strategic case, draft principles for joint working, potential financial advantages as well as identifying opportunities for innovative practice in terms of two tier working.

The report clearly recommends an incremental approach; with the establishment of a joint Chief Executive as a first step and then the consideration of further opportunities on a business case by business case approach. The report notes that the models for joint / shared chief executives are an established delivery model for both county and district roles.

The model proposed has been adopted in other counties and CDC has experience of a successful joint working partnership with SNC. With the use of formal joint committees and informal member working groups covered by a section 113 agreement the sovereignty of both councils is maintained. Indeed the draft section 113 agreement will set out a clear path for exit at pace if either partner wishes.

Cherwell District Council will need to review its medium term financial strategy in the light of the necessary separation from South Northamptonshire Council. If CDC wished to stand alone it would need to deliver significant savings, increase income and/or reduce services to deliver a balanced budget. A joint working partnership offers long term financial benefits and the potential to protect and enhance frontline services valued by local residents and customers.

Alternative options

Alternative options have been considered, the following factors: contribution to CDC continuity; contribute to financial sustainability; alignment of business model; culture match; political alignment; demographic match; geographic match; flexibility; growth agenda; control of pace; and, leverage, were reviewed as part of the development of this proposal. Options (including Oxfordshire Districts and out of county partners) were considered and discounted either because they failed to meet the criteria detailed above or because the risk of out of county working at the current time was considered too high.

Following the decision of Executive, at the discretion of the Chairman, Councillor Ian McCord, Leader of South Northamptonshire Council, address the meeting.

Councillor McCord commented that he understood and accepted the decision taken by the Executive. He was sad and disappointed that the successful shared working arrangements between the two authorities was being forced to come to an end as a result of the Best Value Report on Northamptonshire County Council which was forcing South Northamptonshire Council into unitary arrangements with other councils in Northamptonshire. Councillor McCord paid tribute to Councillor Wood and other members who had supported the shared working arrangements and wish Cherwell District Council all the best in the future.

The meeting ended at 7.20pm

Executive - 4 June 2018

Chairman:

Date: