

Cherwell District Council

Executive

Minutes of a meeting of the Executive held at Bodicote House, Bodicote, Banbury, Oxon OX15 4AA, on 7 February 2022 at 5.30 pm

Present:

Councillor Ian Corkin (Vice-Chairman, in the Chair), Deputy Leader and Lead Member for Customers and Transformation

Councillor Phil Chapman, Lead Member for Leisure and Sport
Councillor Colin Clarke, Lead Member for Planning
Councillor Tony Ilott, Lead Member for Finance and Governance
Councillor Andrew McHugh, Lead Member for Health and Wellbeing
Councillor Richard Mould, Lead Member for Performance
Councillor Lynn Pratt, Lead Member for Economy, Regeneration and Property
Councillor Dan Sames, Lead Member for Clean and Green
Councillor Lucinda Wing, Lead Member for Housing

Also Present:

Councillor Sean Woodcock, Leader of the Labour Group
Councillor John Broad

Apologies for absence:

Councillor Barry Wood, Leader of the Council

Officers:

Yvonne Rees, Chief Executive
Steve Jordan, Corporate Director Commercial Development, Assets & Investment & Shareholder Representative
Lorna Baxter, Director of Finance & Section 151 Officer
Anita Bradley, Director Law and Governance & Monitoring Officer
Nathan Elvery, Interim Chief Operating Officer
Michael Furness, Assistant Director of Finance & Deputy S151 Officer
Shahin Ismail, recommended appointee as Interim Monitoring Officer
Natasha Clark, Governance and Elections Manager

97 **Declarations of Interest**

There were no declarations of interest.

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

There were no petitions or requests to address the meeting.

99 **Minutes**

The minutes of the meeting held on 10 January 2022 were agreed as a correct record and signed by the Vice-Chairman in the Chair.

100 **Chairman's Announcements**

There were no Chairman's announcements.

101 **Budget Setting for 2022/23 and the Medium-Term Financial Strategy up to 2026/27**

The Director of Finance submitted a report which was the culmination of the Budget and Business Planning process for 2022/23 to 2026/27 and set out the Executive's proposed Business Plan and related revenue budget for 2022/23, medium term financial strategy to 2026/27, capital programme to 2026/27 and all supporting policies, strategies and information.

Resolved

- (1) That the proposed Fees and Charges for 2022/23 (Annex to the Minutes as set out in the Minute Book) be approved.
- (2) That the equality impact assessment of the Budget be noted.
- (3) That report on Responses to the Budget Consultation be noted.
- (4) That the Reserves Policy and medium-term reserves plan (Annexes to the Minutes as set out in the Minute Book) be approved.
- (5) That authority be delegated to the Section 151 Officer (S151), following consultation with the Leader of the Council and Lead Member for Finance and Governance, to complete the legal Council Tax calculations once all the information required has been received.
- (6) That authority be delegated to the S151, following consultation with the Leader of the Council and Lead Member for Finance and Governance, to make appropriate changes to the Executive's proposed budget to Council.
- (7) That Full Council be recommended to approve the Business Plan.
- (8) That, in relation to the Revenue Budget and Medium-Term Financial Strategy (MTFS), Full Council be recommended to approve:
 - i. That the net revenue budget for the financial year commencing on 1 April 2022 be approved.
 - ii. That the MTFS and Revenue Budget 2022/23, including the Savings Proposals, and Pressures, be approved.

- (9) That Full Council be recommended to agree an increase in the Basic Amount of Council Tax for Cherwell District Council for the financial year beginning on 1 April 2022 of £5, resulting in a Band D charge of £143.50 per annum.
- (10) That, in relation to the Capital Programme and related strategies, Full Council be recommended to approve:
- i. The Capital Bids and Capital Programme.
 - ii. The Capital and Investment Strategy.
 - iii. The Treasury Management Strategy, including the Prudential Indicators, Minimum Revenue Provision (MRP) Policy and Affordable Borrowing Limit for 2022/23.
 - iv. The Property Investment Strategy.
- (11) That, in relation to reserves, Full Council be recommended to approve a minimum level of General Balances of £6m.

Reasons

It is a legal requirement to set a balanced budget and the recommendations as outlined set out a way to achieve this. This report provides information around the various building blocks that make up the proposed budget for 2022/23 and beyond, allowing members to consider and scrutinise the elements of the budget and provide advice and guidance to Council to help further shape both budget setting for 2022/23 and the MTFs up to 2026/27.

Alternative options

Option 1: To reject the current proposals and make alternative recommendations. Members will not be aware of the medium-term financial forecast or implications of alternatives if they choose to take this option.

102

(Draft) Gambling Act 2005 Statement of Licensing Principles

The Assistant Director Regulatory Services & Community Safety to consider a revised Statement of Licensing Principles which is required to be published by the council under the Gambling Act 2005.

The report introduced a draft of the revised Gambling Act 2005 Statement of Licensing Principles, explained the reason for the review, provided a summary of the main changes to the current statement of licensing principles, and outlined the consultation process followed in revising the current document.

Resolved

- (1) That the revised Statement of Licensing Principles under the Gambling Act 2005 be agreed and Full Council be recommended to approve the Statement.

Reasons

Section 349 of The Gambling Act 2005 requires all licensing authorities to prepare and publish a statement of principles that they propose to apply in exercising their functions under the Act and in particular the 3 licensing objectives.

The Gambling Act 2005 became fully implemented on 1 September 2007 and it created a new system of licensing and regulation for commercial gambling. It requires the Council to prepare and publish a Statement of Principles for each successive period of three years, which outlines the principles that the Council will apply in exercising its functions as the Licensing Authority under the Act. The last statement was approved January 2019 and came into effect on 31 January 2019 and a new Statement must therefore be agreed by the Council.

Alternative options

Option 1: Not to review and republish the statement. It is a statutory requirement that the policy must be reviewed so this option is not recommended.

103

Approval of a Cherwell District Council Social Value Policy

The Director of Law and Governance submitted a report to advise Executive on progress towards introducing a Social Value Policy for Cherwell District Council.

Resolved

- (1) That the Social Value Policy be approved.
- (2) That the planned implementation of the Social Value Policy be approved.

Reasons

The aim of the CDC Social Value Policy is to enable the Council's spending to go further by encouraging suppliers to commit to providing additional social value, through the tendering process, that will benefit local communities within Cherwell.

Incorporating social value into our procurement process can be achieved with minimal additional time and cost, yet it is a change that can make a real difference to people in the local community, to service delivery and to the Council's spending plans as a whole.

Social value is also a legal requirement as set out in the Public Services (Social Value) Act 2012, which came into effect in January 2013, and the recent National Procurement Statement (PPN 05/21) published in June 2021.

Both the law and the statement apply to all types of public bodies, including local authorities. The mandatory nature of this legislation underlines the importance of launching the policy as quickly as possible.

Alternative options

Option 1: The option of doing nothing is not available for this project, because it is a legal requirement as set out in the Public Services (Social Value) Act 2012 and the recent National Procurement Policy Statement (PPN 05/21) published in June 2021.

Option 2: The option of undertaking the project using only internal resource was considered, however this would have incurred significant soft costs and would have also taken much longer to implement. Utilising the expertise of the Social Value Portal was considered the best value option, enabling the policy to be effective, well-considered and informed by best practices. In addition, the social value resulting from the new policy is expected to be many times the cost of annual membership, which is relatively low at £15 K GBP.

104

Shareholders Agreement - Crown House and Crown Apartments

The Shareholder Representative submitted a report to approve the shareholder agreement between Cherwell District Council (CDC) and Crown House Banbury Limited and Crown Apartments Banbury Limited

Resolved

- (1) That the entering into of a shareholder agreement between Cherwell District Council (CDC) and Crown House Banbury Limited and Crown Apartments Banbury Limited be approved.
- (2) That the Shareholder Representative, in consultation with the Leader of the Council, be authorised to settle the final terms and sign the shareholder agreement on behalf of Cherwell District Council.

Reasons

Through agreeing with the recommendations in this report the council is ensuring that a relevant and up to date legal agreement between the Shareholder and Crown House companies is in place.

Alternative options

Option 1: Not to approve the entering into of the shareholder's agreement – this has been rejected as not entering into the agreement would mean that the Council would have no ability to influence or monitor the activities, of the companies through the various rights granted to it under the shareholder's agreement.

105 **Urgent Business**

There were no items of urgent business.

The meeting ended at 5.50 pm

Chairman:

Date: