

Cherwell District Council

Executive

Minutes of a meeting of the Executive held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 11 January 2010 at 6.30 pm

Present: Councillor Barry Wood (Chairman)
Councillor G A Reynolds (Vice-Chairman)

Councillor Ken Atack
Councillor Norman Bolster
Councillor Michael Gibbard
Councillor James Macnamara
Councillor Kieron Mallon
Councillor Nigel Morris
Councillor D M Pickford
Councillor Nicholas Turner

Also Present: Councillor Alastair Milne Home

Officers: Mary Harpley, Chief Executive and Head of Paid Service
Ian Davies, Strategic Director - Environment and Community
John Hoad, Strategic Director - Planning, Housing and Economy
Mike Carroll, Head of Improvement
Phil O'Dell, Chief Finance Officer
Karen Curtin, Head of Finance
Chris Rothwell, Head of Urban & Rural Services
Karen Muir, Corporate System Accountant
Nigel Bell, Solicitor
James Doble, Democratic, Scrutiny and Elections Manager
Natasha Clark, Trainee Democratic and Scrutiny Officer

91 **Declarations of Interest**

Members declared interest with regard to the following agenda item:

11. Licensing Committee and Planning Committee Constitutional Amendments.

Councillor Nicholas Turner, Prejudicial, as licensee of Drayton Leisure Golf Club.

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

There were no petitions.

The Leader of the Council confirmed that he had agreed a request to speak from Councillor Milne Home in respect of agenda item number 7, Integrated Vehicle Parking Strategy - Civil Parking Enforcement and Residents Parking.

93 **Urgent Business**

There was no urgent business.

94 **Minutes**

The minutes of the meeting held on 7 December 2009 were agreed as a correct record and signed by the Chairman.

95 **Audit Commission's Comprehensive Area Assessment (CAA) Judgement**

The Chairman welcomed Mr Robert Hathaway, the Comprehensive Area Assessment Lead (CAAL) for Oxfordshire, Buckinghamshire and Milton Keynes to the meeting.

Mr Hathaway presented the Audit Commission's Comprehensive Area Assessment (CAA) Judgement, which was detailed in the Cherwell District Council Organisational Assessment 2009 and the Oxfordshire Area Assessment 2009. Members of the Executive made comments and asked questions on the Assessments to which answers were duly provided.

The Chairman thanked Mr Hathaway and commented on the good relations the Council has with the Audit Commission. The Chairman assured Mr Hathaway that the Council would continue to look forward and continually seek to improve further.

96 **Integrated Vehicle Parking Strategy - Civil Parking Enforcement and Residents Parking**

The Head of Urban and Rural Services submitted a report which presented progress on a number of key parking initiatives in the district, relating to: the current position and revised financial model for Civil Parking Enforcement (CPE) and further work to develop workable proposals; the outcomes of the consultation on Banbury Residents Parking Scheme and further development of proposals, subject to CPE; the current position on Bicester Residents Parking Scheme and the formal Traffic Regulation Order (TRO) advertising/consultation for the revised Scheme; Taxi Rank provision and the bid to the Council's capital programme; and, the current position regarding provision for disabled parking.

Councillor Milne Home addressed the meeting.

Resolved

- (1) Civil Parking Enforcement (CPE)
 - a) That the updated position on CPE and revised Financial Model be noted.
 - b) That further development of the Council's approach to CPE based on this Financial Model whilst seeking to reduce CDC's risks/costs through negotiation with Oxfordshire County Council (OCC) be approved.
 - c) That a further report on the outcome of these discussions and any changes to the Financial Model, prior to a final decision on implementation being taken be received by Executive.
 - d) That, as part of 1 (c) above, the appointment of consultants to assist in developing the approach to CPE and in testing and refining the Financial Model be authorised.
 - e) That investigation with OCC of on-street pay and display parking be authorised.

- (2) Banbury Residents Parking Scheme
 - a) That further work on Scheme development on the assumption that CPE will be implemented be authorised and that a further report in conjunction with a CPE report prior to formal consultation on a Scheme through the Traffic Regulation Order (TRO) process be received by Executive.
 - b) That the outcomes of the Banbury Residents Parking consultation be noted.
 - c) That a petition from the residents of Merton Street and Causeway (Zone 5) against the introduction of a Residents Parking Scheme in these streets be received.
 - d) That it be confirmed that consultation feedback and the petition received from residents in Zone 5 demonstrates that there is not sufficient support for a Scheme in the Zone and that no further scheme development will take place, and will not be reviewed for at least 2 years.
 - e) That it be confirmed that in Zone 3 where support for a Scheme from the consultation feedback was less than 50%, that no further Scheme development will take place and will not be reviewed for at least 2 years.
 - f) That, in principle, a scheme based on the consultation proposals for Zones 1, 2 and 4 be agreed and further investigations in to scheme viability for these zones based on a nil net cost to the Council be authorised.

- g) That implementation pending the outcome of CPE be deferred.
- (3) That the current position on Bicester Residents Parking and the proposals for a revised scheme to be introduced on or as soon after 1 April 2010 as formal consultation on a revised TRO for the Scheme allows be noted.
- (4) That the position on taxi rank provision, cost and funding and the application for capital funds to progress implementation in Banbury in 2010/11 be noted.
- (5) That the position on provision of parking for the disabled be noted.

Reasons –

CPE: Implementation of CPE is key to successful management of parking, particularly in urban centres. It is fundamental to the effective enforcement of on-street traffic contraventions and in successfully managing residents parking schemes. The costs, income and risk share profile are key issues and will be the subject of further analysis and reports.

Banbury Residents Parking: A number of residential streets immediately adjacent to the town centre suffer from acute parking difficulties and create real problems for residents. The Council has approved considering implementing residents parking where the response from the consultation process is at 50% support. Costs of the scheme; the number of permits available to residents; the definition of eligible properties; whether consultation in alternate language was required; parking capacity and car ownership are all significant issues around which any decision to proceed must be based.

Bicester Residents Parking: The amended TRO is fundamental to implementing a revised scheme and plans are in place for formal consultation.

Taxi Ranks: Legal process and DfT approval as well as securing funding are key issues to be addressed.

Provision for Disabled Parking: Bicester Market Square and Town Centre projects need to take full account of parking requirements.

Options

CPE Options	<ol style="list-style-type: none"> 1. Not to continue progress on CPE. 2. To pursue on a co-ordinated County wide basis 3. To pursue independently of the other Oxfordshire districts.
Banbury Residents Parking Options	<ol style="list-style-type: none"> 1. Not to progress with any schemes in Banbury 2. To progress with a scheme in all proposed zones 3. To consider the consultation feedback and make modifications to zones based on the feedback received, and undertake further detailed design and investigation to look at costs reduction options.
Bicester Residents Parking Options	No alternative options arising from this report.
Taxi Ranks Options	<ol style="list-style-type: none"> 1. Not to progress with any of the ranks reported to the July Executive 2. Progress all of the ranks 3. Progress on a phased basis having identified

	priorities and funding
Disabled Parking Options	No alternative options arising from this report.

Draft Budget and Corporate Plan 2010 - 2011 Analysis 2

The Head of Finance submitted a report which provided Executive with the second of three opportunities to shape and refine the interaction between corporate plan service plans and financial matters before the final budget is presented to Council on the 22 February 2010.

The Chief Finance Officer circulated an amended Draft Capital Programme 2010/11 to Members for consideration.

Resolved

- (1) That the draft revenue budget 2 be considered in the context of the Council's service objectives and strategic priorities.
- (2) That the draft corporate plan for 2010/11 be considered and that the addition of two new aims around the Eco-Town and Breaking the Cycle of Deprivation as requested by the Executive at their meeting on 7 December 2009 be noted.
- (3) That the approach to the overall capital programme and 10/11 expenditure profile be agreed.
- (4) That any matters Members would like taken into consideration in producing a balanced budget for the next meeting of the Executive be advised.
- (5) That the recommendations of the Resources and Performance Scrutiny Board from their meeting of December 1 2009, having undertaken a review of the Council's prioritisation matrix, revenue expenditure by service and reviewed the capital bids received as part of the 2010/11 process be considered.
- (6) That the Tax Base Report and associated discretionary powers be considered and
 - That it be resolved that, in accordance with the Regulations, as amended, the amount calculated by the Cherwell District Council as its council tax base for the year 2010/2011 shall be 50,113; and
 - That the report of the Head of Finance, made pursuant to the Local Authorities (Calculation of Tax Base) Regulations 1992, as amended, and the calculations referred to therein for the purposes of the Regulations be approved; and
 - That it be resolved that the tax base for parts of the area be in accordance with the figures shown in column 13 of Annex 1 attached to these minutes.
 - That the discretionary awards that Executive it resolved to give on December 1 2008 be continued.

- (7) That Officers be requested to include a separate heading for tackling deprivation in the quarterly Performance Management Framework updates.
- (8) That the Chief Executive be requested to provide a monthly synopsis to Executive Members on the work the council is undertaking to tackle deprivation.

Reasons – The budget will form the financial expression of the Councils strategic priorities and service delivery plans for 2010/11; the allocation of resources against agreed service priorities is necessary in order to achieve its strategic points.

Options

Option One To review draft revenue and capital budget to date and consider actions arising.

Option Two To approve or reject the recommendations above or request that Officers provide additional information.

98

Preparation for the 2012 Olympics - Tourism and Other Potential

The Strategic Director Environment and Community submitted a report which considered the opportunities associated with the 2012 London Olympics that can be delivered for the benefit of residents in Cherwell.

Resolved

- (1) That the opportunities provided by the 2012 Olympics as outlined in the report be noted;
- (2) That the establishment of a Member and Officer working group, under the Chairmanship of the Portfolio Holder for Customer Service and ICT (with special responsibility for tourism) to oversee and co-ordinate the detailed actions of the Council to maximise the sports, economic and community opportunities in the district arising from the 2012 Olympics be noted.
- (3) That the options with regard to funding levels and sources be considered.

Reasons – The Council should respond to the opportunities the 2012 Olympics provide in terms of increased sports and arts participation particularly by young people, a stronger voluntary sector, wider partnership working and benefits to the local economy from additional visitors to the District. The Council is well placed following its investment in its sports facilities to accommodate the expected increased demand for sporting activity. However, the voluntary sports sector has a significant part to play and needs support to respond to the expected increase in participation.

Options

- Option One** To support the recommendations as detailed in this report as a means of securing local benefit from the opportunities presented by the 2012 Olympics.
- Option Two** To provide further Olympics support in the form of project management, marketing and voluntary sector grant aid resources.
- Option Three** Not to support any of the recommendations in this report and to ignore the effect locally of the 2012 Olympics.

99

Crime and Disorder Scrutiny

The Head of Legal and Democratic Services submitted a report which outlined recent developments in legislation relating to overview and scrutiny as set out in the Local Government and Public Involvement in Health Act, 2007; the Police and Justice Act, 2006; and, the Local Democracy, Economic Development and Construction Bill, 2008.

Resolved

- (1) That it be agreed that the Overview and Scrutiny Committee should be formally designated as Cherwell District Council's crime and disorder scrutiny committee and that it be recommended to Council that the Constitution is so amended.
- (2) That it be noted that the Head of Legal and Democratic Services and the Democratic, Scrutiny and Elections Manager have been delegated to develop a draft protocol for the conduct of crime and disorder scrutiny for future consideration by the Overview and Scrutiny Committee.

Reasons – The formal designation of the Overview and Scrutiny Committee as the crime and disorder scrutiny body recognises the importance that the Council places on crime and disorder matters and at the same time takes account of the resources available to support crime and disorder scrutiny and is in keeping with practice in other Oxfordshire district councils.

Options

- Option One** To designate the Overview and Scrutiny Committee as Cherwell District Council's crime and disorder scrutiny committee.
- Option Two** To designate the Resources and Performance Scrutiny Board as Cherwell District Council's crime and disorder scrutiny committee.

Option Three

To establish a new, separate committee to act as Cherwell District Council's crime and disorder scrutiny committee.

Councillor Turner left the meeting whilst the following agenda item was discussed.

100

Licensing Committee and Planning Committee Constitutional Amendments

The Head of Legal and Democratic Services submitted a report which considered the constitutional amendments recommended to Council by Planning and Licensing Committees.

Recommendations

- (1) That the constitutional amendments recommended to Council by the Licensing committee relating to the Scheme of Delegation and Committee Terms of Reference be noted.
- (2) That the constitutional amendments recommended to Council by the Planning committee relating to the Scheme of Delegation and Public Speaking Procedure Rules be noted.

Options

Option One

To agree the recommendations as set out

Option Two

To make comments to Council regarding the proposed constitutional amendments

101

Calendar of Meetings 2010/11

The Head of Legal and Democratic Services submitted a report to consider a draft calendar of meetings for 2010/2011, and to recommend to Council accordingly.

Resolved

- (1) That the draft calendar of meetings for 2010/11 be recommended to Council.
- (2) That it be recommended to Council that the Chief Executive in consultation with the Leader be delegated to make amendments to the calendar of meetings as and when the general election is called.

- (3) That it be recommended to Council that the Chief Executive in consultation with the Leader be delegated to make amendments to the calendar of meetings to correct any errors or omissions.

Reasons – In order to transact business efficiently the Council needs to agree a calendar of meetings.

Options

Option One To recommend the draft calendar in the current form

Option Two To amend dates in the draft calendar. It should be noted that any changes to the calendar of meetings may have a knock-on effect to the meeting cycle or performance targets / statutory deadlines which may in turn require the whole calendar to be redrafted.

102 **Exclusion of the Press and Public**

That, in accordance with Section 100A(4) of 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, 3 and 4 of Schedule 12A of that Act.

103 **Value For Money Review of Legal Services**

The Chief Executive and Head of Improvement submitted an exempt joint report which considered the findings of the findings of the Value for Money (VFM) Review of Legal Services report and the recommendations arising from the report.

Resolved

That the recommendations 1 to 4 as set out in the exempt minutes be agreed with the additional resolution:

- (5) That the Head of Legal and Democratic Services be requested to report back to the Executive on how the transaction speed of minor legal queries can be improved.

The meeting ended at 8.40 pm

Chairman:

Date: