

## **Council Minute Book**

**Monday, 22nd February, 2010**

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## 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**

<b>CPE Options</b>	<ol style="list-style-type: none"> <li>1. Not to continue progress on CPE.</li> <li>2. To pursue on a co-ordinated County wide basis</li> <li>3. To pursue independently of the other Oxfordshire districts.</li> </ol>
<b>Banbury Residents Parking Options</b>	<ol style="list-style-type: none"> <li>1. Not to progress with any schemes in Banbury</li> <li>2. To progress with a scheme in all proposed zones</li> <li>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.</li> </ol>
<b>Bicester Residents Parking Options</b>	No alternative options arising from this report.
<b>Taxi Ranks Options</b>	<ol style="list-style-type: none"> <li>1. Not to progress with any of the ranks reported to the July Executive</li> <li>2. Progress all of the ranks</li> <li>3. Progress on a phased basis having identified</li> </ol>

	priorities and funding
<b>Disabled Parking Options</b>	No alternative options arising from this report.

97

## **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 Council's 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:

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## Cherwell District Council

### Executive

Minutes of a meeting of the Executive held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 1 February 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 John Donaldson  
Councillor Lawrie Stratford

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  
Liz Howlett, Head of Legal & Democratic Services and Monitoring Officer  
Phil O'Dell, Chief Finance Officer  
Gillian Greaves, Head of Housing Services  
Karen Curtin, Head of Finance  
Philip Clarke, Head of Planning & Affordable Housing  
Claire Taylor, Community Planning Manager  
Jo Smith, Communications Manager  
Fiona Brown, Strategic Housing Officer  
David Peckford, Senior Planning Officer  
Karen Muir, Corporate System Accountant  
Chris Thom, Planning Officer (Policy)  
Alexa Coates, Senior Democratic and Scrutiny Officer  
Natasha Clark, Trainee Democratic and Scrutiny Officer

#### 104 **Declarations of Interest**

Members declared interest with regard to the following agenda items:

##### **6. Local Development Framework Core Strategy.**

Councillor Barry Wood, Personal, as persons known to him have a land interest in the area of, but outside the ecotown.

Councillor G A Reynolds, Personal, as a County Councillor due to the County Council having a land interest at Gowell's Farm.

Councillor Kieron Mallon, Personal, as a County Councillor due to the County Council having a land interest at Gowell's Farm and as a land tenant of one of the landowners in the original draft Core Strategy but not mentioned in the current draft Core Strategy.

Councillor Michael Gibbard, Personal, as a County Councillor due to the County Council having a land interest at Gowell's Farm.

Councillor Nicholas Turner, Personal, as a County Councillor due to the County Council having a land interest at Gowell's Farm, as a tenant of part of the land that Trinity College suggested and put forward and as licensee of Drayton Golf Club which is adjacent to one of the sites mentioned in the draft Core Strategy.

Councillor Nigel Morris, Prejudicial, as having an interest in land very close to the land at Bankside (Policy BAN 3).

Councillor Norman Bolster, Personal, as a County Councillor due to the County Council having a land interest at Gowell's Farm.

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

There were no petitions or requests to address the meeting.

106 **Urgent Business**

There was no urgent business.

107 **Minutes**

The minutes of the meeting held on 11 January 2010 were agreed as a correct record and signed by the Chairman.

Councillor Morris left the meeting for the duration of the following agenda item.

108 **Local Development Framework Core Strategy**

The Head of Planning and Affordable Housing Policy submitted a report which sought approval of the Executive for a Draft Core Strategy and sought approval for the Council to undertake a period of public consultation on this document.

The Portfolio Holder Planning and Housing reported that he had received a number of responses to the Draft Core Strategy from Councillor Andrew Fulljames; Councillor Mrs Catherine Fulljames; Councillor Devena Rae;

Kidlington Parish Council; Hanwell Parish Council; a developer promoting a technological centre in Kidlington; and, Mr Radtke of Bodicote.

The Portfolio Holder Planning and Housing assured the meeting that these responses would be considered with all the responses received during the full public consultation.

### **Resolved**

- (1) That the Draft Core Strategy be approved as the Council's draft proposed development strategy for the district for the period to 2026 and as the basis for public consultation and that the Head of Planning and Affordable Housing Policy in consultation with the Portfolio Holder Planning and Housing be delegated to make any further changes before the public consultation commence.
- (2) To approve that the Council undertakes a public consultation on this Draft Core Strategy broadly in accordance with the proposals as set out below:

This public consultation is likely to include the following elements.

- Production of a summary leaflet on the contents of the Core Strategy
- Workshops with Parish and Town Councils
- Extensive publicity through the local media
- Public Exhibitions
- Use of the website
- Offers to attend public meetings hosted by parish and town councils

**Reasons** – The Draft Core Strategy provides a comprehensive series of strategic policies which will help shape the growth and development of the district over the next 16 years. It makes some difficult decisions on the locations for new development and provides a basis upon which the Council can consult with local people.

### **Options**

- |                     |   |
|---------------------|---|
| <b>Option One</b>   | Approve the Draft Core Strategy as the basis for public consultation.   |
| <b>Option Two</b>   | Amend the Draft Core Strategy prior to approving it as a basis for public consultation.                                       |
| <b>Option Three</b> | Do not approve the Draft Core Strategy at the present time, and reconsider the overall development strategy for the district. |

Councillor Reynolds took the Chair for the duration of the following agenda item.

109

### **Cherwell's Housing Strategy for Older People 2009-2014**

The Head of Housing Services submitted a report which sought for Executive to formally adopt the housing strategy for older people following consultation and to agree the delivery plan.

#### **Resolved**

- (1) That the Housing Strategy for Older People 2009-2014 be formally adopted.
- (2) That the delivery plan for the Housing Strategy for Older People 2009-2014 be endorsed.

**Reasons** - This strategy is an essential part of the District's response to the needs of our older people and seeks to deliver improvements within existing resources. Housing and related services are at the heart of enabling older people to live independent and active lives and helps prevent older people falling into crisis and the need for high cost care.

#### **Options**

- |                     |  |
|---------------------|--|
| <b>Option One</b>   | To formally adopt the strategy and endorse the delivery plan.  |
| <b>Option Two</b>   | To adopt the strategy and endorse the delivery plan with amendments.   |
| <b>Option Three</b> | Not to adopt the strategy or endorse the delivery plan in which case an alternative strategy will need to be considered. |

110

### **Member Development Monitoring Report**

The Head of Legal and Democratic Services submitted a report which updated members on the progress in member development since the approval of the Member Development and Support Strategy in September 2009.

#### **Resolved**

- (1) That the improvements since the Member Development and Support Strategy was agreed in September 2009 be noted.
- (2) That officers be requested to explore options for external accreditation of Cherwell's Member Development and support arrangements.

**Reasons** – The Member Development Strategy has had a positive impact on member development and support informed through the member support interviews process and evidenced by the increased member attendance at development events. It is also believed that this has been assisted through



the increased focus the organisation has given to member development and support, evidenced by the appointment of a specific Portfolio Holder. It is important that if the Council is to build on these achievements, this increased profile in the organisation should be maintained.

### **Options**

- |                     |                                  |
|---------------------|----------------------------------|
| <b>Option One</b>   | To agree the recommendations     |
| <b>Option Two</b>   | Not to agree the recommendations |
| <b>Option Three</b> | To amend the recommendations     |

## 111 **Performance Management Framework 2009/2010 Third Quarter Performance Report**

The Chief Executive and Community and Corporate Planning Manager submitted a report which covered the Council's performance for the period 1 October to 31 December 2009 as measured through the Performance Management Framework.

### **Resolved**

- (1) That the many achievements as set out below be noted:

#### **Cherwell: A District of Opportunity**

- In November 2009 Councillor Gibbard and Chairman Diana Edwards joined staff and tenants of Charter Community Housing in planting a tree to mark the opening of twenty affordable flats at Merton Street in Banbury. The council supported the development of these flats by investing gap funding so that Sanctuary Housing Group could make use of homes which a developer was struggling to sell.
- The council continues to work with partners to hold weekly job clubs. An apprenticeships scheme is being finalised to support opportunities for younger people.

#### **A Cleaner Greener Cherwell**

- Successful roll out of the food waste collection to 17,000 properties before Christmas.
- We have launched a resource point for recycling of redundant equipment from local businesses to voluntary organisations.

#### **A Safe and Healthy Cherwell**

- Successful opening of the new Spiceball Leisure Centre, ahead of schedule.
- The first Drinks Banning Order in the country has been obtained in Banbury and the success recognised by the Home office.
- An ASBO has been granted for a persistent offender in Bicester.

- The 'Scores on the Doors' website (for information about local food hygiene ratings) achieved 3415 hits during December.

### **An Accessible Value for Money Council**

- As at 31 December 2009 we have secured £924,000 of our £1 million savings target for 2009/10. We are also projecting £693,000 of efficiencies against a target of £600,000.
- The council has received its Comprehensive Area Assessment (CAA) organisational rating and has scored strong threes across all assessment areas:
  - Managing performance 3 out of 4
  - Use of resources 3 out of 4
  - Managing finances 3 out of 4
  - Governing the business 3 out of 4
  - Managing resources 3 out of 4

The CAA is a tougher test of performance than the CPA (Comprehensive Area Assessment) and whilst we have not achieved our aim of scoring a four there are several areas of excellence and strong performance that have been identified through the assessment. These include our performance in helping local people and businesses respond to the recession, community leadership and the pace of improvement, the way we deal with waste, clean streets, falling crime, affordable housing, homelessness and temporary accommodation performance, access to services, electronic transactions, our website and improved value for money.

- (2) That officers be requested to report in the fourth quarter on the items set out below where performance was below target or there are emerging issues:

### **Cherwell: A District of Opportunity**

- Processing of major planning applications (NI 157a processing of major planning applications within 13 weeks), performance is off target but improving. The service expects to be within target by the year end. This target has been affected by the reduced number of major applications received.
- The percentage of planning appeals upheld against a refusal. This target is reporting red (33% against a target of 30%), however, performance is improving and in December all appeals were won by the Council. It is anticipated that this target will be met by the year end.

### **A Cleaner Greener Cherwell**

- NI195b (street and environmental cleanliness – detritus), this is the second quarter this target has been reported as red. The service expects to be on track in quarter four.

### **An Accessible Value for Money Council**

- We have improved our performance in terms of benefits processing this quarter both in relation to new claims and changes to circumstances. However, this is still an area for

improvement and we will keep it under review and provide a further update in the quarter 4 report.

- (3) That the responses identified to issues raised in the last quarterly performance report be noted.
- (4) That Officers be requested to provide a briefing to the Leader on the performance of NI195b (street and environment cleanliness – detritus) over the past two quarters.

**Reasons** – This report sets out the Council's performance in the third quarter of 2009/10 as measured through the Performance Management Framework. Central to this is the Corporate Scorecard, which is made up of the Council's priority performance targets. The Corporate Scorecard covers seven areas of performance. These are performance against The Local Area Agreement; the Community Plan; the Corporate Plan promises; Priority Service Indicators; Financial Performance; Human Resources and Customer Feedback.

### **Options**

#### **Option One**

1. To note the many achievements referred to in paragraph 1.3 of the report
2. To request that officers report in the fourth quarter on the items identified in paragraph 1.4 of the report where performance was below target or there are emerging issues.
3. To agree the responses identified to issues raised in the last quarterly performance report in paragraph 2.1 of the report or to request additional action or information.

#### **Option Two**

To identify any additional issues for further consideration or review.

112

### **2009/10 Projected Revenue & Capital Outturn at 31 December 2009**

The Head of Finance submitted a report which summarised the Council's Revenue and Capital performance for the first 9 months of the financial year 09/10 and projections for the full 09/10 period. These were measured by the budget monitoring function and reported via the Performance Management Framework (PMF) informing the 09/10 budget process currently underway. The report also considered progress against the 2009/10 Procurement Action plan which contributes to the Council's annual efficiency target.

### **Resolved**

- (1) That the projected revenue & capital position at December 2009 be noted.

- (2) That the changes in the 2009/10 capital programme as detailed in resolution 3 below be approved.
- (3) That £2,734K of project funding into the 2010/11 capital programme be slipped and that this be considered as part of the 2010/11 budget process
- (4) That the contents and the progress against the procurement action plan be noted.

**Reasons** - Due to the downturn in the economy, impact of the credit crunch on Council services and the volatility of the financial markets, the Council is keeping a watching brief on any challenges that they may need to face which may result in a redirection of budgets.

### **Options**

**Option One** To review current performance levels and consider any actions arising.

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

113

### **Draft Budget 2010/2011**

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

The Chief Finance Officer circulated a 2010/11 Budget update relating to Local Authority special grant funding for concessionary travel to Members for consideration.

### **Resolved**

- (1) That the changes to the draft budget since 11th January 2010 be approved and that the draft revenue budget in the context of the Council's service objectives and strategic priorities be considered.
- (2) That the approach to the overall capital programme and 2010/11 new scheme bids be agreed.
- (3) That the treasury management strategy for 2010/11 be approved.
- (4) That the election fees payable for 2010/11 be approved.
- (5) That it be recommended that the draft corporate plan be endorsed.
- (6) That it be noted that the latest MTFs financial forecast was currently being refreshed and would be part of the budget book.

- (7) That officers be requested to produce the formal 2010/11 budget book on the basis of Appendices 1-5 as set out in the minute book.
- (8) That the updated draft budget and treasury management strategy be recommended for adoption by the Council on 22 February 2010 (as a key decision).

**Reasons** – The budget will form the financial expression of the Council's 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.

The meeting ended at 8.20 pm

Chairman:

Date:

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**COUNCIL MEETING –  
RECORD OF PORTFOLIO HOLDER DECISIONS  
SCHEDULE**

**January 2010 – February 2010**

<b>Portfolio</b>	<b>Ref.</b>	<b>Decision Subject Matter</b>
<b>Community Safety, Street Scene and Rural</b>	a)	Protecting and Enhancing Cherwell's Natural Environment
	b)	Precautionary Salting (Gritting) Policy (Update) January 2010
<b>Environment, Recreation &amp; Health</b>	c)	2009/10 Community Halls, Recreation and Sports Facilities Grants
<b>Resources &amp; Organisational Development</b>	d)	<b>RESTRICTED</b> – Proposed write-off of Arrears

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## **Cherwell District Council**

### **Accounts, Audit and Risk Committee**

Minutes of a meeting of the Accounts, Audit and Risk Committee held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 20 January 2010 at 6.30 pm

Present: Councillor John Donaldson (Chairman)  
Councillor Trevor Stevens (Vice-Chairman)

Councillor Ken Atack  
Councillor Devena Rae  
Councillor Lawrie Stratford  
Councillor Rose Stratford

Apologies for absence: Councillor Barry Wood

Officers: Mary Harpley, Chief Executive and Head of Paid Service  
Karen Curtin, Head of Finance  
Pat Simpson, Head of Customer Service & Information Systems  
Natasha Clark, Trainee Democratic and Scrutiny Officer

#### **45 Declarations of Interest**

There were no declarations of interest.

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

There were no petitions or requests to address the meeting.

#### **47 Urgent Business**

There was no urgent business.

#### **48 Minutes**

The Minutes of the meeting held on 12 December 2009 were agreed as a correct record and signed by the Chairman.

#### **49 Serious Incident Review Follow-Up**

The Committee considered a report of the Head of Customer Service and Information Systems which updated Members on the recommendations made

by the Committee at its meeting on 23 September 2009 in respect of serious incidents in general and the ICT incident of February 2009 in particular.

The Head of Customer Service and Information Systems advised the Committee that on 11 and 12 January 2010, the Internal Audit team had undertaken a review of arrangements in ICT as follow up to their February 2009 report on the original incident. The report was not yet available; however the Committee was advised that the initial debriefing had been positive. The report would be circulated to Members when it was available.

The Audit Team Leader updated Members on recommendations 3 and 4, a review of project management and serious incident management. The Committee was advised that the draft Internal Audit Plan 2010/11 included days for additional follow up.

With regard to out of hours ICT support provision (recommendation 1), the Head of Customer Service and Information Systems advised Members that Executive had considered a report on 7 December 2010 which sought approval for a major strategic project to improve the resilience of the Council's computer systems, and to progress the means of identifying options for the medium and long term delivery of ICT services.

Executive had resolved to establish a Member and Officer review group, which would be tasked with surveying the options for ICT service delivery and driving efficiencies through technology in the future. The Committee agreed that the review groups remit should also include consideration of out of hours ICT support provision.

The Head of Customer Service and Information Services advised the Committee that the review group had not yet been established. Members agreed that it was important for the Committee to be involved in the development of and represented on the Member/Officer review group. The Chief Executive and Head of Customer Service and Information Services agreed to circulate a briefing note to Committee Members with further information about the review group.

The Head of Customer Service and Information Systems reported that she was receiving monthly updates covering service availability, major incidents, changes, helpdesk call statistics, capital and operational projects status, operational issues and staff training (recommendation 2). The reports were also sent to the Portfolio Holder.

The Head of Customer Service and Information Systems updated Members on the measures taken since the incident and the progress as to how the new control and logging systems and culture were embedding in the service (recommendation 5).

### **Resolved**

- 1) That the updates to recommendations 1, 2 and 5 be noted.

- 2) That the verbal update from Internal Audit about the review of project management and serious incident management (recommendations 3 and 4) across the council be noted.
- 3) That the Member/Officer review group being established as a result of the decision by the Executive in December 2009, be asked to include out of hours and standby provision as part of its remit.
- 4) That the verbal update on the preliminary findings of an Internal Audit review of arrangements in ICT as follow up to their February 2009 report on the original incident (taking place 11 and 12 January 2010) be noted.

## 50 **Internal Audit Progress Report**

The Committee considered a report of the Chief Internal Auditor which summarised the progress made against the internal audit plan for 2009/2010 for the period from December 2009 to January 2010. The Committee was advised that 81% of the plan had been completed and that the remainder would be completed by the end of the financial year.

The Audit Team Leader reported that since the Accounts, Audit and Risk Committee meeting of 14 December 2009, three final reports had been issued, three reports were in draft form and fieldwork had commenced in six areas.

In response to Members' questions about the Risk Management Workshop, the Chief Executive advised the Committee that the Corporate Management Team were considering the outcomes of the workshop. The proposed new strategic risks would be presented to the Accounts, Audit and Risk Committee for consideration.

The Chief Executive advised the Committee that the project to integrate the risk and performance management frameworks remained on track. All strategic, corporate and service risks were currently being reviewed before being added to the integrated performance and risk register. Responsibility for strategic risk management would be taken on by the Corporate Strategy, Performance and Partnerships Team. The Performance Management Framework would be updated to include risk, resulting in a fully integrated approach to performance and risk from 2010/11.

### **Resolved**

- 1) That the internal audit progress report be approved.

## 51 **Proposals for Internal Audit Plan 2010/2011**

The Committee considered a report of the Chief Internal Auditor which presented the first draft of the proposed 2010/11 internal audit plan. The Audit Team Leader advised Members that the report was based on the Internal Audit teams Strategic Plan for 2009-12 and had been updated following the annual risk assessment and risk management workshops.

The Audit Team Leader advised the Committee that the draft Internal Audit Plan had been drafted in order to ensure that the risks facing Cherwell District Council were adequately managed and internal audit resources were effectively utilised. The final version would be presented to the Committee's March meeting for approval.

**Resolved**

- 1) That the contents of the report be approved.

52

**Overview of Treasury Management Performance Quarter 3**

The Committee considered a report of the Head of Finance which updated Members on the actual return on investments for the period to December 2009, detailed the counterparties that have been used for investments and considered compliance with the investment strategy.

The Head of Finance reminded Members that as part of the Council's Investment Strategy the Committee had responsibility for considering the investment performance to date and the Council's compliance with counterparties being used. The Committee was advised that the performance for Quarter 3 was in line with expectations and within budget tolerances

The Head of Finance updated Members on the Treasury Strategy. The Treasury Strategy would be presented to Executive on 1 February 2010 and full Council on 23 February as part of the Budget book. The 2010/11 Strategy was essentially the same as the current Strategy, with minor revisions to ensure compliance with the update CIPFA guidance.

The Head of Finance advised the Committee that Finance staff had been working on a joint basis with Oxford City Council to retender the Council's contract for treasury advice. The tender opportunity had been advertised on 14 January 2010 and submissions were due back on 12 February. A panel comprising Members and Officers from Cherwell District and Oxford City councils would convene in March to consider tender presentations by the shortlisted suppliers. Members of the Accounts, Audit and Risk Committee were asked to contact the Head of Finance if they wished to sit on the Panel.

The Head of Finance updated Members on the current situation regarding the Council's investments with the failed Icelandic bank Glitnir. The administration committee of the Glitnir bank had not given Local Authorities preferred creditor status and as such each would recover only a percentage of its investment. Local Authorities had objected to this creditor status and were being represented by the Local Government Association. The objections of the Local Authorities would now be considered under the processes followed under Icelandic insolvency law, and court action would be taken as necessary.

**Resolved**

- 1) That the contents of the report and performance to date be noted.

- 2) That the update on the procurement process be noted.
- 3) That it be noted that Members of the Accounts, Audit and Risk Committee had been invited to participate in the Member/Officer Panel to consider the tender presentations of the shortlisted suppliers for the Council's new treasury advice contract.

53

### **Verbal Updates**

#### **a) Future Management of Risk and Insurance Management**

The Chief Executive advised Members that the recommendations of the Value for Money review of risk and insurance were currently being taken forward. It had been the plan to outsource strategic risk management from 1 April 2010. However for a number of reasons it was now intended to ask the Risk Management and Insurance Officer to continue in her current role for a further year, working with the Corporate Strategy, Performance and Partnerships Team. Responsibility for insurance would be taken on by the Finance team as planned, but supported for the next year by the Risk Management and Insurance Officer who would provide the equivalent of one day a week's work on insurance, reporting on this to Finance.

#### **b) International Financial Reporting Standard (IFRS) Update**

The Head of Finance updated Members on the preparations for the implementation of the International Financial Reports Standard (IFRS). The Project Team had held two meetings and identified a number of key areas for further work.

The Head of Finance reported that the International Finance Reporting Standard Steering Group, comprising of Councillors Donaldson, Atack and Rose Stratford, the Chief Financial Officer, the Head of Finance and the Chief internal Auditor, had held their first meeting. The Steering Group would review the work of the Project Group, monitor the transition to IFRS and act as the champion of IFRS across the Council. The Steering Group would report any changes to the Accounts, Audit and Risk Committee.

The Head of Finance advised the Committee that the Council had obtained a 'green' rating from the Audit Commission for the progress to implementing the International Financial Reporting Standard.

54

### **Exclusion of the Press and Public**

#### **Resolved**

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 paragraph 3 of Part 1, Schedule 12A of that Act.

55 **Overview of Treasury Management Performance - Exempt Annex 2**

The Committee considered the exempt annex to the report of the Head of Finance updating Members on Treasury Management Performance, which listed the investments that Cherwell District Council had across all funds at 31 December 2009.

**Resolved**

- 1) That the exempt annex be noted.

The meeting ended at 8.10 pm

Chairman:

Date:

## **Cherwell District Council**

### **Overview and Scrutiny Committee**

Minutes of a meeting of the Overview and Scrutiny Committee held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 25 January 2010 at 6.30 pm

Present: Councillor Daniel Sames (Chairman)  
Councillor Lynda Thirzie Smart (Vice-Chairman)

Councillor Ann Bonner  
Councillor Nick Cotter  
Councillor John Donaldson  
Councillor P A O'Sullivan  
Councillor Chris Smithson  
Councillor Trevor Stevens  
Councillor Lawrie Stratford

Also Present: Councillor Michael Gibbard

Apologies for absence: Councillor Alastair Milne Home  
Councillor Tony Ilott  
Councillor Leslie F Sibley

Officers: John Hoad, Strategic Director - Planning, Housing and Economy  
Gillian Greaves, Head of Housing Services  
Fiona Brown, Strategic Housing Officer  
Tim Mills, Private Sector Housing Manager  
Martyn Swann, Strategic Housing Manager  
Catherine Phythian, Senior Democratic and Scrutiny Officer  
Natasha Clark, Trainee Democratic and Scrutiny Officer  
Michael Sands, Trainee Democratic and Scrutiny Officer

#### **37 Declarations of Interest**

There were no declarations of interest.

#### **38 Urgent Business**

There was no urgent business.

39 **Minutes**

The minutes of the meeting of the Committee held on 10 November 2009 were agreed as a correct record and signed by the Chairman.

40 **Private Sector Housing Strategy**

The Private Sector Housing Manager gave a presentation on the Private Sector Housing Strategy, which was developed in order to recognise the importance of good quality private sector housing in the district and highlight the contribution the private sector housing team can make towards meeting the Council's corporate priorities. The strategy was before the Overview and Scrutiny Committee for endorsement and approval given the strategic importance.

The Private Sector Housing Manager informed the Committee that the Strategy had four key areas of focus:

- Accessibility/ Affordability
- Stock Condition
- Supporting Vulnerable People
- Energy/Efficiency

The Private Sector Housing Manager explained that extensive consultation with stakeholders had taken place, as well as research on fuel poverty and stock conditions. The Private Sector Housing Manager informed the Committee that as part of the consultation process, the private sector housing team had organised and hosted a coffee morning which provided an opportunity for members of the community to learn more about the Council's services.

In discussion the Committee looked at:

- Risks presented by increased numbers of sub-divisional properties
- The valuable work of the small repairs service
- Plans/scope to expand the volume/capacity of privately rented accommodation in the District
- Licensing arrangements and enforcement procedures
- How to measure the performance and results of the strategy

Members noted the action plan which had been developed to accompany the strategy and felt that this should be reviewed again at a later date by the Overview and Scrutiny Committee. Officers agreed to give feedback on this in one year's time to provide Members with an update on progress. Members requested that the action plan be revised to include clearer, more measurable targets.

The Committee discussed ways in which to increase resident's awareness of the Council's service offerings for private sector housing. Finally Members were advised that the enforcement activities of the private sector housing team were undertaken by three full time employees who were also responsible for providing advice on housing standards and energy efficiency



as well as delivering landlord grants, and that plans to improve the service would need to be provided from the existing resource base.

### **Resolved**

- 1) That the contents of the report be noted.
- 2) That the Private Sector Housing Strategy and Action Plan be added to the Overview and Scrutiny Committee work programme for review in spring 2011.

## 41 **Older People's Housing Strategy**

The Strategic Housing Officer gave a presentation on the Older Peoples Housing Strategy, which will ensure that the Council provides the right housing and support services to meet the needs of older residents over the next five years. The Strategic Housing Officer explained that the strategy had five key priorities:

- Provide and support preventative services that allow people to remain living independently in their own home
- Increase the provision of specialist older peoples housing
- Improve the provision of information and advice about housing options for older people
- Involve older people in the way we provide services
- Ensure new development meets the needs of older people now and in the future

The Committee were conscious of the projected increase in the number of older people living in Cherwell District, which would be significantly higher than other parts of the county. They also considered that it was important to balance the needs of both urban and rural residents.

The Committee recognised the importance of ensuring that suitable accommodation is provided for elderly residents to allow them to continue living in rural areas. Members suggested that the Council should promote mixed housing provision in all new housing developments, for example via the Local Development Framework and in North West Bicester.

### **Resolved**

- 1) To note the contents of the report.
- 2) That the Older People's Housing Strategy be endorsed to Executive.

## 42 **Overview and Scrutiny Work Programme 2009/10**

The Committee considered a report of the Head of Legal and Democratic Services on the overview and scrutiny work programme 2009/10.

### **Existing work programme**

The Committee noted the contents of the report and the existing work programme 2009/10. They confirmed that the February meeting would focus on the scrutiny review into Engaging Young People and that the March meeting would include a report on the proposed approach to crime and disorder scrutiny. The Committee noted that the revised Council calendar of meetings did not include an Overview and Scrutiny Committee meeting in April.

### **Forward Plan**

The Committee did not identify any topics from the Forward Plan for inclusion on their work programme.

### **Scheduling**

#### **Built Environment Conservation Areas**

The Committee considered the proposal to conduct a scrutiny review into the Council's approach to Built Environment Conservation Areas. The Committee recognised that this had some links to the developing strategy to break the cycle of deprivation and address inequalities across the district.

The Committee agreed that these important issues should be discussed in more detail at their March meeting.

#### **Phone Access and Telephony Review**

The Committee confirmed that they would wish to consider this report before it was referred to the Executive. They suggested that the report could be allocated to the second Executive meeting at the end of March which would allow them to consider it at their meeting on 9 March. The Scrutiny Officer undertook to refer the Committee's request to the Portfolio Holder and the Strategic Director.

#### **2012 Olympics Update**

The Committee noted that the Executive had considered this report at their meeting on 11 January and all of the recommendations had been agreed. Councillor Donaldson indicated that he would be interested in serving on the Member/Officer working group. The Committee agreed that this topic should remain on the work for a further review on progress in 2010/11.

#### **Affordable Housing and Rural Exception Sites**

The Committee were informed that there had been good progress in a number of areas since the scrutiny review in the spring of 2008:

- Quarterly reports are sent to Parish Councils and ward Councillors to update on progress in their Parish. These have been generally well received, for example Wiggington Parish Council commented that the report was 'excellent and a great help'.
- A service level agreement has been signed with the Oxfordshire Rural Communities Council (ORCC) in respect of the delivery of the rural housing enabler (RHE) service. This includes a joint work plan for the RHE with clear targets for the work of the enabler.
- Greater resources have been given over to site appraisal work within the Planning Development Control service leading to faster turnaround on appraising suitable sites.

- We have built on positive relationships with the Duchy of Cornwall and some of the Oxford Colleges resulting in negotiation over land acquisition.
- We are in the planning stages for moving to a rolling housing needs programme from April 2010. This will enable us to better understand where we should be targeting our activity.

### **Resolved**

- 1) That the current overview and scrutiny work programme for 2009/10 be agreed.
- 2) That the contents of the Forward Plan be noted.
- 3) Include a briefing session on Built Area Conservation and Tackling Deprivation on the agenda of the 9 March meeting of the Overview and Scrutiny Committee.
- 4) That the Portfolio Holder for Customer Service and ICT be asked to delay the Executive's consideration of the 'Phone Access and Telephony Review' until the end of March and to refer the report to the 9 March meeting of the Overview and Scrutiny Committee.
- 5) Note that the Executive had agreed the recommendations set out in the report on "Preparation for the 2012 Olympics Tourism Potential" and agree to add the topic to the work programme for a further review of progress 2010/11.

43

### **Youth Engagement Scrutiny**

The Chairman introduced the three pupils from Banbury School who were observing the meeting as part of their involvement in the Councillor Shadowing programme.

Prior to the meeting the Scrutiny Officer had circulated a first draft of the Committee report on Youth Engagement. The Committee made some comments on the text of the draft report and asked that a revised draft be circulated in advance of their next meeting; copies should also be sent to the councillors and Banbury school pupils involved in the Councillor Shadowing programme.

The Banbury School pupils informed the Committee that they were confident that fellow pupils would be interested in participating in topical debates (which could be held at the school or hosted by the Council at Bodicote House). The Banbury School pupils said that they believed that take up would be greater if the Local Democracy Week activities were extended throughout the year and given greater advance publicity.

The Committee invited the Banbury School pupils to attend their February meeting to participate in further discussions on youth engagement in local democracy. The Scrutiny Officer confirmed that a member of the UK Youth Parliament and youth workers from the County Council would be at the next meeting. The Committee asked the Scrutiny Officer to invite some additional

guests, senior County Council officers working in youth services, to the next meeting, recognising that this might prove difficult given the short notice.

Finally the Chairman explained that there would be a private briefing session in advance of the next meeting and asked Members to forward any questions or topics for discussion to the Scrutiny Officer.

**Resolved**

- 1) That the Banbury School pupils involved in the Councillor Shadowing programme be invited to the February meeting of the Overview and Scrutiny Committee.
- 2) That senior County Council officers working in youth services be invited to the February meeting of the Overview and Scrutiny Committee.
- 3) That Members of the Overview and Scrutiny Committee be asked to forward any questions or topics for discussion on youth engagement to the Scrutiny Officer.

The meeting ended at 9.15 pm

Chairman:

Date:

## Cherwell District Council

### Resources and Performance Scrutiny Board

Minutes of a meeting of the Resources and Performance Scrutiny Board held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 12 January 2010 at 7.00 pm

Present: Councillor Colin Clarke (Chairman)  
Councillor Nicholas Mawer (Vice-Chairman)

Councillor Alyas Ahmed  
Councillor Margaret Cullip  
Councillor Devena Rae  
Councillor Carol Steward  
Councillor Patricia Tompson  
Councillor Douglas Webb  
Councillor Martin Weir

Also Present: Councillor James Macnamara

Apologies for absence: Councillor Maurice Billington  
Councillor Victoria Irvine  
Councillor Keith Strangwood

Officers: Karen Curtin, Head of Finance  
Natasha Clark, Trainee Democratic and Scrutiny Officer

#### 37 **Declarations of Interest**

There were no declarations of interest.

#### 38 **Urgent Business**

There was no urgent business.

#### 39 **Minutes**

The Minutes of the meeting held on 1 December 2009 were agreed as a correct record and signed by the Chairman.

40 **Fees and Charges Update Report 2**

The Board considered a report of the Head of Finance which detailed progress on the implementation of the recommendations arising from the Fees and Charges scrutiny review in December 2008 with a particular focus on car park income against budget.

In response to Members questions, the Head of Finance assured the Board that measures had been put in place to ensure future income implications of planned events, developments and redevelopments were included in capital bids. The Board was advised that this was currently part of an Internal Audit review.

Members discussed the advantages and disadvantages of introducing more long term parking options in Bicester and Banbury and introducing evening parking charges. The Board commented that this could be considered as part of the 2011/12 budget process. Members also asked officers to provide supplementary information on the income of Cherwell District Council car parks in comparison to privately owned car parks.

**Resolved**

- 1) That the contents of the report be noted.

41 **Update on Budget Scrutiny 2010/2011**

The Portfolio Holder Resources and Organisation Development and Head of Finance were present to update Members on the status of the 2010/2011 budget process. They paid particular regard to the outcome of the Executive's consideration of the 14 recommendations (attached at appendix 1 to these minutes) submitted by the Resources and Performance Scrutiny Board in December 2009 following their budget scrutiny work in the autumn.

The Head of Finance reported that on 11 January 2010 the Executive had agreed the second draft of the 2010/2011 budget which included the Board's 14 recommendations. With regard to the Capital Programme, the Head of Finance advised Members that all bids with 21 points or lower had been deleted, unless they were necessary or commitment had previously been given. There were currently 36 bids which would be further considered by the Capital Investment Delivery Group against the following criteria: necessary, mandatory, points criteria basis.

With regard to recommendation 9: "That the potential for savings on Christmas Lights (£66K 2009/10) should be considered as part of the 2011/2012 budget process. The process should include early consultation (in Q1 2010) with Banbury Town Council, Bicester Town Council and Kidlington Parish Council", Members requested that officers write to each of the town/parish councils to confirm the current situation.

The Portfolio Holder Resources and Organisational Development advised the Board that the second draft budget had illustrated significant progress in

securing further efficiency savings to reduce the funding gap identified in the first draft from £349,623 to approximately £32k.

The Portfolio Holder Resources and Organisational Development highlighted the draft targets for 2010-2011 within the Corporate Plan. The Board noted that, as in previous years, a set of council tax promises will be drawn from the Corporate Plan targets.

The Board noted that the Executive would consider the third draft of the budget in February 2010. The final version of the budget and the final Corporate Plan targets and promises would be presented to Council on 22 February 2010.

In response to questions, the Head of Finance updated Members on the current situation regarding the Council's investments with the failed Icelandic bank Glitnir. The Board was advised that the Council had been informed that all Local Authority claims would not receive priority creditor status. Under the revised status the Council would recover a significantly reduced amount of investment than previously anticipated.

The Head of Finance informed the Board that the Local Government Association, which was representing a number of Local Authorities, including Cherwell District Council, had lodged an appeal challenging the decision.

42

### **Partnership Scrutiny: Oxfordshire Rural Community Council**

The Board considered a report of the Head of Legal and Democratic Services which updated Members on the progress to date of the scrutiny review of Oxfordshire Rural Community Council and presented the emerging conclusions for consideration.

The Board considered a briefing paper on alternative delivery methods for Oxfordshire Rural Community Council services (excluding the housing element). Members discussed the options put forward in the briefing paper and agreed that the best option was to maintain the partnership. Members commented that throughout the course of the review it had been apparent that the partnership was critical to the delivery of the Council's rural agenda. Members of the Board noted that as the demand for services varied each year the partnership offered a higher degree of flexibility than an in-house service would be able to offer. However, Members agreed that it was important that a more formal arrangement for the partnership be developed, which could be achieved through the adoption of a Service Level Agreement for the urban/rural and community transport elements of the partnership.

The Board discussed the importance of the role and involvement of elected Members in the Council's partnership with Oxfordshire Rural Community Council specifically, and with all of the Council's partnerships and outside bodies to which the Council appoints a representative in general.

Members noted that whilst the Portfolio Holder Community Safety, Street Scene and Rural had regular briefings with Cherwell District Council Officers, he did not have regular meetings with Oxfordshire Rural Community Council

representatives or attend any meetings arranged by ORCC. The elected Member who had been appointed to ORCC as an outside body representative had not had any contact with the Portfolio Holder, the Cherwell District Council Officers or ORCC.

The Board agreed that it was important for elected Members to be involved in the Council's partnerships/outside bodies. Members were unable to come to a view as to whether the elected representative on the Oxfordshire Rural Community Council should be the Portfolio Holder or a rural ward Member. There were arguments in favour of both options and Members agreed that there were general issues that needed to first be considered relating to the role and involvement of elected Members in the Council's partnerships and as appointed outside body representatives:

- The need for clear guidelines about the roles and responsibilities of elected Members appointed to outside bodies and partnerships, including clarification of Members' interests
- The need for guidelines for partners and outside bodies

The Trainee Democratic and Scrutiny Officer advised the Board that the Head of Improvement was leading a project team undertaking a review of member representation on partnerships and outside bodies on behalf of the Deputy Leader/Portfolio Holder for Environment, Recreation and Health. The Board agreed that the Chairman should meet with the Democratic, Scrutiny and Elections Manager and Scrutiny Officer, who were on the project team, to discuss the review and report back to the Board.

### **Resolved**

- 1) That the contents of the report be noted.
- 2) That the issues arising from the briefing on alternative delivery methods for Oxfordshire Rural Community Council services (excluding the housing element) be noted.
- 3) That the following recommendations be agreed:
  - a) That it be noted that the Council's partnership with Oxfordshire Rural Community Council is an important partnership which should continue and be regarded as critical to the delivery of the rural agenda.
  - b) That a Service Level Agreement for the urban/rural and community transport elements of the partnership be adopted.
  - c) That the Resources and Performance Scrutiny Board should monitor progress against each of the above recommendations and review the situation, initially in September 2010.
- 4) That the Chairman of the Resources and Performance Scrutiny meet with the Democratic, Scrutiny and Elections Manager and Scrutiny Officer regarding the review of member representation on partnerships and outside bodies and report back to the Board.



- 5) That agreement of the following draft recommendations be deferred subject to further clarification regarding the role and involvement of elected Members on the Council's partnerships and as appointed representatives on outside bodies:
- a) That an annual programme of aims/objectives (aligned to the Rural Strategy Action Plan and the Council's corporate priorities) be agreed with Oxfordshire Rural Community Council and regularly reviewed and monitored.
  - b) That the role and involvement of elected Members in the Council's partnership be clarified and strengthened.
  - c) That the elected Member representative should work closely with urban and rural services officers and community transport officers to provide overall steer and direction

### 43 **Overview and Scrutiny Work Programme 2009/2010**

The Board considered a report of the Head of Legal and Democratic Services on the overview and scrutiny work programme 2009/10.

#### **Bicester Vision Partnership**

The Vice-Chairman, who had been a member of the Overview and Scrutiny Committee when it had carried out a review of the Bicester Vision Partnership, advised Members that there were a number of further issues to be considered before the Board could consider proposals to review the Council's continued involvement with Bicester Vision Partnership.

The Board agreed that the Chairman, Vice-Chairman and Councillor Steward would arrange a meeting with the Leader of the Council to discuss the Council's involvement with Bicester Vision Partnership and report the outcomes of this meeting to the Board.

#### **Overview and Scrutiny Work Programme**

The Board noted the contents of the report and the existing work programme 2009/10. Members noted that the Portfolio Holder Planning and Housing and Housing Officers would be invited to the Board's February meeting to brief Members on the Registered Social Landlords' Management Group. The Board noted that the Portfolio Holder Community Safety, Street Scene and Rural, the Head of Improvement and the Head of Safer Communities and Community Development would be invited to the Board's February meeting to brief Members on the initial findings of the value for money review of the Cherwell Safer Communities Partnership. This would also be an opportunity for the Board to consider the approach to a scrutiny review of the Cherwell Safer Communities Partnership.

#### **Resolved**

- 1) That Councillors Clarke, Mawer and Steward will arrange a meeting with the Leader of the Council to discuss Bicester Vision Partnership and update the Board on the outcomes of this meeting.

- 2) That the current Resources & Performance Scrutiny Board element of the work programme for 2009/10, including the items scheduled for February 2010 meetings be noted.
- 3) That the Portfolio Holder Planning and Housing and Housing Officers be invited to the Board's February meeting to brief Members on the Registered Social Landlords' Management Group
- 4) That the Portfolio Holder Community Safety, Street Scene and Rural, the Head of Improvement and the Head of Safer Communities and Community Development be invited to the Board's February meeting to brief Members on the initial findings of the value for money review of the Cherwell Safer Communities Partnership.

The meeting ended at 8.00 pm

Chairman:

Date:

## **Cherwell District Council**

### **Standards Committee**

Minutes of a meeting of the Standards Committee held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 21 January 2010 at 6.30 pm

Present: Dr Sadie Reynolds (Chairman)  
Jim McBeth (Vice-Chairman)

Councillor Timothy Hallchurch MBE  
Councillor Eric Heath  
Councillor James Macnamara  
Councillor George Parish  
Councillor Douglas Williamson  
Douglas Frewer  
Kenneth Hawtin  
Councillor Alan Greenslade-Hibbert

Substitute Members: Councillor David Carr (In place of Councillor Bernard Lane)

Apologies for absence: Councillor Fred Blackwell □ Councillor Ann Bonner □ Councillor Rose Stratford □ Councillor Bernard Lane

Officers: Liz Howlett, Head of Legal & Democratic Services and Monitoring Officer  
Nigel Bell, Solicitor  
Alexa Coates, Senior Democratic and Scrutiny Officer

#### 40 **Declarations of Interest**

There were no declarations of interest.

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

There were no petitions or requests to address the meeting.

#### 42 **Urgent Business**

There was no urgent business.

43 **Minutes**

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

44 **Minutes of the Standards Assessment Sub-Committee meeting 26 November 2009**

The minutes of the Standards Assessment Sub-Committee meeting held on 26 November 2009 were noted.

45 **Minutes of the Standards Assessment Sub-Committee meeting 17 December 2009**

The minutes of the Standards Assessment Sub-Committee meeting held on 17 December 2009 were noted.

46 **Update on Complaints**

The committee considered a report of the Head of Legal and Democratic Services/Monitoring Officer which updated members on complaints relating to alleged breaches of the code of conduct received since the last meeting of the committee. The committee were advised that a meeting between the parties involved in the Weston on the Green complaints had been arranged for the end of January. It was hoped that this meeting would resolve the issues surrounding the complaints.

**Resolved**

That the contents of the report is noted.

47 **Support to Parishes**

The committee considered a report of the Head of Legal and Democratic Services/Monitoring Officer which asked members to consider the support the committee gave to parish councils. The committee were advised of a proposed forum for new parish clerks supported by the Oxfordshire Association of Local Councils and District Councils in the area. The committee felt the forum would provide a valuable tool to clerks in the District especially as there seemed to be such a high turnover of parish clerks. Members also felt that the forum would be useful to all clerks and that committee members may find it useful to attend.

The committee discussed the support which they provided to parish councils and the possibility of the Chairman and Vice Chairman visiting parish councils in the District to offer support on the code of conduct and ethical framework. It was suggested that initially support, in the form of these visits, would be offered to parish councils who had indicated they would like extra support and training in their responses to the ethical framework questionnaire.

**Resolved**

- 1) That the parish councils who requested support and training in their response to the ethical framework questionnaire be offered assistance and guidance from the committee.
- 2) That the proposals for an Oxfordshire Parish Clerks Forum be noted.

48 **Nomination to Corporate Governance Panel**

The committee considered a report of the Head of Legal and Democratic Services/Monitoring Officer which sought the appointments of a member of the Standards Committee to the Corporate Governance Panel.

**Resolved**

That Councillor Timothy Hallchurch is appointed to the Corporate Governance Panel for 2010/11.

49 **Operation of The Ethical Framework - Analysis of Responses**

The committee considered a report of the Head of Legal and Democratic Services/Monitoring Officer updating members of the results of the Ethical Framework Survey. The committee noted the good level of respondents (57%). The committee felt that it was not appropriate to wait for a new code of conduct to be issued before code of conduct training was offered to parish councils. Training had been requested by a number of respondents. The committee suggested that code of conduct training is offered to parish councils and that there was a particular focus on the local assessment regime and guidance on declaring interests at meetings. The committee felt that visits to the parish councils who had requested further assistance by the Chairman and Vice Chairman of the committee would provide a valuable training tool.

**Resolved**

- 1) That the contents of the report is noted.
- 2) That training on the current code of conduct is provided to parish councils.

The meeting ended at 7.20 pm

Chairman:

Date:

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By virtue of paragraph(s) 1, 2, 3, 4 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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