

URGENT BUSINESS AND SUPPLEMENTARY INFORMATION

Council

16 July 2012

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If you need any further information about the meeting please contact James Doble, Democratic and Elections james.doble@cherwellandsouthnorthants.gov.uk, 01295 221587

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Council Minute Book

Monday 16 July 2012

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Cherwell District Council

Executive

Minutes of a meeting of the Executive held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 5 March 2012 at 6.30 pm

- Present: Councillor Barry Wood, Leader (Chairman)
Councillor G A Reynolds, Deputy Leader (Vice-Chairman)
- Councillor Ken Atack, Lead Member for Financial Management
Councillor Norman Bolster, Lead Member for Estates
Councillor John Donaldson, Lead Member for Banbury Brighter Futures
Councillor James Macnamara, Lead Member for the Environment
Councillor Nigel Morris, Lead Member for Change
Councillor D M Pickford, Lead Member for Housing
- Apologies for absence: Councillor Michael Gibbard, Lead Member for Planning
- Officers: Ian Davies, Director of Community and Environment
Martin Henry, Director of Resources / Section 151 Officer
Calvin Bell, Director of Development
Chris Rothwell, Head of Community Services
Kevin Lane, Head of Law and Governance / Monitoring Officer
Claire Taylor, Corporate Performance Manager
Charlotte Morbey, Community Engagement Officer (for agenda item 6)
Natasha Clark, Team Leader, Democratic and Elections

92 **Declarations of Interest**

There were no declarations of interest.

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

There were no petitions or requests to address the meeting.

94 **Urgent Business**

There were no items of urgent business.

95 **Minutes**

The minutes of the meeting held on 6 February 2012 were agreed as a correct record and signed by the Chairman.

96 **Neighbourhood Planning Protocol**

The Head of Strategic Planning and the Economy submitted a report which sought approval of a Neighbourhood Planning Protocol, to ensure local communities are aware of the Neighbourhood Planning process.

In considering the report, Members agreed that the Protocol was a good and informative document which provided a useful guide for parishes in the district.

Resolved

- (1) That the Neighbourhood Planning Protocol be agreed and adopted.
- (2) That authority be delegated to the Head of Strategic Planning and the Economy, in consultation with the Lead Member for Planning, to make any minor changes to the document before publication.

Reasons

It is important that local communities are aware of the Neighbourhood Planning process including the steps involved and the resources that the District Council may be able to offer. The Protocol seeks to provide this information for communities to make informed decisions.

Options

Option One To approve the Neighbourhood Planning Protocol to ensure local communities are aware of the Neighbourhood Planning process.

Option Two The Executive could choose not to agree the Protocol on Neighbourhood Planning. However, the Protocol is considered to be a valuable guide for local communities as to the process involved in their preparation and the Council's own position in terms of available financial and other resources

97 **The Police and Crime Commissioner**

The Head of Community Services submitted a report on progress to date on the implementation of the Police Crime Commissioner (PCC) and the Thames Valley Police and Crime Panel (PCP) and sought approval for proposed arrangements.

Resolved

- (1) That the offer from Buckingham County Council (BCC) to host the Police and Crime Panel be supported.

- (2) That the approach through the Chief Executives Thames Valley Police Crime Commissioner Transition Group to work on the implementation process be noted.
- (3) That the officer nominations on the Scrutiny Group and the Task and Finish Group be noted.
- (4) That the nomination of the relevant Lead Member as the Council's representative on the Member Steering Group of the Police and Crime Panel be approved.

Reasons

The Government's message is quite clear that there will be no prescriptive detail being handed down in the development of the PCC and PCP. However current guidance suggests a PCP role wider than that of light touch scrutiny. There is little guidance on how Community Safety Partnerships (CSPs) will communicate with the PCC other than the Act specifies CSPs as having a reciprocal duty to interact with the PCC. In addition the PCC has the authority to call CSPs to account where they appear to be failing.

In Oxfordshire the OSCP Board is developing a strategy to facilitate the PCC by creating a business plan to deliver priorities set out in the final TVPA Policing Plan and any additions created by the incoming PCC manifesto.

By supporting the BCC proposal it will allow the PCP to form prior to the PCC elections; vote on the co-optee members; and enable the Transition Group to create a briefing for the public and incoming PCC.

Options

Option One

To support BCC bid, including:

- BCC's proposal to host the PCP
- That officers represent the Council in the Transition Group
- That an elected member is appointed to the PCP, initially through the Member Steering Group

Option Two

Not to support BCC's bid and to submit a CDC bid or support another bid from another authority

31 December 2011 as measured through the Performance Management Framework

In considering the report, the Executive thanked officers for producing a comprehensive report and the officers who worked hard to ensure that targets were met. Members commented on the value and importance of performance management and monitoring and in noting the Business Plan and Council priorities for 2012/13 which would form the basis of the performance management framework in the coming year stressed that the council would not be complacent and continue to maintain high levels of performance and seek improvement where required.

Resolved

- (1) That the following achievements be noted:

Cherwell: A District of Opportunity

- Actions are on-going to promote apprenticeships and other routes to work and education. 2 Job clubs were held in Bicester, 3 in Banbury and for the first time, 1 in Kidlington. 1128 job seekers have been helped in 2011/12 to date.
- 107 affordable homes have been delivered in the District to-date against year-end target of 100. Miller Road young person's scheme is due to complete in February 2012 and Cassington Road, Yarnton in March.
- Bicester Town Centre: completion of the development agreement has taken place and a signed licence has been received for advanced work to be undertaken in January.
- The number of households in temporary accommodation continues to improve although the number of people approaching for assistance is still increasing. Performance is being closely monitored.

A Cleaner Greener Cherwell

- Good quarter performance (59% against target of 50%) however it is possible that the recycling rate may fall slightly short of 60% target at year end, in the range 58-59%.
- Plans to address customer satisfaction levels through the neighbourhood blitz programme, mechanical sweeper replacement and the Keep Britain tidy campaign "Love Where You Live" are being developed
- A Green apple award for the best environmental practice, was presented to Cherwell at the House of Common. It was awarded following the refurbishment of the depot producing significant reductions in CO2 emissions
- Eco Bicester: the engagement strategy has been approved and is being implemented. The Project Team (Community Liaison and Community Engagement roles) continue to ensure there are opportunities to participate in the programme working in partnership with the private

A Safe, Healthy and Thriving Cherwell

- Recreation Activators launched a new initiative 'take over' part of which is to encourage inactive pupils in the school playground to participate in positive activities. This has proved a success with 156 participants and 728 attendances.
- (All) crime levels remain down against same period last year
- All Leisure Centre usage has continued to exceed target due in the main to a mild, snow free December.
- Works to Phase 1 of the SW Bicester multi sports village continues with hedge and tree planting during December and January.

An Accessible, Value for Money Council

- An online citizen portal is being developed to allow charged services to be requested and paid for
- The average speed of answer for calls received by the Council during December was above target at 41 seconds. Q3 average speed to answer was on target at 1minute 10 seconds

- (2) That officers be requested to report in the final quarter on the following items where performance was below target or there were emerging issues or risks:

An Accessible, Value for Money Council

- A review of complaints will be undertaken and included in the year end report to identify opportunities for organisational learning as a result of customer feedback.

- (3) That responses identified to issues raised in the quarter 2 performance report be agreed.
- (4) That authority be delegated to the Director of Resources, in consultation with the Leader of the Council and the Lead Member for Change, to make any minor changes to the Business Plan before publication.
- (5) That officers be requested to produce a one page summary of the performance highlights for circulation to all Members.

Reasons

This report shows that at the third quarter the Council continues to make strong progress on delivering its ambitions to improve the services delivered to the public and against key projects and priorities. Risks have been reviewed and the report highlights a small number of areas which the Council needs to keep under review to ensure targets are met. This report also identifies emerging issues which will be reported on in the next quarter.

The report also presents the Business Plan and Council priorities for 2012/13 which will form the basis of the performance management framework in the coming year.

Options

Option One

- (1) To note the many achievements referred to in paragraph 1.3.
- (2) To request that officers report in the third quarter on the items identified in paragraph 1.4 where performance was below target or there are emerging issues or risks..
- (3) To agree the responses identified to issues raised in the end of year performance report in paragraph 2.1 or to request additional action or information.
- (4) To identify any further performance or risk related matters for review or consideration in future reports.

Option Two

To identify any additional issues for further consideration or review.

99 **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 Schedule 12A of that Act.

100 **Award of Contract for the Provision of Internal Audit Services to Cherwell District Council**

The Director of Resources and Head of Finance and Procurement submitted an exempt report which sought approval for the award of a contract for the provision of Internal Audit Services to Cherwell District Council.

Resolved

That the resolution as set out in the exempt minute be agreed,

101 **Woodgreen Leisure Management Contract Procurement**

The Head of Community Services submitted a report which outlined the procurement and management options for Woodgreen Leisure Centre and sought approval for the preferred management arrangements and procurement process to enable this detailed work to commence.

Resolved

That the resolutions as set out in the exempt minutes be agreed.

The meeting ended at 7.30 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 2 April 2012 at 6.30 pm

Present: Councillor Barry Wood, Leader of the Council (Chairman)
Councillor G A Reynolds, Deputy Leader of the Council (Vice-Chairman)

Councillor Ken Atack, Lead Member for Financial Management
Councillor Norman Bolster, Lead Member for Estates
Councillor John Donaldson, Lead Member for Banbury Brighter Futures
Councillor Michael Gibbard, Lead Member for Planning
Councillor James Macnamara, Lead Member for the Environment
Councillor Nigel Morris, Lead Member for Change
Councillor D M Pickford, Lead Member for Housing
Councillor Nicholas Turner, Lead Member for Customer Services

Also Present: Councillor Leslie F Sibley, Leader of the Labour Group
Councillor Tim Emptage, Leader of the Liberal Democrat Group

Officers: Sue Smith, Chief Executive
Calvin Bell, Director of Development
Martin Henry, Director of Resources / Section 151 Officer
Kevin Lane, Head of Law and Governance / Monitoring Officer
Adrian Colwell, Head of Strategic Planning and the Economy
Karen Curtin, Head of Finance and Procurement
Linda Rand, Design and Conservation Team Leader (for agenda item 6)
Martyn Swann, Strategic Housing Manager (for agenda item 7)
Helen Town, Strategic Housing Officer (for agenda item 7)
Natasha Clark, Team Leader, Democratic and Elections

102 **Declarations of Interest**

There were no declarations of interest.

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

There were no petitions or requests to address the meeting.

104 **Urgent Business**

There were no items of urgent business.

105 **Minutes**

The minutes of the meeting held on 5 March 2012 were agreed as a correct record and signed by the Chairman.

106 **Draft Conservation and Urban Design Strategy for Cherwell**

The Head of Strategic Planning and the Economy submitted a report which sought the approval of the Draft Conservation and Urban Design Strategy for Cherwell for public consultation purposes.

In introducing the report, the Lead Member for Planning advised Members that an addendum to the report had been circulated as since publication of the Executive agenda the National Planning Policy Framework (NPPF) had been published, which replaced existing Planning Policy Guidance and Statements. Additionally, the Budget Statement had removed the provision of zero rating for VAT purposes of new works to listed building from 1 October 2012.

The Lead Member for Planning explained that if approved for consultation purposes, the Draft Conservation and Urban Design Strategy would be updated to reflect the changes arising from the NPPF and the budget statement.

Member agreed that the Draft Conservation and Urban Design Strategy was important for the district as it supported the protection of local heritage and the promotion of local design.

The Lead Member for Planning reported that Linda Rand, Senior Conservation Officer, would be retiring at the end of the week. The Executive thanked Linda for her hard work for the authority expressing their appreciation for her services to planning and wished her all the best for her retirement.

Resolved

- (1) That the content of the Draft Conservation and Urban Design Strategy be considered.
- (2) That the Draft Conservation and Urban Design Strategy be approved for public consultation purposes and that authority be delegated to the Head of Strategic Planning and the Economy, in consultation with the Lead Member for Planning, to make any minor amendments to the Strategy prior to consultation.

Reasons

This draft strategy sets out the Council's remit in the areas of conservation and urban design, illustrates what has been achieved and what we will strive to achieve in the future. The document covers a three year period from April 2012 to March 2015.

Options

- Option One** To accept the recommendation
- Option Two** To not consult on the draft strategy and miss the opportunity to establish and then set clear priorities for the way the Council approaches conservation and urban design matters for the next three years.

107 **Cherwell Housing Strategy 2012-17**

The Head of Regeneration and Housing submitted a report which presented Cherwell's 2012 - 2017 Housing Strategy to the Executive for approval.

In introducing the report, the Lead Member for Housing explained that the Strategy covered six Strategic Housing Priorities. It superseded and incorporated any existing or former strategies and carried over any outstanding actions.

Members commended Officers for the strategy making particular reference to the innovative approach to housing strategies and policies which had aided in securing significant inward investment and agreed that work should continue in this way. The Executive requested that officers arrange a briefing for all Members on the refreshed allocations policy and benefits reforms.

Resolved

- (1) That the proposed Cherwell Housing Strategy for 2012 – 2017 be approved.
- (2) That authority be delegated to the Head of Regeneration and Housing, in consultation with the Lead Member for Housing to produce an annual delivery plan for each year of the strategy that will prioritise actions in line with resources and opportunities.

Reasons

Cherwell's proposed Housing Strategy is ambitious. It clearly sets out the need to understand the business case for all new areas of development. In producing a business case we can look at rationale, resources, risk and outcomes to assess if this is a prudent way forward. An example of this is the emerging Build! ® self build housing programme. A business case was made, which identified the level of investment and the likely return. This is a good example of how innovation can provide leverage to secure significant inward investment. To date the HCA has committed (subject to contract) £2.45 million pounds towards the Build! ® programme for new build and refurbishment of empty homes.

As well as being a statutory requirement, the proposed Cherwell Housing Strategy is a tool to communicate our priorities to partners in the public,

private and voluntary sector. We have taken into consideration feedback from a range of partners through one-to-one meetings and groups and tried to capture all the key challenges and opportunities ahead. Whilst no strategy can be 'all things to all people' we believe that the holistic approach to housing provides a balanced set of actions which if implemented will enable the District to be investment ready and for local people to be 'housing ready' ~ financially resilient and able to secure and manage a home.

Options

- Option One** To accept all the recommendations in this report and:
- (1) To approve Cherwell's 2012 – 2017 Housing Strategy
 - (2) To delegate authority to the Head of Regeneration and Housing, in consultation with the Lead Member for Housing to produce an annual delivery plan that prioritises actions in line with resources and opportunities.
- Option Two** To approve the proposed housing strategy, but not the recommendation for an annual action plan. The benefit of an annual action plan is that it allows the Council to maintain its flexibility and responsiveness during changing economic times.
- Option Three** To not accept any of the recommendations in this report. The implication of not accepting the proposed is the Council's strategic direction for housing including its role in supporting wider Council priorities is delayed.

108

Police and Crime Commissioner Thames Valley Police and Crime Panel

The Head of Community Services submitted a report which reported on progress to date on the implementation of the Police Crime Commissioner (PCC) and the Thames Valley Police and Crime Panel (PCP) and to seek approval to establish a Joint Committee.

Resolved

- (1) That the establishment of a Joint Committee and delegate to it signing-off the arrangements for the Thames Valley Police and Crime Panel be approved.
- (2) That Councillor Reynolds be appointed as the Cherwell District Council representative on the Joint Committee.

Reasons

This decision is the next step in implementing the decision of the Executive of 5 March 2012 in establishing the Thames Valley Police Crime Panel

Options

Option One To agree the appointment of a Joint Committee and the Council's representation on it.

Option Two Not to agree the above, with the resultant consequence that arrangements may be imposed on the Thames Valley Police area by Secretary of State.

109 **Exclusion of the Public and Press**

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 item of business, on the grounds that it could involve the likely disclosure of exempt information as defined in paragraph 3 of Schedule 12A of that Act.

110 **Finance and Procurement Business Case**

The Head of Finance and Procurement submitted an exempt report which sought support for the business case to implement some shared finance functions across Cherwell District Council (CDC) and South Northamptonshire Council (SNC).

Resolved

That, subject to approval of the staffing implications by Personnel Committee and similar approval by the respective SNC decision making bodies:

- (1) The consultation comments and responses contained in the log be noted.
- (2) The business case to implement some shared finance and procurement functions across Cherwell District Council and South Northamptonshire Council be endorsed.
- (3) Subject to South Northamptonshire Council resolving in similar terms, authority be delegated to the Head of Finance and Procurement to take all necessary steps to implement the team in compliance with the Organisational Change Policy and in consultation with the HR Managers at both Councils.
- (4) That authority be delegated to the Head of Finance and Procurement, in consultation with the Lead Member for Financial Management, to fund the implementation costs from earmarked reserves.

Reasons

The Option recommended is seen as the proposal that would bring the most benefit to both Councils, would impact on JMT in a timely manner, deliver the required savings and allow a further review once the full impact of the Local Government Resource Review (LGRR), Welfare reform and Localism is known. This would also allow for the shared IT service to be implemented with the full benefits of more streamlined technology being considered in a further review of the finance and procurement function when there is greater certainty.

There are clear benefits to be gained from shared Finance and Procurement functions by both organisations in terms of increased resilience, consistent policies and procedures, best practice across the two authorities, efficiency and effectiveness.

Options

The options are set out in detail in the business case. The approach in the recommendations is believed to be the best way forward

The meeting ended at 7.15 pm

Chairman:

Date:

Cherwell District Council

Executive

Minutes of a meeting of the Executive held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 28 May 2012 at 6.30 pm

Present: Councillor Barry Wood, Leader of the Council (Chairman)
Councillor G A Reynolds, Deputy Leader of the Council (Vice-Chairman)

Councillor Ken Atack, Lead Member for Financial Management
Councillor Norman Bolster, Lead Member for Estates and the Economy
Councillor John Donaldson, Lead Member for Banbury Brighter Futures
Councillor Michael Gibbard, Lead Member for Planning
Councillor Tony Ilott, Lead Member for Public Protection
Councillor D M Pickford, Lead Member for Housing
Councillor Nicholas Turner, Lead Member for Performance and Customers

Also Present: Councillor Leslie F Sibley
Councillor Tim Emptage, Leader of the Liberal Democrat Group

Apologies for absence: Councillor Nigel Morris, Lead Member for Clean and Green
Councillor Patrick Cartledge, Leader of the Labour Group

Officers: Sue Smith, Chief Executive
Calvin Bell, Director of Development
Ian Davies, Director of Community and Environment
Martin Henry, Director of Resources / Section 151 Officer
Kevin Lane, Head of Law and Governance / Monitoring Officer
Adrian Colwell, Head of Strategic Planning and the Economy
Jo Pitman, Head of Transformation
Claire Taylor, Corporate Performance Manager
Tim Mills, Private Sector Housing Manager
Natasha Clark, Team Leader, Democratic and Elections

1 **Declarations of Interest**

Members declared interests in the following agenda items:

7. Local Plan 2012.

Councillor Barry Wood, Personal, due to persons known to him having a land interest in land outside but in the vicinity of Eco-Bicester.

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

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

Councillor Nicholas Turner, Prejudicial, as a tenant of Trinity College, at Drayton Lodge Farm, that has had land under discussion and also being leasee of Drayton Leisure Golf Centre that is adjacent to one of the sites in the Local Plan 2012.

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

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

11. Eco Bicester: A Garden City of the Future?

Councillor Barry Wood, Personal, due to persons known to him having a land interest in land outside but in the vicinity of Eco-Bicester.

2 Petitions and Requests to Address the Meeting

There were no petitions or requests to address the meeting.

3 Urgent Business

There were no items of urgent business.

4 Minutes

The minutes of the meeting held on 2 April 2012 were agreed as a correct record and signed by the Chairman.

5 Bicester Masterplan Update

The Head of Strategic Planning and the Economy submitted a report which briefed members on the progress with the development of the Bicester Masterplan. The completed Masterplan would set the strategy for shaping the development of Bicester and be used to inform the determination of planning applications.

Gordon Lewis of WYG, the consultants appointed by Cherwell District Council in November 2011 to prepare a Masterplan for Bicester, gave a presentation which updated Executive on progress being made with the development of the Masterplan. Since the endorsement of the Conceptual Plan by Executive in February 2012, WYG had undertaken detailed site assessment and stakeholder engagement around the themes of employment, housing, movement and open space.

Members commended the coordinated approach being taken which took into account the various developments underway in Bicester and put limits on

growth. Members noted the considerable consultation that had been undertaken with stakeholders and commented that the forthcoming public consultation was also extremely important. The Head of Strategic Planning and the Economy confirmed that public consultation would take place in June and July. He further advised Executive that for the Bicester Masterplan to become a supplementary planning document, responses to all consultation submissions and any subsequent changes to the Masterplan would need to be reported.

In considering the Masterplan, it was highlighted that it would be important for all future planning applications relating to health provision to take into account the increasing population. Members commented that it was essential that all infrastructure was properly built in to meet the needs of the town. Members also requested that officers give consideration to the to boundary zone of RAF Bicester to ensure that the setting of listed buildings would not be affected.

Members noted that the Masterplan would be accompanied by an Action Plan which would set out how the Masterplan would be delivered and requested that this be submitted to Executive for consideration in due course.

Resolved

- (1) That a presentation by WYG on progress being made with the development of the Bicester Masterplan be received.
- (2) That authority be delegated to the Head of Strategic Planning and the Economy, in consultation with the Lead Member for Planning, to make any minor changes before publication of the Bicester Masterplan (WYG presentation) for public consultation.
- (3) That officers be requested to submit a report to Executive in due course setting out how the action plan objectives will be addressed and delivered.

Reasons

The Masterplan has been commissioned to examine the town and its future needs over the next 20 years. It aims to provide a clear vision for the future of the town and set a framework for the integration of new developments with the rest of the town, to ensure that opportunities for securing a stronger economy are realised.

Options

- | | |
|---------------------|--|
| Option One | To support the continued development of the Bicester Masterplan. |
| Option Two | To support the development of the Bicester Masterplan with amendments. |
| Option Three | To not support the completion of the Bicester Masterplan and to continue with a piecemeal approach to development that fails to ensure |

integration with the existing town or to ensure that opportunities are realised for the benefit of residents and businesses in Bicester.

6 **Local Plan 2012**

The Head of Strategic Planning and the Economy submitted a report which sought consideration of the Proposed Submission draft of the Local Plan 2012. Once adopted the Local Plan 2012 would replace the Local Plan 1996 and would form the basis for determining development applications in the Cherwell District.

In introducing the report, the Lead Member for Planning explained that the adoption of a 'sound' up to date Local Plan was a priority for Cherwell District Council as it would guide the growth of the District over the next 19 years.

The proposed draft Local Plan 2012 had grown out of the Draft Core Strategy (February 2010) but reprioritised policies based on up-to-date assessments of the economic, social and environmental characteristics and prospects of the district having taken the changing environment into consideration, including the economic downturn, the National Planning Policy Framework, the Localism Act 2011 and the South East Plan.

The backbone of the Local Plan 2012 was the Bicester Masterplan and emerging Banbury Masterplan. The Local Plan also included a raft of policies relating to matters such as tourism, biodiversity and green belt. The Plan recognised that delivering houses in the current economic climate would be challenging but that a 5 year land supply (plus 5%) must be provided.

The Lead Member for Planning advised that a period of public consultation would follow Executive consideration of the Proposed Submission Draft Local Plan. Following the conclusion of the consultation, the Plan would be refined and re-presented to Members for formal endorsement for submission to the Secretary of State.

In considering the report, Members acknowledged the need for the Council to have a Local Plan as it was in the interest of the district to ensure that development was not piecemeal and noted that it had to pass the Secretary of State's test of soundness and conformity. Members thanked officers for their work to date in developing the Local Plan and stated their belief that it was sound and conformed.

The Chairman provided a summary of comments he had received from other elected members for consideration by the Lead Member for Planning and officers and iterated a need for the Plan to be clear about the evidence used for rationalising proposals. The Lead Member for Planning assured the meeting that these responses and those others raised during the meeting would be considered with all the responses received during the full public consultation.

In response to Member comments, the Chairman acknowledged that not all Executive Members would support the Local Plan at this present time due to dissatisfaction with the inclusion of particular sites.

Resolved

- (1) That the Local Plan 2012 be approved for public consultation.
- (2) That authority be delegated to the Head of Strategic Planning and the Economy, in consultation with the Lead Member for Planning, to make any minor changes to the document before publication for consultation.

Reasons

Securing the adoption of a 'sound' up to date Local Plan for the District is a priority for Cherwell District Council as it will guide the growth of the District over the next 19 years.

Without this the District faces an imminent challenge of piecemeal development by appeal, in which Cherwell District Council would lose the ability to ensure that development takes place in the most sustainable locations and future community needs are properly planned for and maximum community gain (and mitigation) secured.

Options

- | | |
|---------------------|--|
| Option One | To support the contents of the Local Plan 2012. |
| Option Two | To support the contents in the Local Plan 2012 with amendments |
| Option Three | To not support the completion of the Local Plan 2012. |

7 Local Development Scheme

The Head of Strategic Planning and the Economy submitted a report which sought approval of the Local Development Scheme (LDS). The LDS was used to project manage the production of the Local Plan and provided a programme for completion of Local Development Documents.

Resolved

- (1) That the revised Local Development Scheme be approved.
- (2) That authority be delegated to the Head of Strategic Planning and the Economy, in consultation with the Lead Member for Planning, to make any minor changes to the document before publication.

Reasons

The revised LDS sets out important milestones for completing the Council's Local Plan which will set the long-term vision, objectives and policies for securing development and associated infrastructure across Cherwell including the identification of strategic development sites. The approval of the LDS meets statutory requirements.

Options

- | | |
|---------------------|---|
| Option One | To support the timetable and contents in the LDS and agree that it should be submitted to the Secretary of State and subsequently brought into effect |
| Option Two | To support the timetable and contents in the LSD with amendments and agree that it should be submitted to the Secretary of State and subsequently brought into effect |
| Option Three | To not support the timetable and contents of the LDS |

8 Consultation and Engagement Strategy Update 2012-2015

The Head of Transformation submitted a report which outlined the Council's updated Consultation and Engagement Strategy performance for the period 2012 -2015.

In introducing the report, the Leader explained that the Strategy built on good practice, increased the use of electronic consultation and ensured consultation was cost effective and robust.

Resolved

- (1) To note past achievements in this area as a foundation for the updated strategy and action plan.
- (2) To agree the proposed consultation and engagement strategy and action plan and request that performance is reviewed on a regular basis.

Reasons

The Council has a strong track record with regards to public consultation. It includes collecting information on customer satisfaction, budget and spending priorities as well as many activities to improve customer service and accessibility.

The strategy aims to continue with this approach, to maximise the use of electronic consultation and ensure that local residents and stakeholders

continue to be able to feed their views into the council to help shape services and improve performance.

Options

- Option One** (1) To note past achievements in this area as a foundation for the updated strategy and action plan.
(2) To agree the proposed consultation and engagement strategy and action plan and request that performance is reviewed on a regular basis.
- Option Two** To reject the strategy as it currently stands and request amendments.

9 **Participation in a Community Interest Company to Deliver the Green Deal**

The Head of Regeneration and Housing submitted a report which sought approval for the Council to become a shareholder member of a Community Interest Company established to act as a Green Deal Provider.

In introducing the report, the Lead Member for Housing reported that a free insulation scheme had started on 14 May and would run until the end of September. All Cherwell homeowners could obtain cavity wall insulation free and loft insulation will be free for homes with less than 60mm of insulation at the moment. Details on the scheme were available from the Private Sector Housing Team.

Resolved

- (1) That the Council's participation as a founding, shareholder member of the proposed Community Interest Company (CIC), subject to confirmation by the Head of Finance and Procurement and the Head of Law and Governance that the terms of membership and participation are acceptable and place the Council at no financial, legal or reputational risk be authorised.

Reasons

Although there is still some work to be done to establish the proposed CIC and the Green Deal Provider service, the principles are essentially straightforward. Participation should present no significant risk to the Council and the benefits of taking part as a shareholder member appear compelling. As a result, this report recommends that the Executive gives approval in principle for the Council's participation, subject to the Head of Finance and Procurement and the Head of Law and Governance being satisfied that the final terms are acceptable in both legal and financial terms.

If the Council wishes to be a shareholder in the CIC it needs to make that decision at this point so that development of the CIC can continue with the

required level of certainty and so that the necessary arrangements can be finalised in preparation for launch of the service in October.

Options

Option One To agree the recommendation to participate as a shareholder member of the CIC.

Option Two To agree the recommendation with variations

Option Three To reject the recommendation.

10

Eco Bicester: A Garden City of the Future?

The Head of Public Protection and Development Management submitted a report which enabled Members to consider the potential to explore garden city designation for Bicester.

Resolved

- (1) That it be agreed that DCLG be contacted to explore the identification of Eco Bicester as a next generation garden city.

Reasons

Through the Bicester Master Plan and Local Plan, Bicester will be identified to grow, accommodate new homes as well as substantial land for employment by 2031. With the very significant levels of growth proposed at Bicester it is important to think not just in terms of new buildings but how the town and its existing population can grow in a holistic way to accommodate the change, retaining the strengths of the existing town and addressing its current weaknesses. The Shared Vision has sought to provide this over arching vision for the town.

The Eco Town standards are helpful in identifying clear requirements for delivering sustainable new developments. However the Eco Town PPS supplement is clear that it also relied on advice that at the time of publication was provided in other planning policy statements which have now been replaced by the NPPF. In seeking opportunities for further funding for the growing town it is helpful to ensure that the local approach is consistent with government's current thinking on new development. This supports consideration of a garden cities approach in which sustainability is central, as remains the case with the NPPF.

In many ways Bicester meets many of the garden city aims. As a market town it has housing, employment and local facilities. Much development of the town has taken place in the second half of the 20th century at relatively low densities with individual gardens and significant areas of open space. Proposals to expand the town similarly seek a sustainable balance between employment, housing and open space. The NPPF provides the opportunity to

consider green belts to provide long term limits for growth in connection with large scale development designed to garden city principles.

Given the governments approach to promoting garden cities and the clear synergies with the Eco Bicester approach, that seeks to transform the town into a sustainable community of the future, it is recommended that additional branding of Eco Bicester as a next generation garden city is explored with DCLG.

Options

Option One Explore the requirements for garden cities and explore the opportunities of identifying Eco Bicester as a next generation Garden City

Option Two Do not explore Garden City identification

11 **Member Champions**

The Head of Law and Governance submitted a report which allowed members to consider proposals to adopt a scheme for the appointment of Member Champions.

In introducing the report, the Leader explained that the Council had essentially had Member Champions in the past and noted the excellent work undertaken by Councillor Paul O'Sullivan as Older Persons Champion and Councillor Dan Sames as Younger Persons Champion. However, the roles and responsibilities had never been formalised and it was appropriate for Terms of Reference to be written down.

Resolved

- (1) That the proposed Terms of Reference, subject to the inclusion of the requirement for annual reporting from Member Champions, Role Description and proposals for new Member Champions be approved.
- (2) That it be noted that the Leader, in consultation with the Deputy Leader and Chief Executive, will appoint Member Champions in due course.

Reasons

The role of Member Champions complements the responsibilities of Lead Members and Committee Chairmen and enables a greater number of Councillors to be involved in the work of the Council.

Member Champions will act as an advocate or spokesperson for a specific area of the Council's business and encourage communication and positive action over the issue they represent.

Options

- | | |
|---------------------|---------------------------------------|
| Option One | Accept the recommendations as drafted |
| Option Two | Amend the recommendations |
| Option Three | Reject the recommendations |

12 **Update on Major Programmes**

The Head of Transformation submitted a report which provided an update on progress toward implementing robust governance of major change projects, following the approval by Members in January of resources to support major projects.

Resolved

Subject to South Northamptonshire Cabinet resolving in similar terms:

- (1) That the amended governance structure for the Council's major projects be approved.
- (2) That the following Members be appointed to the Place Programme Board: Councillor Barry Wood (Programme Owner and Bicester Eco Town Project); Councillor Norman Bolster (Bicester Town Centre Project); Councillor John Donaldson (Banbury Brighter Futures); and, Councillor Michael Gibbard (Banbury Developments).
- (3) That the following Members be appointed to the Transformation Programme Board: Councillor Nicholas Turner (ICT Standardisation and Harmonisation) and Councillor Barry Wood (Service Transformation).
- (4) That it be agreed that the Programme Board responsibilities in respect of the Transformation Programme be absorbed into the remit of the Joint Arrangements Steering Group (JASG) and that the JASG terms of reference be varied accordingly.

Reasons

This governance arrangement is intended to implement a common approach and standard based on project management methodology, to ensure that we are able to effectively plan the use of resources against corporate objectives, manage risk and drive improvement.

The establishment of the shared Programme Manager post, combined with a shared common approach to performance management and risk presents an opportunity to bring consistency to project management, which is currently lacking in both Councils.

Options

- Option One** Members have already approved the general approach to maximising the effective use of scarce resource through the organisation of projects into programmes. This report seeks simply to clarify the actual arrangements
- Option Two** Options which do not require the involvement of Members have been discounted.
- Option Three** Options which do not provide transparency of delivery of major projects have been discounted

13

Joint Corporate Procurement Strategy and Action Plan 2012/13

The Head of Finance and Procurement submitted a report which brought forward for Members' approval, the joint procurement strategy and action plan for 2012/13 for the council. The primary objective of the procurement strategy was to procure goods, services and works that assist in reducing service budgets in line with severe funding reduction while being fit for the purpose, meeting the needs of local people and service users, and providing value for money over their lifetime.

Resolved

- (1) That the joint corporate procurement strategy and action plan for 2012/13 for the council be approved.

Reasons

The joint corporate procurement strategy has a fundamental role in helping the Council reduce its services budget and protect front line services as it manages the implications of reduced government funding.

The meeting ended at 8.55 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 18 June 2012 at 6.30 pm

Present: Councillor Barry Wood, Leader of the Council (Chairman)
Councillor G A Reynolds, Deputy Leader of the Council (Vice-Chairman)

Councillor Ken Atack, Lead Member for Financial Management
Councillor Norman Bolster, Lead Member for Estates and the Economy
Councillor John Donaldson, Lead Member for Banbury Brighter Futures
Councillor Michael Gibbard, Lead Member for Planning
Councillor Tony Ilott, Lead Member for Public Protection
Councillor D M Pickford, Lead Member for Housing
Councillor Nicholas Turner, Lead Member for Performance and Customers

Also Present: Councillor Patrick Cartledge, Leader of the Labour Group
Councillor Tim Emptage, Leader of the Liberal Democrat Group
Councillor Leslie F Sibley

Officers: Sue Smith, Chief Executive
Ian Davies, Director of Community and Environment
Martin Henry, Director of Resources / Section 151 Officer
Kevin Lane, Head of Law and Governance / Monitoring Officer
Jo Pitman, Head of Transformation
Claire Taylor, Corporate Performance Manager
Martyn Swann, Strategic Housing Manager
Kate Winstanley, Strategic Housing Officer
Natasha Clark, Team Leader, Democratic and Elections

14 **Declarations of Interest**

Members declared interests in the following agenda items:

6. Tenancy Strategy.

Councillor G A Reynolds, Personal, as a Landlord.

Councillor Nicholas Turner, Personal, as a Landlord.

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

There were no petitions or requests to address the meeting.

16 **Urgent Business**

There were no items of urgent business.

17 **Minutes**

The minutes of the meeting held on 28 May 2012 were agreed as a correct record and signed by the Chairman, subject to the following amendment:

Minute 6 – Local Plan 2012

Add sentence: "Councillor Turner left the meeting for the duration of this item."

18 **Tenancy Strategy**

The Head of Regeneration and Housing submitted a report which provided Executive with a Tenancy Strategy for approval.

In introducing the report, the Lead Member for Housing explained that the Tenancy Strategy would provide guidance for Registered Providers (RPs) operating in the Cherwell District Council area. It sets out the Council's position on the provision of affordable housing including the use of Flexible Tenancies, Affordable Rents and the use of private sector tenancies for homeless households. This policy supports the Government's aim to make best use of housing stock, focussing support on the most vulnerable people in society and ensure the Council complies with the Localism Act 2011 duty for Local Authorities to produce a Tenancy Strategy by November 2012.

In response to questions from Councillor Cartledge, Leader of the Labour Group, the Strategic Housing Officer provided clarification on a number of points. Members were advised that the Tenancy Strategy recommended an absolute minimum term of two years in exceptional cases, with a tenancy term of at least five years being the norm. The Housing Team has a good partnership with Registered Providers and is confident that any increased risk of homelessness would be well managed and monitored through these relationships. Should tenancies not be renewed, it was anticipated that the reason would be that the individual's circumstances had changed for the good. In terms of consultation, the Strategic Housing Officer reported that consultation responses had not been received from all parties who had been contacted as part of the process, however, positive responses had been received from Registered Providers and members of the public.

Members agreed that it was important that a review period was built into the Tenancy Strategy to allow for further Government policy changes to be taken account of and the effectiveness of the Strategy to be reviewed.

Resolved

- (1) That the Tenancy Strategy be adopted.
- (2) That a six month review period for the Tenancy Strategy be agreed.

Reasons

An early policy statement in the form of the Tenancy Strategy is required to give guidance to Registered Provider partners and customers/other partners and to allow the Council to move forward with strategic planning for the delivery of Affordable Housing in an environment where the Council's position is understood.

The Policy environment is fast changing and the effect of the introduction of Affordable Rent and Flexible Tenancies must be monitored to judge their effects. A review of this policy after six months is recommended.

Options

- | | |
|---------------------|---|
| Option One | To adopt the proposed Tenancy Strategy with a six month review period |
| Option Two | To adopt the proposed Tenancy Strategy with amendments |
| Option Three | Not to accept the proposed Tenancy Strategy |

19 **Health Sector Changes and a Response to the draft Oxfordshire Health and Wellbeing Strategy**

The Director of Community and Environment submitted a report which provided an update on local progress with the health sector reforms, asked the Executive to respond to the Draft Oxfordshire Health and Wellbeing Strategy which is out to consultation and provided the latest position on the Community Partnership Network (CPN) and in particular, its potential role supporting Oxfordshire HealthWatch.

In considering the proposed response to the Draft Oxfordshire Health and Wellbeing Strategy, Members commented that greater reference should be made to the Banbury Brighter Futures project. In response to Members' comments regarding Supporting People, Officers provided assurance that appropriate dialogue would take place.

At the discretion of the Chairman, Councillor Les Sibley addressed Executive. Councillor Sibley noted that there had been several county wide consultation processes run by Oxfordshire County Council or Oxfordshire NHS associated with the new clinical commissioning arrangements, Healthwatch and the Public Involvement Board but raised concerns about the lack of consultation with individuals who would be affected by the proposals. The need to provide easy access to care for people in the community was also highlighted.

Resolved

- (1) That the progress on the local health sector reforms be noted.

- (2) That the Community Partnership Network engaging directly with a formative Oxfordshire HealthWatch body be endorsed.
- (3) That the proposed response to the Draft Oxfordshire Health and Wellbeing Strategy be considered and that authority be delegated to the Director of Community and Environment, in consultation with the Deputy leader, to amend the response to incorporate the comments of Executive, Members and officers, prior to submission.

Reasons

The Council has for many years been engaged with the health and social care sector on many issues. This report outlines the ongoing changes in that sector and the way in which the Council can and should continue to be involved to influence key service provision, more often than not by others.

HealthWatch is set to become the new independent voice and consumer champion for patients, service users and the public in health and social care, replacing the Oxfordshire Local Involvement Networks (LINKs).

Options

- | | |
|---------------------|--|
| Option One | To fully engage with this change process and with partners, to influence future service provision as much as possible. This option is the basis of the report recommendations. |
| Option Two | To withdraw from health and social care sector matters and not become involved. Given the good work associated with the Horton General Hospital, this option is not proposed. |
| Option Three | To engage only on an invited basis. Again, a passive approach such as this is not recommended as it is likely to result in only limited benefit. |

20

The Future of RAF Bicester

The Chief Executive submitted a report which highlighted the opportunities presented by the marketing of RAF Bicester in relation to Heritage and economic growth and sought approval for Cherwell District Council's involvement in the project.

Resolved

- (1) That the establishment of a strategic partnership (Cherwell District Council, Bomber Command Heritage and other key agencies and interested parties) to investigate the potential of securing the site for heritage purposes and to enable the provision of an education centre and museum be approved.

Reasons

The development of an education centre and museum on the current RAF Bicester technical site would provide employment opportunities to local people and a visitor attraction that would appeal on a local, national and potentially international scale. Bomber Command Heritage believe that the contribution that this council can bring to the project will be critical in determining the way forward

Options

Option One Support the proposals as set out and approve the establishment of a Strategic Partnership

Option Two No to support the proposal

21 Performance Management Framework 2011/2012 Annual Performance Review

The Head of Transformation submitted a report which presented the Council's annual performance review for 2011/12 as measured through the Corporate Performance Management Framework.

In introducing the report, the Lead Member for Customers and Performance thanked the former Lead Member for Change (Councillor Morris), whose areas of responsibility during 2011/12 had included performance management, for his hard work.

In considering the report, Executive thanked the Corporate Performance Manager and the Performance Team for producing a comprehensive performance report and the draft Annual Report. Members agreed that it was commendable that whilst there had been significant organisational change, the authority continued to deliver. Members commended officers who worked hard to ensure that targets were met. The Lead Member for Housing extended her gratitude to the Housing Team for achieving record affordable housing delivery, being the best in the county for extra care delivery and winning the Local Government Chronicle's Innovation Award 2012 for Cherwell District Council.

Councillor Cartledge, Leader of the Labour Group also commended the Annual Performance Review and good performance of the Council in difficult times. In response to the Labour Group Leader's comments regarding customer dissatisfaction and lesson learnt in relation to the changes to car parking charges, the Leader explained that it was important for the Council to remain flexible and amend policies if and as necessary.

Members commented on the value and importance of performance management and monitoring as it enabled monitoring across the breadth of the Council, enabled achievements to be highlighted and areas performing

below target or issues emerging to be identified and addressed in a timely manner.

Resolved

- (1) That it be noted that, despite tough performance targets, a challenging economic environment, and a year of unprecedented organisational change with the implementation of a joint management team shared with South Northamptonshire Council, Cherwell District Council has met or made satisfactory progress on 95.5% of the performance targets outlined in its performance management framework.
- (2) That it be noted that, the Council has delivered a challenging value for money programme. This has ensured that the pledge to reduce the Council's budget by £1 million has been met.
- (3) That the following progress in delivering the Council's strategic objectives and the summary of performance be noted:
 - The Council has met or made satisfactory progress on 95.5% of all the performance targets set out in the Corporate Performance Management Framework.
 - With regards to the Council's Corporate Plan, 97.5% of the performance targets have been met or made satisfactory progress.
 - The Council has delivered a challenging value for money programme through both service efficiencies and implementing shared management arrangements with South Northamptonshire Council. This approach has ensured that the pledge to reduce costs by £1 million during 2011/12 has been met and that plans are well underway to ensure that the 12/13 budget is also balanced.
 - In the Council Tax Leaflet (published in February 2011) the Council outlined its performance promises for 2011/12. Of the 14 promises all but one have been met have been met with strong performance in most areas and minor issues arising in two.
 - Summary of performance against each of our scorecards:

Performance Framework	Performance % Red, Amber Green				Targets set
	Red	Amber	Green	No Data	
Corporate Plan : Pledges	7.1% (1)	14.3% (2)	78.6% (11)	0% (0)	14
Corporate Plan	2.5% (1)	5.0% (2)	92.5% (37)	0% (0)	40 *
Customer/Finance/HR Measures	12.5% (1)	25.0% (2)	62.5% (5)	0% (0)	8
Priority Service Indicators	9.5% (4)	16.7% (7)	73.8% (31)	0% (0)	42

Brighter Futures in Banbury	0% (0)	18.2% (2)	81.8% (9)	0% (0)	11
Corporate Equalities Plan	0% (0)	0% (0)	100% (13)	0% (0)	13
Major Programmes	0% (0)	22.2% (2)	77.8% (7)	0% (0)	9
Significant Partnerships	0% (0)	5.6% (1)	94.4% (17)	0% (0)	18
TOTALS	4.5% (7)	11.6% (18)	83.9% (130)	0% (0)	155

* Note this excludes DCP2 2.3 Prepare a new Community Development Strategy which was closed in December 2011 and deferred to 2012/13

(4) That officers be requested to report in the first quarter report of 2012/13 on the following items where performance was below target or there are emerging issues or risks:

- **Customer Satisfaction:** a number of satisfaction measures are off track at year end. These include general satisfaction and satisfaction with street cleanliness. In addition complaints are slightly higher at year end. As such a review will be undertaken with regards to customer satisfaction to ensure there are no trends or underlying issues and this will be reported in the first quarter.
- **Reduce the number of fly tips:** At year end this measure is reporting red with a rise of 20 additional fly tips recorded this year (440) in comparison to 420 recorded in 2010/11. Proactive enforcement continues with 5 successful prosecutions during 2011/12. During 2012/13 figures will continue to be monitored, especially to ascertain whether the rise is a result of a one of change or part of an underlying change. Likewise proactive enforcement and publicity will continue in order to inform residents about how to dispose of their waste and the consequences of not doing so lawfully.

(5) That the draft Annual Performance Report be agreed and authority be delegated to the Head of Transformation, in consultation with the Lead Member for Performance and Customers, to make any minor changes to the document as required before publication.

Reasons

The report shows the Council's performance against the Corporate Scorecard and Performance Management Framework in 2011/2012. From this information the Executive can make a judgement about the progress the Council is making in meeting its objectives, identify the achievements it wishes to celebrate and the areas where action is required to improve performance.

Options

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

Option Two To approve or reject the recommendations above.

22 **2011/2012 End of Year Finance Report**

The Head of Finance and Procurement submitted a report which summarised the Council's provisional Revenue and Capital performance for the financial year 2011/2012 and reported on performance against the procurement action plan. The figures were still subject to further validation work to ensure compliance with statutory requirements and proper accounting practices.

Resolved

- (1) That the provisional revenue out-turn position for 2011/2012 be noted.
- (2) That the carry forward of budget underspends within 2011/2012 to 2012/13 be agreed.
- (3) That transfer to general fund balances as detailed be noted.
- (4) That the continued improvement in accuracy and reliability that the Council has made in projecting the year end position through the embedding of the Corporate Dashboard be noted.
- (5) That provisional capital out-turn position for 2011/2012 detailed in be noted.
- (6) That it be agreed that the balances on capital schemes which have slipped in 2011/2012 be carried forward into the 2012/2013 capital programme.
- (7) That progress against the Councils Procurement Action plan and savings achieved be noted.
- (8) That the review of reserves undertaken by the Head of Finance & Procurement and the Lead Member for Financial Management be noted.
- (9) That authority be delegated to the Head of Finance and Procurement, in consultation with the Lead Member for Financial Management, to consider and implement further changes relating to all aspects of the closedown of the accounts for 2011-12 including the transfer of costs from revenue to capital, amendments of the revenue and capital budgets and implementation of a minimum revenue provision accordingly.

Reasons

This report illustrates the Council's provisional performance against the 2011/2012 Revenue and Capital Budget and progress achieved against our Procurement action plan and targets.

Options

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

Option Two To approve or reject the recommendations above.

23 **Exclusion of the Press and Public**

Resolved

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

24 **Performance and Research Business Case**

The Head of Transformation submitted an exempt report which This report sought approval of the business case to implement a joint performance and research team across Cherwell District Council (CDC) and South Northamptonshire Council (SNC) in order to deliver cost reductions, increased organisational resilience and business systems harmonisation.

Resolved

That, subject to approval of the staffing implications by Appointments and Personnel Committee and similar approval by the respective Cherwell District Council decision making bodies:

- (1) The consultation comments and responses contained in the log be noted.
- (2) The business case to implement a joint performance and research team across South Northamptonshire and Cherwell District Councils be endorsed.
- (3) (If Cherwell District Council approve in similar terms) Authority be delegated to the Head of Transformation to take all necessary steps to implement the team in compliance with the Organisational Change Policy and in consultation with the Human Resources Managers at both Councils.
- (4) Authority be delegated to the Head of Finance and Procurement in consultation with the Resources and Change Management Portfolio Holder to fund the implementation costs from earmarked reserves.

Reasons

There are clear benefits to be gained from a joint performance and research team by both organisations in terms of increased resilience, consistent policies and procedures, best practice across the two authorities, efficiency and effectiveness.

Options

Option One No joined up functions – each council's performance and research functions to run independently under a shared manager.

Option Two Endorse the Business Case to implement a joint performance and research team across CDC and SNC together with the granting of delegated authority to the Head of Transformation to take all necessary steps to implement the team in compliance with the Organisation Change Policy and in consultation with the Human Resource Managers at both Councils.

25

Joint JMT (Joint Management Team) Support Service

The Director of Resources submitted an exempt report which sought approval of the final business case for the Joint Management Team (JMT) support arrangements.

Resolved

That, subject to similar approval by the respective SNC decision making bodies:

- (1) The consultation comments and responses contained in the log be noted.
- (2) The business case to implement a Joint Management Team support service across Cherwell District Council and South Northamptonshire Council and be approved.
- (3) (If South Northamptonshire Council approve in similar terms) Authority be delegated to the to the Head of Transformation to take all necessary steps to implement the non staffing aspects of the business case in compliance with the Organisational Change Policy and in consultation with the HR Managers at both Councils.
- (4) Authority be delegated to the Head of Finance and Procurement, in consultation with the Lead Member for Financial Management, to fund the implementation costs from earmarked reserves.

Reasons

The business case sets out in detail the proposal for a JMT support team to ensure JMT can operate as effectively as possible. The final business case incorporates changes since the original draft business case was considered by the Joint Arrangements Steering Group on the 22 March 2012.

The meeting ended at 8.15 pm

Chairman:

Date:

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COUNCIL

RECORD OF LEAD MEMBER DECISIONS FOR THE PERIOD MARCH TO JUNE 2012

16 July 2012

Area of Responsibility	Decision Subject Matter
Deputy Leader (2012/13)	Protecting and Enhancing Cherwell's Natural Environment
Lead Member for Financial Management (2011/12)	Jubilee Grants
Lead Member for Housing (2011/12)	The Council's Approach to Empty Homes
Lead Member for the Environment (2011/12)	Recreation and Health Fees and Charges 2012/13

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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 19 March 2012 at 6.30 pm

Present: Councillor Tony Ilott (Chairman)
Councillor Trevor Stevens (Vice-Chairman)

Councillor Andrew Beere
Councillor Mike Kerford-Byrnes
Councillor Lawrie Stratford
Councillor Rose Stratford
Councillor Barry Wood

Also Present: Councillor Ken Atack, Lead Member for Financial Management
Councillor Nigel Morris, Lead Member for Change
Maria Grindley, District Auditor, Audit Commission
Nicola Jackson, Audit Manager, Audit Commission
Richard Bacon, Internal Audit
Katherine Bennett, Audit Team Lead, Internal Audit

Apologies for absence: Councillor Colin Clarke

Officers: Karen Curtin, Head of Finance and Procurement
Claire Taylor, Corporate Performance Manager
Karen Muir, Corporate System Accountant
Edward Cooke, Interim Technical Accountant
Natasha Clark, Team Leader, Democratic and Elections

53 Declarations of Interest

There were no declarations of interest.

54 Petitions and Requests to Address the Meeting

There were no petitions or requests to address the meeting.

55 Urgent Business

There was no urgent business, however the Chairman reported that, following discussion with officers, agenda item 14: "Certification of Claims and Returns

2010/11 – Audit Commission – Verbal Update”, would be taken in public session rather than in private session as set out on the published agenda.

56 **Minutes**

The minutes of the meeting of the Committee held on 12 January 2012 were agreed as a correct record and signed by the Chairman.

57 **Review of Draft Accounting Policies 2011/12 and 2011/12 Closedown Update**

The Committee considered a report of the Head of Finance and Procurement which informed members of the draft 2011/12 accounting policies, allowed members to consider and endorse the accounting policies under which the annual Statement of Accounts would be produced together with the summary timetable for production.

The Head of Finance and Procurement advised the Committee that the 2011/12 closing of accounts would be led by the Corporate System Accountant (Karen Muir) and the Interim Technical Accountant (Ed Cooke), who was seconded from PriceWaterhouseCoopers and would take the technical lead.

In introducing the report, the Interim Technical Accountant reminded the Committee that 2010/11 had been a significant year as local authorities had been required to report their Annual Statement of Accounts under International Financial Reporting Standards (IFRS) for the first time. By comparison, the changes in 2011/12 were minor and officers remained on track to have a first draft of the statements by 25 May 2012. A robust scrutiny of the financial statements would take place at an informal meeting of the Committee on 20 June 2012.

Resolved

- (1) That the accounting policies be approved.
- (2) That authority be delegated to the Head of Finance and Procurement to make any further changes to the Accounting Policies in preparation for the forthcoming accounts closure for 2011-12
- (3) That the closedown timetable summary be noted.

58 **Risk Management Update**

The Committee considered a report of the Corporate Performance Manager which updated the Committee on the management of Strategic, Corporate and Partnership Risks during the third quarter of 2011/12 and highlighted any emerging issues for consideration.

In introducing the report, the Corporate Performance Manager advised the Committee that following the implementation of the Cherwell and South

Northamptonshire Council's Joint Management Team (JMT) in October 2011, the existing strategic, corporate and partnership risks on the Council's register had been allocated to the new team. A session on performance and risk management was held as part of the induction process, which was supported during the last quarter through a JMT risk workshop.

In response to Members' comments, the Corporate Performance Manager confirmed that she would advise the relevant JMT members of the Committee's view that the predicted drought and Police and Crime Commissioners were potential risks and request that they be considered and appraised to determine if they were potential risks.

Resolved

- (1) That the quarter 3 Strategic, Corporate and Partnership Risk Register be noted.

59 **Risk Management: A Risk Management Strategy for Cherwell District and South Northamptonshire Councils**

The Committee considered a report of the Corporate Performance Manager which sought agreement of the joint approach to risk management across the Cherwell and South Northamptonshire Joint Management Team (JMT) and set the risk strategy for Cherwell District Council.

Resolved

- (1) That the proposed approach to risk management be noted.
- (2) That the risk strategy for Cherwell District Council 2012/13 be endorsed.

60 **Internal Audit Progress Report**

The Committee considered a report of the Chief Internal Auditor which summarised the progress made against the internal audit plan 2011/12 for the period from March to June 2012. The Committee was advised that 89% of the plan had been completed and that the final reports would be finalised ahead of issuing the Internal Audit Annual Report to the June meeting of the Committee.

The Audit Team Leader advised the Committee that since their January meeting, six final reports had been issued and draft reports and/or fieldwork commenced in three areas.

Members noted that within the final report on "Creditors", a high risk issue had been noted relating to a high percentage of invoices received having no purchase order in place and requested officers to address this matter. The Head of Finance and Procurement assured the Committee that the Finance Team was working hard to ensure that purchase orders were raised and officers were reminded of the importance of following correct processes.

Resolved

- (1) That the Internal Audit Progress report be noted.

61 **Internal Audit Draft Plan 2012/13**

The Committee considered a report of the Chief Internal Auditor which provided the Committee with a draft version of the 2012/13 internal audit plan.

The Internal Audit Team advised the Committee that they were delighted to have been reappointed as the Internal Auditors for Cherwell District Council

In introducing the report the Audit Team Leader explained that the draft internal audit plan 2012/13 was based on the Internal Audit Strategic Plan 2012-15 and had been updated following consultation with members, officers and the Audit Commission. The final version of the plan would be submitted to the June meeting of the Committee.

Resolved

- (1) That the Internal Audit Draft Plan 2012/13 be approved.

62 **External Audit Progress Report**

The Committee considered a report of the Head of Finance and Procurement which provided a progress report on the work of external audit.

The Audit Manager updated the Committee on the outsourcing of the Audit Commission. Ernst and Young had won the bid for the south east region, which incorporated Cherwell District Council. KPMG had won the bid for the East Midlands regions, which incorporated South Northamptonshire Council. At the end of April, the Audit Commission would write to local authorities seeking their views on the proposals. The Committee was advised that the Audit Commission would oversee the transfer process and the District Auditor was liaising with Ernst and Young.

In introducing the external audit progress report, the Audit Manager reported that that The Audit Commission's interim systems audit had been completed. The audit had identified three control weaknesses with officers and an action plan had been developed to address these areas.

Resolved

- (1) That the contents of the External Audit progress report be noted.

63 **2012/13 Treasury Management Strategy and Update on Performance**

The Committee considered a report of the Head of Finance and Procurement which provided a review of the 2012/13 strategy that was approved by Council

on 27 February 2012 and outlined the differences from the current 2011/12 strategy, and gave an update on current performance.

The Head of Finance and Procurement reported that all current investments were compliant with the Treasury Management Strategy. The 2011/12 Annual Report on Treasury Management would be presented to the June meetings of the Committee and the Executive. The Committee was advised that following advice from the Council's Treasury Advisors, the Council would select financial institutions with a minimum long-term rating of A and short-term rating of F1/P-1/A-1.

The Head of Finance and Procurement updated Members on the Iceland funds. The Council had been awarded priority creditor status for its Icelandic investments with Glitnir and expected to receive £7.1m which was made up of the money invested plus interest. The windfall interest would be considered as part of the review of reserves.

Resolved

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

64 **Certification of Claims and Returns 2010/11 - Audit Commission - Verbal Update**

The Head of Finance and Procurement gave a verbal update on the Audit Commission certification of claims and returns 2010/11 which had been presented to the January meeting of the Committee. At that meeting the Committee had been advised that three areas within the claim were being examined in detail and further work on the extended testing that the Audit Commission had reported to the Department for Work and Pensions (DWP) in November 2011.

The Committee was advised that the additional testing was underway and regular discussions were taking place with the DWP. A full report would be submitted to the June meeting of the Committee.

65 **Katherine Bennett**

The Chairman reported that this would be the last Audit Team Leader's last Accounts, Audit and Risk Committee meeting as she was leaving PriceWaterHouseCoopers to take up a new role as Head of Finance in a local authority. On behalf of Committee, the Chairman thanked the Audit Team Leader for her hard work and the advice she has given to Committee Members and wished her all the best for her new role.

The meeting ended at 7.55 pm

Chairman:

Date:

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 16 May 2012 at 7.40pm

Present: Councillor Trevor Stevens (Chairman)
Councillor Mike Kerford-Byrnes (Vice-Chairman)

Councillor Andrew Beere
Councillor Colin Clarke
Councillor Andrew Fulljames
Councillor Lawrie Stratford
Councillor Rose Stratford
Councillor Barry Wood

1 Appointment of Chairman

Resolved

That Councillor Trevor Stevens be appointed Chairman of the Audit Committee for the municipal year 2012/13.

2 Appointment of Vice-Chairman

Resolved

That Councillor Mike Kerford-Byrnes be appointed Vice-Chairman of the Audit Committee for the municipal year 2012/13.

The meeting ended at 7.45 pm

Chairman:

Date:

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Cherwell District Council

Licensing Committee

Minutes of a meeting of the Licensing Committee held at Bodicote House, Bodicote, Banbury, Oxfordshire OX15 4AA, on 16 May 2012 at 7.40pm

Present: Councillor Fred Blackwell (Chairman)
Councillor Mrs Diana Edwards (Vice-Chairman)

Councillor Michael Gibbard
Councillor Timothy Hallchurch MBE
Councillor Tony Ilott
Councillor Kieron Mallon
Councillor P A O'Sullivan
Councillor George Parish
Councillor G A Reynolds
Councillor Alaric Rose
Councillor Rose Stratford
Councillor Douglas Webb

1 Appointment of Chairman

Resolved

That Councillor Fred Blackwell be appointed Chairman of the Licensing Committee for the municipal year 2012/13.

2 Appointment of Vice-Chairman

Resolved

That Councillor Diana Edwards be appointed Vice-Chairman of the Licensing Committee for the municipal year 2012/13.

The meeting ended at 7.45 pm

Chairman:

Date:

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Cherwell District Council

Personnel Committee

Minutes of a meeting of the Personnel Committee held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 4 April 2012 at 6.30 pm

Present: Councillor Victoria Irvine (Chairman)

Councillor Ken Atack
Councillor Norman Bolster
Councillor Russell Hurle
Councillor Mike Kerford-Byrnes
Councillor George Parish
Councillor G A Reynolds
Councillor Alaric Rose
Councillor Lynda Thirzie Smart
Councillor Barry Wood

Apologies for absence: Councillor Lawrie Stratford
Councillor Rose Stratford

Officers: Martin Henry, Director of Resources / Section 151 Officer
Karen Curtin, Head of Finance and Procurement
Deborah Emery, Interim Head of Human Resources
Paula Goodwin, Projects & Policy Manager
Natasha Clark, Team Leader, Democratic and Elections

31 Declarations of Interest

Members declared the following general interests:

Councillor Alaric Rose, Personal, as an employee of MidCounties Co-operative who may have contracts with the Council

32 Petitions and Requests to Address the Meeting

There were no petitions or requests to address the meeting.

33 Urgent Business

There was no urgent business.

34 **Minutes**

The minutes of the meeting held on 18 January 2012 were agreed as a correct record and signed by the Chairman.

35 **Employment Statistics Quarter 3 - 2011/2012**

The Interim Head of Human Resources submitted a report detailing the employment statistics, by Directorate, for information and monitoring purposes.

Resolved

(1) That the report be noted.

36 **Exclusion of the Public and Press**

Resolved

That, in accordance with Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business, on the grounds that it could involve the likely disclosure of exempt information as defined in paragraph 3 of Schedule 12A of that Act.

37 **Finance and Procurement Business Case**

The Head of Finance and Procurement submitted a report which sought support for the staffing aspects of the business case to implement some shared finance functions across Cherwell District Council (CDC) and South Northamptonshire Council (SNC).

In introducing the report, the Committee was advised that a number of options had been considered in relation to finance and procurement functions at both Councils. The joining of services and locations was pursued as the preferred option that would best support the Joint Management Team in a timely manner, deliver the required savings and permit further review once the impact of the Local Government Resources Review, welfare reform and Localism Act 2011 became clear.

The Committee was advised that staff consultation on the business case had concluded on 26 March 2012. This process had included individual meetings with affected staff and joint meetings with staff and unions at both Councils. The Head of Finance and Procurement reported that the business case had been endorsed by the CDC Resources and Performance Scrutiny Board and the SNC Community and Resources Review and Development Committee. Additionally, the Council's Internal Auditors had reviewed the business case. The Internal Auditors supported the rationale and had suggested some additional areas for implementation officers may wish to consider.

In response to Members' questions, the Head of Finance and Procurement assured the Committee that the proposal supported the ongoing cycle of work of the service with the structure providing resilience and supporting succession planning.

Resolved

- (1) That the consultation comments and responses contained in the log be noted.
- (2) That the staffing aspects of the Business Case to implement some shared finance and procurement functions across CDC and SNC be endorsed and that authority be delegated to the Head of Finance and Procurement to take all necessary steps to implement the team in compliance with the Organisation Change Policy and in consultation with the HR Managers at both Councils.

The meeting ended at 6.55 pm

Chairman:

Date:

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Cherwell District Council

Personnel Committee

Minutes of a meeting of the Personnel Committee held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 16 May 2012 at 7.40pm

Present: Councillor Lynn Pratt (Chairman)
Councillor Melanie Magee (Vice-Chairman)

Councillor Ken Atack
Councillor Norman Bolster
Councillor Surinder Dhesi
Councillor Mike Kerford-Byrnes
Councillor G A Reynolds
Councillor Alaric Rose
Councillor Lawrie Stratford
Councillor Rose Stratford
Councillor Lynda Thirzie Smart
Councillor Barry Wood

1 Appointment of Chairman

Resolved

That Councillor Lynn Pratt be appointed Chairman of Personnel Committee for the municipal year 2012/13.

2 Appointment of Vice-Chairman

Resolved

That Councillor Melanie Magee be appointed Vice-Chairman of Personnel Committee for the municipal year 2012/13.

The meeting ended at 7.45 pm

Chairman:

Date:

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Cherwell District Council

Personnel Committee

Minutes of a meeting of the Personnel Committee held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 6 June 2012 at 6.30 pm

- Present: Councillor Lynn Pratt (Chairman)
Councillor Melanie Magee (Vice-Chairman)
- Councillor Ken Atack
Councillor Norman Bolster
Councillor Surinder Dhesi
Councillor Mike Kerford-Byrnes
Councillor G A Reynolds
- Substitute Members: Councillor Nigel Randall (In place of Councillor Rose Stratford)
Councillor Alastair Milne Home (In place of Councillor Lawrie Stratford)
- Apologies for absence: Councillor Alaric Rose
Councillor Lawrie Stratford
Councillor Rose Stratford
Councillor Lynda Thirzie Smart
Councillor Barry Wood
- Officers: Jo Pitman, Head of Transformation
Stephanie Rew, HR Manager
Natasha Clark, Team Leader, Democratic and Elections
Louise Aston, Team Leader, Democratic and Elections
Martin Henry, Director of Resources / Section 151 Officer

3 **Declarations of Interest**

Members declared the following interest.

9. Joint Management Team (JMT) Support Business Case.

Councillor Ken Atack, Personal, as lead member for the business case on JMT support who would be presenting the report to the Executive.

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

There were no petitions or requests to address the meeting.

5 **Urgent Business**

There was no urgent business.

6 **Minutes**

The minutes of the meeting held on 4 April and 16 May 2012 were agreed as a correct record and signed by the Chairman.

7 **Employment Statistics Quarter 4 - 2011/2012**

The Head of Transformation submitted a report detailing the employment statistics, by Directorate, for information and monitoring purposes.

Resolved

(1) That the report be noted.

8 **Exclusion of the Public and Press**

Resolved

That, in accordance with Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business, on the grounds that it could involve the likely disclosure of exempt information as defined in paragraphs 1, 2 and 4 of Schedule 12A of that Act.

9 **Performance and Research Team Business Case**

The Head of Transformation submitted a report which sought support for the staffing aspects of the business case to implement a joint performance and research team across Cherwell District Council (CDC) and South Northamptonshire Council (SNC).

In introducing the report the Head of Transformation outlined the current service and how it operates at both CDC and SNC along with the strengths and weaknesses of the teams across both sites.

The joining of services would ensure resilience across CDC and SNC and offer a financial saving with consistency of policies and where appropriate joint policies.

The committee was advised that staff consultation on the business case had concluded on 24 April 2012. This process had included individual meetings with affected staff and joint meetings with staff and unions at both councils.

In response to Members questions, the Head of Transformation clarified the position regarding ring fencing, and how the pay scheme would operate for

these roles. The structure would provide resilience and support succession planning.

Resolved

- (1) That the consultation comments and responses contained in the log be noted.
- (2) That the staffing aspects of the Business Case to implement a joint performance, consultation and research analysis team across CDC and SNC be endorsed and that authority be delegated to the Corporate Performance and Strategy Manager to take all necessary steps to implement the team in compliance with the Organisational Change Policy and in consultation with the HR Manager for both Councils.

10 **Joint Management Team (JMT) Support Business Case**

The Director of Resources submitted a report which sought support for the staffing aspects of the business case to implement a Joint Management Support team across Cherwell District Council (CDC) and South Northamptonshire Council (SNC).

In introducing the report the Director of Resources outlined how the Joint Management Team (JMT) has been supported since 1 October 2011 when temporary arrangements were put in place.

It is essential that members of JMT receive the appropriate level of support to ensure they are as effective in their roles as possible. Without this support JMT would become too involved in administration tasks, as opposed to strategic.

The committee was advised that staff consultation on the business case had concluded on 2 May 2012. This process had included individual meetings with affected staff and joint meetings with staff and unions at both councils along with JMT members.

Some Members raised concerns that further administrative support would be added to the structure at a later stage. In response to Members questions, the Director of Resources clarified the roles in the business case, along with the new structure. It was confirmed that support for the Chairmen and Leaders could be reviewed if the proposed level of support was found to be too great or inadequate.

Councillor Atack addressed the Committee and acknowledged the work undertaken by the CDC staff who had provided interim support to JMT.

Resolved

- (1) That the staffing aspects of the Business Case to implement a new Joint Management Team Support Team together with granting new delegated authority to the Head of Transformation to take all necessary steps to implement the team in compliance with the Organisational

Change Policy and in consultation with the HR Manager at both Councils.

- (2) That the consultation comments and responses contained in the log be noted.
- (3) That it be noted that the Joint Personnel Committee has delegated authority to implement any redundancies arising to the Director of Resources in consultation with the Head of Transformation, the Head of Law and Governance, the Chairman and Vice Chairman of the Joint Personnel Committee and the portfolio holder (SNC) and Lead Member (CDC) for this service area.

Councillor Atack requested that his abstention from the vote be recorded,

The meeting ended at 7.35 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 13 March 2012 at 6.30 pm

Present: Councillor Lynn Pratt (Vice-Chairman, in the Chair)

Councillor Ann Bonner
Councillor Tim Emptage
Councillor Chris Heath
Councillor Alastair Milne Home
Councillor Leslie F Sibley
Councillor Daniel Sames
Councillor Trevor Stevens
Councillor Lawrie Stratford

Apologies for absence: Councillor Kieron Mallon
Councillor Rose Stratford

Officers: Catherine Phythian, Team Leader, Democratic and Elections

46 **Declarations of Interest**

There were no declarations of interest.

47 **Urgent Business**

There was no urgent business.

48 **Minutes**

The Minutes of the meeting of the Committee held on 31 January 2012 were agreed as a correct record and signed by the Chairman.

49 **Core Strategy (Local Development Framework)**

The Committee noted that the Core Strategy would be considered at the Executive in May 2012 and would then be subject to a period of public consultation. They agreed to request a briefing note from the Head of Strategic Planning and the Economy detailing the current status of the Core Strategy and confirming the timescale and procedures for the public consultation. They asked that the Executive report be made available to all members of the Council.

Resolved

- (1) That the Head of Strategic Planning and the Economy be requested to prepare a briefing detailing the current status of the Core Strategy and confirming the timescale and procedures for the public consultation.
- (2) That officers be requested to make the Executive report on the Core Strategy available to all members of the Council.

50

Overview and Scrutiny Work Programme 2011- 2012

The Committee considered a report of the Head of Law & Governance which updated Members on the Overview and Scrutiny Work Programme 2011/12. The Committee asked the Democratic and Elections Team to consider options to reformat the work programme report so that it showed all of the scheduled meetings for the year.

Forward Plan

The Committee agreed that there were no items on the Forward Plan for March - June 2012 that they wished to include on their work programme in 2011/12.

Potential Work Programme Items 2012/13

The Committee identified the following as potential topics for scrutiny in 2012/13 and asked that officers present briefing reports on the current status of the issues at the meeting in June 2012:

- ♦ National Benefit changes – implications for residents and for Cherwell District Council services.
- ♦ Concessionary Fares – a review of the first year of operation by the County Council
- ♦ Empty Homes Policy – to be retained as a monitoring item.
- ♦ Core Strategy – to be retained as a monitoring item and be brought to the Committee on the conclusion of the public consultation.

Agenda for 19 June 2012

The Committee confirmed that the meeting in June 2012 should consider potential topics for scrutiny by the Committee during 2012/13.

Resolved

- (1) That there were no items in the current version of the Forward Plan (March - June 2012) to be included on the work programme for 2011/12.
- (2) That the current Overview and Scrutiny element of the work programme for 2011/12 be noted and that national benefit changes, concessionary fares, empty homes and core strategy be considered as potential scrutiny topics in 2012/12.

- (3) That it be noted that the 19 June 2012 meeting of the Overview and Scrutiny Committee should include an agenda item to consider potential scrutiny topics for 2012/13.

The meeting ended at 7.10 pm

Chairman:

Date:

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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 16 May 2012 at 7.40 pm

Present: Councillor Daniel Sames (Vice-Chairman)

Councillor Colin Clarke
Councillor Tim Emptage
Councillor Chris Heath
Councillor Melanie Magee
Councillor Kieron Mallon
Councillor Alastair Milne Home
Councillor Jon O'Neill
Councillor Nigel Randall
Councillor Leslie F Sibley
Councillor Lawrie Stratford

Apologies for absence: Councillor Ann Bonner

1 Appointment of Chairman

Resolved

That Councillor Ann Bonner be appointed Chairman of the Overview and Scrutiny Committee for the Municipal Year 2012/13.

2 Appointment of Vice-Chairman

Resolved

That Councillor Dan Sames be appointed Vice-Chairman of the Overview and Scrutiny Committee for the Municipal Year 2012/13.

The meeting ended at 7.45 pm

Chairman:

Date:

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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 19 June 2012 at 6.30 pm

Present: Councillor Ann Bonner (Chairman)
Councillor Daniel Sames (Vice-Chairman)

Councillor Tim Emptage
Councillor Chris Heath
Councillor Melanie Magee
Councillor Alastair Milne Home
Councillor Jon O'Neill
Councillor Nigel Randall
Councillor Leslie F Sibley
Councillor Lawrie Stratford

Substitute Members: Councillor Rose Stratford (In place of Councillor Colin Clarke)

Apologies for absence: Councillor Colin Clarke
Councillor Kieron Mallon

Officers: Natasha Clark, Team Leader, Democratic and Elections
Dave Parry, Interim Democratic and Elections Officer

3 Declarations of Interest

Members declared interests in the following agenda items.

5. Overview and Scrutiny Work Programme 2012/13.

Councillor Nigel Randall, Personal, as a trustee of Cherwell Community & Voluntary Services Ltd.

4 Urgent Business

There was no urgent business.

5 Minutes

The Minutes of the meetings of the Committee held on 13 March 2012 and 6 May 2012 were agreed as a correct record and signed by the Chairman.

6 Overview and Scrutiny Work Programme 2012/13

The Committee considered the report of the Head of Law and Governance which presented the draft Overview and Scrutiny Work Programme 2012/13.

Members discussed the existing and possible new items for inclusion on the Work Programme, with several service areas / topics being suggested:

- **Banbury Brighter Futures**
The Chairman had suggested this as a possible work programme item for the Committee to consider if they could contribute to the project. The Lead Member for Banbury Brighter Futures and Director of Community and Environment would be attending the September Committee meeting to brief Members on the project.
- **Commissioning of Services to Banbury CAB**
The Committee noted that in November 2011 a Contract for the Provision of the following Voluntary Services to Cherwell District Council: 1) Debt and Money Advice; 2) Services to Increase Volunteering; 3) Voluntary Driving Service, had been awarded to Banbury CAB for a period of 3 years from 1 April.

Members agreed that a review of this arrangement should be added to their work programme for the Committee to monitor performance, how that transition has taken place and the effect on residents in the district.

- **Crime and Disorder Partnership**
The Committee commented that they were keen to know what CDC was doing to reduce crime, how measurable this was and to receive information on the Council's role in the Crime and Disorder Partnership.
- **New Health Partnership Arrangements**
Members requested that the Lead Member and officer be invited to a future meeting to provide an overview of the new health partnership arrangements to enable Members to have an understanding of the structure and the role CDC plays.
- **RAF Bicester**
Members noted that this had previously been on the Committee work programme but there had been no developments.

The Chairman advised the Committee at their June meeting, the Executive had approved the establishment of a strategic partnership (Cherwell District Council, Bomber Command Heritage and other key agencies and interested parties) to investigate the potential of securing the site for heritage purposes, to enable the provision of an education centre and museum.

The Committee agreed that it was important they monitor the involvement of CDC to ensure value for money and that the project was being managed properly. It was requested that key officers and the Lead

Member be invited to a meeting to brief the Committee on the current position with regards to RAF Bicester.

It was also requested that the planning background and a briefing document be circulated to all Members.

- **Eco Bicester: A Garden City of the Future.**
The Chairman reported that at their May meeting the Executive had resolved to contact DCLG to explore the identification of Eco Bicester as a next generation garden city. The Committee agreed it would be useful to receive a briefing on the proposal to enable consideration of any areas the Committee could add value.
- **Housing Strategy**
The Chairman reported that at their April meeting the Executive had approved the Housing Strategy 2012-2017. An annual delivery plan for each year of the strategy that will prioritise actions in line with resources and opportunities. An annual delivery plan for each year of the strategy that will prioritise actions in line with resources and opportunities.

The Committee agreed it would like the opportunity to review the annual delivery plan at the appropriate time.

- **Empty Homes Policy**
During 2011/12 the Committee had received briefings on the work to date and determined that it should be retained on the work programme to monitor the implementation of the Empty Homes Policy.
- **Concessionary Fares**
The Committee requested that a briefing on the effectiveness of the transition of responsibility for concessionary fares to Oxfordshire County Council be submitted to the Committee for consideration.
- **Air Quality across the District.**
Members queried if the Council had an air quality supplementary planning document and requested that they be advised
- **Community Transport and Dial-a-Ride**
The Committee requested that a briefing note be submitted to advise Members on the outcomes the district's residents attained as a result of the additional funding the CDC paid to the County Council.
- **Welfare Reforms and National Benefit Change**
The Committee noted that the Head of Finance and Procurement would be attending their July meeting to present a briefing a benefit changes, what they will mean for CDC service delivery and the impact upon CDC residents.

Members requested that Housing Officers also be invited to attend to advise on the potential impact of the reforms on tenants and homelessness.

- Draft Local Plan
During 2011/12 the Committee had received briefings on the development and the draft Local Plan. And retained the item on their work programme to receive an update following the public consultation.

In discussing the potential work programme items, it was acknowledged that some might fall within the remit of the Resources and Performance Scrutiny Board and requested that officers liaise with the Chairmen of the scrutiny committees to ensure these were added to the work programme of the appropriate committee.

The Committee then gave consideration to the Forward Plan and, noting the scheduled September decision date in respect of the Banbury Museum Trust proposals, suggested this might be slipped to October to allow an opportunity for the Committee to be briefed. The Democratic and Elections Team Leader undertook to investigate whether this would be possible.

The Committee then suggested that, in the future, in addition to appropriate officers, the Lead Member in respect of any topic under consideration should be invited to attend and advise the Committee.

Resolved

- (1) That the draft Overview and Scrutiny Work Programme 2012/13 be noted.
- (2) That the following items be included in the 2012/13 Overview and Scrutiny work programme: Banbury Brighter Futures, Commissioning of Services to Banbury CAB, Crime and Disorder Partnership, New Health Partnership Arrangements, RAF Bicester, Eco Bicester: A Garden City of the Future., Housing Strategy, Empty Homes Policy, Concessionary Fares, Air Quality across the District, Community Transport and Dial-a-Ride, Welfare Reforms and National Benefit Change, Draft Local Plan.

The meeting ended at 7.45 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 27 March 2012 at 7.00 pm

Present: Councillor Nicholas Mawer (Chairman)

Councillor Alyas Ahmed
Councillor Maurice Billington
Councillor Patrick Cartledge
Councillor Andrew Fulljames
Councillor Melanie Magee
Councillor Lawrie Stratford
Councillor Patricia Tompson
Councillor Martin Weir
Councillor Douglas Williamson

Apologies for absence: Councillor Douglas Webb
Councillor Margaret Cullip

Officers: Martin Henry, Director of Resources / Section 151 Officer
Claire Taylor, Corporate Performance Manager
Natasha Clark, Team Leader, Democratic and Elections

39 **Declarations of Interest**

There were no declarations of interest.

40 **Urgent Business**

There was no urgent business.

41 **Minutes**

The Minutes of the meeting held on 10 January 2012 were agreed as a correct record and signed by the Chairman, subject to the following amendment:

Minute 35: Budget Scrutiny 2012/13

ii. Discretionary Expenditure 2012/13 Budget Scrutiny: Communications and Cherwell Link

Amend final paragraph: The Board considered each of the proposals in turn. "It was proposed and seconded that savings be sought through joint working with South Northamptonshire Council and a reduction in the number of issues of Cherwell Link from 4 to 3. The proposal was voted on and lost. It was subsequently proposed, seconded and agreed that option three: retain four issues of Cherwell Link per year and target savings through joint working with South Northamptonshire Council, represented the best option to seek savings in this area at the present time."

42 **Exclusion of the Public and Press**

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 item of business, on the grounds that they could involve the likely disclosure of exempt information as defined in paragraph 3 of Schedule 12A of that Act.

43 **Business Case For A Shared Finance And Procurement Team**

The Chairman welcomed the Director of Resources to the meeting.

The Director of Resources presented the report, which sought consideration of the business case for Finance and Procurement functions and potential for sharing with South Northamptonshire Council (SNC), to the Board and highlighted the key elements of the business case. He advised Members that a number of options had been considered in relation to finance and procurement functions at both Councils. The joining of services and locations was pursued as the preferred option that would best support the Joint Management Team in a timely manner, deliver the required savings and permit further review once the impact of the Local Government Resources Review, welfare reform and Localism Act 2011 became clear.

As part of the extensive consultation process the business case had also been considered by the SNC Community and Resources Review and Development Committee. A final version of the business case would be considered at CDC Executive and SNC Cabinet in April 2012.

Members considered the financial, legal and staffing implications of the business case for both sovereign authorities and questions to specific points were provided by the Director of Resources.

In conclusion the Board unanimously agreed that the business case should be supported and they commended the work of the officers across both authorities for their hard work in bringing the case forward.

Resolved

- (1) That the implementation of some shared Finance and Procurement functions with South Northamptonshire Council be supported.

44 **Readmittance of the Public and Press**

Resolved

That the public and press be readmitted to the meeting.

45 **Quarter Three Financial Monitoring**

The Board considered the Quarter 3 Financial Monitoring report, which had been considered at the 6 February 2012 Executive meeting. The report summarised the Council's Revenue and Capital performance for the 9 months of the financial year 2011/12 and projections for the full 2011/12 period.

In introducing the report, the Director of Resources advised Members that the revenue and capital position at 31 December 2011 projected an overspend, however this could be covered by reserves and was within the Council's stated tolerances. In terms of efficiencies, as part of the 2012/13 budget preparation, £2m worth of budget reductions against the corporate pledge of £1m had been secured. Additionally, the Board was advised on progress against on the Procurement Action Plan. A growing range of cashable savings had been secured through a range on initiatives, including shared procurement projects.

In response to Members' questions, the Director of Resources explained that procurement partners were each taken on their own merit and assessed on a case by case basis.

In response to Members' questions relating to capital scheme slippages, the Director of Resources offered to circulate an update to Board members providing additional detail on the slippages.

Resolved

- (1) That the Quarter Three Financial Monitoring report be noted.
- (2) That officers be requested to circulate an update to Board members on capital slippages.

46 **Performance Management Framework Third Quarter Report**

The Board considered the Quarter 3 Performance Management Framework report, which had been considered at the 6 February 2012 Executive meeting. The report summarised the Council's performance for the period 1 October to 31 December 2011 as measured through the Performance Management Framework.

In introducing the report, the Corporate Performance Manager advised the Board that during the third quarter the new Joint Management Team (JMT) had received training on performance management as part of their induction

and subsequently reviewed strategic and operational performance measures. Directors and Heads of Service had embarked on business planning for 2012/13 which included reviewing performance measures and targets for 2012/13.

In considering the report, Members noted that progress with the disabled grants facilities grants programme had slowed due to a decline in referral rates and meetings with the county council had been scheduled to explore the matter. It was noted that disabled facilities grants remained on the Board's work programme for consideration as part of the 2013/14 budget scrutiny process.

Members noted that there had been a reduction in customer satisfaction with street cleansing had reduced. The Corporate Performance manager advised the Board that the team's own inspection did not indicate a reduction in service and as part of its 2012/13 service plan was considering the need for effective communication and awareness. Members agreed that street cleansing should be added to their work programme and officers invited to attend a future meeting.

The Board noted that the Council had successfully completed self-assessment against the Equalities Achieving Framework and agreed that training for Members of equalities, fair and aware be provided in due course.

Resolved

- (1) That the Performance Management Framework Third Quarter report be noted.
- (2) That street cleansing be added to the Board's work programme and officers be invited to attend a future meeting.

47

Overview and Scrutiny Work Programme Update

The Board considered a report of the Head of Law and Governance which updated Members on the Overview and Scrutiny Work Programme 2011/12.

The Board reviewed the work programme and agreed that Bicester Vision and Cherwell Safer Communities Partnership should be deleted from the work programme. Members requested that the Democratic and Elections Team Leader liaise with relevant officers for updates on the Council's partnership with Oxfordshire Rural Community Council, Oxfordshire Waste Partnership, the Landscape Maintenance contract and a briefing of the Local Government Resources Review to be presented to future Board meetings.

Resolved

- (1) That the Resources and Performance Scrutiny Board element of the Overview and Scrutiny Work Programme 2012/13 be noted.
- (2) That Bicester Vision and Cherwell Safer Communities Partnership be deleted from the work programme.

- (3) That officers be requested to provide updates on Oxfordshire Rural Community Council, Oxfordshire Waste Partnership, Landscape Maintenance contract and a briefing of the Local Government Resources Review to a future meeting of the Board.
- (4) That a review of progress against previous budget scrutiny recommendations be submitted to a future Board meeting.

The meeting ended at 8.45 pm

Chairman:

Date:

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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 16 May 2012 at 7.40pm

Present: Councillor Nicholas Mawer (Chairman)
Councillor Douglas Webb (Vice-Chairman)

Councillor Maurice Billington
Councillor Patrick Cartledge
Councillor Margaret Cullip
Councillor Andrew Fulljames
Councillor Melanie Magee
Councillor Lawrie Stratford
Councillor Douglas Williamson

Apologies for absence: Councillor Alyas Ahmed

1 **Appointment of Chairman**

Resolved

That Councillor Nicholas Mawer be appointed Chairman of the Resources and Performance Scrutiny Board for the municipal year 2012/13.

2 **Appointment of Vice-Chairman**

Resolved

That Councillor Douglas Webb be appointed Vice-Chairman of the Resources and Performance Scrutiny Board for the municipal year 2012/13.

The meeting ended at 7.45 pm

Chairman:

Date:

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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 June 2012 at 6.30 pm

Present: Councillor Nicholas Mawer (Chairman)
Councillor Douglas Webb (Vice-Chairman)

Councillor Alyas Ahmed
Councillor Maurice Billington
Councillor Patrick Cartledge
Councillor Jon O'Neill
Councillor Nigel Randall
Councillor Lawrie Stratford
Councillor Douglas Williamson
Councillor Sean Woodcock

Substitute Members: Councillor Rose Stratford (In place of Councillor Margaret Cullip)

Apologies for absence: Councillor Margaret Cullip
Councillor Neil Prestidge

Officers: James Doble, Democratic and Elections Manager (for agenda item 5)
Natasha Clark, Team Leader, Democratic and Elections

3 **Declarations of Interest**

There were no declarations of interest.

4 **Urgent Business**

There was no urgent business.

5 **Minutes**

The Minutes of the meetings held on 27 March 2012 and 26 May 2012 were agreed as a correct record and signed by the Chairman, subject to the following amendment to the Minutes of the meeting of 16 May 2012:

Attendance

Add Councillor Sean Woodcock to Members present

Chairman of the Council's Allowance

The Chairman welcomed the Democratic and Elections Manager to the meeting and explained that at the 16 May 2012 meeting of Council, members consider a report which proposed that the Chairman of the Council be paid an allowance. Council resolved to request the Resources and Performance Scrutiny Board to review the proposal and make recommendations to the July meeting of Council.

The Democratic and Elections Manager advised the Board that the purpose of the allowance was to cover out of pocket expenses. At present the Council Chairman was able to claim expenses however this provision was infrequently used as it was time consuming and unclear what could and could not be claimed. The proposed allowance would be payable for the ceremonial role played by the Chairman, as permitted by the Local Government Act 1972. The Independent Remuneration Panel (IRP) had considered the payment of a special responsibility allowance (SRA) to the Council Chairman for the administrative part of the role but determined that it was relatively formulaic and therefore did not warrant an SRA. The IRP would review this again in 2012/13 as part of the annual review of Members' Allowance Scheme.

In considering the proposal to pay an allowance to the Council Chairman, Members agreed that an allowance should be paid and commented that whilst the proposal to the 16 May 2012 Council meeting to pay £2000 was a relatively modest sum, it was important to be transparent about what it would cover. The position of Council Chairman was a position of honour and no member should feel unable to accept the opportunity due to concerns about the potential personal financial cost.

Councillor Rose Stratford, a former Cherwell District Council Chairman, advised the Board that she had claimed travel expenses but not for expenditure at events such as buying raffle tickets. As Mayor of Bicester Town Council, a Mayor's allowance was included in the annual budget to cover all of the Mayor's expenditure excluding tickets for events which were paid for from a civic budget.

The Board noted the comments of the 2011/12 Cherwell District Council Chairman in relation to the proposal to pay a Chairman's allowance. Members agreed that it would be useful to have feedback from the five past Chairmen on the expenses they have claimed, any out of pocket expense they incurred during their term of office and any additional comments to inform the Board's deliberations.

Members noted that information that had been circulated pertaining to allowances paid to Civic Heads at other local authorities and that this varied considerably. Members agreed that it would be useful to have further information from neighbouring district councils detailing what their Chairman's allowance covers and what other civic budgets they have.

In response to Members' questions on the Civic Ceremonial budget, the Democratic and Elections Manager provided clarification on the different elements of the budget and confirmed that he would liaise with Finance

Officers to seek to simplify the terminology which was currently open to misinterpretation.

In terms of the payment of a Special Responsibility Allowance to the Chairman under the Members' Allowance Scheme, Members agreed that they should include a recommendation asking the Independent Remuneration Panel to consider the payment of a special responsibility allowance to the Council Chairman for the administrative element of the role, i.e. chairing meetings.

In terms of the payment of an allowance to the Council Chairman for the civic element of the role, Members agreed that it was extremely important that a Scheme of Reference be developed to ensure transparency to the public about what was and was not covered by the allowance. The Scheme would also provide clarity for the Council Chairman.

Members agreed that, in principle, an allowance should be paid to the Council Chairman but resolved to defer framing recommendations to Council to enable further consideration of the matter with supplementary information. It was agreed that the 10 July 2012 meeting of the Performance Scrutiny Working Group would be changed to a full Resources and Performance Scrutiny Board meeting to enable timely further consideration of the proposal and recommendations to be submitted to the 16 July 2012 Council meeting.

Resolved

- (1) That the 10 July 2012 meeting of the Performance Scrutiny Working Group be changed to a full meeting of the Resources and Performance Scrutiny Board to allow further consideration of the proposal to pay an allowance to the Chairman of the Council.
- (2) That the following supplementary information be provided to the 10 July 2012 meeting to inform the Board's deliberations: Feedback from the past five Cherwell District Council Chairman; Further information of the allowances claimed by the Council Chairman of neighbouring district councils; Proposals for a scheme of reference for what the Chairman's allowance should cover; and, a comparison of the work undertaken by the Chairman that would fall within a special responsibility allowance and that which would fall in the ceremonial role.

7 Draft Overview and Scrutiny Annual Report 2011/12

The Chairman advised the Board that consideration of this item would be deferred to the 17 July 2012 meeting.

8 Appointment of Working Group Members

The Board considered a report of the Head of Law and Governance which sought consideration of the appointment of Members to the Finance Scrutiny Working Group and Performance Scrutiny Working Group.

Resolved

- (1) That the following Councillors be appointed to the Performance Scrutiny Working Group for 2012/13: Councillor Nicholas Mawer, Councillor Douglas Webb, Councillor Maurice Billington, Councillor Margaret Cullip, Councillor Neil Prestidge, Councillor Douglas Williamson and Councillor Sean Woodcock.
- (2) That the following Councillors be appointed to the Finance Scrutiny Working Group for 2012/13: Councillor Nicholas Mawer, Councillor Douglas Webb, Councillor Alyas Ahmed, Councillor Patrick Cartledge, Councillor Jon O'Neill, Councillor Nigel Randall and Councillor Lawrie Stratford.

9

Resources and Performance Scrutiny Board Work Programme 2012/13

The Board considered a report of the Head of Law and Governance which presented the draft Resources and Performance Scrutiny Board work programme 2012/13 for consideration.

The Chairman reminded the Board that one of the conclusions of the Resources and Performance Scrutiny Board budget scrutiny 2011/12 was that a Concessions Policy for the council should be developed however the budget 2012/13 process has determined that this will now feed into the budget 2013/14 process. The Board agreed that Councillors Lawrie Stratford, Maurice Billington and Nigel Randall be nominated to work with officers to develop the Policy. Councillor Sean Woodcock also expressed an interest in being involved in the policy development and that he be kept informed of progress to enable him to also contribute to the development of the policy.

Members noted that the Head of Finance and Procurement would be attending the 17 July 2012 meeting of the Board to brief Members on the Local Government Resources Review. This would also be an opportunity for Members to give consideration to the 2013/13 budget scrutiny process. The Board commented that they reviewed fees and charges bi-annually and that this was due to be included as part of the budget scrutiny programme this year.

In considering potential work programme items, Members suggested that a review of dial-a-ride and the commissioning of the provision of voluntary services (debt and money advice, services to increase volunteering and voluntary driving services) be reviewed at the appropriate time. The Board noted that this fell within the remit of the Overview and Scrutiny Committee and that the Team Leader – Democratic and Elections be requested to advise the Chairman of the Committee of the Board's view.

The Board noted that during consideration of agenda item 5, Chairman of the Council's Allowance, they had resolved that the 10 July 2012 meeting of the Performance Scrutiny Working Group would be changed to a full Resources and Performance Scrutiny Board meeting to enable timely further consideration of the proposal and recommendations to be submitted to the 16

July 2012 Council meeting. Members noted that the Head of Environmental Services was due to attend the Performance Scrutiny Working Group meeting to provide an update on the Oxfordshire Waste Partnership and agreed that he be requested to submit this to the Resources and Performance Scrutiny Board meeting. Additionally, Members agreed that the Head of Environmental Services be requested to also submit an update on the Landscape Maintenance contract and a briefing on street cleansing to this meeting.

Resolved

- (1) That the Resources & Performance Scrutiny Board work programme 2012/13 be noted.
- (2) That the Head of Environmental Services be requested to provide an update on the Oxfordshire Waste Partnership, the Landscape Maintenance contract and a briefing on street cleansing to the 10 July 2012 Resources and Performance Scrutiny Board meeting.
- (3) That Councillors Lawrie Stratford, Nigel Randall and Maurice Billington be nominated to work with officers on the development of a Concessions Policy for the Council and that Councillor Sean Woodcock be kept informed of the development of the Policy.
- (4) That the proposed work programmes of the Performance Scrutiny Working Group and Finance Scrutiny Working Group be noted.
- (5) That the Team leader – Democratic and Elections be requested to advise the Overview and Scrutiny Committee Chairman of the Board's view that a review of dial-a-ride and the commissioning of the provision of voluntary services (debt and money advice, services to increase volunteering and voluntary driving services) be undertaken at the appropriate time as part of the Overview and Scrutiny Committee work programme.

The meeting ended at 8.05 pm

Chairman:

Date:

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Cherwell District Council

Standards Committee

Minutes of a meeting of the Standards Committee held at Bodicote House,
Bodicote, Banbury, OX15 4AA, on 7 March 2012 at 6.30 pm

Present: Dr Sadie Reynolds (Chairman)
Derek Bacon (Vice-Chairman)

Councillor Andrew Beere
Councillor Fred Blackwell
Councillor Chris Heath
Councillor Russell Hurle
Councillor James Macnamara
Kenneth Hawtin
Councillor David Carr

Substitute Members: Councillor Ken Atack (In place of Councillor Timothy Hallchurch MBE)

Apologies for absence: Councillor Timothy Hallchurch MBE
Councillor Rose Stratford
Councillor Douglas Williamson
Councillor John Coley

Officers: Kevin Lane, Head of Law and Governance / Monitoring Officer
Natasha Clark, Team Leader, Democratic and Elections

1 Appointment of Chairman

Resolved

That Dr Sadie Reynolds be appointed Chairman for the remainder of the municipal year 2011/12.

2 Appointment of Vice-Chairman

Resolved

That Derek Bacon be appointed Vice-Chairman for the remainder of the municipal year 2011/12.

3 Declarations of Interest

There were no declarations of interest.

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

There were no petitions or requests to address the meeting.

5 **Urgent Business**

There was no urgent business.

6 **Minutes**

The minutes of the meeting held on 21 March 2011 were agreed as a correct record and signed by the Chairman.

7 **Localism Act 2011 - The New Standards Regime**

The Head of Law and Governance submitted a report which enabled the Committee to receive a summary of the provisions of the Localism Act 2011 in so far as they affect the standards regime, consider a number of issues with a view to formulating appropriate future recommendations to Council and agree to receive a further report at a future meeting when both a model code of conduct and details of the proposed legislation on Disclosable Pecuniary Interests were known in order to formulate a set of final recommendations to Council.

In introducing the report, the Head of Law and Governance explained that the Localism Act 2011 had received royal assent on 1 November 2011 and the changes to the standards regime were due to come into force on 1 July 2012. Under the Act the Council would remain under a statutory duty to promote and maintain high standards of conduct for elected and co-opted members and would continue to have responsibility for town/parish councils with regards to standards conduct and complaints.

The Committee was advised that all authorities would be required to have a Code of Conduct although they would have discretion about what was included within the Code. As yet no model codes were available although the Local Government Association was drafting one.

In response to Members' comments about the possibility of adopting a similar Code of Conduct across Oxfordshire at all tiers of government, the Head of Law and Governance reported that Oxfordshire Monitoring Officers were seeking to develop a cross-county code. This would be particularly helpful for Councillors who were elected to serve on more than one authority.

The Head of Law and Governance advised the Committee that legislation on Member interests relating to pecuniary, non-pecuniary and Disclosable pecuniary interests had not yet been published. The Committee was therefore being asked to consider and form a preliminary view on seven key issues at this stage and agree final recommendations to Council at a future meeting once the legislation was available.

Issue 1 – Nature and Composition of Member Body

The Head of Law and Governance advised the Committee that whilst the Localism Act repealed the provisions of the Local Government Act 2000 which provided for the existing mandatory Standards Committee, there would still be a need to deal with standards issues and case-work but local authorities had flexibility to determine their own arrangements.

The Committee recalled that at their meeting in March 2011, they had considered the proposals in the Localism Bill, and, in light of the information at that time, had taken the view that the Standards Committee should be abolished and the responsibilities transferred to the Accounts, Audit and Risk Committee.

In considering the options, the Committee noted that the provisions in the Act pertaining to Standards differed from the proposals in the Bill. In particular it would be mandatory to have a Code of Conduct and the district would retain responsibility for town and parish councils. Some Members of the Committee commented that at the time of the 2011 Standards Committee and with the proposals at that time, it was deemed appropriate for standards matters to pass to the Accounts, Audit and Risk Committee, however it was no longer clear if this was still appropriate. Some Members expressed the view that the remit could still transfer to the Accounts, Audit and Risk Committee and highlighted that the Council had received no complaints about District Councillors during its existence and few about Parish Councillors.

The Committee noted that the legislation no longer required town/parish council representatives to be involved in standards matters. Whilst it would be possible to co-opt, the representatives would not have voting rights. Additionally, should the standards remit be transferred to the Accounts, Audit and Risk Committee, the majority of the remit of that Committee was not relevant to any co-opted Parish Councillor.

The Committee agreed that it was difficult to determine what kind of Standards Committee/arrangements to recommend without having sight of the Code of Conduct although the prevailing view was that a free standing Committee was probably most appropriate. Notwithstanding, whatever form it took, the purpose should be to promote and maintain high standards and consider complaints as appropriate.

Issue 2 – Content of New Code of Conduct

The Committee was advised that the existing Model Code of Conduct would be repealed and Councils would be required to adopt a new Code which complied with seven principles (selflessness, integrity, objectivity, accountability, openness, honesty and leadership) and contained requirements for interests.

The Committee agreed that a recommended form of Code should be considered at their next meeting when the proposed LGA model code was available. In the meantime, the Committee endorsed the approach of the Monitoring Officer, in liaison where possible with his Oxfordshire counterparts, to seek to achieve a common code of conduct in the district, and if possible the county, at all levels of local authority.

Issue 3 – Nature of “Arrangements”

The Head of Law and Governance explained that the Localism Act required that the Council adopt “arrangements” for dealing with complaints of breach of the Code of Conduct by both District and Town/Parish Councillors.

The Committee agreed that this should be considered in detail at the next meeting but in the meantime the following broad principles should be included in the draft arrangements that would be submitted for consideration:

- That the Monitoring Officer be appointed as the Proper Officer to receive complaints of failure to comply with the Code of Conduct;
- That the Monitoring Officer be given delegated power, after consultation with the Independent Person, to determine whether a complaint merits formal investigation or not and to arrange such investigation. He be instructed to seek resolution of complaints without formal investigation as the severity of the complaint requires wherever practicable, and that he be given discretion to refer decisions of investigation to the Standards Committee where he feels that it is inappropriate for him to take the decision, and to report quarterly to the Standards Committee on the discharge of this function;
- Where the investigation finds no evidence of failure to comply with the Code of Conduct, the Monitoring Officer, in consultation with the Independent Person, be instructed to close the matter, providing a copy of the report and findings to the Independent Person, and reporting the findings to the Standards Committee for information;
- Where the investigation finds evidence of a failure to comply with the Code of Conduct, the Monitoring Officer, in consultation with the Independent Person, be authorised to seek local resolution to the satisfaction of the complainant in appropriate cases, with a summary report or information to the Standards Committee. Where such local resolution is not appropriate or not possible, he is to report the investigation findings to a Hearings Panel of the Standards Committee for local hearing.
- That Council delegate to the Standards Committee (or a Hearings Panel Sub Committee) such of its powers as can be delegated to take decisions in respect of a member who is found on hearing to have failed to comply with the Code of Conduct, such actions to include –
 - Reporting its findings to Council [*or to the Town/Parish Council*] for information;
 - Recommending to the Member’s Group Leader (or in the case of un-grouped members, recommend to Council or to Committees) that he/she be removed from any or all Committees or Sub-Committees of the Council;
 - Recommending to the Leader of the Council that the Member be removed from Cabinet, or removed from particular portfolio responsibilities;
 - Instructing the Monitoring Officer to [*or recommending that the Town/Parish Council*] arrange training for the Member;
 - Removing the Member [*or recommending to the Town/Parish Council that the Member be removed*] from all outside body appointments to which he/she has been appointed or nominated by the authority [*or by the Town/Parish Council*];

- *Withdrawing [or recommending to the Town/Parish Council that it withdraws] facilities provided to the Member by the Council, such as a computer, website and/or email and Internet access; or*
- *Excluding [or recommending that the Town/Parish Council exclude] the Member from the Council's officers or other premises with the exception of meeting rooms necessary for attending Council, Committee and Sub-Committee meetings.*

Issue 4 – Appointment of Independent Person(s) and Nature of Role

The Committee was advised that the “arrangements” adopted by the Council must include provision for the appointment by the Council of at least one independent person. This person must be appointed through a public advertisement, application and appointment by a positive vote of a majority of all members of the District Council. Additionally, there would be specific requirements for the Independent Person not to have not been involved with the Council (e.g. as an employee, elected Member or co-opted member) for five years prior to appointment although it was anticipated that transitional arrangements might be put in place that would permit the appointment of a current independent member of the Standards Committee for a limited period of time.

The Committee agreed that the final recommendations on this issue should be determined at the next meeting of the Committee but took the preliminary view that it would be appropriate to seek to appoint two Independent Persons to ensure resilience and to avoid potential conflicts of interest. Additionally, the Monitoring Officer, in consultation with the Head of Finance and Procurement, should be authorised to set the initial allowance and expenses for the Independent Persons and the function subsequently delegated to the Standards Committee. Furthermore, the Monitoring Officer should advertise a vacancy for two Independent Persons and a Panel comprising two current Standards Committee members and the Monitoring Officer should be set up to short list and interview candidates and to make a recommendation to Council for appointment. Subject to the proposed transitional provision being confirmed, any current member of the Standards Committee who resigns that membership by 30 June 2012 should be permitted to apply to be the Independent Person for such interim period as is permitted.

Issue 5 – Register of Members' Interests

The Head of Law and Governance advised the Committee that the Localism Act abolished the concepts of personal and prejudicial interests. Regulations would define Disclosable Pecuniary Interests and the Monitoring Officer would be required to maintain a register of interests for both District and Town/Parish Councillors and they should all be available for inspection and on the District Council's website.

The Committee noted that the provisions of the Act relating to Members' Interests and the fact that Regulations covering the nature of Disclosable Pecuniary Interests were still awaited and agreed to consider the detailed arrangements that will be required for the necessary register, including the identification of any non-disclosable pecuniary interests and pecuniary interests that it is recommended should be registered pursuant to the new code, at their next meeting.

Issue 6 – Disclosure of Interests and Withdrawal from Meetings

The Committee noted the proposed arrangements regarding disclosure of interests and withdrawal from meetings and agreed that the inclusion of a provision in the Council's Constitution requiring a Member, in the absence of any dispensation being granted otherwise, to withdraw from the meeting when he/she has a Disclosable Pecuniary Interest in any item of business at a relevant meeting should be supported and included as part of the final recommendations to Council in due course.

Issue 7 – Determination of Applications for Dispensation

The Head of Law and Governance advised the Committee that the Localism Act significantly changed the provisions on dispensations. In considering this issue, the Committee agreed that the final recommendations to Council should include that the determination of dispensation applications under the grounds "that so many members of the decision-making body have Disclosable Pecuniary Interests in a matter that it would impede the transaction of the business (be inquorate as a result)" and "that, without a dispensation, no member of the Cabinet would be able to participate on a matter" be delegated to the Monitoring Officer in consultation with the Independent Person with a right of appeal against refusal to the Standards Committee; and, that the determination of applications on all other grounds be delegated to the Standards Committee. The Monitoring Officer/Standards Committee should only apply dispensations to District Councillors and Town/Parish Councils should agree their own arrangements for granting dispensations.

Members commented that it would important to raise of awareness of the changes for all district and parish councillors.

Resolved

- (1) That the summary of the provisions of the Localism Act 2011 ("the Act") that relate to the new standards regime be noted.
- (2) That having considered the specific issues identified the following preliminary views on likely future recommendations to Council be agreed:
 - a. **Issue 1 – Nature and Composition of Member Body:** That consideration of the type of Standards Committee be deferred until the proposed model Code of Conduct is available.
 - b. **Issue 2 – Content of New Code of Conduct:** That this be considered at the next meeting of the Committee when the proposed LGA model code was available but in the meantime, the approach of the Monitoring Officer, in liaison where possible with his Oxfordshire counterparts, to seek to achieve a common code of conduct in the District, and if possible the County, at all levels of local authority be endorsed.
 - c. **Issue 3 – Nature of "Arrangements":** That this be considered in detail at the next meeting but in the meantime the following broad principles should be included:

- That the Monitoring Officer be appointed as the Proper Officer to receive complaints of failure to comply with the Code of Conduct;
 - That the Monitoring Officer be given delegated power, after consultation with the Independent Person, to determine whether a complaint merits formal investigation or not and to arrange such investigation.
 - That the Monitoring Officer be instructed to seek resolution of complaints without formal investigation as the severity of the complaint requires wherever practicable, and that he be given discretion to refer decisions of investigation to the Standards Committee where he feels that it is inappropriate for him to take the decision, and to report quarterly to the Standards Committee on the discharge of this function;
 - That where the investigation finds no evidence of failure to comply with the Code of Conduct, the Monitoring Officer, in consultation with the Independent Person, be instructed to close the matter, providing a copy of the report and findings to the Independent Person, and reporting the findings to the Standards Committee for information;
 - That where the investigation finds evidence of a failure to comply with the Code of Conduct, the Monitoring Officer, in consultation with the Independent Person, be authorised to seek local resolution to the satisfaction of the complainant in appropriate cases, with a summary report or information to the Standards Committee.
 - That where such local resolution is not appropriate or not possible, the Monitoring Officer is to report the investigation findings to a Hearings Panel of the Standards Committee for local hearing;
 - That Council delegate to the Standards Committee (or a Hearings Panel Sub Committee) such of its powers as can be delegated to take decisions in respect of a member who is found on hearing to have failed to comply with the Code of Conduct, such actions to include those listed under Issue 3 above.
- d. **Issue 4 – Appointment of Independent Person(s) and Nature of Role:** That the final recommendations on this issue be determined at the next meeting of the Committee but the preliminary view be that:
- the Monitoring Officer, in consultation with the Head of Finance and Procurement, be authorised to set the initial allowance and expenses for the Independent Person(s) and that this function be subsequently delegated to the Standards Committee;
 - the Monitoring Officer advertise a vacancy for two Independent Persons;
 - a Panel comprising two current Standards Committee members and the Monitoring Officer be set up to short list and interview candidates and to make a recommendation to Council or appointment; and, that, subject to the proposed transitional provision being confirmed, any current member of the Standards Committee who resigns that membership by 30 June 2012 be

permitted to apply to be the Independent Person for such interim period as is permitted.

- e. **Issue 5 – Register of Members’ Interests:** That the provisions of the Act relating to Members’ Interests and the fact that Regulations covering the nature of Disclosable Pecuniary Interests were still awaited be noted; and that it be agreed to consider at the next Standards Committee meeting the detailed arrangements that will be required for the necessary register, including the identification of any non-disclosable pecuniary interests and pecuniary interests that it is recommended should be registered pursuant to the new code.
 - f. **Issue 6 – Disclosure of Interests and Withdrawal from Meetings:** That the inclusion of a provision in the Council’s Constitution requiring a Member, in the absence of any dispensation being granted otherwise, to withdraw from the meeting when he/she has a Disclosable Pecuniary Interest on any item of business at a relevant meeting be supported and that this be included as part of the final recommendations to Council in due course.
 - g. **Issue 7 – Determination of Applications for Dispensation:** That the final recommendations to Council include that the determination of dispensation applications for District Councillors under the grounds referred to under Issue 7 above be delegated to the Monitoring Officer in consultation with the Independent Person with a right of appeal against refusal to the Standards Committee; and, that the determination of applications on all other grounds be delegated to the Standards Committee; and, that Town/Parish Councils should apply their own dispensations.
- (3) That it be agreed to receive a further report at a subsequent meeting to consider and formulate a set of full and final recommendations to Council once a mode code of conduct and the legislation relating to Disclosable Pecuniary Interests were available.

8 **Exclusion of Public and Press**

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 paragraphs 1 and 2 of Schedule 12A of that Act.

9 **Minutes of meeting Thursday 15 September 2011 of Standards Assessment Sub-Committee**

The Minutes of the meeting of the Standards Assessment Sub-Committee held on 15 September 2011 were noted.

10 **Minutes of meeting Thursday 10 November 2011 of Standards Assessment Sub-Committee**

The Minutes of the meeting of the Standards Assessment Sub-Committee held on 10 November 2011 were noted.

11 **Minutes of meeting Wednesday 21 December 2011 of Standards Assessment Sub-Committee**

The Minutes of the meeting of the Standards Assessment Sub-Committee held on 21 December 2011 were noted.

The meeting ended at 8.00 pm

Chairman:

Date:

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Cherwell District Council

Standards Committee

Minutes of a meeting of the Standards Committee held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 10 May 2012 at 6.30 pm

Present: Dr Sadie Reynolds (Chairman)
Derek Bacon (Vice-Chairman)

Councillor Andrew Beere
Councillor Fred Blackwell
Councillor Chris Heath
Councillor Russell Hurle
Councillor Douglas Williamson
Kenneth Hawtin
Councillor John Coley

Substitute Members: Councillor Ken Atack (In place of Councillor Timothy Hallchurch MBE)

Apologies for absence: Councillor Timothy Hallchurch MBE
Councillor James Macnamara
Councillor Rose Stratford
Councillor David Carr

Officers: Kevin Lane, Head of Law and Governance / Monitoring Officer
Natasha Clark, Team Leader, Democratic and Elections

12 Declarations of Interest

There were no declarations of interest.

13 Petitions and Requests to Address the Meeting

There were no petitions or requests to address the meeting.

14 Urgent Business

There was no urgent business.

15 Minutes

The minutes of the meeting held on 7 March 2012 were agreed as a correct record and signed by the Chairman.

The New Standards Regime - Proposed Arrangements

The Head of Law and Governance submitted a report which enabled the Committee to finalise its recommendations to Council on 16 May 2012 on the form of a code of conduct for members to be adopted with effect from the relevant legislative date (currently anticipated to be 1 July 2012) and on the nature, composition and terms of reference of the elected member body to be responsible for the arrangements that were statutorily required to ensure that the Council could investigate allegations of misconduct by district and parish councillors and determine an appropriate outcome. The report further sought to enable the Committee to recommend to Council the number of independent persons to be appointed, the appointment and remuneration process and the delegation of authority to the Monitoring Officer to enable the necessary legal arrangements to be introduced.

Code of Conduct

The Chairman reminded the Committee that at their March meeting, members had endorsed the proposed approach of the Monitoring Officers in Oxfordshire to seek to ensure, as far as practicable, the adoption of a common code at County, District and Parish levels.

In considering the proposed Oxfordshire Code of Conduct, some Members commented that it seemed relatively vague with no definition of exactly what pertained to breaking the Code. Other Members of the Committee countered that the Oxfordshire Code was very concise and was preferable to the LGA promoted Code. The Head of Law and Governance confirmed that the Code was currently being presented to all other Oxfordshire district councils and the county council for approval.

The Committee agreed that Council should be recommended to adopt the Oxfordshire Code of Conduct and that it be endorsed for adoption by Town and Parish Councils in the district.

Nature and Composition of Elected Member Body

The Committee was reminded that at their March meeting Members had indicated support for a free standing Standards Committee rather than the previously supported view that the role be subsumed by the Accounts, Audit and Risk Committee. The Committee noted that the draft Terms of Reference submitted by the Head of Law and Governance could apply to either a free standing committee or be added to the remit of the Accounts, Audit and Risk Committee.

In considering the nature and composition of the elected member body, the Committee reaffirmed their preference for a free standing Standards Committee comprising 8 members. The previously held view to transfer responsibilities to the Accounts, Audit and Risk Committee had been reached when it was anticipated a Code of Conduct would not be mandatory. However as this was now mandatory under the Localism Act 2011, the Committee agreed that it was appropriate to have a separate Committee to demonstrate independence. Additionally, as the district council retained responsibility for town and parish councils, members agreed that the Committee should have the power to co-opt as it felt appropriate. Members noted that the Committee

would be a Local Government Act 1972 Committee and therefore subject to political balance rules.

The Committee agreed that Council should be recommended to establish a free standing Standards Committee comprising 8 members, with the power to co-opt and the proposed terms of reference to replace the current Standards Committee.

Independent Persons

The Head of Law and Governance reminded the Committee that the Localism Act 2011 required that at least one independent person be appointed by full Council as part on the new arrangements. The independent person would not be a member of the new Standards Committee but could be invited to attend meetings.

The Committee had agreed at their March meeting that it would be appropriate to appoint two independent persons to avoid potential conflicts of interest and provide resilience.

In response to Members' questions, the Head of Law and Governance confirmed that it was anticipated that a transitional provision would be enacted whereby current independent members of Standards Committees would be able to apply to be independent persons if they resign before 30 June 2012. Independent Members would be advised according if the provision was enacted.

The Committee endorsed the approach presented by the Head of Law and Governance and agreed Council should be recommended to appoint two independent persons at a future date based on the recommendation of a panel comprising two members of the new elected members body and the Head of Law and Governance. Additionally, authority should be delegated to the Head of Law and Governance in consultation with the Head of Finance and Procurement to fix an initial allowance for the independent persons. The Committee also agreed that it would be useful to provide Council with a summary of the role of the Independent Persons.

Register of Interests

The Head of Law and Governance advised the Committee that as the Regulations dealing with disclosable pecuniary interests ("DPs") had not yet been enacted it was not possible for any further consideration to be given to the form and content of the future Register of Interests prior to the 16 May 2012 meeting of Council. The Committee was therefore requested to recommend delegated authority to the Monitoring Officer to take the appropriate steps to establish the register and advise district, town and parish councillors accordingly.

The Committee stressed the importance of ensuring all councillors were aware of the new requirements and agreed to recommend to Council that authority be delegated to the Head of Law and Governance / Monitoring Officer to take the necessary steps to establish a register of interests and the required arrangements pending formal consideration by the elected member body in due course.

Resolved

- (1) That Council be recommended to adopt the Oxfordshire Code of Conduct (set out in the annex to these minutes as set out in the minute book) with effect from 1 July 2012 or such other date as is legislatively required ("the effective date") and that it be endorsed for adoption by the Town and Parish Councils in Cherwell District.
- (2) That Council be recommended to agree to establish a free standing Standards Committee comprising eight elected members, with the power to co-opt members as it sees fit, for the purpose of hearing and determining complaints of Councillor misconduct with the terms of reference set out at the annex to these minutes (as set out in the minute book) from the effective date to replace the current Standards Committee.
- (3) That Council be recommended to agree that two independent persons be appointed by Council at a future date on the recommendation of a panel comprising two members of the new Committee plus the Head of Law and Governance and to delegate authority to fix an initial allowance payment for such persons to the Head of Law and Governance in consultation with the Head of Finance and Procurement.
- (4) That Council be recommended to agree to delegate authority to the Head of Law and Governance/Monitoring Officer to take the necessary steps to establish a register of interests for District, Town and Parish Councillors and the required arrangements (including a complaints procedure and a hearing procedure) pending formal consideration by the new Committee in due course.

The meeting ended at 7.05 pm

Chairman:

Date: