

SUPPLEMENTARY INFORMATION

Council

17 October 2016

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If you need any further information about the meeting please contact Natasha Clark, Democratic and Elections natasha.clark@cherwellandsouthnorthants.gov.uk, 01295 221589

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Council Minute Book

Monday 17 October 2016

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- 10. Minutes of meeting Thursday 1 September 2016 of Overview and Scrutiny Committee (Pages 67 - 70)**

Cherwell District Council

Executive

Minutes of a meeting of the Executive held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 4 July 2016 at 6.30 pm

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

Councillor Ken Atack, Lead Member for Financial Management
Councillor Colin Clarke, Lead Member for Planning
Councillor John Donaldson, Lead Member for Housing
Councillor Tony Ilott, Lead Member for Public Protection
Councillor Kieron Mallon, Lead Member for Banbury Futures
Councillor D M Pickford, Lead Member for Clean and Green
Councillor Lynn Pratt, Lead Member for Estates and the Economy
Councillor Nicholas Turner, Lead Member for Change Management, Joint Working and ICT

Also Present: Councillor Sean Woodcock, Leader of the Labour Group

Officers: Sue Smith, Chief Executive
Scott Barnes, Director of Strategy and Commissioning
Karen Curtin, Commercial Director
Kevin Lane, Head of Law and Governance / Monitoring Officer
Paul Sutton, Chief Finance Officer / Section 151 Officer
Ed Potter, Head of Environmental Services, for agenda item 7
Adrian Colwell, Head of Strategic Planning and the Economy, for agenda items 8 and 9
Jackie Fitzsimons, Shared Public Protection Manager, for agenda item 10
Nicola Riley, Shared Community Services Manager, for agenda item 13
Mike Grant, Safer Communities Manager, for agenda item 10
Natasha Clark, Team Leader, Democratic and Elections

17 Declarations of Interest

There were no declarations of interest.

18 Petitions and Requests to Address the Meeting

There were no petitions or requests to address the meeting.

19 **Urgent Business**

There were no items of urgent business.

20 **Minutes**

The minutes of the meeting held on 6 June 2016 were agreed as a correct record and signed by the Chairman.

21 **Chairman's Announcements**

There were no Chairman's announcements.

22 **Waste Policies**

The Head of Environmental Services submitted a report to update the Executive on the pressures on the Waste & Recycling service arising from the large housing growth and to review the waste policies with the view of bringing the policies of Cherwell District Council (CDC) and South Northamptonshire Council (SNC) closer together.

Resolved

- (1) That the pressures on the waste service resulting from the rapid housing growth and the actions being taken to deal with these demands be noted.
- (2) That the increased revenue pressures from operating additional crews in future years be noted.
- (3) That the revised waste policies (annex to the Minutes as set out in the Minute Book) be approved.

Reasons

The district is rapidly growing from a growth rate of less than 1%/year in recent years to more than 3%/year this year and 4%/year next year. This rapid growth has meant the collection rounds are now full. The productivity of the collection rounds is very good and there are few opportunities to increase this further. Consequently, additional rounds will be required in future years. The next round will be required in April 2017 with further rounds needed by April 2019 and April 2021. Each additional round will increase revenue costs by around £150k/year.

One of the major constraints to additional rounds is capacity at Bicester depot. The depot is full and unable to accommodate a growth in vehicle numbers and staff. A project is underway to locate a new depot in the Bicester area.

The waste policies of this Council and SNC have been reviewed with a view to bringing them closer together wherever possible. This should make it easier for a shared Customer Service Centre and for Environmental Services to manage the shared Waste & Recycling service.

Alternative options

Option 1: To reject the proposed changes

Option 2: To ask officers to consider alternative improvements

23

Statement Community Involvement (SCI) 2016

The Head of Strategic Planning and the Economy submitted a report to present the results of public consultation on the draft Statement of Community Involvement (SCI) 2016 and to seek approval for the completed SCI to be presented to Council for adoption.

Resolved

- (1) That the completed Statement of Community Involvement (SCI) 2016 (annex to the Minutes as set out in the Minute Book) be endorsed and Full Council be recommended to approve the SCI 2016, subject to any minor typographical or presentational corrections being made by the Head of Strategic Planning and the Economy.
- (2) That it be noted that upon adoption the SCI 2016 would replace the current adopted SCI 2006.

Reasons

A new Statement of Community Involvement is required. Following consultation on a draft document earlier this year, changes have been made and a completed SCI 2016 is presented at Appendix 1 to the report. The completed SCI is considered to be an appropriate basis for community engagement and stakeholder consultation on planning policy documents and in the consideration of planning applications. It is recommended that the Executive approve the SCI for presentation to Council for formal adoption. Upon adoption it will replace the existing SCI 2006 with immediate effect.

Alternative options

Option 1: Continue to use the SCI that was adopted in July 2006. This is not recommended as although the SCI 2006 is comprehensive, it is dated. It does not reflect changes to plan-making and development management processes.

Option 2: To reconsider the content of the proposed SCI 2016. The completed SCI 2016 has been produced having regard to statutory and policy requirements for plan-making and development management. Examples of recently approved SCIs have been considered. Public

consultation has been undertaken. It is considered by officers to be appropriate for presentation to Council for formal adoption.

24 **High Speed Rail - HS2 Qualifying Authority Status**

The Head of Development Management submitted a report to consider whether the Council should become a “qualifying authority” (‘Qualified Authority’) or a “non-qualifying authority” for the purposes of the High Speed Rail 2 Hybrid Bill.

Resolved

- (1) That authorisation be given to Cherwell District Council becoming a Qualifying Authority in relation to the High Speed Rail (London to West Midlands) Hybrid Bill and the signing of the HS2 Planning Memorandum and the Service Level Agreement between the Council and HS2 that will provide the costs of implementing the consequent planning regime.
- (2) That Full Council be recommended to agree that constitutional and scheme of delegation changes will be necessary to ensure the satisfactory implementation of the Planning Memorandum.

Reasons

Becoming a Qualifying Authority involves a commitment by the Council to deal with applications appropriately and within specified timescales, in return for greater control over a wider range of matters than would otherwise be the case.

It is considered important that the Council retains as much control as it can over the detailed matters relating to the HS2 proposals, and to do so it is recommended that it would be in the Council’s interests to become a Qualifying Authority.

Alternative options

The alternative option is to not become a qualifying authority. This has been rejected in our assessment and is not recommended as the Council would not be able to exercise the maximum control over elements of this contentious scheme.

25 **Banbury Town Centre Public Spaces Protection Order**

The Public Protection Manager submitted a report to propose the making of a Public Space Protection Order (PSPO) in Banbury Town centre to prevent the detrimental effect of begging, drinking and sleeping rough on those who reside, work and visit the town centre.

Resolved

- (1) That the outline proposal for a Public Space Protection Order (annex to the Minutes as set out in the Minute Book) be approved.
- (2) That the commencement of a five week consultation process be approved.

Reasons

The evidence required to satisfy section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014 (the "Act") as far as begging, drinking and rough sleeping are concerned, is sufficient to approve a consultation process for a PSPO.

If the Executive is minded to approve the outline proposals, the next step is to approve the commencement of the consultation within the parameters of section 72 of the same Act.

Alternative options

Option 1: Without a PSPO the local authority will continue to work with the police, within current legislation. The current legislation dates to the 1824 Vagrancy Act, to enforce the police officer has to witness the act of begging and hear the words of request. This naturally is something the offenders are aware of and resist from doing when being observed.

The Council does not have any authority to prosecute begging, or enforce drink related disorderly behaviour. With regard to drinking this report has previously alluded to the fact that a drink banning order is limited to irresponsible drinking only, it is not a ban therefore the police will only react to problematic or disorderly drinkers. In choosing to continue within current legislation, this will be a missed opportunity to address what appears to be an escalating activity

26

Annual Equalities Report for 2015/2016

The Director – Strategy and Commissioning submitted a report to review the performance of the Equalities Annual Work Programme and to agree the planned work programme following the Achieving Standard under the Equality Framework for Local Government.

Resolved

- (1) That the report be noted.
- (2) That the equalities action plan for 2016/17 (annex to the Minutes as set out in the Minute Book) be agreed and the areas of good practice upon which it builds and the areas for development that it addresses be noted.
- (3) That the 3 year rolling plan of Equality Impact Assessments be agreed.

Reasons

Cherwell District Council has made significant progress delivering against the equalities agenda in recent years and has continued to maintain this during 2015/2016 whilst continuing to adopt a proportionate approach to equality performance with meaningful and relevant Corporate Action Plans to support this work.

The updated action plan demonstrates how the Council will continue to deliver its equalities objectives over the coming year. Progress will be reported via the performance management framework on a quarterly basis.

The three year impact assessment rolling plan also provides assurance that the Council is mindful of policy change and seeks to understand and address the impacts of service and policy change where appropriate.

Alternative options

Option 1: To note the report

Option 2: To request additional information on items within this report

27

The Growth of Bicester: Progress Update 2015/16

The Commercial Director submitted a report to advise Members of the work that was being undertaken in Bicester including highlighting key achievements; of the expenditure from the Eco Town grant; received in 2010; and, of forward planned expenditure 2016/17.

Resolved

- (1) That the progress on work in Bicester be noted.
- (2) That the expenditure that has taken place and the committed funding from the Eco Town grant be noted.
- (3) That the 2016/17 forward plan be noted.

Reasons

Much is happening in Bicester and this is demonstrated by the delivery of new development such as Franklins House with the new library and CDC link point, the continued housing delivery. Work to provide an appropriate policy basis for the improvement and growth of the town has progressed with the adoption of the NW Bicester SPD and the consultation work to refresh the vision for the town. Never the less there remain challenges in delivering the strategic development sites in the adopted local plan and ensuring sufficient infrastructure is in place to serve the growth of the town and work continues with partners to deliver necessary infrastructure and seek to speed up housing delivery.

The work continues to have a whole town approach, seeking opportunities to improve the existing town as well as deliver new development. A number of projects have been delivered in the town, particularly focussing on energy efficiency and sustainable travel. In the last year this has been focussed on the replacement boiler scheme the energy mapping project LEMUR and securing grants to support other works such as the café and playground at Garth Park. Pursuing a whole town approach remains an important commitment with considerable work going into bids for funding to enable projects to be delivered.

Over £19.5m worth of grant funding is outlined above and this together with previous grants comes to over £50m that has been attracted to Bicester, including the DCLG Eco Town funding and Garden Town funding. This has been instrumental in the range of projects that it has been possible to deliver in the town. This approach of seeking external funding is continuing with further work being done to enable projects to continue to be delivered in the town.

Grant funding is a small proportion of the overall investment that has taken place in the town. A draft study by Montague Evans estimated that 2014/15 that over £150m of private sector funding has been invested in the town in the construction of housing and commercial premises. Furthermore the report concluded in terms of future development as part of the growth of Bicester, the estimated value of the housing sites identified in Bicester by 2031 is £1.2bn which is expected to be supported £750 million of infrastructure investment.

Bicester continues to attract national attention for its growth plans and the delivery of projects in the town. The work to date has attracted considerable investment through grants but also through the private sector investment in the town. Never the less there remains an ambitious programme of work to deliver improvements in the town during 2016/17.

Alternative options

Option 1: Identify alternative approaches to the use of Eco Town Grant or continue to hold the funding.

This option has been rejected as the projects identified have been identified based on the needs identified and arising within the town.

Option 2: To commit to future spend of recycled Eco Town Grant funding
The timing of the receipt of recycled funding is uncertain and over time priorities and pressures can change. It therefore is difficult to commit to funding specific projects at the current time. Some flexibility is therefore sought to review priorities as funding becomes available.

Annual Report and Review of the Brighter Futures in Banbury Programme

The Director of Operational Delivery submitted a report to consider the activity and achievements of the Brighter Futures in Banbury Programme in 2015/16; the partnership activity and areas of focus for 2016/17.

Resolved

- (1) That both the progress made in 2015/16 in the Brighter Futures in Banbury Programme and the areas requiring continuous improvement be noted.
- (2) That the priorities for focus in 2016/17 be supported.

Reasons

The Brighter Futures partnership has for several years continued to work effectively in focussing the best use of resources on those most in need. Harnessing work related to the six themes is proving valuable but continuous improvement eludes in some areas; specific areas of concern, which are well below comparative averages, remain

The context in which the partnership is operating is changing in relation to population, funding, and organisational change. Organisational and service change in a partnership context is particularly challenging.

The relatively recent 2011 census information has identified changes in the make-up of the ward population in relation to a big increase in private rented households, an increase in single adults, lone parents and HMOs, increasing ethnic diversity, and specific issues such as a lack of qualifications of lone parents. Of particular concern is the comparatively high level of child poverty in our wards.

It is important to periodically review the Programme and in light of the challenges described above, now is an appropriate time. There is a need to take account of current strengths and to consider what other partnership opportunities there are, along with specific issues which are relevant to the people of the wards being supported. This is why the continued focus proposed for partnership activity concentrating on child poverty, educational attainment, supporting the most vulnerable and health inequalities are all inter related, relevant to the Brighter Future's Programme's objectives and capture other partnership opportunities which are in place.

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Alternative options

Given the very wide ranging nature of the Brighter Futures Programme, there can be many different options and permutations of key priorities, areas of focus and mechanisms to progress. Therefore, no specific alternative options are identified.

29

Proposal for a Joint Property and Investment Service with South Northamptonshire Council

The Head of Regeneration and Housing submitted a report which presented the final business case for a Joint Property and Investment Service across Cherwell District and South Northamptonshire Councils and sought agreement for the non-staffing elements of the business case.

The proposal was part of the wider transformation programme across the two Councils.

Resolved

- (1) That the business case for a Joint Property and Investment Service with South Northamptonshire Council and the consultation responses in relation to non-staffing matters be noted.
- (2) That it be noted that the business case would be considered by the Joint Commissioning Committee with regard to staffing matters on 21 July 2016. This will include consideration of the consultation responses from affected staff and trade union representatives.
- (3) That the proposed final business case to share a joint Property and Investment Service between CDC and SNC be approved for implementation, subject to similar consideration and approval by SNC Cabinet on 11 July 2016 and approval of the staffing implications by the Joint Commissioning Committee.
- (4) That authority be delegated to the Head of Regeneration and Housing, in consultation with the Leader of the Council, any non-significant amendment that may be required to the business case following the decision by SNC Cabinet and/or the Joint Commissioning Committee.

- (5) That the allocation of £90,000 from general fund balances to cover 50% of the potential implementation costs be approved.

Reasons

The recommendation is to establish a Joint Property and Investment Service between CDC and SNC. The business case sets out the rationale for establishing the joint service and investing in the service to transform the way both Councils manage their existing assets and to provide the expertise to identify new investment opportunities for Members to consider in order to address the medium term revenue gap.

Alternative options

Status quo (no change)

Retaining the status quo is not considered a viable option for either council. Both councils are under resourced to deliver change required to ensure that the councils make the most out their assets.

Alternative structure options

There is certainly scope to deliver the proposed joint property and investment service through an alternative delivery vehicle and this option would be explored further should the proposed service be established. However, it is recommended that the corporate property management model be implemented effectively prior to the consideration of an alternative delivery vehicle for the service. Opportunities for wider collaboration through an alternative delivery vehicle potentially aligned to the one public estate programme will also be considered in the future.

Three-way collaboration and shared service (with other partners)

Three-way collaboration with other partners is certainly an option to consider in the future. However, there are no other existing relationships at a sufficient stage to consider as part of a three-way shared service at this point. The process of developing such a relationship is likely to be lengthy and while this option should be considered again in the future, it should not be pursued at this time to the detriment of this project.

The approach in the recommendations is believed to be the best way forward. The proposal is to establish a joint property and investment service between CDC and SNC which will deliver significant improvements in existing asset performance.

30

Exclusion of the Press and Public

There being no questions on the exempt appendix to the Proposal for a Joint Property and Investment Service with South Northamptonshire Council, it was not necessary to exclude the press and public.

31

Proposal for a Joint Property and Investment Service with South Northamptonshire Council - Exempt Appendix

Resolved

- (1) That the exempt appendix be noted.

The meeting ended at 7.25 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 July 2016 at 4.30 pm

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

Councillor Ken Atack, Lead Member for Financial Management
Councillor Colin Clarke, Lead Member for Planning
Councillor John Donaldson, Lead Member for Housing
Councillor Tony Ilott, Lead Member for Public Protection
Councillor Kieron Mallon, Lead Member for Banbury Futures
Councillor D M Pickford, Lead Member for Clean and Green
Councillor Lynn Pratt, Lead Member for Estates and the Economy
Councillor Nicholas Turner, Lead Member for Change Management, Joint Working and IT

Also Present: Councillor Barry Richards, representing Councillor Sean Woodcock, Leader of the Labour Group

Officers: Sue Smith, Chief Executive
Ian Davies, Director of Operational Delivery
Kevin Lane, Head of Law and Governance / Monitoring Officer
Paul Sutton, Chief Finance Officer / Section 151 Officer
Chris Stratford, Head of Regeneration and Housing
James Doble, Interim Assistant Director Transformational Governance
Natasha Clark, Interim Democratic and Elections Manager

32 **Declarations of Interest**

8. Cherwell's Approach to Working with Council Controlled/Influenced Companies.

Sue Smith, Declaration, as a Director of a Graven Hill company and would leave the meeting for the duration of the item.

Chris Stratford, Declaration, as a Director of a Graven Hill company and would leave the meeting for the duration of the item.

33 **Chairman's Announcements**

There were no Chairman's announcements.

34 **Exclusion of the Press and Public**

Resolved

That under Section 100A of the Local Government Act 1972, the public and press be excluded from the meeting for the following item of business on the ground that, if the public and press were present, it would be likely that exempt information falling under the provisions of Schedule 12A, Part 1, Paragraphs 1, 2 and 3 would be disclosed to them, and that in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

35 **SW Bicester Sports Village - Contract Award and Funding Requirements**

The Director of Operational Delivery submitted an exempt report to consider the results of the procurement process for a main contractor to construct Phase 2 of the sports village project, the pavilion and car park and to recommend to full council the approval of a supplementary capital estimate.

Resolved

- (1) That Full Council be recommended to approve a supplementary capital estimate for £891,861 to enable the completion of the SW Bicester Sports Village project.
- (2) Subject to Full Council funding approval the Phase 2 construction contract be awarded to J Tomlinson Limited on the terms set out in the exempt report (exempt annex to the Minutes as set out in the Minute book)

Reasons

The project has been through a second procurement process to secure the lowest cost of delivery which has resulted in a winning adjusted tender resulting in a total project cost that exceeds the approved budget by £891,861.

The Council has Section 106 planning obligations to deliver an outdoor sports facility with a pavilion on the SW Bicester Kingsmere site, hence the request for additional funding to complete the project.

Alternative options

The option to appoint the preferred contractor to deliver the Phase 2 works would require an additional capital input of £891,861. If this cannot be found, then the Council will need to review and change the nature of the project.

A reduced scheme could be designed that fits within the available budget but is unlikely to meet all of the operational requirements of the site, would incur further design costs, incur delay, require a new planning application and will reduce the key income generation areas (function room and bar) having a

major impact on the revenue implications for the site. A reduced sized facility would also be less attractive to a management contractor and therefore needs to be reconsidered.

36

A Review of the Self-Build Programme and Approval of Additional Funding for Coach House Mews and Lincoln Close

The Head of Regeneration and Housing submitted an exempt report to advise members of the need to amend the previously adopted delivery strategy relating to self-builder inputs completing specific building tasks for projects approved under the Build! programme but particularly in respect of Coach House Mews and Lincoln Close.

The report also confirmed the financial impacts of approving the revised delivery strategy and commitment from self-builders for those identified schemes under the Build! Programme and advised members of the opportunity to amend the tenure mix associated with the Coach House Mews site redefining 12 affordable rented flats as 12 share ownership properties.

Resolved

- (1) That the proposed changes in respect of the commitments required from self-builders for 2 of the schemes within the Build! Programme be noted and approved.
- (2) That the financial implications identified within the exempt report (exempt annex to the Minutes as set out in the Minute Book) associated with adopting the revised self-builder delivery strategy on these 2 schemes be noted and endorsed and Full Council be recommended to agree the necessary amendment to the approved Capital Programme.
- (3) That the opportunity to complete a tenure change in respect of 12 flats at Coach House Mews from affordable rent products to shared ownership products for the reasons indicated within the exempt report (exempt annex to the Minutes as set out in the Minute Book) be noted and approved and it be further noted that the final decision of Executive in this respect would be confirmed to the Cherwell Community Build shadow board.

Reasons

It is clear that the original concept of involving self-builders to complete the construction of properties from shell stage has proved very challenging. Indeed even allowing for the training process adopted many self-builders have struggled to complete their originally envisaged commitment to the project.

Additional matters relating to liability especially (Health and Safety matters) as we now move into the construction of flats for self-builders, has meant that a review of how self-builder inputs are proposed, planned and managed needed to be undertaken. It is clear that the revised approach based on a time commitment rather than specific task based inputs from self-builders allows

for greater flexibility reduces liability and matches skills in the correct way to ensure less delay and challenge to the contractor in terms of delivering a completed site.

Whilst this will mean particularly in relation to Coach House Mews and Lincoln Close initial additional expenditure we will end up with completed units more quickly and when combined with tenure adjustment proposals would increase the overall return to the Build! Programme.

Going forward, the time based approach for self-builder inputs will significantly improve the overall output of units under the revised scheme.

Alternative options

Officers have looked carefully at continuing with the current status quo regarding self-builder inputs but have concluded that the liabilities (particularly in relation to Health and Safety), risks and challenges associated with this option are not acceptable for Coach House Mews and Lincoln Close.

Further discussions with contractors involved in promoting and indeed delivering self-build options have resulted in Officers concluding that the time commitment approach allows a better practical environment to match the core objectives of self-builder aspirations to be maintained but within an environment that better fits the skills of self-builders the Councils objectives of self-build and the delivery of projects on time and within budget. The principles of providing discount on properties based on the number of hours each self-builder has actually completed will still allow a maximum discount of £10,000.00.

The application of the tenure adjustments identified within the report to the Coach House Mews scheme involving some 12 flats improves the overall rate of return to the Build! Programme and represents an improved business plan proposition to the Cherwell Community Build.

37

Build! Phase 2

The Head of Regeneration and Housing submitted an exempt report to seek Members' approval to the necessary funding to allow essential pre-development activities on the sites identified within the report including the appointment of appropriate architectural design advice and the achieving of planning consents.

Resolved

- (1) That the essential pre-development funding associated with the identified sites contained within the exempt report (exempt annex to the Minutes as set out in the Minute Book) totalling the sum of £200,000 be endorsed and Full Council be recommended to approved the necessary amendment to the approved Capital Programme.
- (2) That officers be requested to submit a further detailed report once fully costed proposals for the sites identified have been completed to

determine whether these are funded and developed either by Cherwell District Council (Build!) or Cherwell Community Build.

- (3) That it be noted that Officers will ensure full engagement with the Cherwell Community Build Board around the pre-development work on the sites identified to assist the Board in determining later this year whether they wish to complete the development process on each site.

Reasons

Members have been presented an opportunity to make further progress in respect of sites that CDC currently own. The next stage of allowing progress towards development recognises that actual delivery may in fact come from Cherwell Community Build initiative and not directly from CDC. Accordingly, recognising this staged approach I am only seeking financial authority to proceed with the necessary pre development activities.

The further report later this year will enable a more considered review about developing finance for the delivery of the schemes either directly by CDC or more likely through the Cherwell Community Build activities. By providing consultation and input into design and pre-development work with Cherwell Community Build input there will be ample opportunity for those board members to influence the final scheme outputs. The purpose of providing indicative development costs at this stage is to indicate the overall likely level of investment required to deliver the homes on the sites required.

Alternative options

Consideration has been given to seek approval for the full development costs associated with the sites identified. This has been rejected at this stage given that a full cost appraisal based on a final design and planning submission is to be undertaken. Further, it is recognised that the development of the Cherwell Community Build initiative is now significantly underway and that Board should have input into the pre development and design options for these sites. Final costing's and a decision about funding arrangements and development delivery will be put before members and the Cherwell Community Build board later this year.

(The Chief Executive and Head of Regeneration and Housing left the meeting at the conclusion of this item)

38

Cherwell's Approach to Working with Council Controlled/Influenced Companies

The Chief Finance Officer submitted an exempt report to consider the way that the Council works with Council owned/influenced companies (currently Graven Hill) and to put in place efficient and effective means of communication, monitoring, evaluation and liaison to ensure the Council safeguards its investments and maximises the return to the Council and community. To consider and approve the principle of member and officer non-

executive directors of these and other Council owned/influenced companies being remunerated and to agree the approach to implementing this.

Resolved

- (1) That the Terms of Reference for the Shareholder Committee, a sub-committee of the Executive, (annex to the Minutes as set out in the Minute Book) to replace the Graven Hill Partnering Board be agreed.
- (2) That the Leader, Lead Member for Financial Management and Lead Member for Housing be appointed to the Shareholder Committee.
- (3) That the functioning and effectiveness of Graven Hill Village Holding Company be further developed through the secondment of an officer from the council to act as Managing Director and that the Head of Paid Service (or their appointed deputy if they are a non-executive director of a Council controlled/influenced company) be given delegated authority to implement this.
- (4) That the Head of Law and Governance be requested to commission the preparation and completion of Shareholder agreements between the Council and the Graven Hill Village Holding Company and, jointly with this company, between it and the Graven Hill Village Development Company with the terms of such agreements being reported to the Shareholder Committee.
- (5) That the framework within which the Council will work with Council owned companies as set out in the exempt report (exempt Annex to the Minutes as set out in the Minute Book) be agreed and the Chief Finance Officer (as shareholder representative), in consultation with the Shareholder Committee, be given delegated authority to implement and negotiate this framework.
- (6) That the principle that non-executive directors and Chairmen of Council owned/influenced companies be remunerated be agreed and that in the case of Councillor and Council Officer nominated non-executive directors this should be set and paid by the Council, with the company reimbursing the Council for their time through a management recharge.
- (7) That it be agreed that the Independent Remuneration Panel (IRP) be requested to consider the level of special responsibility allowance that the Council should pay Councillors who are non-executive directors and/or Chairmen of councillor owned/influenced companies on a company by company basis commencing with the Graven Hill companies and that Council be requested to make a decision on their recommendations in due course.
- (8) That it be agreed that the Head of Paid Service (or their appointed deputy if they are a Director of a Council controlled/influenced company) be requested to arrange for the evaluation of the non-executive director and Chairman roles in order to set the level of remuneration that the Council should pay Officers who are non-executive directors or Chairmen of Council owned/influenced

companies and that the Head of Paid Service (or their appointed deputy if they are non-executive director) in consultation with members of the Shareholder Committee be requested to make a decision on this in due course and further that such appointments shall be made in addition, and not linked, to appointees' substantive posts.

- (9) That it be agreed that the level of remuneration for any Independent Non-Executive Directors who may be appointed to Council controlled/influenced companies is a matter for the Board of Directors of the relevant company to evaluate and propose to the shareholder for approval.
- (10) That the Joint Commissioning Committee be recommended to agree that a shared member and officer indemnity policy be developed and agreed to protect members and officers nominated as non-executive directors on council owned/influenced companies,

Reasons

The proposals in this report are designed to ensure that the council has in place an effective interface with council owned/influenced companies which aims to meet the needs of the companies and in turn maximise the return to the council and its communities.

Alternative options

Option 1: To note the report

Option 2: To request additional information on items within this report

The meeting ended at 5.07 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 5 September 2016 at 6.30 pm

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

Councillor Ken Atack, Lead Member for Financial Management
Councillor Colin Clarke, Lead Member for Planning
Councillor John Donaldson, Lead Member for Housing
Councillor Tony Ilott, Lead Member for Public Protection
Councillor Kieron Mallon, Lead Member for Banbury Futures
Councillor Lynn Pratt, Lead Member for Estates and the Economy
Councillor Nicholas Turner, Lead Member for Joint Working and ICT

Also Present: Councillor Sean Woodcock, Leader of the Labour Group
Councillor Les Sibley

Apologies for absence: Councillor D M Pickford, Lead Member for Clean and Green

Officers: Karen Curtin, Commercial Director
Scott Barnes, Director of Strategy and Commissioning
Ian Davies, Director of Operational Delivery
Kevin Lane, Head of Law and Governance / Monitoring Officer
Paul Sutton, Chief Finance Officer / Section 151 Officer
Adrian Colwell, Head of Strategic Planning and the Economy, for agenda item 8
Jo Pitman, Head of Transformation, for agenda item 14
Chris Stratford, Head of Regeneration and Housing, for agenda item 16
Natasha Clark, Interim Democratic and Elections Manager

39 **Declarations of Interest**

There were no declarations of interest.

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

There were no petitions or requests to address the meeting.

41 **Urgent Business**

There were no items of urgent business.

42 **Minutes**

The minutes of the meetings held on 4 July 2016 and 18 July 2016 were agreed as correct records and signed by the Chairman.

43 **Chairman's Announcements**

The Chairman made the following announcements:

1. Members of the public were permitted to film, broadcast and report on the meeting, subject to the efficient running of the meeting not being affected.
2. He would be changing the order of the agenda taking agenda item 8, Neighbourhood Planning: Decision on whether to proceed to a Referendum for the Bloxham Neighbourhood Plan and agenda item 9, Air Quality Update before agenda item 7. All subsequent agenda items would be considered in the order printed on the agenda.

44 **Neighbourhood Planning: Decision on whether to proceed to a Referendum for the Bloxham Neighbourhood Plan**

The Head of Strategic Planning and the Economy submitted a report to seek a decision on whether to proceed to a Referendum for the Bloxham Neighbourhood Plan.

In introducing the report, the Lead Member for Planning explained that the Bloxham Neighbourhood Plan had been examined by an independent examiner. The examiner has produced an Examiner's report and the Council as the Local Planning Authority was required to consider the report recommendations and determine whether the draft Bloxham Neighbourhood Plan incorporating the modifications should proceed to a referendum and confirm the area covered by the referendum.

Resolved

- (1) That all of the Examiner's recommendations and modifications be approved to enable the Plan to proceed to a referendum.
- (2) That the modifications to the Bloxham Neighbourhood Plan, in accordance with the Examiner's recommendations, be approved, the issue of a decision statement to that effect be authorised and the making of any minor presentational changes necessary to ready the Plan for referendum be approved.

- (3) That the area for the referendum as recommended by the examiner to be the administrative boundary of Bloxham Parish (which is the approved designated neighbourhood area) be approved and it be noted that there would be no extension to the area.

Reasons

The Bloxham Neighbourhood Plan as recommended for modification by the Examiner meets the necessary legal and procedural requirements. The Bloxham Neighbourhood plan as recommended for modification by the Examiner should therefore proceed to a referendum.

Alternative options

Option One - Not to approve some of the Examiner's recommendations and to proceed to a referendum. Where a LPA proposes to make a decision that differs from the Examiner's recommendation then there would need to be further consultation. This would take more time and would have cost implications.

Option Two - Not to accept the Examiner's recommendations and not to proceed to a referendum. This option can only be justified if the Examiner recommends that the Plan should not proceed to a referendum, or the Council is not satisfied that the plan has met the procedural and legal requirements.

Option Three - To extend the area in which the referendum is to take place. The Neighbourhood Plan has been produced with public involvement for the area designated.

45

Air Quality Update

The Public Protection Manager submitted a report to update the Executive on progress with the draft Air Quality Action Plan for Banbury, Bicester and Kidlington prior to public and stakeholder consultation.

At the discretion of the Chairman, Councillor Les Sibley addressed Executive.

Resolved

- (1) That the current position on the review and assessment of air quality in Cherwell be noted.
- (2) That the draft Air Quality Action Plan be approved for public and stakeholder consultation.

Reasons

The production of an Air Quality Action Plan is mandatory once an order to declare an Air Quality Management Area (AQMA) has been issued. The Council has issued an order for each of the four AQMAs: Heneff Way in Banbury; Horsefair/North Bar in Banbury; Bicester Road in Kidlington; and, Kings End/Queens Avenue in Bicester, declared.

Alternative options

Option 1: The Council could choose not to adopt an AQAP. However once an AQMA has been declared the Council is required to produce an AQAP and so for this reason this is not an alternative option.

46 Corporate Biodiversity Action Plan 2016-18 Protecting and Enhancing Cherwell's Natural Environment

The Community Services Manager submitted a report to seek approval for the 2016-18 Corporate Biodiversity Action Plan (BAP).

Resolved

- (1) That the Corporate Biodiversity Action Plan 2016-18 (annex to the Minutes as set out in the Minute Book) be approved.

Reasons

The Corporate Biodiversity Action Plan provides a framework of aims, actions and targets, the delivery of which ensures that the Council complies with both legislative and planning policy requirements relating to important wildlife sites, habitats and species and good quality connected green spaces.

Alternative options

Option 1: To reject the Corporate BAP 2016-18. This is not proposed as the Council would not be able to clearly demonstrate that it is meeting biodiversity legislation and planning policy requirements.

Option 2: To amend the Corporate BAP 2016-18

47 Award of Liquid Fuel Contract

The Chief Finance Officer submitted a report to consider the award of contracts to supply diesel to Cherwell District Council.

Resolved

- (1) That the acceptance of the recommended tender (Certas Energy UK Ltd) for the supply of diesel for October 2016-September 2018 be approved.

Reasons

Following a 'best practice' procurement exercise Certas Energy UK Ltd have submitted the lowest cost tender for the supply of Diesel to Cherwell District Council for the next two years and the Executive is recommended to authorise the award.

Alternative options

No reasonable alternatives

48

Consultation and Engagement Strategy (2016-19)

The Director – Strategy and Commissioning submitted a report to set out the Strategy for Consultation and Engagement for Cherwell District Council, and the action plan for the consultations and engagements for 2016/17.

Resolved

- (1) That the three year Strategy for Consultation and Engagement 2016-2019 (annex to the Minutes as set out in the Minute Book) be agreed.
- (2) That the consultation and engagement action plan for 2016/17 be agreed and the areas of joint working with partner agencies and developing closer links with our communities be noted.

Reasons

The council has undertaken regular consultations and engagement events since 2009 and the new strategy will build on this foundation. The strategy is supported by meaningful and relevant action plans to provide the detail for how this work will be carried out.

The 2016-17 action plan demonstrates how the council will continue to deliver consultations and public engagement and thereby support the stated equalities objectives over the coming year. Progress will be reported via the performance management framework on a quarterly basis. The equalities objectives are:

- Fair Access and Customer Satisfaction
- Tackling Inequality and Deprivation
- Building Strong and Cohesive Communities
- Positive Engagement and Understanding
- Demonstrating Our Commitment to Equality

Alternative options

Option 1: To note the report

Option 2: To request additional information on items within this report

49

Quarter 1 2016/17 Performance Update

The Director – Strategy & Commissioning submitted a report to provide an update on the Cherwell District Business Plan progress to the end of Quarter One 2016/17.

Resolved

- (1) That the exceptions highlighted and proposed actions be noted.
- (2) That it be noted that there was no feedback on performance issues from the Overview & Scrutiny Committee at its meeting on 1 September 2016 provided directly to The Leader.
- (3) That the new reporting style which had been designed to improve the presentation of performance reporting be noted.
- (4) That, it be agreed that where appropriate, judgement measures used in the current business plan reporting be augmented or replaced by more specific, measurable, achievable, realistic, timely (SMART) measures.

Reasons

This is the first quarterly performance report for the 2016/17 Business Plan. Commentary has been developed to focus on areas not performing at the required level and provide an explanation of what has happened, why it has happened and what are we doing to improve performance.

The revised reporting template uses infographics (displaying data in a graphical form to aid understanding) and focuses on exception reporting (concentrating on the issues).

Alternative options

Option 1: To request additional information on items and/or add to the work programme for review and/or refer to Overview and Scrutiny.

50

Quarter 1 2016/1 - Revenue and Capital Budget Monitoring Report

The Chief Finance Officer submitted a report which summarised the Council's Revenue and Capital position as at the end of the first three months of the financial year 2016-17 and projections for the full year.

Resolved

- (1) That the projected revenue and capital position at June 2016 be noted.

Reasons

In line with good practice budget monitoring is undertaken on a monthly basis within the Council. The revenue and capital position is formulated in conjunction with the joint management team and reported formally to the Budget Planning Committee on a quarterly basis. The report is then considered by the Executive.

Alternative options

Option 1: This report illustrates the Council's performance against the 2016-17 Financial Targets for Revenue and Capital. As this is a monitoring report,

no further options have been considered. However, members may wish to request that officers provide additional information.

51 **Update on the development of a devolution deal with Government and the associated independent study into options for local government reform in Oxfordshire.**

The Head of Transformation submitted a report to update the Executive on progress in relation to the development of a devolution deal between the Oxfordshire councils, the former Government ministers and the new Government ministers, and the associated study into options for the potential reform of local government within Oxfordshire, conducted by PricewaterhouseCoopers (PwC).

At the discretion of the Chairman, County Councillor Lawrie Stratford addressed Executive on behalf of the Leader of Oxfordshire County Council.

Resolved

- (1) That the independent study of PricewaterhouseCoopers (PwC) into options for local government reform in Oxfordshire, including the proposition of the district and city council leaders' in respect of their preferred model arising from that study be received.
- (2) That it be noted that following discussions with the Department of Communities and Local Government, the leaders of the district and city councils have agreed to focus on identifying areas for collaborative working and the reshaping of a devolution deal.

Reasons

As a consequence of the recent changes in Government, including the appointment of a new Prime Minister and a new Secretary of State for Communities and Local Government it has been made clear that local authorities should expect to see changes to Government priorities in the short term, including specifically in relation to devolution deals, local government reform and other areas of policy. DCLG officials have also confirmed that the focus and priorities of the Government will become clearer when the Autumn Statement is announced in/around December 2016, and through changes to business rates retention policy, which will be introduced through a new Bill, probably in January 2017.

In the meantime DCLG has made clear that the Government will not agree to any proposals for local government reform where those proposals do not have the agreement of the areas.

The leaders of the district and city councils have agreed that they will now focus on identifying areas for collaborative working and the reshaping of a devolution deal with the new Government. Consequently, it is not intended to seek decisions on the respective studies of the two independent consultants', PwC and Grant Thornton, beyond formally receiving them. Discussions between the district and city councils will continue to take place over the

forthcoming weeks with a view to achieving an acceptable devolution deal proposal.

Alternative options

Option 1:

To proceed with stakeholder consultation in respect of the district and city council leaders' preferred model for a new local government structure within Oxfordshire.

This is rejected due to the advice given by DCLG that the Government and new Secretary of State for Communities and Local Government will not accept proposals for local government reform or indeed a devolution deal without the agreement of the areas, and wide support amongst key stakeholders.

To undertake stakeholder consultation on the district and city council leaders preferred model or indeed any other potential new structural model at this stage would risk wasting public funds when it is clear that the study undertaken by Grant Thornton, the county council consultants, has concluded that a county based unitary authority would be the strongest model for local government in Oxfordshire.

The county council is expected to formally receive the Grant Thornton study on 13 September (Full Council) and 20 September (Cabinet) 2016; therefore the content of their report can still only be regarded as representing the views of Grant Thornton. At this stage it is more appropriate that the focus should be upon reshaping a devolution deal and identifying areas for positive collaborative working, as agreed with DCLG.

52 Notification of Urgent Action(s) - In relation to the Contract Award for the demolition of the Bolton Road Car Park

The Chief Executive and Commercial Director submitted a report to notify Members of urgent action taken by the Chief Executive and Commercial Director in relation to the contract award for the demolition of the Bolton Road car park.

Resolved

- (1) That the urgent action taken by the Chief Executive in relation to the budget be noted and it be referred to Full Council for noting.
- (2) That the urgent action taken by the Commercial Director in relation to the award of the contract be noted.

Reasons

The Chief Executive took urgent action(s) in consultation with the Chairman of the Council and the Lead Member for Financial Management to approve the allocation of £325,000 to this scheme.

The Commercial Director took urgent action in consultation with the Leader of the Council to approve the award of the contract to the preferred bidder

Alternative options

As this report is for the information of Members there are no alternative options to consider.

53

Re-commissioning of Single Homeless Pathway

The of Head of Regeneration and Housing submitted a report to advise Executive of the proposals recommended by the District Councils, the County Council, and the Oxfordshire Clinical Commissioning Group (OCCG) as endorsed by the Health Improvement Board, to work jointly to provide housing related support services and accommodate single homeless from across the county for the next 3 years commencing from 1 April 2017.

Resolved

- (1) That the new proposals which provide a plan and include a financial contribution from Cherwell for a period of 3 years as calculated and recommended by the Oxfordshire Districts, Oxfordshire Clinical Commissioning Group (OCCG) and Oxfordshire County Council be supported.
- (2) That the proposal for a new joint governance structure to procure and manage services through senior officer representation with delegated authority be noted and supported.
- (3) That a financial contribution of £62,700pa (as calculated on Cherwell's current use of hostels with 24 hour care) and required to be paid from Cherwell for 3 financial years commencing from 1 April 2017 be approved.
- (4) That it be noted that a further report on the longer term sustainability of single homeless pathway arrangements across the county would be submitted within the 3 year period covered by this report.

Reasons

The new proposals have been a significant achievement and demonstrate excellent joint working across all partners. Officers have made considerable efforts to negotiate across the County to reach this stage and form these proposals. All parties have considered a full range of options to retain hostel beds for complex case with 24 hour support in Oxford, also to maintain and hopefully expand local service delivery to provide housing related support. This proposal provides a full overview of the preferred recommendations which will maintain the commitment to provide the current level of housing

related support funding already allocated to Cherwell to be continued during the period of the agreement. This means that although Cherwell will need to contribute £62,700 per year to maintain the service for complex needs in Oxford, this also means housing related support investment will continue to be received in Cherwell during the next 3 years.

Alternative options

Option 1: Not to agree the joint county plan and financial contribution as recommended for the next 3 years. This would result in Cherwell needing to fully fund and make its own arrangements for rough sleepers with multiple and complex needs. It would also result in the withdrawal of the housing related support funding currently received from the County and spent within the district.

54 Exclusion of the Press and Public

Resolved

That under Section 100A of the Local Government Act 1972, the public and press be excluded from the meeting for the following items of business on the ground that, if the public and press were present, it would be likely that exempt information falling under the provisions of Schedule 12A, Part 1, Paragraph 3 would be disclosed to them, and that in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

55 Re-commissioning of Single Homeless Pathway - Exempt Appendices

Resolved

That the exempt appendices be noted.

56 Car Parking

The Director of Operation Delivery submitted an exempt report to consider the Council's car parks in the context of their town centre role and options for service improvement.

In introducing the report, the Deputy Leader updated Executive on the comments from the Overview and Scrutiny Committee who had considered the report at their meeting of 1 September 2016. The Committee had endorsed the report and recommended to Executive that consideration be given as part of the proposed procurement process for improved and more flexible disabled parking provision in council car parks following an assessment of demand for such parking.

Resolved

- (1) That the review assessment and conclusions of the Council's car parking service be noted.
- (2) That it be agreed not to commit to a long term lease or other arrangement which reduces the Council's regeneration and investment flexibility.
- (3) That a procurement exercise to appoint a specialist operator to deliver the Council's car parking services be supported.
- (4) That the invitation of tenders for a services concession contract which incentivises the operator to maximise revenue over the maximum concession period available under The Concession Contracts Regulations 2016 (five years, or such longer period as the contractor would reasonably need to recoup any investment made by it to deliver the services (together with any return on its investment) be authorised.
- (5) That agreement be given to any such competitive tender contest incorporating a competitive dialogue process to maximise value to the Council.
- (6) That the opportunity through this process for a different charging regime which supports a balance of maximising income from car park assets with the wider economic growth and planning policy objectives of the Council to create attractive, sustainable and viable urban centres be considered further.
- (7) That this process be used as the opportunity to ensure consistency of charging between Bicester and Banbury.
- (8) That a requirement for bidders to price the introduction of modern revenue collection and parking control equipment which combines flexibility of payment options combined with technology based opportunities to vary their parking stay for customers be included in the tender process.
- (9) That, notwithstanding resolution (8) above, the opportunity for the Council to achieve improved value for money from this process by using its own capital resources to fund the required capital investment be explored.
- (10) That consideration be given as part of the proposed procurement process for improved and more flexible disabled parking provision in council car parks following an assessment of demand for such parking.

Reasons

Car parking services are central to the experience of most visitors to our urban centres and therefore the views of users and businesses are paramount. The customer experience is crucial to generate satisfaction and income, ensuring that repeat visits ensue whereby additional time and money is spent in the urban centres. The resultant vitality of businesses will

increasingly mean that additional business rates will be collected by the Council to continue a virtuous cycle of thriving communities.

Regardless of charging, customers typically require conveniently located car parks that are safe and clean. Information and support should be on hand if issues arise. The Council's car parking service has remained largely unchanged for many years. It uses old pay and display technology and whilst the car parks are conveniently located for users of urban centres, the service requires improving and modernising.

Soft market testing has resulted in an encouraging level of interest in the service from external operators. It is proposed therefore to undertake a competitive procurement process using competitive dialogue to appoint a specialist to run and modernise the service.

Alternative options

The procurement and technology options are outlined in the report. The only other alternative to this approach is to retain the service in house. This is not proposed as it is expected that the Council will achieve better value from an external operator.

The meeting ended at 8.15 pm

Chairman:

Date:

Cherwell District Council

Executive

Minutes of a meeting of the Executive held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 3 October 2016 at 6.30 pm

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

Councillor Ken Atack, Lead Member for Financial Management
Councillor Colin Clarke, Lead Member for Planning
Councillor John Donaldson, Lead Member for Housing
Councillor Lynn Pratt, Lead Member for Estates and the Economy
Councillor Nicholas Turner, Lead Member for Change Management, Joint Working and IT

Also Present: Councillor Sean Woodcock, Leader of the Labour Group

Apologies for absence: Councillor Tony Ilott, Lead Member for Public Protection
Councillor Kieron Mallon, Lead Member for Banbury Futures
Councillor D M Pickford, Lead Member for Clean and Green

Officers: Sue Smith, Chief Executive
Scott Barnes, Director of Strategy and Commissioning
Ian Davies, Director of Operational Delivery
Kevin Lane, Head of Law and Governance / Monitoring Officer
Paul Sutton, Chief Finance Officer / Section 151 Officer
Adrian Colwell, Head of Strategic Planning and the Economy, for agenda item 7
Ed Potter, Head of Environmental Services, for agenda item 9
Andy Preston, Head of Development Management, for agenda item 8
Chris Stratford, Head of Regeneration and Housing, for agenda item 17
James Doble, Assistant Director Transformational Governance, for agenda item 10
Natasha Clark, Interim Democratic and Elections Manager

57 **Declarations of Interest**

There were no declarations of interest.

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

There were no petitions or requests to address the meeting.

59 **Urgent Business**

There were no items of urgent business.

60 **Minutes**

The minutes of the meeting held on 5 September 2016 were agreed as a correct record and signed by the Chairman.

61 **Chairman's Announcements**

There were no Chairman's announcements.

62 **Report on Refresh of Oxfordshire Local Enterprise Partnership (OxLEP) Strategic Economic Plan**

The Head of Strategic Planning and the Economy submitted a report to consider the 2016 refresh of the OxLEP Strategic Economic Plan.

Resolved

(1) That the refreshed Strategic Economic Plan be endorsed in principle.

Reasons

The SEP is an important strategy affecting the District. It will influence decisions made on infrastructure funding and local authorities are required to give it due consideration in preparing their Local Plans.

The refresh of the SEP is timely and has provided an opportunity to more closely align the SEP with the economic needs of Cherwell as set out in the adopted Cherwell Local Plan. A key issue is to secure the continuing level of economic activity we are seeing in Cherwell with major new investors at allocated employment sites alongside the planned housing growth at Banbury, Bicester and Upper Heyford.

The refreshed SEP has an important role to play in supporting the delivery of the economic objectives identified in the Cherwell Local Plan, to help fund the necessary infrastructure identified in the Cherwell Infrastructure Delivery Plan and maintain support the partnership provision of business support measures that already exists between OxLEP and the Cherwell District Council.

Alternative options

Option 1: Reject the OxLEP SEP

This is not proposed given the level of engagement to secure a refreshed SEP that is aligned with the Cherwell Local Plan.

Option 2: Seek further amendments

This is not recommended as all substantive issues have been addressed through the process of refreshing the SEP such that it is now aligned with the Cherwell Local Plan.

Option 3: Endorse the OxLEP SEP in principle.

This is recommended given the close alignment with the Cherwell Local Plan that has been secured. It is also clear that the SEP stands to support the ambition of the Cherwell Local Plan to growth the economy of the Cherwell District.

63

Heritage Partnership Agreement (HPA) - RAF Bicester

The Head of Development Management submitted a report to seek the agreement of Executive to adopt the Heritage Partnership Agreement.

Resolved

(1) That the Heritage Partnership Agreement be adopted.

Reasons

Heritage Partnership Agreements to streamline the often time consuming and sometime expensive process of obtaining Listed Building Consent, especially when the listed buildings are part of a group of similar structures where it might reasonably be anticipated that similar works of repair, for example, would be required.

The aim of this HPA is to facilitate the work of restoring the original RAF buildings and it has been prepared in order to provide a blanket vision for the technical site and flying field. It will be used as the guide to all future building and structure repairs.

Alternative options

Option 1: Not to agree to adopt the HPA.

Lack of heritage guidance undermines the reputation of the Council as the Planning Authority for Cherwell District seeking high design and conservation standards. Without the HPA in place there is a risk of future unsympathetic alteration to the heritage asset.

64

Fly tipping and Environmental Enforcement

The Head of Environmental Services submitted a report to update the Executive on fly tipping and make the Executive aware of the planned actions to reduce the number of fly tip instances.

In considering the report, Members discussed the possibility of using surveillance at fly tipping hot spot locations and agreed to ask officers to investigate this option.

Resolved

- (1) That the rise in fly tipping recorded in 2015/16 following several years of small fluctuations be noted.
- (2) That the successes of the Environmental Enforcement Team in bringing action against fly tippers.
- (3) That the proposed actions, including the introduction of fixed penalty notices, for small fly tips be supported.
- (4) That officers be requested to investigate the option of surveillance of fly tipping hot spot locations and advise Members of the powers available to the council.

Reasons

Fly tipping is not a major problem in the Cherwell area but it is irritating and unnecessary. Residents and businesses have a duty of care to dispose of their waste in a responsible manner.

Fly tipping rose in 2015/16 and actions are being put in place to reduce fly tipping. By raising awareness of the need to be responsible with waste and by introducing fixed penalty notices for fly tipping, the number of fly tips will be brought back under control.

Where locations are regularly subjected to fly tipping then an action plan can be developed to deal with this, which could include surveillance. However this is subject to various legal restrictions and Executive has therefore requested additional information on this.

Alternative options

Option 1: To support the proposed changes

Option 2: To reject the proposed changes

Option 3: To ask officers to consider alternative improvements

65

Establishment of Joint Local Authority Owned Companies

The Assistant Director - Transformational Governance submitted a report to begin the process of establishing joint local authority owned companies to deliver the savings identified in business cases for joint working and/or business transformation.

Resolved

- (1) That the legal, financial and human resources work that is taking place with regard to the establishment of the companies be noted.
- (2) That the decision of the Joint Commissioning Committee to appoint a Joint Shareholder committee as a sub-committee of the Joint Commissioning Committee consisting of four councillors (2 CDC and 2 SNC) with the terms of reference as set out in the annex to the Minutes (as set out in the Minute Book) be noted.
- (3) That the Joint Commissioning Committee be given delegated powers to take all executive decisions with regard to any established and future shared service and all executive decisions relating to any joint local authority owned company established pursuant to a shared service business case, subject to a similar decision being taken by the SNC Cabinet.
- (4) That delegated authority be given to the Joint Commissioning Committee to approve the nomination of elected Members and officers to be appointed as Directors by joint local authority owned companies, subject to a similar decision being taken by the SNC Cabinet.
- (5) That officers be requested to establish and register joint local authority owned companies limited by shares comprising a principal Company to be wholly owned by the Councils in equal shares and a subsidiary trading company to be majority owned by the principal company with a minority interest owned by the Councils to enable the Revenues and Benefits Business Case and other future commercial opportunities to be achieved, subject to a similar decision being taken by the SNC Cabinet.
- (6) That delegated authority be given to the Chief Finance Officer in consultation with members of the Joint Shareholder Committee to take all measures necessary to enable the establishment of jointly owned companies, where business cases have been agreed, subject to a similar decision being taken by the SNC Cabinet.
- (7) That it be noted that the Joint Commissioning Committee have requested officers to prepare a detailed implementation plan including a draft business case, financial model, articles of association, shareholder agreement and communications plan for the creation of the companies to be considered by the Joint Commissioning Committee.

Reasons

The recommendations set out in this report are recommended by the Joint Commissioning Committee, in line with the agreed recommendations of the Revenues and Benefits Business case and are necessary to ensure that the business case can be delivered and the associated savings achieved.

Alternative options

Option 1: To agree the recommendations as set out in the report

Option 2: To amend the recommendations as set out in the report, this may require reconsideration by the Joint Commissioning Committee.

Option 3: To reject the recommendations as set out in the report. The councils' will reduce the potential to deliver the revenues and benefits business case savings unless a suitable employment vehicle is established.

66

Council Tax Reduction Scheme 2017-2018

The Chief Finance Officer submitted a report to provide Members with an update on the current Council Tax Reduction Scheme (CTRS) and the changes to discounts, including the impact on collection rates, and to provide Members with options to consider for a Council Tax Reduction Scheme for 2017-2018 and to seek approval to consult on the approved option.

Resolved

- (1) That the report and any financial implications for the Council be noted.
- (2) That the recommendation made by Budget Planning Committee to consult on Option 1 – no change to the current Council Tax Reduction Scheme or Council Tax discounts for 2017-2018 and to change only the detail of the scheme to update the Pensioner Regulations as prescribed by DCLG and to uprate the Working Age Regulations amounts in line with Housing Benefit be approved.

Reasons

From April 2013 Council Tax Benefit was abolished and replaced with a local Council Tax Reduction Scheme.

Members are now required to agree for consultation purposes a Council Tax Reduction Scheme for the 2017-2018 financial year.

Alternative options

Option 1: To not recommend any of the options for a scheme for -2017-2018. This would have financial implications for the Council and those residents affected by Welfare Reform.

67

Efficiency Plan - 2017/18 to 2021/22

The Chief Finance Officer submitted a report to provide Executive with details of the Council's Efficiency Plan 2017/18 to 2021/22 for approval.

In introducing the report the Lead Member for Finance advised Executive that the Chairman of the Overview and Scrutiny had agreed to waive call in of this

item due to the need to submit the plan to the Government by 14 October 2016.

Resolved

- (1) That the Efficiency Plan 2017/18 to 2021/22 (annex to the Minutes as set out in the Minute Book) be approved.
- (2) That the decision be confirmed as urgent given the timescale reported for submission of the plan and it be noted that the Chairman of the Overview and Scrutiny Committee had agreed to waive call in.

Reasons

The Government grant settlement in December 2016 was for four years, rather than the usual one. With this certainty over a significant variable element of funding, came a requirement to produce an efficiency plan. The efficiency plan must be provided by 14 October 2016 in order to accept the offer of the four year settlement.

Alternative options

Option 1: To not approve the report but this would mean that the Council is unable to accept the four year grant settlement.

68

Budget Guidelines 2017/18

The Chief Finance Officer submitted a report to set out the Budget Process for 2017/18, approve the 2017/18 Budget Strategy and agree the budget guidelines for issue to service managers. The report also presented the most recent Medium Term Revenue Plan (MTRP).

Resolved

- (1) That the updated Medium Term Revenue Plan (MTRP) for the Council's revenue budget for 2017/18 to 2021/22 be noted.
- (2) That the overall 2017/18 budget strategy and service and financial planning process be endorsed.
- (3) That, following due consideration, the proposed budget guidelines and timetable for 2017/18 (annexes to the Minutes as set out in the Minute Book) be agreed.

Reasons

The Council needs to set guidelines and a timetable for the preparation of draft estimates for 2017/18. These guidelines should support the objectives contained in the Business Plan, Service Plans and the Medium Term Financial Strategy.

Alternative options

Option 1: To disagree with the recommendations. This is rejected as it will unnecessarily delay the formulation of the detailed budget for 2016/17.

69 **Amendment to Membership of Shareholder Committee**

Executive was requested to appoint a third member to the Shareholder Committee following the resignation of the Lead Member for Housing from the Committee.

Resolved

(1) That Councillor Turner be appointed to the Shareholder Committee.

Reasons

Following the resignation of one member of the Shareholder Committee it is necessary to make a new appointment as the Committee was established as a three member sub-committee of Executive

Alternative options

Not to appoint a member to the Shareholder Committee, however this would mean that the Committee could not carry out its functions as it should comprise three members

70 **Exclusion of the Press and Public**

Resolved

That under Section 100A of the Local Government Act 1972, the public and press be excluded from the meeting for the following items of business on the ground that, if the public and press were present, it would be likely that exempt information falling under the provisions of Schedule 12A, Part 1, Paragraph 3 would be disclosed to them, and that in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

71 **Budget Guidelines 2017/18 - Exempt Appendix**

Resolved

(1) That the exempt appendix be noted.

72 **Contract Award - Temporary Accommodation**

The Chief Finance Officer and Head of Regeneration & Housing Services submitted an exempt report to seek approval for the contract award to

commission 10 units of self-contained accommodation to provide emergency accommodation to meet the Council's statutory duties to the Homeless for a contract period of up to 5 years.

Resolved

- (1) That the award of a contract to Punch Taverns to provide 10 units of self-contained accommodation to provide emergency accommodation to meet the Council's statutory duties to the Homeless commencing in 2016 and available to continue to operate until 2021 be approved.

Reasons

A full OJEU Compliant procurement exercise has been undertaken

This new contract enables the Council to maintain its performance in providing temporary accommodation at the best price available. The increased number of rooms will provide the council with additional flexibility to meet its needs.

Alternative options

Not to accept to proceed with this tender. This would result in Cherwell losing any agreement for first priority to secure 6 units currently secured at the Musketeer Motel. This will also mean when officers need additional emergency accommodation to meet the Council's statutory duties, it may not meet the government requirements for temporary placements and it would be procured at additional costs per night to the council.

The meeting ended at 7.20 pm

Chairman:

Date:

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Council

Record of Lead Member Decisions For The Period 18 July 2016 to 7 October 2016

17 October 2016

Area of Responsibility

Decision Subject Matter

Leader

**Appointment of Representatives to Partnerships,
Outside Bodies and Member Champions 2016/17**

**Lead Member for Public
Protection**

**Rescinding the current prohibited streets
designation in relation to street trading within
the Cherwell district**

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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 30 June 2016 at 6.30 pm

Present: Councillor Mike Kerford-Byrnes (Chairman)
Councillor Ian Corkin (Vice-Chairman)

Councillor Hugo Brown
Councillor Sean Gaul
Councillor Nigel Randall
Councillor Barry Richards
Councillor Tom Wallis
Councillor Sean Woodcock

Also Present: Councillor Barry Wood, Leader of the Council
Councillor Ken Atack, Lead Member for Financial Management
Stephen Bladen, Manager, Ernst Young (external audit)

Officers: Paul Sutton, Chief Finance Officer / Section 151 Officer
Edward Bailey, Corporate Performance Manager
Denise Taylor, Corporate Accountant
James Doble, Interim Assistant Director Transformational Governance

3 Declarations of Interest

Members made the following general declarations of interest:

Councillor Ian Corkin, declaration, as a board member of Graven Hill Village Development Company.

Councillor Nigel Randall, declaration, as a shadow board member for Cherwell Community Build

4 Petitions and Requests to Address the Meeting

There were no petitions or requests to address the meeting.

5 Urgent Business

There were no items of urgent business.

6 **Minutes**

The minutes of the meetings of the Committee held on 23 March 2016 and 17 May 2016 were agreed as correct records and signed by the Chairman.

7 **Chairman's Announcements**

There were no Chairman's announcements.

8 **External Audit: Progress Update 2015/16**

The Chief Finance Officer submitted Ernst Young's report briefing on Value for Money audit – Code of Audit Practice 2015 and Council Annual fee letter 2016/17.

Resolved

- (1) That the briefing on Value for Money audit – Code of Audit Practice 2015 and Council Annual fee letter 2016/17 from Ernst Young be noted.

9 **External Audit Letter to the Committee**

The Chief Finance Officer submitted a report to inform members of the response to the Ernst Young letter to the Chairman of this Committee.

Resolved

- (1) That the response to external audit's request for management assurances from Those Charged With Governance be approved.

10 **Internal Audit - Annual Report for 2015/16, Progress Report 2016/17 and Internal Audit Charter**

The Chief Finance Officer submitted PwC's annual report for 2015/16 and progress report summarising their internal audit work for 2015/16 and for 2016/17 to date and the Internal Audit Charter.

Resolved

- (1) That the 2015/16 Internal Audit annual report, progress report and Internal Audit Charter be noted.

11 **Corporate Fraud Team Update**

The Chief Finance Officer submitted a report to provide members of Accounts, Audit and Risk Committee with an update on the joint Corporate Fraud team including an end of year report for 2015-2016 and a new business plan for 2016-2017. The report also asked members to endorse the joint

Whistleblowing and Anti-Fraud and Anti-Corruption Policies which have been reviewed and to endorse the new Fraud Response Plan Policy.

In the course of discussion members thanked officers for the amended policy wording and requested that future reports should also include the number of properties rebilled as a result of investigations.

Resolved

- (1) That the contents of the report including the end of year report and the new business plan for 2016-2017 be noted.
- (2) That the changes to the joint Whistleblowing and Anti-Fraud and Anti-Corruption Policies and the new Fraud Response Plan Policy be endorsed.

12 **Fourth Quarter Risk Review 2015/16 and 2016/17 Shared Risk & Opportunities Management Strategy**

The Director - Strategy and Commissioning submitted a report to update the Committee on the management of Strategic, Corporate and Partnership risks during the fourth and final quarter of 2015/16, to present the 2016/17 Risk & Opportunities Management Strategy review and to provide an update on the Risk Training programme.

Resolved

- (1) That the quarter four Strategic, Corporate and Partnership Risk Register and the revised Risk and Opportunities Management Strategy for 2016/17 be noted.

13 **Q4 Treasury Management Report**

The Chief Finance Officer submitted a report on treasury management performance and compliance with treasury management policy for 2015/16 as required by the Treasury Management Code of Practice.

Resolved

- (1) That the contents of the final Quarter Treasury Management Report be noted.
- (2) That the update of the Icelandic redemption be noted.

14 **Annual Governance Statement 2015/16**

The Chief Finance Officer submitted the Annual Governance Statement, which would be considered at the same time as the Statement of Accounts for 2015/16.

Resolved

- (1) That the Annual Governance Statement 2015/16 be noted and endorsed.

15

Statement of Accounts 2015/16

The Chief Finance Officer submitted a report to consider and endorse the pre-audit Statement of Accounts for 2015-16.

In the course of discussion it was confirmed that the capital programme would be submitted to a future meeting of the Committee for consideration.

Resolved

- (1) That the carry forward of budget underspends from 2015/16 to 2016/17 (annex to the Minutes as set out in the Minute Book) be approved.
- (2) That the balances on capital schemes which had slipped in 2015/16 to be carried forward into the 2016/17 capital programme (annex to the Minutes as set out in the Minute Book) be approved.
- (3) That the Statement of Accounts be noted.
- (4) That the verbal update on the outcomes from the informal review of the Statement of Accounts undertaken on 30 June immediately prior to the formal meeting at 5.00pm be noted.

16

Review of Committee Work Programme

The Committee considered its work programme for 2016/17.

Resolved

- (1) That the work programme be noted.

17

Exclusion of Press and Public

Resolved

That the press and public be excluded as exempt information as defined in the paragraph 3 of Part 1, Schedule 12A of Local Government Act 1972 is likely to be made known.

18

Q4 Treasury Management Report - Exempt Appendix 1 and 2

Resolved

- (1) That the exempt appendices be noted.

19 **Finance Improvement Plan - Update**

The Chief Finance Officer submitted an exempt report which presented an update to the Finance Improvement Plan, which was an outcome of the KPMG Review of NNDR Overpayment report adopted by this Committee on 20 January 2016.

Resolved

- (1) That the progress made thus far in delivering the Finance Improvement Plan and the remaining actions be endorsed.

The meeting ended at 8.41 pm

Chairman:

Date:

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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 21 September 2016 at 6.30 pm

Present: Councillor Mike Kerford-Byrnes (Chairman)
Councillor Ian Corkin (Vice-Chairman)

Councillor Sean Gaul
Councillor Barry Richards
Councillor Tom Wallis
Councillor Sean Woodcock

Substitute Members: Councillor Nicholas Mawer (In place of Councillor Hugo Brown)

Also Present: Councillor Barry Wood, Leader of the Council
Ed Cooke, Internal Audit, PwC
Neil Harris, Director Ernst Young (External Audit)
Steve Bladen, Manager Ernest Young, (External Audit)

Apologies for absence: Councillor Hugo Brown

Officers: Paul Sutton, Chief Finance Officer / Section 151 Officer
Kevin Lane, Head of Law and Governance / Monitoring Officer
Edward Bailey, Corporate Performance Manager
Natasha Clark, Interim Democratic and Elections Manager
Aaron Hetherington, Democratic and Elections Officer

20 **Declarations of Interest**

Members made the following general declarations of interest:

Councillor Ian Corkin, declaration, as a board member of Graven Hill Village Development Company.

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

There were no petitions or requests to address the meeting.

22 **Urgent Business**

There were no items of urgent business.

23 **Minutes**

The Minutes of the meeting of the Committee held on 30 June 2016 were agreed as correct records and signed by the Chairman.

24 **Chairman's Announcements**

The Chairman referred to the informal briefing that had been arranged by the External Auditor and expressed his disappointment at the low number of attendees. He stressed the importance of the Committee having knowledgeable members and hoped that there would be continuity in membership going forward.

The Chairman explained that further training would be arranged for the Committee and encouraged members to attend.

25 **Internal Audit - Progress Report 2016/17**

The Chief Finance Officer submitted a report which presented to receive PwC's (the council's internal auditor) progress report summarising their internal audit work to date.

Resolved

(1) That the 2016/17 Internal Audit progress report be noted.

26 **External Audit: Audit Results Report 2015/16**

The Chief Finance Officer submitted a report to allow Members to consider the Ernst and Young LLP Results Report. The report included comments on the external audit of the 2015/16 Statement of Accounts.

In introducing the report, the Director, Ernst Young, thanked officers for their cooperation throughout the process and commented that he was pleased with the audit, which was substantially completed. It was expected that and "unqualified opinion" would be issued on the council's accounts.

The Chief Finance Officer advised the Committee that there had been a minor adjustment to the Cherwell District Council accounts as a result of a change to the Graven Hill accounts.

In the course of the discussion, Members agreed that Executive be recommended to consider whether the Council's financial interest in the

Graven Hill companies was adequately protected through their current arrangements for accounting and audit.

With to regards to the overpayment of NNDR to the Government, the Director, Ernst Young, confirmed that this had been fully disclosed in the accounts and treated as an in year adjustment.

Resolved

- (1) That having been considered, the matters raised in the report be noted before approving the 2015/16 financial statements (subsequent agenda item).
- (2) That the adjustments to the financial statements set out in Ernst Young's report (annex to the Minutes as set out in the Minute Book) be noted.
- (3) That the letter of representation on behalf of the Council be approved.
- (4) That Executive be recommended to consider whether the Council's financial interest in the Graven Hill companies is adequately protected through their current arrangements for accounting and audit.

27

Statement of Accounts 2015/16

The Chief Finance Officer submitted a report to obtain official sign-off by the Chief Financial Officer and the Chairman of Accounts, Audit and Risk Committee on the audited Statement of Accounts 2015/16.

In introducing the report, the Chief Finance Officer circulated an updated version of Section 13 (Group Accounts) of the accounts and referred to the consequential changes needed as a result of the changes in the Graven Hill accounts.

Resolved

- (1) That the carry forward of revenue budget underspends from 2015/16 to 2016/17 be approved.
- (2) That the updated balance on capital schemes which have slipped in 2015/16 to be carried forward into the 2016/17 capital programme be approved.
- (3) That the amendments to the 2015/16 draft financial statements and the resultant statement of accounts be approved and authority be delegated to the Chief Finance Officer in consultation with the Chairman of Accounts, Audit and Risk Committee to finalise any necessary non-material amendments to the statement of accounts and the letter of representations prior to publication.

28 **Changes to the Arrangements for Appointment of External Auditors**

The Chief Finance Officer submitted a report which summarised the changes to the arrangements for appointing External Auditors following the closure of the Audit Commission and the end of the transitional arrangements at the conclusion of the 2017/18 audits.

Resolved

- (1) That Full Council be recommended to agree the recommendation of the Accounts, Audit and Risk Committee to support the Local Government Association (LGA) in setting up a national Sector Led Body by indicating intention to “opt-in”,

29 **Corporate Fraud Team Update**

The Chief Finance Officer submitted a report to provide members of the Accounts, Audit and Risk Committee with an update on the joint Corporate Fraud team including a progress report for quarter one of 2016-2017 and feedback from recent Corporate Fraud awareness presentations.

Resolved

- (1) That the report be noted.
- (2) That the plans for a further fraud awareness session for elected members be endorsed.

30 **First Quarter Risk Review 2016-17 and revised Shared Risk & Opportunities Management Strategy**

The Director - Strategy and Commissioning submitted a report which updated the Committee on the management of Strategic, Corporate and Partnership risks during the first quarter of 2016/17, to present the revised Risk & Opportunities Management Strategy and to report recommendations from the 2015/16 Risk Audit.

Resolved

- (1) That having reviewed the full Strategic, Corporate and Partnership Risk Register for 2016/17, no issues be identified for further consideration or referral to Executive.
- (2) That the risk exceptions highlighted and proposed actions be noted.
- (3) That the impact of the EU referendum vote result and implications on existing or newly identified emerging risks be noted.
- (4) That the recommendations and actions arising from the 2015/16 Risk Audit be noted.

- (5) That the revised Risk and Opportunities Management Strategy for 2016/17 be agreed.

31 **Quarter 1 Treasury Management Report**

The Chief Finance Officer submitted a report to receive information on treasury management performance and compliance with treasury management policy for 2016/17 as required by the Treasury Management Code of Practice.

Resolved

- (1) That the Quarter 1 Treasury Management report be noted.

32 **Work Programme**

The Committee considered its work programme for 2016/17

Resolved

- (1) That the work programme be noted.

33 **Exclusion of the Press and Public**

Resolved

That under Section 100A of the Local Government Act 1972, the public and press be excluded from the meeting for the following items of business on the grounds that, if the public and press were present, it would be likely that exempt information falling under the provisions of Schedule 12A, Part I, Paragraph 3 would be disclosed to them, and that in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

34 **Quarter 1 Treasury Management Report - Exempt Appendix**

Resolved

- (1) That the exempt appendix be noted.

35 **Finance Improvement Plan - Update**

The Chief Finance Officer submitted an exempt report to present the Finance Improvement Plan, which was an outcome of the KPMG Review of NNDR Overpayment report adopted by this Committee on 20th January 2016.

Resolved

- (1) That the progress made thus far in delivering the Finance Improvement Plan and the remaining actions be noted.

The meeting ended at 8.40 pm

Chairman:

Date:

Cherwell District Council

Budget Planning Committee

Minutes of a meeting of the Budget Planning Committee held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 26 July 2016 at 6.30 pm

Present: Councillor Nicholas Mawer (Chairman)
Councillor Nigel Randall (Vice-Chairman)

Councillor Ken Atack
Councillor Ian Corkin
Councillor Carmen Griffiths
Councillor Alan MacKenzie-Wintle
Councillor Barry Richards
Councillor Tom Wallis
Councillor Douglas Webb
Councillor Sean Woodcock

Substitute Members: Councillor Sean Gaul (In place of Councillor Hugo Brown)

Apologies for absence: Councillor David Anderson
Councillor Hugo Brown

Officers: Paul Sutton, Chief Finance Officer / Section 151 Officer
Belinda Green, Joint Revenues and Benefits Manager
Geni Hotchkiss, Business Support Unit Manager
Mandy Emery, Joint Benefits Team Leader
Vicki Taplin, Joint Revenues Team Leader
Lesley Farrell, Democratic and Elections Officer

12 **Declarations of Interest**

There were no declarations of interest.

13 **Urgent Business**

There were no items of urgent business.

14 **Minutes**

The minutes of the meeting of the Committee held on 24 May 2016 were agreed a correct record and signed by the Chairman.

15 **Chairman's Announcements**

There were no Chairman's announcements.

16 **2015-16 Revenue and Capital Outturn**

The Chief Finance Officer presented a report which summarised the Council's Revenue and Capital performance for the financial year 2015-2016.

In considering the report members commented on the large reduction in income for Castle Quay and requested that the Head of Strategic Planning and the Economy be invited to a future meeting of the committee to discuss the role of the Town Centre Co-ordinators.

The Committee raised concern about the slippage in projects designated to the Solihull Partnership and requested that the Head of Regeneration and Housing be invited to the meeting of 30 August 2016 to discuss this matter and that it be recommended to the Accounts Audit and Risk Committee to consider the non-delivery of the Solihull Partnership projects.

Resolved

- (1) That a recommendation be made to the Accounts Audit and Risk Committee to consider the non-delivery of Solihull Partnership projects
- (2) That the budget underspends be carried forward from 2015/16 to 2016/17
- (3) That the review of reserves be agreed
- (4) That the capital out-turn position for 2015-2016 be noted
- (5) That the balances on the capital schemes which slipped in 2015-16 be carried forward into the 2016-17 capital programme

17 **Business Rates Monitoring 2015-2016**

The Chief Finance Officer submitted a report which provided the Budget Planning Committee with details of the business rates income outturn position for the 2015-2016 financial year.

Resolved

- (1) That the report be noted.

18 **Council Tax Reduction Scheme 2017-2018**

The Chief Finance Officer submitted a report which provided members with an update on the implications of the current Council Tax Reduction Scheme and the changes to discounts, including the impact on collection rates and to

provide members with options to consider for a Council Tax Reduction Scheme for 2017/2018 so that consultation may be undertaken.

The Committee were satisfied with the current scheme and agreed that Executive be recommended to agree there be no change to the scheme.

Resolved

- (1) That the report and financial implication for the Council be noted.
- (2) That Executive be recommended to agree Option 1 - No change to the current local Council Tax Reduction scheme, as the preferred Council Tax Reduction Scheme for 2017-18 in order for consultation to be undertaken.

19 **Review of Committee Work Plan**

The Committee reviewed its workplan 2016-2017.

Resolved

- (1) That the Head of Regeneration and Housing be invited to the meeting of 30 August 2016 to discuss the Solihull Partnership
- (2) That the Head of Strategic Planning and the Economy be invited to a future meeting to discuss the Business Support Unit.
- (3) That subject to resolutions (1) and (2) the contents of the Work Programme be noted.

20 **Exclusion of Press and Public**

Resolved

That under Section 100A of the Local Government Act 1972, the public and press be excluded from the meeting for the following item of business on the ground that, if the public and press were present, it would be likely that exempt information falling under the provisions of Schedule 12A, Part 1, Paragraph 3 would be disclosed to them, and that in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information

21 **Medium Term Revenue Plan 2017-18 to 2021-22**

The Chief Finance Officer submitted an exempt report which provided members of the Budget Planning Committee with an update on the Council's Medium Term Revenue Plan for 2017/18 to 2021/22.

Resolved

- (1) That the report be noted

The meeting ended at 7.50 pm

Chairman:

Date:

Cherwell District Council

Budget Planning Committee

Minutes of a meeting of the Budget Planning Committee held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 30 August 2016 at 6.30 pm

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

Councillor David Anderson
Councillor Ken Attack
Councillor Hugo Brown
Councillor Ian Corkin
Councillor Tom Wallis

Substitute Members: Councillor Mark Cherry (In place of Councillor Barry Richards)
Councillor Andrew Beere (In place of Councillor Sean Woodcock)

Apologies for absence: Councillor Carmen Griffiths
Councillor Alan MacKenzie-Wintle
Councillor Barry Richards
Councillor Sean Woodcock

Officers: Paul Sutton, Chief Finance Officer / Section 151 Officer
George Hill, Corporate Finance Manager
Chris Stratford, Head of Regeneration and Housing
Mandy Anderson, Financial Analyst
Geni Hotchkiss, Business Support Unit Manager
Richard Stirling, Corporate Procurement Manager
Lesley Farrell, Democratic and Elections Officer
Joel Bliss, Assistant Democratic and Elections Officer

22 Declarations of Interest

There were no declarations of interest.

23 Urgent Business

The Chairman advised the Committee that there was one item of urgent business: the appointment of a new Vice-Chairman for the remainder of the Municipal Year 2016/17 following the resignation of the former Vice-Chairman.

Resolved

That Councillor Douglas Webb be appointed Vice-Chairman of the Budget Planning Committee for the remainder of Municipal Year 2016-17.

24 **Minutes**

The minutes of the meeting of the Committee held on 26 July 2016 were agreed a correct record and signed by the Chairman.

25 **Chairman's Announcements**

There were no Chairman's announcements.

26 **Quarter 1 2016-17 - Revenue and Capital Budget Monitoring Report**

The Chief Finance Officer submitted a report which outlined the Quarter 1 2016-2017 – Revenue and Capital Budget Monitoring.

When considering the report, members commented on the following particular items, to which officers provided a response:

Financial System Upgrade – investigation required into credit balance at Q1 from previous year. The Committee was informed that this had not been paid.

Banbury Museum Emergency Lighting Replacement – this was a duplicate and should be removed.

Cooper Sports Hall Roof – the roof urgently needs replacing but the Academy has no funds. The Director of Operational Delivery would be submitting a report on the matter to Executive.

South West Bicester Sports Village – the Committee discussed a condition which was thought to have been placed on the planning application for a full sized artificial turf pitch. As this had not materialised, members requested that the Director of Operational Delivery provide a written update.

The Head of Regeneration and Housing reported on the Solihull Partnership and various projects listed in the Capital Spend and Year End Projections. Although there had been a slow start, the Head of Regeneration and Housing was confident that the projects would be completed.

The Committee expressed concern that comment details were directed towards Finance and difficult for members to understand.

In response to the Committee's concerns at the increasing cost of Agency staff and overspend of the budget for this, the Chief Finance Officer explained that uncertainty following the postponement of the publication of the external reports on devolution in Oxfordshire as a result of the changes to the Government meant that the interim measure of using Agency Staff had been extended. It was also difficult to recruit quality staff to senior posts so it had been necessary to employ from Agencies. The Committee was given

assurance that as grants were approved by Executive, the budget would increase.

Resolved

- (1) That, having reviewed the projected revenue and capital position at June 2016, it be noted and no comments forwarded to Executive
- (2) That, having reviewed the current position of reserves, they be noted.
- (3) That the Capital Outturn Position for 2015-2016 be endorsed.

27 **Business Rates Monitoring 2016-2017**

The Chief Finance Officer submitted a report which summarised the Council's Business Rates performance for the financial year thus far in 2016-1017.

The Committee raised concern about the removal of the Car Park at Bicester North from the Rating List which accounted for a large proportion of the reduction of Rateable Value for Quarter 1. The Business Support Unit Manager would provide a response to Committee members outside of the meeting explaining the reason for its removal.

Resolved

- (1) That the report be noted.

28 **Review of Procurement Strategy Progress**

The Chief Finance Officer submitted a report which summarised the Council's Procurement Strategy progress for Quarter 1 of the financial year 2016-17.

Resolved

- (1) That the progress made during Quarter 1 2016-17 in implementing the Council's Procurement Strategy be noted.

29 **Solihull Partnership**

The Head of Regeneration and Housing gave a verbal update on the Solihull Partnership.

Members had been updated on projects listed in the Quarter 1 2016-17 – Revenue and Capital Budget Monitoring, agenda item 6.

The Head of Regeneration and Housing advised the Committee that there had been challenges at the start of the relationship with the Solihull Partnership but after a slow start, a number of contracts were now underway and the Head of Regeneration and Housing was confident that projects would be delivered.

30 **Review of Committee Work Plan**

The Committee reviewed its workplan 2016-2017.

Resolved

(1) That the contents of the work programme be noted.

The meeting ended at 8.10 pm

Chairman:

Date:

Cherwell District Council

Licensing Committee

Minutes of a meeting of the Licensing Committee held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 7 September 2016 at 5.00 pm

Present: Councillor Douglas Webb (Chairman)
Councillor Bryn Williams (Vice-Chairman)

Councillor Hannah Banfield
Councillor Surinder Dhesi
Councillor Tony Ilott
Councillor G A Reynolds
Councillor Sandra Rhodes
Councillor Jason Slaymaker

Apologies for absence: Councillor Nick Cotter
Councillor D M Pickford
Councillor Nigel Simpson

Officers: Jackie Fitzsimons, Shared Public Protection Manager
Nicholas Sutcliffe, Licensing Manager
Louise Aston, Team Leader, Democratic and Elections
Aaron Hetherington, Democratic and Elections Officer

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 were no items of urgent business.

15 Minutes

The Minutes of the meetings of the Committee held on 2 November 2015 and 17 May 2016 were agreed as correct records and signed by the Chairman.

16 **Chairman's Announcements**

There were no Chairman's announcements.

17 **Draft Street Trading Policy**

The Committee considered a report of the Public Protection Manager to approve in principle a draft revised Street Trading Policy prior to consultation (including the principle of a new fee structure) and subject to consultation to recommend that the council designates all streets within the boundary of Cherwell District Council as Consent Streets from 3 January 2017

Resolved

- (1) That the council's adoption of Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 for the purpose of street trading be noted and reaffirmed.
- (2) That, subject to rescinding the current Prohibited Streets Designation, agreement in principle be given to the draft street trading policy and Consent Streets Designation (Annex to the minutes as set out in the minute book) thereby designating all of the streets within the Cherwell District Council trading boundary as Consent Streets for the purpose of street trading with effect from 3 January 2017.
- (3) That authority be delegated to the Public Protection Manager in consultation with the Chairman of the Licensing Committee to approve the final Street Trading Policy and Consent Streets Designation, following the consideration of any consultation responses.

18 **Taxi Policy and General Licensing Update**

The Committee considered a report to update the Licensing Committee on various licensing matters including the progress of the new Hackney Carriage and Private Hire Licensing Policy.

Resolved

- (1) That the draft Hackney Carriage and Private Hire Licensing Policy be noted.
- (2) That the licensing update be noted

The meeting ended at 5.35 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 1 September 2016 at 6.45 pm

Present: Councillor Neil Prestidge (Chairman)
Councillor Jolanta Lis (Vice-Chairman)

Councillor Chris Heath
Councillor David Anderson
Councillor Claire Bell
Councillor Mike Bishop
Councillor Hugo Brown
Councillor Mark Cherry
Councillor Nicholas Mawer
Councillor Sandra Rhodes
Councillor Jason Slaymaker

Also Present: Councillor Barry Wood – Leader of the Council
Councillor G A Reynolds - Deputy Leader of the Council
Councillor Barry Wood

Apologies for absence: Councillor Bryn Williams

Officers: Ian Davies, Director of Operational Delivery, for agenda items 9 and 11
Natasha Barnes, Shared Contact Centre Services Manager, for agenda items 9 and 11
Edward Bailey, Corporate Performance Manager, for agenda item 6
Ed Potter, Head of Environmental Services, for agenda item 7
Emma Faulkner, Democratic and Elections Officer

10 Declarations of Interest

There were no declarations of interest.

11 Urgent Business

There were no items of urgent business.

12 Minutes

The Minutes of the meeting of the Committee held on 31 May 2016 were confirmed as a correct record and signed by the Chairman.

13 **Chairman's Announcements**

The Chairman made the following announcement:

- (1) A training session with Ann Reeder from the Centre for Public Scrutiny would be held on Tuesday 20 September. The Chairman encouraged as many Members of the Committee to attend as possible

14 **Quarter One Performance Update**

The Committee considered a report of the Director – Strategy & Commissioning which detailed performance during Quarter One of 2016/2017.

The Corporate Performance Manager advised the Committee that the way the data was collected had changed, and officers providing the information were now asked specific questions regarding why an indicator was below target, and when it was hoped it would be resolved.

With regard to indicator CBP3.5.1a, number of visits/usage to district leisure centres, the Director of Operational Delivery advised the Committee that discussions were on-going between Bicester Community College and Oxfordshire County Council, regarding the college's use of Bicester Leisure Centre.

Resolved

- (1) That the exceptions highlighted and proposed actions be noted.
- (2) That no performance related matters be reviewed or referred to Executive.
- (3) That the new reporting style be noted.
- (4) That, where appropriate, judgement measures used in the current business plan reporting be augmented or replaced by more specific, measurable, achievable, realistic, timely (SMART) measures be agreed.

15 **Fly Tipping and Environmental Enforcement**

The Committee considered a report of the Head of Environmental Services, which gave an update on fly-tipping and action planned to reduce future incidents.

The Head of Environmental Services explained that a report would be submitted to Executive in October 2016, requesting the introduction of Fixed Penalty Notices for small fly-tips of car boot size or less. This would be coupled with increased publicity on the ways residents could have waste removed by the Council, to help reduce the number of fly tipping incidents.

In response to questions from the Committee, the Head of Environmental Services advised that the Council did have equipment to undertake covert surveillance, but a change in legislation meant that a Magistrate now had to sign off its use. There were also difficulties around battery and light levels when using the equipment, so the most successful prosecutions were still as a result of physical evidence.

Resolved

- (1) That the rise in fly tipping recorded in 2015/16 following several years of small fluctuations be noted
- (2) That the successes of the Environmental Enforcement Team in bringing action against fly tippers be noted
- (3) That the proposed actions including the introduction of fixed penalty notices for small fly tips to be considered by the Executive in October be supported.

16 **Work Programme 2016/2017**

The Committee considered the work programme for the remainder of the 2016-2017 year.

Following a motion to full Council in July 2016 relating to open space, tree, grass, shrub and verge maintenance and safety matters, the Committee discussed the possibility of a future Scrutiny review on the subject.

Resolved

- (1) That the work programme be approved

17 **Council Car Parks**

The Committee considered a report of the Director of Operational Delivery relating to Council owned car parks, in the context of their town centre role and options for service improvement, which was due to be considered by the Executive at its meeting on 5 September 2016.

The Deputy Leader of the Council explained to the Committee that the report was the culmination of several years' work. He added that the report was the start of the Committee process, and he anticipated further reports to the Committee in the future.

It was proposed by Councillor Mark Cherry and seconded by Councillor Sandra Rhodes that Executive be urged to adopt caution when considering consistency in parking charges between Banbury and Bicester due to the numerous differences between the two towns, and that consideration be given as part of the proposed procurement process for improved and more flexible

disabled parking provision in Council car parks following an assessment of demand for such parking.

Resolved

1. That Executive be urged to adopt caution when considering consistency in parking charges between Banbury and Bicester due to the numerous differences between the two towns;
2. That consideration be given as part of the proposed procurement process for improved and more flexible disabled parking provision in Council car parks following an assessment of demand for such parking.

18 **Exclusion of the Press and Public**

Resolved

That under Section 100A of the Local Government Act 1972, the public and press be excluded from the meeting for the following item(s) of business on the grounds that, if the public and press were present, it would be likely that exempt information falling under the provisions of Schedule 12A, Part I, Paragraph 3 would be disclosed to them, and that in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

19 **Council Car Parks - Exempt Appendix**

The Committee considered the exempt appendix to the report of the Director of Operational Delivery.

The Deputy Leader of the Council and the Director of Operational Delivery answered detailed questions from the Committee.

Resolved

- (1) That the exempt appendix be noted

The meeting ended at 8.00 pm

Chairman:

Date: