

Committee: Executive
Date: Monday 11 January 2010
Time: 6.30 pm
Venue: Bodicote House, Bodicote, Banbury, OX15 4AA

Membership

Councillor Barry Wood (Chairman)	Councillor G A Reynolds (Vice-Chairman)
Councillor Ken Atack	Councillor Norman Bolster
Councillor Michael Gibbard	Councillor James Macnamara
Councillor Kieron Mallon	Councillor Nigel Morris
Councillor D M Pickford	Councillor Nicholas Turner

AGENDA

1. Apologies for Absence

2. Declarations of Interest

Members are asked to declare any interest and the nature of that interest that they may have in any of the items under consideration at this meeting.

3. Petitions and Requests to Address the Meeting

The Chairman to report on any requests to submit petitions or to address the meeting.

4. Urgent Business

The Chairman to advise whether they have agreed to any item of urgent business being admitted to the agenda.

5. **Minutes** (Pages 1 - 10)

To confirm as a correct record the Minutes of the meeting held on 7 December 2009.

6. **Audit Commission's Comprehensive Area Assessment (CAA) Judgement** (Pages 11 - 34) **6.35 pm**

Mr Robert Hathaway, the Comprehensive Area Assessment Lead (CAAL) for Oxfordshire, Buckinghamshire and Milton Keynes will be presenting the Audit Commission's Comprehensive Area Assessment (CAA) Judgement to Executive Members.

The following documents are attached for information:

1. Oxfordshire Area Assessment 2009
2. Cherwell District Council Organisational Assessment 2009

Strategy and Policy

7. **Integrated Vehicle Parking Strategy - Civil Parking Enforcement and Residents Parking** (Pages 35 - 68) **7.05 pm**

Report of Urban and Rural Services

Summary

To note the current position and revised financial model for Civil Parking Enforcement (CPE) and to authorise further work to develop workable proposals.

To note the outcomes of the consultation on Banbury Residents Parking Scheme and to approve further development of proposals, subject to CPE.

To note the current position on Bicester Residents Parking Scheme and the formal Traffic Regulation Order (TRO) advertising/consultation for the revised Scheme.

To note the update on Taxi Rank provision and the bid to the Council's capital programme.

To note the current position regarding provision for disabled parking.

Recommendations

The Executive is recommended to:

- (1) Civil Parking Enforcement
 - a) Note the updated position on CPE and revised Financial Model
 - b) Approve further development of the Council's approach to CPE based on this Financial Model whilst seeking to reduce CDC's risks/costs through negotiation with Oxfordshire County Council (OCC).

- c) Receive a further report on the outcome of these discussions and any changes to the Financial Model, prior to a final decision on implementation being taken.
 - d) As part of 1 (c) above, authorise the appointment of consultants to assist in developing the approach to CPE and in testing and refining the Financial Model.
 - e) Authorise investigation with OCC of on-street pay and display parking
- (2) Banbury Residents Parking Scheme
- a) Authorise further work on Scheme development on the assumption that CPE will be implemented and receive a further report in conjunction with a CPE report prior to formal consultation on a Scheme through the Traffic Regulation Order (TRO) process.
 - b) Note the outcomes of the Banbury Residents Parking consultation.
 - c) Receive a petition from the residents of Merton Street and Causeway (Zone 5) against the introduction of a Residents Parking Scheme in these streets.
 - d) Confirm that consultation feedback and the petition received from residents in Zone 5 demonstrates that there is not sufficient support for a Scheme in the Zone and that no further scheme development will take place, and will not be reviewed for at least 2 years.
 - e) Confirm that in Zone 3 where support for a Scheme from the consultation feedback was less than 50%, that no further Scheme development will take place and will not be reviewed for at least 2 years.
 - f) Agree in principle to a scheme based on the consultation proposals for Zones 1, 2 and 4 and authorise further investigations in to scheme viability for these zones based on a nil net cost to the Council.
 - g) To defer implementation pending the outcome of CPE.
- (3) Note the current position on Bicester Residents Parking and the proposals for a revised scheme to be introduced on or as soon after 1 April 2010 as formal consultation on a revised TRO for the Scheme allows.
- (4) Note the position on taxi rank provision, cost and funding and the application for capital funds to progress implementation in Banbury in 2010/11.
- (5) Note the position on provision of parking for the disabled.

Service Delivery and Innovation

8. Draft Budget and Corporate Plan 2010 - 2011 Analysis 2 (Pages 69 - 120)

7.20 pm

Report of Head of Finance

Summary

The Council has to adopt a budget for 2010/11 as the basis for calculating its level of Council Tax and has to base that budget on its plans for service delivery during the year, recognising any changes in service demand that may arise in future years. This is the second opportunity that the Executive has to shape and refine the interaction between corporate plan service plans and financial matters before the final budget is presented to the Council on the 22 February 2010.

Recommendations

The Executive is recommended to:

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

9. Preparation for the 2012 Olympics - Tourism and Other Potential 7.40 pm
(Pages 121 - 132)

Report of Strategic Director Environment and Community

Summary

This report considers the opportunities associated with the 2012 London Olympics that can be delivered for the benefit of residents in Cherwell.

Recommendations

The Executive is recommended to:

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

10. Crime and Disorder Scrutiny (Pages 133 - 150) 7.50 pm

Report of Head of Legal and Democratic Services

Summary

This report outlines recent developments in legislation relating to overview and scrutiny as set out in the following:

- 1) Local Government and Public Involvement in Health Act, 2007
- 2) Police and Justice Act, 2006
- 3) Local Democracy, Economic Development and Construction Bill, 2008

Recommendations

The Executive is recommended to:

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

11. Licensing Committee and Planning Committee Constitutional Amendments (Pages 151 - 162) **7.55 pm**

Report of Head of Legal and Democratic Services

Summary

To consider the constitutional amendments recommended to Council by Planning and Licensing Committees.

Recommendations

The Executive is recommended to:

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

12. Calendar of Meetings 2010/11 (Pages 163 - 168) **8.00 pm**

Report of Head of Legal and Democratic Services

Summary

The Executive is asked to consider a draft calendar of meetings for 2010/11, and to recommend to Council accordingly.

Recommendations

The Executive is recommended to:

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

Urgent Business

13. Urgent Business

Any other items which the Chairman has decided is urgent.

14. Exclusion of the Press and Public

The following reports contain exempt information as defined in the following paragraphs of Part 1, Schedule 12A of Local Government Act 1972.

- 1 – Information relating to any individual
- 2 – Information which is likely to reveal the identity of an individual
- 3 – Information relating to the financial or business affairs of any particular person (including the authority holding that information).
- 4 – Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.

Members are reminded that whilst the following items have been marked as exempt, it is for the meeting to decide whether or not to consider each of them in private or in public. In making the decision, members should balance the interests of individuals or the Council itself in having access to the information. In considering their discretion members should also be mindful of the advice of Council Officers.

Should Members decide not to make a decision in public, they are recommended to pass the following recommendation:

“That, in accordance with Section 100A(4) of Local Government Act 1972, the press and public be excluded from the meeting for the following items of business, on the grounds that they could involve the likely disclosure of exempt information as defined in paragraphs 1, 2, 3 and 4 of Schedule 12A of that Act.”

15. Value For Money Review of Legal Services (Pages 169 - 188) 8.05 pm

Report of Chief Executive and Head of Improvement

(Meeting scheduled to close at 8.20 pm)

Information about this Agenda

Apologies for Absence

Apologies for absence should be notified to democracy@cherwell-dc.gov.uk or (01295) 221587 prior to the start of the meeting.

Declarations of Interest

Members are asked to declare interests at item 2 on the agenda or if arriving after the start of the meeting, at the start of the relevant agenda item. The definition of personal and prejudicial interests is set out in Part 5 Section A of the constitution. The Democratic Support Officer will have a copy available for inspection at all meetings.

Personal Interest: Members must declare the interest but may stay in the room, debate and vote on the issue.

Prejudicial Interest: Member must withdraw from the meeting room and should inform the Chairman accordingly.

With the exception of the some very specific circumstances, a Member with a personal interest also has a prejudicial interest if it is one which a Member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice the Member's judgement of the public interest.

Local Government and Finance Act 1992 – Budget Setting, Contracts & Supplementary Estimates

Members are reminded that any member who is two months in arrears with Council Tax must declare the fact and may speak but not vote on any decision which involves budget setting, extending or agreeing contracts or incurring expenditure not provided for in the agreed budget for a given year and could affect calculations on the level of Council Tax.

Queries Regarding this Agenda

Please contact James Doble, Legal and Democratic Services james.doble@cherwell-dc.gov.uk (01295) 221587

Mary Harpley
Chief Executive

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