

**Summary of the decisions taken at the meeting
of the Executive held on 9 February 2009**

1. Date of publication of this summary:-

10 February 2009

2. Decisions (if any) taken as a matter of urgency under Overview and Scrutiny Procedure Rule 16 (and not therefore subject to the call-in procedure):-

None

3. Date by which notice of call-in of any of the following decisions must be received in writing by the Chief Executive (see notes below):-

Noon on 13 February 2009

4. Notes:-

- (a) For background documentation to the following decisions, please refer to the agenda and supporting papers (copies of which are available on the Council's website (www.cherwell-dc.gov.uk) or from the Head of Legal and Democratic Services);
- (b) Notice of call-in must be submitted in writing to the Chief Executive by the deadline specified above, and must state the reason or reasons why "call-in" has been requested;
- (c) Call-in can be requested by:-
- (i) the Chairman of the relevant Select Committee;
 - (ii) any five Members of the relevant Select Committee;
 - (iii) any six Members of the Council, or the combined total of Opposition Group members less two, whichever is the smaller number.
- (d) Decisions not called-in by the deadline specified above will become effective immediately the deadline has expired (unless they are recommendations to the Council).
- (e) The Council has stipulated that the call-in procedure should not be used to challenge decisions as a matter of course and should be used only when fully justified.

**M Harpley
Chief Executive**

Decisions

Agenda Item No.	Agenda Item and Recommendations	Decision
6	<p>Forward Plan</p> <p>Report of Leader of the Council</p> <p>Summary</p> <p>To review the Leader's Forward Plan of the key decisions which will be taken by the Executive over the next four months.</p> <p>Recommendations</p> <p>The Executive is recommended:</p> <p>(1) To resolve to note the Leader's Forward Plan for the next four months.</p>	Agreed.
7	<p>Shenington and Alkerton Conservation Area Appraisal</p> <p>Report of Head of Planning and Affordable Housing Policy</p> <p>Summary</p> <p>To report on the outcome of the public consultation on the draft conservation area appraisal and to recommend that a conservation area be designated at Shenington with Alkerton</p> <p>Recommendations</p> <p>The Executive is recommended:</p> <p>(1) To note the outcome of the public consultation on the draft appraisal and proposed conservation area boundary.</p> <p>(2) To approve the changes it is recommended be made to proposed boundary in response to comments received</p> <p>(3) To designate, under Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990, a conservation area as proposed in the revised appraisal and as at Fig</p>	Agreed.

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	1 appended to this report with immediate effect.	
8	<p>Cherwell Rural Strategy</p> <p>Report of Head of Urban and Rural Services</p> <p>Summary</p> <p>To consider the final draft Rural Strategy and Delivery Plan, and to consider appointing a Rural Champion. To commend the Rural Strategy and Delivery Plan to the Cherwell Community Planning Partnership.</p> <p>Recommendations</p> <p>The Executive is recommended:</p> <p>(1) To recommend to Council the approval of the final draft Cherwell Rural Strategy 2009-2014 and the Delivery Plan.</p> <p>(2) To approve the appointment of the Executive Member for Urban and Rural Services to lead the delivery of the Strategy as Cherwell District Council's "Rural Champion".</p> <p>(3) To commend the final draft Cherwell Rural Strategy 2009-2014 and the Delivery Plan to the Cherwell Community Planning Partnership.</p>	<p>Agreed, with the amendments:</p> <p>Recommendation 1: To recommend to Council the approval of the final draft Cherwell Rural Strategy 2009-2014 and the Delivery Plan as amended by the Portfolio Holder Urban and Rural Services.</p> <p>Recommendation 3: Commend the final draft Cherwell Rural Strategy 2009-2014 and the Delivery Plan to the Cherwell Community Planning Partnership as amended by the Portfolio Holder Urban and Rural Services.</p>
9	<p>Oxfordshire 2030 – A Sustainable Community Strategy for Oxfordshire</p> <p>Report of Chief Executive</p> <p>Summary</p> <p>To adopt Oxfordshire 2030, Oxfordshire's Sustainable Community Strategy.</p> <p>Recommendation</p> <p>The Executive is recommended:</p>	Deferred.

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	<p>(1) To recommend to Council for adoption of Oxfordshire 2030, Oxfordshire's Sustainable Community Strategy, as a key strategic document for Cherwell District Council.</p>	
<p>10</p>	<p>Consultation and Engagement Strategy and the Duty to Involve</p> <p>Report of Chief Executive and Community and Corporate Planning Manager</p> <p>Summary</p> <p>This report presents a final version of a consultation and engagement strategy and action plan for Cherwell District Council and outlines the steps the council needs to take to meet the requirements of new legislation in this policy area.</p> <p>Recommendations</p> <p>The Executive is recommended:</p> <p>(1) To undertake consultation on the draft strategy and make any amendments in consultation with the Portfolio Holder for Policy and Community Planning.</p> <p>(2) Following consultation, to recommend Council the adoption of the consultation and engagement strategy and action plan as council policy and the preferred approach to improving consultation and community engagement, to delivering our commitment to be an Accessible, Value for Money Council and to meeting the statutory requirements of the Duty to Involve in the Local Government and Public Involvement in Health Act 2007.</p> <p>(3) To request and annual progress review of the strategy and action plan to be received by the Executive.</p>	<p>Agreed.</p>

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11	<p>Draft Budget 2009/10</p> <p>Report of Strategic Director Customer Service and Resources and Chief Accountant</p> <p>Summary</p> <p>The Council is required to produce a balanced budget for 2009/10 as the basis for calculating its level of Council Tax. It 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. The first draft was reported to the December 1 2008 Executive meeting and a second draft to the January 12 2009 Executive meeting. The information has now been updated to reflect changes since then and, subject to any further changes Members may wish to include tonight, this final draft will be presented to full Council on 23 February 2009.</p> <p>Recommendations</p> <p>The Executive is recommended:</p> <ol style="list-style-type: none"> (1) To approve the changes to the draft budget since January 12 2009 and consider the draft revenue budget (detailed in Appendix 1) in the context of the Council's service objectives and strategic priorities; (2) To agree the approach to the overall capital programme and 09/10 expenditure profile (detailed in Appendix 2); (3) To note the latest MTFS financial forecast (detailed in Appendix 3). (4) To request officers to produce the formal 09/10 budget booklet on the basis of Appendices 1-3; (5) To recommend, subject to any further changes Members may wish to include tonight, the updated draft budget for adoption by the Council on 23 February 2009 (as a key decision); 	Agreed.

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	(6) To recommend that the draft service plans be endorsed.	
12	<p>Performance Management Framework Quarter 3 Report</p> <p>Report of Chief Executive and Head of Improvement</p> <p>Summary</p> <p>To report the Council's performance against the Performance Management Framework for the period October – December 2008.</p> <p>Recommendation</p> <p>The Executive is recommended:</p> <p>(1) To note the progress made on delivering against the Corporate Scorecard and the other performance frameworks appended to this report.</p> <p>(2) To note the responses to the issues raised in the 2nd quarter report and to seek further information in the next quarterly Performance Management Framework report if required.</p> <p>(3) To agree that in the next quarterly report there will be an update on the impact of the economic downturn on:</p> <p>a) The Council's ability to deliver the 2008/09 corporate targets of 400 new homes and the creation of 200 gross new jobs and the impact on our targets in these areas for 2009/10.</p> <p>b) The income received through building control, planning applications and land charges during 2008/09, the projections for 2009/10 and the proposals for responding to a sustained drop in income as embodied in the 2009/10 budget.</p>	Deferred

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	<p>c) The progress of key development projects such as Banbury Canalside, Bicester Town Centre and South West Bicester.</p> <p>(4) To agree that in the next quarterly report there will be an update on the following:</p> <p>a) The target for reducing acquisitive crime by 5% is unlikely to be met and current projections suggest a 2% reduction will be achieved. (Note: The Performance Scrutiny Working Group has identified this as an area of concern and are proposing it should be subject to review through the scrutiny process. The progress of this work will be reported as part of this update).</p> <p>b) The increase in recorded violent crime (although involving a small number of incidents this has risen by 25% over the last quarter).</p> <p>c) The amount of waste sent to landfill. This is expected to be reduced by a minimum of 1400 tonnes but with the real possibility of further improvement to achieve the annual target of 1500 tonnes.</p> <p>d) The worsening performance on flytipping and prosecutions.</p> <p>e) The time taken to process minor and other planning applications. These met 59% and 71% of the respective performance targets and are rated Red and there has been a slight deterioration in the performance of both since the last quarter. (Note: The Performance Scrutiny Working Group has identified this as an area of concern and are proposing it should be subject to review through the scrutiny process. The progress of this will be reported as part of this update).</p> <p>f) The delay in introducing the Food Waste Recycling Service. It is now likely to be autumn 2009 before the delayed local food waste processing facility is built by the County Council.</p>	

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	<p>g) The increase in the number of days lost through sickness from 3.58 per full time employee a year to 6.31.</p>	
<p>13</p>	<p>Authorisation of Staff - Safer Communities and Community Development</p> <p>Report of Head of Safer Communities and Community Development</p> <p>Summary</p> <p>To update the authorisation of a newly-qualified member of staff.</p> <p>Recommendation</p> <p>The Executive is recommended:</p> <p>(1) To authorise Rachel Anne Mason for the purposes of the following legislation:-</p> <p>Building Act 1984 Caravan Sites Act 1968 Clean Air Act 1956, 1968 and 1993 Clean Neighbourhoods and Environment Act 2005 Control of Pollution Act 1974 Dogs (Fouling of Land) Act 1996 Environmental Protection Act 1990 Factories Act 1961 Litter Act 1983 Offices, Shops and Railway Premises Act 1963 Prevention of Damage by Pests Act 1949 Public Health (Control of Disease) Act 1984 Refuse Disposal (Amenity) Act 1978 Sunday Trading Act 1994 Water Acts 1973 and 1989 Water Industry Act 1991</p> <p>(2) To invite the Council to authorise Rachel Anne Mason for the purposes of the following legislation:-</p>	<p>Agreed.</p>

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	<p>Animal Boarding Establishments Act 1963 Breeding of Dogs Act 1973 Breeding and Sale of Dogs (Welfare) Act 1999 Caravan Sites and Control of Development Act 1960 Dangerous Wild Animals act 1976 Food Hygiene (England) Regulations 2006 Food Safety Act 1990 Health Act 2007 Health and Safety at Work, etc Act 1974 Local Government (Miscellaneous Provisions) Acts 1976 and 1982 Noise and Statutory Nuisance Act 1993 Official Feed and Food Controls (England) Regulations 2007 Pet Animals Act 1951 Public Health Acts 1936 and 1961 Riding Establishments Acts 1964 and 1970 Scrap Metal Dealers Act 1964 Zoo Licensing Act 1981</p>	
16	<p>Bicester Hospital Report of Strategic Director - Environment and Community</p>	<p>Agreed the recommendations as set out in the exempt report.</p>
17	<p>Internal Audit Procurement Report of Strategic Director Customer Service and Resources</p>	<p>Agreed, subject to a minor amendment set out in the exempt minutes.</p>