

**Summary of the decisions taken at the meeting
of the Executive held on 7 February 2011**

1. Date of publication of this summary:-

8 February 2011

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 Friday 11 February 2011

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.gov.uk) or from the Head of Legal and Democratic Services);
- (b) Notice of call-in must be submitted in writing, by email or text 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 any six non-executive members of the Council.
- However, if at any point during a municipal year the total number of opposition councillors is six or less the total number of non-executive members required to call-in a decision shall be the total number of opposition councillors less two.
- (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.

Ian Davies
Interim Chief Executive

Decisions

Agenda Item No.	Agenda Item and Recommendations	Decision
5	<p>Overview and Scrutiny Committee Scrutiny Review into Built Environment Conservation Area Policy</p> <p>Recommendations</p> <p>The Executive is recommended:</p> <p>(1) To note the work of the Overview and Scrutiny Committee with regard to the Built Environment Conservation Area Policy Scrutiny Review</p> <p>(2) To agree the Overview and Scrutiny Committee recommendations regarding Built Environment Conservation Area Policy Scrutiny Review as detailed below:</p> <p>(1) That the Executive recognises the importance of our conservation areas and continues to support the work carried out by the Council to protect their character.</p> <p>(2) That the Executive asks the LDF Advisory Panel to make sure that policies to protect conservation areas are contained within the LDF at the appropriate earliest opportunity.</p> <p>(3) That the Executive approves the informal planning guidance document "<i>Subdivision of buildings for residential use</i>" which is shortly to be brought before it for approval following public consultation.</p> <p>(4) That the LDF Panel be requested to keep under review the effectiveness of the document "<i>Subdivision of buildings for residential use</i>" and in due course, if</p>	Recommendations Approved

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	<p>this document is found not to be effective in generally achieving its objectives, to consider whether the document should be reviewed and incorporated more formally as a Local Development Document within the Local Development Framework.</p> <p>(5) That Executive supports the efforts of the Council as a whole as we work with other organisations (such as the Highway Authority in respect of highway maintenance) to make sure that where public money is spent in conservation areas, this is appropriately directed to ensure that priority is given to ensuring the enhancement of the conservation areas.</p>	
6	<p>Draft Planning and Design Guidance: Subdivision of Buildings for Residential Uses</p> <p>Recommendations</p> <p>The Executive is recommended:</p> <p>(1) To approve the Planning and Design Guidance: Subdivision of Buildings for Residential Uses (attached as appendix 1).</p>	<p>Recommendation Approved, subject to the following amendment:</p> <p>Recommendation 1</p> <p>(1) To approve the Planning and Design Guidance: Subdivision of Buildings for Residential Use, <i>subject to minor amendments by the Head of Planning Policy and Economic Development in consultation with the Portfolio Holder Planning and Housing.</i></p>
7	<p>Planning Policy for Wind Energy Development</p> <p>Recommendations</p> <p>The Executive is recommended:</p> <p>(1) To approve the document entitled 'Planning Guidance on the Residential Amenity Impacts of Wind Turbine Development' (attached as appendix 1 to this</p>	<p>Recommendation Approved</p>

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	report) for use as informal planning guidance.	
8	<p>Localism Bill 2010: Opportunities for Cherwell</p> <p>Recommendations</p> <p>The Executive is recommended:</p> <p>(1) To note the contents of the Localism Bill 2010 and consider any issues and communications they wish to make to the Secretary of State and/or local Members of Parliament.</p> <p>(2) To request officers to provide update briefings to the Executive as the Bill continues on its legislative passage.</p> <p>(3) To request officers to bring forward any opportunities for pilot projects as and when they arise including any legal, risk and financial implications.</p>	<p>Recommendations Approved, subject to the following amendment:</p> <p>Recommendation 2</p> <p>(2) To request officers to provide update briefings to the Executive as the Bill continues on its legislative passage <i>and to draft a letter from the Leader of the Council to Tony Baldry MP highlighting the points raised by the Executive.</i></p>
9	<p>Car Park Order Notice</p> <p>Recommendations</p> <p>The Executive is recommended:</p> <p>(1) To receive and deal with any objections to the Order (these will be tabled at the meeting)</p> <p>(2) To authorise formal Order Making on final proposals for implementation on, or as soon after, 4 April 2011as is practicable.</p>	Recommendations Approved
10	<p>Concessionary Travel and Community Transport</p> <p>Recommendations</p> <p>The Executive is recommended:</p> <p>(1) To note the change in statutory</p>	Recommendations Approved

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	<p>responsibility for the Concessionary Travel Scheme to the Oxfordshire County Council ("the County Council") from 1 April 2011, including the changes made to the scheme by the County Council, and the effects on Dial a Ride services provided by Banbury Community Transport Association (BCTA).</p> <p>(2) To accept the County Council's delegation of its functions under section 145[2] of the Transport Act 2000 [duty to issue concessionary passes] and associated powers, to Cherwell District Council for the period up to 31 March 2012 the costs of which are to be met by the County Council.</p> <p>(3) To authorise the Head of Housing Services in consultation with the Head of Legal and Democratic Services to negotiate and complete an Agency Agreement with the County Council under section 101 of the Local Government Act 1972 and section 19 of the Local Government Act 2000 that gives effect to the rights and responsibilities referred to in [2] above.</p> <p>(4) To approve the further examination and development of the alternative proposals within the Cherwell District for longer term community transport provision identified in paragraphs 2.12 to 2.15, of the report and to note the cost implications referred to in paragraph 2.16.</p> <p>(5) To request that the County Council undertake a County Wide review of community transport and related services in the light of the effects of the changes in the Concessionary Travel Scheme and from future funding of Community Transport, the results of which to be reported back to</p>	

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	the Executive.	
11	<p>2010/11 Projected Revenue & Capital Outturn at 31 December 2010</p> <p>Recommendations</p> <p>The Executive is recommended:</p> <p>(1) To note the projected revenue & capital position at December 2010.</p> <p>(2) To approve the changes in the 2010/11 capital programme as follows:</p> <ul style="list-style-type: none"> • Slip an additional £2,072K of project funding into the 2011/12 capital programme (detailed in main body of report below) and consider this as part of the 2011/12 budget process. • Approve the supplementary estimate of £45,000 for implementing the changes due to car parking proposals (detailed in Appendix 3). <p>(3) To note the contents and the progress against the Corporate Procurement action Plan (detailed in Appendix 1) and the Procurement savings achieved at December 2010 (detailed in Appendix 2).</p> <p>(4) To approve the transfer of projected service underspends to reserves to facilitate the funding of SNC joint working implementation costs and replenishment of the planning control reserve.</p> <p>(5) To approve the transfer of the windfall interest received in respect of the Councils VAT Fleming case to the Organisational change reserve.</p>	Recommendations Approved

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12	<p>Performance Management Framework 2010/11 Third Quarter Performance Report</p> <p>Recommendations</p> <p>The Executive is recommended:</p> <p>(1) To note the many achievements referred to in paragraph 1.4.</p> <p>(2) To request that officers report in the final quarter on the items identified in paragraph 1.5 where performance was below target or there are emerging issues.</p> <p>(3) To agree the responses identified to issues raised in the quarter one performance report in paragraph 2.1 or to request additional action or information.</p>	Recommendations Approved
13	<p>Draft Budget 2011-12</p> <p>Recommendations</p> <p>The Executive is recommended:</p> <p>(1) To approve the changes to the draft budget since 10 January 2011 and consider the draft revenue budget (detailed in Appendix 1) in the context of the Council's service objectives and strategic priorities.</p> <p>(2) To approve the surplus of £9,149 be transferred to general fund balances to enable a balanced budget.</p> <p>(3) To recommend to Full Council a Council tax freeze or amend the proposals contained within this report to recommend a different level of Council Tax.</p> <p>(4) To delegate authority to the Head of Finance, in consultation with the Portfolio Holder for Resources and Communication, to amend the contributions to or from general</p>	Recommendations Approved

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	<p>fund balances to allow the Council Tax increase to remain at the level recommended by Executive to full council following the announcement of the final settlement figures.</p> <p>(5) To agree the proposed 2011/12 capital programme (detailed in Appendix 2).</p> <p>(6) To note the review of earmarked revenue reserves undertaken by the Portfolio Holder of Resources and Communication and approve re-allocation between various earmarked reserves and creation of 2 new reserves. (detailed in Appendix 3).</p> <p>(7) That the draft corporate plan and public pledges be endorsed and to delegate authority to the interim Chief Executive in consultation with the Leader of the Council to make any minor amendments to the plan or pledges as required. (detailed in Appendix 4).</p> <p>(8) To note the 2011/12 Corporate Improvement Plan (detailed in Appendix 5).</p> <p>(9) To note the latest MTFS financial forecast is currently being refreshed and will be part of the budget book.</p> <p>(10) To request officers to produce the formal 2011/12 budget book on the basis of Appendices 1-4.</p> <p>(11) To Recommend, subject to any further changes Members may wish to include tonight, the updated draft for adoption by the Council on 21 February 2011 (as a key decision).</p>	
14	<p>Population and Household Projections for Cherwell and Key Implications for the Local Development Framework</p> <p>Recommendations</p>	Item deferred

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	<p>The Executive is recommended:-</p> <ul style="list-style-type: none"> <li data-bbox="379 360 919 461">(1) To note the information contained in this report and in the attached technical paper (Appendix 1) <li data-bbox="379 495 919 696">(2) To agree the emerging broad population and household figures for Cherwell District for the period up to 2026 set out in Appendix 1 as a basis for further work on the Core Strategy. 	