

Public Document Pack

Cherwell District Council

Council

Minutes of a meeting of the Council held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 26 July 2011 at 6.30 pm

Present: Councillor Colin Clarke (Vice-Chairman, in the Chair)

Councillor Rick Atkinson
Councillor Ken Atack
Councillor Andrew Beere
Councillor Maurice Billington
Councillor Fred Blackwell
Councillor Norman Bolster
Councillor Ann Bonner
Councillor Patrick Cartledge
Councillor John Donaldson
Councillor Mrs Diana Edwards
Councillor Tim Emptage
Councillor Andrew Fulljames
Councillor Mrs Catherine Fulljames
Councillor Michael Gibbard
Councillor Chris Heath
Councillor Alastair Milne Home
Councillor David Hughes
Councillor Russell Hurle
Councillor Tony Ilott
Councillor Mike Kerford-Byrnes
Councillor James Macnamara
Councillor Kieron Mallon
Councillor Nigel Morris
Councillor P A O'Sullivan
Councillor George Parish
Councillor D M Pickford
Councillor Lynn Pratt
Councillor Neil Prestidge
Councillor G A Reynolds
Councillor Alaric Rose
Councillor Daniel Sames
Councillor Leslie F Sibley
Councillor Lawrie Stratford
Councillor Rose Stratford
Councillor Lynda Thirzie Smart
Councillor Patricia Tompson
Councillor Martin Weir
Councillor Douglas Williamson
Councillor Barry Wood

Apologies
for
absence: Councillor Timothy Hallchurch MBE
Councillor Alyas Ahmed
Councillor Margaret Cullip
Councillor Simon Holland
Councillor Nicholas Mawer
Councillor Trevor Stevens
Councillor Carol Steward
Councillor Nicholas Turner
Councillor Douglas Webb

Officers: Sue Smith, Chief Executive
Ian Davies, Strategic Director Environment & community
Karen Muir, Corporate System Accountant
Nigel Bell, Team Leader - Planning and Litigation / Interim Monitoring Officer
James Doble, Democratic, Scrutiny and Elections Manager
Natasha Clark, Senior Democratic and Scrutiny Officer

15 **Declarations of Interest**

Members declared the following interest:

Councillor Barry Wood, Personal, as persons known to him have an interest in land in the area of, but outside the eco zone.

16 **Communications**

Councillor Carol Steward

The Chairman noted that Councillor Steward was not at the meeting as she had been very poorly over the last few months. He reported that the Chairman had already sent Councillor Steward a card from on behalf of all Members. Members joined the Chairman in sending their best wishes to Councillor Steward.

Resolved

- (1) That Councillor Carol Steward be granted a three month attendance dispensation with effect from 26 July 2011.

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

There were no petitions or requests to address the meeting.

18 **Urgent Business**

The Chairman reported that he had agreed to submit one item of urgent business to the agenda, Oxfordshire County Boundary Review, Parliamentary Boundary Review and Cherwell District Council Polling District and Polling

Place Review, as the responses needed to be prepared with Member input prior to the next meeting of Council. The item would be considered after agenda item 14.

19 **Minutes of Council**

The Minutes of the meeting held on 18 May 2011 were agreed as a correct record and signed by the Chairman.

20 **Minutes**

a) **Minutes of the Executive, Portfolio Holder/Lead Member Decisions and Executive Decisions made under Special Urgency**

Resolved

That the Minutes of the meetings of the Executive and Portfolio Holder/Lead Member decisions as set out in the Minute Book be received and that it be noted that since the last meeting of Council, no Executive decisions had been taken that was subject to the special urgency provisions of the Constitution.

b) **Minutes of Committees**

Resolved

That the Minutes of Committees as set out in the Minute Book be received.

21 **Questions**

a) **Written Questions**

One question relating to Cherwell District Council's recycling rates whereby the council had gone from being one of the top performing districts in Oxfordshire but was now being outperformed by other authorities in the county and sought assurance that the council would continue to lead the way in recycling had been submitted by Councillor Rose and was tabled together with the reply from the Leader of the Council and the Lead Member for the Environment (attached as an annex to these minutes as set out in the Minute Book).

The Lead Member for the Environment answered a supplementary question put by Councillor Rose.

b) **Questions to the Leader of the Council**

Questions were asked and answers received on the following issues:

Bicester Regeneration: Councillor Pickford

Bicester Community Hospital and the South West option for a new community hospital in Bicester: Councillor Sibley

Eco Bicester Strategic Delivery Board: Councillor Sibley
Conservative leaflets: Councillor Sibley
Amount of money and officer time spent on the Council's response to HS2:
Councillor Cartledge
Business rate charges: Councillor Beere

With regard to Councillor Cartledge's question, the Leader agreed to send a written response.

c) Questions to Committee Chairmen on the minutes

There were no questions to the Committee Chairman on minutes.

22 **Motions**

There were no motions.

23 **Management Restructuring**

The Chief Executive submitted a report which updated Members on the management restructuring and sought approval for the management structure and to amend the business case relating to the ring fencing of posts.

Resolved

- (1) That the management structure as set out in the annex to these minutes (as set out in the minute book) as recommended by the Joint Personnel Committee be agreed.
- (2) That it be agreed that the ring fencing arrangements should be amended to allow any person placed at risk by this process to apply for any of the posts in the Joint Management Team or the three other posts as shown on the structure.
- (3) That it be noted that a further report will be presented to Council to seek approval for the appointment of the statutory officers, namely the Section 151 Officer and the Monitoring Officer.

24 **South Northamptonshire Council and Cherwell District Council Joint Working – Variation to Section 113 Agreement**

The Interim Head of Legal and Democratic Services submitted a report which sought consideration and approval of the recommendation of the Joint Arrangements Steering Group that the section 113 agreement between Cherwell District Council (CDC) and South Northamptonshire District Council (SNC) relating to the shared senior management team be varied so that its core provisions could be applied to any other shared working arrangements that had been, or may in future be, agreed between the two Councils.

Resolved

- (1) That the completion of the Deed of Variation as set out as an annex to these minutes (as set out in the Minute Book) be approved.

25 **Accounts, Audit and Risk Committee Annual Report 2010/11**

The Head of Finance submitted a report which presented the annual report of the Accounts, Audit and Risk Committee for 2010/11 which was approved by the Committee on 22 June 2011.

Resolved

- (1) That the contents of the report and the activities of the Accounts Audit and Risk Committee in 2010/11 be noted.

26 **Treasury Management Annual Report 2010/11**

The Head of Finance submitted a report which presented information on treasury management performance and compliance with treasury management policy during 2010/11 as required by the Treasury Management Code of Practice.

The Lead Member for Financial Management set out the latest position on recovery of Icelandic deposits and the prudent approach taken in 2010/11 accounts to protect capitalisation direction.

Resolved

- (1) That the contents of the Treasury Management Annual Report 2010/11, in line with the Treasury Management Strategy, be noted.

27 **Amendment to Committee Membership**

Resolved

That at the request of the Labour Group it be agreed that Councillor Parish be replaced by Councillor Sibley as a Member of the Joint Personnel Committee and that Councillor Parish be appointed as substitute member.

28 **Oxfordshire County Boundary Review, Parliamentary Boundary Review and Cherwell District Council Polling District and Polling Place Review**

The Chief Executive submitted an urgent report which updated Members on the Oxfordshire County and Parliamentary Boundary Reviews and the council's Polling District and Polling Place Review and to seek agreement to establish an informal Members' Boundary and Polling District and Polling Place Review Working Group.

Resolved

- (1) That the update on the County and Parliamentary Boundary Reviews be noted.
- (2) That the establishment of a Boundary and Polling District and Polling Place Review Working Group, with 2 nominated representatives from each political group, be agreed.
- (3) That officers be requested to submit draft consultation responses to the September 2011 meeting of Council following consultation with the Boundary Review Working Group and political groups.

The meeting ended at 7.45 pm

Chairman:

Date:



DISTRICT COUNCIL
NORTH OXFORDSHIRE

Council

Tuesday 26 July 2011

Agenda Item 8, Questions

a) Written Questions

Question From: Councillor Alaric Rose

Topic: Cherwell District Council Refuse & Recycling Service

In 2006/07, CDC was one of the nation's top performing councils for recycling rates. However, the figures released earlier this year for 2008/09 show that South Oxfordshire DC now outperform us. Oxford City Council now collects a wider range of materials in residents blue bins than Cherwell District Council, and it is likely that they too will achieve a higher recycling rate. Can the Leader assure me and my constituents that we will continue to lead the way in recycling?

Response

Cherwell District Council's recycling performance has consistently been one of the best performances in the country. From a position of 274th best performing council for recycling in 2002/03, since the launch of the alternate week collection scheme in 2003/04, the Council has consistently been in the top 30 councils for recycling since 2004/05. In addition, for councils in the South East, Cherwell has either been 1st or 2nd for recycling for six years.

Year	Recycling Rate	National Position for Collection Authorities	Position for South East authorities
2002/03	10.3%	274 th	
2004/05	43.4%	9 th	1 st
2005/06	43.3%	14 th	1 st
2006/07	44.6%	24 th	2 nd
2007/08	47.5%	27 th	1 st
2008/09	49.7%	27 th	2 nd
2009/10	51.4%	21 st	2 nd
2010/11	57.3%	Expected Top 20	

Whilst Cherwell was one of the first to modernise its waste collection service in 2003/04 based on a simple, easy to use and cost effective system, South Oxfordshire and indeed other Oxfordshire waste collecting authorities have only relatively recently gone through a service modernisation programme and in doing so, have benefited from the lessons of others who have gone before. All have different collection systems based on cost and other market factors so comparison is difficult.

The Council's intention is to get the recycling rate to around 60% in 2011/12 by encouraging residents to use the extensive recycling facilities offered by both the kerbside collection service and the recycling bank system at 75 community locations. This will still place Cherwell in the top performing category.

If all residents were to full use the recycling system, so that no materials which could be recycled by the current collection systems ended up in the residual waste bin, then the recycling rate would be around 80%. Hence encouraging residents to recycle more and fully utilise existing systems is more important and cost effective than introducing new expensive collection systems.

Innovation

The recycling scheme introduced in 2003/04 has remained unchanged at the kerbside except for the introduction of food waste in the brown bin. However a number of improvements and innovations have been made which have driven recycling rates forward. These include

- Expansion of the number of glass banks from around 40 sites to the current level of 75 sites
- Introduction of the glass bag which successfully increased glass recycling and was a runner up in national recycling innovation awards
- Introduction of a recycling bag for people living in flat complexes
- Introduction of on street recycling in the three urban centres – the first Oxfordshire authority to introduce such facilities
- Introduction of small waste electrical & electronic equipment bring banks, one of the first council's in the country, again a runner up in two national recycling innovation awards
- Introduction of food waste recycling during late 2009/10 with the rollout communication plan also receiving a highly commended in national recycling awards

- Installation of vending machines for kitchen caddy liners in July 2011– first council in the country
- Compost giveaway events for the last three years, returning compost to residents while encouraging residents to recycle more

Customer satisfaction

The waste services offered by the Council have achieved high customer satisfaction levels. Over recent years, customer satisfaction levels with the refuse & recycling services have shown significant increases, these include

Recycling banks

Customer satisfaction has risen from 77% in 2006 to 87% in 2010

Refuse collection

Customer satisfaction has risen from 67% in 2006 to 78% in 2010

Recycling services

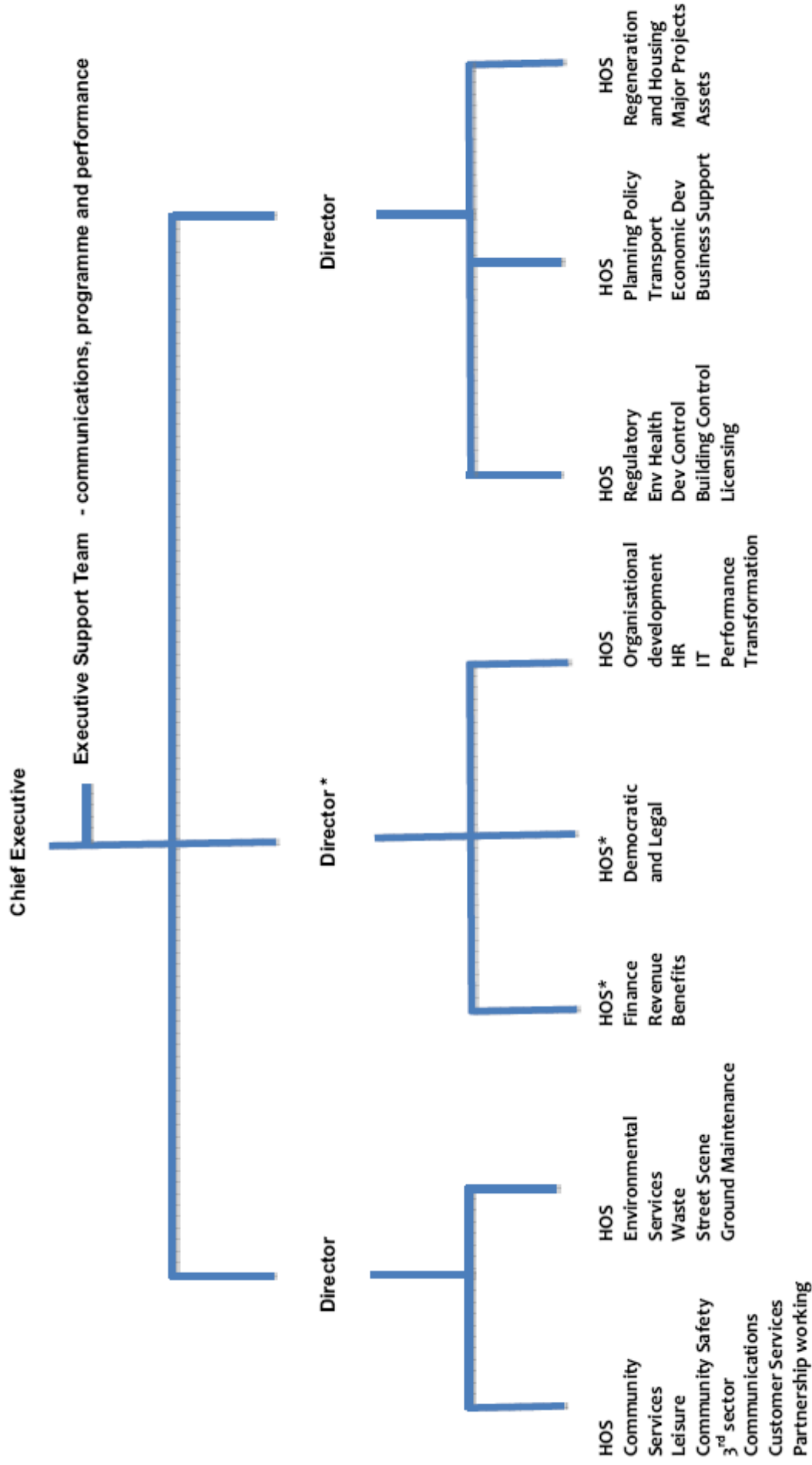
Customer satisfaction has risen from 79% in 2006 to 83% in 2010

Future opportunities

The current dry recycling contract expires in March 2012. A new contract will shortly go out for tender. This new tender is expected to deliver financial savings for the Council due to rises in commodity values and competition between recycling material facilities.

However in addition to any financial savings there is likely to be an opportunity to increase the range of materials being collected. This may further enhance the current system but it is unlikely alone to greatly increase the recycling rate.

Minute Item 23



* 3 Posts, 1 at Director level and 2 Heads of service. One post to be designated as S151 Officer and one as Monitoring Officer.

APPENDIX 1

Deed of Variation

Between

(1) Cherwell District Council

and

(2) South Northamptonshire Council

A Deed of Variation to an Agreement dated 9 December 2010 under section 113 of the Local Government Act 1972 for the placing at the disposal of each Council service managers and other officers employed by the other for the purposes of their functions.

Nigel Bell
Monitoring Officer
Cherwell District Council
Bodicote House
Bodicote
Banbury
Oxfordshire
OX15 4AA

Kevin Lane
Head of Corporate Services
South Northamptonshire Council
Springfields
Towcester
Northamptonshire
NN12 6AE

BETWEEN

(1) **Cherwell District Council** whose principal office is at Bodicote House Bodicote Banbury Oxfordshire OX15 4AA (“Cherwell”)

and

(2) **South Northamptonshire Council** whose principal office is at Springfields Towcester Northamptonshire NN12 6AE (“South Northamptonshire”)

1. Background

1.1 Section 113 (1) of the Local Government Act 1972 provides that a local authority may enter into an agreement with another local authority for the placing at the disposal of the latter for the purposes of their functions, on such terms as may be provided by the agreement, of the services of officers employed by the former.

1.2 By an agreement dated 9 December 2010 (“the Agreement”) the Councils agreed to establish a Shared Senior Management Team and to place the members of that team who are employed by one Council at the disposal of the other Council.

1.3 The Councils now wish to enter into this Deed of Variation to permit the Councils to share service managers and other officers employed by the Councils and have approved this at their respective Council meetings of 26 July 2011 for Cherwell and 27 July 2011 for South Northamptonshire.

NOW IT IS HEREBY AGREED as follows

2.1 Terms and phrases in this Deed of Variation shall have the meanings ascribed to them in the Agreement dated 9th December 2010.

2.2 With effect from 28 July 2011 the Agreement is hereby varied as set out in this Deed of Variation.

2.3 After Clause 5.2 of the Agreement insert:

5.2.1 The Chief Executive and the Councils’ Strategic Directors and Heads of Service (both before and after the Shared Senior Management Team are in post) may place the services of any service managers and any other officer employed by one Council within their areas of responsibility at the disposal of the other Council who is not their employer.

- 2.4 The provisions of Clauses 5.3, 13.2, 17.2 and 33.2 of the Agreement shall apply to service managers and any other officer placed by one Council at the disposal of the other Council under clause 5.2.1 above as they apply to members of the Shared Senior Management Team.
- 2.5 The provisions of Clause 5.4 of the Agreement shall apply to service managers and any other officer placed by one Council at the disposal of the other Council under clause 5.2.1 above as they apply to members of the Shared Senior Management Team unless the Councils agree in writing that it should not apply in any particular case.
- 2.6 All staff employed under the Agreement and this Deed of Variation are empowered to act in accordance with the schemes of delegation of the Councils for the purpose of discharging their functions and when providing services on behalf of the Councils.
- 2.7 The apportionment of costs arising from the provisions of this Deed of Variation shall be agreed by the Chief Executive and the Section 151 Officer (s) subject to any necessary further approval of Elected Members pursuant to either Council's Constitution.
- 2.8 All other provisions of the Agreement shall remain in full force and effect.

IN WITNESS of which this Agreement has been executed as a Deed on the first day before written

**EXECUTED AS A DEED by affixing
The Common Seal of Cherwell
District Council in the presence of**

Authorised Signatory

**The Common Seal of
South Northamptonshire Council
was fixed here in the presence of:**

Authorised officer