

Meeting of Council

Monday 27 February 2012

Members of Cherwell District Council,

A meeting of Council will be held at Bodicote House, Bodicote, Banbury, OX15 4AA on Monday 27 February 2012 at 6.30 pm, and you are hereby summoned to attend.



Sue Smith
Chief Executive

Friday 17 February
2012

AGENDA

1 Apologies for Absence

2 Declarations of Interest

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

3 Communications

To receive communications from the Chairman and/or the Leader of the Council.

4 Petitions and Requests to Address the Meeting

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

5 Urgent Business

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

6 Minutes of Council (Pages 1 - 4)

To confirm as a correct record the Minutes of Council held on 30 January 2012.

7 Minutes

- a) Minutes of Executive, Lead Member Decisions and Executive Decisions not included in the Forward Plan

The Leader of the Council to formally propose that the minutes of the meetings of the Executive and Lead Member Decisions as set out in the Minute Book (circulated separately) be received and to report that since the last meeting one decision had been taken by the Executive which was included in the Forward Plan but was taken a month earlier. This item related to the contract for dry recyclables and needed to be taken earlier as the proposed start date of the contract was before the next meeting of the Executive.

- b) Minutes of Committees

The Leader of the Council to formally propose that the minutes of committees as set out in the Minute Book (circulated separately) be received.

8 Questions

- a) Written Questions

To receive any written questions and answers which have been submitted with advance notice in accordance with the constitution. A written response to the question will be circulated at the meeting.

- b) Questions to the Leader of the Council

The Chairman to invite questions to the Leader of the Council (including any matters arising from the minutes).

Following a response to their question being provided members will be entitled to a follow up or supplementary question.

- c) Questions to Committee Chairmen on the minutes

The Chairman to invite questions to Chairmen of Committees on any matter arising from the minutes of their committee (if any).

9 Motions

To debate any motions which have been submitted with advance notice, in accordance with the constitution.

10 Members' Allowances 2012/13 (Pages 5 - 18)

Report of Head of Law and Governance

Summary

To consider and determine the levels of the allowances to be paid to Members for the forthcoming 2012/2013 financial year following the submission of the report of the Council's Independent Remuneration Panel (IRP) on the review of the 2011/2012 Members' Allowances Scheme.

Recommendations

Council is recommended to:

- (1) Consider the levels of allowances to be included in the 2012/13 Members' Allowances Scheme, and whether the Panel's recommendations should be adopted or modified in any way.
- (2) Authorise the Head of Law and Governance to prepare an amended Members' Allowances Scheme, in accordance with the decisions of the Council for implementation with effect from 1 April 2012.
- (3) Authorise the Head of Law and Governance to take all necessary action to revoke the current (2011/12) Scheme and to publicise the revised Scheme pursuant to The Local Authorities (Members' Allowances) (England) Regulations 2003 (as amended).
- (4) Thank the Independent Remuneration Panel for its thorough and detailed report and set a fee of £300 for IRP Panel Members for the work carried out in 2011/12 and propose the same level of fee for 2012/13.

11 2012/13 Service and Financial Planning Process, Corporate Plan, Revenue Budget and Capital Programme and Treasury Strategy (Pages 19 - 70)

Please note the Budget Book (Appendix 1) will be circulated on 22 February 2012

Report of the Chief Financial Officer (Director of Resources) and Head of Finance and Procurement

Summary

To review the Council's General Fund Budget, Capital Programme, Earmarked Reserves and General Fund Balances to ensure the robustness of the estimates included and to seek formal adoption of all parts of the Council's financial plans, treasury strategy and Corporate Plan for the 2012/13 budget year.

Recommendations

Council is recommended to:

- (1) Consider the contents of this report in approving the General Fund Budget and Capital Programme for 2012/13 and to formally record that consideration.
- (2) Approve the 2012/13 General Fund Budget and Capital Programme proposed by the Executive on 6 February 2012, with a final Collection Fund adjustment of £2k.
- (3) Approve the Collection Fund Estimates contained the Budget Book.
- (4) Approve the Corporate Plan as detailed in the Budget Book.
- (5) Approve the 2012/13 Treasury Strategy as outlined in Appendix 3
- (6) Approve the prudential indicators as outlined in Appendix 3 – Annex 1.
- (7) Approve the Council's adoption of the revised CIPFA Treasury Management and Prudential Codes published in November 2011.

12 Adjournment of Council Meeting

The Council to adjourn, if necessary, to allow the Executive to meet to consider Council proposals which do not accord with the Executive's recommendations.

13 Calculating the amounts of Council Tax for 2012/2013 and setting the Council Tax for 2012/2013 (Pages 71 - 82)

Report of the Chief Finance Officer (Director of Resources) and Head of Finance and Procurement

Summary

To detail the Calculations for the amounts of Council Tax for 2012/13 and the setting of Council Tax for 2012/2013.

Recommendations

It is recommended that the Council resolves:-

- (1) That it be noted that at its meeting held on 9 January 2012 the Executive calculated the Council Tax Base 2012/13:

- a) for the whole Council area as 50,615 [item T in the formula in Section 31B of the Local Government Finance Act 1992, as amended (the “Act”)]; and
- b) For dwellings in those parts of its area to which a Parish Precept relates as in the attached Appendix 1.
- (2) That the Council Tax requirement for the Council’s own purposes for 2012/13 (excluding Parish Precepts and Special Expenses) is £123.50.
- (3) That the following amounts be calculated for the year 2012/13 in accordance with Sections 31 to 36 of the Act:-
- a) £76,018,304 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act, taking into account all precepts issued to it by Parish Councils and any additional special expenses.
- b) £65,678,445 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (3) of the Act.
- c) £10,339,859 being the amount by which the aggregate at 8(a) above exceeds the aggregate at 8(b) above, calculated by the Council, in accordance with Section 31A(4) of the Act, as its Council Tax requirement for the year (Item R in the formula in Section 31B of the Act).
- d) £204.28 being the amount at 8(c) above (Item R), all divided by Item T (6(a) above), calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year (including Parish Precepts and Special Expenses);
- e) £4,088,906 being the aggregate amount of all special items (Parish Precepts and Special Expenses) referred to in Section 34(1) of the Act as per the attached Schedule 2.
- f) £123.50 being the amount at 8(d) above less the result given by dividing the amount at 8(e) above by Item T(6(a) above), calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no Parish Precept or special item relates;
- (4) It be noted that for the year 2012/13 the Oxfordshire County Council and the Thames Valley Policy Authority have issued precepts to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each category of dwellings in the Council’s area as indicated below :-

<u>Valuation Band</u>	<u>Oxfordshire County Council</u>	<u>Thames Valley Police Authority</u>
	£	£
A	774.47	102.87
B	903.55	120.01
C	1,032.63	137.16
D	1,161.71	154.30

E	1,419.87	188.59
F	1,678.03	222.88
G	1,936.18	257.17
H	2,323.42	308.60

- (5) The Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the amounts shown in Appendix 2 as the amounts of Council Tax for the year 2012/13 for each part of its area and for each of the categories of dwellings.
- (6) The Council's basic amount of Council Tax for 2012/13 is not excessive in accordance with principles approved under Section 52ZB Local Government Finance Act 1992.

Council Business Reports

14 Oxfordshire County Boundary Review (Pages 83 - 138)

Report of Chief Executive

Summary

To update Members on the final recommendations report on Oxfordshire County Boundary Review.

Recommendations

Council is recommended to:

- (1) Note the update on the County Boundary Review.

15 Localism Act 2011 - Update (Pages 139 - 148)

Report of Head of Law and Governance

Summary

To enable Council to receive an update on the provisions of the Localism Act 2011 that are now in force, note the areas of the Act in respect of which the Executive has requested further reports from officers and approve the statement of pay policy for 2012/13.

Recommendations

Council is recommended to:

- (1) Note the implications of the Localism Act 2011 as previously circulated to Members and reported to Executive.
- (2) Note the provisions of the Act which are already in force.
- (3) Note the provisions of the Act in respect of which Executive has requested further reports from officers at the appropriate time.

- (4) Approve the appended statement of pay policy for 2012/13 as required by the Act.

16 Business Case for a Shared Finance and Procurement Service (Pages 149 - 154)

Report of Head of Finance and Procurement

Summary

To propose that the principle of sharing finance and procurement functions with South Northamptonshire be adopted as part of the Cherwell District Council policy framework.

Recommendations

Council is recommended to:

- (1) Adopt the principle of establishing some shared finance and procurement functions with South Northamptonshire Council as part of the Council's policy framework.

17 Consideration of Council Response to Ombudsman Report

** Please note this item will follow as the report from the Ombudsman was not received until 15 February 2012 and a report to Council is being prepared. **

18 Exclusion of the Press and Public

The Chairman, will if necessary, move the exclusion of the press and public if members have indicated (under the relevant agenda item) they wish to ask a question on any matter arising from an exempt minute.

In making the decision, members should balance the interests of individuals or the Council itself in having access to the information. In considering their decision members should also be mindful of the advice of Council Officers.

Should members decide not to discuss the issue 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 item of business, on the grounds that it could involve the likely disclosure of exempt information as defined in paragraphs of Schedule 12A of that Act, as set out in the Minute Book.”

19 Questions on Exempt Minutes

Members of Council will ask questions on exempt minutes, if any.

Councillors are requested to collect any post from their pigeon hole in the Members Room at the end of the meeting.

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 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.

Evacuation Procedure

When the continuous alarm sounds you must evacuate the building by the nearest available fire exit. Members and visitors should proceed to the car park as directed by Democratic Services staff and await further instructions.

Access to Meetings

If you have any special requirements (such as a large print version of these papers or special access facilities) please contact the officer named below, giving as much notice as possible before the meeting.

Mobile Phones

Please ensure that any device is switched to silent operation or switched off.

Queries Regarding this Agenda

Please contact James Doble, Law and Governance
james.doble@cherwellandsouthnorthants.gov.uk, 01295 221587