

Meeting of Council

Monday 24 February 2014

Members of Cherwell District Council,

A meeting of Council will be held at Bodicote House, Bodicote, Banbury, OX15 4AA on Monday 24 February 2014 at 6.30 pm, and you are hereby summoned to attend.



Sue Smith
Chief Executive

Friday 14 February
2014

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** (Pages 1 - 2)

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 3 - 8)

To confirm as a correct record the Minutes of Council held on 16 December 2013.

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 not included in the 28 day notice: "Transformation Bid Acceptance and Accountable Body Arrangements".

- 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.

Council Business Reports

10 Members Allowances 2014/15 (Pages 9 - 24)

Report of Head of Law and Governance

Purpose of report

To determine the levels of the allowances to be paid to Members for the forthcoming 2014/2015 financial year following the submission of the report of the Council's Independent Remuneration Panel (IRP)

Recommendations

The meeting is recommended:

- 1.1 To consider the levels of allowances to be included in the 2014/2015 Members' Allowances Scheme, and whether the Panel's recommendations should be adopted or modified in any way
- 1.2 To 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 2014.
- 1.3 To authorise the Head of Law and Governance to take all necessary action to revoke the current (2013/2014) Scheme and to publicise the revised Scheme pursuant to The Local Authorities (Members' Allowances)(England) Regulations 2003 (as amended).
- 1.4 To thank the Independent Remuneration Panel for its report and set a fee of £300 for Panel Members for the work carried out in 2013/2014 and propose the same level of fee for 2014/2015.

11 Corporate Plan, Revenue and Capital Budgets and Treasury Strategy 2014-15 (Pages 25 - 118)

Report of Director of Resources and Interim 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 and Corporate Plan for the 2014-15 budget year.

Recommendations

The meeting is recommended:

- 1.1 To consider the contents of this report in approving the General Fund Revenue Budget and Capital Programme for 2014-15 and to formally record that consideration.
- 1.2 To approve the 2014-15 General Fund Budget and 2014-15 Capital Programme proposed by the Executive on 3 February 2014 as detailed in Annex 1 amended for the changes to the collection fund and investment income as set out in paragraphs 3.12 and 3.13.
- 1.3 To approve the Collection Fund Estimates contained in Annex 2
- 1.4 To approve the draft 5 year strategy, 2014-15 business plan and public pledges (detailed in Appendices 3, 4 and 5 to Annex 1) and to delegate authority to the Director of Resources in consultation with the Leader of the Council and the Lead Member for Performance and Customers to make any minor amendments to the plan or pledges as required before final publication in March 2014.
- 1.5 To approve the Treasury Management Strategy as detailed in Annex 3.
- 1.6 To approve the appended statement of pay policy for 2014-15 as required by the Localism Act and detailed in Annex 4.
- 1.7 To approve the Business Rates Retail Relief Policy as outlined in paragraphs 3.18 and 3.19 and contained in Annex 5 and the formal resolutions that underpin the policy:
 - 1.7.1 The Council award "Retail Relief" of up to £1,000 to qualifying businesses in occupation of retail premises which have a rateable value of £50,000 or less in accordance with discretionary relief powers (Section 47 of the Local Government Finance Act 1988 (as amended)) for the financial years 1 April 2014 to 31 March 2015 and 1 April 2015 to 31 March 2016.
 - 1.7.2 The business to qualify for the relief must be "retail" as detailed in the Business Rates Retail Relief Policy.
 - 1.7.3 The Council, through the National Non-Domestic Rate Return process, seek full reimbursement of the cost of "retail relief" from Central Government.
- 1.8 To approve the discount and exemptions as follows:
 - 1.8.1 Agree that in respect of properties within Class A and B as defined by the Council Tax (Prescribed Classes of Dwellings) (England) (Amendment) Regulations 2012 (furnished chargeable dwellings that are not the sole or a main residence of an individual) the discount provided by Section 11A of the Local Government Finance Act 1992 shall be reduced to zero.
 - 1.8.2 Agree that in respect of properties within Class C as defined by the Council Tax (Prescribed Classes of Dwellings) (England) (Amendment) Regulations 2012 (a property that is unoccupied and substantially unfurnished) the discount provided by Section 11A of the said Act

shall be reduced to 25% for a maximum period of six months and thereafter to zero.

- 1.8.3 Agree that in respect of properties within Class D as defined by the said Regulations (chargeable dwellings that are vacant and undergoing major repair work to render them habitable) the discount provided by Section 11A of the said Act shall be reduced to 50% for twelve months and thereafter to zero.

12 **Adjournment of Council Meeting**

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

13 **Calculating the amounts of Council Tax for 2014-2015 and setting the Council Tax for 2014-2015** (Pages 119 - 130)

Report of Chief Finance Officer and Interim Head of Finance and Procurement

Summary

To detail the Calculations for the amounts of Council Tax for 2014-15 and the setting of Council Tax for 2014-2015.

Recommendations

It is recommended that the Council resolves:-

- 1.1 That it be noted that at the Executive meeting held on 6 January 2014 the Council calculated the Council Tax Base 2014-15:
 - a) for the whole Council area as 47,609 [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.
- 1.2 That the Council Tax requirement for the Council's own purposes for 2014-15 (excluding Parish Precepts and Special Expenses) is £123.50.
- 1.3 That the following amounts be calculated for the year 2014-15 in accordance with Sections 31 to 36 of the Act:-
 - a) £69,336,279 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) £59,526,742 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (3) of the Act.
 - c) £9,809,537 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) £206.04 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) £3,929,825 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;

1.4 It be noted that for the year 2014-15 the Oxfordshire County Council and the Police and Crime Commissioner for Thames Valley 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>	Oxfordshire County Council £	Police and Crime Commissioner for Thames Valley £
A	805.61	107.01
B	939.87	124.84
C	1,074.14	142.68
D	1,208.41	160.51
E	1,476.95	196.18
F	1,745.48	231.85
G	2,014.02	267.52
H	2,416.82	321.02

1.5 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 2014-15 for each part of its area and for each of the categories of dwellings.

1.6 The Council's basic amount of Council Tax for 2014-15 is not excessive in accordance with principles approved under Section 52ZB Local Government Finance Act 1992.

14 Section 113 Arrangements and Shared ICT Service and Systems Policy Framework Decision (Pages 131 - 140)

Report of Chief Executive

Summary

To approve entering into a Section 113 agreement between Cherwell District Council, Stratford-on-Avon District Council and South Northamptonshire Council and to add the principle of a shared ICT service and associated harmonisation of ICT business applications between Cherwell District Council, Stratford-on-Avon District Council and South Northamptonshire to the policy framework.

Recommendations

The meeting is recommended:

- 1.1 To approve the entering into an agreement between Cherwell District Council, Stratford-on-Avon District Council and South Northamptonshire Council pursuant to Section 113 of the Local Government Act 1972 and all other enabling powers so that employees can be placed at the disposal of the other Councils for the purposes of shared working and that the Head of Law and Governance, Cherwell and South Northamptonshire be authorised to complete such agreement in negotiation with the Head of Legal and Democratic Services at Stratford-on-Avon District Council.
- 1.2 To delegate authority to the Chief Executive (Cherwell and South Northamptonshire) to negotiate and approve a protocol – on the respective roles of members and officers and dealing with conflicts of interest in consultation with the Chief Executive (Stratford)
- 1.3 To agree that the principle of shared working between Cherwell District Council, Stratford-on-Avon District Council and South Northamptonshire Council for the purpose of the proposed shared ICT service and associated harmonisation of ICT business applications be added to the adopted policy framework.

15 Calendar of Meetings 2014/15 and Draft Calendar of Meetings 2015/16 (Pages 141 - 150)

** Please note that appendix 3 to this report will follow as it is currently being reviewed with South Northamptonshire Council and Stratford-On-Avon District Council **

Report of Head of Law and Governance

Purpose of Report

Council is asked to consider the calendar of meetings for the municipal year 2014/15 and the municipal year 2015/16.

Recommendations

The meeting is recommended:

- 1.1 To approve the calendar of meetings for Cherwell District Council (CDC) for the municipal years 2014/15 (Appendix 1) and 2015/16 (Appendix 2).

1.2 To note the joint meetings calendar of meetings (Appendix 3).

16 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.”

17 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@cherwellandsouthnorthants.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.

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, Democratic and Elections
james.doble@cherwellandsouthnorthants.gov.uk, 01295 221587