

# Meeting of Council

**Monday 23 February 2015**

**Members of Cherwell District Council,**

**A meeting of Council will be held at Bodicote House, Bodicote, Banbury, OX15 4AA on Monday 23 February 2015 at 6.30 pm, and you are hereby summoned to attend.**



**Sue Smith  
Chief Executive**

**Friday 13 February  
2015**

## **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 - 16)**

To confirm as correct records the Minutes of Council held on 15 December 2014 and the Special Meeting of Council held on 27 January 2015.

#### **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 three decisions have been taken by the Executive which were not included in the 28 day notice relating to Landscape Management Contract Re-tender, Negotiations with Parkwood Leisure Limited Regarding Benchmarking and Contract Structure and Bicester Leisure Centre.

- 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 (Pages 17 - 18)**

- a) Written Questions

At the time of agenda publication, one written question had been received in accordance with the Constitution.

A written response to the question will be circulated at the meeting.

A supplementary question by the Member who submitted the written question provided it is related to the reply and does not introduce any new matter is permitted.

- 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 a motion which has been submitted with advance notice, in accordance with the constitution.

### Car Parking in Bicester

This motion requests the Executive to review all parking charges at Council owned Car Parks in Bicester with a view to introducing a 2 hour free car parking scheme for Bicester in light of the successful parking arrangements introduced by Sainsburys.

Proposer: Councillor Les Sibley

## Council Business Reports

### 10 Members Allowances 2015/16 (Pages 19 - 34)

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 2015/2016 financial year following the submission of the report of the Council's Independent Remuneration Panel (IRP)

#### **Recommendations**

The meeting is recommended:

- 1.1 Consider the levels of allowances to be included in the 2015/2016 Members' Allowances Scheme, and whether the Panel's recommendations should be adopted or modified in any way
- 1.2 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 2015.
- 1.3 Authorise the Head of Law and Governance to take all necessary action to revoke the current (2014/2015) Scheme and to publicise the revised Scheme pursuant to The Local Authorities (Members's Allowances)(England) Regulations 2003 (as amended).

- 1.4 Thank the Independent Remuneration Panel for its report and set a fee of £300 for Panel Members for the work carried out in 2014/2015 and propose the same level of fee for 2015/2016.

## **11 Corporate Plan, Revenue and Capital Budgets and Treasury Strategy 2015/16** (Pages 35 - 130)

Report of Head of Finance and Procurement and Head of Transformation

### **Purpose of report**

The purpose of this report is to set the Council's General Fund Budget and to seek formal adoption of all parts of the Council's financial plans for the 2015-16 budget year.

The report also details the proposed strategic priorities, the underpinning key objectives and outcomes for 2015-16 which have now been converted into a proposed business plan for the Council. The proposed business plan sits alongside the proposed budget for 2015-16 so as to demonstrate that the Council adopts a strategic and integrated approach to managing all of its resources by aligning the development and delivery of the Council's strategic business priorities and key outcomes to the proposed budget.

### **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 2015-16 and to formally record that consideration.
- 1.2 To approve the 2015-16 General Fund Budget (in table 1) and 2015-16 Capital Programme (in Appendix 1) proposed by the Executive on 2 February 2015.
- 1.3 To approve the Collection Fund Estimates contained in Appendix 2
- 1.4 To approve the proposed 5 year business strategy, 2015-16 business plan and public pledges (detailed in Appendices 3, 4 and 5) and to delegate authority to the Head of Transformation in consultation with the Leader of the Council and the Lead Member for Banbury Developments, Communications and Performance to make any minor amendments to the plan or pledges as required before final publication in March 2015.
- 1.5 To note the contents of the section 25 statement from the Director of Resources contained in paragraphs 2.1 to 2.7 in relation to the robustness of the estimates and the adequacy of reserves.
- 1.6 To approve the Treasury Management Strategy as detailed in Appendix 6.
- 1.7 To approve the appended statement of pay policy for 2015-16 as required by the Localism Act and detailed in Appendix 7.

- 1.8 To approve the proposed Transitional Relief and Retail Relief Policies outlined in paragraphs 3.24 and contained in Appendices 8 and 9.

## **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 2015-2016 and setting the Council Tax for 2015-2016 (Pages 131 - 142)**

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

### **Purpose of report**

To detail the Calculations for the amounts of Council Tax for 2015-16 and the setting of Council Tax for 2015-2016.

### **Recommendations**

It is recommended that the Council resolves:-

- (1) That it be noted that at the Executive meeting held on 5 January 2015 the Council calculated the Council Tax Base 2015-16:
  - a) for the whole Council area as 48,253 [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 2015-16 (excluding Parish Precepts and Special Expenses) is £5,959,246.
- (3) That the following amounts be calculated for the year 2015-16 in accordance with Sections 31 to 36 of the Act:-
  - a) £70,480,648 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) £60,437,491 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (3) of the Act.
  - c) £10,043,157 being the amount by which the aggregate at 3(a) above exceeds the aggregate at 3(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) £208.14 being the amount at 3(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) £4,083,911 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 3(d) above less the result given by dividing the amount at 3(e) above by Item T(1(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 2015-16 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<br/>Band</u> | <b>Oxfordshire County<br/>Council</b> | <b>Police and Crime<br/>Commissioner for<br/>Thames Valley</b> |
|---------------------------|---------------------------------------|--|
|                           | £                                     | £  |
| <b>A</b>                  | 821.64                                | 109.13   |
| <b>B</b>                  | 958.58                                | 127.32   |
| <b>C</b>                  | 1095.52                               | 145.51   |
| <b>D</b>                  | 1232.46                               | 163.70   |
| <b>E</b>                  | 1506.34                               | 200.08   |
| <b>F</b>                  | 1780.22                               | 236.46   |
| <b>G</b>                  | 2054.10                               | 272.83   |
| <b>H</b>                  | 2464.92                               | 327.40   |

- (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 2015-16 for each part of its area and for each of the categories of dwellings.
- (6) The Council's basic amount of Council Tax for 2015-16 is not excessive in accordance with principles approved under Section 52ZB Local Government Finance Act 1992.

#### **14 Developing the approach to Joint Working and the Delivery of Local Authority Services Final Business Case (Pages 143 - 212)**

\*\* Appendix 2 (parts B and D) are exempt from publication by virtue of paragraph 3 of Schedule 12A of Local Government Act 1972 \*\*

Report of Chief Executive

## **Purpose of report**

This report presents the final business case for a shared service and/or confederated approach to joint working and the delivery of local authority services following consideration of the draft business case by Council on the 15 of December 2014 and a period of public consultation.

## **Recommendations**

- 1.1 Following consideration by Council in December 2014 and a period of public consultation Members are recommended, subject to South Northamptonshire Council resolving in similar terms, to:
- 1) Note and consider the responses received to the public consultation exercise as outlined in section 3.2 of the final business case.
  - 2) Agree to implement scenario 5 (as set out in the appended final business case), moving towards shared services in all service areas between Cherwell District and South Northamptonshire Councils. This option should be underpinned by a planned programme of change which should commence as soon as practicable in order to contribute towards the savings required by the councils' medium term financial strategies.
  - 3) Subject to recommendation 2 being agreed to add to the Council's adopted policy framework the establishment of shared service or joint working arrangements in any service area (subject to the approval of service specific business cases via the executive arrangements and the necessary employee consultation).
  - 4) Agree that the implementation costs associated with scenario 5 (as set out in part 3 of the appended business case) will be funded by general fund or earmarked reserves to be determined at year end by the Director of Resources in consultation with the Lead Member of for Financial Management at Cherwell District Council (CDC) and the Resources and Change Management Portfolio Holder at South Northamptonshire Council (SNC).
  - 5) Agree the draft workforce development plan as set out in appendix 2b as a framework to support the implementation of joint working and a full organisational development strategy.
  - 6) Agree the principles set out in appendix 2c, management arrangements, and request that the Chief Executive prepares a management structure for the future consideration of the Joint Commissioning Committee (subject to the approval of recommendation 8 below) to ensure the effective implementation of the transformation programme and on-going frontline service delivery.
  - 7) Receive the additional technical information provided on the feasibility of alternative models of service delivery in appendix 2d and agree to move towards a 'confederation approach' (scenario 6) between Cherwell District and South Northamptonshire as founding councils. Any decisions to implement a confederation or alternative service delivery models will still be subject to specific business cases to be considered by Members.

Development will be incremental and focused on business support services in the first instance.

- 8) Establish a Joint Commissioning Committee and Joint Scrutiny Committee (as set out in appendix 2e) and disestablish the current Joint Personnel Committee with effect from the annual council meeting on 19 May 2015 to enhance the governance arrangements associated with the implementation of scenarios 5 (two way joint working between CDC and SNC) and further development of scenario 6, including the opportunity for additional partners to join the governance arrangements if appropriate.
- 9) Commence staff and trade union consultation on the proposal to establish a Joint Councils Employee Engagement Committee (as set out in appendix 2e) with effect from the annual council meeting on 19 May 2015 to replace the current separate Cherwell and South Northamptonshire Committees.
- 10) Authorise the Head of Law and Governance to amend the constitution and complete a deed of variation to the Section 113 agreement with South Northamptonshire Council in order to facilitate the governance changes as set out in this report.
- 11) Continue to develop opportunities to extend the collaborative partnership to include like-minded councils and organisations to explore opportunities for shared services, collaboration and the commissioning of alternative service delivery models.

## **15 Proposed changes to the Scheme of Delegation to the Head of Development Management (Pages 213 - 230)**

Report of Head of Development Management

### **Purpose of report**

To seek the agreement of Council to proposed revisions to the current scheme of delegation to the Head of Development Management as set out in the council's Constitution.

### **Recommendations**

The meeting is recommended:

- 1.1 To agree the revisions proposed in the Report.
- 1.2 To delegate authority to the Head of Law and Governance to produce a composite version of the scheme of delegation with the equivalent for South Northamptonshire Council so that there is one point of reference for both Councils, as at present.



**16 Public Speaking at Planning Committee and Members' Planning Code of Conduct (Pages 231 - 258)**

\*\* Please note that the report to Council for this item will follow as it is subject to the decision of the Planning Committee meeting to be held on Thursday 19 February 2015. The report to the Planning Committee is attached for information. \*\*

**17 Calendar of Meetings 2015/16 and 2016/17 (Pages 259 - 268)**

Report of Head of Law and Governance

**Purpose of report**

Council is asked to consider the calendar of meetings for the municipal year 2015/16 and the municipal year 2016/17.

**Recommendations**

The meeting is recommended:

- 1.1 To approve the calendar of meetings for Cherwell District Council (CDC) for the municipal years 2015/16 (Appendix 1) and 2016/17 (Appendix 2).
- 1.2 To delegate authority to the Head of Law and Governance to amend the calendars of meetings to take account of the Joint Commissioning Committee, Joint Scrutiny Committee and Joint Councils' Employee Engagement Committee if their establishment is approved.

**18 Exclusion of the Press and Public**

The following report contains exempt information as defined in the following paragraphs of Part 1, Schedule 12A of Local Government Act 1972.

3 – Information relating to the financial or business affairs of any particular person (including the authority holding that information).

Members are reminded that whilst the following item has been marked as exempt, it is for the meeting to decide whether or not to consider it in private or in public. In making the decision, members should balance the interests of individuals or the Council itself in having access to the information. In considering their discretion members should also be mindful of the advice of Council Officers.

Should Members decide not to make a decision in public, they are recommended to pass the following recommendation:

“That under Section 100A of the Local Government Act 1972, the public and press be excluded from the meeting for the following item of business on the ground that, if the public and press were present, it would be likely that exempt information falling under the provisions of Schedule 12A, Part 1, Paragraph 3 would be disclosed to them, and that in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.”

- 19     **Developing the approach to Joint Working and the Delivery of Local Authority Services Final Business Case - Exempt appendices** (Pages 269 - 344)
- 20     **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](mailto:democracy@cherwellandsouthnorthants.gov.uk) or 01295 221589 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 Natasha Clark, Democratic and Elections  
[natasha.clark@cherwellandsouthnorthants.gov.uk](mailto:natasha.clark@cherwellandsouthnorthants.gov.uk), 01295 221589