

# Meeting of Council

Monday 22 February 2016

Members of Cherwell District Council,

A meeting of Council will be held at Bodicote House, Bodicote, Banbury, OX15 4AA on Monday 22 February 2016 at 6.30 pm, and you are hereby summoned to attend.



**Sue Smith**  
Chief Executive

Friday 12 February  
2016

## 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 - 12)**

To confirm as a correct record the Minutes of Council held on 14 December 2015.

#### **7 Minutes**

- a) Minutes of Executive, Lead Member Decisions and Executive Decisions not included in the 28 day notice

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 5 decisions have been taken by the Executive which were not included in the 28 day notice. These decisions related to the Local Development Scheme, Asset Management Quarterly Update, Progress of Superfast Broadband, Award of Contract - Refuse Collection Vehicles and Award of Delivery of Capital Works Programme

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

### Oxfordshire Clinic Commissioning Group

This Council calls on Oxfordshire Clinic Commissioning Group to clarify and confirm the future arrangements for General Practice provision across Bicester especially in the context of projected housing growth.

This Council instructs the Executive to work closely and constructively with the CCG to protect and expand GP provision in a growing Bicester.

Proposer: Councillor Lynn Pratt

Seconder: Councillor Richard Mould

## Council Business Reports

### 10 Members Allowances 2016/17 (Pages 13 - 32)

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 2016/2017 financial year following the submission of the report of the Council's Independent Remuneration Panel (IRP) and to approve a mechanism to ensure the legality of any remuneration that might be paid, in future, to councillor directors on council controlled companies.

#### **Recommendations**

The meeting is recommended:

- 1.1 To consider the levels of allowances to be included in the 2016/2017 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 2016.
- 1.3 To authorise the Head of Law and Governance to take all necessary action to revoke the current (2015/2016) Scheme and to publicise the revised Scheme pursuant to The Local Authorities (Members's 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 2015/2016 and propose the same level of fee for 2016/2017.
- 1.5 In the event that any council controlled or influenced company (as defined by the Local Authorities (Companies) Order 1995) determines that its councillor directors should be remunerated, to delegate authority to the section 151 officer in consultation with the monitoring officer and the Lead Member for Financial Management to determine a comparable duty within the Members' Allowances Scheme in order to ensure compliance with statutory requirements.

## 11 **Revenue and Capital Budget and Corporate Business Plan 2016/17** (Pages 33 - 108)

\*\* Please note that appendix 8 to this report will follow as is it currently being reviewed and finalised \*\*

Report of Director of Resources

### **Purpose of report**

To set the Council's General Fund Budget and to seek formal adoption of all parts of the Council's financial plans for the 2016/17 budget year.

The report also details the proposed strategic priorities, the underpinning key objectives and outcomes for 2016/17 which have now been converted into a proposed business plan for the Council. The proposed business plan sits alongside the proposed budget for 2016/17 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 2016/17 and to formally record that consideration.
- 1.2 To approve the 2016/17 General Fund Budget (in table 1) and 2016/17 Capital Programme (in Appendices 2 and 3).
- 1.3 To approve the Collection Fund Estimates contained in Appendix 4
- 1.4 To approve 2016/17 business plan and public pledges (detailed in Appendices 5 and 6) and to delegate authority to the Head of Transformation in consultation with the Leader of the Council to make any minor amendments to the plan or pledges as required before final publication in March 2016.

- 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 7 including the Capital Prudential Indicators 2016/17 – 2018/19
- 1.7 To approve the appended statement of pay policy for 2016/17 as required by the Localism Act and detailed in Appendix 8 (to follow).
- 1.8 To confirm and approve the Transitional Relief Policy contained in Appendix 9.
- 1.9 To note the level of Empty Homes Premium at 50% as recommended by Executive Committee on 7 September 2015, see table 3 below which will form a recommendation in the Council Tax Setting report.
- 1.10 To note the council tax discounts for 2016/17 set out in table 3 below and recommended by Executive Committee on 1 February 2016 which will form part of the Council Tax setting report.

## **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 2016/17 and setting the Council Tax for 2016/17 (Pages 109 - 120)**

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 2016/17 and the setting of Council Tax for 2016/17.

### **Recommendations**

It is recommended that the Council resolves:-

- (1) That it be noted that at the Executive meeting held on 4 January 2016 the Council calculated the Council Tax Base 2016/17:
  - a) for the whole Council area as 50,357.1 [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 2016/17 (excluding Parish Precepts and Special Expenses) is £6,219,102.

(3) That the following amounts be calculated for the year 2016/17 in accordance with Sections 31 to 36 of the Act:-

- a) £77,831,075 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) £67,156,898 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (3) of the Act.

£10,674,177 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).

- c) £211.97 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).
- d) £4,455,075 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.
- e) £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 2016/17 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 :-

<b><u>Valuation Band</u></b>	<b>Oxfordshire County Council</b>	<b>Police and Crime Commissioner for Thames Valley</b>
	£	£
<b>A</b>	854.43	111.31
<b>B</b>	996.83	129.86
<b>C</b>	1,139.24	148.41
<b>D</b>	1,281.64	166.96
<b>E</b>	1,566.45	204.06
<b>F</b>	1,851.26	241.16
<b>G</b>	2,136.07	278.27
<b>H</b>	2,563.28	333.92

(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 2016/17 for each part of its area and for each of the categories of dwellings.

- (6) The Council's basic amount of Council Tax for 2016/17 is not excessive in accordance with principles approved under Section 52ZB Local Government Finance Act 1992.
- (7) To approve the discounts and exemption set out below:
- 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 dwelling 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 zero.
  - 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 the Section 11A of the said Act shall be zero.
  - 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 from 50% to 25%
  - 4 Agree no council tax discount shall be applied to dwellings that are unoccupied and unfurnished for more than two years and that council tax payable on such properties is increased from 100% to 150%

**14 North West Bicester Supplementary Planning Document (SPD)**  
(Pages 121 - 386)

Report of Head of Strategic Planning and the Economy

**Purpose of report**

To seek formal adoption of the North West Bicester Supplementary Planning Document.

**Recommendations**

The meeting is recommended:

- 1.1 To resolve that Cherwell District Council as local planning authority adopt the North West Bicester Supplementary Planning Document (SPD) as SPD and a Local Development Document in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012.
- 1.2 To authorise the Head of Strategic Planning and the Economy, prior to the publication of the Supplementary Planning Document, the correction of any minor typographical, spelling or grammatical errors, and the undertaking of

any minor presentational improvements, if required prior to the SPD being published by the Council.

**15 Appointment of Section 151 Officer (Pages 387 - 390)**

Report of Chief Executive

**Purpose of report**

To appoint an Interim Section 151 Officer to replace Martin Henry who leaves the Council on 31 March 2016.

**Recommendations**

The meeting is recommended to:

- 1.1 Appoint Paul Sutton as the Council's Interim Section 151 officer with effect from 1 April 2016 and request him to appoint a suitably qualified and experienced Deputy Section 151 Officer from the same date.

**16 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.”

**17 Bicester Depot (Pages 391 - 446)**

Exempt Report of Head of Environmental Services



## **18 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 [natasha.clark@cherwellandsouthnorthants.gov.uk](mailto:natasha.clark@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