



**Summary of the decisions taken at the meeting
of the Executive held on Monday 3 October 2016**

1. Date of publication of this summary: 4 October 2016
2. Decisions (if any) taken as a matter of urgency under Overview and Scrutiny Procedure Rules as set out in the Constitution (and not therefore subject to the call-in procedure): Agenda item 12, Efficiency Plan 2017/18 – 2021/22. The Chairman of the Overview and Scrutiny Committee has agreed to waive call in for this item to ensure that is submitted by the Government deadline
3. Date by which notice of call-in of any of the following decisions must be received in writing by the Chief Executive (see notes below):- Noon on Friday 7 October 2016
4. Notes:-
 - (a) For background documentation to the following decisions, please refer to the agenda and supporting papers (copies of which are available on the Council's website (www.cherwell.gov.uk) or from Democratic Services);
 - (b) Notice of call-in must be submitted in writing, by email or text to the Chief Executive by the deadline specified above, and must state the reason or reasons why "call-in" has been requested;
 - (c) Call-in can be requested by any six non-executive members of the Council.
However, if at any point during a municipal year the total number of opposition councillors is six or less the total number of non-executive members required to call-in a decision shall be the total number of opposition councillors less two.
 - (d) Decisions not called-in by the deadline specified above will become effective immediately the deadline has expired (unless they are recommendations to the Council).

- (e) The Council has stipulated that the call-in procedure should not be used to challenge decisions as a matter of course and should be used only when fully justified.

Sue Smith
Chief Executive

Agenda Item and Recommendation	Decision	Reasons	Alternative Options	Conflicts of Interest Declared and Dispensations Granted by Head of Paid Service
<p>Agenda Item 7 Report on Refresh of Oxfordshire Local Enterprise Partnership (OxLEP) Strategic Economic Plan</p> <p>Report of Head of Strategic Planning and the Economy</p> <p>Recommendations</p> <p>The meeting is recommended:</p> <p>1.1 To endorse the refreshed Strategic Economic Plan in principle.</p>	<p>Resolved</p> <p>(1) That the refreshed Strategic Economic Plan be endorsed in principle.</p>	<p>The SEP is an important strategy affecting the District. It will influence decisions made on infrastructure funding and local authorities are required to give it due consideration in preparing their Local Plans.</p> <p>The refresh of the SEP is timely and has provided an opportunity to more closely align the SEP with the economic needs of Cherwell as set out in the adopted Cherwell Local Plan. A key issue is to secure the continuing level of economic activity we are seeing in Cherwell with major new investors at allocated employment sites alongside the planned housing growth at Banbury, Bicester and Upper Heyford.</p>	<p>Option 1: Reject the OxLEP SEP This is not proposed given the level of engagement to secure a refreshed SEP that is aligned with the Cherwell Local Plan.</p> <p>Option 2: Seek further amendments This is not recommended as all substantive issues have been addressed through the process of refreshing the SEP such that it is now aligned with the Cherwell Local Plan.</p> <p>Option 3: Endorse the OxLEP SEP in principle. This is recommended given the close alignment with the Cherwell Local Plan that has been secured. It is also clear</p>	<p>None</p>

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		<p>The refreshed SEP has an important role to play in supporting the delivery of the economic objectives identified in the Cherwell Local Plan, to help fund the necessary infrastructure identified in the Cherwell Infrastructure Delivery Plan and maintain support the partnership provision of business support measures that already exists between OxLEP and the Cherwell District Council.</p>	<p>that the SEP stands to support the ambition of the Cherwell Local Plan to growth the economy of the Cherwell District.</p>	
<p>Agenda Item 8 Heritage Partnership Agreement (HPA) - RAF Bicester</p> <p>Report of Head of Development Management</p>	<p>Resolved</p> <p>(1) That the Heritage Partnership Agreement be adopted.</p>	<p>Heritage Partnership Agreements to streamline the often time consuming and sometime expensive process of obtaining Listed Building Consent, especially when the listed buildings are part of a</p>	<p>Option 1: Not to agree to adopt the HPA. Lack of heritage guidance undermines the reputation of the Council as the Planning Authority for Cherwell District seeking</p>	<p>None</p>

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<p>Recommendations</p> <p>The meeting is recommended:</p> <p>1.1 To adopt the Heritage Partnership Agreement (Appendix 1).</p>		<p>group of similar structures where it might reasonably be anticipated that similar works of repair, for example, would be required.</p> <p>The aim of this HPA is to facilitate the work of restoring the original RAF buildings and it has been prepared in order to provide a blanket vision for the technical site and flying field. It will be used as the guide to all future building and structure repairs.</p>	<p>high design and conservation standards. Without the HPA in place there is a risk of future unsympathetic alteration to the heritage asset.</p>	
<p>Agenda Item 9 Fly tipping and Environmental Enforcement</p> <p>Report of Head of Environmental Services</p> <p>Recommendations</p>	<p>Resolved</p> <p>(1) That the rise in fly tipping recorded in 2015/16 following several years of small fluctuations be noted.</p>	<p>Fly tipping is not a major problem in the Cherwell area but it is irritating and unnecessary. Residents and businesses have a duty of care to dispose of their waste in a responsible manner.</p>	<p>Option 1: To support the proposed changes</p> <p>Option 2: To reject the proposed changes</p> <p>Option 3: To ask officers to consider alternative</p>	<p>None</p>

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<p>The meeting is recommended:</p> <p>1.1 To note the rise in fly tipping recorded in 2015/16 following several years of small fluctuations.</p> <p>1.2 To note the successes of the Environmental Enforcement Team in bringing action against fly tippers.</p> <p>1.3 To support the proposed actions including the introduction of fixed penalty notices for small fly tips.</p>	<p>(2) That the successes of the Environmental Enforcement Team in bringing action against fly tippers be noted.</p> <p>(3) That the proposed actions, including the introduction of fixed penalty notices, for small fly tips be supported.</p> <p>(4) That officers be requested to investigate the option of surveillance of fly tipping hot spot locations and advise Members of the powers available to the council.</p>	<p>Fly tipping rose in 2015/16 and actions are being put in place to reduce fly tipping. By raising awareness of the need to be responsible with waste and by introducing fixed penalty notices for fly tipping, the number of fly tips will be brought back under control.</p> <p>Where locations are regularly subjected to fly tipping then an action plan can be developed to deal with this, which could include surveillance. However this is subject to various legal restrictions and Executive has therefore requested additional information on this.</p>	<p>improvements</p>	

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<p>Agenda Item 10 Establishment of Joint Local Authority Owned Companies</p> <p>Report of Assistant Director - Transformational Governance</p> <p>Recommendations</p> <p>The meeting is recommended to agree the following recommendations from the Joint Commissioning Committee:</p> <p>1.1 To note the legal, financial and human resources work that is taking place with regard to the establishment of the companies.</p> <p>1.2 To note the decision of the Joint</p>	<p>Resolved</p> <p>(1) That the legal, financial and human resources work that is taking place with regard to the establishment of the companies be noted.</p> <p>(2) That the decision of the Joint Commissioning Committee to appoint a Joint Shareholder committee as a sub-committee of the Joint Commissioning Committee consisting of four councillors (2 CDC and 2 SNC) with the terms of reference as set out in the annex to the Minutes (as set out in the Minute</p>	<p>The recommendations set out in this report are recommended by the Joint Commissioning Committee, in line with the agreed recommendations of the Revenues and Benefits Business case and are necessary to ensure that the business case can be delivered and the associated savings achieved.</p>	<p>Option 1: To agree the recommendations as set out in the report</p> <p>Option 2: To amend the recommendations as set out in the report, this may require reconsideration by the Joint Commissioning Committee.</p> <p>Option 3: To reject the recommendations as set out in the report. The councils' will reduce the potential to deliver the revenues and benefits business case savings unless a suitable employment vehicle is established.</p>	<p>None</p>

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<p>Commissioning Committee to appoint a Joint Shareholder committee as a sub-committee of the Joint Commissioning Committee consisting of four councillors (2 CDC and 2 SNC) with the terms of reference as set out in section 3 of this report.</p> <p>1.3 To agree that the Joint Commissioning Committee be given delegated powers to take all executive decisions with regard to any established and future shared service and ally executive decisions relating to any joint local authority owned company established pursuant to</p>	<p>Book) be noted.</p> <p>(3) That the Joint Commissioning Committee be given delegated powers to take all executive decisions with regard to any established and future shared service and ally executive decisions relating to any joint local authority owned company established pursuant to a shared service business case, subject to a similar decision being taken by the SNC Cabinet.</p> <p>(4) That delegated authority be given to the Joint Commissioning Committee to</p>			

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<p>a shared service business case, subject to a similar decision being taken by the SNC Cabinet.</p> <p>1.4 To agree that delegated authority be given to the Joint Commissioning Committee to approve the nomination of elected Members and officers to be appointed as Directors by joint local authority owned companies, subject to a similar decision being taken by the SNC Cabinet.</p> <p>1.5 To agree that officers be requested to establish and register joint local authority owned companies limited by shares</p>	<p>approve the nomination of elected Members and officers to be appointed as Directors by joint local authority owned companies, subject to a similar decision being taken by the SNC Cabinet.</p> <p>(5) That officers be requested to establish and register joint local authority owned companies limited by shares comprising a principal Company to be wholly owned by the Councils in equal shares and a subsidiary trading company to be majority owned by the principal company with a minority interest</p>			

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<p>comprising a principal Company to be wholly owned by the Councils in equal shares and a subsidiary trading company to be majority owned by the principal company with a minority interest owned by the Councils to enable the Revenues and Benefits Business Case and other future commercial opportunities to be achieved, subject to a similar decision being taken by the SNC Cabinet.</p> <p>1.6 To agree that delegated authority be given to the Chief Finance Officer in consultation with members of the Joint Shareholder Committee to take all measures</p>	<p>owned by the Councils to enable the Revenues and Benefits Business Case and other future commercial opportunities to be achieved, subject to a similar decision being taken by the SNC Cabinet.</p> <p>(6) That delegated authority be given to the Chief Finance Officer in consultation with members of the Joint Shareholder Committee to take all measures necessary to enable the establishment of jointly owned companies, where business cases have been agreed, subject to a similar</p>			

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<p>necessary to enable the establishment of jointly owned companies, where business cases have been agreed, subject to a similar decision being taken by the SNC Cabinet.</p> <p>1.7 To note that the Joint Commissioning Committee have requested officers to prepare a detailed implementation plan including a draft business case, financial model, articles of association, shareholder agreement and communications plan for the creation of the companies to be considered by the Joint Commissioning Committee.</p>	<p>decision being taken by the SNC Cabinet.</p> <p>(7) That it be noted that the Joint Commissioning Committee have requested officers to prepare a detailed implementation plan including a draft business case, financial model, articles of association, shareholder agreement and communications plan for the creation of the companies to be considered by the Joint Commissioning Committee.</p>			

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<p>Agenda Item 11 Council Tax Reduction Scheme 2017-2018</p> <p>Report of Chief Finance Officer</p> <p>Recommendations</p> <p>The meeting is recommended:</p> <p>1.1 To note the contents of the report and any financial implications for the Council.</p> <p>1.2 To approve the recommendation made by Budget Planning Committee to consult on Option 1 – no change to the current Council Tax Reduction Scheme or Council Tax</p>	<p>Resolved</p> <p>(1) That the report and any financial implications for the Council be noted.</p> <p>(2) That the recommendation made by Budget Planning Committee to consult on Option 1 - (no change to the current Council Tax Reduction Scheme or Council Tax discounts for 2017-2018 and to change only the detail of the scheme to update the Pensioner Regulations as prescribed by DCLG and to uprate the Working Age</p>	<p>From April 2013 Council Tax Benefit was abolished and replaced with a local Council Tax Reduction Scheme.</p> <p>Members are now required to agree for consultation purposes a Council Tax Reduction Scheme for the 2017-2018 financial year.</p>	<p>Option 1: To not recommend any of the options for a scheme for - 2017-2018. This would have financial implications for the Council and those residents affected by Welfare Reform.</p>	<p>None</p>

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<p>discounts for 2017-2018 and to change only the detail of the scheme to update the Pensioner Regulations as prescribed by DCLG and to uprate the Working Age Regulations amounts in line with Housing Benefit.</p>	<p>Regulations amounts in line with Housing Benefit) be approved.</p>			
<p>Agenda Item 12 Efficiency Plan - 2017/18 to 2021/22</p> <p>Report of Chief Finance Officer</p> <p>Recommendations</p> <p>The meeting is recommended:</p> <p>1.1 To approve the Efficiency Plan 2017/18</p>	<p>Resolved</p> <p>(1) That the Efficiency Plan 2017/18 to 2021/22 (annex to the Minutes as set out in the Minute Book) be approved.</p> <p>(2) That the decision be confirmed as urgent given the timescale reported for</p>	<p>The Government grant settlement in December 2016 was for four years, rather than the usual one. With this certainty over a significant variable element of funding, came a requirement to produce an efficiency plan. The efficiency plan must be provided by 14 October 2016 in order to accept the offer of the four year settlement.</p>	<p>Option 1: To not approve the report but this would mean that the Council is unable to accept the four year grant settlement.</p>	<p>None</p>

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to 2021/22 (Appendix 1).	submission of the plan and it be noted that the Chairman of Overview and Scrutiny Committee had agreed to waive call in.			
<p>Agenda Item 13 Budget Guidelines 2017/18</p> <p>Report of Chief Finance Officer</p> <p>Recommendations</p> <p>The meeting is recommended to:</p> <p>1.1 Note the updated MTRP for the Council's revenue budget for 2017/18 to 2021/22 (Appendix 3)</p> <p>1.2 Endorse the overall</p>	<p>Resolved</p> <p>(1) That the updated Medium Term Revenue Plan (MTRP) for the Council's revenue budget for 2017/18 to 2021/22 be noted.</p> <p>(2) That the overall 2017/18 budget strategy and service and financial planning process be endorsed.</p> <p>(3) That, following due consideration, the</p>	<p>The Council needs to set guidelines and a timetable for the preparation of draft estimates for 2017/18. These guidelines should support the objectives contained in the Business Plan, Service Plans and the Medium Term Financial Strategy.</p>	<p>Option 1: To disagree with the recommendations. This is rejected as it will unnecessarily delay the formulation of the detailed budget for 2016/17.</p>	<p>None</p>

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<p>2017/18 budget strategy and service and financial planning process set out in the report.</p> <p>1.3 Consider and agree the proposed budget guidelines and timetable for 2017/18 (Appendices 1 and 2).</p>	<p>proposed budget guidelines and timetable for 2017/18 (annexes to the Minutes as set out in the Minute Book) be agreed.</p>			
<p>Agenda Item 14 Amendment to Membership of Shareholder Committee</p> <p>Recommendation</p> <p>The meeting is recommended:</p> <p>(1) to appoint a Member to the Shareholder Committee.</p>	<p>Resolved</p> <p>(1) That Councillor Turner be appointed to the Shareholder Committee.</p>	<p>Following the resignation of one member of the Shareholder Committee it is necessary to make a new appointment as the Committee was established as a three member sub-committee of Executive</p>	<p>Not to appoint a member to the Shareholder Committee, however this would mean that the Committee could not carry out its functions as it should comprise three members</p>	<p>None</p>

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<p>Agenda Item 17 Contract Award - Temporary Accommodation</p> <p>Exempt report of Chief Finance Officer and Head of Regeneration and Housing</p>	<p>Resolved</p> <p>(1) That the award of a contract to Punch Taverns to provide 10 units of self-contained accommodation to provide emergency accommodation to meet the Council's statutory duties to the Homeless commencing in 2016 and available to continue to operate until 2021 be approved.</p>	<p>A full OJEU Compliant procurement exercise has been undertaken</p> <p>This new contract enables the Council to maintain its performance in providing temporary accommodation at the best price available. The increased number of rooms will provide the council with additional flexibility to meet its needs.</p>	<p>Not to accept to proceed with this tender. This would result in Cherwell losing any agreement for first priority to secure 6 units currently secured at the Musketeer Motel. This will also mean when officers need additional emergency accommodation to meet the Council's statutory duties, it may not meet the government requirements for temporary placements and it would be procured at additional costs per night to the council.</p>	<p>None</p>