

## Summary of the decisions taken at the meeting of the Executive held on Monday 5 December 2016

- 1. Date of publication of this summary: 6 December 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): None
- 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 9 December 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
Agenda Item 7 'Making' (Adoption) of the Bloxham Neighbourhood Plan  Report of Head of Strategic Planning and the Economy  Recommendations  The meeting is recommended:  1.1 To note the referendum result of the 3 November 2016 where 97% of those who voted were in favour of the Bloxham Neighbourhood Plan which is above the required 50%.  1.2 To recommend to Council to resolve that Cherwell District	<ul> <li>(1) That the referendum result of 3 November 2016 where 97% of those who voted were in favour of the Bloxham Neighbourhood Plan which is above the required 50% be noted.</li> <li>(2) That Full Council be recommended to resolve that Cherwell District Council as the local planning authority 'make' the Bloxham Neighbourhood Plan so that it is part of the statutory development plan for the District.</li> </ul>	Local planning authorities are required by statute to 'make' any neighbourhood plan if more than half of those voting in the referendum vote in favour of the plan. Of those eligible to vote, 877 voted in favour of the Plan with 26 against. This gives a majority vote of 97%.  Executive is therefore requested to recommend the 'making' (adoption) of the Bloxham Neighbourhood Plan at the meeting of the Full Council on 19 December 2016.	Where a referendum poll results in more than half of those eligible to vote voting in favour of the Neighbourhood Plan, the local planning authority must 'make' the Plan as part of the statutory development plan. There are no alternative options available unless the making of the plan would breach, or would otherwise be incompatible with, any EU obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998).	None

	nda Item and ommendation	Decis	sion	Reasons	Alternative Options	Conflicts of Interest Declared and Dispensations Granted by Head of Paid Service
1.3	Council as the local planning authority 'make' the Bloxham Neighbourhood Plan so that it is part of the statutory development plan for the District.  To recommend to Council to approve the issuing and publication of a decision statement stating that Cherwell District Council has	(4)	That Full Council be recommended to approve the issuing and publication of a decision statement stating that Cherwell District Council has resolved to make the Bloxham Neighbourhood Plan.  That Full Council be recommended to delegate to the Head			
	resolved to make the Bloxham Neighbourhood Plan.		of Strategic Planning and the Economy the correction of any spelling, grammatical			
1.4	To recommend to Council to delegate to the Head of Strategic Planning and the Economy the correction of any spelling, grammatical or typographical errors,		or typographical errors, and the undertaking of any minor presentational improvements, prior to the Plan being adopted and published by the council.			

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and the undertaking of any minor presentational improvements, prior to the Plan being adopted and published by Council.				
Agenda Item 8 Kidlington Framework Masterplan  Report of Head of Strategic Planning and the Economy  Recommendations  The meeting is recommended:	Resolved  (1) That the changes to the draft Kidlington Framework Masterplan following consultation be approved.  (2) That Full Council be	Work on a Kidlington Framework Masterplan commenced in 2013. Evidence gathering work occurred before adoption of Local Plan Part 1 but the Masterplan was reviewed in the context of the Local Plan Inspector's Report and the Plan's subsequent adoption in July 2015. Public	Option 1: Not to approve the Framework Masterplan and seek changes. Officers consider that the Masterplan responds appropriately to the policies in the adopted Cherwell Local Plan 2011-2031 (Part 1), provides guidance that will assist	None
1.1 To approve changes to the draft Kidlington Framework Masterplan (Appendix 1) following consultation.	recommended to adopt the Kidlington Framework Masterplan as a Supplementary Planning Document in accordance with the	in July 2015. Public consultation on a draft Framework Masterplan occurred from 14 March 2016 to Wednesday 13 April 2016 supported by a public exhibition held on 30 March	decision making, and responds to the views of the local community. Significant changes may require further consultation.	

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<ul> <li>1.2 To recommend that Council agree to adop the Kidlington Framework Masterplanas a Supplementary Planning Document in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012.</li> <li>1.3 To authorise the Head of Strategic Planning and the Economy to publish an Adoption Statement and to mak any further minor changes to the Masterplan before the meeting of the Full Council.</li> </ul>	Plannin Plannin Regulat  (3) That the Strategi the Eco authoris an Adop and to r further r to the M before t the Full	nd Country g (Local g) (England) tions 2012.  e Head of ic Planning and nomy be sed to publish ption Statement make any minor changes Masterplan the meeting of Council.	2016. The results of that consultation have been considered in producing a final document for approval. Upon approval by the Executive it is intended that the Framework Masterplan be presented to Council for adoption as a Supplementary Planning Document (SPD). As an SPD the Masterplan would have statutory status as planning guidance. It does not establish Development Plan policy which is the role of the Council's Local Plans.	Option 2: Not to approve the Framework Masterplan and to rely only on the adopted Cherwell Local Plan 2011-2031 (Part 1). The production of the Masterplan is referred to in the adopted Local Plan Part 1 and in the Council's Local Development Scheme. The project has been in progress since 2013 and there is community expectation for a final Masterplan to provide additional planning guidance.	

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Ador Vision Supr Docu Repor Plant	Agenda Item 9 Adoption of the Banbury Vision and Masterplan Supplementary Planning Document (SPD)  Report of Head of Strategic Planning and the Economy  Recommendations  The meeting is recommended:		That the changes to the draft Banbury Masterplan Supplementary Planning Document following consultation be approved.  That Full Council be recommended to adopt the Banbury	Following stakeholder and public consultation representations have been considered and changes made to the draft Banbury Masterplan Supplementary Planning Document. Adoption of the Masterplan by the Council at the meeting of the Full Council on 19 December 2016 is recommended.	Option 1: Not to recommend adoption of the SPD. The SPD is identified in the Council's Local Development Scheme (LDS) (schedule and timetable for the Council's Local Development Documents) and this option would be inconsistent with public expectations that the	None
1.1	To approve changes to the draft Banbury Masterplan Supplementary Planning Document (at Appendix 1) following consultation.  To recommend Council agree to adopt the Banbury Masterplan (Appendix 1) as a	(3)	Masterplan as a Supplementary Planning Document.  That the Head of Strategic Planning and the Economy be authorised to publish an Adoption Statement and to make any further minor changes to the Masterplan		Masterplan is to be adopted and would reduce the potential for the delivery of proposals and initiatives at Banbury.  Option 2: Not to recommend adoption of the SPD in its current form (at appendix 1) by proposing significant changes to the draft SPD. Significant changes at the	

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Supplementary Planning Document at the meeting of Full Council on 19 December 2016.  1.3 To authorise the Head of Strategic Planning and the Economy to publish an Adoption Statement and to make any further minor changes to the Masterplan before the meeting of the Full Council.	before the meeting of the Full Council.		stage may lead to a requirement for further public consultation before the SPD could be recommended for adoption and adopted which would involve a delay to the timetable.	
Agenda Item 10 Re-adoption of Policy Bicester 13 of the adopted Cherwell Local Plan 2011- 2031 Report of Head of Strategic Planning and the Economy	Resolved  (1) That the Court Judgment, Court Order and addendum to the Local Plan Inspector's report (annexes to the	A Court Order dated 19 February 2016 requires specific actions of the Secretary State, an appointed Planning Inspector and the Council pertaining to the legally prescribed modification of Policy	There are no other options. The Court Order dated 19 February 2016 states (para.3), "The First Defendant [the Council] adopt Policy Bicester 13 subject to the modification recommended by the	None

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Recommendations  The meeting is recommended:  1.1 To note the Court Judgment, Court Order and addendum to the Local Plan Inspector's report presented at Appendices 2, 3 and 4 to this report.  1.2 To recommend to Council to adopt Policy Bicester 13 of the Cherwell Local Plan 2011-2031 (Appendix 5) in precise accordance with the addendum to the Local Plan Inspector's Report dated 18 May 2016 and the Court Order dated 19 February 2016.	Minutes as set out in the Minute Book) be noted.  (2) That Full Council be recommended to adopt Policy Bicester 13 of the Cherwell Local Plan 2011-2031 in precise accordance with the addendum to the Local Plan Inspector's Report dated 18 May 2016 and the Court Order dated 19 February 2016.  (3) That it be noted that upon adoption by Council Policy Bicester 13 will be inserted as modified into the published Cherwell Local Plan 2011-2031.	Bicester 13 of the Cherwell Local Plan 2011-2031. A specific modification to Policy Bicester 13 has been recommended by a Planning Inspector on behalf of the Secretary of State. The modification requires the deletion of the first sentence of the third bullet point under "Key Site Specific Design and Place Shaping Principles" which states – "That part of the site within the Conservation Target Area should be kept free of built development."  To comply with the Court Order, the Executive is advised to recommend to Council that it formally adopts Policy Bicester 13 in precise accordance with the Court Order.	planning inspector appointed by the Second Defendant [the Secretary of State for Communities and Local Government]".	

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1.3	To note that, upon adoption by Council, Policy Bicester 13 will be inserted as modified into the published Cherwell Local Plan 2011-2031.					
Com	nda Item 11 munity Lottery ort of Commercial Director	Resolved  (1) That the p an online (	roposal that Cherwell	The Community Lottery business case brings together information from councils who have provided a	Option 1: Not to agree the proposals. This is not recommended as the proposal will help to fund	None
Reco	ommendations	Lottery be detailed in	launched as	community lottery and the provider of External Lottery	discretionary support to the voluntary and	
	meeting is recommended:  To agree the proposal	business of to the Miniout in the Book) and	case (annex utes as set Minute that this	Management (ELM). A Cherwell Lottery has the potential to help the VCS sector operating within	community organisations and enable such organisations raise funds directly for themselves. All	
	that an online Cherwell Lottery be launched as detailed in the attached business case. This includes a financial contribution and in-kind support, subject to this	to this beir from existi	on and in- ort, subject ng funded	Cherwell by helping address funding pressures they may be facing. This could benefit all people and communities in the district.  The success of the AVDC	funds raised through the lottery would be spent within the district and benefit local people and communities.	

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1.2	being funded from existing resources.  That subject to procurement, due diligence and the with the guidance contained in the Joint Contract Procedure Rules, the Council uses an external lottery manager (ELM) to run and operate the lottery and shares the risk of running it with them.  That the Council agrees to provide £3K for setup costs and £1k for the annual license and administration costs. In the first year the Council allocates £1.5K for marketing funded	(3)	That it be agreed that subject to procurement, due diligence and compliance with the guidance contained in the Joint Contract Procedure Rules, the council uses an external lottery manager (ELM) to run and operate the lottery and shares the risk of running it with them.  That agreement be given to the council providing £3K for setup costs and £1k for the annual license and administration costs and that in the first year the council allocates £1.5K for	lottery has been reviewed and is considered to be robust; within the first six months, their lottery has exceeded all expectations with 115 organisations having joined (their target was just 10-20).  Therefore this report recommends that a local community lottery be created for CDC with the ticket price is set at £1 per ticket, the services of an External Lottery Manager (ELM) being used to run the lottery and that CDC provide £3K for setup costs and £1k for the annual license and administration costs. Further, in the first year the Council allocates £1.5K each for marketing funded from		
	from existing resources, and £350 annually for		marketing funded from existing resources,	existing resources, and £350 annually for on-going		

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on-going marketing (the majority of marketing material is paid for by the External Lottery Manager).  1.4 To agree that an annual review of the Cherwell Lottery is reported to Executive on the anniversary of its launch.	and £350 annually for on-going marketing (the majority of marketing material is paid for by the External Lottery Manager).  (4) That it be agreed that an annual review of the Cherwell Lottery be reported to Executive on the anniversary of its launch.	marketing.		
Agenda Item 12 Contract Award - Debt and Money Advice Service  Report of Chief Finance Officer and Head of Regeneration & Housing Services	Resolved  (1) That the award of a contract for the provision of Debt and Money advice across all areas of the Cherwell District to	A full OJEU Compliant procurement exercise has been undertaken  This new contract will enable the Council to ensure that impartial debt and money advice is available to all	Not to approve the award of this contract. This would result in Cherwell residents having limited access to services to support with Debt and Money issues within the district. This would also potentially	None

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Recommendations  The meeting is recommended to:  1.1 Approve the award of a contract for the provision of Debt and Money advice across all areas of the Cherwell District to North Oxfordshire and South Northants Citizens Advice (formerly known as Citizens Advice Bureau). The bid includes partnership working with Bicester Citizens Advice who will provide services in Bicester and Kidlington. The contract will operate for a period of two years from 1 April 2017 and includes an	North Oxfordshire and South Northants Citizens Advice (formerly known as Citizens Advice Bureau) be approved.  (2) That it be noted that the bid includes partnership working with Bicester Citizens Advice who will provide services in Bicester and Kidlington.  (3) That it be noted that the contract will operate for a period of two years from 1 April 2017 and includes an option to extend the contract for a further one year from 1 April 2019.	residence within the district and support key strategic aims for the council.	result in an increase in the number of people approaching the council as homeless and the district being less financially inclusive.	

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option to extend the contract for a further one year from 1 April 2019.				
Agenda Item 13 Council Tax Reduction Scheme and Council Tax Discounts 2017-2018  Report of Chief Finance Officer  Recommendations	Resolved  (1) That the option of no change to the Council Tax Reduction Scheme for 2017-2018 and the amendment of the Council Tax Reduction Scheme	The proposal is to keep the same Council Tax Reduction Scheme for 2017-2018. There will be some technical changes to Regulations. Consultation has taken place. Members are now required to recommend to Council a Council Tax Reduction	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.	None
The meeting is recommended:  1.1 To approve the option of no change to the Council Tax Reduction Scheme for 2017-2018 and to amend the Council Tax Reduction Scheme Regulations for Pensioners in line with	Regulations for Pensioners in line with uprating announced by DCLG and to uprate the Working Age Regulations in line with Housing Benefit as confirmed by Department for Work and Pensions be approved.	Scheme for the financial year 2017-2018. Members are also asked to recommend that Council Tax Discounts for 2017-2018 are set at the levels detailed in the report.		

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	uprating announced by DCLG and to uprate the Working Age Regulations in line with Housing Benefit as confirmed by Department for Work and Pensions.	(2)	That Full Council be recommended to agree an unchanged Council Tax Reduction Scheme for 2017-2018.  That Full Council be			
1.2	To recommend to Council an unchanged Council Tax Reduction Scheme for 2017-2018.		recommended to grant delegated authority to the Chief Finance Officer, in consultation with the Lead Member			
1.3	To recommend to Council that delegated authority be given to the Chief Finance Officer to make any changes to the Council Tax Reduction Scheme Regulations up to and		for Financial Management, to make any changes to the Council Tax Reduction Scheme Regulations up to and including 31 January 2017.			
	including 31 January 2017 in conjunction with the Lead Member for Financial Management.	(4)	That Full Council be recommended to agree the following level of Council Tax			

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1.4	To review the proposed level of Council Tax discounts for 2017-2018 and make recommendations to Council as follows:  Retain the discount for second homes at zero  Retain the discount for empty homes (unoccupied and substantially unfurnished) at 25% for 6 months and thereafter at zero.  Retain the discount for empty homes undergoing major repair at 25% for 12 months and thereafter at zero.  Retain the empty homes premium of	discounts for 2017- 2018:  Retain the discount for second homes at zero  Retain the discount for empty homes (unoccupied and substantially unfurnished) at 25% for 6 months and thereafter at zero.  Retain the discount for empty homes undergoing major repair at 25% for 12 months and thereafter at zero.  Retain the empty homes undergoing major repair at 25% for 12 months and thereafter at zero.  Retain the empty homes premium of an additional 50% for properties that have remained empty for more than 2 years.			

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an additional 50% for properties that have remained empty for more than 2 years				
Agenda Item 14 Quarter 2 2016/17 Performance Update  Report of Director of Strategy and Commissioning Recommendations  The meeting is recommended to:  1.1 Note the exceptions highlighted and proposed actions.  1.2 Note that any feedback on performance issues from Overview & Scrutiny Committee at	<ul> <li>(1) That the exceptions highlighted and proposed actions be noted.</li> <li>(2) That it be noted that at its meeting on 22 November 2016 the Overview &amp; Scrutiny Committee raised no issues and referred no items to Executive.</li> </ul>	This is the second report based on the new Business Plan and the new reporting style. Slight amendments in style and appendices have been made to try and improve how the report works. This is an evolutionary process and we will continue to develop the reports, including any changes from feedback received from the Overview and Scrutiny Committee.  As agreed previously, this report focuses on the exceptions. The performance and insight team have also	Executive could request additional information on items or refer items to the Overview and Scrutiny Committee.	None

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its meeting on 22 November 2016 will be provided directly to The Leader.		picked out some 'good news' stories to provide a balance and provide case studies supporting the generally excellent levels of delivery.		
Agenda Item 15 Quarter 2 2016-17 - Revenue and Capital Budget Monitoring Report  Report of Chief Finance Officer  Recommendations  The meeting is recommended:  1.1 To note the projected revenue and capital position at September 2016.	Resolved  (1) That the projected revenue and capital position at September 2016 be noted.	In line with good practice budget monitoring is undertaken on a monthly basis within the Council. The revenue and capital position is formulated in conjunction with the joint management team and reported formally to the Budget Planning Committee on a quarterly basis. The report is then considered by the Executive.	Option 1: This report illustrates the Council's performance against the 2016-17 Financial Targets for Revenue and Capital. As this is a monitoring report, no further options have been considered. However, members may wish to request that officers provide additional information.	None

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Agenda Item 16 Notification of Urgent Action: Free Parking for Small Business Saturday on 3 December 2016 and Free After Three Parking in January 2017  Report of Director of Operational Delivery  Recommendation  The meeting is recommended:  1.1 To note the urgent action taken by the Director of Operational Delivery in consultation with the Leader to offer free parking for Small Business Saturday on 3 December 2016 and Free After Three parking in January 2017.	(1) That the urgent action taken by the Director of Operational Delivery in consultation with the Leader to offer free parking for Small Business Saturday on 3 December 2016 and Free After Three parking in January 2017 be noted.	Following requests to the Council to introduce free parking incentives to support local town centre traders over the Christmas and New Year period, the Director of Operational Delivery took urgent action in consultation with the Leader of the Council to approve the Small Business Day and Free after Three in January 2017 free parking offers.  The urgency for this arose from the need to publicise the decision to take effect at least 21 days before 3 December event and to enable the free parking offer to be part of the promotion for event.	Different applications time periods for the free after three parking offer as outlined in the report.	None

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Agenda Item 17 Business Cases: Joint Planning Policy and Growth Strategy Team and Joint	Resolved  (1) That having given due consideration, the final	The recommendation is to establish a Joint Planning Policy and Growth Strategy Team and a Joint Design and	The following alternative options have been identified and rejected as part of the development of	None
Design and Conservation Team  Report of Head of Strategic Planning and the Economy and Head of Development Management	business cases for a Joint Planning Policy and Growth Strategy Team and a Joint Design and Conservation Team and the consultation responses in relation	Conservation Team between CDC and SNC.  The draft business cases set out the rationale for establishing the joint teams and in particular for deferring the savings from the Joint	the Joint Planning Policy and Growth Strategy Business Case: Status Quo (No Change) Retaining the status quo is an option; however both Councils have fairly small Planning Policy teams.	
Recommendations  The meeting is recommended:	to non-staffing matters be noted.	Planning Policy and Growth Strategy Team for two years to allow the completion of the	Retaining the status quo while reflecting the different Local Plan	
1.1 To consider the attached final business case and the consultation responses in relation to nonstaffing matters as outlined in section 5.1.	(2) That it be noted that the business cases were considered and approved by the Joint Commissioning Committee with regard to staffing matters on 1 December 2016 and that this included	3 Local Plans.	positions of each council would not deliver the benefits set out in this business case or provides the additional resilience and shared expertise that a joint team could provide at a time of planning reform and following Brexit	

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1.2	To note that the business case will be considered by the Joint Commissioning Committee with regard to staffing matters on 1 December 2016. This will include consideration of the consultation responses from affected staff and trade union representatives.	consideration of the consultation responses from affected staff and trade union representatives.  (3) That, subject to simil consideration and approval by South Northamptonshire Council Cabinet on 1 December 2016 and following approval of	12	pressure to support additional growth.  Outsource Service The preparation and monitoring of the local plans is a statutory responsibility and as such it is not considered appropriate to outsource the service without compromising the planning role of each district council.	
1.3	To approve and implement the proposed final business case to create a Joint Planning Policy and Growth Strategy Team and a Joint Design and Conservation Team between CDC and SNC, subject to similar consideration and approval by SNC	the staffing implications by the Joint Commissioning Committee on 1 December 2016, the proposed final business case to create a Joint Planni Policy and Growth Strategy Team and a Joint Design and Conservation Team	ng	Joint Planning Policy and Conservation Team Although there are some synergies between both areas of work, it is considered that the best model for joint working is to have two distinct joint functions covering planning policy and design and conservation. It should	

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1.4	Cabinet on 12 December 2016 and approval of the staffing implications by the Joint Commissioning Committee.  To delegate to the Head of Development Management and the Head of Strategic Planning and the Economy in consultation with the Leader of the Council any non-significant amendment that may be required to the business case following the decision by SNC Cabinet and/or the Joint Commissioning Committee.	between Cherwell District Council and South Northamptonshire Council be approved for implementation.  (4) That authority be delegated to the Head of Development Management and the Head of Strategic Planning and the Economy in consultation with the Leader of the Council any non-significant amendment that may be required to the business case following the decision by South Northamptonshire		be noted that there are equally (if not more) synergies between these service areas and development management.  The following alternative options have been identified and rejected as part of the development of the Joint Design and Conservation Business Case:  Status Quo (No Change) Retaining the status quo is an option; however both Councils have fairly small Design and Conservation/Conservation teams. Retaining the status quo would not deliver the financial	
		Council Cabinet.		benefits set out in this business case or provide the additional resilience	

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			and shared expertise that a joint team would provide.  Outsource Service The Councils could seek to outsource the service; however this is not considered a preferred option. Both Councils have well established teams that deliver a good service. The preferred option is to bring the existing teams together, build on that experience and expertise and seek opportunities to trade.  Joint Planning Policy and Conservation Team Although there are some synergies between both areas of work, it is considered that the best model for joint working is to have two distinct joint	

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			functions covering planning policy and design and conservation. It should be noted that there are equally (if not more) synergies between these service areas and development management.  The approach in the recommendations is believed to be the best way forward. The proposal is to establish a Joint Planning Policy and Growth Strategy Team and a Joint Design and Conservation Team.	