

# Meeting of Council

Monday 26 February 2018

Members of Cherwell District Council,

A meeting of Council will be held at Bodicote House, Bodicote, Banbury, OX15 4AA on Monday 26 February 2018 at 6.30 pm, and you are hereby summoned to attend.



Yvonne Rees  
Chief Executive

Friday 16 February 2018

## 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 Minutes of Council (Pages 3 - 14)**

To confirm as a correct record the Minutes of Council held on 18 December 2017.

## **Council Reports**

**6 Submission of the Partial Review of the Cherwell Local Plan 2011-2031 Oxford's Unmet Housing Needs (Pages 15 - 70)**

\*\* Please note that the appendices for this item will be published as supplements to the agenda \*\*

Report of Executive Director for Place and Growth

### **Purpose of report**

To seek approval for the submission of the Partial Review of the adopted Cherwell Local Plan 2011-2031 to the Secretary of State for Housing, Communities and Local Government for independent examination.

### **Recommendations**

The meeting is recommended:

- 1.1 To note the responses to the consultation on the Proposed Submission draft of the Partial Review of the Local Plan summarised in the Statement of Consultation at Appendix 4.
- 1.2 To note the supporting documents relevant to the preparation of the Partial Review of the Local Plan presented at Appendices 5 to 12 and available on line at <https://www.cherwell.gov.uk/info/112/evidence-base/369/local-plan-part-1-partial-review---evidence-base>
- 1.3 To approve the Schedule of Focused Changes and Minor Modifications to the Proposed Submission draft of the Partial Review of the Local Plan presented at Appendix 3.
- 1.4 To approve the Proposed Submission Draft of the Partial Review (July 2017) (Appendix 2) incorporating the Schedule of Focused Changes and Minor Modifications (Appendix 3) as the Submission draft of the Partial Review of the Cherwell Local Plan 2011-2031.
- 1.5 To authorise the Executive Director for Place and Growth to submit the Submission draft of the Partial Review of the Cherwell Local Plan 2011-2031 to the Secretary of State for Housing, Communities and Local Government for independent examination with all necessary prescribed and supporting documents.
- 1.6 To authorise the Executive Director for Place and Growth to make any necessary, presentational changes to the Submission draft of the Partial Review and to necessary prescribed and supporting documents before submission to the Secretary of State.

## **7 Developer Contributions Supplementary Planning Document (SPD)** (Pages 71 - 78)

\*\* Please note that the appendices for this item will be published as a supplement to the main agenda \*\*

Report of Executive Director for Place and Growth

### **Purpose of report**

To seek adoption of the Developer Contributions Supplementary Planning Document (SPD).

### **Recommendations**

The meeting is recommended to:

- 1.1 Agree that the Council adopts the Developer Contributions document presented at Appendices 1 and 2 as a Supplementary Planning Document (SPD) in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).
- 1.2 Authorise the Executive Director for Place and Growth to publish an Adoption Statement.

## **8 The Oxfordshire Housing and Growth Deal** (Pages 79 - 152)

Report of Chief Executive

### **Purpose of report**

To consider the Oxfordshire Housing and Growth Deal (the Deal) announced by Government in the November Budget, which provides £215 million of additional government funding for Oxfordshire, along with a package of planning freedoms and flexibilities for the Oxfordshire authorities.

The outline agreement makes it clear that full agreement of the Deal is subject to agreement by each local authority and the Oxfordshire Local Enterprise Board (OxLEP) board (referred to collectively as the "Oxfordshire Partners").

The deal also requires a detailed delivery plan to be agreed by Oxfordshire Partners, Homes England and the Ministry of Housing, Communities and Local Government (MHCLG) by 31 January 2018.

### **Recommendations**

The meeting is recommended to:

- 1.1. Agree to the Oxfordshire Housing and Growth Deal (the Deal)
- 1.2. Agree the Delivery Plan (attached as Appendix 2 to this report) as the basis for the Deal; noting that elements will be updated as detailed work programmes develop.

- 1.3. Delegate authority to the Chief Executive in consultation with the Leader and the Growth Board, to make minor changes to the Delivery Plan that may be required to secure agreement with Government.
- 1.4. Delegate authority to the Chief Executive in consultation with Leader and the Growth Board, to agree the Year 1 affordable housing delivery programme, phasing and processes specified in the Delivery Plan.
- 1.5. Appoint Oxfordshire County Council as the accountable body in respect of the Oxfordshire Housing and Growth Deal.
- 1.6. Delegate authority to the Chief Executive in consultation with the Leader and the Growth Board, to review the terms of reference of the Growth Board and agree any amendments and any appropriate inter-authority agreements required to support the Delivery of the Housing and Growth Deal.
- 1.7. Delegate authority to the Chief Executive, in consultation with the Leader, to take any other decisions arising from agreement to the Oxfordshire Housing and Growth Deal, until the revised terms of reference of the Growth Board are in place.
- 1.8. Agree to participate in the preparation of a Joint Statutory Spatial Plan (JSSP) for Oxfordshire in accordance with the timescales set out in the Delivery Plan and in accordance with Section 28 of the Planning and Compulsory Purchase Act 2004 (Districts only). The milestones for progressing the JSSP being contingent on Government delivering the Planning Freedoms and Flexibilities as described in the Delivery Plan.

## **9 Members Allowances 2018/19 (Pages 153 - 174)**

Report of Monitoring Officer

### **Purpose of report**

To determine the levels of the allowances to be paid to Members for the forthcoming 2018/2019 financial year following the submission of the report of the Council's Independent Remuneration Panel (IRP)

### **Recommendations**

The meeting is recommended to:

- 1.1 Consider the levels of allowances to be included in the 2018/2019 Members' Allowances Scheme, and whether the Panel's recommendations should be adopted or modified in any way
- 1.2 Authorise the Monitoring Officer to prepare an amended Members' Allowances Scheme, in accordance with the decisions of the Council for implementation with effect from 1 April 2018.
- 1.3 Authorise the Monitoring Officer to take all necessary action to revoke the current (2017/2018) 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 on this review for 2017/2018 and propose the same level of fee for any reviews carried out in 2018/2019 capped at a maximum of £1200.

## 10 **Revenue and Capital Budgets and Corporate Business Plan for 2018/19** (Pages 175 - 234)

Report of Executive Director - Finance and Governance

### **Purpose of report**

The Council is required to produce a balanced budget for 2018/19 as the basis for calculating its level of Council Tax. It has to base that budget on its plans for service delivery during the year, recognising any changes in service demand that may arise in future years.

The proposed Corporate Strategy and Budget for 2018/19 are presented as an integrated report, incorporating updated Performance and Risk management frameworks, to ensure effective delivery. This clearly demonstrates that the Council adopts a strategic approach in aligning its allocation of all of its resources, to the delivery of the Council's priorities.

### **Recommendations**

The meeting is recommended:

- 1.1 To approve the 2018/19 Corporate Strategy detailed in Appendix 1, and note the new approach to Performance Management that has been adopted.
- 1.2 To note the new Leadership Risk Register in Appendix 2 and new approach to Risk Management that has been adopted.
- 1.3 To approve a zero Council Tax increase, or amend the proposal contained within this report to recommend a different level of Council Tax.
- 1.4 To consider the contents of this report in approving the General Fund Revenue Budget and Capital Programme for 2018/19 and to formally record that consideration.
- 1.5 To note the four year grant settlement shown in Table 1.
- 1.6 To approve the 2018/19 General Fund Budget, shown in Table 2, below, and in the Medium Term Revenue Plan (MTRP) in Appendix 3; and the 2018/19 Capital Programme set out in Appendices 4 and 5.
- 1.7 To approve the Collection Fund Estimates contained in Appendix 6.
- 1.8 To note the impact of the proposed budget on reserves in Appendix 7.
- 1.9 To note the adoption of the Corporate Investment Strategy detailed in Appendix 8.

- 1.10 To approve the Treasury Management Strategy including Prudential Indicators as detailed in Appendix 9.
- 1.11 To note the contents of the Section 25 statement from the Chief Finance Officer contained in paragraphs 2.1 to 2.7 in relation to robustness of estimates and adequacy of reserves.
- 1.12 To approve the appended statement of pay policy for 2018/19 as required by the Localism Act and detailed in Appendix 10.

## **11 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.

## **12 Calculating the amounts of Council Tax for 2018/19 and setting the Council Tax for 2018/19 (Pages 235 - 240)**

\*\* Please note that the appendices to this report will follow as all of the information required to generate the figures is not yet available \*\*

Report of Executive Director – Finance and Governance

### **Purpose of report**

To detail the Calculations for the amounts of Council Tax for 2018/19 and the setting of Council Tax for 2018/19.

### **Recommendations**

It is recommended that the Council resolves:-

- 1.1 That it be noted that at the Executive meeting held on 8 January 2018 the Council calculated the Council Tax Base 2018/19:
  - a) for the whole Council area as 52,681.6 [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 2018/19 (excluding Parish Precepts and Special Expenses) is £6,506,178.
- 1.3 That the following amounts be calculated for the year 2018/19 in accordance with Sections 31 to 36 of the Act:-
  - a) £86,972,051 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) £75,556,037 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (3) of the Act.
- £11,416,014 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) £216.70 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) £4,909,836 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.

- 1.4 It be noted that for the year 2018/19 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>	950.79	121.52
<b>B</b>	1,109.26	141.77
<b>C</b>	1,267.72	162.03
<b>D</b>	1,426.19	182.28
<b>E</b>	1,743.12	222.79
<b>F</b>	2,060.05	263.29
<b>G</b>	2,376.98	303.80
<b>H</b>	2,852.38	364.56

- 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 2018/19 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 2018/19 is not excessive in accordance with principles approved under Section 52ZB Local Government Finance Act 1992.

1.7 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 25% for a period of 6 months and thereafter 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 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 150% (except for those properties which fall into prescribed Classes E and F).

**13 Local Government Association - Peer Challenge Final Report and Recommendations** (Pages 241 - 262)

Report of Chief Executive

**Purpose of report**

This report presents the final report from the joint Peer Challenge of Cherwell District and South Northamptonshire Councils, undertaken by the Local Government Association in November 2017.

**Recommendations**

The meeting is recommended to:

- 1.1 Endorse the report and request that officers ensure its recommendations are reflected in relevant plans and strategies.

**14 Monitoring Officer Annual Report 2017** (Pages 263 - 272)

Report of Monitoring Officer

**Purpose of report**

To provide an overview of the work of the Monitoring Officer in the past year.

## **Recommendation**

The meeting is recommended to:

- 1.1 Note the Monitoring Officer's Annual Report

## **Council Business**

### **15 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 of Council held on 18 December 2017 no decisions have been taken by the Executive which were not included in the 28 day notice.

- 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.

### **16 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).

### **17 Motions**

The following motion has been submitted with advance notice, in accordance with the constitution.

### **Dumping of Plastic**

“This council notes the increasing public concern at the environmental damage and ecological harm caused by the dumping of plastic. And this authority in doing so commits to doing its bit to tackle the problem by:-

- Conducting an audit of all departments to identify excess plastic being used by this council.
- Running a public relations campaign to increase awareness across Cherwell of the problem of plastic pollution.
- To complement this council taking on Refill Banbury and Bicester; by investigating the feasibility of installing drinking water fountains in our town and village centres.”

Proposer: Councillor Sean Woodcock

## **18 Urgent Business**

The Chairman to advise whether they have agreed to any item of urgent business being admitted to the agenda.

**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, 01295 221589