



**Summary of the decisions taken at the meeting
of the Executive held on Monday 5 February 2018**

1. Date of publication of this summary: 6 February 2018
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 February 2018
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.

**Yvonne Rees
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 Developer Contributions Supplementary Planning Document (SPD)</p> <p>Report of Executive Director for Place and Growth</p> <p>Recommendations</p> <p>The meeting is recommended:</p> <p>1.1 To note the responses to consultation summarised in the Consultation Statement presented at Appendix 3.</p> <p>1.2 To approve the final draft of the Developer Contributions SPD as presented at Appendices 1 and 2 and incorporating the</p>	<p>Resolved</p> <p>(1) That the responses to the consultation summarised in the Consultation Statement be noted.</p> <p>(2) That the final draft of the Developer Contributions Supplementary Planning Document (annexes to the Minutes as set out in the Minute Book) incorporating the following changes:</p> <ul style="list-style-type: none"> • Clarification on the role of the SPD in the absence of a CIL Charging Schedule. • Clarification on the role of 'payments in 	<p>Public consultation on a revised draft Developer contributions SPD occurred between 23 November 2017 and 21 December 2017. 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 document be presented to Council for adoption as a Supplementary Planning Document (SPD). As an SPD the document will have statutory status as planning guidance. It does not establish Development Plan policy which is the role of the Council's Local Plans.</p>	<p>Option 1: Not to approve the Developer Contributions SPD and seek changes. Officers consider that the SPD has been prepared in accordance with the relevant legislation. The adopted Cherwell Local Plan 2011-2031 sets the planning framework up to 2031 with the SPD providing a further level of detail to guide development. Significant changes may require further consultation.</p> <p>Option 2: Not to approve the Developer Contributions SPD and to rely on the current Draft Planning Obligations SPD (July 2011). The Draft Planning</p>	<p>None</p>

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<p>changes summarised at paragraph 3.9 of this report.</p> <p>1.3 To recommend to Council that it adopts the final draft of the Developer Contributions document as a statutory Supplementary Planning Document under the Town and Country Planning (Local Planning) (England) Regulations 2012.</p> <p>1.4 To authorise the Executive Director for Place and Growth to make any necessary minor changes to the final draft of the SPD before the meeting of the Council.</p>	<p>kind’.</p> <ul style="list-style-type: none"> • Textual changes to financial viability requirements generally and more specifically in relation to affordable housing. • Additional cost information relating to cemetery provision. • The introduction of new and updated requirements related to the provision of primary care infrastructure (provided by the OCCG). • Introduction of a new requirement for capital contributions where development 		<p>Obligations SPD (July 2011) is now out of date, it carries little weight in decision making and its continued use will potentially make it more difficult for the Council to secure S106 developer contributions in the future. Not approving the new SPD will create uncertainty about the Council’s requirements for developer contributions.</p>	

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	<p>results in the need for additional waste recycling capacity (capital costs).</p> <ul style="list-style-type: none"> • A new sub-section on 'Heritage'. • A general review of the 'Procedures' having regard to representations received. • A general review of the infrastructure requirements having regard to representations received. <p>(3) That Full Council be recommended to adopt the final draft of the Developer Contributions document as a statutory Supplementary</p>			

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	<p>Planning Document (SPD) under the Town and Country Planning (Local Planning) (England) Regulations 2012.</p> <p>(4) That the Executive Director for Place and Growth be authorised to make any necessary minor changes to the final draft of the SPD before the meeting of the Council.</p>			
<p>Agenda Item 8 Draft Corporate Strategy Corporate Strategy and Revenue and Capital Budgets 2018/19</p> <p>Report of Executive Director –</p>	<p>Resolved</p> <p>(1) That, having given due consideration, Full Council be recommended to approve the 2018/19</p>	<p>The report and appendices represent the draft business, risk register and budget for 2018/19 for approval by the Executive. If agreed, they will be recommended to Full Council on the 26 February</p>	<p>Members could decide not to agree the recommendations or to present alternative budget proposals but that would run counter to the detailed budget setting process that</p>	<p>None</p>

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<p>Finance and Governance and Interim Director</p> <p>Recommendations</p> <p>The meeting is recommended:</p> <p>1.1 To recommend the 2018/19 Corporate Strategy to Full Council (detailed in Appendix 2) and to delegate authority to the Interim Director, in consultation with the Leader of the Council, to make any minor amendments to the plan as required before consideration by Full Council.</p> <p>1.2 To consider and approve the draft budget in the context of the Council's service objectives and strategic</p>	<p>Corporate Strategy to Full Council (annex to the Minutes as set out in the Minute Book) with authority delegated to the Interim Executive Director for Wellbeing, in consultation with the Leader of the Council to make any minor amendments to the plan as required before consideration by Full Council.</p> <p>(2) That, having given due consideration, the draft budget in the context of the Council's service objectives and strategic priorities be approved.</p> <p>(3) That Full Council be recommended to</p>	<p>and be considered alongside the setting of the 2018/19 Council Tax.</p> <p>It is a legal requirement to set a balanced budget and the recommendations as set out and directed by the Corporate Strategy represent what is believed to be the best way of achieving this.</p>	<p>has taken place as part of the formulation of this budget.</p>	

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<p>priorities.</p> <p>1.3 To approve and recommend the balanced budget to Full Council.</p> <p>1.4 To note the impact of the proposed budget on reserves and recommend the reserves 2018/19 to full council, see Appendix 5.</p> <p>1.5 To note the latest Medium Term Revenue Plan (MTRP) for 2017/18 to 2022/23, at Appendix 6; this will be the basis of the work of the Budget Planning Committee for the following year.</p> <p>1.6 To recommend, subject</p>	<p>approve the balanced budget.</p> <p>(4) That the impact of the proposed budget on reserves be noted and Full Council be recommended to approve the reserves 2018/19 (annex to the Minutes as set out in the Minute Book).</p> <p>(5) That the latest Medium Term Revenue Plan (MTRP) for 2017/18 to 2022/23 be noted and it be further noted that this would be the basis of the work of the Budget Planning Committee for the following year.</p> <p>(6) That no further changes be made and</p>			

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<p>to any further changes Members may wish to include tonight, the updated draft revenue budget for adoption by Full Council on 26 February 2018.</p> <p>1.7 To consider and recommend a Council Tax increase to Full Council.</p> <p>1.8 To recommend to Full Council the proposed 2018/19 capital programme set out in Appendix 8.</p> <p>1.9 To delegate authority to the Executive Director – Finance and Governance, in consultation with the Lead Member for Financial Management</p>	<p>Full Council be recommended to approve the updated draft revenue budget (annex to the Minutes as set out in the Minute Book) at the meeting on 26 February 2018.</p> <p>(7) That Full Council be recommended to agree no increase to the Cherwell District Council element of Council Tax freeze.</p> <p>(8) That Full Council be recommended to approve the proposed 2018/19 capital programme (annex to the Minutes as set out in the Minute Book).</p> <p>(9) That authority be</p>			

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<p>to amend the contributions to or from general fund balances to allow the Council Tax to remain at the level recommended to Full Council following the announcement of the final settlement figures, any changes relating to Business Rates or as a result of any financial implications arising from recommendation 1.7, above.</p>	<p>delegated to the Executive Director – Finance and Governance, in consultation with the Lead Member for Financial Management to amend the contributions to or from general fund balances to allow the Council Tax to remain at the level recommended to Full Council following the announcement of the final settlement figures, any changes relating to Business Rates.</p>			
<p>Agenda Item 10 Award of New Landscape Management Contract</p>	<p>Resolved</p> <p>(1) That the outcome of the tender evaluation</p>	<p>Tenderer 3 has scored the highest in the evaluation of the tenders received for LOT 1 and represents the most</p>	<p>Option 1: Not to award the contract for Lot 1 (landscape maintenance) to the winning tenderer</p>	<p>None</p>

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Exempt Report of Assistant Director: Environmental Services	<p>process be noted.</p> <p>(2) That the continuation of a single contract for landscape maintenance and arboricultural services in support of the landscape responsibilities of Cherwell District Council, South Northamptonshire Council and those parish councils who request such a service through the Councils be supported.</p> <p>(3) That the award of a contract for Lot 1 (landscape maintenance services) and Lot 2 (arboricultural services) to tenderer 3</p>	<p>economically advantageous solution to the provision of landscape maintenance services for the Councils and their partners.</p> <p>Tenderer 3 has also scored the highest in the evaluation of the tenders received for LOT 2 and represents the most economically advantageous solution to the provision of arboricultural services for the Councils and their partners.</p>	<p>which means that the Council will be without a landscape maintenance contractor from 1 April 2018 and hence this is rejected.</p> <p>Option 2: Not to award the contract for Lot 2 (arboricultural services) to the winning tenderer which means that the Council will be without an arboricultural services contractor from 1 April 2018 and hence this is also rejected.</p> <p>Option 3: To award contracts for Lot 1 and/or Lot 2 to others bidders, but this is rejected as the other tenders do not comprise the bids most economically advantageous to the Councils and should be rejected under the terms of</p>	

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	<p>be approved.</p> <p>(4) That the expenditure implications for the Councils arising from the contract to carry out landscape maintenance and arboricultural services be noted.</p>		<p>the procurement process.</p> <p>Option 4: To award the contract to the winning tenderer but to reduce the scope and standard of the landscape maintenance works. This is not an option, as that would be a challengeable procurement decision on the grounds it is a substantive variation of the basis on which tenders were invited, and also because of the high profile of and public interest in good landscape management standards.</p>	