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Cherwell District Council

Executive

Minutes of a meeting of the Executive held at Bodicote House, Bodicote, Banbury, Oxon OX15 4AA, on 9 January 2023 at 6.30 pm

Present:

Councillor Barry Wood (Chairman), Leader of the Council and Portfolio Holder for Policy and Strategy
Councillor Ian Corkin (Vice-Chairman), Deputy Leader and Portfolio Holder for Regeneration and Economy
Councillor Phil Chapman, Portfolio Holder for Healthy Communities
Councillor Colin Clarke, Portfolio Holder for Planning
Councillor Nicholas Mawer, Portfolio Holder for Housing
Councillor Richard Mould, Portfolio Holder for Corporate Services
Councillor Adam Nell, Portfolio Holder for Finance
Councillor Lynn Pratt, Portfolio Holder for Property
Councillor Eddie Reeves, Portfolio Holder for Safer Communities
Councillor Dan Sames, Portfolio Holder for Cleaner and Greener Communities

Also Present:

Councillor Sandy Dallimore, Chairman Overview and Scrutiny Committee

Officers:

Yvonne Rees, Chief Executive
Ian Boll, Corporate Director Communities
Michael Furness, Assistant Director Finance & S151 Officer
Shiraz Sheikh, Assistant Director Law, Governance & Democratic Services/Monitoring Officer
Natasha Clark, Governance and Elections Manager

Officers Attending Virtually:

Robert Jolley, Assistant Director Growth & Economy
Shona Ware, Assistant Director Customer Focus
Celia Prado-Teeling, Performance Team Leader

70 **Declarations of Interest**

There were no declarations of interest.

71 **Petitions and Requests to Address the Meeting**

There were no petitions or requests to address the meeting.

72 **Minutes**

The minutes of the meeting held on 5 December 2022 were agreed as a correct record and signed by the Chairman.

73 **Chairman's Announcements**

There were no Chairman's announcements.

74 **Urgent Business**

There were no items of urgent business.

75 **Monthly Performance, Risk and Finance Monitoring Report November 2022**

The Assistant Director of Finance and Assistant Director – Customer Focus submitted a report to update the Executive on the council's performance, risk and financial positions for the period up to the end of November 2022.

On behalf of Executive, the Chairman thanked council officers for ensuring that targets were met and performance levels remained high. The Chairman requested that performance highlights from the monthly monitoring reports over the last year be circulated to all Members.

Resolved

- (1) That the Performance, Risk and Finance Monitoring Report for November 2022 be noted.

Reasons

This report provides an update on progress made during November 2022, to deliver the council's priorities through reporting on its performance, risk and financial positions

Alternative options

This report summarises the council's performance, risk and financial positions up to the end of November, therefore there are no alternative options to consider. However, Members may wish to request further information from officers or for inclusion.

76 **Council Tax Base 2023-2024**

The Assistant Director of Finance (S151 Officer) submitted a report to provide the Council Tax Base for 2023-2024.

Resolved

- (1) That the report of the Assistant Director of Finance for the calculation of the Council's Tax Base for 2023-2024 (annex to the Minutes as set out in the Minute Book) be approved.
- (2) That it be agreed that, in accordance with the Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012, the amount calculated by Cherwell District Council as its Council Tax Base for the year 2023-2024 shall be 58,184.3.
- (3) That it be agreed for the parishes which form part of its area shown in the annex to the Minutes (as set out in the Minute Book), the amount calculated as the Council Tax Base for the year 2023-2024 in respect of special items shall be as indicated in the column titled Tax Base 2023-2024.
- (4) That it be agreed for the Flood Defence Areas which form part of its area, the amount calculated as the Council Tax Base for the year 2023-2024 for the purposes of levies on Oxfordshire County Council by River Authorities, shall be:

Thames Flood Defence Area	55,826.0
Anglian (Great Ouse) Flood Defence Area	1,910.5
Severn Region Flood Defence Area	447.8
TOTAL	58,184.3

Reasons

The Council must legally set a tax base for the following year by 31 January. This will allow the Council to notify its preceptors of the tax base in order for them (and the Council) to set their budgets for 2023/24.

Alternative options

There are no alternative options. The Council has to set a tax base in order to set its council tax for 2023-2024.

Consultation & Engagement for Banbury Vision 2050

The Assistant Director – Growth and Economy submitted a report to establish a workstream to set a sustainable vision for Banbury town centre and its environs through to 2050.

Recognising that post pandemic, the retail sector had significantly changed and for town centres there needed to be a changed dynamic so establishing what change was required, was an essential first step in developing a new

vision. To do this it was proposed to undertake a comprehensive consultation and engagement exercise with residents, businesses, and visitors in the fourth quarter of 2022-23 which would then inform the programme going forward in 2023-24 and onwards.

The purpose of this would be to establish what was performing well, what was performing not so well, and what stakeholders would like to see more of in their town centre with particular regard to filling the void left by retail in the current and anticipated medium term future for the town.

It was expected that the initial engagement exercise would set a bar for stakeholder expectations which would then lead to the commissioning of a series of evidence bases, modelling and development appraisals to understand and inform the ability to deliver the emerging vision. An increased emphasis on more sustainability, stronger cultural offers, increased “meanwhile” uses were expected through engagement, as would stronger employment options, opening of spaces, improved connectivity, and alternative use of retail space.

In introducing the report, the Deputy Leader and Portfolio Holder for Regeneration and Economy advised that Banbury Town Council representatives would be involved in the Board and the officer working group with representatives from Cherwell District Council and Oxfordshire County Council.

Resolved

- (1) That the outline programme governance arrangements for the Banbury Vision 2050 Programme Board and Terms of Reference be approved.
- (2) That the initiation of consultation and engagement on Banbury Vision 2050 be approved.
- (3) That proceeding with the appointment of consultants for community consultation and engagement be approved.

Reasons

This report is the first of a series which will update Executive on Banbury Vision 2050 progress to March 2024, and beyond.

The reason for recommendation 1 is that to progress the regeneration on Banbury, robust governance arrangements are required to make sure that the necessary connections and synergies are made to drive effective delivery. Recommendation 2 kicks starts the conversation and process of ensuring the ‘buy-in’ of the community into this future. Recommendation 3 gives the authority to proceed on recommendation 2.

Alternative options

Option 1: Do nothing – this is not an option. Doing nothing runs the risk of not delivering on strategic priorities and Banbury not being regenerated and left behind with impaired prosperity.

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Oxfordshire Inclusive Economy Partnership's Charter

The Assistant Director - Growth and Economy submitted a report to introduce the Oxfordshire Inclusive Economy Partnership (OIEP), to engage the Council in its activities and to highlight the forthcoming launch of the OIEP's Charter on 24 January 2023.

Resolved

- (1) That the work of the Oxfordshire Inclusive Economy Partnership (OIEP) be broadly welcomed.
- (2) That it be agreed to actively engage with the OIEP by delegating authority to the Corporate Director – Communities, in conjunction with the Portfolio Holder for Regeneration and Economy, to contribute to the OIEP Steering Group and Working Groups on behalf of the Council.
- (3) That the Corporate Director – Communities, in consultation with the Portfolio Holder for Regeneration and Economy, be authorised to make appropriate pledges and to sign the OIEP's Charter to reflect the commitments contained within the Council's Delivery Plan (2022-2024).

Reasons

The Oxfordshire Inclusive Economy Partnership (OIEP) has developed a Charter as a statement of shared commitment to creating a more inclusive local economy, reflecting the broad ambitions of partners from throughout the county to engage everybody in the creation of stronger, more sustainable communities.

Pledges towards the aims of the Charter are being sought. It is recommended that, once the Charter and proposed pledges are clear, Cherwell District Council's commitment reflects and promotes the policies, activities and commitments it has within its Business Plan and Delivery Plan (2022-2024). This will allow partners to understand this Council's approach and to develop co-operative activity to address matters of shared interest.

The Charter is due to be launched in January 2023 and it is recommended that the Corporate Director – Communities be authorised, in consultation with the Portfolio Holder for Regeneration and Economy, to make appropriate pledges and to sign the OIEP's Charter to reflect the commitments contained within the Council's Delivery Plan (2022-2024).

Alternative options

Option 1: Not to engage with the work of the Oxfordshire Inclusive Economy Partnership and not to sign the Charter or pledge towards its delivery. This was rejected because it would miss an opportunity to reinforce its current work by working in partnership to extend the resources in Cherwell to tackle the significant issues being faced by residents who are not included within the local economy.

Option 2: To engage with the work of the Oxfordshire Inclusive Economy Partnership but neither sign the Charter nor pledge towards its delivery. This was rejected because it would suggest that the Council is not committed to the creation of an inclusive economy.

79

Banbury Business Improvement District (BID) Renewal Ballot

The Assistant Director – Growth and Economy submitted a report to provide an update on the process for Banbury Business Improvement District (the BID)'s renewal ballot, to consider the council's voting position and to seek the necessary officer delegations for the ballot process (including delegation of authority to a senior officer to cast votes in the ballot).

In introducing the report the Deputy Leader and Portfolio Holder for Regeneration and Economy advised that he had held informal discussions with Executive members who agreed that all of the Council's eligible votes be used to vote in favour of the BID. The Deputy Leader and Portfolio Holder for Regeneration and Economy proposed amended recommendations 1.4 and 1.5 to reflect that the Council's eligible votes be used to vote in favour of the BID and that authority be delegated to the Corporate Director Communities to vote accordingly. Councillor Clarke duly seconded.

The Deputy Leader and Portfolio Holder for Regeneration and Economy advised that the Chairman of the Overview & Scrutiny Committee had agreed to waive call in for this item to allow for immediate implementation of the Executive's decisions as it was time critical for the BID renewal ballot process that that the Council formally advise the BID as to whether or not their Business Plan was compliant with the Regulations as soon as possible after the Executive meeting.

Resolved

- (1) That the steps required in the process leading to Banbury BID's renewal ballot be noted.
- (2) That authority be delegated to the Assistant Director – Growth and Economy; the Assistant Director – Finance, and the Council's Monitoring Officer to review the draft Business Plan submitted by the BID in order to enable the Plan to be approved as compliant with the relevant BID legislation within the required timescale; or reject it, in which case, it would not be possible to proceed with the renewal ballot.

- (3) That authority be delegated to the Assistant Director of Finance, as the Council's s.151 officer, to determine the Levy Collection Fee per annum for the next five year term and negotiate as required with the BID.
- (4) That authority be delegated to the Assistant Director - Growth and Economy, in conjunction with the Assistant Director of Finance and the Council's Monitoring Officer, to enter into and amend any agreements, legal or contractual, between the Council and the BID, including the Operating Agreement; Data Sharing Agreement; and Baseline Statement.
- (5) That it be agreed that all of the Council's Eligible Votes be used to vote in favour of the Banbury Bid at the forthcoming ballot.
- (6) That authority be delegated to the Corporate Director - Communities to cast the votes on behalf of the Council in the renewal ballot.

Reasons

The meeting is asked to note the steps required in preparation for the renewal ballot and to approve the recommendations in order to have the necessary delegations of authority in place to enable the renewal ballot's progression in alignment with the BID Regulations 2004.

Alternative options

Option 1: Not to approve the recommended delegations of authority.
Reason for rejection: This is rejected because not approving the recommended delegations of authority would mean that the Council would be unable to fulfil its role as Ballot Holder; Billing Authority and Regulator in alignment with the BID Regulations 2004 in undertaking the actions required for the renewal ballot and thereafter.

The meeting ended at 7.12 pm

Chairman:

Date:

Cherwell District Council

Executive

9 January 2023

Council Tax Base 2023-2024

Report of the Assistant Director of Finance (S151 Officer)

This report is public

Purpose of report

To provide the Council Tax Base for 2023-2024

1.0 Recommendations

That the Executive:

- 1.1 approves the report of the Assistant Director of Finance for the calculation of the Council's Tax Base for 2023-2024
- 1.2 agrees that, in accordance with the Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012, the amount calculated by Cherwell District Council as its Council Tax Base for the year 2023-2024 shall be **58,184.3**.
- 1.3 agree for the parishes which form part of its area shown in Appendix 1, the amount calculated as the Council Tax Base for the year 2023-2024 in respect of special items shall be as indicated in the column titled Tax Base 2023-2024.
- 1.4 agrees for the Flood Defence Areas which form part of its area, the amount calculated as the Council Tax Base for the year 2023-2024 for the purposes of levies on Oxfordshire County Council by River Authorities, shall be:

Thames Flood Defence Area	55,826.0
Anglian (Great Ouse) Flood Defence Area	1,910.5
Severn Region Flood Defence Area	447.8
TOTAL	58,184.3

2.0 Introduction

2.1 For the purposes of Section 31B of the Local Government Finance Act 1992 and the Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012, the Council is required to calculate the tax base (which will be used for tax setting purposes in February 2023) in respect of:

(a) the whole of its area and

(b) for any parts of its area for the purposes of:

- (i) Apportioning precepts and levies and
- (ii) Calculating the tax base for each area subject to a special item

3.0 Report Details

3.1 In respect of the 1 (a) 'the whole of its area':

3.1.1 The tax base has to be notified by Cherwell District Council to major precepting bodies (i.e., Oxfordshire County Council and the Police and Crime Commissioner for Thames Valley) and levy authorities (i.e., Thames Flood Defence Area, Anglian (Great Ouse) Flood Defence Area and Severn Region Flood Defence Area) by 31 January 2023 to enable their precepts to be calculated as a tax per band D equivalent properties.

3.2 In respect of 1 (b) 'parts of its area'

3.2.1 Major precepting and levying authorities have to notify Cherwell District Council (the billing authority) by 31 December 2022 of the area(s) subject to a special item (expense) and for which an apportionment of the tax base is required. No such notification has been received.

3.2.2 Parishes who levy a precept are automatically treated as a special item and there has to be a tax base calculated for each of the parishes in the area. They are not required to calculate a precept as a tax per band D equivalent property but can request the tax base figure to be supplied to them within ten days of making a request. Each parish and town council are notified of the figure for their area.

Calculation of the tax base

3.3 The starting point of the calculation, as shown in Appendix 3, is the total number of council tax dwellings and their council tax band.

3.4 The council then allows for the following information and estimates for each band:

(a) Dwellings which are exempt, so no council tax is payable (e.g., those where all occupiers are students)

(b) Dwellings which attract a 25 per cent reduction (e.g., those with a single adult occupier)

(c) Dwellings which attract a 50 per cent reduction (e.g., those properties where all adult residents are disregarded or 'don't count' for council tax purposes)

(d) Dwellings which are treated as paying a lower band because they have been adapted for a disabled person. The regulations specify how to adjust the tax base in respect of band A dwellings.

(e) Dwellings which attract a reduction through the Council Tax Reduction Scheme.

(f) Dwellings which are exempt from council tax

3.5 Each band is then converted into "band D equivalents" by applying the factor required by legislation. A band H, for example, is multiplied by two. All of these are added together to give a total number of band D equivalents.

3.6 A further adjustment is made for Class O exempt properties (Armed forces' accommodation) as the Ministry of Defence makes a payment roughly equal to the council tax that it would have had to pay for each property if they were not exempt.

3.7 We also estimate the number of properties which will be either added to or removed from the Valuation List in the new financial year and make an adjustment to reflect that they won't all be subject to full council tax for 12 months.

3.8 A final adjustment is made to allow for non-collection. The council is required to decide what its collection rate is likely to be and applies this to its council tax base. For 2022-2023 this was 98% and it is proposed it should be 98% in 2023-2024.

4.0 Conclusion and Reasons for Recommendations

4.1 The Council must legally set a tax base for the following year by 31 January. This will allow the Council to notify its preceptors of the tax base in order for them (and the Council) to set their budgets for 2023/24.

5.0 Consultation

Councillor Adam Nell, Portfolio Holder for Finance

6.0 Alternative Options and Reasons for Rejection

There are no alternative options. The Council has to set a tax base in order to set its council tax for 2023-2024.

7.0 Implications

Financial and Resource Implications

- 7.1 There are no direct financial implications within this report. However, when the Council determines its Council Tax Requirement when setting the budget, the Council Tax Base is used for calculating the amount of Council Tax set by Cherwell District Council. The tax base of 58,184.3 will be reflected in the budget papers taken to Executive and Council in February 2022.

Comments checked by:

Joanne Kaye, Strategic Finance Business Partner
joanne.kaye@cherwell-dc.gov.uk 01295 221545

Legal Implications

- 7.2 For each financial year and each category of dwellings in its area, the council must set an amount of council tax (section 30, Local Government Finance Act 1992). Section 31B of the Local Government Finance Act 1992 and the Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012 demand that the council calculates a tax base by 31 January 2022. This will be used for Council Tax setting purposes in February 2022.

Comments checked by:

Shiraz Sheikh, Assistant Director Law & Governance
Shiraz.Sheikh@cherwell-dc.gov.uk 01295 221651

Risk Implications

- 7.3 If the Council does not set a tax base in accordance with statutory deadlines, then it will not be able to set its Council Tax for the 2023-2024 financial year. This is managed as an operational risk and escalated to the leadership risk register as and when necessary.

Comments checked by:

Celia Prado-Teeling, Performance Team Leader
Celia.prado-teeling@cherwell-dc.gov.uk, 01295 221556

Equality and Inclusion Implications

- 7.4 All proposals are developed in line with the commitments set in our Equalities and Inclusion Framework. Any equalities and inclusion implications will be reflected with mitigating actions where possible in the correspondent Equalities Impact Assessment.

Comments checked by:
Celia Prado-Teeling, Performance Team Leader
Celia.prado-teeling@cherwell-dc.gov.uk, 01295 221556

Sustainability Implications

7.5 There are no sustainability implications.

Comments checked by:
Ed Potter, Assistant Director Environmental Services
ed.potter@cherwell-dc.gov.uk, 01295 221574

8.0 Decision Information

Key Decision

Financial Threshold Met: No

Community Impact Threshold Met: No

Wards Affected:

All

Links to Corporate Plan and Policy Framework:

All

Lead Councillor:

Councillor Adam Nell, Portfolio Holder for Finance

Document Information

Appendix Number and Title

- Appendix 1 - Council tax base by parish
- Appendix 2 - Council tax base by Flood Defence Area
- Appendix 3 - Council tax base calculation

Background papers

None

Report Author and contact details

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Appendix 1 – Council Tax Base by Parish 2023-24

Parish	Relevant Amount	Tax Base at 98%	MoD Class O Properties	Tax Base for 2023-24
Adderbury	1,372.0	1,344.6	-	1,344.6
Ambrosden	600.5	588.5	237.4	825.9
Ardley	270.0	264.6	-	264.6
Arncott	324.9	318.4	-	318.4
Banbury	16,974.3	16,634.8	-	16,634.8
Barford	274.2	268.7	-	268.7
Begbroke	373.8	366.3	-	366.3
Bicester	13,133.3	12,870.6	-	12,870.6
Blackthorn	147.2	144.3	-	144.3
Bletchington	451.4	442.4	-	442.4
Bloxham	1,615.6	1,583.3	-	1,583.3
Bodicote	1,125.0	1,102.5	-	1,102.5
Bourton	354.1	347.0	-	347.0
Broughton	126.4	123.9	-	123.9
Bucknell	106.0	103.9	-	103.9
Caversfield	573.2	561.7	-	561.7
Charlton on Otmoor	206.6	202.5	-	202.5
Chesterton	465.4	456.1	-	456.1
Claydon	143.7	140.8	-	140.8
Cottisford	71.6	70.2	-	70.2
Cropredy	309.1	302.9	-	302.9
Deddington	1,065.5	1,044.2	-	1,044.2
Drayton	341.5	334.7	-	334.7
Duns Tew	241.8	237.0	-	237.0
Epwell	141.3	138.5	-	138.5
Fencot and Murcott	132.0	129.4	-	129.4
Finmere	226.1	221.6	-	221.6
Fringford	268.2	262.8	-	262.8
Fritwell	292.5	286.7	-	286.7
Godington	21.3	20.9	-	20.9
Gosford and Water Eaton	556.4	545.3	-	545.3
Hampton Gay and Poyle	82.4	80.8	-	80.8
Hanwell	125.4	122.9	-	122.9
Hardwick with Tusmore	40.7	39.9	-	39.9
Hethe	117.6	115.2	-	115.2
Hook Norton	1,090.3	1,068.5	-	1,068.5
Horley	163.2	159.9	-	159.9
Hornton	172.6	169.1	-	169.1
Horton Cum Studley	256.1	251.0	-	251.0

Parish	Relevant Amount	Tax Base at 98%	MoD Class O Properties	Tax Base for 2023-24
Islip	327.4	320.9	-	320.9
Kidlington	5,119.9	5,017.5	-	5,017.5
Kirtlington	459.5	450.3	-	450.3
Launton	628.3	615.7	-	615.7
Lower Heyford	224.4	219.9	-	219.9
Merton	142.0	139.2	-	139.2
Middle Aston	68.9	67.5	-	67.5
Middleton Stoney	152.3	149.3	-	149.3
Milcombe	274.4	268.9	-	268.9
Milton	88.9	87.1	-	87.1
Mixbury	120.0	117.6	-	117.6
Mollington	242.6	237.7	-	237.7
Newton Purcell	45.0	44.1	-	44.1
Noke	84.6	82.9	-	82.9
North Aston	105.2	103.1	-	103.1
North Newington	161.4	158.2	-	158.2
Oddington	65.6	64.3	-	64.3
Piddington	183.2	179.5	-	179.5
Prescote	7.7	7.5	-	7.5
Shenington	235.6	230.9	-	230.9
Shipton on Cherwell	158.0	154.8	-	154.8
Shutford	215.7	211.4	-	211.4
Sibford Ferris	201.9	197.9	-	197.9
Sibford Gower	255.0	249.9	-	249.9
Somerton	143.5	140.6	-	140.6
Souldern	216.4	212.1	-	212.1
South Newington	154.4	151.3	-	151.3
Steeple Aston	434.8	426.1	-	426.1
Stoke Lyne	110.9	108.7	-	108.7
Stratton Audley	222.0	217.6	-	217.6
Swalcliffe	115.6	113.3	-	113.3
Tadmarton	261.8	256.6	-	256.6
Upper Heyford	167.0	163.7	-	163.7
Wardington	255.0	249.9	-	249.9
Wendlebury	199.1	195.1	-	195.1
Weston on the Green	263.2	257.9	-	257.9
Wigginton	117.5	115.2	-	115.2
Wroxton	285.5	279.8	-	279.8
Yarnton	1,211.3	1,187.1	-	1,187.1
Heyford Park	1,050.4	1,029.4	-	1,029.4
Total	59,129.1	57,946.9	237.4	58,184.3