

## **Cherwell District Council**

### **Executive**

Minutes of a meeting of the Executive held in at Bodicote House, Bodicote, Banbury, OX15 4AA, on 1 December 2008 at 6.30 pm

Present: Councillor Barry Wood (Chairman)

Councillor G A Reynolds  
Councillor Norman Bolster  
Councillor Michael Gibbard  
Councillor James Macnamara  
Councillor Nigel Morris  
Councillor D M Pickford  
Councillor Nicholas Turner

Also present: Councillor Andrew Fulljames  
Councillor Mrs Catherine Fulljames

Apologies for absence: Councillor Kieron Mallon

Officers: Mary Harpley, Chief Executive and Head of Paid Service  
Ian Davies, Strategic Director - Environment and Community  
Julie Evans, Strategic Director - Customer Service & Resources  
John Hoad, Strategic Director - Planning, Housing and Economy  
Liz Howlett, Head of Legal & Democratic Services and Monitoring Officer  
Phil O'Dell, Interim Head of Finance and Section 151 Officer  
Jo Smith, Communications Manager  
James Doble, Democratic, Scrutiny and Elections Manager

#### 130 **Declarations of Interest**

Councillors declared interest with regard to the following agenda items:

7. Eco-Town: Update on Current Position and Next Steps.  
Councillor G A Reynolds, Personal, Due to being a County Councillor and the County Council holding a land interest at Gowells Farm, Bicester.

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Councillor Nicholas Turner, Personal, Due to being a County Councillor and the County Council holding a land interest at Gowells Farm, Bicester.

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Councillor Norman Bolster, Personal, Due to being a County Councillor and the County Council holding a land interest at Gowells Farm, Bicester.

#### 131 **Petitions and Requests to Address the Meeting**

The Chairman announced Councillor Fulljames, Councillor Mrs Fulljames and John Kightley (on behalf of Bucknell Parish Council) had requested to speak on agenda item 7: Eco-Town: Update on Current Position and Next Steps and that he had agreed that they should be heard at the start of that item of business.

132 **Urgent Business**

The Chairman stated that he had agreed to admit one item of urgent business to the agenda on the impact of the economy on the Housing Benefit function of the Council, on the grounds that the Council needed to be able to deal with the increased volume of housing benefit claimants resulting from the economic crisis.

133 **Minutes**

The minutes of the meetings held on 3<sup>rd</sup> and 17<sup>th</sup> November were agreed as a true and accurate record and signed accordingly.

134 **Forward Plan**

The Chief Executive submitted the Leader's Forward Plan of key Executive decisions to be taken over the next four months.

**Resolved**, that the Forward Plan for the next four months be noted.

**Reasons** – to create a Forward Plan for the Council as required by the Local Government Act 2000.

135 **Eco-Town: Update on Current Position and Next Steps**

The Head of Planning and Affordable Housing Policy submitted a report to consider the next steps on the concept of an alternative Eco Development at North West Bicester. It was noted that supplementary information had been published with regard to this agenda item, which contained revised recommendations.

Councillor Fulljames, Councillor Mrs Fulljames and John Kightley (on behalf of Bucknell Parish Council) addressed the meeting on the issue of an alternative Eco Development at North West Bicester. The Leader of the Council responded to the issues which were raised.

**Resolved**

(1) That Officers be instructed to undertake an initial 'Concept Study' of the potential alternative eco-development at NW Bicester (in accordance with the Brief and Timetable as set out in the report attached as Annex 1 to the minutes (as set out in the minute book).

(2) That it be agreed that consultancy support be commissioned for this work.

**Reasons** – The Executive requested a further report on the next steps to be taken in preparing for a formal response to the Government's consultation in February.

136 **Bullington Immigration Removal Centre at site A DSDC Bicester**

At the request of Members the Head of Development Control and Major Developments submitted a report to advise members of the proposed Bullington Immigration Removal Centre for the UK Border Agency. A secure Category C (5.2m Continuous security fence) 800 bed secure facility based on prison designs where detainees (illegal immigrants and failed asylum seekers) are held awaiting deportation.

**Resolved**

That the proposals for an Immigration Removal Centre (IRC) at Bullingdon near Bicester be noted, in particular the positive effect this could have on the local economy.

**Reasons** - It is Planning Committee's role to consider and determine the eventual planning application, but Executive can identify community issues that need to be considered more generally by the Council.

137 **Informal Development Principles Bryan House, Bicester**

The Head of Planning and Affordable Housing Policy submitted a report to seek approval for the publication, following public consultation, of Informal Development Principles to guide the redevelopment of the site at Bryan House, Bicester.

**Resolved**

That the publication of an Informal Development Principles document, which has been amended in response to public consultation, for the redevelopment of Bryan House, Chapel Street, Bicester be approved.

**Reasons** - Bryan House, Chapel Street is owned and managed by Sanctuary Housing Association. It falls short of current standards of accommodation and the Housing Association intends to redevelop it with affordable housing to meet local needs. The Head of Planning and Affordable Housing Policy accordingly prepared draft Informal Development Principles setting out how this could be achieved.

138 **Annual Review of Council Tax, Business Rates and Benefits Discretionary Powers**

The Head of Exchequer submitted a report to review the reliefs currently awarded under the discretionary powers the Council has in relation to council tax, business rates and housing and council tax benefits and decide whether any changes should be made to take effect from 1 April 2009.

**Resolved**

- (1) That the Head of Exchequer's decision to offer 4 dates for payment by direct debit to council tax and business rate payers; the dates being 1<sup>st</sup>, 9<sup>th</sup>, 18<sup>th</sup> and 25<sup>th</sup> of each month from 1 April 2009 be noted.
- (2) That it be resolved to continue with the discretionary awards that it resolved to give on 3 December 2007, which are:
  - a) Not to offer any reduction for early lump sum payments, as provided for by Regulation 25 of the Council Tax (Administration and Enforcement) Regulations 1992.
  - b) Not to offer any reductions to encourage taxpayers to use particular methods of payment, as provided for by Regulation 26 of the Council Tax (Administration and Enforcement) Regulations 1992.
  - c) To continue the local scheme disregarding the whole of any War Widows Pension or War Disablement Pension when calculating entitlement to Housing Benefit or Council Tax Benefit.
  - d) To continue with the practice established in 2004/05 of reducing the Council Tax discount for second homes from 50% to 10%, except for annexes that are not otherwise exempt and are occupied by families as

part of their main residence, which from 1 April 2008 have been excluded from this provision.

- e) To continue with the practice established in 2004/05 of reducing the Council Tax discount for long-term empty properties to nil.
- f) To continue with the present practice of awarding 100% rate relief to charity shops; village halls; community centres and premises used for scouting and other youth groups.
- g) To retain the existing levels of discretionary rural rate relief.

**Reasons** - As a billing authority the Council has various discretionary powers that it is required to consider in relation to Council Tax, Council Tax and Housing Benefits and Business Rates. It is good practice to review the effects of the previous decisions made in relation to the exercise of these discretionary powers on a regular basis. This ensures that the discounts and reliefs previously approved are still effective and provides the opportunity for Members to consider any representations received for variations to the existing discretionary schemes.

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### **Draft Budget 1 and Service Plans 2009 - 2010**

The Strategic Director Customer Service and Resources submitted a report that advised the Executive regarding the first draft budget and service plans for 2009-2010. The report was the first of three opportunities for the Executive had to shape and refine the interaction between service plans and financial matters before the final budget is presented to the Council on the 23rd February 2009.

### **Resolved**

- (1) That the draft budget and service plans in the context of the Council's service objectives and strategic priorities be noted;
- (2) That the proposed service priorities detailed in Annex 2, to these minutes (as set out in the minute book) be endorsed;
- (3) That the approach to the overall capital programme and 09/10 expenditure profile in Annex 3, to these minutes (as set out in the minute book) be agreed;
- (4) That there should be no growth in 2009/2010 budget unless funding had been agreed;
- (5) That the Medium Term Financial Strategy be made available for Executive in January;
- (6) That the draft budget and service plans as the basis for consultation be endorsed;
- (7) That the Resources and Performance Scrutiny Board be invited to consider the draft budgets and service plans, service priorities and service growth bids at their meeting on December 9<sup>th</sup> 2008 and submit their comments to the Executive meeting to be held on 12 January 2009. That all recommendations of the Resources and Performance Scrutiny Board as set out in Annex 1 to these minutes (as set out in the minute book) be adopted;
- (8) That the Council does not participate in the Government's free swimming programme due to the fact that the Government grant is insufficient to cover the cost arising;

- (9) To approve a supplementary capital estimate of £250,000 for the provision of disabled facility grants in the financial year ended 31<sup>st</sup> March 2009.

**Reasons** - The budget will form the financial expression of the Council's service delivery plans for 2009/10; the allocation of resources against agreed service priorities is necessary in order to achieve its strategic priorities.

140 **Annual Monitoring Report**

The Head of Planning and Affordable Housing Policy submitted a report to consider the progress made on the Council's Local Development Framework (LDF) in terms of meeting milestones in the Local Development Scheme and to consider monitoring information on business development, housing, biodiversity, open space, transport, and local services for the monitoring year April 2007 to March 2008.

**Resolved**

- (1) That the report for submission to the Secretary of State by 31 December 2008 be endorsed and the Head of Planning and Affordable Housing Policy be delegated to make any minor presentational changes in consultation with the Portfolio Holder for Planning and Housing;
- (2) That the housing delivery position described in the report noted;
- (3) That it be agreed that the Council continues to bring forward proposals for the delivery of sites identified for residential development in the Non-Statutory Cherwell Local Plan 2011, which was approved as interim planning policy for development control purposes on 13 December 2004, and that officers continue to work with the development industry, local communities and other interested parties in order to do this in the interests of sustaining housing delivery (including the provision of affordable housing) to meet the requirements of the adopted Oxfordshire Structure Plan and, upon adoption, the South East Plan.

**Reasons** - The Planning and Compulsory Purchase Act 2004 and the Town and Country Planning (Local Development) (England) Regulations 2004 require the Council to produce an Annual Monitoring Report (AMR). Upon approval by the Executive, the AMR will form part of the District's Local Development Framework (LDF).

141 **The Impact of the Economy on the Housing Benefits Function**

The Head of Exchequer submitted a report to advise the Executive on the impact of the current economic climate on the current and future delivery of the Housing and Council Tax benefit function. It was noted that this issue had not been included in the Forward Plan for January to May and had been considered in accordance with the Special Urgency provisions of the constitution and would be reported to Council accordingly.

**Resolved**

- (1) That the contents of the report and the increased workloads in processing housing and council tax benefit applications be noted.
- (2) That a supplementary estimate of £14,000 to ensure that the backlog in processing housing and council tax benefit applications is eliminated which will ensure a robust service to the public and residents of the district during this period of economic uncertainty be approved.

- (3) That a further supplementary estimate of up to £16,000 to ensure that the increased workload of claims can be dealt with efficiently and ensure that claimants receive a timely response be approved.
- (4) That officers be asked to identify actions to secure up to £30,000 of savings to offset the supplementary estimates.
- (5) That an update be given on the number of additional claims relating to the economic climate at the January Executive and options for the future delivery of the service discussed.

**Reasons** - The current economic climate has seen a sharp rise in the number residents claiming benefit and the Government has predicted a 50% increase in the number of unemployed in the next 12 -18 months. The predicted rise would increase the benefits caseload by 2,387 (31%) to just over 10,000 claims.

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**Exclusion of Public and Press**

Resolved, that in accordance with Section 100A(4) of Local Government Act 1972, the press and public be excluded from the meeting for the following items of business, on the grounds that they could involve the likely disclosure of exempt information as defined in paragraph 3 Schedule 12A of that Act.

# EXEMPT

143 **The Impact of the Economy on the Housing Benefits Function - Exempt Appendix**

**Resolved**, that the exempt appendix be noted.

144 **Dry Recyclables Collection and Disposal**

The Head of Environmental Services submitted a report on dry recyclables collection and disposal. It was noted that this issue had not been included in the Forward Plan for January to May and had been considered in accordance with the Special Urgency provisions of the constitution and would be reported to Council accordingly.

**Resolved**

That the recommendations as set out in the exempt minute be agreed.

**Reasons** – With the recent changes to the world economy have resulted in recent market changes in the recycling sector and possible financial and operational implications to the collection services arising from the severe reduction in values of recycled materials.

The meeting ended at 8.55pm

Chairman:

Date: