

Council Minute Book
Tuesday 26 July 2011

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Cherwell District Council

Executive

Minutes of a meeting of the Executive held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 7 February 2011 at 6.30 pm

Present: Councillor Barry Wood (Chairman)
Councillor G A Reynolds (Vice-Chairman)

Councillor Ken Atack
Councillor Michael Gibbard
Councillor James Macnamara
Councillor Nigel Morris
Councillor D M Pickford
Councillor Nicholas Turner

Also Present: Councillor Daniel Sames

Apologies for absence: Councillor Norman Bolster
Councillor Colin Clarke

Officers: Ian Davies, Interim Chief Executive and Head of Paid Service
John Hoad, Strategic Director - Planning, Housing and Economy
Martin Henry, Chief Finance Officer / Section 151 Officer
Philip Clarke, Head of Planning Policy and Economic Development
Karen Curtin, Head of Finance
Gillian Greaves, Head of Housing Services
James Doble, Democratic, Scrutiny and Elections Manager
Claire Taylor, Corporate Strategy and Performance Manager
Nigel Bell, Team Leader - Planning and Litigation
Natasha Clark, Senior Democratic and Scrutiny Officer

104 **Declarations of Interest**

Members declared interests in the following agenda items:

9. Localism Bill 2010: Opportunities for Cherwell.

Councillor James Macnamara, Personal, as Trustee of charities that own property in the district that may be affected by elements of the Localism Bill.

Councillor Nicholas Turner, Personal, as a tenant of the landowner who had agreed to be involved in the DCLG Neighbourhood Planning Vanguard scheme.

11. Concessionary Travel and Community Transport.

Councillor G A Reynolds, Personal, as a recipient of travel tokens.

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

There were no petitions or requests to address the meeting.

106 **Urgent Business**

There were no items of urgent business.

107 **Minutes**

The minutes of the meeting held on 10 January 2011 were agreed as a correct record and signed by the Chairman.

108 **Overview and Scrutiny Committee Scrutiny Review into Built Environment Conservation Area Policy**

The Head of Legal and Democratic Services submitted a report which presented the report and recommendations of the Overview and Scrutiny Committee review into the Council's Built Environment Conservation Policy.

The Chairman of the Overview and Scrutiny Committee attended the meeting to present the report.

Resolved

- (1) That the work of the Overview and Scrutiny Committee with regard to the Built Environment Conservation Area Policy Scrutiny Review be noted.
- (2) That the Overview and Scrutiny Committee recommendations regarding Built Environment Conservation Area Policy Scrutiny Review as detailed below be agreed:
 - (1) That the Executive recognises the importance of our conservation areas and continues to support the work carried out by the Council to protect their character.
 - (2) That the Executive asks the LDF Advisory Panel to make sure that policies to protect conservation areas are contained within the LDF at the appropriate earliest opportunity.
 - (3) That the Executive approves the informal planning guidance document "*Subdivision of buildings for residential use*" which is shortly to be brought before it for approval following public consultation.
 - (4) That the LDF Panel be requested to keep under review the effectiveness of the document "*Subdivision of buildings for residential use*" and in due course, if this document is found not to be effective in generally achieving its objectives, to consider

whether the document should be reviewed and incorporated more formally as a Local Development Document within the Local Development Framework.

- (5) That Executive supports the efforts of the Council as we work with other organisations (such as the Highway Authority in respect of highway maintenance) to make sure that where public money is spent in conservation areas, this is appropriately directed to ensure that priority is given to ensuring the enhancement of the conservation areas.

Reasons

This report presents the work of an Overview and Scrutiny review of the work of the planning service within conservation areas insofar as this work relates to:

- Identifying, appraising and reviewing conservation areas
- Developing local planning policies and guidance to protect conservation areas
- Determining planning applications, Listed Building Consents and Conservation Area Consents
- Enforcing the planning decisions of the council

Options

Option One To accept some or all of the overview and scrutiny recommendations.

Option Two To reject some or all of the overview and scrutiny recommendations.

109

Draft Planning and Design Guidance: Subdivision of Buildings for Residential Uses

The Head of Planning Policy and Economic Development submitted a report which recommended the Executive approve the draft 'Subdivision of Buildings for Residential Uses' document as informal guidance with immediate effect, so that it can be used to aid applicants when submitting applications and assist planning officers and committee members when determining such applications.

Resolved

- (1) That the Planning and Design Guidance: Subdivision of Buildings for Residential Use, as set out in the annex to these minutes (as set out in the minute book) be approved, subject to minor amendments by the Head of Planning Policy and Economic Development in consultation with the Portfolio Holder Planning and Housing.

Reasons

This document will be informal planning guidance. As informal guidance, it will have limited weight but, having been the subject of consultation, will be a material consideration in the determination of planning applications for the sub-division of buildings for residential use. The guidance provides for the improvement of living environments created by the sub-division of existing residential premises. It also provides guidance on the impact on such works on the external appearance of the building and any further impact on the street as a whole.

Options

Option One Approve the document without changes.

Option Two Approve the document with changes.

Option Three Do not approve of the document.

110 **Planning Policy for Wind Energy Development**

The Head of Planning Policy and Economic Development submitted a report which sought approval of an informal (non statutory) planning guidance document on the subject of wind turbines and residential development.

Members of the Executive commented that the guidance document demonstrated that Cherwell District Council was not opposed to renewable energy but set limits to protect residents in the district.

The Executive thanked Officers for completing a comprehensive piece of work in such a short period of time.

Resolved

- (1) That the document entitled 'Planning Guidance on the Residential Amenity Impacts of Wind Turbine Development' as set out in the annex to these minutes (as set out in the minute book) be approved for use as informal planning guidance.

Reasons

This document will be informal planning guidance. As informal guidance, it will have limited weight but, having been the subject of consultation, will be a material consideration in the determination of planning applications. The local guidance document is linked to policy SD3 of the Draft Core Strategy. This policy sets out the Council's strategic approach to assessing proposals for renewable energy, and makes clear that the Council supports renewable and low carbon energy where appropriate. In assessing planning applications, it identifies a number of issues which are of local significance to Cherwell District which need to be considered.

Options

- Option One** To approve the document set out as appendix 1 for use as informal planning guidance in determining planning applications
- Option Two** To approve the document for use as informal planning guidance, with amendments
- Option Three** Not to approve the document for use as informal planning guidance.

111 **Localism Bill 2010: Opportunities for Cherwell**

The Interim Chief Executive submitted a report which sought consideration of the opportunities and issues for the district which are created through the Localism Bill 2010.

The Chairman began by reminding Members that the Bill had been introduced as draft legislation and was unlikely to receive Royal Assent until late 2011 however it was useful for the Executive to consider the content of the Bill.

Members considered the six key principles of the Bill and agreed that officers should be requested to draft a letter from the Leader on behalf of the council to Tony Baldry MP outlining the issues and questions the Executive had raised during the course of the discussion.

Resolved

- (1) That the contents of the Localism Bill 2010 be noted.
- (2) That officers be requested to provide update briefings to the Executive as the Bill continues on its legislative passage and to draft a letter from the Leader of the Council to Tony Baldry MP highlighting the points raised by the Executive.
- (3) That officers be requested to bring forward any opportunities for pilot projects as and when they arise including any legal, risk and financial implications.

Reasons

The Localism Bill provides many potential opportunities for Cherwell District Council to develop localism and to work towards 'The Big Society'. Due to the way the Bill has been introduced it is inevitable the clauses will be subject to much amendment during its legislative passage and therefore may change quite dramatically from the analysis which is set out above, therefore a further report will be produced following the bill receiving Royal Assent.

Additionally, whilst the Bill contains many proposals aimed at enhancing democracy, these come at a real cost both in terms of the staffing resource to

administer them but also in terms of budgets for instance the cost for a district wide referendum is estimated to be in excess of £150,000.

Options

- | | |
|---------------------|----------------------------------|
| Option One | To agree the recommendations |
| Option Two | Not to agree the recommendations |
| Option Three | To amend the recommendations |

112 **Car Park Order Notice**

The Head of Safer Communities, Urban and Rural Services submitted a report which advised Members of any objections to the Cherwell District Council (Off-Street Parking Places) (Banbury, Bicester and Kidlington) Order advertised on 13 January 2011 and sought authority to make the Order subject to any objections received.

The Portfolio Holder Safer Communities, Urban and Rural advised Executive that one objection had been received relating to the introduction of charges for blue badge holders.

Resolved

- (1) That the objections to the Order be received.
- (2) That formal Order Making on final proposals for implementation on, or as soon after, 4 April 2011 as is practicable be authorised.

Reasons

A range of car parking proposals have been considered as part of service planning for 2011/12, and through the budget preparation process. These proposals, if adopted, would be introduced on or as soon after 4 April 2011 as is practicable as ticket machines, information boards, highways direction signage and access all need to be considered to enable implementation.

Options

- | | |
|-------------------|---|
| Option One | Consider and deal with any objections to the Cherwell District Council (Off-Street Parking Places) (Banbury, Bicester and Kidlington) Order |
|-------------------|---|

113 **Concessionary Travel and Community Transport**

The Head of Housing Services submitted a report which updated the Executive on changes to the Concessionary Travel Scheme and their implications, following the statutory transfer of the administrative responsibility for the scheme to Oxfordshire County Council from 1 April 2011. The report

also updated the Executive on the effects of these changes on the Community Transport (Dial a Ride) scheme, the risks facing the scheme in the future, and the course of action that officers are taking to mitigate as far as possible any adverse effects.

Resolved

- (1) That the change in statutory responsibility for the Concessionary Travel Scheme to the Oxfordshire County Council (“the County Council”) from 1 April 2011, including the changes made to the scheme by the County Council, and the effects on Dial a Ride services provided by Banbury Community Transport Association (BCTA) be noted.
- (2) That the County Council’s delegation of its functions under section 145[2] of the Transport Act 2000 [duty to issue concessionary passes] and associated powers, to Cherwell District Council for the period up to 31 March 2012 the costs of which are to be met by the County Council be accepted.
- (3) That the Head of Housing Services in consultation with the Head of Legal and Democratic Services be authorised to negotiate and complete an Agency Agreement with the County Council under section 101 of the Local Government Act 1972 and section 19 of the Local Government Act 2000 that gives effect to the rights and responsibilities referred to in [2] above.
- (4) That the further examination and development of the alternative proposals within the Cherwell District for longer term community transport provision be approved and the cost implications noted:
- (5) That the County Council be requested to undertake a County Wide review of community transport and related services in the light of the effects of the changes in the Concessionary Travel Scheme and from future funding of Community Transport, the results of which are to be reported back to the Executive.

Reasons

Service Continuity – Following the announcement by way of Statutory Order of the transfer of the Concessionary Fare Scheme to the County Council there is a real need to inform customers of the service of the changes and ensure that the service continues seamlessly. The continued interim provision of the service on behalf of the County Council by Cherwell District Council for a year, will allow the County Council to fully prepare for a seamless transfer of the service delivery of the scheme on 1 April 2012.

Effects on Community Transport – Despite the overall beneficial effects of the extension of travel passes to Dial a Ride services even after the effects of the withdrawal of further travel tokens from 1 April 2011, the risk of potential reductions in the grants from Cherwell District Council and Oxfordshire County Council in the future, represent a major service continuity risk for community transport in the Cherwell District. As a contingency a number of potential options need to be developed to try and mitigate any effects on community transport in the future.

Options

- Option One** Accept the recommendations contained in this report, thereby allowing interim arrangements for service continuity and the consideration of the future role of community transport within the Cherwell District. This is the option advised by officers.
- Option Two** Accept the service continuity arrangements for 2011/12, but not to endorse the potential development of future community transport arrangements.
- Option Three** Not to accept the service continuity arrangements for 2011/12, but to endorse the potential development of future community transport arrangements.
- Option Four** Not to accept the recommendations in this report.

114

Performance Management Framework 2010/11 Third Quarter Performance Report

The Interim Chief Executive and the Corporate Strategy and Performance Manager submitted a report which covered the Council's performance for the period 1 October to 31 December 2010 as measured through the Performance Management Framework.

Resolved

- (1) That the following achievements be noted:

Cherwell: A District of Opportunity

- The Council's job club programme is ongoing with a number of workshops held including interview skills coaching, a redundancy seminar and young people's specialist training including retail apprenticeships.
- The Council's apprenticeships programme has seen success with NVQs in Business and Administration completed. The programme has been extended until September 2011.
- Affordable Housing: performance is currently on track with 40 units delivered and plans in place to deliver additional units, including extra care housing for older people.
- Temporary Accommodation: numbers of households in temporary accommodation remain low with 24 at the end of December 2010.

A Cleaner Greener Cherwell

- Litter: after inspections 97% of land was found to have litter at acceptable low levels, strong performance against a target of 95%.
- Recycling: currently performance exceeding target and is projected to be at 58% by the end of the year.

A Safe and Healthy Cherwell

- Activities for older people: participation rates have continued to improve with 630 additional people taking part in group activities.
- The Community Safety Partnership is reporting a reduction in serious acquisitive crime (theft of and from cars, burglary - dwelling and robbery) of 23% in comparison to last year (data provided by Thames Valley Police).
- Private sector funding has been achieved for radios to support Street Wardens in their work.

An Accessible Value for Money Council

- Reducing the Council's costs by £800,000 in 2010/11: as of 31st December the target has been met and the savings have been reflected in the Council's draft budget for 2011/12.
- Providing More Services Online: there are currently more than 80 transactional services available on the Council's website. The consultation portal has also seen increasing availability of consultation activities including the draft budget for 2011/12.
- The Council's outreach workers have a programme of visits to venues where hour hardest to reach customers are likely to be. The venues include supermarkets, doctors' surgeries and community events.
- Next Steps sessions (careers advice) have been offered as surgeries at all the Council's link points, helping to improve access to partners' services.

(2) That officers be requested to report in the final quarter on the following item where performance was below target or there are emerging issues:

- Strategic Risks: given the significant changes facing the Council in terms of reducing budgets and shared management the Extended Management Team will be reviewing the strategic risks facing the Council. An update on this review will be brought forward to the next quarter report.

- (3) That the responses identified to issues raised in the quarter two performance report be agreed.

Reasons

The Performance Management Framework allows Councillors to monitor the progress made in delivering our objectives and to take action when performance is not satisfactory or new issues arise.

Options

- Option One**
1. To note the many achievements referred to in paragraph 1.3.
 2. To request that officers report in the third quarter on the items identified in paragraph 1.4 where performance was below target or there are emerging issues.
 3. To agree the responses identified to issues raised in the quarter two performance report in paragraph 2.1 or to request additional action or information.
- Option Two** To identify any additional issues for further consideration or review.

115 **2010/11 Projected Revenue & Capital Outturn at 31 December 2010**

The Head of Finance submitted a report which summarised the Council's Revenue and Capital performance for the first 9 months of the financial year 2010/11 and projections for the full 2010/11 period. These are measured by the budget monitoring function and reported via the Performance Management Framework (PMF) informing the 2010/11 budget process currently underway.

The report also considered progress against the 2010/11 Corporate Procurement Action Plan which contributes to the council's annual efficiency target.

Resolved

- (1) That the projected revenue & capital position at December 2010 be noted.
- (2) That the changes in the 2010/11 capital programme as detailed in 3 – 7 below be approved.
- (3) That an additional £2,072K of project funding into the 2011/12 capital programme be slipped and that this be considered as part of the 2011/12 budget process.

- (4) That the supplementary estimate of £45,000 for implementing the changes due to car parking proposals be approved.
- (5) That the contents and the progress against the Corporate Procurement action Plan and the Procurement savings achieved at December 2010 be noted.
- (6) That the transfer of projected service underspends to reserves to facilitate the funding of SNC joint working implementation costs and replenishment of the planning control reserve be approved.
- (7) That the transfer of the windfall interest received in respect of the Councils VAT Fleming case to the Organisational change reserve be approved.

Reasons

This report illustrates the Council's performance against the 2010/11 Revenue and Capital Budget and includes the latest update against the 2010/11 Corporate Procurement Action Plan.

Options

- | | |
|-------------------|---|
| Option One | To review current performance levels and considers any actions arising. |
| Option Two | To approve or reject the recommendations above or request that Officers provide additional information. |

116

Draft Budget 2011-12

The Head of Finance submitted a report which provided the third and final opportunity for the Executive to shape and refine the interaction between corporate service plans and financial matters before the final budget is presented to full Council on 21 February 2011.

The first draft was reported to the December 6 2010 Executive meeting and a second draft to the January 10 2011 Executive meeting. The information has now been updated to reflect changes since then and, subject to any further changes Members may wish to include tonight, this final draft will be used to prepare a final budget proposal to be presented to full Council on 21 February 2011.

Resolved

- (1) That the changes to the draft budget since 10 January 2011 and consider the draft revenue budget as set out in the annex to the minutes (as set out in the minute book) in the context of the Council's service objectives and strategic priorities be approved.

- (2) That the surplus of £9,149 be transferred to general fund balances to enable a balanced budget be approved.
- (3) That a Council tax freeze be recommended to full Council.
- (4) That authority be delegated to the Head of Finance, in consultation with the Portfolio Holder for Resources and Communication, to amend the contributions to or from general fund balances to allow the Council Tax increase to remain at the level recommended by Executive to full Council following the announcement of the final settlement figures.
- (5) That the proposed 2011/12 capital programme as set out in the annex to the minutes (as set out in the minute book) be agreed.
- (6) That the review of earmarked revenue reserves undertaken by the Portfolio Holder of Resources and Communication be noted and the re-allocation between various earmarked reserves and creation of 2 new reserves be approved as set out in the annex to these minutes (as set out in the minute book).
- (7) That the draft corporate plan and public pledges as set out in the annex to these minutes (as set out in the minute book) be endorsed and that authority be delegated to the interim Chief Executive in consultation with the Leader of the Council to make any minor amendments to the plan or pledges as required.
- (8) That the 2011/12 Corporate Improvement Plan as set out in the annex to these minutes (as set out in the minute book) be noted.
- (9) That it be noted that the latest MTFS financial forecast is currently being refreshed and will be part of the budget book.
- (10) That officers be requested to produce the formal 2011/12 budget book on the basis of Appendices 1-4 to the report and attached as annexes to these minutes (as set out in the minute book).
- (11) That the updated Draft Budget 2011/12 be recommended for adoption by the Council on 21 February 2011 (as a key decision).

Reasons

The Council is required to produce a balanced budget for 2011/12 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.

Options

Option One To review draft revenue and capital budget to date and consider actions arising.

Option Two To approve or reject the recommendations above or request that Officers provide additional information.

117

Population and Household Projections for Cherwell and Key Implications for the Local Development Framework

The Head of Planning Policy and Economic Development submitted a report which outlined for Members the updated population and household projections for Cherwell and sought consideration of the implications in terms of proposed changes to the Local Development Framework procedures and the consideration of a locally determined level of growth for the district.

The Executive acknowledged that the preparation of a Local Development Framework (LDF) was a statutory requirement but some Members were concerned about the population and household projections that had been proposed. Members commented that it was imperative that the correct figure was included in the LDF and raised concerns about the assumptions that had been made in reaching the recommended figure of 12,750 which was based on nil net migration. Members queried why the nil net migration scenario had been chosen over the other scenarios and questioned its validity and the household occupancy assumptions.

Members requested that officers provide further information in response to their concerns and agreed that further consideration of the item should be deferred to the March meeting.

Resolved

- (1) That consideration of the item 'Population and Household Projections for Cherwell and Key Implications for the Local Development Framework' be deferred to the March 2011 Executive meeting.

The meeting ended at 9.25 pm

Chairman:

Date:

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Cherwell District Council

Executive

Minutes of a meeting of the Executive held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 7 March 2011 at 6.30 pm

Present: Councillor Barry Wood (Chairman)
Councillor G A Reynolds (Vice-Chairman)

Councillor Ken Atack
Councillor Norman Bolster
Councillor Michael Gibbard
Councillor James Macnamara
Councillor Nigel Morris
Councillor D M Pickford
Councillor Nicholas Turner

Also Present: Councillor Nick Cotter

Apologies for absence: Councillor Colin Clarke

Officers: Ian Davies, Interim Chief Executive and Head of Paid Service
John Hoad, Strategic Director - Planning, Housing and Economy
Philip Clarke, Head of Planning Policy and Economic Development
Karen Curtin, Head of Finance
Liz Howlett, Head of Legal & Democratic Services and Monitoring Officer
David Marriott, Head of Regeneration & Estates
Ed Potter, Head of Environmental Services
Claire Taylor, Corporate Strategy and Performance Manager
Bob Duxbury, Development Control Team Leader
Jacqui Hurd, Customer Service Manager
Natasha Clark, Senior Democratic and Scrutiny Officer

118 **Declarations of Interest**

Members declared interests in the following agenda items:

7. Cherwell District Council's Response to Heavy Snow.

Councillor Nicholas Turner, Personal, as a member of an Oxfordshire County Council scrutiny committee which had considered the issue and as Chairman of Banbury, Bicester and Woodstock Farmers Union who had worked with Oxfordshire County Council on addressing the issue of heavy snow.

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

There were no petitions or requests to address the meeting.

120 **Urgent Business**

There were no items of urgent business.

121 **Minutes**

The minutes of the meeting held on 7 February 2011 were agreed as a correct record and signed by the Chairman.

122 **Population and Household Projections for Cherwell and Key Implications for the Local Development Framework**

The Head of Planning Policy and Economic Development submitted a report which outlined for members the updated population & household projections for Cherwell and to consider the implications in terms of proposed changes to the Local Development Framework procedures and the consideration of a locally determined level of growth for the district. The item had been deferred from the 7 February Executive meeting to enable Members to receive further information on the subject.

Resolved

- (1) That the information contained in this report and in the attached technical paper be noted.
- (2) That the emerging broad population and household figures for Cherwell District for the period up to 2026 set out in the annex to these minutes (as set out in the minute book) be agreed as a basis for further work on the Core Strategy.

Reasons

The preparation of the Local Development Framework is a statutory requirement. However, the Government has proposed that changes to the statutory procedures for the preparation of Local Development Frameworks will be introduced in April 2012. These changes are expected to include greater responsibility for local planning authorities in assessing their local housing needs. The population and household projections set out in this report, together with the options for taking forward this work, will provide a basis for the Council to undertake further work to refine the Draft Core Strategy.

Options

Option One To agree the recommendations as set out in the report.

Option Two To amend the recommendations

Option Three Not to agree the recommendations.

123

Cherwell District Council's Response to Heavy Snow

The Head of Environmental Services which sought consideration of the Council's response to the heavy snow in December 2010 and improvements to that response in similar circumstances in the future.

Resolved

- (1) That the problems and issues which arose from the heavy snow fall prior to Christmas be noted.
- (2) That the proposed actions to improve the Council's response to future severe winter weather events as set out in the annex to these minutes (as set out in the minute book) be approved.
- (3) That any proposed equipment purchased will be acquired within existing budgets during 2011/12 be noted.
- (4) That officers be requested to consider if the snow plan should be presented to a future Parish Liaison meeting.

Reasons

The heavy snowfall in December 2010 was the greatest for many years and caused disruption to services, more so due to the effect of Christmas. A number of possible improvements which would make services more resilient in the event of heavy snowfall have been investigated. Many of these are low cost or no cost improvements and involve procedural changes, better co-ordination or provision of better information.

A proposed priority of response and committing resources has been established. It is based on returning public services to normal operation as swiftly as practicable. By implementing the action plan services will be more resilient for any future heavy snowfall events.

Options

Option One To approve the proposed action plan as outlined in paragraph 2.29 to 2.30 of the report

Option Two To reject the proposed action plan

Option Three To ask officers to modify the proposed action plan

124 **Kidlington Pedestrianisation and Traffic Regulation Order**

The Head of Regeneration and Estates submitted a report which sought the Council's approval to enter into an agency agreement with Oxfordshire County Council, to formally promote a new Traffic Regulation Order for Kidlington High Street.

Resolved

- (1) That an agency agreement between Oxfordshire County Council, the Highway Authority, and Cherwell District Council to enable Cherwell District Council to formally promote a new Traffic Regulation Order (TRO) for Kidlington High Street be approved.

Reasons

This project is identified as a priority in the Regeneration and Estates Service Plan and is a key partnership project undertaken at the request of the Kidlington Village Centre Management Board and Kidlington Parish Council.

Options

Option One Approve the agency agreement for the scheme to move forward.

Option Two Reject the agency agreement. However this will result in the postponement of any further work on the scheme and a failure to meet Service Plan targets.

125 **Proposals for High Speed Rail - HS2**

The Strategic Director Planning, Housing and Economy submitted a report which provided information on the Government's intentions with regards to High Speed Rail and its impact upon the District, and to enable consideration of the need to co-operate with and financially contribute to an emergent group of Councils along the declared preferred route to contest the proposals.

Councillor Cotter, Leader of the Opposition, spoke in opposition to the recommendation to make up to £50,000 from Planning Control Reserves as a contribution towards the fund being formed to campaign against the proposals and to fund consultancy work required to assist in the detailed assessment of the impact upon individual properties and communities along the Cherwell section of the preferred route (notionally £20,000).

Resolved

- (1) That it be agreed to join with other Authorities along the preferred route to campaign against the proposals.

- (2) That it be agreed to make available up to £50,000 from Planning Control Reserve
 - a. as a contribution towards the fund being formed to campaign against the proposals and;
 - b. To fund consultancy work required to assist in the detailed assessment of the impact upon individual properties and communities along the Cherwell section of the preferred route (notionally £20,000).
 - c. delegate to the Strategic Director Planning, Housing and Economy in consultation with the Portfolio Holder the final distribution of this funding
- (3) That Planning Committee be asked to steer the detailed assessment of impact and to make the Council's representations thereon.
- (4) That the Strategic Director Planning, Housing and Economy be required to bring a further detailed report to the Executive towards the end of the consultation period to enable consideration of Council's formal response to the consultation.

Reasons

The key issues considered in this report are the degree of involvement to be had with the emergent group of local authorities, and the extent of financial commitment to that grouping, and to the need to hire in consultancy support for the assessment of the strategic case and environmental impact.

Options

- | | |
|---------------------|---|
| Option One | Agree to co-operate with the emergent group of authorities, and our adjacent colleagues in South Northants, with a financial undertaking of £50,000 towards the campaign against the proposals, and for consultancy assistance. |
| Option Two | Agree to the above co-operation with a greater or smaller, financial contribution |
| Option Three | Be self contained in our assessment of the proposals within our own existing resources |

Performance and Risk Management Framework 2011/12

The Interim Chief Executive and Corporate Strategy and Performance Manager submitted a report which outlined the Council's performance and risk management arrangements for 2011-2012 reviewed in the context of significant changes to the national performance and inspection regime.

Resolved

- (1) That the proposed approach to performance and risk management for 2011/12 be agreed and that these changes are reflected in the Council's Performance and Risk management Framework.
- (2) That the measures and risks that will make up the Council's performance and risk management framework for 2011/12 be agreed.
- (3) That officers report on any new performance requirements instigated by the government in the quarterly Executive reports throughout 2011/12 and work to identify and adopt examples of good practice nationally to ensure the Council's performance management remains robust and transparent.

Reasons

This report presents the Council's proposed approach to performance management from 2011/12. It reflects changes in national policy and outlines a clear locally determined approach to ensure performance and risk management remains robust and focused on local priorities. The report also highlights areas where savings and efficiencies in relation to performance management have been found.

Options

Option One

The Executive is recommended:

To agree the proposed approach to performance and risk management for 2011/12 and request that these changes are reflected in the Council's Performance and Risk management Framework.

To agree the measures that will make up the performance management framework for 2011/12.

To request that officers report on any new performance requirements instigated by the government in the quarterly Executive reports throughout 2011/12 and work to identify and adopt examples of good practice nationally to ensure the Council's performance management remains robust and transparent.

Option Two

To identify any additional issues for further consideration or review.

Management Practices for 2011/12 which fulfilled two key requirements of the Local Government Act 2003:-

- approval of the Treasury Management Policy in accordance with the CIPFA Code of Practice on Treasury Management; and
- approval of the Investment Strategy in accordance with the CLG investment guidance.

Resolved

- (1) That the Treasury Management Policy and Investment Strategy 2011/12 be recommended to Council for approval.

Reasons

The highest standard of stewardship of public funds remains of the utmost importance to the Council. The 2011/12 Treasury Management Strategy and Treasury Management Practices document sets out the Council's priorities and policies for making, and managing investments made by the Council in the course of undertaking treasury management activities during the 2011/12 financial year.

Options

Option One

To review draft strategy and consider proposals arising.

Option Two

To approve or reject the recommendations above or request that Officers provide additional information.

128

Customer Service Value for Money Review and Customer Intelligence Project

The Interim Chief Executive submitted a report which sought consideration of the findings of the Value for Money (VFM) Review report and the Customer Intelligence Improvement report, and the recommendations arising from these.

The Executive expressed their thanks to all staff in the Customer Services Team for their ongoing hard work to date in improving the service and stressed the importance of continuing to improve and develop the service to maintain the high level of service.

Resolved

- (1) That the overall conclusions of the Customer Service VFM and Customer Intelligence reports be endorsed.
- (2) That a new vision for Customer Service to 2013/14 that seeks to reduce the cost of the service, retain or improve on existing levels of

satisfaction, reduce avoidable contact, manage demand and encourage greater use of online services be adopted.

- (3) That a customer service transformation programme, involving all service areas, that will drive improvement in Customer Service through adopting smarter working methods to reduce avoidable contact and transactions, and through managing demand to reduce peaks and troughs in levels of transactions be commenced.
- (4) That the key performance measures of speed of telephone response and call abandonment rate for the Council's corporate score card be adopted.
- (5) That a two-year cost savings target of £257,462 for Customer Service that addresses the high cost of the service but in a sustainable way, with minimal impact on overall service to the public, as follows, be established;
 1. Include the elimination of all vacant posts by 2012/13, to allow time for the new payment kiosks to reduce current workload, and seek to reduce the establishment by an additional 1 FTE per annum as the transformation programme reduces overall levels of contact
 2. Note savings of £125,654 built into the 2011/12 budget as follows;
 - a. Install payment kiosks (saving £65,000) as approved
 - b. Remove a vacant customer service specialist post (saving £17,000)
 - c. Remove vacant hours provision (saving £20,000)
 - d. Reduce the establishment by 1FTE (saving £23,654)
 3. Make further savings of £131,808 in 2012/13 as follows;
 - a. Eliminating all remaining vacant posts (saving £85,154)
 - b. Reducing the establishment by an additional 1 FTE as levels of contact decline through improved working (saving £23,654)
 - c. Reducing accommodation costs through plans to move out of Bicester Market Square in 2012/13 (saving £23,000) as part of the town centre project, with the service being required to find this saving by other means should the scheme not progress by this date.
- (6) That discussions on the nature and number of LinkPoint offices be included in the Council's forthcoming work on its Medium Term Financial Strategy.

Reasons

The Council's current Customer Service function has high levels of customer satisfaction and multiple access routes, but is expensive to provide and does not utilise customer intelligence effectively.

Best practice shows that transformation projects can significantly reduce costs and improve customer service through reducing avoidable contact, migrating contact to less expensive channels and greater use of customer intelligence

The pace and scale of savings is critical to the ability of the service to implement them in a sustainable manner that does not impact on overall levels of customer satisfaction.

The scope of savings possible may be limited while maintaining current approaches to service provision. For example, maintaining four LinkPoint Offices is known to consume a set level of staff resource (£296,000). The decision to continue to take cash also has cost implications.

Further savings may be possible through the proposed Transformation Programme and/or through joint working with South Northants.

Options

Option One To limit savings in the service to a single year reduction of £135,654 and not implement a transformation programme. While this will be less disruptive it will not drive out the potential savings within the service or improve the customer experience

Option Two To implement a transformation programme with a two-year savings target of £257,462.

Option Three To revisit the current policy of LinkPoint office provision as part of a wider consideration of service delivery. The following table illustrates the maximum possible financial savings of a change in policy ;

	Average Transactions (monthly)	Customer Service Staff (FTE)	Salaries (Annual)	"Savable" Premises Costs
Kidlington	890	2.5	£59,135	£5,538
Bicester	2,346	3	£70,962	£35,960
Bodicote	1,959	3	£70,962	No saving
Banbury	3,521	4	£94,616	No saving

Benefits of the current LinkPoint provision are;

- The council provides of preferred means of contact for some people and provides a local council presence in towns

- it ensures the ability to pay at the point of service;
- it allows the council to share its premises with other agencies (CAB, Job Centre Plus) to provide joined-up service delivery
- it provides a distributed contact centre resilience (i.e. calls answered at Link Point offices instead of Bodicote House)
- it offers the possibility of delivering new or enhanced services, such as visitor information
- some form of face to face presence will always be needed for document presentation/verification, reception services etc.
- meeting some contractual obligations, such as delivering concessionary fares services for Oxfordshire County Council

Other than financial savings, the advantages of a change in policy are:

- it provides an incentive for customers to move to telephone or online services rather than stay with face-to-face services;
- greater volumes of contact can be processed than at present due to the more efficient nature of alternative channels, and most (current) face to face services can be provided in this way;
- more efficient staff deployment will be possible as there will be no need to provide lone working/lunchtime cover, or the need to factor in as much staff travel time;
- closure of the Castle Quay LinkPoint would enable more flexibility of service provision/shop income for the Museum/TIC Trust;
- as a predominantly rural district it could be argued that town centre provision does not provide the most equitable of service. More equitable face to face provision can be provided on an outreach or surgery basis, and using other organisations' buildings. A programme of visits could cover a wider area than at present

129

Award of Contract for a Combined Insurance Programme for Cherwell District Council

The Head of Finance submitted a report which sought approval for the award of a contract for a Combined Insurance Programme with the deletion of one policy and the increasing of excesses to those agreed in October 2009.

Resolved

- (1) That the insurance policy for money be discontinued and excesses on a range of continuing policies be increased.
- (2) That a contract for a Combined Insurance Programme be awarded to Zurich Municipal for a period of three years from 1 April 2011 with the allowance purely at the discretion of the Council to extend by up to a further four years in one year increments.

Reasons

The solution provided by Zurich Municipal will not only provide further premium savings of more than £33,000 to those already achieved over the last few years – the 2009/10 extension resulting in savings of more than £30,000 and the 2009 VfM exercise netting an additional £65,000 of savings in 2010/11 – resulting in insurance premium costs coming down £464,000 in 2003/4 to £209,718.58 in 2011/12, but will also provide a robust support system involving telephone, email and web based advise during a substantial change in contract management responsibilities.

130 **Exclusion of the Press and Public**

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

131 **Award of Contract for a Combined Insurance Programme for Cherwell District Council - Exempt Appendix 1**

The Committee considered the exempt annex to the report of the Head of Finance on the Award of Contract for a Combined Insurance Programme for Cherwell District Council.

Resolved

- (1) That the exempt annex be noted.

The meeting ended at 8.20 pm

Chairman:

Date:

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Cherwell District Council

Executive

Minutes of a meeting of the Executive held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 4 April 2011 at 6.30 pm

Present: Councillor Barry Wood (Chairman)
Councillor G A Reynolds (Vice-Chairman)

Councillor Ken Atack
Councillor Norman Bolster
Councillor Colin Clarke
Councillor Michael Gibbard
Councillor James Macnamara
Councillor Nigel Morris
Councillor D M Pickford
Councillor Nicholas Turner

Officers: Ian Davies, Interim Chief Executive and Head of Paid Service
Karen Curtin, Head of Finance / Section 151 Officer
Chris Rothwell, Head of Safer Communities, Urban & Rural Services
Richard Hawtin, Team Leader Property & Contracts
Natasha Clark, Senior Democratic and Scrutiny Officer

132 **Declarations of Interest**

Members declared interests in the following agenda item:

10. Landscape Maintenance Contract Negotiations.

Councillor Nicholas Turner, Personal, as a member of Banbury Town Council which may be affected by the contract negotiations.

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

There were no petitions or requests to address the meeting.

134 **Urgent Business**

There were no items of urgent business.

135 **Minutes**

The minutes of the meeting held on 7 March 2011 were agreed as a correct record and signed by the Chairman.

136 **Corporate Debt Recovery Policy 2011/12**

The Head of Finance submitted a report which presented to the Executive for discussion and onward approval to full Council, the draft Corporate Debt Policy. The policy set out the Council's framework for providing a consistent 'fair but firm' approach to collecting debt, ensuring that the Council continued to maximise collection performance.

Resolved

- (1) That the Corporate Debt Policy as set out in the annex to these minutes (as set out in the minute book) be recommended to Full Council for approval.

Reasons

It was recognised that that an updated corporate debt policy is required each year in order to document how we manage debt within the Council.

Options

Option One To agree the recommendation as set out in the report.

Option Two To amend the recommendation.

137 **Corporate Procurement Strategy and Action Plan 2011/12**

The Head of Finance submitted a report which brought forward for Executive consideration, the refreshed Corporate Procurement Strategy and Action Plan for 2011/12 for the Council. The primary objective of the Corporate Procurement Strategy is to procure services that are affordable, fit for the purpose, meet the needs of local people and service users and provide value for money.

Resolved

- (1) That the Corporate Procurement Strategy and Action Plan for 2011/12 as set out in the annex to these minutes (as set out in the minute book) be approved.

Reasons

The refreshed procurement strategy has a fundamental role in helping the Council reduce its services budget from £18.5 to £15.9 million in 2011/12.

138 **Exclusion of the Press and Public**

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

139 **Landscape Maintenance Contract Negotiations**

The Head of Safer Communities, Urban and Rural Services submitted a report which advised the Executive on the position with regard to the landscape maintenance contract negotiations.

Resolved

That the recommendations as set out in the exempt report be approved.

The meeting ended at 6.50 pm

Chairman:

Date:

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Cherwell District Council

Executive

Minutes of a meeting of the Executive held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 23 May 2011 at 6.30 pm

Present: Councillor Barry Wood (Chairman)
Councillor G A Reynolds (Vice-Chairman)

Councillor Ken Atack
Councillor Norman Bolster
Councillor John Donaldson
Councillor Michael Gibbard
Councillor James Macnamara
Councillor Nigel Morris
Councillor Nicholas Turner

Also Present: Councillor Colin Clarke
Councillor Kieron Mallon
Councillor Leslie F Sibley
Councillor Andrew Beere
Councillor Patrick Cartledge

Apologies for absence: Councillor D M Pickford

Officers: Sue Smith, Chief Executive
Ian Davies, Strategic Director - Environment and Community
John Hoad, Strategic Director - Planning, Housing and Economy
Karen Curtin, Head of Finance / Section 151 Officer
Nigel Bell, Solicitor and Interim Monitoring Officer
Gillian Greaves, Head of Housing Services
Paul Marston-Weston, Head of Recreation & Health
Ed Potter, Head of Environmental Services
Alison Davies, Project Manager
Claire Taylor, Corporate Strategy and Performance Manager
Shona King, Planning Officer
Craig Knight, Strategic Housing Facilitator
Richard McIntyre, Senior Housing Options Officer
Philip Rolls, Recreation & Health Improvement Manager
Martyn Swann, Strategic Housing Manager
Helen Town, Strategic Housing Officer
James Doble, Democratic, Scrutiny and Elections Manager

1 **Declarations of Interest**

Members declared interests in the following agenda items

6. Commissioning of Advice, Volunteering and Voluntary Car Driving Schemes in Cherwell.

Councillor G A Reynolds, Personal, as a County Councillor.

Councillor John Donaldson, Personal, as a management board member of CCBS and WRVS.

Councillor Ken Atack, Personal, as a board member of Oxfordshire Rural Communities Council and CCBS.

Councillor Michael Gibbard, Personal, as a County Councillor.

Councillor Nicholas Turner, Personal, as a County Councillor.

Councillor Norman Bolster, Personal, as a County Councillor.

8. Local Development Framework (LDF) - Next Steps.

Councillor Barry Wood, Personal, due to persons known to him having a land interest in land outside but in the vicinity of Eco-Bicester.

Councillor G A Reynolds, Personal, as Drayton Parish Clerk.

Councillor Nicholas Turner, Personal, due to interest in Drayton Manor Golf, should this issue arise a prejudicial interest will be declared.

Councillor Nigel Morris, Personal, due to interest in a site within the report.

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

The Chairman confirmed there were no petitions and that he had agreed to Councillors Beere, Cartledge and Clarke to address the meeting.

3 **Urgent Business**

There were no items of urgent business.

4 **Minutes**

The minutes of the meeting held on 4 April 2011 were agreed as a correct record and signed by the Chairman.

5 **Commissioning of Advice, Volunteering and Voluntary Car Driving Schemes in Cherwell**

The Head of Housing Services submitted a report to consider a commissioning exercise to deliver a consistent and equitable approach to the funding of advice, volunteering and volunteer driving services in Cherwell and to consider the implications for a potential countywide Dial-a-Ride service.

Councillor Cartledge addressed the Executive as a ward member and officers agreed to provide further details to him on the issues he raised.

In the course of the debate the Leader of the Council confirmed that he would like the Council to look hard at the relationship between the council and Banbury Community Transport and additionally he would like Overview and Scrutiny to help ensure the engagement of all councillors on this issue.

Resolved

- (1) To signify a likely cessation of existing funding arrangements for organisations funded through the Council's Voluntary Sector (Community Development) Grants Programme and Community Transport Grants Programme as from 31 March 2012.
- (2) To commence a commissioning process to fund strategically relevant Advice, Volunteering and Volunteer Car Driving services across three geographical areas within Cherwell.
- (3) To note ongoing officer discussions with Oxfordshire County Council regarding County Council proposals to develop a countywide Dial-a-Ride Service and how this might serve District residents most in need of this service.
- (4) To receive a further report on the outcome of this exercise as part of the 2012/13 Service and Financial Planning process in the Autumn.

Reasons

This proposal marks a shift from grant funding organisations to commissioning strategically relevant services. We are in a time when it is important that the Council funds services which target those most in need, are delivered on an equitable basis and support the Council to deliver its statutory responsibilities. This proposal sets out to do this in the context of a national agenda of Localism and Big Society.

Options

- Option One** Continue current arrangements. This would not deliver the 24% savings nor provide an opportunity to target funding at services which support the Council's statutory responsibilities and improve cost effectiveness and a more equitable distribution of resources.

- Option Two** Delay the proposed commissioning arrangements until the County Reviews for both Community Transport and Advice Services are complete. It should be noted though that the risk of entering into a county procurement exercise are a) further delays, b) significant officer time, c) potential compromise between county and district priorities.
- Option Three**
- To cease existing funding arrangements for organisations funded through the Council's Voluntary Sector (Community Development) Grants Programme and Community Transport Grants Programme as from 31 March 2012 – as listed in Appendix One
 - To commence a competitive commissioning process to fund a strategically relevant Advice, Volunteering and Volunteer Car Driving Service across three Community Advice Centres in Cherwell.
 - Through undertaking the above achieve an efficiency saving.

6 **Planning Obligations Draft Supplementary Planning Document**

The Strategic Director, Planning, Housing and Economy submitted a report to report back on the progress of the Planning Obligations Draft Supplementary Planning Document (SPD) and to approve the use of the draft SPD as informal guidance with immediate effect. The Strategic Director, Planning, Housing and Economy drew members' attention to the Planning Obligations Draft Supplementary Planning Document, which had published separately

Resolved

- (1) That the use of the draft Supplementary Planning Document (annex 1 to the minutes as set out in the minute book) as informal guidance with immediate effect be approved.

Reasons

There is an urgent need to replace the now outdated current guidance 'Planning Obligations – Interim Planning Guidance 2007'. The draft SPD can be used as a practical and up to date basis for development control negotiations whilst the document is finalised and formalised through the LDF process. The draft SPD replaces and supersedes all previous documents relating to planning obligations including the Affordable Housing Code of Practice Supplementary Planning Guidance (SPG) 2004 (with addendum 2007) and the Residential and Amenity Open Space Provision SPG (2004 and revised adoption procedures 2006)

Options

- Option One** To approve the use of the draft SPD as informal guidance for development control purposes with immediate effect.
- Option Two** To approve the use of the draft SPD as informal guidance for Development Control purposes following amendment.
- Option Three** Not to approve the use of the draft SPD as informal guidance for Development Control purposes.

7 Local Development Framework (LDF) - Next Steps

The Head of Planning Policy and Economic Development submitted a report o agree to undertake an informal consultation on locally generated population and household growth projections, a responding development strategy and other revisions to the Draft LDF Core Strategy.

Resolved

- (1) That a revised development strategy as set out below be agreed and to include the PPS Eco-Town Standards as a new policy element of the Core Strategy also be agreed:

“Work be undertaken regarding revisions to Policy RA2 (Distribution of Housing in the Rural Areas) in the Draft Core Strategy. This option incorporates all of the proposed strategic sites in the Draft Core Strategy:

Eco-Town NW Bicester 3000 dwellings - during plan period

Canalside Banbury 1200 dwellings

Bankside Phase 2 Banbury 400 dwellings

Bretch Hill Banbury 400 dwellings

This gives a total development programme on identified sites of 5000 dwellings to set against projections which show a potential need of approximately 5600. The balance (c600) would be met within the rural areas and Kidlington.

Neighbourhood planning initiatives will be encouraged in rural locations. This, combined with the expectation of acceptable planning application proposals, will deliver sufficient new village housing and ensure that there is some scope for continued rural development.

No further strategic employment land allocations are proposed other than land included in the Eco-Town proposal.”

- (2) That it be agreed to progress an informal public consultation on a Revised Draft Core Strategy which incorporates locally generated population and household growth projections and a revised development strategy set out in this report and:
- (3) That the preparation of the detailed wording of the Revised Draft Core Strategy and any consultation material to the Head of Planning Policy & Economic Development be delegated in consultation with the Portfolio Holder for Planning and Housing.
- (4) That the Head of Planning Policy and Economic Development in consultation with the Lead member for Planning be delegated to agree the presentation and apportionment of the housing numbers for Kidlington and rural areas within the ceiling as set out in the report.

Reasons

The preparation of the Local Development Framework is a statutory requirement. However, the Government has proposed that changes to the statutory procedures for the preparation of Local Development Frameworks will be introduced in April 2012. These changes are expected to include greater responsibility for local planning authorities in assessing their local housing needs.

Options

- | | |
|---------------------|--|
| Option One | To agree the recommendations as set out in the report. |
| Option Two | To amend the recommendations |
| Option Three | Not to agree the recommendations. |

8 Use of Natural Resources Project

The Head of Environmental Services submitted a report that considered the progress of the Use of Natural Resources Delivery Group and the overall progress of the Council in responding to climate change and energy efficiency within its own operations.

Resolved

- (1) That the achievements of the Use of Natural Resources project be noted.
- (2) That Cherwell's Carbon Management Plan (annex 2 to the minutes as set out in the minute book) reducing 22% of the Council's carbon emissions by 2014/15 through improving the energy efficiency of its own operations be supported.

- (3) That the Energy Policy (annex 3 to the minutes as set out in the minute book) which sets out the how the Council will use energy efficiently be approved.

Reasons

A co-ordinated cross-service approach has been employed to take action and to drive forward and support Cherwell's Carbon Management Plan reducing 22% of its carbon emissions by 2014/15. The strategic themes of the Carbon Management Plan will derive largely from the Use of Natural Resource Delivery Group and its work streams. A new Energy Policy will help further the success of carbon reduction work as part of the Carbon Management Plan.

Options

- | | |
|---------------------|---|
| Option One | To approve the proposed Carbon Management Plan and Energy policy, and agree the 22% target reduction in CO ₂ emissions by 2014/15 |
| Option Two | To reject the proposed Carbon Management Plan and Energy policy and rely on improvements in energy consumption and carbon emissions made to date. This is forecast to cost the council £1,000,000 more by 2015. |
| Option Three | To ask officers to modify the proposals to set a lower emissions target, recognising that this would conflict with public and national government expectations |

9

Bicester Multi-Sport Village

The Strategic Director Environment and Community submitted a report o provide an update on the development of the Bicester Multi-Sports Village project, to award the contract for the construction of Phase 1 (construction of grass pitches and landscaping) and to consider the revenue implications of the project when it becomes operational in 2014.

In the course of consideration the Executive noted the exempt annex to the report.

Resolved

- (1) That a contract for the construction of Phase 1 of the Sports Village, subject to planning consent for the outstanding reserved matters, be awarded to Agripower Ltd.
- (2) That Bicester Town Council be requested to consider funding for the revenue implications from 2014/15.

- (3) That the design of Phase 2 be progressed and funding opportunities investigated to deliver the full scheme.

Reasons

The Sports Village development is soon to begin the construction phase and a realistic timetable to deliver the project has been established. The project is being progressed in three phases, Phases 1 and 2 would ensure that planning obligations are met with Phase 1 commencing this summer. Phase 3 will only be progressed if the relevant funding can be secured.

Options

Option One Award the contract for Phase 1 and continue to investigate options for the delivery of Phases 2 and 3.

Option Two To consider alternative schemes which, because of planting seasons, would delay any work on site until June 2012.

Option Three Not to progress the project but to provide a reduced scheme that would only meet the needs of the Kingsmere Development meeting the legal obligations of the Section 106 agreement.

10

Brighter Futures in Banbury Programme

The Strategic Director Environment and Community submitted a report to consider a review of the first year of the Brighter Futures Programme in Banbury and the proposed emphasis in the second and subsequent years.

Councillor Clarke addressed the meeting at the discretion of the Chairman as the former portfolio holder with responsibility for Brighter Future in Banbury.

Councillors Beere and Cartledge addressed the Executive as ward members and officers agreed to provide them with further details on the issues they raised.

Resolved

- (1) That the very good progress made in the first year of the Brighter Futures Programme be noted.
- (2) That the areas of emphasis and proposed activity in 2011/12 be supported.
- (3) That further reports be received as appropriate on progress.

Reasons

The proposals in this report are about making a difference to those families and individuals in greatest need. They include continued effectiveness of multi-agency working, helping those in greatest need, having a common purpose and understanding, taking a long-term approach, making best use of current and anticipated reducing resources and engaging with local people and communities in Banbury.

Options

- Option One** Adopt the recommendations as set out
- Option Two** Amend/add to the areas of focus for 2011

11 **Review of Reserves**

The Head of Finance submitted a report to seek endorsement from the Executive, following a review by the Head of Finance – in association with the Portfolio Holder for Resources – of the Councils revenue reserves, to determine whether they are set an appropriate level with regard to purpose, anticipated timing of need, degree of risk and level of potential expenditure.

Resolved

- (1) That the contents of the report be noted and endorsed.
- (2) That the transfers between earmarked reserves and the creation of 1 new reserve detailed in annex 4 to the minutes (as set out in the minute book) be approved.
- (3) That the Head of Finance, in consultation with the Portfolio Holder for Resources, be delegated to transfer sufficient funds from earmarked reserves to general fund balances as part of the closedown processes for 2010-11 to avoid general fund balances falling below the minimum amount stated in the medium term financial strategy.

Reasons

Cherwell District Council is required to maintain adequate financial reserves to meet the needs of the organisation. The purpose of the reserves policy is to set out how the Council will determine and review the level of general fund reserves. The Council's general fund is where all the revenue income and expenditure of the Council is accounted for. It does not include specific funds such as the collection fund or the housing revenue account. Sections 32 and 43 of the Local Government Finance Act 1992 require local authorities to have regard to the level of reserves needed for meeting estimated future expenditure when calculating the budget requirement.

Options

- Option One** To endorse the review of reserves undertaken and the proposed adjustments.

Option Two To reject the recommendation above.

12 **Exclusion of the Press and Public**

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 item of business, on the grounds that they could involve the likely disclosure of exempt information as defined in paragraph 3 of Schedule 12A of that Act.

13 **Community Led and Self-Build Housing**

The Head of Housing Services submitted a report to update the Executive on work on community led and self build housing development opportunities following the approach agreed in a report to January Executive on “Housing in Cherwell and the Current Economic Climate”.

Resolved

That the resolutions as set out in the exempt minute be approved.

The meeting ended at 9.04 pm

Chairman:

Date:

Cherwell District Council

Executive

Minutes of a meeting of the Executive held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 4 July 2011 at 6.30 pm

Present: Councillor Barry Wood (Chairman)
Councillor G A Reynolds (Vice-Chairman)

Councillor Ken Atack
Councillor Norman Bolster
Councillor John Donaldson
Councillor Michael Gibbard
Councillor Nicholas Turner

Also Present: Councillor Leslie F Sibley
Councillor Tim Emptage

Apologies for absence: Councillor James Macnamara
Councillor Nigel Morris
Councillor D M Pickford

Officers: Sue Smith, Chief Executive
Ian Davies, Strategic Director Environment & community
John Hoad, Strategic Director - Planning, Housing and Economy
Karen Curtin, Head of Finance / Section 151 Officer
Philip Clarke, Head of Planning Policy and Economic Development
Paul Marston-Weston, Head of Recreation & Health
Kevin Lane, Interim Head of Legal and Democratic Services
Claire Taylor, Corporate Strategy and Performance Manager
Nigel Bell, Team Leader - Planning and Litigation / Interim Monitoring Officer
Natasha Clark, Senior Democratic and Scrutiny Officer

15 **Declarations of Interest**

There were no declarations of interest.

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

The Chairman confirmed that he had received no petitions and that he had agreed to Mr Bernie Douglas and Councillor George Parish to address the meeting.

17 **Urgent Business**

There were no items of urgent business.

18 **Minutes**

The minutes of the meeting held on 23 May 2011 were agreed as a correct record and signed by the Chairman.

19 **Response to Department for Transport Consultation on High Speed Rail**

The Strategic Director Planning, Housing and Economy submitted a report which enable Members to agree the proposed responses to the seven questions posed in the Department for Transport's consultation upon High Speed Rail with respect to both the proposed national high speed rail strategy and on the recommended line of route for an initial London to West Midlands section of the railway.

Councillor Tim Emptage, Leader of the Liberal Democrats, addressed the Executive regarding the funding the council had allocated to support its campaign in opposition to the HS2 proposals.

In response to Councillor Emptage's address, the Chairman confirmed that at present up to £50k had been allocated and should additional funding be required, the request would be submitted to Full Council for consideration.

Mr Bernie Douglas addressed the Executive as Chairman of Villages of Oxfordshire Opposing HS2 (VoxOpp).

The Executive commended the Development Control Team Leader and his team for the comprehensive and high quality report.

Resolved

- (1) That it be agreed that the Council should make representations in response to Consultation questions 1-3 objecting to the national high speed rail strategy in general accordance with the comments expressed in Section 3 of the report (attached as an annex to these minutes as set out in the minute book), those made by the "51M" group to the Transport Select Committee, and subject to the agreement of the Lead Member for Planning, in accordance with the "51M " group's further comments on this matter.
- (2) That it be agreed that the Council should make representations in response to Consultation questions 4-6 expressing severe concerns about the paucity of information and concerns about several details of the scheme as consulted upon in general accordance with the comments contained in sections 4-6 of the report (attached as an annex to these minutes as set out in the minute book), and subject to the agreement of the Lead Member for Planning in accordance with

any further representations made on behalf of "51M" as a critique of the Appraisal of Sustainability.

- (3) That it be agreed that the Council should make representations in respect of Consultation question 7 in accordance with the comments in Section 4.33-4.34 of the report (attached as an annex to these minutes as set out in the minute book).
- (4) That authority be delegated to the Strategic Director of Planning Housing and Economy, in consultation with the Lead Member for Planning, the final wording of the consultation responses to be made in general accordance with resolutions 1-3 above.
- (5) That the Development Control Team Leader be requested to liaise with Bernie Douglas, Chairman of Villages of Oxfordshire Opposing HS2 (VoxOpp), to circulate the report to villages affected by the HS2 proposals.

Reasons

At its meeting of 7 March 2011 the Executive agreed to join other local authorities along the preferred route to campaign against the proposals. Formal agreement of the Council's responses to the seven questions posed in the Department for Transport's consultation upon High Speed Rail with respect to both the proposed national high speed rail strategy and on the recommended line of route for an initial London to West Midlands section of the railway is required before the consultation closes on 29 July 2011.

20

Armed Forces Community Covenant

The Chief Executive and the Corporate Strategy and Performance Manager submitted a report which provided an update on the Oxfordshire Armed Forces Community Covenant and Cherwell District Council's response to it.

Resolved

- (1) That the importance of the Armed Forces Community Covenant be noted and that officers working across all Council services be requested to ensure there are clear plans in place to deliver the aspirations of the Covenant.

Reasons

The Armed Forces Community Covenant is an important commitment on the part of the District Council to support armed services personnel, their families, children, reservists and veterans. The Council views the local military as an important part of the community and part of the tradition within the District and will continue to work in local partnerships and across the County to ensure the commitments outlined in the covenant are met.

Options

Option One To approve the recommendations.

Option Two To amend or reject the recommendations.

21

Horton General Hospital and Health Sector Changes

The Strategic Director Environment and Community submitted a report which sought consideration of the progress and current position regarding the implementation of alternative service models for the Horton General Hospital. It also sought consideration of the radical changes in the health sector and the latest position in changes locally.

Councillor Les Sibley addressed the meeting as Leader of the Opposition. He commended the work of the Council in supporting the Horton General Hospital and queried if a similar progress report on the Bicester Community Hospital could be provided.

In response to the address of the Leader of the Opposition, the Chairman requested officers to submit a progress report on Bicester Community Hospital to their September or October meeting.

Councillor George Parish addressed the meeting at the discretion of the Chairman as a leading campaigner for the Horton General Hospital.

Resolved

- (1) That the good progress in implementing sustainable service delivery models at the Horton General Hospital be noted.
- (2) That the Oxford Radcliffe Hospitals Trust be urged to implement as soon as possible the revised model for maternity and gynaecology.
- (3) That the establishment of a Community Partnership Network with membership drawn from local health and social care service commissionaires and providers plus relevant stakeholders be supported.
- (4) That officers be requested to submit a progress report on the Bicester Community Hospital to the September or October meeting of Executive.

Reasons

A key issue associated with the Horton General Hospital (HGH) is the ongoing sustainability of the agreed service levels when the commissioning body and arrangements will be changing. There is a perceived threat that the health sector reforms will provide greater competition from the private sector which could impact on the HGH. By having a stakeholder group which brings together the key commissioners and providers i.e. GPs, ORH & OCC, there

will be a local focus and dialogue on how this works in practice and to attempt to influence the future commissioning of services from the HRH.

A further issue relates to the extent of public involvement in the services and the new Community Partnership Network. Each commissioner and service provider is expected to have their own arrangements for this and it will be important not to duplicate and have clarity of responsibility. Past experience does indicate that there is not wide public understanding of the structure and responsibilities of the current health service. In such circumstances and with so much significant change about to happen, it is important at the very least that the new Network does attempt to improve this position.

The principle behind the Community Partnership Network is to have meetings in public with managed, but considerable public participation during the meeting. This worked well for the previous Forum and it is intended to continue for this new body, thereby allowing wider public participation for the sector issues as a whole.

Options

- | | |
|---------------------|--|
| Option One | To support the Community Partnership Network. |
| Option Two | To withdraw from involvement in public engagement, communication and changes in the health and social care sector. |
| Option Three | To attempt to engage partially with the health and social care sector through individual organisations rather than a collective stakeholder group. |

22

Value for Money Review of Economic Development

The Strategic Director for Planning, Housing & Economy, the Head of Planning Policy & Economic Development and the Improvement Project Manager submitted a report which sought consideration of the findings of the Value for Money Review of Economic Development and the recommendations arising from the report.

Resolved

- (1) That the Value for Money Review conclusion that Economic Development Service is a top performer, making a real difference to Cherwell's businesses and residents affected by the downturn be noted.
- (2) That the Economic Development Service Vision to 2016 (annex to the minutes as set out in the minute book) which sets out a forward looking framework, drawing on the Council's contribution to the emerging Economic Development Strategy be adopted.

- (3) That gross savings of £35,000 with immediate effect, as a contribution towards the Council delivering its Medium Term Financial Strategy, be accepted, recognising this reduces the flexibility of the service to undertake economic development activity in the future.

Reasons

Cherwell's Economic Development Service is a top performer, making a real difference to Cherwell's businesses and residents affected by the downturn. The Economic Development Service Vision to 2016 sets out a forward looking framework drawing on the Council's contribution to the new Economic Development Strategy, within which the service can undertake its annual service and budget setting activity.

Agreeing to the level of savings proposed by this review assists the Council in delivering its Medium Term Financial Strategy, but reduces the flexibility of the service to undertake economic development activity in the future.

23 **2010/2011 End of Year Finance and Medium Term Financial Strategy Update Report**

The Head of Finance submitted a report which summarised the Council's provisional Revenue and Capital performance for the financial year 2010/2011 and reports on performance against the procurement action plan. The figures were still subject to further validation work to ensure compliance with statutory requirements and proper accounting practices. The report also considered the process and timetable for refreshing our Medium Term Financial Strategy.

The Lead Member for Financial Management advised the Executive that the update on the Medium Term Financial Strategy had been delayed due to the budget being refreshed and uncertainty over the government grant. A full update would be provided to the September meeting of the Executive.

The Executive requested that their thanks to the Finance and Procurement Teams for their work during 2010/11, in particular for the progress made in implementing the Procurement Action Plan, be recorded.

Resolved

- (1) That the provisional revenue out-turn position for 2010/2011 detailed in the annex to these minutes (as set out in the minute book).
- (2) That the continued improvement in accuracy and reliability that the Council has made in projecting the year end position through the embedding of the Corporate Dashboard be noted.
- (3) That the provisional capital out-turn position for 2010/2011 detailed in the annex to these minutes (as set out in the minute book) be noted.
- (4) That the balances on capital schemes which have slipped in 2010/2011 to be carried forward into the 2011/2012 capital programme as set out

in the annex to these minutes (as set out in the minute book) be agreed.

- (5) That progress against the Councils Procurement Action plan and savings achieved as set out in the annex to these minutes (as set out in the minute book) be noted.
- (6) That the update on the Medium Term Financial Strategy Update be noted.

Reasons

This report illustrates the Council's provisional performance against the 2010/2011 Revenue and Capital Budget and progress achieved against our Procurement action plan and targets.

Options

Option One To review current performance levels and consider any actions arising.

Option Two To approve or reject the recommendations above.

24

Performance Management Framework 2010/2011 End of Year Performance Report

The Chief Executive and the Corporate Strategy and Performance Manager submitted a report which presented the Councils performance in 2010/11, as measured through the Corporate Performance Management Framework.

The Executive commended officers for the continued operation of performance monitoring and requested that a one page summary of the highlights be produced for circulation to all Members.

Resolved

- (1) That it be noted that, despite tough performance targets and a challenging economic environment, the Council has met or made satisfactory progress on 97% of the performance targets in the Corporate Scorecard (the basket of priority measures) and met or made satisfactory progress on 95% of the performance targets in the Corporate Plan which sets out activities and targets under each of the Council's four strategic priorities.
- (2) That it be noted that the Council has delivered a challenging programme of improvement projects and value for money reviews. Of the 22 projects and reviews scheduled for 2010/11 21 were completed with good or satisfactory outcomes and only 1 delayed due a changing government policy. The improvement programme has directly contributed to the delivery of savings and efficiencies to balance the Council's budget.

- (3) That the progress in delivering the Council's strategic objectives and the following achievements be noted:

Cherwell: A District of Opportunity

- **Contributing to the creation of new opportunities in the district:** In spite of challenging economic circumstances the Council has focused on supporting local residents and businesses through its activities. The successful job club partnership has continued with targeted events to improve access and an apprenticeship scheme targeted at young people not in education, employment or training has been continued. The Council's work in this area has been recognised as national good practice and its approach cited by the Centre for Local Economic Strategies.
- **Local Housing:** The Council has delivered 370 new homes, 126 affordable houses, including 40 extra care units, maintained the low number of residents in temporary accommodation at 29, and invested £950,000 in better quality housing for vulnerable people including warm front top up grants, and emergency repairs.
- **Regeneration and Growth:** The Council has secured funding to make progress on the Eco Town demonstration projects, worked with developers to begin the Bicester Town Centre Redevelopment Programme, and made progress on Local Development Framework Core Strategy in spite of significant national policy change and reduced resources. High profile projects such as the Miller Road Self-Build scheme are supporting local people to develop new skills and employment opportunities whilst providing affordable housing and work has started on the South West Bicester development.

A Cleaner, Greener Cherwell

- **Waste and Recycling:** The Council has implemented a food waste recycling scheme and exceeded its recycling target. Recycling in Cherwell is now at over 57%.
- **Clean Streets:** The Council has met all its targets for dealing with litter, graffiti, and fly posting, improved enforcement and continued to undertake local environmental 'blitzes' reducing even further the low level of environmental crime. Residents' satisfaction with green spaces in Cherwell has also improved.
- **Climate Change:** The Council has improved its environment credentials by rolling out a new scheme at its depot. This includes greatly improved insulation, low energy lighting and energy saving controls, photovoltaic solar panels, a biomass boiler for heating, a water recycling vehicle wash to save water, together with a much improved fuel installation. This initiative has been short listed for the

Environment and Energy Awards for the Best Energy-Efficient Project 2011.

The Cherwell Climate Partnership has undertaken communications activities to inform local people about the impacts of climate change and further reductions in the Council's Co2 emissions from its fleet and offices have been made.

A Safe and Healthy Cherwell

- **Sports and Leisure:** During 2010/11 there were over 1.2 million visits to Cherwell leisure centres and nearly 700 new participants in activities for older people. The 'Play Well' project has been completed and assessed as outstanding, the 'Get Oxfordshire Active' project (aimed at increasing adult participation in sport) has seen 1840 participants and high levels of satisfaction with the programme. Usage of the Council supported sports sites at the North Oxfordshire Academy and Cooper School have also increased during the year with over 75,000 visits recorded.
- **Reducing Crime and the Fear of Crime:** The Cherwell Community Safety Partnership continues its focus on tackling crime, anti-social behaviour and working to combat fear of crime. Crime figures for 2010/11 show a 20% reduction in serious acquisitive crime and 30% reduction in serious violent crime (in comparison with 2009/10). In relation to fear of crime the residents' survey shows that 88% of residents feel safe in their community and at home up from 82% in 2009/10. In terms of Anti-Social behaviour Thames Valley Police have recorded a 15% drop in incidents when comparing 2009/10 and 2010/11. This has been achieved through effective enforcement and a strong partnership between the local policing team and the Council.
- **Health and Wellbeing:** The Council has continued to work closely with partners to press for the best possible services for the district. A variety of health improvement activities have been delivered including, health trainers working to address health inequalities issues in higher risk wards, the health bus providing a one-stop shop services, increased visits to sports centres and an accessible range of activities such as women only swimming sessions.

An Accessible, Value for Money Council

- **Improving access:** the Council continues to focus on improving access for customers, especially the most vulnerable. During 2010/11 over 60 community groups have been visited by outreach specialists to help improve access. 22 Parish Councils have been supported to develop websites helping to improve local information and the Council has also improved its online access to services with over 100 services now available along with a specialist youth website.

- The Council has also continued to improve its engagement with harder to reach groups, supporting the establishment of a Cherwell Faith Forum with local partners and community representatives, embedding the equalities panel and running a 'Knowing our Community' programme for staff and partners, increasing the number of consultations available on the consultation portal and using consultation techniques to ensure the Council hears the views of vulnerable groups, including older and younger people and people from minority ethnic backgrounds. Innovative examples of consultation this year include developing a greater understanding of fear of crime issues in urban and rural areas, public budget consultation and the Connecting Communities programme in Banbury.
- **Delivering Value for Money:** the Council has delivered its programme of Value for Money reviews, meeting the challenge of significantly reducing the Council's budget whilst minimising the impact on frontline services. As a result the Council has exceeded its public pledge to reduce costs by £800,000.
- The Council's innovative "invest to save" approach of creating a corporate procurement team with annual targets ensuring the operation is both self-funding and provides additional returns has secured cashable savings of £0.9m against a target of £625,000 from April 2008 to March 2011 with £306,000 achieved in year against a target of £225,000. Further non-cashable savings of more than £160,000 and capital savings of some £720,000 have been achieved over the same period. The cumulative total for contracts let for more than a year from April 2008 to March 2011 is £1.5m. The 2011/12 Procurement Strategy and Action Plan further develops the Council's approach to long-term planning and collaboration – particularly with South Northamptonshire Council – allowing the team to continue to be self funded and guarantee year on year savings.

In 2010/11 the Council adopted two additional cross cutting priorities reflecting the importance of the Eco Bicester project and a pilot programme of work which aims to tackle deprivation and disadvantage in Banbury.

- **Eco Bicester:** The Eco Bicester Project is the Council's initiative to develop the town as a housing and employment growth location with improved infrastructure and facilities and a special environmental awareness and protection objective. It encompasses the national Eco Town initiative, with a new Eco Town development proposed at North West Bicester and a number of demonstration schemes around the town. The work is already having an impact in "putting Bicester on the map", with both national level and international interest. It is fair to say that Bicester appears to be at the most advanced stage of planning amongst the four nationally designated Eco Towns.

Over the course of the year the project has continued to make strong progress. Highlights are: approval by all three councils involved in the Strategic Delivery Board of "Eco Bicester - One Shared Vision"; Cooper School, the Garth Eco House, Catholic Church Community Hall demonstration projects approaching completion; award of an additional £3.3M of government pump priming money; the commitment of the Homes and Community Agency additional capital funding to make the early social housing happen; submission of the 400 home exemplar planning application.

There have also been a number of successful consultation and community involvement events including the Eco Bicester Day, the aim of which was to let people know more about the Eco Bicester concept. The event took place in Sheep Street, and outlined some of the things people can do to be more eco-friendly. There was consultation over bus and cycle routes, and more than 200 people completed Love Food Hate Waste pledges.

- **Breaking the Cycle of Deprivation:** during 2010/11 the focus of the Brighter Futures in Banbury programme has been supporting families, children and young people, particularly those not in employment, education or training, referred to as "NEETs". The Council continues to lead the Brighter Futures in Banbury Steering Group, a multi-agency partnership targeting issues of need and health inequalities in Banbury.

The programme is based on a significant review and analysis of the issues facing local communities the group has secured additional funding to increase access to the family intervention project working directly to support the most vulnerable families, to develop a programme to prevent young people dropping out of college or employment, increased community engagement and access to services, public health campaigns and steps to address issues such as anti-social behaviour.

The programme is piloting improved multi-agency working and learning points will be rolled out across the rest of the district in the coming year. A full annual review of this programme has been undertaken was reported to Executive at its meeting on 23 May 2011.

- (4) That officers be requested to report in the first quarter report of 2011/12 on the following items where performance was below target or there are emerging issues:

- **Delivery of the Rural Strategy:** A small number of activities programmed for 2010/11 have slipped and will be picked up in 2011/12. This area will be kept under review and a progress report given in the next quarterly briefing.
- **Reduce the amount of waste being sent to landfill:** At year end this measure is reporting amber. The target of reducing the amount

of waste sent to landfill by 4000 tonnes is slightly off track with a reduction of 3700 tonnes. Reducing waste and increasing recycling remain strong priorities for the Council and continued focus will be given to meeting targets during 2011/12. It is worth noting that the national trend for the amount of tonnage is reducing and that Cherwell continues to set challenging targets for waste reduction and recycling.

- **NI 187 (a & b) - Tackling Fuel Poverty:** Both parts of this indicator are reporting red at year end this is not unexpected due to the rising costs of energy and benefits dependency. The housing team have undertaken a survey to increase understanding of the issue and is currently developing a series of anti-fuel poverty actions that will be included in the new housing strategy. Measures such as the £99 insulation deal have also been put in place to help support local residents.

- (5) That officers be requested to produce a one page summary of the performance highlights for circulation to all Members.

Reasons

The report shows the Council's performance against the Corporate Scorecard and Performance Management Framework in 2010/2011. From this information the Executive can make a judgement about the progress the Council is making in meeting its objectives, identify the achievements it wishes to celebrate and the areas where action is required to improve performance.

Options

Option One To review current performance levels and consider any actions arising

Option Two To approve or reject the recommendations

25 **Exclusion of the Press and Public**

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 item(s) of business, on the grounds that they could involve the likely disclosure of exempt information as defined in paragraph(s) 2 of Schedule 12A of that Act.

26 **Value for Money Review of Tourism**

The Strategic Director Environment and Community submitted a report which sought consideration of the findings of the Value for Money Review of Tourism and the recommendations arising from that report.

Resolved

That the resolutions as set out in the exempt minute be approved.

The meeting ended at 8.00 pm

Chairman:

Date:

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**COUNCIL MEETING –
RECORD OF PORTFOLIO HOLDER DECISIONS**

SCHEDULE

December 2010 – May 2011

Portfolio	Decision Subject Matter
Community Safety, Street Scene and Rural	Curtis Place (Watts Way) Kidlington- Car Park
Resources and Communication	Write off of rent arrears, Unit 7 Thorpe Way

RECORD OF LEAD MEMBER DECISIONS

SCHEDULE

May 2011 – June 2011

Area of Responsibility	Decision Subject Matter
Lead Member for the Environment	Up-date Cherwell Joint Public Health Strategy Action Plan

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Cherwell District Council

Accounts, Audit and Risk Committee

Minutes of a meeting of the Accounts, Audit and Risk Committee held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 14 March 2011 at 6.30 pm

Present: Councillor John Donaldson (Chairman)
Councillor Trevor Stevens (Vice-Chairman)

Councillor Ken Attack
Councillor Tim Emptage
Councillor Nicholas Mawer
Councillor Lawrie Stratford
Councillor Rose Stratford
Councillor Barry Wood

Also Present: Maria Grindley, District Auditor, Audit Commission
Nicola Jackson, Audit Manager, Audit Commission

Officers: Karen Curtin, Head of Finance
Chris Dickens, Chief Internal Auditor
Claire Taylor, Corporate Strategy and Performance Manager
Jessica Lacey, Technical Accountant
Natasha Clark, Senior Democratic and Scrutiny Officer

55 **Declarations of Interest**

Members declared interest with regard to the following agenda item:

8. Risk Management.

Councillor Ken Attack, Personal, as a member of the Executive and Portfolio Holder for Performance Management, Improvement and Organisational Development who presented the item to Executive.

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

There were no petitions or requests to address the meeting.

57 **Urgent Business**

There was no urgent business.

58 **Minutes**

The minutes of the meeting held on 19 January 2011 were agreed as a correct record and signed by the Chairman.

59 **Accounting Policies 2011/12 and Update on the First Time Adoption of International Financial Reporting Standards (IFRS)**

The Committee considered a report of Head of Finance which informed Members of the implications of, and progress made towards, the introduction of International Financial Reporting Standards (IFRS). It also outlined the change in accounting policies under which we prepare our annual Statement of Accounts.

The Technical Accountant reported that as the Chartered Institute of Public Finance and Accountancy (CIPFA) had now issued its guidance notes for the Code of Practice on Local Authority Accounting considerable progress had been made in ensuring that the 2010/11 Statement of Accounts was compliant with International Financial Reporting Standards. The Committee was advised that the Internal Auditors had provided some initial feedback on the Council's preparations for IFRS. External Auditors had also commenced preliminary reviews looking at IFRS restatement testing the council's system controls ahead of the end of the financial year.

The Committee was advised that 9% of the tasks on the closedown timetable had been completed and it was anticipated that a first draft of the statement would be available by 13 May 2011.

The Technical Accountant explained that in order for the Council to be able to produce its Statement of Accounts under IFRS, all of its accounting policies had been reviewed and updated or redrafted as required. The policies had been written using CIPFA and PricewaterhouseCoopers (PWC) templates and had been reviewed by the council's internal auditors. The policies were reviewed against the policies set by neighbouring local authorities and found to be similar in approach.

The Head of Finance reported that an update on progress would be circulated to members of the IFRS Steering Group. A meeting of the Steering Group was scheduled for May following which the Group would submit a brief report to the June meeting of the Accounts, Audit and Risk Committee alongside the Statement of Accounts 2010/11.

Resolved

- (1) That the content of the report and the progress on re-stating 2009/10 accounts under IFRS and the closedown process for 2010/11 accounts be noted.
- (2) That the new accounting policies be approved.

60 **Internal Audit Progress Report**

The Committee considered a report of the Chief Internal Auditor which summarised the progress made against the internal audit plan for 2010/11 for the period from January to March 2011. The Committee was advised that 83% of the plan had been completed and that the majority would be completed by the end of the financial year. The Chief Internal Auditor advised Members that officers had requested that some IT work be rolled over into the 2011/12 plan. He assured the Committee that this would not affect the Internal Auditors Annual Audit Opinion.

The Chief Internal Auditor reported that since the Committee's January meeting five final reports had been issued and draft reports had been issued and/or fieldwork commenced in eight areas. In addition, work was being performed on an ongoing basis on the Council's preparations for International Financial Reporting Standards (IFRS).

The Chief Internal Auditor advised the Committee that he would be liaising with the Council's Governance group in relation to their outputs for the year end Annual Governance Statement. It was anticipated that the Internal Audit Annual Report would be submitted to the Committee's June meeting.

Resolved

- (1) That the Internal Audit progress report be noted.

61 **Risk Management**

The Committee considered a report of the Corporate Strategy and Performance Manager which updated Members on the management of Strategic, Corporate and Partnership Risks and provided an overview of changes to the risk register for 2011/12.

The Corporate Strategy and Performance Manager advised Members that In advance of 2010/11 the Council undertook a fundamental review of its risks and the reporting requirements which provided the opportunity to consider the underlying principles of the overall approach to managing risk. The review also resulted in a streamlined set of core strategic, corporate and partnership risks and the requirement that operational risks be monitored at the service level. These core risks were now monitored on a monthly basis.

In April 2010 the Council established a high level strategic risk register which integrated performance and risk reporting using Performance Plus, the Council's corporate performance management system. The Corporate Strategy and Performance Manager explained that risks were reviewed monthly and monitored by the Corporate Management Team. There is effective oversight by members through the Executive and the Accounts Audit and Risk Committee.

Members of the Committee commented that it was useful to receive regular updates. They noted that the role of the Committee was to be assured that officers were addressing risks and taking action as appropriate rather than

manage risk. They requested that future reports highlight any action being taken and also include an update on risks associated with the shared management arrangements with South Northamptonshire Council.

Resolved

- (1) That the additions to the Risk Register for 2011/12 be agreed and the Extended Management Team risk review be noted.
- (2) That the quarter 3 Strategic, Corporate and Partnership Risk Register be noted.
- (3) That the proposed reporting timetable to the Executive and the Accounts Audit and Risk Committee 2011/2012 be agreed.

62 Certification of Grant Claims and Returns 2009/10 - Audit Commission

The Committee considered a report of the Head of Finance presented the Certificate of Claims and Returns Report 2009/10 produced by the Audit Commission. The report reviewed the council's arrangements for the preparation and administration of grant claims within the council.

The Audit Manager reported that in 2009/10 the external audit team certified four claims or returns with a total value of £102.6m. A limited review of two claims and a full review of two claims was performed. Of the 2 limited reviews, the Disabled Facilities claim required no amendments but the Pooling of Housing Capital Receipts required minor amendments. The Council was in communication with the Department for Communities and Local Government to make the amendments and would update the Committee at the June 2011 meeting.

The Committee was advised that as a result of the outsourcing of the Revenue and Benefits processing to Capita the Audit Commission required assurance over the quality of their work. Additional testing was required on the National Non Domestic Return. The outcome of this testing was positive as no errors or amendments were required.

The Audit Manager explained that due to the value, the Housing Benefit and Council Tax Benefit Claim required full certification. This claim was subject to a number of adjustments and the Audit Commission issued 2 recommendations requiring improvements relating to the Housing Benefit and Council Tax Benefit Claim to ensure that 2010/11 claim was not qualified. The Head of Finance had developed an action plan with the Audit Commission and together with the council's partner Capita would ensure that both recommendations were implemented. The Head of Finance would inform the Committee of progress against the action plan.

The Committee noted that the number of recommendations in 2010/11 represented a 50% reduction to the 2008/09 claim when 4 recommendations were issued.

Resolved

- (1) That the contents of the Audit Commission Certification of Claims and Returns - Annual Report be noted.
- (2) That the agreed Action Plan in response to the Audit Commission Report be noted.

63 **External Audit Progress Report**

The Committee considered a report of the Head of Finance which presented the External Audit Progress Report for Cherwell District Council. The Audit Manager explained that report detailed the work already undertaken and to be undertaken by the Audit Commission as part of the 2010/11 audit. Members agreed that it was very useful for the information to be presented in this format and requested it be updated and submitted to the Committee as appropriate.

Resolved

- (1) That the External Audit Progress Report be noted.

64 **Internal Audit Final Plan 2011/12**

The Committee considered a report of the Chief Internal Auditor which presented the final version of the 2011/12 Internal Audit Risk Assessment and Plan. The Plan outlined the Internal Auditors proposed audit work for the year based on an analysis of the key risks facing Cherwell District Council. The Plan was based on the Internal Auditors' Strategic Plan for 2009-12 and had been updated following consultation with Members and Officers. The 2011/12 Internal Audit Risk Assessment and Plan had been endorsed by the Corporate Management Team.

The Chief Internal Auditor explained that the 2011/12 Internal Audit Risk Assessment and Plan was presented in a new format based on PricewaterhouseCooper's global internal audit standard. The Plan identified auditable units within the Council based on a full risk assessment which included the length of time since audit work was last undertaken in each area.

The Chief Internal Auditor advised Members that the number of audit days had been decreased to reflect the needs of the Council to make efficiency savings however he was satisfied that the reduction would not affect his ability to provide an assurance opinion. The Internal Audit Plan and indicative timetable would remain flexible to any issues that may arise and the Committee would be advised accordingly.

Resolved

- (1) That the Internal Audit Plan 2011/12 be approved.

2011/12 Treasury Management Strategy and Treasury Management Practices

The Committee considered a report of the Head of Finance which detailed the actual return on investments for the period from 1 April 2010 to 28 February 2011. It detailed the counterparties that had been used for investments and considered compliance with the investment strategy. The report also provided a review of the 2011/12 draft strategy and Treasury Management Practices.

The Head of Finance reminded Members that as part of the Council's Investment Strategy the Committee had responsibility for considering the investment performance to date and the Council's compliance with counterparties being used. The Committee was advised that the 2010/11 estimated projections as at 28 February 2011 showed an expected investment income of £1.254m which was an extra £18.5k over budget. All investments were compliant with the strategy.

The Head of Finance explained that the 2010/11 Annual Report on Treasury Management would be presented to the Executive in June 2011 along with the Revenue and Capital Outturn reports. This report would give full information on the performance of the Council's fund managers and in-house operation.

The Head of Finance advised the Committee that the 2011/12 Treasury Management Strategy had been endorsed by the Executive at its meeting on 7 March and recommended to Council for approval.

The Head of Finance updated Members on the updated Members on the current situation regarding the Council's investments with the failed Icelandic bank Glitnir. Cherwell District Council was one of 123 local authorities that had been affected by the collapse of Icelandic banking institutions. As CDC had not been given preferential status, it would therefore potentially only recover 29% of the £6.5m investment balance. The Council was currently in a legal process to ensure 100% of the deposits were returned.

Local authorities' objections would now be considered under the processes followed under Icelandic insolvency law, and written submissions were filed in September 2010. Glitnir test cases, including CDC, were heard on 11 March 2011. The Head of Finance explained that it was too early to pre-judge the outcome of the trial and advised that any other action CDC or the other parties might take could not be speculated upon. Regular updates on the recovery process would be provided to Members.

In response to Members' questions, the Head of Finance explained that in April 2010 the Executive had agreed to pursue the legal proceedings in order to recover the financial deposits and funding for the legal action. At present the cost of the proceedings was within the parameters agreed by the Executive, however it was anticipated that should there be an appeal additional funding may be required. The Head of Finance advised Members that a report would be submitted to the Executive in May to request approval for additional funds. The Committee noted that the cost of the legal proceedings was significantly less as the Council had been working with the

Local Government Association whose legal advisors were representing a number of local authorities rather than independently.

Resolved

- (1) That the contents of the report and treasury performance to date be noted.
- (2) That the draft 2011/12 Treasury Management Strategy and treasury management practices be noted.

66 **Accounts, Audit and Risk Committee Work Programme 2011/12**

The Committee considered a report of Head of Finance which presented the proposed Accounts, Audit and Risk Committee work programme for 2011/12.

Resolved

- (1) That the Accounts, Audit and Risk Committee work programme 2011/12 be approved.

67 **Verbal Updates**

a) Consultation responses re. Accounts and Audit Regulations 2011

The Head of Finance circulated the response that had been sent by Cherwell District Council to the Department for Communities and Local Government on the Revision and consolidation of the Accounts and Audit Regulations 2008 (SI 2003 No 533) as amended.

The Regulations include provisions on financial management, the form of the annual published accounts, and procedures connected with the approval and publication of the annual accounts and the conduct of the audit. The Consultation invited views on the draft consolidation of the Accounts and Audit Regulations 2003 and four amending instruments, and incorporation of a series of technical amendments. The draft also restructured the regulations with the aim of making them easier to follow.

b) Purchase Order Policy

The Technical Accountant updated the Committee on the development of a Purchase Order Policy. This issue had been raised by the Internal Auditors who had identified a high risk relating to inconsistency in raising purchase orders before invoices were paid. The Committee was advised that mandatory training on the importance of raising purchase orders had been given to relevant officers. The training had received positive feedback and identified areas that could be addressed to ensure compliance. The Committee noted that the issue had been added to the performance matrix considered quarterly by the Finance Scrutiny Working Group and was also monitored by the Corporate Management Team.

c) Corporate Governance Panel 2011/12

The Head of Finance provided a verbal update on the Corporate Governance Panel. She reminded the Committee that the Corporate Governance Panel reviews the draft Annual Governance Statement which eventually forms part of the Statement of Accounts which the Committee would consider in June 2011. The draft Annual Governance Statement would be available in late April 2011 and a meeting of the Corporate Governance Panel will be arranged at a time convenient to the Members involved.

Resolved

- (1) That Councillors Atack and Lawrie Stratford be confirmed as the two Accounts, Audit and Risk representatives of the Corporate Governance Panel for 2011/11.

68 **Exclusion of the Press and Public**

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 of Part 1, Schedule 12A of that Act.

69 **2011/12 Treasury Management Strategy and Treasury Management Practices - Exempt Appendix 3**

The Committee considered the exempt annex to the report of the Head of Finance updating Members on Treasury Management Performance, which listed the investments that Cherwell District Council had across all funds at 28 February 2011.

Resolved

- (1) That the exempt annex be noted.

The meeting ended at 8.40 pm

Chairman:

Date:

Cherwell District Council

Accounts, Audit and Risk Committee

Minutes of a meeting of the Accounts, Audit and Risk Committee held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 18 May 2011 at 7.40pm

Present: Councillor Tony Ilott (Chairman)
Councillor Trevor Stevens (Vice-Chairman)

Councillor Andrew Beere
Councillor Colin Clarke
Councillor Mike Kerford-Byrnes
Councillor Lawrie Stratford
Councillor Rose Stratford
Councillor Barry Wood

1 **Appointment of Chairman**

Resolved that Councillor Tony Ilott be elected Chairman of the Accounts, Audit and Risk Committee for the 2011/12 Council year.

2 **Appointment of Vice-Chairman**

Resolved that Councillor Trevor Stevens be elected Vice-Chairman of the Accounts, Audit and Risk Committee for the 2011/12 Council year.

The meeting ended at 7.45 pm

Chairman:

Date:

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Cherwell District Council

Accounts, Audit and Risk Committee

Minutes of a meeting of the Accounts, Audit and Risk Committee held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 15 June 2011 at 6.30 pm

Present: Councillor Tony Ilott (Chairman)
Councillor Trevor Stevens (Vice-Chairman)

Councillor Andrew Beere
Councillor Colin Clarke
Councillor Mike Kerford-Byrnes
Councillor Lawrie Stratford
Councillor Rose Stratford

Also Present: Katherine Bennett, Manager, Assurance, Government and Public Services, PricewaterhouseCoopers
Neil Mohan, Senior Counter-Fraud Specialist, PricewaterhouseCoopers

Apologies for absence: Councillor Barry Wood

Officers: Karen Curtin, Head of Finance / Section 151 Officer
Jessica Lacey, Technical Accountant
Jeff Brawley, Investigations Manager
Natasha Clark, Senior Democratic and Scrutiny Officer

3 Declarations of Interest

There were no declarations of interest.

4 Petitions and Requests to Address the Meeting

There were no petitions or requests to address the meeting.

5 Urgent Business

There was no urgent business.

6 Minutes

The Minutes of the meetings held on 14 March 2011 and 18 May 2011 were agreed as a correct record and signed by the Chairman.

7 **Fraud Awareness**

Cherwell District Council's Investigations Manager and the Senior Counter-Fraud Specialist, PricewaterhouseCoopers (the Council's internal auditor) gave a presentation on corporate fraud. The presentation provided an overview of fraud in the public sector and action that was being taken nationally and locally to address this.

The Committee was advised that the Bribery Act 2010 gained Royal assent on 8 April 2010 and created a corporate offence of failure to prevent bribery, and required the Council to implement adequate procedures to prevent bribery. The Act would come into force from 1 July 2011. The Investigations Manager presented the draft Anti-Bribery Policy which would contribute to the Council fulfilling this requirement and limit the Council's risk of exposure to bribery.

In response to Members' questions, the Investigations Manager explained that the Council's Anti-Bribery Policy would apply to officers, elected Members and stakeholders.

The Committee agreed that the Anti-Bribery Policy should be admitted as an urgent item to the 22 June 2011 Accounts, Audit and Risk Committee agenda to enable the final version of the policy to be endorsed before the Bribery Act 2010 enters into force on 1 July 2011.

8 **Review of Statutory Accounts 2010/11**

The Head of Finance submitted the Draft Financial Statements 2010/11 (Subject to Audit) for the Committee's consideration. The Chairman advised the Committee that this was an opportunity for Members to examine the draft Financial Statements in detail and question Officers on the content.

The Head of Finance reminded Members that under new regulations the Accounts, Audit and Risk Committee had responsibility responsible for reviewing the annual Statement of Accounts, but it does not have to formally approve them. This responsibility had been delegated to the responsible financial officer. The responsible financial officer at Cherwell District Council is the Section 151 Officer (Head of Finance).

During the course of the review Members of the Committee made 17 observations including questions and comments which were duly responded to by Finance Officers. The Chairman invited Members to contact the Finance Team with any further questions or comments they may have.

The Head of Finance advised the Committee that the a briefing note outlining the review process of the draft Financial Statements 2010/11 (Subject to Audit) would be circulated to Members together with a summary of the amendments made ahead of the Committee's 22 June 2010 meeting at which the Head of Finance would provide a verbal update.

The Committee thanked all staff in the Closedown Team for their hard work in preparing the Draft Financial Statements 2010/11 and responding to all of their comments and questions.

The meeting ended at 8.05 pm

Chairman:

Date:

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Cherwell District Council

Accounts, Audit and Risk Committee

Minutes of a meeting of the Accounts, Audit and Risk Committee held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 22 June 2011 at 6.30 pm

Present: Councillor Tony Ilott (Chairman)
Councillor Trevor Stevens (Vice-Chairman)

Councillor Andrew Beere
Councillor Colin Clarke
Councillor Mike Kerford-Byrnes
Councillor Barry Wood

Also Present: Councillor Nigel Morris, Lead Member for Change
Nicola Jackson, Audit Manager, Audit Commission

Apologies for absence: Councillor Lawrie Stratford
Councillor Rose Stratford

Officers: Karen Curtin, Head of Finance / Section 151 Officer
Chris Dickens, Chief Internal Auditor
Pat Simpson, Head of Customer Services & Information Systems
Claire Taylor, Corporate Strategy and Performance Manager
Jessica Lacey, Technical Accountant
Natasha Clark, Senior Democratic and Scrutiny Officer

9 Declarations of Interest

There were no declarations of interest.

10 Petitions and Requests to Address the Meeting

There were no petitions or requests to address the meeting.

11 Urgent Business

The Chairman reported that he had agreed to one item of urgent business being added to the agenda, Cherwell District Council's Anti-Bribery Policy, as the policy needed to be endorsed by the Committee before the Bribery Act 2010 entered into force on 1 July 2011. The item would be considered between items 13 and 14 on the agenda.

12 **Minutes**

The Minutes of the Meeting held on 15 June 2011 were agreed as a correct record and signed by the Chairman.

13 **Financial Statements 2010/11**

The Committee considered a report of the Head of Finance which provided a review of the Accounts, Audit and Risk Committee meeting of 15 June 2011 at which Members had reviewed the draft Financial Statements 2010/11 (subject to audit).

The Head of Finance advised the Committee that the Accounts and Audit Regulations 2011 state that whilst the statement of accounts must be approved no later than 30 June immediately following the end of a year, the draft statement of accounts could now be approved by the responsible financial officer rather than Accounts, Audit and Risk Committee. The responsible financial officer at Cherwell District Council was the section 151 officer (Head of Finance) Karen Curtin.

Whilst there is no statutory requirement for the Accounts, Audit and Risk Committee to approve the draft statement of accounts by 30 June, the Head of Finance recognised that it would be good practice to provide the Committee with the opportunity to scrutinise the statements. This had taken place on 15 June 2011. The Head of Finance highlighted the amendments that had been made to the draft Financial Statements as a result of the Committee's scrutiny.

The Head of Finance highlighted the current situation with regard to the Council's investment with the failed Icelandic bank Glitnir. She reported that officer had taken a prudent approach to capitalisation and had submitted a briefing note to the Audit Commission seeking their support of this approach. The Committee endorsed the prudent approach to capitalisation that officers had applied in the financial statements.

Resolved

- (1) That progress on the Financial Statements 2010/11 be noted.

14 **Annual Governance Statement 2010/11**

The Committee considered a report of the Head of Finance which sought approval for the Annual Governance Statement 2010/11, subject to any amendments from the Accounts, Audit and Risk Committee.

The Head of Finance advised Members that previously the Annual Governance Statement formed part of the financial statements but was now a standalone document. The Statement had been put together by the Corporate Governance Panel, which comprised three elected Members support by officers.

In response to Members' questions, the Head of Customer Service and Information Systems explained that for the first year the monitoring of complaints was centralized. A summary of complaints received was currently presented to Members through the Members' Weekly Bulletin. Members agreed that an annual synopsis of complaints, including areas, synopsis of complaint, outcomes, actions and lesson learned, be submitted to the Accounts, Audit and Risk Committee at an appropriate date.

Resolved

- (1) That the Annual Governance Statement "Subject to Audit" 2010/11 be approved.
- (2) That the Accounts, Audit and Risk Committee receive an annual report of complaints received by the Council.

15 **Treasury Management Annual Report**

The Head of Finance submitted a report which presented information on treasury management annual performance and compliance with treasury management policy during 2010/11 as required by the Treasury Management Code of Practice.

The Technical Accountant advised the Committee that the Treasury Management Annual Report 2010/11 had been produced with advice from Sector, the Council's treasury management advisers. She reported that during 2010/11 the council had complied with its legislative and regulatory requirements and the council's own Treasury Management Strategy 2010/11 that had been approved by Full Council in February 2010. The Committee was advised that the Council was debt free and currently did not have a borrowing requirement.

Resolved

- (1) That the Treasury Management Annual Report 2010/11 be endorsed and recommended for consideration at the next appropriate Full Council meeting.
- (2) That authority be delegated to the Head of Finance, in consultation with the Chairman of the Accounts, Audit and Risk Committee, to make any amendments to the Treasury Management Annual Report 2010/11 as a result of finalising the 2010/11 financial statements.

16 **Annual Audit Fee and External Audit Progress Report**

The Committee considered a report of the Head of Finance which set out the audit and inspection work that the Audit Commission proposed to undertake for the 2011/12 financial year at Cherwell District Council and the fee associated with this work. The report also provided a progress report on the work of external audit.

The Audit Manager advised Members that the proposed fee for 2011/12 for Cherwell District Council was £114,338. The fee reflected the risk-based approach to audit planning set out in the Code of Audit Practice and work mandated by the Audit Commission in 2011/12. The fee would cover: the audit of financial statements; Value for money conclusion; and, whole of Government accounts.

The Audit Manager advised the Committee that the Audit Commission appoints Engagement Leads to local authorities for five years with an option to extend for a further two years. She explained that 2011/12 would be the sixth year of appointment for Cherwell District Council's Engagement Lead (Maria Grindley) and that the Engagement Lead had requested a two year extension to her appointment. The Committee agreed that in light of external audit being in a transition stage and their satisfaction with the existing Engagement Lead, it would be appropriate to agree to a two year extension.

The Audit Manager provided an overview of External Auditors Progress Report. She reported that based on work previously undertaken at the council, it was anticipated that an unqualified assurance statement would be issued on the financial statements. The Committee was advised that an interim systems audit had highlighted two weaknesses and action plans were in place to address these.

Resolved

- (1) That the contents of the annual audit fee letter be noted.
- (2) That the extension of the Engagement Lead (Maria Grindley) for a period of two further years be approved.
- (3) That the contents of the External Audit Progress Report be noted.

17 Internal Audit Annual Report 2010/11

The Committee considered a report of the Chief Internal Auditor which presented the Internal Audit Annual Report 2010/11.

The Chief Internal Auditor reminded Members that the Internal Audit Plan 2010/11 had been approved by the Committee in March 2010. He confirmed that all work had been completed by 31 March 2011. The Chief Internal Auditor reported that "moderate" assurance had been given on the internal control framework of the Council. He explained that moderate assurance was given when mostly low and medium rated risks had been identified during the course of the internal audit reviews, but there had been some isolated high risk recommendations.

The Committee was advised that the internal audit reviews in 2010/11 had identified a considerable amount of good practice in relation to the operation of internal control systems and that high assurance had been issued in seven of the twenty-two assurance reports issued.

Resolved

- (1) That the Internal Audit Annual Report 2010/11 be noted.

18 **Internal Audit Progress Report**

The Committee considered a report of the Chief Internal Auditor which summarised the progress made against the internal audit plan for 2010/11 and 2011/12 for the period from March 2011 to June 2011 and presented the Internal Audit 2010/11 Firewall Review.

The Chief Internal Auditor reminded Members that performance against the 2010/11 Internal Audit Plan had been reported in the Annual Report presented at the previous agenda item. The Chief Internal Auditor reported that since the Committee's March meeting eight final reports had been issued. In addition, the Committee was advised that planning and fieldwork had commenced for the 2011/12 reviews and progress would be reported to the next meeting of the Committee.

The Chief Internal Auditor advised the Committee that a 'Limited Assurance' opinion had been issued for the Firewall review. He explained the opinion related to an issue at the time of the review and that all points raised in the review had been acted upon immediately. He confirmed that there had been no breach of security but a potential internal risk had been identified. The Head of Customer Service and Information Systems reported that internal audit had been requested to look at the Councils firewall in advance of changes that were due to be implemented. She confirmed that the risks identified had now been addressed.

Resolved

- (1) That the Internal Audit progress report be noted.

19 **Accounts, Audit and Risk Committee Annual Report 2010/11**

The Committee considered a report of the Head of Finance which presented the annual report of the Accounts, Audit and Risk committee for 2010/11 for review and approval and recommended that it be presented to full Council.

The Head of Finance reported that the Terms of Reference of the Accounts, Audit and Risk Committee required that the Committee produce an annual report for consideration by Full Council. The draft report had been produced in conjunction with the former Chairman of the Committee and provided an overview of the work of the Committee in 2010/11.

Resolved

- (1) That the Accounts, Audit and Risk Committee Annual Report be endorsed and recommended for consideration at the next appropriate Full Council meeting.

Risk Management

The Committee considered a report of the Corporate Strategy and Performance Manager which updated Members on the management of Strategic, Corporate and Partnership risks during the final quarter of 2010/11 and highlighted any emerging issues for concern.

The Corporate Strategy and Performance Manager reported that in the final quarter of 2010/11, fourteen risks had remained constant, three had improved, none had worsened, one risk had been added to the register and two removed from the register.

The Corporate Strategy and Performance Manager advised the Committee that for 2011/12 the reporting of Strategic, Corporate and Partnership Risk Register would continue to be integrated into the quarterly performance report to the Executive. The performance of all the risks on the Strategic, Corporate and Partnership Risk Register would be reported to the Accounts, Audit and Risk Committee on a quarterly basis.

The Committee was advised that during the final quarter of 2010/11 a review of the council's risk management systems and processes had been undertaken by internal audit. A moderate assurance had been given with a number of small issues highlighted. The Corporate Strategy and Performance Manager confirmed that management responses had been agreed and, where practicable, actioned.

Resolved

- (1) That the quarter 4 Strategic, Corporate and Partnership Risk Register be noted.
- (2) That the proposed reporting timetable to the Executive and the Accounts Audit and Risk Committee 2011/2012 be agreed.
- (3) That the outcomes of the risk management internal audit review be noted.

Cherwell District Council's Anti-Bribery Policy

The Committee considered a report of the Head of Finance and Investigations Manager which presented the Council's Anti-Bribery Policy.

The Head of Finance reminded Members that the Council's Investigations Manager and the Senior Counter-Fraud Specialist, PricewaterhouseCoopers (the council's internal auditors) had given a presentation on corporate fraud to the Committee's meeting of 15 June 2011. The Committee had reviewed the draft Anti-Bribery Policy at the meeting and recommended a small number of minor amendments which had been incorporated in the final version.

Resolved

- (1) That Cherwell District Council's Anti-Bribery Policy be endorsed.

22 **Exclusion of the Press and Public**

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 item of business, on the grounds that it could involve the likely disclosure of exempt information as defined in paragraph 3 of Part 1, Schedule 12A of that Act.

23 **Treasury Management Annual Report - Exempt Appendices 1a and 1b**

The Committee considered the exempt annex to the report of the Head of Finance which updated Members on the Council's investments and counterparties at 31 March 2011.

Resolved

- (1) That the exempt annex be noted

The meeting ended at 8.30 pm

Chairman:

Date:

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Cherwell District Council

Licensing Committee

Minutes of a meeting of the Licensing Committee held at Bodicote House, Bodicote, Banbury, Oxon OX15 4AA, on 4 March 2011 at 10.00 am

Present: Councillor Tony Ilott (Vice-Chairman, in the Chair)

Councillor Timothy Hallchurch MBE
Councillor P A O'Sullivan
Councillor G A Reynolds
Councillor Lawrie Stratford
Councillor Rose Stratford
Councillor Douglas Webb

Apologies for absence: Councillor Kieron Mallon
Councillor Fred Blackwell
Councillor Nick Cotter
Councillor Michael Gibbard
Councillor George Parish

Officers: Natasha Barnes, Licensing & Vehicle Parks Manager
Paul Manning, Solicitor
Natasha Clark, Senior Democratic and Scrutiny Officer

15 **Declarations of Interest**

There were no declarations of interest.

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

There were no petitions or requests to address the meeting.

17 **Urgent Business**

There was no urgent business.

18 **Minutes**

The Minutes of the meeting held on 9 December 2010 were agreed as a correct record and signed by the Chairman.

19 **Minutes of meeting Tuesday 14 December 2010 of Licensing Sub Committee**

The Minutes of the meeting of the Licensing Sub-Committee on 14 December 2010 at 11am were noted.

20 **Minutes of meeting Tuesday 14 December 2010 of Licensing Sub Committee**

The Minutes of the meeting of the Licensing Sub-Committee held on 14 December 2010 at 2pm were noted.

21 **Minutes of meeting Tuesday 15 February 2011 of Licensing Sub Committee**

The Minutes of the meeting of the Licensing Sub-Committee held on 15 February 2011 were noted.

22 **Control of Sexual Entertainment Venues**

The Committee considered a report of the Head of Safer Communities, Urban and Rural Services which outlined the changes made in Section 27 of the Policing and Crime Act 2009 amending Schedule 3 of the Local Government (Miscellaneous Provisions) Act, 1982 which enable local authorities to be able to determine applications for sexual entertainment venues.

The Licensing and Vehicle Parks Manager advised the Committee that prior to 1982 there was no control over the operation of sex establishments. Section 2 and Schedule 3 of the Local Government (Miscellaneous Provisions) Act (LGMPA) 1982 enabled local authorities the power to licence sex establishments, defined in this particular Act as sex shops and sex cinemas. The Council adopted these provisions on 2 June 1983.

The Committee was advised that the Policing and Crime Act 2009 was introduced on 6 April 2010. This Act introduced changes to Schedule 3 of the Local Government (Miscellaneous Provisions) Act. Local authorities had until 6 April 2011 to formally adopt the changes in the legislation. Failure to do so would mean that the Council would subsequently be required to consult local businesses and residents "as soon as is reasonably practicable" on whether or not to adopt the amended provisions.

The Licensing and Vehicle Parks Manager explained that Cherwell District Council currently had two premises that would require licensing under the new provisions. Both operators had been notified that they would be required to apply for new licenses to continue operating and provided with guidance on the process. The Committee was advised that should the amendments be adopted no new applications would be granted until such time that the council had a full policy in place to deal with such matters. In the interim, it was recommended that the Committee approve standard conditions to be attached to licences issued to the existing traders.

The Committee was advised that there was currently no fees set for applications in relation to sexual entertainment venues as this type of application had not previously existed. The Policing and Crime Act 2009 permitted local authorities to charge a reasonable and proportionate fee. The matter of fees would be taken into consideration when formulating the new policy and reviewed as part of the consultation in line with neighbouring authorities.

The Committee considered the implications of not adopting the legislative amendments and noted that if the sexual venue establishments were not regulated, they could continue to operate anyway but without any controls. By adopting the amendments and regulating the venues, all applications would be consulted upon and should a license be granted, Cherwell District Council would be able to apply controls and monitor compliance with these controls in the same manner as with all other licences granted by the authority.

Members discussed the timeframe for the implementation of the policy and agreed that it should be in place within 12 months. Members requested that the Licensing Officers provide updates to Committee members on the progress of developing the policy.

Resolved

- (1) That it be agreed that, in accordance with Section 2 (1) of the Local Government (Miscellaneous Provisions) Act, 1982, the Council resolves that Schedule 3 of that Act as amended by Section 27 of the Policing and Crime Act, 2009, shall apply to the District of Cherwell with effect from 4 March 2011.
- (2) That it be agreed that the proposed conditions governing the operation of Sexual Entertainment Venues as set out in the annex to these minutes (as set out in the minute book) be approved and attached to all licences issued by the Council.
- (3) That the Head of Safer Communities, Urban and Rural Services be delegated, in consultation with the Chairman of the Licensing Committee, to make any minor alterations to the setting of fees in relation to the processing of applications for sexual entertainment venues.

The meeting ended at 10.40 am

Chairman:

Date:

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Cherwell District Council

Licensing Committee

Minutes of a meeting of the Licensing Committee held at Bodicote House,
Bodicote, Banbury, OX15 4AA, on 18 May 2011 at 7.40pm

Present: Councillor Fred Blackwell (Chairman)
Councillor Mrs Diana Edwards (Vice-Chairman)

Councillor Andrew Beere
Councillor Michael Gibbard
Councillor Timothy Hallchurch MBE
Councillor Tony Ilott
Councillor G A Reynolds
Councillor Alaric Rose
Councillor Rose Stratford
Councillor Douglas Webb

Apologies for absence: Councillor Kieron Mallon
Councillor P A O'Sullivan

1 Appointment of Chairman

Resolved that Councillor Fred Blackwell be elected Chairman of Licensing Committee for the 2011/12 Council year.

2 Appointment of Vice-Chairman

Resolved that Councillor Diana Edwards be elected Vice-Chairman of Licensing Committee for the 2011/12 Council year.

The meeting ended at 7.45 pm

Chairman:

Date:

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Cherwell District Council

Personnel Committee

Minutes of a meeting of the Personnel Committee held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 18 May 2011 at 7.40pm

Present: Councillor Victoria Irvine (Chairman)
Councillor Lawrie Stratford (Vice-Chairman)

Councillor Ken Atack
Councillor Norman Bolster
Councillor Russell Hurle
Councillor Mike Kerford-Byrnes
Councillor George Parish
Councillor G A Reynolds
Councillor Alaric Rose
Councillor Rose Stratford
Councillor Lynda Thirzie Smart
Councillor Barry Wood

1 Appointment of Chairman

Resolved that Councillor Victoria Irvine be elected Chairman of Personnel Committee for the 2011/12 Council year.

2 Appointment of Vice-Chairman

Resolved that Councillor Lawrie Stratford be elected Vice-Chairman of Personnel Committee for the 2011/12 Council year.

The meeting ended at 7.45 pm

Chairman:

Date:

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Cherwell District Council

Overview and Scrutiny Committee

Minutes of a meeting of the Overview and Scrutiny Committee held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 8 March 2011 at 6.30 pm

Present: Councillor Daniel Sames (Chairman)

Councillor Ann Bonner
Councillor Nick Cotter
Councillor John Donaldson
Councillor Andrew Fulljames
Councillor Alastair Milne Home
Councillor Leslie F Sibley
Councillor Lawrie Stratford
Councillor Rose Stratford

Apologies for absence: Councillor Chris Smithson
Councillor Trevor Stevens
Councillor Keith Strangwood

Also Present: Tan Lea, Strategic Lead for Youth; Children, Young People and Families Directorate, Oxfordshire County Council
Anthony Sayles, Area Service Manager Northern, Integrated Youth Support Service, Oxfordshire County Council

Officers: Ian Davies, Interim Chief Executive and Head of Paid Service
Paul Marston-Weston, Head of Recreation & Health
Philip Rolls, Recreation & Health Improvement Manager
James Doble, Democratic, Scrutiny and Elections Manager
Catherine Phythian, Senior Democratic and Scrutiny Officer
Ian Davies, Interim Chief Executive and Head of Paid Service

44 **Appointment of Vice Chairman**

It was agreed that as this was the last meeting of the Committee in the current municipal year there was no need to appoint a vice-chairman.

45 **Declarations of Interest**

Members declared interests in the following agenda items:

6. Youth Services in Oxfordshire.

Councillor Ann Bonner, Personal, as a member of Oxfordshire County Council.

6. Youth Services in Oxfordshire.

Councillor Lawrie Stratford, Personal, as a member of Oxfordshire County Council.

46 Urgent Business

There was no urgent business.

47 Minutes

The minutes of the meeting held on 25 January 2011 were agreed as a correct record and signed by the Chairman, subject to the following amendment and point of clarification:

Page 4 Item 43 Secondary School Education Attainment Levels, paragraph 2, sentence 1

Delete Oxfordshire and replace with Cherwell

Page 5 Item 43 Executive consideration of the recommendations from the Overview and Scrutiny Committee: Car Parking Charges Call-in

Members of the Committee who had not been present at the meeting on 25 January 2011 sought clarification on the decision to review the Call-in procedure. The Chairman said that in general he believed that most people involved in the Call-in held on 10 January 2011 had been satisfied with the process. This view was endorsed by other members of the Committee. The Chairman went on to explain that it was not intended to conduct a full review of the whole Call-in procedure but that some concerns had been expressed regarding the rules on public speaking at a Call-in and this would be the only issue to be reviewed.

48 Youth Services in Oxfordshire

The Chairman welcomed Oxfordshire County Council officers Tan Lea (Strategic Lead for Youth; Children, Young People and Families Directorate) and Anthony Sayles (Area Service Manager Northern, Integrated Youth Support Service) to the meeting to discuss the proposals for youth services in the county. The Chairman explained that the discussion would be in two parts: firstly a briefing on the county council's proposals for youth services and secondly consideration of what impact this would have on the district council's youth work.

Oxfordshire County Council youth services

The County Council officers began by setting the overall context for the provision of youth services. They explained that the budget constraints would result in a £10M reduction in funding for youth services in 2011/12. Statutory

services would be safeguarded and this meant that the non-statutory activities would be more vulnerable to funding cuts. They referred the Committee to the county council's consultation document which set out the proposals for the provision of services to children, young people and families. They emphasised that although the service model looked very different the council retained its firm commitment to early intervention and to partnership working with community groups and other service providers like Connexions and the probation service.

The Committee learnt that the proposals for the youth service centred on local delivery from "hubs" across the county. Two of the hubs would be within Cherwell, at Woodgreen Young Peoples Centre in Banbury and The Courtyard in Bicester. The range of services provided would vary according to local need. In Banbury there would be close liaison with the work of the Banbury Brighter Futures project.

In response to questions from the Committee County Council officers confirmed that there would inevitably be some loss of services across the county as a whole but that it was not possible to quantify the change or identify specific services at present.

The Head of Recreation & Health told the Committee that the value for money review of youth services had been deferred until the outcome of the county council consultation was known and that the Cherwell District Council youth budget had not been cut in 2011/12. Nevertheless the service was actively seeking to provide improved services to residents and to safeguard activities against the changes that might result from the county council proposals.

The Committee recognised that the county council's proposals were as a direct result of the economic climate and that the options available were limited but they expressed reservations about the high level of dependency on the voluntary sector and parents and other volunteers. They were also concerned about the potential loss of professional expertise from within the youth service. The Committee was also concerned that the focus on the more vulnerable members of the community might result in a large number of other young people losing out because they did not meet any of the priority indicators. The Committee also commented on the importance of managing public perception of this fundamental change in the provision of youth services.

49

Overview and Scrutiny Work Programme 2010 - 2011

The Committee considered the report on the Overview and Scrutiny Work Programme 2010/11.

Forward Plan

The Committee agreed that there were no items on the Forward Plan for March to June 2011 that they wished to include on their work programme in 2010/11.

Built Environment Conservation Area Policy

The Committee noted that the Chairman had presented their report on the review of the Council's Built Environment Conservation Area Policy to the Executive on 7 February 2011. They were pleased to note that all of their recommendations had been accepted without amendment. The Committee reflected that this piece of work was an excellent example of good scrutiny which had resulted in a tangible outcome (the publication of the Planning and Design Guidance: Subdivision of Buildings for Residential Use). They commended Mrs Rand for her work in preparing this document and asked that it should be circulated to all council members.

Strategic review of car parking issues

The Committee had previously agreed to include on its work programme further investigation of the following parking issues:

1. The balance and location of long stay/ short stay parking in Banbury, Bicester and Kidlington
2. The wider economic impact of parking policy on the district's urban centres
3. The cost benefit of alternative management arrangements for car parks, including pay on exit

The Interim Chief Executive advised the Committee that he had discussed the structure, timing and resourcing of such an important and strategic scrutiny review with the Chairman and lead officers in the council. He suggested that the Committee should conduct the review in two stages. Firstly a select committee style discussion at the June meeting based on a detailed officer report addressing the issues raised at items 1 and 3 above which were essentially concerned with practical, operational arrangements for existing car parks. Secondly the Committee could commission a separate study into the wider economic impact of the council's parking policy. Such a study would need to be very thoroughly scoped and supported by detailed planning and clear objectives.

The Committee gave careful consideration to these these suggestions. They agreed that the review should be conducted in two stages and confirmed that officers should bring a detailed report to the June meeting which addressed issues around the balance and location of long stay/ short stay parking in the district and the cost benefit of alternative management arrangements for car parks. They asked that the report be supported by statistical information from the council's records, the background information provided to the call-in on car parking and should also include consideration of motorbikes and disabled parking requirements. In addition Bicester members of the Committee suggested that the findings of the Bicester Chamber of Commerce traffic survey should be brought to the meeting for the Committee's consideration.

The Committee agreed that consideration of whether or not to proceed with a wider economic impact of parking policy on the district's urban centres should be deferred until after the discussions at the June meeting.

Secondary School Education Attainment Levels

Following a lengthy discussion, the Committee agreed that the review of secondary school education attainment levels should proceed in 2011/12.

They agreed that the initial briefing discussion with Councillor Waine, Oxfordshire County Council Cabinet Member for Schools Improvement, should be scheduled for the meeting on 19 July 2011.

Councillor L Stratford and Councillor Mrs R Stratford asked that their objection to the decision to proceed with this scrutiny review be recorded.

Overview and Scrutiny Committee meeting on 12 April 2011

The Committee agreed to cancel this meeting.

Resolved

- (1) That the current Overview and Scrutiny Committee element of the work programme for 2010/11 be noted.
- (2) That there were no items of interest in the current version of the Forward Plan (March - June 2011) to be included on the future work programme.
- (3) That the Executive's endorsement of the recommendations from the Overview and Scrutiny Committee regarding the Built Environment Conservation Area Policy scrutiny review be noted; and that Mrs Rand be thanked for her work on the production of the Planning and Design Guidance: Subdivision of Buildings for Residential Use; and that this document be circulated to all council members.
- (4) That the agenda for the June meeting of the Committee would include a select committee style consideration of an officer report on the issues around the balance and location of long stay/ short stay parking in the district and the cost benefit of alternative management arrangements for car parks.
- (5) That an initial briefing for the review of Secondary School Education Attainment Levels should be scheduled for the meeting on 19 July 2011.
- (6) That the meeting scheduled for 12 April 2011 be cancelled.

The meeting ended at 8.15 pm

Chairman:

Date:

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Cherwell District Council

Overview and Scrutiny Committee

Minutes of a meeting of the Overview and Scrutiny Committee held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 18 May 2011 at 7.40pm

Present: Councillor Lynn Pratt (Vice-Chairman)

Councillor Ann Bonner
Councillor Tim Emptage
Councillor Chris Heath
Councillor Alastair Milne Home
Councillor Neil Prestidge
Councillor Leslie F Sibley
Councillor Daniel Sames
Councillor Trevor Stevens
Councillor Lawrie Stratford
Councillor Rose Stratford

Apologies for absence: Councillor Kieron Mallon

1 **Appointment of Chairman**

Resolved that Councillor Kieron Mallon be elected Chairman of the Overview and Scrutiny Committee for the 2011/12 Council year.

2 **Appointment of Vice-Chairman**

Resolved that Councillor Lynn Pratt be elected Vice-Chairman of the Overview and Scrutiny Committee for the 2011/12 Council year.

The meeting ended at 7.45 pm

Chairman:

Date:

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Cherwell District Council

Overview and Scrutiny Committee

Minutes of a meeting of the Overview and Scrutiny Committee held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 14 June 2011 at 6.30 pm

Present: Councillor Kieron Mallon (Chairman)
Councillor Lynn Pratt (Vice-Chairman)

Councillor Ann Bonner
Councillor Tim Emptage
Councillor Neil Prestidge
Councillor Leslie F Sibley
Councillor Daniel Sames
Councillor Trevor Stevens
Councillor Lawrie Stratford
Councillor Rose Stratford

Substitute
Members:

Also Present: Councillor John Donaldson
Councillor Tony Ilott
Councillor Nicholas Mawer
Councillor Patricia Tompson

Apologies
for
absence: Councillor Chris Heath
Councillor Alastair Milne Home

Officers: Chris Rothwell, Head of Safer Communities, Urban & Rural Services
Martyn Swann, Strategic Housing Manager
Helen Town, Strategic Housing Officer
James Doble, Democratic, Scrutiny and Elections Manager

3 Declarations of Interest

Members declared interests in the following agenda items:

6. Overview & Scrutiny Work Programme 2011/2012.

Councillor Lawrie Stratford, Personal, as a member of Bicester Citizens Advice Bureau Management Committee.

Councillor Rose Stratford, Personal, as a Council appointed representative on Bicester Citizens Advice Bureau Management Committee.

4 **Urgent Business**

There was no urgent business.

5 **Minutes**

The minutes of the meetings held on 8 March and 18 May 2011 were agreed as a correct record and signed by the Chairman.

In the course of considering the minutes Councillor L Stratford reported to the meeting that there had been positive media coverage of improved attainment levels in both primary and secondary schools in Bicester.

6 **Update on parking provision**

The Chairman outlined that parking provision was being considered in response to the request of the Executive that scrutiny provide further work on this issue following the referral back to the Executive as part of the Call-in held in January 2011.

The Chairman invited Ben Jackson (Bicester Chamber of Commerce) to address the meeting. It was reported that the Chamber had identified an 18-20% drop off in trading in recent months and whilst there was no evidence this was due to parking charges, it was believed this was a contributory factor. It was also noted that three businesses, including a long established business had ceased or were going to cease trading.

In the course of debate the following areas for future investigation were highlighted by members:

- The use of town centre rental income to replace lost parking fees if the charges were stopped
- Ticket machines, the availability of change and pay on exit
- Motorcycle parking
- Future of Shopmobility scheme
- Lessons learnt regarding advertising and signage for parking charge changes
- The suggestion of possible trial sites for different parking systems
- The issues of parking fines for low income families and repayment options
- The need to look at first quarter data
- The future of Multi-storey car park at Bolton Road, Banbury
- The consideration of escalating rates to prevent all day commuter parking

The Chairman advised following discussion with the Chairman of Resources and Performance Scrutiny Board it was felt that some elements of the review of parking should be brought forward for discussion at a special joint meeting of the Overview and Scrutiny Committee and Resources and Performance

Scrutiny Board and therefore proposed an alternative form of words to recommendation 3 to reflect this.

Resolved

- (1) That the contents of the report be noted.
- (2) That Bicester Chamber of Commerce be thanked for providing the information obtained through the traffic survey.
- (3) That the Overview and Scrutiny Committee and Resources and Performance Panel should engage on joint scrutiny on 12 July in relation to parking charges, to explore the issues discussed by Overview and Scrutiny Committee.

7 **Overview & Scrutiny Work Programme 2011/2012**

The Committee discussed the work programme and agreed that in a climate of scarce resources it was important that topics for scrutiny should deliver clear outcomes and made a difference to the community.

Resolved

That the following amendments and alterations be made to the Overview and Scrutiny work programme:

Equalities Policy – include on work programme, Chairman to progress issue with officers and to be scheduled for September 2011.

Commissioning of Advice, Volunteering and Voluntary Car Driving Schemes in Cherwell – include on work programme for July 2011. Members of Committee to feed in views and ideas to Chairman in advance of meeting to allow review approach to be planned. Agreed that advice, volunteering and voluntary car driving would need to be looked at separately in order to make manageable and as members feel there are likely to be different timescales involved.

Registered Social Landlords Relationship Policy – issue to be scoped and brought to committee at next meeting with benefit of CMT input.

Secondary School Education Attainment Levels – delete from work programme

Kidlington Pedestrian Station – delete from work programme, members to receive update circulated outside of meeting when available.

Houses in Multiple Occupancy and Planning Policy - delete from work programme, members to receive update circulated outside of meeting when available.

Democratic Engagement with Young People - delete from work programme, members to receive update circulated outside of meeting when available.

Crime and Anti Social Behaviour – to be referred to RPSB to be considered in terms of effect of budget reductions on work area.

Private Sector Housing Strategy – July meeting then removed from work programme

Built Environment Conservation Area Policy - delete from work programme, members to receive update circulated outside of meeting when available.

Youth Services – Schedule for an update in last quarter 2011

Preparation for 2012 Olympics - delete from work programme

RAF Bicester - delete from work programme, members to receive update circulated outside of meeting when available.

Residents Parking Schemes - delete from work programme, include within general parking discussion on 12 July 2011.

8 **Review of public speaking at call-in**

The committee considered some concerns that had been raised in terms of the order of speaking at the recent Call-in of car parking. Concern had been raised that the public were not allowed to speak until after councillors had the opportunity to do so, which could mean that they were not able to speak for several hours, although in the event all those present at the meeting were able to speak.

It was noted that Call-in was essentially a process for councillors to call-in and review a decision of the Executive and that at many authorities the public were not allowed to speak. It was also noted that there was a balance to be struck between councillors exercising their scrutiny function and the involvement of the public. The committee considered the issues, but felt on balance that the existing order of speaking should be maintained as it reflected the importance of the role of councillors whilst allowing the public to speak after they had heard from all parties to the call-in and heard the questioning from members.

Resolved

That having reviewed the order of speaking during a Call-in, no amendments should be made.

The meeting ended at 8.11 pm

Chairman:

Date:

Cherwell District Council

Resources and Performance Scrutiny Board

Minutes of a meeting of the Resources and Performance Scrutiny Board held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 1 March 2011 at 6.45 pm

Present: Councillor Nicholas Mawer (Chairman)
Councillor David Hughes (Vice-Chairman)

Councillor Rick Atkinson
Councillor Maurice Billington
Councillor Margaret Cullip
Councillor Tim Emptage
Councillor Carol Steward
Councillor Patricia Tompson
Councillor Douglas Webb
Councillor Martin Weir

Apologies for absence: Councillor Alyas Ahmed
Councillor Neil Prestidge

Officers: Karen Curtin, Head of Finance
Claire Taylor, Corporate Strategy and Performance Manager
Viv Hichens, Corporate Strategic Procurement Manager
Natasha Clark, Senior Democratic and Scrutiny Officer

36 **Declarations of Interest**

There were no declarations of interest.

37 **Urgent Business**

There was no urgent business.

38 **Minutes**

The minutes of the meeting held on 11 January 2011 were agreed as a correct record and signed by the Chairman.

39 **Engagement of External Consultants By Cherwell District Council**

The Chairman welcomed the Head of Finance, the Community and Corporate Planning Manager and the Corporate Strategic Procurement Manager to the

meeting. He explained that a member of the Resources & Performance Scrutiny Board had queried the use of external consultants during the council's drafting of the Sustainable Community Strategy and suggested the engagement of external consultants by Cherwell District Council as a potential topic for scrutiny. This would be an opportunity for members of the Resources and Performance Scrutiny Board to question officers about the topic.

The Community and Corporate Planning Manager began by providing a general overview of different types of consultants and why they were used before the Corporate Strategic Procurement Manager focussed on how Cherwell District Council procures consultants. The Board was advised that the same procurement process principles were applied to the procurement of consultants as to any procurement process the council undertakes, including options appraisal, detailed specification, award of contract and monitoring.

The Board was advised that all services could potentially use consultants however they must be procured in the correct manner and the service area must have a budget it could call upon to meet the cost of employing the consultants. The management of consultants was dependent on the specific project and generally incorporated in the contract between the council and the consultant.

The Head of Finance gave an overview of the council's spending on consultancy by service area. She explained that consultancy was a discretionary area of expenditure and could only be budgeted for if there was a business case and it could show value for money. Expenditure on consultancy had reduced by around two-thirds between 2008/09 and 2010/11. The consultancy budget set for 2011/12 forecast a further reduction in expenditure and would represent a very small amount in the council's overall budget. The Head of Finance explained that in contrast to the reduced expenditure on consultants, expenditure on private contractors had increased. This was as a direct result of the decision to outsource the internal audit and revenues and benefits services. These increased were however offset by the reduction in expenditure on salaries and both contracts have shown considerable reductions in the cost of providing these services for the Council at increased quality.

The Community and Corporate Planning Manager addressed the use of consultants during the drafting of the Sustainable Community Strategy (SCS). She explained that the SCS was the long-term vision and plan for a local area. Preparation of SCS's is a requirement for councils. Section 4 of the Local Government Act 2000 requires a principal authority to prepare an SCS for promoting or improving the wellbeing of its area. The Board was advised that Cherwell District Council had historically used consultants when developing plans and strategies as there was no team in place to fulfil the function. As a consequence the Executive approved funding to use consultants to assist with the development of the SCS. In addition to producing the SCS, a further legacy of the process has been the development of a team which, as part of its remit, leads on consultation, and consultation forums which can be used by all service areas.

The Chairman thanked the Head of Finance, the Community and Corporate Planning Manager and the Corporate Strategic Procurement Manager for the

comprehensive briefing on the council's use of external consultants. The Board agreed that the item should be added to their work programme. Members agreed that they should continue to monitor consultancy costs through the Finance Scrutiny Working Group. Additionally, the Board requested that officers provide an overview of the full process of procuring consultants to a future Board meeting.

Resolved

- (1) That the Resources and Performance Scrutiny Board continue to monitor consultancy costs through the Finance Scrutiny Working Group.
- (2) That officers be requested to provide additional information on the complete process of procuring consultants giving examples from each directorate to a future meeting of the Board.

40

Overview and Scrutiny Work Programme 2010/11

The Board considered a report of the Head of Legal and Democratic Services which updated Members on the Overview and Scrutiny Work Programme 2010/11.

Feedback from the Performance Scrutiny Working Group and Finance Scrutiny Working Group meetings

The Members of the Working Groups reported back to the Board on their respective meetings. The Chairman explained that the Finance Scrutiny Working Group had considered the Project Brief for Planning Fees and Charges. The project was part of the draft Corporate Improvement Plan 2011/12 considered by the Executive on 7 February 2011 and its aim was to develop and introduce a charging policy for development control in line with new flexibilities proposed by the Coalition Government.

The Board agreed that they would like to consider the draft final proposal before it is submitted to the Executive for consideration in May/June. Members noted that the next scheduled Board meeting was late June and agreed that an additional meeting should be arranged to fit in with the timetable for the Planning Fees and Charges project. In considering the additional meeting, Members discussed the feasibility of using the meeting to consider another item on the work programme and agreed that a review of the Council's partnership with Bicester Vision should be included on the agenda for the meeting.

Resolved

- (1) That the Resources and Performance Scrutiny Board element of the work programme for 2010/11 be agreed.
- (2) That the feedback from the Performance Scrutiny Working Group and Finance Scrutiny Working Group meetings be noted.

- (3) That an additional meeting of the Board be arranged in late May/early June to consider the proposals arising from the Planning Fees and Charges project and to consider the Council's partnership with Bicester Vision.

The meeting ended at 8.10 pm

Chairman:

Date:

Cherwell District Council

Resources and Performance Scrutiny Board

Minutes of a meeting of the Resources and Performance Scrutiny Board held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 18 May 2011 at 7.40pm

Present: Councillor Nicholas Mawer (Chairman)
Councillor Douglas Webb (Vice-Chairman)

Councillor Alyas Ahmed
Councillor Maurice Billington
Councillor Patrick Cartledge
Councillor Margaret Cullip
Councillor Andrew Fulljames
Councillor Lawrie Stratford
Councillor Patricia Tompson
Councillor Martin Weir
Councillor Douglas Williamson

Apologies for absence: Councillor Carol Steward

1 **Appointment of Chairman**

Resolved that Councillor Nick Mawer be elected Chairman of the Resources and Performance Scrutiny Board for the 2011/12 Council year.

2 **Vice-Chairman**

Resolved that Councillor Douglas Webb be elected Vice-Chairman of the Resources and Performance Scrutiny Board for the 2011/12 Council year.

The meeting ended at 7.45 pm

Chairman:

Date:

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Cherwell District Council

Resources and Performance Scrutiny Board

Minutes of a meeting of the Resources and Performance Scrutiny Board held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 13 June 2011 at 7.00 pm

Present: Councillor Nicholas Mawer (Chairman)

Councillor Alyas Ahmed
Councillor Maurice Billington
Councillor Patrick Cartledge
Councillor Margaret Cullip
Councillor Andrew Fulljames
Councillor Lawrie Stratford
Councillor Patricia Tompson
Councillor Martin Weir

Substitute Members: Councillor Tim Emptage (In place of Councillor Douglas Williamson)

Also Present: Councillor Ken Atack

Apologies for absence: Councillor Douglas Webb
Councillor Carol Steward
Councillor Douglas Williamson

Officers: Chris Rothwell, Head of Safer Communities, Urban & Rural Services
Natasha Clark, Senior Democratic and Scrutiny Officer

3 **Declarations of Interest**

Members declared interests in the following agenda items:

6. Partnership Scrutiny Update: Cherwell Safer Communities Partnership

Councillor Lawrie Stratford, Personal, as a member of Bicester Citizens Advice Bureau Management Committee.

8. Overview and Scrutiny Work Programme 2011/12

Councillor Lawrie Stratford, Personal, as an Oxfordshire County Council appointed representative on the Bicester Vision Board.

4 **Urgent Business**

There was no urgent business.

5 **Minutes**

The Minutes of the meetings held on 1 March 2011 and 18 May 2011 were agreed as a correct record and signed by the Chairman.

6 **Partnership Scrutiny Update: Oxfordshire Rural Community Council**

The Board considered a report of the Head of Safer Communities, Urban and Rural Services which updated Members on the Councils partnership with Oxfordshire Rural Community Council (ORCC).

The Chairman welcomed the Head of Safer Communities, Urban and Rural Services and Councillor Atack, the Council's appointed elected Member representative to ORCC. He reminded Members that the Board had undertaken a review of the Council's partnership with Oxfordshire Rural Community Council in 2009/10. The six recommendations arising from the review had been accepted by the Executive in April 2010. The Board had received an update on progress against the recommendations in September 2010 and, in light of the fact that all of the Councils partnerships were being kept under review in light of emerging budget and service pressures, had requested a further update in summer 2011.

The Head of Safer Communities, Urban and Rural Services began by explaining that Urban and Rural Services had strengthened their relationship with ORCC through the signing of a Service Level Agreement however proposals regarding the future funding of ORCC were currently under consideration by the Planning, Housing and Economy Directorate. The proposals would withdraw funding for ORCC's rural community transport work and tender three contracts (advice, volunteering and voluntary car driving scheme) to deliver a range of advice and services. In response to Members' questions, the Head of Safer Communities, Urban and Rural Services explained that Housing Services and Urban and Rural Services provided separate funding for community transport (£11,500 and £4/5k respectively). He confirmed that there would be no funding cuts in 2011/12, but there could potentially be funding cuts in 2012/13 due to the commissioning proposals. Members raised concerns about the impact of funding cuts on ORCC and its ability to deliver services in the district. They agreed that the Chairman and Officers should follow up with ORCC representatives and report back to the Board.

The Council's appointed elected Member representative to ORCC reported that the proposals were at an early stage and the Council and ORCC sought to deliver services better and in a more financially viable way. He explained that ORCC had been placing considerable focus on budgets due to potential funding cuts from the county and districts. Members raised concerns about the impact of cutting funding to ORCC and their ability to deliver services for CDC. The Board noted that, at the request of the Executive, the Overview and Scrutiny Committee would be considering the commissioning of advice and, volunteering and voluntary car driving scheme at its meeting on 14 July 2011. The Chairman agreed to attend the meeting to raise the concerns of the Resources and Performance Scrutiny Board. Members requested that they be

kept up-to-date with the deliberations of the Overview and Scrutiny Committee.

The Head of Safer Communities, Urban and Rural Services advised the Board that the Service Level Agreement contained five key objectives, each with various measures which were monitored regularly: 1. Encourage community led planning; 2. Retaining and improving rural retail services; 3. Improving village halls; 4. Rural transport option – ORCC to promote and support five volunteer schemes; and, 5. Innovating rural development. The Board commended the progress in signing the Service Level Agreement and noted that the objectives broadly covered the vast range of work undertaken by ORCC.

The Council's appointed elected Member representative to ORCC explained that in his capacity as CDC representative, he was required to become an ORCC Board Member and had been appointed in October 2010 at the ORCC AGM. He reported that Board meetings were held every 6-8 weeks and he liaised closely with the Rural Development and Countryside Manager about the work of the ORCC and monitoring of the Service Level Agreement. Members noted that following a change of the areas of responsibility of Executive Members in May 2011, Councillor George Reynolds, Deputy Leader, now included urban and rural services within his area of responsibility.

The Board noted that CDC had a small Urban and Rural Services team and as a consequence relied on ORCC to deliver a number of services on behalf on the Council. The Board agreed that they were satisfied with the progress that had been made since they undertook their review of the partnership, however Members expressed concerns about the proposals regarding community transport and the commissioning of advice, volunteering and voluntary car driving scheme.

Resolved

- (1) That the update on the Oxfordshire Rural Community Council be noted.
- (2) That the Chairman be requested to report the concerns of the Resources and Performance Scrutiny Board on the commissioning of advice, volunteering and voluntary car driving scheme proposals to the Overview and Scrutiny Committee meeting and that an update on the deliberations of the Overview and Scrutiny Committee be provided to the July meeting of the Resources and Performance Scrutiny Board.

7 Partnership Scrutiny Update: Cherwell Safer Communities Partnership

The Board considered a report of the Head of Safer Communities, Urban and Rural Services which updated Members on the Cherwell Safer Communities Partnership (CSCP).

The Chairman reminded Members that in September 2010 the Chairman of the Cherwell Safer Communities Partnership (CSCP), the Cherwell Local Police Area (LPA) Commander, the Portfolio Holder Community Safety, Urban

and Rural, the Head of Safer Communities, Urban and Rural Services and the Community and Corporate Planning Manager had attended a meeting of the Resources and Performance Scrutiny Board. The Board had noted that there was a strong working relationship between the Council and the Cherwell Safer Communities Partnership which supported the delivery of the Council's corporate priorities and strategies. This was underpinned by a formal structure to manage and measure the effectiveness of the partnership. As a result, the partnership was delivering practical benefits to residents in the district. However, Members requested that they receive an update in spring/summer 2011 once the proposals in the Government's policing reform programme consultation have been published and the budget position of the partnership is clearer.

The Head of Safer Communities, Urban and Rural Services advised the Board that previously the CSCP had been funded through Area Based Grant. However, over the previous five years the budget had been cut and it was unclear what the budget for 2011/12 would be until spring 2011. As a result the CSCP reviewed its priorities at the end of 2010 and agreed five priorities for the District: Anti-Social Behaviour; Reducing serious acquisitive crime; Young people; Domestic abuse; and, Violence against the person. The prioritisation had been agreed at the March 2011 CSCP meeting and the final budget allocations as set out as an appendix to these minutes (as set out in the minute book) would be submitted to the June 2011 CSCP meeting.

The Board noted that there was ongoing uncertainty within the Partnership as the funding for 2012/13 remained unclear. Members of the Board raised concerns about the impact of the cuts on community safety. The Head of Safer Communities, Urban and Rural Services reminded the Board that one of the roles of Thames Valley Police was to combat crime and Cherwell District Council supported the Police through the CSCP. Members noted the importance of the CSCP in bringing agencies together and agreed that they should consider the impact of the funding cuts on the future of the Partnership at a future Board meeting and invite the Local Police Area (LAP) Commander to this meeting.

The Head of Safer Communities, Urban and Rural Services circulated the Cherwell Safer Communities Report 2010/11 and Rolling Plan for 2011-13, which included performance data over the past year and targets and areas for monitoring for the next two years.

Resolved

- (1) That the update on the Cherwell Safer Communities Partnership be noted.
- (2) That the impact of funding cuts and how the Cherwell Safer Communities Partnership are preparing for that eventuality be considered at a future meeting of the Resources and Performance Scrutiny Board.
- (3) That the Cherwell Local Police Area (LPA) Commander be invited to this meeting of the Resources and Performance Scrutiny Board.

8 **Appointment of Working Group Members**

The Chairman welcomed Councillors Cartledge and Fulljames as new members of the Board, Councillor Stratford as a full member of the Board and noted that Councillor Williamson was also a new member but had been unable to attend the meeting.

The Board considered a report of the Interim Head of Legal and Democratic Services which sought consideration of the appointment of Members to the Finance Scrutiny Working Group and Performance Scrutiny Working Group.

Resolved

- (1) That the following Councillors be appointed to the Performance Scrutiny Working Group for 2011/12: Councillor Mawer, Councillor Webb, Councillor Billington, Councillor Cullip, Councillor Fulljames, Councillor Steward and Councillor Williamson
- (2) That the following Councillors be appointed to the Finance Scrutiny Working Group for 2011/12: Councillor Mawer, Councillor Webb, Councillor Ahmed, Councillor Cartledge, Councillor Stratford, Councillor Tompson and Councillor Weir.

9 **Overview and Scrutiny Work Programme 2011/12**

The Board considered a report of the Interim Head of Legal and Democratic Services which updated Members on the Overview and Scrutiny Work Programme 2011/12.

The Board noted an update on car parking would be presented to the Finance Scrutiny Working Group's July meeting. Members requested that an update on the Concessions Policy be provided to the next meeting. The Board noted that food waste processing had been successfully rolled out in the district and agreed that the item should be deleted from the work programme.

The Chairman reported that there had been a number of changes recently within Bicester Vision, notably a new Partnership Manager. The Board agreed that they should retain the Partnership on the work programme and invite representatives to a future meeting to brief Members on the developments in the Partnership.

Resolved

- (1) That the Resources and Performance Scrutiny Board element of the Overview and Scrutiny Work Programme 2011/12 be noted.
- (2) That Officers be requested to submit an update on the Concessions Policy to the July meeting of the Resources and Performance Scrutiny Board.

- (3) That Food Waste Processing be deleted from the Overview and Scrutiny Work Programme.
- (4) That Bicester Vision be retained on the Overview and Scrutiny Work Programme and that representatives from the Partnership be invited to a future meeting of the Resources and Performance Scrutiny Board.

The meeting ended at 9.05 pm

Chairman:

Date:

Cherwell District Council

Joint Meeting of the Overview and Scrutiny Committee and Resources and Performance Scrutiny Board

Minutes of a Joint meeting of the Overview and Scrutiny Committee and Resources and Performance Scrutiny Board held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 12 July 2011 at 6.30 pm

Present: Councillor Kieron Mallon (Chairman)
Councillor Nicholas Mawer (Vice-Chairman)

Councillor Alyas Ahmed
Councillor Ann Bonner
Councillor Patrick Cartledge
Councillor Margaret Cullip
Councillor Tim Emptage
Councillor Chris Heath
Councillor Lynn Pratt
Councillor Neil Prestidge
Councillor Leslie F Sibley
Councillor Daniel Sames
Councillor Lawrie Stratford
Councillor Rose Stratford
Councillor Patricia Tompson
Councillor Douglas Webb
Councillor Martin Weir
Councillor Douglas Williamson

Substitute Members: Councillor Mrs Diana Edwards (In place of Councillor Carol Steward)

Also Present: Councillor G A Reynolds

Apologies for absence: Councillor Andrew Fulljames
Councillor Alastair Milne Home
Councillor Trevor Stevens
Councillor Carol Steward

Officers: Ian Davies, Strategic Director Environment & community
Chris Rothwell, Head of Safer Communities, Urban & Rural Services
James Doble, Democratic, Scrutiny and Elections Manager
Catherine Phythian, Senior Democratic and Scrutiny Officer
Karen Muir, Corporate System Accountant

9 **Appointment of Chairman and Vice-Chairman**

Resolved that Councillor Kieron Mallon be elected Chairman of the joint meeting of the Overview and Scrutiny Committee and Resources and Performance Scrutiny Board.

Resolved that Councillor Nicholas Mawer be elected Vice-Chairman of the joint meeting of the Overview and Scrutiny Committee and Resources and Performance Scrutiny Board.

10 **Declarations of Interest**

Members declared interests in the following agenda item:

4. Car Parking Provisions and Charges

Councillor Alyas Ahmed, Personal, as a relative of a blue badge holder.

Councillor Ann Bonner, Personal, as President of Banbury and District Multiple Sclerosis Society.

Councillor Chris Heath, Personal, as a relative of a blue badge holder.

Councillor Daniel Sames, Personal, as a relative of a blue badge holder.

Councillor Lynn Pratt, Personal, as a blue badge holder.

Councillor Patricia Tompson, Personal, as a blue badge holder.

11 **Car Parking Provisions and Charges**

The Chairman accepted a petition submitted on behalf of residents from Bicester objecting to the current parking charges in the town. It was noted that a further petition on behalf of residents from Banbury objecting to evening charges would be submitted to the Council shortly.

The Chairman reminded Members that car parking provisions and charges had been the subject of a detailed review by the Resources and Performance Scrutiny Board in the autumn of 2010 as part of the 2011/12 Budget preparation; that the matter had been the subject of a Call-in held in January 2011; and that the Overview and Scrutiny Committee had discussed the topic at their meeting on 14 June 2011 and agreed that it should be considered at a further joint scrutiny meeting.

The Chairman informed the committee that since the meeting on 14 June 2011 he and the Chairman of the Resources and Performance Scrutiny Board had met several times with the Strategic Director Environment and Community, the Head of Safer Communities, Urban and Rural Services and to consider the issues and explore alternative options for car parking provision and charges. He explained that in the course of those meetings

they had looked at all of the individual complaints received from members of the public and at the local press and media coverage.

The Strategic Director Environment and Community gave an overview of the Council's budget position and the pressure to find savings and/or raise income as a consequence of the significant reduction in Government grant which equated to £2.7M for the current year out of a total Council budget of £18.5M. Fees and charges across the Council had been reviewed and were contributing some £400,000 to the budget reduction. He drew Members' attention to the areas of the Council's Parking Service that had been raised at the June Overview and Scrutiny meeting and the information set out in the report on these.

The Chairman referred the committee to two supplementary documents which had been tabled at the meeting (attached as annexes to these minutes as set out in the Minute Book):

- Appendix 2a - Options on parking policy and charging
- Appendix 2b - Facts and Figures April to June 2011

In the interests of a timely and constructive meeting he asked the Members to focus their debate on the impact of the car parking provisions and charges that came into effect on 4 April 2011 and on the range of alternative options presented in Appendix 2a. He asked Members to be mindful that any proposals or recommendations to change the existing car parking provisions and charges would have a domino impact on the overall budget and on other service areas.

In the course of debate the following general observations were made:

- All Members had received a large number of complaints and objections to the parking provisions and charges from their constituents.
- It was important to listen to the concerns of the residents and to take appropriate action in response to those concerns.
- The Committee must demonstrate financial prudence and propose alternative options that fall within the balanced budget and avoid any increase on council tax or loss of other key services.
- In view of there being some public confusion resulting from some of the changes introduced on 4 April 2011 any revised proposals for new car parking provisions and charges should be simple to implement and easy to understand.
- Members noted that the Council had recognised that, as in any project, there were lessons to be learnt and improvement to be made regarding the implementation of the changes, particularly in view of the number of changes made. Extensive communication and consultation had been undertaken but further thinking on how to widen the awareness of changes with Cherwell residents and with visitors from out of district would help to reduce the negative feedback.

- That the problems facing the night-time economy of the district's town centres was not solely attributable to the introduction of evening parking charges and was to some extent the result of the national economic downturn. It was also noted that, contrary to some of the press and trader coverage, ticket sales for evening parking indicated high volumes of take up in Banbury with potential income of £100,000; but lower in Bicester with potential income at £40,000.

The Committee then reviewed and discussed each of the alternative options set out in Appendix 2a (Supplementary Information and Options on Parking Policy and Charging) in turn.

1. The introduction of Evening Charges

The following options were considered by the Committee:

1a	Return to free evening parking
1b	Free 10 minute period drop off/collection
1c	Charging to 1900hrs only on current hourly tariffs and free thereafter
1d	Charging to 2000hrs only on current hourly tariffs and free thereafter

A majority of Members advocated option 1c on the basis that the estimated £144,000 loss of income from evening parking charges was not sustainable in the current financial climate and on the assumption that 1900hrs was a watershed for the night-time economy in Banbury and Bicester. Some Members were in favour of option 1a and argued that the fact that the latest projections of car parking income from the £0.10 increase were greater than the original budget estimates and could therefore be used to offset any losses from the cessation of evening charges.

In addition there was general support for option 1b on the basis that a 10 minute period of grace would offer residents an element of flexibility and the financial impact on the Council would be negligible.

On a point of clarification officers explained that when the original decision to introduce evening charges was taken there was only limited financial information available and the budget figure included an estimated income of £39,000. The options presented in Appendix 2a were based on analysis and extrapolation of car park usage and income for the first three months of the financial year and were believed to be a more accurate estimate of the true income figure. It was therefore appropriate for the Committee to use this data in their deliberations.

2. The introduction of charging to Blue Badge Holders

The following options were considered by the Committee:

2a	Return to free blue badge charging
2b	Reduce charges for blue badge holders – flat rate of 70/80p
2c	Free parking in designated disabled spaces, chargeable in general spaces
2d	Refine policy in line with vehicle tax exemption to offer free parking for the most disabled

A majority of Members advocated option 2c on the basis that i) not all blue badge holders were on low incomes and the consultation undertaken on introducing charges for blue badge holders identified many would be prepared to pay; ii) similar schemes were in operation elsewhere in the UK; iii) that the confusion around free off-street parking and chargeable on-street parking would be removed; iv) the loss of income (estimated at £50,000) should be more readily accommodated within a balanced budget; v) it recognised the needs of a vulnerable group of residents. Some Members were in favour of option 2a and argued that the fact that the latest projections of car parking income were greater than the original budget estimates and could therefore be used to offset any losses from the cessation of blue badge charges.

On a point of clarification officers confirmed that the “additional one hour free after the paid for period” would still apply to blue badge holders parking in general spaces, subject to the maximum length of stay conditions

3. Parking charges in Bicester given the forthcoming redevelopment works and impact these will have on residents and businesses.

The following options were considered by the Committee:

3a	Return to Free evening parking in Bicester
3b	Reduce cost of evening parking to £0.50/stay in Bicester
3c	Reduce charges during redevelopment by £0.10/hr
3d	Designate the Market Square as free parking for up to 1 hour
3e	Return to free Sundays and Bank Holidays

Most Members were in favour of option 3c as they believed it recognised that there were special circumstances in Bicester during the redevelopment works and offered the greatest benefit to the broadest range of Bicester residents. Some Members spoke in favour of option 3a and 3c.

The Committee also commented on the need to address the longer term implications for the Council’s income stream as a result of the loss of car parks in Bicester following the completion of the redevelopment. It was noted that this had been considered within the Council’s Medium Term Financial Strategy and reported at 2.2 of Agenda item 4. The Vice-Chairman added that this would be further reviewed by the Resources and Performance Scrutiny Board as part of their fees and charges scrutiny in 2012 to inform the 2013/14 budget.

4. Excess Charge Notice Levels and Early Payment Incentives

The following options were considered by the Committee:

4a	Increase early payment discounts to 50% on all contraventions
4b	Increase discount to 25%
4c	Reduce the level of ECN fines to CPE levels of £70/£50
4d	Cease the current £16 Admin Charge (already implemented)

The Committee were unreservedly in favour of option 4a as they felt that this, combined with the 10 minutes grace period, was a reasonable penalty for the offence. The Committee were pleased to note that option 4d had already

been implemented and that a review of the Enforcement Policy wording would be undertaken.

5. Transferable Tickets

The Chairman said that on initial consideration this had seemed like a very good idea which would have a negligible impact on the budget. However, on more detailed analysis there were a number of practical issues to be resolved, primarily around the need to maintain the distinction between long and short stay car parks. This would mean that tickets could only be transferred between the same types of car park (short to short / long to long) and this could be confusing for residents.

The Committee felt that this sort of scheme would be very valuable to some residents, for example the elderly and blue badge holders who might need to go to several retail locations across the town centres. They felt that there were likely to be practical solutions to the problems identified (such as colour coding car parks and tickets) and that the idea warranted further research by officers.

(Meeting adjourned at 8.30pm)

(Meeting reconvened at 8.45 pm)

The Chairman proposed, and the Vice-Chairman seconded, a series of 11 draft recommendations based on the earlier debate.

Speaking to the recommendations in general and recommendation 11 in particular, the Vice-Chairman explained that he and the Chairman had met with officers prior to the meeting to identify funding streams for any recommendations put forward by the Committee. The savings identified were generated by i) the transfer of some Treasury functions from external investment houses to our own in-house team (who had been out performing the professionals) and ii) additional interest accrued because of the delay on the £10,000,000 investment in Bicester redevelopment. He said that it seemed particularly appropriate that the savings on funding allocated to Bicester should also be spent on Bicester.

The Chairman assured the Committee that the recommendations as proposed could be accommodated within the savings identified and that there would be no impact on any other service area.

In response to a request from the Committee the Chairman agreed that, in view of the late submission of some of the financial information, the recommendations should be presented to the Executive with a supporting document detailing the comparative cost implications of the majority and minority choice options.

Resolved

That the Overview and Scrutiny Committee and Resources and Performance Scrutiny Board recommend to the Executive:

- (1) That there is a need to make some adjustments to the new car parking charges and policies in recognition of concerns raised by Councillors and the public.
- (2) That any adjustments must try to balance real benefit to car park users and town traders with the accepted effects on the Council's limited and reducing finances.
- (3) That the current charges for evening parking be changed to charging to 1900hrs only on current hourly tariffs and free thereafter – Option 1c of Appendix 2a.
- (4) That there should be free parking for blue badge holders in designated disabled spaces but blue badge holders should be charged in all general parking spaces – Option 2c.
- (5) That there should be a 10 minute maximum period of grace for parking period expiry and non purchase of tickets - Option 1b (as amended here) of Appendix 2a.
- (6) That the discount for early payment of excess charge notices within 14 days be increased to 50% for all contraventions – Option 4a of Appendix 2a.
- (7) To note the withdrawal of the current £16 administration charge for appeals which are upheld but where the ECN was issued correctly – Option 4d of Appendix 2a.
- (8) That the effects of the redevelopment of Bicester Town Centre warrant an adjustment to the current charging regime until the new development is complete (anticipated summer 2013) by reducing the current charges by 10p per hour – Option 3c of Appendix 2a.
- (9) That officers determine the earliest implementation of the changes agreed by the Executive according to the appropriate legal processes.
- (10) That a detailed communications plan be compiled to signify these changes which takes into account the lessons learnt from the April changes.
- (11) That the Executive consider funding the loss of income of 4 and 6 above (estimated to be £93,000 per annum) from the additional income and lower cost arising from the transfer of some treasury management functions in house; and the fixed term Bicester loss of income from 8 above (estimated to be £80,000 per annum over two years) from the additional interest secured from the later £10m investment of the Council's contribution to the Bicester Town Centre Redevelopment

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Scheme due to the delay in its start.

The Strategic Director Environment and Community informed the Committee that the recommendations would be considered at a special meeting of the Executive on 26 July 2011. He cautioned the Committee that any changes to car parking provisions and charges, if approved by the Executive, would be subject to statutory, legal processes that would take at least three months to complete.

The Deputy Leader of the Council thanked the Committee for its consideration of the issues and said that he was confident that he, and the Leader of the Council who had been observing the meeting, would be able to brief their Executive colleagues on the full flavour of the scrutiny debate which he believed would complement the formal recommendations.

The Chairman closed by thanking the Members, Officers and the members of the press and public present for their contributions to and interest in the debate.

The meeting ended at 9.00 pm

Chairman:

Date:

Cherwell District Council

Standards Committee

Minutes of a meeting of the Standards Committee held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 21 March 2011 at 6.30 pm

Present: Dr Sadie Reynolds (Chairman)

Councillor Fred Blackwell
Councillor Timothy Hallchurch MBE
Councillor Chris Heath
Councillor James Macnamara
Councillor Lawrie Stratford
Councillor Rose Stratford
Derek Bacon
Kenneth Hawtin
Councillor David Carr
Councillor Alan Greenslade-Hibbert

Apologies for absence: Jim McBeth
Councillor George Parish
Councillor Douglas Williamson

Officers: Liz Howlett, Head of Legal & Democratic Services and Monitoring Officer
Nigel Bell, Team Leader - Planning and Litigation
Natasha Clark, Senior Democratic and Scrutiny Officer

22 Declarations of Interest

There were no declarations of interest.

23 Petitions and Requests to Address the Meeting

There were no petitions or requests to address the Committee.

24 Urgent Business

There was no urgent business.

25 Minutes

The Minutes of the meeting held on 16 September 2010 were agreed as a correct record and signed by the Chairman.

26 **Committee Membership**

The Head of Legal and Democratic Services/Monitoring Officer submitted a report which sought consideration of the membership of the committee.

The Committee was advised that Cllr Greenslade-Hibbert had relinquished his position as parish representative on the Committee as he would be standing down at the next parish council election. The Committee thanked Cllr Greenslade-Hibbert for all his invaluable contribution to the Committee and wished him all the best for the future.

The Head of Legal and Democratic Services/Monitoring Officer explained that in light of Cllr Greenslade-Hibbert's resignation, the Council needed to appoint another parish representative to ensure it met the required legal minimum number of parish representatives. Cllr Coley, deputy parish representative, had indicated that he would be happy to become a full member of the Standards Committee.

The Committee noted that should Cllr Coley be appointed parish representative by Council, there would be no deputy representative. The Committee considered the recruitment of deputy parish representatives and agreed that in light of the proposals in the Localism Bill to abolish the standards regime, no deputy parish representatives should be recruited at this time.

Resolved

- (1) That it be recommended to Council that Councillor John Coley be appointed Parish Representative to take effect following the parish elections in May 2011.
- (2) That Councillor Greenslade-Hibbert be thanked for all his hard work whilst on the Standards Committee.
- (3) That it be agreed that in light of the proposals in the Localism Bill to abolish the standards regime, no deputy Parish Representatives be recruited at this stage.

27 **Nomination to Corporate Governance Panel**

The Head of Legal and Democratic Services/Monitoring Officer submitted a report which sought the appointment of a member of the Standards Committee to the Council's Corporate Governance Panel.

Resolved

- (1) That Councillor Timothy Hallchurch be appointed to the Corporate Governance Panel for 2011/12.

28 **The Future of the Standards Regime**

The Head of Legal and Democratic Services/Monitoring Officer submitted a report which sought consideration of the proposals in the Localism Bill relating to the future of the standards regime.

The Committee discussed the revocation of the requirement for local authorities to adopt and abide by a model code of conduct and to maintain a Standards Committee chaired by independent members. The Committee also considered that whilst there would no longer be a mandatory code of conduct, councils would still have a duty to promote good conduct and could adopt a voluntary code of conduct should they so wish.

Members of the Committee commented that the public would still expect local authorities to maintain high standards and for that reason Cherwell District Council should set the standard for behaviour through the adoption of a voluntary code. Members noted that a large number of areas that currently fell within the remit of the Standards Committee were being abolished by the Localism Bill and commented that a logical solution, particularly if the Council did choose to adopt a voluntary Code of Conduct, would be to transfer responsibility for promoting and maintaining the Code to the Accounts, Audit and Risk Committee.

The Committee noted that Full Council would ultimately decide whether or not the Council would adopt a voluntary Code of Conduct and this would not be until such time as the Localism Bill passes into legislation. The Standards Committee, having considered the proposals in the Bill, would however make recommendations to Council on the approach Cherwell District Council should take.

Resolved

- (1) That the contents of the report be noted.
- (2) That Council be advised that the view of Cherwell District Council's Standards Committee is that the Council should adopt a voluntary Code of Conduct and continue to give limited support to parish councils in the district. However, Members believe that the Standards Committee should be abolished and the responsibilities that will remain in light of the Localism Bill proposals be transferred to the Accounts, Audit and Risk Committee.

29 **Draft Standards Annual Report**

The Head of Legal and Democratic Services/Monitoring Officer submitted a report which presented the draft Standards Annual Report 2010/11.

The Committee noted the section on the Appointments to the Standards Committee and agreed that the report should record the Committees' thanks to Cllr Greenslade-Hibbert who would be standing down from the Committee at the end of the 2010/11 Council year.

The Committee discussed the section on “The Localism Bill and the Future of the Standards Regime” and agreed that it should reflect the views of the Standards Committee that had been agreed at the previous agenda item, namely that Council should adopt a voluntary code of conduct and continue to give limited support to parish councils in the district, that the Standards Committee should be abolished and the responsibilities that will remain in light of the Localism Bill proposals be transferred to the Accounts, Audit and Risk Committee.

Resolved

- (1) That the Annual Report 2010/11 be approved.
- (2) That the publicity arrangements for the Annual Report 2010/11 would be as follows: send the report electronically to the local media with a press release; send the report, electronically where possible, to every Parish Council in the District; and, publish the report on the Council’s website.
- (3) That the Annual Report for 2010/11 from the Standards Committee be recommended to Council to note.
- (4) That the Head of Legal and Democratic Services be delegated authority to make minor amendments to update the Standards Committee Annual Report 2010/11 in light of any further announcements about the Standards Board regime by the Government prior to the publication of the Annual Report.

30

Head of Legal and Democratic Services / Monitoring Officer

The Chairman reported that this would be the Head of Legal and Democratic Services / Monitoring Officer last Standards Committee meeting as she was leaving Cherwell District Council. Members thanked the Head of Legal and Democratic Services / Monitoring Officer for her support and guidance to the Committee and wished her all the best for the future.

The meeting ended at 7.10 pm

Chairman:

Date:

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