

Council Minute Book
Tuesday 1 November 2011

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Executive Lead Member Decisions

There were no Executive Lead Member Decisions taken in the period September to October 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 3 October 2011 at 6.30 pm

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

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

Also Present: Councillor Leslie F Sibley
Councillor Tim Emptage

Apologies for absence: Councillor Norman Bolster

Officers: Sue Smith, Chief Executive
Calvin Bell, Director
Ian Davies, Director
Martin Henry, Director / Section 151 Officer
Kevin Lane, Head of Service / Monitoring Officer
Natasha Clark, Senior Democratic and Scrutiny Officer

49 **Declarations of Interest**

Members declared interests in the following agenda item:

8. Bicester Hospital.

Councillor James Macnamara, Personal, as a member of St John's Ambulance.

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

There were no petitions or requests to address the meeting.

51 **Urgent Business**

There were no items of urgent business.

52 **Minutes**

The minutes of the meeting held on 5 September 2011 were agreed as a correct record and signed by the Chairman.

53 **Bolton Road Draft Masterplan and Supplementary Planning Document**

The Head of Regeneration and Estates and Head of Planning Policy and Economic Development submitted a report which sought consideration of the draft Supplementary Planning Document (SPD) and Companion Document for the Bolton Road area in Banbury and endorse it for public consultation.

Resolved

- (1) That the Draft Supplementary Planning Document (SPD) (attached as an annex to these minutes as set out in the Minute book) be endorsed.
- (2) That the appropriate Head of Service be authorised, in consultation with the Lead Member for Planning, to make any further minor non-substantive changes as are necessary to the Draft SPD and Companion Document prior to the publication of these for public consultation.

Reasons

This project is identified as a priority in the Regeneration and Estates Service plan and identified as land for redevelopment for a retail led scheme in the draft Core Strategy.

Options

- | | |
|---------------------|---|
| Option One | To endorse the SPD and Companion Document for public Consultation |
| Option Two | To endorse the SPD and Companion Document for public consultation with amendments |
| Option Three | To not endorse the SPD and Companion Document for public consultation |

54 **Banbury Museum Trust**

The Strategic Director Environment and Community submitted a report which sought consideration of an initial report by the Banbury Museum Trust Project Board into the feasibility and options for the creation of a charitable organisation to deliver museum and visitor information services from 2013/14. The creation of such a Trust would ensure the continued delivery of services alongside savings to the Council.

Resolved

- (1) That the creation of a charitable organisation to deliver museum and visitor information services at Banbury Museum, subject to the agreement of the National Heritage Lottery Fund and Oxfordshire County Council.
- (2) That in relation to the charitable vehicle used for the creation of the trust,
 - a. the use of a Charitable Incorporated Organisation as the preferred vehicle, adopting the 'Foundation' model constitution, with objects suited to the establishment and maintenance of a museum and the advancement of local arts, culture and heritage be endorsed; and
 - b. the use of a Company Limited by Guarantee (having charitable status and pursuing identical aims) as an appropriate alternative legal structure for the trust in the event that the preferred vehicle in Recommendation no. 2(a) is not available be endorsed.
- (3) That the working name of the Trust as 'Banbury Museum Trust', with the final decision on naming to be taken by the Trust itself be approved.
- (4) That the establishment of a Board of Trustees comprising at least 5 members and including a Council member (to be nominated by the Executive for this purpose), with the number of Council members rising to two should the size of the Board increase to 10 or larger be approved.
- (5) In relation to the appointment of such Trustees,
 - a. That the Project Board be permitted to interview suitable candidates for Shadow Chairman, any such appointment to be confirmed by the Executive;
 - b. That Shadow Chairman be permitted, in consultation with the Project Board, to select, via advertisement or other effective process, suitable candidates for membership of the Shadow Board (in addition to those Council members nominated to the Board pursuant to Recommendation no. 4 above); and
 - c. That the relevant Head of Service be authorised to invite the Shadow Chairman and (non-Council) members of the Shadow Board to undertake those roles permanently upon establishment of the Trust.
- (6) That retention by the Council of the freehold of the Museum building and Bridge Gallery be approved, granting, instead, a lease of it to the Trust for a minimum period of 30 years, and to authorise the appropriate Head of Service, in consultation with the Lead Member for the Environment to negotiate suitable terms for such a lease with the Trust on this basis.

- (7) That in relation to other arrangements for the letting of the premises in addition to the lease of the Museum and Bridge Gallery referred to in Recommendation no. 6 the following be agreed:
- a. To sub-let to the Trust the Visitor Information Centre/LinkPoint (including Tooley's Boatyard) (subject to the consent of the Council's head landlords, Scottish Widows and British Waterways) for a like period of 30 years and the appropriate Head of Service be authorised, in consultation with the Lead Member for the Environment to negotiate suitable terms for such sub-lettings to the Trust; and
 - b. To make provision for the Council to occupy the LinkPoint area under a licence from the Trust, such licence to be determinable by either party on 6 months notice, to avoid granting the Council exclusive possession of the area and, being personal to the Council, the benefit of the licence to be incapable of transfer to any other occupier.
- (8) That the Council's retaining responsibility for the maintenance of the exterior, structure and principal plant of the premises let to the Trust (subject to any prohibitions contained in the Scottish Widows and British Waterways leases proposed to be sub-let to the Trust pursuant to Recommendation no. 7) be approved so that the Trust shall only be responsible for interior maintenance and decoration.
- (9) That the transfer of the Museum Café contract and ancillary Licence to the Trust be approved, such that the same would henceforth be managed by the Trust either directly or through a trading company set up by the Trust for this purpose, with the future operation of the café upon the termination of that arrangement on 13 January 2013 to be determined wholly by the Trust.
- (10) In relation to the transfer of staff,
- a. That the need to transfer those staff identified as being affected under TUPE requirements and commence a formal consultation process following the Executive resolution to proceed with the formation of the Museum Trust be noted;
 - b. That Community Admitted Body status for the pensions of transferred staff, or an equivalent scheme should this not be possible be sought;
 - c. That it be agreed to continue to pay contributions as at present on past pension liabilities and require the Trust to take out a bond to fund any possible future liabilities should the Trust fail;
 - d. To limit the Council's future liability for redundancies relating to transferred staff to three months after the transfer date, and to establish a bond to fund this liability.
- (11) That the provision of ICT services (internet, telephony, email, website) by the Council to the Trust under a stand alone service level agreement between the Council and the Trust, for which the Trust will be charged a service fee be agreed, with the following exceptions:

- a. An independent internet connection be established for the Trust;
 - b. A dedicated colour laser printer be procured for the Trust;
 - c. Existing PC equipment be gifted to the Trust; and
 - d. The Trust take out its own licences for the software it will use
- (12) With regard to the financial allocation to the Trust;
- a. That a shadow budget for the Trust from 2012/13, based on initial assumptions, be established, and that this be used as a baseline for negotiation with the Shadow Trust Board in establishing an initial financial allocation;
 - b. That it be agreed that the initial financial allocation should not be any greater than the current budget provision for the Museum and VIC, and should reflect the NNDR savings anticipated and
 - c. That subject to the agreement of the National Heritage Memorial Fund, a five-year funding agreement with the Trust, with a three-year rolling review period, be entered into.
- (13) That an initial financial allocation of £15,000 to the Project for 2011/12 in order to obtain the specialist advice, relevant consents and approvals and other services needed to create the Trust and transfer assets to it be approved.
- (14) That the transfer of the museum undertaking, the VIC service, and, where permissible, the Council's interest in any contracts wholly connected with the same which are not expressly considered elsewhere in this report, to the Trust upon its creation be approved.
- (15) That the timetable for the transition to Trust status proposed by DCA Consultants be noted.
- (16) That, following consideration by the Executive, no implications arising from the Local Authority Resource Review that impact upon the savings potential of this project prior to implementation be noted.

Reasons

The proposal to form a bespoke charitable Trust to operate Banbury Museum and Visitor Information Centre will provide for greater certainty for the future operation of these services together with greater freedoms and flexibilities.

The creation of a charitable Trust will enable the Council to benefit from reduced expenditure on the provision of these services from reduced NNDR contributions.

Options

Option One Implement all the recommendations of the Project Board in creating a bespoke Trust for the Museum, incorporating Banbury VIC.

Option Two Retain the VIC within Council control and restrict the scope

of the Trust to the operation of a museum only. This would reduce the level of savings that can be achieved (i.e. no NNDR saving) and would require additional staff to operate a front of house service for the Museum.

55 **Bicester Hospital**

The Strategic Director Environment and Community submitted a report which sought consideration of the latest position regarding the procurement by Oxfordshire PCT of the re-provision of Bicester Hospital.

Councillor Sibley, Leader of the Labour Group, addressed Executive. Whilst commending the opportunity the Bicester Hospital re-provision represented for the residents of Bicester, he expressed disappointment at the decision of the PCT to retain the existing site. Councillor Sibley also thanked the Council for its ongoing support to the provision of a Community Hospital in Bicester.

In response to Councillor Sibley's address, the Chairman confirmed that the council's position about the need for a Community Hospital in Bicester remained unambiguous and the council would continue to support the matter.

Resolved

- (1) That the PCT's decision through its bidder shortlisting process to re-provide the new community hospital on the existing hospital site be noted.
- (2) That the full support of the District Council continue to be offered to the PCT in providing a new Bicester Community Hospital as a fundamental part of the town's infrastructure.
- (3) That the PCT be urged to ensure service continuity throughout the redevelopment and to maximise the scope for future expansion possibilities in their design.

Reasons

The Council has for many years expressed a strong preference for the new Bicester Community Hospital to be located on the health village site within the SW Bicester development. It has argued that such a relatively large green field site provides greater opportunity for a high quality development and setting, the site due to its size offers the best opportunity for future expansion of healthcare services for a growing town, the health village concept has the potential to provide complementary adjacent health care services and service continuity during construction would be unaffected.

The PCT short listing decision effectively rules out this site option as the shortlisted bidding process, will now be concentrating only on the current hospital site.

With the major reforms and changes taking place in the health sector at present, particularly with the commissioning of services, there is the potential

for a change of commissioning body part way through the procurement process. If this were to be the case then that would have to be managed at that time. In the meantime, both the process and the financial envelope for this procurement have been approved by the PCT and the Strategic Health Authority.

Arising from this position is the question over the future uses of the health village site at SW Bicester. The Section 106 Planning Agreement for that site in summary stipulates that the health village can be used for a community hospital, a GP Surgery and for the provision of other medical facility uses including that of an extra care elderly nursing home. It also requires the marketing of the site for these uses. As the first two of these health care uses are no longer required by the PCT, it can be expected that the marketing of the site will concentrate on other medical/health care uses. The S106 Agreement has a five year limit from implementation of the development or until the occupation of 1,000 dwellings which ever is later.

Options

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|-------------------|--|
| Option One | To continue to support the PCT in its procurement of the re-provision if a new hospital. |
| Option Two | Not to support the PCT in its procurement of the re-provision if a new hospital. |

The meeting ended at 7.25 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 21 September 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
Councillor Barry Wood

Also Present: Councillor Ken Atack, Lead Member for Financial Management
Maria Grindley, District Auditor, Audit Commission
Nicola Jackson, Audit Manager, Audit Commission
Katherine Bennett, Manager, Assurance, Government & Public Services, PricewaterhouseCoopers LLP

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

24 Declarations of Interest

There were no declarations of interest.

25 Petitions and Requests to Address the Meeting

There were no petitions or requests to address the meeting.

26 Urgent Business

The Chairman reported that he had agreed to one item of urgent business being added to the agenda, nominations for the Procurement Panel, as the process needed to commence before the next meeting of the Accounts, Audit and Risk Committee. The item would be considered after agenda item 13.

27 **Minutes**

The Minutes of the Meeting held on 22 June 2011 were agreed as a correct record and signed by the Chairman.

28 **Statement of Accounts 2010/11 and Annual Report and Summary of Accounts 2010/11**

The Committee considered a report of the Head of Finance which sought official sign-off by the Chief Financial Officer and the Chairman of Accounts, Audit and Risk Committee the audited Statement of Accounts 2010/11 and the 2010/11 Annual report and Summary of Accounts.

The Technical Accountant circulated the Annual Report and Summary of Accounts 2010/11, a revised Statement of Accounts 2010/11 (Subject to Audit) and a document detailing an audit trail of 22 presentational changes made to the Statement of Accounts since the version distributed to Members on 13 September 2011.

The Head of Finance reported that two accounting adjustments had been made to the accounts as part of the review by the Audit Commission. The Committee was advised that a total of 37 adjustments (including the 22 since 13 September) had been made to the accounts since they were signed by the Chief Finance Officer on 30 June 2011. The majority of the changes were presentational and only 6 were highlighted in the Annual Governance Report as required audit adjustments.

The Head of Finance reported that there had been a number of challenges producing the Statement of Accounts 2010/11 linked to the move to International Financial Reporting Standards (IFRS) which included having to restate the 2009/10 accounts, accounting for the Icelandic deposits and the implementation of two new financial systems.

The Head of Finance circulated the Letter of Representation which was required by the Audit Commission as part of their standard close down procedures. The letter required the Chairman of the Accounts, Audit and Risk Committee to respond to four questions. The Committee considered the letter and was satisfied with the responses.

The Committee noted the Annual Report and Summary of Accounts 2010/11 which had been updated to reflect audit adjustments. Members commented that it provided an invaluable opportunity to present its achievements to local businesses and residents. The Annual Report and Summary of Accounts 2010/11 would be submitted to Full Council in November

The Committee thanked the Finance Team for their hard work in producing the Statement of Accounts 2010/11 and Annual Report and Summary of Accounts 2010/11.

Resolved

- (1) That the amendments to the 2010/11 financial statements be approved.
- (2) That the response to the questions raised to those charged with governance be noted.
- (3) That, subject to reviewing the contents of the Annual Governance Report (separate agenda item) and noting the clarification required on the 2010/11 Movement in Reserves Statement, authority be delegated to the Head of Finance in consultation with the Chairman of the Accounts, Audit and Risk Committee to approve the 2010/11 financial statements and Annual Governance Statement and in accordance with this approval, the Chairman signs the 2010/11 financial statements.
- (4) That the 2010/11 Annual Report and Summary of Accounts, which had been updated to reflect audit adjustments, be approved.

29

External Audit Annual Governance Report

The District Auditor, Audit Commission presented the External Auditors Annual Governance Report to the Committee, which included comments on the audit of the 2010/11 Statement of Accounts and judgement against the Value for Money (VFM) criteria.

The District Auditor reported that the Report was almost complete however the External Auditors were awaiting the final version of Cherwell District Council's accounts before they could issue an opinion. The Committee was advised that it was anticipated that the Council would receive an unqualified opinion on the 2010/11 financial statements and a positive value for money conclusion.

The District Auditor acknowledged that International Financial Reporting Standards (IFRS) had presented a challenge to Finance Officers and that Cherwell District Council, like many other local authorities, had been required to make amendments to their accounts. The District Auditor thanked the Finance Team, and in particular the Head of Finance, for all their hard work in complying with the new accounting standards and responding to all queries in a timely manner.

In light of the increased work the External Auditors had been required to undertake primarily due to the implementation of IFRS, the District Auditor advised the Committee that the Council would be required to pay an extra fee as the original fee had not taken extra work into consideration. The District Auditor explained that the council would be informed of the final fee as soon as feasible after the final version of the accounts had been approved. In response to Members' questions, the Head of Finance confirmed that the extra fee could be accommodated from existing budgets

Members acknowledged that the first year of moving to IFRS had presented challenges but anticipated that IFRS would be of benefit to local authorities and commended the Finance Team for their hard work.

In response to Members' questions, the District Auditor updated the Committee on future external audit arrangements. She reported that it was intended that the Audit Commissions to transfer in-house Audit Practice to the private sector, and in due course, to abolish the residual element of the Commission. The process for outsourcing the work of the Audit Practice had formally commenced and bids were being invited. The Audit Commission would award three to five year contracts with a start date of 1 September 2012 the week commencing 6 February 2012.

Resolved

- (1) That the matters raised in the External Audit Annual Governance Report be noted and the 2010/11 financial statements be approved and recommended to Council.
- (2) That the adjustments to the financial statements be noted.
- (3) That authority be delegated to the Head of Finance in consultation with the Chairman of the Accounts, Audit and Risk Committee to approve the letter of representation on behalf of the Council once the clarification on the Movement in Reserves has been provided to the Audit Commission.

30 **External Audit Progress Report**

The Committee considered a report of the Head of Finance which provided a progress report on the work of external audit. The Audit Manager (Audit Commission) advised Members that the Annual Audit letter would be submitted to the Committee for consideration at their December meeting.

Resolved

- (1) That the contents of the report be noted.

31 **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 2011/12 for the period from June 2011 to September 2011. The Committee was advised that 29% of the plan had been completed which was in line with the agreed profile of the work within the internal audit plan.

The Audit Team Leader reported that since the Committee's June meeting four final reports had been issued and draft reports had been issued and/or fieldwork commenced in three areas. The Committee was advised that in addition to the fraud awareness training provided for Members at the last

meeting, the internal auditors had conducted a training session for officers in June 2011.

Resolved

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

32 **Treasury Management Report**

The Committee considered a report of the Head of Finance which presented information on treasury management performance and compliance with treasury management policy for Quarter 1 2011/12 as required by the Treasury Management Code of Practice.

The Head of Finance advised the Committee that the level of funds invested externally had reduced due to the Council's decision to bring investment back in-house. Interest levels were currently at a higher level than had been budgeted for as re-investment rates were higher than had been anticipated. The Committee was advised that Sector, the Council's treasury management advisors, had released a newsflash on 8 September 2011 advising clients to keep investments to a maximum of three months.

Resolved

- (1) That the contents of the report be noted.

33 **Risk Management Update**

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 first quarter of 2011/12 and highlight any emerging issues for consideration.

The Corporate Strategy and Performance Manager reminded the Committee that strategic, corporate and partnership risks were reviewed on a monthly basis and reported via the performance and risk management frame to the Executive quarterly. The Committee was advised that in Quarter 1 the rating of six risks had remained constant, five risk ratings had improved, six risk ratings had worsened and four new risks had been added to the register.

The Corporate Strategy and Performance Manager reported that the 2011/12 risk management audit would be undertaken in October/November 2011 and would provided assurance of progress and identify any additional issues.

Resolved

- (1) That the quarter 1 Strategic, Corporate and Partnership Risk Register be noted.
- (2) That the progress made with regards to the risk management internal audit 2011 be noted.

34 **Exclusion of the Public and Press**

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.

35 **Treasury Management 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 August 2011.

Resolved

- (1) That the exempt annex be noted.

36 **Nominations to Procurement Panel**

The Head of Finance advised Members of an upcoming procurement which related to the work of the Committee and requested the Committee to nominate two members to participate in the procurement process.

Resolved

- (1) That Councillors Ilott and Stevens be nominated to participate in the procurement process.

The meeting ended at 8.40 pm

Chairman:

Date:

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 13 September 2011 at 6.30 pm

Present: Councillor Kieron Mallon (Chairman)

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

Apologies
for
absence: Councillor Lynn Pratt

Officers: Claire Taylor, Corporate Strategy and Performance Manager
Caroline French, Equalities and Diversity Officer
Catherine Phythian, Senior Democratic and Scrutiny Officer

19 **Declarations of Interest**

There were no declarations of interest.

20 **Urgent Business**

There was no urgent business.

21 **Minutes**

The Minutes of the meeting of the Committee held on 19 July 2011 were agreed as a correct record and signed by the Chairman.

22 **Equality Framework for Local Government 'Achieving' Self Assessment**

The Chairman welcomed the Corporate Strategy and Performance Manager and the Equalities and Diversity Officer to the meeting.

The Corporate Strategy and Performance Manager introduced the report and gave a short presentation which set the context for the Self Assessment. She explained that the Council's approach to equalities had evolved over the last few years from an original focus on legal compliance and "box-ticking" to the current ethos of ensuring that our business processes, performance management and service delivery are appropriate for the needs of all residents and flexible in response to people's requirements. The Committee learnt that in 2008 the Council identified 90 equalities impact assessments of its service departments but that as the approach to equalities has developed a more focused and targeted approach has been developed which aims to assess about 10 – 15 equalities issues per year prompted by changes to service delivery and customer requirements rather than following departmental structures.

The Corporate Strategy and Performance Manager highlighted four main points which underpin the Council's work on equalities:

Approach: the focus was now about making the Council's services equitable, accessible and high quality for all regardless of their needs and not about targeting particular strands of ethnicity or religion for the sake of box ticking.

Resources: the work is embedded in teams across the Council supported to a limited extent by the Corporate Strategy and Performance Manager and the Equalities and Diversity Officer and the Corporate Planning Assistant.

Legislation: still complex but now consolidated in the single 2010 act which is better suited to the Cherwell approach (i.e. focusing on a holistic and locally appropriate approach to equalities rather than a limited set of characteristics)

Results: the focus is on using customer feedback and service testing to produce practical results. For example on a local volunteer translation service and running the successful Knowing Our Communities events, these types of events aim to make a difference to service users by enhancing access and focusing resources on the frontline.

The Committee noted that although each section of the draft Self Assessment included details of "Areas For Improvement" there was no indication of how or when these would be reviewed or measured. It was therefore appropriate to suggest that the Overview and Scrutiny Committee should monitor the progress on the implementation of these improvements at a future meeting. In response officers agreed to bring an initial response and action plan for the "Areas For Improvement" to a future meeting of the Committee.

The Committee were concerned to note that the Cherwell district has the highest reported hate crime figures next to Oxford City within the Oxfordshire area. The Committee invited officers to provide further information and detail on this matter.

The Committee requested further information on the work being undertaken by Housing Services to review the grants given to community groups in order to improve the distribution of funding to groups and also on the take up and effectiveness of the training offered to Asian landlords.

In response to questions from the Committee the Corporate Strategy and Performance Manager explained that the improvement proposal to “align our staff force to the Cherwell community” did not mean that there would be any attempt to introduce a strict numerical quota based on gender, ethnicity etc but rather that it was intended to illustrate that the Council would seek to ensure that the staff force had the necessary skills and experience to meet the needs of the community.

In conclusion it was agreed that the Equalities and Diversity Officer should bring an updated version of the Self Assessment and additional information on the specific topics raised to the next meeting of the Committee.

Resolved

- 1) That the Corporate Strategy and Performance Manager should bring an updated version of the Self Assessment and additional briefing information on the areas for improvement, hate crime statistics, the distribution of community grants and the training offered to landlords, to the November meeting of the Committee.
- 2) Not to refer the Self Assessment to the Executive for approval at this time.

23

Overview and Scrutiny Work Programme

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

Forward Plan

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

Agenda for 18 October 2011

The Committee agreed that the agenda should include a further discussion with the Corporate Strategy and Performance Manager and the Equalities & Diversity Officer on the equalities issues raised at this meeting and a briefing from the working party looking at the Registered Social Landlord's Policy.

Resolved

- (1) That there were no items in the current version of the Forward Plan (September - December 2011) to include on the work programme for 2011/12.
- (2) That the current Overview and Scrutiny element of the work programme for 2011/12 be noted.

- (3) That it be noted that the 18 October 2011 meeting of the Overview and Scrutiny Committee would consider an updated report on the Council's Equality Framework for Local Government 'Achieving' Self Assessment and additional briefing information on the level of equalities related crimes in Cherwell and on the training offered by the Council to Asian landlords. In addition the working group looking at the Registered Social Landlord's Policy would brief the Committee meeting on their initial discussions with officers.

The meeting ended at 7.30 pm

Chairman:

Date:

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 October 2011 at 6.30 pm

Present: Councillor Lynn Pratt (Vice-Chairman, in the Chair)

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

Also Present: Councillor Kieron Mallon

Apologies for absence: Councillor Chris Heath
Councillor Alastair Milne Home
Councillor Lawrie Stratford
Councillor Rose Stratford

Officers: Caroline French, Equalities and Diversity Officer
Claire Taylor, Corporate Performance Manager
Catherine Phythian, Senior Democratic and Scrutiny Officer

24 **Declarations of Interest**

There were no declarations of interest.

25 **Urgent Business**

There was no urgent business.

26 **Minutes**

The Minutes of the meeting of the Committee held on 13 September 2011 were agreed as a correct record and signed by the Vice-Chairman.

27 **Equality Framework for Local Government 'Achieving' Self Assessment - update**

The Vice-Chairman welcomed the Corporate Performance Manager and the Equalities and Diversity Officer to the meeting.

The Corporate Performance Manager introduced the report and reminded the Committee of the context for the Self Assessment. She explained that this update report had been prepared in response to the Committee's request at the last meeting for further information on the current status of the areas for development and improvement.

In discussion the Committee reflected on the initiatives to promote the inclusion of the armed forces population within the Council's services. They noted that planning was underway for a Armed Forces "Knowing Your Community" event in early 2012 which would promote awareness amongst the Council's staff about the various issues facing the service population and their families. Officers were also involved in a programme of site visits to local garrisons and other institutions such as Bullingdon Prison to discuss resettlement issues and build an understanding of the potential demand for the council's services. It was intended to also make contact with RAF Croughton and Campsfield House.

The Committee stressed the importance of providing a "joined up" approach to the armed forces from all tiers of local government in the county and pointed out that multiple, fragmented offers of "help" from various departments of the county and district councils could prove to be more of a burden than a benefit. Members of the Committee suggested that Bicester Town Council and the local British American Committee would also be in a position to contribute to this work.

In response to a question from a member of the Committee about future monitoring of this topic the Corporate Performance Manager explained that both the Equalities Self Assessment and the Corporate Equalities Plan were subject to quarterly performance monitoring by the Executive and the Performance Scrutiny Working Group.

In conclusion the Committee noted that the work on introducing a shared equalities activity across both Cherwell District Council and South Northamptonshire Council might be a suitable topic for future scrutiny.

Resolved

- 1) That the Council's Self Assessment against the Achieving Standard under the Equality Framework for Local Government should be referred to the Executive for approval.

Overview and Scrutiny Work Programme

The Committee considered the report of the Head of Service which updated Members on the Overview and Scrutiny Work Programme 2010/11.

Forward Plan

The Committee agreed that there were no items on the Forward Plan for October 2011 to January 2012 that they wished to include on their work programme in 2010/11.

Agenda for 15 November 2011

The Committee agreed that the agenda should include a discussion on the draft Empty Homes Policy with officers from Housing Services and a briefing from the working party looking at the Registered Social Landlord's Policy.

Resolved

- (1) That there were no items in the current version of the Forward Plan (October 2011 to January 2012) to include on the work programme for 2011/12.
- (2) That the current Overview and Scrutiny element of the work programme for 2011/12 be noted.
- (3) That it be noted that the 15 November 2011 meeting of the Overview and Scrutiny Committee would consider the draft Empty Homes Policy. In addition the working group looking at the Registered Social Landlord's Policy would brief the Committee meeting on their initial discussions with officers and advise the meeting whether or not there was sufficient material to support a detailed scrutiny review.

The meeting ended at 7.00 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 6 September 2011 at 7.00 pm

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

Councillor Andrew Fulljames
Councillor Lawrie Stratford
Councillor Martin Weir
Councillor Douglas Williamson

Substitute Members: Councillor Rose Stratford (In place of Councillor Maurice Billington)

Apologies for absence: Councillor Alyas Ahmed
Councillor Maurice Billington
Councillor Patrick Cartledge
Councillor Margaret Cullip
Councillor Patricia Tompson

Officers: Claire Taylor, Corporate and Community Planning Manager
Karen Muir, Corporate System Accountant
Jessica Lacey, Technical Accountant
Natasha Clark, Senior Democratic and Scrutiny Officer
Theresa Goss, Interim Democratic and Scrutiny Officer

20 **Declarations of Interest**

There were no declarations of interest.

21 **Urgent Business**

There was no urgent business.

22 **Minutes**

The Minutes of the meeting held on 18 July 2011 were agreed as a correct record and signed by the Chairman.

23

Cost and Use of External Consultants by Cherwell District Council

The Chairman welcomed the Corporate and Community Planning Manager and the Corporate Systems Accountant to the meeting. He began by reminding Members that the Head of Finance, the Corporate and Community Planning Manager and the Strategic Procurement Manager had attended the Board's March meeting to brief Members of the cost and use of external consultants by Cherwell District Council. In light of the discussion, Members agreed that the item should be added to their work programme.

The Corporate Systems Accountant and Corporate and Community Planning Manager gave a presentation which covered the following areas: why consultants may be used; different types of consultancy; how the Council procures consultancy; how consultants are managed; which services use consultants; consultancy spend 2011/12 to date; and, private contractors and consultants spend 2011/12 to date.

The Board noted that the Council's spend on consultants had reduced in 2011/12 but acknowledged that in certain circumstances the use of consultants was the best approach. In response to Members comments that it was important that the process for procuring consultants was robust, the Corporate and Community Planning Manager explained that whilst the council did not have a single policy for procuring consultants as usage and costs were so diverse, the council did have a Procurement Strategy which must be complied with.

The Board thanked the Corporate and Community Planning Manager and the Corporate Systems Accountant for the update on the cost and use of external consultants by Cherwell District Council and agreed that the expenditure should continue to be monitored by the Finance Scrutiny Working Group.

24

Budget Scrutiny 2012/13 Planning

The Chairman began by explaining that this was an opportunity for Members to consider and agree the approach to the Resources and Performance Scrutiny Board's scrutiny of the 2012/13 revenue and capital budget.

The report of the Head of Finance and Corporate Strategy and Performance Manager which had been submitted to Executive on 5 September 2011 had been circulated with the agenda for information. Following consideration of the report which had informed Executive of the service and financial planning process for 2012/13, Executive had approved the 2012/13 budget strategy and budget guidelines for issue to service managers to enable the production of the 2012/13 budget.

The Corporate Systems Accountant, Technical Accountant and the Community and Corporate Planning Manager gave a brief presentation on the context and background to the 2012/13 budget, including budget pressures, future funding, Medium Term Financial Strategy assumptions, 2012/13 building blocks, budget guidelines and the draft 2012/13 budget.

The Community and Corporate Planning Manager circulated the outcomes of the council's budget consultation survey 2011. The Board was advised that the Corporate Consultation Programme was a three-year programme of research established in 2009 and comprising two key pieces of consultation conducted annually: Customer Satisfaction Survey and Budget Consultation. The budget consultation process informed the service ranking prioritisation framework which gave Council services an aggregate priority ranking of 1 – 7 (1 being the highest).

The Corporate Systems Accountant advised the Board that key budget pressures included high inflation, high Unemployment – impact on benefits, housing, the Local Government Resource Review, welfare Reform, Localism, reducing revenue and capital balances and limited income generation opportunities.

The Board was advised that the 2011/12 budget was currently £15.8m which was currently sourced through a Government grant, investment income, council tax and collection fund. The Board was reminded that the Council had agreed that it would remove reliance on investment income to balance the budget and this therefore was projected to be £0 in the 2012/13 budget. In terms of future funding a net reduction of £1.6m was required to balance the 2012/13, which included the public promise of reducing expenditure by £1m.

The Technical Accountant provided an overview of the capital programme. She explained that the council currently had £38.8m capital receipts invested plus £9.2m Eco-town money. The 2011/12 capital budget was £14.1m capital budget 2011/12 of which £5.8m had been spent. Schemes due to commence in 2012/13 currently totalled £5.7m (this was before any new bids were considered). In terms of new bids, these would be reviewed by Capital Investment Development Group by an agreed procedure and consider strategic priority, consultation priorities, impact on performance or service delivery, risk of not implementing the scheme and revenue impact. In discussion with the Corporate Systems Accountant, Technical Accountant and the Community and Corporate Planning Manager, the Board explored the options for their scrutiny of the 2012/13 budget. The Board agreed that they would focus their 2012/13 budget scrutiny on areas of discretionary spend, staff savings suggestions and the capital programme. It was agreed that during late September, October and November members of the Board would meet in private with officers to review and discuss these areas in more detail. The Board would then meet on 22 November 2011 to review the conclusions of the meetings and to agree a series of recommendations to go to the Executive in December 2011 as part of the first Draft Budget

The Board also agreed that they would like a short briefing note on the levels of council tax including a breakdown of expenditure by key service areas spend of neighbouring local authorities as a comparator for reference.

Resolved

- (1) To approach to the 2012/13 budget scrutiny process be agreed.
- (2) That it be agreed that the following dates and meetings to be used for the budget scrutiny meetings:

- 27 September 2011 (informal meeting) – Discretionary spend, staff savings suggestions, council tax comparative data
- 11 October 2011 (informal meeting) – Follow up on any issues arising from 27 September meeting
- 20 October 2011 (informal meeting) – Follow up on any issues arising from 27 September and 11 October meetings, capital programme
- 10 November 2011 (informal meeting) – Capital programme
- 22 November 2011 (RPSB) – Agree recommendations to Executive

25 **Overview and Scrutiny Work Programme**

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

The Chairman advised the Board that in light of the agreement of the schedule for the budget scrutiny process, the meeting dates agreed during the previous agenda item would replace any other meetings scheduled for autumn 2011.

In considering the work programme, the Board agreed that the cost and length of planning appeals be deleted from the work programme as it had been subject to substantial review by the corporate management team. Members noted that the performance could still be monitored via the quarterly performance monitoring reports submitted the Performance Scrutiny Working Group.

The Board agreed that they would like to include the following items on the 10 January 2012 agenda: Scoping document for Bicester Vision and an update on the Cherwell Safer Communities Partnership.

Resolved

- (1) That the Resources and Performance Scrutiny Board element of the work programme for 2010/11 be noted.
- (2) That the revised autumn 2011 meeting schedule be noted.
- (3) That the cost and length of planning appeals be deleted from the overview and scrutiny work programme.
- (4) That it be noted that the 10 January 2011 meeting of the Resources and Performance Scrutiny Board would consider a scoping document for Bicester Vision and an update on the Cherwell Safer Communities Partnership.

The meeting ended at 9.05 pm

Chairman:

Date:

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