

## **Cherwell District Council**

### **Executive**

Minutes of a meeting of the Executive held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 2 December 2013 at 6.30 pm

Present: Councillor Barry Wood (Chairman), Leader of the Council  
Councillor G A Reynolds (Vice-Chairman), Deputy Leader of the Council

Councillor Ken Atack, Lead Member for Financial Management  
Councillor Norman Bolster, Lead Member for Estates and the Economy

Councillor John Donaldson, Lead Member for Banbury Brighter Futures

Councillor Michael Gibbard, Lead Member for Planning

Councillor Tony Ilott, Lead Member for Public Protection

Councillor Nigel Morris, Lead Member for Clean and Green

Councillor D M Pickford, Lead Member for Housing

Also Present: Councillor Sean Woodcock, Leader of the Labour Group  
Councillor Tim Emptage, Leader of the Liberal Democrat Group  
Councillor Nicholas Mawer, Chairman Budget Planning Committee

Officers: Sue Smith, Chief Executive  
Calvin Bell, Director of Development  
Ian Davies, Director of Community and Environment  
Adrian Colwell, Head of Strategic Planning and the Economy  
Kevin Lane, Head of Law and Governance / Monitoring Officer  
Tim Madden, Interim Head of Finance and Procurement  
Ed Potter, Head of Environmental Services  
Chris Stratford, Head of Regeneration and Housing  
Claire Taylor, Corporate Performance Manager  
Natasha Clark, Team Leader, Democratic and Elections

#### **56 Declarations of Interest**

There were no declarations of interest.

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

There were no petitions or requests to address the meeting.

58 **Urgent Business**

There were no items of urgent business.

59 **Minutes**

The minutes of the meeting held on 4 November 2013 were agreed as a correct record and signed by the Chairman.

60 **Chairman's Announcements**

There were no Chairman's announcements.

61 **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 items 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.

62 **Bicester Community Building**

The Head of Regeneration and Housing submitted an exempt report relating to the Bicester Community Building.

**Resolved**

- (1) As set out in the exempt minute.
- (2) As set out in the exempt minute.
- (3) As set out in the exempt minute.

**Reasons**

As set out in the exempt minute.

**Options**

As set out in the exempt minute.

63 **Recycling Processing Contract**

The Head of Environmental Services submitted an exempt report relating to the recycling processing contract.

**Resolved**

- (1) As set out in the exempt minute.
- (2) As set out in the exempt minute.
- (3) As set out in the exempt minute.

**Reasons**

As set out in the exempt minute.

**Options**

As set out in the exempt minute.

64 **Re-Admittance of the Public and Press**

**Resolved**

That the public and press be re-admitted to the meeting.

65 **Neighbourhood Planning - Area Designations**

The Head of Strategic Planning and the Economy submitted a report which sought approval of the designation of Neighbourhood Planning Areas at Merton and Deddington Parishes and to update members on progress made in the preparation of Neighbourhood Plans.

**Resolved**

- (1) That the formal designation of two further Neighbourhood Areas under Section 61G of the Town and Country Planning Act 1990 (as amended) be approved:
  - a. Merton Neighbourhood Area
  - b. Deddington Neighbourhood Area
- (2) That the Head of Strategic Planning and the Economy be authorised to issue Notifications of Decisions pursuant to resolution (1).

**Reasons**

The Parish Councils of Merton and Deddington have made applications for the designation of their administrative areas as Neighbourhood Areas for the purposes of preparing Neighbourhood Development Plans. Each application has been publicised and a number of representations have been received. None of the comments made raised are considered to warrant the refusal of the applications and it is considered that in each case designation would be coherent, consistent and appropriate.

### **Options Available**

Option 1: To approve the designation of the Neighbourhood Plans

Option 2: To refuse and amend the designation of the Neighbourhood Areas providing reasons why

Option 3: To defer consideration

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### **Cherwell Town Centre Initiatives - Use of the Town Centre Innovation Fund (Portas Monies)**

The Head of Strategic Planning and Policy submitted a report which proposed a series of projects in Banbury, Bicester and Kidlington for the use of the Town Centre Innovation Fund (Portas Monies).

### **Resolved**

- (1) That the following projects be approved and resources released from the Town Centre Initiatives Fund:
  - Bicester: Promoting local trade through effective marketing; Enabling traders in Bicester to develop their website so it can be viewed on smart phones.
  - Banbury: Adding Town Team Co-ordination to provide overview and action to create town centre vitality; Improved signage - in car parks (maps highlighting tourist attractions and old town), from the coach park, St Mary's, The Cross and the Tourist Information Centre.
  - Kidlington: Environmental improvement works to Watts Way (near the Kidlington Centre).

### **Reasons**

The Town Centre Innovation funding is proposed for specific activities that contribute to the individual needs of Bicester, Banbury and Kidlington, to promote the vibrancy of businesses and the long-term strength of the centres. The plan for each proposed project is attached as appendices for approval.

In the light of the consultation and engagement with local partnerships within each settlement the proposed approach is believed to be the best way for use of the available funding.

### **Options Available**

Option 1: To take no action and retain the funding for other purposes.

Option 2: To be more prescriptive about what can be funded

Option 3: To change the proposed allocation of funding

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## **Local Government Pension Scheme Automatic Enrolment**

The Interim Head of Finance & Procurement and Head of Transformation submitted a report which informed the Executive about the changes to Local Government Pension Scheme legislation amendments that relate to auto enrolment, and the potential future resource implications arising.

### **Resolved**

- (1) That the information in the report and the potential for additional resource implications be noted.
- (2) That it be noted that the scheme, including an officer recommendation to apply a transitional period for eligible jobholders, would be considered by the Council's Personnel Committee at its meeting on 11 December 2013.

### **Reasons**

Auto-enrolment has potential future resource implications for the Council depending upon the extent to which current non-LGPS members do not opt out. However it is possible to apply a transitional period expiring in September 2017 and the Personnel Committee is being recommended to do this.

### **Options**

As this report is bringing the potential future resource implications of a legislative requirement to Executive's attention there are no alternative options.

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## **Performance Report 2013 - 2014 Quarter Two**

The Head of Transformation submitted a report which presented the Council's performance for the period 01 July to 30 September 2013 as measured through the Performance Management Framework.

In considering the report, Members' agreed that it was encouraging that there were few red indicators. In relation to red and amber indicators, Members requested that information be included in future reports detailing the mitigations and how they were being addressed.

### **Resolved**

- (1) That the following achievements be noted:

Cherwell: A District of Opportunity

- Contribute to creation/safeguarding of 200 jobs is reporting as Green\*, 330 jobs were created/safeguarded during Quarter two exceeding the annual target. The £70m Bicester Town Centre development opened with phase one creating 30 jobs at Sainsbury's and 30 at Vue cinema. Further jobs are being created in adjacent shop and restaurant units.

- Processing of major applications within 13 weeks is reporting as Green\*, Improvement measures introduced earlier this year have resulted in a successive rise in performance this year to date. Quarter two performance of 76.47% represents sustained and significant progress and is a tremendous improvement on historic performance.
- Processing of minor applications within 8 weeks although reporting Amber is an improvement on the last quarter performance. Whilst still below target and as in last quarter, this is in part due to delays in registration. These delays are due to a number of factors, including major applications now taking precedence, a general increase in the number of major applications, which are more complex and take longer to register and recent changes in legislation and working practices. Priority action was taken to clear the backlog (from 3 weeks to 5 days) by seconding Development Management staff and together with new appointments to the team there has been a gradual improvement. With the backlog addressed and vacancies now filled, the overall performance is expected to be on target next quarter.

#### A Cleaner Greener Cherwell

- Reduce the amount of waste sent to landfill is reporting as Amber, this illustrates an improvement on last quarter. The amount of waste sent to landfill is slightly below target both for Quarter 2 and year to date (Actual: 12,926 against Target 11,800), mainly due to street sweepings going to landfill. In order to address this issue, we will start to recycle a percentage of sweepings from October 2013.
- Ensure opportunities for local people to participate in the Eco-Bicester programme is reporting as Green. Summer events such as the Bicester Bike day were well attended with the Eco Bicester project promoting cycling in the town. Also continue opportunities for participation through social media (twitter), the Eco Bicester newsletter, website and emerging consultation strategy for NW Bicester.

#### A Safe, Healthy and Thriving District

- Maintain current levels of visits/usage to Woodgreen Leisure Centre, North Oxfordshire Academy and Cooper School is reporting as Green\*. Up 9118 on same period in 2012. The majority of this attributed to an increase in visitors to Woodgreen Leisure Centre pool due to exceptionally good weather during July and August and also an increase in dry side use (up by 2,282). Year to date performance 75,604 against target 57,663.
- Reduce chronic Anti-Social Behaviour cases is reporting as Green. Successful conclusion to two cases in Banbury: - whereby in Case 1, one tenant was evicted and in Case 2 suitable advice was given to both parties to resolve the issue. Private Closed Circuit Television (CCTV) to be extended. Regulation of Investigatory Powers Act (RIPA) to be obtained to use police CCTV. An emerging case in Bicester - impact of family involved in criminal behaviour and frequent domestic incidents being considered for inclusion.

#### An Accessible Value for Money Council

- Continue to implement and embed an effective approach to address the financial impact of Government welfare reform is reporting as Green. Welfare Reform Project group has been set up with a number of work streams which are addressing the on-going impact of the government's welfare reforms and identifying where financial issues are arising.
- Consult with local residents in a cost effective manner to ensure the Council has a good understanding of local priorities is reporting as Green, an improvement on last quarter. Corporate consultation programme complete, satisfaction ratings show trend improvement and budget consultation has been used by Executive to begin planning for next year's budget and business plan.

- (2) That the following performance related matters be identified for review or consideration in future reports:

#### Cherwell: A District of Opportunity

- Planning appeals allowed against refusal decision is reporting as Red for the second quarter running. The performance measure is volatile as it is based on low overall appeal numbers and therefore each decision can impact on the performance measure for appeals. There is no evidence of poor performance, though this continues to be carefully monitored. It should be noted that, compared with the government's stated threshold for the quality of a local planning authority's performance (i.e. no more than 20 per cent of an authority's decisions on applications for major development should be overturned at appeal) measured over a two year period, the current performance is 7%.

#### An Accessible Value for Money Council

- Percentage of Council Tax collected (cumulative) is reporting as Amber for the second quarter. Behind target but in line with previous years collection figure.

- (3) That the progress on issues raised in the Quarter One performance report be noted.

### **Reasons**

This report presents the Council's performance against its corporate scorecard for the first quarter of 2013/14. It includes an overview of successes, areas for improvement and emerging issues to be considered.

### **Options Available**

Option 1: To note the report

Option 2: To request additional information on items and/or add to the work programme for review and/or refer to Overview and Scrutiny.

## **Quarter 2 2013/14 Finance Report**

The Director of Resources submitted a report which summarised the Council's Revenue and Capital performance for the first six months of the financial year 2013-14 and projections for the full 2013-14 period. These were measured by the budget monitoring function and reported via the Performance Management Framework (PMF) informing the 2013-14 budget process currently underway.

The report also presented information on treasury management performance and compliance with treasury management policy during 2013-14 as required by the Treasury Management Code of Practice.

### **Resolved**

- (1) That the projected revenue and capital position at September 2013 be noted.
- (2) That the quarter 2 (Q2) performance against the 2013-14 investment strategy and the financial returns from the two funds be noted.
- (3) That the contents and the progress against the Corporate Procurement Action Plan and the procurement savings achieved at September 2013 be noted.

### **Reasons**

This report illustrates the Council's performance against the 2013/14 Financial Targets for Revenue, Capital, Treasury and Procurement Monitoring.

### **Options**

Option 1: As this is a monitoring report, no further options have been considered. However, members may wish to request that officers provide additional information.

## **2014/15 Draft 1 Revenue and Capital Budget**

The Interim Head of Finance and Procurement and Head of Transformation submitted a report which provided the first of two opportunities for the Executive to shape and refine the draft 2014/15 revenue and capital budget and business plan before the final budget was presented to the Council on 24 February 2014.

Councillor Nicholas Mawer, Chairman of the Budget Planning Committee, presented the Committee's recommendations in relation to capital bids. In introducing the recommendations, he explained that the Committee had requested a report be submitted in due course advising on the suitability of alternative funding methods such as loans and rural grants which could support capital bid proposals. The Committee was also considering establishing a Working Review Group to understand how the IT bids linked to the priorities within the Council's IT Strategy.



In response to the address of Councillor Sean Woodcock, Leader of the Labour Group, regarding the IT bids and Cooper School roof replacement bid, the Leader and Deputy Leader confirmed that bids were only submitted if the Lead Member was confident they would be of benefit to residents in Cherwell.

### **Resolved**

- (1) That the draft revenue budget be noted.
- (2) That the recommendations of the Budget Planning Committee review of the capital programme that was considered at the Budget Planning Committee meetings in November 2013 be supported, subject to the programme being open to any other appropriate bids.
- (3) That it be noted that the final local government finance settlement had still not yet been announced and that the implications of this would need to be fully considered once the announcement has been made
- (4) That no other matters to be taken into consideration in producing a balanced budget for the meeting of the Executive on 3 February 2014 be identified.
- (5) That the passporting of the Council Tax Reduction Scheme (CTRS) grant to local preceptors be endorsed.
- (6) That the draft medium term strategic priorities be agreed for public consultation.

### **Reasons**

The Council has to adopt a budget and business plan for 2014/15 as the basis for calculating its level of Council Tax and 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 Available**

This is the draft budget and options for the overall budget for the council will be considered at its meeting in February.

## **71 Transformation Bid Acceptance and Accountable Body Arrangements**

The Chief Executive submitted a report which sought delegated authority to formally accept the offer of government funding under the Transformation Challenge Award, agree the accountable body arrangements, delegate the necessary authority to enable draw down and utilisation of the funding and establish a Joint Working Group of elected members.

## **Resolved**

- (1) That authority be delegated to the Chief Executive, in consultation with the Leader, to accept the offer of funding, subject to the detailed Terms and Conditions of the Grant.
- (2) That it be agreed that following the agreement of Stratford-on-Avon district council (given on 2 December 2013) and South Northamptonshire Council (given on 14 October 2013) Cherwell District Council, be the accountable body for the Transformation Challenge Award funding.
- (3) That authority be delegated to the Chief Executive (Cherwell District and South Northamptonshire Councils) in consultation with the Chief Executive (Stratford-on-Avon District Council), the Director of Resources (Cherwell District and South Northamptonshire Councils) and the Assistant Chief Executive (Stratford-on-Avon District Council) to:
  - (i) secure the formal draw down of the grant funding from Department of Communities and Local Government and
  - (ii) allocate the funding for appropriate purposes in pursuance of the submitted bid and consistent with the grant conditions.
- (4) That agreement be given to appoint 2 Councillors and 2 substitutes to the Transformation Joint Working Group.
- (5) That it be agreed that the Terms of Reference of the Transformation Joint Working Group be considered at its first meeting and then recommended to Executive for approval.

## **Reasons**

Given the unique opportunity provided by the Transformation Challenge Award and the need to ensure that appropriate governance arrangements are in place, it is recommended that Executive support the recommendations as set out in the report.

## **Options Available**

Option 1: To agree the recommendations and accept the funding. This option is perceived to be in the best interests of the Council.

Option 2: Not to accept to the funding. This would not be in the interests of the council, will prohibit the achievement of savings and carries reputational risks for the council.

The meeting ended at 8.20 pm

Chairman:

Date: