

Cherwell District Council

Council

Minutes of a meeting of the Council held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 15 December 2014 at 6.30 pm

Present: Councillor Alastair Milne Home (Chairman)
Councillor Melanie Magee (Vice-Chairman)

Councillor Ken Attack
Councillor Andrew Beere
Councillor Claire Bell
Councillor Maurice Billington
Councillor Fred Blackwell
Councillor Norman Bolster
Councillor Ann Bonner
Councillor Mark Cherry
Councillor Surinder Dhesi
Councillor John Donaldson
Councillor Andrew Fulljames
Councillor Michael Gibbard
Councillor Carmen Griffiths
Councillor Timothy Hallchurch MBE
Councillor Simon Holland
Councillor David Hughes
Councillor Russell Hurle
Councillor Tony Ilott
Councillor Ray Jelf
Councillor Matt Johnstone
Councillor Mike Kerford-Byrnes
Councillor James Macnamara
Councillor Kieron Mallon
Councillor Nicholas Mawer
Councillor Nigel Morris
Councillor D M Pickford
Councillor Nigel Randall
Councillor G A Reynolds
Councillor Barry Richards
Councillor Alaric Rose
Councillor Dan Sames
Councillor Les Sibley
Councillor Lawrie Stratford
Councillor Rose Stratford
Councillor Lynda Thirzie Smart
Councillor Nicholas Turner
Councillor Douglas Webb
Councillor Douglas Williamson
Councillor Barry Wood
Councillor Sean Woodcock

Apologies
for
absence:

Councillor Colin Clarke
Councillor Diana Edwards
Councillor Chris Heath
Councillor Jon O'Neill
Councillor Lynn Pratt
Councillor Neil Prestidge
Councillor Trevor Stevens
Councillor Bryn Williams

Officers:

Sue Smith, Chief Executive
Ian Davies, Director of Community and Environment
Martin Henry, Director of Resources / Section 151 Officer
Claire Taylor, Business Transformation Manager
Nigel Bell, Team Leader - Planning and Litigation /Deputy
Monitoring Officer
Natasha Clark, Team Leader, Democratic and Elections

47 **Declarations of Interest**

Members declared interests in the following agenda items:

7. Minutes.

Councillor Surinder Dhesi, Non Statutory Interest, in relation to the 3 November 2014 minutes of Executive as a Trustee of Banbury Citizens Advice Bureau.

48 **Communications**

Recording at meetings

The Chairman advised Council that under the Openness of Local Government Bodies Regulations 2014 members of the public are permitted to film, broadcast and report on the meeting, subject to the efficient running of the meeting not being affected.

Cherwell Boundary Review – Boundary Commission draft recommendations and Special Council meeting

The Chairman reported that as part of its electoral review of Cherwell, the Boundary Commission had published its draft recommendations for consultation until 16 February 2015.

The Chairman had agreed to hold a Special Council meeting on Tuesday 27 January at which the council's draft response would be considered.

Garden Town Announcement

The Chairman reported that as part of the Autumn Statement it was announced that Bicester had been granted Garden Town status following the submission of an Expression of Interest to a garden city prospectus. This was positive news for the delivery of homes and new jobs.

EcoBicester Academy of Champions for Energy (ACE) Award

The Chairman reported that the council's EcoBicester project had won a prestigious EU award being named the ACE Award Overall Winner in the category Energy Smart Municipalities Best Initiative by a Local Authority 2014.

The ACE Awards recognised initiatives, organisations and projects in the field of renewable energy and energy transition.

The council's submission focused on: The dual approach to building the first UK EcoTown combined with town wide energy efficiency programmes.

Hook Norton had won the category Energy Neutral Village.

Chairman's Engagements

The Chairman advised Council that a list of engagements that he, or the Vice-Chairman, had attended since the last meeting of Council was included with the agenda.

Chairman's Dinner

The Chairman reminded Members that his Chairman's Dinner would be held on Saturday 31 January 2015 at Bicester Golf and Country Club.

Post

The Chairman reminded Members to collect post from pigeon holes.

Christmas Greetings

The Chairman reported that he had spent the morning with the Chief Executive giving out mince pies to staff and wished everyone a Merry Christmas and Happy New Year.

49 Petitions and Requests to Address the Meeting

There were no petitions or requests to address the meeting.

50 Urgent Business

There were no items of urgent business.

51 Minutes of Council

The minutes of the meeting held on 20 October 2014 were agreed as a correct record and signed by the Chairman.

52 Minutes

- a) Minutes of the Executive, Lead Member Decisions and Executive Decisions made under Special Urgency**

Resolved

That the minutes of the meeting of the Executive and Lead Member decisions as set out in the Minute Book be received and that it be noted that since the last meeting four decisions have been taken by the Executive which were not included in the 28 day notice, relating to the Homeless Action Plan, Improvements to Bicester and Kidlington Leisure Centres, Asset Management Strategy Action Plan and Leisure Management Procurement (Woodgreen).

b) Minutes of Committees

Resolved

That the minutes of Committees as set out in the Minute Book be received.

53

Questions

a) Written Questions

Councillor Barry Richards submitted three written questions relating to the Draft Revenue Budget which formed part of the Executive's agenda item 11 for the 1 December 2014 meeting. Responses from Councillor Ken Attack, Lead Member for Financial Management, were tabled at the meeting:

1. £303.000 Car park Income Reduction, I would ask the council be provided with a full breakdown of car parking income. To include car park by car park revenue showing total income and a breakdown of how this is split between length of stays paid for.

Response

The unavoidable growth on car parking is based on the income shortfall as part of budget monitoring. The attached spreadsheet shows how car park income is monitored on a monthly basis by individual car park:

Table 1 shows the current income shortfall for 2014-15 of £336,000 (as reported to Executive on 1 December 2014).

Table 2 shows the projected income for 2015-16, compares this to the 2014-15 position, and then calculates the shortfall i.e. the £303,000 unavoidable growth bid.

Table 3 shows income by individual car park during last year (2013-14).

Table 4 shows actual income collected (up to September 2014) and projected income to the year-end (October 2014 to March 2015).

The statistics to provide 'a breakdown of how this is split between length of stays paid for' are not immediately available.

2. £350.000 Correction to base budget from 100% (not netted off against overpayments recovered). Could the officer give a full explanation to Council.

Response

This relates to Rent Allowances / Housing Benefit. The Council currently budgets to spend £35m on providing Housing Benefit to residents in the district. This is a statutory scheme which is also demand led so the Council has little control over what the actual spend is. The Government make monthly payments to the Council based on estimated spend provided at the start of the year. Any difference has to be repaid or reclaimed at the year-end leading to adjustments.

Currently the budget (2014-15) assumes that we receive 100% of this amount back from the Government. However the amount actually received does not always meet 100% of the cost incurred, as some elements cannot be re-imbursed. This may be the result of technical errors or mistakes in interpretation of the regulations. It may also be from an overpayment which proves irrecoverable.

Therefore it is not prudent to expect full reimbursement. This is borne out by the level of re-imburement received in previous years which is consistently lower than the payments made.

The plan for 2015-16 is to amend the assumption in the base budget to reflect a position which Officers believe is closer to reality and assumes 99% of the expenditure will be reclaimed and not 100%.

Whilst the change in the assumption is only 1%, the monetary impact is large as it is applied to the budget as above i.e. £350,000 and this is how the unavoidable base budget correction figure is derived.

3. New Homes Bonus. £ 1,270,000 of New Homes Bonus built in to MTRP for 2015-16, this in line with CTB form the Council's current strategy is to use 50% to support the Base Budget could an Officer explain to the Full Council where the other 50% is going.

Response

*The NHB payment position is forecast to be **£2681k** for 2015/16.*

***£141k** is allocated for Affordable Housing based on new build achievements with the funds available for future promotion and development of affordable housing projects.*

*From the balance of £2540k, 50% (**£1270k**) is allocated to the 2015/16 Budget.*

*The remainder is allocated to Economic Development (**£1100k**) and Community Based Payments (Town and Parish Councils) **£169k**...total **£1269k**.*

This proposal is based on forecasts. Actual allocations for 2015-16 should be provisionally issued by Government in the week commencing 15 December 2014.

To date the Economic Development funds have been utilised to support initiatives such as the roll out of Superfast Broadband across the District

(£1m allocated for this purpose) and the Implementation of the Asset Management Plan recommendations in 2014-15 (£125k). The funds allocated to Town and Parish Councils cover a 6 year period from inception in 2011 / 12 and the Councils are at liberty to use the funds as they choose.

By way of a supplementary question, Councillor Richards asked when the information on length of stays at car parks, as requested in his first question, would be available. Councillor Attack advised that the information was not yet available but would be provided in due course.

b) Questions to the Leader of the Council

Questions were asked and answers received on the following issues:

Parking Policy: Councillor Dhesi

Victoria Prentis, Conservative candidate for the Parliamentary election:

Councillor Cherry

Community Health Village Project: Councillor Sibley

Campsfield House, Kidlington: Councillor Williamson

Property in Kidlington: Councillor Rose

c) Questions to Committee Chairmen on the minutes

Councillor Dhesi asked two questions in relation to minute 56, Performance Report 2014/15 Quarter One, of the meeting of Executive held on 6 October 2014. Answers were duly provided by Councillor Ilott, Lead Member for Clean and Green and Councillor Gibbard, Lead Member for Planning.

54 **Motions**

There were no motions.

55 **Developing the Approach to Joint Working and the Delivery of Local Authority Service Draft Business Case**

The Chief Executive submitted a report which presented the draft business case for a shared service and/or confederated approach to joint working and the delivery of local authority services following consideration by the three way Joint Arrangements Steering Group (JASG) on 27 November 2014 and the recommendation of Executive on 15 December 2014.

Councillor Woodcock proposed that a recorded vote be taken. Councillor Beere seconded the proposal. Members voted as follows:

Councillor Ken Attack – For

Councillor Andrew Beere – Against

Councillor Claire Bell - Against

Councillor Maurice Billington – For

Councillor Fred Blackwell – For

Councillor Norman Bolster – For

Councillor Ann Bonner – For

Councillor Mark Cherry – Against

Councillor Surinder Dhesi – Against
Councillor John Donaldson – For
Councillor Andrew Fulljames – For
Councillor Michael Gibbard – For
Councillor Carmen Griffiths - For
Councillor Tim Hallchurch MBE – For
Councillor Simon Holland – For
Councillor Alastair Milne Home – For
Councillor David Hughes – For
Councillor Russell Hurle – For
Councillor Tony Ilott – For
Councillor Ray Jelf – For
Councillor Matt Johnstone - Against
Councillor Mike Kerford-Byrnes – For
Councillor James Macnamara – For
Councillor Melanie Magee – For
Councillor Kieron Mallon – For
Councillor Nicholas Mawer – For
Councillor Nigel Morris – For
Councillor D M Pickford – For
Councillor Nigel Randall – For
Councillor G A Reynolds – For
Councillor Barry Richards - Against
Councillor Alaric Rose – For
Councillor Daniel Sames – For
Councillor Les Sibley – For
Councillor Lawrie Stratford – For
Councillor Rose Stratford – For
Councillor Lynda Thirzie Smart – For
Councillor Nicholas Turner – For
Councillor Douglas Webb – For
Councillor Douglas Williamson – For
Councillor Barry Wood – For
Councillor Sean Woodcock – Against

Resolved

- (1) That following endorsement by the Cherwell District, South Northamptonshire and Stratford On Avon District Councils Joint Arrangements Steering Group and the Executive meeting of 15 December 2014, subject to South Northamptonshire and Stratford on Avon District Councils resolving in similar terms:
 - I. That an 'in principle' move towards scenarios 2 and/or 4 as set out in the appended business case and its supporting papers (annex to the minutes as set out in the Minute Book) be agreed.
 - II. That it be agreed the appended business case (annex to the minutes as set out in the Minute Book) be used as the basis for public, partner and stakeholder consultation and, subject to the outcome of that consultation not leading Members to a change of view, request that a full and final business case, taking

account of the responses received to this consultation, be brought to the February 2015 Council meeting.

- III. That, agreement be given in principle, and subject to consideration of consultation responses, to include all services within the potential scope of joint working (as set out in the appended business case scenarios 2 and 4, section 6 - annex to the minutes as set out in the Minute Book), subject to prior approval of individual business cases on a service by service basis
- IV. That, agreement be given in principle, and subject to consideration of any consultation responses, that any moves towards a confederated approach be undertaken on an incremental basis and that the first phase of services considered for inclusion be back office or support services.
- V. That additional tax and pensions advice be sought to ensure that any implementation costs associated with the confederation approach are fully quantified in any final business case.
- VI. That additional legal advice be sought to prepare governance arrangements for scenarios 2 and/or 4. This is to include arrangements such as a shareholders' agreement and exit strategy and the necessary transitional requirements (e.g. steering groups, shadow boards or joint committees) to oversee the establishment of joint working and/or confederation approaches. These proposals should be included as an appendix to any final business case.
- VII. That a full organisational development strategy be developed for adoption to aim to ensure that Members and employees have the requisite skills to operate within a shared service or confederation approach should the final business case be approved.

Council Tax Reduction Scheme 2015-16

The Head of Finance and Procurement submitted a report to enable Council to approve the Council Tax Reduction Scheme for 2015-16.

Resolved

- (1) That the current Council Tax Reduction Scheme (CTRS) (annex to the minutes as set put in the Minute Book) be approved for the year 1 April 2015 to 31 March 2016.
- (2) That authority be delegated to the Council's section 151 officer, in consultation with the Lead Member for Financial Management, to determine if any further amendments to the CTRS are required by 31 January 2015.

57 **Joint Fraud Business Case**

The Director of Resources submitted a report which informed Council of a decision he had taken under urgency powers.

Resolved

- (1) That the decision taking under urgency powers by the Director of Resources in consultation with the Chairman of the Council to include the consideration of the Joint Fraud Service Business Case on the policy framework be noted.

58 **Exclusion of the Press and Public**

As there were no questions arising on the exempt appendices to agenda item 10, Developing the Approach to Joint Working and the Delivery of Local Authority Service Draft Business Case, or the exempt minutes, it was not necessary to resolve to exclude the press and public.

59 **Developing the approach to Joint Working and the Delivery of Local Authority Service Draft Business Case - Exempt Appendices**

Resolved

- (1) That the exempt appendices to agenda item 10, Developing the approach to Joint Working and the Delivery of Local Authority Service Draft Business Case, be noted.

60 **Questions on Exempt Minutes**

There were no questions on exempt minutes.

The meeting ended at 8.10 pm

Chairman:

Date: