

Council Minute Book

Monday 14 December 2015

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Cherwell District Council

Executive

Minutes of a meeting of the Executive held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 5 October 2015 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 Housing
Councillor Michael Gibbard, Lead Member for Planning
Councillor Tony Ilott, Lead Member for Public Protection
Councillor Kieron Mallon, Lead Member for Banbury Futures
Councillor D M Pickford, Lead Member for Clean and Green

Also Present: Councillor Sean Woodcock, Leader of the Labour Group
Councillor Lawrie Stratford

Apologies for absence: Councillor Nicholas Turner, Lead Member for Change Management, Joint Working and IT

Officers: Sue Smith, Chief Executive
Ian Davies, Director of Community and Environment
Martin Henry, Director of Resources / Section 151 Officer
Kevin Lane, Head of Law and Governance / Monitoring Officer
Paul Sutton, Head of Finance and Procurement
Adrian Colwell, Head of Strategic Planning and the Economy
Jo Pitman, Head of Transformation
Ed Potter, Head of Environmental Services
Natasha Clark, Team Leader, Democratic and Elections

42 **Declarations of Interest**

19. Build Programme - Site Negotiations and Acquisitions.

Sue Smith, Declaration, as the Chair of the SEMLEP European Committee to which the bid would be made.

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

There were no petitions or requests to address the meeting.

44 **Urgent Business**

There were no items of urgent business.

45 **Minutes**

The minutes of the meeting held on 7 September 2015 were agreed as a correct record and signed by the Chairman.

46 **Chairman's Announcements**

The Chairman made the following announcement:

1. Members of the public were permitted to film, broadcast and report on the meeting, subject to the efficient running of the meeting not being affected.

47 **Customer Satisfaction Survey Results 2015**

The Head of Transformation submitted a report to advise the Executive of the results of the 2015 annual customer satisfaction survey which illustrated a 79% level of overall satisfaction with the Council, and 55% satisfaction in relation to how the Council represented value for money; the highest levels of satisfaction since the survey began in 2006.

The report also identified areas to be considered for further improvement or investment within the District as part of the annual business planning and budget setting process for 2016/17.

In considering the report, Executive agreed that the survey reflected well on the service given by council employees and requested that the Chief Executive pass on their feedback.

In response to comments from Councillor Woodcock, Leader of the Labour Group, regarding participation levels in the survey, the Chairman confirmed that he had already addressed with officers the need to increase participation. The survey showed trends and was an important tool for obtaining people's views.

Resolved

- (1) That it be noted that overall satisfaction with the Council and perception of how the Council represents value for money was rated at 79% and 55% respectively amongst survey respondents, both of which represent the highest levels of satisfaction since the survey began in 2006.
- (2) That agreement be given to consider the areas identified as being of most importance to survey respondents, and those which may be identified for improvement or investment as part of the business

planning and budget setting process for 2016/17 based on survey respondent feedback.

- (3) That survey respondents be thanked for their contribution.

Reasons

This report presents a summary of the findings from the 2015 customer satisfaction survey. It highlights an increasing trend of improvement across Council services, and how the Council is perceived to represent value for money as well as areas where continued focus is required.

The report also highlights customer priorities. These will be used to help inform budget setting, the development of the Council's Business Plan and Performance Pledges for 2016/17 and the Council's five year Strategy.

As well as these high level findings the survey includes a wealth of service specific detail that will be used by service managers to help underpin service planning.

Alternative options

Option 1: To reject the recommendations and request additional work or alternative priorities arising from the survey findings.

48

Air Quality Management Area in Bicester

The Interim Public Protection and Environmental Health Manager which sought the agreement of Executive to declare an Air Quality Management Area in Bicester.

Resolved

- (1) That an Air Quality Management Area including Kings End, Queens Avenue and Field Street, Bicester as shown on the plan (annex to the Minutes as set out in the Minute Book) be declared.

Reasons

Due to exceedances of the annual mean air quality objective for nitrogen dioxide it is recommended that an AQMA is declared for Kings End / Queens Avenue / Field Street, Bicester as outlined in the annex to the Minutes (as set out in the Minute Book).

Alternative options

Option 1: An alternative option would be to not declare the area as an AQMA. However, if an air quality objective is not being met then the Council is required to declare that area as an AQMA and so for this reason this is not an alternative option.

Recycling Strategy

The Head of Environmental Services submitted a report to consider the future recycling strategy options which could be adopted to deal with the current environment of volatile commodity prices and potential changes to services delivered by Oxfordshire County Council.

The Chairman confirmed that Cherwell District Council had made written representations to the County Council consultation and other district and town and parish councils had also made representations.

Resolved

- (1) That the exploration of the possibility of more local transfer stations and/or sorting facilities for future dry recycling contracts be supported.
- (2) That the principle of a new depot in Bicester with possible local transfer facilities and/or Household Waste Recycling facilities be endorsed and officers be requested to report back on this option at an appropriate future meeting.
- (3) That a dialogue with Oxfordshire County Council regarding the provision of Household Waste Recycling Centres (HWRCs) be continued.
- (4) That the promotion of the current recycling scheme to bring both environmental improvements and financial benefits by increasing recycling rates towards 60% be supported.

Reasons

The waste hierarchy and the treatment costs for waste mean that the best financial outcome is usually achieved by reducing waste, reusing waste and recycling to very high levels.

Commodity prices are having an effect on recycling although for this Council the current contract insulates the Council from the full impact of commodity price falls. However, even if a gate fee were payable in the future, the best outcome for the taxpayer would still to recycle as much as possible

Residents having easy access to facilities to dispose of waste is important to minimise anti-social activities such as fly tipping. Currently the district is served by two Household Waste Recycling Centres (HWRCs) but in the future this may be reduced.

Alternative options

Option 1 : To approve the revised recycling strategy.

Option 2: To reject the revised recycling strategy

Option 3: To ask officers to consider alternative amendments

Bicester Sustainable Transport Strategy

The Head of Strategic Planning and the Economy submitted a report which sought the Executive's endorsement and support for the Bicester Sustainable Transport Strategy as the Council's commitment to sustainable transport in the town recognising its role in accommodating growth and integrating new and existing neighbourhoods.

At the discretion of the Chairman, Councillor Lawrie Stratford addressed the meeting.

In response to the address, the Chairman confirmed that the future of Market Square would require reappraisal after Pioneer Square Phase 2 was embedded. Members subsequently agreed that the wording in Principles and Vision regarding Market Square should be amended to reflect this.

Resolved

- (1) That the Bicester Sustainable Transport Strategy be noted.
- (2) That, subject to resolutions (5) and (6), the Strategy's vision and principles be endorsed.
- (3) That the Strategy be supported as the basis of further work to inform Part 2 of the Cherwell Local Plan, the Oxfordshire Local Transport Plan and other documents.
- (4) That the next steps required to develop an action plan to deliver priorities in the short, medium and long term as schemes and funding opportunities be progressed.
- (5) That it be noted that the future of Market Square would require reappraisal after Pioneer Square Phase 2 was embedded.
- (6) That authority be delegated to the Head of Strategic Planning and the Economy, in consultation with the Lead Member for Planning, to amend the wording of the Principles and Vision regarding Market Square to reflect the sentiment of Members and resolution (5).

Reasons

The Bicester Sustainable Transport Strategy (STS) is a key document in supporting improvements to the Bicester transport network. It reviews and summarises the policy context and best practice from the UK and Europe. The vision and principles support the shift to more sustainable travel in the future providing a framework for infrastructure improvements and behaviour change. Detailed designs have been prepared by Sustrans for the central corridor route.

The Strategy is necessary to ensure that the future growth of Bicester can be accommodated. Improvements and enhancements to the public transport network will ensure that opportunities for bus and train journeys are optimised.

The Strategy will contribute to the creation of an attractive town by integrating new and existing neighbourhoods with easy access for pedestrians and cyclists linking to exemplary public transport facilities and services. It has an important role in integrating new development with the existing town through sustainable connections and enhancements to key routes in and around the town. By creating an attractive place to live, work and visit the STS will enhance Bicester's reputation as a place to invest and develop new neighbourhoods innovatively and sustainably. The proposed improvements to the peripheral routes form an essential part of the strategy by removing some of the vehicular through traffic from the town centre and providing the opportunity to integrate the existing and new development with sustainable transport connections.

The STS has informed policy documents and proposals such as the LTP4 Bicester Area Strategy and will continue to do so. By endorsing and supporting the STS it will give it weight and demonstrate the commitment of CDC to the delivery the sustainable transport ambitions for Bicester. Officers will continue to identify priorities and secure funding through developer contributions, CIL, LEP funding to deliver an action plan as a rolling programme of infrastructure improvements in Bicester.

Alternative options

Option 1: To adopt the STS as a Supplementary Planning Document
This option was rejected as it will lead to delay to the preparation of the document and is considered unnecessary as the STS will be used to inform CLP Part 2 and the LTP4. It would also require additional resources to complete.

Option 2: To await publication of the STS until further detail is received to complete the Delivery Plan
This option was rejected given the uncertainty of funding streams. It would lead to undue delay, resulting in some sections becoming outdated and prevent the document being used to secure funding bids. The current delivery plan relates to the strategy document and demonstrates how the strategy could be delivered. As such, it is illustrative and will be worked up in greater detail by officers with elements incorporated into the Cherwell Local Plan Infrastructure Delivery Plan.

51

Adoption ('Making') of Hook Norton Neighbourhood Plan

The Head of Strategic Planning and the Economy submitted a report which sought a recommendation to Full Council to 'make', i.e. to adopt, the Hook Norton Neighbourhood Plan (HNNP) following the holding of a successful referendum in Hook Norton Parish on 3 September 2015. There was a majority vote in favour of adopting the neighbourhood plan so that it becomes part of the statutory development plan for Cherwell District Council under the provisions of Section 38A (4) and (6) the Planning and Compulsory Purchase Act 2004 as amended by the Localism Act 2011.

Executive commended Hook Norton Parish Council and the local community for their hard work in progressing the plan.

Resolved

- (1) That the referendum result of 3 September 2015, where 97% of those who voted were in favour of the Plan which is above the required 50%, be noted.
- (2) That Full Council be recommended to resolve that Cherwell District Council as local planning authority 'make' the Hook Norton Neighbourhood Plan part of the statutory development plan for the District.
- (3) That Full Council be recommended to resolve to approve the issuing and publication of a decision statement, under regulation 19 of the Neighbourhood Planning (General) Regulations 2012, that Cherwell District Council has resolved to make the Hook Norton Neighbourhood Plan.
- (4) That Full Council be recommended to resolve to delegate to the Head of Strategic Planning and the Economy the correction of any spelling, grammatical or typographical errors, and the undertaking of any minor presentational improvements, prior to the Plan being adopted and published by Council.

Reasons

This the first neighbourhood plan in Cherwell District to reach the referendum stage and the making of the plan is the final formal stage of the process of becoming part of the statutory development plan. The preparation of the HNNP has provided a better understanding and knowledge of the process which will help in progressing future neighbourhood plans in the District. The efforts and success of Hook Norton Parish Council and the local community in progressing the Plan is acknowledged by officers.

Local planning authorities are required by statute to 'make' any neighbourhood plan if more than half of those voting in the referendum vote in favour of the plan. Of those eligible to vote, 568 voted in favour of the Plan with 16 against. This represents a turnout of 34.8% of those eligible to vote in the Parish and gives a majority vote of 97.2%.

The Executive are recommended to resolve that the Hook Norton Neighbourhood Development Plan be 'made' by Council and that the associated statutory and administrative steps are undertaken

Alternative options

Where a referendum poll results in more than half of those eligible to vote voting in favour of the Neighbourhood Plan, the local planning authority must 'make' the Plan as part of the statutory development plan. There are no alternative options available unless the making of the plan would breach, or would otherwise be incompatible with, any EU obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998). There is no known breach or incompatibility.

A legal challenge can be made if a local planning authority declines to make a neighbourhood plan following a successful referendum.

52

Budget Strategy 2015 to 2016 and Beyond

The Head of Finance and Procurement submitted a report to set out the Budget Process for 2016/17, approve the 2016/17 Budget Strategy and agree the budget guidelines for issue to service managers. The report also presented the most recent Medium Term Revenue Plan (MTRP) and sought consideration of the Council Tax Reduction Scheme for 2016/17.

Resolved

- (1) That the updated Medium Term Revenue Plan for the Council's revenue budget for 2016/17 to 2020-21 be noted.
- (2) That the overall 2016/17 budget strategy and service and financial planning process be endorsed.
- (3) That the proposed budget guidelines and timetable for 2016/17 (annexes to the Minutes as set out in the Minute Book) be agreed.
- (4) That agreement be given to consult on the retention of the current Council Tax Reduction Scheme (CTRS) for 2016/17 and authority be delegated to the Director of Resources, in consultation with the Lead Member for Financial Management, to make the final decision on the scheme.

Reasons

The Council needs to set guidelines and a timetable for the preparation of draft estimates for 2016/17. These guidelines should support the objectives contained in the Council's Business Plan, Service Plans and enable an update to the Medium Term Financial Strategy.

From April 2013 Council Tax Benefit was abolished and replaced with a local Council Tax Reduction Scheme. Members are now required to agree, for consultation purposes, a Council Tax Reduction Scheme for the 2016-2017 financial year.

Alternative options

Option 1: To disagree with the recommendations. This is rejected as it will unnecessarily delay the formulation of the detailed budget for 2016/17.

53

Business Rates Pooling Decisions 2016-2017

The Director of Resources submitted a report which sought approval in principle for the Council to participate in a business rates pool for 2016-2017.

Resolved

- (1) That the principle to join a business rates pool for participating authorities in Oxfordshire, noting the risks and benefits, be endorsed.
- (2) That the Council's participation in a pool for the 2016-2017 financial year be approved 'in principle'.
- (3) That delegated authority be granted to the Director of Resources, in consultation with the Lead Member for Financial Management, to conclude necessary due diligence and confirm the Council's final intention on whether or not to participate in a Oxfordshire business rates pool (however constituted) for 2016-2017 by 31 October 2015.

Reasons

For the reasons set out in section 3 of the report it appears likely that the Council's financial interests will best be maximised by participating in a pooling arrangement. Given the 31 October deadline for confirming the Council's position and due to the fact that we are still modelling financial scenarios and discussing matters with other local authorities across the County it is necessary and appropriate to grant delegated authority to determine this to the Director of Resources in consultation with the Lead Member for Financial Management.

Alternative options

Option 1: To not approve the recommendations set out above. Based on current guidance this is not an option as we need to make a decision on whether or not to pool by 31 October 2015.

54

Expression of Interest for Devolution to Oxfordshire

The Chief Executive submitted a report to advise Members of the recent proposal which set out the areas for devolution that Oxfordshire authorities are interested in exploring further with central government.

Resolved

- (1) That the report be noted.

Reasons

This report is to draw Members attention to the recently submitted expression of interest in respect to a Devolution deal for Oxfordshire.

Alternative options

Not applicable. This report is for noting only.

55 **Exclusion of the Press and Public**

Resolved

That under Section 100A of the Local Government Act 1972, the public and press be excluded from the meeting for the following item of business on the ground that, if the public and press were present, it would be likely that exempt information falling under the provisions of Schedule 12A, Part 1, Paragraphs 1, 2, 3 and 5 would be disclosed to them, and that in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

56 **Expression of Interest for Devolution to Oxfordshire - Exempt Appendix**

Resolved

- (1) That the exempt appendix be noted.

57 **Proposal for a Joint Transport Resource with South Northamptonshire Council**

The Head of Strategic Planning and the Economy submitted an exempt report which presented the final business case, following consultation, for a Joint Transport Resource across Cherwell District Council (CDC) and South Northamptonshire Council (SNC) and sought approval of the non-staffing elements of the business case.

The proposal was part of the wider transformation programme across the two Councils.

Resolved

- (1) That the final business case and the consultation responses in relation to non-staffing matters be noted.
- (2) That it be noted that the business case was agreed by the Joint Commissioning Committee with regard to staffing matters on 1 October 2015.
- (3) That the final business case to share a joint Transport Resource between Cherwell District Council (CDC) and South Northamptonshire Council (SNC), subject to similar consideration and approval by SNC Cabinet and following approval of the staffing implications by the Joint Commissioning Committee, be approved and implemented.
- (4) That authority be delegated to the Head of Strategic Planning and the Economy in consultation with the Leader of the Council to make any non-significant amendment that may be required to the business case following the decision by SNC Cabinet and/or the Joint Commissioning Committee.

Reasons

The business case represents another milestone in the revised transformation programme across CDC and SNC. The proposal does represent a reduction in capacity for SNC, but is considered a cost effective way for SNC to retain and for CDC to gain access to a specialist transport function through a shared resource.

The proposal is considered a cost effective way for CDC to gain access to and for SNC to retain a specialist transport function through a shared resource.

Alternative options

As set out in the exempt minutes

58

Local Housing Company

The Head of Regeneration and Housing submitted an exempt report which sought approval for a recommendation to Council to create a Local Housing Company as a vehicle to develop, own and manage affordable housing assets and ancillary activities including existing housing assets in the Council's ownership, both built (and occupied) and in development.

Resolved

- (1) That Full Council be recommended to approve of the creation of a Local Housing Company, registered with the Financial Conduct Authority (FCA) as a Community Benefit Society, HMRC as an exempt charity and the Homes and Communities Agency (HCA) as a registered provider.
- (2) That Full Council be recommended to approve the sale of existing affordable housing assets (both completed and occupied and in development) as itemised in the exempt annex (as set out in the Minute Book) at existing market value as certified by an independent valuer to the Local Housing Company (once incorporated and registered with the FCA and the HCA) and it be noted that any proposed future disposals of Council owned assets to the Local Housing Company will form the subject of future reports to Executive or full Council as appropriate.
- (3) That Full Council be recommended to approve the lending of finance from the Council to the Local Housing Company as long as this is viable for both the Local Housing Company and the Council and is within the Council's peak borrowing limits and the legal requirements relating to the prohibition of unlawful State Aid.
- (4) That Full Council be recommended to approve the Council undertaking a key financial role in the Local Housing Company subject to such role complying with the legal requirements in relation to the prohibition of unlawful State Aid, in particular:

- Through the provision of loan finance on a formal loan arrangement with the Council
 - Through providing a contingent guarantee for external finance and lease arrangements
- (5) That Full Council be recommended to delegate authority to the Director of Resources, in consultation with the Leader of the Council, to approve the business plan of the Local Housing Company and to appoint Council Directors to the Board of the Local Housing Company (if incorporated and registered with the FCA and the HCA) including such future appointments as are necessary to fill vacancies that might arise.
- (6) That Full Council be recommended to delegate authority to the Head of Regeneration and Housing, in consultation with:
- The Leader of the Council
 - The Lead Member for Housing
 - The Lead Member for Estates and the Economy
 - The Lead Member for Financial Management
 - The Director of Resources
 - The Director of Development
 - The Head of Finance and Procurement
 - The Head of Law and Governance

to take the necessary operational, legal and financial steps to ensure effective implementation of the above, including the naming of the Local Housing Company and its subsidiary, subject to there being no conflict of interest arising for the Head of Regeneration and Housing between the Council and the Local Housing Company in respect of any actions to be taken following the Company's incorporation and registration with the FCA and HCA.

Reasons

Members are asked to approve the recommendations as set out in this report. This is believed to deliver the best financial and strategic outcomes for the Council and local residents.

This proposal is a critical 'thread' to the future growth of the district, in particular affordable housing and challenging brownfield sites and its ability to attract further inward investment, in particular from the HCA who have been very supportive.

Local Housing Company

Officers have worked with Directors from CCLT and external finance and legal; experts to consider the optimum model for Cherwell, taking into consideration the context:

- Cherwell as a non-stock holding Council, with a closed Housing Revenue Account (HRA)

- Cherwell as a Registered Provider (RP) in its own right, with a HCA funded development programme
- Cherwell as an outward-facing Council which seeks to work in partnership with the community, harnessing the skills, influence and knowledge for the best outcomes for residents
- Cherwell as a key growth area, with an on-going requirement for affordable housing and further opportunities for regeneration of brownfield sites.

In this context, it has been clear that a Community Benefit Society, registered as an exempt Charity with HMRC and registered with the HCA as a Registered Provider is the most ideal legal entity and as such recommended for approval

Alternative options

Local Housing Company

Alternative options can be considered by members but are not recommended for the following reasons

Option One: To retain all assets (existing and in the pipeline) is not recommended as this, in the long term would most likely require the Council to re-open its Housing Revenue Account, bringing with it:

- caps on lending
- limitations on the opportunity to attract inward investment
- limitations on the opportunity to harness the investment of time and expertise from community/independent representation.

Option Two: To sell all assets (existing and pipeline) is not recommended as this would deliver a lesser financial return and would not guarantee local governance, management and retention of investment within district boundaries.

Option Three: To establish an alternative vehicle (e.g. a wholly owned company limited by shares) is not recommended as this would create further barriers in HCA registration and registration with HMRC as an exempt charity and the benefits this brings with regards to not paying SDLT or corporation tax.

59

Build Programme - Site Negotiations and Acquisitions

The Head of Regeneration and Housing submitted an exempt report to request approval to acquire land and proceed with a bid for EU funding.

Resolved

- (1) As set out in the exempt minutes.
- (2) That approval be given for Officers to facilitate negotiations between Graven Hill Development Company and the Local Housing Company (if approved, incorporated and registered as set out above) for the Local Housing Company to be the designated Registered Provider for the

affordable housing at Graven Hill, subject to approval from both of the companies' boards.

- (3) As set out in the exempt minutes.
- (4) That it be noted that the Council's application for EU funding (to undertake a Research and Development (R & D) project for 7 prototype system houses) is through to the final stage and as such give approval for
 - a) The following Council owned sites to be made available (as part of match funding):
 - A single unit plot in Lincoln Close, Banbury;
 - A two unit plot in Angus Close Banbury;
 - Land to the rear of Orchard Way for four apartments.
 - b) The funding already allocated for the redevelopment of Orchard Way (external area) to be identified as capital match funding;
 - c) The schemes to proceed if funding is awarded.

Reasons

As set out in the exempt minutes.

Alternative options

As set out in the exempt minutes.

The meeting ended at 7.50 pm

Chairman:

Date:

Cherwell District Council

Executive

Minutes of a meeting of the Executive held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 2 November 2015 at 5.30 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 Housing
Councillor Michael Gibbard, Lead Member for Planning
Councillor Tony Ilott, Lead Member for Public Protection
Councillor Kieron Mallon, Lead Member for Banbury Futures
Councillor D M Pickford, Lead Member for Clean and Green
Councillor Nicholas Turner, Lead Member for Change Management, Joint Working an IT

Also Present: Councillor Sean Woodcock, Leader of the Labour Group

Officers: Sue Smith, Chief Executive
Calvin Bell, Director of Development
Martin Henry, Director of Resources / Section 151 Officer
Adrian Colwell, Head of Strategic Planning and the Economy, for agenda items 7 and 8
Kevin Lane, Head of Law and Governance / Monitoring Officer
Jo Pitman, Head of Transformation, for agenda items 10 and 12
Alex Keen, Team Leader (Minors), for agenda item 7
Natasha Clark, Team Leader, Democratic and Elections

60 Declarations of Interest

Interests were declared in the following agenda items:

7. Graven Hill: MOD Bicester Sites D & E Ambrosden Road Upper Arncott.

Sue Smith, Declaration, as a Director of Graven Hill Village Holdings Limited and Graven Hill Village Development Company Limited.

61 Petitions and Requests to Address the Meeting

There were no petitions or requests to address the meeting.

62 **Urgent Business**

There were no items of urgent business.

63 **Minutes**

The minutes of the meeting held on 5 October 2015 were agreed as a correct record and signed by the Chairman.

64 **Chairman's Announcements**

The Chairman made the following announcement:

1. Under the Openness of Local Government Bodies Regulations 2014, members of the public were permitted to film, broadcast and report on the meeting, subject to the efficient running of the meeting not being affected.

65 **Graven Hill: MOD Bicester Sites D & E Ambrosden Road Upper Arncott**

The Head of Development Management submitted a report which informed Executive of the outcome of the consultation process in respect of the draft Local Development Order (LDO) previously agreed by Executive for Phase 0 and part of Phase 1 of the redevelopment of Graven Hill. The report also sought a decision on whether to adopt the LDO, subject to the minor modifications outlined in the report.

In introducing the report, the Lead Member Planning advised Executive that since the publication of the agenda one further comment had been received. If agreed, the Order could be in force from 15 December 2015.

Resolved

- (1) That the outcome of the consultation process undertaken in respect of the draft Local Development Order (LDO) be noted.
- (2) That the proposed modifications to the draft LDO be agreed.
- (3) That the modified LDO (annex to the Minutes as set out in the Minute Book) be adopted.
- (4) That the requirement to notify the Secretary of State of a decision to adopt a LDO as soon as practicable, and no later than 28 days after the Local Planning Authority has adopted the Order be noted.

Reasons

The draft Local Development Order would facilitate and encourage self build and custom build housing at Graven Hill by simplifying the planning process whilst providing certainty that individuality and variety in design would be

supported within the parameters set by the Masterplan and Design Code to be approved under the outline planning permission.

The consultation response has not raised any significant issues or objections to the draft LDO, and only minor modifications are proposed in response to the comments received, to clarify the requirements of the LDO and to ensure that it is effective in facilitating the delivery of custom build and self-build development.

It is therefore recommended that Executive agree to adopt the modified LDO and that the Secretary of State is notified of the decision to adopt the LDO in accordance with Article 38(11) of the Town and Country Planning (Development Management Procedure) Order 2015.

Alternative options

- (a) Not to agree the draft LDO. Delivering the development through the traditional reserved matters route would not facilitate the desired level of individuality and variety in design.
- (b) To adopt the LDO without modifications. This would not address the issues raised in the consultation response and would fail to take the opportunity to clarify the requirements of the LDO and safeguard the delivery of custom and self-build development.

66

Neighbourhood Planning: Application for Designation as Neighbourhood Area - Weston on the Green Parish

The Head of Strategic Planning and the Economy submitted a report to consider an application to designate Weston-on-the-Green Parish as a Neighbourhood Area for the purpose of preparing a Neighbourhood Plan.

Resolved

- (1) That the application to designate the Parish of Weston-on-the-Green as a neighbourhood area under Section 61G of the Town and Country Planning Act 1990 (as amended) be approved.
- (2) That the Head of Strategic Planning and the Economy be authorised to issue a Notification of Decision pursuant to resolution (1).

Reasons

The Parish Council of Weston-on-the Green has made an application for the designation of its administrative areas as a neighbourhood area for the purpose of preparing a Neighbourhood Development Plan. The application is valid, has been publicised and a number of representations have been received. None of the comments raised are considered to warrant the refusal of the application and it is considered that the proposed neighbourhood area would be coherent and appropriate.

Alternative options

Option 1: To refuse and amend the designation of the neighbourhood area providing reasons why

Option 2: To defer consideration

67 **Notification of Urgent Action - Free Christmas Parking After 3.00pm**

The Director of Community and Environment submitted a report to notify Members of urgent action taken by the Director of Community and Environment for a Free after Three Christmas parking pilot to run from Saturday 28 November 2015 to Sunday 10 January 2016 inclusive.

Resolved

- (1) That the urgent action taken by the Director of Community and Environment be noted.

Reasons

The Director of Community and Environment took urgent action in consultation with the Leader of the Council to approve the proposed Free after Three Christmas parking pilot due to the need to meet the timeframe for the legal process, which can be effected by publishing a Notice of Variation at least once in a newspaper circulating in the area at least 21 days before it is due to come into force. A copy of the notice must also be displayed in each off-street car park from the date of publication until the date on which it comes into force.

Alternative options

As this report is for the information of Members there are no alternative options to consider.

68 **A Business Case to Create a Joint Communications and Marketing Service with South Northamptonshire Council**

The Head of Transformation submitted a report which presented the final business case for a Joint Communications and Marketing Service across Cherwell District and South Northamptonshire Councils following consultation with staff and Unison and sought approval of the non-staffing elements of the business case.

69 **Exclusion of the Press and Public**

Resolved

That under Section 100A of the Local Government Act 1972, the public and press be excluded from the meeting for the following item of business on the ground that, if the public and press were present, it would be likely that

exempt information falling under the provisions of Schedule 12A, Part 1, Paragraphs 1, 2, 3 and 4 would be disclosed to them, and that in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

70 **A Business Case to Create a Joint Communications and Marketing Service with South Northamptonshire Council - Exempt Appendix**

Executive considered the exempt appendix to the report.

Resolved

- (1) That the exempt appendices be noted.

71 **Readmittance of the Press and Public**

Resolved

That the press and public be readmitted to the meeting.

72 **A Business Case to Create a Joint Communications and Marketing Service with South Northamptonshire Council**

Having readmitted the press and public, Executive voted on the recommendations.

Resolved

- (1) That the final business case and the consultation responses in relation to non-staffing matters be considered and noted.
- (2) That the decision of the Joint Commissioning Committee on 29 October 2015 to approve the staffing aspects of the business case be noted.
- (3) That the proposed final business case to share a joint Communications and Marketing Service between Cherwell District Council (CDC) and South Northamptonshire Council (SNC) be approved, subject to similar consideration and approval by SNC Cabinet.
- (4) That authority be delegated to the Head of Transformation, in consultation with the Leader of the Council whose portfolio includes Communications, to make any non-significant amendment/s that may be required to the business case following the decision of this meeting or SNC Cabinet.
- (5) That authority be delegated to the Director of Resources and Head of Transformation, to be responsible for implementation of the business case, including the costs of any potential redundancies, subject to the business case being agreed by both Councils.

Reasons

The business case represents a significant step in the transformation programme across CDC and SNC. The proposed joint team would provide an improved and strengthened service to support both Councils in how they communicate internally and externally given the increasingly complex communications environment in which they operate.

Alternative options

Not to agree the recommendations.

The meeting ended at 6.05 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 23 September 2015 at 6.30 pm

Present: Councillor Mike Kerford-Byrnes (Chairman)
Councillor Rose Stratford (Vice-Chairman)

Councillor Ray Jelf
Councillor Nicholas Mawer
Councillor Barry Richards
Councillor Lawrie Stratford
Councillor Barry Wood

Apologies for absence: Councillor Colin Clarke

In Attendance: Ed Cooke, PWC, Internal Audit
Mark Surridge, Ernst Young, External Audit
Mick West, Ernst Young, External Audit, joined the meeting during agenda item 8

Officers: Paul Sutton, Head of Finance and Procurement
Denise Taylor, Corporate Accountant
Belinda Green, Benefits Manager for agenda item 11
Shirley Vaughan, Performance and Planning Officer for agenda item 10
Nick Addis, Corporate Fraud Officer, for agenda item 11
Natasha Clark, Team Leader, Democratic and Elections
Sharon Hickson, Acting Democratic and Elections Officer

14 Declarations of Interest

There were no declarations of interest.

15 Petitions and Requests to Address the Meeting

There were no petitions or requests to address the meeting.

16 Urgent Business

There was no urgent business.

17 **Minutes**

The Minutes of the meeting of the Committee held on 24 June 2015 were agreed as a correct record and signed by the Chairman.

18 **Chairman's Announcements**

The Chairman made the following announcements:

1. The filming and broadcasting of the meeting was permitted, subject to the efficient running of the meeting not being affected.
2. He had agreed to change the order of the agenda and would be moving agenda items 10 and 11 before agenda item 7.

19 **First Quarter Risk Review 2015-16 & Update on Development of Risk & Opportunities Management Strategy**

The Head of Transformation submitted a report to update the Committee on the management of Strategic, Corporate and Partnership risks during the first quarter of 2015/16 and reported the progress made on the 2015/16 Risk & Opportunities Management Strategy review, Risk Training programme and Internal Audit review.

In the course of discussion it was queried whether Bicester Gateway had been identified as a risk due to the potential impact on Pioneer Square in terms of lost trade and revenue. The Policy and Performance Officer agreed to clarify this with the Commercial Director (Bicester).

Resolved

- (1) That the quarter 1 Strategic, Corporate and Partnership Risk Register be noted and no issues be identified for further consideration or referral to the Executive.
- (2) That the changes to two shared risks' scores, increase in Risk reference Strategic S02 – Financial resilience and decrease in risk reference Strategic S07 – Customer Service Improvements, be noted.
- (3) That it be noted that the two Partnership risks, previously “common” to both Authorities, were now Council specific to better reflect the different structure/circumstances at each Authority.
- (4) That the progress made on the 2015/16 Risk and Opportunities Management strategy review, the 2015/16 Risk Training Programme and the 2014/15 Risk Audit be noted.

20

Corporate Fraud Team Quarterly Update

The Head of Finance and Procurement submitted a report which provided members with an update on the Joint Corporate Fraud team including the progress made on the teams' business plan for 2015/16.

In presenting the report the Benefits Manager updated Members on the successful DCLG bid for funding to support the work on corporate fraud. DCLG was monitoring the work carried out through progress reports to ensure the funding was being used as set out in the bid document.

Resolved

- (1) That the report be noted.

21

Statement of Accounts 2014-15

The Director of Resources submitted a report to obtain official sign-off by the Chief Financial Officer and the Chairman of the Accounts, Audit and Risk Committee of the audited Statement of Accounts 2014/15.

In introducing the report, the Head of Finance and Procurement gave an overview of the changes that had been made to the accounts since the preliminary "subject to audit" version was considered by the Committee at its 24 June meeting.

The Committee was advised that the majority of the changes were primarily presentational. The main changes related to the inclusion of Graven Hill management costs of £52k, which the auditors were satisfied with but created a ripple through the accounts requiring associated amendments.

The Head of Finance and Procurement advised the Committee that the other main change related to a disclosure recognising a Department for Communities and Local Government (DCLG) debtor for NNDR3 (Business Rates) Return 2014 of £1.5million. In an error on the part of CDC, the NNDR3 had been underclaimed from DCLG in 2012/13. Officers had now contacted DCLG requesting that the money be paid to CDC, however as the business rates payment system had since changed, it would only be possible for the full amount to be claimed if DCLG agreed there were special circumstances. If it was deemed there were no special circumstances, it would only be possible to reclaim 60% of the £1.5m overpayment.

The Head of Finance and Procurement reported that DCLG had agreed to consider repayment, subject to information being submitted. The outstanding amount was recorded in the accounts as a debtor and would not be impaired at this stage as The Head of Finance and Procurement remained confident of full repayment after discussions with DCLG, who had advised that they would give some indication if they would make the payment, by 28 September 2015.

The external auditor advised the Committee that if they endorsed the accounts, they were effectively supporting the belief of officers that the full £1.5m would be repaid by DCLG. The external auditor recommended caution

and that the Committee agree to impair the 40% of the payment that was reliant on special circumstances. If the money was not impaired there was the potential that 100% would be lost.

In response to members' questions regarding how the £1.5m had not been picked up earlier, the Head of Finance and Procurement explained that it was human error in the calculation of the NNDR3 claim form.

Having regard to the explanation of the Head of Finance and Procurement and the comments of the external auditor, Members discussed the implications on impairing 40% of the unclaimed £1.5m from DCLG.

The Committee agreed to accept all of the amendments made to the accounts since their June 2015 meeting with the exception of the disclosure recognising DCLG as a debtor for NNDR3 of £1.5m.

To enable the signing off of the accounts by the statutory deadline of 30 September 2015, the Committee further agreed to delegate authority for the approval of the Statement of Accounts 2014-15 to the Head of Finance and Procurement, in consultation with the Chairman, subject to the provision of evidence to the external auditor that the full £1.5m would be returned by DCLG. If this evidence was not provided, only the 60% that could be claimed without the requirement for special circumstances should be included in the accounts and the remaining 40% of the £1.5m should be impaired.

The Committee requested that a separate report be submitted to their December meeting detailing the full history about what happened to arrive at this position and setting out the current position.

Resolved

- (1) That, excluding the amendment relating to the disclosure recognising DCLG as a debtor for NNDR3 (business rates) of £1.5m. the amendments to the Statement of Accounts 2014-15 made since the June meeting of the Committee be approved.
- (2) That authority for final approval of the Statement of Accounts 2014-15 be delegated to the Head of Finance and Procurement, in consultation with the Chairman, subject to the provision of evidence to the external auditor that the full £1.5m would be returned by DCLG. If this evidence was not provided, the 40% repayment requiring special circumstances to be applied, should be impaired.

External Audit Results Report 2014-15

The Director of Resources submitted a report which presented the Ernst and Young LLP (the council's external auditor) Results Report 2014-15. The report included comments on the external audit of the 2014-15 Statement of Accounts.

In presenting the report, the External Auditor reported that the financial statement audit had been carried out recommending that the Committee considers the Audit results report before approval. The one matter that remained under review within financial statement relating to the £1.5m debtor with the DCLG had been considered in great detail at the previous agenda item. The External Auditor highlighted to members the calculated provision made for NNDR appeals for 2015/16 assumed all cases would be completed within a 12 month period, due to volume of transactions external audit recommend that the 2015/16 calculation be revisited.

The Committee was advised that whilst some recommendations for improvement had been made, the External Auditor anticipated issuing an unqualified opinion on the 2014-15 financial statements.

The External Auditor explained that this was the last time they would be operating under the Audit Commission Code and giving a Value for Money conclusion in this way. The assessment of the Councils financial resilience had been increased to a “significant risk” to reflect the significant financial challenges facing the sector.

The External Auditor informed the Committee that a more robust management of reserves was required to maintain financial resilience for the future and recommended in-depth reporting of all earmarked reserves with formal reviews held on each.

In terms of value for money, the External Auditor concluded that the Council had made proper arrangements to secure economy, efficiency and effectiveness in its use of resources and expected to present an unqualified value for money conclusion for these arrangements.

The Committee was advised that the proposed final audit fee for 2014/15 was higher due to the increased scope arising from Group Accounts and the costs associated with responding to an elector’s question on the Council’s accounts.

The Head of Finance and Procurement advised the Committee that the areas for improvement would be identified by officers to be referred to the appropriate committee.

Resolved

- (1) That, authority for final approval of the Statement of Accounts 2014-15 be delegated to the Head of Finance and Procurement, in consultation with the Chairman, subject to the provision of evidence to the external auditor that the full £1.5m would be returned by DCLG. If this evidence was not provided, the 40% repayment requiring special circumstances to be applied, should be impaired.
- (2) That the adjustments to the financial statements be noted
- (3) That the letter of representation on behalf of the Council be approved.

23 **Internal Audit Progress Report 2015-16**

The Director of Resources submitted a report which presented the Internal Audit Annual progress report 2015/16.

In introducing the report, Ed Cooke, PwC, the council's internal auditor advised the committee that discussions had been held with management on the 2015/16 audit plan and individual review scopes would be completed in due course. The 2015/16 plan remained on course to be delivered during quarter 3 and quarter 4.

The Committee was advised that two additional pieces of work had been delivered: The first being an additional review in relation to HCA procedural Compliance was delivered outside of the 2014/2015 internal audit plan under a separate engagement letter. Discussion had taken place for a similar arrangement to be included in the 2015/16 year plan.

The second additional piece of work related to the provision of risk management training for senior management team and staff under service heads that have responsibility for risk. Initial discussions have been held and a scope of work requested to identify precise requirements and any additional fees that would be applicable

Resolved

- (1) That the report be noted.

24 **Q1 Treasury Management Report**

The Director of Resources submitted a report on the Council's treasury management performance and compliance with the treasury management policy for 2015-16 for Quarter 1 as required by the Treasury Management Code of Practice.

Resolved

- (1) That the Q1 Treasury report be noted.

25 **Work Programme 2015 - 2016**

The Committee considered its Work Programme 2015-16.

Resolved

- (1) That subject to the addition of DCLG Business Rates Update report to December, the work programme 2014/15 be noted.

26 **Exclusion of 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 Part 1, Schedule 12A of that Act .

27 **Q1 Treasury Management Report - Exempt Appendix**

Resolved

- (1) That the exempt appendix be noted.

The meeting ended at 7.55 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 9 October 2015 at 2.00 pm

Present: Councillor Mike Kerford-Byrnes (Chairman)
Councillor Rose Stratford (Vice-Chairman)

Councillor Colin Clarke
Councillor Barry Richards
Councillor Lawrie Stratford
Councillor Barry Wood

Substitute Members: Councillor Lynn Pratt (In place of Councillor Nicholas Mawer)

Also Present: Councillor Ken Attack, Lead Member for Financial Management

Apologies for absence: Councillor Ray Jelf
Councillor Nicholas Mawer

In attendance: Martin Grinham, Ernst and Young, External Audit
Mark Surridge, Ernst and Young, External Audit

Officers: Sue Smith, Chief Executive
Paul Sutton, Head of Finance and Procurement
Martin Henry, Director of Resources / Section 151 Officer
Kevin Lane, Head of Law and Governance / Monitoring Officer
Natasha Clark, Team Leader, Democratic and Elections

28 Declarations of Interest

There were no declarations of interest.

29 Chairman's Announcements

There were no Chairman's announcements.

30 Exclusion of the Press and Public

The Chairman advised the Committee that as the report was public, it was not necessary to exclude the press and public.

31 Statement of Accounts 2014-15

The Director of Resources/Section 151 Officer submitted a report which sought approval of the Statement of Accounts and Letter of Representation for the financial year 2014-15.

The Chairman reminded the Committee that at their meeting of 23 September they had determined they could not sign off the accounts and had delegated authority to the Head of Finance and Procurement, in consultation with the Chairman, to continue discussions with Ernst and Young, the council's external auditor, and the Department for Communities and Local Government (DCLG) with a view to the accounts being signed off by the statutory deadline of 30 September 2015. It subsequently emerged that delegated authority could not be granted to an officer to approve the Statement of Accounts and it had therefore been necessary to call the special meeting of the Committee.

In introducing the report, the Director of Resources/Section 151 Officer gave a detailed overview of the issue that had arisen at the 23 September Accounts, Audit and Risk Committee which had resulted in the Committee's decision not to approve the accounts at that time. The Director of Resources explained that as part of their audit of the Statement of Accounts 2014-15, Ernst Young, the council's external auditor, had highlighted an accrual that had been raised for approximately £1.5m.

The debtor was raised in 2011-12 and related to the NNDR3 (a return which certified the level of business rates the Council had collected on behalf of the Government) that had been submitted and audited for the financial year 2011-12. The return had been incorrectly completed and as a result, the council had overpaid £1.5m to the Government more than it should have. A debtor had therefore been raised in the general ledger to reflect that this amount was owed to the Council by the Government. This debtor accrual was still in the accounts in 2014-15 as the overpaid amount had not been reimbursed by the DCLG.

The Committee was advised that when considering the 2014-15 audited accounts, the external auditor had asked the Section 151 Officer to consider if he would be impairing any of the outstanding debt owed. The Director of Resources/Section 151 Officer explained that after careful consideration, he had felt it was premature to do so.

Prior to the 23 September meeting, the external auditor had been aware of the Director of Resources/Section 151 Officers' approval of the accounts and was comfortable with the approach being taken. At the meeting however, the Director of Ernst Young had arrived late and not been aware of the position of the external audit team. He had given his view on the outstanding debtor advising the Committee the accounts should not be approved. The Committee had consequently determined not to approve the accounts and to delegate authority for their approval to the Head of Finance and Procurement, in consultation with the Chairman, which it had subsequently transpired was not possible.

The Director of Resources/Section 151 Officer advised the Committee that since that meeting there had been further discussions with the external auditor and correspondence and contact with DCLG.

The Director of Ernst and Young had confirmed that he no longer had an issue with the accounts or the judgement exercised and that he encouraged the Council to approve them.

DCLG had requested the submission of information for the reimbursement of the overpaid funds which they would take into account for 'special consideration', which the council had duly submitted requesting the overpaid funds be repaid. DCLG's official position remained that they were still considering the matter.

The Director of Resources/Section 151 Officer advised the Committee that since the Committee's 23 September meeting, he had set out his reasoning to the external auditor regarding why he felt it was premature to write off any of the DCLG debt in the 2014-15 accounts. On 30 September, in light of the information from the external auditor and DCLG, he reconsidered the matter and advised the Chairman of the Accounts, Audit and Risk Committee, the Leader of the Council and the Lead Member for Financial Management that he was still of the view that it was too premature to write off any of the outstanding debt for 2014-15 and the accounts should therefore be approved.

In considering the report, Members noted that whilst they needed to rely on the advice of the Section 151 Officer, they should question these judgements particularly when there was conflicting advice from the external auditor. Members raised some concerns that the view of the external auditor had changed since their 23 September meeting. It was however important that the advice of the Section 151 Officer and the external auditor was now that the accounts should be approved.

In response to Members' queries regarding the ramifications of the council approving the Statement of Accounts 2014-15 after the 30 September statutory deadline, the Director of Resources/Section 151 Officer explained that the council would be on a black list that was published, although he was unsure where this was published, and there was potential reputational damage.

The Committee raised concerns about the situation that had arisen and stressed the importance of reviewing what had happened, how the situation had arisen and the implications if the £1.5m was not repaid. Members referred to their comments at the 23 September meeting that a full review of the events leading to the error and it not being identified until 2014-15 be undertaken and noted that an independent body would undertake this review following approval of the Statement of Accounts. This would be reported back to the Committee as soon as possible.

Having due regard to the detailed explanation given by the Director of Resources/Section 151 Officer, the Committee agreed that the statement of accounts 2014-15 should be approved.

(Having been approved, the Statement of Accounts 2014-15 and Letter of Representation 2014-15 were signed by the Chairman of the Accounts, Audit and Risk Committee and the Section 151 Officer.)

The Chairman advised the Committee that he had met with the Chief Executive regarding the independent review to be undertaken. The Chief Executive explained that an external company that had not been engaged in any part of the

process would be used to undertake the review, which would look at what had happened, internal control processes, escalation to senior officers and elected Members and call upon the internal and external auditors, former and current officers as witnesses and make recommendations accordingly.

The Committee agreed that it was important for the review to be thorough and the Chief Executive should oversee the terms of reference of the review, in consultation with the Chairman.

In response to Members' comments, the Chairman agreed that he would use his discretion to invite other members of the committee to participate in the review if he deemed it appropriate.

Resolved

- (1) That the Statement of Accounts for 2014-15 be approved.
- (2) That the Letter of Representation for 2014-15 be approved.
- (3) That authority be delegated to the Chief Executive, in consultation with the Chairman, to oversee the independent review which would report its findings and recommendations to the Accounts, Audit and Risk Committee.

The meeting ended at 2.30 pm

Chairman:

Date:

Cherwell District Council

Budget Planning Committee

Minutes of a meeting of the Budget Planning Committee held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 6 October 2015 at 6.30 pm

Present: Councillor Nicholas Mawer (Chairman)
Councillor Nigel Randall (Vice-Chairman)

Councillor Ken Atack
Councillor Colin Clarke
Councillor Ian Corkin
Councillor Carmen Griffiths
Councillor Russell Hurle
Councillor Mike Kerford-Byrnes
Councillor Barry Richards
Councillor Douglas Webb
Councillor Barry Wood

Substitute Members: Councillor Mark Cherry

Apologies for absence: Councillor Sean Woodcock

Officers: Paul Sutton, Head of Finance and Procurement
George Hill, Corporate Accountant
Natasha Clark, Team Leader, Democratic and Elections
Lesley Farrell, Assistant Democratic and Elections Officer

21 Declarations of Interest

There were no declarations of interest.

22 Urgent Business

There were no items of urgent business

23 Minutes

The minutes of the meeting of the Committee held on 8 September 2015 were confirmed as a correct record and signed by the Chairman.

24 **Chairman's Announcements**

There were no Chairman's announcements.

25 **Business Rates Pooling Decision 2016-2017**

The Director of Resources submitted a report on the Business Rates Pooling Decision 2016-2017 which provided members of the Committee with an update with regard to participation or otherwise in a business rates pool for 2016-2017.

The Head of Finance and Procurement explained that the pooling intentions would be sent to the Government by 31 October 2015 although they had not yet been requested.

Resolved

- (1) That the report be noted.

26 **Budget Strategy 2015 to 2016 and beyond**

The Head of Finance and Procurement introduced a report on the Budget Strategy 2015/2016 and beyond which informed the committee of the service and financial planning process for 2016/17, the 2016/17 budget strategy and the budget guidelines for service managers to enable the production of the 2016/17 budget.

The Head of Finance and Procurement gave a presentation on Finance and the Medium Term Revenue Plan update which outlined items which may be included in the Chancellors' Autumn Statement.

During the presentation the Head of Finance and Procurement answered questions from the Committee on Formula Grant Reductions, New Homes Bonus, Revenue Support Grant and Business Rates.

The Committee were informed that a review of Capital Slippage was currently taking place and that a thorough review of reserves was also necessary. These reviews would be presented to the Committee when completed.

Resolved

- (1) That the report be noted.
- (2) That the following resolutions of the Executive on 5 October 2015 be noted.
 - That the updated Medium Term Revenue Plan for the Council's revenue budget 2016/17 to 2020-21 be noted.
 - That the overall 2016/17 budget strategy and service and financial planning process set out in the report be endorsed.

- That the proposed budget guidelines and timetable for 2016/17 be agreed.
- That agreement be given to consult on the retention of the current Council Tax Reduction Scheme for 2016/17 and authority be delegated to the Director of Resources in consultation with the Lead Member for Financial Management to make the final decision on the scheme

27

Review of Committee Work Plan

The Committee considered the work programme for 2015/16.

The Head of Finance and Procurement informed the committee that a fundamental review of Fees and Charges was being undertaken and would be brought to the November meeting.

Resolved

That, subject to the addition of Review of Fees and Charges to November, the work plan be noted.

The meeting ended at 7.55 pm

Chairman:

Date:

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Cherwell District Council

Budget Planning Committee

Minutes of a meeting of the Budget Planning Committee held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 3 November 2015 at 6.30 pm

Present: Councillor Nicholas Mawer (Chairman)
Councillor Nigel Randall (Vice-Chairman)

Councillor Ken Atack
Councillor Ian Corkin
Councillor Carmen Griffiths
Councillor Russell Hurle
Councillor Mike Kerford-Byrnes
Councillor Barry Richards
Councillor Douglas Webb
Councillor Sean Woodcock

Apologies
for
absence: Councillor Colin Clarke
Councillor Barry Wood

Officers: Martin Henry, Director of Resources / Section 151 Officer
Paul Sutton, Head of Finance and Procurement
Geni Hotchkiss, Business Support Unit Manager
George Hill, Corporate Accountant
Richard Stirling, Corporate Procurement Manager
Natasha Clark, Team Leader, Democratic and Elections
Lesley Farrell, Assistant Democratic and Elections Officer

28 Declarations of Interest

There were no declarations of interest.

29 Urgent Business

There were no items of urgent business

30 Minutes

The minutes of the meeting of the Committee held on 6 October 2015 were confirmed as a correct record and signed by the Chairman.

31 **Chairman's Announcements**

There were no Chairman's announcements.

32 **Quarter 2 2015-16 - Revenue and Capital Budget Monitoring Report**

The Head of Finance and Procurement submitted a report which summarised the Council's Revenue and Capital position as at the end of the first half of the financial year 2015-16 and projections for the full 2015-16 period.

In response to Members' comments, the Head of Finance and Procurement confirmed the agency staff were used sparingly and only where essential. The majority of vacant posts covered by agency staff were short term and the cost was covered by departmental budgets. With the current review of all services that was underway, it was anticipated that the interim use of agency staff would continue but the service reviews would address the need for the use in the longer term.

In response to the Committee's request for further information on vacant commercial units, an analysis of reasons why Bicester commercial units were more successfully let than Banbury commercial units and the work of the Town Centre Co-ordinators. The director of resources agreed to circulate this information outside of the meeting as soon as it was available

In response to Members' questions regarding recycling revenue, the Head of Finance and Procurement explained that the current contract had 18 months to run and a new contract would be procured when it came to an end.

In considering the Capital Spend and Year End Projections, the Committee raised concerns about the amount of Capital Slippage and requested more information as to when the projects were originally budgeted for and why they were not going to be completed in 2015/16. Members requested that this information be brought to the next meeting and compared alongside new Capital Bids.

The Committee requested clarification as to when Audio Visual equipment replacement had been added to the Capital Bids programme, why temporary repairs were being made to car parks when car park refurbishments had been budgeted for and clarification of the Capital Slippage of the Microsoft Licensing Agreement.

The Director of Resources agreed to collate this information and circulate to the Committee as soon as possible.

Resolved

- (1) That the projected revenue and capital position as at September 2015 be noted.

33 **Review of Procurement Strategy Progress**

The Head of Finance and Procurement submitted a report which summarised the Council's Procurement Strategy progress for q2 of the financial year 2015-16.

In considering the report, some of the Committee members raised concerns about the savings achieved and questioned if the original budgets had been realistic. The Committee requested that future reports contain details of possible savings on current shared procurement opportunities.

The Director of Resources explained that procurement opportunities varied considerably so targets were not easy to assess or measure.

Resolved

- (1) That the progress made during Quarter 2 2015/16 in implementing the Council's Procurement Strategy be noted.

34 **2015-2016 Business Rates Quarterly Monitoring Report**

The Director of Resources submitted a report which provided an update on the business rates position as at the end of Quarter 2 of the 2015-2016 financial year.

In response to comments from the Committee, the Director of Resources advised that if a significant employer went out of business, Cherwell District Council would not go below the base line to be in the pool and were not exposed because of the number and size of businesses the district covered.

Resolved

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

35 **Medium Term Revenue Plan - Update**

The Head of Finance and Procurement presented a report which provided members of the Budget Planning Committee with an update on the Council's Medium Term Revenue Plan.

In response to questions from the Committee, the Director of Resources confirmed that details of the New Homes Bonus allocation would be circulated to the Committee outside of the meeting.

Resolved

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

Review of Committee Work Plan

The Committee considered the Work Plan for 2015/16.

The Head of Finance and Procurement explained that work was still underway on the Review of Reserves as it was a major piece of work and would therefore be submitted to the Committee's December meeting.

Resolved

- (1) That subject to the addition of Review of Reserves to December, the work plan be noted

The meeting ended at 8.35 pm

Chairman:

Date:

Cherwell District Council

Budget Planning Committee

Minutes of a meeting of the Budget Planning Committee held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 17 November 2015 at 6.30 pm

Present: Councillor Nicholas Mawer (Chairman)

Councillor Ken Attack
Councillor Ian Corkin
Councillor Carmen Griffiths
Councillor Mike Kerford-Byrnes
Councillor Douglas Webb
Councillor Barry Wood

Substitute Members: Councillor Claire Bell (In place of Councillor Sean Woodcock)
Councillor Matt Johnstone (In place of Councillor Barry Richards)

Also Present: Councillor G A Reynolds, Deputy Leader

Apologies for absence: Councillor Nigel Randall
Councillor Colin Clarke
Councillor Russell Hurle
Councillor Barry Richards
Councillor Sean Woodcock

Officers: Ian Davies, Director of Community and Environment
Paul Sutton, Head of Finance and Procurement
Balvinder Heran, Joint Head of ICT Business Services
Chris Stratford, Head of Regeneration and Housing
George Hill, Corporate Accountant
Paul Almond, Street Scene & Landscape Manager
Natasha Clark, Team Leader, Democratic and Elections
Lesley Farrell, Assistant Democratic and Elections Officer

37 Declarations of Interest

There were no declarations of interest.

38 Urgent Business

There were no items of urgent business.

39 **Minutes**

The minutes of the meeting of the Committee held on 3 November 2015 were confirmed as a correct record and signed by the Chairman.

40 **Chairman's Announcements**

The Chairman announced that questions raised at the meeting of 3 November 2015 had been answered by email and paper copies distributed by internal mail. Members were advised some of the information was confidential and should be treated accordingly.

41 **Review of Capital Slippage 2015/16 & Capital Bids 2016/17**

The Head of Finance and Procurement submitted a report which reviewed the current expenditure and slippage for projects in 2015/16, including additional information on Capital Slippage as requested at the meeting of 3 November 2015. The report also presented the capital bids submitted for 2016/17.

Members first considered the existing capital items where there had been slippage:

EACC003: Community Centre Refurbishments: In response to Members queries regarding what it was intended to use the unspent money for and if it would now be possible to reallocate the funds, the Head of Finance and Procurement agreed to submit a response to the 1 December meeting.

EACC009: Solar Photovoltaics at Sports Centre: The Director of Community and Environment advised the Committee that further information on the item would be submitted to the 1 December meeting as it would need to be revisited due to the change in tariffs from January 2016.

EACH023: Stratfield Brake Repair Works: In response to members' questions regarding the repair works undertaken and new management arrangements, the Director of Community and Environment explained that the repair works were detailed in the conditions survey. In terms of the management arrangements, Cherwell District Council had supported Kidlington Parish Council in drafting a tender and the Parish Council was now considering options.

With regards to the Environmental Services capital projects, the Director of Community and Environment confirmed that with the exception of the vehicle replacement programme, the spend for all projects would be completed in the second half of 2015/16. The Committee was advised that vehicles generally had a seven year life span but this could be extended but this would not be known in advance and therefore better value could sometimes be achieved through slippage.

The Head of Joint ICT Business Service gave an overview of the Transformation capital projects relating to IT and explained that the Committee had agreed to remove several projects at their meeting of 9

September 2014 but this had not been updated on the monitoring report. A number of projects had also been re-profiled as they formed part of a five year rolling programme. Regarding the Audio Visual equipment replacement project, this had been completed as a matter of urgency and funds vired under the delegations granted to the Section 151 Officer.

Some members of the Committee raised concerns that there was no upper limit on the amount of vehement and suggested that this should be reviewed.

The Head of Regeneration and Housing gave an overview of the Regeneration and Housing approved capital projects and the Build programme.

In considering the report, members requested further information on the Bicester Cattle Market – Phase 2 and Bicester Town Centre Development as to how these projects were progressing and if the capital was still required. The Committee was advised that the Build! Fund was managed through a project board. The establishment of a Local Housing Company had now been agreed and was in the process of being set up.

The Committee then considered the capital bids submitted for 2016/17. The Head of Finance and Procurement explained that bids 5, Empty Homes had been withdrawn and bid 8, Banbury Museum – Leaking Roof to Bridge had been removed as the money was available in existing budgets. The Committee agreed that each of the remaining bids should be recommended to Executive for approval as part of the 2016/17 budget.

Resolved

- 1) That the update on 2015/16 capital expenditure and slippage be noted.
- 2) That the Executive be recommended to approve the following capital bids as part of the budget for 2016/17.
 1. Bicester Leisure Centre extension
 2. Spiceball Leisure Centre Bridge Re-surfacing
 3. Urban Centre Electricity Installations
 4. Website Redevelopment
 6. Banbury Bus Station – Refurbishment
 7. Banbury Museum – Refurbishment Programmes
 9. Community Buildings – Remedial works
 10. Car Parks Resurfacing
 11. Ferriston Shopping Parade – Resurface
 12. Spiceball Riverbank Reinstatement
 13. Thorpe Lane UPS and Back-Up Generator

42 **Medium Term Financial Strategy**

The Head of Finance and Procurement submitted a report which provided an update on the Medium Term Revenue Plan.

Resolved

- 1) That the report be noted.

43 **Review of Committee Work Plan**

The Committee considered its Work Plan 2015/16.

The Head of Finance and Procurement advised the Committee that the report on the Local Government Settlement 2016/17 would now be submitted to the January meeting, and the Discount and Exemption Review, Taxbase 2016/17 and CTRS 2016/17 reports had been removed from the work programme.

Resolved

- 1) That, subject to the following amendments, the work plan be noted.
 - Delete Taxbase 2016/17, Discounts and Exemptions Review and CTRS 2016/17 from work programme
 - LG Settlement 2016/17 to be moved from the December meeting to the January meeting

The meeting ended at 8.20 pm

Chairman:

Date:

Cherwell District Council

Licensing Committee

Minutes of a meeting of the Licensing Committee held at Bodicote House, Bodicote, Banbury, Oxfordshire OX15 4AA, on 2 November 2015 at 4.30 pm

Present: Councillor Rose Stratford (Chairman)
Councillor Douglas Webb (Vice-Chairman)

Councillor Fred Blackwell
Councillor Colin Clarke
Councillor Shaida Hussain
Councillor Tony Ilott
Councillor Ray Jelf
Councillor Matt Johnstone
Councillor Richard Mould
Councillor Lawrie Stratford

Apologies for absence: Councillor G A Reynolds
Councillor Bryn Williams

Officers: Nicholas Sutcliffe, Shared Interim Licensing Manager
Christine Pegler, Licensing Officer
Louise Aston, Team Leader, Democratic and Elections
Aaron Hetherington, Democratic and Elections 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 Minutes

The Minutes of the meetings of the Committee held on 16 December 2013, 16 June 2014 and 19 May 2015 were agreed as a correct record and signed by the Chairman.

6 Chairman's Announcements

There were no Chairman's announcements.

7 **Gambling Act 2005 Statement of Licensing Principles 2016-19**

The Committee considered a report of the Interim Public Protection and Environmental Health Manager which, following a consultation exercise, sought final approval in respect of an amended Statement of Licensing Policy.

Resolved

- (1) That the proposed alterations on the draft statement of licensing policy be agreed.

8 **Statement of Licensing Policy (LA2003) and Update on General Licensing Matters**

The Committee considered a report of the Interim Public Protection and Environmental Health Manager which, following a consultation exercise, sought final approval in respect of an amended Statement of Licensing Policy.

Resolved

- (1) That the proposed alterations on the draft statement of licensing policy be agreed.
- (2) That the update on general licensing matters be noted.

9 **Urgent Business**

There was no urgent business.

The meeting ended at 5.00 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 October 2015 at 6.30 pm

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

Councillor Claire Bell
Councillor Timothy Hallchurch MBE
Councillor Chris Heath
Councillor Matt Johnstone
Councillor Alastair Milne Home
Councillor James Porter
Councillor Neil Prestidge
Councillor Sandra Rhodes
Councillor Bryn Williams

Also Present: Councillor Tony Ilott, Lead Member for Public Protection, for agenda item 6

Apologies for absence: Councillor David Hughes
Councillor Lawrie Stratford

Officers: Chris Stratford, Head of Regeneration and Housing, for agenda item 7
Nicola Riley, Shared Interim Community Partnerships and Recreation Manager, for agenda item 6
Marianne North, Housing Needs Manager, for agenda item 7
Gary Owens, Strategic Housing Officer, for agenda item 7
Natasha Clark, Team Leader, Democratic and Elections
Emma Faulkner, Democratic and Elections Officer

24 Declarations of Interest

There were no declarations of interest.

25 Urgent Business

There were no items of urgent business.

26 Minutes

The Minutes of the meeting of the Committee held on 1 September 2015 were confirmed as a correct record and signed by the Chairman.

27 **Chairman's Announcements**

There were no Chairman's announcements.

28 **Safeguarding**

The Lead Member for Public Protection and the Shared Interim Community Partnerships and Recreation Manager presented the report of the Director of Community and Environment which explained the context of Safeguarding, the wide range of elements it covered and the important role the Council had in protecting residents.

In introducing the report, the Lead Member for Public Protection explained that an internal review was about to be concluded at both South Northamptonshire Council (SNC) and Cherwell District Council (CDC), which had been commissioned to identify any areas for improvement in order to manage safeguarding responsibilities at both Councils. The suggestion of officers was that the response to the internal review report be submitted to Overview and Scrutiny, in order to ensure that the Committee had an opportunity to be more involved.

The Shared Interim Community Partnerships and Recreation Manager added that due to the nature of their work, the Housing team were a key department in terms of safeguarding, and the two teams worked together to where necessary to ensure work wasn't being duplicated.

The Committee agreed that safeguarding was an issue which needed to be taken seriously and an important issue that Overview and Scrutiny should be involved in. It was agreed that the draft action plan report, due to be drafted in response to the internal review report, should be submitted to the Committee in January 2016.

Resolved

- (1) That the report be noted
- (2) That a draft action plan report be submitted to the Committee in January 2016

29 **To review and consider any disconnect between Planning Policy and the Allocation of Rural Affordable Housing**

The Head of Regeneration and Housing submitted a report which addressed any possible disconnect between planning policy and the allocation of rural affordable housing. The issue had been referred to the Committee by the Executive when they had considered and approved the Allocations Scheme at their June 2015 meeting.

The Head of Regeneration and Housing explained that due to the length of time between housing need being identified and development being planned

and built, there was a perceived disconnect in the system, however that was something which could be improved by changes in the planning process.

The Housing Needs Manager explained that the team had been working closely with Parish Councils following a recent change to the Allocations Policy, which had introduced a 'reserve' list. The new list meant that people who were not eligible for the statutory housing list still had the ability to apply for housing in certain areas, once the statutory list had been exhausted. The first draft of the rural housing pack had just been completed, and the Housing Needs Manager circulated copies to the Committee.

Resolved

- (1) That the report be noted.
- (2) That the changes to Cherwell's Allocations Scheme adopted following the decision of Cherwell Executive on 1 June 2015 be noted.

30

Work Programme 2015/16

The Committee considered a report of the Head of Law and Governance which detailed the Overview and Scrutiny work programme for the coming year.

With regard to the trip to Westminster on 4 November, Democratic and Elections officers reminded Members that a response was needed as soon as possible in order to confirm transport arrangements.

In connection with the appointment of a member of the Committee to the Graven Hill Partnering Board, it was proposed that authority be delegated to the Head of Law and Governance to make the appointment, following consultation with the Chairman.

In response to questions raised by the Committee, officers advised that the role of the Graven Hill Partnering Board was to monitor progress against the business plan and in turn submit updates to the Executive on project progress and to escalate areas that require Council approval.

Resolved

- (1) That the work programme be noted
- (2) That items relating to the review of the local plan process and Wind turbines and their locations, and the application of the fracturing mining technique be rescheduled for February 2016
- (3) That authority be delegated to the Head of Law and Governance, following consultation with the Chairman of the Committee, to appoint a representative to the Graven Hill Partnering Board

The meeting ended at 7.35 pm

Chairman:

Date: