

## **Council Minute Book**

### **Monday 20 February 2017**

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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 December 2016 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 Attack, Lead Member for Financial Management  
Councillor Colin Clarke, Lead Member for Planning  
Councillor John Donaldson, Lead Member for Housing  
Councillor Tony Ilott, Lead Member for Clean and Green  
Councillor Kieron Mallon, Lead Member for Banbury Futures  
Councillor D M Pickford, Lead Member for Clean and Green  
Councillor Lynn Pratt, Lead Member for Estates and the Economy

Also Present: Councillor Mike Kerford-Byrnes, Lead member for Change Management, Joint Working and IT

Also Present: Councillor Sean Woodcock, Leader of the Labour Group  
Councillor Carmen Griffiths, Local Ward Member, Kidlington East, for agenda item 8  
Councillor Neil Prestidge, Local Ward Member, Kidlington East, for agenda item 8

Officers: Sue Smith, Chief Executive  
Scott Barnes, Director of Strategy and Commissioning  
Ian Davies, Director of Operational Delivery  
Kevin Lane, Head of Law and Governance / Monitoring Officer  
Paul Sutton, Chief Finance Officer / Section 151 Officer  
Adrian Colwell, Head of Strategic Planning and the Economy, for agenda items 7, 8, 9, 10, 17 and 19  
Andy Preston, Head of Development Management, for agenda items 17 and 19  
Claire Taylor, Assistant Director - Commercial and Innovation, for agenda item 11  
Natasha Clark, Interim Democratic and Elections Manager

## **88 Declarations of Interest**

Members declared interest in the following agenda items:

**12. Contract Award - Debt and Money Advice Service.**

Councillor Colin Clarke, Declaration, as Cherwell District Council's appointed outside body representative to Banbury Citizens Advice Bureau and a trustee in a personal capacity.

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

There were no petitions or requests to address the meeting.

90      **Urgent Business**

There were no items of urgent business.

91      **Minutes**

The minutes of the meeting held on 7 November 2016 were agreed as a correct record and signed by the Chairman.

92      **Chairman's Announcements**

There were no Chairman's announcements.

93      **'Making' (Adoption) of the Bloxham Neighbourhood Plan**

The Head of Strategic Planning and the Economy submitted a report to propose the Executive recommends the 'making' (adoption) of the Bloxham Neighbourhood Plan at the meeting of the Full Council on 19 December 2016.

**Resolved**

- (1) That the referendum result of 3 November 2016 where 97% of those who voted were in favour of the Bloxham Neighbourhood Plan which is above the required 50% be noted.
- (2) That Full Council be recommended to resolve that Cherwell District Council as the local planning authority 'make' the Bloxham Neighbourhood Plan so that it is part of the statutory development plan for the District.
- (3) That Full Council be recommended to approve the issuing and publication of a decision statement stating that Cherwell District Council has resolved to make the Bloxham Neighbourhood Plan.
- (4) That Full Council be recommended 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 the council.

## **Reasons**

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, 877 voted in favour of the Plan with 26 against. This gives a majority vote of 97%.

Executive is therefore requested to recommend the 'making' (adoption) of the Bloxham Neighbourhood Plan at the meeting of the Full Council on 19 December 2016.

## **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).

94

## **Kidlington Framework Masterplan**

The Head of Strategic Planning and the Economy submitted a report to seek approval of the Kidlington Framework Masterplan so that it can be presented to Council for adoption.

At the discretion of the Chairman, Councillor Carmen Griffiths and Councillor Neil Prestidge, local ward members for Kidlington East, addressed Executive.

In response to the comments from the local ward members regarding their opposition to the conversion of semi-detached houses to flats and that this be included in the Local Plan going forward, the Lead Member for Planning clarified that as a supplementary planning document the Masterplan could not establish new policy, however this could be taken into consideration during the Local Plan Part 2 process.

## **Resolved**

- (1) That the changes to the draft Kidlington Framework Masterplan following consultation be approved.
- (2) That Full Council be recommended to adopt the Kidlington Framework Masterplan as a Supplementary Planning Document in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012.
- (3) That the Head of Strategic Planning and the Economy be authorised to publish an Adoption Statement and to make any further minor changes to the Masterplan before the meeting of the Full Council.

## **Reasons**

Work on a Kidlington Framework Masterplan commenced in 2013. Evidence gathering work occurred before adoption of Local Plan Part 1 but the Masterplan was reviewed in the context of the Local Plan Inspector's Report and the Plan's subsequent adoption in July 2015. Public consultation on a draft Framework Masterplan occurred from 14 March 2016 to Wednesday 13 April 2016 supported by a public exhibition held on 30 March 2016. The results of that consultation have been considered in producing a final document for approval. Upon approval by the Executive it is intended that the Framework Masterplan be presented to Council for adoption as a Supplementary Planning Document (SPD). As an SPD the Masterplan would have statutory status as planning guidance. It does not establish Development Plan policy which is the role of the Council's Local Plans.

## **Alternative options**

Option 1: Not to approve the Framework Masterplan and seek changes. Officers consider that the Masterplan responds appropriately to the policies in the adopted Cherwell Local Plan 2011-2031 (Part 1), provides guidance that will assist decision making, and responds to the views of the local community. Significant changes may require further consultation.

Option 2: Not to approve the Framework Masterplan and to rely only on the adopted Cherwell Local Plan 2011-2031 (Part 1). The production of the Masterplan is referred to in the adopted Local Plan Part 1 and in the Council's Local Development Scheme. The project has been in progress since 2013 and there is community expectation for a final Masterplan to provide additional planning guidance.

## **95 Adoption of the Banbury Vision and Masterplan Supplementary Planning Document (SPD)**

The Head of Strategic Planning and the Economy submitted a report to seek approval of proposed changes to the draft Banbury Vision & Masterplan Supplementary Planning Document (SPD) following stakeholder and public consultation and to propose the Executive recommends adoption of the Masterplan incorporating these changes at the meeting of the Full Council on 19 December 2016.

## **Resolved**

- (1) That the changes to the draft Banbury Masterplan Supplementary Planning Document following consultation be approved.
- (2) That Full Council be recommended to adopt the Banbury Masterplan as a Supplementary Planning Document.
- (3) That the Head of Strategic Planning and the Economy be authorised to publish an Adoption Statement and to make any further minor changes to the Masterplan before the meeting of the Full Council.

## **Reasons**

Following stakeholder and public consultation representations have been considered and changes made to the draft Banbury Masterplan Supplementary Planning Document. Adoption of the Masterplan by the Council at the meeting of the Full Council on 19 December 2016 is recommended.

## **Alternative options**

Option 1: Not to recommend adoption of the SPD. The SPD is identified in the Council's Local Development Scheme (LDS) (schedule and timetable for the Council's Local Development Documents) and this option would be inconsistent with public expectations that the Masterplan is to be adopted and would reduce the potential for the delivery of proposals and initiatives at Banbury.

Option 2: Not to recommend adoption of the SPD in its current form (at appendix 1) by proposing significant changes to the draft SPD. Significant changes at the stage may lead to a requirement for further public consultation before the SPD could be recommended for adoption and adopted which would involve a delay to the timetable.

96

## **Re-adoption of Policy Bicester 13 of the adopted Cherwell Local Plan 2011-2031**

The Head of Strategic Planning and the Economy submitted a report to seek re-adoption of Policy Bicester 13 of the Cherwell Local Plan 2011-2031 in accordance with a Court Order and an associated addendum to the Local Plan Inspector's Report.

## **Resolved**

- (1) That the Court Judgment, Court Order and addendum to the Local Plan Inspector's report (annexes to the Minutes as set out in the Minute Book) be noted.
- (2) That Full Council be recommended to adopt Policy Bicester 13 of the Cherwell Local Plan 2011-2031 (annex to the Minutes as set out in the Minute Book) in precise accordance with the addendum to the Local Plan Inspector's Report dated 18 May 2016 and the Court Order dated 19 February 2016.
- (3) That it be noted that upon adoption by Council Policy Bicester 13 will be inserted as modified into the published Cherwell Local Plan 2011-2031.

## **Reasons**

A Court Order dated 19 February 2016 requires specific actions of the Secretary State, an appointed Planning Inspector and the Council pertaining to the legally prescribed modification of Policy Bicester 13 of the Cherwell

Local Plan 2011-2031. A specific modification to Policy Bicester 13 has been recommended by a Planning Inspector on behalf of the Secretary of State. The modification requires the deletion of the first sentence of the third bullet point under “Key Site Specific Design and Place Shaping Principles” which states – *“That part of the site within the Conservation Target Area should be kept free of built development.”*

To comply with the Court Order, the Executive is advised to recommend to Council that it formally adopts Policy Bicester 13 in precise accordance with the Court Order.

### **Alternative options**

There are no other options. The Court Order dated 19 February 2016 states (para.3), *“The First Defendant [the Council] adopt Policy Bicester 13 subject to the modification recommended by the planning inspector appointed by the Second Defendant [the Secretary of State for Communities and Local Government]”*.

97

### **Community Lottery**

The Commercial Director submitted a report to gain agreement to launch an online and fully automated Cherwell Lottery that will help fund discretionary support to voluntary and community organisations active in Cherwell and to enable such organisations to raise funds directly for themselves.

The proposal was for the Council to be an enabler and use the services of an External Lottery Manager to run the lottery.

### **Resolved**

- (1) That the proposal that an online Cherwell Lottery be launched as detailed in the business case (annex to the Minutes as set out in the Minute Book) and that this includes a financial contribution and in-kind support, subject to this being funded from existing resources, be agreed.
- (2) That it be agreed that subject to procurement, due diligence and compliance with the guidance contained in the Joint Contract Procedure Rules, the council uses an external lottery manager (ELM) to run and operate the lottery and shares the risk of running it with them.
- (3) That agreement be given to the council providing £3K for set-up costs and £1k for the annual license and administration costs and that in the first year the council allocates £1.5K for marketing funded from existing resources, and £350 annually for on-going marketing (the majority of marketing material is paid for by the External Lottery Manager).
- (4) That it be agreed that an annual review of the Cherwell Lottery be reported to Executive on the anniversary of its launch.



## **Reasons**

The Community Lottery business case brings together information from councils who have provided a community lottery and the provider of External Lottery Management (ELM). A Cherwell Lottery has the potential to help the VCS sector operating within Cherwell by helping address funding pressures they may be facing. This could benefit all people and communities in the district.

The success of the AVDC lottery has been reviewed and is considered to be robust; within the first six months, their lottery has exceeded all expectations with 115 organisations having joined (their target was just 10-20).

Therefore this report recommends that a local community lottery be created for CDC with the ticket price is set at £1 per ticket, the services of an External Lottery Manager (ELM) being used to run the lottery and that CDC provide £3K for set-up costs and £1k for the annual license and administration costs. Further, in the first year the Council allocates £1.5K each for marketing funded from existing resources, and £350 annually for on-going marketing.

## **Alternative options**

Option 1: Not to agree the proposals. This is not recommended as the proposal will help to fund discretionary support to the voluntary and community organisations and enable such organisations raise funds directly for themselves. All funds raised through the lottery would be spent within the district and benefit local people and communities.

98

## **Contract Award - Debt and Money Advice Service**

The Chief Finance Officer and Head of Regeneration and Housing Services submitted a report to seek approval for the contract award for the provision of Debt and Money Advice services across the Cherwell District.

## **Resolved**

- (1) That the award of a contract for the provision of Debt and Money advice across all areas of the Cherwell District to North Oxfordshire and South Northants Citizens Advice (formerly known as Citizens Advice Bureau) be approved.
- (2) That it be noted that the bid includes partnership working with Bicester Citizens Advice who will provide services in Bicester and Kidlington.
- (3) That it be noted that the contract will operate for a period of two years from 1 April 2017 and includes an option to extend the contract for a further one year from 1 April 2019.

## **Reasons**

A full OJEU Compliant procurement exercise has been undertaken

This new contract will enable the Council to ensure that impartial debt and money advice is available to all residence within the district and support key strategic aims for the council.

### **Alternative options**

Not to approve the award of this contract. This would result in Cherwell residents having limited access to services to support with Debt and Money issues within the district. This would also potentially result in an increase in the number of people approaching the council as homeless and the district being less financially inclusive.

## **99 Council Tax Reduction Scheme and Council Tax Discounts 2017-2018**

The Chief Finance Officer submitted a report to provide members with a review of Council Tax discounts and to seek approval to recommend the proposed level of Council Tax discounts for the 2017-2018 financial year to Council.

The report also provided an update on the consultation process that has taken place on the proposals for a Council Tax Reduction Scheme for 2017-2018 and to seek approval to recommend the proposed Council Tax Reduction Scheme to Council.

### **Resolved**

- (1) That the option of no change to the Council Tax Reduction Scheme for 2017-2018 and the amendment of the Council Tax Reduction Scheme Regulations for Pensioners in line with uprating announced by DCLG and to uprate the Working Age Regulations in line with Housing Benefit as confirmed by Department for Work and Pensions be approved.
- (2) That Full Council be recommended to agree an unchanged Council Tax Reduction Scheme for 2017-2018.
- (3) That Full Council be recommended to grant delegated authority to the Chief Finance Officer, in consultation with the Lead Member for Financial Management, to make any changes to the Council Tax Reduction Scheme Regulations up to and including 31 January 2017.
- (4) That Full Council be recommended to agree the following level of Council Tax discounts for 2017-2018:
  - Retain the discount for second homes at zero
  - Retain the discount for empty homes (unoccupied and substantially unfurnished) at 25% for 6 months and thereafter at zero.
  - Retain the discount for empty homes undergoing major repair at 25% for 12 months and thereafter at zero.
  - Retain the empty homes premium of an additional 50% for properties that have remained empty for more than 2 years.

### **Reasons**

The proposal is to keep the same Council Tax Reduction Scheme for 2017-2018. There will be some technical changes to Regulations. Consultation has taken place. Members are now required to recommend to Council a Council Tax Reduction Scheme for the financial year 2017-2018. Members are also asked to recommend that Council Tax Discounts for 2017-2018 are set at the levels detailed in the report.

### **Alternative options**

Option 1: To not recommend any of the options for a scheme for 2017-2018 This would have financial implications for the Council and those residents affected by Welfare Reform.

## **100 Quarter 2 2016/17 Performance Update**

The Director of Strategy and Commissioning submitted a report to provide an update on the Cherwell Business Plan progress to the end of Quarter Two 2016/17.

### **Resolved**

- (1) That the exceptions highlighted and proposed actions be noted.
- (2) That it be noted that at its meeting on 22 November 2016 the Overview & Scrutiny Committee raised no issues and referred no items to Executive.

### **Reasons**

This is the second report based on the new Business Plan and the new reporting style. Slight amendments in style and appendices have been made to try and improve how the report works. This is an evolutionary process and we will continue to develop the reports, including any changes from feedback received from the Overview and Scrutiny Committee.

As agreed previously, this report focuses on the exceptions. The performance and insight team have also picked out some 'good news' stories to provide a balance and provide case studies supporting the generally excellent levels of delivery.

### **Alternative options**

Executive could request additional information on items or refer items to the Overview and Scrutiny Committee.

## **101 Quarter 2 2016-17 - Revenue and Capital Budget Monitoring Report**

The Chief Finance Officer submitted a report which summarised the Council's Revenue and Capital position as at the end of the first three months of the financial year 2016-17 and projections for the full year.

At the discretion of the Chairman, Councillor Woodcock, Leader of the Labour Group addressed Executive commenting on delays to the capital programme identified in the report. In response to Councillor Woodcock's comments, the Chairman requested that officers send a written update to Councillor Woodcock regarding The Hill Youth Community Centre.

With regards to the projects that had been passed to the Solihull Partnership and were still outstanding, the Chief Finance Officer advised Members that a consultant had been brought in to oversee the works and the allocated budget would be spent by the end of 2017/18. A steering Group had been established to oversee the projects that had been passed to the Solihull Partnership and there would be regular updates to the Budget Planning Committee and Executive.

### **Resolved**

- (1) That the projected revenue and capital position at September 2016 be noted.

### **Reasons**

In line with good practice budget monitoring is undertaken on a monthly basis within the Council. The revenue and capital position is formulated in conjunction with the joint management team and reported formally to the Budget Planning Committee on a quarterly basis. The report is then considered by the Executive.

### **Alternative options**

Option 1: This report illustrates the Council's performance against the 2016-17 Financial Targets for Revenue and Capital. As this is a monitoring report, no further options have been considered. However, members may wish to request that officers provide additional information.

102

### **Notification of Urgent Action: Free Parking for Small Business Saturday on 3 December 2016 and Free After Three Parking in January 2017**

The Director of Operational Delivery submitted a report to advise Executive of the urgent action which was taken by the Director of Operational Delivery in consultation with the Leader relating to offering free parking for Small Business Saturday on 3 December 2016 and Free After Three Parking in January 2017.

### **Resolved**

- (1) That the urgent action taken by the Director of Operational Delivery in consultation with the Leader to offer free parking for Small Business Saturday on 3 December 2016 and Free After Three parking in January 2017 be noted.

### **Reasons**

Following requests to the Council to introduce free parking incentives to support local town centre traders over the Christmas and New Year period, the Director of Operational Delivery took urgent action in consultation with the Leader of the Council to approve the Small Business Day and Free after Three in January 2017 free parking offers.

The urgency for this arose from the need to publicise the decision to take effect at least 21 days before 3 December event and to enable the free parking offer to be part of the promotion for event.

### **Alternative options**

Different applications time periods for the free after three parking offer as outlined in the report.

103

### **Business Cases: Joint Planning Policy and Growth Strategy Team and Joint Design and Conservation Team**

The Head of Strategic Planning and the Economy and Head of Development Management submitted a report which presented the final business cases for a Joint Planning Policy and Growth Strategy Team and a Joint Design and Conservation Team across Cherwell District and South Northamptonshire Councils.

The report recommended the formation of a Joint Planning Policy and Growth Strategy Team and a Joint Design and Conservation Team and in doing so sought the Executive's agreement for the non-staffing elements of the business cases, the staffing elements having been approved by the Joint Commissioning Committee at their meeting of 1 December 2016.

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

### **Resolved**

- (1) That having given due consideration, the final business cases for a Joint Planning Policy and Growth Strategy Team and a Joint Design and Conservation Team and the consultation responses in relation to non-staffing matters be noted.
- (2) That it be noted that the business cases were considered and approved by the Joint Commissioning Committee with regard to staffing matters on 1 December 2016 and that this included consideration of the consultation responses from affected staff and trade union representatives.
- (3) That, subject to similar consideration and approval by South Northamptonshire Council Cabinet on 12 December 2016 and following approval of the staffing implications by the Joint Commissioning Committee on 1 December 2016, the proposed final business case to create a Joint Planning Policy and Growth Strategy Team and a Joint

Design and Conservation Team between Cherwell District Council and South Northamptonshire Council be approved for implementation.

- (4) That authority be delegated to the Head of Development Management and the Head of Strategic Planning and the Economy in consultation with the Leader of the Council any non-significant amendment that may be required to the business case following the decision by South Northamptonshire Council Cabinet.

## **Reasons**

The recommendation is to establish a Joint Planning Policy and Growth Strategy Team and a Joint Design and Conservation Team between CDC and SNC.

The draft business cases set out the rationale for establishing the joint teams and in particular for deferring the savings from the Joint Planning Policy and Growth Strategy Team for two years to allow the completion of the 3 Local Plans.

## **Alternative options**

The following alternative options have been identified and rejected as part of the development of the Joint Planning Policy and Growth Strategy Business Case:

### Status Quo (No Change)

Retaining the status quo is an option; however both Councils have fairly small Planning Policy teams. Retaining the status quo while reflecting the different Local Plan positions of each council would not deliver the benefits set out in this business case or provides the additional resilience and shared expertise that a joint team could provide at a time of planning reform and following Brexit pressure to support additional growth.

### Outsource Service

The preparation and monitoring of the local plans is a statutory responsibility and as such it is not considered appropriate to outsource the service without compromising the planning role of each district council.

### Joint Planning Policy and Conservation Team

Although there are some synergies between both areas of work, it is considered that the best model for joint working is to have two distinct joint functions covering planning policy and design and conservation. It should be noted that there are equally (if not more) synergies between these service areas and development management.

The following alternative options have been identified and rejected as part of the development of the Joint Design and Conservation Business Case:

### Status Quo (No Change)

Retaining the status quo is an option; however both Councils have fairly small Design and Conservation/Conservation teams. Retaining the status quo

would not deliver the financial benefits set out in this business case or provide the additional resilience and shared expertise that a joint team would provide.

#### Outsource Service

The Councils could seek to outsource the service; however this is not considered a preferred option. Both Councils have well established teams that deliver a good service. The preferred option is to bring the existing teams together, build on that experience and expertise and seek opportunities to trade.

#### Joint Planning Policy and Conservation Team

Although there are some synergies between both areas of work, it is considered that the best model for joint working is to have two distinct joint functions covering planning policy and design and conservation. It should be noted that there are equally (if not more) synergies between these service areas and development management.

The approach in the recommendations is believed to be the best way forward. The proposal is to establish a Joint Planning Policy and Growth Strategy Team and a Joint Design and Conservation Team.

#### 104 **Exclusion of the Press and Public**

There being no questions on the exempt appendices to the Business case: Joint Planning Policy and Growth Strategy Team and Joint Design and Conservation Team, it was not necessary to exclude the press and public.

#### 105 **Business Cases: Joint Planning Policy and Growth Strategy Team and Joint Design and Conservation Team - Exempt Appendices**

##### **Resolved**

- (1) That the exempt appendices be noted.

The meeting ended at 7.30 pm

Chairman:

Date:

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## **Cherwell District Council**

### **Executive**

Minutes of a meeting of the Executive held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 6 February 2017 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 Colin Clarke, Lead Member for Planning  
Councillor John Donaldson, Lead Member for Banbury Brighter Futures  
Councillor Tony Ilott, Lead Member for Public Protection  
Councillor Mike Kerford-Byrnes, Lead Member for Change Management, Joint Working and IT  
Councillor Kieron Mallon, Lead Member for Banbury Futures  
Councillor D M Pickford, Lead Member for Clean and Green  
Councillor Lynn Pratt, Lead Member for Estates and the Economy

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

Officers: Sue Smith, Chief Executive  
Scott Barnes, Director of Strategy and Commissioning  
Ian Davies, Director of Operational Delivery  
Kevin Lane, Head of Law and Governance / Monitoring Officer  
Paul Sutton, Chief Finance Officer / Section 151 Officer  
Chris Stratford, Head of Regeneration and Housing  
Natasha Clark, Interim Democratic and Elections Manager

#### **117 Declarations of Interest**

There were no declarations of interest.

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

There were no petitions or requests to address the meeting.

#### **119 Urgent Business**

There were no items of urgent business.

120 **Minutes**

The minutes of the meeting held on 9 January 2017 were agreed as a correct record and signed by the Chairman.

121 **Chairman's Announcements**

There were no Chairman's announcements.

122 **Discretionary Rate Relief Policy**

The Chief Finance Officer submitted a report to seek approval of the Discretionary Rate Relief Policy effective from 1 April 2017 and agree for the final determination of the policy guidelines to be delegated to the Chief Finance Officer, in consultation with the Lead Member for Financial Management, due to pending legislative changes in respect of Rural Rate Relief announced in the Autumn Statement 2016 and confirmed by the Local Government Finance Bill.

**Resolved**

- (1) That the report and the recommendation of the Budget Planning Committee at its meeting on 17 January 2017 to approve the Discretionary Rate Relief Policy be noted.
- (2) That the proposed draft Discretionary Rate Relief Policy (annex to the Minutes as set out in the Minute Book) be approved for adoption subject to resolution (3) below.
- (3) That it be agreed that the final content of the policy guidelines will be subject to confirmation by the Chief Finance Officer in consultation with the Lead Member for Financial Management.

**Reasons**

The Discretionary Rate Relief Policy is required to be amended to reflect the changing priorities of the Council and assess the impact of the Localism Act 2011 which introduced the power to implement a local discount scheme together with the fundamental changes to business rates that came into effect from 1 April 2013.

**Alternative options**

Option 1: Members could choose not to agree the proposed policy, but it would mean that we wouldn't be able to continue to support local businesses, charities and voluntary organisations and would also reduce our financial flexibility in the future.

123

## **Corporate Fraud Prosecution and Sanction Policy**

The Chief Finance Officer submitted a report to provide members with the updated Joint Sanctions and Prosecution Policy and to seek approval to the reviewed policy.

### **Resolved**

- (1) That the updated Joint Corporate Fraud Prosecution and Sanction Policy (annex to the Minutes as set out in the Minute Book) be approved.

### **Reasons**

There is a Joint Sanctions and Prosecution Policy in place for both Cherwell District Council (CDC) and South Northamptonshire Council (SNC). The policy ensures that both councils have guidelines in place to assist the decision making process when considering what further action is appropriate following an investigation. The policy has been reviewed and updated and is presented to Executive for approval.

### **Alternative options**

Option 1: Not to approve the policy. This is not recommended as the Joint Sanctions and Prosecutions Policy ensures that both councils have guidelines in place to assist the decision making process when considering what further action is appropriate.

124

## **Draft Budget, Corporate Business Plan and Cycle of Growth 2017/18**

The Chief Finance Officer submitted a report which presented the draft budget, Corporate Business Plan and Cycle of Growth 2017/18.

The Council is required to produce a balanced budget for 2017/18 as the basis for calculating its level of Council Tax. It has to base that budget on its plans for service delivery during the year, recognising any changes in service demand that may arise in future years.

The proposed budget and business plan for 2017/18, including the new cycle of growth strategies, are presented as an integrated report to demonstrate that the Council adopts a strategic approach to managing all of its resources, ensuring that the delivery of the Council's priorities for the district directs the allocation of financial resources.

### **Resolved**

- (1) That, having given due consideration, the draft budget in the context of the Council's service objectives and strategic priorities be approved.
- (2) That Full Council be recommended to approve the balanced budget.
- (3) That Full Council be recommended to agree a Council tax freeze.

- (4) That Full Council be recommended to approve the proposed 2017/18 capital programme (annex to the Minutes as set out in the Minute Book).
- (5) That the impact of the proposed budget on reserves be noted and Full Council be recommended to approve the reserves 2017/18 (annex to the Minutes as set out in the Minute Book).
- (6) That the use of £3.053m of reserves to fund the initial one-off payment to the pension fund, in order to achieve the saving of £382,000 be approved.
- (7) That the latest Medium Term Revenue Plan (MTRP) for 2016/17 to 2021/22 be noted and it be further noted that this will be the basis of the work of the Budget Planning Committee for the following year.
- (8) That no further changes be made and Full Council be recommended to approve the updated draft revenue budget (annex to the Minutes as set out in the Minute Book) at the meeting on 20 February 2017
- (9) That authority be delegated to the Chief Finance Officer, in consultation with the Lead Member for Financial Management, to amend the contributions to or from general fund balances to allow the Council Tax to remain at the level recommended to Full Council following the announcement of the final settlement figures and any changes to relating to Business Rates.
- (10) That Full Council be recommended to approve the 2017/18 business plan and performance pledges (annexes to the Minutes as set out in the Minute Book) and authority be delegated to the Director – Strategy and Commissioning, in consultation with the Leader of the Council to make any minor amendments to the plan as required before consideration by Full Council.
- (11) That Full Council be recommended to approve the joint cycle of growth strategies of Operational Excellence, Commercial Development and Innovation, and Commissioning (annexes to the Minutes as set out in the Minute Book) and that authority be delegated to the Director of Operational Delivery, in consultation with the Leader of the Council, to make any minor amendments to the strategies and corporate values as required.
- (12) That the 2017/18 Business Plan, Budget and Cycle of Growth Equality Impact Assessments be noted.

## **Reasons**

This report presents a final analysis of the Council's draft revenue and capital budget and business plan for 2017/18. They will be presented together to Full Council on the 20 February to support the setting of the Council Tax.

It is a legal requirement to set a balanced budget and the recommendations as set out and directed by the corporate business plan represent what is believed to be the best way of achieving this.

### **Alternative options**

Members could decide not to agree the recommendations or to present alternative budget proposals but that would run counter to the detailed budget setting process that has taken place as part of the formulation of this budget.

125

### **Notification of Urgent Action: Additional funding for Coach House Mews and Lincoln Close- Build!**

The Commercial Director submitted a report to report the urgent action taken by the Commercial Director in consultation with the Leader which related to the approval of a new contract sum of £2,686,299 to include £78,000 for additional fees associated with the London Housing Consortium (LHC) levy to be applied to Coach House Mews, Bicester and Lincoln Close, Banbury.

### **Resolved**

- (1) That the urgent action taken by the Commercial Director in consultation with the Leader of the Council, which related to the approval of a new contract sum of £2,686,299 to include £78,000 for additional fees associated with the London Housing Consortium (LHC) levy to be applied to both the Coach House Mews, Bicester and Lincoln Close, Banbury housing developments be noted.

### **Reasons**

This report confirms the urgent action taken by the Commercial Director in consultation with the Leader of the Council to approve the new contract sum for the schemes identified within this report totalling £2,686m.

### **Alternative options**

None as this is an information report for Executive to note.

126

### **Proposed Changes to the Local Health and Social Care Sector**

The Director of Operational Delivery submitted a report to inform the Executive of proposed changes to the health and social care sector, the actions of the Council to date and to consider further Council activity.

### **Resolved**

- (1) That the proposals for change and the actions taken by the Council to date be noted.

- (2) That, having given due consideration to the specialist advice to the Councils, the emerging Council response to the stage 1 consultation be endorsed.
- (3) That agreement be given to hold an all member briefing at the end of March 2017 regarding the Council's intended response to the stage 1 consultation proposals.

### **Reasons**

There are fundamental changes proposed for the local health and social care sector, some of which are the subject of a formal consultation process running until 9 April 2017. Of very local and heightened concern are the changes proposed for the HGH where several acute services are to be transferred to Oxford hospitals, more care at home and in the community and increased planned care at the HGH.

Such acute service changes are similar in nature to those proposed in 2007, and which were rejected by the Secretary of State. The Council is therefore taking steps to provide a robust response to these recent proposals, as it did in 2008.

As the stage 1 consultation process runs to 9 April 2017 and the nature of a proposed Council response is only just emerging at this early point in the process, it is intended to hold an all Member briefing toward the end of March 2017 to consider further the Council's response before it is submitted.

### **Alternative options**

The option available to the Council is not to respond to the consultation process and let matters take their course. This is not proposed as the Horton General Hospital is regarded as a critical piece of the District's infrastructure, the distance and journey challenges to the John Radcliffe Hospital in Oxford are too great for many of the District residents and it is clear that a significant majority of local people do not support all the proposed changes.

127

### **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, Paragraph 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.

## **Proposed Changes to the Local Health and Social Care Sector - Exempt Appendix**

Executive considered the exempt appendix to the report of the Director of Operational Delivery on proposed changes to the local Health and Social Care Sector.

### **Resolved**

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

### **Reasons**

The Council has sought specialist advice and is developing its response to the formal consultation process and other action using this advice.

### **Alternative options**

As set out in the exempt minutes.

The meeting ended at 7.30 pm

Chairman:

Date:

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## **Cherwell District Council**

### **Executive**

Minutes of a meeting of the Executive held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 9 January 2017 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 Attack, Lead Member for Financial Management  
Councillor Colin Clarke, Lead Member for Planning  
Councillor John Donaldson, Lead Member for Housing  
Councillor Tony Ilott, Lead Member for Public Protection  
Councillor Mike Kerford-Byrnes, Lead Member for Change Management, Joint Working and ICT (from agenda item 10)  
Councillor Kieron Mallon, Lead Member for Banbury Futures  
Councillor D M Pickford, Lead Member for Clean and Green  
Councillor Lynn Pratt, Lead Member for Estates and the Economy

Also Present: Councillor Sean Woodcock, Leader of the Labour Group (from agenda item 10)

Officers: Sue Smith, Chief Executive  
Karen Curtin, Commercial Director  
Ian Davies, Director of Operational Delivery  
Kevin Lane, Head of Law and Governance / Monitoring Officer  
Paul Sutton, Chief Finance Officer / Section 151 Officer  
Chris Stratford, Head of Regeneration and Housing, for agenda item 9  
Natasha Clark, Interim Democratic and Elections Manager

#### 106 **Declarations of Interest**

There were no declarations of interest.

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

There were no petitions or requests to address the meeting.

#### 108 **Urgent Business**

There were no items of urgent business.

109 **Minutes**

The minutes of the meeting held on 5 December 2016 were agreed as a correct record and signed by the Chairman.

110 **Chairman's Announcements**

There were no Chairman's announcements.

111 **Council Tax Base 2017-2018**

The Chief Finance Officer submitted a report to provide Executive with an estimate of the Council Tax Base for 2017-2018 and seek approval for the final determination of the Council Tax Base to be delegated to the Section 151 Officer in consultation with the Lead Member for Financial Management.

**Resolved**

- (1) That having given due consideration to the report of the Chief Finance Officer for the calculation of the Council's Tax Base for 2017-2018, the following be agreed:
  - (a) That pursuant to the Chief Finance Officer's report and in accordance with the Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012, the amount calculated by Cherwell District Council as its Council Tax Base for the year 2017-2018 shall be 51,639.5. This shall be subject to final confirmation by the Section 151 Officer in consultation with the Lead Member for Financial Management.
  - (b) As for the parishes which form part of its area shown in the annex to the Minutes (as set out in the Minute Book), the amount calculated as the Council Tax Base for the year 2017-2018 in respect of special items shall be as indicated in the column titled Tax Base 2017-2018.
  - (c) As for the Flood Defence Areas which form part of its area, the amount calculated as the Council Tax Base for the year 2017-2018 for the purposes of levies on Oxfordshire County Council by River Authorities, shall be:

Thames Flood Defence Area	49,335.6
Anglian (Great Ouse) Flood Defence Area	1,866.3
Severn Region Flood Defence Area	437.6
	<hr/> 51,639.5

## **Reasons**

For the purposes of Section 31B of the Local Government Finance Act 1992 and the Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012, the Council is required to calculate the tax base (which will be used for tax setting purposes in February 2017) in respect of:

- (a) the whole of its area and;
- (b) for any parts of its area for the purposes of:
  - (i) Apportioning precepts and levies and;
  - (ii) Calculating the tax base for each area subject to a special item

## **Alternative options**

Option 1: None. The Council has to set a tax base in order to set its council tax for 2017-2018.

112

## **North West Bicester Eco Business Centre Update**

The Commercial Director submitted a report to report on the progress to deliver the North West Bicester Eco Business Centre.

## **Resolved**

- (1) That the progress to date and the fact that the project is due to deliver the Business centre in Q2 2018 within the budget of £4.325m be noted.
- (2) That the operation of the Business Centre by the Council be agreed in principle.
- (3) That it be agreed that in the absence of securing a retail tenant by the end of the calendar year for the vacant unit on the ground floor of Franklins House, it is in principle (subject to budget approval) fitted out to serve as a business incubation space and lettable offices for a period of up to 3-5 years.

## **Reasons**

The project to deliver the Eco Business Centre in North West Bicester is on track to have a completed centre, open for business in Q2 2018. By adopting the SCAPE procurement framework a fixed costs, design and build contract has been awarded with the fixed cost to be agreed at the end of the Detailed Design Stage (RIBA 4). Initial cost estimates based on the design concept put the cost within the available budget.

In line with the Councils commercial agenda the opportunity to run the centre and thereby maximize the return to the council whilst closely aligning it with the work of Economic Growth is seen as preferable to the original plan of building the centre and then appointing a third party to run it on the councils behalf.

In the absence of securing a retail tenant it is proposed that by changing the use of the vacant units on the ground floor of Franklins House economies of

scale should be achieved to deliver the fit out by combining it with the Eco Business Centre project. The complimentary use of both sites will also allow operational benefits for both the council and users. Planning permission will be needed to change the use and £250k remains from the original Franklins House budget which can be used towards the fit out costs.

### **Alternative options**

None – Update on an existing project

## **113 Solihull Partnership**

The Head of Regeneration and Housing submitted a report to update on the progress being made in respect of completing works and achieving a resolution to issues impacting on the delivery of schemes contained within the Solihull Partnership arrangements approved in January 2016.

### **Resolved**

- (1) That the progress being made towards achieving completion of the maximum number of projects between December 2016 and 31 March 2017 be noted.
- (2) That the management intervention taken be noted and the implementation of an intensive project management approach in respect of those schemes being completed by Solihull Metropolitan Borough Council (SMBC) and the revised programme be supported and it be further noted that costs are intended to be recovered, although the split between utilising elements of the management fee previously allocated to SMBC for the original programme and those additional procurement costs to complete schemes through CDC resources have yet to be finally agreed. These negotiations should be concluded at the Commercial Meeting on 17 January 2017.
- (3) That a “mixed approach” to the delivery of remaining schemes be supported so that those schemes not being completed through SMBC can, if necessary, be procured through CDC’s own resources and delivered within budgets approved.

### **Reasons**

The series of projects allocated to SMBC should have been more intensively managed. Lessons however have been learnt and the actions indicated above in this report are now aimed at delivering the maximum number of schemes and therefore expenditure of approved budget by 31 March 2017.

Officers have jointly agreed with SMBC the most effective approach to maximise delivery and a critical review of projects to complete has been undertaken. This combined with the improved governance, member oversight and increased reporting process should enable effective and transparent monitoring of progress.

Overall, the stated objective of delivering these projects and keeping costs within the approved capital programme is still the primary objective. The final arrangements with SMBC in terms of reviewing the management fee etc. will be concluded at the Commercial meeting on 17 January 2017. A full detailed financial breakdown of how all costs are to be met to complete delivery of schemes will then be available for members' scrutiny.

The final legal position will be concluded after clarification of roles and responsibilities and again this will be subject to Member scrutiny once agreement has been reached.

### **Alternative options**

The information contained within the report aims at realistically achieving the best outcome in terms of scheme delivery through to 31 March 2017.

## **114 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 items 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, Paragraph 3 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.

## **115 Whitelands Farm Sports Ground, Bicester**

The Director of Operational Delivery submitted an exempt report to consider the issue of forward funding for the Whitelands Farm Sports Ground to enable the delivery of the 3G artificial turf pitch and tennis courts to coincide with but separate to the main construction contract for phase 2 of the development.

### **Resolved**

- (1) That the Director of Operational Delivery, in consultation with the Head of Law and Governance, the Chief Finance Officer and the Lead Member for Financial Management, be authorised to negotiate the delivery of the 3G pitch and tennis courts through a second independent building contract with the Whitelands Farm Sports Ground Phase 2 contractor.
- (2) That agreement be given to waive the general requirement to competitively procure works, goods and/or services contained in the Council's Contract Procedure Rules to permit the direct award of the 3G pitch and tennis court works to the Whitelands Farm Sports Ground Phase 2 contractor for the reasons set out in the report (exempt annex to the Minutes as set out in the Minute Book), subject to contract acceptability and demonstrable value for money.

- (3) That agreement be given to forward fund the relevant Section 106 funding to be used for this purpose.

### **Resolved**

The Phase 2 pavilion and car parks works for the Whitelands Farm Sports Ground Project have recently commenced which, along with the forthcoming funds anticipated from the SW Bicester Phase 2 housing development, provide the construction access and funding opportunity to deliver the installation of the 3G pitch and the majority of the tennis courts works. This however will require the Council to forward fund the 3G pitch and tennis court costs potentially ahead of receiving the S106 funding from the SW Bicester Phase 2 housing development as well as negotiating acceptable terms for a separate contract with the Whitelands Farm Sports Ground Phase 2 contractor and waiving the Council's Contract Procedure Rules for the reasons stated in this report to permit a direct award of the 3G pitch and tennis court works to the Phase 2 contractor without subjecting the new requirement to a competitive tender process.

### **Options**

Option 1: Not to proceed with forward funding and to let the 3G pitch and tennis courts as separate and later contracts. This will incur additional site access and inflationary contract costs for later delivery.

Option 2: Proceed only with the 3G pitch and not the tennis courts. This will use only part of the available S106 funding and will incur additional site access and inflationary contract costs for later delivery.

116

### **Contract Award - Temporary Agency Staff**

The Chief Finance Officer and Commercial Director submitted an exempt report to consider the award of a contract to supply temporary agency staff to Cherwell District Council.

### **Resolved**

- (1) That the appointment of Champion Employment Ltd as the primary supplier of temporary agency staff for Cherwell District Council for the period of February 1 2017 to January 31 2019, with an option to extend by up to 24 months, be approved.
- (2) That agreement be given for officers to set up a secondary Preferred Supplier List (PSL) using the same framework and offer non committal contracts to *Badenoch and Clark*, *Hays Specialist Recruitment Ltd*, *Michael Page International Recruitment* *TVA PageGroup* and *Reed Specialist Recruitment Limited*.

### **Reasons**

The agencies used by Cherwell District Council must be able to supply competent, qualified staff across the range of job roles available. The staff need to have the correct level of clearance required for the role they will be asked to do.

The existing supply chain has become fragmented across multiple suppliers, and we are seeking to rationalise with a contract to a primary supplier, with a secondary PSL to ensure as much of our requirements can be met.

**Alternative options**

No reasonable alternatives

The meeting ended at 6.45 pm

Chairman:

Date:

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## COUNCIL

### RECORD OF LEAD MEMBER DECISIONS

#### SCHEDULE

*9 December 2016 to 10 February 2017*

<b>Area of Responsibility</b>	<b>Decision Subject Matter</b>
<b>Lead Member for Planning</b>	Amendments to Graven Hill Phase 1 Local Development Order

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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 6 December 2016 at 6.30 pm

Present: Councillor Mike Kerford-Byrnes (Chairman)  
Councillor Ian Corkin (Vice-Chairman)

Councillor Hugo Brown  
Councillor Sean Gaul  
Councillor Nicholas Mawer  
Councillor Barry Richards  
Councillor Tom Wallis  
Councillor Sean Woodcock

Also Present: Councillor Ken Attack  
Chris Dickens  
Steve Bladen

Officers: Paul Sutton, Chief Finance Officer / Section 151 Officer  
Belinda Green, Joint Revenues and Benefits Manager  
Ed Bailey, Corporate Performance Manager  
Natasha Clark, Interim Democratic and Elections Manager  
Aaron Hetherington, Democratic and Elections Officer

#### **36 Declarations of Interest**

Members made the following general declarations of interest:

Councillor Ian Corkin, declaration, as a board member of Graven Hill Village Development Company.

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

There were no petitions or requests to address the meeting.

#### **38 Urgent Business**

There were no items of urgent business.

39 **Minutes**

The Minutes of the meeting of the Committee held on 21 September 2016 were agreed as correct records and signed by the Chairman.

40 **Chairman's Announcements**

There were no Chairman's announcements.

41 **Internal Audit - Progress Report 2016/17**

The Chief Finance Officer submitted a report which presented to receive PwC's verbal progress report summarising their internal audit work to date.

**Resolved**

- (1) That internal audit progress 2016/17 verbal update be noted.

42 **External Audit: Annual Audit Letter 2015/16**

The Chief Finance Officer submitted a report to allow Members to consider the Ernst and Young LLP Annual Audit Letter. The report included comments on the external audit of the 2015/16 Statement of Accounts.

**Resolved**

- (1) That, having given due consideration, the key issues in the External Audit: Annual Audit Letter 2015/2016 be noted.

43 **Corporate Fraud Team Update**

The Chief Finance Officer submitted a report which provided members of Accounts, Audit and Risk Committee with an update on the joint Corporate Fraud team including a progress report for quarter two of 2016-2017 and to present members with the updated Joint Sanctions and Prosecutions Policy.

**Resolved**

- (1) That the contents of the report be noted.
- (2) That, having given due consideration, the updated Joint Sanctions and Prosecutions Policy be endorsed.

44 **Quarter Two Risk Review 2016-17**

The Director of Strategy and Commissioning submitted a report to update the Committee on the management of Strategic, Corporate and Partnership risks during the second quarter of 2016/17.

**Resolved**

- (1) That, having given due consideration, the Full Strategic, Corporate and Partnership Risk Register for 2016/17 was reviewed.
- (2) That the risk exceptions highlighted and proposed actions be noted.

45 **Q2 Treasury Management Report**

The Chief Finance Officer submitted a report to provide members information on the treasury management performance and compliance with treasury management policy for 2016/17 as required by the Treasury Management Code of Practice.

**Resolved**

- (1) That the contents of the second quarter (Q2) Treasury Management Report be noted.

46 **Work Programme**

The Committee considered its work programme for 2016/17.

**Resolved**

- (1) That the work programme be noted.

47 **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 items of business on the grounds that, if the public and press were present, it would be likely that exempt information falling under the provisions of the Schedule 12A, Part I, Paragraph 3 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.

48 **Q2 Treasury Management Report - Exempt Appendix**

**Resolved**

- (1) That the exempt appendix be noted.

## **Finance Improvement Plan - Update**

The Chief Finance Officer submitted an exempt report to present the Finance Improvement Plan, which is an outcome of the KPMG Review of NNDR Overpayment report adopted by this Committee on 20 January 2016.

### **Resolved**

- (1) That the report be noted.
- (2) That John Cornett, KPMG, who presented the KPMG report into the overpayment of NNDR to the Government in December 2015, be invited to attend the January 2016 meeting of the Committee to review progress against the Finance Improvement Plan.
- (3) That, subject to the agreement of KPMG, it be noted that the Chief Finance Officer would submit a report to the March meeting of the Committee regarding the on-going implementation of the Finance Improvement Plan.

The meeting ended at 8.10 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 29 November 2016 at 6.30 pm

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

Councillor Ken Attack  
Councillor Hugo Brown  
Councillor Ian Corkin  
Councillor Alan MacKenzie-Wintle  
Councillor Andrew McHugh  
Councillor Barry Richards  
Councillor Tom Wallis  
Councillor Sean Woodcock

Also Present:: Councillor John Donaldson  
Councillor D M Pickford  
Councillor Lynn Pratt  
Councillor G A Reynolds - Deputy Leader of the Council  
Jan Ponsford, Director, Virtus Consult

Apologies for absence: Councillor David Anderson  
Councillor Carmen Griffiths

Officers: Karen Curtin, Commercial Director  
Paul Sutton, Chief Finance Officer / Section 151 Officer  
Sharon Bolton, Shared Leisure Facilities and Projects Manager  
Louisa Butters, Property and Facilities Manager  
George Hill, Corporate Finance Manager  
Chris Stratford, Head of Regeneration and Housing  
Lesley Farrell, Democratic and Elections Officer  
Joel Bliss, Assistant Democratic and Elections Officer

#### **51 Declarations of Interest**

There were no declarations of interest.

#### **52 Urgent Business**

There was no urgent business.

53 **Minutes**

The minutes of the meeting of the Committee held on 1 November 2016 were agreed a correct record and signed by the Chairman.

54 **Chairman's Announcements**

There were no Chairman's Announcements.

55 **Solihull Partnership**

The Commercial Director gave a verbal update on the progress of the Solihull Partnership.

Due to the problems experienced with the Solihull Partnership the Commercial Director had commissioned a report by Virus Consult to understand what had gone wrong and what could be done to rectify the problems going forward.

The Director of Virtus Consult gave a presentation to the Committee on his findings. Thirty one of the thirty five projects given to the Solihull Partnership, which were due to be completed by June 2016, were still outstanding. There appeared to be a lack of governance, leadership and ownership of projects with insufficient workforce and no contract in place to motivate completion.

The Head of Housing and Regeneration explained that the immediate aim was to get back on track with the Solihull Partnership and it was envisaged that 30% of the programme would be completed by March 2017.

The Committee expressed disapproval at the Solihull Partnership's lack of progress and their prioritisation of other projects over those which have been agreed upon with Cherwell District Council and raised concerns over delivery of projects going forward.

As the Committee would not meet again until 27 January 2017, Members requested that an update be circulated via email before the next meeting. The Committee also requested that an account be kept of the costs.

In response to Members' comments, the Commercial Director explained that a Steering Group would be set up and would meet fortnightly to monitor the Solihull Partnership's progress. A progress report would be emailed to all members of the Budget Planning Committee. The Committee requested that a member of the Budget Planning Committee join the Steering Group and it was agreed that Councillor Barry Richards should attend the Steering Group and feed back to the Committee.



56

## **Fees and Charges 2017/18 - Update**

The Chief Finance Officer submitted a report on Fees and Charges which provided members of the Budget Planning Committee with an update on the Council's proposed fees and charges for 2017/18.

In presenting the report the Corporate Finance Manager explained that the fees and charges were currently being reviewed and that the council only had control over the discretionary fees and charges. They would be brought back to the Committee for consideration when finalised.

### **Resolved**

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

57

## **Review of Capital 2016/17 & Capital Bids 2017/18**

The Chief Finance Officer submitted a report which reviewed current expenditure for projects in 2016/17 and the Capital Bids for 2017/18.

The Committee reviewed the Capital programme and requested that the original date of the Capital Bids be put on the report as this would make it easier to determine how long they had been outstanding. The items were reviewed and the Committee requested more details of the payments to East West Rail.

In response to Members' comments on Capital Bid 006 for a replacement Bookings Solution, the Deputy Leader of the Council explained that the system purchased 4 years ago had proved difficult to use and that the new system would be a joint purchase with South Northamptonshire Council.

The Committee raised concerns over Capital Bid 002, Cooper School Performance Hall roof, regarding the frequency of the required maintenance. The Committee also raised concerns that Capital Bid 008, Thorpe Way Industrial Estate roof and roof light replacement would not be delivered considering the problems encountered previously with roof repairs.

In response to Members' concerns, the Head of Regeneration and Housing assured the Committee that he was confident that these projects would be delivered now there was a new project manager in place.

The Committee welcomed bid 007, Banbury Health Centre and suggested that with the improvement works being done, a rent review should be considered.

### **Resolved**

(1) That the contents of the report relating to 2016/17 expenditure be noted.

(2) That the Executive be recommended to approve the capital bids and the proposed capital programme as part of the budget for 2017/18.

58 **Review of Committee Work Plan**

The Committee considered its work programme. Members' requested that the Solihull Partnership and the Solihull Partnership Steering Committee Group should be added to the Committee work plan.

**Resolved**

- (1) That the Solihull Partnership be added to the meeting of 17 January 2017.
- (2) That the Solihull Partnership Steering Committee Group report be added to the work plan until all issues are resolved.
- (3) That subject to resolutions (1) and (2) above, the contents of the Committee Work Plan be noted.

59 **Exclusion of 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, Paragraph 3 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.

60 **Medium Term Revenue Plan - 2017/18 to 2021/22**

The Chief Finance Officer submitted an exempt report on the Council's Medium Term Revenue Plan for 2017/18 to 2021/22

In response to Members' questions, the Chief Finance Officer confirmed that the Efficiency Plan had been accepted by the Government but confirmation had not yet been received of the New Homes Bonus scheme.

**Resolved**

- (1) That the contents of the exempt report 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 January 2017 at 6.30 pm

- Present: Councillor Nicholas Mawer (Chairman)  
Councillor Douglas Webb (Vice-Chairman)
- Councillor Ken Attack  
Councillor Hugo Brown  
Councillor Carmen Griffiths  
Councillor Alan MacKenzie-Wintle  
Councillor Andrew McHugh  
Councillor Tom Wallis  
Councillor Sean Woodcock
- Substitute Members: Councillor Mark Cherry (In place of Councillor Barry Richards)  
Councillor G A Reynolds (In place of Councillor David Anderson)  
Councillor Barry Wood (In place of Councillor Ian Corkin)
- Also Present:: Councillor Lynn Pratt, Lead Member for Estates and the Economy
- Apologies for absence: Councillor David Anderson  
Councillor Ian Corkin  
Councillor Barry Richards
- Officers: Karen Curtin, Commercial Director  
Ian Davies, Director of Operational Delivery  
Paul Sutton, Chief Finance Officer / Section 151 Officer  
Chris Stratford, Head of Regeneration and Housing  
George Hill, Corporate Finance Manager  
Sanjay Sharma, Group Accountant  
Geni Hotchkiss, Business Support Unit Manager  
Lesley Farrell, Democratic and Elections Officer  
Joel Bliss, Assistant Democratic and Elections Officer

#### **61 Declarations of Interest**

There were no declarations of interest.

#### **62 Urgent Business**

There was no urgent business.

63 **Minutes**

The minutes of the meeting of the Budget Planning Committee held on 29 November 2016 were agreed as a correct record and signed by the Chairman.

64 **Chairman's Announcements**

There were no Chairman's announcements.

65 **Discretionary Rate Relief Policy**

The Chief Finance Officer submitted a report on the Discretionary Rate Relief Policy which set out the proposals for awarding discretionary rate relief for 2017/2018 and beyond.

When presenting the report, the Business Support Unit Manager outlined new legislation being brought forward to give officers discretionary powers to provide rural businesses that fall within certain thresholds 100% business rate relief in order to support rural communities that would be otherwise diminished without the services that these businesses provide.

In considering the report, the committee were concerned that the policy could be misused. The Business Support Unit Manager assured the committee that the application of certain thresholds pertaining to the size, value and revenue of the businesses in question would prevent businesses from wrongly taking advantage of the scheme.

They were also assured that cases would be examined on their individual merits and that the cost implications would be considered as part of the decision making process.

**Resolved**

- (1) That the contents of the report be noted.
- (2) That the Executive be recommended to approve the discretionary Rate Relief Policy with no amendments.
- (3) That the Chief Finance Officer, in consultation with the Lead Member for Financial Management agree the final content of the policy guidelines.

66 **Solihull Partnership Steering Group**

The Head of Regeneration and Housing gave a verbal update on the Solihull Partnership and highlighted three areas of progress since the last meeting:

- Roles and responsibilities had been agreed and circulated to officers and the Solihull Partnership Steering Group.

- Legal documents had been received and a meeting set up between Solihull Metropolitan Borough Council (SMBC) and Cherwell District Council (CDC) Legal departments.
- The Commercial Director had arranged a meeting with SMBC to discuss the changes in the contract. SMBC would be looking to recover abortive costs and would be asked to submit full details. CDC would be looking at recovering costs for the consultant who had been employed. The outcome of this meeting will be reported back to the Committee.

The Commercial Director advised the Committee that the scope and nature of the project had changed through the Solihull Partnership's non-delivery and as a result, the budget and number of projects would be reduced.

In response to the verbal update, Members raised concerns about the increase in costs incurred because of the delays and stressed the importance that lessons should be learnt and mistakes not repeated.

The Lead Member for Estates and the Economy would provide an update from the Solihull Partnership Steering Group at the next meeting of the Committee.

### **Resolved**

- (1) That the verbal update be noted.

67

### **Medium Term Revenue Plan and draft 2017/18 Revenue and Capital Budgets**

The Chief Finance Officer submitted a report on the proposed Medium Term Revenue Plan (MTRP) including the Revenue and Capital budget proposals for the committee to consider for recommendation to Executive

In introducing the report, the Chief Finance Officer advised the Committee that the Efficiency Plan had been accepted and a Medium Term Settlement agreed which included a four year New Homes Bonus scheme

The Chief Finance Officer further advised that the Pension Fund Actuary had recently completed a review of the fund and proposed revised contributions for the Council over the next three years. As an alternative the Council could make a single up-front payment creating a 7% saving for the Council. The Committee was asked to consider the upfront payment and recommend to Executive.

### **Resolved**

- (1) That the Medium Term Revenue Plan (MTRP) be recommended to Executive to recommend to Full Council for adoption.
- (2) That the 2017/18 draft revenue budget be recommended to Executive to recommend to Full Council for adoption.

- (3) That the 2017/18 capital programme be recommended to Executive to recommend to Full Council for adoption.
- (4) That the list of reserves be recommended to Executive to recommend to Full Council for adoption.
- (5) That Executive be recommended to recommend to Full Council that the level of the Council Tax increase for 2017/18 be 0%.
- (6) That Executive be recommended to agree that that a single up-front payment be made to the Pension Fund Actuary instead of spreading the payment over a 3 year period.

68 **Review of Committee Work Plan**

The Committee considered its work programme. The Solihull Partnership and Solihull Partnership Steering Group would remain on the Committee work plan until all issues had been resolved.

**Resolved:**

- (1) That the Committee Work Plan be noted.

69 **Exclusion of 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, Paragraph 3 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 **Exempt Appendices: Medium Term Revenue Plan and draft 2017/18 Revenue and Capital Budgets**

The Committee reviewed the exempt appendices.

**Resolved**

- (1) That the exempt appendices be noted.

71 **Car Parks**

The Director of Operational Delivery submitted an exempt report which sought consideration of a 2017/18 capital programme project associated with

investment in the council's car parks to deliver improved customer service and financial efficiencies.

**Resolved**

- (1) That Executive be recommended to include the Car Parks Improvement Project in the 2017/18 draft Capital Programme.

The meeting ended at 8.50 pm

Chairman:

Date:

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## **Cherwell District Council**

### **Overview and Scrutiny Committee**

Minutes of a meeting of the Overview and Scrutiny Committee held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 22 November 2016 at 6.45 pm

Present: Councillor Neil Prestidge (Chairman)  
Councillor Jolanta Lis (Vice-Chairman)

Councillor Chris Heath  
Councillor David Anderson  
Councillor Mike Bishop  
Councillor Hugo Brown  
Councillor Mark Cherry  
Councillor Andrew McHugh  
Councillor Sandra Rhodes  
Councillor Jason Slaymaker  
Councillor Bryn Williams

Substitute Members: Councillor Sean Woodcock (In place of Councillor Claire Bell)

Also Present: Councillor D M Pickford, Lead Member for Clean and Green  
Councillor Barry Wood, Leader of the Council

Apologies for absence: Councillor Claire Bell

Officers: Ed Potter, Head of Environmental Services  
Paul Almond, Street Scene & Landscape Manager  
Ed Bailey, Corporate Performance Manager  
Nicola Riley, Shared Community Services Manager  
Nicola Leonard, Consultation and Engagement Officer  
Lesley Farrell, Democratic and Elections Officer  
Emma Faulkner, Democratic and Elections Officer

#### **20 Declarations of Interest**

There were no declarations of interest.

#### **21 Urgent Business**

There were no items of urgent business.

22 **Minutes**

The Minutes of the meeting of the Committee held on 1 September 2016 were confirmed as a correct record and signed by the Chairman.

23 **Chairman's Announcements**

The Chairman welcomed Councillor Andrew McHugh to the Committee, following his election to the Adderbury, Bloxham and Bodicote Ward in September 2016.

Councillor McHugh had replaced Councillor Nick Mawer, who the Chairman thanked for his time on the Committee.

24 **Area Amenity Maintenance Report**

The Committee considered a report from the Head of Environmental Services, which detailed a response to a motion submitted to the 18 July 2016 Council meeting regarding maintenance of amenity space across the district.

In response to questions from the Committee, the Head of Environmental Services explained that maintenance of grass verges was the responsibility of Oxfordshire County Council.

With regards to areas of unregistered land, the Street Scene and Landscape Services Manager explained that the preference would be for the local town or parish council to take over responsibility for maintenance of the land, but acknowledged that this might not be possible in every case.

The Head of Environmental Services advised the Committee to contact the Street Scene and Landscape Services Manager directly if there were any specific areas of concern across the district.

**Resolved**

- (1) That the co-ordinated activities currently taking place be noted.
- (2) That the high levels of customer satisfaction with Parks and Open spaces be noted.
- (3) That the proposed actions to improve co-ordinated activity be supported.

25 **Quarter Two Performance Update**

The Committee considered a report from the Director – Strategy and Commissioning which provided an update on performance during quarter two, 1 June to 30 August 2016.

The Corporate Performance Manager introduced Nicola Leonard, the new Consultation and Engagement officer who had recently joined the Council. Nicola would be involved in work to enhance the Customer Satisfaction Survey, as well as supporting consultation activities.

In response to questions from the Committee, the Corporate Performance Manager agreed to clarify whether the target time for indicators 3.2.2a, b and c, average time taken to process change of circumstances, housing benefit claims and new housing benefit claims, was working days or calendar days.

**Resolved**

- (1) That the highlighted exceptions and proposed actions be noted.
- (2) That no performance related matters be referred to Executive.

26

**Results of the Customer Satisfaction Survey 2016**

The Committee considered a report from the Director – Strategy and Commissioning which detailed results of the Annual Customer Satisfaction Survey.

The Corporate Performance Manager explained that a different process has been used for completing the survey, with a paper questionnaire being posted to 3,500 residents who had been chosen at random, rather than via a Citizens' Panel. A breakdown of the responses received ward by ward had been circulated to all Members.

In response to questions from the Committee, the Corporate Performance Manager confirmed that the results of the survey would be used to inform future priority setting.

**Resolved**

- (1) That the report and appendices be noted.
- (2) That it be noted that Executive agreed that the 2016 results are used as a baseline for future target setting and benchmarking.

27

**Safeguarding - Update on Internal Review Action Plan and Draft Section 11 Return Submission**

The Committee considered a report from the Community Services Manager which detailed the draft Section 11 audit for submission to the Oxfordshire Safeguarding Children Board.

The Community Services Manager explained that good progress had been made on the action plan. A part time Safeguarding Officer would be joining the council in 2017 whose role would be concentrating on further training to include Members.

**Resolved**

- (1) That action plan progress made to date be noted.
- (2) That the draft Section 11 audit for 2016/17 be endorsed for submission to Oxfordshire Safeguarding Children Board in December 2016.

28

**Work Programme 2016/17**

The Committee considered the draft work programme.

With regard to the Youth Engagement review, the Committee felt it was important for the review to continue in some way, as it was possible that interest from the schools could increase at the time of major elections. It was agreed that the membership of the working group be increased to include Councillors Anderson, McHugh, Prestidge, Slaymaker and Rhodes from the Committee, and also Councillor Sean Woodcock.

In connection with the A361 traffic review, the Committee approved the draft scoping document.

The Committee discussed other areas of concern, and officers agreed to gather more information from relevant Cherwell officers in relation to gym and leisure facilities and how the management contracts were monitored; housing numbers; and issues around parking on grass verges.

With regard to concerns over mobile phone signal in the district, the Committee agreed to set up a working group comprising of Councillors Anderson, Brown, Lis, Prestidge and Williams, to look at the issue in more detail.

The Committee also expressed an interest in inviting each of the Executive Lead Members to future meetings of the Committee to find out more about their roles.

It was also agreed that officers involved with the website improvement project be invited to a future meeting of the Committee to provide an update.

**Resolved**

- (1) That the draft work programme be approved, subject to the inclusion of an item relating to an update on the website project.
- (2) That the Youth Engagement Review be continued, with a working group comprising of Councillors Anderson, McHugh, Prestidge, Slaymaker, Rhodes and Woodcock.
- (3) That the scoping document relating to the A361 traffic review (annex to the Minutes as set out in the Minute Book) be approved.
- (4) That Executive Lead Members be invited to future meetings of the Committee, to explain their role and responsibilities.

- (5) That a working group be established comprising of Councillors Anderson, Brown, Lis, Prestidge and Williams to look at the issue of mobile phone signal across the district.

The meeting ended at 8.25 pm

Chairman:

Date:

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## **Cherwell District Council**

### **Overview and Scrutiny Committee**

Minutes of a meeting of the Overview and Scrutiny Committee held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 10 January 2017 at 6.45 pm

Present: Councillor Jolanta Lis (Vice-Chairman, in the Chair)

Councillor Chris Heath  
Councillor David Anderson  
Councillor Claire Bell  
Councillor Mike Bishop  
Councillor Hugo Brown  
Councillor Mark Cherry  
Councillor Andrew McHugh  
Councillor Bryn Williams

Apologies for absence: Councillor Neil Prestidge  
Councillor Sandra Rhodes  
Councillor Jason Slaymaker

Officers: Scott Barnes, Director of Strategy and Commissioning  
Emma Faulkner, Democratic and Elections Officer

#### **29 Declarations of Interest**

There were no declarations of interest.

#### **30 Urgent Business**

There were no items of urgent business.

#### **31 Minutes**

The Minutes of the meeting of the Committee held on 22 November 2016 were confirmed as a correct record and signed by the Chairman.

#### **32 Chairman's Announcements**

There were no Chairman's announcements.

33

### **Development of Corporate Business Plan, Priorities and Pledges 2017/18**

The Committee considered a report of the Director – Strategy and Commissioning which detailed the proposed Corporate Business Plan, Priorities and Pledges for 2017/18.

The Director explained that the plan had been worked on since July 2016, and had involved members of the Executive and the Joint Management team.

The Director added that an additional page was being drafted for inclusion in the plan, which would summarise the key issues currently facing local government.

In response to questions raised by the Committee relating to taxi policy, the removal of recycling bins from the Admiral Holland pub in Banbury and a change in the frequency of some financial reporting, the Director agreed to gather responses from relevant officers for circulation after the meeting.

#### **Resolved**

- (1) That the draft corporate priorities, outcomes and pledges for 2017/18 be noted
- (2) That no areas be referred to Executive

34

### **Work Programme 2016/17**

The Committee considered the work programme for the remainder of the 2016-2017 municipal year.

With regard to the working groups established at the November 2016 meeting of the Committee, officers advised that meetings would be arranged in due course to discuss the topics in more detail, and to draft scoping documents for consideration by the Committee.

In connection with the on-going situation with the Horton Hospital and the possible downgrading of available services, the Committee commented that it was important to monitor developments.

#### **Resolved**

- (1) That the work programme be noted

The meeting ended at 7.40 pm

Chairman:

Date: