

Cherwell District Council

Council

Minutes of a meeting of the Council held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 17 December 2018 at 6.30 pm

Present: Councillor Maurice Billington (Chairman)
Councillor David Hughes (Vice-Chairman)

Councillor David Anderson
Councillor Hannah Banfield
Councillor Andrew Beere
Councillor Claire Bell
Councillor Mike Bishop
Councillor John Broad
Councillor Hugo Brown
Councillor Phil Chapman
Councillor Mark Cherry
Councillor Colin Clarke
Councillor Ian Corkin
Councillor Surinder Dhesi
Councillor Sean Gaul
Councillor Timothy Hallchurch MBE
Councillor Simon Holland
Councillor Shaida Hussain
Councillor Tony Ilott
Councillor Mike Kerford-Byrnes
Councillor Alan MacKenzie-Wintle
Councillor James Macnamara
Councillor Kieron Mallon
Councillor Nicholas Mawer
Councillor Andrew McHugh
Councillor Tony Mepham
Councillor Richard Mould
Councillor Cassi Perry
Councillor D M Pickford
Councillor Lynn Pratt
Councillor G A Reynolds
Councillor Barry Richards
Councillor Alaric Rose
Councillor Dan Sames
Councillor Les Sibley
Councillor Nicholas Turner
Councillor Douglas Webb
Councillor Bryn Williams
Councillor Lucinda Wing
Councillor Barry Wood
Councillor Sean Woodcock

Apologies for absence: Councillor John Donaldson
Councillor Carmen Griffiths
Councillor Chris Heath
Councillor Neil Prestidge
Councillor Sandra Rhodes
Councillor Jason Slaymaker
Councillor Tom Wallis

Officers: Yvonne Rees, Chief Executive
Adele Taylor, Interim Executive Director: Finance and Governance
Nick Graham, Director of Law and Governance / Monitoring Officer
Natasha Clark, Governance and Elections Manager

66 **Declarations of Interest**

10. Purchase of The Mill Arts Centre.

Councillor Andrew McHugh, Declaration, as a trustee of The Mill and would leave the chamber for the duration of the meeting.

Councillor Mark Cherry, Declaration, as a trustee of The Mill and would leave the chamber for the duration of the meeting.

Councillor Tony Ilott, Declaration, as a trustee of The Mill and would leave the chamber for the duration of the meeting.

15. Land in Banbury - Proposed Acquisition.

Councillor Sean Woodcock, Declaration, as a family member was a tenant of part of the site but it was not part of the site being discussed.

67 **Communications**

The Chairman made the following announcements:

Chairman's Engagements

The Chairman advised that a copy of the events attended by himself or the Vice-Chairman was included in your agenda pack. The Chairman reported that he had raised £5200 to date for his Chairman's charities.

Staff Choir Performance

That Chairman thanked the staff choir for their excellent performance of Christmas carols which had taken place prior to the Council meeting which has been very enjoyable and entertaining. The Chairman also thanked the Leader, Councillor Wood, for providing mince pies.

Post

The Chairman reminded Members to collect any post from pigeon holes.

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

There were no petitions or requests to address the meeting.

69 **Urgent Business**

There were no items of urgent business.

70 **Minutes of Council**

The minutes of the meeting held on 30 October 2018 were agreed as a correct record and signed by the Chairman.

71 **Minutes**

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

Resolved

That the minutes of the meeting of the Executive and Lead Member decisions as set out in the Minute Book be received and that it be noted that since the last meeting of Council held on 30 October 2018, one decision had been taken which was not included in the 28 day notice relating to: Property Acquisition in Banbury.

b) **Minutes of Committees**

Resolved

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

72 **Questions**

a) **Written Questions**

The Chairman advised Council that one written question had been submitted with advance notice in accordance with the Constitution.

The question was from Councillor Woodcock and addressed to the Leader of the Council, Councillor Wood, and was in relation to Modern Slavery requesting an update to the Motion he had submitted to July Council. A written answer had been tabled at the meeting (annex to the Minutes as set out in the Minute Book). Councillor Woodcock thanked Councillor Wood for the extensive response and confirmed he did not have a supplementary question.

b) **Questions to the Leader of the Council**

Questions were asked and answers received on the following issues:

Councillor Dhesi: Vermin at Canalside

Councillor Banfield: Air pollution and traffic congestion at Hennef Way

Councillor Woodcock: Oxford to Cambridge Expressway

Councillor Mallon: Oxfordshire County Council Banbury Locality meeting and work on sliproads

Councillor Richards: Affordable house sales in Cherwell

c) Questions to Committee Chairmen on the Minutes

There were no questions to Committee Chairman on the minutes of meetings.

73

Motions

a) Maternity and Paternity Leave for Parents to Premature Babies

It was moved by Councillor Woodcock, and seconded by Councillor Banfield, that the following motion be adopted:

“This Council supports extending paternity and maternity leave for any of its staff whose babies have been born too soon.

Parents to premature babies are faced with financial, mental and physical stress and hardship, yet their maternity leave begins the day after the birth.

We believe that the added pressure of worrying about the length of maternity or paternity leave is not good for the wellbeing of employees.

This council therefore seeks to adopt a policy of providing one extra week of leave to employees for every week a premature baby spends in hospital before the due date.”

Councillor McHugh proposed the following amendment to the motion, which was seconded by Councillor Wood:

Add the following text to the end of the motion: “In addition to premature birth, there are other clinical crises that could befall council employees. Officers are to investigate extending this motion to allow Directors the discretion to deal with significant medical crises of a similar magnitude involving council employees, in a compassionate and caring manner and report back to Executive in due course.”

Councillor Woodcock, as proposer to the motion, confirmed that he supported the amendment which was therefore added to the motion voted on by Council.

Resolved

(1) That the following motion, as amended, be adopted:

Maternity and Paternity Leave for Parents to Premature Babies

This Council supports extending paternity and maternity leave for any of its staff whose babies have been born too soon.

Parents to premature babies are faced with financial, mental and physical stress and hardship, yet their maternity leave begins the day after the birth.

We believe that the added pressure of worrying about the length of maternity or paternity leave is not good for the wellbeing of employees.

This council therefore seeks to adopt a policy of providing one extra week of leave to employees for every week a premature baby spends in hospital before the due date.

In addition to premature birth, there are other clinical crises that could befall council employees. Officers are to investigate extending this motion to allow Directors the discretion to deal with significant medical crises of a similar magnitude involving council employees, in a compassionate and caring manner and report back to Executive in due course.

74

Purchase of The Mill Arts Centre

The Interim Executive Director: Finance and Governance submitted a report to establish a budget in order to complete the transfer of The Mill Arts Centre from Oxfordshire County Council to Cherwell District Council following the Executive's decision in July 2018 to negotiate the purchase of The Mill Arts Centre building in Banbury. It was also agreed that there would be an increase in revenue support to the Mill Arts Centre Trust in the short term to enable The Trust to meet its commitment following the cessation of the financial relationship with Oxfordshire County Council.

Following on from the purchase, there would be a need to carry out a full investment options appraisal on the site to report back to Members on the scale and scope of potential investment in the Towns cultural facilities to create a sustainable venue for the Town. This would be subject to further reports once we are able to work with the Trust on those options. An internal officer working group would be established to take this work forward.

Resolved

- (1) That the expenditure of £1 to secure the transfer of The Mill Arts Centre from Oxfordshire County Council to Cherwell District Council in line with the Executive decision of July 2018 be approved.
- (2) That the establishment of a revenue budget of £50,000 to cover costs of transition funding and arrangements in 2018/19 to be funded from general reserves be agreed and it be noted future funding would be considered when setting the budget and medium term financial plan in February 2019.
- (3) That it be noted that immediate remedial works (expected early in 2019/20) in the region of £250,000 may be required, with further phases of works due later in 2019/20 or the 2020/21 to ensure that the

building is fit for purpose and will be subject to detailed capital proposals as part of the budget setting process and medium term financial plan for 2019/20 to 2023/24.

- (4) That it be noted that an officer working group would be established to establish the options and Business case for any further investment into the site to ensure that the Trust is financially more sustainable in the medium to long term.
- (5) That it be noted that the offer to acquire the asset is subject to a restrictive covenant from Oxfordshire County Council to ensure that at least 80% of the site is used for cultural purposes otherwise state aid applies.
- (6) That the final agreement for the legal agreement to transfer the asset be delegated to the Monitoring officer for Cherwell District Council in consultation with the Interim Executive Director of Finance and Governance.

75

Gambling Act 2005 - Review of Statement of Licensing Principles

The Assistant Director Environmental Health and Licensing submitted a report to consider a revised Statement of Licensing Principles as part of the Gambling Act 2005.

Resolved

- (1) That the revised Cherwell District Council Statement of Licensing Principles (annex to the Minutes as set out in the Minute Book) be adopted.

76

Council Tax Reduction Scheme 2019-2020 and Council Tax Discounts 2019-2020

The Interim Executive Director: Finance and Governance submitted a report to seek approval for a Council Tax Reduction Scheme for the year 2019-2020 on the recommendation of the Executive and Budget Planning Committee.

The report also provided members with an update of Council Tax discounts and sought approval for the Council Tax discounts for the year 2019-20.

In introducing the report, the Lead Member for Financial Management and Governance, Councillor Ilott, advised of an amendment to the recommendations in light of the late confirmation of new legislation members of the Budget Planning Committee had considered a report on 27 November 2018 and made a recommendation that as part of the Council Tax discounts for 2019-2020, there be an empty homes premium of an additional 100% for properties that have remained empty for more than 2 years be rather than the existing additional 50% premium.

Resolved

- (1) That a Council Tax Reduction Scheme (CTRS) for the year 1 April 2019 to 31 March 2020 as set out in the annex to the Minutes (as set out in the Minute Book) be approved and implemented with effect from 1 April 2019.
- (2) That delegated authority be granted to the Section 151 Officer to make further amendments to the CTRS Regulations up to and including 31 January 2019 in consultation with the Lead Member for Financial Management and Governance.
- (3) That, having given due consideration, the following Council Tax discounts for 2019-2020 be approved:
 - 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.
 - Empty homes premium of an additional 100% for properties that have remained empty for more than 2 years.

77

Calendar of Meetings 2019/2020

The Director: Law and Governance submitted a report for Council to consider the calendars of meetings for the municipal year 2019/20.

Resolved

- (1) That the calendar of meetings for Cherwell District Council (CDC) for the municipal year 2019/20 (annex to the Minutes as set out in the Minute Book) be approved.

78

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.

79

Land in Banbury - Proposed Acquisition

The Interim Executive Director: Finance and Governance submitted an exempt report relating to the proposed acquisition of land in Banbury.

Resolved

- (1) That the acquisition of the premises shown on the plan on the exempt annex to the Minutes (as set out in the Minute Book), subject to contract, be approved.
- (2) As set out in the exempt minutes.
- (3) As set out in the exempt minutes.
- (4) That the Interim Executive Director of Finance and Governance be given delegated authority to negotiate and finalise the terms for the acquisition in consultation with the Lead Member for Financial Management and Governance, the Lead Member for Economy, Regeneration and Property and the Monitoring Officer.

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Questions on Exempt Minutes

There were no questions on exempt minutes.

The meeting ended at 8.10pm

Chairman:

Date: