



# Meeting of Council

Monday 27 February 2023

Members of Cherwell District Council,

A meeting of Council will be held at Bodicote House, Bodicote, Banbury, Oxon OX15 4AA on Monday 27 February 2023 at 6.30 pm, and you are hereby summoned to attend.

**Yvonne Rees**  
Chief Executive

Friday 17 February 2023

## AGENDA

**1 Apologies for Absence**

**2 Declarations of Interest**

Members are asked to declare any interest and the nature of that interest which they may have in any of the items under consideration at this meeting.

**3 Communications (Pages 13 - 14)**

To receive communications from the Chairman and/or the Leader of the Council.

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

The Chairman to report on any requests to submit petitions or to address the meeting.

Addresses may be presented by:

- A Local Government elector for the area,
- A person who is wholly or mainly resident in the area,
- A Council Taxpayer or National Non-Domestic Ratepayer for the area

Addresses must be on an item on the Agenda before the meeting and not exceed 5 minutes. No person may address more than one meeting on any particular issue.

Requests to address the meeting (including the agenda item and reason for the address) should be submitted to [democracy@cherwell-dc.gov.uk](mailto:democracy@cherwell-dc.gov.uk) The deadline for requests to address this meeting is noon on Friday 24 February 2023.

The deadline to present a petition to this meeting has passed.

Full details of public participation at meetings is available in the Constitution.

## **5 Urgent Business**

The Chairman to advise whether they have agreed to any item of urgent business being admitted to the agenda.

## **6 Minutes of Council (Pages 15 - 32)**

To confirm as a correct record the Minutes of Council held on 19 December 2023.

## **7 Minutes**

- a) Minutes of Executive, Portfolio Holder Decisions and Executive Decisions not included in the 28 day notice

The Leader of the Council to formally propose that the minutes of the meetings of the Executive and Portfolio Holder Decisions as set out in the Minute Book (circulated separately) be received and to report that since the last meeting of Council held on 19 December 2022 no key and/or exempt decisions have been taken by the Executive which were not included in the 28 day notice.

- b) Minutes of Committees

The Leader of the Council to formally propose that the minutes of committees as set out in the Minute Book (circulated separately) be received.

## **8 Questions (Pages 33 - 34)**

- a) Written Questions

Two written questions have been submitted with advance notice in accordance with the Constitution. These are attached to the agenda.

Question from:	Question topic:
Councillor Broad	Pan Regional Partnership (PRP)
Councillor Middleton	Five Year Housing Land Supply

A written response to the questions will be published on the working day before the meeting.

The Member who submitted the written question may ask a supplementary question provided it is relevant to the reply and does not introduce any new matter. The Member to whom the question was addressed may reply to such supplementary question or undertake to reply in writing.

b) Questions to the Leader of the Council

The Chairman to invite questions to the Leader of the Council (including any matters arising from the minutes).

Following a response to their question being provided Members will be entitled to a follow up or supplementary question.

c) Questions to Committee Chairmen on the Minutes

The Chairman to invite questions to Chairmen of Committees on any matter arising from the minutes of their committee (if any).

## Council Business Reports

### 9 Members' Allowance 2023/2024 (Pages 35 - 68)

Report of Assistant Director Law and Governance and Monitoring Officer

#### Purpose of report

To determine the levels of the allowances to be paid to Members for the forthcoming 2023/2024 financial year and proposed changes to the Members Allowance Scheme following the consideration of the report of the Council's Independent Remuneration Panel (the "Panel") attached at Appendix 1.

#### Recommendations

The meeting is recommended to:

- 1.1 Consider the levels of allowances to be included in the 2023/2024 Members' Allowances Scheme, and whether the Panel's recommendations (as set out at paragraph 3.1 of this report and Appendix 1) should be adopted or modified in any way.

- 1.2 Authorise the Assistant Director Law and Governance to prepare an amended Members' Allowances Scheme, in accordance with the decisions of Council for implementation with effect from 1 April 2023.
- 1.3 Authorise the Assistant Director of Law and Governance to take all necessary action to revoke the current (2022/2023) Scheme and to publicise the revised Scheme pursuant to The Local Authorities (Member's Allowances)(England) Regulations 2003 (as amended).
- 1.4 Thank the Independent Remuneration Panel for its report and set a fee of £300 for each Panel Member for the work carried out on this review and propose the same level of fee for any reviews carried out in 2023/2024 capped at a maximum of £1200 per person, which can be funded from existing budgets.

**10 Budget Setting for 2023/24 and the Medium-Term Financial Strategy up to 2027/28 (Pages 69 - 306)**

Report of Assistant Director of Finance (S151)

**Purpose of report**

This report is the culmination of the Budget and Business Planning process for 2023/24 to 2027/28 and sets out the Executive's proposed Business Plan and related revenue budget for 2023/24, medium term financial strategy to 2027/28, capital programme to 2027/28 and all supporting policies, strategies, and information to recommend to full Council.

The Council adopts a forward looking and anticipatory approach to its financial management, which was acknowledged by the recent Peer Review in November 2022. The Council plans for, and continues to succeed in, encouraging and facilitating economic growth across the district. This success flows through to the Council's finances, reflected in the level of income received from business rates and the New Homes Bonus grant.

The Council has proactively monitored both the economic situation and Government announcements over the past 12 months and devised and implemented a budget and business planning strategy that has delivered within the constraints identified, consulting on a proposed balanced budget in November 2022. The Council was able to identify the risk of interest rate rises at an early stage, locking in low interest rates for all of its planned borrowing requirements, meaning only new borrowing requirements will need to be taken at higher rates.

The proposed net budget for the Council is £28.2m, which is an increase of £4.6m from 2022/23. A Band D Council Tax of £148.50 is proposed for the year which is an increase of £5 compared to 2022/23. The Capital Programme for the period 2023/24 – 2027/28 is proposed to be £35.9m. The Council plans to fund £2.0m of budget pressures and will deliver £1.0m of savings proposals as part of the 2023/24 budget.

**Recommendations**

The Council is recommended to:

- 1.1 Have regard to the statutory report of the Chief Finance Officer (Section 25 report) at Appendix 3 in approving recommendations 1.3 – 1.10.
- 1.2 Approve the proposed Fees and Charges schedule for 2023/24 (Appendix 7) and statutory notices be placed where required.
- 1.3 Consider and note the Equality Impact Assessment of the Budget (Appendix 8)
- 1.4 Approve a pension fund prepayment for the years 2023/24 – 2025/26 of £5.7m.
- 1.5 In relation to the Business Plan (Section 3.1) to approve:
  - 1.5.1 The Business Plan and Annual Delivery Plan set out in Appendices 1 and 2 respectively.
- 1.6 In relation to the Revenue Budget (Section 3.3) and Medium-Term Financial Strategy (MTFS) (Section 3.6) to approve:
  - 1.6.1 The net revenue budget for the financial year commencing on 1 April 2023, as set out in Table 3.3.1, and further analysed in the Budget Book provided at Appendix 12
  - 1.6.2 The MTFS and Revenue Budget 2023/24 (Sections 3.6 and 3.3 respectively), including the Savings Proposals, and Pressures included at Appendices 4 and 5 respectively.
- 1.7 In relation to Council Tax to approve:
  - 1.7.1 An increase in the Basic Amount of Council Tax for Cherwell District Council for the financial year beginning on 1 April 2023 of £5, resulting in a Band D charge of £148.50 per annum.
  - 1.7.2 For long term empty properties, an additional Council Tax premium will be charged of 100 percent for properties empty for two years or more, 200 percent for properties empty 5 years or more and 300 percent for properties empty 10 years or more.
  - 1.7.3 Removal of the 25 percent discount currently available for 12 months to properties that are uninhabitable or undergoing structural repairs.
- 1.8 In relation to the Capital Programme and related strategies (Section 3.4) to approve:
  - 1.8.1 The Capital Bids 2023/24 and Capital Programme 2023/24 – 2027/28 at Appendix 17 and 18 respectively.
  - 1.8.2 The Capital and Investment Strategy 2023/24 (Appendix 19) and revised 2022/23 (Appendix 20) including the Minimum Revenue Provision (MRP) Policy.
  - 1.8.3 The Treasury Management Strategy 2023/24, including the Prudential Indicators, and Affordable Borrowing Limit for 2023/24 (Appendix 21).

- 1.9 In relation to reserves to approve (Section 3.5):
- 1.9.1 A minimum level of General Balances of £6m as supported by Appendix 15.
  - 1.9.2 The Reserves Policy (Appendix 14).
  - 1.9.3 The medium-term reserves plan described in Appendix 16.
- 1.10 In relation to the Pay Policy Statement approve:
- 1.10.1 The Pay Policy Statement, as required by the Localism Act 2010, detailed in Appendix 9.

## **11 Adjournment of Council Meeting**

The Council to adjourn, if necessary, to allow the Executive to meet to consider any proposals which do not accord with the Executive's recommendations.

## **12 Calculating the amounts of Council Tax for 2023/24 and setting the Council Tax for 2023/24 (Pages 307 - 316)**

Report of Assistant Director of Finance

### **Purpose of report**

To detail the calculations for the amounts of Council Tax for 2023/24 and the setting of Council Tax for 2023/24.

### **Recommendations**

It is recommended that the Council resolves: -

- 1.1 That the Council Tax Base 2023/24 was determined at the Executive meeting held on 9 January 2023:
  - a) for the whole Council area as 58,184.30 [item T in the formula in Section 31B of the Local Government Finance Act 1992, as amended ("the 1992 Act")]; and
  - b) For dwellings in those parts of its area to which a Parish Precept relates as in the attached Appendix 1.
- 1.2 That the Council Tax requirement for the Council's own purposes for 2023/24 (excluding Parish Precepts and Special Expenses) is £8,640,369.
- 1.3 That the following amounts be calculated for the year 2023/24 in accordance with Sections 31 to 36 of the 1992 Act:
  - a) £131,520,045 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (2) of the 1992 Act,

taking into account all precepts issued to it by Parish Councils and any additional special expenses.

- b) £116,837,989 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (3) of the 1992 Act.
- c) £14,682,056 being the amount by which the aggregate at 3(a) above exceeds the aggregate at 3(b) above, calculated by the Council, in accordance with Section 31A (4) of the 1992 Act, as its Council Tax requirement for the year (Item R in the formula in Section 31B of the 1992 Act).
- d) £252.34 being the amount at 3(c) above (Item R), all divided by Item T (6(a) above), calculated by the Council, in accordance with Section 31B of the 1992 Act, as the basic amount of its Council Tax for the year (including Parish Precepts and Special Expenses).
- e) £6,041,687 being the aggregate amount of all special items (Parish Precepts and Special Expenses) referred to in Section 34(1) of the 1992 Act as per the attached Appendix 2.
- f) £148.50 being the amount at 3(d) above less the result given by dividing the amount at 3(e) above by Item T(1(a) above), calculated by the Council, in accordance with Section 34(2) of the 1992 Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no Parish Precept or special item relates.

1.4 It be noted that for the year 2023/24 the Oxfordshire County Council and the Police and Crime Commissioner for Thames Valley have issued precepts to the Council, in accordance with Section 40 of the 1992 Act, for each category of dwellings in the Council's area as indicated below: -

<b>Valuation Band</b>	<b>Oxfordshire County Council</b>	<b>Police and Crime Commissioner for Thames Valley</b>
	£	£
<b>A</b>	1,156.02	170.85
<b>B</b>	1,348.69	199.33
<b>C</b>	1,541.36	227.80
<b>D</b>	1,734.03	256.28
<b>E</b>	2,119.37	313.23
<b>F</b>	2,504.71	370.18
<b>G</b>	2,890.05	427.13
<b>H</b>	3,468.06	512.56

1.5 The Council, in accordance with Sections 30 and 36 of the 1992 Act, hereby sets the amounts shown in Appendix 2 as the amounts of Council Tax for the year 2023/24 for each part of its area and for each of the categories of dwellings.

1.6 The Council has determined that its relevant basic amount of Council Tax for 2023/24 is not excessive in accordance with principles approved under Section 52ZB of the 1992 Act.

## 13 **LGA Corporate Peer Challenge 2023** (Pages 317 - 354)

Report of Chief Executive

### **Purpose of report**

To present the findings of and resulting activity in line with the council's Corporate Peer Challenge, which was carried out by the Local Government Association (LGA) in November 2022. The CPC has provided a very positive picture of the Council and has recognised the considerable achievement of responding to the covid pandemic and decoupling its partnership from OCC, during which service delivery for its residents was always at the centre of its decision making. The recommendations are all in line with current activity and provide a powerful base from which the organisation can move forward as a standalone and ambitious District Council – one that takes pride in putting our residents and communities at the heart.

### **Recommendations**

The meeting is recommended:

- 1.1 To endorse the Local Government Association Corporate Peer Challenge report (Appendix 1).
- 1.2 To approve the Corporate Peer Challenge Action Plan (Appendix 2).
- 1.3 Note the progress that has already been made towards the Peer Review recommendations, which are set out in the proposed Action Plan.

## 14 **Updates to Constitution** (Pages 355 - 360)

\*\* Please note the appendices to this report will follow \*\*

Report of Monitoring Officer

### **Purpose of report**

The Constitution is the document by which, in accordance with the law, the Council exercises all its powers and duties. It is essential that it is reviewed to ensure it remains fit for purpose.

Following the decoupling from Oxfordshire County Council and implementation of the new senior management structure the Scheme of Delegation and Contract Rules of Procedure were identified as a priority for review and amendment and the action to do so was included in the Council's Annual Delivery Plan. There are also changes proposed for some of the committees identified in this report.

### **Recommendations**

The meeting is recommended:

- 1.1 To approve the amendments to the Constitution referred to in this report and its appendices.



- 1.2 To delegate authority to the Monitoring Officer to make the amendments to the Constitution, including a delegation to make textual amendments to address any inconsistencies or correct any cross-referencing errors arising from or as a consequence of the amendments (insofar as the Monitoring Officer does not already have such a delegation).

**15 Revisions to the Council's Taxi and Private Hire Licensing Policy (Pages 361 - 512)**

Report of Assistant Director of Regulatory Services & Community Safety

**Purpose of report**

In December 2022 a public consultation commenced on proposed changes to the Council's Taxi and Private Hire Licensing Policy ('the policy'). This public consultation closed on 31 January 2023.

Changes to the policy require approval by Council. This report provides a summary of the background to the proposed changes to the policy, the consultation process followed, a summary of consultation responses to date and the proposed revisions to the policy resulting from those responses.

The Council has a statutory duty to ensure the proper administration of taxi licensing legislation in the district. Taxi services are an important part of the local economy and therefore fulfilling this statutory duty contributes to the Council's priority to ensure the district has an enterprising economy with strong and vibrant local centres. The primary purpose of the licensing regime is to promote public safety and therefore the Council's work to licence taxi drivers, vehicles and operators also supports the commitment to work with partners to reduce crime and antisocial behaviour. Further, the proposed revisions to the licensing policy include measures to reduce the carbon emissions of the taxi fleet in support of the council's commitment to protect the environment and to help achieve net zero targets.

**Recommendations**

The meeting is recommended:

- 1.1 To note the work done to prepare a revised and updated Taxi and Private Hire Licensing Policy and the outcomes of the public consultation on that revised policy.
- 1.2 To agree that the Council adopts the revised Taxi and Private Hire Licensing Policy and supporting appendices provided with this paper.

**16 Appointment of Independent Persons to Accounts, Audit and Risk Committee (Pages 513 - 518)**

Report of Monitoring Officer

**Purpose of report**

To appoint Independent Persons to the Accounts, Audit and Risk Committee.

## Recommendations

The meeting is recommended:

- 1.1 to amend the membership of the Accounts, Audit and Risk Committee to include two Independent Persons (non-voting).
- 1.2 to endorse the appointment of Sarah Thompson as an Independent Person, to be appointed for a four year term expiring on the date of the February Council meeting in 2027 and to delegate authority to the Monitoring Officer to make the appoint subject to the receipt of satisfactory references (if not received before the Council meeting).
- 1.3 to endorse the appointment of Harry Lawson as an Independent Person, to be appointed for a four year term expiring on the date of the February Council meeting in 2027 and to delegate authority to the Monitoring Officer to make the appoint subject to the receipt of satisfactory references (if not received before the Council meeting).
- 1.4 to note that the appointment of Independent Persons may be renewable in 2027 for a further term of four years subject to the Independent Persons wishing to continue in the role and Council agreeing the renewal of the appointment.

## 17 Motions (Pages 519 - 522)

To debate the following motions which have been submitted with advance notice, in accordance with the Constitution (to be debated in the order submitted).

Topic	Proposer	Seconder
Children's health, wellbeing and access to educational provision	Councillor Eddie Reeves	Councillor Adam Nell
Housing Affordability Mix	Councillor Ian Middleton	Councillor Hannah Banfield
London Road Crossing, Bicester	Councillor Nick Cotter	Councillor Chris Pruden

Please note that the deadline to submit motions has passed. The deadline for Members to submit amendments to motions is noon on Thursday 23 February. No amendments will be permitted after this deadline.

Any amendments submitted will be published as a supplement to the agenda on the afternoon of Friday 24 February. Amendments for motions will be dealt with in the order submitted.

## **For information**

Please note:

Members are advised that the next scheduled meeting of Council is the Annual Council meeting on Wednesday 17 May 2023. Written questions and motions are not included on the Annual Council agenda. The next Council meeting at which motions and written questions may be submitted is Monday 17 July 2023.

**Councillors are requested to collect any post from their pigeon hole in the Members Room at the end of the meeting.**

## **Information about this Agenda**

### **Apologies for Absence**

Apologies for absence should be notified to [democracy@cherwell-dc.gov.uk](mailto:democracy@cherwell-dc.gov.uk) or 01295 221534 prior to the start of the meeting.

### **Declarations of Interest**

Members are asked to declare interests at item 2 on the agenda or if arriving after the start of the meeting, at the start of the relevant agenda item.

### **Local Government and Finance Act 1992 – Budget Setting, Contracts & Supplementary Estimates**

Members are reminded that any member who is two months in arrears with Council Tax must declare the fact and may speak but not vote on any decision which involves budget setting, extending or agreeing contracts or incurring expenditure not provided for in the agreed budget for a given year and could affect calculations on the level of Council Tax.

### **Evacuation Procedure**

When the continuous alarm sounds you must evacuate the building by the nearest available fire exit. Members and visitors should proceed to the car park as directed by Democratic Services staff and await further instructions.

### **Access to Meetings**

If you have any special requirements (such as a large print version of these papers or special access facilities) please contact the officer named below, giving as much notice as possible before the meeting.

### **Mobile Phones**

Please ensure that any device is switched to silent operation or switched off.

### **Queries Regarding this Agenda**

Please contact Natasha Clark, Democratic and Elections [democracy@cherwell-dc.gov.uk](mailto:democracy@cherwell-dc.gov.uk), 01295 221534