



Meeting of Council

Monday 18 December 2023

Members of Cherwell District Council,

A meeting of Council will be held at Bodicote House, Bodicote, Banbury, Oxon OX15 4AA on Monday 18 December 2023 at 6.30 pm, and you are hereby summoned to attend.

**Yvonne Rees
Chief Executive**

Friday 8 December 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 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 The deadline for requests to address this meeting is noon on Friday 15 December 2023.

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

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

4 Communications (Pages 11 - 12)

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

5 Minutes of Council (Pages 13 - 22)

To confirm as a correct record the Minutes of Council held on 16 October 2023.

6 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 16 October 2023, no key 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.

7 Questions (Pages 23 - 24)

- 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 Ian Middleton	Draft Local Plan 2024 – affordable housing
Councillor Ian Middleton	Long term empty homes

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

8 Appointment of Chief Executive, Head of Paid Service, Returning Officer and Electoral Registration Officer (Pages 25 - 32)

Report of Assistant Director Human Resources

Purpose of report

To seek Council approval of the recommendations of the Personnel Committee that Gordon Stewart be appointed to the posts of Chief Executive, Head of Paid Service, Returning Officer and Electoral Registration Officer with effect 8 January 2024.

Recommendations

The meeting is recommended:

- 1.1 To agree the recommendation of the Personnel Committee that Gordon Stewart be appointed Chief Executive from 8 January 2024.
- 1.2 To agree the recommendation of the Personnel Committee that Gordon Stewart be appointed the Council's Head of Paid Service for the purposes of Section 4 of the Local Government and Housing Act 1989 with effect from 8 January 2024.
- 1.3 To agree that, in accordance with Section 8 of the Representation of the People Act 1983 and all related legislation, Gordon Stewart be appointed as Electoral Registration Officer for Cherwell District Council from 8 January 2024.

- 1.4 To agree that, in accordance with Section 35 of the Representation of the People Act 1983 and all related legislation Gordon Stewart be appointed as Returning Officer for Cherwell District Council with authority to act in that capacity for elections to the District Council and all parish and town councils within the area of the Cherwell district from 8 January 2024.
- 1.5 To agree that Gordon Stewart also be appointed or authorised to act in respect of all related electoral, polling or referendum duties, including in relation to County Council elections, and for national and regional polls or referendums and be authorised to exercise all delegated powers of the Returning Officer and Electoral Registration Officer as set out in the Constitution from 8 January 2024.
- 1.6 To agree that, in relation to the duties of Returning Officer or any other electoral, referendum or polling duties arising from such appointment, the Returning Officer shall be entitled to be remunerated in accordance with the scale of fees approved by Council for local elections, or the relevant scale of fees prescribed by a Fees Order in respect of national or regional elections, polls or referendums.
- 1.7 To agree that in all cases where it is a legal requirement or normal practice to do so, the Returning Officer may elect for such fees to be superannuable, and the Council shall pay the appropriate employer's contribution to the superannuation fund, recovering such employer's contributions from central government or other local authorities or agencies where this can be done.
- 1.8 To agree that, in relation to the conduct of local authority elections and polls, and elections to the United Kingdom Parliament, and all other electoral duties where the Councils are entitled by law to do so, they shall take out and maintain in force insurance indemnifying the Councils, the Electoral Registration Officer and the Returning Officer against legal expenses reasonably incurred in connection with the defence of any proceedings brought against the Council, Electoral Registration Officer or the Returning Officer and/or the cost of holding another election in the event of the original election being declared invalid (provided that such proceedings or invalidation are the result of the inadvertent contravention of the Representation of the People Acts or other legislation governing the electoral process, and provided that, in the case of the Electoral Registration Officer and the Returning Officer, such proceedings or invalidation arise from an act or omission which the Officer reasonably believes is within the Officer's powers).
- 1.9 To agree that, in the event of such insurance carrying an 'excess' clause by which an initial portion of risk is not insured, the Councils, through their internal insurance fund or otherwise, will indemnify the Electoral Registration Officer and Returning Officer up to the value of such excess.
- 1.10 To agree that the Council notes its duty to provide support to the Electoral Registration Officer and Returning Officer.

9 Council Tax Reduction Scheme 2024/2024 (Pages 33 - 38)

Report of Assistant Director of Finance

Purpose of report

To enable members to consider the proposed banded scheme for Council Tax Reduction for 2024- 25

The current scheme was introduced from April 2020 following a period of consultation and engagement. In general, it has been well received with limited contact from customers. It is proposed to continue with the current scheme, uprated for inflationary factors.

The scheme assesses the maximum level of Council Tax Reduction based on the net income of the applicant and household members, the main principles of the scheme remain unchanged . Pensioners are protected and continue to be eligible to receive 100% Council Tax Reduction

If the applicant or partner is in receipt of a passported benefit such as Income Support Job Seekers Allowance (JSA) income based and income related Employment and Support Allowance (ESA) or receiving War widows or War disablement pensions they will be placed into the highest band and will receive 100% Council Tax Reduction.

Working age households will receive a discount, depending on their level of income and the band that they fall into.

The current scheme is understood by customers and has enabled them to budget for their council tax payments, and this is reflected in the Council Tax collection rates with Cherwell being the highest performer across the county for 2022 -23.

The current scheme reduces the number of changes that the customer will experience with less bills and notification letters generated and enables better personal budgeting. There is still a lot of financial uncertainty for many customers and in the current financial climate with the ongoing cost of living crisis it is therefore recommended that the existing scheme should be retained for 2024.25.

Recommendations

The meeting is recommended:

- 1.1 To note the contents of this report and the financial implications for the council.
- 1.2 To approve
 - The option of no change to the Council Tax Reduction Income Banded Scheme for Working Age Customers for 2024-2025
 - To amend Working Age Regulations in line with annual uprating and to amend the Council Tax Regulations for pensioner in line with uprating announced by Department for Levelling Up Housing and Communities

10 Treasury Management Mid-Year Review Report 2023/24 (Pages 39 - 54)

Report of Assistant Director of Finance

Purpose of report

To receive information on treasury management performance and compliance with treasury management policy for 2023-24 as required by the Treasury Management Code of Practice.

All treasury management activities undertaken to date during the financial year 2023-24 complied with the CIPFA Code of Practice and the Council's approved Treasury Management Strategy, and all Prudential Indicators were met during the reporting period.

Over the course of the year, there is an overall Treasury Management forecast underspend of £1.214m compared to the approved budget.

Recommendations

The meeting is recommended:

1.1 To note the contents of this Treasury Management Mid-Year Review Report.

11 Dispensation from Attending Meetings (Pages 55 - 58)

Report of Monitoring Officer

Purpose of report

To seek Council approval for a dispensation from attending meetings to a Member who is currently unable to attend any Council meetings due to ill-health.

Recommendations

The meeting is recommended:

1.1 to approve a dispensation for Councillor Maurice Billington from the statutory requirement to attend a meeting of the Council within a six-month period from the last noted attendance.

1.2 to approve that the dispensation last up to and including 6 May 2024.

12 Amendment to Committee Membership

The Progressive Oxfordshire Group Leader, Councillor Hingley, notified the Proper Officer of the following amendment to Progressive Oxfordshire Group committee membership. This was put into effect under the delegation to the Assistant Director Law and Governance and Council is being notified accordingly.

Appeals Panel

Remove – Councillor Rob Pattenden

Add – Seat remains vacant

Recommendations

The meeting is recommended:

- 1.1 To note the Progressive Oxfordshire Group committee membership amendment.

13 Urgent Business

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

14 Exclusion of the Press and Public

The following item of business contains exempt information as defined in the following paragraph of Part 1, Schedule 12A of Local Government Act 1972.

- 3 Information relating to the financial or business affairs of any particular person (including the authority holding that information)

Members are reminded that whilst the following item has been marked as exempt, it is for the meeting to decide whether or not to consider it in private or in public. In making the decision, Members should balance the interests of individuals or the Council itself in having access to the information. In considering their discretion, Members should also be mindful of the advice of Council Officers.

Should Members decide not to make a decision in public, they are recommended to pass the following recommendation:

“That, in accordance with Section 100A(4) of Local Government Act 1972, the press and public be excluded from the meeting for the following item of business, on the grounds that they could involve the likely disclosure of exempt information as defined in paragraph 3 of Schedule 12A of that Act and that in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.”

15 Relocation of CDC administrative headquarters from Bodicote House to Castle Quay (Pages 59 - 80)

Exempt report of Corporate Director Resources

16 Readmittance of the Press and Public

The meeting is recommended to resolved to readmit the press and public to the meeting.

17 Motions (Pages 81 - 86)

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	Seconded
Solar Energy Strategy	Councillor Dorothy Walker	TBC
Right to Grow	Councillor Ian Middleton	TBC
Period Poverty	Councillor Rebecca Biegel	TBC
Section 21 Notices	Councillor Sean Woodcock	TBC
Service Hubs	Councillor Chris Pruden	Councillor Rob Pattenden

Please note that the deadline to submit motions has passed. The deadline for Members to submit amendments to motions is noon on Thursday 14 December 2023. 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 15 December 2023. Amendments for motions will be dealt with in the order submitted.

For information

Please note:

Members are advised that written questions and motions for the next scheduled Council meeting on Monday 26 February 2024 must be submitted to the Assistant Director Law and Governance & Monitoring Officer, democracy@cherwell-dc.gov.uk, by noon on Wednesday 14 February 2024.

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 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.

Webcasting and Broadcasting Notice

The meeting will be recorded by the council for live and/or subsequent broadcast on the council's website. The whole of the meeting will be recorded, except when confidential or exempt items are being considered. The webcast will be retained on the website for 6 months.

If you make a representation to the meeting, you will be deemed by the council to have consented to being recorded. By entering the Council Chamber, you are consenting to being recorded and to the possible use of those images for and sound recordings for webcasting and/or training purposes.

The council is obliged, by law, to allow members of the public to take photographs, film, audio-record, and report on proceedings. The council will only seek to prevent this should it be undertaken in a disruptive or otherwise inappropriate manner.

Queries Regarding this Agenda

Please contact Natasha Clark, Democratic and Elections democracy@cherwell-dc.gov.uk, 01295 221534