

## **Cherwell District Council**

### **Council**

Minutes of a meeting of the Council held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 24 February 2014 at 6.30 pm

Present: Councillor Lawrie Stratford (Chairman)  
Councillor Kieron Mallon (Vice-Chairman)

Councillor Ken Atack  
Councillor Alyas Ahmed  
Councillor Andrew Beere  
Councillor Maurice Billington  
Councillor Fred Blackwell  
Councillor Norman Bolster  
Councillor Ann Bonner  
Councillor Mark Cherry  
Councillor Colin Clarke  
Councillor Surinder Dhesi  
Councillor John Donaldson  
Councillor Diana Edwards  
Councillor Tim Emptage  
Councillor Michael Gibbard  
Councillor Timothy Hallchurch MBE  
Councillor Simon Holland  
Councillor Alastair Milne Home  
Councillor Chris Heath  
Councillor David Hughes  
Councillor Russell Hurle  
Councillor Tony Ilott  
Councillor Ray Jelf  
Councillor Mike Kerford-Byrnes  
Councillor James Macnamara  
Councillor Melanie Magee  
Councillor Nicholas Mawer  
Councillor Nigel Morris  
Councillor Jon O'Neill  
Councillor P A O'Sullivan  
Councillor D M Pickford  
Councillor Lynn Pratt  
Councillor Neil Prestidge  
Councillor Nigel Randall  
Councillor G A Reynolds  
Councillor Alaric Rose  
Councillor Gordon Ross  
Councillor Daniel Sames  
Councillor Les Sibley  
Councillor Trevor Stevens  
Councillor Rose Stratford  
Councillor Lynda Thirzie Smart  
Councillor Nicholas Turner

Councillor Douglas Webb  
Councillor Douglas Williamson  
Councillor Barry Wood  
Councillor Sean Woodcock

Apologies for absence: Councillor Margaret Cullip  
Councillor Andrew Fulljames

Officers: Sue Smith, Chief Executive  
Calvin Bell, Director of Development  
Ian Davies, Director of Community and Environment  
Martin Henry, Director of Resources / Section 151 Officer  
Kevin Lane, Head of Law and Governance / Monitoring Officer  
Tim Madden, Interim Head of Finance and Procurement  
Natasha Clark, Team Leader, Democratic and Elections

63 **Declarations of Interest**

There were no declarations of interest.

64 **Communications**

**Chairman's Engagements**

The Chairman advised Council that a list of engagements that he or the Vice-Chairman had attended since the last meeting of Council had been included in the agenda pack

**Chairman's Dinner**

The Chairman advised Members that the Chairman's Dinner would be held on Saturday 12 April 2013

**Post**

The Chairman reminded Members to collect their post from pigeon holes and advised that all Members had been given a copy of the Local Plan

**Boundary Commission Briefing**

The Chairman reported that the Boundary Commission would be giving a briefing to district councillors and parishes on warding patterns at 6pm on 31 March ahead of their consultation period.

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

There were no petitions or requests to address the meeting.

66 **Urgent Business**

There were no items of urgent business.

67 **Minutes of Council**

The minutes of the meeting held on 16 December 2013 were agreed as a correct record and signed by the Chairman.

68 **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, one Executive decision had been taken that was subject to the special urgency provisions of the Constitution.

b) **Minutes of Committees**

**Resolved**

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

69 **Questions**

a) **Written Questions**

There were no written questions.

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

Questions were asked and answers received on the following issues:

Flexibility in the budget towards housing: Councillor Bonner  
Oxfordshire Waste Partnership funding cut by Oxfordshire County Council:  
Councillor Woodcock  
Green waste levy: Councillor Cherry

c) **Questions to Committee Chairmen on the minutes**

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

70 **Motions**

There were no motions.

71 **Members Allowances 2014/15**

The Head of Law and Governance submitted a report which sought determination of the levels of the allowances to be paid to Members for the forthcoming 2014/2015 financial year following the submission of the report of the Council's Independent Remuneration Panel (IRP)

**Resolved**

- (1) That the levels of allowances to be included in the 2014/2015 Members' Allowances Scheme be agreed as set out in the annex to the minutes (as set out in the Minute Book).
- (2) That the Head of Law and Governance be authorised to prepare an amended Members' Allowances Scheme, in accordance with the decisions of the Council for implementation with effect from 1 April 2014.
- (3) That the Head of Law and Governance be authorised to take all necessary action to revoke the current (2013/2014) Scheme and to publicise the revised Scheme pursuant to The Local Authorities (Members' Allowances)(England) Regulations 2003 (as amended).
- (4) That the Independent Remuneration Panel be thanked for its report and a fee of £300 for Panel Members for the work carried out in 2013/2014 and the same level of fee for 2014/2015 be agreed.

72 **Corporate Plan, Revenue and Capital Budgets and Treasury Strategy 2014-15**

The Chairman outlined that it was customary during the budget debate to suspend standing orders with regard to the duration of speeches by proposers of motions and amendments, also the order of dealing with and speaking on amendments. It was also agreed that the estimates would be taken as one integrated set of financial figures and the revenue and capital estimates, the Collection Fund Estimates 2014/15 and the Business Plan and the public pledges would not be debated separately.

Members signified agreement that speeches made by Group Leaders or any Member proposing the Budget, an alternative Budget, any amendments or commenting on the Budget would not be time limited.

The Chairman advised Council that the Secretary of State was introducing legislation to require any motion or amendment to the budget or council tax setting reports to be taken by recorded vote. Whilst this was not yet in force the government had stated that it was their expectation that all authorities would do this for the 2014/15 budget. Members agreed to take a recorded vote on the recommendations in the reports at agenda items 11 and 13 en bloc and separate votes on any amendments.

The Chief Finance Officer (Director of Resources) and Head of Finance and Procurement submitted a report to review the Council's General Fund Budget, Capital Programme, Earmarked Reserves and General Fund Balances to ensure the robustness of the estimates included and to seek formal adoption of all parts of the Council's financial plans and Corporate Plan for the 2014-15 budget year.

The Lead Member for Financial Management, Councillor Atack, introduced the report and set out the proposed budget for the year. In introducing the report, the Lead Member for Financial Management proposed an additional recommendation to transfer £100,000 from General Fund Balances to a Housing Earmarked Reserve, with funding released by the Director of Resources in consultation with the Lead Member for Financial Management and the Lead Member for Housing.

The Leader of the Council, Leader of the Opposition and the Leader of the Liberal Democrat Group responded to the budget. In the course of his response, the Leader of the Liberal Democrat Group requested that a separate vote be taken on recommendation 1.2, "To approve the 2014-15 General Fund Budget and 2014-15 Capital Programme proposed by the Executive on 3 February 2014 as detailed in Annex 1 amended for the changes to the collection fund and investment income as set out in paragraphs 3.12 and 3.13."

The budget was debated at length by Members, during which no amendments were moved.

In accordance with the agreement given, a recorded vote on recommendation 1.2 was taken separately. Members voted as follows:

Councillor Alyas Ahmed – For  
Councillor Ken Atack – For  
Councillor Andrew Beere – Against  
Councillor Maurice Billington – For  
Councillor Fred Blackwell – For  
Councillor Norman Bolster – For  
Councillor Ann Bonner – For  
Councillor Mark Cherry – Against  
Councillor Colin Clarke – For  
Councillor Surinder Dhesi – Against  
Councillor John Donaldson – For  
Councillor Diana Edwards – For  
Councillor Tim Emptage – Abstain  
Councillor Andrew Fulljames – For  
Councillor Michael Gibbard – For  
Councillor Tim Hallchurch MBE – For  
Councillor Chris Heath – For  
Councillor Simon Holland – For  
Councillor Alastair Milne Home – For  
Councillor David Hughes – For  
Councillor Russell Hurle – For  
Councillor Tony Ilott – For  
Councillor Mike Kerford-Byrnes – For

Councillor Ray Jelf – For  
Councillor James Macnamara – For  
Councillor Melanie Magee – For  
Councillor Kieron Mallon – For  
Councillor Nicholas Mawer – For  
Councillor Nigel Morris – For  
Councillor Jon O'Neill – For  
Councillor P A O'Sullivan – For  
Councillor D M Pickford – For  
Councillor Lynn Pratt – For  
Councillor Neil Prestidge – For  
Councillor Nigel Randall – For  
Councillor G A Reynolds – For  
Councillor Alaric Rose – Abstain  
Councillor Daniel Sames – For  
Councillor Les Sibley – For  
Councillor Trevor Stevens – For  
Councillor Lawrie Stratford – For  
Councillor Rose Stratford – For  
Councillor Lynda Thirzie Smart – For  
Councillor Nicholas Turner – For  
Councillor Douglas Webb – For  
Councillor Douglas Williamson – Abstain  
Councillor Barry Wood – For  
Councillor Sean Woodcock – Against

A recorded vote was subsequently taken on all other recommendations.  
Members voted as follows:

Councillor Alyas Ahmed – For  
Councillor Ken Atack – For  
Councillor Andrew Beere – For  
Councillor Maurice Billington – For  
Councillor Fred Blackwell – For  
Councillor Norman Bolster – For  
Councillor Ann Bonner – For  
Councillor Mark Cherry – For  
Councillor Colin Clarke – For  
Councillor Surinder Dhesi – For  
Councillor John Donaldson – For  
Councillor Diana Edwards – For  
Councillor Tim Emptage – For  
Councillor Andrew Fulljames – For  
Councillor Michael Gibbard – For  
Councillor Tim Hallchurch MBE – For  
Councillor Chris Heath – For  
Councillor Simon Holland – For  
Councillor Alastair Milne Home – For  
Councillor David Hughes – For  
Councillor Russell Hurle – For  
Councillor Tony Ilott – For  
Councillor Mike Kerford-Byrnes – For  
Councillor Ray Jelf – For

Councillor James Macnamara – For  
Councillor Melanie Magee – For  
Councillor Kieron Mallon – For  
Councillor Nicholas Mawer – For  
Councillor Nigel Morris – For  
Councillor Jon O’Neill – For  
Councillor P A O’Sullivan – For  
Councillor D M Pickford – For  
Councillor Lynn Pratt – For  
Councillor Neil Prestidge – For  
Councillor Nigel Randall – For  
Councillor G A Reynolds – For  
Councillor Alaric Rose – For  
Councillor Daniel Sames – For  
Councillor Les Sibley – For  
Councillor Trevor Stevens – For  
Councillor Lawrie Stratford – For  
Councillor Rose Stratford – For  
Councillor Lynda Thirzie Smart – For  
Councillor Nicholas Turner – For  
Councillor Douglas Webb – For  
Councillor Douglas Williamson – For  
Councillor Barry Wood – For  
Councillor Sean Woodcock – For

**Resolved**

- (1) That the contents of the report in approving the General Fund Revenue Budget and Capital Programme for 2014-15 be noted and that consideration be formally recorded.
- (2) That the 2014-15 General Fund Budget and 2014-15 Capital Programme proposed by the Executive on 3 February 2014 contained in the annexes to the minutes and amended for the changes to the collection fund and investment income (as set out in the Minute Book) be approved.
- (3) That the Collection Fund Estimates (annex to the minutes as set out in the Minute Book) be approved.
- (4) That the draft 5 year strategy, 2014-15 business plan and public pledges (annexes to the minutes as set out in the Minute Book) and authority be delegated to the Director of Resources in consultation with the Leader of the Council and the Lead Member for Performance and Customers to make any minor amendments to the plan or pledges as required before final publication in March 2014.
- (5) That the Treasury Management Strategy (annex to the minutes as set out in the Minute Book) be approved.
- (6) That the statement of pay policy for 2014-15 as required by the Localism Act (annex to the minutes as set out in the Minute Book) be approved.

- (7) That the Business Rates Retail Relief Policy as contained in the annex to the minutes (as set out in the Minute Book) and the following formal resolutions that underpin the policy be approved:
- i. The Council award "Retail Relief" of up to £1,000 to qualifying businesses in occupation of retail premises which have a rateable value of £50,000 or less in accordance with discretionary relief powers (Section 47 of the Local Government Finance Act 1988 (as amended)) for the financial years 1 April 2014 to 31 March 2015 and 1 April 2015 to 31 March 2016.
  - ii. The business to qualify for the relief must be "retail" as detailed in the Business Rates Retail Relief Policy.
  - iii. The Council, through the National Non-Domestic Rate Return process, seek full reimbursement of the cost of "retail relief" from Central Government.
- (8) That the discount and exemptions as follows be approved:
- i. Agree that in respect of properties within Class A and B as defined by the Council Tax (Prescribed Classes of Dwellings) (England) (Amendment) Regulations 2012 (furnished chargeable dwellings that are not the sole or a main residence of an individual) the discount provided by Section 11A of the Local Government Finance Act 1992 shall be reduced to zero.
  - i. Agree that in respect of properties within Class C as defined by the Council Tax (Prescribed Classes of Dwellings) (England) (Amendment) Regulations 2012 (a property that is unoccupied and substantially unfurnished) the discount provided by Section 11A of the said Act shall be reduced to 25% for a maximum period of six months and thereafter to zero.
  - ii. Agree that in respect of properties within Class D as defined by the said Regulations (chargeable dwellings that are vacant and undergoing major repair work to render them habitable) the discount provided by Section 11A of the said Act shall be reduced to 50% for twelve months and thereafter to zero.
- (9) That agreement be given to transfer £100,000 from General Fund Balances to a Housing Earmarked Reserve, with funding released by the Director of Resources in consultation with the Lead Member for Financial Management and the Lead Member for Housing.

### 73 **Adjournment of Council Meeting**

As there had been no amendments made to the budget as recommended by Executive, it was confirmed there was no need for Council to adjourn.

### 74 **Calculating the amounts of Council Tax for 2014-2015 and setting the Council Tax for 2014-2015**

The Chief Finance Officer and Interim Head of Finance and Procurement submitted a report which detailed the calculations for the amounts of Council Tax for 2014-15 and the setting of Council Tax for 2014-2015.



In accordance with the agreement given at agenda item 11 to take a recorded vote on this agenda item, a recorded vote was duly taken. Members voted as follows:

Councillor Ken Atack – For  
Councillor Andrew Beere – For  
Councillor Fred Blackwell – For  
Councillor Norman Bolster – For  
Councillor Ann Bonner – For  
Councillor Mark Cherry – For  
Councillor Colin Clarke – For  
Councillor Surinder Dhesi – For  
Councillor John Donaldson – For  
Councillor Diana Edwards – For  
Councillor Tim Emptage – For  
Councillor Michael Gibbard – For  
Councillor Tim Hallchurch MBE – For  
Councillor Chris Heath – For  
Councillor Simon Holland – For  
Councillor Alastair Milne Home – For  
Councillor David Hughes – For  
Councillor Russell Hurle – For  
Councillor Tony Ilott – For  
Councillor Mike Kerford-Byrnes – For  
Councillor Ray Jelf – For  
Councillor James Macnamara – For  
Councillor Melanie Magee – For  
Councillor Kieron Mallon – For  
Councillor Nicholas Mawer – For  
Councillor Nigel Morris – For  
Councillor Jon O’Neill – For  
Councillor P A O’Sullivan – For  
Councillor D M Pickford – For  
Councillor Lynn Pratt – For  
Councillor Neil Prestidge – For  
Councillor Nigel Randall – For  
Councillor G A Reynolds – Abstain  
Councillor Alaric Rose – For  
Councillor Daniel Sames – For  
Councillor Les Sibley – For  
Councillor Trevor Stevens – For  
Councillor Lawrie Stratford – For  
Councillor Rose Stratford – For  
Councillor Lynda Thirzie Smart – For  
Councillor Nicholas Turner – For  
Councillor Douglas Webb – For  
Councillor Douglas Williamson – For  
Councillor Barry Wood – For  
Councillor Sean Woodcock – For

**Resolved**

- (1) That it be noted that at the Executive meeting held on 6 January 2014 the Council calculated the Council Tax Base 2014-15:
  - a) for the whole Council area as 47,609 [item T in the formula in Section 31B of the Local Government Finance Act 1992, as amended (the "Act")]; and
  - b) For dwellings in those parts of its area to which a Parish Precept relates as in the attached annex to the Minutes (as set out in the Minute Book).
- (2) That the Council Tax requirement for the Council's own purposes for 2014-15 (excluding Parish Precepts and Special Expenses) be £5,879,712.
- (3) That the following amounts be calculated for the year 2014-15 in accordance with Sections 31 to 36 of the Act:-
  - a) £69,336,279 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act, taking into account all precepts issued to it by Parish Councils and any additional special expenses.
  - b) £59,526,742 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (3) of the Act.
  - c) £9,809,537 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 Act, as its Council Tax requirement for the year (Item R in the formula in Section 31B of the Act).
  - d) £206.04 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 Act, as the basic amount of its Council Tax for the year (including Parish Precepts and Special Expenses);
  - e) £3,929,825 being the aggregate amount of all special items (Parish Precepts and Special Expenses) referred to in Section 34(1) of the Act as per the attached Schedule 2.
  - f) £123.50 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 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;

- (4) That it be noted that for the year 2014-15 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 Local Government Finance Act 1992, for each category of dwellings in the Council's area as indicated below :-

<u>Valuation Band</u>	<b>Oxfordshire County Council</b> £	<b>Police and Crime Commissioner for Thames Valley</b> £
<b>A</b>	805.61	107.01
<b>B</b>	939.87	124.84
<b>C</b>	1,074.14	142.68
<b>D</b>	1,208.41	160.51
<b>E</b>	1,476.95	196.18
<b>F</b>	1,745.48	231.85
<b>G</b>	2,014.02	267.52
<b>H</b>	2,416.82	321.02

- (5) That the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the amounts shown in the annex to the Minutes (as set out in the Minute Book) as the amounts of Council Tax for the year 2014-15 for each part of its area and for each of the categories of dwellings.
- (6) That the Council's basic amount of Council Tax for 2014-15 not be excessive in accordance with principles approved under Section 52ZB Local Government Finance Act 1992.

75 **Section 113 Arrangements and Shared ICT Service and Systems Policy Framework Decision**

The Chief Executive submitted a report which sought approval of entering into a Section 113 agreement between Cherwell District Council, Stratford-on-Avon District Council and South Northamptonshire Council and adding the principle of a shared ICT service and associated harmonisation of ICT business applications between Cherwell District Council, Stratford-on-Avon District Council and South Northamptonshire to the policy framework.

**Resolved**

- (1) That the entering into an agreement between Cherwell District Council, Stratford-on-Avon District Council and South Northamptonshire Council pursuant to Section 113 of the Local Government Act 1972 and all other enabling powers so that employees can be placed at the disposal of the other Councils for the purposes of shared working be approved and that the Head of Law and Governance, Cherwell and South Northamptonshire be authorised to complete such agreement in negotiation with the Head of Legal and Democratic Services at Stratford-on-Avon District Council.

- (2) That authority be delegated to the Chief Executive (Cherwell and South Northamptonshire) to negotiate and approve a protocol – on the respective roles of members and officers and dealing with conflicts of interest in consultation with the Chief Executive (Stratford).
- (3) That the principle of shared working between Cherwell District Council, Stratford-on-Avon District Council and South Northamptonshire Council for the purpose of the proposed shared ICT service and associated harmonisation of ICT business applications be added to the adopted policy framework be approved.

76 **Calendar of Meetings 2014/15 and Draft Calendar of Meetings 2015/16**

The Head of Law and submitted a report which sought consideration of the calendar of meetings for the municipal year 2014/15 and the municipal year 2015/16.

**Resolved**

- (1) That the revised tabled calendar of meetings for Cherwell District Council (CDC) for the municipal years 2014/15 and 2015/16 (annex to the Minutes as set out in the Minute Book) be approved.
- (2) That the joint meetings calendar of meetings (annex to the Minutes as set out in the Minute Book) be noted.

77 **Questions on Exempt Minutes**

There were no questions on exempt minutes.

The meeting ended at 8.20 pm

Chairman:

Date: