89. NOTICE OF DECISIONS

RESOLVED: That the record of the decisions taken at the meeting held on Wednesday 14 November 2012, copies of which had been circulated, be approved and signed as a correct record.

90. APOLOGIES FOR ABSENCE

Apologies for absence were received from Mr M R Booty (Deputy Leader) and the Chief Executive.

91. DECLARATIONS OF INTEREST

Ms Leffman declared a non-prejudicial interest in Agenda Item No. 6 by virtue of being a member of the West Oxfordshire Citizens Advice Bureau board who received grant aid from the council.

92. PARTICIPATION OF THE PUBLIC

No submissions were received from the public in accordance with the Council's Rules of Procedure.

93. RECEIPT OF ANNOUNCEMENTS

Oxfordshire Procurement Hub

Mr Hoare announced that the Oxfordshire Procurement Hub, of which the council was a founder member, had recently won a Society of Procurement Officers award in recognition of collaborative working and savings that had been achieved.

Mr Hoare congratulated Phil Martin, Head of the Joint Business Information and Change Service, and staff for their work.

Witney and Burford Visitor Information Centres

Mr Langridge reported that West Oxfordshire's two Visitor Information Centres had been awarded the title of 'Highly Commended' in Tourism South East's Beautiful South Awards for Excellence 2012.

Both Burford and Witney VICS were given the awards in the Visitor Information Provider of the Year category and the awards placed the two centres in the top five in the region. Mr Langridge gave his congratulations to all staff involved.
Green Apple Awards

Mr Harvey advised that both Agrivert and the Oxfordshire Waste Partnership had been successful in Green Apple Awards and offered his congratulations to both organisations.

94. 2013/2014 BUDGET

Cabinet received and considered the report of Frank Wilson, Strategic Director, together with the views of the overview and Scrutiny committees seeking consideration of initial draft base budgets for 2013/2014, draft fees and charges for 2013/2014 and the latest Capital Programme for 2012/2013 revised and future years.

Mr Hoare in introducing the draft budget thanked officers for their work in preparing the report. Mr Hoare advised that the Overview and Scrutiny Committees had considered the proposals and no further recommendations had arisen from those discussions. It was advised that the budget could be delivered with a Council Tax freeze and without the need to introduce car parking charges. Mr Hoare indicated that the Revenue Settlement Grant was expected to be announced on 19th December. Mr Hoare concluded by suggesting it was a sensible budget based on a sound financial position and advised that the Medium Term Financial Strategy would be reviewed in the New Year. Mr Hoare then proposed the recommendations.

Mr Robinson seconded the proposal and emphasised that it was a draft budget at this stage. Mr Robinson reported that the New Homes Bonus for the next financial year had been confirmed and was as predicted. It was highlighted that some general fund balances would be required and whilst not ideal it was inevitable in the current financial situation. Mr Norton made reference to the importance of savings that had been achieved by members and officers in helping to minimise the impact.

Mr Cooper sought clarification of the New Homes bonus figure. Mr Hoare advised that it was £440,000 for the next financial year. Mr Cooper in acknowledging the Council Tax freeze urged caution as there could be an issue if a significant rise was needed in future years. Mr Cooper highlighted issues around the need for referendums on precept rises being required in the future and suggested that some town/parish councils had yet to fully understand the new legislation. Mr Cooper asked if any funds from the Collection Fund Surplus had been used.

Mr Hoare confirmed that none had been used as yet. Mr Hoare acknowledged the concern regarding potential future rises in Council Tax but it was hoped that the continuing efficiency savings would help in this regard and an above capping limit rise was unlikely. Mr Norton confirmed that discussions were ongoing with the Department of Communities and Local Government regarding the capping situation for lower levying councils.

Ms Leffman referred to the grants budget for the next year. It was explained that the Citizens Advice Bureau (CAB) was likely to face new pressures as a result of the Welfare Reform Act so it was hoped that current grant funding could be maintained. Ms Leffman emphasised that the CAB was proactively looking at fundraising initiatives. Mr Hoare reported that levels of grant funding would be decided in the New Year for all applicants in accordance with the policy agreed previously. The total grant funding would be cut to mirror reductions in the Revenue Support Grant. Mr Hoare suggested that increased workloads for the CAB had not materialised in previous years. Mr Hoare outlined the long standing relationship between the council and CAB and acknowledged the work that was being undertaken by the CAB to reduce costs, share posts and access alternative funding.
Ms Leffman reiterated how appreciative the CAB was of the support provided by the council. It was emphasised that whilst savings were being made demand for services was increasing so support was still vital. Mr Norton highlighted the changing structure of the CAB and asked if discussions between both organisations were still ongoing. Mr Langridge confirmed that he was facilitating discussion with all organisations that received funding with a view to finding a suitable funding formula in the New Year.

Mr Dingwall advised that the Finance and Management Overview & Scrutiny Committee had supported the draft budget and emphasised the need for ongoing efficiency savings. Mr Dingwall referred to the work of the CAB and suggested that any increase in interest rates could impact on the volume of work in relation to debt issues.

**DECISIONS:**

(a) That the initial draft base budget for 2013/14, as amended, totalling £8,684,543 as summarised in Appendix A to the report be approved;

(b) That Draft fees and charges for 2013/2014 be approved; and

(c) That the latest Capital Programme for 2012/13 revised and future years as shown at Appendix C be approved.

**REASONS:** Cabinet considered the budget proposals to reflect the Council priority to be recognised as a leading council that provides efficient, value for money services.

**OPTIONS:** None appropriate.

95. **THE LOCALISM ACT 2011 – NEW COMMUNITY RIGHTS**

The report of Andrew Tucker, Strategic Director, outlining new community rights introduced in the Localism Act and seeking consideration of appropriate procedures and decision making arrangements to allow the Council to effectively discharge its responsibilities was received.

Mr Langridge introduced the report and explained that the recommendations provided a framework to drive the localism agenda. Mr Langridge indicated that it was difficult to predict which aspects of the legislation would be most used. It was highlighted that the Community Right to Bid had the potential to protect assets, such as public houses and other community resources of value, within the district. Mr Langridge emphasised the links with the planning process and the need for a collaborative approach where possible.

Mr Langridge then proposed the recommendations subject to the deletion of the bracketed words in recommendation (f) and recommendation (n) being that initial publicity be via the Council website and the annual town/parish forum. Mr Robinson seconded the proposal.

**DECISIONS:**

**Neighbourhood Planning and the Community Right to Build**

(a) That the relevant Strategic Director, in consultation with the Cabinet Member with responsibility for Strategic Planning, be authorised to determine straightforward proposals for the designation of neighbourhood areas, i.e. those not falling within (c) below.

(b) That, following the completion of the required consultation undertaken in accordance with The Neighbourhood Planning (General) Regulations 2012, Chipping Norton be recognised as a designated neighbourhood area pursuant to the Town Council’s area application (April 2012).
(c) That the Cabinet determines Neighbourhood Plan/ Community Right to Build areas in cases where the proposed area relates to two or more parishes; a geography that does not fit parish boundaries; or where in the opinion of the Strategic Director, the suggested area is contentious (perhaps due to the inclusion of overlapping areas represented in separate proposals).

The Community Right to Bid (Assets of Community Value)

(d) That the core management and administration of the new Community Right within the Council’s Planning and Sustainable Communities Service be noted.

(e) That the Head of Planning and Sustainable Communities, in consultation with the Cabinet Member with responsibility for the Local Economy and Communities, be authorised to make listing decisions on nominations of assets of community value, in accordance with the relevant statute and Government guidance.

(f) That the Cabinet be responsible for conducting any reviews of listing decisions as appropriate.

(g) That the Head of Planning and Sustainable Communities, in consultation with the Head of Finance (GO Shared Services East), be authorised to consider and determine claims for compensation from asset owners for losses and expenses that arise as a result of assets being listed.

(h) That the relevant Strategic Director (Development) in consultation with the Cabinet Member for Resources be authorised to consider and determine requests for the review of compensation determinations.

(i) That the development of relevant publicity (including website material) that meets the Localism Act requirements for establishing and publicising the new Community Right be noted.

The Community Right to Challenge

(j) That the management of cases brought forward under the Community Right to Challenge through the Council’s Business Improvement and Change Service as a complementary service to the provision of expert advice on procurement be noted.

(k) That the relevant Strategic Director, in consultation with the Cabinet Member with responsibility for Resources, be authorised to determine Expressions of Interest.

(l) That the Community Right to Challenge Policy (set out in Appendix 1), outlining the Council’s approach to the implementation of the Community Right to Challenge and the link from Expressions of Interest to potential procurement exercises that must then follow relevant regulations, be approved.

(m) That the development of relevant publicity (including website material) that meets the Localism Act requirements for establishing and publicising the new Community Right be noted.
Localism Act New Community Rights

(n) That further publicity, information and support to accompany the Council’s implementation of the Localism Act’s new Community Rights be undertaken through the Council website and at the Town/Parish Council Forum.

REASONS: It was considered that the decisions ensured that the Council was in a position to effectively discharge its statutory responsibilities under the Localism Act.

OPTIONS: None appropriate.

96. COMMUNITY LOAN SCHEME – SOUTH LEIGH VILLAGE HALL

Consideration was given to the report of the GO Shared Services Head of Finance in respect of providing a loan to South Leigh Parish Council as part of the funding towards the village hall project.

Mr Hoare introduced the report and highlighted the safeguards within the recommendations regarding approvals and a possible referendum. It was clarified that the loan value may be reduced if further funds were raised by the parish. Mr Hoare then proposed the recommendations. Mr Langridge seconded the proposal and highlighted the grant that had already been given for the project.

DECISION: That in accordance with the Council’s capital loan scheme to parish councils a loan of up to £90,000 is approved subject to:

(i) Secretary of state authorisation to undertake such a loan; and

(ii) Approval, if required, through Council Tax Referendum with residents. The loan will only be initiated once the formal process has been completed and approved.

REASONS: Cabinet considered the decision to reflect the Council priority to be recognised as a leading council that provides efficient, value for money services.

OPTIONS: None appropriate.

97. EXCLUSION OF THE PUBLIC

RESOLVED: that Cabinet being of the opinion that it was likely, in view of the nature of the business to be transacted, that if members of the public were present during the following item of business there would be a disclosure to them of exempt information and that the public interest in maintaining the exemption outweighed the public interest in disclosing it as defined in paragraph 3 of Part I of Schedule 12A to the Local Government Act 1972, the public be excluded from the meeting. The paragraph refers to information relating to the financial or business affairs of any particular person (including the authority holding that information).

98. PROCUREMENT OF A HOSTED PAYMENT SYSTEM

The report of the Head of Head of the Joint Business Information and Change Service seeking authority to award a contract for a new hosted payment solution was received.

Mr Hoare clarified that the Chairman of Finance and Management Overview & Scrutiny Committee had agreed to waive the call-in provisions. It was explained that this was required to allow officers to begin work with the successful contractor and maximise the time for introduction of the system and testing the software.
Mr Hoare proposed the recommendations subject to the wording ‘subject to the current capital allocation and revenue budget not being exceeded.’ being added to recommendation (i). Mr Harvey seconded the proposal.

DECISIONS:

(a) That the final decision on the successful tenderer be delegated to the relevant Strategic Director, in consultation with the Cabinet Member for Resources, to be determined in line with the most economically advantageous tender as set out in the tender process subject to the current capital allocation and revenue budget not being exceeded; and

(b) In accordance with Paragraph 37 of the Overview and Scrutiny Procedure Rules set out in Part 4 of the Constitution, and for the reasons given in the report, the Cabinet decision on this matter be implemented immediately.

REASONS: Cabinet considered the decision to reflect the Council priority to be recognised as a leading council that provides efficient, value for money services.

OPTIONS: None appropriate.

The meeting closed at 2.33pm

Leader of the Council