

Council



Listening Learning Leading

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Date: 16 April 2013

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Summons to attend a meeting of Council

to be held on

THURSDAY 25 APRIL 2013 AT 6.00 PM

at

**COUNCIL CHAMBER, SOUTH OXFORDSHIRE DISTRICT COUNCIL
OFFICES**

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MARGARET REED
Head of Legal and Democratic Services

Note: Please remember to sign the attendance register.

Agenda

1 Apologies

To receive apologies for absence.

2 Declaration of disclosable pecuniary interest

To receive any declarations of disclosable pecuniary interests in respect of items on the agenda for this meeting.

3 Minutes (Pages 3 - 10)

To adopt and sign as a correct record the minutes of the meeting held on 21 February 2013 (**attached**).

4 Chairman's announcements

To receive any announcements from the Chairman.

5 Questions from the public and public participation

To receive any questions from members of the public and details of any requests to address Council on an item on the agenda.

6 Neighbourhood Planning Referendums - scale of fees and charges (Pages 11 - 16)

To consider the report of the Returning Officer on a proposed scale of fees and charges for the Counting Officer to undertake arrangements for managing and conducting neighbourhood planning referendums (**report attached**).

MARGARET REED

Head of Legal and Democratic Services

Minutes

OF A MEETING OF THE

Council



Listening Learning Leading

HELD AT 6.00 PM ON THURSDAY 21 FEBRUARY 2013

COUNCIL CHAMBER, SOUTH OXFORDSHIRE DISTRICT COUNCIL
OFFICES

Present

Mrs Janet Carr (Chairman)

Ms Anna Badcock, Mr Roger Bell, Ms Joan Bland, Mr Felix Bloomfield, Mr David Bretherton, Mrs Celia Collett, MBE, Mr Steve Connel, Mr Bernard Cooper, Ms Kristina Crabbe, Mr Philip Cross, Mr Leo Docherty, Mr David Dodds, Mrs Ann Ducker, MBE, Mrs Elizabeth Gillespie, Mr Mark Gray, Mr Will Hall, Mr Tony Harbour, Mrs Eleanor Hards, Mr Marcus Harris, Mr Neville F Harris, Mr Paul Harrison, Mr Marc Hiles, Ms Elizabeth Hodgkin, Dr Christopher Hood, Mr Malcolm Leonard, Ms Lynn Lloyd, Mr Imran Lokhon, Mrs Denise Macdonald, Mrs Ann Midwinter, Mrs Judith Nimmo-Smith, Reverend Angie Paterson, Mr Alan Rooke, Mr Bill Service, Mr Robert Simister, Mrs Pearl Slatter, Mr David Turner, Mrs Margaret Turner, Miss Rachel Wallis, Mr Michael Welply and Mrs Jennifer Wood

Officers: Steve Bishop, David Buckle, Steven Corrigan, Simon Hewings, William Jacobs, Matt Prosser, Anna Robinson and Margaret Reed

37 Apologies

Mrs Dorothy Brown, Mr John Cotton, Mrs Margaret Davies, Mrs Pat Dawe, Mr Stephen Harrod, Ms Ann Purse and Mr Christopher Quinton tendered apologies.

38 Declaration of disclosable pecuniary interest

None.

39 Minutes

RESOLVED: to approve the minutes of the meeting held on 13 December 2012 as a correct record and agree that the Chairman sign them as such.

40 Chairman's announcements

The Chairman thanked Corporate Strategy for arranging the Woolly Pully and Charity Book Sale events which raised £195 for her charities. She also thanked Emma

Dolman and her team at Cornerstone for arranging the Swingtime Charity Concert which raised £3,370 for her charities.

The Chairman reminded councillors of her forthcoming charity dinner taking place on Friday 5 April 2013 at The Oxfordshire Golf Club, Thame and her charity sale on 6 March.

41 Questions from the public and public participation

None.

42 Treasury management monitoring report 2012/13

Council considered Cabinet's recommendation, made at its meeting on 14 February 2013, on the treasury management activities for the first six months of 2012/13 and an update on the current economic conditions with a view to the remainder of the year.

RESOLVED: to approve the report of the Head of Finance to Cabinet on 14 February 2013.

43 Treasury management strategy 2013/14

Council considered Cabinet's recommendations, made at its meeting on 14 February 2013, on the approval of the treasury management strategy 2013/14 to 2015/16, the annual investment strategy and the prudential indicators and limits for 2013/14 to 2015/16.

RESOLVED: to approve:

1. the treasury management strategy 2013/14 to 2015/16, incorporating the annual investment strategy, contained within appendix A of the report of the Head of Finance to Cabinet on 14 February 2013;
2. the prudential indicators and limits for 2013/14 to 2015/16, contained within appendix A of the report of the Head of Finance to Cabinet on 14 February 2013.

44 Addition to the approved capital programme 2012/13

Mrs J Nimmo-Smith declared that she did not have a disclosable pecuniary interest in this item but she was associated with one of the parties. She took no part in the discussion or voting on the item but remained in the room.

Council considered the confidential report of the Strategic Director and agreed to recommend Council to agree an addition to the approved capital programme 2012/13 for land acquisition at Didcot, as set out in the report.

RESOLVED: to add a sum of £1 million as a supplementary estimate to the approved capital programme 2012/13 for land acquisition at Didcot.

45 Revenue budget 2013/14 and capital programme to 2017/18

Council noted the report of the Chief Finance Officer on the robustness of the budget estimates and the adequacy of the reserves.

Mr D Dodds, Cabinet member for finance, presented the Cabinet's proposals for the revenue budget 2013/14 and capital programme to 2017/18.

Mr D Dodds moved and Mrs E A Ducker seconded a motion to approve Cabinet's recommendations as follows:

That Council:

1. sets the revenue budget for 2013/14 at £11,684,623 and the council tax requirement as £6,187,635, as set out in appendix A1 of the report of the Head of Finance to Cabinet on 14 February 2013;
2. approves the capital programme for 2013/14 to 2017/18 as set out in appendix C of the report of the Head of Finance to Cabinet on 14 February 2013, together with the capital growth bids set out in appendix D of the report;
3. sets the council's prudential limits as listed in appendix F of the report of the Head of Finance to Cabinet on 14 February 2013;
4. approves the medium term financial plan to 2017/18 as set out in appendix G of the report of the Head of Finance to Cabinet on 14 February 2013;
5. allocates £1 million to fund the Community Investment Fund grant scheme.

Mrs E Hards moved and Mr D Turner seconded an amendment to the above budget in the following terms:

That Council sets the revenue budget and capital programme taking account of the proposed changes as set out in the schedule - "opposition forum budget proposal" - (attached to the minute book copy of these minutes).

The amendment to the revenue budget proposed funding for 48 councillors to have an allowance of £10,000 each to spend on small projects in their wards. The proposal included £20,000 to cover the cost of administering the scheme. The total cost of £500,000 for 2013/14 would be funded from the enabling fund.

The amendment to the capital programme proposed to increase the Broadband Fund for improvements to broadband coverage across the district by a further £500,000 per annum for two years making a total of £2,000,000 rather than the Cabinet's budget proposal of £1,000,000. The additional cost would be met from the usable capital/revenue reserves.

A number of councillors spoke in support of the amendment. Providing councillors with an allowance, similar to the Community Budgets operated at Oxfordshire County Council, would allow ward councillors the opportunity to address local need at a time when charity and grant funding was restricted due to the economic climate. Small amounts of funding could allow organisations to formulate applications for grant funding from other sources, including the council's Community Investment Fund, and, due to the small amounts of money involved, meet a need not addressed by other funding streams. The provision of additional broadband funding would facilitate the

delivery of broadband to those rural areas omitted from the county council area of coverage.

A number of councillors spoke against the amendment. The council currently offered sufficient grant funding to meet the needs of local organisations. Providing funds under a system suggested by the amendment would increase administrative costs and reduce the scrutiny and accountability of awards. The Cabinet budget proposals included a provisional capital budget to enable the council to support improvements to broadband coverage across the district. Currently no such scheme existed. If a scheme was brought forward and additional funds were required these could come from the capital contingency fund.

On being put the amendment was declared lost.

On being put the original motion was carried.

RESOLVED: to:

1. set the revenue budget for 2013/14 at £11,684,623 and the council tax requirement as £6,187,635, as set out in appendix A1 of the report of the Head of Finance to Cabinet on 14 February 2013;
2. approve the capital programme for 2013/14 to 2017/18 as set out in appendix C of the report of the Head of Finance to Cabinet on 14 February 2013, together with the capital growth bids set out in appendix D of the report;
3. set the council's prudential limits as listed in appendix F of the report of the Head of Finance to Cabinet on 14 February 2013;
4. approve the medium term financial plan to 2017/18 as set out in appendix G of the report of the Head of Finance to Cabinet on 14 February 2013;
5. allocate £1 million to fund the Community Investment Fund grant scheme.

46 Council Tax 2013/14

Council considered the report of the Head of Finance on the setting of the Council Tax for the 2013/14 financial year.

Mr Dodds moved and Mrs E A Ducker seconded the recommendations as set out in the report.

RESOLVED:

1. to **note** that at its meeting on 13 December 2012 the council calculated the council tax base 2013/14:
 - (a) for the whole council area as **52,607.0** [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 column 1 of appendix 1 to the report of the Head of Finance to Council on 21 February 2013.
2. that the council tax requirement for the council's own purposes for 2013/14 (excluding parish precepts) is £6,187,635.

3. that the following amounts be calculated for the year 2013/14 in accordance with Sections 31 to 36 of the Act:
 - (a) £60,561,476 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.
 - (b) £50,501,474 being the aggregate of the amounts which the council estimates for the items set out in Section 31A(3) of the Act.
 - (c) £10,060,002 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) £191.23 being the amount at (3)(c) above (Item R), all divided by Item T (1(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).
 - (e) £3,872,367 being the aggregate amount of all special items referred to in Section 34(1) of the Act, as set out in column 2 of appendix 1 of the report of the Head of Finance to Council on 21 February 2013.
 - (f) £117.62 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 relates.
4. to **note** that for the year 2013/14 Oxfordshire County Council has stated the following amounts in precepts issued to the council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below:

Band A	£789.89
Band B	£921.53
Band C	£1,053.18
Band D	£1,184.83
Band E	£1,448.13
Band F	£1,711.42
Band G	£1,974.72
Band H	£2,369.66

5. to **note** that for the year 2013/14 the Police and Crime Commissioner for Thames Valley has stated the following amounts in precepts issued to the council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below:

Band A	£104.92
Band B	£122.41
Band C	£139.89
Band D	£157.38
Band E	£192.35
Band F	£227.33
Band G	£262.30
Band H	£314.76

6. in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, to set the aggregate amounts shown in appendix 3 of the report of the Head of Finance to Council on 21 February 2013 as the amounts of council tax for 2013/14 for each part of its area and for each of the categories of dwellings shown in appendix 3 of the report.
7. to note the allocation of the town and parish element of the council tax reduction scheme grant payable to each parish shown in appendix 4 of the report of the Head of Finance to Council on 21 February 2013.
8. to determine that the council's basic amount of council tax for 2013/14 is not excessive in accordance with principles approved under Section 52ZB Local Government Finance Act 1992.

47 Adoption of the model skin piercing byelaws

The General Licensing Committee, at its meeting held on 15 January 2013, resolved to adopt a new single consolidated set of byelaws produced by the Department of Health to regulate all skin piercing activities (acupuncture, tattooing, semi-permanent skin-colouring, cosmetic piercing and electrolysis).

Following the meeting officers clarified that Council is the body responsible for the adoption of such byelaws. Council considered revised wording to that agreed by the committee to reflect the legislative requirements and activities covered by the byelaws.

RESOLVED: to

1. make new model byelaws under Sections 14 and 15 of the Local Government (Miscellaneous Provisions) Act 1982 (as amended by the Local Government Act 2003) for the regulation of acupuncture, tattooing, semi-permanent skin-colouring, cosmetic piercing and electrolysis (and revoke existing byelaws) and
2. authorise the Head of Legal and Democratic Services to take all steps necessary to obtain confirmation of the byelaws from the Secretary of State for Health.

48 Designating the council's section 151 chief financial officer

Report withdrawn from agenda.

49 Pay policy statement 2013/14

Council considered the report of the Head of HR, IT and Customer Services on the adoption of a pay policy statement to meet the requirements of the Localism Act.

RESOLVED: to approve the pay policy statement attached to the report of the Head of HR, IT and Customer Services to Council on 21 February 2013.

50 Questions under Council procedure rule 11

None.

51 Motion to Council

Council considered one motion under Council procedure rule 41.

Motion proposed by Mrs E Hards and seconded by Mr D Turner:

“That Council make representations to the government by all means available to bring forward an early review of the so-called “bedroom tax” to be brought in as part of the Welfare Reform Bill.

It is becoming apparent that this under-occupation penalty will have a severe impact on members of our local communities particularly people with disabilities.”

A number of councillors spoke in support of the motion. The planned changes in allowances, which will reduce housing benefits for people who have a spare room, took no account of disabled people’s adapted homes and the possible need for a carer, of parents sharing custody who will lose the room for their child when visiting or of grandchildren visiting grandparents. There was a shortage of smaller dwellings in the district to meet the demand. Those vulnerable residents forced to leave their neighbourhoods and support networks could increase the demand on the resources of social services. An early review would allow the unintended consequences of the proposal to be addressed.

Those councillors opposing the motion spoke of the need to reform the current scheme to ensure a flexible and fair approach to the housing needs of residents. The housing benefit payable should reflect a person’s or family’s needs in terms of bedrooms required and not automatically cover the cost of the property. This system already operated within the private rental sector. It was too early to undertake a review because the scheme was not yet in place. The government had allocated a £30 million discretionary fund to help vulnerable groups affected by the change. Both the council and SOHA were working with those affected by the proposals to find suitable alternative accommodation or access discretionary housing payments.

On being put to the vote the motion was declared lost.

The meeting closed at 8.10pm

Chairman

Date

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Council



Report of the Returning Officer

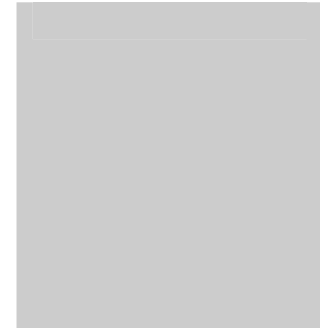
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To: Council

DATE: 25 April 2013



Neighbourhood Planning Referendums – scale of fees and charges

Recommendation

Council is asked to agree the scale of fees and charges, as shown in appendix A, for neighbourhood planning referendums.

Purpose of Report

1. This report asks Council to agree a scale of fees and charges for the Counting Officer to undertake arrangements for managing and conducting neighbourhood planning referendums.

Corporate objectives

2. The setting of transparent fees contributes to the corporate objective of effective management of resources.

Background

3. At its meeting on 9 December 2010 Council agreed a scale of fees and charges for district and parish elections and parish polls in accordance with provisions in the Representation of the People Act 1983 and the Local Government Act 1972. The fees for conducting Parliamentary and European Parliamentary elections are regulated by the Returning Officers' Fees and Charges Orders made by the Government. In addition for the recent Police and Crime Commissioner election in 2012 and the national AV referendum in 2011 a national scale of fees and charges was set by an Order.
4. Under the Neighbourhood Planning (Referendums) Regulations 2012, which came into force on 3 August 2012, each council is required to make arrangements for the referendum to take place in any localities they are responsible for within the referendum area. The council is also required to meet the costs of a neighbourhood planning referendum. The council's existing scheme for local

elections does not include reference to the fees payable for running a neighbourhood planning referendum.

5. At a neighbourhood planning referendum in England the referendum is the responsibility of the Counting Officer who is the Returning Officer for principal area elections for that authority (i.e. the person appointed as the Returning Officer for the election of principal area councillors is also the Counting Officer for the referendum).

Proposed scale of fees

6. At its meeting on 18 October 2012 Cabinet agreed a funding contribution to provide financial support to towns and villages to develop neighbourhood plans. In doing so Cabinet estimated the likely costs of supporting a neighbourhood plan through to the referendum stage according to three groups: towns, larger villages and smaller villages based on the settlement categories in the council's core strategy. The report to Cabinet estimated the cost to the council of delivering a neighbourhood plan, including the cost of a referendum, for one of the five towns (Chinnor was included in this group) in the order of £30,000, £15,000 for the larger villages and £10,000 for the smaller villages.
7. Officers propose the use of the above categorisation for Council to set a maximum scale of fees and charges for the Counting Officer to use. The proposed scale is set out in appendix A. This is based on the levels for contested parish council elections in the council's existing scheme.

Financial Implications

8. The council must meet the costs of a neighbourhood planning referendum. It is not possible to accurately estimate the cost of a referendum. The costs will depend on the size of the neighbourhood plan area - the size of the electorate, the number of polling stations and staff required to run them, the number of postal voters and whether the referendum is combined with any other elections. After each referendum, the Counting Officer will report the actual expenditure to councillors.
9. The fee payable to the Counting Officer is not superannuable.

Legal Implications

10. It is not a legal requirement to have a scale of fees and charges but the presence of one regulates the maximum expenditure payable by the council.

Other implications

11. None known.

Conclusion

16. This report asks Council to agree a scale of fees and charges for neighbourhood planning referendums.

Background Papers

None.

Scale of fees for neighbourhood planning referendums

Only the fees and disbursements specified below shall be chargeable. The fees payable to the Counting Officer or his/her duly appointed Deputy Counting Officer(s) shall include all payments which he/she makes from his/her fees to other persons by way of remuneration of services undertaken on his/her behalf.

In no case shall a charge exceed the sum actually and necessarily paid or payable by the Counting Officer. Subject to this, the maximum charges are set out in the scale.

A – Fees

1	To the Counting Officer, or where appropriate a Deputy Counting Officer for carrying out all the duties assigned to him / her by the Counting Officer for conducting the referendum and generally performing the duties required by any enactments relating to the referendum	
	for each parish/town, a flat fee: -	
	Towns including Chinnor	£50
	Larger village parishes	£40
	Smaller village parishes	£30
	(If the Counting Officer or his/her duly appointed Deputy Counting Officer also carries out the functions specified in items 2 and 3 of the scale he/she will be entitled to claim the total of the fees payable under both items)	
2	To the Counting Officer, or a Deputy Counting Officer for services in connection with the preparation, maintenance and issue of official poll cards a flat fee as follows:	
	Towns including Chinnor	£20
	Larger village parishes	£15
	Smaller village parishes	£10
3	To the Counting Officer, or a Deputy Counting Officer appointed for the purposes of making arrangements for the issue and opening of postal votes a flat fee as follows:	
	Towns including Chinnor	£30
	Larger village parishes	£25
	Smaller village parishes	£20
	(A Deputy Counting Officer appointed under items 2 and 3 cannot also claim the fee payable under items 9 and 10 of this scale)	
4	To the Counting Officer, or a Deputy Counting Officer appointed for the purposes of making arrangements for counting the votes and declaring the results of the referendum	
	Towns including Chinnor	£50
	Larger village parishes	£40

	Smaller village parishes	£30
	(A Deputy Counting Officer appointed under item 3 cannot also claim the fee payable under items 10 and 11 of this scale)	

B – Disbursements

4	For the employment of persons for clerical and other assistance a flat fee as follows:	
	Towns including Chinnor	£40
	Larger village parishes	£30
	Smaller village parishes	£20
5	For printing and providing forms , notices and other documents required for the referendum, including the printing costs, computer charges and all associated costs, together with advertising expenses, postage, telephone calls and miscellaneous expenses (ad hoc printing) a flat fee	£35
6	Presiding Officer , a fee of or where a referendum is combined with any other poll a fee of	£190 £220
7	Poll Clerk , a fee of or where a referendum is combined with any other poll a fee of	£110 £135
	(The fees for Presiding Officers and Poll Clerks include all expenses other than travelling expenses specified in item 12 of this scale)	
8	To the Counting Officer or his/her duly appointed representatives, for inspection and supervision of each polling station , a fee per station of	£20
9	For the employment of persons in connection with the issue and receipt of postal ballot papers .	
	(a) postal vote supervisors	£10 per hour
	(b) postal vote count assistants	£7 per hour
10	Count Supervisor , a fee of	£20 per hour
11	Count Assistant , a fee of	£10 per hour
12	Travelling expenses of the Counting Officer, Deputy Counting Officer, Assistants, Presiding Officer, Poll Clerks, Count Assistants, Polling Station Inspectors and any other person	HMRC rate
13	Fees associated with each polling station as follows: -	
	(a) Hire and associated costs (heating / electric) of polling station venue	Actual and necessary cost
	(b) Compensation payable in consequence of the cancellation of functions in order to make suitable premises available for use as polling stations	Actual and necessary cost
	(c) Booking halls, writing letters, arranging staff, preparation of ballot box and licence costs	Actual and necessary

		cost
	(d) Polling booth / screen delivery	Actual and necessary cost
	(e) Paper, stationery packs	Actual and necessary cost
	(f) Manual assistance (for moving ballot boxes and stationery)	Actual and necessary cost
14	Printing of ballot papers	Actual and necessary cost
15	Printing and postage of poll cards	Actual and necessary cost
16	Fees associated with the count as follows: -	
	(a) Hire and associated costs (heating / electric) of count venue	Actual and necessary cost
	(b) Compensation payable in consequence of the cancellation of functions in order to make suitable premises available for use as count venue	Actual and necessary cost
	(c) Stationery and equipment for the count	Actual and necessary cost
	(d) Additional printing/notices for the count	Actual and necessary cost
17	Any other costs associated with the referendum, such as advertising and any other miscellaneous costs	Actual and necessary cost
	<p>Note</p> <p>In the event of a neighbourhood planning referendum being combined with another poll the costs are to be shared on an equal basis, unless a particular expense can actually be allocated to a specific election/referendum.</p> <p>In the case of costs associated with postal vote opening, recharges will be calculated based on the number of postal votes issued as a percentage of the total number of postal votes returned.</p>	

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