

Committee: Executive
Date: Monday 17 November 2008
Time: 6.30 pm
Venue: Bodicote House, Bodicote, Banbury, OX15 4AA

Membership

Councillor Barry Wood (Chairman)	Councillor G A Reynolds (Vice-Chairman)	
Councillor Norman Bolster	Councillor Kieron Mallon	Councillor Nick Turner
Councillor Michael Gibbard	Councillor Nigel Morris	
Councillor James Macnamara	Councillor D M Pickford	

AGENDA

- 1. Apologies for Absence and Notification of Substitute Members**
- 2. Declarations of Interest**

Members are asked to declare any interest and the nature of that interest that 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.

- 4. Urgent Business**

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

- 5. Minutes**

The Minutes of the meeting held on 3 November 2008 are not available at this time and are recommended for deferral.

Strategy and Policy

6. Proposed Eco-Town at Weston Otmoor - Update (Pages 1 - 54)

6.30 pm

Report of Head of Planning and Affordable Housing Policy

Summary

To update the Executive and present further information on:

(i) Government publication Draft of the Planning Policy Statement on Eco Towns and the Sustainability Appraisal of the Eco Towns Programme, and:

(ii) the Council's involvement in the continuing assessment of the Weston Otmoor Eco-Town proposal.

Recommendations

The Executive is recommended:

(1) To note the contents of the Report and the supporting Appendices.

7. RAF Bicester Conservation Area (Pages 55 - 58)

7.00 pm

Report of Head of Legal and Democratic Services

Summary

This report contains a referral to the Executive from the Overview & Scrutiny Committee.

Recommendations

The Executive is recommended:

(1) to note the Overview and Scrutiny Committee belief that, having regard to the situation and historic status of RAF Bicester it should not be considered as a suitable site for housing, and that the Executive be requested to feed this view into the consultation process for the Local Development Framework.

(2) to confirm and recognise the historic status of the RAF Bicester site and their commitment to ensure that the appropriate bodies ensure the historic buildings are maintained.

(3) That in light of recommendation two above, the Portfolio Holder for Planning and Housing be requested to keep this issue within his consideration and to take action as appropriate.

(4) To welcome proposals such as that of Bomber Command Heritage to raise the profile of the heritage and value of the RAF Bicester site.

8. **Cherwell Rural Strategy** (Pages 59 - 64)

7.15pm

Report of Head of Urban and Rural Services

Summary

To present the initial outcomes and findings from the consultation on the Draft Cherwell Rural Strategy and to consider the adoption of the main themes for the final document.

Recommendations

To present the initial outcomes and findings from the consultation on the Draft Cherwell Rural Strategy and to consider the adoption of the main themes for the final document.

Service Delivery and Innovation

9. **Local Authority Business Grant Incentive Scheme** (Pages 65 - 70)

7.35 pm

Report of Head of Economic Development and Estates

Summary

To advise Members as to the grant awarded to the Council under the Local Authority Business growth Incentive (LABGI) scheme, to seek guidance as to how this grant should be used, and to advise as to future proposed changes to the scheme.

Recommendations

The Executive is recommended:

- (1) That the Council place £45,000 in a reserve account to finance up to £15,000 pa for 3 years from 2009/10 to fund the continuation of the business mentoring service currently administered by Oxfordshire Business Enterprises.
- (2) That the remaining LABGI funds received this year be placed in a reserve account, to be used to finance economic development activities and projects in future years
- (3) That £5,000 be allocated to finance a contribution towards the cost of an employer skills survey being undertaken in this area by the Learning and Skill Council this year.
- (4) That authority to allocate the remaining funds referred to in paragraph (2) above to individual projects be delegated to the Portfolio Holder for Economic Development and Estates.
- (5) That the Council respond to the Government consultation on the future of the LABGI scheme, indicating its view that the method of allocating funds in future be based on increases in NNDR contributions calculated on a sub-regional basis, as defined by Government, divided more equally between County and District Councils.

10. **Sports Centres Modernisation - Update** (Pages 71 - 76)

7.50 pm

Report of Strategic Director – Environment and Community

Summary

To provide an update on the Sport Centre Modernisation project.

Recommendations

The Executive is recommended:

- (1) To note the current position and progress to date; and
- (2) To endorse the approach to contingency planning
- (3) Approve a supplementary capital estimate of £295,154

Value for Money and Performance

11. **2008/09 Projected Revenue & Capital Outturn at 30 September 2008 and 2009/10**
(Pages 77 - 116)

8.10 pm

Report of Strategic Director – Customer Service and Resources and Chief Accountant

Summary

This report summarises the Council's Revenue and Capital performance for the first 6 months of the financial year 08/09 and projections for the full 08/09 period. These are measured by the budget monitoring function and reported via the Performance Management Framework (PMF) informing the 09/10 budget process currently underway

Recommendations

The Executive is recommended:

- 1) To note the revenue & capital position at Sept 08 detailed in Appendix 1 and 2.
- 2) To note the projected revenue position for 08/09 detailed in Appendix 3 and the actions taken to date to reduce the projected overspend.
- 3) To agree that £3,605,367 of capital schemes listed in Appendix 4a approved as part of the 08/09 budget but profiled for expenditure in 2009/10 are bought forward for utilisation in 08/09 as per the revised profiles of the accommodation review and sports centre modernisation project.
- 4) To agree that £607,100 of capital schemes listed in Appendix 4b approved as part of the 08/09 budget are to be delayed and agree that they are carried forward for utilisation in 09/10. This delay will generate additional investment income in 2008/09.
- 5) To agree that £467,833 of schemes listed in Appendix 4c as no longer required and approved as part of the 08/09 budget can be deleted from the capital programme and approve supplementary estimates totalling £135,328 detailed in Appendix 4d for inclusion into the 08/09 capital programme comprising of:
 - £20,000 Data Encryption Software

- £25,000 Service Desk Software
- £35,328 Iclipse Software Licences
- £27,000 Iclipse System Upgrade
- £28,000 Banbury Visitor Management Plan

The net decrease of £332,505 on cashflow projections will generate additional investment income.

- 6) Subject to agreement of points 4-7 inclusive note the projected capital out-turn position for 2008/09 detailed in Appendix 5.
- 7) To consider and recommend whether any of the actions proposed below to further contain expenditure during this period of economic downturn should be further explored by Officers in the Q3 projection.
 - Delete or defer capital schemes that have yet to start as at 31st October 2008 and detailed in Appendix 6
 - To cut any discretionary expenditure planned in the second half of the year
 - To consider a review of reserves and the need to make provision for further economic issues as part of the Q3 projection.

12. **Performance Management Framework 2008/2009 - Second Quarter Progress Report**
(Pages 117 - 170)

8.30 pm

Report of Chief Executive and Head of Improvement

Summary

To report the Council's performance against the Performance Management Framework for the period July – September 2008.

Recommendations

The Executive is recommended:

- 8) To note the progress made in delivering performance against the Corporate Scorecard and the other performance frameworks appended to this report.
- 9) To note the responses to the issues raised in the 1st Quarter Report and to seek further information or a further report in the next Quarterly Report as appropriate.
- 10) To agree that in the next Quarterly Report there will be an update on the impact of the economic downturn on:
 - a) The Council's ability to deliver the 2008/09 corporate targets of 400 new homes, including 100 units of social housing, and the creation of 200 net new jobs.
 - b) The income received through building control, planning applications, and land charges and the budget implications of rising costs (fuel costs for example).
 - c) The progress of key development projects such as Banbury Canalside, Bicester Town Centre, and South West Bicester.
- 11) To agree that in the next Quarterly Report there will be an update on the following:

- a) The time taken to process 'minor and other' planning applications.
- b) Increasing the visitor numbers to Banbury Museum.
- c) Addressing the 2.1% rise in overall crime figures, the failure to meet the target for reducing acquisitive crime and the timetable and process for producing the Anti Social Behaviour Strategy.
- d) Improving the average time taken to process new benefits claims.
- e) Reducing the amount of waste going to landfill (and implementing the Food Waste Pilot).
- f) The progress on delivering Nightsafe Bicester.
- g) The financial impact of the Government's Free Swimming Programme for over 60's and under 16's.

Other Matters

13. Review of Call-in Arrangements (Pages 171 - 186)

9.00 pm

Report of Chief Executive

Summary

To consider the proposals arising from the Overview and Scrutiny Committee review of Call-in arrangements and to make recommendations to Council (via the Executive and Standards Committee).

Recommendations

- (1) that the Executive note the results of the consultation on the review of Call-in and the proposals from the Overview and Scrutiny Committee;
- (2) that the Executive consider the Overview & Scrutiny Committee's preferred Call-in model and decide what recommendations to put to Council.

14. Authorisation of Staff (Pages 187 - 190)

9.15 pm

Report of Head of Safer Communities and Community Development

Summary

To authorise a new member of staff.

Recommendations

The Executive is recommended to:

- (1) Authorise Daniel Rowson for the purposes of the following legislation:-

Building Act 1984
Caravan Sites Act 1968
Clean Air Act 1956, 1968 and 1993
Clean Neighbourhoods and Environment Act 2005
Control of Pollution Act 1974
Dogs (Fouling of Land) Act 1996
Environmental Protection Act 1990
Factories Act 1961
Litter Act 1983
Offices, Shops and Railway Premises Act 1963
Prevention of Damage by Pests Act 1949
Public Health (Control of Disease) Act 1984
Refuse Disposal (Amenity) Act 1978
Sunday Trading Act 1994
Water Acts 1973 and 1989
Water Industry Act 1991

- (2) Invite the Council to authorise Daniel Rowson for the purposes of the following legislation:-

Animal Boarding Establishments Act 1963
Breeding of Dogs Act 1973
Breeding and Sale of Dogs (Welfare) Act 1999
Caravan Sites and Control of Development Act 1960
Dangerous Wild Animals act 1976
Food Hygiene (England) Regulations 2006
Food Safety Act 1990
Health Act 2007
Health and Safety at Work, etc Act 1974
Local Government (Miscellaneous Provisions) Acts 1976 and 1982
Noise and Statutory Nuisance act 1993
Official Feed and Food Controls (England) Regulations 2007
Pet Animals Act 1951
Public Health Acts 1936 and 1961
Riding Establishments Acts 1964 and 1970
Scrap Metal Dealers Act 1964
Zoo Licensing Act 1981

Urgent Business

15. Urgent Business

Any other items which the Chairman has decided is urgent.

16. Exclusion of the Press and Public

The following report(s) contain exempt information as defined in the following paragraph(s) 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(s) have been marked as exempt, it is for the meeting to decide whether or not to consider each of them 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(s) of business, on the grounds that they could involve the likely disclosure of exempt information as defined in paragraph(s) 2 of Schedule 12A of that Act.”

17. **Sports Centres Modernisation Update - Exempt Financial Appendix** (Pages 191 - 198)

9.20 pm

18. **Banbury Flood Alleviation Scheme** (Pages 199 - 202)

9.25 pm

Report of Head of Economic Development and Estates

(Meeting scheduled to close at 9.45 pm)

Information about this Agenda

Apologies for Absence

Apologies for absence should be notified to democracy@cherwell-dc.gov.uk or 01295 221587 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. The definition of personal and prejudicial interests is set out in Part 5 Section A of the constitution. The Democratic Support Officer will have a copy available for inspection at all meetings.

Personal Interest: Members must declare the interest but may stay in the room, debate and vote on the issue.

Prejudicial Interest: Member must withdraw from the meeting room and should inform the Chairman accordingly.

With the exception of the some very specific circumstances, a Member with a personal interest also has a prejudicial interest if it is one which a Member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice the Member's judgement of the public interest.

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.

Queries Regarding this Agenda

Please contact James Doble, Legal and Democratic Services james.doble@cherwell-dc.gov.uk (01295) 221587

Mary Harpley
Chief Executive

Published on Friday 7 November 2008