

## **Cherwell District Council**

### **Executive**

Minutes of a meeting of the Executive held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 3 December 2012 at 6.30 pm

Present: Councillor Barry Wood (Chairman), Leader of the Council  
Councillor G A Reynolds (Vice-Chairman), Deputy Leader of the Council

Councillor Ken Atack, Lead Member for Financial Management  
Councillor Norman Bolster, Lead Member for Estates and the Economy  
Councillor John Donaldson, Lead Member for Banbury Brighter Futures  
Councillor Michael Gibbard, Lead Member for Planning  
Councillor Tony Ilott, Lead Member for Public Protection  
Councillor Nigel Morris, Lead Member for Clean and Green  
Councillor D M Pickford, Lead Member for Housing

Also Present: Councillor Andrew Beere, in place of Councillor Patrick Cartledge, Leader of the Labour Group  
Councillor Tim Emptage, Leader of the Liberal Democrat Group

Apologies for absence: Councillor Nicholas Turner, Lead Member for Performance and Customers

Officers: Sue Smith, Chief Executive  
Calvin Bell, Director of Development  
Martin Henry, Director of Resources / Section 151 Officer  
Kevin Lane, Head of Law and Governance / Monitoring Officer  
Adrian Colwell, Head of Strategic Planning and the Economy (for agenda items 6, 7 and 8)  
Jo Pitman, Head of Transformation (for agenda items 9 and 10)  
David Peckford, Senior Planning Officer (for agenda items 6 and 7)  
Louise Tustian, Land Charges Manager (for agenda item 9)  
Shirley Vaughan, Performance and Planning Officer (for agenda item 9)  
Michal Gogut, Consultation & Engagement Officer (for agenda item 9)  
Helen Town, Strategic Housing Officer (for agenda item 16)  
Natasha Clark, Team Leader, Democratic and Elections

#### **64 Declarations of Interest**

There were no declarations of interest.

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

The Chairman reported that there had been one requested to address the meeting however the individual was not present at the meeting. There were no petitions or requests to address the meeting.

66 **Urgent Business**

There were no items of urgent business.

67 **Minutes**

The minutes of the meeting held on 5 November 2012 were agreed as a correct record and signed by the Chairman.

68 **Banbury Masterplan Progress Report**

The Head of Strategic Planning and the Economy submitted a report which provided an update on the development of the Banbury Masterplan.

Gordon Lewis of WYG, the consultants appointed by Cherwell District Council to prepare a Masterplan for Banbury, gave a presentation which updated Executive on progress being made with the development of the Masterplan. Since the endorsement of the Conceptual Plan by Executive in October 2012, WYG had begun the drafting of the full Masterplan to set out the infrastructure needs of the town including future education, health, green infrastructure and leisure requirements.

The Banbury Masterplan would assist with the completion of the Local Plan for the District having considered the issues facing the development of the town as a whole in depth. It would show potential phasing of development to illustrate how key development areas might best be delivered. As part of the preparation of the Masterplan additional studies were being undertaken to inform its content and to act as evidence for the Local plan including a) a movement assessment, b) additional landscape analysis.

It was intended that the Banbury Masterplan would be adopted as part of the Development Plan process after adoption of the Local Plan.

In considering the report and presentation Members expressed their gratitude to officers and the consultants for the work undertaken on the draft Banbury Masterplan.

In response to Members' queries regarding the Banbury Transport Study, Gordon Lewis explained that the Banbury Movement Strategy would be a companion report to the Masterplan and would address traffic issues. Consultation on the Strategy would take place in tandem with the Masterplan.

## **Resolved**

- (1) That the Banbury Masterplan update presentation be noted.

## **Reasons**

A Masterplan to guide the future development of Banbury is in preparation. It is considering future employment needs and how the town centre might be further strengthened; the potential for major transport improvements and how the integration of new communities with the existing town to form 'one' town might best be secured.

The Banbury Masterplan will be used to provide the detailed underpinning for the Banbury chapter of the Local Plan for the District due for Examination in 2013.

## **Options**

Option One: To take no actions

Option Two: To accept the recommendation

Option Three: To continue with a piecemeal approach to development that fails to ensure integration with the existing town or to ensure that opportunities are realised for the benefit of residents and businesses in Banbury.

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## **Local Plan Update**

The Head of Strategic Planning and the Economy submitted a report which provided an update on the completion of the Cherwell Local Plan.

In introducing the report, the Lead Member for Planning explained that the adoption of a 'sound' up to date Local Plan was a priority for Cherwell District Council as it would guide the growth of the District over the next 19 years. The Council was required to complete a plan which was 'sound' in terms of current planning guidance, capable of being accepted by the Planning Inspectorate for Examination and not being found wanting in terms of process followed or how evidence supports the proposals made. In view of the complexity of some of the issues, focus was now on a number of areas of refinement of the current Proposed Submission Local Plan.

A public consultation on the Proposed Submission Local Plan had taken place between 29 August 2012 and 10 October 2012. 277 organisations and individuals had responded, making a large number of specific comments and proposals on parts of the Plan and the Plan as a whole. Work was continuing on responding to the comments and developing evidence in readiness for public examination.

In response to Members questions regarding the response of the Environment Agency and any additional consideration to be given to the recent flooding in Banbury, the Head of Strategic Planning and the Economy explained that

dialogue was taking place regarding proposed developments in the area to ensure the Environment Agency's comments were addressed.

In considering the Local Plan update, Members commented that it was important to ensure that proportionality between rural settlements and the logicity of village clusters were addressed. The Local Plan would be the most important piece of work for elected Members over the next twelve months. It was necessary to comply with the National Planning Policy Framework and to progress the Local Plan with speed with a view to it being submitted around Easter 2013.

Executive commended the work undertaken to date.

### **Resolved**

- (1) That the report, issues being examined and next steps be noted.

### **Reasons**

Securing the adoption of a 'sound' up to date Local Plan for the District is a priority for Cherwell District Council as it will guide the growth of the District over the next 19 years.

Without this the District faces an imminent challenge of piecemeal development by appeal, in which Cherwell District Council would lose the ability to ensure that development takes place in the most sustainable locations and future community needs are properly planned for and maximum community gain (and mitigation) secured.

### **Options**

- |               |                                                                                                                                                                                                                                                                                                      |
|---------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Option One:   | To take no actions                                                                                                                                                                                                                                                                                   |
| Option Two:   | To amend the steps proposed                                                                                                                                                                                                                                                                          |
| Option Three: | To abandon plan making and allow a piecemeal approach to development that fails to ensure integration with existing settlements, fails to plan for the long term needs of the District, or to ensure that opportunities are realised for the benefit of residents and businesses across the District |

### **Town Centre Innovation Fund**

The Head of Strategic Planning and the Economy submitted a report which sought consideration of the use of the Town Centre Innovation Fund.

In introducing the report, the Lead Member for Estates and the Economy explained that like a number of other Districts, Cherwell District Council had been awarded £100,000 to promote 'town centre innovation'. The Department for Communities and Local Government (DCLG) had not prescribed what the funding should be used for and had left this for local determination. Whilst

there was no time limit on the use of the funding, there was a need to account for these of the monies.

In response to Members' comments, the Lead Member for Estates and the Economy confirmed that the fund would be held by the Economic Development Team and allocated by the Head of Strategic Planning and the Economy to local projects in each town/village which were developed with the local retail/traders groups, subject to consultation with the Lead Member for Estates and the Economy who would consult local ward councillors.

### **Resolved**

- (1) That the report be received and the proposal to initially allocate the £100,000 awarded for 'Town Centre Innovation' by the DCLG in the following proportions be agreed:-
  - 50% to Banbury - £50,000.
  - 30% to Bicester - £30,000.
  - 20% to Kidlington - £20,000.
- (2) That the proposal to commit £40,000 to the Christmas Parking Initiative that will operate in Banbury and Bicester be approved.
- (3) That the process for developing projects and releasing resources to Town Centre projects be approved.

### **Reasons**

Cherwell District Council has been awarded £100,000 to promote 'town centre innovation'. The DCLG has not prescribed what the funding should be used for and has left this for local determination. There is no time limit on the use of the funding, but there is a need to account for these of the monies.

The proposed distribution of the funding will contribute to the strengthening of the economies of the town centres and to meet the objectives of the Cherwell Economic Strategy, Town Masterplans and Cherwell Local Plan.

### **Options**

Option One: To take no action and retain the funding for other purposes.

Option Two: To be more prescriptive about what can be funded.

Option Three: To change the proposed allocation of funding.

## **71 Performance and Risk Management Framework 2012/13 Second Quarter Performance Report**

The Head of Transformation submitted a report which presented the Council's performance for the period 01 July to 30 September 2012 as measured through the Performance Management Framework.

In considering the report, the Lead Member for Clean and Green highlighted the increased recycling rates across the district and explained that landfill tonnages were slightly higher than the previous year due to it no longer being possible to compost fallen leaves.

The Lead Member for Housing highlighted the progress on the delivery of affordable housing making particular reference to the 18 units of affordable homes that had been completed at Dashwood Primary School, meeting the needs of the conservation area and making a significant contribution to the Brighter Futures in Banbury initiative.

Members commented on the value and importance of performance management and monitoring as it enabled monitoring across the breadth of the Council, enabled achievements to be highlighted and areas performing below target or issues emerging to be identified and addressed in a timely manner. At the present time, there were no further performance or risk related matters for review or consideration in future reports be identified.

## **Resolved**

- (1) That the following achievements be noted:

### **Corporate Pledges**

#### **Cherwell: A District of Opportunity**

- Continuing to support Job Clubs – a total of 65 held this year – including work with Career Contact and Career and Opportunities Gateway Job clubs to help professional /managers. A Job Club Engagement Officer has been appointed through OCC Libraries Services to provide additional focus upon Neithrop & Ruscote.
- Affordable housing progress with the Eco Bicester demonstration project at Bryan house completed. This is the highest level of sustainable affordable housing ever delivered in Cherwell district. Also, 18 Units of affordable homes have been completed at Dashwood Primary School, meeting the needs of the conservation area and a significant contribution to the Brighter Futures in Banbury initiative.
- Bicester Town Centre is on target to open in summer 2013 as planned. A brief will be issued following architects discussion around Bolton Road. Spiceball environmental works are on-going.

#### **A Cleaner Greener Cherwell**

- Recycling rate is at similar level to last year. Garden waste tonnage has increased but dry recycling has decreased a little. The reduction in recycling rate will also be affected by not being able to compost street sweepings. Publicity of recycling is planned to be promoted from Oct – Dec to increase recycling further.
- Satisfaction with Street Cleanliness has risen this year to 69% which is the second highest we have attained.

- The Cocoon discounted insulation scheme closed for new applications on 30/09/12. Final output details should be available before Christmas. Residents will be able to obtain insulation and other energy saving measures at no upfront cost through the Green Deal. The council has committed to participation in a Community Interest Company which will act as a Green Deal Provider. This service is not yet available due to government delays, but should launch in the near future. Recent Warm Front promotion has resulted in 98 referrals to date; final output figures will be available in April 2013.
- Eco Bicester site preparation expected in late 2012 and construction of the first Eco Bicester houses expected in early 2013.

### **A Safe, Healthy and Thriving District**

- Best Bar None scheme (working with Local Police and Licence Holders) is behind schedule, however discussions with Head of Service have taken place and service delivery has been planned.
- Oxfordshire County Council to attend fortnightly Joint Agency and Tasking Coordination Group with the Thriving Families lists to discuss and disseminate to all partners for regular feedback.
- South West Bicester Sports Villages have had delays in laying out the grass pitches due to the inclement weather earlier this year. Revised programme now in place.
- Sportivate initiative is being delivered across the district inspiring young people to take up sporting opportunities.
- Planning approval for the new hospital has been granted in Bicester on the existing hospital site. The preferred bidder is still in place. On-going dialogue between the Primary Care Trust and Strategic Health Authority to progress the report.
- Supporting volunteering across the district – We received Volunteer Connects (VC) Quarter Two report for support to volunteering and volunteer transport schemes, which contained positive information.

Volunteering Opportunities are progressing well. Volunteers have been placed within organisations and VC appear to have a good working relationship with likeminded organisations within the area. Bases have now been established in Bicester and Kidlington. VC are also looking at rural access points and are using social media to promote the service.

Volunteer Car Driving Services are progressing, albeit still slow. They have supported the establishment a rural volunteer driver scheme by carrying out all back office paperwork including CRB and reference checks. This initial scheme to be used as a module for further schemes. Their current number of volunteer drivers now totals 14.

### **An Accessible Value for Money Council**

- 70% of the £800,000 savings required has been achieved with plans to secure the remainder.

- SPA Future Thinking (Consultation Agency) have conducted the annual customer service satisfaction survey, results are due early October and indications are very positive.
- Govmetric continues to collect citizen data and feedback from emails. The SOCITM (Associate for ICT and related professionals in the Public and third sectors). Better connected 2012 review is currently being undertaken and the resulting report will identify good practice in the development of local authority websites based on extensive evidence based research. We are currently planning to undertake an accessibility/usability review of the main website that will help improve the ease of access of the website and services.

(2) That no further performance or risk related matters for review or consideration in future reports be identified.

### **Reasons**

This report presents the Council's performance against its corporate scorecard for the second quarter of 2012/13. It includes an overview of successes, areas for improvement and emerging issues to be considered.

### **Options**

Option One:           (1) To note the achievements referred to in paragraph 1.2;  
                              (2) To request that officers report in the second quarter on the items identified in paragraph 1.4 where performance was below target or there are emerging issues or risks;  
                              (3) To identify any further performance or risk related matters for review or consideration

Option Two:           To identify any additional issues for further consideration or review

### **Annual Customer Satisfaction Survey**

The Head of Transformation submitted a report which provided an overview of the results of the 2012 Annual Customer Satisfaction Survey undertaken with residents of Cherwell district.

In considering the report, Members noted that satisfaction levels were at the highest level ever since the survey was first undertaken in 2006 and commended staff for maintaining high levels of satisfaction during a period of transformation.

### **Resolved**

(1) That the results of the 2012 Annual Customer Satisfaction Survey, and in particular the increase in customer satisfaction be noted.



- (2) That it be agreed that the findings should be used to inform the service business planning process.
- (3) That it be agreed that all results be published on the Cherwell District Council website.
- (4) That it be agreed that the results are included in the Joint Management Team Away days or additional workshops for managers.
- (5) That staff be congratulated for maintaining very high levels of satisfaction during this period of transformation.

### **Reasons**

The results of the 2012 Annual Customer Satisfaction Survey are presented to Executive for information.

### **Options**

Option One: Agree the recommendations as set out

Option Two: Not to agree the recommendations as set out

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### **2012/13 Quarter 2 Finance Report**

The Head of Finance and Procurement submitted a report which summarised the Council's Revenue, Capital, Procurement action plan and Treasury performance for the first 6 months of the financial year 2012/13 and projections for the full 2012/13 period, which were measured by the budget monitoring function and reported via the Performance Management Framework (PMF) informing the 2013/14 budget process currently underway.

The report also provided an update on the Local Government Resources Review Project. The Lead Member for Financial Management updated Executive on the pooling of business rates advising Members that the Government had issued new detail relating to levies which could impact on councils' decisions to pool, however further information was expected in due course. At present CDC would continue with its intention to participate in the Oxfordshire pooling and a final decision would be made in January 2013 when further information had been made available.

### **Resolved**

- (1) That the projected revenue and capital position at September 2012 be noted.
- (2) That the Quarter 2 performance against the 2012/13 investment strategy be noted.
- (3) To the contents and the progress against the Corporate Procurement Action Plan and the Procurement savings achieved at September 2012 be noted.

- (4) That the latest update on the Local Government Resources Review detailed including the verbal update on the pooling of NNDR in Oxfordshire and the Council's continuing intention to participate pending a final decision in January 2013, be noted.

### **Reasons**

In line with good practice budget monitoring is undertaken on a monthly basis within the Council. The revenue, capital, treasury and procurement position is reported monthly to the Joint Management Team and formally to the Executive on a quarterly basis. This report includes the position at Q2.

### **Options**

Option One: To review current performance levels and considers any actions arising.

Option Two: To approve or reject the recommendations above or request that Officers provide additional information.

## **74 Urgent Business**

The Chairman reported that he had agreed to one urgent item of business being added to the agenda relating to the acquisition of Crown House, Banbury. A decision was required before the next Executive meeting due to the need for ongoing negotiations to be progressed as quickly as possible in order not to prejudice the financial interests of the Council. The Chairman of the Overview and Scrutiny Committee has been informed and was in agreement that the need for a decision was urgent and could not be deferred.

The exempt report would be considered as agenda item 16.

## **75 Exclusion of the Press and Public**

### **Resolved**

That, in accordance with Section 100A(4) of Local Government Act 1972, the press and public be excluded from the meeting for the following items of business, on the grounds that they could involve the likely disclosure of exempt information as defined in paragraphs 3, 5 and 6 of Schedule 12A of that Act and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

## **76 Reactive Property Maintenance Framework Procurement**

The Head of Finance and Procurement and Head of Regeneration and Housing submitted an exempt report which sought approval for the award of contracts under a framework for the provision of reactive property maintenance services to Cherwell District Council.

**Resolved**

- (4) That contracts be awarded under a framework to:
- Jeakins Weir Ltd
  - FSG Property Services Ltd
  - Barker & Evans Limited
  - Knowles & Son (Oxford) Ltd
- for the provision of reactive property maintenance over a maximum period of four years commencing on 1 January 2013.

**Reasons**

To award contracts under a framework for the provision of reactive property maintenance services to Cherwell District Council

**Options**

N/A

77 **The Regeneration of Canalside Banbury**

The Director of Development submitted an exempt report which sought consideration of the funding of a business case to support the future development of Canalside.

**Resolved**

- (1) That the contents of the report be noted and it be agreed to take forward the production of a business case which will advise on the future development of Canalside.
- (2) That the use of existing Planning revenue reserves to fund the production of the business case be agreed.

**Reasons**

As set out in the exempt minute.

**Options**

As set out in the exempt minute.

78 **Acquisition of Crown House, Banbury**

The Head of Regeneration and Housing submitted an exempt report regarding the acquisition of Crown House, Banbury.

**Resolved**

- (1) That the Head of Regeneration and Housing be authorised to make a formal offer to the owner of the Crown House Site based on the most recent valuation verified by an independent valuer as reflecting the open market value for the property.
- (2) That, subject to the Head of Law and Governance and the Head of Finance and Procurement being satisfied that the necessary legal and financial tests are met, the Head of Regeneration and Housing, in consultation with the Head of Law and Governance, the Head of Finance and Procurement, the Leader of the Council, the Lead Member for Housing and the Lead Member for Estates and the Economy be authorised to proceed with CPO proceedings, should the owner of the Crown House site not accept the open market value offer
- (3) As set out in the exempt minute.

**Reasons**

As set out in the exempt minute and because there is a compelling case in the public interest to exercise the Council's CPO powers pursuant to section 17 of the Housing Act 1985 in the event that its attempts to acquire the land and property by negotiation continue to be unsuccessful.

**Options**

As set out in the exempt minute

The meeting ended at 8.30 pm

Chairman:

Date: