



**Summary of the decisions taken at the meeting
of the Executive held on Monday 1 September 2014**

1. Date of publication of this summary: Tuesday 2 September 2014
2. Decisions (if any) taken as a matter of urgency under Overview and Scrutiny Procedure Rules as set out in the Constitution (and not therefore subject to the call-in procedure): None
3. Date by which notice of call-in of any of the following decisions must be received in writing by the Chief Executive (see notes below):- Noon on Friday 5 September 2014
4. Notes:-
 - (a) For background documentation to the following decisions, please refer to the agenda and supporting papers (copies of which are available on the Council's website (www.cherwell.gov.uk) or from Democratic Services);
 - (b) Notice of call-in must be submitted in writing, by email or text to the Chief Executive by the deadline specified above, and must state the reason or reasons why "call-in" has been requested;
 - (c) Call-in can be requested by any six non-executive members of the Council.
However, if at any point during a municipal year the total number of opposition councillors is six or less the total number of non-executive members required to call-in a decision shall be the total number of opposition councillors less two.
 - (d) Decisions not called-in by the deadline specified above will become effective immediately the deadline has expired (unless they are recommendations to the Council).
 - (e) The Council has stipulated that the call-in procedure should not be used to challenge decisions as a matter of course and should be used only when fully justified.

**Sue Smith
Chief Executive**

Agenda Item and Recommendation	Decision	Reasons	Alternative Options	Conflicts of Interest Declared and Dispensations Granted by Head of Paid Service
<p>Agenda Item 7 Air Quality Management Areas for Banbury and Kidlington</p> <p>Report of Head of Community Services</p> <p>Purpose of Report</p> <p>To declare Air Quality Management Areas in Banbury and Kidlington.</p> <p>Recommendations</p> <p>The meeting is recommended:</p> <p>1.1 To declare an Air Quality Management Area in Horsefair/North Bar, Banbury.</p> <p>1.2 To declare an Air Quality Management</p>	<p>Resolved</p> <p>(1) That an Air Quality Management Area in Horsefair/North Bar/South Bar, Banbury be declared.</p> <p>(2) That an Air Quality Management Area in Bicester Road, Kidlington be declared.</p> <p>(3) That the declaration of an Air Quality Management Area in Kings End/Queens Avenue, Bicester be deferred so that additional monitoring and assessment can be carried out following the changes to the road layout.</p>	<p>Due to exceedances of the annual mean air quality objective for nitrogen dioxide it is recommended that AQMA's are declared for Horsefair/North Bar/South Bar in Banbury and Bicester Road in Kidlington.</p> <p>Due to significant changes to the road layout in Bicester during 2013 it is recommended that the declaration of an AQMA in the Kings End/Queens Avenue area of Bicester be deferred until additional monitoring and assessment has been undertaken, so that the impact of these changes on air quality can be assessed. This course of action has been agreed with Defra.</p>	<p>Option 1: An alternative option would be to not declare the areas as AQMA's. However, if an air quality objective is not being met then the Council is required to declare that area as an AQMA and so for this reason this is not an alternative option.</p>	<p>None</p>

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<p>Area in Bicester Road, Kidlington.</p> <p>1.3 To agree deferring the declaration of an Air Quality Management Area in Kings End/Queens Avenue, Bicester so that additional monitoring and assessment can be carried out following the changes to the road layout.</p>				
<p>Agenda Item 8 Joint Draft Cherwell District Council and South Northamptonshire Council Enforcement Policy</p> <p>Report of Head of Community Services</p>	<p>Resolved</p> <p>(1) That the joint draft Cherwell and South Northamptonshire Council Enforcement Policy (annex to the minutes as set out in the minute book) be</p>	<p>Local authorities must comply with the requirements of the Regulators Code. One of the requirements is a requirement to publish information about our enforcement policy and our response to non-compliance.</p>	<p>Option 1: The committee can approve the recommendations above</p> <p>Option 2: The committee can reject the recommendations but the absence of an up to date policy could place the local</p>	<p>None</p>

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<p>Purpose of Report</p> <p>To seek approval of the joint draft Cherwell and South Northamptonshire Council Noise Enforcement Policy prior to public and stakeholder consultation.</p> <p>Recommendations</p> <p>The meeting is recommended:</p> <p>1.1 To approve the joint draft Cherwell and South Northamptonshire Council Enforcement Policy.</p> <p>1.2 To delegate authority to the Head of Community Services to consider responses and, if necessary amend the policy in consultation</p>	<p>approved for consultation.</p> <p>(2) That authority be delegated to the Head of Community Services to consider responses and, if necessary amend the policy in consultation with the Lead Member.</p>	<p>If the policy is approved and implemented the local authority will meet that requirement of the Code and will demonstrate a transparent approach to our regulatory activities.</p>	<p>authority at risk of legal challenge and lead to inconsistency in our approach to regulation.</p>	

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with the Lead Member for Clean and Green.				
<p>Agenda Item 9 Joint Draft South Northamptonshire and Cherwell District Council Noise Investigation Policy and Procedure</p> <p>Report of Head of Community Services</p> <p>Purpose of Report</p> <p>To seek approval of the joint draft Cherwell and South Northamptonshire Council Noise Investigation Policy prior to public and stakeholder consultation.</p>	<p>Resolved</p> <p>(1) That the joint draft Cherwell and South Northamptonshire Council Noise Investigation Policy (annex to the Minutes as set out in the Minute Book) be approved for consultation.</p> <p>(2) That authority be delegated to the Head of Community Services to consider responses and, if necessary amend the policy in consultation</p>	<p>The Policy and procedure pulls together existing good practice from both councils and provides clear guidance and assistance for complainants, those subject to regulation, partners and officers.</p> <p>By approving the draft policy and agreeing to consultation amendments by subsequent delegation to the Head of Community Services, South Northamptonshire and Cherwell District Council can show that they are following DEFRA guidance and can provide a transparent policy on our approach to noise</p>	<p>Option 1: The committee can approve the recommendations</p> <p>Option 2: The committee can reject the recommendations but the absence of an up to date complaint policy could place the local authority at risk of legal challenge.</p> <p>The absence of a comprehensive policy reduces the Council's opportunity to provide clear guidance to potential complainants which promotes self-help and reduces the burden on</p>	None

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<p>Recommendations</p> <p>The meeting is recommended:</p> <p>1.1 To approve the joint draft Cherwell and South Northamptonshire Council Noise Investigation Policy.</p> <p>1.2 To delegate authority to the Head of Community Services to consider responses and, if necessary amend the policy in consultation with the Lead Member for Public Protection.</p>	<p>with the Lead Member.</p>	<p>complaints.</p> <p>It also shows that the Council is complying with the Regulators Code and means that the Council has a robust policy in place should it be subject to legal challenge.</p>	<p>Council resources.</p>	
<p>Agenda Item 11 Graven Hill</p> <p>Exempt Report of Director (Bicester)</p>	<p>Resolved</p> <p>(1) That the creation of 2 companies (limited by shares) comprising</p>	<p>There were a number of pieces of work underway that needed to be completed ahead of completing the approved acquisition of the</p>	<p>Alternative options were given in the June 2014 report and these were rejected. If required by the Executive then</p>	<p>None</p>

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<p>Recommendations</p> <p>1.1, 1.2, 1.3, 1.4, 1.5: As set out in the exempt report.</p>	<p>Graven Hill Village Holding Company - wholly owned by the Council and Graven Hill Village Development Company – owned 99% by the Graven Hill Village Holding Company and 1% by the Council to own and deliver Graven Hill have been set up and Directors appointed be noted.</p> <p>(2) That the updated financial implications for the Council and Companies be noted.</p> <p>(3) That it be noted that the acquisition of the MOD land was completed on 11 August 2014 by</p>	<p>land. These tasks have now been completed and the land transaction has been completed.</p> <p>This is a significant investment for the Council and one that is innovative and delivers many positive benefits to the District. It is therefore imperative that the strong governance that has been in place up to now continues and these proposals will ensure that governance remains strong and is appropriate in relation to the project risks.</p> <p>After the Partnering Board scheduled for October 2014 has taken place an update on the Graven hill Business Plan will be presented to the Executive in November 2014.</p>	<p>governance proposals can be reviewed and amended as necessary.</p>	

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	<p>Cherwell District Council and then simultaneously sold to the Graven Hill Village Development Company.</p> <p>(4) That the proposed membership of the Partnering Board (5 Elected Members - former members of the Graven Hill Project Board and Leader of the Opposition group and the Council's S 151 Officer and the Monitoring Officer) be noted and it be further noted that this group will have responsibility for safeguarding the Council's equity investment and lending to the Company by</p>			

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	<p>undertaking more detailed monitoring of the Business Plan and providing advice and recommendations to Executive.</p> <p>(5) That it be noted that the Graven Hill delivery plan will be presented to the Executive in November 2014.</p>			
<p>Agenda Item 12 Bicester Community Building Construction Progress Update</p> <p>Exempt Report of Director (Bicester)</p> <p>Recommendations</p>	<p>Resolved</p> <p>(1) As set out in the exempt decision notice.</p> <p>(2) As set out in the exempt decision notice.</p> <p>(3) As set out in the exempt decision notice.</p>	<p>As set out in the exempt decision notice</p>	<p>As set out in the exempt decision notice</p>	<p>None</p>

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1.1, 1.2, 1.3, 1.4, 1.5: As set out in the exempt report.	(4) As set out in the exempt decision notice. (5) As set out in the exempt decision notice.			
Agenda Item 13 South West Bicester Sports Village Update Exempt Report of Head of Community Services Recommendations 1.1, 1.2, 1.3, 1.4, 1.5: As set out in the exempt report.	Resolved (1) As set out in the exempt decision notice. (2) As set out in the exempt decision notice. (3) That the procurement and legal advice on how best to proceed with the project be noted. (4) As set out in the	As set out in the exempt decision notice	As set out in the exempt decision notice	None

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	<p>exempt decision notice.</p> <p>(5) As set out in the exempt decision notice.</p> <p>(6) As set out in the exempt decision notice.</p>			
<p>Agenda Item 14 Woodgreen Leisure Centre Redevelopment and Leisure Centre Procurement</p> <p>Exempt Report of Head of Community Services</p> <p>Recommendations</p> <p>1.1, 1.2, 1.3: As set out in the exempt report.</p>	<p>Resolved</p> <p>(1) As set out in the exempt decision notice.</p> <p>(2) As set out in the exempt decision notice.</p> <p>(3) As set out in the exempt decision notice.</p>	<p>As set out in the exempt decision notice</p>	<p>As set out in the exempt decision notice</p>	<p>None</p>

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<p>Agenda Item 15 Report of Bolton Road Multi Storey Car Park Agreement with Vinci Park Services UK Ltd</p> <p>Exempt Report of Head of Regeneration and Housing</p> <p>Recommendations</p> <p>1.1, 1.2, 1.3: As set out in the exempt report.</p>	<p>Resolved</p> <p>(1) As set out in the exempt decision notice.</p> <p>(2) As set out in the exempt decision notice.</p> <p>(3) As set out in the exempt decision notice.</p>	<p>As set out in the exempt decision notice</p>	<p>As set out in the exempt decision notice</p>	<p>None</p>