

Cherwell District Council

Executive

Minutes of a meeting of the Executive held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 3 November 2014 at 6.30 pm

Present: Councillor Barry Wood (Chairman), 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 Clean and Green
Councillor Kieron Mallon, Lead Member for Banbury Developments, Performance and Communications
Councillor D M Pickford, Lead Member for Housing

Also Present: Councillor Barry Richards (representing Councillor Sean Woodcock, Leader of the Labour Group)
Councillor Les Sibley
Councillor Lawrie Stratford

Apologies for absence: Councillor G A Reynolds, Deputy Leader
Councillor Nicholas Turner, Lead Member for Joint Working and IT

Officers: Sue Smith, Chief Executive
Calvin Bell, Director of Development
Karen Curtin, Commercial Director (Bicester)
Ian Davies, Director of Community and Environment
Kevin Lane, Head of Law and Governance / Monitoring Officer
Paul Sutton, Head of Finance and Procurement
Ed Potter, Head of Environmental Services
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 he had agreed to requests from Councillor Sibley to address the Executive on agenda items 10, North West Bicester Update and 11, North West Bicester Development Framework Supplementary

Planning Document and Councillor Lawrie Stratford on agenda items 7, Local Management Organisations, 10, North West Bicester Update and 11, North West Bicester Development Framework Supplementary Planning Document.

66 **Urgent Business**

There were no items of urgent business.

67 **Minutes**

The minutes of the meeting held on 6 October 2014 were agreed as a correct record and signed by the Chairman.

68 **Chairman's Announcements**

The Chairman made the following announcement:

1. Under the Openness of Local Government Bodies Regulations 2014, members of the public were permitted to film, broadcast and report on the meeting, subject to the efficient running of the meeting not being affected.

69 **North West Bicester Development Framework Supplementary Planning Document**

The Head of Strategic Planning and the Economy submitted a report which provided an update on the preparation of a Supplementary Planning Document (SPD) to support proposals for an Eco-town development of up to 6,000 homes on land at North West (NW) Bicester. The report also sought endorsement of the Draft document and approval for public consultation.

In introducing the report the Lead Member for Planning pointed out that the first sentence in paragraph 7.2 of the published report (legal implications) should have been omitted.

At the discretion of the Chairman, Councillors Sibley and Lawrie Stratford addressed Executive.

In response to the addresses, the Lead Member for Planning confirmed that the consultation would start at the end of November for six weeks. The SPD would remain informal planning guidance until it was adopted, which would be after the adoption of the Local Plan.

Resolved

- (1) That the Draft North West Bicester Development Framework Supplementary Planning Document be approved for public consultation.

- (2) That officers be authorised, in consultation with the Lead Member for Planning, to make any further non-substantive changes to the North West Bicester Development Framework Supplementary Planning Document prior to public consultation.

Reasons

The NW Bicester Development Framework SPD will guide future eco-town developments and be used as informal guidance in determining planning applications that have been received and will be submitted as the proposals progress. It follows the standards set out in the Eco-towns PPS and emerging Cherwell Local Plan, providing further detail for consideration in planning applications, the development principles and character areas for the site. It is supported by a Sustainability Appraisal which considers the environmental effects of the masterplan proposals.

The Executive is recommended to note the contents of this report and endorse the vision and principles set out in the Draft masterplan as the basis of the Council's policy to be used as the basis for determining planning applications.

Alternative Options

Option 1: To not prepare and SPD and rely on the Eco towns PPS Cherwell Local Plan policy 1 and submitted Draft masterplan – This option was rejected given the potential for the PPS to be revoked and delay to the Local Plan adoption

Option 2: To commission consultants to prepare the SPD – This option was rejected in favour of the Eco Bicester project team leading on its preparation

Option 3: To await the adoption of the Local Plan before preparing SPD – This option was rejected due to the timescales involved and the necessity to have some form of informal planning guidance when determining the first outline applications later in 2014.

70

Local Management Organisations

The Head of Environmental Services submitted a report which to determine a clear policy regarding developers setting up local management organisations which own and maintain public open space, outdoor sports pitches and play areas on new developments, which then levy a service charge on residents for the maintenance & upkeep of such areas.

At the discretion of the Chairman, Councillor Lawrie Stratford addressed Executive.

Resolved

- (1) That the policy that the Council's strong preference is that public open space, outdoor sports pitches and play areas on new developments continue to be adopted by the Council in conjunction with the relevant

town or parish council with a commuted sum based on accurate costs which reflects the Council's tendered rates for maintenance be approved.

- (2) That the policy that the Council will only consider a local management organisation proposed by any developer if all the conditions set out in the annex to the minutes (as set out in the Minute Book) are met be approved.

Reasons

LMOs maintaining open spaces and play areas can be satisfactory but they can sometimes bring few benefits to residents and usually levy an additional charge to residents. However, there can be potential savings to a developer for such an approach in avoiding a large up front development cost.

Therefore, it is important that a policy on LMOs is in place to ensure adequate safeguards and standards are established and certainty is provided for residents if a developer seeks to follow this approach.

In recent public inquiries, the Council's technical specifications and rates for landscape maintenance were endorsed by the inspector. Consequently the commuted sums requested on new developments have a strong basis for provision.

Alternative Options

Option 1 Approve the policy that the Council's strong preference is for adoption of open spaces, parks and sports pitches with a commuted sum to cover the on-going maintenance.

Option 2: To reject the proposed policy

Option 3: To ask officers to develop alternative proposals

71

Pre-Application Fees for Licensing Act 2003 and Other Licensing Applications

The Director of Community and Environment and Interim Shared Public Protection and Environmental Health Manager submitted a report which sought consideration of the introduction of fees for providing pre-application advice in relation to licence applications subject to consultation.

Resolved

- (1) That the introduction of a discretionary pre-application advice service and charges for licence applications be approved.
- (2) That the introduction of pre-application charging from 1 April 2015 be agreed.

- (3) That the future extension of the scheme to other types of licence applications should this be successful be approved.

Reasons

The Licensing Act 2003 states that all licensing matters must promote the four licensing objectives. With a Licensing Officer giving expert advice to prospective applicants, it is envisaged that this promotion will be satisfactorily achieved.

Introducing a pre-application scheme will provide a quality service to applicants assisting them to get it right first time. This can only enhance the quality of applications submitted to the Council, which may ultimately cut down on the time spent and the cost of dealing with licensing applications at hearings.

Alternative Options

Option 1: To approve the introduction of fees for pre-application advice

Option 2: Not to approve the introduction of fees; officers will continue to provide advice but a fee will not be recovered.

72 **Improvements to Bicester and Kidlington and Gosford Leisure Centres**

The Director of Community and Environment submitted a report which sought consideration of a range of service improvements to Bicester and Kidlington and Gosford Leisure Centres and facility improvements to Kidlington and Gosford Leisure Centre.

Resolved

- (1) That the facility improvements proposed for Kidlington and Gosford Leisure Centre subject to an acceptable outcome of further contractual negotiations be supported in principle.
- (2) That the operational improvements put in place at Bicester and Kidlington and Gosford Leisure Centres be noted and welcomed.
- (3) That a further report on the scope for facility and customer improvements at Bicester Leisure Centre be received.

Reasons

The Council strives for continuous improvement in its services and indeed invites entrepreneurial flair from the operator and this can be regarded as an example of that. Five years after it entered a long term contract for its modernised leisure facilities is a reasonable period for changed patterns of use to be established and improvements to be considered. The proposed improvements will benefit the biggest part of leisure centre customer growth and address the dynamic nature of the health and fitness sector.

By retaining these improvements within the centre's current footprint, it does however mean that users of the Crazy Coliseum will not have like for like facilities provided. The offer of free use of two soft play environments will in some way compensate for this but only in part.

For changes of this nature which are both customer driven and very relevant, officers have requested, that subject to the decision of the Executive, PCL are to undertake a short in centre consultation period from 4 November to gain specific and overall customer views prior to implementation to see whether there are any other improvement and mitigating measure which could be implemented.

Alternative Options

Option 1: Undertake no change. This is not proposed as it would mean that the centre would continue to be constrained in accommodating the growth in health and fitness demand.

73

North West Bicester Update

The Commercial Director (Bicester) submitted a report to advise Members of the expenditure of the Eco Town grant received in 2010 and projects delivered in Bicester, to enable consideration of the proposals for future expenditure and to authorise a change to the delegation for authorisation of expenditure.

Resolved

- (1) That the expenditure that has taken place and the committed funding from the Eco Town grant be noted.
- (2) That the progress that has been made in delivering projects to meet the aims of the One Shared Vision for the Town be noted.
- (3) That the delegation of future expenditure to the Commercial Director (Bicester) in consultation with the Leader of the Council be agreed.

Reasons

Over the last 4 years a considerable amount of work has been done in Bicester and as this report demonstrates a number of outcomes have been delivered. Work has now started on site at NW Bicester on a national exemplar development as well as a masterplan for the whole site being submitted. The Project Team has worked with the promoters A2Dominion to ensure that the development meets the high standards set in the Eco Towns Planning Policy Statement. With work underway on site the potential to deliver key infrastructure on site in the form of the school and eco business centre is now closer, with the school due to start on site in March 2015 and steps now being taken to formalise the delivery of the eco business centre.

A number of projects have been delivered in the town, particularly focussing on energy efficiency and sustainable travel. These have delivered

demonstration projects as sought by DCLG and delivered against the aims of the One Shared Vision for the town.

Over £30m worth of grant funding has been attracted to Bicester, including the DCLG eco town funding. This has been instrumental in the range of projects that it has been possible to deliver in the town. This approach of seeking external funding is continuing with further work being done to enable projects to continue to be delivered in the town.

Grant funding is a small proportion of the overall investment that has taken place in the town. A study by Montague Evans estimated that over £184m of private sector funding has been invested in the town since 2009 in the construction of housing and commercial premises. Furthermore the report concluded in terms of future development as part of the growth of Bicester, the estimated value of the housing sites identified in Bicester is £950 million which is expected to be supported by approximately £700 million of infrastructure investment.

Never the less as the town grows the DCLG eco town funding remains an important source of funding for the delivery of projects in the town. Importantly the funding is enabling a project team to be employed and this is instrumental particularly in the attraction of additional funding and delivery of projects in the town. To maximise the benefits from the grant the ability to recycle funding over time to provide for further investment in the town is sought where feasible.

Future funding will largely rely on the receipt of developer funding to repay the investment in the primary school or income from the eco business centre. Limited funding remains for sustainable travel initiatives and energy efficiency projects is also ring fenced. Other sources of funding are actively being sought including grants from other sources and projects that can be delivered in partnership. This is necessary to be able to continue to deliver projects to meet the outcomes of the One Shared Vision.

The appointment of the Commercial Director (Bicester) has increased the Council's capacity for delivering the planned growth and associated benefits in Bicester along with the required infrastructure. The change of delegation of the eco town funding to the Commercial Director (Bicester) in consultation with the Leader of the Council is recommended to ensure that funding continues to be appropriately targeted.

Alternative Options

Option 1: to leave the delegation with the Chief Executive or not to delegate responsibility for spending eco town funding.

With a Director for Bicester now appointed it is logical that delegation now reflects the revised structure. Much funding is day to day and with no delegation the Council would have less flexibility in the timing of decisions with regard to funding.

Option 2: To commit to future spend of recycled funding

The timing of the receipt of recycled funding is uncertain and over time priorities and pressures can change. It therefore is difficult to commit to funding specific projects at the current time. Some flexibility is therefore sought to review priorities as funding becomes available.

74 **Housing Strategy Priority 5: Homeless Prevention Action Plan Update**

The Head of Regeneration and Housing submitted a report which updated the Executive on the progress of the Homelessness Prevention Action Plan 2013-2015.

Executive commended the Housing Team, and in particular the Homeless Prevention Team, for their hard work in homelessness prevention and on-going work towards achieving the Governments Gold Standard for homelessness services.

Resolved

- (1) That the update of the Homelessness Prevention Action Plan which takes account of learning from the current year's plan, and reflects Cherwell District Council's application for the Gold standard accreditation for homelessness services be approved.
- (2) That for the 2015/16 financial year the ring-fencing of the homeless grant monies provided as part of the Council's general financial settlement awarded by central Government be approved.

Reasons

It is through adopting this Action Plan that the Council makes clear its commitment to the homelessness prevention agenda to both central Government and its partners across the statutory and voluntary sectors

The Homelessness Prevention Action Plan is a result of a review of the previous action plan as directed by Chapter 5 of the Housing Strategy, which requires a review of partnerships.

The adoption of the Homelessness Prevention Action Plan is an important step on the Council's journey to achieving Gold Standard for Homelessness Services, and all that lies behind that award.

Alternative Options

Option 1: Not to endorse the Homeless Action Plan 2015/16 which also requests continued ring-fencing of the DCLG element of council grant for homelessness prevention. This has been rejected as it will lead to an increase in statutory duties to homeless and an increase in spending on provision of expensive temporary accommodation

75 **Exclusion of the Press and Public**

Resolved

That under Section 100A of the Local Government Act 1972, the public and press be excluded from the meeting for the following item of business on the ground that, if the public and press were present, it would be likely that exempt information falling under the provisions of Schedule 12A, Part 1, Paragraphs 1, 2, 3 and 4 would be disclosed to them, and that in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

76 **Commissioning of Services for Banbury CAB**

The Head of Regeneration and Housing and Interim Shared Community Partnerships and Recreation Manager submitted an exempt report which update the Executive on the delivery of services contracted to Banbury Citizens Advice Bureau (CAB) and requested an extension of the contract for a further 2 years as per the original contract.

Resolved

- (1) That the extension of the current CAB contract by a further 2 years from 1 April 2015 to 31 March 2017, such an extension being contained within the original contract award, be approved.

Reasons

It is anticipated based on contract performance to date that the CAB will have successfully delivered the required services for three years by 31 March 2015. They have complied with all the requirements of the contract offered by the Council and have worked in close contact and in partnership with Council officers. They have established bases in the three main centres of the District as well as offering home visits, telephone advice and an email service to ensure they are accessible to all clients both in employment and those with multiple needs. They are a well-known brand offering quality marked specialist advice which the general public trust.

A contract extension will provide further time for the Council to explore how it may wish to re-engineer advice services for the District. It will provide an opportunity to research how we may be able to work in closer partnership to commission services and give consideration to providing increased value for money in due course.

Alternative Options

Option: Not to extend the Contracts and for the services to be discontinued. This would lead to loss of these three vital services across the District.

Banbury Town Council Open Spaces

The Head of Environmental Services submitted an exempt report which sought approval for additional resources to carry out cleansing operations on behalf of Banbury Town Council in their Parks and Open Spaces.

Resolved

- (1) That the additional revenue resources required for Street Cleansing to carry out Cleansing activities for Banbury Town Council be approved.
- (2) That the additional capital needs in the Environmental Services Vehicle programme in 2015/16 be noted.
- (3) That the opportunities for improving cleansing standards in Banbury be noted.

Reasons

Carrying out Street Cleansing work for Banbury Town Council presents an opportunity to ensure higher cleanliness standards and satisfaction in Banbury. The work is similar to the work already carried out by Street Cleansing for Bicester Town Council and Kidlington Parish Council. The work will also bring in some additional income to the Street Cleansing team.

This work has some risks as does any commercial activity. However the Street Cleansing team has the necessary skills, experience and leadership to ensure this is a successful partnership leading to higher cleansing standards and an efficient use of public funds.

Alternative Options

Option 1: Approve the resources to carry out activities for Banbury Town Council from April 2015.

Option 2: Reject carrying out Street Cleansing work for Banbury Town Council

Option 3: Ask officers to develop alternative options

The meeting ended at 7.40 pm

Chairman:

Date: