

Committee: Executive
Date: Monday 2 July 2018
Time: 6.30 pm
Venue: Bodicote House, Bodicote, Banbury, OX15 4AA

Membership

Councillor Barry Wood (Chairman)	Councillor G A Reynolds (Vice-Chairman)
Councillor Colin Clarke	Councillor Ian Corkin
Councillor John Donaldson	Councillor Tony Ilott
Councillor Andrew McHugh	Councillor Richard Mould
Councillor D M Pickford	Councillor Lynn Pratt

AGENDA

1. Apologies for Absence

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. Minutes (Pages 1 - 10)

To confirm as a correct record the Minutes of the meeting held on 4 June 2018.

5. Chairman's Announcements

To receive communications from the Chairman.

6. Urgent Business

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

7. 'Making' (Adoption) of the Adderbury Neighbourhood Plan (Pages 11 - 70)

Report of Executive Director: Place and Growth

Purpose of report

To propose that the Executive recommends to Council that it 'makes' the Adderbury Neighbourhood Plan following the successful referendum held in Adderbury Parish on 21 June 2018.

Recommendations

The meeting is recommended:

- 1.1 To note the referendum result of 21 June 2018 where 91.6% of those who voted were in favour of the Adderbury Neighbourhood Plan which is above the required 50%
- 1.2 To recommend to Council that it 'makes' the Adderbury Neighbourhood Plan so that it continues to have effect as part of the statutory Development Plan for the District.
- 1.3 To recommend to Council that it approves the issuing and publication of a decision statement.

8. Cherwell Residential Design Guide Supplementary Planning Document - Masterplanning and Architectural Guidance (Pages 71 - 78)

** Please note that due to the size of the documents, the appendices to this report will be published as a supplement to the main agenda and hard copies circulated to Executive members only **

Report of Executive Director Place and Growth

Purpose of report

To seek approval of the Cherwell Residential Design Guide, Supplementary Planning Document, Masterplanning and architectural guidance for residential development so that it can be presented to the Council for adoption.

Recommendations

The meeting is recommended:

- 1.1 To note the responses to consultation summarised in the consultation statement presented in Appendix 2.

- 1.2 To approve the final draft of the Cherwell Residential Design Guide SPD (Design Guide), as presented at Appendix 1 and incorporating changes summarised at paragraph 3.8 – 3.9 of this report.
- 1.3 To recommend to Council that it adopts the final draft of the Cherwell Residential Design Guide SPD (Design Guide) as a statutory Supplementary Planning Document under the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).
- 1.4 To authorise the Executive Director Place and Growth to make any necessary minor and presentational changes to the Design Guide before the meeting of the Council.

9. Chesterton Community Woodland at South West Bicester (Pages 79 - 94)

Report of Executive Director: Place and Growth

Purpose of report

To obtain approval to establish a formal joint committee to develop and manage a community woodland park on land South of Vendee Drive, Bicester.

Recommendations

The meeting is recommended:

- 1.1 To agree to establish a joint committee with Bicester Town Council, Chesterton Parish Council, Oxfordshire County Council and local representation to develop and manage a community woodland park on land South of Vendee Drive, Bicester.
- 1.2 Delegate to the Executive Director, Place and Growth, in consultation with the Assistant Director: Law and Governance and the Lead Member for Clean and Green to establish the constitution and terms of reference for the committee.

10. Homelessness Strategy 2018-2020 (Pages 95 - 146)

Report of Director: Wellbeing

Purpose of report

To consider the priorities and actions set out in the new Homelessness Strategy 2018-20 and Action Plan and approve these documents for implementation.

It is a statutory requirement to have a Homelessness Strategy and to have carried out a review of homelessness in the council area.

The strategic priorities identified for Cherwell are:

- Prevent and relieve homelessness in the district
- Prevent single homelessness
- Ensure vulnerable people can access appropriate help and support

- Ensure homeless households can access suitable temporary and permanent accommodation

Recommendations

The meeting is recommended:

- 1.1 To approve the Homelessness Strategy 2018-2020 and Action Plan which are based on a review of homelessness in the district in order to ensure that the Council meets statutory requirements and is able to respond effectively to the needs of homeless households.

11. Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2016 - enforcement and authorisations (Pages 147 - 154)

Report of Assistant Director Housing

Purpose of report

To request Executive approval to authorise officers to apply certain financial penalties where landlords do not bring their privately rented properties up to the legal minimum standard as set out in the Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015 and as may be amended.

Recommendations

The Executive is recommended:

- 1.1 To approve use of the financial penalties, as outlined in this report, to ensure private rented domestic properties meet the prescribed minimum energy efficiency standards.
- 1.2 To delegate this power to the Assistant Director of Housing who may then provide sub-delegations, as required, to other appropriate officers.

12. Policy to Implement Enforcement Powers Provided by the Housing and Planning Act 2016 (Pages 155 - 180)

Report of Assistant Director Housing

Purpose of report

This report explains certain enforcement powers to deal with rogue landlords provided by the Housing and Planning Act 2016, and seeks approval of 3 policies that will allow the Council, as the local housing authority, to implement and make use of those powers.

Recommendations

The Executive is recommended to:

- 1.1 Adopt the policy for imposing civil penalties as an alternative to prosecution in appropriate cases, as detailed in Appendix 1, with immediate effect.

- 1.2 Adopt the policy dealing with applications for rent repayment orders, as detailed in Appendix 2, with immediate effect.
- 1.3 Make the Assistant Director Housing responsible for determining the uses to which retained civil penalty funds and retained rent repayment should be put.
- 1.4 Adopt the policy dealing with applications for a banning order against persons convicted of specified offences, as detailed in Appendix 3, with immediate effect.

13. **Cherwell Community Lottery - Lottery Policy** (Pages 181 - 194)

Report of Assistant Director - Communities

Purpose of report

In order to deliver the Cherwell Community Lottery approved in December 2016 it is necessary to establish and publish The Cherwell Community Lottery Policy and associated policies and procedures. This will support the Council's application to the Gambling Commission, and underpin the effective running of the Cherwell Community Lottery.

Recommendations

The meeting is recommended to:

- 1.1 Approve establishment of the Cherwell Community Lottery Policy as set out at 3.4 below, and the associated procedures set out at annex 1 (attached).
- 1.2 Recommend Full Council to delegate responsibility for running the Cherwell Community Lottery to the Assistant Director – Communities
- 1.3 Recommend Full Council to delegate authority to the Assistant Director – Law & Governance to amend the Constitution and the Scheme of Delegation to reflect 1.2 above.
- 1.4 Approve Cherwell District Council becoming a member of The Lotteries Council.
- 1.5 Direct officers to develop criteria for the acceptance of supported 'Good Cause' organisations.
- 1.6 Direct officers to develop draft criteria for the distribution of the Cherwell Community Lottery 'Central Fund'.
- 1.7 Direct officers to apply to the Gambling Commission for a Lottery Operator Licence which will require the appointment of two senior Council officers to be identified as 'named officers' on the operator licence for the purpose of the application and 'in-house' responsibility for the lottery once it is up and running. The named officers shall be the Executive Director Wellbeing and the Assistant Director Communities.

14. Monthly Performance, Risk and Finance Monitoring Report - May 2018 (Pages 195 - 226)

Report of Assistant Director: Performance and Transformation and Assistant Director: Finance and Governance

Purpose of report

This report summarises the Council's Performance, Risk and Finance monitoring position as at the end of each month.

Recommendations

The meeting is recommended:

- 1.1 To note the monthly Performance, Risk and Finance Monitoring Report.

15. Silverstone Heritage Centre Loan Facility (Pages 227 - 236)

Report of Interim Executive Director Finance and Governance

Purpose of report

To consider whether or not to provide a £1m loan facility to Silverstone Heritage Limited as part match-funding to their Lottery grant application for the delivery of the Silverstone Heritage Experience. Other Local Authorities (including South Northamptonshire Council) and LEP partners have already signed an agreement to loan up to £8m of funding to the experience. Works have already commenced on site, with a planned launch in Spring 2019.

The loan facility is a partial match fund for a project to develop a visitor experience at Silverstone that focusses on the history and heritage of Silverstone and to understand the context and importance of the internationally renowned racing circuit. The experience will be a dynamic exhibition taking visitors through both the history of Silverstone as well as the current world of motor sport and the future. The work to build the facility has already commenced following a rigorous tender process by the Silverstone Heritage Experience for new building works and refurbishment of a hangar at the Silverstone. This means that costs have now been fixed and there is more certainty about project delivery, with regular updates on project progress received by senior officers at the Council.

Recommendations

The meeting is recommended to:

- 1.1 Recommend to Council that they should consider the application for a loan facility of up to £1 million, to the Silverstone Heritage Experience. This is to partially match fund the £9.1m of grant funding secured from Heritage Lottery Fund (HLF) and in addition to £8m of loans granted by Local Council partners and Local Enterprise Partnerships.

16. **Exclusion of the Press and Public**

The following items contain exempt information as defined in the following paragraphs 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).

5 – Information in respect to which a claim to legal professional privilege could be maintained in legal proceedings

Members are reminded that whilst the following item has been marked as exempt, it is for the meeting to decide whether or not to consider it 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.

No representations have been received from the public requesting that these items be considered in public.

Should Members decide not to make decisions in public, they are recommended to pass the following recommendation:

“That under Section 100A of the Local Government Act 1972, the public and press be excluded from the meeting for the following items 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 3 and 5 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.”

17. **Silverstone Heritage Centre Loan Facility - Exempt appendices** (Pages 237 - 250)

18. **The Mill Arts Centre, Banbury** (Pages 251 - 256)

Exempt Report of Assistant Director: Communities

19. **Sunshine Centre, Banbury** (Pages 257 - 260)

Exempt Report of Assistant Director: Communities

Information about this Agenda

Apologies for Absence

Apologies for absence should be notified to democracy@cherwellandsouthnorthants.gov.uk or 01295 221589 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.

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.

Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

This agenda constitutes the 5 day notice required by Regulation 5 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 in terms of the intention to consider an item of business in private.

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Queries Regarding this Agenda

Please contact Natasha Clark, Democratic and Elections
natasha.clark@cherwellandsouthnorthants.gov.uk, 01295 221589

Yvonne Rees
Chief Executive

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