

Cherwell District Council

Executive

Minutes of a meeting of the Executive held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 3 June 2013 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 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
Councillor Nicholas Turner, Lead Member for Performance and Customer

Also Present: Councillor Sean Woodcock, Leader of the Labour Group
Councillor Tim Emptage, Leader of the Liberal Democrat Group

Apologies for absence: Councillor Norman Bolster, Lead Member for Estates and the Economy

Officers: Sue Smith, Chief Executive
Calvin Bell, Director of Development
Ian Davies, Director of Community and Environment
Kevin Lane, Head of Law and Governance / Monitoring Officer
Karen Curtin, Head of Finance and Procurement
Claire Taylor, Corporate Performance Manager
Helen Town, Strategic Housing Officer
Nick Cardnell, Policy Planner
Natasha Clark, Team Leader, Democratic and Elections

1 **Declarations of Interest**

There were no declarations of interest.

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

There were no petitions or requests to address the meeting.

3 **Urgent Business**

There were no items of urgent business.

4 **Minutes**

The minutes of the meeting held on 8 April 2013 were agreed as a correct record and signed by the Chairman.

5 **Graven Hill Acquisition Update**

The Head of Regeneration and Housing submitted a report which provided an update on the progress being made with the acquisition of Graven Hill.

Resolved

- (1) That the progress to date on work underway be noted.

Reasons

The work outlined in this report is necessary for prudent decision making and use of public money.

This is an exciting project for Cherwell and is already gaining significant attention from the media and interest from the private sector, central government and members of the public.

Options

None

6 **Applications for Designation of Neighbourhood Areas**

The Head of Strategic Planning and the Economy submitted a report which sought the formal determination of four separate applications for the designation of Neighbourhood Areas at Adderbury Parish, Bloxham Parish, Hook Norton Parish & Stratton Audley Parish

Resolved

- (1) That the formal designation of the following four Neighbourhood Areas under Section 61G of the Town and Country Planning Act 1990 (as amended) be approved:
- a. Adderbury Neighbourhood Area
 - b. Bloxham Neighbourhood Area
 - c. Hook Norton Neighbourhood Area
 - d. Stratton Audley Neighbourhood Area
- (2) That the Head of Strategic Planning and the Economy be authorised to issue Notifications of Decisions pursuant to resolution (1) and to the

conclusions reached for each application for the designation of Neighbourhood Areas.

Reasons

Neighbourhood planning was introduced by the Localism Act 2011 as a new, local tier to the planning system. Neighbourhood planning is optional but allows communities to come together through a local Parish Council or Neighbourhood Forum and have direct involvement in the land-use planning of their local area.

The Parish Councils of Adderbury, Bloxham, Hook Norton and Stratton Audley have each made applications for the designation of their administrative areas as Neighbourhood Areas for the purposes of preparing Neighbourhood Development Plans. Each application has been publicised and a number of representations have been received. None of the comments made raised are considered to warrant the refusal of the applications and it is considered that in each case designation would be coherent, consistent and appropriate.

Options

Option One: To approve the designation of the Neighbourhood Areas

Option Two: To refuse and amend the designation of the Neighbourhood Areas providing reasons why

Option Three: To defer consideration

7

Brighter Futures in Banbury Programme

The Director of Community and Environment submitted a report which sought consideration of the performance and achievements of the third full year of the Brighter Futures in Banbury programme and the proposed emphasis in the fourth and subsequent years.

In introducing the report, the Lead Member for Banbury Brighter Futures explained that the 2013/14 Annual Report set out the extensive range of activities undertaken in three target wards (Banbury Ruscote, Banbury Neithrop and Banbury Grimsbury and Castle) arranged by six themes.

In considering the report, Members noted that the programme was rooted in partnership working and acknowledged the important role the council played in coordinating the work. It was agreed it was important to that all partners remained committed to the programme's objectives to meet the challenges of the coming year. In light of the considerable budget and resource constraints, Members agreed that it was not appropriate to expand the Programme at the present time.

The Leader of the Labour Group addressed Executive, commended the excellent work that had been done to date and endorsed the proposal not to extend the Programme at present but retain focus on the three Banbury wards.

Resolved

- (1) That the good progress made in the third year of the Brighter Futures Programme be noted.
- (2) That the areas of emphasis and proposed activity in 2013/14 be supported.
- (3) That officers be requested to submit further reports as appropriate on progress.

Reasons

The Brighter Futures in Banbury programme has been running for just over three years as a means of supporting in better ways those individuals and families in most need. During this time, it has made significant progress with effective multi-agency focus and many joint actions.

The draft 2013/14 Annual Report sets out the extensive range of activities undertaken in the three target wards arranged by the six themes. It represents an excellent multi-agency response to local need and has established a new way of working which is based on a common purpose, good communication and better understanding of the roles and activities of many organisations.

The Brighter Futures in Banbury programme will only be effective if it is targeted, long-term, multi-agency in nature and clear on its purpose and outcomes. A common understanding amongst all relevant agencies of what can and should be done underpins the proposals for 2013 and beyond.

Options

Option One: Adopt the recommendations as set out

Option Two: Amend/add to the areas of focus for 2012/13

8 Equalities Self-Assessment and Action Plan for 2013/14

The Head of Transformation submitted a report which reviewed the completion of the annual Self-Assessment undertaken by the Council against the Achieving Standard under the Equality Framework for Local Government.

The Leader of the Council requested that he be provided with a quarterly update report by exception and that an annual briefing be arranged for all Members.

Resolved

- (1) That the evidence and information submitted in the Council's Self-Assessment against the 'Achieving Standard' under the Equality Framework for Local Government be noted.

- (2) That the equalities action plan for 2013/14 be agreed and the areas of good practice upon which it builds and the areas for development that it addresses be noted.

Reasons

Cherwell District Council has made significant progress delivering against the equalities agenda in recent years. The Council's approach has been redesigned to streamline processes and to focus on local priorities including improving access to services, delivering excellent customer service and working with groups who may need additional support from across the district.

The self-assessment identifies areas of strength and key developmental priorities and has been undertaken in line with a nationally agreed self-assessment model.

The updated action plan demonstrates how the Council will continue to deliver its equalities objectives over the coming year. Progress will be reported via the performance management framework on a quarterly basis.

The three year impact assessment rolling plan also provides assurance that the Council is mindful of policy change and seeks to understand and address the impacts of service and policy change where appropriate.

Options

None

9 Performance Management Framework 2012/2013 Annual Performance Review

The Head of Transformation submitted a report which presented the Council's annual performance review for 2012/13 as measured through the Corporate Performance Management Framework.

In introducing the report, the Lead Member for Performance and Customers reported that of the 17 performance pledges made at the beginning of 2012/13, 14 had been met in full and three partially met.

The Overview and Scrutiny Committee had considered the report at their May meeting and resolved to invite officers with responsibility for performance indicators reporting red to a future meeting of the Committee to review the indicators.

The Lead Member for Performance and Customers reported that the Overview and Scrutiny Committee had raised particular concern about the performance of processing major planning applications. Executive was advised that the need to speed up the processing of major applications was recognised and measures had been put in place. This would be reflected in the Annual Report.

Executive noted that the four corporate priorities were now four years old and that a briefing for all Members would be held in the summer which would focus on reviewing the priorities.

Each Lead Member provided an overview of the performance within their respective portfolios highlighting the successes and any areas of poor performance being addressed.

The Leader of the Labour Group addressed Executive and commented on the need for an appropriate body to review the Local Plan process as this was behind schedule and reporting amber. This would ensure that lessons were learnt for future plan development. The Leader of the Council concurred that once the process was finished and the Local Plan adopted this would be a useful exercise.

In response to comments of the Leader of the Liberal Democrat Group regarding the inclusion of activity in Kidlington within the Annual Performance Review, the Leader of the Council requested that officers ensure that this be included in the final version of the Review.

Resolved

- (1) That it be noted that, despite tough performance targets, a challenging economic environment, and on-going policy and organisational change, Cherwell District Council has met or made satisfactory progress on 93% of the performance targets outlined in its performance management framework.
- (2) That the progress the Council has made delivering a challenging transformation programme, which has ensured that the pledge to reduce the Council's budget by £800,000 has been met and that Council Tax has been frozen for the coming year, be noted.
- (3) That the progress in delivering the Council's strategic objectives be noted.
- (4) That the draft Annual Performance Report as amended be agreed and that authority be delegated to the Head of Transformation, in consultation with the Lead Member for Performance and Customers, to make any minor changes to the document as required before publication.
- (5) That the Corporate Performance Manager and the Performance and Insight Team be thanked for their hard work in co-ordinating the production of the Performance Management Framework Performance review.

Reasons

The report shows the Council's performance against the Corporate Scorecard and Performance Management Framework in 2012/2013. From this information the Executive can make a judgement about the progress the Council is making in meeting its objectives, identify the achievements it

wishes to celebrate and the areas where action is required to improve performance.

Options

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

Option Two: To approve or reject the recommendations set out.

10 **2012/2013 End of Year Finance Report**

The Head of Finance and Procurement submitted a report which summarised the Council's provisional Revenue and Capital performance for the financial year 2012/2013 and reported on performance against the procurement action plan. The figures were still subject to further validation work to ensure compliance with statutory requirements and proper accounting practices.

Resolved

- (1) That the provisional revenue out-turn position for 2012/2013 (annex to the Minutes as set out in the Minute Book) be noted.
- (2) That the carry forward of budget underspends within 2012/2013 to 2013/14 (annex to the Minutes as set out in the Minute Book) be approved.
- (3) That the transfer to general fund balances (annex to the Minutes as set out in the Minute Book) be noted.
- (4) That the provisional capital out-turn position for 2012/2013 (annex to the Minutes as set out in the Minute Book) be noted.
- (5) That it be agreed to carry forward into the 2013/14 capital programme the balances on capital schemes which have slipped in 2012/2013 (annex to the Minutes as set out in the Minute Book).
- (6) That the Treasury out-turn position for 2013/14 be noted.
- (7) That progress against the Council's Procurement Action plan and savings achieved be noted.
- (8) That authority be delegated to the Director of Resources and Head of Finance and Procurement in consultation with the Lead Member for Financial Management to consider and implement further changes relating to all aspects of the closedown of the accounts for 2012-13 including: realigning reserves; the transfer of costs from revenue to capital; amendments of the revenue and capital budgets; and implementation of a minimum revenue provision accordingly.

Reasons

This report illustrates the Council's provisional performance against the 2012/2013 Revenue and Capital Budget and progress achieved against our Procurement action plan and targets.

Options

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

Option Two: To approve or reject the recommendations set out.

11

Update on the Construction of the Bicester Community Centre

The Head of Regeneration and Housing submitted a report which provided an update on progress with the construction of the Bicester Community Centre project and sought delegated authority to award the construction contract to the Council's Procurement Steering Group.

Resolved

- (1) That the procurement strategy in appointing a main build contractor for delivery of the Bicester Community Centre be noted and supported.
- (2) That authority be delegated to the Council's Procurement Steering Group, consisting of the 151 Officer, the Monitoring Officer and the Head of Finance and Procurement in consultation with the Lead Member for Estates and the Economy and the Leader of the Council, to award the contract subject to the costs not exceeding the approved capital budget of £5m.
- (3) That the utilisation of internal Project Management resources to deliver such contracts to maximise the efficient and cost effective use of these professional services be approved.
- (4) That officers be requested to provide a bi-monthly progress report to the Executive.

Reasons

Approval of the necessary delegations will enable the procurement of a preferred construction partner. This will enable progress to be made with the project team to enable a subsequent planning submission and start on site within the project plan objectives.

Support to the procurement approach and utilisation of internal Project Management resources will reduce overall costs and improve procurement efficiencies.

Options

Option One: Agree delegated authority to award the contract upon conclusion of the tender exercise under the London and South East Construction Framework to the Council's Procurement Steering Group, subject to costs not exceeding the approved capital estimate.

Option Two: To require that the approval to award be sought directly from the Executive once the tender evaluation process is completed.

Option Three: Not to progress the project

12 **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 item of business, on the grounds that they could involve the likely disclosure of exempt information as defined in paragraph 2 of Schedule 12A of that Act.

13 **Update on the South West Bicester Multi Sports Village Project**

The Head of Community Services submitted a report provided an update on the South West Bicester Multi Sports Village Project and sought delegated authority to award the construction contract for the sports pavilion and car park to the Council's Procurement Steering Group.

Resolved

- (1) That the procurement strategy in appointing a contractor for delivery of phase 2 of the project – construction of the pavilion and car park be noted.
- (2) That authority be delegated to the Council's Procurement Steering Group, consisting of the s151 Officer, the Monitoring Officer and the Head of Finance and Procurement in consultation with the Deputy Leader to award the construction contract for phase 2 of the project and the Project Management arrangements for phase 2 and 3, subject to the costs not exceeding approved capital estimates.
- (3) That the submission of a deemed planning application for the master plan of the whole sports village site- Phases 2 and 3 be approved.
- (4) That the revenue implications of the Sports Village and that further discussions were required with partners to clarify the way forward be noted.
- (5) That officers be requested to provide a bi-monthly progress report to the Executive.

Reasons

The section 106 agreement puts a legal obligation on the Council to deliver some outdoor sports facilities and therefore Phase 2, in some form must be progressed.

Options

Option One: Agree delegated authority to award the contract upon conclusion of the tender exercise under the London and South East Construction Framework to the Council's Procurement Steering Group, subject to the costs not exceeding approved capital estimates, and to continue to consider the best approach for future management and the revenue implications.

Option Two: To require that the approval to award be sought directly from the Executive once the tender evaluation process is completed.

Option Three: To progress with a reduced scheme that meets the planning obligations within the Kingsmere development.

The meeting ended at 8.15 pm

Chairman:

Date: