

Cherwell District Council

Executive

Minutes of a meeting of the Executive held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 4 July 2016 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 Colin Clarke, Lead Member for Planning
Councillor John Donaldson, Lead Member for Housing
Councillor Tony Ilott, Lead Member for Public Protection
Councillor Kieron Mallon, Lead Member for Banbury Futures
Councillor D M Pickford, Lead Member for Clean and Green
Councillor Lynn Pratt, Lead Member for Estates and the Economy
Councillor Nicholas Turner, Lead Member for Change Management, Joint Working and ICT

Also Present: Councillor Sean Woodcock, Leader of the Labour Group

Officers: Sue Smith, Chief Executive
Scott Barnes, Director of Strategy and Commissioning
Karen Curtin, Commercial Director
Kevin Lane, Head of Law and Governance / Monitoring Officer
Paul Sutton, Chief Finance Officer / Section 151 Officer
Ed Potter, Head of Environmental Services, for agenda item 7
Adrian Colwell, Head of Strategic Planning and the Economy, for agenda items 8 and 9
Jackie Fitzsimons, Shared Public Protection Manager, for agenda item 10
Nicola Riley, Shared Community Services Manager, for agenda item 13
Mike Grant, Safer Communities Manager, for agenda item 10
Natasha Clark, Team Leader, Democratic and Elections

17 Declarations of Interest

There were no declarations of interest.

18 Petitions and Requests to Address the Meeting

There were no petitions or requests to address the meeting.

19 **Urgent Business**

There were no items of urgent business.

20 **Minutes**

The minutes of the meeting held on 6 June 2016 were agreed as a correct record and signed by the Chairman.

21 **Chairman's Announcements**

There were no Chairman's announcements.

22 **Waste Policies**

The Head of Environmental Services submitted a report to update the Executive on the pressures on the Waste & Recycling service arising from the large housing growth and to review the waste policies with the view of bringing the policies of Cherwell District Council (CDC) and South Northamptonshire Council (SNC) closer together.

Resolved

- (1) That the pressures on the waste service resulting from the rapid housing growth and the actions being taken to deal with these demands be noted.
- (2) That the increased revenue pressures from operating additional crews in future years be noted.
- (3) That the revised waste policies (annex to the Minutes as set out in the Minute Book) be approved.

Reasons

The district is rapidly growing from a growth rate of less than 1%/year in recent years to more than 3%/year this year and 4%/year next year. This rapid growth has meant the collection rounds are now full. The productivity of the collection rounds is very good and there are few opportunities to increase this further. Consequently, additional rounds will be required in future years. The next round will be required in April 2017 with further rounds needed by April 2019 and April 2021. Each additional round will increase revenue costs by around £150k/year.

One of the major constraints to additional rounds is capacity at Bicester depot. The depot is full and unable to accommodate a growth in vehicle numbers and staff. A project is underway to locate a new depot in the Bicester area.

The waste policies of this Council and SNC have been reviewed with a view to bringing them closer together wherever possible. This should make it easier for a shared Customer Service Centre and for Environmental Services to manage the shared Waste & Recycling service.

Alternative options

Option 1: To reject the proposed changes

Option 2: To ask officers to consider alternative improvements

23

Statement Community Involvement (SCI) 2016

The Head of Strategic Planning and the Economy submitted a report to present the results of public consultation on the draft Statement of Community Involvement (SCI) 2016 and to seek approval for the completed SCI to be presented to Council for adoption.

Resolved

- (1) That the completed Statement of Community Involvement (SCI) 2016 (annex to the Minutes as set out in the Minute Book) be endorsed and Full Council be recommended to approve the SCI 2016, subject to any minor typographical or presentational corrections being made by the Head of Strategic Planning and the Economy.
- (2) That it be noted that upon adoption the SCI 2016 would replace the current adopted SCI 2006.

Reasons

A new Statement of Community Involvement is required. Following consultation on a draft document earlier this year, changes have been made and a completed SCI 2016 is presented at Appendix 1 to the report. The completed SCI is considered to be an appropriate basis for community engagement and stakeholder consultation on planning policy documents and in the consideration of planning applications. It is recommended that the Executive approve the SCI for presentation to Council for formal adoption. Upon adoption it will replace the existing SCI 2006 with immediate effect.

Alternative options

Option 1: Continue to use the SCI that was adopted in July 2006. This is not recommended as although the SCI 2006 is comprehensive, it is dated. It does not reflect changes to plan-making and development management processes.

Option 2: To reconsider the content of the proposed SCI 2016. The completed SCI 2016 has been produced having regard to statutory and policy requirements for plan-making and development management. Examples of recently approved SCIs have been considered. Public

consultation has been undertaken. It is considered by officers to be appropriate for presentation to Council for formal adoption.

24 **High Speed Rail - HS2 Qualifying Authority Status**

The Head of Development Management submitted a report to consider whether the Council should become a “qualifying authority” (‘Qualified Authority’) or a “non-qualifying authority” for the purposes of the High Speed Rail 2 Hybrid Bill.

Resolved

- (1) That authorisation be given to Cherwell District Council becoming a Qualifying Authority in relation to the High Speed Rail (London to West Midlands) Hybrid Bill and the signing of the HS2 Planning Memorandum and the Service Level Agreement between the Council and HS2 that will provide the costs of implementing the consequent planning regime.
- (2) That Full Council be recommended to agree that constitutional and scheme of delegation changes will be necessary to ensure the satisfactory implementation of the Planning Memorandum.

Reasons

Becoming a Qualifying Authority involves a commitment by the Council to deal with applications appropriately and within specified timescales, in return for greater control over a wider range of matters than would otherwise be the case.

It is considered important that the Council retains as much control as it can over the detailed matters relating to the HS2 proposals, and to do so it is recommended that it would be in the Council’s interests to become a Qualifying Authority.

Alternative options

The alternative option is to not become a qualifying authority. This has been rejected in our assessment and is not recommended as the Council would not be able to exercise the maximum control over elements of this contentious scheme.

25 **Banbury Town Centre Public Spaces Protection Order**

The Public Protection Manager submitted a report to propose the making of a Public Space Protection Order (PSPO) in Banbury Town centre to prevent the detrimental effect of begging, drinking and sleeping rough on those who reside, work and visit the town centre.

Resolved

- (1) That the outline proposal for a Public Space Protection Order (annex to the Minutes as set out in the Minute Book) be approved.
- (2) That the commencement of a five week consultation process be approved.

Reasons

The evidence required to satisfy section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014 (the "Act") as far as begging, drinking and rough sleeping are concerned, is sufficient to approve a consultation process for a PSPO.

If the Executive is minded to approve the outline proposals, the next step is to approve the commencement of the consultation within the parameters of section 72 of the same Act.

Alternative options

Option 1: Without a PSPO the local authority will continue to work with the police, within current legislation. The current legislation dates to the 1824 Vagrancy Act, to enforce the police officer has to witness the act of begging and hear the words of request. This naturally is something the offenders are aware of and resist from doing when being observed.

The Council does not have any authority to prosecute begging, or enforce drink related disorderly behaviour. With regard to drinking this report has previously alluded to the fact that a drink banning order is limited to irresponsible drinking only, it is not a ban therefore the police will only react to problematic or disorderly drinkers. In choosing to continue within current legislation, this will be a missed opportunity to address what appears to be an escalating activity

Annual Equalities Report for 2015/2016

The Director – Strategy and Commissioning submitted a report to review the performance of the Equalities Annual Work Programme and to agree the planned work programme following the Achieving Standard under the Equality Framework for Local Government.

Resolved

- (1) That the report be noted.
- (2) That the equalities action plan for 2016/17 (annex to the Minutes as set out in the Minute Book) be agreed and the areas of good practice upon which it builds and the areas for development that it addresses be noted.
- (3) That the 3 year rolling plan of Equality Impact Assessments be agreed.

Reasons

Cherwell District Council has made significant progress delivering against the equalities agenda in recent years and has continued to maintain this during 2015/2016 whilst continuing to adopt a proportionate approach to equality performance with meaningful and relevant Corporate Action Plans to support this work.

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.

Alternative options

Option 1: To note the report

Option 2: To request additional information on items within this report

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The Growth of Bicester: Progress Update 2015/16

The Commercial Director submitted a report to advise Members of the work that was being undertaken in Bicester including highlighting key achievements; of the expenditure from the Eco Town grant; received in 2010; and, of forward planned expenditure 2016/17.

Resolved

- (1) That the progress on work in Bicester be noted.
- (2) That the expenditure that has taken place and the committed funding from the Eco Town grant be noted.
- (3) That the 2016/17 forward plan be noted.

Reasons

Much is happening in Bicester and this is demonstrated by the delivery of new development such as Franklins House with the new library and CDC link point, the continued housing delivery. Work to provide an appropriate policy basis for the improvement and growth of the town has progressed with the adoption of the NW Bicester SPD and the consultation work to refresh the vision for the town. Never the less there remain challenges in delivering the strategic development sites in the adopted local plan and ensuring sufficient infrastructure is in place to serve the growth of the town and work continues with partners to deliver necessary infrastructure and seek to speed up housing delivery.

The work continues to have a whole town approach, seeking opportunities to improve the existing town as well as deliver new development. A number of projects have been delivered in the town, particularly focussing on energy efficiency and sustainable travel. In the last year this has been focussed on the replacement boiler scheme the energy mapping project LEMUR and securing grants to support other works such as the café and playground at Garth Park. Pursuing a whole town approach remains an important commitment with considerable work going into bids for funding to enable projects to be delivered.

Over £19.5m worth of grant funding is outlined above and this together with previous grants comes to over £50m that has been attracted to Bicester, including the DCLG Eco Town funding and Garden 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 draft study by Montague Evans estimated that 2014/15 that over £150m of private sector funding has been invested in the town 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 by 2031 is £1.2bn which is expected to be supported £750 million of infrastructure investment.

Bicester continues to attract national attention for its growth plans and the delivery of projects in the town. The work to date has attracted considerable investment through grants but also through the private sector investment in the town. Never the less there remains an ambitious programme of work to deliver improvements in the town during 2016/17.

Alternative options

Option 1: Identify alternative approaches to the use of Eco Town Grant or continue to hold the funding.

This option has been rejected as the projects identified have been identified based on the needs identified and arising within the town.

Option 2: To commit to future spend of recycled Eco Town Grant 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.

Annual Report and Review of the Brighter Futures in Banbury Programme

The Director of Operational Delivery submitted a report to consider the activity and achievements of the Brighter Futures in Banbury Programme in 2015/16; the partnership activity and areas of focus for 2016/17.

Resolved

- (1) That both the progress made in 2015/16 in the Brighter Futures in Banbury Programme and the areas requiring continuous improvement be noted.
- (2) That the priorities for focus in 2016/17 be supported.

Reasons

The Brighter Futures partnership has for several years continued to work effectively in focussing the best use of resources on those most in need. Harnessing work related to the six themes is proving valuable but continuous improvement eludes in some areas; specific areas of concern, which are well below comparative averages, remain

The context in which the partnership is operating is changing in relation to population, funding, and organisational change. Organisational and service change in a partnership context is particularly challenging.

The relatively recent 2011 census information has identified changes in the make-up of the ward population in relation to a big increase in private rented households, an increase in single adults, lone parents and HMOs, increasing ethnic diversity, and specific issues such as a lack of qualifications of lone parents. Of particular concern is the comparatively high level of child poverty in our wards.

It is important to periodically review the Programme and in light of the challenges described above, now is an appropriate time. There is a need to take account of current strengths and to consider what other partnership opportunities there are, along with specific issues which are relevant to the people of the wards being supported. This is why the continued focus proposed for partnership activity concentrating on child poverty, educational attainment, supporting the most vulnerable and health inequalities are all inter related, relevant to the Brighter Future's Programme's objectives and capture other partnership opportunities which are in place.

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Alternative options

Given the very wide ranging nature of the Brighter Futures Programme, there can be many different options and permutations of key priorities, areas of focus and mechanisms to progress. Therefore, no specific alternative options are identified.

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Proposal for a Joint Property and Investment Service with South Northamptonshire Council

The Head of Regeneration and Housing submitted a report which presented the final business case for a Joint Property and Investment Service across Cherwell District and South Northamptonshire Councils and sought agreement for the non-staffing elements of the business case.

The proposal was part of the wider transformation programme across the two Councils.

Resolved

- (1) That the business case for a Joint Property and Investment Service with South Northamptonshire Council and the consultation responses in relation to non-staffing matters be noted.
- (2) That it be noted that the business case would be considered by the Joint Commissioning Committee with regard to staffing matters on 21 July 2016. This will include consideration of the consultation responses from affected staff and trade union representatives.
- (3) That the proposed final business case to share a joint Property and Investment Service between CDC and SNC be approved for implementation, subject to similar consideration and approval by SNC Cabinet on 11 July 2016 and approval of the staffing implications by the Joint Commissioning Committee.
- (4) That authority be delegated to the Head of Regeneration and Housing, in consultation with the Leader of the Council, any non-significant amendment that may be required to the business case following the decision by SNC Cabinet and/or the Joint Commissioning Committee.

- (5) That the allocation of £90,000 from general fund balances to cover 50% of the potential implementation costs be approved.

Reasons

The recommendation is to establish a Joint Property and Investment Service between CDC and SNC. The business case sets out the rationale for establishing the joint service and investing in the service to transform the way both Councils manage their existing assets and to provide the expertise to identify new investment opportunities for Members to consider in order to address the medium term revenue gap.

Alternative options

Status quo (no change)

Retaining the status quo is not considered a viable option for either council. Both councils are under resourced to deliver change required to ensure that the councils make the most out their assets.

Alternative structure options

There is certainly scope to deliver the proposed joint property and investment service through an alternative delivery vehicle and this option would be explored further should the proposed service be established. However, it is recommended that the corporate property management model be implemented effectively prior to the consideration of an alternative delivery vehicle for the service. Opportunities for wider collaboration through an alternative delivery vehicle potentially aligned to the one public estate programme will also be considered in the future.

Three-way collaboration and shared service (with other partners)

Three-way collaboration with other partners is certainly an option to consider in the future. However, there are no other existing relationships at a sufficient stage to consider as part of a three-way shared service at this point. The process of developing such a relationship is likely to be lengthy and while this option should be considered again in the future, it should not be pursued at this time to the detriment of this project.

The approach in the recommendations is believed to be the best way forward. The proposal is to establish a joint property and investment service between CDC and SNC which will deliver significant improvements in existing asset performance.

Exclusion of the Press and Public

There being no questions on the exempt appendix to the Proposal for a Joint Property and Investment Service with South Northamptonshire Council, it was not necessary to exclude the press and public.

Proposal for a Joint Property and Investment Service with South Northamptonshire Council - Exempt Appendix

Resolved

- (1) That the exempt appendix be noted.

The meeting ended at 7.25 pm

Chairman:

Date: