

Committee: Executive
Date: Monday 7 December 2009
Time: 6.30 pm
Venue: Bodicote House, Bodicote, Banbury, OX15 4AA

Membership

Councillor Barry Wood (Chairman)	Councillor G A Reynolds (Vice-Chairman)
Councillor Ken Atack	Councillor Norman Bolster
Councillor Michael Gibbard	Councillor James Macnamara
Councillor Kieron Mallon	Councillor Nigel Morris
Councillor D M Pickford	Councillor Nicholas Turner

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. Urgent Business

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

5. **Minutes** (Pages 1 - 8)

To confirm as a correct record the Minutes of the meeting held on 16 November 2009.

Strategy and Policy

6. **Countywide Interim Planning Advice Note - Renewable Energy & Sustainable Construction** (Pages 9 - 48) **6.35 pm**

Report of Head of Planning and Affordable Housing Policy

Summary

To seek approval of an 'Advice Note' document which has been prepared by Oxfordshire County Council in liaison with district councils across Oxfordshire to provide advice on renewable energy and sustainable construction issues in the interim period before Core Strategies are adopted. The Advice Note does not establish new planning policy, but seeks to emphasise the relevant policies in the adopted South East Plan. It also provides further information which will be of use in making applications for planning permission, and in the decision making process.

Recommendations

The Executive is recommended to:

Approve the Advice Note attached as appendix 1 to this report for use as a guide to assist applicants in making planning applications and development control in making decisions regarding the need to improve renewable energy provision and sustainable construction standards.

Service Delivery and Innovation

7. **Banbury Cultural Quarter** (Pages 49 - 58) **6.45 pm**

Report of Strategic Director Environment and Community

Summary

To consider proposals for the development of a Banbury Cultural Quarter in conjunction with The Mill Management Committee and Oxfordshire County Council.

Recommendations

The Executive is recommended to:

- (1) Support the concept of a Cultural Quarter in Banbury to the east of the Oxford Canal as outlined in the report;
- (2) Support Oxfordshire County Council in the development of an integrated new library and Mill as outlined in the report;

- (3) Agree a supplementary capital estimate of £60,000 to progress the Cultural Quarter components to the level of detail required and to submit an outline planning application;
- (4) Receive further reports on the further design work, outline capital costs and anticipated revenue implications of progressing the District Council's components of the Cultural Quarter prior to any commitment.

8. Sports Centres Modernisation Update (Pages 59 - 66)

7.05 pm

Report of Strategic Director Environment and Community

Summary

To consider the progress made on the Sports Centres Modernisation project and the temporary use of the land of the current Spiceball Sports Centre site.

Recommendations

The Executive is recommended to:

- (1) Note the current position and progress to date;
- (2) Note the plans for the official opening of the new Spiceball Leisure Centre;
- (3) Agree that following demolition, part of the site of the current Spiceball Park Sports Centre be used for a temporary car park and a planning application be submitted for its change of use;
- (4) Make a car park order, subject to the planning consent, for a temporary car park at Spiceball Park Sports Centre.
- (5) Agree to fund the costs of creating the temporary car park from the Sports Centres Modernisation project fund in consultation with the Portfolio Holder for Environment, Recreation and Health.

9. ICT Service Provision Strategy (Pages 67 - 76)

7.25 pm

Report of Head of Customer Service and Information Services

Summary

This report seeks Member approval for a major strategic project to improve the resilience of the Council's computer systems, and to progress the means of identifying options for the medium and long term delivery of ICT services.

Recommendations

The Executive is recommended:

- (1) To approve the project to complete the virtualisation and thin client projects and related staffing changes using the £125,000 already approved for ICT investment, but released by reducing the 2009/2010 ICT capital programme.

- (2) To approve a supplementary estimate of up to £150,000 for the purposes of (1) above.
- (3) To request that a Member and Officer review group is established to review the options available to the Council for the future delivery of strategic ICT services.
- (4) Approve the proposal for interim arrangements for ICT service delivery pending the findings of the review group, at an estimated cost of £50,000 to be met from the ICT reserve.

10. Draft Budget 1, Corporate Plan and Service Plans 2010 - 2011 (Pages 77 - 110)
7.35 pm

Report of Head of Finance

Summary

The Council has to adopt a budget for 2010/11 as the basis for calculating its level of Council Tax and has to base that budget on its plans for service delivery during the year, recognising any changes in service demand that may arise in future years. This is the first of three opportunities that the Executive has to shape and refine the interaction between the Corporate Plan, the service plans that underpin the corporate plan and financial matters before the final budget is presented to the Council on the 22nd February 2010.

Recommendations

The Executive is recommended:

- (1) to consider the draft budget (detailed in Appendix 1) and service plans in the context of the Council's service objectives and strategic priorities;
- (2) to endorse the proposed service priorities and the draft Corporate Plan for 2010-11 (detailed in Appendix 2);
- (3) to note the areas of unavoidable revenue growth (detailed in Appendix 3);
- (4) to agree the approach to the overall capital programme and 2010/11 expenditure profile (detailed in Appendix 4);
- (5) to advise of any other matters they would like taken into consideration in producing a balanced budget for the next meeting of the Executive on 11th January 2010 ;
- (6) to note that any recommendations of the scrutiny reviews on the non consulted services and capital programme to be considered at the Resources and Performance Scrutiny Board on 1st December 2009 will be reviewed as part of the second draft of the budget:
- (7) to endorse the draft budget and corporate plan as the basis for consultation;

11. **Approval for Funding at Claypits Lane, London Road, Bicester** (Pages 111 - 118) **8.05 pm**

Report of Head of Housing Services

Summary

To seek approval for expenditure of £187,250 grant funding from the Capital Reserves for Affordable Housing towards the land for affordable housing at Claypits, Bicester.

Recommendations

The Executive is recommended to:

Approve a supplementary capital estimate of £187,250 to secure nomination rights to four affordable housing units at Claypits, London Road, Bicester.

12. **Authorisation of Supplementary Revenue Estimate** (Pages 119 - 130) **8.10 pm**

Report of Head of Development Control and Major Developments

Summary

To recommend authorisation of a budget for payment of compensation via a Supplementary Revenue Estimate to be funded from Development Control and Major Developments Reserve.

Recommendations

The Executive is recommended to:

- (1) Note the attached report to the Planning Committee and the committee resolution to pay Mr Whithead and Ms Simons of the Marlborough Arms, Gatteridge Street Banbury £11,274.35 compensation for losses arising from the Council's maladministration.
- (2) Approve a Supplementary Revenue Estimate of £11,274.35 to be funded from Development Control and Major Developments reserve.

Urgent Business

13. **Urgent Business**

Any other items which the Chairman has decided is urgent.

14. Exclusion of the Press and Public

The following report(s) contain exempt information as defined in the following paragraph(s) 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).

Members are reminded that whilst the following item(s) have been marked as exempt, it is for the meeting to decide whether or not to consider each of them 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.

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

“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(s) of business, on the grounds that they could involve the likely disclosure of exempt information as defined in paragraph(s) 2 of Schedule 12A of that Act.”

15. Old Bodicote House Refurbishment (Pages 131 - 160)

8.20 pm

Report of Chief Executive and Head of Economic Development and Estates

(Meeting scheduled to close at 8.35 pm)

Information about this Agenda

Apologies for Absence

Apologies for absence should be notified to democracy@cherwell-dc.gov.uk or (01295) 221587 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. The definition of personal and prejudicial interests is set out in Part 5 Section A of the constitution. The Democratic Support Officer will have a copy available for inspection at all meetings.

Personal Interest: Members must declare the interest but may stay in the room, debate and vote on the issue.

Prejudicial Interest: Member must withdraw from the meeting room and should inform the Chairman accordingly.

With the exception of the some very specific circumstances, a Member with a personal interest also has a prejudicial interest if it is one which a Member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice the Member's judgement of the public interest.

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.

Queries Regarding this Agenda

Please contact James Doble, Legal and Democratic Services james.doble@cherwell-dc.gov.uk (01295) 221587

Mary Harpley
Chief Executive

Published on Friday 27 November 2009

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Agenda Item 5

Cherwell District Council

Executive

Minutes of a meeting of the Executive held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 16 November 2009 at 6.30 pm

Present: Councillor Barry Wood (Chairman)
Councillor G A Reynolds (Vice-Chairman)

Councillor Ken Atack
Councillor Norman Bolster
Councillor Michael Gibbard
Councillor James Macnamara
Councillor Nigel Morris
Councillor Nicholas Turner

Apologies for absence: Councillor Kieron Mallon □ Councillor D M Pickford

Officers: Mary Harpley, Chief Executive and Head of Paid Service
Ian Davies, Strategic Director - Environment and Community
John Hoad, Strategic Director - Planning, Housing and Economy
Mike Carroll, Head of Improvement
Karen Curtin, Head of Finance
David Marriott, Head of Economic Developments & Estates
Phil O'Dell, Chief Finance Officer
Claire Taylor, Community Planning Manager
Pam Wilkinson, Principal Solicitor
Jo Smith, Communications Manager
Alexa Coates, Senior Democratic and Scrutiny Officer

67 **Declarations of Interest**

There were no declarations of interest.

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

There were no petitions or requests to address the meeting.

69 **Urgent Business**

There was no urgent business.

70 **Minutes**

The minutes of the meeting held on 2 November 2009 were agreed and signed as a correct record.

71 **A New Cherwell Sustainable Community Strategy**

The Chief Executive submitted a report which proposed changes to the draft Cherwell Sustainable Community Strategy following formal public consultation and confirmation of the Council's representatives on the Local Strategic Partnership.

Resolved

- (1) That the results of the formal consultation on the draft Sustainable Community Strategy are noted and the changes resulting from the consultation be agreed.
- (2) That authority to agree further amendments to the strategy in line with council policy be delegated to the Chief Executive in consultation with the Leader of the Council.
- (3) That the: Leader, Portfolio Holder for Communications and the Chief Executive be agreed as the Council's representatives on the Local Strategic Partnership.

Reasons – The draft sustainable community strategy outlines the key strategic priorities, opportunities and challenges for the district. The strategy will be reviewed on an annual basis and it will be actioned through a five year delivery plan which all local partners will be asked to contribute to. Performance will be reported on a quarterly basis.

Options

Option One

1. To note the results of the formal consultation on the draft Sustainable Community Strategy and to agree the changes resulting from the consultation.
2. To delegate authority to the Chief Executive in consultation with the Leader of the Council to agree further amendments to the strategy in line with council policy as the Local Strategic Partnership signs off the final draft on 19th November 2009.
3. To agree the proposed District Council representatives to the Local Strategic Partnership.

Option Two

Identify issues or omissions which the Local Strategic

Partnership should reconsider for inclusion in the Strategy.

72

The Horton General Hospital and the Work of the Better Healthcare Programme for Banbury and the Surrounding Areas

The Strategic Director Environment and Community submitted a report which considered the progress made on developing future services for the Horton General Hospital through the Better Healthcare Programme for Banbury and surrounding areas.

Resolved

- (4) That the significant progress made by the Better Healthcare Programme for Banbury and the surrounding areas be noted.
- (5) That the current approach of the Better Healthcare Programme Board to implement consultant delivered obstetric and paediatric services, greater integration of emergency and GP out of hours work, specific initiatives to support the sustainability of general surgery and trauma and using the services provided at the Horton General Hospital for research and academic purposes, be endorsed.
- (6) That the Executive thank all those who have participated in the Better Healthcare Programme for Banbury and surrounding areas.

Options

Option One

The Council continues to support the PCT in assessing and arriving at sustainable and safe services for the Horton in the future.

Option Two

The Council could choose to do nothing and leave the PCT unsupported in this exercise. This clearly has not been Council policy to date and is not proposed in future.

73

Performance Management Framework 2009/10 Second Quarter Performance Report

The Chief Executive submitted a report which explained the Council's performance for the period 1 July to 30 September 2009 as measured through the Performance Management Framework. The corporate scorecard is central to the framework and covers seven areas of performance: Local Area Assessment, the Community Plan, Corporate Plan Promises, Priority Service Indicators, Financial Performance, Human Resources and Customer Feedback.

Resolved

- 1) That the many achievements in relation to the Local Development Framework and Housing Services be noted
- 2) That Officers be requested to report in the third quarter on items with low performance such as the Markets contract and planning appeal decisions.
- 3) That the responses to issues identified in the previous quarterly report be noted.

Reasons - This report presents the Council's performance against its corporate scorecard for the second quarter of 2009/10. It includes an overview of our successes, areas for improvement and emerging issues to be considered.

Option One

1. To note the many achievements referred to in paragraph 1.3.
2. To request that officers report in the third quarter on the items identified in paragraph 1.4 where performance was below target or there are emerging issues.
3. To agree the responses identified to issues raised in the last quarterly performance report in paragraph 2.1 or to request additional action or information.

Option Two

To identify any additional issues for further consideration or review.

74

2009/10 Projected Revenue & Capital Outturn at 30 September 2009

The Head of Finance submitted a report summarising the Council's Revenues and Capital performance for the first six months of the 2009/10 financial year and projections for the full 2009/10 period. The performance and projections are measured by the budget monitoring function and reported via the Performance Management Framework which informs the 2009/10 budget process.

Resolved

- 1) That the projected revenues and capital position at September 2009 be noted.
- 2) That the changes to the 2009/10 capital programme as set out below be approved:

- Slip £2,281k of projects into 2010/11 capital programme and review as part of the 2010/11 budget process
- Slip forward £13k of budget from the 2010/11 profiles to meet expenditure to be incurred in 2010/11.
- Release £173k of expenditure from the capital budget as a result of savings identified on a number of schemes and use £82k for a supplementary estimate for the 2 schemes detailed in 2.11.

3) That the Q2 performance against 2009/10 investment strategy be noted.

Reasons - This report illustrates the Council's performance against the 2009/10 Revenue and Capital Budget and includes details of Treasury Performance as at Qtr 2 – September 2009

Option One	To review current performance levels and consider any actions arising.
Option Two	To approve or reject the recommendations above or request that Officers provide additional information.

75 **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 it could involve the likely disclosure of exempt information as defined in paragraphs 1, 2 and 3 of Schedule 12A of that Act.

76 **Value For Money Review of Human Resources**

The Chief Executive and the Head of Improvement submitted a joint report which considered the findings of the Value for Money (VFM) Review of Human Resources. The review formed part of the Value for Money programme of reviews, which aimed to cover all services within the council and improve the value of services offered to residents of Cherwell.

Resolved

That the recommendations set out in the exempt minutes be agreed.

77 **Bicester Town Centre Development**

The Head of Economic Development and Estates submitted a report which updated members on the progress of the proposed redevelopment scheme, and sought approval for the revised arrangements proposed to deliver this project.

Resolved

That the proposed financial arrangements set out in the exempt appendix be agreed in principle subject to the review of the accounting treatment of the transactions detailed in the exempt annex by the Head of Finance and the Chief Executive in consultation with the Portfolio Holder for Resources and Organisational Development and the Leader.

The meeting ended at 8.25 pm

Chairman:

Date:

By virtue of paragraph(s) 1, 2, 4 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

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Executive

Countywide Interim Planning Advice Note – Renewable Energy and Sustainable Construction

7 December 2009

Report of the Head of Planning and Affordable Housing Policy

PURPOSE OF REPORT

To seek approval of an 'Advice Note' document which has been prepared by Oxfordshire County Council in liaison with district councils across Oxfordshire to provide advice on renewable energy and sustainable construction issues in the interim period before Core Strategies are adopted. The Advice Note does not establish new planning policy, but seeks to emphasise the relevant policies in the adopted South East Plan. It also provides further information which will be of use in making applications for planning permission, and in the decision making process.

This report is public

Recommendations

The Executive is recommended to:

Approve the Advice Note attached as appendix 1 to this report for use as a guide to assist applicants in making planning applications and development control in making decisions regarding the need to improve renewable energy provision and sustainable construction standards.

Executive Summary

Introduction

- 1.1 This report relates to a new Advice Note that contains interim planning advice on renewable energy requirements and sustainable construction standards for new developments.
- 1.2 It has been prepared by the County Council working with the District Councils across Oxfordshire who are at a similar stage in preparing their Local Development Frameworks, and who would benefit from 'interim' advice and the economies of production that a shared document would provide.
- 1.3 It does not in itself establish new policy. New planning policy on these issues will be prepared, justified, consulted upon and formally adopted in the Local Development Framework and specifically the Core Strategy.
- 1.4 The Advice Note is intended to be used in the interim period before the Core Strategy is adopted. It will not form a statutory part of the development plan but would be a material consideration in decision making on the basis of its

links with the South East Plan.

- 1.5 The Advice Note repeats and emphasises the adopted policies of the South East Plan which require that local authorities put interim policies in place regarding renewable energy generation associated with large developments, whilst their Core Strategies are being prepared.
- 1.6 The Advice Note suggests that all new developments of over 10 dwellings or 1000 square metres of commercial floorspace should provide 10% of their energy from decentralised and renewable or low carbon sources of energy. The South East Plan specifies this as a minimum threshold and target to be applied before LDFs and Core Strategies 'test' more locally specific targets.
- 1.7 The document also encourages applicants to show how they have considered issues of sustainable construction, like energy efficiency, and to show how they have taken climate change risks (such as flooding) into account. It also contains a useful list of relevant guidance and good practice examples.

Proposals

- 1.8 To approve the Advice Note for use by Cherwell District Council within decision making and to provide assistance to applicants in making planning applications.

Conclusion

- 1.9 The Advice Note has been prepared to give assistance in the interim period (before Core Strategy policies are adopted) to applicants who may not be aware of the adopted South East Plan policies. The document provides a detailed list of external sources of information and makes clear that in determining applications the Council will give consideration to issues such as how a development has addressed energy or water efficiency.

Background Information

- 2.1 Councils across Oxfordshire are currently preparing their Local Development Frameworks, which must contain planning policies that mitigate (lessen) the severity of climate change (for example by reducing carbon emissions) and that consider adaptation to predicted climate change impacts (for example by taking increased flood risk into account). Detailed policy analysis regarding the responsibilities now placed on local authorities, and the commitments the Council has made to tackle climate change, is referenced in the background papers.
- 2.2 National and regional policy on these issues has advanced rapidly, as have technological developments. The Cherwell Local Plan was adopted in 1996 and does not contain policies on renewable energy or sustainable construction. The Non Statutory Cherwell Local Plan 2011 contains a policy (D9) encouraging the consideration of energy efficient design measures, and a policy guiding the location of renewable energy schemes (EN21), although these are not statutory development plan policies. A Supplementary Planning Guidance document 'Building in Harmony with the Environment' was produced in 2000, which contains detailed guidance on sustainable construction (such as measures to increase the energy efficiency of developments) but it refers to references, organisations and contacts that are now out of date.
- 2.3 There is a clear difference between existing local policy, and the direction of current national and regional policy. The South East Plan recognises this and provides an 'interim' policy (within NRM11) to be applied before Local Development Frameworks are adopted.
- 2.4 Councils across Oxfordshire recognised that there would be benefits in producing a shared document to emphasise the 'interim' policy included in the South East Plan. The County Council has undertaken work with the Districts to produce a document that can be approved by the Oxfordshire local planning authorities.
- 2.5 In accordance with policy NRM11 of the South East Plan, the Advice Note highlights that, in advance of updated local policies being established through the Local Development Framework, all new developments of more than 10 dwellings or 1000 square metres of commercial floorspace should provide 10% of their energy from decentralised and renewable or low carbon sources. The Advice Note also explains how and when this target will not be strictly applied – if it can be shown to be unfeasible (i.e. not possible on a site), unviable (i.e. it would result in the development becoming financially unviable) or where it would conflict with other adopted policies. The South East Plan does not contain an equivalent 'interim' policy for sustainable construction standards. The Advice Note therefore only makes reference to an encouragement for developers to consider how the design and construction of their development makes use of sustainable methods (designing to increase the use of natural lighting, heat and ventilation, for example).
- 2.6 The Advice Note will not have statutory planning status but it will be a material consideration in decision making because of its links to the South East Plan.
- 2.7 The Advice Note was prepared in draft form by Oxfordshire County Council in

conjunction with the Oxfordshire district councils, including Cherwell. It was then circulated to a wide range of appropriate stakeholders for consultation during October and November 2009. A limited number of comments were made during this period and are summarised in the “consultations” section below. The comments have been considered in drawing up the revised version of the Advice Note that is before you today.

Key Issues for Consideration/Reasons for Decision and Options

- 3.1 The key issues for consideration are whether or not to endorse the Advice Note for use by Cherwell District Council, based on the background information set out above.

The following options have been identified. The approach in the recommendations is believed to be the best way forward.

Option One	To endorse use of the Advice Note by Cherwell District Council
Option Two	To endorse use of the Advice Note by Cherwell District Council however to make changes to the advice as the Executive considers appropriate.
Option Three	Not to endorse use of the Advice Note by Cherwell District Council

Consultations

LDF Advisory Panel The LDF Advisory Panel has been informed of the ongoing work on the Advice Note and has seen earlier iterations of the document.

Government Office for the South East The document should provide unique advice of direct relevance to an area, providing practical examples of how the South East Plan policies could be achieved. What, for example, are the most suitable opportunities for renewable energy in Oxfordshire and where are they? More ‘how to’ diagrams and less text would be helpful.
NOTE: These issues will be considered by each district in their Local Development Framework documents. It is not considered that this shared, interim document (which will not form part of the statutory development plan) is the most appropriate document to provide a high level of local detail.

Home Builders Federation Their comments focused on the point that no additional evidence has been gathered to support the policies in this document and as such there is no justification for the advice.
NOTE: This document does not in itself propose new policies. It refers to South East Plan policies that have

already been adopted. Local evidence gathering will of course inform more detailed and locally specific policies that are developed through the LDF process.

Environment Agency The document is clear and well written but should also address wider sustainability issues including flood risk, ecological protection and enhancement and green infrastructure. Additions are also recommended for the reference list with some further resources.

NOTE: Wider sustainability issues will be addressed in detail in each authority's LDF policies. The suggested additions to the resource list have been made.

Implications

Financial: There are no significant direct financial implications arising from this report.

Comments checked by Eric Meadows, Service Accountant, 01295 221552

Legal: There are no significant direct legal implications arising from this report. The Advice Note does not set out new policy and is intended to provide advice on how to interpret existing, adopted regional policies in the interim period before the Core Strategy is adopted.

Comments checked by Sue Christie, Solicitor, 01295 221690

Risk Management: There are no significant direct risk management implications arising from this report.

Comments checked by Rosemary Watts, Risk Management & Insurance Officer, 01295 221566

Equalities: There are no significant direct equalities implications arising from this report. Equality Impact Assessments will be carried out prior to formally adopting Local Development Framework policies.

Comments checked by Claire Taylor, Community and Corporate Planning Manager, 01295 221563

Wards Affected

All

Corporate Plan Themes

Theme 6: Protect and Enhance the Local Environment

Executive Portfolio

Councillor Michael Gibbard

Portfolio Holder for Planning and Housing

Document Information

Appendix No	Title
Appendix 1	Sustainable Design and Construction – Draft Oxfordshire Interim Planning Advice Note
Background Papers	
Planning Policy Statement: Planning and Climate Change (Supplement to Planning Policy Statement 1) South East Plan 2009 Renewable Energy and Sustainable Construction Study 2009 Cherwell Environmental Strategy for a Changing Climate, 2008	
Report Author	Amy Smart, Assistant Planning Officer Philip Clarke, Head of Planning and Affordable Housing Policy
Contact Information	Amy Smart - 01295 221850 Amy.Smart@Cherwell-dc.gov.uk Philip Clarke - 01295 221840 Philip.Clarke@cherwell-dc.gov.uk

Sustainable Design & Construction

Oxfordshire Planning Advice Note

Purpose & Status of this Document

- This Advice Note contains the interim policies on renewable energy provision as set out in the adopted South East Plan and emphasises, as set out in South East Plan policy NRM11, that these will be applied before Core Strategy policies are adopted.
- It makes clear that, at this stage, authorities will also be encouraging the consideration of sustainable construction methods, given the direction of the national and regional planning policy context. Specific requirements, and the local circumstances justifying them, will be set out in Local Development Frameworks in due course.
- The Advice Note has been produced to emphasise that the local authorities who have endorsed this document will be applying the South East Plan's policy in the interim period before locally specific targets are justified, tested and examined through the statutory Local Development Framework process.
- The purpose of this document is also to provide a detailed list of sources of information to provide a signpost for applicants and further information for decision makers. There is a vast amount of supporting information already available on these issues, and it is not considered appropriate to repeat it here.
- Locally specific examples of good practice and detail on sustainable design considerations may be considered by each authority in the preparation of their LDFs, for example through the production of Supplementary Planning Documents. These detailed issues are not considered in this Advice Note.
- This Advice Note is not part of the statutory development plan but it can be used as a consideration in decision making.

November 2009

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1. Introduction

1. Responding to climate change is a top priority for the county and district councils in Oxfordshire, both addressing the causes of climate change (mitigation) and adapting to inevitable impacts (adaptation). A key role for the planning system is to secure development which minimises carbon emissions and provides resilience to climate change¹. The district councils are currently preparing appropriate planning policies for their Local Development Frameworks (LDFs), which will be adopted over the next two or three years. A robust local evidence base is being developed to support LDF policies, with detail and examples to be provided in Supplementary Planning Documents.
2. Pending the adoption of LDFs, this note gives interim advice to applicants and developers about national and regional planning policies to address climate change. The advice note **does not introduce any requirements that are not within the South East Plan**, but does encourage developers and applicants to consider how the environmental impact of developments can be reduced and it provides sources of further information to assist in this process.
3. LDF policies, when they are adopted, may require higher standards of sustainable construction than those in this guidance where local circumstances allow. This Advice Note should help make the transition to the higher requirements that will be introduced through Government policy and emerging LDFs. **Any requirements for higher standards adopted by individual authorities in LDFs as a result of local evidence have greater weight and override this document.**
4. Information on each District Council's LDF can be seen at:
www.southoxon.gov.uk
www.cherwell.gov.uk/index.cfm?articleid=3244
www.oxford.gov.uk
www.westoxon.gov.uk
www.whitehorsedc.gov.uk
5. This document does not in itself provide specific 'how to' advice for each local area (See Annex 1 for sources of further information). In particular applicants and developers are encouraged to seek pre-application advice from the Local Planning Authority where the development is within a historical or sensitive environment (for example listed buildings or Conservation Areas). Additional consents may also be required including Listed Building Consent, Conservation Area Approval etc.

¹ Planning Policy Statement: Planning & Climate Change supplement to planning policy statement 1, Communities & Local Government, 2007

Summary of this Advice Note

Renewable energy

- **Residential:** New developments of more than 10 dwellings should secure at least 10% of their energy from decentralised and renewable or low-carbon sources unless, having regard to the type of development involved and its design, this is not feasible or viable. This is to apply until an equal or higher level of renewable energy generation is required through the Code for Sustainable Homes.
- **Non-residential:** New developments of more than 1000m² of non-residential floorspace should secure at least 10% of their energy from decentralised and renewable or low-carbon sources unless, having regard to the type of development involved and its design, this is not feasible or viable.

Sustainable construction

- **Residential:** We encourage Code Level 3 of Code for Sustainable Homes. By 2013 all new residential development should be encouraged to meet Code Level 4.
- **Non-residential over 1000m²:** We encourage that a minimum of BREEAM “Very Good” standard is met.
- **Refurbishment:** We encourage that at least Ecohomes “Very Good” is achieved on refurbishments and EcoHomes “Excellent” by 2013.

Adaptation

- Applicants are encouraged to demonstrate how climate change adaptation issues have been considered and appropriate measures implemented.

2. Climate Change and Policy Context

“There is still time to avoid the worst impacts of climate change, if we act now and act internationally”
(*Stern Review on the Economics of Climate Change, 30 October 2006*)

6. There is strong evidence that climate change is occurring and that the main cause is man-made emissions². The world is warming and this is predicted to accelerate in future, which will have different impacts around the world³.

“The South East is forecast to experience some of the most severe impacts due to climate change of any English region over the coming century.

Examples of possible impacts include:

- hotter drier summers.
- milder wetter winters.
- a significant decrease in soil moisture content.
- more frequent extreme high temperatures.
- more frequent extreme winter precipitation.
- increased storminess and wind speeds in winter.
- net sea level rise and increase in sea storm surge height.”

(*Source: Climate Change Mitigation and Adaptation Implementation Plan for the Draft South East Plan, Prepared for South East England Regional Assembly by Collingwood Environmental Planning and Land Use Consultants, Final Report, March 2006*)

7. For further information on the predicted impacts of climate change please see the following: United Kingdom Climate Impacts Programme (UKCIP) <http://www.ukcip.org.uk/>
8. Policies and priorities for action, both in the UK and internationally, are set out in the Climate Change Programme and the 2007 Energy White Paper.⁴ The Government’s Climate Change Act 2008 created legally binding targets for reductions in greenhouse gas emissions that must be achieved through action in the UK and abroad. These are reductions of at least 80% by 2050 and reductions in CO² emissions of at least 26% by 2020 (from levels in 1990).

² Supplement to PPS1: Planning and Climate Change

³ www.carbontrust.co.uk/climatechange/climatechange/default.htm

⁴ Planning Policy Statement: Planning and Climate Change (2007)

- Policy Context

9. Relevant national and regional policies include the following targets:
- 30% ⁵of UK electricity generation to come from renewable sources by 2020; 15% of all UK energy to come from renewable sources by 2020
 - To achieve 'zero carbon' homes by 2016, with Building Regulations being progressively tightened to reflect the carbon emissions aspects of Code for Sustainable Homes Level 3 by 2010, Code Level 4 by 2013 and Code Level 6 by 2016⁶
 - All new non-residential development should be zero-carbon by 2019
10. The national planning context is set out in Planning Policy Statements (PPSs), in particular:

PPS Planning and Climate Change – Supplement to Planning Policy Statement 1

PPS 22: Renewable Energy

PPS 25: Development and Flood Risk

All available to download at

<http://www.communities.gov.uk/planningandbuilding/planning/planningpolicyguidance/planningpolicystatements/planningpolicystatements/>

11. The South East Plan was adopted in May 2009 sets out the regional planning context.

The relevant policies of the South East Plan are set out in Annex 4 and are referred to throughout this document.

The South East Plan is available to download at
<http://www.southeast-ra.gov.uk/seplan.html>

⁵ UK Renewable Energy Strategy July 2009

⁶ <http://www.communities.gov.uk/publications/planningandbuilding/building-a-greener> and <http://www.communities.gov.uk/publications/planningandbuilding/summaryresponsezero> . Sources of information relating to the Code for Sustainable Homes are listed in Annex 1

3. Renewable Energy

Relevant South East Plan policies: NRM11, NRM12, NRM14, NRM16 (see Annex 4).

South East Plan policy NRM11:

In advance of local targets being set in development plan documents, new developments of more than 10 residential units or 1000m² of non-residential floorspace should secure at least 10% of their energy from decentralised and renewable or low carbon sources unless, having regard to the type of development involved and its design, this is not feasible or viable (see Annex 2).

12. The policy above is taken directly from the South East Plan, which states that it is to apply in advance of LDF policies being adopted. A similar policy, using the same target and thresholds, has been applied by many local authorities across England.
13. Its purpose is to encourage renewable energy generation but also to reduce carbon emissions. Applications should demonstrate sufficient renewable energy generation onsite to reduce carbon emissions from energy use by 10%. Carbon emissions are measured to attain Building Regulations and so demonstrating a reduction in carbon emissions will be easier to demonstrate. There are many online tools that can assist in providing baseline figures for different types of development and how reductions can be demonstrated, and these are not repeated here – examples include ‘C-Plan’ at <http://www.carbonplanner.co.uk>, the Energy Savings Trust’s online tools and the toolkits already established by other authorities (referenced in Annex 1).
14. It would of course be counter productive to encourage on-site renewables if energy is being wasted by a lack of efficiency. Encouragements for efficiency in new developments are set out in the next section.
15. The 10% requirement for residential development will eventually be superseded as building regulation standards are progressively increased to reflect Code for Sustainable Homes standards. The 10% requirement applies until an equal or higher level of renewable energy generation is required through the Code for Sustainable Homes.
16. The requirements may be reduced where the applicant can successfully demonstrate to the Local Planning Authority that the requirements are not technically feasible or financially viable and that the energy efficiency of the building/s has been maximized. Further guidance is provided in Annex 2.

4. Sustainable Construction

4 a). Sustainable Construction for Residential Development

Relevant South East Plan Policies:

CC4, NRM11 (see Annex 4).

South East Plan policy CC4:

The design and construction of all new development, and the redevelopment and refurbishment of existing building stock will be expected to adopt and incorporate sustainable construction standards and techniques. This will include:

- i. consideration of how all aspects of development form can contribute to securing high standards of sustainable development including aspects such as energy, water efficiency and biodiversity gain**
- ii. designing to increase the use of natural lighting, heat and ventilation, and for a proportion of the energy supply of new development to be secured from decentralised and renewable or low-carbon sources**
- iii. securing reduction and increased recycling of construction and demolition waste and procurement of low-impact materials**
- iv. designing for flexible use and adaptation to reflect changing lifestyles and needs and the principle of “whole life costing.”**

17. The supporting text of policy CC4 states that local planning authorities will promote best practice in sustainable construction and will help to achieve the national timetable for reducing carbon emissions from residential and non residential buildings.
18. LDF policies will identify whether we can require specific levels of sustainable construction, taking into account local circumstances.
19. In the meantime we encourage all new residential development to meet at least Code Level 3 of the Code for Sustainable Homes. Nationally, all new dwellings will be required to meet the energy performance standard of Code Level 3 from April 2010 through proposed changes to the Building Regulations (and Code Level 4 by 2013). We encourage applications for large sites (of 200+ homes) to show how Code Level 4 can be reached, as by the time these schemes are implemented, Code Level 4 is likely to be the national requirement.

20. Case studies of homes constructed to a range of Code levels may be of assistance and are available at <http://www.communities.gov.uk/publications/planningandbuilding/codecasestudies>



***Picture: New homes built to Ecohomes “Excellent” standard (at least equal to or above the Code for Sustainable Homes Level 3 equivalent)
Bladon, West Oxfordshire***

4. b) Sustainable Construction for Non-Residential Development

Relevant South East Plan Policies: NRM11 & CC4 (see Annex 4).

21. Paragraph 18 above sets out our encouragement for sustainable construction for residential developments. This section sets out our encouragement for non residential development to also be constructed to sustainable levels.
22. There is currently no 'Code for Sustainable Homes' equivalent for non residential development. The most widely used industry standard is the Building Research Establishment Environmental Assessment Method⁷ (BREEAM). If the Government issues a compulsory requirement for non-residential buildings to meet a sustainable construction standard this will supersede the use of BREEAM in this policy from the date the requirements commence.
23. Using the same principles as set out in South East Plan policy CC4 (above), we encourage all new non-residential development to meet BREEAM standard "Very Good" and developments of 1000 sq m to meet BREEAM "Excellent". We encourage all new non-residential development to meet BREEAM "Excellent" by 2013.

⁷ For more information on BREEAM see www.breeam.org/

5. Redevelopments and Refurbishment

Relevant South East Plan policies: CC4 (see Annex 4)

24. Using the principles of policy CC4 as set out on page 7, refurbishments of the existing building stock will be encouraged to adopt and incorporate sustainable construction standards and techniques.
25. We encourage the refurbishment of existing buildings to achieve at least Ecohomes “Very Good” and by 2013 EcoHomes “Excellent”⁸.
26. The District Councils’ websites contain information on grants available for refurbishments in our local areas – for example see <http://www.cherwell.gov.uk/index.cfm?articleid=3763> The Energy Saving Trust’s website also offers guidance/grants for refurbishment.⁹

⁸ Please note that whilst the Code for Sustainable Homes has replaced the Ecohomes assessment for new buildings in England, the latter assessment will still be used to assess refurbished dwellings. <http://www.breeam.org/page.jsp?id=21>

⁹ www.energysavingtrust.org.uk/

6. Adaptation Measures

Relevant South East Plan policies: CC2 (see Annex 4)

27. Buildings need to be constructed to be better adapted to the changing climate. In the South East it is predicted that we will experience increased temperatures, reduced rainfall and more summer droughts; but we will also experience an increase in heavy rainfall events and we need drainage systems with the capacity to cope.
28. Development can be made more suitable for the changing climate by measures such as the use of natural ventilation, building materials with a high thermal mass to minimise temperature fluctuations, active and passive solar gain, water efficiency, conservation and more sustainable drainage.
29. Applicants are encouraged to demonstrate that climate change adaptation has been considered, appropriate measures implemented and that the new development maximises energy efficiency and passive solar design techniques for both heating and cooling. All development is encouraged to have high energy and water efficiency and to be designed to increase the use of natural light, ventilation and heat.
30. The sourcing of construction materials and their environmental impacts are covered by the Code for Sustainable Homes standards (section 4), but we wish to emphasise that the use of sustainable building materials and the reuse of materials is to be encouraged where appropriate in all developments.
31. Please see Annex 1 for sources of advice on adaptation measures. More locally specific guidance on adaptation measures may be provided in local planning authorities' Supplementary Planning Documents or other documents which may be produced as part of the LDF.
32. Further information on adaptation is also available in the Climate Change Mitigation and Adaptation Implementation Plan produced by the South East England Regional Authority: www.southeast-ra.gov.uk/documents/best_practice/START.pdf

Annex 1: Where to Find Further Information

(i) Local Authority Websites

Cherwell District Council www.cherwell.gov.uk

Oxford City Council www.oxford.gov.uk

South Oxfordshire District Council www.southoxon.gov.uk

Vale of White Horse District Council www.whitehorsedc.gov.uk

West Oxfordshire District Council www.westoxon.gov.uk

Oxfordshire County Council www.oxfordshire.gov.uk

- Local Related Documents/Evidence:

Cherwell District Council: Environmental Strategy for a Changing Climate, 2008 http://www.cherwell.gov.uk/media/pdf/4/4/Environmental_Strategy.pdf

Draft Cherwell Sustainable Community Strategy, July 2009, <http://www.cherwell.gov.uk/index.cfm?articleid=1376>

Cotswolds AONB Management Plan, <http://www.cotswoldsaonb.org.uk/?page=managementplan>

Oxfordshire 2030, Oxfordshire Partnership, 2008 (Sustainable Community Strategy)
<http://content.oxfordshire.gov.uk/wps/wcm/connect/OxfordshirePartnership/Oxfordshire+Partnership/Oxfordshire+2030/>

Renewable energy and sustainable construction study, CAG Consultants, September 2009.
<http://www.westoxon.gov.uk/planning/LDFsustapprevidbase.cfm>

West Oxfordshire Environmental Management Strategy 2004-2010, 2004
<http://www.westoxon.gov.uk/files/download/1948-1150.pdf>

West Oxfordshire Climate Change Policy 2008 – 2012, 2008
<http://www.westoxon.gov.uk/files/download/6132-3265.pdf>

Vale of White Horse District Council, Sustainable Design & Construction, May 2009.

http://www.whitehorsedc.gov.uk/Planning/Planning_policy/DetailPage-1869.asp

(ii) Policy Guidance

Building a Greener Future Policy Statement, DCLG, July 2007

<http://www.communities.gov.uk/publications/planningandbuilding/building-a-greener>

Climate Change Mitigation and Adaptation Implementation Plan for the draft South East Plan, for SEERA, March 2006

http://www.southeast-ra.gov.uk/southeastplan/plan/march_2006/implementation_plan/climate_change_implementation_plan-300306-v2.pdf

Climate Change within LDFs, South East England Partnership Board, June 2009, http://www.southeast-ra.gov.uk/planning_development.html

Code for Sustainable Homes and Technical Guides

<http://www.communities.gov.uk/planningandbuilding/buildingregulations/legislation/englandwales/codesustainable/>

Definition of Zero Carbon Homes and Non Domestic Buildings (Consultation), DCLG (December 2008)

<http://www.communities.gov.uk/documents/planningandbuilding/pdf/1101177.pdf>

Energy White Paper: 'Meeting the Energy Challenge', Department for Business Enterprise and Regulatory Reform, May 2007

<http://www.berr.gov.uk/energy/whitepaper/page39534.html>

UK Climate Change Programme, HM Government, 2006

<http://www.defra.gov.uk/Environment/climatechange/uk/ukccp/>

Our Energy Challenge: Power from the People, Microgeneration Strategy, DTI, March 2006

<http://www.berr.gov.uk/files/file27575.pdf>

Planning White Paper, Planning for a Sustainable Future, DCLG, May 2007,

<http://www.communities.gov.uk/publications/planningandbuilding/planningsustainablefuturewhite>

Planning Policy Statement 1 (PPS1) Climate Change Supplement and associated documents

<http://www.communities.gov.uk/planningandbuilding/planning/planningpolicyguidance/planningpolicystatements/planningpolicystatements/ppscclimatechange/>

Planning Policy Statement 22 (PPS22) Renewable Energy
<http://www.communities.gov.uk/planningandbuilding/planning/planningpolicyguidance/planningpolicystatements/planningpolicystatements/pps22/>

Planning Policy Statement 25 (PPS25) Development and Flood Risk
<http://www.communities.gov.uk/planningandbuilding/planning/planningpolicyguidance/planningpolicystatements/planningpolicystatements/pps25/>

Securing the Future - UK Government Sustainable Development Strategy, 7th May 2009
<http://www.defra.gov.uk/sustainable/government/publications/uk-strategy/index.htm>

South East Plan <http://www.southeast-ra.gov.uk/southeastplan/>

The Strategy for Energy Efficiency and Renewable Energy, SEERA, 2004
http://www.southeast-ra.gov.uk/energy_strategy.html

The Code for Sustainable Homes – Setting the Standard in Sustainability for New Homes, DCLG, February 2008
<http://www.communities.gov.uk/documents/planningandbuilding/pdf/codesustainablehomesstandard>

Subsequent publications including 'Code for Sustainable Homes Technical Guide' April 2008 and 'Code for Sustainable Homes – Changes to the Technical Guidance' October 2008.

(iii) Renewable Energy

Community Energy: Urban Planning for a Low Carbon Future, TCPA and Combined Heat & Power Association, March 2008
http://www.tcpa.org.uk/press_files/pressreleases_2008/20080331_CEG.pdf

Energy Saving Trust <http://www.energysavingtrust.org.uk/Generate-your-own-energy> and various case studies/publications available through the FAQs page http://est.custhelp.com/cgi-bin/est.cfg/php/enduser/std_alp.php

London Renewables – Integrating renewable energy into new development: Toolkit for planners, developers and consultants (Faber Maunsell September 2004)
http://www.london.gov.uk/mayor/environment/energy/docs/renewables_toolkit.pdf

Meeting the 10 per cent target for renewable energy in housing – a guide for developers and planners (Energy Saving Trust 2006 edition)
<http://www.energysavingtrust.org.uk/uploads/documents/housingbuildings/CE190%20-%2010%20per%20cent%20guide.pdf>

Oldham Renewables Toolkit – available from Oldham Metropolitan Borough Council www.oldham.gov.uk

SEE-Stats (provides statistics on renewable energy installations)
<http://www.see-stats.org/thamesvalley.htm>

(iv) Adaptation/Refurbishment

Adapting to climate change: a checklist for development; Guidance on designing developments in a changing climate (2005) GLA
<http://www.london.gov.uk/lccp/publications/development.jsp>

BRE Green Guide to Specification <http://www.thegreenguide.org.uk/>

Climate Change Adaptation by Design - A Guide for Sustainable Communities, TCPA (2007)
http://www.tcpa.org.uk/downloads/20070523_CCA_lowres.pdf

Energy Saving Trust www.energysavingtrust.org.uk

Environment Agency (EA) – Climate Change Adaptation
<http://www.environment-agency.gov.uk/research/planning/108348.aspx>

EA – Flood Risk Standing Advice
<http://www.environment-agency.gov.uk/research/planning/82584.aspx>

EA – Water Conservation
<http://www.environment-agency.gov.uk/research/library/publications/33993.aspx>

EA – Wildlife and Green Spaces
<http://www.environment-agency.gov.uk/business/sectors/32713.aspx>

Homes and Communities Academy, Checklist for planning applications and decisions
<http://www.hcaacademy.co.uk/node/410>

United Kingdom Climate Change Impacts Programme
www.ukcip.org.uk

(v) Climate Change and the Historic Environment

English Heritage advice on Energy Efficiency and Renewables in the Historic Environment www.climatechangeandyourhome.org.uk

Our Heritage and the Changing Climate, English Heritage (2008)
http://www.english-heritage.org.uk/hc/upload/pdf/south_east_heritage_counts_2008_climate_change.pdf

(vi) General sources of information

Calculating your own carbon footprint:

<http://campaigns.direct.gov.uk/actonco2/home/in-the-home.html>

Carbon Trust www.carbontrust.co.uk

Climate South East (formerly the South East Climate Change Partnership)

www.climatesoutheast.org.uk

Department for Food and Rural Affairs: www.defra.gov.uk

Energy Saving Trust: www.energysavingtrust.org.uk

Environment Agency www.environment-agency.gov.uk

Low Carbon Buildings Programme & Grants <http://www.lcbp.org.uk/home/>

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Annex 2: Guidance on Technical Feasibility and Financial Viability¹⁰

33. The South East Plan identifies that policy requirements should be applied flexibly – they should be relaxed if the applicant can demonstrate that it is unviable or unfeasible for a particular development to meet the requirements set out in this guidance document. In an adjoining County, Warwick District Council has considered issues of feasibility and viability in their recent Supplementary Planning Document. Their examples of when the requirements might not be appropriate are considered appropriate here too and are set out below:

- a. It can be demonstrated that the character, location or scale of development would not be technically feasible for any type of renewable energy technology
- b. The installation of renewables would conflict with other planning objectives

Example:

Other planning objectives may make it inappropriate to install renewables, such as the preservation of the historic environment. In conservation areas, and in particular on listed buildings, careful design is required to ensure that renewables are installed in a way that is sensitive to the historic and visual character of the building. However, there are examples of where this has been successfully achieved. The applicant will therefore need to demonstrate that all options have been explored and energy efficiency maximised.

- c. It can be demonstrated to the satisfaction of the LPA that implementing the standards set out in this guidance document would not be financially viable and would undermine the delivery of the development:

Example:

An example might be some small developments where the development involves other costs such as remediation works.

In small scale developments the Council would encourage applicants to investigate any financial grants which may be available to support the implementation of renewable energy equipment (see sources of further information in Annex 1, in particular <http://www.lcbp.org.uk/home/>).

¹⁰ This guidance is based on the guidance developed by Warwick District Council <http://www.warwickdc.gov.uk/WDC/Environment+and+planning/Planning/Sustainable+Buildings+SPD.htm>

Annex 3: Checklist for Planning Applications and Decisions

South East Sustainability Checklist

The South East Sustainability Checklist has been prepared by SEEDA and others as an aid to preparing and determining planning applications. It relates to a wide range of sustainability issues and can be viewed at: <http://southeast.sustainability-checklist.co.uk/> We encourage the use and submission of this checklist.

Oxfordshire Development Control Checklist

We also suggest that Development Control officers, applicants and agents consider the following questions. If any of these questions cannot be answered this does not justify refusing the planning application.

Renewable/Low Carbon Energy

- (i) On new developments of more than 10 dwellings of 1000 m² of non residential floorspace, has the applicant demonstrated that they will secure at least 10% of their energy from decentralised and renewable or low-carbon sources?
- (ii) Alternatively has the applicant demonstrated to the satisfaction of the Local Planning Authority that, having regard to the type of development involved and its design, this is not feasible or viable?

Sustainable Construction for Residential Development

a). Residential

- (iii) Has an indication been made that the development will meet the Code Level that we encourage?

b). Non-Residential

- (iv) Has an indication been made with the planning application that the development will meet the BREEAM sustainable construction level that we encourage?

Redevelopments and Refurbishment

- (v) In applications for refurbishments of properties, does the application demonstrate how the sustainable construction levels we encourage will be met?

Adaptation

- (vi) Have applicants demonstrated that climate change adaptation issues have been considered and appropriate measures implemented?

Annex 4 - South East Plan Policies

Climate Change

POLICY CC2: CLIMATE CHANGE

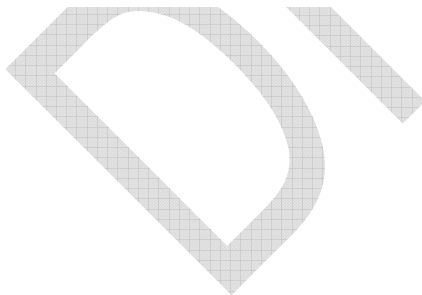
Measures to mitigate and adapt to current and forecast effects of climate change will be implemented through application of local planning policy and other mechanisms. Behavioural change will be essential in implementing this policy and the measures identified.

In addition, and in respect of carbon dioxide emissions, regional and local authorities, agencies and others will include policies and proposals in their plans, strategies and investment programmes to help reduce the region's carbon dioxide emissions by at least 20% below 1990 levels by 2010, by at least 25% below 1990 levels by 2015 and by 80% by 2050. A target for 2026 will be developed and incorporated in the first review of the Plan.

Adaptation to risks and opportunities will be achieved through:

- i. guiding strategic development to locations offering greater protection from impacts such as flooding, erosion, storms, water shortages and subsidence
- ii. ensuring new and existing building stock is more resilient to climate change impacts
- iii. incorporating sustainable drainage measures and high standards of water efficiency in new and existing building stock
- iv. increasing flood storage capacity and developing sustainable new water resources
- v. ensuring that opportunities and options for sustainable flood management and migration of habitats and species are actively promoted.

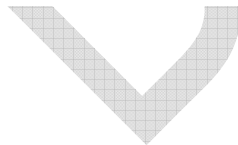
¹ *The South East Regional Sustainability Framework - 'Towards a Better Quality of Life'*, South East of England Regional Assembly and Partners, June 2008
http://www.southeast-ra.gov.uk/documents/sustainability/rsf_2008/rsf_main.pdf



Mitigation, through reducing greenhouse gas emissions, will primarily be addressed through greater resource efficiency including:

- i. improving the energy efficiency and carbon performance of new and existing buildings and influencing the behaviour of occupants
- ii. reducing the need to travel and ensuring good accessibility to public and other sustainable modes of transport
- iii. promoting land use that acts as carbon sinks
- iv. encouraging development and use of renewable energy
- v. reducing the amount of biodegradable waste landfilled.

- 5.2 In recent years, the evidence that significant climate change is occurring on a global scale has become increasingly compelling. These changes will particularly affect England, and research suggests that the South East could be more affected by these changes than other regions.¹⁶ The precise impacts of climate change are not clear, although there will be some opportunities as well as problems. It is, however, already evident that climate change will particularly affect many facets of development and land use. This Plan recognises that challenging measures for mitigation and adaptation relating to climate change will be needed over the Plan period. And Policy CC2 includes a commitment for the spatial development of the region to play its part in pursuing the Government's stated targets for reduction of carbon dioxide emissions.¹⁶ These will not be delivered by this Plan in isolation and require positive planning to implement energy efficiency and renewable measures through waste management, transport and housing initiatives. One key goal will be the achievement of the Government's aim that all new homes should be 'zero carbon' by 2016 ¹⁶ and all new non-domestic buildings should follow by 2019.¹⁶
- 5.3 Organisations in the South East, including the South East of England Regional Assembly and Climate South East are already at the forefront of tackling climate change issues through the application of spatial planning. ESPACE (European Spatial Planning: Adapting to Climate Events)¹⁶ is a four year European project aimed to promote awareness of climate change and investigate how action to tackle climate change can be supported through spatial planning. In June 2007 the partnership published its final Strategy '*Planning in a Changing Climate*', which offers practical advice on how spatial planning practitioners can embed climate change considerations into their work. The draft Sustainability Appraisal of this RSS, along with work on water resource issues formed case studies for the initiative. The South East of England Regional Assembly subsequently published a practical guide for planners for local councils, developers, regulators and service providers to inform their plans, and a Climate Change Mitigation and Adaptation Implementation Plan in March 2007.¹⁶
- 5.4 The '*New Performance Framework for Local Authorities and Local Authority Partnerships*' contains national indicators for the reduction in CO₂ emissions. Targets against these national indicators have been negotiated through Local Area Agreements (LAAs), and action to meet these targets will be expected to contribute to Policy CC2.



POLICY CC4: SUSTAINABLE DESIGN AND CONSTRUCTION

The design and construction of all new development, and the redevelopment and refurbishment of existing building stock will be expected to adopt and incorporate sustainable construction standards and techniques. This will include:

- i. consideration of how all aspects of development form can contribute to securing high standards of sustainable development including aspects such as energy, water efficiency and biodiversity gain
- ii. designing to increase the use of natural lighting, heat and ventilation, and for a proportion of the energy supply of new development to be secured from decentralised and renewable or low-carbon sources
- iii. securing reduction and increased recycling of construction and demolition waste and procurement of low-impact materials
- iv. designing for flexible use and adaptation to reflect changing lifestyles and needs and the principle of 'whole life costing'.

Local planning authorities will promote best practice in sustainable construction and help to achieve the national timetable for reducing carbon emissions from residential and non-residential buildings. There will be situations where it could be appropriate for local planning authorities to anticipate levels of building sustainability in advance of those set out nationally, for identified development area or site-specific opportunities. When proposing any local requirements for sustainable buildings, local planning authorities must be able to demonstrate clearly the local circumstances that warrant and allow this and set them out in development plan documents.

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- 5.7 Sustainable construction can be defined as creating or renewing buildings so that they reduce or avoid adverse impacts on the built and natural environment, in terms of the buildings themselves, their immediate surroundings and the broader regional and global setting. It is a vital tool in combating climate change and reducing the region's ecological footprint. Sustainable construction encompasses the following principles:
- constructing development to reduce non-renewable resource consumption including building materials
 - ensuring development, through its construction and use, reduces the use of energy and water and protects valuable soil resources
 - eliminating or minimising the use of toxins and the production of waste associated with the construction and use of development.
- 5.8 At the national scale, Government is committed to amending national Building Regulations to increase energy efficiency in new buildings.⁹It has outlined a timetable to achieve a 20% reduction in carbon emissions from new homes by 2010, and nearly 50% by 2013, before reaching zero carbon in 2016. It announced in the 2008 Budget an ambition for all new non-domestic buildings to be zero carbon from 2019. The Government has also indicated its intention to bring forward an amendment to the Building Regulations to include a requirement for a minimum standard of water efficiency in new homes from 1 October 2009 and will review the Water Supply (Water Fittings) Regulations 1999 later in 2009.¹⁰The Code for Sustainable Homes - a new national standard for sustainable design and construction of new homes also now operates. Since April 2007 the developer of any new home in England could choose to be assessed against the Code, and rating against the Code has been mandatory since May 2008. It replaces the EcoHomes scheme, developed by the Building Research Establishment. For non-residential buildings, a number of sustainability assessment tools are well established and should be used throughout the region. For waste, Site Waste Management Plans became a legal requirement from April 2008, and require better management of waste on construction and development sites to improve materials resource efficiency.
- 5.9 The use of sustainability checklists, such as those promoted by Climate Change South East and SEEDA can help deliver new homes that outperform the existing stock in terms of efficiencies in resource use.
- 5.10 Progress is being made – for example, work to support the setting of zero-carbon targets in Milton Keynes, including the development of low carbon emitting housing on sites such as Oxley Wood, and the deployment of decentralised energy systems by Woking Borough Council. Local authorities are ideally placed to identify where place-specific opportunities may arise to improve energy and water efficiency and promote lower emissions. Planning Policy Statement: *Planning and Climate Change* (PPS1 Supplement) confirms that it could be appropriate for local planning authorities to expect higher levels of building sustainability than the standards in national Building Regulations. Local requirements should be brought forward through development plan documents and focus on known opportunities, with local authorities demonstrating clearly the local circumstances that warrant and allow local requirements. An example is where higher standards of water efficiency would make development in areas of water stress more sustainable. Any local requirements should be specified in terms of the achievement of nationally described sustainable buildings standards. Local authorities also have duties under the Home Energy Conservation Act to improve the energy efficiency of housing stock and there is also considerable scope to improve the efficiency of current public buildings through retrofitting.
- 5.11 The Government's water strategy for England, *Future Water*, was published in February 2008. It sets out the long-term vision for water and the framework for water management in England. This includes an ambition to reduce per capita consumption of water, through cost-effective measures, to an average of 130 litres per person per day (l/p/d) by 2030.

9 *Building a Greener Future*, Department for Communities and Local Government, July 2007, and *Water Efficiency in New Buildings – A Consultation Document*, Department for Communities and Local Government, Department for Environment, Food and Rural Affairs, December 2006.

10 <http://www.communities.gov.uk/publications/planningandbuilding/water-efficiency>

- 5.12 The Government has set out its programme for introducing water efficiency standards through the Building Regulations and the Code for Sustainable Homes. In particularly water-stressed areas, local planning authorities may seek higher standards for water efficiency than those set nationally, through their local development frameworks. This will need to be proportionate and evidence based, and will be tested through the planning process.
- 5.13 Other ways of reducing water efficiency in line with *Future Water* include:
- water metering - Water company customers who are metered typically use 10% less water than other customers. All new build is fitted with water meters and water companies in the South East are looking at strategies for existing property. Some companies, such as Folkestone and Dover Water Services Ltd, are already undertaking programmes of metering for all properties, whilst Thames Water is undertaking metering pilots. Southern Water has proposed, in its draft Water Resources Management Plan, to introduce compulsory metering for all properties by 2015; and Portsmouth Water has announced its intention to meter all customers starting in 2010. The Southern Water and Portsmouth Water proposals for metering are dependent on the Secretary of State for the Environment, Food and Rural Affairs being satisfied that the options appraisals in the plans support metering as a cost effective solution to ensuring a sustainable supply of water.
 - water efficiency targets – Ofwat have introduced water efficiency targets for water companies for the period 2010 – 2015. The new targets will require water companies to undertake activities to meet annual minimum water saving targets of 23 million litres per day across all water companies.
 - review of the Water Fittings Regulations – A review of Water Fittings Regulations is taking place in 2009. The Water Supply (Water Fittings) Regulations will be revised with a view to setting new performance standards for key water using fittings such as WCs, urinals, dishwashers and washing machines. These measures will apply to individual appliances installed in both new and existing houses and non-domestic buildings and are intended to complement the overall performance standard set within the Building Regulations.
- 5.14 Policies NRM 11-16 contain a more detailed approach to the deployment of renewable energy technologies in the region.



Energy Efficiency and Renewable Energy

- 9.55 Careful use and creation of energy supplies is a key challenge for the region. Policies to engender more efficient use of energy in new development have already been included in Chapter 5 (Cross Cutting Policies), and in particular Policy CC4. A more detailed policy on energy efficiency and renewable energy in new development is also set out below. In addition, an effective regional spatial strategy can also play a wider co-ordinating role in securing safer, cleaner and more renewable forms of energy supply for future generations, including Combined Heat and Power. The remainder of this chapter therefore provides further policy, guidance and targets for renewable energy deployment. Their effective implementation is imperative if we are to combat climate change, reduce fuel poverty and deliver a more diverse and secure energy supply through reducing reliance on traditional forms of power generation.
- 9.56 The UK has a legally binding target to reduce emissions of greenhouse gases by 12.5% below 1990 levels in the period 2008-2012. The Government has also set a domestic goal to cut CO² emissions by 20% below 1990 levels by 2010. The Kyoto targets must be viewed as only a start as it has been estimated that a 60-70% cut in greenhouse gas emissions will be required by 2050 to stabilise CO² levels in the atmosphere. Further targets have been developed and are set out in the Energy White Paper (*Our Energy Future – Creating a Low Carbon Economy*), published February 2003. The White Paper contains a long term goal that the CO² emissions will be reduced by some 60% by about 2050 with real progress by 2020. Policy CC2 of the Plan sets a carbon reduction target for the region and identifies the critical importance of energy efficiency and renewable energy in mitigating climate change.
- 9.57 The principal national targets of relevance are:
- To meet 10% of UK electricity generation from renewable sources by 2010. The UK will also contribute to a binding EU target of 20% of energy consumption to come from renewable sources by 2020. Consultation is currently underway on proposals for additional measures to generate 15% of electricity from renewable sources by 2020. ⁽¹⁵⁾
 - To increase installed capacity of combined heat and power (CHP) generation to 10,000 MW by 2010
 - To reduce domestic energy consumption by 30% by 2010
 - To ensure that all new homes are built to zero carbon standards by 2016. ⁽¹⁶⁾
 - To eradicate fuel poverty among vulnerable households across the UK by 2016-18
- 9.58 The targets are supported by a range of fiscal measures and regulations in place to encourage improved energy efficiency in new and existing buildings, uptake of combined heat and power and to create more favourable conditions for development of renewable sources of energy. These include:
- capital grants and tax breaks for energy efficiency improvements and CHP
 - provision of energy efficiency advice to households and business
 - minimum energy efficiency standards set by building regulations (which are being progressively tightened in 2010, 2013 and 2016)
 - the Renewables Obligation, which requires all licensed electricity suppliers to supply part of their electricity from eligible renewable energy sources increasing from 3% in 2002-2003 to 15.4% in 2015-16
 - the Climate Change Levy, which is charged on all energy supplied to industry and commerce, agriculture and public administration and services
- 9.59 A significant amount of technical work underpins the policies and targets for renewable energy set out in this RSS. Regional assessments of renewable energy potential have been made, based upon the capacity, opportunities and constraints of the region to accommodate renewable energy. ⁽¹⁷⁾

15 Renewable Energy Consultation, Department for Business, Enterprise and Regulatory Reform, June 2008

16 *Building a Greener Future: Towards Zero Carbon Development*. Department for Communities and Local Government, December 2006

17 *Development of a Renewable Energy Assessment and Targets for the South East*, Government Office for the South East, 2001, *Regional & Sub-regional Assessment to 2010, 2016 & 2026*, South East of England Regional Assembly & AEAT/FPD Savills, 2002

- 9.60 Although the primary purpose of the policies set out in this Plan is to promote renewable energy and energy efficiency through new development it should also be recognised that there remains scope to encourage further prudent use of energy (for example by using excess heat from electricity generation and industrial processes). In addition there are opportunities associated with the development of renewables in other policy areas, such as rural development (particularly biomass), transport (use of biofuels), economic development (opportunities for new markets, industries and employment) and improving the quality of built environment and urban renaissance (energy efficiency as part of high quality design).

Development Design for Energy Efficiency and Renewable and Low Carbon Energy

POLICY NRM11 DEVELOPMENT DESIGN FOR ENERGY EFFICIENCY AND RENEWABLE ENERGY

Local authorities should:

- i. **promote and secure greater use of decentralised and renewable or low-carbon energy in new development, including through setting ambitious but viable proportions of the energy supply for new development to be required to come from such sources. In advance of local targets being set in Development Plan Documents, new developments of more than 10 dwellings or 1000m² of non-residential floorspace should secure at least 10% of their energy from decentralised and renewable or low-carbon sources unless, having regard to the type of development involved and its design, this is not feasible or viable**
- ii. **use design briefs and/or supplementary planning documents to promote development design for energy efficiency, low carbon and renewable energy**
- iii. **work towards incorporation of renewable energy sources including, in particular, passive solar design, solar water heating, photovoltaics, ground source heat pumps and in larger scale development, wind and biomass generated energy**
- iv. **actively promote energy efficiency and use of renewable and low carbon energy sources where opportunities arise by virtue of the scale of new development including regional growth areas, growth points and eco-towns**

Local authorities and other public bodies, as property owners and managers, should seek to achieve high levels of energy efficiency when refurbishing their existing stock.

- 9.61 Policies CC3 and CC4 (Chapter 5) set out cross-cutting policies on resource use and sustainable design and construction. These two policies, together with Policy NRM11 are vital tools in preparing the region for the effects of climate change and the need to reduce the consumption of resources. Policy NRM11 requires local authorities to set ambitious and deliverable targets for the use of decentralised and renewable or low-carbon energy to supply new development. In drawing up and testing local targets and associated thresholds local authorities may wish to consult the technical work developed alongside this Plan.⁽¹⁸⁾
- 9.62 Local targets should be set out in development plan documents. Supplementary Planning Documents (SPDs) (including design briefs) may be used to help implement and support adopted policies in DPDs.

18 *The Evidence Base for Sustainable Energy Policies in the South East* (September 2006), Future Energy Solutions and Savills for the South East of England Regional Assembly.
http://www.southeast-ra.gov.uk/southeastplan/publications/research/evidence_base_for_sustainable_energy_policies_v4_sep06.pdf

Combined Heat and Power

POLICY NRM12 COMBINED HEAT AND POWER

Local Development Documents and other policies should encourage the integration of combined heat and power (CHP), including mini and micro-CHP, in all developments and district heating infrastructure in large scale developments in mixed use. The use of biomass fuel should be investigated and promoted where possible.

Local authorities using their wider powers should promote awareness of the benefits of mini and micro-CHP in the existing build stock.

- 9.63 As well as encouraging the use of efficient design and layout and renewable energy technology in new development Plan can encourage the use of combined heat and power (CHP) and district heating in new buildings. For the purposes of this guidance district heating should be interpreted as including cooling, and that the term 'cooling' includes absorption cooling.
- 9.64 The Government has set a target for the installation of 10,000 MW of combined heat and power (CHP) generation by 2010. CHP and district heating systems use excess heat from electricity generation (including from renewable fuels) or industry to heat or cool buildings in the locality. Traditional CHP is highly fuel efficient (70-90% compared to 30-50% for conventional heating and electricity generation) and can result in savings in energy use and expenditure. Mini-CHP is applicable at a street scale or for large buildings, and micro-CHP is a replacement for conventional domestic boilers. This uses normally wasted heat to generate electricity. Every 1,000 MW of CHP capacity decreases carbon emissions in the range 0.48 – 0.95 million tonnes a year. CHP plants can be powered by a range of fuels and can vary in size.
- 9.65 CHP deployment will be most effective where the generation plant is relatively close to the users of the heat, where this includes a mix of uses to even out the pattern of demand for electricity and heat through the day and where the density and layout of development reduces costs of installation of the necessary infrastructure and distribution of heat.
- 9.66 There is scope, therefore, to encourage provision of CHP (preferably certified as 'good quality' under the CHP quality assurance scheme) in association with new and existing developments and, in particular, large scale regeneration or mixed use schemes. It may also have the potential for use in remote rural areas that do not have access to mains gas supplies.

Renewable Energy

- 9.67 Most renewable energy developments themselves will require planning permission as they will be below the 50 MW threshold above which consent is required from the Department for Business, Enterprise and Regulatory Reform (BERR) under Section 36 of the Electricity Act 1989.
- 9.68 To date, the South East has experienced a very low level of renewable energy development. This situation is likely to change. The introduction of measures such as the Renewables Obligation and the Climate Change Levy are providing strong financial stimulus for the development of markets for renewable energy. Capital grants also encourage the development of a range of renewable energy resources and technologies, particularly biomass, offshore wind and photovoltaics. In addition, it can be expected that the UK will continue to face increasingly demanding carbon reduction targets which will be met in part through improving efficiency and an increasing contribution to energy supplied from renewables.
- 9.69 The assessments of renewable energy potential in the region indicate what is possible and could be delivered. However, technological, planning and commercial considerations will guarantee that the actual pattern of deployment will vary.

- 9.70 Local development documents and other strategies should reflect this potential and provide a framework for renewable energy development, anticipating the likely range and scale of developments which may come forward over the short, medium and longer terms and encouraging appropriate development.

Regional Renewable Energy Targets

POLICY NRM13: REGIONAL RENEWABLE ENERGY TARGETS

The following minimum regional targets for electricity generation from renewable sources should be achieved by the development and use of all appropriate resources and technologies:

Year/ timescale	Installed Capacity (MW)	% Electricity Generation Capacity
2010	620	5.5
2016	895	8.0
2020	1,130	10.0
2026	1,750	16.0

The renewable energy resources with the greatest potential for electricity generation are onshore and offshore wind, biomass, and solar. The renewable energy resources with the greatest potential for heat generation are solar and biomass.

- 9.71 Regional targets, reflecting the assessment of potential for renewable energy, have been established to ensure that the region contributes towards the UK targets for renewable energy.
- 9.72 Although only illustrative of what is possible, the targets identify the potential mixture and relative scale of different resources that have the best prospects of coming forward and providing synergies with other policy areas.
- 9.73 The potential for generation of electricity from renewable energy sources is presented in the targets in Policy NRM13 as installed capacity in MegaWatts (MW) and as a percentage of total capacity. The percentages are based on current installed electricity generation capacity, with an assumption that any growth in demand or consumption of electricity is met by additional generation capacity in the region from renewables only or by imports to the region, and no increase in conventional generation capacity in the region. Improvements in efficiency will help to reduce the growth in demand and consumption.
- 9.74 It is estimated that by 2026, if the target is met, renewable sources would provide enough electricity for one million homes. This would result in an annual saving of almost two and a half million tonnes of carbon dioxide through displacing generation from conventional fossil fuel sources. The use of renewably generated heat would result in even greater savings. Almost 12% of electricity output would be generated from renewable sources by 2026. It should be noted that this measure of output will be different to figures for installed capacity due to some fluctuations in inputs (for example, varying wind speeds).
- 9.75 The targets relate only to electricity generation, reflecting the national targets. However, heat generation (from biomass, solar and geothermal/ground source) and use, and the development and use of liquid biofuels in transport, although not quantified in the targets, will also be important in offsetting fossil fuel energy generation and should be encouraged. Heat generation and use is also often the most efficient and cost-effective means of using renewable energy.
- 9.76 The assessments of renewable energy potential identify offshore wind, onshore wind, and biomass as presenting the greatest opportunities for the generation of electricity and heat over the short to medium terms. In the longer term (between 2016 and 2026), solar generated electricity (photovoltaics), wave and tidal stream energy are identified as having increasing potential.

- 9.77 With the proviso that the waste hierarchy will be applied the targets include energy derived from biomass waste and from thermal treatment and anaerobic digestion. Biomass waste includes discarded woody waste, including waste from gardens and parks, paper and card, kitchen and food wastes and textiles. Non-waste biomass includes wood, agricultural and forestry residues and energy crops. The assessment of potentially available biomass waste has taken account of the priority afforded to recycling and composting in national and regional waste management policy, including the draft Regional Waste Management Strategy. Therefore it is expected that the targets will be largely met and exceeded through the use of non-waste resources.
- 9.78 Waste management decisions will be taken on the basis of waste policy and need to consider the waste hierarchy (prioritising reduction, re-use and recycling) and the management technique representing the Best Practicable Environmental Option. Waste management decisions should not be driven by the renewable energy targets but can contribute towards their delivery.
- 9.79 Landfill gas also contributes to the achievement of the Renewable Energy target although energy from this technology may reduce in the long-term as a result of waste policy.

Spatial Implications – Sub-regional Targets

POLICY NRM14 - SUB-REGIONAL TARGETS

Development plans should include policies, and development proposals as far as practicable should seek to contribute to the achievement of the following regional and indicative sub-regional targets for land-based renewable energy (see Diagram NRM5):

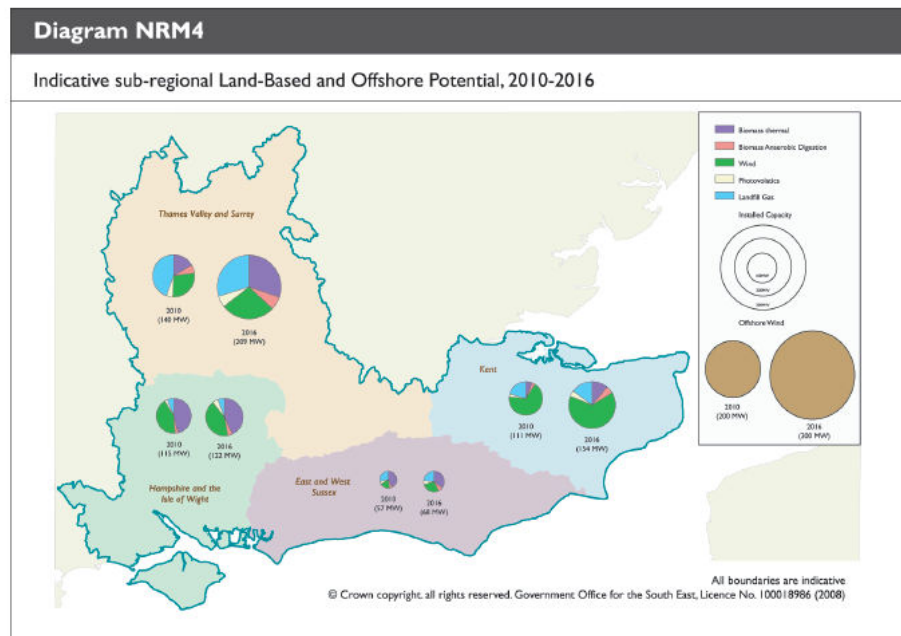
Sub-region	2010 Renewable Energy Target (MW)	2016 Renewable Energy Target (MW)	Champion
Thames Valley and Surrey	140	209	TV Energy
East Sussex and West Sussex	57	68	ECSC
Hampshire and Isle of Wight	115	122	Hampshire CC & Isle of Wight Council
Kent	111	154	Kent Energy Centre

Local authorities should collaborate and engage with communities, the renewable energy industry and other stakeholders on a sub-regional basis to assist in the achievement of the targets through:

- i. undertaking more detailed assessments of local potential
- ii. encouraging small scale community-based schemes
- iii. encouraging development of local supply chains, especially for biomass
- iv. raising awareness, ownership and understanding of renewable energy

- 9.80 Sub-regional targets provide an indication of the relative potential for development of different resources at sub-regional level. These indicate that the distribution of resources and potential for development is reasonably even throughout the region with significant opportunities for the deployment of all of the major resources – wind, biomass and solar – in all parts of the region.
- 9.81 The clear implication is, therefore, that there is potential for the development of all major resources and technologies (apart from those requiring coastal or offshore locations) throughout the region and that all local authorities should include policies in their development plans to contribute to the regional targets through supporting the development of all renewable energy resources.

- 9.82 Overall, Kent, Hampshire and the Isle of Wight, and the Thames Valley and Surrey appear to have the greatest potential for onshore wind development and also for the installation of photovoltaics reflecting the likely rate of new development. The Thames Valley and Surrey sub-region appears to have the greatest potential for biomass fuelled electricity generation, reflecting the existing woodland resource and the potential for coppice in the sub-region and in adjoining counties and regions. Unlike other resources that may only be exploited where they occur, such as wind, biomass fuel can be transported some distance and so the location of electricity and/or CHP plants is more flexible than other resources and difficult to specify.
- 9.83 The potential and targets for each sub-region are illustrated in Diagram NRM5. These are based on the broad regional assessments of resource availability.
- 9.84 More detailed local consultation and assessments of potential should be undertaken to refine these indicative targets and define more specific local targets, as has been undertaken, for example, by the Isle of Wight Council. This should involve identification of the technical availability as well as with the practicability of development of the full range of renewable energy technologies, the opportunities, and constraints to their development.



- 9.85 Offshore wind, tidal stream and wave power have not been included in the sub-regional targets as development will be outside of normal local authority planning jurisdiction. For offshore wind, the consenting and leasing process is managed by the Crown Estate and BERR. This involves the identification of strategic areas for development and strategic environmental assessment. Local authorities will, however, be consultees in the process. The Thames Estuary is one of the three strategic areas in England identified for offshore wind development in the short term as future developments will be expected in this part of the region. Onshore infrastructure, such as sub-stations, may require planning permission. The assumed contribution to the regional targets from offshore wind/marine technologies is 200MW at 2010 and 300MW at 2016.
- 9.86 Sub-regional champions have been identified to take forward work on compiling more detailed assessments in each of the sub-regions. It is expected that the results of this work will allow a more detailed geographical breakdown of targets and relative potential of different renewable energy resources. Delivery will be monitored through See-Stats (www.see-stats.org).

Planning for Renewable Energy Resources

POLICY NRM15 - LOCATION OF FOR RENEWABLE ENERGY DEVELOPMENT

Local Development Documents should encourage the development of renewable energy in order to achieve the regional and sub-regional targets. Renewable energy development, particularly wind and biomass, should be located and designed to minimise adverse impacts on landscape, wildlife and amenity. Outside of urban areas, priority should be given to development in less sensitive parts of countryside and coast, including on previously developed land and in major transport areas.

The location and design of all renewable energy proposals should be informed by landscape character assessment where available. Within areas of protected and sensitive landscapes including AoNBs or the national parks development should generally be of a small scale or community-based. Proposals within or close to the boundaries of designated areas should demonstrate that development will not undermine the objectives that underpin the purposes of designation.

- 9.87 Given the distribution of renewable resources and potential across the region, it is expected that renewable energy developments of all types will also come forward throughout the region. The region's potential will most likely be realised through a mixture of developments of different types and scales and integration of technologies into buildings. This could translate into a total of around 140 individual schemes (plus photovoltaic installations) by 2010, increasing to around 250 schemes (plus photovoltaics) by 2016 and 2026. This implies development of up to three wind energy clusters and four single large turbines per county area over the next 20 years plus at least one larger scale wind farm. Similarly, it may imply construction of one large biomass plant in each county area over the same time period and a larger number of smaller scale developments.
- 9.88 District councils and unitary authorities will be the planning authorities for the majority of land-based renewable energy schemes. Local development documents, together with supplementary planning documents should reflect the availability of different resources and include guidance on the circumstances in which renewable energy developments will be acceptable in principle and be most likely to be permitted, taking into account the need to adapt to changing technologies.
- 9.89 Development of renewable energy infrastructure, particularly wind turbines, should be located and designed so as to avoid conflict with landscape and wildlife conservation, as set out in PPS7 (Sustainable Development in Rural Areas) and PPS9 (Biodiversity and Geological Conservation). The scale and number of developments forecast in the assessments indicates that this should be achievable. Civil aviation and military requirements may also constrain wind development in certain areas.
- 9.90 Wind energy may only be exploited where it is sufficiently high. An average wind speed of 6.5 metres per second (14.5 mph) has been generally regarded as the cut-off point for commercially viable developments although development at lower wind speeds (6 m/s) is likely to become more feasible with technological advances and price support provided by the Renewables Obligation.
- 9.91 Many of the areas with the highest wind speeds are on higher ground, within sensitive and protected countryside, including Areas of Outstanding Natural Beauty (AoNBs) and the national parks in the New Forest and proposed in the South Downs. However, there are large parts of the region where there are no nationally important landscape or wildlife designations and wind speed is relatively high. It is expected that all local authorities in the region will accommodate at least one wind energy development over the next two decades.

- 9.92 Priority should be given to the development of renewable energy schemes, particularly larger scale ones, in less sensitive areas including previously developed and industrial land and areas where there is already intrusive development or infrastructure, for example major transport corridors. This could help to reduce the potential for conflict and delay in determining applications on visual impact and amenity grounds.
- 9.93 However, wind and other renewable energy development should not be precluded in AONBs and the national parks as there will be locations where small scale construction e.g. a wind development of between one and four turbines not generating more than 5MW, can be accommodated where conflict with statutory landscape protection purposes set out in PPS7 can be avoided or minimised through careful siting and design, including reducing the cumulative impact of a number of individual schemes.
- 9.94 The application of landscape character assessment, drawing on advice from Natural England, may help in identifying and developing guidance on location, scale and design of developments, particularly in areas of sensitive landscape. Renewable energy developments should not necessarily conflict with the objectives of Green Belt.
- 9.95 For biomass, issues to consider include the transportation of biomass fuel to the plant, the scale and design of buildings and the feasibility of combined heat and power. Operation of such plants, including monitoring and control of emissions, will be regulated by the Environment Agency to strict standards. Co-firing of conventional fossil fuel plants with biomass is likely to contribute to the achievement of the targets, at least in the short term, and should help create a market for, and stimulate, further development of biomass fuels.
- 9.96 Use of biomass fuel sourced close to the plant should be encouraged to maximise benefits in terms of carbon savings and rural development and reduced transport distances. Planting of energy crops has the potential to change landscape character and affect biodiversity, positively or negatively, depending on location. This is outside of planning control but the source of fuel, and location of plant in relation to this (its proximity) should be a consideration in determining proposals.
- 9.97 Community-based and owned projects, in which communities develop and operate projects and in which economic benefits are retained within a locality, will be important in improving understanding and acceptance, and enabling a steady build up of renewables in the region. In particular, such projects can demonstrate the wider benefits that may result from renewable energy projects, including employment creation and diversification and landscape management, and may be appropriate in more sensitive areas of countryside.

Development Criteria

POLICY NRM16 - DEVELOPMENT CRITERIA

Local authorities through their local development frameworks and decisions should support in principle the development of renewable energy. Local development documents should include criteria-based policies that, in addition to general criteria applicable to all development, should consider the following issues:

- i. the contribution the development will make towards achieving national, regional and sub-regional renewable energy targets and carbon dioxide savings
- ii. the potential to integrate the proposal with existing or new development
- iii. the potential benefits to host communities and opportunities for environmental enhancement
- iv. the proximity of biomass combustion plant to fuel source and the adequacy of local transport networks
- v. availability of a suitable connection to the electricity distribution network

- 9.98 All proposals should be considered on their individual merits with regard to scale, location, technology type and cumulative impact. Identification of criteria may aid decision-making when assessing proposals coming forward.
- 9.99 However, it is essential that such criteria are phrased in a positive way and are seen as supporting other policies that generally encourage renewable energy development. The provisions and criteria of other policies, for example for protection of biodiversity, landscape and amenity will apply to all developments and should be considered in addition to those set out below. In addition, these issues will be part of environmental assessments undertaken for such developments.

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Executive

Banbury Cultural Quarter

7 December 2009

Report of Strategic Director Environment & Community

PURPOSE OF REPORT

To consider proposals for the development of a Banbury Cultural Quarter in conjunction with The Mill Management Committee and Oxfordshire County Council

This report is public

Recommendations

The Executive is recommended:

- (1) To support the concept of a Cultural Quarter in Banbury to the east of the Oxford Canal as outlined in the report;
- (2) To support Oxfordshire County Council in the development of an integrated new library and Mill as outlined in the report;
- (3) To agree a supplementary capital estimate of £60,000 to progress the Cultural Quarter components to the level of detail required and to submit an outline planning application;
- (4) To receive further reports on the further design work, outline capital costs and anticipated revenue implications of progressing the District Council's components of the Cultural Quarter prior to any commitment.

Executive Summary

Introduction

- 1.1 The District Council has been discussing for many months with representatives from The Mill Management Committee and Oxfordshire County Council the concept of a Cultural Quarter. The point has been reached in the development of the concept where formal consideration needs to be given by each of the partners.

Proposals

- 1.2 It is proposed that the County Council progresses, with District Council support, the refurbishment of The Mill and an integrated new library for the town. This will require a larger footprint for the building which in turn will encroach upon the current Chamberlain Court car park and surrounding areas. It is proposed to use the current Chamberlain Court car park as a significant public space to act as a focal point for the Cultural Quarter. It is from here that the major town centre pedestrian access will be made via a new bridge to the new Spiceball Leisure Centre which in turn will be linked to a new two-deck car park, possibly with commercial or residential units above, to be located on the site of the existing sports centre.
- 1.3 These developments add further collective value to the recreational and cultural facilities already in place to the east of the Oxford Canal and as a whole with further investment can establish a cultural quarter of strategic significance to Banbury. Its town centre location and attractive water frontages further support this approach.

Conclusion

- 1.4 The opening of the new Spiceball Leisure Centre, the ongoing success of the Banbury Museum and the County Council's intention to create a new and vibrant arts and library centre at The Mill will create sufficient collective recreational and cultural activity to form a basis of a Cultural Quarter for the town. Further developments of a complementary nature such as a commercially run café or restaurant, and possibly some residential units and additional car parking will be sought, which will enhance the Cultural Quarter accessibility and attractiveness.

Background Information

- 2.1 For many months representatives of the District Council, the County Council and The Mill have been discussing how a new integrated and refurbished Mill and new library can be developed on or near the existing site of The Mill. Several technical options have been considered which take into account the various constraints of the site regarding utilities, flooding frequency, funding and access to the new Spiceball Leisure Centre.
- 2.2 The County Council has earmarked £5.625 million for this development which is planned from 2011/12 onwards. The precise timing of its proposed development is not yet established but for the purposes of this report can be assumed to be from mid 2012.
- 2.3 The District Council has approached the development of an integrated Mill and new library in a positive way with a willingness to consider permitting its development on some District Council owned land. This will necessitate a transfer of some of the Council's land to the County Council assumed at nil consideration as it will need to own the site of the library and arts centre. However, it has also been made clear that in whatever form the Cultural Quarter takes, there must be no net loss of car parking spaces and where possible, numbers of spaces should be increased.
- 2.4 In parallel with this, the District Council will be opening the new Spiceball Leisure Centre this month and as a consequence will be demolishing the old sports centre. Consideration therefore needs to be given to the re-use of the old Spiceball Park Sports Centre site and it is in the context of a proposed Cultural Quarter for the town that it is suggested this be considered.
- 2.5 Located at Appendix 1 is a Concept Master Plan for the site which combines in very broad terms the proposed components of the Cultural Quarter. These can be summarized as follows:
- A new, integrated Mill/Library development on an increased building footprint on and around the existing Mill;
 - A significant public space located between the new Mill/Library and Chamberlain Court to act a focal point, to encourage pedestrian access from the town centre to the Cultural Quarter, and where access to The Mill and the new Spiceball Leisure Centre can be made;
 - On the majority of the current Spiceball Park Sports Centre site, a two-deck car park be constructed to replace the lost car parking spaces from the current Chamberlain Court and surrounding Mill car parks and to increase the amount of car parking available at the site to serve the needs of the Cultural Quarter and town centre better, and in doing so offer the District Council an improved revenue stream;

- To gain access from this part of the site, it will be necessary to construct additional pedestrian access to the new Spiceball Leisure Centre. This could be a stand alone bridge construction to mirror that provided to the north of the site or could be integral with the two deck car park;
- A further area of open space to the north-east of The Mill bordering the River Cherwell which will permit better flood plain management and an attractive open aspect with river frontage.
- The focal point of the open space with canal frontage provides a limited opportunity for a commercial café, bar, restaurant or similar which should be explored.
- It may be possible to provide some further commercial or residential development above the car park, to improve the financial viability of the scheme.

2.6 Acknowledging that the majority of the site under consideration will continue to be at risk of flooding even after the proposed defence works north of Banbury, specific flood related assessments will be needed to support a development of this nature. The first is a Sequential Test which has been completed and which considers the flood risk availability and suitability of a range of sites in Banbury for accommodating a Cultural Quarter in order to demonstrate that this area (i.e. land east of the Oxford canal) is the only suitable and available town centre location for the land uses proposed. The initial response to this test from the Environment Agency has been positive in that the site of the proposed Cultural Quarter satisfies the Sequential Test.

Key Issues for Consideration/Reasons for Decision and Options

3.1 To enable the nature and scale of this development to take place, it will be necessary to ensure that there is no increase of overall development footprint in this locality as the majority of the area is currently in flood plain, a position which will change little even after the flood protection works are completed to the north of Banbury. It is clear that the footprint of The Mill will have to increase in size in order to accommodate the new library and likely extended facilities in what is currently - and will largely remain - flood plain. As a consequence, discussions have taken place with the Environment Agency as a means of agreeing that the existing Spiceball Park Sports Centre and Mill building footprints can be considered as a baseline for progressing the Cultural Quarter components in this locality. In reality, this means reusing part of the current Spiceball Park Sports Centre floodable building footprint to facilitate the County Council's proposal to extend the Mill building for a new library. The Environment Agency has been very co-operative in this respect and has agreed this in principle but has also indicated that it will seek reductions in this flood risk from this

baseline wherever practicable in accordance with national planning policy.

- 3.2 Following the successful completion of a Sequential Test, it will be necessary to undertake an Exception Test for the Cultural Quarter site. This will involve exploring how the flood risk and mitigation measures will determine the detailed arrangement of land uses on the site. Some issues of principle have already been considered in this respect and discussed with the Environment Agency. It is intended that with better use and lower flood risk of the proposed developments than those currently in use, this will produce a positive outcome.
- 3.3 There is a sequence of requirements which needs to be followed to progress the Cultural Quarter as currently planned. It will be necessary to progress more detailed consideration of each Cultural Quarter component, as listed above, in order to undertake the following:
- To act as the basis of commissioning designs and establishing 'order of magnitude' costs of each built component;
 - To inform the Level 2 Strategic Flood Risk Assessment for the site, the flooding Exception Test and outline planning application;
 - To complete the Flooding Exception Test which includes undertaking necessary flood risk assessments as advised by the Environment Agency;
 - To support, in due course, an outline planning application, probably for the whole Cultural Quarter development by this Council as it is the majority land owner.

- 3.4 An indicative outline timeframe for this project is as follows;

Quarter 1 2010 – the appointment of consultants to undertake design development of the built components to provide the required detail for an outline planning application. It is anticipated that the level of further detail required must specify building parameters specifically scale, height and footprint. This will then be used to complete the Level 2 Strategic Flood Risk Assessment and the Flood Risk Exception Test to accompany the outline planning application and to establish order of magnitude capital costs. The County Council will make separate appointment(s) for the integrated Mill and new library development which will also contribute to this process.

Quarter 2 2010 – Outline Planning Application including that of the integrated Mill and new library.

Quarters 3+ 2010 – Formal consideration of costs, funding and decision to proceed followed by procurement of built components.

Quarter 2+ 2011 – Construction of new car park/Spiceball Leisure Centre pedestrian access and commercial or residential units

Quarter 2+ 2012 - Following the completion of the new car park, the closure of the Chamberlaine Court Car Park to construct a commercial café, bar or restaurant or similar. Closure of all Mill car parks to commence construction of a new integrated Mill and library.

- 3.5 It will be necessary for the Council to engage professional assistance to prepare the necessary detail required to undertake the above. In doing so, further technical and financial information will be available to determine the feasibility of the Cultural Quarter as currently envisaged for further consideration by the Council prior to any commitment.
- 3.6 In progressing the Cultural Quarter concept in this way, the support given to the County Council by the District Council is facilitating the extended development of the Mill in the floodplain through the reuse of part of the current Spiceball Park Sports Centre building footprint, a land transfer at nil consideration to accommodate the extended Mill building footprint on District Council land and the relocation and funding of displaced car parking into a new decked car park. In return, the County Council is making a substantial investment in its services which are a key part of the town's cultural infrastructure, will be addressing a level of local library service under provision when measured against local and national standards and will be funding the costs of establishing a new urban space to act as a focal point for the Cultural Quarter on the site of the current Chamberlain Court car park.
- 3.7 Subject to future Executive approval, the Council will include the Cultural Quarter as a strategic site in its Core Strategy, which is part of the Local Development Framework (LDF). It is anticipated that proposals for the site will be set out in the next Core Strategy document which will be published for public consultation early next year.

The following options have been identified. The approach in the recommendations is believed to be the best way forward

- Option One** The Council could support the development of a Cultural Quarter on the site and build on the established cultural services and facilities which already exist there. This is the basis of the proposal within this report.
- Option Two** The Council could choose to do nothing in relation to a Cultural Quarter and rely entirely on the County Council and Mill Management Committee to determine their redevelopment proposals within the footprint currently available to them. This is likely to be impractical and therefore scupper their development plans.
- Option Three** The Council could choose to look at a Cultural Quarter elsewhere in the town. However, as indicated through the Sequential Test, this is unlikely to be delivered due to the

limited availability of land and significant additional financing which is unlikely to be available.

Consultations

Consultation has taken place with representatives of The Mill Management Committee and Oxfordshire County Council.

Implications

Financial: There are financial implications for the Council in supporting a Cultural Quarter development. These are largely significant capital costs in the order of a minimum £2m for the new decked car park of up to 200 spaces on the site of the existing Spiceball Park Sports Centre, the new pedestrian link to Spiceball Leisure Centre and associated landscaping works in the immediate vicinity of these developments. It is hoped that there would be an additional significant revenue stream from the increased car parking capacity which would support the spending of such capital sums and the potential for some enabling development. Further detail is required as proposed in the report on the extent of these capital costs prior to undertaking any cost benefit analysis in relation to the revenue stream arising. Additional financial benefit could also arise from the provision of a commercially run café/restaurants and possibly some limited residential development. Officers are pursuing other potential sources of funding for some of the proposed built components.

Comments checked by Joanne Kaye, Service Accountant, 01295 221545.

Legal: There are legal implications arising from this report in that to support and indeed facilitate the County Council in developing with The Mill Management Committee in developing an integrated Mill/Library, there will inevitably be a requirement for some additional land immediately surrounding the current building footprint of The Mill which is in District Council ownership. Again, further detailed design work is required to determine the precise nature of an extended Mill footprint and the extent of any land transfer or legal issues arising.

Comments checked by Liz Howlett, Head of Legal & Democratic, 01295 221686

Risk Management: The most notable risks arising from the proposals contained in this report are to ensure that there is adequate access within the Cultural Quarter and in particular to the Spiceball Leisure Centre which is expected to generate additional

usage beyond that currently catered for by the existing Spiceball Park Sports Centre. In addition, there is almost certainly going to be a need for additional car parking to cater for more intensive use in this locality. Failure to undertake either of these could result in an adverse public reaction and could affect the overall usage of the new Spiceball Leisure Centre. The results of the flood risk assessments could restrict or alter design proposals for the site.

Comments checked by Rosemary Watts, Risk Management Insurance Officer, 01295 221566.

Wards Affected

All Northern District Wards.

Corporate Plan Themes

Safe & Healthy Cherwell, District of Opportunity

Executive Portfolio

Councillor George Reynolds
Portfolio Holder for Environment, Recreation and Health

Document Information

Appendix No	Title
Appendix 1	Concept Master Plan for Banbury Cultural Quarter
Background Papers	
None	
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Executive

Sports Centres Modernisation Update

7 December 2009

Report of Strategic Director Environment & Community

PURPOSE OF REPORT

To consider the progress made on the Sports Centres Modernisation project and the temporary use of the land of the current Spiceball Sports Centre site.

This report is public

Recommendations

The Executive is recommended:

- (1) To note the current position and progress to date;
- (2) To note the plans for the official opening of the new Spiceball Leisure Centre;
- (3) To agree that following demolition, part of the site of the current Spiceball Park Sports Centre be used for a temporary car park and a planning application be submitted for its change of use;
- (4) To make a car park order, subject to the planning consent, for a temporary car park at Spiceball Park Sports Centre.
- (5) To agree to fund the costs of creating the temporary car park from the Sports Centres Modernisation project fund in consultation with the Portfolio Holder for Environment, Recreation and Health.

Executive Summary

Introduction

- 1.1 Very good progress has been made on the Council's Sports Centres Modernisation project which is nearing completion. This report provides the latest position to the Council and follows the other periodic updates the Executive has received on this project. As the position has been reached where the existing Spiceball Park Sports

Centre will shortly be demolished, consideration is required of an alternative use for the site.

Proposals

- 1.2 There are no specific proposals regarding Bicester and Kidlington & Gosford Leisure Centres given the very good progress which has been made on the completion and snagging works. Similarly, with the imminent opening of the new Spiceball Leisure Centre. Plans are being made for its official opening and these will be confirmed as soon as practicable.
- 1.3 Following the demolition of the current Spiceball Park Sports Centre, it is proposed to use part of this site for a temporary car park to service the additional demand anticipated to arise from the new Leisure Centre. This proposal is consistent with and ahead of the longer term intentions for this site as a decked car park possibly with commercial or residential uses above, which are considered elsewhere in this agenda in the report on a proposed Banbury Cultural Quarter.

Conclusion

- 1.4 The Sports Centres Modernisation programme has been a great success and is expected to conclude early in 2010. It was always recognised that building a new Spiceball Leisure Centre on the other side of the river was to afford an opportunity both temporary and long term to re-use the existing site, hence the proposals in this report for temporary usage whilst longer term use is considered in the Banbury Cultural Quarter report elsewhere in this agenda.

Background Information

2.1 Cherwell Leisure Limited (CLL) took over the operation of the sports centres and commenced the construction process through Kier Moss on 26 April 2008. Since this time Bicester Leisure Centre and Kidlington & Gosford Leisure Centre have been completed, reopened in full and are proving a great success. The construction of the new Spiceball Leisure Centre is also nearing completion and progress remains on schedule and to budget.

2.2 Bicester Leisure Centre

Bicester Leisure Centre was officially reopened to the public on Saturday 13 June 2009 by the Chairman of the Council with special guest paralympic athlete Dame Tanni Grey-Thomson. Usage of the centre has been much higher than expected and general comments about the changes have been very positive. Minor outstanding matters relate to some pool tiling work to be undertaken by the Council and some defects period works that Kier Moss will resolve in the coming weeks.

2.3 Kidlington & Gosford Leisure Centre

Kidlington and Gosford Leisure Centre was officially reopened to the public the following week on 20 June 2009 again by the Chairman of the Council with special guest TV presenter and wheelchair basketball player Ade Adepitan. Again, usage and comments following the opening have been very good. Unfortunately, a water leak after the completion of the works damaged the new sport hall floor but this has now been replaced by CLL with limited disruption to users. Only minor defect work remains to be completed by Kier Moss.

2.4 Spiceball Leisure Centre

Progress on the construction of the new Spiceball Leisure Centre has been very good despite a number of technical issues. At one time Kier Moss was reporting an 8 week delay but this has now been made up and completion and service availability is expected during mid December. The service will transfer to the new centre overnight to avoid disruption to users and the official opening will take place in March 2010. Full details of the official opening will be released once all of the arrangements are in place.

2.5 Contract Management

The Sports Centres Modernisation contract has been in the construction and interim services phase since April 2008. This phase is now largely complete and has been achieved on time and within the agreed budget. Most project risks have now been removed and the only significant risk remaining is the cost of asbestos removal from the existing Spiceball Leisure Centre, which can only be determined once

the centre has closed to the public and the intrusive surveys have been completed. The contract is now moving into the full services provision (FSP) phase and this contract will remain in force for a further 25 years from FSP. As part of the contract, the Council has a detailed output specification that the leisure operator has to comply as a minimum. Furthermore, there is an annual RPI adjustment and full benchmarking review every 5 years to ensure that the actual financial performance is reflected in the unitary charge.

2.6 Demolition of Old Spiceball Park Sports Centre

The Sports Centres Modernisation contract the Council has entered into includes the demolition of old Spiceball Park Sports Centre following the completion and operation of the new Spiceball Leisure Centre. This was always included in the contract as the most cost-effective way of undertaking such works and recognised the fact that the old sports centre is severely prone to flooding, the fabric of the building requires significant investment for any form of re-use and that to retain it in an unoccupied condition would require at least £100,000 per annum which the Council has not budgeted for. Demolition is planned in 2010, with initial surveys conducted in January, and actual demolition works between February and April.

Members will be aware of the media coverage about potential alternative uses of the building. That media coverage regrettably did not include consideration of the key facts regarding why the old premises needs to be demolished. The proposal promoted by the Banbury Amateur Operatic Society to convert it into a major performance venue is therefore flawed. However, there is clear merit in the concept of a better performance venue to meet the needs of Banbury and the north of the District and as a consequence, the promoters of this idea have been recommended to The Mill Management Committee for engagement in the development of proposals for an improved performance venue at The Mill.

2.7 Proposals for a Temporary Car Park

Following the demolition and during the development of a Banbury Cultural Quarter concept, officers have considered the opportunity to use part of the site on a temporary basis for car parking purposes. This has several merits which are:

- The slab of the existing building is largely a flat concrete surface which may be suitable as temporary hard standing for car parking and could accommodate provision for up to 100 marked bays with a new access/egress from Spiceball Road;
- There will be an anticipated increased demand for car parking spaces following the expected increase in usage of the new Spiceball Leisure Centre in excess of the 60 additional spaces provided around the new Leisure Centre;

- The existing site of the old Spiceball Park Sports Centre is immediately adjacent to the new pedestrian bridge across to the new Leisure Centre and is therefore very convenient for users of the new facilities.

Consideration is being given to the contracted demolition process as the most cost effective means of delivering a base surface for temporary car parking purposes. Discussions with the Council's contractors have not yet been concluded but it is anticipated that this approach will be the least cost and quickest option open to the Council. There are anticipated to be some additional costs in terms of pedestrian and vehicular access to it, safety barriers, lighting and ticket machines and these costs are estimated to be as follows:

- Ticket machines - in the order of £3,000 per unit. Two units are suggested.
- Signage- in the order of £3,000 for car parking information boards and directional signage.
- Installation costs for the above - Estimate £1,500
- Legal Costs associated with preparing a Car Park Order - estimated at £1,000.
- Lighting - based on six poles and required trenching/cabbling estimated at £18,000
- Safety Barriers along the riverside edge estimated at £12,000
- Car park lining , preparatory work and contingency £20,000

Estimated capital and set up costs £60,000

In order to consider a business case for incurring temporary capital expenditure, there needs to be an income source and benefit over a reasonable period. The Council can expect to generate income from the temporary car park for up to 12 months as a minimum prior to the construction of a permanent new decked car park. The precise timescale of any development associated with the Banbury Cultural Quarter is somewhat uncertain, and therefore the length of time that the site can be used for temporary car parking purposes could be longer than 12 months.

Assuming 100 spaces are made available on a short stay arrangement, and pay and display tariffs are in line with other Council car parks, it is estimated that income in the order of up to £110,000 could be secured for a full 12 month operation.

With income of up to £110,000 and only marginal additional annual revenue costs, estimated to be up to £3,000 plus NNDR at £12,500, it is expected that there is sufficient net income to offset the capital costs to provide a business case for a temporary car park following demolition. This not only provides service enhancement through additional parking provision and ensures the site is in use and therefore

not attracting costs of security with no return, but also has the potential to return a small income stream in the first year of up to £35,000 which would increase significantly if required for a second year after the initial pay back period.

Reasons for Decision and Options

The Council is currently committed to the demolition of the existing Spiceball so considering options around what it does with the site.

Option One One will be to leave the site as a demolished but safe site with no immediate or long term use. This will carry security costs of up to £10,000.

Option Two As recommended in this report, the demolished site be considered in part for a temporary car park.

Option Three The Council could, if it wished, consider other forms of development on this site which would be subject to separate funding arrangements and need to be considered in conjunction with the Banbury Cultural Quarter report elsewhere on this agenda. It should be noted that any alternative re-use of the site other than those proposed in the Cultural Quarter report will have implications for the County Council's development of an integrated Mill and new library and still require demolition of the current sports centre.

Consultations

None

Implications

Financial: The Sports Centres Modernisation budget contains a number of cost contingencies for identified risks in the project. As the project nears its end, the only significant cost uncertainty is the full cost of the demolition of the current Spiceball Park Sports Centre. As there is sufficient cost scope to fund this risk, it is proposed that the remaining budget contingency be used to fund the temporary car park works.

Comments checked by Joanne Kaye, Service Accountant, 01295 221545

Legal:

There are no notable legal implications arising from this report other than the formality of creating car park orders for the proposed temporary car park.

Comments checked by Liz Howlett, Head of Legal & Democratic, 01295 221686

Risk Management:

The actual demolition cost is the only real risk remaining for which there is a contingency sum set aside within the Sports Centres Modernisation project.

Comments checked by Rosemary Watts, Risk Management & Insurance Officer, 01295 221566

Wards Affected

All

Corporate Plan Themes

Safe & Healthy Cherwell

Executive Portfolio

Councillor George Reynolds
Portfolio Holder for Environment, Recreation and Health

Document Information

Appendix No	Title
None	
Background Papers	
None	
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Executive

ICT Service Provision Strategy

7 December 2009

Report of Head of Customer Service and Information Services

PURPOSE OF REPORT

This report seeks Member approval for a major strategic project to improve the resilience of the Council's computer systems, and to progress the means of identifying options for the medium and long term delivery of ICT services.

This report is Public

Recommendations

The Executive is recommended:

- (1) To approve the project to complete the virtualisation and thin client projects and related staffing changes using the £125,000 already approved for ICT investment, but released by reducing the 2009/2010 ICT capital programme.
- (2) To approve a supplementary estimate of up to £150,000 for the purposes of (1) above.
- (3) To request that a Member and Officer review group is established to review the options available to the Council for the future delivery of strategic ICT services.
- (4) Approve the proposal for interim arrangements for ICT service delivery pending the findings of the review group, at an estimated cost of £50,000 to be met from the ICT reserve.

Executive Summary

Introduction

- 1.1 The delivery of IT technology for the Council is driven by organisation need. In recent years the Council has invested in technology to provide a sound platform for service delivery now and in the future – most recently with a £150,000 investment in a new network for the Council. Much has been achieved including the recent citing of our use of technology in relation to customer service delivery by the Audit Commission as an example of notable practice.
- 1.2 The Council experienced a server incident in February 2009 which, following subsequent investigation, has revealed inadequate resilience in our current

arrangements and promoted a review of:

- the way we procure and organise our servers; they are not configured to modern ICT market best practice
- the resilience in our staffing; the team cannot be expert in all the wide range of technologies now in general use
- our ability to continue to meet market standards; external requirements in the shape of “Government Connect” – a set of stringent processes and criteria local government IT provision must comply with in order to continue to deliver national services such as benefits administration. We have complied with the current requirements but the next version is already published and brings further demands. ICT service delivery is increasingly governed by external forces such as this, the EU Services Directive and others.

- 1.3 This report concerns how we plan for the future and ensure our IT service delivery is fit for purpose. Technology has great capacity to deliver efficiencies for the Council as a consequence of how it is procured and delivered and as a consequence of its deployment in service delivery.

Proposals

- 1.4 First we are proposing bringing our infrastructure, desktop and staffing arrangements up to a modern industry standard. This is a significant piece of work and we will need external support to deliver it.
- 1.5 Optimising the ICT infrastructure and bringing current arrangements into line with modern ICT industry best practice puts the Council in a position to take advantage of market and technological opportunities.
- 1.6 It is therefore a good time to look at the future direction. A Value for Money Review is scheduled for ICT. However, we recommend that the Improvement Team resource instead sets up and facilitates a Member and Officer Review Group tasked with surveying the options for ICT service delivery and driving efficiencies through technology in the future.

Conclusion

- 1.7 Significant improvement has been made in the Council's ICT backup, recovery and business continuity as a result of the virtualisation of the data centre at Thorpe Lane Depot. These proposals consolidate those benefits and put the Council in a situation where it can take advantage of market and technological opportunities.
- 1.8 The centrality of technology to the delivery of all the Council's services means it is of paramount importance that the service is flexible and responsive to service changes, is able to take advantage of new technologies as they come to the fore, is resilient in all aspects, and proves beneficial.

Background Information

The ICT service

- 2.1 ICT Operations comprises the infrastructure that supports the Council's applications and software, and the provision and support of "desktop" equipment used by Members and staff. The infrastructure comprises the network, data storage, retrieval and backup. Maintenance of the big databases that lie behind systems such as i-world (benefits administration) and UNiform (planning, environmental etc) is also part of this team. The desktop element covers the helpdesk services, upkeep and support of the PC environment – Microsoft Office Suite and other PC programmes – and telephony. It also is responsible for checking backups and other daily maintenance.
- 2.2 The delivery of IT technology for the Council is driven by organisation need, historically on a service by service basis. In recent years the Council has invested in technology to provide a sound corporate platform for service delivery now and in the future. Much has been achieved including the recent citing of our use of technology in relation to customer service delivery by the Audit Commission as an example of notable practice.

Current issues

- 2.3 The Council experienced a server incident in February 2009. The incident and subsequent investigation has revealed inadequate resilience in our current arrangements and promoted a review of:
- the way we procure and organise our servers; they are procured and configured for specific service requirements so all are slightly different. In addition they are all standalone which results in an infrastructure with poor resilience
 - our ability to continue to meet market standards; external requirements in the shape of "Government Connect" – a set of stringent processes and criteria with which local government IT provision must comply in order to continue to deliver national services such as benefits administration. We have complied with the current requirements but the next version is already published and brings further demands.
 - the ability of our relatively small team to be expert in the wide range of technologies, systems and market requirements; they cannot operate effectively as experts in everything without a significant increase in team size.
- 2.4 **Infrastructure resilience.** The ICT strategy to this point has been to purchase new servers to run software on as the need arises (for instance, when a service requires new software, or where the server is faulty). This is known as 'point replacement' and as a consequence, each is a potential point of failure.
- 2.5 There are around 92 servers delivering applications and services, of which 38 are delivering business services. Of these, 14 are more than five years old or more and a further six are between four and five years old. At over four years

old the probability of a hardware failure is high.

- 2.6 Continuing the current approach of “point” replacements will simply perpetuate this cycle, add nothing in terms of resilience, and allow pockets of very aged hardware to build up. Continuing as we are means retaining each server as a potential single point of failure, and committing to capital investment on renewing servers year on year.
- 2.7 **Market Standards.** Increasingly, the ICT infrastructure, how it is monitored, controlled and kept secure will be driven by outside forces. Our current arrangements make it very difficult for us to meet these standards - particularly the Government Connect protocol. The demands of these external forces mean our team is always playing catch-up in trying to stay on top of every new thing.
- 2.8 **In-house capability.** The ICT Operations Team is already moving towards an industry-standard organisation (known as ITIL) which differentiates staff as Tier one (basic first fix), Tier two (more in depth technical knowledge and expertise), and Tier three (expert external support provider). But the absence of a consistent knowledge base (a consequence of a “point” replacement strategy) hampers this approach being properly implemented.

Where we need to be

- 2.9 **Fitness for purpose.** To retain its excellent standard the Council needs an ICT service that is resilient in all ways, with high availability against published standards.
- 2.10 **Flexibility.** The service needs to be able to respond quickly to new opportunities and deploy new technology to gain efficiencies with the Council having confidence in the capacity for that new technology to be supported and maintained.
- 2.11 **Lower cost.** Significant investment in the infrastructure and applications in recent years is beginning to pay off: the requirement for capital investment in infrastructure in 2010/11 is half what it was in 2008/09. However, there are still significant efficiencies to be gained from both how we deliver ICT into the Council and how technology is deployed to drive efficient working across the organisation.

How we get there: the proposals in detail

Stage one: get our infrastructure in good, industry standard order

- 2.12 Industry best practice to resolve the infrastructure issues and put the Council in a robust position now, in the medium and long term, is to “virtualise” the infrastructure.
- 2.13 Virtualisation is a widely-adopted technology which enables the amount of hardware needed to be reduced by using software tools that will run multiple applications and multiple operating systems on the same machine. This is a good thing because:
- (i) an individual server is rarely used above 10% of its capacity by the single application that runs, but that capacity isn’t available to be used elsewhere; a virtualised pool of servers can balance workload and

provide greater resilience in the event of a failure

- (ii) if we keep adding servers for every new application, the costs in terms of floorspace, cooling and power consumption also rise
- (iii) An individual server can fail at any time, taking with it the application that runs on it.
- (iv) We have already virtualised the disaster recovery element of the Council's key systems but the full benefit will not be achieved until the production environment is also virtualised, allowing for a fully capable disaster recovery solution.
- (v) Reducing the number of servers from over 90 to just 4 will see a reduction in power consumption of around 90% which translates into a saving of around £4,000 per year in electricity.

2.14 The final piece in the implementation of a coherent, modern ICT infrastructure is the completion of our "thin client" deployment.

2.15 Thin client is a new version of what in the 1970s was known as "dumb terminals". Rather than a PC with its operating system and programmes, a thin client has no moving parts, holds no computer programmes or applications. From the user's perspective it is just like a PC, having a mouse, keyboard and screen, but the programmes are fetched from a central data centre – which could be anywhere. Thin clients are cheaper, quieter and more reliable than PCs.

2.16 Key benefits of thin client are

- (1) Uses much less power. Replacing 250 PCs, which use over 100w each, with 250 thin clients, which use 4w each, will see a reduction of power usage of approximately 200,000 kw/hours per year, which equates to approximately £20,000.
- (2) New software and software maintenance is centralised reducing the need for staff to visit every PC
- (3) All files are stored centrally so backups and disaster recovery is hugely improved
- (4) Thin clients are easy and cheap to deploy in the case of disaster recovery

2.17 The benefits of thin client are currently being accrued in Customer Service - and are the subject of an Audit Commission commendation for "notable practice".

2.18 Implementing this technical strategy of virtualisation with thin clients resolves both the extant high level of risk to service continuity and enables the Council to look at a number of different options for service delivery in the medium and long term.

Stage two: Development of a longer term strategy to realise the efficiencies

2.19 Technology can be a powerful driver and facilitator of efficiency, cost reduction and transformation. These benefits are not always readily visible if

they are not planned for specifically at the outset and their realisation clearly accounted for at the end.

- 2.20 We need therefore to develop a clear strategy for ICT that takes a whole Council view rather than a service by service view, and that allows us to consider market opportunities and future service delivery options. Given the central importance to all the Council's service delivery we propose a Member/Officer review group, facilitated by an external technology expert, to look at all the options available and determine the overall direction we should take with our future ICT provision.
- 2.21 The group will focus on how our ICT service is delivered, the market opportunities which exist and what we want to take advantage of. Once our infrastructure is in good order, we can explore the options available. Key to this review is the consideration of what we want the ICT infrastructure to deliver for the Council in terms of the wide range of potential benefits, and how best to ensure we have access to the range of expertise needed to realise those benefits.
- 2.22 Those areas of consideration that will influence decisions on how to provide the infrastructure include
- (1) **Working smarter.** Home, remote and mobile working; process automation, doing and storing things once and using them many times; procurement, payments and income collection.
 - (2) **Maximising our assets.** Provision of ICT services to third parties using our buildings, and to partner organisations. Collaboration and joint working.
 - (3) **Data security and compliance.** External requirements such as the Payment Card Industry compliance, and "Government Connect" drive ICT infrastructure provision, and require the Council to comply with very stringent conditions that all new ICT services must meet. When the rules change we have to be ready and able to respond, as the sanctions are significant.
 - (4) **Innovation.** Not just new ideas, but ways to improve established practice through better service design, improved processes or controls, strategic partnerships etc.

Managing the service during the completion of the work: interim arrangements

- 2.23 The project to deliver the virtualised data centre, associated storage and backup, and the roll-out of the thin clients will be led and delivered by an external provider, following recommendations from KPMG, who provided an independent assessment of progress against the original incident, for the Accounts Audit and Risk Committee.
- 2.24 While the work will be done by a third party, it needs a very strong lead from the Council's side and we know that we are weak in project management. In addition, the small in house team is fully engaged in day to day service delivery, and while the main core of the work will be done by suppliers, there will be much necessary follow-up that can only be done by our own team.
- 2.25 We are proposing therefore that further external support is procured to deliver

the work set out in this report. The requirement is for a technical project manager for a minimum of three months, able to contribute to the work as well as lead it from CDC's side. The role would be to lead the virtualisation and thin client projects for CDC, and support the implementation of the ITIL way of working.

- 2.26 Both the ICT Operations Manager and Client Support Manager posts are vacant and are currently filled by interims pending completion of our move to an ITIL recognised structure, and a medium-term strategy for the delivery of ICT services. Consequently the recommendation is that we recruit a technical operations manager on a one year contract to deliver the findings of the review group from April 2010.
- 2.27 The likely cost of this, plus the external consultancy to facilitate the member/officer review group is £50,000 to be funded from the ICT Reserve. The cost of the short-contract operations manager will largely be met from existing salary budgets, supported by the reserve.

Key Issues for Consideration/Reasons for Decision and Options

- 3.1 Virtualisation will significantly reduce the current high level of risk arising from individual Council computer systems run on individual physical servers, the failure of any one of which could severely compromise service continuity. The move to thin client is already planned, benefits proven, and the first half of the necessary hardware procured.
- 3.2 Virtualisation of the whole ICT infrastructure will open up options and benefits in respect of disaster recovery, business continuity, service provision and support currently not available to the Council. There is insufficient capacity within the existing team to deliver this without external support.
- 3.3 The implications of our ICT Service Delivery Strategy are sufficiently far-reaching to require Member involvement, and sufficiently technical to require external expertise and facilitation.

The following options have been identified. The approach in the recommendations is believed to be the best way forward

Option One Continue to make point replacements to the Council's ICT infrastructure. This does nothing to mitigate the current risk to the Council's "gold" systems and other applications residing on hardware older than four years, nor does it address the piecemeal structure of the infrastructure, driven as it is by individual service need not strategic Council direction. We must still replace the 20 currently over four years old at a cost of at least £60,000. This cost will occur next year, and the next, in a never ending cycle.

Option Two Transfer out the entire risk by inviting tenders for suppliers to resolve the current problems then deliver the service. The risk of this approach is that potential suppliers may

maximise the scale – and concomitant cost to put right – of the problems prior to taking on the management of the service. It is unlikely to deliver value for money.

Option Three

Do the necessary work to bring our infrastructure and ICT service management into line with contemporary best practice, thereby maximising the options for service delivery. This will allow the council to review its medium/long-term service delivery options and develop an ICT strategy that meets the organisation's needs now and into the future.

Consultations

Chris Dickens, PWC (Internal Audit)

The initial server failure in February 2009 highlighted some serious control issues within the IT environment. Subsequent reviews by internal audit and then by KPMG highlighted the lack of technical experience in-house as a contributory factor and it is important therefore to ensure that the proposals here recognise the need for specialist input.

It is expected that the proposals put forward will lead to improvements in the internal control environment. Internal audit will engage with the Officer/Member review Group to ensure that internal controls are considered throughout this exercise and to provide assurance that the Council's IT infrastructure is sound and that its data and information is secure.

Comments checked by Chris Dickens, Chief Internal Auditor 07720 427215

Implications

Financial:

If the Council does not decide to virtualise its remaining physical ICT infrastructure, it will require funding to replace individual servers anyway. Reducing the risk of a break in service from any of the systems currently delivered on servers compromised by age will require investment of around £60,000 per year every year.

Already this year, seven individual servers have had to be procured for individual services which have to upgrade their systems. At a cost of around £3,000 each this has cost approximately £21,000. Spend of this nature will not be required in a virtualised environment – services will buy an amount of capacity instead.

At its meeting in November the Executive approved a reduced ICT capital programme for 2009/10, with savings of £125,000 released from the originally agreed programme. Without detailed planning, proposals from two potential suppliers for the virtualisation project and thin client implementation are around £150,000, but as

equipment prices are always falling we expect to pay less once the work is actually scoped. This would require a supplementary capital estimate of £150,000.

The proposal for interim management will be funded from the ICT reserve. This reserve has already been used in response to the work relating to putting matters right since the original incident and £112,000 remains and can be used to fund the £50,000.

Comments checked by Karen Curtin, Head of Finance 01295 221551

Legal:

A waiver of the Council's Contract Rules of Procedure in respect of this work is justified on the grounds of expert knowledge of the Council's existing physical ICT infrastructure and makes it difficult for any other supplier to be able to provide the same service in the timescale.

The recent proposals of the Information Commissioner to increase penalties for breaches of data security to £500,000 make it even more imperative that our systems are as secure as possible.

Comments checked by Liz Howlett, Head of Legal and Democratic Services 01295 221686

Risk Management:

The current risk of significant impact on service continuity is high and the aged nature of parts of the ICT infrastructure makes likelihood also high. Virtualisation of the physical ICT infrastructure significantly reduces the risk of physical breakdown and concomitant breach of service.

The risk of not completing the work in good time and to a suitable standard without external support is high.

Comments checked by Rosemary Watts, Risk Management and Insurance Officer 01295 221566

Wards Affected

All

Corporate Plan Themes

An accessible and value for money Council

Executive Portfolio

Councillor Nicholas Turner
Portfolio Holder for Customer Service and ICT

Document Information

Appendix No	Title
	None
Background Papers	
None	
Report Author	Pat Simpson, Head of Customer Service and Information Systems
Contact Information	01295 227069 pat.simpson@Cherwell-dc.gov.uk

Executive

Draft Budget 1, Corporate Plan and Service Plans 2010 - 2011

7th December 2009

Report of Head of Finance

PURPOSE OF REPORT

The Council has to adopt a budget for 2010/11 as the basis for calculating its level of Council Tax and has to base that budget on its plans for service delivery during the year, recognising any changes in service demand that may arise in future years. This is the first of three opportunities that the Executive has to shape and refine the interaction between the Corporate Plan, the service plans that underpin the corporate plan and financial matters before the final budget is presented to the Council on the 22nd February 2010.

This report is public

Recommendations

The Executive is recommended:

- 1) to consider the draft budget (detailed in Appendix 1) and service plans in the context of the Council's service objectives and strategic priorities;
- 2) to endorse the proposed service priorities and the draft Corporate Plan for 2010-11 (detailed in Appendix 2);
- 3) to note the areas of unavoidable revenue growth (detailed in Appendix 3);
- 4) to agree the approach to the overall capital programme and 2010/11 expenditure profile (detailed in Appendix 4);
- 5) to advise of any other matters they would like taken into consideration in producing a balanced budget for the next meeting of the Executive on 11th January 2010 ;
- 6) to note that any recommendations of the scrutiny reviews on the non consulted services and capital programme to be considered at the Resources and Performance Scrutiny Board on 1st December 2009 will be reviewed as part of the second draft of the budget:
- 7) to endorse the draft budget and corporate plan as the basis for consultation;

Executive Summary

- 1.1 The budget will form the financial expression of the Council's strategic priorities and service delivery plans for 2010/11; the allocation of resources against agreed service priorities is necessary in order to achieve its strategic priorities.
- 1.2 There is a statutory requirement for the Council to set a balanced budget by

11 March 2010 and the draft budget is part of that process.

- 1.3 The Resources and Performance Scrutiny Board have been reviewing the outcome of the public budget consultation exercise. This committee has reviewed expenditure allocated by public priority, conducted a detailed analysis of services not consulted on and reviewed all bids submitted for consideration in the 2010/11 Capital Programme. The outcome of this work will be reported to the Resources and Performance Scrutiny Board meeting on December 1st 2009 and any recommendations will be considered in subsequent drafts of the 2010/11 budget.

Background Information

2.1 Corporate Plan

The corporate plan has been refreshed for the period 2010 - 2012. This refresh reflects the changing economic situation and significant strategic developments affecting the district such as the eco-town. The corporate plan takes into account the wide range of public consultation we undertake around local priorities through both our annual satisfaction survey and budget consultation workshops.

The targets within the corporate plan for 2010 -11 are currently in draft form and will be confirmed after the public consultation in December and the latest performance information in the final quarter of the year. As in previous years a set of council tax promises will be drawn from the corporate plan. These will form a core set of performance targets for the council which directly reflect priorities and will be monitored through our corporate performance scorecard. The developing corporate plan targets will be presented to Executive and Council with the drafts of the budget in January and February 2010.

2.2 Service Plans

Service plans have been prepared alongside the draft budget and corporate plan and include comprehensive consultation feedback and robust peer and member challenge. The service plans underpin the corporate plan and provide the operational detail that ensures the council's strategic priorities are delivered.

Copies of the draft Service Plans for 2010/11 are available on the Council's intranet site.

2.3 Budget Guidelines and Timetable

The Executive agreed the budget guidelines, service priorities and timetable at its meeting on 5th October 2009 after considering the medium term financial forecast and underlying financial strategy.

2.4 The Status of the Budget

- 2.5 The draft revenue budget as presented has been left, quite deliberately, with a funding gap to emphasise that it is work in progress. This type of gap is not unusual at this stage in the process and it can be covered by considering the

actions listed within Appendix 1. The funding gap in the draft budget as presented is £349,623 and it is important that Members are aware of this potential deficit before they finally commit funding against particular priorities and/or divert funding from low priority services.

- 2.6 As in previous years, the final allocation of central Government Grant and the amount available for distribution from the Collection Fund will be confirmed later in the process.
- 2.7 All capital bids received have been appraised by the Capital Investment Delivery Group according to the capital appraisal criteria and can be seen in Appendix 4a.
- 2.8 The appraisal criteria considers the service priority ranking, revenue impact, statutory or discretionary nature of the bid, strategic priority, partnership funding and impact of the scheme on the residents of the district. The bids are then scored according to these criteria with the maximum scoring of 48 automatically being awarded for a mandatory bid.
- 2.9 These bids have then been reviewed by a working group of the Resources and Performance Scrutiny Board and their recommendations will be considered in the next draft of the budget.
- 2.10 The Capital Strategy for 2010/11 has a direct impact on the Treasury Management revenue budget in terms of the opportunity cost of reduced cash balances from the use of capital receipts and reserves. Decisions on the future capital programme will need to take into account the overall priorities and affordability in revenue as well as capital terms. A review of the capital bids, financing and impact on cashflow and investment income will be considered for the next draft of this budget.

Key Issues for Consideration/Reasons for Decision and Options

- 3.1 This report presents the Council's draft 2010/11 Revenue Budget, Capital Bids for consideration and Corporate Plan.

The following options have been identified. The approach in the recommendations is believed to be the best way forward

- | | |
|-------------------|---|
| Option One | To review draft revenue and capital budget to date and consider actions arising. |
| Option Two | To approve or reject the recommendations above or request that Officers provide additional information. |

Consultations

Resources and Performance Scrutiny Board
20/10/09, 29/10/09, 05/11/09, 17/11/09, 24/11/09
Corporate Management Team
18/11/09, 25/11/09

Implications

Financial:

Financial Effects – the significant financial effects of the budget are identified in Appendix 1. Any decisions made in relation to ongoing expenditure or income in the budget for 2010/11 will have repercussions in future years when current forecasts indicate the financial environment is likely to become increasingly difficult. The Council has a statutory duty to set a balanced budget and could incur the intervention of the Secretary of State if it failed to do so.

Consideration of this item will fall within the provisions of Section 106 of the Local Government Finance Act 1992, and Members affected by those provisions should declare accordingly and refrain from voting on the matter.

Efficiency Savings – Our Medium Term Financial Strategy requires efficiency savings and we have a NI target of 3.1% in 2010/2011. The draft budget presented includes a significant level of qualifying efficiencies which will be collated and reported to the February Executive meeting. Comments checked by Phil O'Dell, Interim Chief Financial Officer, 01295 227098.

Legal:

There is a statutory requirement for the Council to set a balanced budget by 11 March 2010 and the draft budget is part of that process.

Comments checked by Liz Howlett, Head of Legal and Democratic Services, 01295 221686.

Risk Management:

The significant risks and assumptions associated with the draft budget are outlined in Appendix 1 and a risk provision has been considered. On a broader front, if due consideration is not given to matching scarce financial resources carefully against properly assessed service priorities, the Council may fail in achieving its strategic priorities and in its duty to demonstrate value for money.

Comments checked by Phil O'Dell, Interim Chief Financial Officer, 01295 227098.

Wards Affected

All

Corporate Plan Themes

All

Executive Portfolio**Councillor James Macnamara**
Portfolio Holder for Resources**Document Information –**

Appendix No	Title
Appendix 1	Draft Revenue 2010/11 Budget and Analysis
Appendix 2	Draft Corporate Plan 2010/11
Appendix 3	Draft 2010/11 Unavoidable Revenue Growth
Appendix 4	Draft 2010/11 Capital Bids and Funding Analysis
Background Papers	
2009/10 Budget Booklet 2009/10 Capital Programme Medium Term Financial Strategy Budget Guidelines 2010/11 Service Plans	
Report Author	Karen Curtin, Head of Finance
Contact Information	01295 221551 karen.curtin@cherwell-dc.gov.uk

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Draft Revenue 2010/11 Budget and Analysis

The Status of the Budget

- 1.1 This is the first draft of the budget and is currently subject to scrutiny of both revenue and capital together with amendments for new information relating to economic climate, confirmation of central Government Grant and the amount available for distribution from the Collection Fund. The draft budget will be presented to the Executive again on January 11th 2010 and February 1st before approval by Council on February 22nd 2010.

Budget Guidelines

- 1.2 The draft General Fund Revenue budget has been prepared in accordance with the guidelines agreed by the Executive at its meeting on 5th October 2009.

Economic Climate

- 1.3 The UK economy has now shrunk for six successive quarters and unemployment is close to 8%. The Governor of the Bank of England has however said (24th November 2009) that the sharp falls in output appear to have come to an end and that he is encouraged by signs that a recovery will soon be under way. As part of this he is though warning that inflation is likely to rise sharply in the coming months from its current level of 1.5% to above the target figure. This increase will be driven by increases in fuel prices and the reversal of last year's VAT cut. The Chancellor's Pre-Budget Report on 9th December will set out the Government's overall approach to dealing with the economic scenario and will give more details of how the required reduction in public borrowing will be achieved.
- 1.4 This downturn in the economy has given rise to a number of unanticipated budget pressures. One of the most immediate impacts of the credit crunch in Cherwell, like elsewhere, is the housing market slowing rapidly. This has seen a reduction in the current year of planning and land charge income, increase in benefit applications, increased fuel costs and these assumptions have been continued into the draft budget.
- 1.5 Butlers, the Council's Treasury Management Advisors, are currently of the view that the Bank Rate may start to increase by up to 1% to 2% during Q3 and Q4 of the 2010/11 financial year. For the purpose of this draft of the budget we have assumed a reinvestment rate of 2%.
- 1.6 The Council's decision in preparing the last MTFs forecast not to rely on investment income to deliver services assumes a 3 year profile and this together with the low interest rates will result in a reduction in investment income for 2010/11.

Medium Term Financial Forecasts

- 1.7 The medium term outlook for local government will be characterised by the Comprehensive Spending Review that will follow the next General Election. However, it is very clear that there are a host of significant challenges that will face local government generally over the next 3-5 years.
- 1.8 A study entitled "The Perfect Storm" undertaken by PWC has identified around seventy of such challenges. The following key themes will impact adversely on local government financing.
- Pressure on central funding
 - Pension costs
 - Revenue and Benefits
 - Impact of the downturn on citizens and businesses
 - Pressure for local funding and income generation
 - Pressure on capital and revenue
 - Demographic and policy changes
 - Pressure on partner organisations

- 1.9 Preparing for the impact of these will include cost reduction through transformation, asset realisation, income generation and collaboration.
- 1.10 Our medium term financial forecasts will be updated to take into consider future pressures and the outcome of the 2010/11 budget process. These forecasts will be included with the budget report in February 2010.

Investments in Iceland

- 1.11 We have £6.5m in one of the failed Icelandic banks – Glitner. We are working closely with the LGA and Bevan Brittan to seek recovery of our principal and accrued investment income. Our claim has been filed and will be considered by the Glitner creditor committee on 17 December 2009. On the assumption we retain priority status we expect a 100% return, however this status will be challenged by other creditors of the bank.
- 1.12 Whilst this money is currently deemed at risk, we have for the purpose of this draft budget not as yet made any assumption on the likelihood of repayment of the £6.5m principal sum and await official guidance from CIPFA and will update in the next draft budget.

General Fund Revenue Budget

- 1.13 The draft General Fund Revenue budget is shown in Table 1. The revenue budget as presented has been left, quite deliberately, with a funding gap of £349,263. This type of gap is not unusual at this stage in the process and it can be covered by considering the actions listed in 1.21.

Table 1

SERVICE EXPENDITURE - excluding support allocation	Outturn	Budget	Projection	Budget	Variance from 09/10 Projection	Variance from 09/10 Budget
	2008/09	2009/10	2009/10	2010/11		
Customer Services & Resources		£6,511,867	£6,339,702	£5,906,543	-£433,159	-£605,324
Environment & Community Improvement		£9,425,613	£9,538,086	£9,313,786	-£224,300	-£111,827
Planning, Housing & Economy		£343,463	£343,463	£162,889	-£180,574	-£180,574
Chief Executives		£2,889,698	£2,589,698	£2,396,999	-£192,699	-£492,699
		£3,801,789	£3,760,590	£3,175,228	-£585,362	-£626,561
Services Sub-Total	£23,450,526	£22,972,430	£22,571,539	£20,955,445	-£1,616,094	£2,016,985
Capital Charges Reversed	-£2,504,576	-£2,491,010	-£2,491,010	-£2,491,010	£0	£0
Net Expenditure Services	£20,945,950	£20,481,420	£20,080,529	£18,464,435	-£1,616,094	£2,016,985
(% decrease)		2%	2%	8%		6%
Reserves and Provisions	£1,453,387	-£654,556	-£853,665	£811,615	£1,665,280	£1,466,171
	£22,399,337	£19,826,864	£19,226,864	£19,276,050	£49,186	-£550,814
Funding						
Investment Income	£5,977,100	£2,915,931	£2,315,931	£1,655,742	-£660,189	£1,260,189
Government Grant	£10,359,016	£10,637,129	£10,637,129	£10,996,881	£359,752	£359,752
Collection Fund	£101,591	£108,313	£108,313	£108,313	£0	£0
Council Tax	£5,961,630	£6,165,491	£6,165,491	£6,165,491	£0	£0
	£22,399,337	£19,826,864	£19,226,864	£18,926,427	-£300,437	-£900,437
Potential Shortfall	£0	£0	£0	£349,623	£349,623	£349,623

COUNCIL TAX						
Relevant Tax Base	£49,678	£49,923	£49,923	£49,923		
Council Tax Rate for Band "D"	£120	£123.50	£123.50	£123.50		
Council Tax Collection	£5,961,630	£6,165,491	£6,165,491	£6,165,491		

1.14 The revenue budget shows an overall 8% decrease in service expenditure in comparison with the 2009/10 revenue projection and a reduction from 2008/09 outturn of £2,418,515.

1.15 The budget guidelines set a 2% efficiency target per directorate to address the economic issues and reduction in investment income. A target of £405,532 was required and to date £704,686 has been identified. As detailed below.

Table 2

Directorate	Total Efficiencies	2% Target Guideline	Additional Savings
CSR	£350,938	£123,941	£226,997
EAC	£208,398	£186,660	£21,738
PHE	£53,286	£45,326	£7,960
IMP	£31,943	£4,005	£27,938
CEX	£60,121	£45,600	£14,521
	£704,686	£405,532	£299,154

1.16 In addition to the above directorate specific efficiency targets our Medium Term Financial Strategy incorporated an agreed £1M action plan along with ongoing additional VFM and efficiency savings. These are detailed overleaf in table 3.

Table 3

Review of Savings	2009/10 FYE Effects	VFM & MTFS Savings	£1m Action Plan	2% Efficiency Target	Total	CSR	IMP	CEX	EAC	PHE	Total
Training - reduction in staff (10%) - reduce training budget			£51,000		£51,000	£51,000					£51,000
Cleaning - reduce agency to formal external contract			£10,000		£10,000			£10,000			£10,000
Rev's & Bens - support reduction			£124,000		£124,000	£124,000					£124,000
ICT - arising from review of operations area			£50,000		£50,000	£50,000					£50,000
EAC - review of expenditure			£100,000		£100,000				£100,000		£100,000
Engineering / Bldg Control - service transfer to County			£50,000		£50,000					£50,000	£50,000
Planning Policy - Post Deletion			£50,000		£50,000					£50,000	£50,000
Legal -Retirements / 85 year rule			£75,000		£75,000	£75,000					£75,000
Centralised Corporate Recovery			£51,000		£51,000	£51,000					£51,000
Improvement end fixed term		£100,000			£100,000		£100,000				£100,000
VFM Housing - part of 3 yr plan		£200,000			£200,000					£200,000	£200,000
Revs and Bens		£250,000			£250,000	£250,000					£250,000
Property VFM		£100,000			£100,000			£100,000			£100,000
Multifunctional Devices - impact on printing	£35,000				£35,000	£35,000					£35,000
Job Evaluation (One off Expenses)	£150,000				£150,000			£150,000			£150,000
Finance - Restructure	£51,000				£51,000	£51,000					£51,000
Head of Business Services - Post Deletion	£70,466				£70,466	£70,466					£70,466
Full Year Effects - EAC budget reductions	£172,328				£172,328				£172,328		£172,328
2% Efficiencies CSR				£350,938	£350,938	£350,938					£350,938
2% Efficiencies EAC				£208,398	£208,398				£208,398		£208,398
2% Efficiencies PHE				£53,286	£53,286					£53,286	£53,286
2% Efficiencies IMP				£31,943	£31,943		£31,943				£31,943
2% Efficiencies CEX				£60,121	£60,121			£60,121			£60,121
2010/11 Cost Reductions : Draft Budget1	£478,794	£650,000	£561,000	£704,686	£2,394,480	£1,108,404	£131,943	£320,121	£480,726	£353,286	£2,394,480
						46%	6%	13%	20%	15%	
1.25% of 09/10 salary budget			£228,000		£228,000						
Real Cost reduction	£478,794	£650,000	£789,000	£704,686	£2,622,480						

1.17 The outstanding elements of the £1M action plan which are under review for Draft 2 of the budget are in table 3a below. However the additional efficiencies identified in excess of the 2% target will ensure we meet this target.

Table 3a

Under Review for draft 2	
Stables - elimination of subsidy less support	£60,000
Insurance – this has been secured and will be built into draft 2	£75,000
Disabled Facility Grants and Grants Administration	£76,000
Total	£211,000

1.18 The following table provides an overview as to how the £2,394,480 budget reduction impacts on service provision and the method of provision. This identifies that 63% of the reductions identified have no current impact on service provision and 18% is in relation to the outsourcing of the revenues and benefits contract.

Table 3b

Detail	Service Impact	No Service Impact	Outsourcing	Total
Training - reduction in staff (10%) - reduce training budget		£51,000.00		£51,000
Cleaning - reduce agency to formal external contract		£10,000.00		£10,000
Rev's & Bens - support reduction			£124,000.00	£124,000
ICT - arising from review of operations area		£50,000.00		£50,000
EAC - review of expenditure	£31,000.00	£69,000.00		£100,000
Engineering / Bldg Control - service transfer to County	£50,000.00			£50,000
Planning Policy - Post Deletion	£50,000.00			£50,000
Legal -Retirements / 85 year rule		£75,000.00		£75,000
Centralised Corporate Recovery		£51,000.00		£51,000
Improvement end fixed term		£100,000.00		£100,000
VFM Housing - part of 3 yr plan	£77,262.00	£122,738.00		£200,000
Revs and Bens			£250,000.00	£250,000
Property VFM		£100,000.00		£100,000
Multifunctional Devices - impact on printing		£35,000.00		£35,000
Job Evaluation (One off Expenses)		£150,000.00		£150,000
Finance - Restructure		£51,000.00		£51,000
Head of Business Services - Post Deletion		£70,466.00		£70,466
Full Year Effects - EAC budget reductions	£172,328.00			£172,328
2% Efficiencies CSR		£303,988.00	£46,950.00	£350,938
2% Efficiencies EAC	£28,000.00	£180,398.00		£208,398
2% Efficiencies PHE	£53,286.00			£53,286
2% Efficiencies IMP		£31,943.00		£31,943
2% Efficiencies CEX		£60,121.00		£60,121
	£461,876.00	£1,511,654.00	£420,950.00	£2,394,480
	19%	63%	18%	

1.19 In addition to the detailed reductions analysed above there are areas of unavoidable growth which have been incorporated into the 2010/11 budget.

They are detailed within the table below and further information can be found in Appendix 3.

Table 4

Unavoidable Growth	Budget Increases	CSR	EAC
Concessionary Fares	£150,000		£150,000
SCM - Unitary Fee	£174,153		£174,153
District Elections	£53,342	£53,342	
	£377,495	£53,342	£324,153

1.20 Our Medium Term Financial Strategy requires efficiency savings and we have a NI target of 3.1% in 2010/2011. The draft budget presented includes a significant level of qualifying efficiencies which will be collated and reported to the February Executive meeting. From a budgetary point of view only cashable savings are relevant since non-cashable savings do not reduce the overall cost to the Council. The ongoing identification of efficiency savings must continue to be treated as a high priority.

1.21 In order to balance the budget a further reduction in costs or increase in income of £349,623 is required. The following areas will be considered.

Table 5

AREAS FOR FURTHER REVIEW	COST IMPACT
Build in impact of Insurance VFM	decrease
Mileage	decrease
Expression of Interest and EMT review	decrease
Revenue Implications of Capital Programme	decrease
Review of Discretionary Spend : Training, Consultancy, Stationary, Equipment	decrease
Centralise ICT budgets	decrease
Procurement Action Plan	decrease
Impact of Pay Modelling on allowances	decrease
Identify further efficiencies within services	decrease
Review of Interest Calculations	increase
Review of Risk Contingency	increase
Review of Fuel Costs	increase / decrease
Review of Income	increase / decrease
Transitional Rate Relief	increase / decrease
Review of Reserves	increase / decrease
Capital Programme - review proposals / interest impact	increase / decrease
Review of inflationary increases within contracts	increase / decrease

1.22 The outcome of these reviews together with amendments identified in relation to paragraph 1.21 above will be presented to the Executive in January 2010

Further Document Information

Appendix No	Title
3	Unavoidable Growth 2010/11

Draft Corporate Plan 2010/11

Appendix 2

A District of Opportunity

<p>1. Balance employment and housing growth by developing businesses and homes that meet local need within an overall robust planning policy framework.</p>	<ul style="list-style-type: none"> • Have a new Local Development Framework in place by 2009 	<ul style="list-style-type: none"> • Present and consult on choices about major development locations in the District (taking into account the Government's Eco Towns Programme) 	<ul style="list-style-type: none"> • Submit Local Development Framework Core Strategy (Note: delayed due to Eco Town decision process) • Complete Canalside Regeneration Area Supplementary Planning Document (SPD) draft 	<ul style="list-style-type: none"> • Submit the Local Development Framework Core Strategy incorporating the North West Bicester Eco Town designation • Start Bicester Eco Town Demonstration Projects • Approval of Canal side Regeneration Area SPD 	<ul style="list-style-type: none"> • Public examination and adoption of LDF Core Strategy • Submission and public examination of LDF Delivery Planning Document (DPD) • Adopt the Planning Obligations and Building in Harmony with the Environment SPDs
<p>2. Provide business land and premises opportunities to support local economic development</p>	<ul style="list-style-type: none"> • Complete an employment land assessment and include provision of at least 2 major new business sites in the Local Development Framework • Start construction on Bicester Town Centre Development 	<ul style="list-style-type: none"> • Complete land assessments for business sites in the Local Development Framework 	<ul style="list-style-type: none"> • Work with partners to start the Bicester town centre development. (Note: main development start likely to be delayed to 2010/11 due to economic climate and essential revisions to scheme) • LDF Core strategy submission to include justification for new employment land provision 	<ul style="list-style-type: none"> • Significant construction progress on Bicester town centre development • LDF draft to include proposals for at least two major new business sites 	<ul style="list-style-type: none"> • Bicester town centre scheme completed • Land provision for at least two major new business sites secured

<p>3. Support business success by fostering innovation and helping businesses to recruit and retain skilled employees</p>	<ul style="list-style-type: none"> Contribute to creating 1100 new jobs in the District within the overall Economic Development Strategy target of 6200 additional jobs by 2011 	<ul style="list-style-type: none"> Contribute to the creation of 200 new jobs 	<ul style="list-style-type: none"> Contribute to the creation of 200 new jobs Help and support Cherwell's residents and businesses through uncertain times 	<ul style="list-style-type: none"> Contribute to the creation of 300 new jobs Implement a group travel initiative to support local attractions and accommodation providers sustain the economic benefit of tourism to the district 	<ul style="list-style-type: none"> Contribute to the creation of 400 new jobs
<p>4. Help and support Cherwell's residents through uncertain times</p>	<ul style="list-style-type: none"> 	<ul style="list-style-type: none"> 	<ul style="list-style-type: none"> 	<ul style="list-style-type: none"> Maintain the partnership delivering job clubs in Banbury and Bicester Initiate direct local job creation and skill development scheme Focus economic development and housing service support for disadvantaged individuals in Banbury (financial literacy, employment search, skills and training advice) 	<ul style="list-style-type: none"> Maintain the partnership delivering job clubs in Banbury and Bicester Develop and extend job creation initiatives through partnership funding and working
<p>5. Make it easier for you to get where you need to go</p>	<ul style="list-style-type: none"> Complete transport studies and infrastructure needs assessment of the main urban areas and incorporate the results in the new LDF. 	<ul style="list-style-type: none"> Complete transport studies and infrastructure needs assessment for Banbury and Bicester Deliver £200,000 funding for transport infrastructure improvements through developer contributions 	<ul style="list-style-type: none"> Deliver £200,000 funding for transport infrastructure improvements through developer contributions 	<ul style="list-style-type: none"> Deliver £300,000 funding for transport infrastructure improvements through developer contributions 	<ul style="list-style-type: none"> Deliver £300,000 funding for transport infrastructure improvements through developer contributions

	<ul style="list-style-type: none"> Deliver £1 million of developer funding toward transport infrastructure improvements 				
6. Secure housing growth that meets Government targets and the needs of the District through an appropriate mix of market and affordable housing	<ul style="list-style-type: none"> Achieve an annual average rate of new homes constructed of 600, of which 100 are affordable 	<ul style="list-style-type: none"> Achieve 400 new homes including a minimum of 100 affordable homes 	<ul style="list-style-type: none"> Achieve 300 new homes Deliver 100 affordable homes 	<ul style="list-style-type: none"> Achieve 300 new homes (Note: assumes contribution from SW Bicester) Deliver 100 affordable homes 	<ul style="list-style-type: none"> Achieve 700 new homes Deliver 200 affordable homes
7. Give you advice and support to find a home if you are without one	<ul style="list-style-type: none"> Develop the housing service to provide information on the full range of housing opportunities within the District and including information on all housing tenures Develop a range of information to help people understand their housing options, and the range of support that is available to them 	<ul style="list-style-type: none"> Expand Choice Based Letting to be a countywide scheme Temporary Accommodation Strategy approved 	<ul style="list-style-type: none"> Fully integrated Choice Based Letting scheme and housing advice available through the Customer Contact Centre Temporary Accommodation Strategy operational 	<ul style="list-style-type: none"> 85% customer satisfaction with Choice Based Letting Scheme Produce a revised Cherwell Housing Strategy responding to the recession Temporary Accommodation Strategy outcomes achieved 	<ul style="list-style-type: none"> 90% customer satisfaction with Choice Based Letting Scheme Temporary Accommodation Strategy outcomes achieved

<p>8. Improve the standard of housing particularly for vulnerable people</p>	<ul style="list-style-type: none"> • Provide and facilitate assistance, through both CDC grants and insulation and heating discounts in the private sector delivered by partners, to achieve the Decent Homes Standard for vulnerable households 	<ul style="list-style-type: none"> • Spend £300,000 on investing in better quality housing for vulnerable people 	<ul style="list-style-type: none"> • Spend £400,000 on investing in better quality housing for vulnerable people 	<ul style="list-style-type: none"> • Spend £420,000 on investing in better quality housing for vulnerable people 	<ul style="list-style-type: none"> • Spend £440,000 on investing in better quality housing for vulnerable people
<p>9. Develop safe and pleasant urban centres which provide you with good facilities</p>	<ul style="list-style-type: none"> • Complete environmental enhancement schemes for Watts Way, Kidlington and Parsons Street, Banbury 	<ul style="list-style-type: none"> • Complete the design of the environmental enhancement scheme for Parson's Street, Banbury • Enhance the village centre environment of Kidlington through the replacement of the street furniture 	<ul style="list-style-type: none"> • Make major improvements to Parsons Street, Banbury • Undertake improvements to open markets • Invest in enhancement of market square in Bicester (Note: delayed scheme) • Implement the Banbury Visitor Management Plan • Prepare a Banbury Residents Parking Scheme 	<ul style="list-style-type: none"> • Strategy in place for Canalside Banbury • Start Banbury Flood Alleviation Scheme • Prepare outline strategy for the future development of Banbury Town Centre (to include a Cultural Quarter, Canalside areas and development of the Bolton Road Regeneration Area • Start scheme for enhancement of Market Square in Bicester (Note: scheme, timetable extended as the scope of the work is expanded, and additional funding 	<ul style="list-style-type: none"> • Further programme of environmental enhancement and regeneration projects for urban centres agreed • Banbury Flood Alleviation Scheme in place • Implement an Integrated Parking Strategy in urban areas • With partners improve the quality of civic and performance facilities in Bicester alongside the ecotown development

<p>10. Improve local services and opportunities in rural areas</p>	<ul style="list-style-type: none"> • Complete a review of planning policy framework for villages through the new Local Development Framework – to support sustainable levels of development in rural areas • Establish improved support initiatives for existing rural services to assist viability • Encourage creation of new services to rural areas to meet established demand and gaps in provision 	<ul style="list-style-type: none"> • Launch and implement a new Cherwell Rural Strategy • Deliver improved community information to rural communities through the development of online services 	<ul style="list-style-type: none"> • Complete a review of planning policy framework for villages through the new LDF (Note substantial progress evident in year but completion delayed – see above) • Carry out web-based consultation with parishes on the forward plan 	<p>obtained from OCC.</p> <ul style="list-style-type: none"> • Support rural communities in implementing improved ICT access for young and older people • Planning policy framework for villages through the new LDF (Core Strategy) published • Rural Affordable Housing Action Plan embedded • Working with arts partners improve the creative offer in village halls and rural schools 	<ul style="list-style-type: none"> • Extend the number of villages benefitting from rural arts schemes

A Safe and Healthy Cherwell

<p>11. Help you feel safe in your home and community, working to reduce further our very low level of crime</p>	<ul style="list-style-type: none"> • Reduce crime by 5% and achieve a perception of feeling safe in Cherwell in 80% of residents • Increase partnership working across the public sector and ensure that there are information sharing protocols 	<ul style="list-style-type: none"> • Ensure at least 78% of residents when asked say they feel safe at home and in the community • Work with Thames Valley Police to reduce crime involving theft from vehicles, robbery and household burglary by 5% • Invest significantly in technology (CCTV) to improve crime detection rates and deter crime • Introduce the Nightsafe initiative in Bicester • Implement a new Cherwell Community Safety strategy 	<ul style="list-style-type: none"> • Ensure at least 79% of residents when asked say they feel safe at home and in the community • Work with partners to reduce crime and anti-social behaviour by 200 offences / incidents compared to 2008/09 • 30% of CCTV recorded incidents to result in arrests (estimated target of 1400) • Invest in the digital upgrade of the CCTV network and the use of fibre optic cables 	<ul style="list-style-type: none"> • Ensure at least 83% of residents when asked say they feel safe at home and in the community • Work with partners to reduce crime and anti-social behaviour by 200 offences / incidents compared to 2009/10 	<ul style="list-style-type: none"> • Ensure at least 84% of residents when asked say they feel safe at home and in the community • Work with partners to reduce crime and anti-social behaviour by 200 offences / incidents compared to 2010/11
<p>12. Involve you in making your community stronger through building cohesive communities and Neighbourhood Management</p>	<ul style="list-style-type: none"> • Establish 6 Neighbourhood Action Groups (NAGs) with representation from local communities • Ensure community engagement during preparation of strategic assessments 	<ul style="list-style-type: none"> • Complete the District-wide coverage of neighbourhood management with representatives from local communities • Local community survey carried out by NAGs to identify current local concerns 	<ul style="list-style-type: none"> • Support 4 voluntary neighbourhood management initiatives to reduce anti-social behaviour • Invite the public to a minimum of 3 public Neighbourhood Action Group meetings to develop local priorities for action 	<ul style="list-style-type: none"> • Provide information and support to enable understanding and awareness between different cultures and minority groups • Invite the public to a minimum of 4 public Neighbourhood Action Group meetings to develop local priorities for action 	<ul style="list-style-type: none"> • Develop the Banbury Community Cohesion Group to take on a district wide approach • Invite the public to a minimum of 5 public Neighbourhood Action Group meetings to develop local priorities for action

<p>13. Help to deliver improved healthcare for Bicester and Banbury</p>	<ul style="list-style-type: none"> • Support the Oxfordshire Primary Care Trust in delivering improved local and responsive healthcare services to meet current and future needs of residents. • Reduce the levels of increasing obesity and reduce coronary illness in under 75 year olds by 25% through joint healthy lifestyle promotion initiatives with the Oxfordshire Primary Care Trust 	<ul style="list-style-type: none"> • Support the provision of the best possible services at the Horton Hospital • Support new and improved health care services for Bicester and surrounding areas • Implement a new Cherwell Public Health Strategy 	<ul style="list-style-type: none"> • Work with the Primary Care Trust to deliver the new GP-led health centre in Banbury • Continue to support the provision of the best possible services at the Horton Hospital • Continue to support new and improved health care services for Bicester and surrounding areas • Establish a programme to address health inequalities in the District. 	<ul style="list-style-type: none"> • Deliver the programme to address health inequalities in the District • To support the local health sector in retaining and developing services at the Horton General Hospital. • To support the PCT in developing new and improved Bicester Hospital services • Deliver 3 new health improvement initiatives across the district. • Work with the PCT to lead the programme to address health inequalities and deprivation in the district 	<ul style="list-style-type: none"> • Review the health improvement programmes and identify any gaps in services.
<p>14. Make it easy for you to lead a healthy and active life through our countryside, leisure facilities and tourist attractions</p>	<ul style="list-style-type: none"> • Increase participation in active recreation by 1% a year 	<ul style="list-style-type: none"> • Help increase participation in active recreation by 1% • Prepare a funding and delivery plan for a Bicester multi-sports village 	<ul style="list-style-type: none"> • Increase participation in active recreation by 1% • Increase the number of new walkers participating annually in local health walks by 10% (Baseline 450 to 578) • Secure funding to deliver the Bicester Multi-Sports Village project 	<ul style="list-style-type: none"> • Increase participation in active recreation by 1% (26.3%) • Increase the number of new walkers participating annually in local health walks by 10% (635) • Establish and promote a 'Tour of Otmoor' cycle ride • Increase participation at joint use sports sites by 	<ul style="list-style-type: none"> • Increase participation in active recreation by 1% (27.3) • Increase the number of new walkers participating annually in local health walks by 10% (698) • Establish and promote a Bicester area circular walk • Increase participation at joint use sports sites by

				2.5% <ul style="list-style-type: none"> Promote the events section of www.visitnorthoxfordshire.com as the information source for local residents and media 	2.5% <ul style="list-style-type: none"> Encourage local residents to visit local attractions through a residents weekend campaign
15. Make big improvements to our sports centres	<ul style="list-style-type: none"> Complete the modernisation of sports centres at Bicester and Kidlington and construct a new sports centre in Banbury 	<ul style="list-style-type: none"> Invest £15m in rebuilding or refurbishing our sports centres to deliver better future services in Banbury, Bicester and Kidlington 	<ul style="list-style-type: none"> Open our new Spiceball leisure centre and improved Bicester and Kidlington leisure centres and re-open the Woodgreen Open Air Pool Replace the synthetic pitch surfaces at Coopers School and North Oxon Academy 	PROJECT COMPLETED	
16. Provide community facilities and activities to meet local need	<ul style="list-style-type: none"> Support and improve 10 existing community centres/village halls and build new centres at Banbury and Bicester where significant new housing development takes place. Provide 30 formal and informal recreation opportunities for 	<ul style="list-style-type: none"> Support and improve 12 existing community centres/organisations and 17 village halls through grant aid funding Provide 820 formal and informal recreation opportunities for young people Increase the numbers of older people participating in group activities by 3% 	<ul style="list-style-type: none"> Support and improve 18 community recreation venues through grant aid funding Increase the numbers of new older people participating in group activities by 300 Increase participation by young people in positive activities by 1% Support Banbury Town Council in preparing a football development plan for the town 	<ul style="list-style-type: none"> Support and improve 18 community recreation venues through grant aid funding Increase the numbers of new older people participating in group activities by 500 Increase participation by young people in positive activities by 1% (baseline figure tbc) Implement a new Older Persons strategy with particular regard to the 	<ul style="list-style-type: none"> Support and improve 18 community recreation venues through grant aid funding Increase the numbers of new older people participating in group activities by 600 Increase participation by young people in positive activities by 1% (baseline figure tbc)

	<ul style="list-style-type: none"> young people Support 160 older people groups and increase the numbers of older people participating in group activities by 10% 		<ul style="list-style-type: none"> Provide 850 formal and informal recreation opportunities for young people 	<p>impact of the ageing population within the district and supporting wellbeing as we age.</p>	
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A Cleaner, Greener Cherwell

<p>17. Keep streets and open spaces clean and free from litter, graffiti and abandoned vehicles and well maintained</p>	<ul style="list-style-type: none"> Achieve 70% resident satisfaction with street and environmental cleanliness as measured by the annual satisfaction survey 	<ul style="list-style-type: none"> Ensure at least 90% of our streets and parks are clean at any one time Extend the cleaning times of all urban centres 	<ul style="list-style-type: none"> Increase residents' satisfaction with street and environmental cleanliness from 66% to 70% by improving the removal of dog mess and abandoned vehicles Remove 90% of fly tipping within 48 hours of reporting Achieve 94% of land inspected at an acceptable litter standard 	<ul style="list-style-type: none"> Achieve 68% resident satisfaction with street and environmental cleanliness Reduce the amount of fly tipping by 5% on 2009/10 levels Remove 92% of fly tipping within 48 hours Achieve 95% of land inspected at an acceptable detritus standard 	<ul style="list-style-type: none"> Achieve 70% resident satisfaction with street and environmental cleanliness Reduce the amount of fly tipping by 10% on 2009/10 levels Achieve 96% of land inspected at an acceptable detritus standard
<p>18. Help you recycle so we can reduce the amount of landfill waste</p>	<ul style="list-style-type: none"> Recycle 55% of household waste Reduce the amount of waste sent to landfill by 5000 tons 	<ul style="list-style-type: none"> Increase the household recycling rate to 49% by 31 March 2009 Reduce the amount of waste sent to landfill by 1500 tonnes by 31 March 2009 	<ul style="list-style-type: none"> Increase the household recycling rate to 50% by 31 March 2010 Reduce the amount of waste sent to landfill by 1000 tonnes by 31 March 2010 Introduce a food waste recycling service 	<ul style="list-style-type: none"> Increase the household recycling rate to 56% by 31 March 2011 Reduce the amount of waste sent to landfill by 4000 tonnes by 31 March 2011 	<ul style="list-style-type: none"> Increase the household recycling rate to 58% by 31 March 2011 Reduce the amount of waste sent to landfill by 1000 tonnes by 31 March 2012
<p>19. Protect our environment, wildlife habitats and the country side, by working with others</p>	<ul style="list-style-type: none"> Achieve a measurable improvement to biodiversity 	<ul style="list-style-type: none"> Undertake 10 county wildlife site surveys 	<ul style="list-style-type: none"> Undertake 10 county wildlife site surveys 	<ul style="list-style-type: none"> Undertake 10 county wildlife site surveys 	<ul style="list-style-type: none"> Establish an accessible community woodland on the edge of Bicester

<p>20. Maximise energy efficiency and minimise carbon emissions in our own buildings, and developments</p>	<ul style="list-style-type: none"> • Reduce the Council's carbon emissions by 22% - excluding sports centres • Require developers to follow best practice in the design of low carbon and sustainable development 	<ul style="list-style-type: none"> • Reduce the Council's carbon dioxide emissions by 4% against the 2007/08 figure 	<ul style="list-style-type: none"> • Reduce the Council's vehicle emissions by 10% against the 2007/08 figure 	<ul style="list-style-type: none"> • Reduce the Council's carbon emissions by a further 5% against the 2007/08 base position excluding sports centres • Reduce carbon emissions of recreation facilities by x% 	<ul style="list-style-type: none"> • Reduce the Council's carbon emissions by a further 5% against the 2007/08 base position excluding sports centres • Reduce carbon emissions of recreation facilities by x%
<p>21. Keep you informed about climate change and what we can all do to help</p>	<ul style="list-style-type: none"> • Inform all residents annually on actions individual households can take to reduce emissions • Establish a local climate change partnership group and develop 10 joint initiatives 	<ul style="list-style-type: none"> • Inform all residents on actions individual households can take to reduce carbon emissions (by a special issue of Cherwell Link) 	<ul style="list-style-type: none"> • Inform all businesses on the actions they can take to reduce carbon emissions 	<ul style="list-style-type: none"> • Inform all residents on the actions individual households can take to reduce carbon emissions 	<ul style="list-style-type: none"> • Inform all businesses on the actions they can take to reduce carbon emissions
<p>22. Significantly improve green spaces and public places so that you really notice the difference where you live and work</p>	<ul style="list-style-type: none"> • Achieve 70% resident satisfaction with green spaces and public areas 	<ul style="list-style-type: none"> • Achieve at least 71% resident satisfaction with green spaces and public areas 	<ul style="list-style-type: none"> • Achieve at least 72% resident satisfaction with green spaces and public areas 	<ul style="list-style-type: none"> • Achieve at least 73% resident satisfaction with green spaces and public areas 	<ul style="list-style-type: none"> • Achieve at least 74% resident satisfaction with green spaces and public areas • Deliver a new piece of public art in the redeveloped Bicester Town Centre

An Accessible, Value for Money Council

<p>23. Be easy to contact, approachable and responsive</p>	<ul style="list-style-type: none"> • Publish our customer service standards and monitor our performance against national standards with the aim to be among the best 	<ul style="list-style-type: none"> • Introduce a single, centralised customer complaints process • Ensure that at least 90% of our customers when asked are satisfied with our customer service when they contact the Council • Increase Cherwell Link to four editions per year 	<ul style="list-style-type: none"> • Provide customers with a simple choice of numbers to access Council services • Ensure that at least 90% of our customers when asked are satisfied with our customer service when they contact the Council 	<ul style="list-style-type: none"> • Seek accreditation for customer service under the customer service excellence award • Support for community groups to have a website separate from ours but using our content management system • Carry out website testing to make sure it is user friendly. • Retain the Crystal Mark for our website. 	
<p>24. Always treat everyone with dignity and respect and meet the specific needs of young people, older people, disabled people and ethnic minorities</p>	<ul style="list-style-type: none"> • Secure and retain level 3 status of the national equality standard 	<ul style="list-style-type: none"> • Secure level 3 and work towards level 4 status of the national equality standard 	<ul style="list-style-type: none"> • Work towards the achieving excellent status in the Equality Standard for Local Government 	<ul style="list-style-type: none"> • Undertake a peer review of our performance in terms of equality, with the aim of reaching the achieving status under the local government assessment framework • Develop a 'hardest to reach' action plan, including outreach working to improve access and take up of our services. 	<ul style="list-style-type: none"> • Work towards achieving excellent status in the Equality Standard for Local Government

<p>25. Put things right quickly if they go wrong</p>	<ul style="list-style-type: none"> Resolve 95% of complaints across all three stages of the complaints process within 14 days 	<ul style="list-style-type: none"> Baseline our existing complaints resolution performance 	<ul style="list-style-type: none"> 90% complaints received are resolved within Stage One 95% of all complaints that are escalated to stage 2 are resolved No complaints escalated from Stage Three to the Ombudsman 	<ul style="list-style-type: none"> 90% complaints received are resolved within Stage One 95% of all complaints that are escalated to stage 2 are resolved No complaints escalated from Stage Three to the Ombudsman 	<ul style="list-style-type: none"> 90% complaints received are resolved within Stage One 95% of all complaints that are escalated to stage 2 are resolved No complaints escalated from Stage Three to the Ombudsman
<p>26. Deliver value for money by achieving the optimum balance between cost, quality and customer satisfaction for all services</p>	<ul style="list-style-type: none"> Seek the views of our customers annually through our own customer satisfaction survey and public consultation on budget priorities Achieve the top rating for the Use of Resources assessment and recognition as a value for money council Meet government targets for efficiency improvements and maximise efficiency gains across the organisation 	<ul style="list-style-type: none"> Achieve a score of 3 against the Key Lines of Enquiry for value for money in the Use of Resources assessment Secure £210,000 in efficiency savings of which £160,000 are savings in the way the Council procures goods and services Deliver a balanced, revenue-based budget without calling on reserves 	<ul style="list-style-type: none"> Retain an overall score of 3 in the Use of Resources Assessment and secure a score of 4 for at least 1 of the 3 Key Lines of Enquiry Secure £600,000 efficiency savings of which £200,000 are savings secured by the way the Council procures goods and services Make it easier for local businesses to trade with us 	<ul style="list-style-type: none"> Maintain our score of 3 in the Use of Resources Assessment and improve our performance by achieving a score of 4 in at least one of the Key Lines of Enquiry. Secure £630,000 efficiency savings of which £200,000 are savings secured by the way the Council procures goods and services 	<ul style="list-style-type: none"> Retain a score of 4 score in the Use of Resources assessment and a score of 4 for all the Key Lines of Enquiry Secure £645,000 efficiency savings of which £200,000 are savings secured by the way the Council procures goods and services

27. Reduce financial burden to local taxpayers	<ul style="list-style-type: none"> Maintain council tax rises at or below the rate of inflation (subject to amount of Government grant received) 	<ul style="list-style-type: none"> Keep our council tax rise for 2009/10 to below the rate of inflation 	<ul style="list-style-type: none"> Take the steps needed to reduce our costs by a further £1m by the beginning of 2010/11 	<ul style="list-style-type: none"> Keep our council tax rise to below the rate of inflation Additional financial target to be developed 	<ul style="list-style-type: none"> Keep our council tax rise to below the rate of inflation
28. Explain how your council tax is spent and why	<ul style="list-style-type: none"> Publish a comprehensive annual report 	<ul style="list-style-type: none"> Produce a combined annual report of performance and finance 	<ul style="list-style-type: none"> Produce a combined annual report of performance and finance 	<ul style="list-style-type: none"> Bring forward the publication of our combined annual report of performance and finance for publication in June 2010 	<ul style="list-style-type: none"> Produce a combined annual report of performance and finance
29. Work with others to provide you with local services and access to information about them	<ul style="list-style-type: none"> Adopt a customer access strategy setting out how services can be delivered to all sectors of the Cherwell population Provide opportunities through our one stop shop to access services delivered by other providers Provide direct access through our website to information about services provided by others 	<ul style="list-style-type: none"> Review the outcome of the One Stop Shop pilot at Bodicote House Re-launch town centre offices in Banbury and Kidlington Provide rural customers with more ways to access our services, including 10 new access points in local communities 	<ul style="list-style-type: none"> Promote the web based Positive Activities Offer to young people Place 10 new 'Link Points' in our rural areas to provide residents and businesses with a greater choice of access to our services Enable access to a limited number of services provided by our partners through Council access points Promote local events through the North Oxfordshire.com website 	<ul style="list-style-type: none"> Expand access to services provided by our partners through Council access points Improve access to our services by delivering a 'link points-on-legs' service that involves outreach workers attendance at least 10 community events to promote service accessibility. Promote access to cultural and sporting facilities to children in the looked after sector with West Oxfordshire District Council and Oxfordshire County Council 	<ul style="list-style-type: none"> Re-launch the Bicester Town Centre Office Expand access to services provided by our partners through Council access points

<p>30 Demonstrate that we can be trusted to act properly for you</p>	<ul style="list-style-type: none"> Maintain transparent and public decision-making processes, web-casting meetings wherever possible 	<ul style="list-style-type: none"> Review the 6 month Webcasting pilot extension 	<ul style="list-style-type: none"> Increase the number of public Council meetings which are webcast 	<p>TO BE REVIEWED AND DEVELOPED</p>	
<p>31. Improve the way we communicate with the public, partners and other stakeholders in order to explain what the Council is doing and why</p>	<ul style="list-style-type: none"> Improve the percentage of customers who say they feel well-informed year on year 	<ul style="list-style-type: none"> Ensure that 70% of our customers when asked feel well informed about the Council 	<ul style="list-style-type: none"> Ensure that 72% of our customers when asked feel well informed about the Council 	<ul style="list-style-type: none"> Ensure that 66% of our customers when asked feel well informed about the Council Possible increase in the number of Cherwell Links produced Take steps to enhance reader ship of Cherwell Link 	<ul style="list-style-type: none"> Ensure that 69% of our customers when asked feel well informed about the Council

<p>32. Listen to your views and comments, however you want to make them</p>	<ul style="list-style-type: none"> • Provide a choice of two-way communication channels: electronic, in person, in writing and over the telephone 	<ul style="list-style-type: none"> • Increase the proportion of customer interactions that are handled online to 14% 	<ul style="list-style-type: none"> • We will increase the percentage of transactions completed electronically to 50% 	<ul style="list-style-type: none"> • Ensure 100 of our services are available at time convenient to customers (online 24/7), with the ability to book and pay with no need to contact the council further. • Extend opportunities for customers to feed back their experiences of our services. • Ensure we use customer information to develop and improve our services. • Make our annual satisfaction survey available to all residents by developing an online version. 	
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Unavoidable Growth 2010/11

- 1.1 The budget guidelines agreed by the Executive in October 2009 indicated that there should be **NO GROWTH** unless funding has been identified to fund.
- 1.2 However, the following growth items have been included within this first draft of the budget. They represent items of unavoidable growth.

CONCESSIONARY FARES	
Reduction in Special Grant Arrangements for 2010/11	
Directorate:	Environment & Community
Service:	Safer Communities & Community Development
Detail :	We were informed on 4/11/09 that the Special grant award for 2010/11 has been cut by £150K, from £450K to £300K. The Council will be appealing against this decision; however we need to incorporate the reduction in grant into the base budget for 2010/11.

ELECTIONS	
Re-instatement of Budget to fund the operational activities for the General Election in 2010/11	
Directorate:	Customer Services & Resources
Service:	Legal & Democratic Services
Detail :	Funding is required within the Council's 2010/11 Budget to the value of £54K. As there were no district elections in 2009/10 this amount was omitted in error from the MTFS forecast.

SPORTS CENTRE MANAGEMENT FEE	
Increase in Unitary Charge 2010/11	
Directorate:	Environment & Community
Service:	Health & Recreation
Detail :	There is an increase in the unitary charge (Management Fee) payable to Cherwell Leisure Ltd as all Sports Centres reach full service provision. This equates to an increase in the revenue budget of £174K. This increase was built into our MTFS as part of the sports centre modernisation affordability analysis but is a growth on 2009/10.

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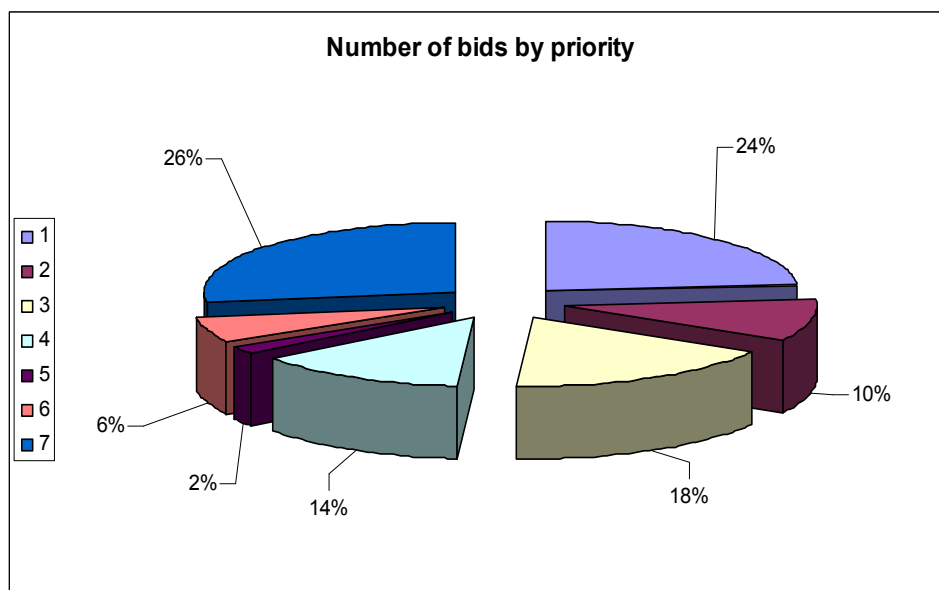
Draft Capital Programme 2010/11

CAPITAL PROGRAMME AND FINANCING STATEMENT-SUMMARY

	Scheme Cost £	10/11 Profile £
Proposed Capital Schemes for consideration in 2010/2011 Budget	£9,732,934	£6,667,750
Bicester Town Centre Project	£10,000,000	£5,000,000
Detailed in Appendix 4a	£19,732,934	£11,667,750
Approved Programme -Slippage from 2009/10	£2,281,000	£2,281,000
Total Capital Programme	£22,013,934	£13,948,750
Proposed Financing:		
Capital Receipts	£15,606,934	£9,541,750
Government Grants	£1,875,000	£375,000
Direct Revenue Financing/Use of Reserves	£4,532,000	£4,032,000
	£22,013,934	£13,948,750

1.1 A total of 51 bids have been received and are analysed according to consultation priority below:

Priority	No. of bids
1	12
2	5
3	9
4	7
5	1
7	3
NC	14
	51



1.2 The draft capital proposals to date for 2009/10 are shown in Appendix 3a these bids totalling £19,732,934 still need to be considered in the context that they must meet with the Council's priorities. Each scheme is supported by an appraisal and these have been scored according to priority by the Capital Investment Delivery Group.

1.3 The Capital Strategy for 2010/11 has a direct impact on the Treasury management revenue budget in terms of the opportunity cost of reduced cash

balances from the use of capital receipts and reserves. Decisions on the future capital programme will need to take into account the overall priorities and affordability in revenue as well as capital terms. A review of the capital bids, financing and impact on cashflow and investment income will be considered for the next draft of this budget.

- 1.4 The Capital programme review is still ongoing and therefore a revision to the Capital programme will be included for consideration in the January and February 2010 budget reports.

Further Document Information

Appendix No	Title
Appendix 4a	New Capital Bid Proposals

Capital Bids 2010/11 by Score

Consultation				Capital	Total	Estimated	Estimated	Revenue
Priority	Capital Scheme	Service Head	Directorate	Bid Score	Capital Cost	Capital Cost	Cost for	Costs /
					£s	2010/11 £s	(Savings) £s	
NC	APACS module for PARIS	Pat Simpson	CSICT	48	20,000	20,000		
NC	Asset Register	Karen Curtin	Finance	48	15,000	15,000		
NC	Encrypted USB keys	Pat Simpson	CSICT	48	17,400	17,400		
NC	Gov Connect 4.1	Pat Simpson	CSICT	48	25,000	25,000		
NC	Microsoft Licensing Agreement	Pat Simpson	CSICT	48	220,184	0		
1	Mandatory Disabled Facilities Grants (DFG's)	Gillian Greaves	Housing	48	575,000	575,000		
1	Equity Loans Scheme	Gillian Greaves	Housing	35	600,000	600,000		
1	In Cab Technology	Ed Potter	Env. Services	35	38,000	38,000		
2	Bicester Town Centre Redevelopment	David Marriott	Economic Development	33	10,000,000	5,000,000		
1	Banbury Foyer & Banbury Youth Hub	Gillian Greaves	Housing	33	169,000	169,000		
1	Purchase of Temporary Accommodation Bryan House Bicester & Edward Street Banbury	Gillian Greaves	Housing	31	660,000	660,000		
1	Wheeled Bin Replacement	Ed Potter	Env. Services	31	900,000	0		
NC	PC Replacement - Extended Use of Thin Clients	Pat Simpson	CSICT	30	150,000	150,000		
1	Funding for Mollington & Hornton Rural Exception Sites	Gillian Greaves	Housing	30	120,000	120,000		
1	Acquisitions of properties in rural areas	Gillian Greaves	Housing	29	750,000	750,000		
1	Discretionary Housing Grants	Gillian Greaves	Housing	28	325,000	325,000		
1	Vehicle Replacement Plan	Ed Potter	Env. Services	28	2,344,000	421,000		
4	Spiceball Temporary Car Park	Chris Rothwell	Urban & Rural	27	60,000	60,000		(57,000)
1	Fleet Management System	Ed Potter	Env. Services	27	28,000	28,000		
4	Car Park Refurbishments	Chris Rothwell	Urban & Rural	26	30,000	25,000		
3	Dryside Refurbishment - Woodgreen Leisure Centre	Paul Marston Weston	Health & Recreation	26	176,000	176,000		(22,200)
4	Units 1-7 Thorpe Way Repairs	David Marriott	Economic Development	25	15,000	15,000		(2,000)
1	On Street Recycling Bins	Ed Potter	Env. Services	25	35,000	18,000		
3	Willy Freund Youth and Community Centre Phase 2 Works	Paul Marston-Weston	Health & Recreation	24	34,400	34,400		
3	Community Centre Refurbishment Funding	Grahame Helm	SCCD	22	20,000	20,000		
3	Community Hall Rec / Sports Grant Scheme	Paul Marston Weston	Health & Recreation	22	95,000	95,000		
NC	Remote Site Connectivity Solution	Pat Simpson	CSICT	21	15,000	15,000		
NC	Windows 7	Pat Simpson	CSICT	21	50,000	50,000		
2	Bicester Town Centre Redevelopment - Consultancy	David Marriott	Economic Development	21	40,000	40,000		
NC	Highfield Depot Repairs	Anne-Marie Scott	HR	19	15,000	15,000		
4	Historic Building & Conservation Area Improvement Grants	Philip Clarke	Planning	19	100,000	100,000		
4	Improvements to Off Road Parking Areas in Retained Areas	Chris Rothwell	Urban & Rural	19	60,000	60,000		
3	Community Centre Refurbishment Funding - Grimsbury Drainage	Grahame Helm	SCCD	19	60,000	60,000		
2	Bicester Pedestrianisation	David Marriott	Economic Development	19	225,000	225,000		
2	Kidlington Pedestrianisation	David Marriott	Economic Development	19	25,000	25,000		
3	South West Bicester Sports Village	Paul Marston Weston	Health & Recreation	18	1,330,000	1,330,000		
4	Vehicles parks Upgrades to enforcement technology	Chris Rothwell	Urban & Rural	17	30,000	30,000		
2	Fees for Future Regeneration Schemes	David Marriott	Economic Development	17	50,000	50,000		
3	Football Development Plan in Banbury	Paul Marston Weston	Health & Recreation	16	70,000	70,000		

Consultation		Service Head	Directorate	Capital Bid Score	Total	Estimated	Estimated	Revenue
Priority	Capital Scheme				Capital Cost	Cost for	Costs /	
					£s	2010/11 £s	(Savings) £s	
7	District Wide Street Scene Improvements	Chris Rothwell	Urban & Rural	15	25,000	25,000		
4	Access Project - Circular Walks	Chris Rothwell	Urban & Rural	15	25,000	25,000		
3	Disc Staging Area	Pat Simpson	CSICT	15	20,000	20,000		
NC	Corporate Scanning	Pat Simpson	CSICT	14	32,000	32,000		
NC	Lagan Mobile Working Virtual Office Solution	Pat Simpson	CSICT	14	25,000	25,000		
NC	Local Land & Property Gazetteer Integration through GMS	Pat Simpson	CSICT	14	12,000	12,000		
NC	Virtual Gov Assistant	Pat Simpson	CSICT	13	13,950	13,950		
5	Uniform Mobile Working Solution	Grahame Helm	SCCD	13	15,000	15,000		
7	Additional Taxi Rank Spaces	Chris Rothwell	Urban & Rural	12	11,000	11,000		
7	Additional Pedestrianisation Signage for Banbury & Bicester	Chris Rothwell	Urban & Rural	11	12,000	12,000		
3	Athletics Track Refurbishment - North Oxfordshire Academy	Paul Marston Weston	Health & Recreation	11	30,000	30,000		
NC	Gov Metric	Pat Simpson	CSICT	10	20,000	20,000		
NC = this service was not consulted on as part of the public consultation exercise					GRAND TOTAL	19,732,934	11,667,750	(81,200)

Executive

Approval for Funding of Land at Claypits, London Road, Bicester

7 December 2009

Report of Head of Housing Services

PURPOSE OF REPORT

To seek approval for expenditure of £187,250 grant funding from the Capital Reserves for Affordable Housing towards the land for affordable housing at Claypits, Bicester.

This report is public

Recommendations

The Executive is recommended:

- (1) To approve a supplementary capital estimate of £187,250 to secure nomination rights to four affordable housing units at Claypits, London Road, Bicester.

Executive Summary

Introduction

- 1.1 The Claypits housing scheme includes plans for a new care home, twenty units of ExtraCare housing with Bedfordshire Pilgrims Housing Association and a forty unit market housing scheme that has received a planning agreement. It has been agreed that the County Council will provide four units of general needs affordable housing as part of the market housing section of the site subject to social housing grant being secured. The planning agreement has provided for affordable housing via the ExtraCare housing units which count towards the Council's affordable housing targets. Confirmation of funding is being secured to both enable delivery of the four units of affordable housing and to enable the completion of the development of the site.
- 1.2 Executive approved the expenditure for the Claypits scheme in May 2006 but delays with the land transfer has meant this allocated funding has not been spent to date. This report is to re-refer this matter to Executive and if approved reinstate the planned expenditure into the

Capital budget.

- 1.3 Payment of this housing grant to Oxfordshire County Council (“the County Council”) in return for nomination rights to four general needs housing units was agreed in principle in 2006, but the County Council is now seeking formal commitment from the Council that as part of the land transfer, this money will be paid.
- 1.4 To date work on the scheme has proceeded on the basis that the two Councils trust that the land transactions will proceed as previously agreed.
- 1.5 Requests for capital expenditure are normally made as part the annual capital bidding process. However, the need to ensure flexibility and provide leadership in uncertain flexible times often demands a quicker response so that affordable housing development opportunities are maximised.

Proposals

- 1.6 It is proposed payment of £187,250 originally agreed in May 2006 to Oxfordshire County Council to secure delivery of the affordable housing units is confirmed.
- 1.7 In return for the above payment, four units are secured through the planning agreement as affordable housing, for which the Council will have full nomination rights. These units are additional to the Council’s normal policy requirement and the payment is required to offset the reduction in the land value through provision of affordable rather than market housing.

Conclusion

- 1.8 Commitment to this payment will allow the transfer of land to go ahead and development to commence. The four affordable housing units provided will contribute towards the Council meeting its future targets for affordable housing – targets that have been placed at risk during difficult economic times.

Background Information

- 2.1 The Claypits site (see Appendix A) comprises a former County Council highways depot, an allotment site owned by the Council and previously leased to the Town Council, and some surplus Council land. When investigating the potential for their surplus land, the County Council discovered that it was contaminated, and this contamination extended to Cherwell's surplus land and the allotments. As a result the allotments were taken out of use pending the remediation of the contamination.
- 2.2 It has taken some years to deal with this site, as it was necessary to secure an access from Miller Homes, a drainage outfall into the new development to the south, and to agree how to deal with the contamination. Some time ago it was agreed that the Council would transfer its surplus land, as shown hatched as Appendix A, to the County Council so that it may use part of the site for a new care home and (contributory to the Council's affordable housing targets) twenty ExtraCare housing units.
- 2.3 The County Council is responsible for dealing with the contamination, including remediating the allotments, and this work is largely completed – after which the allotment site will be re-let to the Town Council. Part of the site is to be offered for sale by the County Council on the open market, having planning consent for forty units. It has been agreed that the County Council will arrange for four affordable housing units to be included on this part of the site, subject to the housing grant being provided by the Council. The remainder of the site is being considered for a market housing scheme which would include the four units of affordable housing for which funding is being sought.
- 2.4 Council approval of funding is necessary to ensure not only the delivery of affordable housing units in Bicester, but also the completion of the development of the site. The scheme has financed the treatment of contamination on the Council's land, part of which was previously used as allotments, and is to be returned to the Town Council so that that use can resume. The Council will generate a capital receipt of £50,000 from the sale of its surplus land, plus an additional payment in the event that the costs of remediating the Council's land prove to be less than an agreed sum. Meanwhile all the Council's land, including the allotments, has been remediated at no cost to the Council. It has been agreed that affordable units should be included in the land to be sold, subject to grant being provided by the Council. A higher ratio was not required due to the fact the twenty ExtraCare units are regarded as social housing.
- 2.5 The funding was agreed by Executive previously in May 2006, but was removed from the capital programme due to delays in the project delivery. However work is now proceeding and it is necessary to complete the agreed land transactions with the County Council. This requires confirmation of the Council's commitment to pay the agreed

social housing grant.

- 2.6 The scheme was granted planning permission in August 2006 (planning application 06/01166/F).

Key Issues for Consideration/Reasons for Decision and Options

- 3.1 Payment of this money has been agreed previously with Oxfordshire County Council. Not to fund these units would mean the Council would need to renegotiate the terms agreed for the transaction with the County Council and vary the planning agreement. This would mean a loss of the four affordable housing units.
- 3.2 The delivery of affordable housing remains a corporate priority and these four units will help the Council meet its targets for affordable housing in difficult economic times.

The following options have been identified. The approach in the recommendations is believed to be the best way forward

- Option One** To agree to reinstate the approval of grant funding of £187,250 for this scheme.
- Option Two** To not approve funding for the scheme with the understanding that the terms of the transaction and the planning agreement will need to be varied and the affordable housing units are not provided.

Consultations

- None** External consultation is not required. It is within the Council's corporate priorities to provide affordable housing in the District.

Implications

- Financial:** This payment will result in capital expenditure of £187,250 from the Council's earmarked reserves for capital expenditure on affordable housing.
Comments checked by Eric Meadows, Service Accountant for Planning, Housing and Economy 01295 221552.
- Legal:** Commitment to fund this is necessary before the land transfer can be completed in its present form.

Comments checked by Liz Howlett, Head of Legal and Democratic Services 01295 221686.

Risk Management: This payment will not be made until the land is transferred to a Registered Social Landlord for the development of affordable housing. Nomination rights to the Housing will be secured through the Council's standard nomination agreement.

Comments checked by Rosemary Watts, Risk Management and Insurance Officer 01295 221566.

Wards Affected

Bicester South

Corporate Plan Themes

Strategic Priority 1 – Cherwell: A District of Opportunity includes the aim of securing more housing through an appropriate mix of market and affordable housing.

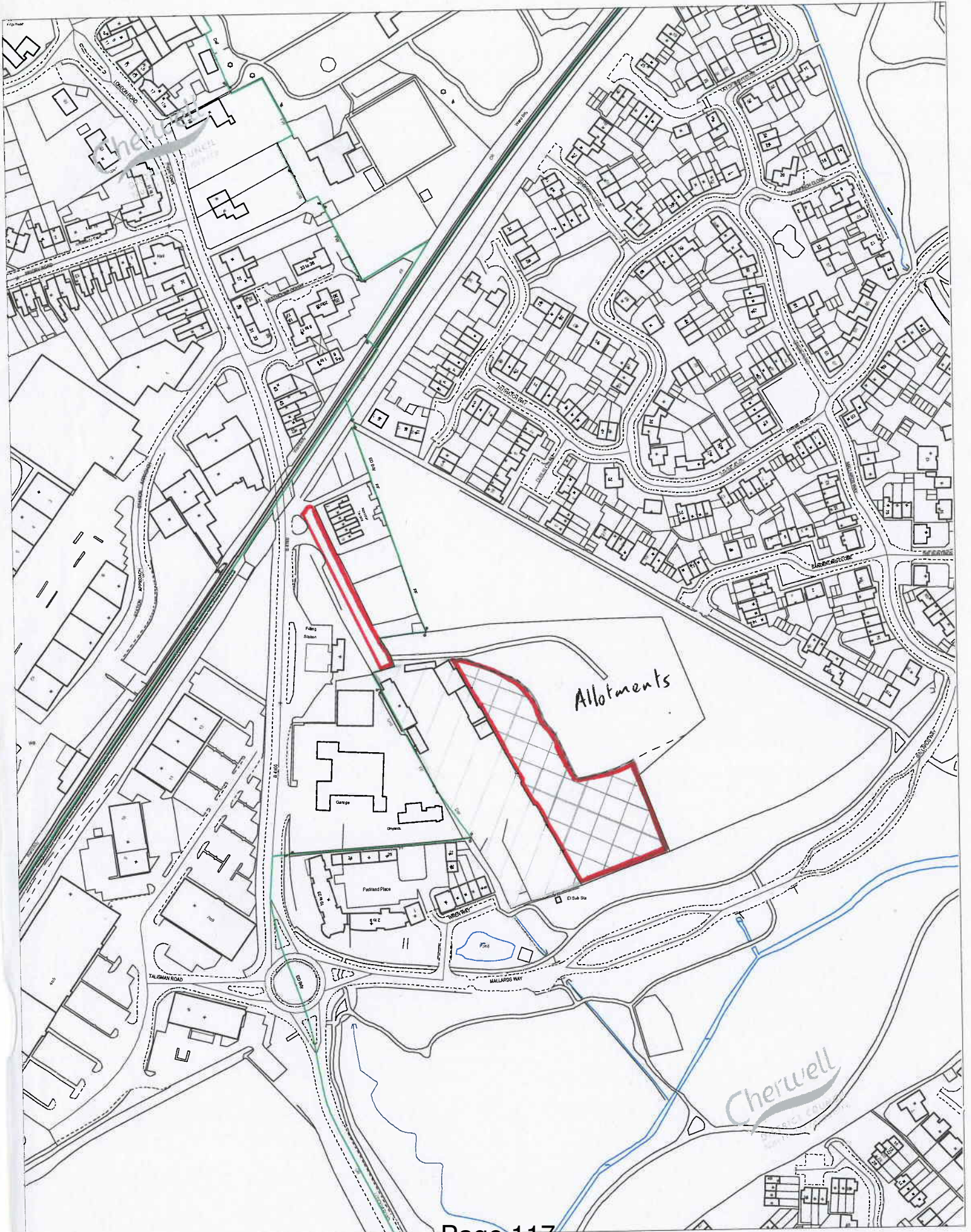
Executive Portfolio

Councillor Michael Gibbard
Portfolio Holder for Planning and Housing

Document Information

Appendix No	Title
None	N/A
Background Papers	
Executive Report of the 15 May 2006 National Affordable Housing Programme for 2006/07 – 2007/08	
Report Author	Fiona Brown, Strategic Housing Officer
Contact Information	01295 221659 Fiona.brown@cherwell-dc.gov.uk

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Executive

Authorisation of Supplementary Revenue Estimate

7 December 2009

Report of the Head of Development Control and Major Developments

PURPOSE OF REPORT

To recommend authorisation of a budget for payment of compensation via a Supplementary Revenue Estimate to be funded from Development Control and Major Developments Reserve.

This report is public

Recommendations

The Executive is recommended:

- (1) To note the attached report to the Planning Committee and the committee resolution to pay Mr Whithead and Ms Simons of the Marlborough Arms, Gatteridge Street Banbury £11,274.35 compensation for losses arising from the Council's maladministration.
- (2) To approve a Supplementary Revenue Estimate of £11,274.35 to be funded from Development Control and Major Developments reserve.

Executive Summary

Introduction

The Planning Committee has agreed to pay £11,274.35 compensation to Mr Whithead and Ms Simons of the Marlborough Arms, Gatteridge Street, Banbury for losses arising from the Council's maladministration.

There is currently no financial provision for the proposed compensation and therefore budgets need to be made available to allow this payment to be made.

Proposal

It is proposed to fund the compensation from the Development Control Reserve via a Supplementary Revenue Estimate.

Conclusion

So that budget is made available to pay the compensation a Supplementary Revenue Estimate should be put in place.

Background Information

See attached Report of Head Legal and Democratic Services and Head of Development Control and Major Developments dated 19 November 2009

Minute 118 of Planning Committee Meeting held on 19 November 2009

Implications

Financial: There is no financial provision for the proposed compensation and therefore it will have to be funded from the Development Control Reserve via a Supplementary Revenue Estimate.

Comments checked by Eric Meadows, Service Accountant, PH&E 01295 221552

Legal: As the Planning Committee has accepted that the Council is guilty of maladministration and has agreed to pay the complainants compensation, funds need to be made available to pay the agreed amount to the complainants.

Comments checked by Sue Watts, Legal Assistant 01295 221689

Risk Management: The Ombudsman has found the Council guilty of maladministration and this has been accepted by the planning committee. In the circumstances failure to pay compensation in respect of the complainants' costs arising directly from the Council's errors would have a damaging affect on the Council's reputation. The Ombudsman would proceed to write a full report recommending payment of compensation at a level he considers appropriate. Again the Council do not have to follow the Ombudsman's recommendation but it would damage the Council's reputation if it failed to do so.

Comments checked by Rosemary Watts, Risk Management and Insurance Manager 01295 221566

Wards Affected

All

Executive Portfolio

Councillor Michael Gibbard
Portfolio Holder for Planning and Housing

Document Information

Appendix No	Title
Appendix 1	Report of Head Legal and Democratic Services and Head of Development Control and Major Developments dated 19 November 2009
Appendix 2	Minute 118 of Planning Committee Meeting held on 19 November 2009
Background Papers	
Letter from Local Government Ombudsman	
Report Author	Jameson Bridgwater
Contact Information	01295 221810 jameson.bridgwater@Cherwell-dc.gov.uk

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Planning Committee

Report upon Complaint to the Local Government Ombudsman

19 November 2009

Report of Head of Legal and Democratic Services and Head of Development Control and Major Developments

PURPOSE OF REPORT

To notify members of the details of a complaint to the Local Government Ombudsman arising from the Council's maladministration and recommend payment of compensation.

This report is public

Recommendations

The meeting is recommended:

- (1) To agree that £11,274.35 compensation be paid to the complainants.
- (2) To note that the Head of Development Control and Major Developments will write to the complainants apologising for the Council's error and the stress and inconvenience caused.
- (3) To recommend the Executive make budgets available to support the action as set out above via a Supplementary Revenue Estimate of £11,274.35 to be funded from Development Control Reserve.

Executive Summary

Introduction

- 1.1 The Local Government Ombudsman has investigated a complaint by Mr A Webster on behalf of complainants Mr Whitehead and Ms Simons of the Marlborough Arms, Gatteridge Street, Banbury. The complainants consider that they and their agents were misled by the Council about the need for conservation area consent for the demolition of the Marlborough Arms once the conservation area had

been extended to include that location. They were led to believe that conservation area consent for demolition was not required and proceeded on that basis.

- 1.2 The complainants advised the Ombudsman that that they incurred estimated losses of some £77,444.35 wholly attributable to failings by Cherwell District Council arising from the aborted sale of the pub and purchase of a new home, and that they also considered that the Council should compensate them for the loss of value of the public house of £325,000, (being the difference between its value at the time of the abortive sale in 2007 when contracts were exchanged for £500,000 to its current value of £175,000).
- 1.3 Officers have considered the allegations and agree that an error has been made, but consider that the Council can only be held liable for losses incurred by the complainants which are directly attributable to the error. The remaining losses are attributable to the developer who withdrew from the purchase of the property.
- 1.4 In the circumstances officers have accepted maladministration and made an offer (subject to agreement by the Planning Committee) to pay £11,274.35 compensation to the complainants. This has been notified to the Ombudsman who considers that payment of this amount would provide a satisfactory settlement of the complaint.

Proposals

- 1.5 Officers are proposing that the Council pay the complainants £11,274.35. This is made up of £8,774.35 in reimbursement of the complainants' costs incurred in relation to the reserved matters planning fee, barrister's opinion and architect's fees, together with £2,500.00 for the stress and inconvenience caused.

Conclusion

- 1.6 Officers were incorrect in their opinion that conservation area consent was not required for demolition of the Marlborough Arms following its inclusion in the extended conservation area and should have required an application for conservation area consent.
- 1.7 Following investigation into the complaint the Ombudsman agreed that the Council could only be held liable for the complainants' costs which flowed directly from the Council's officers' mistake.
- 1.8 The developer's breach of contract superseded the Council's officers' mistake and therefore they should be held responsible in law for all the remaining losses.

- 1.9 In reviewing the case the following outcomes have been identified;
- Officers of the Council should not alter, amend or complete the planning application forms on behalf of the applicant. It is the applicant's responsibility to complete the forms, whilst officers can still advise it is not appropriate for officers to fill in the forms for the applicant or agent. If a customer has special needs with regard to the planning process then they can be directed to Planning Aid.
 - When determining the extent of a permission the written description of the development should not be relied upon. Reference should always be made to the terms of the application and the related plan numbers. If there is any doubt over the development description, suitable planning conditions may be applied.
 - The Council reviewed its report format and signing off arrangements prior to the ombudsman case and as such the existing arrangements are robust and consist of one view from the Local Planning Authority. The report format for delegated applications is consistent with Planning Committee reports.

Due to the nature of planning and the timescales involved similar decisions have to be taken by planning officers on a daily basis and it is highly unusual for the advice given to be incorrect. It is not practical or cost effective to seek legal advice on every occasion. This is only sought when a complex matter of law has been identified.

Background Information

- 2.1 Outline planning permission 02/02504/OUT was granted in October 2002 for development described as "Demolition of public house and erection of 13 No flats and car parking provisions". This permission reserved all matters for approval at a later date. The development could not be commenced until these reserved matters were approved.
- 2.2 The report to North Area Planning Committee written at the time stated that as the building was not listed and was outside the conservation area the Council had little or no control over its demolition.
- 2.3 Planning Application 05/00777/OUT for variation of condition 2 of outline permission 02/02504/OUT to allow an extension of time for a reserved matters application to be received was withdrawn.
- 2.4 On 6 October 2006 a Planning Application was received initially for "Renewal of 02/02504/OUT Demolition of Public House and erection of 13 No flats and car parking provisions". However the deadline for submitting a reserved matters application under Planning Permission 02/02504/OUT was 7 October 2006. Given the fact that the detail of

the submission was consistent with that of a reserved matters application, it was considered by planning staff that it made much more sense for the application to be dealt with as a reserved matters application, particularly as it had been submitted within the relevant timescales. As a result a technical member of staff within the planning registration team, following advice from planning officers, and as far as can be recalled, following a telephone conversation with the applicant's agent, altered the application form and registered the application as Reserved Matters Application 06/01980/REM.

- 2.5 Officers were mindful that outline planning permission had been granted before the designation of the extended Conservation Area in 2004 which brought the site into the Conservation Area and therefore formed the opinion that a related reserved matters application did not require conservation area consent.
- 2.6 Reserved Matters Application 06/01980/REM was granted in January 2007. In his assessment of the application the Area Planning Officer stated that "The fact that since the original grant of consent the area has been designated a conservation area does not change the fact that the 2003 consent remains valid and can be implemented".
- 2.7 On 20 September 2007 the complainants exchanged contracts with a developer for the sale of the Marlborough Arms, with completion scheduled to take place on 21 January 2008.
- 2.8 On 30 October 2007 the Head of Development Control and Major Developments received a letter from Anthony Rickett Architects Ltd, acting for the developer, asking for confirmation that the Marlborough Arms could be demolished without conservation area consent.
- 2.9 As a result the Head of Development Control and Major Developments sought advice for Council's Legal Services Department who advised that conservation area consent was required. Anthony Rickett Architects Ltd were advised in writing of the Council's revised position.
- 2.10 On 15 February 2008 Conservation Area Consent Application 07//02544/CAC was received by the Council. Permission was subsequently refused and an appeal dismissed.
- 2.11 The developer defaulted on the completion of their purchase of the Marlborough Arms. The complainants served a notice to complete but this was not complied with.
- 2.12 The complainants' solicitors advised them that the developer was in breach of contract but advised against pursuing them for costs as the company had little or no assets.
- 2.13 The complainants then sought to recover their losses from the Council through a complaint to the Local Government Ombudsman.

Key Issues for Consideration/Reasons for Decision and Options

- 3.1 Officers have concluded that the Council is guilty of maladministration in this instance and consider that the Council should pay compensation to the complainants of £11,274.35
- 3.2 The Local Government Ombudsman considers payment of the proposed compensation of £11,274.35 to be reasonable.

The following options have been identified. The approach in the recommendations is believed to be the best way forward

Option One Pay £11,274.35 compensation to the complainants.

Option Two Refuse to pay compensation, which would result in the Ombudsman producing a full report with the associated adverse publicity for the Council.

Implications

Financial: There is no financial provision for the proposed compensation and therefore it will have to be funded from the Development Control Reserve via a Supplementary Revenue Estimate.

Comments checked by Eric Meadows, Service Accountant, PH&E 01295 221552

Risk Management: The Ombudsman has found the Council guilty of maladministration and this has been accepted by officers. In the circumstances failure to pay compensation in respect of the complainants' costs arising directly from the Council's errors would have a damaging affect on the Council's reputation. The Ombudsman would proceed to write a full report recommending payment of compensation at a level he considers appropriate. Again the Council do not have to follow the Ombudsman's recommendation but it would damage the Council's reputation if it failed to do so.

Comments checked by Rosemary Watts, Risk Management and Insurance Manager 01295 221566

Wards Affected

Banbury: Grimsbury & Castle

Document Information

Report Author	Sue Watts, Legal Assistant
Contact Information	01295 221689 sue.watts@Cherwell-dc.gov.uk

EXTRACT FROM THE MINUTES OF THE PLANNING COMMITTEE –
19 NOVEMBER 2009

118. The Committee considered a report of the Head of Legal and Democratic Services and Head of Development Control and Major Developments which notified Members of the details of a complaint to the Local Government Ombudsman arising from the Council's maladministration and recommended payment of compensation.

Resolved

- 1) That £11,274.35 compensation be paid to the complainants.
- 2) That it be noted that the Head of Development Control and Major Developments will write to the complainants apologising for the Council's error and the stress and inconvenience caused.
- 3) That the Executive be recommended to make budgets available to support the action as set out above via a Supplementary Revenue Estimate of £11,274.35 to be funded from Development Control Reserve.

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