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Cherwell District Council

Executive

Minutes of a meeting of the Executive held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 5 July 2010 at 6.30 pm

Present: Councillor Barry Wood (Chairman)
Councillor G A Reynolds (Vice-Chairman)
Councillor Ken Atack
Councillor Norman Bolster
Councillor Colin Clarke
Councillor Michael Gibbard
Councillor James Macnamara
Councillor Nigel Morris
Councillor Nicholas Turner

Also Present: Councillor Mrs Catherine Fulljames

Apologies for absence: 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
Martin Henry, Chief Finance Officer / Section 151 Officer
David Marriott, Head of Regeneration & Estates
Gillian Greaves, Head of Housing Services
James Doble, Democratic, Scrutiny and Elections Manager
Nigel Bell, Solicitor

21 **Declarations of Interest**

Members declared interests in the following agenda items:

6. Bicester Town Centre development - compulsory purchase proposals.

Councillor Barry Wood, Personal, as persons known to him have a land interest in the area of, but outside the proposed eco-town..

Councillor G A Reynolds, Personal, as a County Councillor due to the County Council holding a land interest at Gowells Farm.

Councillor Michael Gibbard, Personal, as a County Councillor due to the County Council holding a land interest at Gowells Farm.

Councillor Nicholas Turner, Personal, as a County Councillor due to the County Council holding a land interest at Gowells Farm.

Councillor Norman Bolster, Personal, as a County Councillor due to the County Council holding a land interest at Gowells Farm.

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

There were no petitions or requests to address the meeting.

23 **Urgent Business**

There were no items of urgent business.

24 **Minutes**

The minutes of the meeting held on 7 June 2010 were agreed as a correct record and signed by the Chairman.

25 **Bicester Town Centre development - compulsory purchase proposals**

The Head of Regeneration and Estates, Head of Legal and Democratic Services and Head of Development Control and Major Developments submitted a joint report:

- To advise the Executive of the possible need to use compulsory purchase powers to secure the necessary land and rights to complete the Bicester town centre redevelopment.
- To seek Executive approval to the recommendation to Council to the use of compulsory purchase powers to facilitate the implementation of the redevelopment as proposed by Town Centre Retail (Bicester) Ltd in planning permission 07/00422/F, as amended in relation to the central part of the redevelopment site by planning permission 09/01687/F, to assemble the land interests required for the redevelopment, such land interests being shown for indicative purposes only edged red and, in the case of new rights, hatched blue on the plan at annex one to the minutes (as set out in the minute book).
- To approve the appropriation of the land edged red on the plan at Annex two, to the minutes (as set out in the minute book) being land in the Council's ownership, for planning purposes.
- To approve the acquisition of the existing service yard to the Crown Walk shopping centre shown edged green on the plan at Appendix Three for planning purposes so that, if necessary, the powers in section 237 of the Town and Country Planning Act 1990 may be relied upon to override legal interests which might impede the implementation of the redevelopment.

Resolved

That Council be recommended to approve the following:

- (1) To confirm that Council is minded to make a compulsory purchase order in respect of:
 - (a) the land shown edged red on the plan attached at Appendix One under Section 226(1)(a) of the Town and Country Planning Act 1990 (as amended) because it thinks that the acquisition will facilitate the carrying out of the redevelopment, and the redevelopment is likely to contribute to the promotion or improvement of the economic, social and environmental well-being of Bicester and the surrounding district; and
 - (b) new rights in relation to the land shown hatched red and blue on the same plan as are required to facilitate the redevelopment under Section 13 of the Local Government Act (Miscellaneous Provisions) Act 1976.
- (2) To authorise the Head of Legal and Democratic Services to take all necessary steps as considered appropriate to secure the making of a compulsory purchase order including the publication and service of all relevant notices.
- (3) To authorise the Head of Regeneration and Estates to approve the terms for the acquisition of legal interests by agreement including for the purposes of resolving any objections to the compulsory purchase order.
- (4) To confirm the appropriation of the land edged blue on the plan attached at Appendix Two for planning purposes as described in section 226 and 246 of the Town and Country Planning Act 1990 (as amended) on the commencement of Phase 2 of the redevelopment scheme (i.e. following the initial highway and other enabling works within Phase 1) in accordance with Section 122 of the Local Government Act 1972.
- (5) To authorise the acquisition of the land edged green on the plan attached at Appendix Three for planning purposes in accordance with section 227 of the Town and Country Planning Act 1990 (as amended).

Reasons

The proposed redevelopment of Bicester town centre will improve the range of facilities available. It will provide better shopping, leisure and car parking facilities. Over the last 15 years or so, Bicester has experienced very substantial population growth, but this has not been matched by any growth in town centre facilities. There is a significant unsatisfied demand for additional retail space, and in particular an additional foodstore. Applications have been received to provide this on the edge of the town, but these have been refused as the opportunity exists to locate the required facilities in the town centre. In addition, Bicester is poorly served with leisure facilities, and in particular has

no cinema. Since 2005 the Council has been working to secure a town centre redevelopment scheme which will address these deficiencies.

The development is one of the key priorities for the Council and complements the development of the eco-town on the edge of Bicester. The development of the eco-town will reinforce the need for a town centre with a scale and range of facilities to match the enlarged area of the town and ensuring that the needs of that population are better met locally without the need for car-borne travel.

Given that there are a number of land interests still to be acquired, it is appropriate that the Council should signal its resolve to make a compulsory purchase order to facilitate the redevelopment. This is consistent with the advice of the Secretary of State, which gives positive encouragement to local authorities to use their compulsory purchase powers to ensure real gain for residents and the business community without delay.

It is expedient to appropriate land in the Council's ownership and to acquire the Crown Walk service yard (both for planning purposes) in order to rely upon the power in Section 237 of the 1990 Act to override existing interests and rights.

Options

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| Option One | To recommend that Council agree, in principle, to use its compulsory purchase powers to facilitate this redevelopment |
| Option Two | To delay a decision on compulsory purchase in the hope that negotiations will progress and agreement can be reached |

Horton General Hospital

The Strategic Director Environment & Community submitted a report to consider the outcome of the Better Healthcare Programme, the decisions of the Oxfordshire Primary Care Trust and Oxford Radcliffe Hospitals Trust, plus the future of the Community Partnership Forum.

Resolved

- (1) That the outcome of the process in clarifying and confirming the future of paediatric, anaesthetic and obstetric services at the Horton General Hospital be endorsed.
- (2) That the Oxfordshire Primary Care Trust and the Oxford Radcliffe Hospitals Trust be congratulated in developing sustainable service proposals for the future.
- (3) That the Oxfordshire Primary Care Trust and the Oxford Radcliffe Hospitals Trust be encouraged to continue to investigate further ideas

to improve services at the Horton General Hospital and the way the hospital works with the providers of healthcare.

- (4) That the Council continue to support the work of the Community Partnership Forum during the critical implementation phase.
- (5) That the Oxfordshire Primary Care Trust and Oxford Radcliffe Hospitals Trust be urged to build on the successful Community Partnership Forum model as a means of ongoing community engagement for local healthcare provision.

Reasons

The services provided at the Horton General Hospital (HGH) have been under some threat for many years. The latest proposals to downgrade paediatric and obstetric services have been the subject of Secretary of State intervention and have for the last two years been the subject of review in order to find alternative service models.

27

Brighter Futures in Banbury

The Strategic Director, Environment & Community submitted a report to consider the progress to date with the Brighter Futures in Banbury programme and proposals for future activity.

Resolved

- (1) That the good progress made to date be noted.
- (2) That the strong leadership role being given by this Council for the Brighter Futures in Banbury programme be endorsed.
- (3) That a further report on the implications of the funding cut to Local Area Agreement 1 Grant be received.
- (4) That it be agreed that mainstream services should be aligned to those in greatest need to support the programme.
- (5) That further reports on the outcomes achieved be received as appropriate.

Reasons

The Brighter Futures in Banbury programme is one of the Council's main priorities as reflected in its Corporate Plan from 2010/11. It is also an Oxfordshire priority. Much preparatory work has already been completed and the programme is soon to move into its engagement and implementation phases.

Options

Option One The Council can choose to not lead or participate in the Brighter Futures in Banbury programme.

- Option Two** The Council can participate but let others lead.
- Option Three** The Council can take a strong leadership role as is proposed in this report.

28

Miller Road Youth Self Build Housing Scheme

The Head of Housing Services submitted a report to seek approval to the commitment and allocation of those monies towards the costs of the works, a structured training programme run in tandem, and the provision of life skills coaching/mentoring, all in accordance with the funding bid for an innovative youth self build affordable housing scheme which has received a Reward Grant from the Oxfordshire Public Services Board.

The Executive noted the revised exempt appendix to the report and additional recommendation 5a that was tabled at the meeting.

Resolved

- (1) That the securing of £324,000 Reward Grant funding specifically for the scheme and the receipt of the first tranche of that funding in the sum of £224,000 be noted.
- (2) That a Supplementary Capital Estimate of £238,936 grant to Sanctuary Housing Association in order for them to meet the extra development costs arising from the youth self build elements of the scheme, to be granted in two tranches, £154,936 on start on site and; subject to the receipt of the second tranche of Reward Grant, £84,000 on practical completion of the building works be approved.
- (3) That a Supplementary Revenue Estimate of £40,000 grant to Southwark Habitat for Humanity [a registered charity] for the provision and procurement of life skills coaching / mentoring, in three tranches £10,000 on conclusion of a funding agreement, £14,000 on start on site and subject to the receipt of the second tranche of Reward Grant, £16,000 on practical completion of the building works be approved.
- (4) That a Supplementary Capital Estimate of £45,064 to meet the costs incurred by Southwark Habitat for Humanity [a registered charity] arising from the pre start on site and design / site feasibility costs work which has been completed to date be approved.
- (5) That the Head of Housing, in consultation with the Strategic Director Planning, Housing and Economy, the Head of Finance and the Portfolio Holder for Planning and Housing be authorised to negotiate and conclude terms for funding agreements to secure the aims and objectives in [2], [3], and [4] above.
- (5a) That the supplementary capital and revenue estimates to be funded from the £162,000 LAA reward grant funding, £28,000 from the Council's Reserves and the balance of up to £134,000 to be funded

from capital receipts set aside for housing capital projects as outlined in the revised Exempt Annex to the report.

- (6) That a Supplementary Capital Estimate as contained in the Exempt Annex to the minutes (as set out in the minute book) be approved.

Reasons

This scheme is a youth self build affordable housing for rent development comprising ten one bedroom maisonettes and provides on site and class based training in construction skills to 20 students who are under 25 years old and are NEETS [not in employment, education, or training]. The young people will receive a Diploma Level One in construction skills and will receive housing options advice appropriate to their circumstances. Up to ten of the students will be rehoused into properties upon completion. In addition the young people will receive life skills / mentoring during the project, and continuing tenancy support will be available to the young people who eventually occupy the properties.

29

Eco Town Arrangements - Local Authority Funding Arrangements

The Project Manager, Eco Bicester submitted a report to advise Members of the outcome of the Council's Eco Town Funding Bid and to agree the mechanism for determining, and authorisation for, the spend of the funding received.

Resolved

- (1) That the outcome of the funding bid be noted and the Governance and decision making arrangements (Eco Bicester Strategic Delivery Board) shown in place to manage allocation and use of the monies received be approved.
- (2) That the Chief Executive in consultation with the Leader of the Council, be delegated to make decisions on spend of the funding, (within the framework of priorities and a budget plan set by the Eco Bicester Strategic Delivery Board).

Reasons

Following the announcement by the Government of £60 million ring fenced allocation for eco towns in July 2009 the Council submitted a bid for growth funding from this allocation. The Bid was reported to the Executive on the 2 November 2009. The purpose of this funding is to pump prime and support private sector development.

Options

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|-------------------|---|
| Option One | To delegate to the Chief Executive in consultation with the Leader to authorise spending |
| Option Two | For the Executive to retain authorisation of expenditure from the eco town growth fund bid. |

30 **Exclusion of the Press and Public**

Resolved

That, in accordance with Section 100A(4) of Local Government Act 1972, the press and public be excluded from the meeting for the following item of business, on the grounds that they could involve the likely disclosure of exempt information as defined in paragraph 3 of Schedule 12A of that Act.

31 **Miller Road Youth Self Build Housing Scheme - Exempt Annex 2**

Resolved

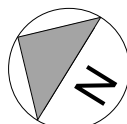
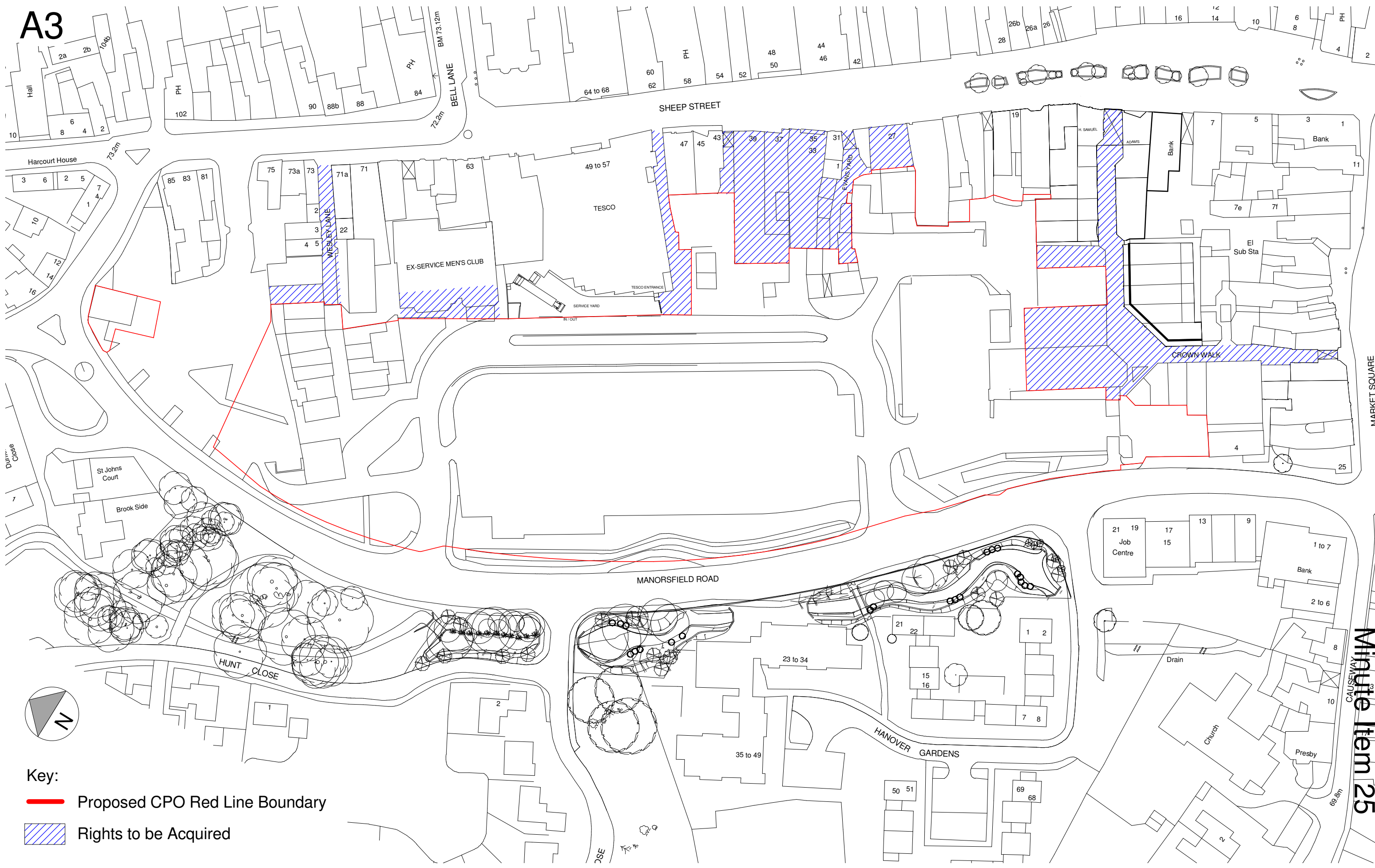
That the exempt annex be noted.

The meeting ended at 7.45 pm

Chairman:

Date:

A3



- Key:**
- Proposed CPO Red Line Boundary
 - Rights to be Acquired

LYONS+SLEEMAN+HOARE
Architects

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NOTE: All figures are approximate and have been measured and expressed in a manner as defined by the current edition of the RICS/ISVA Code of Measuring Practice. Figures relate to the current stage of the project and any development decisions to be made on the basis of this information should include due allowance for the increases and decreases inherent in the design and building processes.

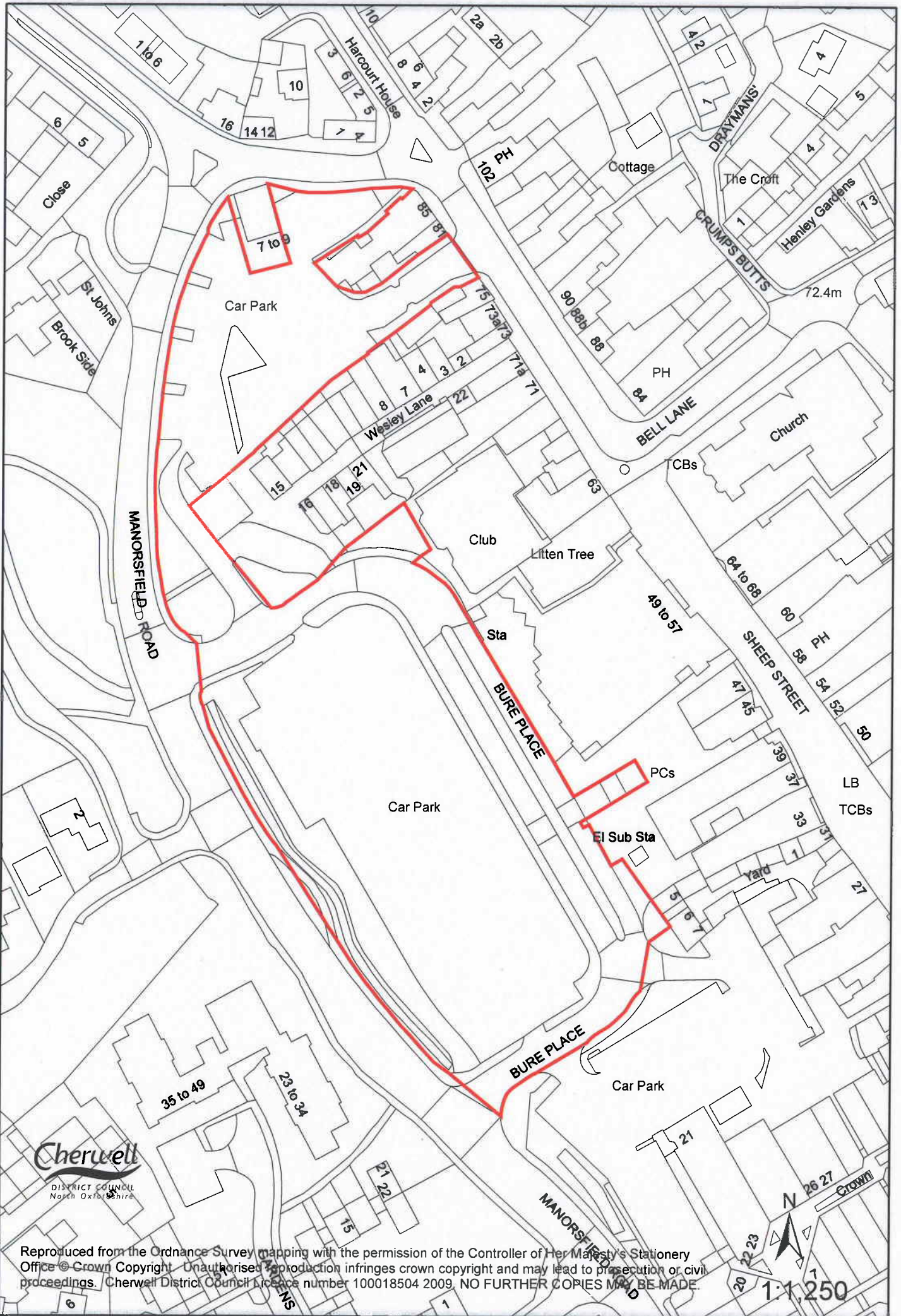
Job BICESTER TOWN CENTRE EXPANSION	Scale As indicated	Date 05/20/10	Partner ML	Author JR
Drawing Proposed CPO Red Line Plan	Job N° / Drg N° 04075 / L-50		Rev E	Checked SA

This drawing may be scaled or cross referenced to the scale bar for Planning Application purposes only. Do not scale for any other purpose, use figured dimensions only. Subject to site survey and all necessary consents. All dimensions to be checked by user and any discrepancies, errors or omissions to be reported to the Architect before work commences. This drawing to be read in conjunction with all other relevant materials.

Minute Item 25

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DISTRICT COUNCIL
North Oxfordshire

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A3

SHEEP STREET

49 to 57

TESCO

TESCO ENTRANCE

SERVICE YARD

IN / OUT

47 45 43

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37

35
33

31

EVANS YARD

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H. SAMUEL

ADAM'S

Bank

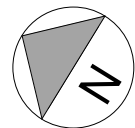
7

7e

Sub

CROWN WALK

4



21 19 17 13

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Job
BICESTER TOWN CENTRE EXPANSION

Scale
1 : 500

Date
05/20/10

Partner
ML

Author
JR

Drawing
S237 Land Transfer Plan

Job N° / Drg N°
04075 / L-51

Rev
F

Checked
SA

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Minute Item 31

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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