

Cherwell District Council

Council

Minutes of a meeting of the Council held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 20 July 2015 at 6.30 pm

Present: Councillor Chris Heath (Vice-Chairman, in the Chair)

Councillor Ken Atack
Councillor Andrew Beere
Councillor Claire Bell
Councillor Maurice Billington
Councillor Fred Blackwell
Councillor Norman Bolster
Councillor Mark Cherry
Councillor Colin Clarke
Councillor Ian Corkin
Councillor Surinder Dhesi
Councillor John Donaldson
Councillor Michael Gibbard
Councillor Timothy Hallchurch MBE
Councillor David Hughes
Councillor Tony Ilott
Councillor Ray Jelf
Councillor Matt Johnstone
Councillor Mike Kerford-Byrnes
Councillor James Macnamara
Councillor Kieron Mallon
Councillor Nicholas Mawer
Councillor Alastair Milne Home
Councillor Nigel Morris
Councillor Richard Mould
Councillor D M Pickford
Councillor James Porter
Councillor Lynn Pratt
Councillor Neil Prestidge
Councillor Nigel Randall
Councillor G A Reynolds
Councillor Barry Richards
Councillor Dan Sames
Councillor Les Sibley
Councillor Trevor Stevens
Councillor Lawrie Stratford
Councillor Rose Stratford
Councillor Lynda Thirzie Smart
Councillor Nicholas Turner
Councillor Douglas Webb
Councillor Bryn Williams
Councillor Barry Wood

Apologies
for
absence: Councillor Melanie Magee
Councillor Ann Bonner
Councillor Carmen Griffiths
Councillor Simon Holland
Councillor Russell Hurle
Councillor Sandra Rhodes
Councillor Douglas Williamson
Councillor Sean Woodcock

Officers: Sue Smith, Chief Executive
Calvin Bell, Director of Development
Ian Davies, Director of Community and Environment
Martin Henry, Director of Resources / Section 151 Officer
Kevin Lane, Head of Law and Governance / Monitoring Officer
Natasha Clark, Team Leader, Democratic and Elections

17 **Declarations of Interest**

Members declared the following interests:

Councillor Tim Hallchurch declared a general non statutory interest as a Director of Graven Hill Village Holdings Ltd.

10. Cherwell Local Plan 2011-2031 (Part 1): Inspector's Report on the Examination into the Cherwell Local Plan and Plan for Adoption.

Councillor James Macnamara, Declaration, as a member of the Diocesan Board of Finance and Gleben Building Committee who have ownership of part of the land within Banbury 17 South Salt Way and would leave the meeting for the duration of the item.

Councillor Kieron Mallon, Declaration, as a tenant and leaseholder of land in the area of Banbury 17 South Salt Way and would be affected by the proposal and would leave the meeting for the duration of the item.

Councillor Nigel Morris, Declaration, as tenant on land which was one of the propositions to be built on in the Local Plan and would leave the meeting for the duration of the item.

Councillor Nicholas Turner, Declaration, as tenant on land which was one of the propositions to be built on in the Local Plan and would leave the meeting for the duration of the item.

18 **Communications**

The Vice-Chairman made the following announcements:

Recording at meetings

The Vice-Chairman advised the meeting that members of the public were permitted to film, broadcast and report on the meeting, subject to the efficient running of the meeting not being affected.

Chairman's Engagements

The Vice-Chairman reported that a copy of the events attended by the Chairman or herself was included in the agenda pack.

Cherwell Boundary Review

The Vice-Chairman reported that the Cherwell Electoral Changes Draft Order 2015 was published last week and laid before both Houses of Parliament. The order can only be confirmed after it has been before each house for 40 sitting days. The 40th day was likely to be Monday 2 November.

Until the Order was confirmed, the Elections Team cannot progress any work on the boundary changes so no further information will be available to members until late November.

Member Briefing

The Vice-Chairman advised Council that the Chief Executive would be giving a short briefing to all members at the conclusion of the meeting.

Knowing Your Communities Briefing – FGM

The Vice-Chairman advised Council that on Monday 10 August, 9.30-10.30am in the Council Chamber, Katy Barrow-Grint, Detective Chief Inspector; Thames Valley Police would be leading a Knowing Your Communities briefing.

She would be talking about FGM, the law and legislation around it, the Oxfordshire Safeguarding Board's multi-agency strategy to prevent and deal with cases of FGM, and how frontline staff can assist with fighting this horrific child abuse.

The briefing was open to staff, Members and the Council's partners. For more information, Members should contact Tracie Darke in the Performance and Insight Team.

Post

The Vice-Chairman reminded Members to collect post from pigeon holes.

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Petitions and Requests to Address the Meeting

There were no petitions. The Vice-Chairman reported that she had received one request to address the meeting on agenda item 10, Cherwell Local Plan 2011-2031 (Part 1): Inspector's Report on the Examination into the Cherwell Local Plan and Plan for Adoption, from Mr John Broad, who would be speaking on behalf of the Campaign to Save Gavray Meadow. Mr Broad would be called to speak at the start of item 10

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Urgent Business

There were no items of urgent business.

21 **Minutes of Council**

The minutes of the meeting held on 19 May 2015 were agreed as a correct record and signed by the Vice-Chairman.

22 **Minutes**

a) **Minutes of the Executive, Lead Member Decisions and Executive Decisions made under Special Urgency**

Resolved

That the minutes of the meeting of the Executive and Lead Member decisions as set out in the Minute Book be received and that it be noted that since the February meeting, the last time this was reported, two key or restricted decisions relating to the Recycling Contract and Additional Capital Bids have been taken by the Executive which were not included in the 28 day notice.

b) **Minutes of Committees**

Resolved

That the minutes of Committees as set out in the Minute Book be received.

23 **Questions**

a) **Written Questions**

There were no written questions.

b) **Questions to the Leader of the Council**

Questions were asked and answers received on the following issues:

Communications Team and success in winning two national awards:

Councillor Mallon

Individual Elector Registration: Councillor Dhesi

Bradley Arcade roof repairs: Councillor Cherry

Parking in Bicester: Councillor Sibley

Bicester Health Village: Councillor Sibley

Sunday trading laws: Councillor Beere

Customer Insight Report and collecting customer feedback: Councillor Johnstone

Local government cuts: Councillor Richards

c) **Questions to Committee Chairmen on the minutes**

There were no questions to Committee Chairman on the minutes of meetings.

24 **Motions**

There were no motions.

25 **Cherwell Local Plan 2011-2031 (Part 1): Inspector's Report on the Examination into the Cherwell Local Plan and Plan for Adoption**

The Head of Strategic Planning and the Economy submitted a report to allow Members to consider the content of the Inspector's Report on the Examination into the Submission Cherwell Local Plan, to decide whether to approve Main Modifications to the Local Plan as recommended by the Inspector together with additional modifications to enable the Plan to proceed to adoption, and to consider whether to adopt the Plan, as modified.

Mr John Broad, speaking on behalf of the Campaign to Save Gavray Meadow, addressed Council.

In introducing the report, the Lead Member for Planning, Councillor Gibbard, explained that the Inspector's report on the examination into the Cherwell Local Plan Part 1 was a positive report for the Council and was to be welcomed. The Inspector has endorsed most of the Council's proposed modifications to the Plan either without change or with minor amendments. The main issues where the Inspector did not agree with the Council's proposals were the identification of green buffers at Banbury and Bicester, and the amount of land allocated for employment use at strategic allocation site Banbury 15, Land north east of the M40. However, the issues where the Inspector did not agree with the Council proposals were not considered to be of such overriding concern as to halt the Council from proceeding to adoption.

With regards to Gavray Drive, whilst the Inspector had not considered the request for part of land north of Gavray Drive (Policy Bicester 13) to be designated as a Local Green Space (as resolved by Council on 20 October 2014), it was proposed that the designation of the Conservation Target Area at Gavray Drive (Policy Bicester 13) as a designated Local Green Space through the forthcoming stages of the Cherwell Local Plan Part 2 be positively pursued.

Council was advised that there was one further proposed modification, *at the beginning of Policy Banbury 1: Banbury Canalside of the Plan for adoption, the following 'Development Description', which was omitted in error, would be inserted:*

"Provision of new homes, retail, office and leisure uses, public open space, pedestrian and cycle routes including new footbridges over the railway line, river and canal, and multi-storey car parks to serve Banbury railway station. Re-development would bring about significant environmental benefits in terms of improving the appearance of the built environment, the town centre, and the quality of the river and canal corridor. The wider community will have access to new services and facilities and Banbury's economy will benefit with the increase in the number of visitors to the town."

'Primary school' was deleted from the development description as set out in the Submission Local Plan January 2014 (endorsed on 21 October 2013) as a consequence of Inspector main modification 95 which requires contributions to primary and secondary education.

The Lead Member for Planning explained that if adopted, the Local Plan would come into force immediately. There was a provision for a legal challenge to be made within six weeks which ends on Wednesday 2 September 2015.

In the course of the debate, Members acknowledged the importance of an adopted Local Plan, indicated their support, commended Councillor Gibbard and officers for their hard work in bring the Local Plan to this stage, and raised some queries to which the Lead Member for Planning duly responded.

Resolved

- (1) That the conclusions of the Inspector's report (annex to the Minutes as set out in the Minute Book) be noted and that his recommendations regarding the Main Modifications that are required to make the Plan sound be accepted.
- (2) That the incorporation of additional modifications (annex to the Minutes as set out in the Minute Book) including consequential changes to the Policies Maps arising from the Inspector's recommendations, be accepted.
- (3) That the Local Plan (annex to the Minutes as set out in the Minute Book) incorporating all of the Main Modifications recommended by the Inspector together with the additional modifications (annexes to the Minutes as set out in the Minute Book), in accordance with Regulation 26 of the Town and Country Planning (Local Planning) Regulations 2012, be adopted as a development plan document.
- (4) That authority be delegated to the Head of Strategic Planning and the Economy to correct any further minor spelling, grammatical or typographical errors and make any improvements from a presentational perspective prior to the publication of the Local Plan.
- (5) That authority be delegated to the Head of Strategic Planning and the Economy to publish an updated Adopted Policies Map to illustrate graphically the application of policies contained in the adopted development plan, comprising any site specific saved policies of the Cherwell Local Plan 1996 not replaced by the adoption of the Cherwell Local Plan 2011-2031, and site specific saved policies of the adopted Oxfordshire Minerals and Waste Local Plan 1996, in addition to relevant policies contained in Cherwell Local Plan Part 1.
- (6) That it be acknowledged that in adopting the Local Plan, it will revoke those saved policies indicated as being replaced in Appendix 7 of the Plan (annex to the Minutes as set out in the Minute Book) with immediate effect.

- (7) That the designation of the Conservation Target Area at Gavray Drive (Policy Bicester 13) as a designated Local Green Space through the forthcoming stages of the Cherwell Local Plan Part 2 be positively pursued.

(Councillors Macnamara, Mallon, Morris and Turner left the meeting for the duration of this item)

26 **2014/15 Treasury Management Annual Report**

The Director of Resources and Head of Finance and Procurement submitted a report which presented information on treasury management performance and compliance with treasury management policy during 2014/15 as required by the Treasury Management Code of Practice.

Resolved

- (1) That the contents of the 2014/15 Treasury Management Annual Report, in line with the Treasury Management Strategy, be noted.

27 **Overview and Scrutiny Annual Report 2014/15**

The Head of Law and Governance submitted a report which presented the Overview and Scrutiny Annual Report for 2014/15.

In introducing the report, Councillor Hughes, the current Chairman of the Overview and Scrutiny Committee, paid tribute to former Chairman, Councillor Ann Bonner and thanked her for her hard work in the role

Resolved

- (1) That the contents of the Overview and Scrutiny Annual Report 2014/15 be noted.

28 **Notification of Urgent Action Appointment of Outside Body Representative to the Oxfordshire Health Overview and Scrutiny Committee**

The Chief Executive submitted a report to notify Council of urgent action taken by the Chief Executive to change the appointed Cherwell District Council representative on the Oxfordshire Health Overview and Scrutiny Committee.

Resolved

- (1) That the urgent action taken by the Chief Executive to appoint Councillor Nigel Randall as Cherwell District Council's representative to the Oxfordshire Health Overview and Scrutiny Committee be noted.

29 **Exclusion of the Press and Public**

Resolved

That under Section 100A of the Local Government Act 1972, the public and press be excluded from the meeting for the following items of business on the ground that, if the public and press were present, it would be likely that exempt information falling under the provisions of Schedule 12A, Part 1, Paragraphs 3 and 5 would be disclosed to them, and that in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

30 **Recycling Contract**

The Head of Environmental Services submitted an exempt report relating to the council's recycling contract.

Resolved

- (1) As set out in the exempt minutes.
- (2) As set out in the exempt minutes.
- (3) As set out in the exempt minutes.

31 **Additional Capital bids for CCTV at Thorpe Lane Depot and Bodicote House**

The Head of Finance and Procurement submitted an exempt report relating to a recommendation from Executive for additional Capital bids for CCTV at Thorpe Lane Depot and Bodicote House.

Resolved

- (1) That the recommendation from the Executive meeting of 7 April 2015 for two additional 2015-16 capital bids for CCTV at Thorpe Lane Depot and Bodicote House be approved.

32 **Questions on Exempt Minutes**

There were no questions on exempt minutes.

The meeting ended at 8.30 pm

Chairman:

Date: