



**Summary of the decisions taken at the meeting  
of the Executive held on Monday 18 July 2016**

1. Date of publication of this summary: 20 July 2016
2. Decisions (if any) taken as a matter of urgency under Overview and Scrutiny Procedure Rules as set out in the Constitution (and not therefore subject to the call-in procedure): None
3. Date by which notice of call-in of any of the following decisions must be received in writing by the Chief Executive (see notes below):- Noon on Monday 25 July 2016
4. Notes:-
  - (a) For background documentation to the following decisions, please refer to the agenda and supporting papers (copies of which are available on the Council's website ([www.cherwell.gov.uk](http://www.cherwell.gov.uk)) or from Democratic Services);
  - (b) Notice of call-in must be submitted in writing, by email or text to the Chief Executive by the deadline specified above, and must state the reason or reasons why "call-in" has been requested;
  - (c) Call-in can be requested by any six non-executive members of the Council.  
However, if at any point during a municipal year the total number of opposition councillors is six or less the total number of non-executive members required to call-in a decision shall be the total number of opposition councillors less two.
  - (d) Decisions not called-in by the deadline specified above will become effective immediately the deadline has expired (unless they are recommendations to the Council).
  - (e) The Council has stipulated that the call-in procedure should not be used to challenge decisions as a matter of course and should be used only when fully justified.

**Sue Smith  
Chief Executive**

Agenda Item and Recommendation	Decision	Reasons	Alternative Options	Conflicts of Interest Declared and Dispensations Granted by Head of Paid Service
<p><b>Agenda Item 5 SW Bicester Sports Village - Contract Award and Funding Requirements</b></p> <p>Exempt Report of Director of Operational Delivery</p>	<p><b>Resolved</b></p> <p>(1) That Full Council be recommended to approve a supplementary capital estimate for £891,861 to enable the completion of the SW Bicester Sports Village project.</p> <p>(2) Subject to Full Council funding approval the Phase 2 construction contract be awarded to J Tomlinson Limited on the terms set out in the exempt report (exempt annex to the Minutes as set out in the Minute book)</p>	<p>The project has been through a second procurement process to secure the lowest cost of delivery which has resulted in a winning adjusted tender resulting in a total project cost that exceeds the approved budget by £891,861.</p> <p>The Council has Section 106 planning obligations to deliver an outdoor sports facility with a pavilion on the SW Bicester Kingsmere site, hence the request for additional funding to complete the project.</p>	<p>The option to appoint the preferred contractor to deliver the Phase 2 works would require an additional capital input of £891,861. If this cannot be found, then the Council will need to review and change the nature of the project.</p> <p>A reduced scheme could be designed that fits within the available budget but is unlikely to meet all of the operational requirements of the site, would incur further design costs, incur delay, require a new planning application and will reduce the key income generation areas (function room and bar) having a major impact on the</p>	<p>None</p>

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			revenue implications for the site. A reduced sized facility would also be less attractive to a management contractor and therefore needs to be reconsidered.	
<p><b>Agenda Item 6</b>  <b>A Review of the Self-Build Programme and Approval of Additional Funding for Coach House Mews and Lincoln Close</b></p> <p>Exempt Report of Head of Regeneration and Housing</p>	<p><b>Resolved</b></p> <p>(1) That the proposed changes in respect of the commitments required from self-builders for 2 of the schemes within the Build! Programme be noted and approved.</p> <p>(2) That the financial implications identified within the exempt report (exempt annex to the Minutes as set</p>	<p>It is clear that the original concept of involving self-builders to complete the construction of properties from shell stage has proved very challenging. Indeed even allowing for the training process adopted many self-builders have struggled to complete their originally envisaged commitment to the project.</p> <p>Additional matters relating to liability especially (Health and Safety matters) as we now</p>	<p>Officers have looked carefully at continuing with the current status quo regarding self-builder inputs but have concluded that the liabilities (particularly in relation to Health and Safety), risks and challenges associated with this option are not acceptable for Coach House Mews and Lincoln Close.</p> <p>Further discussions with contractors involved in</p>	None

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	<p>out in the Minute Book) associated with adopting the revised self-builder delivery strategy on these 2 schemes be noted and endorsed and Full Council be recommended to agree the necessary amendment to the approved Capital Programme.</p> <p>(3) That the opportunity to complete a tenure change in respect of 12 flats at Coach House Mews from affordable rent products to shared ownership products for the reasons indicated within the exempt report (exempt annex to the Minutes as set</p>	<p>move into the construction of flats for self-builders, has meant that a review of how self-builder inputs are proposed, planned and managed needed to be undertaken. It is clear that the revised approach based on a time commitment rather than specific task based inputs from self-builders allows for greater flexibility reduces liability and matches skills in the correct way to ensure less delay and challenge to the contractor in terms of delivering a completed site.</p> <p>Whilst this will mean particularly in relation to Coach House Mews and Lincoln Close initial additional expenditure we will end up with completed units more quickly and when combined</p>	<p>promoting and indeed delivering self-build options have resulted in Officers concluding that the time commitment approach allows a better practical environment to match the core objectives of self-builder aspirations to be maintained but within an environment that better fits the skills of self-builders the Councils objectives of self-build and the delivery of projects on time and within budget. The principles of providing discount on properties based on the number of hours each self-builder has actually completed will still allow a maximum discount of £10,000.00.</p> <p>The application of the tenure adjustments</p>	

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	<p>out in the Minute Book) be noted and approved and it be further noted that the final decision of Executive in this respect would be confirmed to the Cherwell Community Build shadow board.</p>	<p>with tenure adjustment proposals would increase the overall return to the Build! Programme.</p> <p>Going forward, the time based approach for self-builder inputs will significantly improve the overall output of units under the revised scheme.</p>	<p>identified within the report to the Coach House Mews scheme involving some 12 flats improves the overall rate of return to the Build! Programme and represents an improved business plan proposition to the Cherwell Community Build.</p>	
<p><b>Agenda Item 7 Build! Phase 2</b></p> <p>Exempt Report of Head of Regeneration and Housing</p>	<p><b>Resolved</b></p> <p>(1) That the essential pre-development funding associated with the identified sites contained within the exempt report (exempt annex to the Minutes as set out in the Minute Book) totalling the sum of £200,000</p>	<p>Members have been presented an opportunity to make further progress in respect of sites that CDC currently own. The next stage of allowing progress towards development recognises that actual delivery may in fact come from Cherwell Community Build initiative and not directly from CDC. Accordingly, recognising this</p>	<p>Consideration has been given to seek approval for the full development costs associated with the sites identified. This has been rejected at this stage given that a full cost appraisal based on a final design and planning submission is to be undertaken. Further, it is recognised that the development of the</p>	<p>None</p>

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	<p>be endorsed and Full Council be recommended to approved the necessary amendment to the approved Capital Programme.</p> <p>(2) That officers be requested to submit a further detailed report once fully costed proposals for the sites identified have been completed to determine whether these are funded and developed either by Cherwell District Council (Build!) or Cherwell Community Build.</p> <p>(3) That it be noted that Officers will ensure full engagement with the</p>	<p>staged approach I am only seeking financial authority to proceed with the necessary pre development activities.</p> <p>The further report later this year will enable a more considered review about developing finance for the delivery of the schemes either directly by CDC or more likely through the Cherwell Community Build activities. By providing consultation and input into design and pre-development work with Cherwell Community Build input there will be ample opportunity for those board members to influence the final scheme outputs. The purpose of providing indicative development costs at this stage is to indicate the overall likely level of investment</p>	<p>Cherwell Community Build initiative is now significantly underway and that Board should have input into the pre development and design options for these sites. Final costing's and a decision about funding arrangements and development delivery will be put before members and the Cherwell Community Build board later this year.</p>	

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	<p>Cherwell Community Build Board around the pre-development work on the sites identified to assist the Board in determining later this year whether they wish to complete the development process on each site.</p>	<p>required to deliver the homes on the sites required.</p>		
<p><b>Agenda Item 8 Cherwell's Approach to Working with Council Controlled/Influenced Companies</b></p> <p>Exempt Report of Chief Finance Officer</p>	<p><b>Resolved</b></p> <p>(1) That the Terms of Reference for the Shareholder Committee, a sub-committee of the Executive, (annex to the Minutes as set out in the Minute Book) to replace the Graven Hill Partnering Board be agreed.</p>	<p>The proposals in this report are designed to ensure that the council has in place an effective interface with council owned/influenced companies which aims to meet the needs of the companies and in turn maximise the return to the council and its communities.</p>	<p>Option 1: To note the report</p> <p>Option 2: To request additional information on items within this report</p>	<p>None</p>

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	<p>(2) That the Leader, Lead Member for Financial Management and Lead Member for Housing be appointed to the Shareholder Committee.</p> <p>(3) That the functioning and effectiveness of Graven Hill Village Holding Company be further developed through the secondment of an officer from the council to act as Managing Director and that the Head of Paid Service (or their appointed deputy if they are a non-executive director of a Council controlled/influenced company) be given</p>			



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	<p>delegated authority to implement this.</p> <p>(4) That the Head of Law and Governance be requested to commission the preparation and completion of Shareholder agreements between the Council and the Graven Hill Village Holding Company and, jointly with this company, between it and the Graven Hill Village Development Company with the terms of such agreements being reported to the Shareholder Committee.</p> <p>(5) That the framework</p>			

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	<p>within which the Council will work with Council owned companies as set out in the exempt report (exempt Annex to the Minutes as set out in the Minute Book) be agreed and the Chief Finance Officer (as shareholder representative), in consultation with the Shareholder Committee, be given delegated authority to implement and negotiate this framework.</p> <p>(6) That the principle that non-executive directors and Chairmen of Council owned/influenced companies be</p>			

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	<p>remunerated be agreed and that in the case of Councillor and Council Officer nominated non-executive directors this should be set and paid by the Council, with the company reimbursing the Council for their time through a management recharge.</p> <p>(7) That it be agreed that the Independent Remuneration Panel (IRP) be requested to consider the level of special responsibility allowance that the Council should pay Councillors who are non-executive directors and/or</p>			

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	<p>Chairmen of councillor owned/influenced companies on a company by company basis commencing with the Graven Hill companies and that Council be requested to make a decision on their recommendations in due course.</p> <p>(8) That it be agreed that the Head of Paid Service (or their appointed deputy if they are a Director of a Council controlled/influenced company) be requested to arrange for the evaluation of the non-executive director and Chairman roles in order to set the level of</p>			

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	<p>remuneration that the Council should pay Officers who are non-executive directors or Chairmen of Council owned/influenced companies and that the Head of Paid Service (or their appointed deputy if they are non-executive director) in consultation with members of the Shareholder Committee be requested to make a decision on this in due course and further that such appointments shall be made in addition, and not linked, to appointees' substantive posts.</p> <p>(9) That it be agreed that</p>			

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	<p>the level of remuneration for any Independent Non-Executive Directors who may be appointed to Council controlled/influenced companies is a matter for the Board of Directors of the relevant company to evaluate and propose to the shareholder for approval.</p> <p>(10) That the Joint Commissioning Committee be recommended to agree that a shared member and officer indemnity policy be developed and agreed to protect members and officers nominated as non-executive</p>			

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	directors on council owned/influenced companies,			