

Cherwell District Council

Executive

Minutes of a meeting of the Executive held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 7 July 2014 at 7.20 pm

Present: Councillor Barry Wood (Chairman), Leader of the Council
Councillor G A Reynolds (Vice-Chairman), Deputy Leader of the Council
Councillor Ken Atack, Lead Member for Financial Management
Councillor Norman Bolster, Lead Member for Estates and the Economy
Councillor John Donaldson, Lead Member for Banbury Brighter Futures
Councillor Michael Gibbard, Lead Member for Planning
Councillor Tony Ilott, Lead Member for Clean and Green
Councillor Kieron Mallon, Lead Member for Performance and Communications
Councillor D M Pickford, Lead Member for Housing
Councillor Nicholas Turner, Lead Member for Joint Working and IT

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

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
Chris Stratford, Head of Regeneration and Housing
Natasha Clark, Team Leader, Democratic and Elections

21 Declarations of Interest

There were no declarations of interest.

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 23 June 2014 were agreed as a correct record and signed by the Chairman.

25 **Chairman's Announcements**

There were no Chairman's announcements.

26 **Community Woodland at South West Bicester**

The Head of Development Management submitted a report which advised of the potential to acquire land south of Vendee Drive at Bicester, and to enable the consideration of the options for the future use of the land. The land was identified in the Submission Cherwell Local Plan as a Green Buffer (ESD15) and as a potential location for community woodland (BIC7). The land was currently owned by Countryside Properties who were developing North of Vendee Drive at Kingsmere (SW Bicester).

Resolved

- (1) That it be agreed that the council seeks to acquire the land South of Vendee Drive as part of the S106 Agreement connected to the planning application for Phase 2 Kingsmere.
- (2) That it be agreed that discussions take place with Chesterton Parish Council and Bicester Town Council over the future use of the land for informal recreational purposes.

Reasons

The potential to control the future of the Green Buffer south of Vendee Drive, through ownership of the land, is attractive and could secure long term the gap between Bicester and Chesterton as undeveloped land and an attractive rural setting.

The land has the potential to be a significant recreational asset for the area and a community woodland would widen the recreational resources for the area. The uncertainty about the availability of the land has to date restricted the progress on developing proposals and seeking funding. Once there is certainty it would be possible to progress proposals with more certainty.

If for any reason the community woodland proposal did not progress the land could continue in agricultural use and this option would minimize risk and costs to the land owner whilst maintaining the land undeveloped.

Other recreational or land uses compatible with keeping the land open could be considered if proposals for the community woodland did not progress but would require time to explore and develop to see if they were viable.

Alternative Options

Option 1: The developer retains ownership of the land. Whilst the land is currently farmed there would be the potential for further planning applications to be made in the future. Whilst the Council is likely to be the planning authority some decisions are made on appeal and therefore this would not provide the level of certainty over future use.

Option 2: Transfer land direct to Chesterton Parish Council. This would necessitate the Parish Council being a party to the S106 agreement and would require them to work to agreed timescales for completion of the agreement and if this was not achieved it would delay the issue of planning permission. A transfer to the Council would not preclude onward transfer to the Parish or a lease arrangement.

27

South West Bicester Sports Village Bi-monthly Progress Update

The Head of Community Services submitted a report which provided a progress report on the Bicester Sports Village project.

Resolved

- (1) That the progress on the construction of Phase 1 (grass pitches, cycle track and landscaping, the initial design work for Phases 2 (Pavilion and Car Park) and Phase 3 (Athletics Facility, 3G Synthetic Pitch, Tennis Courts and Floodlighting) be noted.
- (2) That the next stage of the project undertake a value engineering exercise and the development of a planning application for Phase 2 and 3A be committed to.
- (3) That officers be requested to liaise with Bicester Athletics Club and offer the club a meeting with the Leader, Deputy Leader and officers to update the club on the current situation.

Reasons

Construction of Phase 1 is on target for completion in November 2014 and pitches will be available to play on from September 2015.

The initial design work for Phase 2 has produced an outline cost plan which exceeds the available budget. However, the Design team are currently working on approaches to bring the cost within budget including a value engineering exercise and considering the options/implications of a smaller building. As the detailed design work is completed, building supplier costs are confirmed and planning conditions are known there will be more certainty to the cost plan. Officers will report the outcome of the Design Teams work to the Executive meeting in September.

Uncertainty with guaranteed access onto school sites and the lack of financial support for athletics has led the Project Board to reduce the scope of the planning application to just Phase 2 (pavilion and car parking) and Phase 3A

(synthetic pitch and tennis courts). Phase 3B (athletics facility and multi-use games area) will be progressed when the school site is being planned and access issues have been resolved.

Some funding opportunities for Phase 3A facilities have been identified and will be pursued in the next available funding round.

The current programme for Phases 1 and 2 to be operational from September 2015 is on target however, this could be subject to change if the value engineering exercise is unable to produce the necessary cost reductions and the cost implication of a reduced building need further consideration. Revenue modelling work has been commissioned and will be reported to the next meeting.

Procurement documents are currently being produced to appoint a management contractor in June 2015

Alternative Options

The project has been approved and is progressing in accordance with these approvals. There are no other options being considered at this time other than proposals to remain within the approved funding envelope.

28

Medium Term Financial Strategy

The Director of Resources submitted a report which set out the latest Medium Term Financial Strategy (MTFS) for the council for the 5 year period from 2015/16. It set the scene and is based on current assumptions which will inform the budget setting process for 2015/16 and the longer term decisions of the council.

Resolved

- (1) That the contents of the report and the current MTFS position for the council be noted.

Reasons

The above represents the start of the budget process and consideration of the future financial environment and the decisions which will need to be taken by the council. At present, the Executive is asked to note the current position but this will be subject to further reports as the budget strategy and preparation of the budget continues.

In order to address the scale of the deficit set out in this report it is likely that there will need to be a fundamental change to the Council's budget strategy and this work will and change in strategy will feed into the detailed budget process for 2015-16.

Alternative Options

Not to consider the current position. This is not recommended as it is important that medium term financial decisions are considered at the earliest opportunity to ensure the council's finances are resilient and robust.

29 **Oxfordshire Growth Board - Terms of Reference and Appointment of Member**

The Head of Law and Governance submitted a report which sought approval of the Terms of Reference of, and the delegation of appropriate executive functions to, the Oxfordshire Growth Board, and appointment of an Executive Member to represent the Council on the Board.

In response to a query from Councillor Woodcock, Leader of the Labour Group, regarding how the Board would be scrutinised, the Chairman suggested that the Overview and Scrutiny Committee be requested to consider adding the Oxfordshire Growth Board and South East Midlands Local Enterprise Partnership (SEMPLEP) to their work programme. He would be happy to attend a future meeting of the Overview and Scrutiny Committee with lead officers.

Resolved

- (1) That the Terms of Reference of the Oxfordshire Growth Board (annex to the minutes as set out in the Minute Book) be approved.
- (2) That the Council's executive functions in respect of matters within the Terms of Reference to the Oxfordshire Growth Board pursuant to Sections 101(5) and 102 of the Local Government Act 1972, Section 9 EB of the Local Government Act 2000 and the Local Authorities (Arrangement for the Discharge of Functions) (England) Regulations 2012 be delegated.
- (3) That the Leader of the Council be appointed to represent the Council on the Board and the Deputy Leader be appointed as substitute.
- (4) That the Overview and Scrutiny Committee be requested to consider adding the Oxfordshire Growth Board and South East Midlands Local Enterprise Partnership (SEMPLEP) to their work programme.

Reasons

As part of the Oxford and Oxfordshire City Deal bid the constituent bidding parties have agreed to establish the Oxfordshire Growth Board as a joint executive committee of the constituent local authorities.

In order to ensure that Cherwell District Council plays its appropriate part it is necessary for the recommendations to be approved.

The Growth Board terms of reference set out that decisions made by the Committee shall be subject to the scrutiny arrangements of each constituent authority.

Alternative Options

Option 1: To approve the recommendations.

Option 2: Not to agree the proposed Terms of Reference of the Board at Appendix 1 but suggest amendments. This is not recommended because the draft Terms of Reference have been collectively agreed by the groups mentioned in paragraph 5.2 above. All constituent local authorities are going through a process of approving the Terms of Reference as set out.

Option 3: Not to delegate the appropriate executive functions, nor appoint a member to the Board. This is rejected because the Board is being established with the support and endorsement of all of the constituent bidding parties to the Oxford and Oxfordshire City Deal bid which included Cherwell District Council.

30 **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 item 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.

31 **Development Agreement Objectives Castle Quay Phase Two Redevelopment**

The Head of Regeneration and Housing submitted an exempt report relating to development agreement objectives for the Castle Quay Phase Two redevelopment.

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.
- (4) As set out in the exempt minutes.
- (5) As set out in the exempt minutes.

Reasons

As set out in the exempt minutes.

Alternative Options

As set out in the exempt minutes.

32 **Woodgreen Leisure Centre Redevelopment and Leisure Centre Procurement**

Item withdrawn from agenda

33 **Land Acquisition**

The Head of Regeneration and Housing submitted an exempt report relating to land acquisition.

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
- (4) As set out in the exempt minutes

Reasons

As set out in the exempt minutes

Alternative Options

As set out in the exempt minutes

34 **Finance Management System Tender**

The Interim Head of Finance and Procurement submitted an exempt report which sought approval of the strategy for the procurement of a three-way Financial Management System.

Resolved

- (1) That the progress to date in the procurement of a three-way financial management system for Cherwell District Council (CDC), South Northamptonshire Council (SNC) and Stratford-on-Avon District Council (SDC) be noted and the continuation of the process pursuant to the Joint CDC/SNC Contract Procedure Rules be authorised.
- (2) That authority to award the contract be delegated to the Joint Procurement Steering Group in consultation with the Lead Member for Financial Management subject to approved funding streams being in place to meet the costs at each of the three authorities.

Reasons

As set out in the exempt minutes.

Alternative Options

As set out in the exempt minutes.

The meeting ended at 8.40 pm

Chairman:

Date: