

Cherwell District Council

Executive

Minutes of a meeting of the Executive held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 7 April 2015 at 6.30 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 Banbury Developments, Performance and Communications
Councillor D M Pickford, Lead Member for Housing
Councillor Nicholas Turner, Lead Member for Joint Working and ICT

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

Officers: Sue Smith, Chief Executive
Karen Curtin, Commercial Director (Bicester)
Martin Henry, Director of Resources / Section 151 Officer
Adrian Colwell, Head of Strategic Planning and the Economy
Kevin Lane, Head of Law and Governance / Monitoring Officer
Natasha Clark, Team Leader, Democratic and Elections

131 **Declarations of Interest**

There were no declarations of interest.

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

There were no petitions or requests to address the meeting.

133 **Urgent Business**

There were no items of urgent business.

134 **Minutes**

The minutes of the meeting held on 2 March 2015 were agreed as a correct record and signed by the Chairman.

135 **Chairman's Announcements**

The Chairman made the following announcement:

1. Under the Openness of Local Government Bodies Regulations 2014, 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.

136 **Joint ICT Business Development Strategy**

The Head of Joint ICT Business Services submitted a report to present the Joint ICT Business Development Strategy which sets out the vision and direction for the Joint ICT Business Service for Cherwell, South Northamptonshire and Stratford-on-Avon Councils.

Resolved

- (1) That the Joint ICT Business Development Strategy (annex to the Minutes as set out in the Minute Book) be approved.

Reasons

The Strategy sets a clear direction for the partnership in respect of harmonising and joining up all business areas shaped around the needs of customers and to maximise opportunities to reduce cost and increase income. To deliver it successfully requires an ICT Business service that is shaped towards delivering on the priorities identified in the Strategy. All three councils have already approved and implemented the Joint ICT Business Service staffing re-structure so the foundations are in place to fully exploit the opportunities that ICT offers in respect of new ways of working and to maximise efficiencies.

Alternative options

If the strategy is not adopted then the full range of efficiencies and cost savings identified in the business case may not be delivered so this is not recommended.

137 **Neighbourhood Planning: Application for the designation of a Neighbourhood Area for a Proposed 'Mid-Cherwell' Neighbourhood Plan**

The Head of Strategic Planning and the Economy submitted a report to consider the designation of a 'Mid-Cherwell' Neighbourhood Area comprising eleven parishes.

Resolved

- (1) That the formal designation of the specified 'Mid-Cherwell Neighbourhood Area' under Section 61G of The Town and Country Planning Act 1990 (as amended) be approved.
- (2) That the Head of Strategic Planning and the Economy be authorised to issue a Notification of Decision pursuant to resolution (1).

Reasons

The area application presented would, if approved, result in the designation of a 'Mid-Cherwell' Neighbourhood Area comprising the parishes of Ardley with Fewcott, Kirtlington, Duns Tew, Lower Heyford, Middleton Stoney, Somerton, Steeple Aston, Middle Aston, North Aston, Fritwell and Upper Heyford. For the reasons set out in section 3 of this report it is considered that the specified area would be coherent logical, notwithstanding the challenges of producing a Neighbourhood Plan for such an extensive area and including the district's largest strategic development site – Former RAF Upper Heyford. The specified parishes represent a reasonable 'sphere of influence' on which to collectively base the plan, albeit with wider community and stakeholder consultation and potentially a much wider referendum being required.

The Council has a statutory duty to provide advice or assistance to a parish council, neighbourhood forum or community organisation that is producing a neighbourhood plan. The PPG advises that local planning authorities must be proactive in providing information to communities about neighbourhood planning and constructively engage with the community throughout the process.

The involvement of 11 Parish Councils and the district's largest strategic development site means that this Neighbourhood Plan process will particularly require the close involvement of officers and regular reports to the Joint Management Team and to Members.

Alternative options

Option 1 - to refuse to designate the proposed area, provide reasons and to designate an alternative area based on separately designating individual parishes

Option 2 - to refuse to designate the proposed area, provide reasons and to designate an alternative area based on removing the former RAF Upper Heyford site

Were the Executive minded to refuse the application, an alternative area would need to be designated. Designating individual parishes would, in this case, not provide for the collective working being proposed. Excluding the Former RAF Upper Heyford site from the Neighbourhood Area would still allow for a collective approach among the parishes but would remove the principal reason for the joint working. Local Plan Part 2 would provide an alternative mechanism for collective working but the application expresses the

local support for progressing a Neighbourhood Plan and the NPPF makes clear that local planning authorities should facilitate neighbourhood planning.

138

Neighbourhood Planning: Hook Norton Neighbourhood Plan Examiner's Report

The Head of Strategic Planning and the Economy submitted a report which presented the Neighbourhood Plan, the background to the Examination and the process followed. The report outlined the next stages in the process which included the holding of a referendum. On completion the Neighbourhood Plan would become part of the Development Plan and decisions on planning applications would then be made in accordance with the Plan.

Resolved

- (1) That the modifications to the Hook Norton Neighbourhood Plan in accordance with the Examiner's recommendations be approved, and the issue of a decision statement to that effect be authorised.
- (2) That all of the Examiner's recommendations and modifications to enable the Plan to proceed to a referendum be approved.
- (3) That the area for the referendum as recommended by the examiner to be the Hook Norton parish council area (which is the approved designated neighbourhood area) and that there will be no extension to the area be approved.

Reasons

The Hook Norton Neighbourhood Plan (HNNP) as recommended for modification by the Examiner would satisfy the basic conditions, the preparation has been in accordance with the legislation and it complies with the definition of a Neighbourhood Plan.

The Examiner's modifications involve additions and amendments which do not raise issues of major concern. The majority of the recommended modifications are intended to provide more clarity particularly in relation to compliance with the strategic policies of the submitted and examined Cherwell Local Plan. The HNNP as recommended for modification by the Examiner should therefore proceed to a referendum.

Alternative options

Option One: Not to approve some of the Examiners recommendations and to proceed to a referendum. Where a LPA proposes to make a decision that differs from the Examiner's recommendation then there would need to be another round of consultation including notifying all those on the consultation statement of the Parish Council. This would take more time and would have cost implications.

Option Two: Not to accept the examiner's report of recommendations and not to proceed to a referendum. This option can only be justified if the Examiner

recommends that the Plan should not proceed to a referendum, or the Council is not satisfied that the plan has met the procedural and legal requirements.

Option Three: To extend the area in which the referendum is to take place. Under the neighbourhood planning legislation the LPA cannot make a decision that differs from the Examiner's recommendation about the referendum area.

Option Four: To adopt the course of action proposed in this report. This is consistent with both the Hook Norton Neighbourhood Plan, the Examiners proposed modifications and the Regulations that apply to Neighbourhood Plans.

139

Connecting Oxfordshire: Local Transport Plan (LTP4) 2015-2031 Draft for Consultation

The Head of Strategic Planning and the Economy submitted a report to inform members of the consultation by Oxfordshire County Council on the Oxfordshire Local Transport Plan 4; to advise on the potential implications for Cherwell and ask for the endorsement of officers comments as the Cherwell District Council formal response to the consultation.

Resolved

- (1) That the content of LTP4 relevant to Cherwell be noted and the officers' comments as the Council's response to the consultation be endorsed. The officer response recommends general support but highlights a number of issues which need to be resolved.

Reasons

The draft LTP4 is expected to be adopted by summer 2015. While officers note and support the County Council's approach to prioritise and address areas of change in the County and the focus on managing sustainable modes of transport to manage transport demand, officers have a number of significant concerns that need to be addressed. In its current form draft LTP4 does not provide a comprehensive strategy which clearly sets out what the LTP4 is meant to comprise now and what it will cover in the future. It does not address transport implications required to inform Local Plan Part 2 (Development Management Policies, Non-Strategic allocations across the District including the rural areas) nor other land-use plans in the Local Development Scheme and emerging Neighbourhood Plans.

The LTP4 seems southern centric (apart from the Banbury Area Strategy), more could be done within LTP4 Volume 1 to reflect corridors and economic priorities in the northern part of Cherwell and connections outside the County boundaries.

The LTP4 approach to transport options does not clearly set out how the County Council intends to assess the specific options proposed and their social, economic and environmental impacts.

Without a clear program to finalise options and an implementation plan, it is unclear how the policy objectives for sustainable transport and specific transport initiatives will be delivered and how this is going to inform Cherwell's local plan process.

Alternative options

Option 1: Not to comment on the LTP4 consultation. The adoption of a LTP4 in its current form would reduce its effectiveness as a material consideration to be used when deciding planning applications and would not inform key land use decisions as part of forthcoming Local Development Documents in Cherwell.

Option 2: Object to LTP4. There may be scope to work with the County Council to address the shortcomings of the LTP4.

140

Cherwell Local Plan 2011-2031 (Part 2): Development Management Policies and Sites

The Head of Strategic Planning and the Economy submitted a report to advise members on the commencement of work on Local Plan Part 2 and the project timetable.

Resolved

(1) That the report be noted.

Reasons

A Local Plan Part 2 is needed to ensure that non-strategic development provided for by the modified Submission Local Plan (Part 1) is appropriately planned and sustainably delivered. The Council's non-strategic allocations and its detailed development management policies are in need of review. This report is presented to ensure that the Executive is kept fully informed of the process and timetable for producing the Part 2 plan in the interest of ensuring that the plan is produced efficiently and in accordance with Council priorities.

Alternative options

Not applicable. This report is for noting only.

141

Community Infrastructure Levy (CIL) and Developer Contributions SPD

The Head of Strategic Planning and the Economy submitted a report to advise Members on the process and on-going work for the setting of a Community Infrastructure Levy (CIL) and on the preparation of a new Developer Contributions Supplementary Planning Document (SPD).

Resolved

(1) That the report be noted.

Reasons

The Council needs to consider the potential adoption of CIL, and an up-to-date Developer Contributions SPD needs to be prepared, in the interest of securing the delivery of infrastructure to support planned growth. This report is presented to ensure that the Executive is kept fully informed of the process and timetable for the two parallel projects in the interest of ensuring that the plan is produced efficiently and in accordance with Council priorities.

Alternative options

Not applicable. This report is for noting only.

142

NW Bicester Apprenticeships Scheme

The Commercial Director (Bicester) submitted a report to update the Executive on the successful outcome of a recent bid to OxLEP to support the NW Bicester Apprenticeship Scheme, in order that Cherwell District Council can receive the funding as the accountable body.

Resolved

- (1) That the report be noted and Cherwell District Council's role as accountable body for this grant award be approved.

Reasons

The Eco Bicester Team submitted a bid to OxLEP's City Deal Initiative in December 2014 for funding to support the set-up of the Apprenticeship Training Agency (ATA) and its early operation. The bid was successful and a £50,000 grant has been awarded by OxLEP, subject to the signing of a legal agreement which the Eco Bicester Team are in the processes of negotiating. The funding is anticipated to be awarded in April 2015 and needs to be spent over 2 years during 2015/2016 and 2016/2017.

The aim is to set up the ATA by summer 2015 so that it can be referred to in future S106 agreements attached to any consents for NW Bicester, as a preferred route to enable developers to deliver apprenticeships.

The £50,000 funding was bid for specifically to set up the ATA in the first year and then to fund its operation in the second year. CDC will be using the funding to carry out the necessary research and background work into the options for the ATA and to support the ATA becoming accredited by the Skills Funding Agency (SFA) so it can operate as a bone fide organisation. The actual setting up of the setting and registering it as a company will be carried out by a third party rather than CDC which is preferable in terms of minimising exposure of CDC to any associated risks. So although the funding will rest with CDC, it will be used to support a third party set up of the organisation.

There will be regular monitoring of the outcomes against the grant award with regular updates being given to the One Vision Steering Group.

Alternative options

Option 1: Not to accept the funding

143 **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 1, 2, 3 and 4 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.

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

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

Resolved

- (1) That the recommendation from the Budget Planning Committee on the 17 February 2015 for two additional 2015-16 capital bids (annex to the Minutes as set out in the Minute Book) be supported and Full Council be recommended to add them to the approved 2015-16 Capital Programme.

Reasons

This report provides the additional information as requested by the Budget Planning Committee at the meeting on 19 January 2015. Members of the Executive are asked to consider the recommendations.

Alternative options

To reject the current proposals and to make alternative recommendations or ask officers for further information.

The meeting ended at 7.35 pm

Chairman:

Date: