

## Cherwell District Council

### Executive

Minutes of a meeting of the Executive held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 4 January 2016 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 Housing  
Councillor Michael Gibbard, Lead Member for Planning  
Councillor Tony Ilott, Lead Member for Public Protection  
Councillor Kieron Mallon, Lead Member for Banbury Futures  
Councillor D M Pickford, Lead Member for Clean and Green

Also Present: Councillor Sean Woodcock, Leader of the Labour Group  
Councillor Andrew Beere  
Councillor Barry Richards  
Councillor Matt Johnstone

Apologies for absence: Councillor Nicholas Turner, Lead Member for Change Management, Joint Working and IT

Officers: Sue Smith, Chief Executive  
Ian Davies, Director of Operational Delivery  
Martin Henry, Director of Resources / Section 151 Officer  
Kevin Lane, Head of Law and Governance / Monitoring Officer  
Adrian Colwell, Head of Strategic Planning and the Economy, for agenda items 10, 11, 12, 13, 14, 15, 16, 17  
Chris Stratford, Head of Regeneration and Housing, for agenda items 8, 18, 20  
Natasha Clark, Team Leader, Democratic and Elections

### Declarations of Interest

#### **16. Neighbourhood Planning: Application for Designation as a Neighbourhood Area - Bodicote Parish.**

Councillor Andrew Beere, Non Statutory Interest, as a member of Banbury Town Council, which was adjacent to Bodicote Parish and had objected to the proposed area designation.

Councillor Barry Richards, Non Statutory Interest, as a member of Banbury Town Council, which was adjacent to Bodicote Parish and had objected to the proposed area designation.

Councillor John Donaldson, Non Statutory Interest, as a member of Banbury Town Council, which was adjacent to Bodicote Parish and had objected to the proposed area designation.

Councillor Kieron Mallon, Non Statutory Interest, as a member of Banbury Town Council, which was adjacent to Bodicote Parish and had objected to the proposed area designation.

Councillor Matt Johnstone, Non Statutory Interest, as a member of Banbury Town Council, which was adjacent to Bodicote Parish and had objected to the proposed area designation.

Councillor Sean Woodcock, Non Statutory Interest, as a member of Banbury Town Council, which was adjacent to Bodicote Parish and had objected to the proposed area designation.

Councillor Tony Ilott, Non Statutory Interest, as a member of Banbury Town Council, which was adjacent to Bodicote Parish and had objected to the proposed area designation.

**17. Graven Hill and Local Housing Company: Appointment of Housing Representatives.**

Chris Stratford, Declaration, as a Director of Graven Hill Village Development Company Limited.

Sue Smith, Declaration, as a Director of Graven Hill Village Holdings Limited and Graven Hill Village Development Company Limited.

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

There were no petitions or requests to address the meeting.

88 **Urgent Business**

There were no items of urgent business.

89 **Minutes**

The minutes of the meeting held on 30 November 2015 were agreed as a correct record and signed by the Chairman.

90 **Chairman's Announcements**

The Chairman made the following announcement:

1. 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.

## **Response to Oxfordshire County Council's Proposed Changes to Children Centres and Early Intervention Hubs**

The Director of Operational Delivery submitted a report to consider the Council's response to Oxfordshire County Council's (OCC) proposal to close all its children centres and create a small number of family centres.

At the discretion of the Chairman, Councillor Sean Woodcock, Leader of the Labour Group, and Councillors Barry Richards, Andy Beere and Matt Johnstone addressed Executive.

### **Resolved**

(1) That officers be instructed to respond to the Oxfordshire County Council (OCC) consultation as follows:

- (i) The Council in its response to the consultation requests OCC consider the following;
  - a) Ensures that a sufficient facilitation resource is made available to explore alternative service delivery models for each of the current service sites
  - b) Recognise that some emphasis should be placed on Bicester given its planned growth and therefore Option 3 is not supported by this Council
  - c) Incorporate some universal services in its future service as a means of maintaining some preventative and early intervention focus
  - d) That every effort be made to maintain the strong link between schools and children's centres as a means of the most beneficial service continuity model
  - e) Option 2 is the Cherwell District Council's favoured solution to meet b) and c) above
- (ii) Whilst the Council would want to see the retention of the majority of the current service provision, it is not in a position financially or organisationally to intervene directly to do this. It is however in a position to consider a number of opportunities to assist OCC in the process of finding the best alternative overall service provision.

These include;

- to consider this Council's freehold title of the Sunshine Centre with OCC and the Sunshine Centre management organisation as a means of determining whether this will assist in identifying an alternative service delivery model – this is consistent with the Council's emerging asset management strategy;
- to use its community network in relation to the community and voluntary sectors to assist OCC in identifying alternative service delivery models at each of the affected locations;

- to offer officer support to consider how current Council services can contribute to the viability of alternative service delivery models on a site by site basis;
- to use the Brighter Futures in Banbury Programme and its multi-agency basis as a means of reviewing an alternative service delivery model for the town of Banbury which is based on identified service need and builds on the current service strengths.

### **Reasons**

The proposal to cut the early years and early intervention services and in some cases close children centres and replace these with a much smaller number of family centres is of real concern to Cherwell District Council. The investment and foresight of providing children centres and early intervention hubs relatively recently has resulted in much valued and needed services for local people many of whom are our most vulnerable and needy.

It is clear that the current children's centres and early intervention hubs play a key role in delivering important local services, most of which are County Council related. It is however also clear, that the scale of the required budget cuts require substantial change and result in little chance of retaining all current services and premises.

The Council wishes to support the search for alternative delivery solutions for each of the ten children's centres and two early intervention hubs in the District, is prepared to play its part in this process and urges OCC to ensure effective facilitation resources are put in place to enable this to happen.

### **Alternative options**

Option 1: to respond in a different way to that outlined in the report

## **92 Housing Strategy Priority 5: Homeless Prevention Action Plan Update**

The Head of Regeneration and Housing submitted a report to update the Executive on the progress of the Homeless Prevention Action Plan 2016/17.

### **Resolved**

- (1) That the update on the Homelessness Prevention Action Plan (annex to the Minutes as set out in the Minute Book) which takes account of learning from the current year's plan, and reflects Cherwell District Council's application for the Gold Standard accreditation for homelessness services be approved.
- (2) That the report and the importance of the Homeless Action Plan, and the particular benefits the Council derives from financially supporting preventative homelessness services in partnership with other voluntary agency bodies be noted.

### **Reasons**

It is through adopting this Action Plan that the Council makes clear its commitment to the homelessness prevention agenda to both Central Government and its partners across the statutory and voluntary sectors.

The Homelessness Prevention Action Plan is a result of a review of the previous action plan as directed in Chapter 5 of the Housing Strategy, which requires a review of partnerships.

The adoption of the Homelessness Prevention Action Plan is an important step on the Council's journey to achieving Gold Standard for Homelessness Services, and all that lies behind that award.

### **Alternative options**

Option 1: Not to endorse the Homeless Action Plan 2016/17 which highlights the continued need to work in partnership and highlights the request to continue funding to support the prevention of Homelessness. This has been rejected as it will lead to an increase in statutory duties to homeless and an increase in spending on provision of expensive temporary accommodation and rough sleeping across the district.

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### **Council Tax Base 2016/17**

The Head of Finance and Procurement submitted a report to provide Executive with details of the Council Tax Base for 2016-2017.

### **Resolved**

- (1) That the report of the Head of Finance and Procurement for the calculation of the Council's Tax Base for 2016-2017 be considered and the following agreed:
  - (a) That pursuant to the Head of Finance and Procurement's report and in accordance with the Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012, the amount calculated by Cherwell District Council as its Council Tax Base for the year 2016-2017 shall be 50,357.1
  - (b) As for the parishes which form part of its area (annex to the Minutes as set out in the Minute Book) the amount calculated as the Council Tax Base for the year 2016-2017 in respect of special items shall be as indicated in the final column thereto.
  - (c) As for the Flood Defence Areas which form part of its area, the amount calculated as the Council Tax Base for the year 2016-2017 for the purposes of levies on Oxfordshire County Council by River Authorities, shall be:

Thames Flood Defence Area	48,046.2
Anglian (Great Ouse) Flood Defence Area	1,876.3
Severn Region Flood Defence Area	434.6
	<hr/>
	50,357.1

- (2) That final approval of the Council Tax Base for 2016-2017 be delegated to the Section 151 Officer in consultation with the Lead Member for Financial Management.

### **Reasons**

The collection rate used is a best estimate of the percentage of the total amount due for 2016-17. It is based on previous year's collection rates.

The appendices show the most up to date position of the Council Tax base and the adjustments have been made to take account of changes during 2015-16.

### **Alternative options**

Option 1: To reject the tax base calculation. The figures in this report could be rejected and a new calculation made. However, this would result in further delays for all preceptors in calculating their own precept to be levied on the Council.

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### **Annual Monitoring Report 2015**

The Head of Strategic Planning and the Economy submitted a report to seek approval of the Annual Monitoring Report (AMR) 2015, and to present the District's current housing land supply position.

In introducing the report, the Lead Member for Planning explained that the district had a 5.3 year supply of deliverable sites for the current period 2015-2020 and a 5.6 year supply for the next five year period (2016-2021) commencing on 1 April 2016. Subject to approval of the AMR, this up-to-date position would be reported to the Planning Committee as further relevant planning applications for housing were considered

### **Resolved**

- (1) That the Annual Monitoring Report be approved.
- (2) That the Head of Strategic Planning and the Economy be authorised to make any necessary minor amendments before publication.
- (3) That the District's housing delivery position be noted.

### **Reasons**

The Annual Monitoring Report provides important information to measure the effectiveness of planning policies and to assist policy making and development management decision making. It is the statutory mechanism for monitoring housing delivery. Its most significant conclusion is that the District continues to demonstrate a five year housing land supply.

### **Alternative options**

Option 1: To seek amendment of the 2015 AMR in consultation with the Lead Member for Planning

Officers consider the AMR to be robust report supported by data and research. Delay could lead to uncertainty within the development industry and risks for decision making.

Option 2: Not to approve the AMR

Production of a monitoring report is a statutory requirement.

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### **Statement of Community Involvement 2016**

The Head of Strategic Planning and the Economy submitted a report to seek approval of a new Statement of Community Involvement (SCI) 2016 for formal consultation.

### **Resolved**

- (1) That the draft Statement of Community Involvement (SCI) 2016 be approved for formal public consultation.
- (2) That the Head of Strategic Planning and the Economy be authorised to make any necessary minor and presentational changes to the draft Statement of Community Involvement 2016 before formal consultation commences.

### **Reasons**

A draft SCI 2016 has been prepared for the purpose of public consultation. Upon completion and final approval, the SCI 2016 will be the Council's formal statement on community engagement in planning decisions. The existing SCI was adopted by the Council in July 2006. A number of changes have since been made to planning legislation and policy. Technological advances including increased use and availability of electronic communications have also affected how public consultation is undertaken. The Council is also at the early stage of producing a number of new planning policy documents which will require community and stakeholder involvement. It is therefore appropriate to prepare a new SCI and, in view of its purpose, to consult on it.

### **Alternative options**

Option 1: Continue to use the SCI that was adopted in July 2006.

This is not recommended as although the SCI 2006 is comprehensive, it is dated. It does not reflect changes to plan-making and development management processes.

Option 2: To reconsider the content of the draft SCI

The draft SCI has been produced having regard to statutory and policy requirements for plan-making and development management. Examples of recently approved SCIs have been considered. It is considered by officers to be an appropriate consultation document.

## 96 **Local Development Scheme**

The Head of Strategic Planning and the Economy submitted a report to seek approval of an updated Local Development Scheme (LDS) for the production of the Council's planning policy documents.

### **Resolved**

- (1) That the updated Local Development Scheme (LDS) (annex to the Minutes as set out in the Minute Book) be approved.

### **Reasons**

An updated Local Development Scheme (LDS) has been prepared. It provides a programme for the preparation of the Council's key planning policy documents that will be relevant to future planning decisions and, where applicable, the public examination of those documents. The Council has a statutory responsibility to prepare and maintain an LDS. The LDS will be used by officers, the public, partners, developers and other stakeholders to monitor the production of documents to plan for associated consultations. Approval of the LDS is needed to assist project management and ensure that the Council meets its statutory responsibilities for plan-making.

### **Alternative options**

Option 1: Not to approve the LDS

The Council has a statutory responsibility to maintain an LDS. Not to approve the LDS could undermine the confidence of the public and stakeholders about the Council's plan-making programme. The LDS would need to be re-presented to the Executive at a future meeting or to the Lead Member for Planning.

Option 2: To reconsider the content of the LDS

The LDS has been prepared having regard to the Council's statutory responsibilities and current resources. It is considered by officers to be appropriate for the present and foreseeable circumstances.

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

The Head of Strategic Planning and the Economy submitted a report to seek approval of an issues paper on Local Plan Part 2 for formal consultation.

### **Resolved**



- (1) That the Cherwell Local Plan 2011-2031 (Part 2): Development Management Policies and Sites issues paper be approved for formal public consultation.
- (2) That the Head of Strategic Planning and the Economy be authorised to make any necessary minor and presentational changes to the issues paper before formal consultation commences.

### **Reasons**

An issues paper for Local Plan Part 2 has been prepared for the purpose of public consultation. Local Plan Part 2 will focus on the preparation of new Development Management policies and the identification of non-strategic development sites which reflect the vision, objectives and policies of Local Plan Part 1 and priorities in the National Planning Policy Framework. Members are recommended to approve the issues paper in the interest of seeking detailed public, partner and stakeholder views on the matters that will need to be considered and responded to in preparing Part 2 of the Local Plan.

### **Alternative options**

Option 1: To delay the issues paper and consultation until options have also been produced

A consultation now will provide officers the opportunity to consider issues comprehensively before identifying reasonable options. Further work would be required to identify potential options supported by the Sustainability Appraisal process.

Option 2: To reconsider the content of the issues paper

The issues paper has been produced having regard to national policy and guidance, Local Plan Part 1, the saved policies of the adopted Cherwell Local Plan 1996, the Non-Statutory Cherwell Local Plan 2011 and representations received in response to an initial public notification. It is considered by officers to be an appropriate consultation document.

## **98 Cherwell Local Plan 2011-2031 (Part 1): Partial Review - Oxford's Unmet Housing Need**

The Head of Strategic Planning and the Economy submitted a report to seek approval of an issues paper on the Partial Review of Local Plan Part 1 for formal consultation.

### **Resolved**

- (1) That the Cherwell Local Plan 2011 – 2031 (Part 1): Partial Review – Oxford's Unmet Housing Need issues paper be approved for formal public consultation.
- (2) That the Head of Strategic Planning and the Economy be authorised to make any necessary minor and presentational changes to the issues paper before formal consultation commences.

- (3) That officers be requested to engage with Oxford City Council to agree appropriate arrangements for seeking the views of Oxford City stakeholders prior to the commencement of formal consultation.

### **Reasons**

An issues paper for the Partial Review of Local Plan Part 1 has been prepared for the purpose of public consultation. Through the Oxfordshire Growth Board, the Oxfordshire Councils have generally agreed that although the precise ability of Oxford to accommodate its own need has yet to be concluded there is general agreement that there is limited capacity within the city to fully accommodate its own need and that therefore there will be a significant potential shortfall which will need to be provided in neighbouring districts. A total countywide working figure of 15,000 homes has been identified.

Progress on the Partial Review needs to be made to enable the Council to meet its commitment, in paragraph B.95 of the adopted Local Plan, to complete a review within two years of adoption. Members are recommended to approve the issues paper in the interest of seeking detailed public, partner and stakeholder views on the matters that will need to be considered and responded to in preparing the Partial Review.

### **Alternative options**

Option 1: To delay the issues paper and consultation until options have also been produced

A consultation now will provide officers the opportunity to consider issues comprehensively before identifying reasonable options. Completion of the countywide work in Summer 2016 is needed to help inform options. A delay would make it very difficult to meet the two year review programme that the Council has committed to within paragraph B.95 of the adopted Cherwell Local Plan 2011-2031 (Part 1) thereby inviting legal risks. Further work on Sustainability Appraisal would also be required to identify potential options.

Option 2: To reconsider the content of the issues paper

The issues paper has been produced having regard to national policy and guidance, on-going countywide work and Local Plan Part 1. It is considered by officers to be an appropriate consultation document.

### **Draft Banbury Masterplan Consultation**

The Head of Strategic Planning and the Economy submitted a report which sought approval of the draft Banbury Masterplan for public consultation and engagement over a six week period.

In introducing the report, the Lead Member for Planning explained that the draft Banbury Masterplan provided a vision for the future of Banbury and a set of themes for coordinating a series of actions as detailed in an Action Plan. A combination of steps had been identified to help promote the development of

Banbury in a comprehensive, integrated way which built on the adopted Cherwell Local Plan (2011 - 2031).

### **Resolved**

- (1) That the draft Banbury Masterplan be approved for six weeks consultation and engagement with the public and stakeholders.
- (2) That the Head of Strategic Planning and the Economy be authorised to correct any minor spelling, grammatical or typographical errors and make any improvements from a presentational perspective prior to the publication of draft Banbury Masterplan for consultation.
- (3) That officers be requested to report back to the Executive the results of the consultation.

### **Reasons**

The draft Banbury Masterplan aims to provide a vision for the future of Banbury and a set of themes with associated actions that are detailed in an Action Plan. This combination of steps will help promote the development of Banbury in a way which accords with the adopted Cherwell Local Plan. It also shows how a series of social, economic and environmental measures can support Banbury grow in a comprehensive, integrated way.

Agreement is sought to commence consultation and engagement for a six week period with the public and other stakeholders in accordance with the measures set out in the Statement of Community Involvement which provides the steps Cherwell must follow in its consideration of planning documents.

The intention is to conclude this process with a Masterplan for Banbury that can be adopted by Cherwell District Council as a Supplementary Planning Document (SPD) during 2016.

### **Alternative options**

Option 1: To drop the Town Masterplan

This has been rejected as the Masterplan provides more detail on the overall growth of the town and the different policy areas which contribute to that growth than the framework set by the Local Plan provides; whilst highlighting the relationship between the different development sites, provides a greater level of certainty for developers and the community as to how the town will develop.

Option 2: To reduce the number of themes set out within the Masterplan

This has been rejected as it would make the Masterplan less comprehensive and miss the opportunity that the plan illustrates to secure gains from the town from the combination of new housing, employment, transport, regeneration measures as well as the relationship to 'Brighter Futures' and environmental improvements.

## **Neighbourhood Planning: Application for Designation as a Neighbourhood Area - Bodicote Parish**

The Head of Strategic Planning and the Economy submitted a report to consider an application to designate Bodicote Parish as a Neighbourhood Area for the purpose of preparing a Neighbourhood Plan.

In introducing the report, the Lead Member for Planning explained that whilst the application was valid there were special circumstances to consider. Two areas of land currently in Bodicote Parish Council's administrative area would from 1 April 2016 move to Banbury Town Council's administrative area. It was therefore recommended that the revised boundaries were designated for the Neighbourhood Area for the Neighbourhood Plan.

### **Resolved**

- (1) That the Bodicote Parish Neighbourhood Plan application as submitted be refused and the designation of the more appropriate alternative as shown on the map as set out in the annex to the Minutes (as set out in the Minute Book) appendix 4 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**

Bodicote Parish Council has made an application for the designation of its administrative area as a neighbourhood area for the purpose of preparing a Neighbourhood Plan. Taking into account all of the comments received and having regard to the circumstances explained above, officers have concluded that the current boundary for the Parish of Bodicote is not an appropriate neighbourhood area as part of the area will shortly become part of Banbury and the Town Council do not show an interest in joint working or providing the required consent. The recommended alternative area is shown on the map at the annex to the Minutes (as set out in the Minute Book) which follows the newly aligned boundary as approved by the Local Government Boundary Commission for England.

### **Alternative options**

Option 1: To approve the area for designation as submitted based on the current boundaries for Bodicote Parish

Option 2: To defer designation

## **Graven Hill and Local Housing Company: Appointment of Housing Representatives**

The Head of Law and Governance submitted a report to confirm the appointment of two of the statutory officers to act as the formal representatives of the Council's shareholding interests in the Graven Hill companies and the proposed local housing company.

## **Resolved**

- (1) That the appointment of the section 151 officer, and the monitoring officer in the absence of the section 151 officer, as the authorised representatives of the Council's shareholding interests in Graven Hill Village Holdings Company Limited, Graven Hill Village Development Company Limited and the proposed local housing company be approved.
- (2) That authority be delegated to the section 151 officer, and the monitoring officer in the absence of the section 151 officer, to take all necessary shareholder action and to exercise all necessary shareholder discretion in relation to the three said companies in consultation with the Lead Member for Financial Management.
- (3) That all future business cases for proposed council companies that are submitted as part of the approved confederation approach be required to include a recommendation as to the most appropriate officer shareholder representative.

## **Reasons**

It is necessary to appoint appropriate officer representatives to take decisions on the Council's behalf as shareholder in each the three companies. Given the nature of the Council's anticipated financial interest in each of them it is recommended that the most appropriate officer to fill this role is the statutory officer with responsibility for safeguarding the Council's finances with the statutory officer responsible for ensuring the Council acts lawfully as a substitute in absence.

## **Alternative options**

Option 1: Not to appoint an authorised shareholder representative for each of the companies. This is rejected as the council's shareholder interests need to be adequately protected and the companies' cannot function long term without the facility to taker shareholder decisions effectively.

Option 2: To appoint alternative authorised officers to those recommended. This is rejected as the two statutory officers are considered to be the most appropriate for the reasons set out in the report above.

## **Asset Management Strategy Action Plan Update**

The Head of Regeneration and Housing submitted a report to update the Executive on the progress of the priority actions arising from the Asset Management Strategy Review as reported in December 2014 and as part of the 2015/16 budget process.

## **Resolved**

- (1) That the updates on the priority actions arising from the Asset Management Plan set out in exempt Appendix to the report (exempt annex to the Minutes as set out in the Minute Book) and the recommendations set out therein be approved.
- (2) That the further progress associated with re-developing The Hill Youth and Community Centre and the full capital cost to complete the replacement of the current facility be noted.
- (3) That the Expression of Interest made to Sport England and the Lottery Fund to support the redevelopment of the Hill Youth and Community Centre be noted.
- (4) That the latest position in respect of the Bolton Road car park facility and the revised financial position (exempt annex to the Minutes as set out in the Minute Book) be noted and approved.
- (5) That the necessary work through the Accommodation Asset Strategy Board to conclude an investment and disposal strategy for core and noncore assets to enable the Executive to consider and approve the Strategy by April 2016 with the costs associated with completing this work to be met from the approved additional resources of £100K available to deliver action plan objectives be supported.

## **Reasons**

It is important that adequate resource and specialist reviews are being undertaken in order to inform the work programme, capital programme and current strategic development projects.

## **Alternative options**

There is an option not to consider this update and identified financial outcomes. This is not recommended as a number of priority actions require resource updates now as they will impact on other Council projects and priorities when the 2016/17 budget priorities are subsequently considered.

## **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, Paragraph 3 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.

104 **Asset Management Strategy Action Plan Update - Exempt Appendices Resolved**

- (1) That the exempt appendices be noted.

The meeting ended at 8.30pm

Chairman:

Date: