

Cherwell District Council

Executive

Minutes of a meeting of the Executive held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 7 December 2009 at 6.30 pm

Present: Councillor Barry Wood (Chairman)
Councillor G A Reynolds (Vice-Chairman)

Councillor Ken Atack
Councillor Norman Bolster
Councillor Michael Gibbard
Councillor James Macnamara
Councillor Nigel Morris
Councillor Nicholas Turner

Also Present: Councillor John Donaldson

Apologies for absence: Councillor Kieron Mallon
Councillor D M Pickford

Officers: Mary Harpley, Chief Executive and Head of Paid Service
Ian Davies, Strategic Director - Environment and Community
John Hoad, Strategic Director - Planning, Housing and Economy
Mike Carroll, Head of Improvement
Liz Howlett, Head of Legal & Democratic Services and Monitoring Officer
Phil O'Dell, Chief Finance Officer
Karen Curtin, Head of Finance
Tony Brummell, Head of Building Control & Engineering Services
Philip Clarke, Head of Planning & Affordable Housing
Gillian Greaves, Head of Housing Services
David Marriott, Head of Economic Developments & Estates
Paul Marston-Weston, Head of Recreation & Health
Karen Muir, Corporate System Accountant
Pat Simpson, Head of Customer Service & Information Systems
Claire Taylor, Community Planning Manager
Jo Smith, Communications Manager
Amy Smart, Assistant Planning Officer
James Doble, Democratic, Scrutiny and Elections Manager

78 **Declarations of Interest**

Members declared interest with regard to the following agenda items:

7. Banbury Cultural Quarter.

Councillor Nicholas Turner, Personal, as Chairman of The Mill Management Committee.

11. Approval for Funding at Claypits Lane, London Road, Bicester.

Councillor G A Reynolds, Personal, as a County Councillor, due to the County Council owning the site at Claypits Lane.

Councillor Michael Gibbard, Personal, as a County Councillor, due to the County Council owning the site at Claypits Lane.

Councillor Nicholas Turner, Personal, as a County Councillor, due to the County Council owning the site at Claypits Lane.

Councillor Norman Bolster, Personal, as a County Councillor, due to the County Council owning the site at Claypits Lane.

12. Authorisation of Supplementary Revenue Estimate.

Councillor G A Reynolds, Prejudicial, as he had expressed clear views on this issue at the Planning Committee.

Councillor Nicholas Turner, Prejudicial, as he had expressed clear views on this issue at the Planning Committee.

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

There were no petitions or requests to address the meeting.

80 **Urgent Business**

There was no urgent business.

81 **Minutes**

The minutes of the meeting held on 16 November 2009 were agreed and signed as a correct record.

82 **Countywide Interim Planning Advice Note - Renewable Energy & Sustainable Construction**

The Head of Planning and Affordable Housing Policy submitted a report to seek approval of an 'Advice Note' document which has been prepared by Oxfordshire County Council in liaison with district councils across Oxfordshire to provide advice on renewable energy and sustainable construction issues in the interim period before Core Strategies are adopted.

Resolved

That the Advice Note attached at annex 1 to these minutes be adopted for use as a guide to assist applicants in making planning applications and development control in making decisions regarding the need to improve renewable energy provision and sustainable construction standards.

Reasons – The Advice Note does not establish new planning policy, but seeks to emphasise the relevant policies in the adopted South East Plan. It also provides further information which will be of use in making applications for planning permission, and in the decision making process.

Options

- Option One** To endorse use of the Advice Note by Cherwell District Council
- Option Two** To endorse use of the Advice Note by Cherwell District Council however to make changes to the advice as the Executive considers appropriate.
- Option Three** Not to endorse use of the Advice Note by Cherwell District Council

83

Banbury Cultural Quarter

The Strategic Director Environment and Community submitted a report to consider proposals for the development of a Banbury Cultural Quarter in conjunction with The Mill Management Committee and Oxfordshire County Council.

Resolved

- (1) That the concept of a Cultural Quarter in Banbury to the east of the Oxford Canal be supported as outlined in the report;
- (2) That Oxfordshire County Council be supported in the development of an integrated new library and Mill as outlined in the report;
- (3) That a supplementary capital estimate of £60,000 to progress the Cultural Quarter components to the level of detail required be agreed and that an outline planning application be submitted subject to the County Council agreeing to fund the new library and Mill Arts Centre refurbishment;
- (4) That the Executive receive further reports on the further design work, outline capital costs and anticipated revenue implications of progressing the District Council's components of the Cultural Quarter prior to any commitment.

Reasons – The District Council has been discussing for many months with representatives from The Mill Management Committee and Oxfordshire County Council the concept of a Cultural Quarter. The point has been reached in the development of the concept where formal consideration needs to be given by each of the partners.

Options

- Option One** The Council could support the development of a Cultural

Quarter on the site and build on the established cultural services and facilities which already exist there. This is the basis of the proposal within this report.

Option Two The Council could choose to do nothing in relation to a Cultural Quarter and rely entirely on the County Council and Mill Management Committee to determine their redevelopment proposals within the footprint currently available to them. This is likely to be impractical and therefore scupper their development plans.

Option Three The Council could choose to look at a Cultural Quarter elsewhere in the town. However, as indicated through the Sequential Test, this is unlikely to be delivered due to the limited availability of land and significant additional financing which is unlikely to be available.

84

Sports Centres Modernisation Update

The Strategic Director Environment and Community submitted a report to consider the progress made on the Sports Centres Modernisation project and the temporary use of the land of the current Spiceball Sports Centre site.

Resolved

- (1) That the current position and progress to date be noted;
- (2) That the plans for the official opening of the new Spiceball Leisure Centre be noted;
- (3) That following demolition, part of the site of the current Spiceball Park Sports Centre be agreed for use for a temporary car park and a planning application be submitted for its change of use;
- (4) That a car park order be made, subject to the planning consent, for a temporary car park at Spiceball Park Sports Centre.
- (5) That it be agreed to fund the costs of creating the temporary car park from the Sports Centres Modernisation project fund in consultation with the Portfolio Holder for Environment, Recreation and Health.

Reasons - This report provides the latest position to the Council and follows the other periodic updates the Executive has received on this project. As the position has been reached where the existing Spiceball Park Sports Centre will shortly be demolished, consideration is required of an alternative use for the site.

Options

Option One One will be to leave the site as a demolished but safe site with no immediate or long term use. This will carry security costs of up to £10,000.

- Option Two** As recommended in this report, the demolished site be considered in part for a temporary car park.
- Option Three** The Council could, if it wished, consider other forms of development on this site which would be subject to separate funding arrangements and need to be considered in conjunction with the Banbury Cultural Quarter report elsewhere on this agenda. It should be noted that any alternative re-use of the site other than those proposed in the Cultural Quarter report will have implications for the County Council's development of an integrated Mill and new library and still require demolition of the current sports centre.

85

ICT Service Provision Strategy

The Head of Customer Service and Information Services submitted a report to seek Member approval for a major strategic project to improve the resilience of the Council's computer systems, and to progress the means of identifying options for the medium and long term delivery of ICT services.

Resolved

- (1) That the project to complete the virtualisation and thin client projects and related staffing changes using the £125,000 already approved for ICT investment, but released by reducing the 2009/2010 ICT capital programme be approved.
- (2) That a supplementary estimate of up to £150,000 for the purposes of (1) above be approved.
- (3) To request that a Member and Officer review group is established to review the options available to the Council for the future delivery of strategic ICT services.
- (4) Approve the proposal for interim arrangements for ICT service delivery pending the findings of the review group, at an estimated cost of £50,000 to be met from the ICT reserve.

Reasons - This report concerns how we plan for the future and ensure our IT service delivery is fit for purpose. Technology has great capacity to deliver efficiencies for the Council as a consequence of how it is procured and delivered and as a consequence of its deployment in service delivery.

Options

- Option One** Continue to make point replacements to the Council's ICT infrastructure. This does nothing to mitigate the current risk to the Council's "gold" systems and other applications residing on hardware older than four years, nor does it address the

piecemeal structure of the infrastructure, driven as it is by individual service need not strategic Council direction. We must still replace the 20 currently over four years old at a cost of at least £60,000. This cost will occur next year, and the next, in a never ending cycle.

Option Two

Transfer out the entire risk by inviting tenders for suppliers to resolve the current problems then deliver the service. The risk of this approach is that potential suppliers may maximise the scale – and concomitant cost to put right – of the problems prior to taking on the management of the service. It is unlikely to deliver value for money.

Option Three

Do the necessary work to bring our infrastructure and ICT service management into line with contemporary best practice, thereby maximising the options for service delivery. This will allow the council to review its medium/long-term service delivery options and develop an ICT strategy that meets the organisation's needs now and into the future.

Draft Budget , Corporate Plan and Service Plans 2010 - 2011

The Head of Finance submitted a report to provide the opportunity for the Executive with the first of three opportunities that the Executive has to shape and refine the interaction between the Corporate Plan, the service plans that underpin the corporate plan and financial matters before the final budget is presented to the Council on the 22nd February 2010.

Resolved

- (1) That the draft budget and service plans be considered in the context of the Council's service objectives and strategic priorities;
- (2) That the proposed service priorities and the draft Corporate Plan for 2010-11; and to request officers to draft revised corporate plan aims regarding i) NW Bicester Eco Town ii) and around designing services to meet the needs of our most vulnerable residents.
- (3) That the areas of unavoidable revenue growth be noted;
- (4) That the approach to the overall capital programme and 2010/11 expenditure profile be agreed; and that officers note the request of scrutiny for a review of the capital programme which should be brought forward and reported to the January Executive meeting, with particular attention paid to minimising the extent of the programme in 2010/11 in particular."

- (5) That it be noted that the recommendations of the scrutiny reviews on the non consulted services and capital programme to be considered at the Resources and Performance Scrutiny Board on 1 December 2009 will be reviewed as part of the second draft of the budget:
- (6) That the draft budget and corporate plan as the basis for consultation be endorsed;

Reasons - The budget will form the financial expression of the Council's strategic priorities and service delivery plans for 2010/11; the allocation of resources against agreed service priorities is necessary in order to achieve its strategic priorities.

Options

Option One	To review draft revenue and capital budget to date and consider actions arising.
Option Two	To approve or reject the recommendations above or request that Officers provide additional information.

87

Approval for Funding at Claypits Lane, London Road, Bicester

The Head of Housing Services submitted a report to seek approval for expenditure of £187,250 grant funding from the Capital Reserves for Affordable Housing towards the land for affordable housing at Claypits, Bicester.

Resolved

That a supplementary capital estimate of £187,250 be approved to secure nomination rights to four affordable housing units at Claypits, London Road, Bicester.

Reasons - Executive approved the expenditure for the Claypits scheme in May 2006 but delays with the land transfer has meant this allocated funding has not been spent to date. This report is to re-refer this matter to Executive and if approved reinstate the planned expenditure into the Capital budget.

Options

- Option One** To agree to reinstate the approval of grant funding of £187,250 for this scheme.
- Option Two** To not approve funding for the scheme with the understanding that the terms of the transaction and the planning agreement will need to be varied and the affordable housing units are not provided.

Councillors Reynolds and Turner left the meeting whilst the following agenda item was discussed.

88 **Authorisation of Supplementary Revenue Estimate**

The Head of Development Control and Major Developments submitted a report to recommend authorisation of a budget for payment of compensation via a Supplementary Revenue Estimate to be funded from Development Control and Major Developments Reserve.

Resolved

- (1) That the report to the Planning Committee and the committee resolution to pay Mr Whithead and Ms Simons of the Marlborough Arms, Gatteridge Street Banbury £11,274.35 compensation for losses arising from the Council's maladministration be noted.
- (2) That a Supplementary Revenue Estimate of £11,274.35 to be funded from Development Control and Major Developments reserve be approved.

Reasons - The Planning Committee has agreed to pay £11,274.35 compensation to Mr Whithead and Ms Simons of the Marlborough Arms, Gatteridge Street, Banbury for losses arising from the Council's maladministration. There is currently no financial provision for the proposed compensation and therefore budgets need to be made available to allow this payment to be made.

89 **Exclusion of the Press and Public**

Resolved

That, in accordance with Section 100A(4) of Local Government Act 1972, the press and public be excluded from the meeting for the following item of business, on the grounds that it could involve the likely disclosure of exempt information as defined in paragraph 2 of Schedule 12A of that Act.

90 **Old Bodicote House Refurbishment**

The Chief Executive and Head of Economic Development and Estates submitted a report to approve the refurbishment of Old Bodicote House into serviced office accommodation, award the contracts for these works and associated works, and agree a strategy for the future use of Bodicote House property

Resolved

- (1) That the overall strategy for the future use of property on the Bodicote House estate be approved
- (2) That funding in the capital programme of £45,000 for the refit of part of the second floor of new Bodicote House for external tenants, subject to suitable lettings being agreed be approved

- (3) That the conversion of Old Bodicote House into serviced office accommodation, subject to the council entering into a management contract for its operation be approved.
- (4) That funding in the capital programme of £826,000 for the works necessary to refurbish Old Bodicote House as a serviced office facility, including £53,000 for the expansion of Bodicote House car park be approved.
- (5) That the award the design and build contract for the refurbishment to Paragon Interiors, delegating the agreement of the final tender sum to the Head of Estates and Economic Development in consultation with the Portfolio Holder for Economic Development and Estates following further design clarification be approved.
- (6) That the car park extension contract be awarded to Fergal Construction in accordance with the tender sum of £52,943

Reasons - The council needs to consider a longer-term strategy for the use of its buildings in order to ensure best use of its assets and to help deliver its strategic priorities.

The meeting ended at 7.47 pm

Chairman:

Date: