

Cherwell District Council

Council

Minutes of a meeting of the Council held in at Bodicote House, Bodicote, Banbury, OX15 4AA, on 19 July 2010 at 6.30 pm

Present: Councillor George Parish (Chairman)

Councillor Timothy Hallchurch MBE
Councillor Rick Atkinson
Councillor Ken Atack
Councillor Maurice Billington
Councillor Fred Blackwell
Councillor Norman Bolster
Councillor Nick Cotter
Councillor John Donaldson
Councillor Mrs Diana Edwards
Councillor Tim Emptage
Councillor Andrew Fulljames
Councillor Mrs Catherine Fulljames
Councillor Michael Gibbard
Councillor Simon Holland
Councillor Chris Heath
Councillor David Hughes
Councillor Russell Hurle
Councillor Tony Ilott
Councillor Victoria Irvine
Councillor James Macnamara
Councillor Nicholas Mawer
Councillor D M Pickford
Councillor G A Reynolds
Councillor Daniel Sames
Councillor Leslie F Sibley
Councillor Chris Smithson
Councillor Trevor Stevens
Councillor Keith Strangwood
Councillor Lawrie Stratford
Councillor Rose Stratford
Councillor Lynda Thirzie Smart
Councillor Patricia Tompson
Councillor Nicholas Turner
Councillor Douglas Webb
Councillor Martin Weir
Councillor Douglas Williamson
Councillor Barry Wood

Also Present: Sonia Mills, Chief Executive, Oxfordshire Primary Care Trust
Dr Jonathan McWilliam, Director of Public Health, Oxfordshire

Apologies for absence: Councillor Luke Annaly
Councillor Alyas Ahmed
Councillor Ann Bonner
Councillor Colin Clarke
Councillor Margaret Cullip

Councillor Alastair Milne Home
Councillor Kieron Mallon
Councillor Nigel Morris
Councillor P A O'Sullivan
Councillor Neil Prestidge
Councillor Carol Steward

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
Liz Howlett, Head of Legal & Democratic Services and Monitoring Officer
Martin Henry, Chief Finance Officer / Section 151 Officer
James Doble, Democratic, Scrutiny and Elections Manager

9 **Declarations of Interest**

Members declared interests with regard to the proposed Eco-town, Bicester

Councillor Maurice Billington, Personal, as a County Councillor due to the County Council holding a land interest at Gowells Farm.

Councillor Norman Bolster, Personal, as a County Councillor due to the County Council holding a land interest at Gowells Farm.

Councillor Mrs Catherine Fulljames, Personal, as a County Councillor due to the County Council holding a land interest at Gowells Farm.

Councillor Michael Gibbard, Personal, as a County Councillor due to the County Council holding a land interest at Gowells Farm.

Councillor Timothy Hallchurch MBE, Personal, as a County Councillor due to the County Council holding a land interest at Gowells Farm.

Councillor G A Reynolds, Personal, as a County Councillor due to the County Council holding a land interest at Gowells Farm.

Councillor Lawrie Stratford, Personal, as a County Councillor due to the County Council holding a land interest at Gowells Farm.

Councillor Nicholas Turner, Personal, as a County Councillor due to the County Council holding a land interest at Gowells Farm.

Councillor Barry Wood, Personal, as persons known to him have a land interest in the area of, but outside the proposed eco-town.

10 **Communications**

The Chairman reported he had received a letter from the parish of the Immaculate Conception to thank the council for its grant of £10,000 towards a new community centre.

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

There were no petitions or requests to address the meeting.

12 **Urgent Business**

There were no items of urgent business.

13 **Public Health and Healthcare Services in Cherwell - Address by Chief Executive Oxfordshire Primary Care Trust and Director of Public Health Oxfordshire**

The Chairman welcomed Sonia Mills, Chief Executive, Oxfordshire Primary Care Trust and Dr Jonathan McWilliam, Director of Public Health for Oxfordshire to the meeting.

Sonia Mills and Dr Jonathan McWilliam addressed the meeting regarding the work of the Primary Care Trust and the Fourth Annual Report of the Director for Public Health. A number of members asked questions and answers were duly provided.

The Chairman thanked Sonia Mills and Dr Jonathan McWilliam for their attendance.

It was proposed by Councillor Wood and seconded by Councillor Reynolds that the recommendations as set out in the report be approved.

Resolved

- (1) That the fourth Annual Report of the Director of Public Health be received.
- (2) That the Council include in its annual service and financial planning process consideration of the Council's response to the key health issues for the Cherwell District.
- (3) That the Council continue to support the PCT in its healthcare service improvement activities in Cherwell, particularly in relation to the Horton General Hospital and Bicester Community Hospital.

14 **Minutes of Council**

The minutes of the meeting held on 19 May 2010 were agreed as a correct record and signed by the Chairman.

15 **Minutes**

- a) **Minutes of the Executive, Portfolio Holder Decisions and Executive Decisions made under Special Urgency**

Resolved

That the minutes of the meeting of the Executive and Portfolio Holder decisions as set out in the Minute Book be received and that it be noted that since the last meeting

of Council, one Executive decision had been taken that was subject to the special urgency provisions of the Constitution.

b) Minutes of Committees

Resolved

That the minutes of Committees as set out in the Minute Book be received.

16

Questions

a) Written Questions

There were no written questions.

b) Questions to the Leader of the Council

Questions were asked and answers received on the following issues:

Bicester Town Centre Highway Improvement Scheme: Councillor Sibley
Eco-town – Local Authority Funding Arrangements: Councillor Mrs Fulljames

c) Questions to Committee Chairmen on the minutes

There were no questions to the Committee Chairman on minutes.

17

Motions

a) Wind Turbines and Distance to Dwellings

It was moved by Councillor Macnamara, and seconded by Councillor Mrs Fulljames, that the following motion be adopted:

‘That this Council develops, as a matter of urgency, a policy setting minimum acceptable distances between proposed wind turbines and dwellings.’

The motion was debated and subsequently agreed.

Resolved

That the motion as set out above be adopted.

b) Housing Numbers

It was moved by Councillor Gibbard, and seconded by Councillor Wood, that the following motion be adopted:

‘This Council welcomes the letter from Eric Pickles MP signalling a clear intent to release us from the constraints of the SE Plan. The Council instructs Officers to continue work on a Local Development Core Strategy, but to progress on the basis of meeting the locally proposed housing target originally endorsed by Councillors and included in the submission of the draft plan to the Government (11,800 to 2026). In general terms the Council anticipates this may result in a Core Strategy that creates less pressure on Banbury to expand beyond its natural boundaries, less pressure on Rural Areas to accept housing growth, and a firming up of housing growth for Bicester in line with its Eco Town status.’

The Council will welcome any proposals from Government that can incentivise District Council Planning Authorities to encourage economic and housing growth.

The Council instructs Officers to write to the LGA and the CLG welcoming local decision making in respect of housing numbers and calls on the Government not to introduce surrogates for Regional Plans such as County Structure Plans.'

The motion was debated and subsequently agreed.

Resolved

That the motion as set out above be adopted.

18

Bicester Town Centre Redevelopment - Compulsory Purchase Proposals

The Head of Regeneration and Estates, Head of Legal and Democratic Services and Head of Development Control and Major Developments submitted a joint report to:

- Advise Council of the possible need to use compulsory purchase powers to secure the necessary land and rights to complete the Bicester town centre redevelopment
- Ask for approval to the use of compulsory purchase powers to facilitate the implementation of the redevelopment as proposed by Town Centre Retail (Bicester) Ltd in planning permission 07/00422/F, as amended in relation to the central part of the redevelopment site by planning permission 09/01687/F, to assemble the land interests required for the redevelopment, such land interests being shown for indicative purposes only edged red and, in the case of new rights, hatched blue on the plan at Appendix One
- Approve the appropriation of the land edged red on the plan at Appendix Two, being land in the Council's ownership, for planning purposes.
- Approve the acquisition of the existing service yard to the Crown Walk shopping centre shown edged green on the plan at Appendix Three for planning purposes so that, if necessary, the powers in section 237 of the Town and Country Planning Act 1990 may be relied upon to override legal interests which might impede the implementation of the redevelopment.

Resolved

- (1) That it be confirmed that Cherwell District Council is minded to make a compulsory purchase order in respect of:
 - (a) the land shown edged red on the plan attached at Annex 1 to these minutes (as set out in the minute book) under Section 226(1) (a) of the Town and Country Planning Act 1990 (as amended) because it thinks that the acquisition will facilitate the carrying out of the redevelopment, and the redevelopment is likely to contribute to the promotion or improvement of the economic, social and environmental well-being of Bicester and the surrounding district; and
 - (b) new rights in relation to the land shown hatched blue on the same plan as are required to facilitate the redevelopment under Section 13 of the Local Government Act (Miscellaneous Provisions) Act 1976
- (2) That the Head of Legal and Democratic Services be authorised to take all necessary steps as considered appropriate to secure the making of a

compulsory purchase order including the publication and service of all relevant notices

- (3) That the Head of Regeneration and Estates be authorised to approve the terms for the acquisition of legal interests by agreement including for the purposes of resolving any objections to the compulsory purchase order
- (4) To confirm the appropriation of the land edged red on the plan attached at Annex 2 to these minutes (as set out in the minute book) for planning purposes as described in section 226 and 246 of the Town and Country Planning Act 1990 (as amended) on the commencement of Phase 2 of the redevelopment scheme (i.e. following the initial highway and other enabling works within Phase 1) in accordance with Section 122 of the Local Government Act 1972.
- (5) That the acquisition of the land edged green on the plan attached at Appendix 3 to these minutes (as set out in the minute book) be authorised for planning purposes in accordance with section 227 of the Town and Country Planning Act 1990 (as amended).

19 **Standards Committee Annual Report 2009/10**

The Head of Legal and Democratic Services and Monitoring Officer submitted the Standards Committee Annual Report for 2009/10 which was approved by the Standards Committee on 8 July 2010.

In response to a question, the Chief Executive undertook to provide members with information on the future of the standards regime as soon as it was available.

Resolved

- (1) That the contents of the Standards Committee Annual Report 2009/10 be noted.
- (2) That the Head of Legal and Democratic Services be given delegated authority to update the Standards Committee Annual Report 2009/10 in light of any announcements about the Standards Board regime by the Government prior to the publication of the Annual Report.

20 **Overview and Scrutiny Annual Report 2009/10**

The Head of Legal and Democratic Services submitted the Overview and Scrutiny Annual Report 2009/10 which was approved by the Overview and Scrutiny Committee on 22 June 2010.

Resolved

That the contents of the Overview and Scrutiny Annual Report 2009/10 be noted.

21 **Amendment to Committee Membership**

Council was asked to consider the following committee membership change as requested by the Conservative Group:

Committee	Members		Substitutes	
	Delete	Add	Delete	Add
Standards	Cllr Hurle	Cllr L Stratford	Cllr L Stratford	Cllr Hurle

Resolved

That the Standards Committee membership be amended as set out above.

22 **Petitions and E-Petitions**

The Head of Legal and Democratic Services submitted a report to enable the Council to implement the Local Democracy, Economic Development and Construction Act 2009 with regard to the duty to respond to petitions and the requirement to provide a facility for the electronic submission of petitions on the Council website.

Resolved

- (1) That the Petition Scheme set out at Annex 4 to the minutes (as set out in the minute book) as recommended by the Executive be approved.
- (2) That the constitutional amendments as set out at Annex 5 to the minutes (as set out in the minute book) be agreed.
- (3) That Council receive a further report on e-petitions in October.

The meeting ended at 9.14 pm

Chairman:

Date: