

Committee: Executive

Date: Monday 7 July 2014

Time: 7.00 pm or on the rising of Special Council, whichever is later

Venue: Bodicote House, Bodicote, Banbury, OX15 4AA

Membership

Councillor Barry Wood (Chairman)

Councillor Ken Attack

Councillor John Donaldson

Councillor Tony Ilott

Councillor D M Pickford

Councillor G A Reynolds (Vice-Chairman)

Councillor Norman Bolster

Councillor Michael Gibbard

Councillor Kieron Mallon

Councillor Nicholas Turner

AGENDA

1. Apologies for Absence

2. Declarations of Interest

Members are asked to declare any interest and the nature of that interest that they may have in any of the items under consideration at this meeting.

3. Petitions and Requests to Address the Meeting

The Chairman to report on any requests to submit petitions or to address the meeting.

4. Urgent Business

The Chairman to advise whether they have agreed to any item of urgent business being admitted to the agenda.

5. Minutes (Pages 1 - 8)

To confirm as a correct record the Minutes of the meeting held on 23 June 2014.

6. Chairman's Announcements 7.05pm

To receive communications from the Chairman.

7. Community Woodland at South West Bicester (Pages 9 - 16) 7.10pm

Report of Head of Development Management

Purpose of report

To advise Members 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 is identified in the Submission Cherwell Local Plan as a Green Buffer (ESD15) and as a potential location for community woodland (BIC7). The land is currently owned by Countryside Properties who are developing North of Vendee Drive at Kingsmere (SW Bicester).

Recommendations

The meeting is recommended:

- 1.1 To agree 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.
- 1.2 To agree that discussions take place with Chesterton Parish Council and Bicester Town Council over the future use of the land for informal recreational purposes.

**8. South West Bicester Sports Village Bi-monthly Progress Update 7.20pm
(Pages 17 - 24)**

Report of Head of Community Services

Purpose of report

To provide a progress report on the Bicester Sports Village project.

Recommendations

The meeting is recommended:

- 1.1 To note 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).
- 1.2 To commit to the next stage of the project undertake a value engineering exercise and the development of a planning application for Phase 2 and 3A.

9. Medium Term Financial Strategy (Pages 25 - 32)

7.30pm

** Please note appendix 2 to this report will follow as it is being reviewed and finalised **

Report of Director of Resources

Purpose of report

This report sets out the latest Medium Term Financial Strategy (MTFS) for the council for the 5 year period from 2015/16. It sets 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.

Recommendations

The meeting is recommended:

- 1.1 To note the contents of the report and the current MTFS position for the council.

10. Oxfordshire Growth Board - Terms of Reference and Appointment of Member (Pages 33 - 46)

7.40pm

Report of Head of Law and Governance

Purpose of report

To approve the Terms of Reference of, and the delegation of appropriate executive functions to, the Oxfordshire Growth Board, and to appoint an Executive Member to represent the Council on the Board.

Recommendations

The meeting is recommended:

- 1.1 To approve the Terms of Reference of the Oxfordshire Growth Board contained at Appendix 1.
- 1.2 To delegate 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.
- 1.3 To appoint a member of the Executive and a substitute to represent the Council on the Board.

11. Exclusion of the Press and Public

The following report contains exempt information as defined in the following paragraphs of Part 1, Schedule 12A of Local Government Act 1972.

3 – Information relating to the financial or business affairs of any particular person (including the authority holding that information).

5 – Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings

Members are reminded that whilst the following item has been marked as exempt, it is for the meeting to decide whether or not to consider it in private or in public. In making the decision, members should balance the interests of individuals or the Council itself in having access to the information. In considering their discretion members should also be mindful of the advice of Council Officers.

No representations have been received from the public requesting that this item be considered in public.

Should Members decide not to make a decision in public, they are recommended to pass the following recommendation:

“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.”

12. Development Agreement Objectives Castle Quay Phase Two Redevelopment **8.05pm**
(Pages 47 - 62)

Exempt Report of Head of Regeneration and Housing

13. Woodgreen Leisure Centre Redevelopment and Leisure Centre Procurement **7.55pm**

** Please note that this report will follow as negotiations are ongoing **

Exempt Report of Head of Community Services

14. Land Acquisition **7.45pm**

** Please note that this report will follow as negotiations are ongoing **

Exempt Report of Head of Regeneration and Housing

15. Finance Management System Tender (Pages 63 - 68) **8.15pm**

Exempt Report of Interim Head of Finance and Procurement

(Meeting scheduled to close at 8.20pm)

Information about this Agenda

Apologies for Absence

Apologies for absence should be notified to democracy@cherwellandsouthnorthants.gov.uk or 01295 221589 prior to the start of the meeting.

Declarations of Interest

Members are asked to declare interests at item 2 on the agenda or if arriving after the start of the meeting, at the start of the relevant agenda item.

Local Government and Finance Act 1992 – Budget Setting, Contracts & Supplementary Estimates

Members are reminded that any member who is two months in arrears with Council Tax must declare the fact and may speak but not vote on any decision which involves budget setting, extending or agreeing contracts or incurring expenditure not provided for in the agreed budget for a given year and could affect calculations on the level of Council Tax.

Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

This agenda constitutes the 5 day notice required by Regulation 5 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 in terms of the intention to consider an item of business in private.

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Mobile Phones

Please ensure that any device is switched to silent operation or switched off.

Queries Regarding this Agenda

Please contact Natasha Clark, Democratic and Elections
natasha.clark@cherwellandsouthnorthants.gov.uk, 01295 221589

Sue Smith
Chief Executive

Published on Friday 27 June 2014

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Agenda Item 5

Cherwell District Council

Executive

Minutes of a meeting of the Executive held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 23 June 2014 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 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 Liberal Democrat Group

Apologies for absence: Councillor Tony Ilott, Lead Member for Clean and Green

Officers: Sue Smith, Chief Executive
Ian Davies, Director of Community and Environment
Martin Henry, Director of Resources / Section 151 Officer
Kevin Lane, Head of Law and Governance / Monitoring Officer
Natasha Clark, Team Leader, Democratic and Elections

9 **Declarations of Interest**

Members declared interests in the following agenda items:

10. Brighter Futures in Banbury 2013/14 Annual Report.

Councillor Sean Woodcock, Declaration, as his employer was the provider to CDC of the Mortgage Rescue Scheme, and should this be discussed he would not participate.

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

There were no petitions or requests to address the meeting.

11 **Urgent Business**

The Chairman advised the meeting he had agreed to one item of urgent business, Superfast Broadband. The report not envisaged at time of agenda publication due to on-going discussions, however a decision was required to ensure the matter could progress. The item would be considered at agenda item 11.

12 **Minutes**

The minutes of the meeting held on 16 June 2014 were agreed as a correct record and signed by the Chairman.

13 **Chairman's Announcements**

There were no Chairman's announcements.

14 **Corporate Equalities Annual Update**

The Head of Transformation submitted a report which reviewed the completion of the annual Self-Assessment undertaken by the Council against the Achieving Standard under the Equality Framework for Local Government.

Resolved

- (1) That the evidence and information submitted in the Council's Self-Assessment against the 'Achieving Standard' under the Equality Framework for Local Government be noted.
- (2) That the equalities action plan for 2014/15 noting the areas of good practice upon which it builds and the areas for development that it addresses be noted.

Reasons

Cherwell District Council has made significant progress delivering against the equalities agenda in recent years. This year the Council received the findings and recommendations following the Public Sector Equality Duty Review (PSED) and its impact upon the work of Corporate Equality Performance. The review arose from the Government's Red Tape Challenge and was established to examine whether the PSED is operating as intended. A key aim of the PSED was to sensitise public bodies to equality while addressing the bureaucracy associated with the previous duties on race, disability and gender.

Based on the conclusions drawn by the PSED Steering Group and suggestions for improvements raised by participants in the review, the PSED Steering Group developed nine recommendations split across different sectors with the clearest being:

- It is too early to make a final judgement about the impact of the PSED. Government should consider conducting a formal evaluation of the Duty in three years' time. This would enable the PSED to embed more thoroughly and should consider whether the Duty is an effective means of achieving the goal of sensitising public bodies to equality issues and what alternatives there might be. This work could also be informed by the Equality and Human Rights Commission (EHRC) medium-term work on how the PSED and the more prescriptive specific duties operate in Scotland and Wales.

Cherwell District Council continues to adopt a proportionate to equality performance with meaningful and relevant Corporate Action Plans to support this work.

The self-assessment identifies areas of strength and key developmental priorities and has been undertaken in line with a nationally agreed self-assessment model.

The updated action plan demonstrates how the Council will continue to deliver its equalities objectives over the coming year. Progress will be reported via the performance management framework on a quarterly basis.

The three year impact assessment rolling plan also provides assurance that the Council is mindful of policy change and seeks to understand and address the impacts of service and policy change where appropriate.

Alternative Options

Option 1: To note the report

Option 2: To request additional information on items within this report

15 **Performance Management Framework 2013/14 Annual Performance Review**

The Head of Transformation submitted a report which covered the Council's performance review for 2013/14 as measured through the Performance Management Framework.

In considering the report, Members commented on the robustness of performance monitoring and stressed the need for this to be maintained to ensure on-going high levels of performance.

The Executive thanked the Performance and Insight Team for their hard work coordinating the Performance Management Framework and all officers for their hard work during 2013/14 resulting in very good year end performance results.

Resolved

- (1) That it be noted that, despite tough performance targets, a challenging economic environment, and on-going policy and organisational change,

Cherwell District Council has met or made satisfactory progress on 95% of all the performance targets outlined in its performance management framework.

- (2) That the draft Annual Performance Report be agreed and authority be delegated to the Head of Transformation, in consultation with the Lead Member for Performance and Communications, to make any minor changes to the document as required before publication.

Reasons

In this annual report we show that the Council continues to make strong progress on delivering its ambitions to improve the services delivered to the public and against key projects and priorities. It also demonstrates the Council's proactive performance management of issues raised and the role of Overview and Scrutiny in supporting performance review.

Alternative Options

Option 1: To note the report

Option 2: To request additional information on items and/or add to the work programme for review and/or refer to Overview and Scrutiny.

16

Provisional 2013-14 Revenue and Capital Outturn Report

The Interim Head of Finance and Procurement submitted a report which summarised the Council's provisional Revenue and Capital performance for the financial year 2013-2014 and reports on performance against the procurement action plan. The figures were still subject to further validation work to ensure compliance with statutory requirements and proper accounting practices.

Resolved

- (1) That the carry forward of budget underspends within 2013-2014 to 2014-2015 as detailed in Appendix 1 (annex to the Minutes as set out in the Minute book) be agreed.
- (2) That the review of reserves as detailed in Appendix 3 (annex to the Minutes as set out in the Minute book) be agreed.
- (3) That the provisional capital out-turn position for 2013-2014 detailed in Appendix 2 (annex to the Minutes as set out in the Minute book) be noted.
- (4) That it be agreed that the balances on capital schemes which have slipped in 2013-2014 be carried forward into the 2014-2015 capital programme as set out in Appendix 2 (annex to the Minutes as set out in the Minute book).
- (5) That the Treasury out-turn position for 2013-14 be noted.

- (6) That progress against the Council's Procurement Action Plan be noted.
- (7) That authority be delegated to the Director of Resources, in consultation with the Interim Head of Finance and Procurement and Lead Member for Financial Management, to consider and implement further changes relating to all aspects of the closedown of the accounts for 2013-14 including: realigning reserves; the transfer of costs from revenue to capital; amendments of the revenue and capital budgets; and implementation of a minimum revenue provision accordingly.

Reasons

The financial performance in terms of both capital and revenue are underspent on capital or within set tolerance targets (once revenue carry forwards are processed). The performance demonstrates the Council's ability to respond positively and actively to changing economic circumstances and deliver sizeable capital programmes and effective financial management.

The continued focus on monthly budget monitoring and continued use of the "dashboard" has enabled more efficient use of the Council's resources.

The variances on the revenue out-turns is within the Council's stated tolerance of 2% of budget. Capital was outside the tolerance of 5% of budget.

Alternative Options

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

17

Brighter Futures in Banbury 2013/14 Annual Report

The Director of Community and Environment submitted a report which sought consideration of the progress made in 2013/14 of the long term and multi-agency Brighter Futures in Banbury Programme and the proposed priorities for 2014/15.

Resolved

- (1) That the good progress made in the fourth year of the Brighter Futures in Banbury Programme be noted.
- (2) That the areas of emphasis and proposed activity in 2014/15 be supported.

Reasons

The Brighter Futures in Banbury Programme has seen continued progress and development in 2013/14. There have been notable achievements in most of the six themes and a number of new initiatives relevant to supporting those most in need.

2014/15 requires a continued focus and the need to look at new and innovative means of delivering more effective and targeted services involving a greater range of organisations. In particular, will be the need to review and respond to the emerging changes in the make-up of the ward population arising from the recent census information to ensure that the priorities and activities within each theme are still appropriate. It is also expected that the benefits of the Council's Build Programme will begin to emerge in 2014/15 as three developments sit within the target Banbury wards. In addition, specific proposals are being developed for improved support for the over 50s unemployed, encouraging via the Banbury and Bicester College the skills and talents of primary school children and additional mentoring for young people.

The Brighter Futures in Banbury programme as a Council priority falls within the Council's Place Programme governance arrangements set up to manage multiple projects across both Cherwell and South Northants councils. As such, the Executive will receive further high level reports on this subject through that process along with the quarterly performance reporting requirements.

Alternative Options

Option 1: Adopt the recommendations as set out

Option 2: Amend/add to the areas of focus for 2014/15

18

Urgent Business - Superfast Broadband

The Chief Executive submitted a report which sought consideration of the level of financial support to be provided for the roll out of superfast broadband across the District.

Resolved

- (1) That £783,000 of the 2014-15 New Homes Bonus Allocation be allocated for Economic Development across the District.
- (2) That £500,000 be invested for the provision of superfast broadband across the District.
- (3) That it be noted that a further £500,000 will remain available to consider funding other solutions for the areas of the District not covered.

Reasons

The Council is working closely with the County Council who in turn are working closely with BDUK to increase the coverage of Superfast Broadband throughout the District.

A proposal has been received by the County Council which seeks to increase coverage across the County and for Cherwell will extend coverage and requests a contribution of £500,000 from Cherwell District Council.

Alternative Options

Option 1: To not invest £500,000 in the County Council's Superfast Broadband project and miss the opportunity to improve communication infrastructure across the District with the resultant impact on the local economy.

19 **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.

20 **Proposal for a Joint Legal Service with South Northamptonshire Council and Stratford-On-Avon District Council**

The Head of Law and Governance submitted an exempt report which outlined the proposal for a three way joint Legal service between Cherwell District Council (CDC), South Northamptonshire Council (SNC) and Stratford on Avon District Council (SDC). The proposal was part of the wider transformation programme across the three Councils and driven by a need to ensure that the three Councils not only survive the financial challenges of the future years, but go on to grow and prosper as individual sovereign bodies.

Resolved

- (1) That the responses to the consultation process with the affected staff and trade union representatives be noted.
- (2) That it be noted that the business case would be considered by the Personnel Committee on 2 July 2014.
- (3) That approval be given for the implementation of the proposed final business case to share a joint Legal service between Cherwell District Council (CDC), South Northamptonshire Council (SNC) and Stratford-On-Avon District Council (SDC), subject to similar consideration and approval by the respective decision making bodies of SNC and SDC.

Reasons

The business case represents a major milestone in the transformation programme across CDC, SNC and SDC. The proposed joint team will increase resilience (including in the Land Charges function), improve the quality and broaden the range of services provided, increase income earning opportunities and reduce external legal expenditure across the three Councils.

Alternative Options

Option One: To reject the proposal meaning the three Legal services continue to operate independently. This would not deliver the benefits or financial savings to any of the three Councils, the improvements to the customer, or the transformational change that is associated with the DCLG funding awarded to the Councils as part of the Transformation Challenge award.

Option Two: Approve the business case as attached.

The meeting ended at 7.45 pm

Chairman:

Date:

Cherwell District Council

Executive Meeting

7 July 2014

Community Woodland at South West Bicester

Report of Head of Development Management

This report is public

Purpose of report

To advise Members 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 is identified in the Submission Cherwell Local Plan as a Green Buffer (ESD15) and as a potential location for community woodland (BIC7). The land is currently owned by Countryside Properties who are developing North of Vendee Drive at Kingsmere (SW Bicester).

1.0 Recommendations

The meeting is recommended:

- 1.1 To agree 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.
- 1.2 To agree that discussions take place with Chesterton Parish Council and Bicester Town Council over the future use of the land for informal recreational purposes.

2.0 Introduction

- 2.1 Following the allocation of land and the submission of a planning application for development at Kingsmere (SW Bicester) Chesterton Parish Council approached the Council with a proposal to create a community woodland on land to the south of Vendee Drive, between the Kingsmere development and Chesterton village. There has been on going dialogue with regard to the issue since 2007 but with the determination of the planning application for Phase 2 at Kingsmere there is now the prospect that the land could be acquired and this report sets out the background to the proposal and considers the issues with regard to acquisition of the site.

3.0 Report Details

Background

- 3.1 Land at Kingsmere (SW Bicester) was identified for development in the Non Statutory Cherwell Local plan published in 2004, Policy H13. The policy identified the requirement for a perimeter road and for the development within the site but did not make any mention of land south of the perimeter road. A planning application was made for the development in 2006 by Countryside Properties and planning permission was granted in June 2008 for up to 1585 properties. Countryside have a joint venture partnership which is bringing forward development on the site. There are currently over 300 properties built on the site.
- 3.2 The Joint Venture Partnership led by Countryside, that are securing the development of Kingsmere, own land south of Vendee Drive. The land was acquired with the development site, see attached plan.
- 3.3 Chesterton Parish Council had concerns with regard to the planning application for the Kingsmere development and the impact on the village. They started discussion with the Woodland Trust, the Council and others with the view to acquiring land south of the perimeter road, between the development and the village, for a community woodland. The Parish Council has developed a proposal for a community woodland on the site, with advice from the Woodland Trust and others and have sought to promote their vision of the site over a number of years. More recently it is understood that the Parish have had some discussion with Bicester Town Council over potential collaboration.
- 3.4 Countryside Properties would not provide land for the Community Woodland as part of the Phase 1 development that was granted planning permission in 2008, but did leave the door open for discussions as part of any further proposals to develop land north of Vendee Drive. The Draft Core Strategy originally identified the additional land within the perimeter road as a reserved site but the Submission Local Plan now allocates the land for residential development. The Plan also identifies Green Buffers (Policy ESD 15) to protect the identity and setting of the town and surrounding villages, prevent coalescence, protect landscape and historic features and important views. The Land between Vendee Drive and Chesterton Village is identified as one such buffer. Policy Bicester 7 is included to address deficiencies in open space, sport and recreation in Bicester and seeks to establish a community woodland south of Vendee Drive.

Land within the Green Buffer

- 3.5 A planning application was submitted for Phase 2 of the land North of Vendee Drive in May 2013, reference 13/00847/OUT. The application is not yet determined but likely to be considered by the Council's Planning Committee in August. The planning application includes a small area of land South of Vendee Drive which is proposed for informal amenity space and a surface water balancing pond. The land would be accessed by a controlled crossing across Vendee Drive.
- 3.6 Members of the Planning Committee have expressed reservations regarding the location of this amenity space, a view initially shared by Officers, because of the need to cross the road potentially reducing access to the amenity space, particularly

for children whose parents may not perceive it to be safe. However if this area was part of a larger area offering potential increased recreational benefits Officer's felt that this could be an acceptable compromise. This and options to relocate the amenity space are currently being explored. However Countryside have indicated that as part of the mitigation for the proposed development that they would be prepared to transfer all the land in their ownership south of Vendee Drive to the Council.

- 3.7 The land owned the Countryside Properties and their joint venture partners south of Vendee Drive amounts to approximately 43ha (108 acres). As the land would not be directly meeting the recreational needs of the proposed Phase 2 development, as other provision is being made to meet the Council's policy for open space, the land is being offered without funding for laying out and future maintenance. Never the less ownership of the land by a body such as the Council would ensure that the land fulfilled its purpose as a Green Buffer in the long term and could not be subject to unwanted development proposals.

Potential Uses of Land in the Green Buffer

- 3.8 If the land were to be transferred into public ownership it would provide security that the land could be maintained undeveloped into the future. However with land ownership also comes responsibility for the land and it would need to be managed in some form. Chesterton Parish Council have undertaken work and negotiations to outline the potential for a community woodland and remain interested in being able to implement the plan if the land could be made available. A working group has been set up to progress proposals should the opportunity arise.
- 3.9 The potential for grants for tree planting has been investigated and appears positive. The Parish have made a proposal to use New Homes Bonus funding for the establishment of the community woodland including the laying out of paths, signage, benches, dog bins, access gates and if necessary trees. In the medium it is indicated that there is potential for picnic areas, nature trails and outdoor learning opportunities for local schools. Consideration has been given to the potential to have productive woodland to provide a source of income. A community woodland would meet the aspirations of Policy Bicester 7 and could provide a valuable recreational resource for local people. It could also provide habitat for bio diversity gain and would help to address the low level of existing woodland currently in Oxfordshire. In addition tree planting could contribute to offsetting carbon related to new the development through carbon absorption, providing a low carbon energy source, reducing the need to travel to other woodland locations such as Stoke Wood.
- 3.10 Given the lack of certainty about the availability of the land there has been a limit to how far a project could be progressed. With certainty on the availability of the land and the likely timescale for is availability the project could gain momentum.
- 3.11 The timescales for dealing with the current planning application and necessary legal agreement may not fit with the development of proposals for community woodland and it is possible, although contrary to current indications, that funding needed may not be raised. It is therefore sensible to consider the potential risks of taking land and the potential of it not being needed for a project at least in the short term. In these circumstances the land could be left and would revert to a natural state over

time but this risks the land having an unkempt appearance and issues such as litter and health and safety would have to be addressed. It would be possible to continue agricultural use through the letting of the land to avoid maintenance costs.

- 3.12 From time to time other uses of land are suggested such as allotments, community farm and burial ground and land for outdoor sports. None of these options have currently been explored for the land south of Vendee Drive and all have different requirements in terms of laying out or setting up and on going maintenance costs. If it was not possible to progress plans for the community woodland these could be explored further.

4.0 Conclusion and Reasons for Recommendations

- 4.1 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.
- 4.2 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.
- 4.3 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.
- 4.4 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.

5.0 Consultation

None outside of the current planning application and informal discussions with Chesterton Parish Council

6.0 Alternative Options and Reasons for Rejection

- 6.1 The following alternative options have been identified and rejected for the reasons as set out below.

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.

7.0 Implications

Financial and Resource Implications

- 7.1 It is proposed to seek the transfer of the land for £1. There is currently no budget for the management and maintenance of the land. Continuation of the agricultural use would minimise the risks around future costs until a project was implemented.

Comments checked by: Martin Henry, Director of Resources, 0300 0030 0102, martin.henry@cherwellandsouthnorthants.gov.uk

Legal Implications

- 7.2 None directly from this report. However for planning obligations to be taken into account in determining planning applications they must meet the three tests set out in the CIL regulations. The tests are;
1. necessary to make the development acceptable in planning terms
 2. directly related to the development; and
 3. fairly and reasonably related in scale and kind to the development
- The securing of the land is considered to meet the tests.

Comments checked by: Nigel Bell, Team Leader - Planning and Litigation, 01295 221687, nigel.bell@cherwell-dc.gov.uk

Risk Implications

- 7.3 The ownership of land would require the Council to act responsibly to avoid risk. The Council currently owns a variety of land including land for informal recreation demonstrating that this risk can be managed.

Comments checked by: Martin Henry, Director of Resources, 0300 0030 0102, martin.henry@cherwellandsouthnorthants.gov.uk

8.0 Decision Information

Key Decision

Financial Threshold Met: No

Community Impact Threshold Met: No

Wards Affected

Ambrosden and Chesterton Ward.

Links to Corporate Plan and Policy Framework

The Cherwell Sustainable Community Strategy has the objective for Bicester of Improved leisure, recreation and community facilities. The Strategy also seeks to 'work to protect our environment and biodiversity by supporting farmers, land owners, volunteers and local businesses.'

Cherwell District Council Business Plan includes the following priorities;

- Reduce our carbon footprint and protect the natural environment.
- Provide high quality and accessible leisure opportunities.

Low Carbon Environmental Strategy
Corporate Bio Diversity Action Plan

Lead Councillor

Councillor Michael Gibbard, Lead Member for Planning

Document Information

Appendix No	Title
A	Site Plan
Background Papers	
None	
Report Author	Jenny Barker, Team Leader Development Control and Major Developments
Contact Information	01295 221828 Jenny.barker@cherwell-dc.gov.uk

Bignell Park

Polygon feature
Perimeter: 4,816.198263 Meters
Area: 108.038582 Acres

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Chesterton

Scale
1:10,000

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Cherwell District Council

Executive

7 July 2014

South West Bicester Sports Village Update

Report of Head of Community Services

This report is public

Purpose of report

To provide a progress report on the Bicester Sports Village project.

1.0 Recommendations

The meeting is recommended:

- 1.1 To note 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).
- 1.2 To commit to the next stage of the project undertake a value engineering exercise and the development of a planning application for Phase 2 and 3A.

2.0 Introduction

- 2.1 At the Executive meeting in January 2014, the Executive considered an update report on the South West Bicester Sports Village project and this report will inform Members of how the project has developed since that meeting.

3.0 Report Details

Progress on Phase 1 Grass Pitch Construction

- 3.1 The drainage on the playing pitch platforms has performed extremely well over the very wet winter and the seeded areas are becoming established. They will now be maintained until fully established in September 2015.
- 3.2 The curbing for the cycle track is currently being completed and work on the top tarmacadam layer will follow.
- 3.3 Landscaping works outside of the cycle track will be progressed in August and September with tree and hedgerow planting in October/November.

Design work for Phases 2 and 3 and initial costing for Phase 2

- 3.4 The contract to complete the design of Phases 2 and 3 of the sports village, including securing planning consent, was awarded to Morgan Sindall. A second contract to construct Phase 2 could be awarded to Morgan Sindall at some later stage if the Council wish to. The design work was slow to progress in the early stages because of communication issues with the contractor and their architects however these issues have now been resolved and the design work is being progressed.
- 3.5 The Project Board met on the 13 May 2014 and considered a number of options for the facility layout of the Sports Village. It was agreed that the preferred option was locating the floodlit synthetic grass pitch on the grass platform nearest the pavilion because it had the least impact on the other grass pitches, retained the area east of the spine road as a potential site for a athletics facility and kept the regular use of the synthetic pitch conveniently located near the pavilion. However it was noted that the Kingsmere Design code stated that *'floodlit facilities would be located on the area east of the spine road and that there are no proposals for floodlights west of the pavilion building'* therefore a case needs to be made to the Planning Committee demonstrating the rationale behind this arrangement being mindful of the need for floodlighting and the fact that not having floodlighting in the locations required could undermine the future sustainability of the site.
- 3.6 The Project Board also considered the implication of locating sports facilities east of the spine road, south of the proposed school site. It was always intended that the area south of the school site would be transferred to the school so as to become the school playing fields with retained community use out of school hours. However there is concern that the changes to education sites (Academy's and Free Schools) could leave some uncertainty to community access to this area and officers are currently discussing options with Oxfordshire County Council Education officers to try and resolve this.
- 3.7 The Design Team met with Sport England and representatives of the National Governing Bodies of Sports (NGB's) on 30 May. The representatives from football, rugby and tennis were enthusiastic about the provision with football and rugby suggesting that they would welcome a funding bid towards the cost of the 3G pitch. Unfortunately tennis, cricket and athletics representatives said that they are less likely to support the proposals financially and athletics even going on to say that a new 400m tracks sits outside their general strategic view, that it is felt that the current athletic track provision across the county is sufficient and there were concerns for the amount of resource required to build, manage and maintain a track when compared to the frequency of use. Provision of compact training facilities is much more supported and the athletics representative also indicated that there is a possibility of some funding towards the cost of providing this smaller facility. The group were happy that the pavilion had been designed to the required standards but suggested that detailed comments about the functionality of the site, including the provision of satellite buildings, would need to be made when there is more certainty about floodlight locations.

- 3.8 With the uncertainty of community use of the 'school playing field' area East of the spine road and the lack of financial support for the facilities that were proposed for that area, members of the Project Board agreed that the design work and planning application should focus on Phase 2 (pavilion and car park) and what is now to become Phase 3A (synthetic grass pitch and tennis courts). Phase 3B (athletics training facility and multi-use games area) should be considered when the community access has been resolved (Para 3.6) and when the when school site is being designed.
- 3.9 Indicative cost estimates based on outline pavilion and site drawings are indicating that costs will exceed the agreed £2.5m budget. The view of the Council's cost consultants, Turner and Townsend, is that this is mainly related to the large increase in building costs, 18.55%, since the budget was estimated almost 2 years ago. They have also stated that the outline cost plan is based on rough estimates and at this stage of design work there is normally a 10% allowance in accuracy which will reduce to 5% when more detailed design work is completed. This allowance will continue to reduce until there is cost certainty, when the planning consent is considered and the contractor has confirmed the supply costs (December/January).
- 3.10 The Design Team will be meeting to carry out a value engineering exercise to reduce costs to within acceptable tolerances associated with the approved funding. If this is not achievable, as a last resort, the building size might need to be reduced but this will have implications. Reduction in the changing areas would mean that the pavilion would not be able to service all of the sports facilities on the site and reduction in the social areas, bar/café and function room, would affect the income generation of the site. A revenue cost modelling exercise is being carried out to compare the implications of each option.
- 3.11 At this stage in the process, the Executive needs only to commit to this further work (design development, cost review, value engineering and planning application preparation) and will consider the matter further at its September meeting before committing the construction contract.
- 3.12 Currently there is no funding identified for the proposed sports facilities in Phase 3 and from the consultation exercise with Sport England the most promising opportunity for external funding is the synthetic 3G pitch. This is also the one facility with opportunity to generate significant income and therefore help to reduce the revenue implications of the site.
- 3.13 Local sport clubs and residents will have the opportunity to comment on the proposals before pre-application consultation with Planning Officers. The planning application is programmed to be submitted in September.
- 3.14 The revised key project milestones are;
- Design and Value Engineering work for Phases 2 and 3: Now until July 2014
 - Planning application process: September 2014 until December 2014
 - Procurement/establishment of management arrangements: Now until May 2015
 - Seeking funding for Phase 3: Funding bids September 2014 onwards
 - Construction of Phase 2: January 2015 until July 2015
 - Phase 1 and 2 become operational: September 2015

- 3.15 However these miles stones may need to be adjusted if the only solution to bringing the Phase 2 cost within budget is to reduce the building size and for Members to consider the implications of this. The effect of slipping the on-site date is minimal as the revised opening date can be built into the management contract and potential user groups can be informed accordingly.

Sports Village Management Arrangements

- 3.16 The Sports Village Project Board considered a report on management options and concluded that the most cost effective management arrangement that would protect the asset is for a management contract similar to that which we have in place for the Banbury, Bicester and Kidlington sports centres. Officers are currently developing the procurement process for this although progress will be determined by the final facility designs. It is expected that an operator will be awarded a management contract in June 2015 allowing them to be involved in the pavilion fitting out process.

Sports Development

- 3.17 Cherwell Sports Development officers and the Oxfordshire Sports Partnership are working with Bicester Sports Clubs to produce a Bicester Sports Clubs Development Plan. This is to ensure that participation in sport is increased and that the clubs have the necessary infrastructure (coaches, volunteers, etc.) to become more sustainable. This development plan is also evidence that Sport England will be looking for as part of any funding bid. Production of the plan is due in September and officers will continue to support the clubs through to and beyond the opening of the facilities next year.

4.0 Conclusion and Reasons for Recommendations

- 4.1 Construction of Phase 1 is on target for completion in November 2014 and pitches will be available to play on from September 2015.
- 4.2 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.
- 4.3 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.
- 4.4 Some funding opportunities for Phase 3A facilities have been identified and will be pursued in the next available funding round.
- 4.5 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.

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

5.0 Consultation

Sport England and NGB'S

6.0 Alternative Options and Reasons for Rejection

- 6.1 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.

7.0 Implications

Financial and Resource Implications

- 7.1 As this is an update report there are no financial implications arising from it. Phase 1 and Phase 2 are fully funded.

Bicester Town Council have agreed in principle to addressing the revenue implications of the site but need to consider the details before giving full commitment. This should become clearer when the revenue financial modelling exercise is complete but won't be certain until the management contract procurement process is complete.

Comments checked by: Tim Madden, Interim Head of Finance, 01295 221 634,
tim.madden@cherwellandshouthnorthants.gov.uk

Legal Implications

- 7.2 There are no legal implications arising from this update report. Law and Governance continues to provide guidance and advice as necessary as this project progresses.

Comments checked by: Kevin Lane, Head of Law and Governance, 0300 0030107
kevin.lane@cherwellandsouthnorthants.gov.uk

Risk Implications

- 7.3 Risks have been identified as above and are being managed within the project board however if necessary will be escalated to the Corporate Risk Register
The risks associated with this report are related to the potential costs/available budget and are currently being mitigated through a value engineering exercise however if the financial issues can't be resolved then options will be presented for Members consideration at the September Committee meeting. Risks associated with this project are managed by the Project Board.

8.0 Decision Information

Key Decision

Financial Threshold Met: No

Community Impact Threshold Met: No

Wards Affected

All Bicester Wards and Surrounding Rural Wards

Links to Corporate Plan and Policy Framework

A Safe, Healthy and Thriving District.

Providing the Bicester Multi-Sports Village would enable residents of Bicester and surrounding areas including children, young people and adults to take part in greater opportunities for meaningful, structured regular sport and physical activity. This would give each individual the health related benefits of a physically active lifestyle and is consistent with Eco Bicester – One Shared Vision.

A District of Opportunity

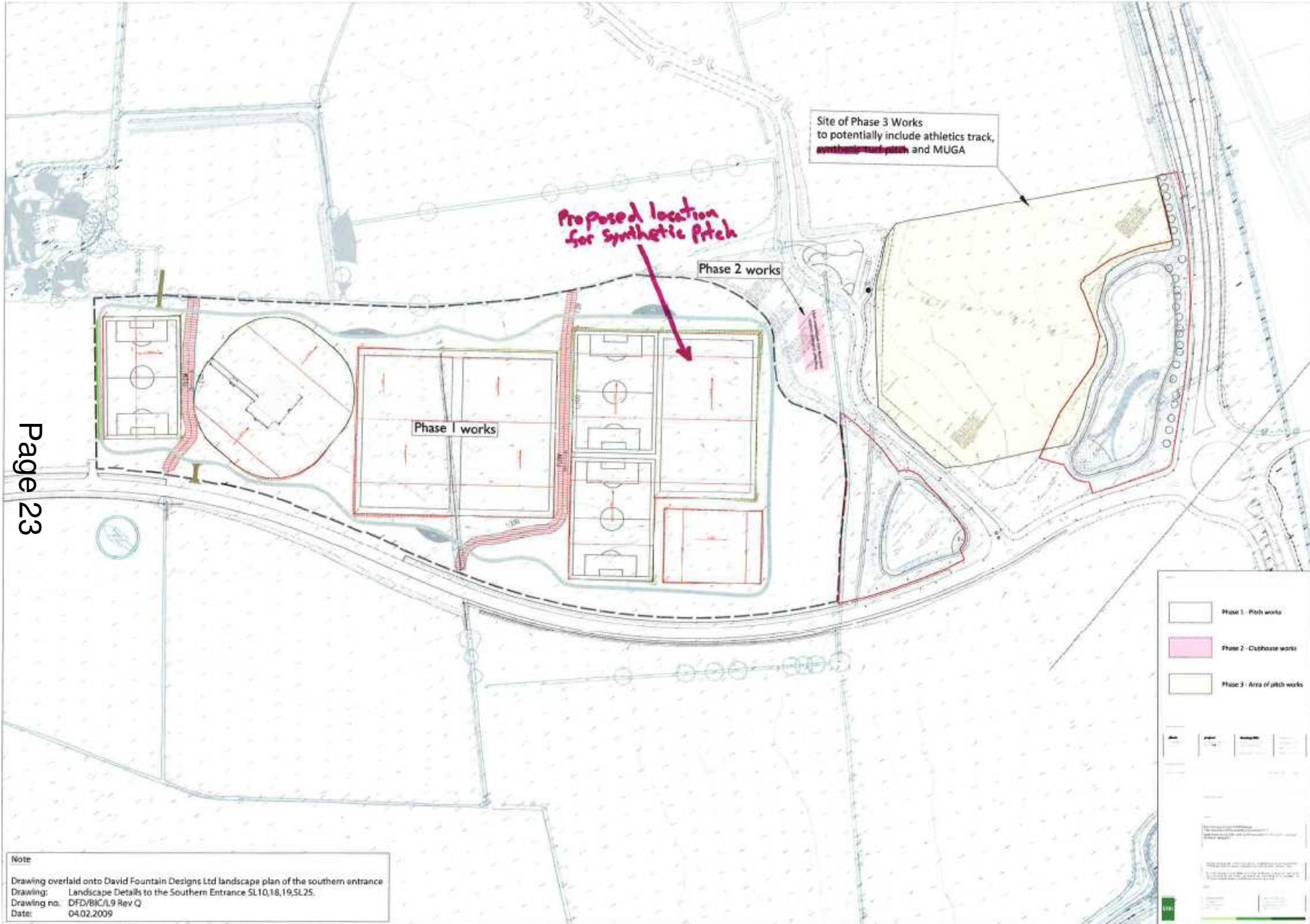
The Bicester Multi-sports Village would provide a training facility for sports clubs to train and compete in their chosen sport. This would give players a participatory opportunity and give coaches and volunteers the opportunity to gain nationally recognised qualifications. If the full scheme was progressed the pavilion would also provide a much needed conference, function and meeting venue for Bicester increasing the facilities on offer to all organisations and companies.

Lead Councillor

Councillor George Reynolds, Deputy Leader

Document Information

Appendix No	Title
1	Bicester Sports Village site plan
Background Papers	
None	
Report Author	Philip Rolls, Recreation and Health Promotion Manager
Contact Information	01295 221697 Philip.rolls@cherwell-dc.gov.uk



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Cherwell District Council

Executive

7 July 2014

Medium Term Financial Strategy

Report of Director of Resources

This report is public

Purpose of report

This report sets out the latest Medium Term Financial Strategy (MTFS) for the council for the 5 year period from 2015/16. It sets 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.

1.0 Recommendations

The meeting is recommended:

- 1.1 To note the contents of the report and the current MTFS position for the council.

2.0 Introduction

- 2.1 This report sets out the current MTFS for the council. It covers the 5 year period from April 2015 and is aligned to the council's 5 year business plan. It captures the current financial horizons based on information presently known and will be a fluid document during the process of budget setting and will be updated as a result of any government announcements or other developments.
- 2.2 The MTFS provides the medium term financial forecast within which both short and long term budgetary decisions will be made. The present projections take into account the 2014/15 budget and the most recent Local Government Finance Settlement which was announced in January 2014. The assumptions which underpin the current forecast and which are set out in this report will be kept under review during the budgetary process and regular updates will be brought to the Budget Planning Committee. The Budget Planning Committee has had this current position presented to it at its meeting of 24 June 2014.
- 2.3 The MTFS is being considered within the current national financial constraints for the local government sector. It crosses over the period in which a general election will be held (May 2015) and therefore needs to be reviewed in light of any changes in policy or government. However, current indications from all main parties are that

the fiscal tightening within the public sector is likely to continue well into the life of the next Parliament.

- 2.4 In light of this context, it is important for the council to take a medium term view of the likely financial environment and plan accordingly in order to prepare for the future climate.

3.0 Report Details

- 3.1 The MTFS sets out the current financial position for the authority. The headline position is set out at **Table 1** below:

Table 1 – MTFS Forecasts

	2015/16	2016/17	2017/18	2018/19	2019/20
	£000	£000	£000	£000	£000
Forecast deficit	1,617	3,413	4,794	5,068	5,507

NB The position is cumulative and assumes no actions are taken to address each in year deficit. A more detailed version of the forecast is attached at Appendix 1.

- 3.2 The key assumptions are set out in the following sections

Expenditure

- 3.3 A range of inflationary assumptions have been built in for the period of the MTFS. These include an allowance for contract inflation at 2.7% per annum, salary inflation at 2% and also an allowance for salary increments. There has also been provision made for the funding of the pension deficit arising from the 2014 actuarial valuation.
- 3.4 Budgets will be monitored throughout 2014/15 so that any on-going pressures identified during this year will be taken into account in the budget setting process.

Income

- 3.5 The current MTFS continues to assume the decreasing level of Revenue Support Grant (RSG) for the council. It anticipates that the council will receive no RSG income from 2017/18 onwards. This represents a loss of £3.864 million based on current levels. The reason for this is the expected decline in this as a funding source which is in line with recent trends.
- 3.6 The model assumes that the current policies in relation to New Homes Bonus (NHB) and non domestic business rates are continued. Half of New Homes Bonus is currently used to support the base budget and this is to continue with housing growth in line with previous trends. With regard to non domestic rates, again existing assumptions have been continued with anticipated growth built into the budget. There is an expectation of additional income from the pooling arrangement with West Oxfordshire and Oxfordshire County Council (£0.3 million per annum) but owing to the volatility of this income stream nothing has been built into the base budget at this stage, this position will be reviewed as part of the detailed budget

setting process for 2015-16. Any additional growth will benefit the council and can be determined as part of the budgetary process.

- 3.7 The MTRP assumes that there will be a 0% increase in council tax levels. The current freeze grant relating to the 2014/15 council tax has been included but no assumption has been made as to any future compensation grants as this has not been clarified by the government. It is assumed that the council tax base will increase by 1% per annum over the period of the MTRP.

Overall

- 3.8 **Table 2** below sets out in tabular form the key assumptions described above:

Table 2 – Summary of Key Medium Term Assumptions

Category	Assumption
Contract Inflation	2.7% per annum
Pay Inflation	2.0% per annum
Pension costs	Per actuarial valuation
Revenue Support Grant	Reduced by: 2015/16 – 32% 2016/17 – 63% 2017/18 – 100% 2018/19 – 0% 2019/20 – 0%
Business Rates Income (baseline)	Increase by 2.7% per annum (nationally set)
Formula Grant (RSG and Business Rates Combined)	Reduced by: 2015/16 16% 2016/17 25% 2017/18 19% Increase by: 2018/19 2.7% 2019/20 2.7%
Council Tax Increase	0% per annum
Increase in Council Tax Base	1% per annum
Retained Business Rates	£400,000 per annum
New Homes Bonus	Use of 50% to support base budget

This summarises the current assumptions underpinning the MTRP. As the budget is developed these assumptions will be reviewed as a response to changing situation.

Capital

- 3.8 The Council's forecast capital position is summarised at Appendix 2. This shows a gradual use of capital receipts but at this point has assumed the financing of Graven Hill will be funded by borrowing and not by the use of capital receipts. It also only shows the effect of the capital programme for 2014/15 and any on-going impact of that years programme. It does not include any new capital commitments for the 2015/16 programmes onwards.

Reserves

- 3.9 Appendix 2 also shows the council's current reserves position. This assumes there is no action taken to address the deficit as set out in Appendix 1. These show the council's reserves will gradually decrease over the period and the general fund balance will be fully utilised if no corrective action is taken.

Next Steps

- 3.10 The MTFs will form part of the budget process. It has been considered by the Budget Planning Committee at its meeting of 24 June 2014 and will be updated for members of that committee as the process continues. The next steps will be to consider the budget strategy required to address the forecast deficit.

4.0 Conclusion and Reasons for Recommendations

- 4.1 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.
- 4.2 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.

5.0 Consultation

Cllr Ken Atack – Lead member
for Financial Management

Cllr Atack is content with the report and
supportive of the recommendations contained
within it.

6.0 Alternative Options and Reasons for Rejection

- 6.1 The following alternative options have been identified and rejected for the reasons as set out below.

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.

7.0 Implications

Financial and Resource Implications

- 7.1 There are no direct financial implications arising from this report. It will inform the ongoing budget process and the decisions which will arise from that.

Comments checked by: Nicola Jackson, Corporate Finance Manager
01295 221731 nicola.jackson@cherwellandsouthnorthants.gov.uk

Legal Implications

- 7.2 There are no direct legal implications arising from this report at this stage as the MTFs is merely for noting. Going forward the Council will be obliged to set balanced budgets each year.

Comments checked by: Kevin Lane, Head of Law and Governance
0300 0030107 kevin.lane@cherwellsouthnorthants.gov.uk

Risk management

- 7.3 The report is for noting and as such no new risks arise from this. However, considering the budget will contain a degree of risk which will need to be considered throughout the process.

Comments checked by: Martin Henry, Director of Resources,
martin.henry@cherwellandsouthnorthants.gov.uk

Equality and Diversity

- 7.4 The budget will be subject to an Equality Impact Assessment before it is agreed.

Comments checked by: Martin Henry, Director of Resources,
martin.henry@cherwellandsouthnorthants.gov.uk

8.0 Decision Information

Key Decision

Financial Threshold Met: Yes

Community Impact Threshold Met: Yes

Wards Affected

All

Links to Corporate Plan and Policy Framework

All

Lead Councillor

Councillor Ken Atack – Lead Member for Financial Management

Document Information

Appendix No	Title
1	Medium Term Revenue Plan
2	Capital and Revenue Reserves Forecast – to follow
Background Papers	
None	
Report Author	Tim Madden, Interim Head of Finance & Procurement
Contact Information	Tim.madden@cherwellandsouthnorthants.gov.uk 0300 003 0106

Medium Term Revenue Plan

Appendix 1

	2015-16 £000	2016-17 £000	2017-18 £000	2018-19 £000	2019-20 £000
Funding (income) TOTAL					
Business Rates Baseline	-3,493	-3,587	-3,684	-3,783	-3,886
Revenue Support Grant	-2,629	-986	0	0	0
Formula grant equivalent	-6,122	-4,573	-3,684	-3,783	-3,886
Transfer to Parish Councils for CTRS	349	349	349	349	349
Transfer Homelessness Grant	101	101	101	101	101
S31 Grant	0	0	0	0	0
Council Tax Compensation Grant 14-15 and 15-16	0	0	0	0	0
Collection Fund	-100	-75	-50	-50	-50
New Homes Bonus	-1,178	-1,403	-1,408	-1,514	-1,458
Business Rates Growth - growth above baseline	-400	-400	-400	-400	-400
Business Rates Pooling	0	0	0	0	0
	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
Council Tax income	-7,350	-6,001	-5,092	-5,297	-5,344
	-5,939	-5,998	-6,058	-6,118	-6,180
TOTAL INCOME	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
	-13,288	-11,999	-11,150	-11,416	-11,523
Expenditure (budget requirement)					
Approved base budget	14,341	14,905	15,412	15,944	16,484
Previous year's budget reductions	0	0	0	0	0
Unavoidable pressures (Assumption driven)					
Contract Inflation	63	64	66	68	70
Demand led increases	50	50	50	50	50
Pay inflation	240	245	250	255	260
Pay increments	90	73	61	61	61
Superannuation increases	67	69	100	100	100
Investment income	49	0	0	0	0
NNDR Pressures	6	6	6	6	6
Specific Budget Growth (+)/ Reductions (-)	0	0	0	0	0
TOTAL EXPENDITURE	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
	14,905	15,412	15,944	16,484	17,031
FUNDING GAP	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
	1,617	3,413	4,794	5,068	5,507

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Cherwell District Council

Executive

7 July 2014

<p>Oxfordshire Growth Board – Terms of Reference and Appointment of Member</p>

Report of Head of Law & Governance

This report is public

Purpose of report

To approve the Terms of Reference of, and the delegation of appropriate executive functions to, the Oxfordshire Growth Board, and to appoint an Executive Member to represent the Council on the Board.

1.0 Recommendations

The meeting is recommended:

- 1.1 To approve the Terms of Reference of the Oxfordshire Growth Board contained at Appendix 1.
- 1.2 To delegate 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.
- 1.3 To appoint a member of the Executive and a substitute to represent the Council on the Board.

2.0 Introduction

- 2.1 As part of the Oxford and Oxfordshire City Deal bid process the constituent Local Authorities and other bid partners have agreed to the establishment of a collaborative Board to oversee the delivery and implementation of the bid.
- 2.2 Accordingly it is proposed to establish a joint executive committee of the constituent Local Authorities to be called the Oxfordshire Growth Board. As part of this process it is necessary for all constituent authorities, including Cherwell District Council, to

agree the Terms of Reference of the Board, delegate the necessary executive functions to it and appoint a member of the Executive with a substitute to attend meetings and represent CDC.

3.0 Report Details

- 3.1 The parties to the Oxford and Oxfordshire City Deal bid have committed to establish a collaborative joint committee to oversee the implementation of the proposals. It is accordingly proposed to create the Oxfordshire Growth Board with the Terms of Reference and associated protocol contained at Appendix 1.
- 3.2 To the extent that the Oxfordshire Growth Board will be taking executive decisions jointly on behalf of the constituent local authorities it is necessary to establish the Board as a joint committee and for each Council to delegate the relevant executive functions to it pursuant to Section 101 (5) and 102 of the Local Government Act 1972 and Section 9 EB of the Local Government Act 2000. It should, however, be noted that paragraph 3.5 of the Terms of Reference makes clear that all non-executive functions are retained by each constituent authority and that each Council also retains the capability to exercise all executive functions generally and specifically in relation to economic development, strategic spatial planning and strategic transport planning in their respective areas.
- 3.3 As the Board comprises a joint executive committee of the local authorities the only voting members can be representatives of local authorities. Any other representatives from other stakeholders supporting the City Deal bid can be co-opted non-voting members only. It is also necessary for the Board to be chaired by a voting member i.e. a local authority representative.
- 3.4 The Terms of Reference at Appendix 1 have been the subject of deliberation between the Monitoring Officers of the respective local authorities in Oxfordshire and have recently been recommended for approval by the Oxfordshire Leaders' Group.
- 3.5 Only Executive members can be appointed to the Board and it is accordingly recommended that a member of the CDC Executive be appointed to represent this Council's interests on the Board and that a substitute, also from the Executive, be appointed in accordance with the requirements of paragraph 4.2 of the Terms of Reference.

4.0 Conclusion and Reasons for Recommendations

- 4.1 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.
- 4.2 In order to ensure that Cherwell District Council plays its appropriate part it is necessary for the recommendations in section 1 above to be approved.

5.0 Consultation

- 5.1 As indicated above the creation of the Oxfordshire Growth Board has been agreed by the constituent bidding parties to the Oxford and Oxfordshire City Deal bid.
- 5.2 The draft Terms of Reference have also been the subject of consideration by the Oxfordshire Monitoring Officers' group and the Oxfordshire Leaders' group.

6.0 Alternative Options and Reasons for Rejection

- 6.1 The following alternative options have been identified:

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.

7.0 Implications

Financial and Resource Implications

- 7.1 There are no direct financial implications arising from this report.

Comments checked by:

Tim Madden, Interim Head of Finance and Procurement, 0300 003 0106,
tim.madden@cherwellandsouthnorthants.gov.uk

Legal Implications

- 7.2 As the proposed Board is a joint executive committee of the constituent local authorities to the City Deal bid it is necessary for each council specifically to delegate the relevant executive functions to the Board pursuant to the legislation referred to in the report. The protocol appended to the Terms of Reference cannot be legally binding on any of the constituent local authorities but are merely an expression of intention to proceed as indicated.

Comments checked by:

Kevin Lane, Head of Law & Governance, 0300 003 0107,
kevin.lane@cherwellandsouthnorthants.gov.uk

8.0 Decision Information

Key Decision

Financial Threshold Met: No

Community Impact Threshold Met: Yes

Wards Affected

All.

Links to Corporate Plan and Policy Framework

Cherwell: A District of Opportunity

Cherwell: Thriving Communities

Lead Councillor

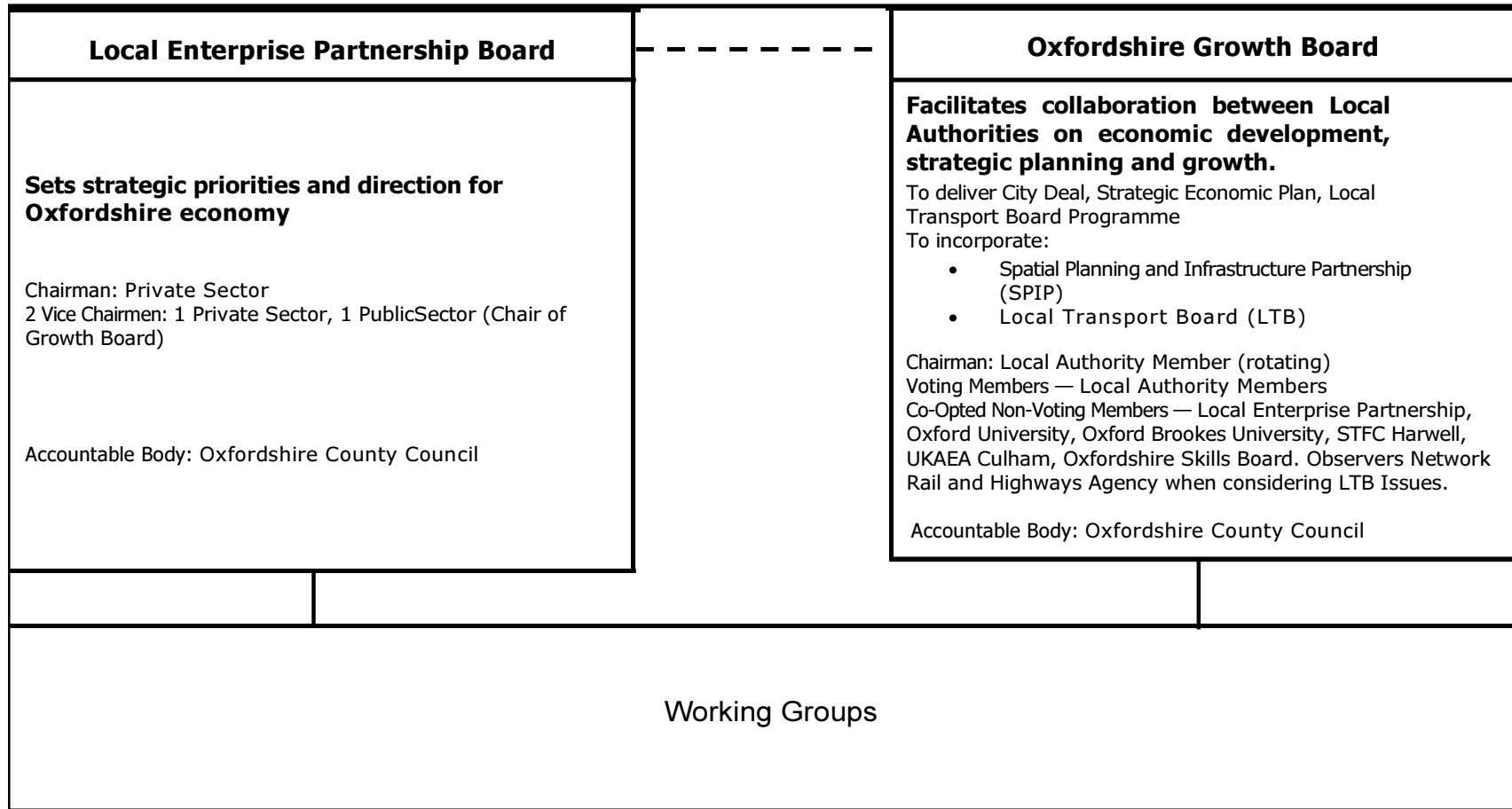
Councillor Barry Wood, Leader of the Council.

Document Information

Appendix No	Title
Appendix 1	Proposed Terms of Reference of the Oxfordshire Growth Board.
Background Papers	
None	
Report Author	Kevin Lane, Head of Law & Governance
Contact Information	0300 003 0107 Kevin.lane@cherwellandsouthnorthants.gov.uk

Oxfordshire Governance Structure

Annex A



Oxfordshire Growth Board Joint Statutory Committee

Draft Terms of Reference

1.0 Governance

- 1.1 The Oxfordshire Growth Board (the joint committee) includes the local authorities within the LEP area, namely, Oxfordshire LEP comprising, Cherwell District Council, Oxford City Council, South Oxfordshire District Council, Vale of White Horse District Council, West Oxfordshire District Council and Oxfordshire County Council. It will also include co-opted non-voting named members from those organisations listed at 4.4 below. In addition, the HCA has the right to attend the Growth Board as a non-voting investment partners, and, when considering matters that sit under the purview of the Local Transport Board then Network Rail and the Highways Agency will have the right to attend the Growth Board as non-voting investment partners.
- 1.2 The Oxfordshire Economic Growth Board is a Joint Committee under s101 (5), 102 Local Government Act 1972 and s9EB Local Government Act 2000 and pursuant to the Local Authorities (Arrangement for the Discharge of Functions) (England) Regulations 2012.
- 1.3 The Committee will be hosted under local government arrangements and this will be rotated in accordance with the arrangements for the Chairman (see Section 8.1).

2.0 Accountable Body

- 2.1 The Accountable Body for the Growth Board is Oxfordshire County Council which will provide Section 151 and Monitoring Officer roles to the Committee.
- 2.2 The County Council's Chief Finance Officer (Section 151 Officer) in conjunction with the LEP Chief Executive will provide the Growth Board with a quarterly financial and programme performance report. This report will provide the Board with an overview of the funds spent, funds committed against funds allocated, milestones and outcomes achieved and where necessary, ensure that action plans are put in place to address any concerns.
- 2.3 For those programmes and funding streams where another local authority is the Accountable Body, e.g. the Enterprise Zone, the relevant Section 151 Officer will provide the financial and programme performance information to the County Council's Chief Finance Officer to enable a complete picture to be presented to the Growth Board.
- 2.4 The Local Transport Board Assurance Framework will be the basis on which the appraisal, assessment and prioritisation for proposed Local Growth Fund projects and future growth programmes will be undertaken, which may be revised by the Growth Board as wished, subject to approval by the DfT.

3.0 Purpose of the Oxfordshire Growth Board

- 3.1 To facilitate and enable collaboration between local authorities on economic development, strategic planning and growth.
- 3.2 To deliver cross-boundary programmes of work including City Deal, Strategic Economic Plan and Local Transport Board programmes, within government timescales, including agreeing the detailed contents of specific priorities, plans, projects and programmes.
- 3.3 To approve and monitor the implementation of a detailed work programme as laid out in the City Deal, Strategic Economic Plan and Local Transport Board programmes together with any future Growth Deals or other programmes as agreed.
- 3.4 To bid for the allocation of resources to support the above purposes.
- 3.5 For the avoidance of doubt these terms of reference are not to be read as incorporating any non-Executive functions and each constituent Authority shall retain the capability to exercise all executive functions generally and specifically in relation to economic development, strategic spatial planning and strategic transport planning. Further, these terms of reference are not to be read as entitling the Board to bind, either financially or contractually, any constituent Authority.”

4.0 Membership

- 4.1 As the Joint Committee is discharging executive functions then the appointed person must be from the Executive. There should be one member from each constituent authority.
- 4.2 Each constituent authority shall appoint a substitute (also being an executive member). The substitute member shall have the same rights of speaking and voting at the meetings as the member for whom the substitution is made.
- 4.3 Subject to the legal right of the Joint Committee to appoint a Chairman and Vice Chairman of its choice each year the proposed protocol is that there will be a rotating Chairman and Vice Chairman as set out in table 8.2 below.
- 4.4 Other non-voting members as required for good linkages with the Local Enterprise Partnership shall be a single named-position representative from the bodies as detailed below:
 - Oxford University.
 - Oxford Brookes University.
 - Oxfordshire Local Enterprise Partnership.
 - STFC Harwell
 - UKAEA Culham
 - Oxfordshire Skills Board

4.5 When considering matters that sit under the purview of the Local Transport Board then a single representative of Network Rail and the Highways Agency will have the right to attend the Growth Board as non-voting investment partners.

5.0 **Voting**

5.1 One member one vote for each constituent authority member although members intend to agree matters on a unanimous basis where possible.

5.2 Normal rules as to declarations of interest to be applied to local authority members in accordance with the respective Council's Code of Conduct.

6.0 **Quorum & Safeguard**

6.1 The quorum for a meeting shall be four voting members.

6.2 Where the effect of a particular proposition, if adopted by the Committee, would be to give rise to contractual or financial implications for any constituent authority, then a protocol will be established where the expectation would be that the vote of the member appointed by that constituent authority, in favour of the proposition, would be required. In respect of other matters, all other voting will be on a normal majority basis.

6.3 When considering matters that sit under the purview of the Local Transport Board, this protocol will apply to the vote of the member appointed by the County Council.

7.0 **Functions**

7.1 The opportunity provided by establishing the Growth Board and aligning the strategic meetings including SPIP and the LTB is to streamline the governance arrangements and incorporate the combined terms of reference under a single governing body:

From the Spatial Planning & Infrastructure Partnership

- To provide a forum for partnership working and collaboration on spatial planning, economic development, housing, transport, and general infrastructure issues arising at regional and sub-regional level;
- To lead and co-ordinate liaison with the Local Enterprise Partnership on Oxfordshire wide issues and support the LEP in the identification of priorities and development of investment strategies and economic plans for Oxfordshire;

- To lead and co-ordinate liaison with the Homes and Communities Agency (HCA) to develop plans to enhance Oxfordshire share of HCA development programmes and contribute to any related interaction with Government agencies;
- To lead on production of joint work on cross border issues to ensure partners meet the requirements of the Duty to Cooperate and wider national policy;
- To lead and coordinate the Homes and Communities Agency (HCA) process on regeneration and housing issues leading to the production of the Local Investment Plan (LIP) and contribute to any related interaction with Government agencies;
- To seek agreement on local priorities and targets and advise partners on matters of collective interest in the fields of activity listed above;
- To seek agreement on alignment between national and regional and local funding streams in the fields of activity listed above and prioritise competitive funding bids;
- To assess whether spatial planning, infrastructure and public services are integrated and make recommendations to encourage this.

From the Local Transport Board

- To have the role of prioritising transport schemes to be funded from devolved funding sources, not already within the remit of the Local Transport Authority, to ensure that decisions are made in one place and supported by all relevant partners and stakeholders;
- To have the ability to comment on wider consultations, such as the Local Transport Plan, and funding investment decisions from national agencies, e.g. Network Rail, Highways Agency, where these have a strategic impact on the local transport network;

From the City Deal Programme

- To oversee the delivery of all of the local government aspects of City Deal and to have oversight of the LEP Work Programme;
- Prioritisation of the investment in the Escalator Hubs, the allocation of funding from City Deal and the accountable body for each project;
- Establishing the City Deal infrastructure programme and agreement of the contribution level from either retained business rates or the proposed funding streams;

- Responsible for prioritising the delivery of schemes to be funded through the City Deal infrastructure fund, for transport, housing or economic development schemes;
- Agreement to the work programme for the City Deal and in support of the LEP Growth Strategy.

8.0 Meetings

- 8.1 The Chairman and Vice-Chairman of the Growth Board will be elected at the first meeting but are expected to follow the arrangements as set out in paragraph 8.2.
- 8.2 The lead authority for convening meetings will be that of the elected Chairman and it will provide Secretary/Clerk support to the Board. Meetings shall be held on a bi-monthly basis, meetings may be called as and when required to ensure that critical timescales are met.

Year	Chairman	Vice chairman
2014/15	West Oxfordshire District Council	Cherwell District Council
2015/16	Cherwell District Council	Oxfordshire County Council
2016/17	Oxfordshire County Council	Oxford City Council
2017/18	Oxford City Council	South Oxfordshire District Council
2018/19	South Oxfordshire District Council	Vale of White Horse District Council
2019/20	Vale of White Horse DC	West Oxfordshire DC

9.0 Secretariat and Support

- 9.1 The secretariat and support will be provided by the existing SPIP Executive Officer Group. Other investment partners will be involved as appropriate, e.g. Homes and Communities Agency, Environment Agency, Highways Agency, Network Rail; to advise on the investment and work programme.
- 9.2 The Group will be chaired by the lead authority (as in previous SPIP arrangements). In the first instance this will be West Oxfordshire.

10.0 Scrutiny Arrangements

- 10.1 Decisions made by the Committee shall be subject to the scrutiny arrangements of each constituent authority.

Protocol

This protocol has been incorporated into the Terms of Reference for Oxfordshire Growth Board, a statutory Joint Committee.

The Parties to this Protocol are those referred to in the Terms of Reference.

The Parties wish to record the basis on which they propose to undertake their decision making function as a Joint Committee.

General principles

The Parties agree to support the purposes of the Joint Committee by ensuring that in their decision making, they:

- Collaborate and cooperate with each other
- Are open and accountable to each other
- Adhere to all relevant statutory requirements
- Deploy appropriate resources
- Act in good faith

Voting arrangements

1. Only Joint Committee Members (or their substitutes) shall be designated as Voting Members and shall be entitled to one vote on items of business considered by the Joint Committee.
2. Every question shall be determined by the voices of those Voting Members present, provided that if there is a Voting Member who indicates dissent to this procedure than a vote by show of hands shall take place. A simple majority shall be required.
3. In the event there being an equal number of votes for and against a particular proposition, the Chairman shall have a casting vote.
4. Where the effect of the particular proposition, if adopted by the Joint Committee, would be to give rise to contractual or financial implications for any part of one of the Parties, then in addition to the normal requirement for a simple majority of votes, the Parties will seek to ensure that the vote of the Member of the effected Party, in favour of the proposition, will be obtained.

Status

This protocol is not intended to be legally binding, and no legal obligations or rights shall arise between the Parties from this protocol.

Growth Deal Programme

Annex D

	Total Cost	Total Ask	13/14	14/15	15/16	16/17	17/18	18/19	19-20	20-21
Local Transport Board (Confirmed)										
Bicester: London Road Level Crossing	27.40	2.30								
Oxford: Northern Gateway A40 Cutteslowe Roundabout	4.30	3.80								
Science Vale: Wantage Eastern Link Road	14.00	4.50								
	45.70	10.60								
City Deal (confirmed)										
Science Transit - Hinskey Interchange	23.5	8.7								
Northern Gateway	17.8	7.3								
Access to the EZ	28.8	6.1								
Harwell Innovation Hub	14.1	7								
Culham Advanced Manufacturing Hub	21.2	7.8								
Bio Escalator	22	11								
Begbroke Innovation Accelerator	11.2	4.2								
Oxfordshire Innovation Support Programme	7	2								
Oxfordshire Experience for work	24	1.5								
Oxford Accelerated Housing programme										
	146.1	55.6								
SEP schemes (TBC June 2014) LGF										
Centre for Applied Superconductivity	6.5	4.49								
Advanced propulsion centre	10	4.99								
Northern Gateway Innovation Area	286.7	12.02								
Innovation e-infrastructure	52	20.99								
Centre for 5G telecommunications and its applications	11	2								

Oxfordshire Business Support Hub for Business, Innovation & Export	14.8	7.2									
National Science Centre	25	12.5									
Clinical Bio Manufacturing Centre	6	3									
Oxfordshire Centre for Technology and Innovation	7.84	4.5									
Advanced Engineering and Technology Skills Centre (ASC)	5.9	4									
Active Care Suite	0.9	0.72									
Animal Husbandry	1.5	1									
Harwell Oxford Education and training Hub	12	10									
Oxfordshire Flood Risk Management Scheme	125	62.5									
Didcot Station Building Enhancements	25	2									
Westgate Knowledge & Skills Exchange Centre	400	5									
Didcot Town Centre Knowledge & Skills Exchange Centre	120	4									
Upstream flood Storage at Northway	1.9	0.6									
County Houses Project	0.56	0.56									
Headington Phase 1 & Eastern Arc Transport Improvements	12.5	8.2									
A34 improvements Phase 1 (Including Seacourt P&R)	23.62	21.32									
Bicester London Road - Level Crossing - phase 1											
Cycle/Ped Crossing	3.6	1.3									
Bicester Charbridge Lane Railway crossing	8.75	7.5									
Didcot Station Car Park Expansion (Foxhall Rd)	23	9.5									
Oxford City Transport - West End	8.8	4.6									
Science Vale Cycle Network Improvements	4.91	4.52									
Oxford Station Gateway	72	40									
Oxford Science Transit Phase 2 - A40 Public Transport improvements	40	35									
Bicester improvements to peripheral routes	35	22.5									

Access to EZ - A417 improvements	4	3								
Oxpens pedestrian and cycle bridge	4	3.6								
	1352.78	323.11								

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