

Vale of White Horse Scrutiny 26 June 2014

Below is a copy of the questions asked on the subject of The West Way, Botley. The written answers are supplied, in accordance with the constitution of the Vale of the White Horse District Council's constitution, by the leader of the council, Councillor Matthew Barber.

Name	Topic
Mary Gill	<p>At the meeting of the Scrutiny Committee in November last year, the Leader of the Council, and the then Strategic Director explained that the agreement with Doric Properties was simply a land sale, and that the selection of Doric was based on a competitive tender for Site 1 and a market test for Site 2. We now know that the agreement with Doric is much broader, in that it covers the entire development site (including Elms Parade, Field House, Vale House and the vicarage) and makes a commitment to assist with the acquisition of the remainder of the land and to be involved in the funding agreement. It is, in effect, a development partnership.</p> <p>There has been no competitive process for the development on the entire site. 'Deliverability of the scheme' was stated as one of the criteria for selection of the preferred bidder for the original Site 1. We know that Doric have no capital, no properties, and no track record.</p> <p>How can the Vale of White Horse District Council demonstrate that entering this agreement for a development of this scale without any competition has provided the public with a suitable scheme, a suitable developer, best value for money overall and a minimum risk of failure?</p>
Grant Nightingale	<p>We have now been told (via Freedom of Information) that the Site 2 agreement with Doric for the conditional sale of Site 2 also 'covers the entirety of the development site (outlined in red on the plan), where all the land not owned by the council is potentially subject to compulsory purchase order ...'.</p> <p>"Therefore, in signing this agreement, the Vale appear to have committed to a development on the entire site.</p> <p>"The original scrutiny paper, discussion and minutes of the meeting, and follow-on responses from Mr Buckle do not make this explicit.</p> <p>"Did David Buckle, Matthew Barber or Matt Prosser know, at the time of the meeting, that the draft CPO indemnity agreement existed? If so, why did they not correct the statement made at the meeting, or in the minutes? If they didn't know about it, who did?</p> <p>"Do you consider that it is acceptable for the Vale to make a commitment to a development on land that it doesn't own, and</p>

	on which it has not consulted the public, and which will ‘cost the public purse millions of pounds’ to withdraw from?”
Caroline Kellner Trustee of Elms Parade	My name is Caroline Kellner and I am part of the Howse family and one of the trustees of Elms Parade. For the past 100 years the Howse family have owned and farmed property in the Botley area including Elms Parade which was built by my Grandfather Stephen Howse in 1937 to provide shopping facilities for the local community and an income for his family and their descendants.. The original plan for West Way did not include Elms Parade (or Field House and the Vicarage) later plans do include it. Who authorised this change of boundaries and what right do they have to make this decision when Elms Parade is a very successful business and has huge support locally.

Q1

The Council has entered into an agreement to sell its land to Doric subject to various conditions, the most important of which is securing planning permission for its development proposal. It has not entered into a development partnership – it will play no direct part in the redevelopment of the site once this commences.

The council took professional advice at all stages before signing the agreement with Doric. Its property adviser was DTZ and its legal adviser Pinsett Mason, both highly reputable firms.

Q2

The issue of the incorrect statement regarding compulsory purchase was covered by David Buckle in the statement he read out to Scrutiny Committee, which will be published in the minutes in due course.

It was Doric’s decision to seek planning permission for a larger site and public consultation is currently taking place on the planning application. If the planning committee grants planning permission in due course there is no reason in principle why the council should not proceed to compulsorily purchase land, although we would hope that most if not all is acquired through voluntary agreement.

Q3

Doric chose to seek planning permission for a scheme that includes Elms Parade. Planning law does not require that an applicant owns land for which they seek planning permission but they are required to serve notice on the land owner, which Doric has done through its agent.