

Date: 26 April 2006

TO: All Members of the Executive
FOR ATTENDANCE

TO: All Other Members of the Council
FOR INFORMATION

Dear Sir/Madam

Your attendance is requested at a meeting of the **EXECUTIVE** to be held in the **GUILDHALL, ABINGDON** on **Friday, 5th May, 2006** at **2.30 pm.**

Yours faithfully

Terry Stock
Chief Executive

Members are reminded of the provisions contained in Part 2 of the Local Code of Conduct, and Standing Order 34 regarding the declaration of Personal and Prejudicial Interests.

A G E N D A

Open to the Public including the Press

A large print version of this agenda is available. Any background papers referred to may be inspected by prior arrangement. Contact Steve Culliford, Democratic Services Officer on telephone number (01235) 540307.

Map and Vision

(Page 8)

A map showing the location of the venue for this meeting, together with a copy the Council Vision are attached.

STANDING ITEMS

1. Apologies for Absence

To receive apologies for absence.

2. Minutes

To adopt and sign as a correct record the minutes of the meeting of the Executive held on 21 April 2006, (previously circulated).

3. Declarations of Interest

To receive any declarations of Personal or Personal and Prejudicial Interests in respect of items on the agenda for this meeting.

In accordance with Part 2 of the Local Code of Conduct and the provisions of Standing Order 34, any Member with a personal interest must disclose the existence and nature of that interest to the meeting prior to the matter being debated. Where that personal interest is also a prejudicial interest, then the Member must withdraw from the room in which the meeting is being held and not seek improperly to influence any decision about the matter unless he/she has obtained a dispensation from the Standards Committee.

4. Urgent Business and Chair's Announcements

To receive notification of any matters which the Chair determines should be considered as urgent business and the special circumstances which have made the matters urgent, and to receive any announcements from the Chair.

5. Statements and Petitions from the Public Under Standing Order 32

Any statements and/or petitions from the public under Standing Order 32 will be made or presented at the meeting.

6. Questions from the Public Under Standing Order 32

Any questions from members of the public under Standing Order 32 will be asked at the meeting.

7. Referral under the Overview and Scrutiny Procedure Rules or the Budget and Policy Framework Procedure Rules

8. Referrals from the Overview and Scrutiny Committees and Other Committees

9. Items Deferred from the Previous Meeting

10. Financial Monitoring

Members are requested to consider any significant budget variances and any requests for virement or permanent budget adjustment.

KEY DECISIONS

11. Forward Plan

(Pages 9 - 12)

To receive the Forward Plan containing Executive decisions to be taken from May to August 2006.

Recommendation

that the Forward Plan be received.

OTHER MATTERS

12. Audit and Inspection Plan 2006/07

(Pages 13 - 34)

To receive the Audit and Inspection Plan 2006/07 and agree a formal response to the Audit Commission.

13. Best Value Review

(Pages 35 - 37)

To receive and consider report 283/05 of the Strategic Director.

Introduction and Report Summary

On the 3rd March 2006 the Executive resolved that 2 Best Value Reviews (BVR) should be carried out during 2006-07:

- A cross cutting review around the Vale Strategic Partnership and other partnership arrangements
- A review of the White Horse Leisure and Tennis Centre

It was proposed that further service reviews would be considered once the new senior management structure was in place. The Executive resolved that a further report identifying appropriate service reviews be submitted as soon as practicable. This report proposes that a further 4 service reviews be added to the review programme and cover the next 2 years.

The Contact Officer for this report is Robert Woodside, Principal Performance Management Officer (01235 520202 ext 499).

Recommendations

That the Executive approves the additional service Best Value Reviews detailed in section 5:

- a) *Housing Services*
- b) *Environmental Health*
- c) *Building Control*
- d) *Human Resources*

14. Oxfordshire's Waste Strategy

(Pages 38 - 40)

To receive and consider report 284/05 of the Strategic Director.

Introduction and Report Summary

The Oxfordshire Waste Partnership (OWP) has commissioned work to develop a future waste collection and disposal strategy. The Partnership recently met with the Leaders and Chief Executives to agree the next steps in establishing a Waste Strategy.

This report summarises the way forward for Oxfordshire and highlights the implications for this District Council.

Recommendations

Members are requested to note the position and endorse the agreement made at the OWP meeting on 7th April 2006.

that authority be delegated to the Chief Executive, in consultation with the Executive Portfolio holder for Waste Management, to agree and implement the public engagement consultation exercise.

15. Planning Delivery Grant

On the 30th March the Office of the Deputy Prime Minister announced details of the Planning Delivery Grant award to Planning Authorities in 2006/7. In total £135m is being made available to support planning services through the financial year and, as in previous years, the funding is to enable local authorities to improve their planning resources and introduce the changes the Government is bringing in as part of its programme to reform planning. Planning Delivery Grant is not ring-fenced but local authorities are expected to invest the money in their planning services, as future grant award will depend on performance improvement. To encourage this investment, 25% of each local authority's 2006/7 grant will be tied to capital expenditure.

Details released on 30th March indicate that the Vale Council will receive a total of £258,770 in Planning Delivery Grant this year, made up as follows:

£ 67,248	for development control performance
£ 14,652	for online planning capabilities
£124,093	for housing consideration
£ 52,525	for plan making performance
£ 252	upward adjustment

A further report will be made to the Executive in due course seeking authority to commit the award money, together with the balance of uncommitted grant from previous awards, following discussion of spending options with the Planning Portfolio holder.

16. Swindon Local Plan - Proposed Modifications

(Pages 41 - 44)

To receive and consider report 285/05 of the Strategic Director.

Introductions and Summary

Swindon Borough Local Plan proposed modifications were published 22 February with any comments requested by 5 April. In order to meet this timetable, objections to a number of the modifications were duly submitted by officers on the basis that when the Executive had considered the relevant modifications, any additional views would be forwarded to Swindon Borough.

The objections submitted by the officers related to the proposed modifications to designate a new 25 ha area for employment land to the east of the A419 and south of the A420. In summary, the objections were on the grounds that this additional area of employment land;

- a) would result in an over-supply of employment land in the local plan period,
- b) would pre-empt and prejudice the Regional Spatial Strategy, which is the proper context through which development east of Swindon should be progressed, and
- c) that the way in which the designation has been formulated is not easily understood, lacks certainty and does not demonstrate how the strategy of the local plan will be implemented in practical terms.

Recommendation.

That the Executive considers the report's conclusions in section 8 and, subject to any additional comments that the Executive may wish to make, confirms these conclusions as the Vale Council's objections to the Swindon Borough Local Plan 2011 Proposed Modifications.

17. Capital Monitoring Report Whole Council

(Pages 45 - 48)

To receive and consider report 286/05 of the Head of Asset Management.

Introduction and Report Summary

This report forms part of the continuing provision of financial information to allow Members to review the performance of their services. The report shows the capital expenditure in 2005/06 (subject to audit) on projects in the agreed capital programme and requests budget carry-forward where necessary.

The contact officers for this report are Steve Lawrence, Head of Asset Management (01235 520202 ext. 321) or the responsible officer for each scheme as indicated.

Recommendations

- (a) *That Members note the expenditure on capital projects in the financial year 2005/06*
- (b) *That Members agree the revised expenditure profile for capital projects and carry-forward of budgets to 2006/07 (net total £472,220) as shown in Appendix A.*

18. Limborough Road, Wantage - Compulsory Purchase Order

(Page 49)

(Wards Affected: Wantage Charlton)

The main portion of the Limborough Road Redevelopment project is proceeding to plan. Preliminary works by way of site investigation have already been largely completed. Phase II of this scheme necessitates a number of further legal interests in land comprising this phase of the development to be acquired. As a consequence, negotiations have been conducted by Master Property Trading Ltd to purchase the remaining interests that comprise the Phase II development land. In the main those negotiations have been largely successful, with agreement for the acquisition of a number of interests being obtained. There remains, however, at least one interest for which no agreement has been reached.

In order to bring a higher degree of certainty to delivery of Phase II, acquisition of all interests required to facilitate the development will be required. Because the negotiated settlement route has not produced all of the agreements necessary to facilitate development, it is now considered appropriate to place before this Council an option which would allow acquisition to proceed. Essentially this will require that a Compulsory Purchase Order be made which, if approved by the Confirming Authority, will enable all those legal interests to be acquired by compulsory acquisition.

A request was received from Bushbuy Ltd, the project managers for the development, for this Council to consider making preparations for the making of a Compulsory Purchase Order to facilitate Phase II of the Limborough Road Development. This request was considered by the Executive in November 2005 with approval being given for Requisition for Information Notices being dispatched to all known parties with a compensatable legal interest. This exercise was completed by January 2006.

The developer has now made a further request that this Council makes the relevant Compulsory Purchase Order in order to provide certainty to delivery of Phase II of the overall project.

This Council is obligated under the Development Agreement to use its reasonable endeavours to make such an order. However any decision is within the absolute discretion of this Council. On the basis that negotiations have now reached a point whereby all agreements which can be made have been completed without a CPO being made, it is now considered appropriate that consideration is given to the making of a CPO. This would then allow such steps to be taken to progress confirmation of the Order and thus be consistent with this Councils support of the development at Limborough Road.

The site in its entirety is identified in outline in red on the attached plan. Within the site boundary it is proposed that all required interests be acquired. The developer has confirmed the red lined site as being the precise extent of the land required to facilitate Phase II. As a consequence this site now forms the identified land that it is proposed is subject to the Compulsory Purchase Order.

It is the belief that due to the failure of a negotiated settlement for all legal interests that a compelling case which is in the public interest now exists. It is therefore proposed that under The Acquisition for Land Act 1981 as amended by the Planning and Compulsory Purchase Act 2004 that the relevant order be sought to facilitate Phase II of the Limborough Road development.

Once the CPO has been made the statutory process will governing the procedure of implementation will commence. The initial steps will be to notify all known persons with an interest via a notice being served on them, together with a public announcement in the local press inviting representations/objections to be made within 21 days.

Master Property Trading will bear all reasonable costs and expenses including fees, disbursements and compensation in relation to the CPO.

Recommendation

that this Council confirm the making of a Compulsory Purchase Order to encompass all land and legal interests which exist within the red lined site as identified by Plan A.

19. Internal Audit Plan – 2005-06 Out-turn

(Pages 50 - 52)

To receive and consider report 287/05 of the Strategic Director.

Introduction and Report Summary

This report summarises the out-turn of the 2005/06 Internal Audit Plan, and provides a summary of all assignments completed from the 2005/06 plan, and all unplanned assignments carried out.

This report also highlights any unactioned Internal Audit reports, i.e. those where the Action Plan containing our recommendations has not been returned to Audit with the proposed corrective actions.

This report serves as the Annual Report on Internal Audit, as required by the CIPFA Code. (Chartered Institute of Public Finance and Accountancy - Code of Practice for Internal Audit in Local Government in the United Kingdom).

The Contact Officer for this report is Sam Turner, Assistant Director (Audit), Tel: 01235 547615.

Recommendations

To note the content of the report.

20. Exclusion of the Public, including the Press

The Chair to move that in accordance with Section 100A(4) of the Local Government Act 1972, the public, including the press, be excluded from the remainder of the meeting to prevent the disclosure to them of exempt information, as defined in Section 100(I) and Part 1 of Schedule 12A, as amended, to the Act when the following items are considered:-

- Item 21 Minutes
(Category 1 - Information relating to any individual.)
(Category 3 - Information relating to the financial or business affairs of any particular person (including the authority holding that information.)
- Item 22 Internal Audit Plan - 2005/06 Out-turn
(Categories 1 and 3)
- Item 23 Property Matters
(Category 3)

EXEMPT INFORMATION UNDER SECTION 100A(4) OF THE LOCAL GOVERNMENT ACT 1972

STANDING ITEMS

21. Minutes

To adopt and sign as a correct record the Exempt minutes of the meeting of the Executive held on 7 April 2006, (previously circulated).

OTHER MATTERS

22. Internal Audit Plan – 2005-06 Out-turn

(Pages 53 - 96)

To receive the exempt information contained in the appendix to the public report 287/05 of the Strategic Director.

23. Property Matters

(Pages 97 - 103)

To consider any property matters.