

**URGENT BUSINESS AND SUPPLEMENTARY INFORMATION****Council****13 December 2021**

Agenda Item Number	Page	Title	Officer Responsible	Reason Not Included with Original Agenda
4.	(Pages 3 - 6)	Thames Valley Police - Address by Police and Crime Commissioner and Chief Constable  Questions submitted by Members in advance of the meetings	N/A	Deadline for Members to submit questions after agenda publication
5.	N/A	Petitions and Requests to Address the Meeting  No petitions or requests to address the meeting have been submitted. The deadline for petitions and requests to address the meeting has now passed.	N/A	Deadline to register after agenda publication
9.	(Pages 7 - 8)	Questions  Response to written question	N/A	Response published on afternoon of working day before the meeting in line with Constitution procedure rule 6.6
11.	(Pages 9 - 14)	Standards Arrangements - Appointment of Independent Persons	Governance and Elections Manager	Interviews concluded after agenda publication
15.		Motions  No amendments to motions have been received. The deadline for amendments has now passed and no amendments are therefore permitted	N/A	Deadline to submit amendments after agenda publication.

*If you need any further information about the meeting please contact Natasha Clark, Democratic and Elections democracy@cherwell-dc.gov.uk, 01295 221589*

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## Council

Monday 13 December 2021

### Agenda Item 4, Thames Valley Police - Address by Chief Constable and Police and Crime Commissioner

Members were asked to submit questions in advance of the meeting. The following questions were submitted (listed in the order submitted).

	Councillor	Ward	Question
1.	Cllr John Broad	Bicester West	<p>“At the last council event where we asked questions to the Chief Constable and the PCC I asked why the Thames Valley force cannot provide accurate figures for the theft of motorcycles. I seem to remember that the answer was they would get back to me.</p> <p>Well, they still cannot provide this data and so I need to ask again for accurate data on the theft of motorcycles across the Thames Valley Force only this time I don't want to be fobbed off. I do know that when this was asked in an FOI by a motorcycling lobby group the PCC failed to provide the data saying it was too difficult and time consuming to extract quoting the time limit as a reason not to comply.</p> <p>If the PCC is minded to answer my question in the same manner I further ask him to provide all the theft of all motor vehicle data on a memory stick to enable the work to be carried out beyond the force employees.</p> <p>There are a couple of reasons why I want this data apart from the obvious of wanting to know the size of the problem of motorcycle theft in the Thames Valley force area. The other reason is that I am seriously concerned that if this data is not readily available to the PCC, how can he plan the workload for the force and what other data is unable to be extrapolated so that he can manage the workforce to deal with items.”</p>
2.	Cllr Andrew McHugh	Adderbury, Bloxham and Bodicote	<p>“I understand Thames Valley is due to receive around 220 additional police officers in 22/23.</p> <p>Can the Commissioner or the Chief Constable give an indication of how these 220 officers will be</p>

			<p>deployed?</p> <p>Is he able to give any reassurance that the deployment of additional police officers across Thames Valley will have regard to pockets of considerable population?"</p>
3.	Cllr Andrew McHugh	Adderbury, Bloxham and Bodicote	<p>"Can the Commissioner outline what the Police have been doing to disrupt County Drug Lines and other Organised Crime Gangs operating in Cherwell?"</p>
4.	Cllr Bryn Williams	Deddington	<p>"With the increase in traffic within our district and inevitably the frequency of those exceeding current speed limits members welcome OCC's initiative that towns and villages consider replacing 30mph limits with 20mph where practical.</p> <p>However, parishes within my ward, whilst positive about a reduction in speed through their villages, are concerned by reports that TVP are likely to not have the capacity to police the new 20mph zones.</p> <p>For the avoidance of doubt, can the Commissioner/Chief Constable clarify what resource TVP can allocate to the policing of these (and existing) speed limits within our towns and villages as at present there is confusion and hesitation from parishes whether to proceed if reduced limits will not be policed."</p>
5.	Councillor Andy Beere	Banbury Grimsbury & Hightown	<p>"Given that the emergency services and all local authorities have changed the way they operate in the pandemic, have the TVP, Oxfordshire Fire &amp; Rescue Service (RFS) and local authorities (unitary, county and district) come to any published conclusions as to how Civil Protection Support rather than Law Enforcement in the role of TVP can be improved in this enduring Social and Public Health scenario."</p>
6.	Councillor Lucinda Wing	Bicester South and Ambrosden	<p>"Commissioner, I think I can speak for most of us in the chamber, and our communities, when I say that we have been horrified by reports of increases in domestic violence and heinous crimes such as the murders of Sarah Everard, Bibaa Henry and Nicole Smallman -- and the subsequent treatment of these women by those who are employed to protect them.</p> <p>Last month the government published a strategy on tackling violence against women and girls. This</p>

			<p>drew on extensive evidence from the many victims and survivors who provided testimonies as part of a call for evidence. In total 180,000 responses were received, the largest ever consultation by the government in this area.</p> <p>The government's strategy has three objectives - the second being an increase in the number of perpetrators brought to justice and increased victim engagement with the police and public service response. In light of this, do you think it would be appropriate for you to identify a sixth priority that specifically addresses violence against women and girls?"</p>
7.	Cllr Andrew McHugh	Adderbury, Bloxham and Bodicote	<p>"Commissioner,</p> <p>I understand it your intention to upgrade police radios to ensure that all front-line staff, including Special Constables, will have GPS enabled equipment. Will this upgrade include Local Authority Community Wardens who also wear and use police radios?"</p>
8.	Cllr Andrew McHugh	Adderbury, Bloxham and Bodicote	<p>"At the last Cherwell Community Safety Partnership meeting we reviewed the Cherwell elements of the Strategic Intelligence Assessment.</p> <p>One point that arose was that the Police have seen a sharp increase in stalking and harassment. For Cherwell this was a change from 852 for Jan to Dec 2019 to 1,259 Jan to Dec 2020.</p> <p>Is this a real increase or a function of how stalking and harassment is recorded? If the increase is real, are you operationally comfortable with the increase?"</p>
9.	Cllr Andrew McHugh	Adderbury, Bloxham and Bodicote	<p>"Following the killing of Sarah Everard and other events, violence against women and girls is now firmly on the national agenda.</p> <p>Your office has channelled funds to local areas to address this issue and that is welcome. However, Cherwell has not benefited from any of this funding since it goes to the areas that can demonstrate the highest need.</p> <p>For a small Community Safety Partnership such as ours it is challenging to develop bids/ proposals when funding is distributed in this way. You need analytical capacity to develop the bid to</p>

			<p>demonstrate the need, evidence the spending will make a difference, etc. Hence the funding will naturally tend to go to areas where there is higher crime and bigger community safety teams that have capacity to form bids against the funding criteria.</p> <p>This may be defensible but there is a risk that towns like Banbury, Bicester and Kidlington could be overlooked as a result. Is there any way this could be addressed?"</p>
10.	Councillor Sean Woodcock	Banbury Ruscote	<p>"How many Christmas gatherings in breach of COVID guidance were attended by Thames Valley Police in Cherwell last year? And how much was recouped in fines?"</p>



## **Council**

**Monday 13 December 2021**

### **Agenda Item 9 (a), Written Questions**

**Question From: Councillor Mark Cherry**

**Question To: Leader of the Council, Councillor Barry Wood**

**Topic: Sunshine Centre, Banbury**

#### **Question**

“Banbury Ruscote is classified second in the list of Oxfordshire’s 10 most deprived wards. Given the importance of the Sunshine Centre, Edmonds Road and outreach services to Banbury Ruscote families, can the Leader of the Council, Barry Wood assure Banbury Ruscote councillors that he will be working with council officers and in liaison with the Lead Member for Health and Wellbeing to look at replacing the boiler system at the Sunshine Centre. The boiler is coming to the end of its serviceable life and should ideally be replaced with an environmentally friendly system which can be funded by central government grants and if necessary, funding from Cherwell District Council.”

#### **Response**

“Cherwell District Council are aware of the age of the boiler system / plantroom and are currently maintaining the system so to ensure that the Sunshine Centre can operate normally. To ensure the longevity of the Sunshine Centre CDC are planning to apply for future grant funding once available from the Public Sector Decarbonisation Scheme (PSDS). It should however be noted that like many other community run buildings owned by CDC under the current lease terms the Sunshine Centre tenant is responsible for their own maintenance including the replacement of the plantroom.”

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## **Cherwell District Council**

### **Council**

**13 December 2021**

### **Standards Arrangements – Appointment of Independent Persons**

### **Report of Director of Law and Governance and Monitoring Officer**

This report is public

#### **Purpose of report**

To appoint statutory Independent Persons as part of the standards arrangements following a recruitment process.

#### **1.0 Recommendations**

The meeting is recommended:

- 1.1 to appoint Mr Graham Matthews as an Independent Person pursuant to section 28(7) of the Localism Act 2011 for a term of four years expiring on the date of the December meeting of Council in 2025.
- 1.2 to appoint Mr Tom Edwards as an Independent Person pursuant to section 28(7) of the Localism Act 2011 for a term of four years expiring on the date of the December meeting of Council in 2025.
- 1.3 to note that the appointment of the Independent Persons may be renewable in 2025 for a further term of four years subject to the Independent Persons wishing to continue in the role and Council agreeing the renewal of the appointment.

#### **2.0 Introduction**

- 2.1 The Localism Act 2011 (“the Act”) (Section 28, subsections (7) and (8)) requires the standards arrangements adopted by the Council to include provision for the appointment of at least one independent person to assist the Monitoring Officer in dealing with complaints about councillors’ standards of behaviour and alleged breaches of the Members’ Code of Conduct.
- 2.2 The Local Authorities (Standing Orders)(England)(Amendment) Regulations 2015 (“The Regulations”) require the Council to invite relevant Independent Persons to a Panel (being a committee appointed by the authority under section 102(4) of the Local Government Act 1972) for the purposes of advising the authority on matters

relating to dismissal of relevant officers of the authority. Such invitation must be issued to all relevant Independent Persons with a view to appointing at least two Independent Persons to the Panel. The relevant officers to which these provisions apply by legislation are the council's Head of Paid Service, the Chief Finance Officer and the Monitoring Officer.

- 2.3 Following a robust recruitment process, Council is asked to appoint two Independent Persons.

### **3.0 Report Details**

- 3.1 As delegated by Council at the 19 July 2021 meeting ([Minute 25 refers](#)), the Standards Committee consider the arrangements for the appointment of Independent Persons at its 11 October 2021 meeting ([Minute 8 refers](#)).
- 3.2 Having regard to the required formal procedure to comply with The Act, the Standards Committee agreed the principles listed below for the recruitment exercise which were accordingly followed:
- The recruitment exercise to include advertisement, application and interview.
  - The interview panel to consist of the Monitoring Officer, the Chairman of the Standards Committee and two members of the Standards Committee, one of whom to be an opposition member.
  - Interviews will be carried out virtually via video conference in November 2021 (exact date(s) to be agreed by the interview panel)
  - The appointments to be confirmed at the 13 December 2021 Council meeting with a positive vote by a majority of councillors
  - The appointments to be for 4 years (to December 2025)
  - The Independent Person "job description" and "role profile" to be approved by the Monitoring Officer, in consultation with the Chairman of the Standards Committee
  - The statutory restrictions whereby an Independent Person must not be a Member, co-opted Member or officer of Cherwell District Council or a Member, co-opted Member or officer of a parish council that falls within the area of Cherwell District Council
  - Any application from an existing Independent Person to be considered on its merits
- 3.3 There is no prescribed time limit on the terms of office of Independent Persons and these are therefore within the discretion of the Council. As part of its deliberations of the recruitment process, the Standards Committee agreed that the appointments should be for a four year term, renewable once. The renewal will be subject to the Independent Persons wishing to continue in the role and Council agreeing the renewal of the appointment.

- 3.4 Six applications were received. The interview panel was extremely impressed by the number and quality of applications received. All six applicants were interviewed with interviews taking place on 25 and 26 November and 3 December 2021 with a view to appointing up to three Independent Persons.
- 3.5 The interview panel comprised the Chairman of the Standards Committee, Councillor Simon Holland, one Conservative member of the Standards Committee, Councillor Lucinda Wing, and one opposition member of the Standards Committee, Councillor Perran Moon. The interview panel was supported by the Monitoring Officer and officers from the Democratic and Elections Team.
- 3.5 The Council may appoint as many Independent Persons as it deems appropriate. At its July 2021 meeting, Council had agreed to appoint three Independent Persons. Having considered the report of the Monitoring Officer to the 11 October 2021 meeting of the Standards Committee ([Minute 9 refers](#)) and mindful of the relatively low levels of code of conduct complaints received by the Monitoring Officer and therefore correspondingly the workload for Independent Persons, the interview panel is recommending the appointment of two Independent Persons.
- 3.6 Following consideration of the application forms and interview responses, the interview panel concluded that the following two individuals should be recommended to Council for appointment as an Independent Person:
- Graham Matthews (currently a CDC Independent Person)
  - Tom Edwards (currently a CDC Independent Person)

## **4.0 Conclusion and Reasons for Recommendations**

- 4.1 To comply with the statutory requirements the Council must appoint at least one Independent Person. Following the delegation from Council to the Standards Committee, supported by the Monitoring Officer, a process for the recruitment of Independent Persons was agreed and undertaken. Following this robust recruitment process, it is recommended that Council appoint Graham Matthews and Tom Edwards as Independent Persons for a four year term, renewable once.

## **5.0 Consultation**

None

## **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: Not to appoint Independent Persons. This is not recommended as the Council would be failing in its statutory duty to appoint at least one Independent Person.

Option 2: To appoint alternative applicants. This is rejected because the interview panel have reviewed all applications and interviewed all applicants and made recommendations to Council accordingly.

## **7.0 Implications**

### **Financial and Resource Implications**

- 7.1 Each independent person receives an annual allowance of £768 and can claim travel expenses for attending meetings in person. This is provided for in the Members' Allowances budget. The law is clear that the payment of an allowance does not negate independence.

Comments checked by:

Michael Furness, Assistant Director – Finance, 01295 221845

[michael.furness@cherwell-dc.gov.uk](mailto:michael.furness@cherwell-dc.gov.uk)

### **Legal Implications**

- 7.2 To comply with the requirements of the Localism Act 2011 (section 28(7)), the Council should appoint at least one Independent Person. However, should it be necessary to set up a Panel in compliance with The Local Authorities (Standing Orders)(England)(Amendment) Regulations 2015 referred to in paragraph 2.2 above it is recommended that the Council appoints two Independent Persons.

Comments checked by:

Sukdave Ghuman, Head of Legal Services & Deputy Monitoring Officer, 07551 680591, [sukdave.ghuman@cherwell-dc.gov.uk](mailto:sukdave.ghuman@cherwell-dc.gov.uk)

### **Risk Implications**

- 7.3 Failing to appoint an Independent Person would place the Council in breach of its statutory duty under the Act and prevent the Monitoring Officer from dealing with complaints in accordance with the Council's code of conduct complaints procedure.
- 7.4 In addition in the event of there being a need to consider dismissal of a relevant officer and the Council not having appointed at least two Independent Persons the Council would be required to approach another local authority to seek to invite their appointed Independent Persons to form part of a Panel.

Comments checked by:

Louise Tustian, Head of Insight and Corporate Programmes, 01295 221786

[louise.tustian@cherwell-dc.gov.uk](mailto:louise.tustian@cherwell-dc.gov.uk)

### **Equalities and Inclusion Implications**

- 7.4 The recruitment process was a fair and open process and the recommended Independent Persons appointments are on merit.

Comments checked by:

Louise Tustian, Head of Insight and Corporate Programmes, 01295 221786

[louise.tustian@cherwell-dc.gov.uk](mailto:louise.tustian@cherwell-dc.gov.uk)

## **Sustainability Implications**

7.5 There are no sustainability implications arising from this report.

Comments checked by:

Sarah Gilbert Climate Action Team Leader [sarah.gilbert@cherwell-dc.gov.uk](mailto:sarah.gilbert@cherwell-dc.gov.uk)

## **8.0 Decision Information**

### **Key Decision**

**Financial Threshold Met:** N/A

**Community Impact Threshold Met:** N/A

### **Wards Affected**

All

### **Links to Corporate Plan and Policy Framework**

Not applicable – this report is made pursuant to a statutory requirement.

### **Lead Councillor**

None

### **Document Information**

#### **Appendix number and title**

- None

#### **Background papers**

None

#### **Report Author and contact details**

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