

# Meeting of Council

Monday 23 February 2009

Members of Cherwell District Council,

A meeting of Council will be held at Bodicote House, Bodicote, Banbury, OX15 4AA on Monday 23 February 2009 at 6.30 pm, and you are hereby summoned to attend.

Mary Harpley  
Chief Executive

Friday 13 February 2009

## AGENDA

**1 Apologies for Absence**

**2 Declarations of Interest**

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

**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.

**3 Communications**

To receive communications from the Chairman and/or the Leader of the Council.

#### **4 Petitions and Requests to Address the Meeting**

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

#### **5 Urgent Business**

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

#### **6 Minutes of Council**

To confirm as a correct record the Minutes of Council held on 19 January 2009.

#### **7 Questions on Minutes of Council**

The Chairman to invite any questions, on matters arising from the minutes of the Council meetings as set out at Agenda Item 6.

#### **8 Executive Decisions - Special Urgency**

The Leader of the Council to report for information, that since the last meeting of Council, no Executive decisions have been taken that were subject to the special urgency provisions of the constitution.

#### **9 Minutes of the Executive**

To consider the non-exempt minutes of the meetings of the Executive as set out in the Minute Booklet (**circulated separately**).

##### **Minutes of Committees**

To consider the non-exempt minutes of committees, as set out in the Minute Booklet, (**circulated separately**).

#### **10 Minutes of Overview and Scrutiny Committee**

#### **11 Minutes of Standards Committee**

#### **12 Written Questions**

To receive any written questions and answers which have been submitted with advance notice in accordance with the constitution.

#### **13 Motions**

No motions which have been submitted in accordance with the constitution.

#### **14 Members Allowances 2009/2010 (Pages 1 - 14)**

To consider the report of the Head of Legal and Democratic Services

Council is requested to:

Consider the report of the Independent Remuneration Panel and resolve accordingly:-

- (1) the levels of the allowances to be included in the 2009/2010 Members' Allowances Scheme and whether, in that regard, the Panel's recommendations should be adopted or modified in any way;
- (2) whether to backdate the proposed increases to the Chairman of Overview and Scrutiny Committee and Resources and Performance Scrutiny Board from 9//9/08

and 16/9/08 respectively, the Chairman of Planning Committee from 15/5/08 and Chairman of Accounts, Audit and Risk Committee from 14/5/08 as the relevant dates when their responsibility increased.

- (3) that the Head of Legal and Democratic Services be authorised to prepare an amended Members' Allowances Scheme, in accordance with the decisions of the Council for implementation with effect from 1 April 2009;
- (4) that the Head of Legal and Democratic Services be authorised to take all necessary action to revoke the current (2008/2009) Scheme and to publicise the revised Scheme pursuant to The Local Authorities (Members' Allowances) (England) Regulations 2003 (as amended); and
- (5) that the Independent Remuneration Panel be thanked for its thorough and detailed report.

## **15 Corporate Plan Revisions (Pages 15 - 23)**

The purpose of this report is to set the debate on the 2009/10 budget in the context of the Council's Corporate Plan which was adopted by Councillors in February 2007.

Council is requested to:

- (1) note the previously-agreed Corporate Plan aims and targets in advance of considering the 2009/10 budget in detail.

## **16 Estimates 2009/2010, Collection Fund Estimates 2008/2009 and Service Plans 2009/2010 (Pages 24 - 32)**

To consider the Estimates 2009/2010, Collection Fund Estimates 2008/2009 and Service Plans 2009/2010 (budget book circulated separately), together with any recommendations contained in the Executive minutes of 9 February 2009.

(Service Plans are on deposit at Bodicote House and available in the Members Room, the Budget Book is circulated separately)

Council is requested to:

### **A BUDGET 2009/10**

(1) to consider the contents of this report in approving the General Fund and Capital Programme 2009/10 budgets and that the s 25 report on the robustness of the budget be noted.

(2) that the updated draft budget recommended by the Executive at its meetings on 9 February 2009 and detailed in the 09/10 budget book, (Minute 162 (which is to be tabled)) be approved;

### **B COLLECTION FUND 2008/2009**

(3) that the Collection Fund estimates as now submitted be approved (see Annex 6 of the budget booklet).

### **C SERVICE PLANS 2009/10**

(4) that the draft Service Plans 2009/10 be endorsed as recommended by the Executive at its meeting on 9 February 2009 (Minute 162).

**17 Adjournment of Council Meeting**

The Council to adjourn, if necessary, to allow the Executive to meet to consider Council proposals which do not accord with the Executive's recommendations.

**18 Calculating and Setting Council Tax for 2009/2010 (Pages 33 - 44)**

Council is requested to set the level of Council Tax for 2009/2010 in accordance with the recommendations as set out in the report.

**19 Section 151 Officer Arrangements (Pages 45 - 46)**

To consider a report of the Chief Executive regarding future Section 151 arrangements for Cherwell District Council.

Council is requested to:

(1) agree that the Strategic Director, Customer Service and Resources be appointed as the Council's Section 151 and Chief Finance Officer and the Monitoring Officer be authorised to make consequential amendments to the constitution to enable this decision.

(2) note that that the Strategic Director, Customer Service and Resources has nominated the Chief Accountant , Karen Curtin, as Deputy Section 151 and Deputy Chief Finance Officer authorised to act in her absence.

**20 Constitutional Amendment: Call-in Arrangements (Pages 47 - 58)**

To consider proposals from Overview and Scrutiny Committee (via Executive and Standards Committee) for revised Call-in arrangements.

It is recommended:

(1) that the Council note the results of the consultation on the review of Call-in and the proposals from the Overview and Scrutiny Committee and Executive;

(2) that the Council adopts the revised Call-in model (Appendix 2) into the Constitution at Part 4 (e) 15 – 17 Overview and Scrutiny Procedure Rules.

**21 Exclusion of the Press and Public**

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

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

Members are reminded that whilst the following agenda items have been marked as exempt, it is for Council to decide whether or not to consider each of them 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.

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

“That, in accordance with Section 100A(4) of Local Government Act 1972, the press and public be excluded from the meeting for the following item(s) of business, on the grounds that they could involve the likely disclosure of exempt information as defined in paragraph 3 of Schedule 12A of that Act, as set out on the agenda.”

## **Exempt Minutes**

To consider the exempt minutes, as set out in the Minute Booklet, **(circulated separately)**.

### **22 Exempt Minutes of Executive**

## **Information about this Agenda**

### **Apologies for Absence**

Apologies for absence should be notified to [democracy@cherwell-dc.gov.uk](mailto:democracy@cherwell-dc.gov.uk) or 01295 221587 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. The definition of personal and prejudicial interests is set out in Part 5 Section A of the constitution. The Democratic Support Officer will have a copy available for inspection at all meetings.

**Personal Interest:** Members must declare the interest but may stay in the room, debate and vote on the issue.

**Prejudicial Interest:** Member must withdraw from the meeting room and should inform the Chairman accordingly.

With the exception of the some very specific circumstances, a Member with a personal interest also has a prejudicial interest if it is one which a Member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice the Member's judgement of the public interest.

### **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.

### **Queries Regarding this Agenda**

Please contact James Doble, Legal and Democratic Services [james.doble@cherwell-dc.gov.uk](mailto:james.doble@cherwell-dc.gov.uk), (01295) 221587