

# Meeting of Council

Monday 19 October 2009

Members of Cherwell District Council,

A meeting of Council will be held at Bodicote House, Bodicote, Banbury, OX15 4AA on Monday 19 October 2009 at 6.30 pm, and you are hereby summoned to attend.



Mary Harpley  
Chief Executive

Friday 9 October 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.

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 (Pages 1 - 12)

To confirm as a correct record the Minutes of Council held on 20 July 2009.

## 7 Presentation by Cllr Michael Waine, Cabinet Member for Schools Improvement at Oxfordshire County Council and Sally Taylor Head of the Oxfordshire Raising Achievement Service

Cllr Michael Waine, Cabinet Member for Schools Improvement at Oxfordshire County Council and Sally Taylor Head of the Oxfordshire Raising Achievement Service will be invited to address Council, following which members will be able to ask questions.

## 8 Minutes

- a) Minutes of Executive, Portfolio Holder Decisions and Executive Decisions made under Special Urgency

The Leader of the Council to formally propose that the minutes of the meetings of the Executive and Portfolio Holder decisions as set out in the Minute Book (circulated separately) be received and to report that since the last meeting of Council, no Executive decisions have been taken that were subject to the special urgency provisions of the constitution.

- b) Minutes of Committees

The Leader of the Council to formally propose that the minutes of committees as set out in the Minute Book (circulated separately) be received.

## 9 Questions

- a) Written Questions

To receive any written questions and answers which have been submitted with advance notice in accordance with the constitution, a written response to the question will be circulated at the meeting

After receiving the written response the member submitting the question will be entitled to ask a follow up or supplementary question.

- b) Questions to the Leader of the Council

The Chairman to invite questions to the Leader of the Council (including any matters arising from the minutes).

Following a response to their question being provided members will be entitled to a follow up or supplementary question.

- c) Questions to Committee Chairmen on the minutes

The Chairman to invite questions to Chairmen of Committees on any matter arising from the minutes of their committee (if any).

## 10 Motions

To debate any motions which have been submitted with advance notice, in accordance with the constitution.

## Recommendations from Committees

### 11 Planning for a Flu Pandemic - Establishing an Emergency General Purpose Committee (Pages 13 - 18)

Report of the Executive Portfolio Holder for Democratic Services and Member Development

The Executive recommends Council to:

- (1) Agree that in the event of an ongoing emergency an Emergency General Purpose Committee be constituted to make any decisions the Council is able to make which are not part of the Executive functions or reserved in legislation to full Council. The composition of the Emergency General Purpose Committee would be the Leader of Council with any member of the Executive as substitute, the Deputy Leader with any member of the majority group as substitute and the Leader of the opposition, with any member of the opposition group as substitute.

### 12 Guidance Note for Membership of Outside Organisations (Pages 19 - 40)

Report of Head of Legal and Democratic Services

The Standards Committee recommends Council to:

- (1) Adopt the advice note for councillors serving on outside bodies as the updated version of the guidance note in place of the existing version in part three of the constitution
- (2) Continue using the annual form to councillors on outside bodies supplemented by additional reports by Councillors in the Members' Weekly Bulletin where appropriate.

## **Council Business Reports**

### **13 A New Sustainable Community Strategy for Cherwell (Pages 41 - 70)**

Report of Chief Executive

Council is recommended to:

- (1) Note the consultation and development work that has been undertaken to develop the draft Sustainable Community Strategy for Cherwell.
- (2) Endorse the strategy and ask the Leader of the Council to ensure any amendments made as a result of consultation feedback reflect the policy and strategy of the District Council.

### **14 Overview and Scrutiny Annual Report for 2008/09 (Pages 71 - 88)**

Report of Overview and Scrutiny Committee

Councillor Donaldson, ex-Chairman Overview and Scrutiny Committee 2008/09, will present the Overview and Overview and Scrutiny Annual Report for 2008/09.

Council is recommended to:

Note the Overview and Scrutiny Annual Report for 2008/09.

### **15 Section 151 Officer Arrangements (Pages 89 - 92)**

Report of Chief Executive

Council is recommended to:

- (1) Approve that Phillip O'Dell be appointed as the Council's Section 151 and Chief Finance Officer with effect from 26<sup>th</sup> October 2009 until 31<sup>st</sup> March 2010.
- (2) Note that Phillip O'Dell has nominated the Head of Finance, Karen Curtin, as Deputy Section 151 and Deputy Chief Finance Officer authorised to act in his absence.
- (3) Agree that all reference to the Strategic Director Customer Services and Resources be deleted from the Council's constitution and to all functions transferred to the Head of Finance with a clear note that these functions will be exercised by the interim Chief Finance Officer with the Head of Finance as Deputy Section 151.
- (4) Agree that the Monitoring Officer be authorised to amend the constitution to give effect to this arrangement.

## **16 Exclusion of the Press and Public**

The Chairman will if necessary move the exclusion of the press and public if members have indicated (under the relevant agenda item) they wish to ask a question on any matter arising from an exempt minute.

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 discuss the issue 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 paragraphs of Schedule 12A of that Act, as set out on in the Minute Book”.

## **17 Questions on Exempt minutes**

Members of Council will ask questions on exempt minutes, if any.

## **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 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