

## **Cherwell District Council**

### **Council**

Minutes of a meeting of the Council held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 20 April 2009 at 6.30 pm

Present: Councillor Andrew Fulljames (Chairman)

Councillor Diana Edwards (Vice-Chairman)

Councillor Luke Annaly

Councillor Ken Atack

Councillor Alyas Ahmed

Councillor Maurice Billington

Councillor Fred Blackwell

Councillor Norman Bolster

Councillor Ann Bonner

Councillor Colin Clarke

Councillor Nick Cotter

Councillor Margaret Cullip

Councillor John Donaldson

Councillor Mrs Catherine Fulljames

Councillor Michael Gibbard

Councillor Timothy Hallchurch MBE

Councillor Eric Heath

Councillor Simon Holland

Councillor Alastair Milne Home

Councillor David Hughes

Councillor Russell Hurle

Councillor Tony Ilott

Councillor Victoria Irvine

Councillor Kieron Mallon

Councillor Nicholas Mawer

Councillor Nigel Morris

Councillor P A O'Sullivan

Councillor George Parish

Councillor D M Pickford

Councillor Neil Prestidge

Councillor Devena Rae

Councillor Daniel Sames

Councillor Leslie F Sibley

Councillor Trevor Stevens

Councillor Carol Steward

Councillor Lawrie Stratford

Councillor Rose Stratford

Councillor Patricia Tompson

Councillor Nicholas Turner

Councillor Douglas Webb

Councillor Martin Weir

Councillor Barry Wood

Councillor John Wyse

Apologies for  
absence: Councillor Rick Atkinson  
Councillor James Macnamara  
Councillor G A Reynolds  
Councillor Chris Smithson

Councillor Keith Strangwood  
Councillor Lynda Thirzie Smart

Officers: Mike Carroll, Head of Improvement  
Ian Davies, Strategic Director - Environment and Community  
John Hoad, Strategic Director - Planning, Housing and Economy  
Liz Howlett, Head of Legal & Democratic Services and Monitoring Officer  
Jo Smith, Communications Manager  
Natasha Clark, Trainee Democratic and Scrutiny Officer  
James Doble, Democratic, Scrutiny and Elections Manager

## 23 **Declarations of Interest**

Agenda Item 10. Minutes of the Executive, Minute 208

Councillor Norman Bolster, Personal, Due to being a County Councillor and the County Council holding a land interest at Gowells Farm, Bicester.

Councillor Ann Bonner, Personal, Due to being a County Councillor and the County Council holding a land interest at Gowells Farm, Bicester.

Councillor Mrs Catherine Fulljames, Personal, Due to being a County Councillor and the County Council holding a land interest at Gowells Farm, Bicester.

Councillor Michael Gibbard, Personal, Due to being a County Councillor and the County Council holding a land interest at Gowells Farm, Bicester.

Councillor Timothy Hallchurch MBE, Personal, Due to being a County Councillor and the County Council holding a land interest at Gowells Farm, Bicester.

Councillor Kieron Mallon, Personal, Due to being a County Councillor and the County Council holding a land interest at Gowells Farm, Bicester.

Councillor Lawrie Stratford, Personal, Due to being a County Councillor and the County Council holding a land interest at Gowells Farm, Bicester.

Councillor Nicholas Turner, Personal, Due to being a County Councillor and the County Council holding a land interest at Gowells Farm, Bicester.

Councillor Barry Wood, Personal, Persons known to him have an interest in land in Northwest Bicester, outside of the area under discussion

## 24 **Communications**

### **Councillor Macnamara**

The Chairman informed the meeting that Councillor Macnamara's wife, Marcelle, sadly passed away over the Easter weekend. Members joined the Chairman in extending condolences to both him and his family.

### **Councillor Linda Thirzie Smart**

The Chairman extended his condolences to Councillor Linda Thirzie-Smart on the recent passing of her mother Frankie.

### **Councillor Pack**

The Chairman reported that since the last meeting Chris Pack had stood down as a Councillor after nearly nine years in order to begin to enjoy his retirement. The Council wished him happiness for the future and agreed that he should be invited to Annual Council.

### **Councillor Strangwood**

The Chairman informed the meeting that Councillor Strangwood had a new addition to his family, with the birth of Audee May. The meeting conveyed their congratulations to the Strangwood family.

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

The Chairman reported he had received and agreed to two requests to address the meeting on the minutes of Executive 30 March 2009 from Mrs Bowden and Mrs Murfitt and that he had agreed they would be taken at that point on the agenda.

## **26 Urgent Business**

There was no urgent business.

## **27 Minutes of Council**

The minutes of Council held on 23 February 2009 were agreed and signed by the Chairman.

## **28 Questions on Minutes of Council**

There were no questions on the minutes of Council.

## **29 Thames Valley Police - Address from the Chief Constable**

The Chairman welcomed Sara Thornton, the Chief Constable of Thames Valley Police, together with Superintendent Howard Stone (Local Policing Area Commander), Inspector Martin Percival (Sector Inspector Bicester) and Inspector Neville Clayton (Sector Inspector Banbury)

In order for questions to be asked following the presentation, it was agreed that Procedure Rules be lifted.

The Chief Constable addressed the meeting regarding the work of Thames Valley Police and presented the annual report of the constabulary including performance and the priorities for the future.

A number of Members asked questions of the Chief Constable and answers were duly provided.

The Chairman thanked the Chief Constable, Superintendent Stone, Inspector Percival and Inspector Clayton for their attendance.

30 **Executive Decisions - Special Urgency**

Since the last meeting of Council there had been no Executive decisions that had been taken that were subject to the special urgency provisions of the constitution.

31 **Minutes of the Executive**

It was proposed by Councillor Wood and seconded by Councillor Mallon that the minutes of the Executives held on 2 and 16 March be received and that the recommendations set out in the minutes be agreed, with the exception of Minute 210 which would be considered at agenda item 17.

Questions were put and answered on Minute 181

Mrs Murfitt and Mrs Bowden addressed the meeting with regard to Executive Minute 208 in opposition to the North West Bicester proposal.

Councillor Mrs Fulljames addressed the meeting with regard to Executive Minute 208 in opposition to the North West Bicester proposal.

It was proposed by Councillor Wood and seconded by Councillor Mallon that the minutes of the Executive held on 30 March be received.

Questions were put by members and answered on Minute 208.

Councillor Cotter asked for it to be recorded that he had been present at the Executive of 30 March 2009.

**Resolved**

That the minutes of the meetings held on 2, 16 and 30 March 2009 be noted and that the recommendations set out in minutes 175 and 209 be approved.

32 **Minutes of Accounts, Audit and Risk Committee**

It was proposed by Councillor Atack and seconded by Councillor Hallchurch that the minutes of the meeting of the Accounts, Audit and Risk Committee as set out in the Council Minute Book be received.

**Resolved**

That the minutes of the meeting held on 9 March 2009 be noted.

33 **Minutes of Overview and Scrutiny Committee**

It was proposed by Councillor Donaldson and seconded by Councillor Sames that the minutes of the meetings of the Overview and Scrutiny Committee as set out in the Council Minute Book be received.

**Resolved**

That the minutes of the meetings held on 10 February and 9 March 2009 be noted.

34 **Minutes of Resources and Performance Scrutiny Board**

It was proposed by Councillor Clarke and seconded by Councillor Irvine that the minutes of the meeting of the Resources and Performance Scrutiny Board as set out in the Council Minute Book be received.

**Resolved**

That the minutes of the meeting held on 17 February 2009 be noted.

35 **Minutes of the Standards Committee**

It was proposed by Councillor Blackwell and seconded by Councillor Mrs Fulljames that the minutes of the meeting of the Standards Committee as set out in the Council Minute Book be received and that the recommendations set out in Minute 41 be considered at agenda item 17.

**Resolved**

That the minutes of the meeting held on 8 April 2009 be noted.

36 **Portfolio Holder Decisions**

**Resolved**

That the record of Portfolio Holder decisions be noted.

37 **Written Questions**

There were no written questions.

38 **Motions**

There were no motions.

39 **Review and Update of the Constitution**

Council considered a report of the Head of Legal and Democratic Services seeking approval for the proposed changes to the constitution as considered by the Executive and Standards Committee. It was proposed by Councillor Wood and seconded by Councillor Mallon that the proposal as set out in the resolution below be agreed.

**Resolved**

- 1) That the Introduction, Terms of Reference and Scheme of Delegation, Rules of Procedure and Planning Guidance (as set out in the minute book) be approved, subject to the amendments of the Standards Committee (as circulated to members) with the exception of amendments c, g, j and o in the document (as set out in the minute book) .
- 2) That delegated powers be given to the Head of Legal and Democratic Services in consultation with the Leader of the Council, to make any minor or consequential amendments that may be needed, in particular with regard to

inconsistencies or duplications that may exist within the part of the constitution not yet reviewed.

40 **Exclusion of the Press and Public**

**Resolved**

That, in accordance with Section 100A(4) of Local Government Act 1972, the press and public be excluded from the meeting for the following items of business, on the grounds that they could involve the likely disclosure of exempt information as defined in paragraphs 1, 2, 3 and 4 of Schedule 12A of that Act.

41 **Exempt Minutes of Executive**

It was proposed by Councillor Wood and seconded by Councillor Mallon that the exempt minutes of the meetings of the Executive as set out in the Council Minute Book be received.

**Resolved**

That the exempt minutes of the meetings held on 16 March and 6 April 2009 be noted.

The meeting ended at 9.40 pm

Chairman:

Date: