

**Summary of the Decisions taken at the meeting
of Council held on 17 October 2016**

Agenda Item No.	Agenda Item and Recommendations	Decision
11	<p>Result of Adderbury, Bloxham and Bodicote Ward By-Election</p> <p>Report of Chief Executive</p> <p>Recommendations</p> <p>The meeting is recommended:</p> <p>1.1 To note the results of the Adderbury, Bloxham and Bodicote by-election held on 22 September 2016.</p> <p>1.2 To note the constitution of the Council following the by-election.</p> <p>1.3 To note the amendments to Committee membership as requested by the Conservative Group following the by-election (paragraph 3.5)</p> <p>1.4 To appoint a representative to the Oxfordshire Health Overview and Scrutiny Committee.</p>	<p>Resolved</p> <p>(1) That the results of the Adderbury, Bloxham and Bodicote by-election held on 22 September 2016 be noted.</p> <p>(2) That the constitution of the Council following the by-election: 38 (79%) Conservatives, 8 (17%) Labour and 2 (4%) Independent councillors, be noted.</p> <p>(3) That the following amendments to Committee membership as requested by the Conservative Group following the by-election be noted:</p> <p>Accounts, Audit and Risk Committee Add: Councillor Nick Mawer</p> <p>Budget Planning Committee Add: Councillor Andrew McHugh</p> <p>Overview and Scrutiny Committee Remove: Councillor Nick Mawer Add: Councillor Andrew McHugh</p> <p>Planning Committee Add: Councillor Ian Corkin</p>

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		<p>Substitutes Remove: Councillor Ian Corkin Add: Councillor Andrew McHugh</p> <p>(4) That authority be delegated to the Head of Law and Governance, in consultation with the Leader of the Council, to appoint a representative to the Oxfordshire Health Overview and Scrutiny Committee.</p>
12	<p>Community Governance Review 2016 and Parliamentary Boundary Review Consultation</p> <p>Report of Chief Executive</p> <p>Recommendations</p> <p>The meeting is recommended:</p> <p>1.1 To approve the Terms of Reference for the Community Governance Review (appendix 1).</p> <p>1.2 To delegate authority to the Head of Law and Governance, in consultation with Group Leaders, to appoint two Members per Political Group to a Working Group to consider the Community Governance Review and the Parliamentary Boundary Review.</p> <p>1.3 To delegate authority to the Chief Executive to finalise Cherwell District Council's response to the Parliamentary Boundary Review, in consultation with the Working Group.</p>	<p>Resolved</p> <p>(1) That the Terms of Reference for the Community Governance Review (annex to the Minutes as set out in the Minute Book) be agreed.</p> <p>(2) That authority be delegated to the Head of Law and Governance, in consultation with Group Leaders, to appoint two Members per Political Group to a Working Group to consider the Community Governance Review and the Parliamentary Boundary Review.</p> <p>(3) That authority be delegated to the Chief Executive to finalise Cherwell District Council's response to the Parliamentary Boundary Review, in consultation with the Working Group</p>

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13	<p>Remuneration for Councillors Appointed as Non-Executive Directors on Graven Hill Companies</p> <p>Report of Head of Law and Governance</p>	Item deferred
14	<p>Constitution - Proposed Amendments</p> <p>Report of Head of Law and Governance</p> <p>Recommendations</p> <p>The meeting is recommended to approve the following:</p> <p>1.1 That the terms of reference of the Joint Commissioning Committee be amended to include the functions set out in section 3.2 of this report.</p> <p>1.2 That the Monitoring Officer be given the delegated authority to suspend a Statutory Officer in addition to the Head of Paid Service.</p> <p>1.3 That the Head of Paid Service and Monitoring Officer be given delegated authority to agree settlement agreements and financial settlements for Statutory Officers in consultation with the Leader of the employing Council.</p> <p>1.4 That all references to the Joint Appraisal Sub-Committee be deleted from the constitution.</p> <p>1.5 That the existing scheme of delegation to Directors and Heads of Service be amended to enable them to appoint employees to existing posts at</p>	<p>Resolved</p> <p>(1) That the terms of reference of the Joint Commissioning Committee be amended to include the following functions:</p> <p>The role and responsibilities of the Joint Commissioning Committee with regard to Statutory Officer disciplinary action is to:</p> <ul style="list-style-type: none"> • Deal with minor instances of unsatisfactory conduct at an early stage. • Ensure that the Statutory Officer clearly understands the standards of conduct expected of him/her. • Carry out, or make arrangements for, an investigation when any breach of discipline is alleged. • Ensure that the Statutory Officer subject to investigation is kept up-to-date with progress. • Decide, in the most serious cases whether or not to suspend or (where the Statutory Officer has already been suspended by the Head of Paid Service or Monitoring Officer under their delegated powers) to continue the suspension of the Statutory Officer, in accordance with the Statutory Officer disciplinary policy.

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	<p>the minimum level within the salary band with discretion to appoint to anywhere within the salary band for the post provided this is within approved budgets.</p> <p>1.6 That the Head of Law and Governance be requested to amend and update the constitution in light of the above resolutions and be given delegated authority to make any consequential amendments to the constitution.</p> <p>1.7 That the membership and quorum for the Joint Employee Engagement Committee be amended as set out in section 3.8 of this report.</p>	<ul style="list-style-type: none"> • Report to Full Council (of the employing authority) in respect of a recommendation to dismiss, having convened a Panel comprising Independent Persons in accordance with the Officer Employment Procedure Rules. <p>(2) That the Monitoring Officer be given the delegated authority to suspend a Statutory Officer in addition to the Head of Paid Service.</p> <p>(3) That the Head of Paid Service and Monitoring Officer be given delegated authority to agree settlement agreements and financial settlements for Statutory Officers in consultation with the Leader of the employing Council.</p> <p>(4) That all references to the Joint Appraisal Sub-Committee be deleted from the constitution.</p> <p>(5) That the existing scheme of delegation to Directors and Heads of Service be amended to enable them to appoint employees to existing posts at the minimum level within the salary band with discretion to appoint to anywhere within the salary band for the post provided this is within approved budgets.</p> <p>(6) That the Head of Law and Governance be requested to amend and update the Constitution in light of the above resolutions and be given delegated authority to make any consequential amendments to the</p>

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		<p>constitution.</p> <p>(7) That the membership and quorum for the Joint Councils Employee Engagement Committee be amended as follows:</p> <ul style="list-style-type: none"> • Amend the employee representation to 2 representatives from Cherwell’s recognised trade union, 1 representative from South Northamptonshire’s recognised trade union and 3 members appointed by the Employee Council • Members of the Joint Employee Council are able to substitute for the trade union representatives if they cannot find a substitute from their trade union • Amend the quorum for the meeting to 2 representatives from the Council side, (1 from Cherwell and 1 from SNC) and 2 Employee representatives (be they from the recognised unions and/or the Joint Employee Council)
15	<p>Protocol on the Respective Roles of Members and Officers and Dealing with Conflicts of Interest and Ethical Walls Procedure</p> <p>Report of Head of Law and Governance and Assistant Director – Transformational Governance</p> <p>Recommendations</p> <p>The meeting is recommended:</p> <p>1.1 To consider and adopt the updated Protocol on the Respective Roles of Members</p>	<p>Resolved</p> <p>(1) That, having given due consideration, the updated Protocol on the Respective Roles of Members and Officers and Dealing with Conflicts of Interest and Ethical Walls Procedure (annexes to the Minutes as set out in the Minute Book), subject to a similar decision being taken by South Northamptonshire Council, be adopted.</p>

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	<p>and Officers and Dealing with Conflicts of Interest and Ethical Walls Procedure, subject to a similar decision being taken by South Northamptonshire Council.</p>	
<p>16</p>	<p>Indemnities for Members and Officers</p> <p>Report of Head of Law and Governance and Assistant Director-Transformational Governance</p> <p>Recommendations</p> <p>The meeting is recommended:</p> <p>1.1 To adopt pursuant to the Local Authorities (Indemnities for Members and Officers) Order 2004 (“the Order”) an indemnity to Members and to officers of the Council in the terms set out in Appendix 1.</p> <p>1.2 To agree that the Chief Finance Officer secures insurance to cover the liability under the indemnity in the event that such cover is available and subject to him being satisfied that such action would be financially prudent.</p> <p>1.3 To agree that the appointment of a Member to a position with an organisation which comes within the indemnity shall be treated as an appointment to a role which is deemed to part of the role of an elected member for the purposes of the CDC Members’ Code of Conduct.</p> <p>1.4 To agree that it be deemed that appointments of Members and</p>	<p>Resolved</p> <p>(1) That, pursuant to the Local Authorities (Indemnities for Members and Officers) Order 2004 (“the Order”) an indemnity to Members and to officers of the Council in the terms set out in the annex to the Minutes (as set out in the Minute Book) be adopted.</p> <p>(2) That it be agreed that the Chief Finance Officer secures insurance to cover the liability under the indemnity in the event that such cover is available and subject to him being satisfied that such action would be financially prudent.</p> <p>(3) That it be agreed that the appointment of a Member to a position with an organisation which comes within the indemnity shall be treated as an appointment to a role which is deemed to part of the role of an elected member for the purposes of the CDC Members’ Code of Conduct.</p> <p>(4) That it be agreed that it be deemed that appointments of Members and officers to organisations (including those where the Council nominates and the organisation formally appoints) be deemed as “advancing the interest of the</p>

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	<p>officers to organisations (including those where the Council nominates and the organisation formally appoints) be deemed as “advancing the interest of the Council” for the purposes the Terms of Indemnity.</p>	<p>Council” for the purposes the Terms of Indemnity.</p>
<p>17</p>	<p>Changes to the Arrangements for Appointment of External Auditors</p> <p>Report of Chief Finance Officer</p> <p>Recommendations</p> <p>Council should consider their preferred approach from the following options the recommendation of the Accounts Audit and Risk Committee being to approve 1.3 below:</p> <p>1.1 Establishing a stand-alone Auditor Panel to make the appointment on behalf of the Council.</p> <p>1.2 Commencing work on exploring the establishment of local joint procurement arrangements with neighbouring authorities</p> <p>1.3 Supporting the Local Government Association (LGA) in setting up a national Sector Led Body by indicating intention to “opt-in”</p>	<p>Resolved</p> <p>(1) That the recommendation of the Accounts Audit and Risk Committee to support the Local Government Association (LGA) in setting up a national Sector Led Body by indicating intention to “opt-in” be agreed.</p>
<p>18</p>	<p>Notification of Urgent Action In relation to the Contract Award for the demolition of the Bolton Road Car Park</p> <p>Report of Chief Executive</p> <p>Recommendations</p> <p>The meeting is recommended:</p>	<p>Resolved</p> <p>(1) That the urgent action taken by the Chief Executive to allocate capital receipts of £325,000 for the capital scheme for the Contract Award for the demolition of the Bolton Road Car Park be noted.</p>

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	1.1 To note the urgent action taken by the Chief Executive in relation to the budget implications as identified within paragraph 7.1 of the attached Executive report.	