

Meeting of Council

Monday 16 October 2017

Members of Cherwell District Council,

A meeting of Council will be held at Bodicote House, Bodicote, Banbury, OX15 4AA on Monday 16 October 2017 at 6.30 pm, and you are hereby summoned to attend.



Yvonne Rees
Chief Executive

Friday 6 October 2017

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** (Pages 1 - 2)

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 3 - 10)

To confirm as a correct record the Minutes of Council held on 17 July 2017.

7 Minutes

- a) Minutes of Executive, Lead Member Decisions and Executive Decisions not included in the 28 day notice

The Leader of the Council to formally propose that the minutes of the meetings of the Executive and Lead Member Decisions as set out in the Minute Book (circulated separately) be received and to report that since the last meeting of Council held on 17 July 2017, two decisions have been taken by the Executive which were not included in the 28 day notice relating to: Franklins House, Bicester; and, Budget Strategy 2018/19 and Beyond.

- 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.

8 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.

- 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).

9 **Motions** (Pages 11 - 14)

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

Adoption of the International Holocaust Remembrance Alliance working definition of anti-Semitism

In December 2016, the Government formally adopted the International Holocaust Remembrance Alliance the following working definition of anti-Semitism:

“Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities.”

The full text of the definition is included in your agenda pack.

The definition, although legally non-binding, is an important tool for public bodies to understand how anti-Semitism manifests itself in the 21st century, as it gives examples of the kind of behaviours which depending on the circumstances could constitute anti-Semitism.

The Rt Hon Sajid Javid MP has written to all local authority Leaders (attached) about the Government’s adoption of the working definition of anti-Semitism reminding us that anti-Semitism continues to be a problem in this country and encouraging us to formally adopt the definition ourselves. I therefore propose that CDC adopts the working definition of anti-Semitism.

Proposer: Councillor Barry Wood

Condition of BT Phones Boxes in the District

BT phone boxes around our district are in a very poor condition. The advertisement on many has been left to peel rather than be replaced. The poor condition of the phone boxes are a magnet for regular vandalism and the disposal of rubbish. This problem is not restricted to a few street corners, but also to our town centres. Royal Mail look after their post boxes, why can't BT look after their phone box's?

I move that council formally request BT tidy up and clean up their phone box's around our district. We want them presentable, on the inside and out, or we do not want them at all.

Proposer: Councillor Sean Gaul
Secunder: Councillor Barry Wood

Public Sector Pay Cap

This council notes that by restraining the remit of the pay review bodies to a maximum uplift of no more than one per cent, since 2010 the government has cut in real terms the pay of public sector staff including nurses, firefighters, police officers and the armed forces. This has had a detrimental impact on morale, recruitment and retention at a time when demand for services is on the increase. This council thus calls on the government to scrap the cap on public sector pay and restore the independence of pay review bodies.

Proposer: Councillor Sean Woodcock
Seconder: Councillor Barry Richards

Council Business Reports

10 Chief Officer and Deputy Chief Officer Appointment Process

** Please note that this report will follow as the proposals will be considered by the Joint Commissioning Committee at their meeting on 11 October 2017 **

Report of Chief Executive

11 Support for Banbury Business Improvement District (BID) (Pages 15 - 20)

Report of Head of Strategic Planning and the Economy

Purpose of report

- A) To seek Council approval, subject to a positive ballot, for:
- a. Cherwell District Council to subsidise part of the annual costs of collecting the Levy on behalf of the BID within a budget ceiling for a maximum five-year period and for the Chief Financial Officer to make the appropriate arrangements;
 - b. Cherwell District Council to provide a bridging loan to the BID to support its establishment and for repayment to occur within a three-year period and for the Chief Financial Officer to make the appropriate arrangements.
 - c. Cherwell District Council to meet the costs of creating the BID Levy collection system and for the Chief Financial Officer to make the appropriate arrangements.

Recommendations

The Executive recommends to Council that a number of decisions are taken to prepare for the creation of the Banbury Business Improvement District (BID), subject to a positive 'yes' ballot of businesses. It is recommended:

- 1)** That, subject to a positive 'yes' ballot of businesses and approval of budgets by Full Council, authority be delegated to the Chief Finance Officer in consultation with the relevant Lead Member to meet the actual one-off capital cost, estimated to be £20,000 to create the necessary collection system.
- 2)** That, subject to a positive 'yes' ballot of businesses and approval of budgets by Full Council, authority be delegated to the Chief Finance Officer in consultation with the relevant Lead Member to subsidise a proportion of the annual revenue costs to collect the BID levy for a maximum period of five years of £9,000 a year.

- 3) That, subject to a positive 'yes' ballot of businesses and approval of budgets by Full Council, authority be delegated to the Chief Finance Officer in consultation with the relevant Lead Member to provide a bridging loan of up to £50,000 to the Banbury BID to cover the set-up, operational and project costs in its start-up phase to be entirely repaid to the Council within three years. The loan would be subject to an appropriate legal agreement being entered into to govern the drawdown loan facility and all financial requirements being satisfied.

12 **Community Governance Review - results of second consultation and final recommendations, and update regarding Parliamentary Boundary Review** (Pages 21 - 44)

Report of Chief Executive

Purpose of report

To consider the final recommendations from the Community Governance Review (CGR) Working group, following the second consultation phase.

To provide a further update regarding next stages of the Parliamentary Boundary Review.

Recommendations

The meeting is recommended to approve the following:

- 1.1 The separation of the existing Upper Heyford Parish into two, as shown on the map at Appendix 3.
- 1.2 The parishes being named Upper Heyford and Heyford Park, with the outer boundary of Heyford Park being as shown on the map at Appendix 3.
- 1.3 Upper Heyford Parish retaining six parish councillors, and Heyford Park having seven parish councillors.
- 1.4 The number of Parish Councillors for Fritwell being increased by one, from six to seven.
- 1.5 The number of Parish Councillors for Stratton Audley being increased by two, from five to seven.
- 1.6 The number of Parish Councillors for Tadmarton being reduced by one, from seven to six.
- 1.7 The number of Parish Councillors for Weston-on-the-Green being increased by one, from seven to eight.
- 1.8 The number of Parish Councillors for Yarnton being increased by one, from nine to 10.
- 1.9 Authority being delegated to the Chief Executive to respond to the third consultation of the Parliamentary Boundary Review, in consultation with the CGR/Parliamentary Boundary Review Working Group

13 Standards Arrangements - Appointment of Independent Persons (Pages 45 - 50)

Report of Monitoring Officer

Purpose of report

To appoint statutory independent persons as part of the standards arrangements.

Recommendations

The meeting is recommended:

- 1.1 To re-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 annual meeting of Council in 2021.
- 1.2 To agree to appoint a third independent person pursuant to section 28(7) of the Localism Act 2011.
- 1.3 Subject to the agreement of recommendation 1.2, to appoint Mr Stuart Green 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 annual meeting of Council in 2021.

14 Loan for a Replacement Kidlington Girl Guides Building (Pages 51 - 54)

Report of Director of Operational Delivery

Purpose of report

To consider the creation of a capital budget for a loan to Kidlington Girl Guides to enable them to replace their current old and poor quality building.

Recommendations

Council is recommended:

- 1.1 To approve the creation of a capital budget of up to £100,000 to Kidlington Girl Guides for a replacement Guide building with delegated authority given to the Chief Finance Officer to approve the final cost and loan agreement.

15 Notification of Urgent Action: Stratfield Brake Sports Ground, Kidlington (Pages 55 - 58)

Report of Director of Operational Delivery

Purpose of report

To inform Members of the decision taken under urgent powers in consultation with relevant Members to approve the award of an operating contract for Stratfield Brake

Sports Ground and transitional financial support to Kidlington (KPC) and Gosford & Water Eaton Parish Councils (G&WEPC) and a number of urgency actions to progress in a timely manner.

Recommendations

- 1.1 Council is recommended to note the urgent action taken to approve the award of an operating contract and associated actions.

16 Amendments to Committee Membership

Council is asked to note the following amendments to Committee membership made by the Conservative Group:

Overview and Scrutiny Committee

Remove Councillor David Hughes, add Councillor Hugo Brown

17 Exclusion of the Press and Public

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

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 item has been marked as exempt, it is for the meeting to decide whether or not to consider it 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 under Section 100A of the Local Government Act 1972, the public and press be excluded from the meeting for the following items of business on the ground that, if the public and press were present, it would be likely that exempt information falling under the provisions of Schedule 12A, Part 1, Paragraph 3 would be disclosed to them, and that in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.”

18 Questions on Exempt Minutes

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

19 The Hill Youth and Community Centre - Budget Request (Pages 59 - 70)

Exempt report of Chief Finance Officer

Exempt report of Chief Finance Officer

Councillors are requested to collect any post from their pigeon hole in the Members Room at the end of the meeting.

Information about this Agenda

Apologies for Absence

Apologies for absence should be notified to

democracy@cherwellandsouthnorthants.gov.uk or 01295 221589 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.

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.

Evacuation Procedure

When the continuous alarm sounds you must evacuate the building by the nearest available fire exit. Members and visitors should proceed to the car park as directed by Democratic Services staff and await further instructions.

Access to Meetings

If you have any special requirements (such as a large print version of these papers or special access facilities) please contact the officer named below, giving as much notice as possible before the meeting.

Mobile Phones

Please ensure that any device is switched to silent operation or switched off.

Queries Regarding this Agenda

Please contact Natasha Clark, Democratic and Elections
natasha.clark@cherwellandsouthnorthants.gov.uk, 01295 221589