

Meeting of Council

Tuesday 15 May 2018

Members of Cherwell District Council,

The Annual Council meeting will be held at Bodicote House, Bodicote, Banbury, OX15 4AA on Tuesday 15 May 2018 at 6.30 pm, and you are hereby summoned to attend.



Yvonne Rees
Chief Executive

Friday 4 May 2018

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 of the Council.

4 Urgent Business

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

5 **Minutes of Council** (Pages 3 - 18)

To confirm as a correct record the Minutes of Council held on 26 February 2018.

6 **Election of Chairman for the Municipal Year 2018/2019**

7 **Investiture of Chairman**

8 **Vote of Thanks to the Immediate Past Chairman**

9 **Past Chairman's Response**

10 **Election of Vice-Chairman for the Municipal Year 2018/2019**

11 **Investiture of Vice-Chairman**

Council Business Reports

12 **Annual Business Report** (Pages 19 - 24)

** Please note that the proportionality calculations will be published as an addendum to this report. The appendices to this report will follow to enable Political Groups to give consideration to appointments **

Report of Chief Executive

Purpose of report

To note the results of the 3 May 2018 district elections, the constitution of Political Groups, appoint the Leader of the Council, note the appointment of the Deputy Leader and Executive for the Municipal Year 2018/19 and consider and agree the suggested constitution of Committees for the Municipal year 2018/2019.

Recommendations

The meeting is recommended:

- 1.1 To note the results of the District elections held on 3 May 2018.
- 1.2 To note the constitution of Political Groups and notification of Group Leaders.
- 1.3 To appoint a Leader of the Council.
- 1.4 To note the appointment of Deputy Leader of the Council, the membership of the Executive and the Executive Portfolios for 2018/19.

- 1.5 To agree the allocation of seats on committees that are subject to the political balance requirements as set out in Table 1 (addendum to report to follow).
- 1.6 To agree the allocation of seats on committees not subject to political balance requirements as set out in Table 2 (addendum to report to follow).
- 1.7 To agree that the Constitution be amended to remove the requirement for named substitutes for Licensing Committee and the Assistant Director Law and Governance be requested to amend the Constitution accordingly.
- 1.8 To appoint members (and where appropriate, substitute members) to serve on each of the committees and other bodies set out in Tables 1 and 2 in accordance with the nominations to be made by political groups (Appendix 2 - to follow).
- 1.9 To appoint a representative to the Oxfordshire County Council Health Overview and Scrutiny Committee.
- 1.10 To appoint a representative to the Police and Crime Commissioner Scrutiny Panel.

13 Notification of Decision Taken Under Urgency Powers: Appointment of Section 151 Officer (Pages 25 - 32)

Report of Chief Executive

Purpose of report

To inform the Council of a decision taken under urgency powers by the Chief Executive in relation to the appointment of a Section 151 Officer .

Recommendations

The meeting is recommended:

- 1.1 To note the decision taken under urgency powers by the Chief Executive in consultation with the Chairman of the Council in relation to the appointment of Adele Taylor as interim Section 151 Officer with effect from 13 April 2018 and request that she appoint a suitably qualified and experienced Deputy Section 151 Officer from the same date.

14 Community Governance Review - Graven Hill 2018 (Pages 33 - 42)

Report of Chief Executive

Purpose of report

To consider the Terms of Reference for the Graven Hill Community Governance Review (CGR) and to request the appointment of Members to a working group for the CGR.

Recommendations

The meeting is recommended:

- 1.1 To approve the Terms of Reference for the Community Governance Review (appendix 1)
- 1.2 To delegate authority to the Assistant Director 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 of the area known as Graven Hill.
- 1.3 To delegate authority to the Assistant Director Law and Governance, in consultation with the Working Group, to make any minor amendments to the Terms of Reference and the timetable for the review if required.

15 Exclusion of the Press and Public

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

1 - Information relating to any individual

2 - Information which is likely to reveal the identity of an individual

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

4 - Information relating to any consultations or negotiations, or contemplated negotiations, in connection with any labour matters arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority

Members are reminded that whilst the following items have been marked as exempt, it is for the meeting to decide whether or not to consider 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 decisions 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 item 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, Paragraphs 1, 2, 3 and 4 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.”

16 Future Delivery of the Corporate Fraud Service (Pages 43 - 48)

Exempt report of Interim Executive Director Finance and Governance

17 Notification of Decision Taken Under Urgency Powers: Crown House Update
(Pages 49 - 68)

Exempt Report of Chief Executive

FIRST MEETINGS OF COMMITTEES

Meetings of various Committees will be held immediately on the rising of the Council Meeting, in order to elect their Chairman and Vice-Chairman for 2018/19, and to conduct any other business as may be specified.

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

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CHAIRMAN/VICE CHAIRMAN'S ENGAGEMENTS

26 February 2018 – 15 May 2018

Date	Event
<i>*2 March</i>	<i>Womens World Day of Prayer - events cancelled / postponed due to snow</i>
<i>*3 March</i>	<i>Banbury Mayor's Dinner</i>
8 March	The Chairman and his consort attended one of the annual Crocus Concerts which were organised by the Rotary Club of Banbury supporting Rotary International's End Polio Now Campaign and held at St. Mary's Church in Banbury. The concert provided an opportunity for young people from schools within the Banbury area to sing in front of an audience. Last year 50,000 giant crocuses, symbols of the Polio Eradication Campaign, were planted at sites around Banbury. Proceeds from this year's concerts will again be 'double-match-funded' by the Bill and Melinda Gates Foundation.
10 March	The Chairman hosted his own Charity Dinner at Exeter Hall. The event was attended by 194 people and several fund raising events held on the night helped to contribute to the total amount of money raised for the Chairman's five chosen charities. Exact details of money raised will be announced at the Annual Meeting of Council on 15 May.
12 March	The Vice Chairman and her husband, at the invitation of the Chairman of Oxfordshire County Council, attended a Commonwealth Day Flag Raising Ceremony at County Hall, Oxford. After the flag was raised the Chairman and Lord Lieutenant of Oxfordshire made short speeches followed by Commonwealth-themed performances by children from a number of Oxfordshire schools. Donations were collected for the Make-a-Wish Foundation UK.
12 March	Following the above event the Vice Chairman and her husband attended a candle lighting ceremony which was organised by Oxford City Council at Oxford Town Hall to mark the final World War One Single Act of Commemoration ceremony.
17 March	The Chairman and his consort attended the Mayor of Didcot's Charity Dinner which was held at the Civic Hall in Didcot. Proceeds from the event were donated to her nominated charities – Crohn's and Colitis (Oxfordshire) and Didcot Air Cadets.
14 April	The Chairman and his consort attended the Mayor of Thames's charity dinner which was held at The Spread Eagle Hotel, Thame raising money for the Red Kite Family Centre and Thame & District Day Centre.

- 20 April The Chairman and his consort attended the Chairman of South Northamptonshire Council's Civic Dinner which was held at the British Racing Drivers' Club at Silverstone Circuit. The theme was RAF Silverstone in the 1940s and the menu was based on wartime rations.
- 27 April The Chairman and his consort attended the Lord Mayor of Oxford's Charity Dinner at the Jury's Inn, Oxford which was held in aid of Mayday Trust, Wolvercote Young People's Club Response Giving.
- 5 May The Chairman and his consort attended the Mayor of Banbury's Super Quiz and Dinner which was held at Banbury Town Hall.
- 8 May The Chairman and his consort attended the Inauguration of the Banbury Town Mayor and the Annual Meeting of the Town Council which was held at Banbury Town Hall.

Cherwell District Council

Council

Minutes of a meeting of the Council held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 26 February 2018 at 6.30 pm

Present: Councillor Maurice Billington (Chairman)
Councillor Jolanta Lis (Vice-Chairman)

Councillor David Anderson
Councillor Ken Atack
Councillor Hannah Banfield
Councillor Andrew Beere
Councillor Claire Bell
Councillor Mike Bishop
Councillor Hugo Brown
Councillor Mark Cherry
Councillor Colin Clarke
Councillor Ian Corkin
Councillor Nick Cotter
Councillor Surinder Dhesi
Councillor John Donaldson
Councillor Sean Gaul
Councillor Carmen Griffiths
Councillor Timothy Hallchurch MBE
Councillor Chris Heath
Councillor Simon Holland
Councillor David Hughes
Councillor Shaida Hussain
Councillor Tony Ilott
Councillor Mike Kerford-Byrnes
Councillor Alan MacKenzie-Wintle
Councillor James Macnamara
Councillor Kieron Mallon
Councillor Nicholas Mawer
Councillor Andrew McHugh
Councillor Alastair Milne-Home
Councillor Nigel Morris
Councillor D M Pickford
Councillor Lynn Pratt
Councillor Neil Prestidge
Councillor G A Reynolds
Councillor Sandra Rhodes
Councillor Barry Richards
Councillor Dan Sames
Councillor Les Sibley
Councillor Nigel Simpson
Councillor Nicholas Turner
Councillor Tom Wallis
Councillor Douglas Webb
Councillor Bryn Williams

Councillor Barry Wood
Councillor Sean Woodcock

Apologies
for
absence: Councillor Richard Mould
Councillor Jason Slaymaker

Officers: Yvonne Rees, Chief Executive
Ian Davies, Director of Operational Delivery
Adrian Colwell, Executive Director: Place and Growth
Claire Taylor, Director: Customers and Service Development
Cecilie Booth, Interim Deputy Section 151 Officer
David Peckford, Deputy Manager – Planning Policy and
Growth Strategy
James Doble, Assistant Director: Law and Governance /
Monitoring Officer
Natasha Clark, Interim Democratic and Elections Manager

77 **Declarations of Interest**

There were no declarations of interest.

78 **Communications**

Welcome to public

The Chairman welcomed members of the public to the meeting.

At the request of the Chairman, the Assistant Director: Law and Governance advised that members of the public were permitted to film, broadcast and report on the meeting, subject to the efficient running of the meeting not being affected.

Members of the public were requested not to call out during the meeting. Only those people who had registered were permitted to address the meeting.

There were no planned fire drills so if the alarm did sound, evacuation instructions would be given by officers. Mobile phones should be switched off

Ian Davies, Director of Operational Delivery

The Chairman reported that this was the Director of Operation Delivery's last meeting of Council as he was leaving Cherwell District Council (CDC) after 26 years employment at the end of March to take early retirement.

On behalf of Council, the Chairman thanked the Director of Operational Delivery for his hard work for the council and district and wished him all the best for the future.

Chairman's Dinner

The Chairman reported that tickets for his charity dinner on Saturday 10 March at Exeter Hall, Kidlington had sold out but donations were very welcome. All proceeds would go to the charities he was supporting as Chairman.

Chairman's Engagements

The Chairman advised Members that a copy of the events attended by himself or the Vice-Chairman had been published with the agenda.

Post

The Chairman reminded Members to collect any post from pigeon holes.

79 Petitions and Requests to Address the Meeting

The Chairman advised the meeting that there were no petitions but there were eleven requests to address the meeting on agenda 6, Submission of the Partial Review of the Cherwell Local Plan 2011-2031 Oxford's Unmet Housing Needs. Each speaker would be able to speak for up to 5 minutes and would be called to address the meeting at the start of the agenda item.

80 Minutes of Council

The minutes of the meeting held on 18 December 2017 were agreed as a correct record and signed by the Chairman.

81 Submission of the Partial Review of the Cherwell Local Plan 2011-2031 Oxford's Unmet Housing Needs

The Executive Director for Place and Growth submitted a report to seek approval for the submission of the Partial Review of the adopted Cherwell Local Plan 2011-2031 to the Secretary of State for Housing, Communities and Local Government for independent examination.

Prior to consideration of the item, the Assistant Director: Law and Governance advised Council that the Executive had considered this item at their Special Meeting earlier that day and resolved to recommend that Full Council agree the recommendations as set out in the published report.

The Chairman invited those people who had registered to address Council on the item to speak prior to Council's consideration of the item. Council heard from the following public speakers:

Chris Pack: Chairman, GreenWayOxon
Layla Moran MP: MP for the Oxford West and Abingdon Constituency
Parish Councillor David Betts: Kidlington Parish Council
Parish Councillor Fred Jones: Chair, Yarnton Parish Council
Ian Middleton: Green Party Candidate for Banbury Constituency
Dr Richard Pye: Begbroke & Yarnton Green Belt Campaign
John Broad: Acting Chairman, CPRE Cherwell South District
Alaric Rose: Local resident, Kidlington

Parish Councillor Clive Stayt, Gosford & Water Eaton Parish Council
Linda Ward: Kidlington Development Watch
David Hinde: Local resident, Yarnton
Andrew Hornsby-Smith: Local resident

The Lead Member for Planning presented and proposed the report highlighting the key points and the rationale behind the recommendations. The report was duly seconded by Councillor Wood.

In considering the report, Members addressed Council with some Members raising objections and speaking against the recommendations and other Members speaking in support of the report.

Prior to the vote, in summing up, the Lead Member for Planning addressed points that had been raised during the debate providing clarification and further detail as necessary.

Resolved

- (1) That, having given due consideration, the responses to the consultation on the Proposed Submission draft of the Partial Review of the Local Plan be noted.
- (2) That, having given due consideration, the supporting documents relevant to the preparation of the Partial Review of the Local Plan be noted.
- (3) That the Schedule of Focused Changes and Minor Modifications to the Proposed Submission draft of the Partial Review of the Local Plan (annex to the Minutes as set out in the Minute Book) be noted.
- (4) That the Proposed Submission Draft of the Partial Review (July 2017) (annex to the Minutes as set out in the Minute Book) incorporating the Schedule of Focused Changes and Minor Modifications (annex to the Minutes as set out in the Minute Book) as the Submission draft of the Partial Review of the Cherwell Local Plan 2011-2031 be approved.
- (5) That the Executive Director for Place and Growth be authorised to submit the Submission draft of the Partial Review of the Cherwell Local Plan 2011-2031 to the Secretary of State for Housing, Communities and Local Government for independent examination with all necessary prescribed and supporting documents.
- (6) That the Executive Director for Place and Growth be authorised to make any necessary, presentational changes to the Submission draft of the Partial Review and to necessary prescribed and supporting documents before submission to the Secretary of State.

(At the conclusion of the item, the meeting adjourned for 15 minutes to allow members of the public to leave)

82 **Developer Contributions Supplementary Planning Document (SPD)**

The Executive Director for Place and Growth submitted a report to seek adoption of the Developer Contributions Supplementary Planning Document (SPD).

Resolved

- (1) That it be agreed that the Council adopts the Developer Contributions document (annexes to the Minutes as set out in the Minute Book) as a Supplementary Planning Document (SPD) in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).
- (2) That the Executive Director for Place and Growth be authorised to publish an Adoption Statement.

83 **The Oxfordshire Housing and Growth Deal**

Prior to consideration of the item, the Assistant Director: Law and Governance advised Council that the Executive had considered this item at their Special Meeting earlier that day and resolved to recommend that Full Council agree the Oxfordshire Housing and Growth Deal, the Delivery Plan as the basis for the Deal, to appoint Oxfordshire County Council as the accountable body in respect of the Oxfordshire Housing and Growth Deal and delegations to the Chief Executive to support the process.

The Chief Executive submitted a report to consider the Oxfordshire Housing and Growth Deal (the Deal) announced by Government in the November Budget, which provided £215 million of additional government funding for Oxfordshire, along with a package of planning freedoms and flexibilities for the Oxfordshire authorities.

The outline agreement made it clear that full agreement of the Deal was subject to agreement by each local authority and the Oxfordshire Local Enterprise Board (OxLEP) board (referred to collectively as the "Oxfordshire Partners").

The deal also required a detailed delivery plan to be agreed by Oxfordshire Partners, Homes England and the Ministry of Housing, Communities and Local Government (MHCLG) by 31 January 2018.

In presenting the report, the Lead Member for Planning, Councillor Clarke, advised Council that all other authorities in Oxfordshire had approved the recommendations.

Resolved

- (1) That the Oxfordshire Housing and Growth Deal (the Deal) be agreed.

- (2) That the Delivery Plan (annex to the Minutes as set out in the Minute Book) be approved as the basis for the Deal and it be noted that elements will be updated as detailed work programmes develop.
- (3) That authority be delegated to the Chief Executive, in consultation with the Leader and the Growth Board, to make minor changes to the Delivery Plan that may be required to secure agreement with Government.
- (4) That authority be delegated to the Chief Executive, in consultation with Leader and the Growth Board, to agree the Year 1 affordable housing delivery programme, phasing and processes specified in the Delivery Plan.
- (5) That agreement be given to appoint Oxfordshire County Council as the accountable body in respect of the Oxfordshire Housing and Growth Deal.
- (6) That authority be delegated to the Chief Executive, in consultation with the Leader and the Growth Board, to review the terms of reference of the Growth Board and agree any amendments and any appropriate inter-authority agreements required to support the Delivery of the Housing and Growth Deal.
- (7) That authority be delegated to the Chief Executive, in consultation with the Leader, to take any other decisions arising from agreement to the Oxfordshire Housing and Growth Deal, until the revised terms of reference of the Growth Board are in place.
- (8) That agreement be given to participate in the preparation of a Joint Statutory Spatial Plan (JSSP) for Oxfordshire in accordance with the timescales set out in the Delivery Plan and in accordance with Section 28 of the Planning and Compulsory Purchase Act 2004 (Districts only) with the milestones for progressing the JSSP being contingent on Government delivering the Planning Freedoms and Flexibilities as described in the Delivery Plan.

84

Members Allowances 2018/19

The Monitoring Officer submitted a report to determine the levels of the allowances to be paid to Members for the forthcoming 2018/2019 financial year following the submission of the report of the Council's Independent Remuneration Panel (IRP).

In presenting the report, Councillor Wood, Leader of the Council, thanked the Panel for their hard work in producing the report and acknowledged the recommendations and the Panel's reasoning.

Resolved

- (1) That, having given due consideration to the levels of allowances to be included in the 2018/2019 Members' Allowances Scheme, the Panel's

recommendations (annex to the Minutes as set out in the Minute Book) be adopted without modification.

- (2) That the Monitoring Officer be authorised to prepare an amended Members' Allowances Scheme, in accordance with the decisions of the Council for implementation with effect from 1 April 2018.
- (3) That the Monitoring Officer be authorised to take all necessary action to revoke the current (2017/2018) Scheme and to publicise the revised Scheme pursuant to The Local Authorities (Members's Allowances)(England) Regulations 2003 (as amended).
- (4) That the Independent Remuneration Panel be thanked for its report and fee of £300 be paid to Panel Members for the work carried out on this review for 2017/2018 and the same level of fee be applied for any reviews carried out in 2018/2019 capped at a maximum of £1200.

85 **Revenue and Capital Budgets and Corporate Business Plan for 2018/19**

Prior to consideration of the item, the Chairman sought the agreement of Members to suspend standing orders with regard to the duration of the speech by the proposer of the budget, or the speeches of the group spokesperson and group Leaders. Members indicated agreement.

The Assistant Director: Law and Governance reminded Council that it was required in legislation that any motion or amendment to the budget or council tax setting reports be taken by recorded vote and this would be done at the appropriate time.

The Executive Director - Finance and Governance submitted a report for Council to agree the revenue and capital budgets and Corporate Business Plan for 2018/19

In introducing the report, the Lead Member for Financial Management explained that the Council was required to produce a balanced budget for 2018/19 as the basis for calculating its level of Council Tax. It had to base that budget on its plans for service delivery during the year, recognising any changes in service demand that may arise in future years.

The proposed Corporate Strategy and Budget for 2018/19 were presented as an integrated report, incorporating updated Performance and Risk management frameworks, to ensure effective delivery. This clearly demonstrated that the Council adopted a strategic approach in aligning its allocation of all of its resources, to the delivery of the Council's priorities.

Councillor Ilott thanked the Chief Finance Officer and the finance team who had worked hard on the budget process and submitted a balanced budget to Council. Councillor Ilott also thanked the Budget Planning Committee and the Overview and Scrutiny Committee for their hard work supporting the budget setting and business plan process respectively.

Having presented the report, Councillor Ilott proposed the Revenue and Capital Budgets and Corporate Business Plan for 2018/19. Councillor Wood seconded the proposal.

Councillor Woodcock, on behalf of the Labour Group, addressed Council in response to the budget and confirmed that he would be proposing no amendments.

Councillor Sibley, on behalf of the Independent Group, addressed Council in response to the budget and confirmed that he would be proposing no amendments.

A recorded vote was taken and members voted as follows:

Councillor Anderson	For
Councillor Banfield	Against
Councillor Beere	Against
Councillor Bell	Against
Councillor Billington	For
Councillor Bishop	For
Councillor Brown	For
Councillor Cherry	Against
Councillor Clarke	For
Councillor Corkin	For
Councillor Cotter	For
Councillor Dhesi	Against
Councillor Donaldson	For
Councillor Gaul	For
Councillor Hallchurch MBE	For
Councillor Heath	For
Councillor Holland	For
Councillor Hughes	For
Councillor Hussain	Against
Councillor Ilott	For
Councillor Kerford-Byrnes	For
Councillor Lis	For
Councillor Mackenzie-Wintle	For
Councillor Macnamara	For
Councillor Mallon	For
Councillor Mawer	For
Councillor McHugh	For
Councillor Milne Home	For
Councillor Pickford	For
Councillor Pratt	For
Councillor Prestidge	For
Councillor Reynolds	For
Councillor Richards	Against
Councillor Sames	For
Councillor Sibley	For
Councillor Simpson	For
Councillor Turner	For
Councillor Wallis	For
Councillor Webb	For

Councillor Wood
Councillor Woodcock

For
Against

Resolved

- (1) That the 2018/19 Corporate Strategy (annex to the Minutes as set out in the Minute Book) be approved and the new approach to Performance Management that has been adopted be noted.
- (2) That the new Leadership Risk Register (annex to the Minutes as set out in the Minute Book) and new approach to Risk Management that has been adopted be noted
- (3) That a zero Council Tax increase be approved.
- (4) That the contents of the report in approving the General Fund Revenue Budget and Capital Programme for 2018/19 be noted and that consideration be formally recorded.
- (5) That the four year grant settlement be noted.
- (6) That the 2018/19 General Fund Budget as set out in the Medium Term Revenue Plan (MTRP) and the 2018/19 Capital Programme (annexes to the Minutes as set out in the Minute Book) be approved.
- (7) That the Collection Fund Estimates (annex to the Minutes as set out in the Minute Book) be approved.
- (8) That the impact of the proposed budget on reserves (annex to the Minutes as set out in the Minute Book) be noted.
- (9) That the adoption of the Corporate Investment Strategy (annex to the Minutes as set out in the Minute Book) be noted.
- (10) That the Treasury Management Strategy including Prudential Indicators (annex to the Minutes as set out in the Minute Book) be approved.
- (11) That the contents of the section 25 statement from the Chief Finance Officer (annex to the Minutes as set out in the Minute Book) in relation to the robustness of the estimates and the adequacy of reserves be noted.
- (12) That the statement of pay policy for 2018/19 as required by the Localism Act (annex to the Minutes as set out in the Minute Book) be approved.

Adjournment of Council Meeting

The Leader of the Council confirmed that he did not require Council to adjourn to allow Executive to meet discuss any issues arising from the budget.

Calculating the amounts of Council Tax for 2018/19 and setting the Council Tax for 2018/19

The Executive Director – Finance and Governance submitted a report to detail the calculations for the amounts of Council Tax for 2018/19 and the setting of Council Tax for 2018/19.

Councillor Ilott introduced and proposed the Council Tax for 2018/19, which was duly seconded by Councillor Wood.

A recorded vote was taken and members voted as follows:

Councillor Anderson	For
Councillor Banfield	Abstain
Councillor Beere	Abstain
Councillor Bell	Abstain
Councillor Billington	For
Councillor Bishop	For
Councillor Brown	For
Councillor Cherry	Abstain
Councillor Clarke	For
Councillor Corkin	For
Councillor Cotter	For
Councillor Dhesi	Abstain
Councillor Donaldson	For
Councillor Gaul	For
Councillor Hallchurch MBE	For
Councillor Heath	For
Councillor Holland	For
Councillor Hughes	For
Councillor Hussain	Abstain
Councillor Ilott	For
Councillor Kerford-Byrnes	For
Councillor Lis	For
Councillor Mackenzie-Wintle	For
Councillor Macnamara	For
Councillor Mallon	For
Councillor Mawer	For
Councillor McHugh	For
Councillor Milne Home	For
Councillor Pickford	For
Councillor Pratt	For
Councillor Prestidge	For
Councillor Reynolds	For
Councillor Richards	Abstain
Councillor Sames	For
Councillor Sibley	For
Councillor Simpson	For
Councillor Turner	For
Councillor Wallis	For
Councillor Webb	For
Councillor Wood	For

Resolved

- (1) That it be noted that at the Executive meeting held on 8 January 2018 the Council calculated the Council Tax Base 2018/19:
 - a) for the whole Council area as 52,681.6 [item T in the formula in Section 31B of the Local Government Finance Act 1992, as amended (the "Act")]; and
 - b) For dwellings in those parts of its area to which a Parish Precept relates as in the annex to the Minutes (as set out in the Minute Book).
- (2) That the Council Tax requirement for the Council's own purposes for 2018/19 (excluding Parish Precepts and Special Expenses) is £6,506,178.
- (3) That the following amounts be calculated for the year 2018/19 in accordance with Sections 31 to 36 of the Act:-
 - a) £86,972,051 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act, taking into account all precepts issued to it by Parish Councils and any additional special expenses.
 - b) £75,556,037 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (3) of the Act.

£11,416,014 being the amount by which the aggregate at 3(a) above exceeds the aggregate at 3(b) above, calculated by the Council, in accordance with Section 31A(4) of the Act, as its Council Tax requirement for the year (Item R in the formula in Section 31B of the Act).
 - c) £216.70 being the amount at 3(c) above (Item R), all divided by Item T (6(a) above), calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year (including Parish Precepts and Special Expenses);
 - d) £4,909,836 being the aggregate amount of all special items (Parish Precepts and Special Expenses) referred to in Section 34(1) of the Act as per the annex to the Minutes (as set out in the Minute Book).
 - e) £123.50 being the amount at 3(d) above less the result given by dividing the amount at 3(e) above by Item T(1(a) above), calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for

dwellings in those parts of its area to which no Parish Precept or special item relates.

- (4) That it be noted that for the year 2018/19 the Oxfordshire County Council and the Police and Crime Commissioner for Thames Valley have issued precepts to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each category of dwellings in the Council's area as indicated below :-

<u>Valuation Band</u>	Oxfordshire County Council	Police and Crime Commissioner for Thames Valley
	£	£
A	950.79	121.52
B	1,109.26	141.77
C	1,267.72	162.03
D	1,426.19	182.28
E	1,743.12	222.79
F	2,060.05	263.29
G	2,376.98	303.80
H	2,852.38	364.56

- (5) That the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the amounts shown in the annex to the Minutes (as set out in the Minute Book) as the amounts of Council Tax for the year 2018/19 for each part of its area and for each of the categories of dwellings.
- (6) That the Council's basic amount of Council Tax for 2018/19 is not excessive in accordance with principles approved under Section 52ZB Local Government Finance Act 1992.
- (7) That the following discounts and exemptions be approved:
- 1 Agree that in respect of properties within Class A and B as defined by the Council Tax (Prescribed Classes of Dwellings) (England) (Amendment) Regulations 2012 (furnished chargeable dwelling that are not the sole or a main residence of an individual) the discount provided by Section 11a of the Local Government Finance Act 1992 shall be zero.
 - 2 Agree that in respect of properties within Class C as defined by the Council Tax (Prescribed Classes of Dwellings) (England) (Amendment) Regulations 2012 (a property that is unoccupied and substantially unfurnished) the discount provided by the Section 11A of the said Act shall be 25% for a period of 6 months and thereafter zero.
 - 3 Agree that in respect of properties within Class D as defined by the said Regulations (chargeable dwellings that are vacant and

undergoing major repair work to render them habitable) the discount provided by Section 11A of the said Act shall be 25%

- 4 Agree no council tax discount shall be applied to dwellings that are unoccupied and unfurnished for more than two years and that council tax payable on such properties is 150% (except for those properties which fall into prescribed Classes E and F).

88 **Local Government Association - Peer Challenge Final Report and Recommendations**

The Chief Executive submitted a report which presented the final report from the joint Peer Challenge of Cherwell District and South Northamptonshire Councils, undertaken by the Local Government Association in November 2017.

Resolved

- (1) That the report be endorsed.
- (2) That officers be requested to ensure its recommendations are reflected in relevant plans and strategies.

89 **Monitoring Officer Annual Report 2017**

The Monitoring Officer submitted a report to provide an overview of the work of the Monitoring Officer in the past year.

Resolved

- (1) That the Monitoring Officer's Annual Report be noted.

90 **Minutes**

a) Minutes of the Executive, Lead Member Decisions and Executive Decisions made under Special Urgency

Resolved

That the minutes of the meeting of the Executive and Lead Member decisions as set out in the Minute Book be received and that it be noted that since the last meeting of Council on 18 December 2017 no decisions have been taken by the Executive which were not included in the 28 day notice.

b) Minutes of Committees

Resolved

That the minutes of Committees as set out in the Minute Book be received.

91

Questions

a) Written Questions

There were no written questions.

b) Questions to the Leader of the Council

Questions were asked and answers received on the following issues:

Councillor Richards: Potential of Cherwell District Council setting up a register of private landlords

Councillor Hussain: Horton General Hospital Update

Councillor McHugh: Cherwell District Council supporting those socially isolated

Councillor Wallis: Northamptonshire County Council budget situation and Cherwell District Council budget preparation

c) Questions to Committee Chairmen on the Minutes

There were no questions to Committee Chairman on the minutes of meetings.

92

Motions

Dumping of Plastic

It was moved by Councillor Woodcock and seconded by Councillor Richards that the following motion be adopted:

“This council notes the increasing public concern at the environmental damage and ecological harm caused by the dumping of plastic. And this authority in doing so commits to doing its bit to tackle the problem by:-

- Conducting an audit of all departments to identify excess plastic being used by this council.*
- Running a public relations campaign to increase awareness across Cherwell of the problem of plastic pollution.*
- To complement this council taking on Refill Banbury and Bicester; by investigating the feasibility of installing drinking water fountains in our town and village centres.”*

Councillor Pickford proposed the following amendment, which was duly seconded by Councillor Wood:

“This Council notes the increasing public concern at the environmental damage and ecological harm caused by the dumping of plastic. And this authority in doing so commits to doing its bit to tackle the problem by:-

1. *The Council will review its use of plastic during its day to day procurement activities to ensure environmental acceptability and to assess the scope for limiting the use of non-recyclable material.*
2. *The Council will run an anti-litter public relations campaign to increase awareness across Cherwell of the problem of plastic pollution.*
3. *To complement this, the Council will engage with parishes to determine the level of community support and local ownership of installing drinking water fountains in our town and village centres.”*

On being put to the vote, the amendment was approved. The motion as amended was debated and on being put to the vote, was supported.

Resolved

That the following motion, as amended, be adopted.

Dumping of Plastic

This Council notes the increasing public concern at the environmental damage and ecological harm caused by the dumping of plastic. And this authority in doing so commits to doing its bit to tackle the problem by:-

1. The Council will review its use of plastic during its day to day procurement activities to ensure environmental acceptability and to assess the scope for limiting the use of non-recyclable material.
2. The Council will run an anti-litter public relations campaign to increase awareness across Cherwell of the problem of plastic pollution.
3. To complement this, the Council will engage with parishes to determine the level of community support and local ownership of installing drinking water fountains in our town and village centres.

93

Urgent Business

There were no items of urgent business.

The meeting ended at 11.45 pm

Chairman:

Date:

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Cherwell District Council

Council

15 May 2018

Annual Council Business Report

Report of Chief Executive

This report is public

Purpose of report

To note the results of the 3 May 2018 district elections, the constitution of Political Groups, appoint the Leader of the Council, note the appointment of the Deputy Leader and Executive for the Municipal Year 2018/19 and consider and agree the suggested constitution of Committees for the Municipal year 2018/2019.

1.0 Recommendations

** The recommendations are also included in the relevant section of the report **

The meeting is recommended:

- 1.1 To note the results of the District elections held on 3 May 2018.
- 1.2 To note the constitution of Political Groups and notification of Group Leaders.
- 1.3 To appoint a Leader of the Council.
- 1.4 To note the appointment of Deputy Leader of the Council, the membership of the Executive and the Executive Portfolios for 2018/19.
- 1.5 To agree the allocation of seats on committees that are subject to the political balance requirements as set out in Table 1 (addendum to report to follow).
- 1.6 To agree the allocation of seats on committees not subject to political balance requirements as set out in Table 2 (addendum to report to follow).
- 1.7 To agree that the Constitution be amended to remove the requirement for named substitutes for Licensing Committee and the Assistant Director Law and Governance be requested to amend the Constitution accordingly.
- 1.8 To appoint members (and where appropriate, substitute members) to serve on each of the committees and other bodies set out in Tables 1 and 2 in accordance with the nominations to be made by political groups (Appendix 2 - to follow).

- 1.9 To appoint a representative to the Oxfordshire County Council Health Overview and Scrutiny Committee.
- 1.10 To appoint a representative to the Police and Crime Commissioner Scrutiny Panel.

2.0 Introduction

- 2.1 The Council's Constitution requires that at the annual meeting, Council shall:
- Note the results of the District Elections, if held, and the constitution of Political Groups and Group Leaders and elect the Leader of the Council if required
 - Conduct any business concerning the establishment of and appointments to the Executive, including the appointment of Deputy Leader and the allocation of functions to Lead Members
 - Conduct any business concerning the establishment of, and appointment to:
 - The Overview and Scrutiny Committee
 - The Standards Committee
 - Such other Committees as the Council consider appropriate

3.0 Report Details

District Election Results

- 3.1 The following were elected for the Wards shown at the district elections held on 3 May 2018. All Councillors elected in the scheduled elections will serve a 4 year term.
- 3.2 Following the resignation of former Councillor Ken Atack, a vacancy in the Cropredy, Sibfords and Wroxton ward was contested alongside the scheduled elections. The term of office for this seat is one year and the differing terms for this ward are indicated below.
- 3.3 Following the sad death of Jolanta Lis, a standing councillor and candidate in the Bicester West ward prior to polling day, the election for this ward was postponed until 21 June 2018.

Ward	Elected
Adderbury, Bloxham and Bodicote	Councillor Andrew McHugh
Banbury Calthorpe and Easington	Councillor Tony Mepham
Banbury Cross and Neithrop	Councillor Cassi Perry
Banbury Grimsbury and Hightown	Councillor Shaida Hussain
Banbury Hardwick	Councillor Tony Ilott

Banbury Ruscote	Councillor Barry Richards
Bicester East	Councillor Tom Wallis
Bicester North and Caversfield	Councillor Nick Mawer
Bicester South and Ambrosden	Councillor Lucinda Wing
Bicester West	Election postponed until 21 June 2018
Cropredy, Sibfords and Wroxton	Councillor Phil Chapman – elected for a 4 year term Councillor Douglas Webb – elected for a 1 year term
Deddington	Councillor Mike Kerford-Byrnes
Fringford and Heyfords	Councillor Barry Wood
Kidlington East	Councillor Carmen Griffiths
Kidlington West	Councillor Alaric Rose
Launton and Otmoor	Councillor David Hughes

Recommendation

1.1 To note the results of the District Elections held on 3 May 2018.

Constitution of Political Groups

3.2 The Chief Executive will report on the notifications of the constitution of Political Groups received prior to the meeting and the appointments of Group Leaders.

3.4 Group Leaders have been appointed as follows:

Conservative Group: To be advised

Labour Group: To be advised

Recommendation

1.2 To note the constitution of Political Groups and notification of Group Leaders.

Leader of the Council

3.5 In accordance with the strong leader model, the Leader of the Council's term of finished at the end of his term of office as a councillor in May 2018. Therefore Council is required to appoint a Leader.

3.6 The Leader of the Council will be a councillor elected to that position by Council. The Leader of the Council shall be the chairman of the Executive and shall have reserve powers to act in the absence or incapacity of any executive portfolio holder.

3.5 The Leader will hold office until:

- s/he resigns from the office

- s/he is suspended from being a Councillor under Part III of the Local Government Act 2000 (although) he may resume office at the end of
- the period of suspension)
- the expiration of their term of office
- s/he is no longer a councillor
- s/he is removed from office by resolution of the council,

Recommendation

1.3 To appoint a Leader of the Council.

Deputy Leader of the Council and Executive 2018/19

- 3.7 The newly appointed Leader of the Council will table a report (Appendix 1 – to follow) appointing a Deputy Leader and setting out the Executive Portfolios for the Municipal Year 2018/19.

Recommendation

1.4 To note the appointment of Deputy Leader of the Council, the membership of the Executive and the Executive Portfolios for 2018/19.

Committee Appointments 2018/19

- 3.8 The current constitution of the Council is 35 Conservative, 9 Labour, 1 Liberal Democrat and 1 Independent councillors. There is one vacancy. The proportionality calculations (to follow as an addendum to this report) take account of this and are based on a Council of 48 but with 47 members.
- 3.9 The proportionality calculations will be published as an addendum to this report.
- 3.10 The Licensing Committee currently has named substitutes, which is the only remaining Cherwell District Council committee with such an arrangement. The Committee only meets on an ad-hoc basis as business requires. Following consultation with Group Leaders, it is proposed that the Constitution be amended and there no longer be named substitutes for Licensing Committee. Any member of the relevant political group could attend a meeting of the Licensing Committee as a substitute. Members are reminded that the membership of Licensing Sub-Committees is formed of members from the parent Licensing Committee only.
- 3.11 Appendix 2 (to follow) sets out members (and where appropriate, substitute members) to serve on each of the committees and other bodies set out in Tables 1 and 2 (addendum to report to follow) in accordance with the nominations to be made by political groups.

Recommendations

- 1.5 To agree the allocation of seats on committees that are subject to the political balance requirements as set out in Table 1 (addendum to report to follow).
- 1.6 To agree the allocation of seats on committees not subject to political balance requirements as set out in Table 2 (addendum to report to follow).
- 1.7 To agree that the Constitution be amended to remove the requirement for named substitutes for Licensing Committee and the Assistant Director Law and Governance be requested to amend the Constitution accordingly.

- 1.8 To appoint members (and where appropriate, substitute members) to serve on each of the committees and other bodies set out in Tables 1 and 2 (addendum to report to follow) in accordance with the nominations to be made by political groups (Appendix 2 - to follow).

Appointment of Representatives

- 3.12 Council is asked to appoint representatives to the Oxfordshire County Council Health Overview and Scrutiny Committee and to the Police and Crime Commissioner Scrutiny Panel.
- 3.13 The 2017/18 representative on the County Council Health Overview and Scrutiny Committee was Councillor Andrew McHugh and on the Police and Crime Commissioner Scrutiny Panel was Councillor Tony Ilott.

Recommendations

- 1.8 To appoint a representative to the Oxfordshire County Council Health Overview and Scrutiny Committee.
- 1.9 To appoint a representative to the Police and Crime Commissioner Scrutiny Panel.

4.0 Conclusion and Reasons for Recommendations

- 4.1 The Council is required to note the results of the District Council elections, appoint a Leader (if required), agree the allocation of seats on committees that are subject to the political balance requirements and also on committees not subject to political balance requirements and to agree the appointments to each of the Committees in accordance with the nominations made by political groups.

5.0 Consultation

Group Leaders

Nominations and information from group leaders has been included in the report and appendices

6.0 Alternative Options and Reasons for Rejection

- 6.1 The following alternative options have been identified and rejected for the reasons as set out below.

Option 1: To amend the appointments to Committee.

7.0 Implications

Financial and Resource Implications

- 7.1 There are no financial implications arising from the report.

Comments checked by:

Kelly Watson, Assistant Director Finance and Procurement, 0300 003 0206,
kelly.watson@cherwellandsouthnorthants.gov.uk

Legal Implications

- 7.2 It is a legal requirement for Council to agree proportionality after an election and appoint committees. It is for the Council Leader to appoint the Deputy Leader and the other Executive members, and to allocate Lead Member responsibilities.

Comments checked by:

James Doble, Assistant Director Law and Governance, 0300 003 0207,
james.doble@cherwellandsouthnorthants.gov.uk

Risk Implications

- 7.3 In ensuring the legal requirements are met risk to the authority is mitigated.

Comments checked by:

James Doble, Assistant Director Law and Governance, 0300 003 0207,
james.doble@cherwellandsouthnorthants.gov.uk

8.0 Decision Information

Wards Affected

All

Links to Corporate Plan and Policy Framework

All

Lead Councillor

None

Document Information

Appendix No	Title
One	Executive Portfolios 2018/19 – to follow
Two	Committee Membership – to follow
Background Papers	
None	
Report Author	Natasha Clark, Governance and Elections Manager
Contact Information	01295 221589 natasha.clark@cherwellandsouthnorthants.gov.uk

Cherwell District Council

Council

15 May 2018

<p>Notification of Decision Taken Under Urgency Powers Appointment of Section 151 Officer</p>

Report of Chief Executive

This report is public

Purpose of report

To inform the Council of a decision taken under urgency powers by the Chief Executive in relation to the appointment of a Section 151 Officer .

1.0 Recommendations

The meeting is recommended:

- 1.1 To note the decision taken under urgency powers by the Chief Executive in consultation with the Chairman of the Council in relation to the appointment of Adele Taylor as interim Section 151 Officer with effect from 13 April 2018 and request that she appoint a suitably qualified and experienced Deputy Section 151 Officer from the same date.

2.0 Introduction

- 2.1 The Chief Executive, in consultation with the Chairman of the Council, used her urgency powers to appoint Adele Taylor as the Council's Interim Section 151 Officer with effect from 13 April 2018, subject to South Northamptonshire Council resolving in similar terms, and to request her to appoint a suitably qualified and experienced Deputy Section 151 Officer from the same date.

3.0 Report Details

- 3.1 In accordance with section 151 of the Local Government Act 1972 and section 113 of the Local Government Finance Act 1988 there is a statutory requirement on the Authority to designate one of its officers as its Section 151 Officer/Chief Finance Officer. The individual is required to be a suitably qualified accountant holding a recognised professional accountancy qualification as set out in legislation.

- 3.2 The most senior Finance role in any organisation plays a critical role in ensuring the overall success of the organisation or business. In local government each Council is required to appoint a statutory finance officer, known as a Section 151 Officer, who must hold a recognised qualification. The designation of Section 151 Officer brings with it various personal duties and accountabilities which are set down in the relevant legislation.
- 3.3 Paul Sutton, the former Section 151 Officer for both this Council and South Northamptonshire Council, left the Councils on 19 March 2018. Whilst it is planned to recruit to the vacant Executive Director: Finance and Governance post in due course, in the meantime it is necessary to appoint an Interim Section 151 Officer. The council, through Penna, is fortunate to have obtained the services of Adele Taylor, as interim Executive Director: Finance and Governance. Adele is a CIPFA qualified accountant and as a Director has been the Section 151 for East Herts Council and previously Deputy Section 151 Officer at the London Borough of Ealing.
- 3.4 As the next scheduled meeting of Council was not until 15 May 2018, the Chief Executive, in consultation with the Chairman of the Council, used the provisions within the Constitution to take an urgent decision to appoint Adele Taylor as interim Section 151 Officer from 13 April 2018 and request that she appoint a suitably qualified and experienced Deputy Section 151 Officer from the same date.

4.0 Conclusion and Reasons for Recommendations

- 4.1 In line with the constitution this report is informing Full Council of a decision that was taken under urgency powers in relation to the appointment of an interim Section 151 Officer.

5.0 Consultation

Chairman of the Council, Councillor Maurice Billington, in relation to the taking of the urgent action

Councillor Barry Wood (Leader, CDC) and Councillor Ian McCord (Leader, SNC), in relation to the appointment of the Section 151 officer

6.0 Alternative Options and Reasons for Rejection

- 6.1 The following alternative options have been identified and rejected for the reasons as set out below.

Option 1: Not to note the report. This is not recommended as the urgent action has been taken and it is a constitutional requirement for it to be reported to Council.

7.0 Implications

Financial and Resource Implications

- 7.1 There are no financial implications arising directly from this report as it is reporting urgent action already taken.

Comments checked by:

Kelly Watson, Assistant Director Finance and Procurement, 01327 322121
kelly.watson@cherwellandsouthnorthants.gov.uk

Legal Implications

- 7.2 There are no legal implications arising directly from this report as it is reporting urgent action already taken.

Comments checked by:

James Doble, Assistant Director Law & Governance and Monitoring Officer, 01295 221587 james.doble@cherwellandsouthnorthants.gov.uk

8.0 Decision Information

Wards Affected

All

Links to Corporate Plan and Policy Framework

N/A

Lead Councillor

Councillor Barry Wood, Leader

Document Information

Appendix No	Title
One	Urgent decision notice
Background Papers	
None	
Report Author	Natasha Clark, Governance and Elections Manager
Contact Information	01295 221589 Natasha.clark@cherwellandsouthnorthants.gov.uk

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**Urgent Decision by Chief Executive
Published on 13 April 2018**

Decision: Appointment of Section 151 Officer

Decision taker: Chief Executive

Decision Date: 13 April 2018

Is decision subject to Call-in? No

Deadline for Call-in: N/A

Is decision Exempt? No

Is decision urgent? Yes

Summary

To designate the appropriate officer of the Council as its Section 151 Officer as required by the Constitution and legislation.

Decision

Resolved

That Adele Taylor be appointed as the Council's Interim Section 151 Officer with effect from 13 April 2018, noting that South Northamptonshire Council resolved in similar terms, and Adele Taylor be requested to appoint a suitably qualified and experienced Deputy Section 151 Officer from the same date.

Reasons for Decision

In accordance with section 151 of the Local Government Act 1972 and section 113 of the Local Government Finance Act 1988 there is a statutory requirement on the Authority to designate one of its officers as its Section 151 Officer/Chief Finance Officer. The individual is required to be a suitably qualified accountant holding a recognised professional accountancy qualification as set out in legislation.

The most senior Finance role in any organisation plays a critical role in ensuring the overall success of the organisation or business. In local government each Council is

required to appoint a statutory finance officer, known as a Section 151 Officer, who must hold a recognised qualification. The designation of Section 151 Officer brings with it various personal duties and accountabilities which are set down in the relevant legislation.

Paul Sutton, the former Section 151 Officer for both this Council and South Northamptonshire Council, left the Councils on 19 March 2018. Whilst it is planned to recruit to the vacant Executive Director: Finance and Governance post in due course, in the meantime it is necessary to appoint an Interim Section 151 Officer. The council, through Penna, is fortunate to have obtained the services of Adele Taylor, as interim Executive Director: Finance and Governance. Adele is a CIPFA qualified accountant and as a Director has been the Section 151 for East Herts Council and previously Deputy Section 151 Officer at the London Borough of Ealing.

The decision to appoint a Section 151 Officer would ordinarily be taken by Full Council, however as the next meeting of Full Council is not until 15 May 2018, following consultation with the Chairman of Council, urgency provisions as set out in the Constitution have been used by the Chief executive to take the decision.

The SNC Leader and CDC Group Leaders have been consulted and endorse the appointment of Adele Taylor as interim Section 151 Officer.

In accordance with the Constitution, a report will be submitted to the 15 May 2018 Council meeting advising of the urgent action taken.

Options Considered

Option 1: To appoint an alternative officer of the Council as Section 151 Officer. This is rejected because the interim Executive Director: Finance and Governance is the most senior qualified finance officer employed by the Council and it is therefore appropriate for the post holder to be designated as such.

Conflicts of Interest Declared and Dispensations Granted by Head of Paid Service

None

Information about this decision

Financial and Resource Implications

There are no financial implications arising from this decision.

Comments checked by:

Kelly Watson, Assistant Director Finance and Procurement, 01327 322121
kelly.watson@cherwellandsouthnorthants.gov.uk

Legal Implications

It is a legal requirement that the Councils appoint one of their suitably qualified officers as the Section 151 Officer pursuant to Section 151 of the Local Government Act 1972 and Section 113 of the Local Government Finance Act 1988.

Comments checked by:

James Doble, Assistant Director Law & Governance and Monitoring Officer, 01295 221587 james.doble@cherwellandsouthnorthants.gov.uk

Yvonne Rees
Chief Executive

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Cherwell District Council

Council

15 May 2018

Community Governance Review – Graven Hill 2018

Report of Chief Executive

This report is public

Purpose of report

To consider the Terms of Reference for the Graven Hill Community Governance Review (CGR) and to request the appointment of Members to a working group for the CGR.

1.0 Recommendations

The meeting is recommended:

- 1.1 To approve the Terms of Reference for the Community Governance Review (appendix 1)
- 1.2 To delegate authority to the Assistant Director 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 of the area known as Graven Hill.
- 1.3 To delegate authority to the Assistant Director Law and Governance, in consultation with the Working Group, to make any minor amendments to the Terms of Reference and the timetable for the review if required.

2.0 Introduction

- 2.1 On 18 December 2017 Full Council resolved to hold a Community Governance Review as soon as practical to consult on the principle of including the development of Graven Hill within the boundaries of Bicester Town Council. The report is available on the council's website.

3.0 Report Details

- 3.1 A CGR Working Group needs to be established in order to work through the details of the proposals agreed in the consultation document for distribution to the existing parishes and to make recommendations to full Council for consideration.
- 3.2 Any changes agreed as part of the CGR would come into force during the next ordinary year of election, which for Bicester Town Council would be 2019. It is expected that the consultation will be completed by October 2018.

4.0 Conclusion and Reasons for Recommendations

- 4.1 Cherwell District Council committed to undertake a CGR relating Graven Hill.
- 4.2 A working group is required to undertake the CGR relating to Graven Hill.

5.0 Consultation

None in the preparation of this report

6.0 Alternative Options and Reasons for Rejection

- 6.1 The following alternative options have been identified and rejected for the reasons as set out below.

Option 1: Not to approve the terms of reference and establish a Working Group to carry out the Community Governance Review. This is rejected as Council has already agreed to conduct a CGR and a working group will support the process..

7.0 Implications

Financial and Resource Implications

- 7.1 There are no financial implications arising directly from this report. The costs of carrying out the review can be met from existing budgets.

Comments checked by; Kate Crussell – Principle Accountant Corporate Finance
kate.crussell@cherwellandsouthnorthants.gov.uk

Legal Implications

- 7.2 The Council is empowered to undertake a Community Governance Review by the Local Government and Public Involvement in Health Act 2007. In undertaking the review it must take steps to ensure that the outcome of the review reflects the identities and interests of the area being reviewed and the need to ensure effective and convenient community governance. Statutory guidance on the process can be

found at

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/8312/1527635.pdf

Comments checked by: James Doble, Assistant Director Law and Governance and Monitoring Officer. – 0300 003 0207
James.doble@cherwellandsouthnorthants.gov.uk

8.0 Decision Information

Wards Affected

Bicester South and Ambrosden.

Links to Corporate Plan and Policy Framework

N/A

Lead Councillor

None

Document Information

Appendix No	Title
Appendix 1	Proposed Terms of Reference for Community Governance Review
Appendix 2	Map of the Area
Background Papers	
None	
Report Author	Lesley Farrell – Democratic and Elections Officer
Contact Information	Tel: 01295 221591 Email: lesley.farrell@cherwellandsouthnorthants.gov.uk

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Cherwell District Council

Local Government and Public Involvement in Health Act 2007 Community Governance Review

Terms of Reference

Introduction

Cherwell District Council has resolved to undertake a Community Governance Review (CGR) pursuant to Part 4, chapter 3 of the Local Government and Public Involvement in Health Act 2007 to consider the following Parish matters:

Table 1

Parish/Area	Matters to be considered
Development area known as Graven Hill (shown on attached map), Ambrosden	Review of the boundary between Ambrosden and Bicester, to consider incorporating the development site of Graven Hill into Bicester
Area to the left of Graven Hill, the so called 'orphan area', (shown on attached map) Ambrosden	Review of the boundary between Chesterton and Ambrosden/Ambrosden and Bicester, to consider incorporating all or part of the orphan area in to either parish

As a result of the primary purpose of the review, the following parishes will also be included in the review as consultees:

Table 2

Parish/Area	Matters to be considered
Bicester Town	Review of the Boundary with Ambrosden to consider incorporating Graven Hill, and some or all of the orphan area, into Bicester
Chesterton	Review of the boundary with Ambrosden to consider incorporating all or part of the orphan area of the orphan area with Chesterton

The Council will undertake the review in accordance with the Guidance on community governance reviews issued by the Department of Communities and Local Government and the Local Government Boundary Commission for England (LGBCE) in March 2010 ("the guidance")

What is a Community Governance Review?

A CGR is a review of the whole or part of the Council area to consider one or more of the following:

- Creating, merging, altering or abolishing parishes

- The naming of parishes and the style of new parishes
- The electoral arrangements for parishes, such as the ordinary year of election, council size, number of councillors to be elected to the council and parish warding.
- Grouping parishes under a common parish council or de-grouping parishes

The Council is required to ensure that community governance within the area under review will be:

- Reflective of the identities and interests of the community in that area; and
- Is effective and convenient

In doing so the Review is required to take into account:

- The impact of existing community governance arrangements on community cohesion; and
- The size, population and boundaries of any local community or proposed parish or town council

Why is the Council undertaking the review?

The guidance states that it is good practice for principal councils (in this context that means this council) to undertake CGRs every 10-15 years.

A review provides an opportunity for the principal authority to review and make changes to community governance within their area. Such reviews can be undertaken when there have been changes in population, additional development or in reaction to specific, or local new issues to ensure that the community governance for the area continues to be effective and convenient and it reflects the identities, interests and historic traditions of the community.

The District Council wants to ensure that electors should be able to identify clearly with the parish in which they are resident. It considers that this sense of identity and community lends strength and legitimacy to the parish structure, creates a common interest in parish affairs, encourages participation in elections to the parish council, leads to representative and accountable government, engenders visionary leadership and generates a strong, inclusive community with a sense of civic values, responsibility and pride.

At the time of the last full review in 2013, development at the site of Graven Hill had not commenced and it was too early to be included in the review, however since then there has been much progress and proposals are now being considered with regard to the future management of facilities and public open space. As a result a request was received from the Leader of the Council that a Community Governance Review be undertaken and the Council committed to undertake a review at their 18 December 2017 meeting.

Who undertakes the review?

A working group will be established to deal with the day to day work of the review, in conjunction with officers from the Democratic and Elections team. The Working Group will be responsible for considering each request from consultation responses received, before formulating recommendations to Council. Before making any final proposals, the District Council will take full account of the views of local people. However, the final decision relating to each recommendation sits with full Council.

Consultation

The review shall invite and take account of submissions from all interested parties. A full consultation document will be produced, detailing the proposals for the area specified in Table 1.

The document will be emailed to the parish councils of the parishes concerned (as listed in tables 1 and 2 above), published on the dedicated "Community Governance Review" page

on the Cherwell District Council website, and paper copies will also be available on request for anybody without access to the internet. Any residential properties identified in either the Graven Hill development area or the orphan area will have a copy posted to them.

The document will include a pro-forma style return slip, so that responders can let the Council know what they think of the proposals. An online version of the reply slip will be available via Survey Monkey, for those who may wish to respond electronically.

Officers from Democratic and Elections will also contact the parishes detailed in tables 1 and 2, regarding attendance at parish council meetings to discuss the review, and answer any questions parish councillors or members of the public may have. Additional consultation briefings or explanations may be arranged as required.

All consultation responses will be logged and reported back to the working group, and full Council. Names and addresses of individual respondents will not be included in the central log for data protection purposes. Responses received from parish councils will be highlighted as such, and will be assumed to be an official response on behalf of the whole parish council.

Timetable for the Review

The 2007 Act requires that a principal council must complete a CGR within 12 months of the date of publication of terms of reference. The proposed timetable below complies with the legal requirement.

Date	Action
15 May 2018	Consideration of Terms of Reference by full Council
16 May 2018	Terms of Reference Published
w/c 21 May 2018	Meeting with working group to prepare for consultation
w/c 21 May 2018	Prepare consultation information
25 May 2018 to 22 June 2018 (4 weeks)	Consultation period with residents of all affected areas
w/c 25 June 2018	Meeting with working group to discuss consultation responses received and formulate draft proposals
6 July 2018	Recommendations published as part of agenda for Full Council meeting on 16 July
16 July 2018	Report to Council with draft recommendations
30 July 2018 to 14 September 2018 (4 weeks)	Consult on recommendations
w/c 17 September 2018	Meeting with working group to discuss consultation responses received and finalise recommendations
5 October 2018	Final Recommendations published as part of agenda for Full Council meeting on 15 October; Community Governance Review Order Drafted
15 October 2018	Final report to Council, finalise CGR Order

How to respond

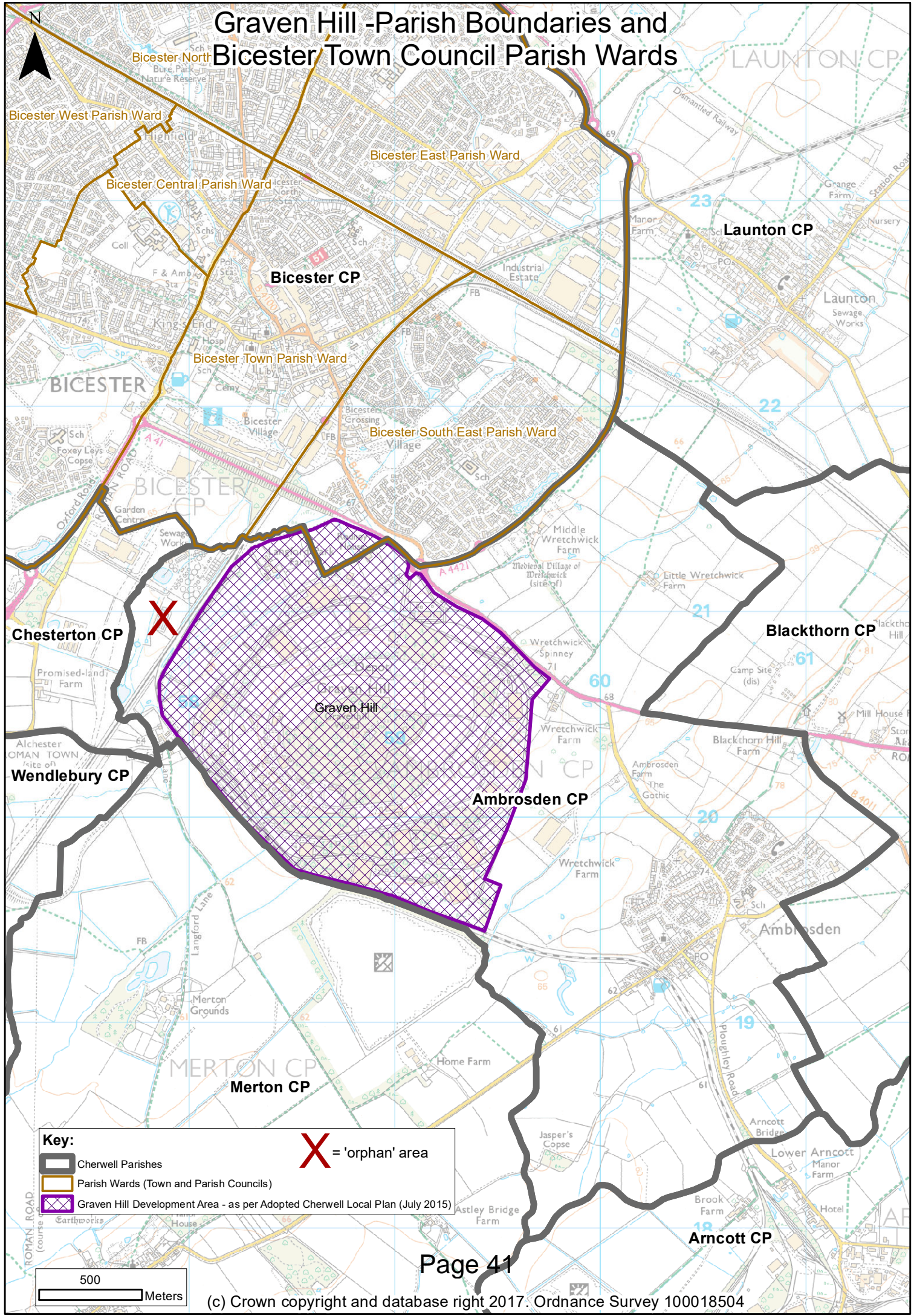
If you have any questions or comments on these terms of reference, or the Community Governance Review Process as a whole, please email democracy@cherwellandsouthnorthants.gov.uk or write to;

CGR

Democratic and Elections Team,
Cherwell District Council,
Bodicote House,
Bodicote,
OX15 4AA.

Date of publication of these Terms of Reference:

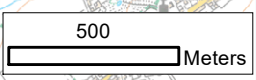
Graven Hill - Parish Boundaries and Bicester Town Council Parish Wards



Key:

- Cherwell Parishes
- Parish Wards (Town and Parish Councils)
- Graven Hill Development Area - as per Adopted Cherwell Local Plan (July 2015)

X = 'orphan' area



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By virtue of paragraph(s) 1, 2, 3, 4 of Part 1 of Schedule 12A of the Local Government Act 1972.

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

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of the Local Government Act 1972.

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Committee: First Meetings of Committees
Date: Tuesday 15 May 2018
Time: 6.35pm or on the rising of Council which ever is later
Venue: Bodicote House, Bodicote, Banbury, Oxon OX15 4AA

AGENDA

Meetings of various Committees will be held immediately on the rising of the Council Meeting, in order to elect their Chairman and Vice-Chairman for 2016/17, and to conduct any other business as may be specified.

Members are asked to remain in their places at the conclusion of the Council Meeting and to stand for the period during which Committees of which they are a member are called into session.

The Chairman of the Council will preside over the election of the Chairman of each Committee who, once appointed, will preside over the election of the Vice-Chairman. In each case, the names of Members moved and seconded will be put to the vote, unless only one name is submitted, in which case that Member will be declared appointed unopposed.

1. Accounts, Audit and Risk Committee

- a) The Chairman of the Council will call for nominations for the office of Chairman.
- b) The Chairman of the Committee will then call for nominations for the office of Vice-Chairman.

2. Appeals Panel

- a) The Chairman of the Council will call for nominations for the office of Chairman.
- b) The Chairman of the Committee will then call for nominations for the office of Vice-Chairman.

3. Budget Planning Committee

- a) The Chairman of the Council will call for nominations for the office of Chairman.
- b) The Chairman of the Committee will then call for nominations for the office of Vice-Chairman.

4. Licensing Committee

- b) The Chairman of the Council will call for nominations for the office of Chairman.
- b) The Chairman of the Committee will then call for nominations for the office of Vice-Chairman.

5. Overview and Scrutiny Committee

- a) The Chairman of the Council will call for nominations for the office of Chairman.
- b) The Chairman of the Committee will then call for nominations for the office of Vice-Chairman.

6. Personnel Committee

- a) The Chairman of the Council will call for nominations for the office of Chairman.
- b) The Chairman of the Committee will then call for nominations for the office of Vice-Chairman.

7. Planning Committee

- a) The Chairman of the Council will call for nominations for the office of Chairman.
- b) The Chairman of the Committee will then call for nominations for the office of Vice-Chairman.

8. Standards Committee

- a) The Chairman of the Council will call for nominations for the office of Chairman.
- b) The Chairman of the Committee will then call for nominations for the office of Vice-Chairman.

Information about this Agenda

Apologies for Absence

Apologies for absence should be notified to Natasha Clark, 01295 221589
natasha.clark@cherwellandsouthnorthants.gov.uk prior to the start of the meeting.

Queries Regarding this Agenda

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

Yvonne Rees
Chief Executive

Published on 4 May 2018

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