

Meeting of Council

Tuesday 30 October 2018

Members of Cherwell District Council,

A meeting of Council will be held at Bodicote House, Bodicote, Banbury, OX15 4AA on Tuesday 30 October 2018 at 6.30 pm, and you are hereby summoned to attend.



Yvonne Rees
Chief Executive

Monday 22 October 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 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 - 8)

To confirm as a correct record the Minutes of Council held on 3 September 2018.

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 3 September 2018, no decisions have been taken by the Executive which were not included in the 28 day notice.

- 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 **Thames Valley Police - Address by Deputy Police and Crime Commissioner and Chief Constable**

The Deputy Police and Crime Commissioner for Thames Valley, Matthew Barber, and the Chief Constable of Thames Valley Police, Francis Habgood, will be invited to address Council.

Members will then have an opportunity to ask questions of the Deputy Police and Crime Commissioner and the Chief Constable.

9 **Questions**

- a) Written Questions

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

- b) Questions to the Leader of the Council

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

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

c) Questions to Committee Chairmen on the Minutes

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

10 Motions

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

Banbury Magistrate's Court

This council deplores the Ministry of Justice decision to close the Banbury Magistrate's and County Court.

This council notes that "The Banbury Court" is an integral part of the fabric of the Town, and is already a combined justice centre for hearing both civil and criminal cases. The Council therefore rejects any suggestion that it is underused and further observes that the Banbury Magistrates' and County Court provides an important alternative venue for criminal and civil justice, both in Oxfordshire and the surrounding counties, given the high volume of cases now heard out of Oxford.

This council places the highest importance upon access to justice for all defendants, plaintiffs and for the families of those accused. The present proposals will hit the poorest especially hard, as the current rules will prevent local Solicitors in Banbury from representing legally aided clients, due to the archaic rules which require such firms to be located in close proximity to the court where the hearing is to take place.

This council further notes the additional pressure that the closure would place on the Oxford Combined Court Centre and considers that further centralisation of services to Oxford will put additional strain on Oxford City congestion. This proposed closure would also adversely impact on those people within the Banbury catchment area without independent means of transport or access to public transport.

Accordingly, this Council instructs the Leader to write to the Ministry of Justice to engage with local councils, particularly in light of the emerging partnership arrangements between Oxfordshire County Council and Cherwell District Council, with a view to exploring the options of utilizing public buildings to continue supporting locally administered justice and the needs of the people of North Oxfordshire, and the Neighbouring counties.

Proposer: Councillor Kieron Mallon
Seconder: Councillor Barry Wood

Banbury Police Station

This council condemns the retrograde decision to close the Magistrates' and County Court in Banbury. This council calls on the Leader of Cherwell District Council Barry Wood to write to the Minister for Policing, the Lord Chancellor & Secretary of State for Justice and the Home Secretary seeking assurance that Banbury police station will remain open for the foreseeable future.

Proposer: Councillor Mark Cherry
Seconder: Councillor Andy Beere

Council Business Reports

11 Community Governance Review - Graven Hill - Results of Second Consultation and Final Recommendations (Pages 9 - 18)

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.

Recommendations

The meeting is recommended to:

- 1.1 Approve the boundary between Bicester Town Council and Ambrosden being moved to incorporate Graven Hill into Bicester Town Council – Bicester South Ward, as shown in Appendix 1
- 1.2 Approve the boundary between Ambrosden and Chesterton being moved to include the orphan area into Chesterton as shown in Appendix 1
- 1.3 Agree that the number of councillors on Bicester Town Council (BTC) remain at 15 with the allocation of councillors amended to increase BTC – Bicester South Ward by one councillor and decrease BTC – Bicester East Ward by one councillor.

12 Constitutional Update Report: Scheme of Delegation (Pages 19 - 24)

Report of Assistant Director Law and Governance

Purpose of report

To request Council to approve minor amendments to the officer scheme of delegation.

Recommendations

The meeting is recommended:

- 1.1 To agree the proposed amendments to the officer scheme of delegation as set out in section 3.0 of the report and request the Monitoring Officer to update the constitution accordingly.

13 Appointment of Monitoring Officer and Deputy Electoral Registration Officer

** Please note that this report will follow as appointments are currently being considered and the report therefore being reviewed and finalised **

Report of Chief Executive

14 Exclusion of the Press and Public

The following item contains 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.”

15 Castle Quay 2 (Pages 25 - 48)

Exempt report of Interim Executive Director Finance and Governance

16 Questions on Exempt Minutes

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

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