

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

Agenda Item 3

CHAIRMAN/VICE CHAIRMAN'S ENGAGEMENTS

17 July to 30 October 2018

Date	Event
20 July	The Chairman attended a Change of Command Ceremony at RAF Croughton where Col. Eric Oliver relinquished command of the 422d Air Base Group to Col. Bridget McNamara.
21 July	The Chairman and his Consort were invited by Bicester Town Council to attend the Freedom of Entry for 1 Regiment Royal Logistics Corps. A service took place at St Edburg's Church followed by a parade through Bicester town centre.
9 August	The Chairman and his Consort attended the Mayor of Bicester's Night Out which was held at the Kings Arms in Bicester.
3 September	Extra Full Council at Bodicote House
8 September	The Chairman organised a Fete/Fayre which took place in Kidlington High Street. There were various stalls, raffles and small fairground rides for the children. The highlight of the day was the Chairman being locked in the stocks and having wet sponges thrown at him. The event raised approximately £1000 for the Chairman's Charities.
14 September	The Vice Chairman attended an Electric Vehicle Launch event at Oxford Office Furniture's base in Bicester. The event, also attended by Victoria Prentis MP, was an opportunity to learn about the launch of Oxfordshire's first Electric Vehicle Network and the County's first fully electric business fleet.
14 September	The Chairman and his Consort attended the High Sheriff of Oxfordshire's Garden Party which this year was held at Thomley Activity Centre, a centre for children and young adults with autism, complex needs and other impairments. The centre provides a safe, fun and inclusive place for the children and young adults to spend time with their families.
15 September	The Chairman and his Consort attended the opening of Tony Humphries Road on the new Bloor Homes development at Bretch Hill. The event was attended by members of the Humphries family as well as some members of Banbury Town Council.
16 September	The Chairman and his Consort attended Banbury Town Council's Battle of Britain Parade and Service. The parade, which included the civic party, local dignitaries, members of the military and a band, took place through Banbury town centre and the service was held at St. Mary's Church in Banbury.
21 September	The Chairman and his Consort attended the Mayor of Witney's Fund Raising Quiz and Fish & Chip night.
5 October	The Chairman organised a Prize Bingo and Curry Night at St. John's Hall, Kidlington. The event was attended by over 100 people and raised over £1000 for the Chairman's charities.

12 October The Chairman and his Consort attended the Mayor of Bicester's Charity Dinner at St. George's Barracks in Bicester which was raising funds for the Mayor's Charities.

17 October The Chairman, together with the Mayor of Banbury attended the annual opening of Banbury Fair where they used the power of the 'golden key' to give a free goes on various rides to local school children. This was done in conjunction Mr & Mrs Wilson, the owners of the fair.

- Correct at time of submission.

Dates for your diary:

Friday 7 December - Charity Christmas Cash Bingo and Supper at St. John's Hall, Kidlington

Saturday 8 December - Christmas Fayre in the High Street, Kidlington

Saturday 13 April 2019 – Charity Dinner at Exeter Hall, Kidlington

Cherwell District Council

Council

Minutes of a meeting of the Council held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 3 September 2018 at 7.00 pm

Present: Councillor Maurice Billington (Chairman)
Councillor David Hughes (Vice-Chairman)

Councillor Hannah Banfield
Councillor Andrew Beere
Councillor Claire Bell
Councillor Mike Bishop
Councillor John Broad
Councillor Hugo Brown
Councillor Phil Chapman
Councillor Mark Cherry
Councillor Colin Clarke
Councillor Ian Corkin
Councillor Surinder Dhesi
Councillor John Donaldson
Councillor Sean Gaul
Councillor Timothy Hallchurch MBE
Councillor Chris Heath
Councillor Shaida Hussain
Councillor Tony Ilott
Councillor Mike Kerford-Byrnes
Councillor James Macnamara
Councillor Nicholas Mawer
Councillor Andrew McHugh
Councillor Tony Mephram
Councillor Richard Mould
Councillor Cassi Perry
Councillor D M Pickford
Councillor G A Reynolds
Councillor Barry Richards
Councillor Alaric Rose
Councillor Dan Sames
Councillor Les Sibley
Councillor Jason Slaymaker
Councillor Nicholas Turner
Councillor Douglas Webb
Councillor Lucinda Wing
Councillor Barry Wood
Councillor Sean Woodcock

Also Present: Nick Graham, Director of Law and Governance, Oxfordshire County Council

Apologies for absence: Councillor David Anderson
Councillor Carmen Griffiths
Councillor Simon Holland
Councillor Alan MacKenzie-Wintle
Councillor Kieron Mallon
Councillor Lynn Pratt
Councillor Neil Prestidge
Councillor Sandra Rhodes
Councillor Tom Wallis
Councillor Bryn Williams

Officers: Yvonne Rees, Chief Executive
Kelly Watson, Assistant Director: Finance and Procurement
Richard Hawtin, Team Leader Property & Contracts
Natasha Clark, Governance and Elections Manager

38 **Welcome**

The Chairman welcomed Members and thanked them for their attendance at the Extraordinary Council meeting.

The Chairman introduced Nick Graham, Director of Law and Governance at Oxfordshire County Council (OCC) who was attending the meeting as a guest in light of joint working between CDC and OCC, and in particular the item of the agenda for the meeting relating to the establishment of joint committees.

39 **Declarations of Interest**

Members made the following general declarations:

Councillor Barry Richards, Declaration, as a trustee of the Sunshine Centre, Banbury.

Councillor Surinder Dhesi, Declaration, as a trustee of the Sunshine Centre, Banbury.

40 **Communications**

The Chairman made the following announcements:

October Council Meeting – Change of Date

The Chairman referred to an email that had been sent to Members regarding the change of date of the October Council meeting.

The meeting in October would not take place on Monday 15 October. It would take place on Tuesday 30 October instead.

Chairman's Fete in Kidlington

The Chairman advised Council that the Chairman's fete would take place on Saturday 8 September in Kidlington High Street from 10am to 4pm.

There would be various stalls and fundraising activities including the Chairman being locked up in stocks for a short time with people able to pay to throw sponges at him.

All monies raised would go to the Chairman's three charities for the year, Kidlington Youth Football, Garden City Football Club, Evans Lane FC and the St John's Hall Children's Centre in Kidlington

Post

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

41 **Petitions and Requests to Address the Meeting**

There were no petitions or requests to address the meeting.

42 **Urgent Business**

There were no items of urgent business.

43 **Minutes of Council**

The minutes of the meeting held on 16 July 2018 were agreed as a correct record and signed by the Chairman.

44 **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 16 July 2018 no decisions had been taken 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.

45 **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 Dhesi: Street cleansing in Banbury

Councillor Richards: Progress regarding empty houses in Banesburie Close, Banbury

c) Questions to Committee Chairmen on the Minutes

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

46 **Motions**

There were no motions.

47 **Establishment of Joint Committees with Oxfordshire County Council**

The Assistant Director Law and Governance submitted a report to establish a Joint Personnel Committee and Joint Appeals Committee with Oxfordshire County Council.

Resolved

- (1) That, subject to Oxfordshire County Council resolving similarly, the terms of reference for the Joint Personnel Committee (annex to the Minutes as set out in the Minute Book) be adopted.
- (2) That, subject to Oxfordshire County Council resolving similarly, the terms of reference for the Joint Appeals Committee (annex to the Minutes as set out in the Minute Book) be adopted.
- (3) That the membership of the Joint Personnel Committee and Joint Appeals Committee be noted :

Joint Personnel Committee
<i>Proportional 5 CDC Members (4 Conservative, 1 Labour)</i>
Cllr Claire Bell
Cllr Ian Corkin
Cllr Mike Kerford-Byrnes
Cllr George Reynolds

Cllr Barry Wood
<i>Named substitutes (4 Conservative, 1 Labour)</i>
Cllr Colin Clarke
Cllr Tony Ilott
Cllr Cassi Perry
Cllr Lynn Pratt
Cllr Bryn Williams

Joint Appeals Panel
<i>Proportional 3 CDC Members (2 Conservative, 1 Labour)</i>
Cllr Timothy Hallchurch MBE
Cllr Simon Holland
Cllr Barry Richards
<i>Named substitutes (2 Conservative, 1 Labour)</i>
Cllr Andy Beere
Cllr Richard Mould
Cllr Tom Wallis

48

Constitutional Amendments: Amendments to Personnel Related Committees

The Assistant Director: Law and Governance submitted a report to amend the terms of reference of the Personnel Committee, Appeals Panel and to re-establish a CDC Council and Employee Joint Committee.

Resolved

- (1) That the amended terms of reference for the Personnel Committee (annex to the Minutes as set out in the Minute Book) be adopted.
- (2) That the amended terms of reference for the Appeals Panel (annex to the Minutes as set out in the Minute Book) be adopted.
- (3) That it be agreed to re-establish the Council and Employee Joint Committee and the terms of reference for the Committee (annex to the Minutes as set out in the Minute Book) be adopted.
- (4) That the Monitoring Officer be authorised to make any consequential amendments to the constitution arising from resolutions (1), (2) and (3).
- (5) That the current membership of the Personnel Committee and Appeals Panel be noted.

- (6) That the current membership of the Council and Employee Joint Committee be noted the following additional representatives to the membership as proposed by Conservative Group Leader and Independent Group Leader: Add Councillor George Reynolds and Councillor Alaric Rose.

49

Local Government Ombudsman Annual Report 2017/18

The Assistant Director – Law and Governance / Monitoring Officer submitted a report to provide Council with the Local Government Ombudsman’s annual report on Cherwell District Council for the financial year 2017/18.

Resolved

- (1) That the report be noted.

The meeting ended at 7.30 pm

Chairman:

Date:

Cherwell District Council

Council

30 October 2018

Community Governance Review – Graven Hill – Results of Second Consultation and Final Recommendations

Report of Chief Executive

This report is public

Purpose of report

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

1.0 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.

2.0 Introduction

- 2.1 In [May 2018](#), Council approved a timetable for a Community Governance Review (CGR) to be carried out.
- 2.2 The second consultation stage has now concluded. This report gives details of the responses, and final recommendations from the Working Group.

3.0 Report Details

- 3.1 At its meeting in [July 2018](#), Council approved recommendations to form the basis of the second consultation phase.

- 3.2 Two consultation documents were produced, one relating specifically to the Bicester Town Council/Ambrosden Parish boundary and the allocation of Bicester Town Councillors (appendix 2) and one relating specifically to the Ambrosden Parish/Chesterton Parish boundary (appendix 3).
- 3.3 The consultation period ran from 30 July 2018 to 14 September 2018. All documents were available via the Council's website, with the option of completing an electronic survey.
- 3.4 The consultation document (appendix 2) was emailed to the Graven Hill Development Company who distributed it to all Graven Hill residents and Graven Hill Plot Holders. Graven Hill Development Company was also invited to respond to the survey. The consultation document (appendix 2) was also emailed to Ambrosden Parish Council, Bicester Town Council and Oxfordshire County Council.
- 3.5 The consultation document (appendix 3) was emailed to Ambrosden Parish Council, Chesterton Parish Council and Oxfordshire County Council. A copy was also posted to the only property in the Orphan Area.
- 3.6 A summary of the information gathered has been included with the breakdown of results for each consultation area.

Ambrosden Parish Council/Bicester Town Council

- 3.7 10 responses were received from Graven Hill Plot Holders all of which agreed to the proposal to move the area of Graven Hill into Bicester Town Council – Bicester South Ward.
- 3.8 The CGR working group therefore recommend that the Graven Hill area marked on the map (appendix 1) be incorporated with Bicester Town Council – Bicester South Ward.

Configuration of Bicester Town Council

- 3.9 9 responses were received to the question from Graven Hill Plot Holders all of which agreed to the proposal that Bicester Town Council (BTC) should be reconfigured so that BTC - Bicester South Ward be increased by one councillor and BTC - Bicester East Ward be decreased by one councillor, therefore retaining the same number of councillors.
- 3.10 The CGR working group therefore recommend that BTC should be reconfigured with the BTC – Bicester South Ward increased by one councillor and the BTC – Bicester East Ward decreased by one councillor. Bicester Town Council would, therefore, retain the same number of councillors at 15.

Ambrosden/Chesterton

- 3.11 5 responses were received, 3 from Ambrosden residents and 2 from Graven Hill Plot Holders/residents all of which agreed with the proposal to move the Orphan area into Chesterton.
- 3.12 Emails were also received from Bicester Town Council, Ambrosden Parish Council and Chesterton Parish Council all of which were in agreement to the proposals.

- 3.13 The CGR working group therefore recommend that the Orphan area indicated on the map (Appendix 1) be incorporated in Chesterton Parish.

Next Steps

- 3.14 Recommendations approved by full Council will be incorporated into a Reorganisation of Community Governance Order, which will confirm implementation dates for each of the changes.
- 3.15 All affected parishes will be contacted and advised of the changes agreed, and their implementation date, 2 May 2019.
- 3.16 Properties changing parish will be written to individually, notifying them of the changes to Council Tax and voting location.
- 3.17 The Graven Hill Development Company will be notified of the changes in order to inform Plot Holders.
- 3.18 Permission will be sought from Local Government Boundary Commission for England (LGBCE) to amend the protected electoral arrangements made during the District boundary review by the LGBCE which reconfigure the Bicester Town Council Wards and comes into effect in May 2019. The LGBCE has already been approached and indicated it would support the CGR changes.

4.0 Conclusion and Reasons for Recommendations

- 4.1 The working group feel that the recommendations made are logical, and in the best interests of the parishes and interested parties involved.

5.0 Consultation

- 5.1 With all interested parties as detailed in section 3 of the 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 make any changes. This is rejected, as the CGR Working Group consider the recommendations to be in the best interest of the parishes involved.

7.0 Implications

Financial and Resource Implications

- 7.1 There are no direct financial implications for the Council in relation to these recommendations. The Council Tax in the Orphan area for a Band D property is subject to change from £1762.50 to £1785.54 for 2018/19.

Comments checked by: Adele Taylor Interim Executive Director: Finance and Governance 01295 221634, adele.taylor@cherwellandsouthnorthants.gov.uk

Legal Implications

- 7.2 The proposals in this report are in line with the powers of the council as set out in the Local Government and Public Involvement in Health Act 2007 and propose a pragmatic and proportionate way forward.

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
Fringford and Heyfords
Bicester East

Links to Corporate Plan and Policy Framework

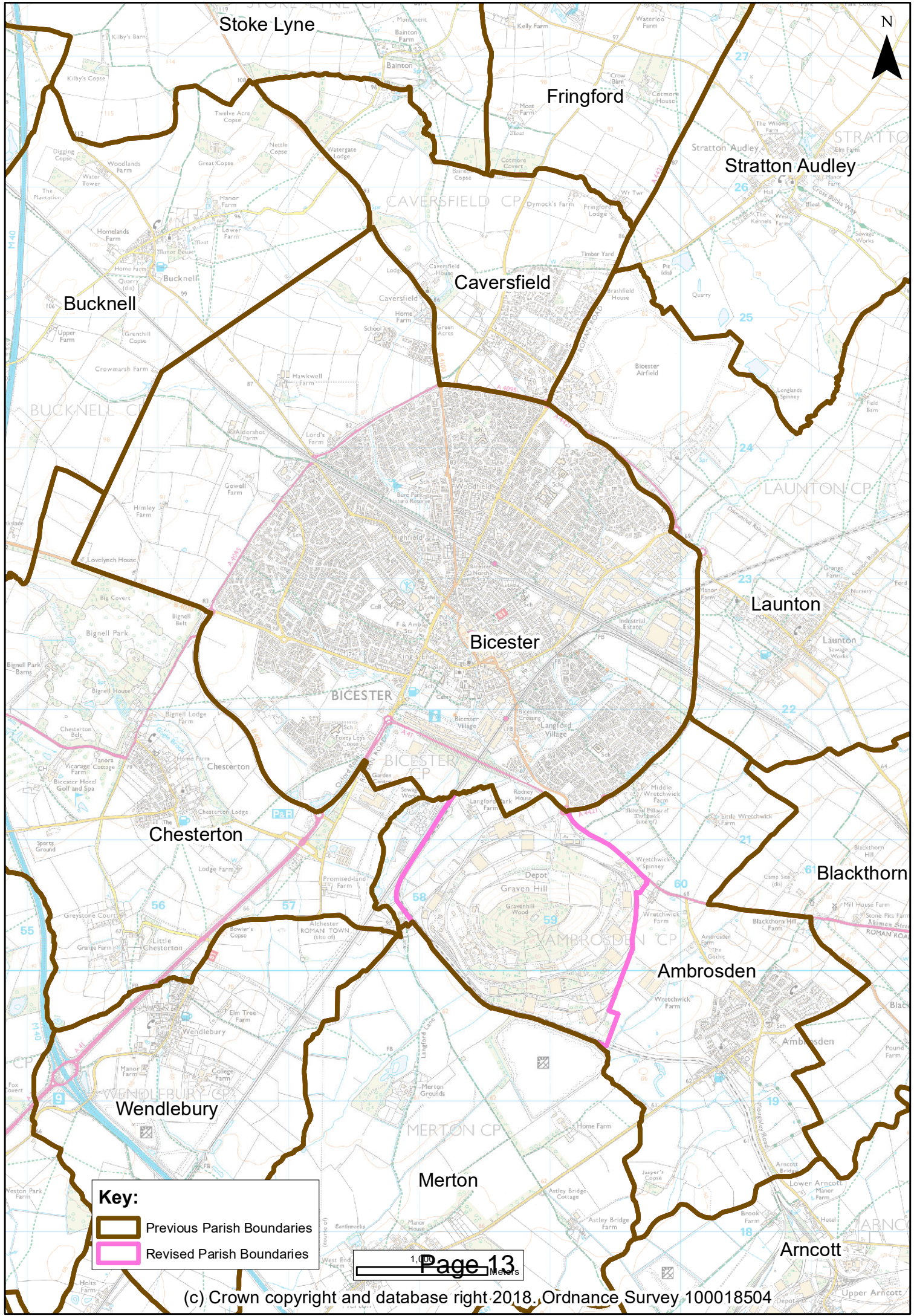
N/A

Lead Councillor

None

Document Information

Appendix No	Title
Appendix 1	Maps – affected areas
Appendix 2	Consultation document Ambrosden/Bicester
Appendix 3	Consultation document Ambrosden/Chesterton
Background Papers	
None	
Report Author	Lesley Farrell – Democratic and Elections Officer
Contact Information	Tel: 01295 221591 Email: lesley.farrell@cherwellandsouthnorthants.gov.uk



Key:

- Previous Parish Boundaries
- Revised Parish Boundaries

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Community Governance Review – possible change to the Bicester Town Council/Ambrosden Parish boundary.

Cherwell District Council had reviewed the boundary between Bicester Town Council and Ambrosden Parish Council. Consideration has been given and consultation taken place to moving the boundary so that Graven Hill is incorporated within Bicester Town Council from May 2019. Consideration has also been given and consultation taken place for the reconfiguration for Bicester Town Council (BTC) that is BTC - Bicester South Ward be increased by one councillor and BTC - Bicester East Ward be decreased by one councillor, therefore retaining the same number of councillors.

Please tell us if you agree with these proposals.

The survey will close at 11.59pm on Friday 14 September 2018.

I am:

A Plot holder at Graven Hill (tick box)
Town/Parish Council Councillor (tick box)
Other (please state) (tick box)

Do you agree with the proposal that Graven Hill should be incorporated into Bicester Town Council?

YES/NO (compulsory)

Text box for comments

Do you agree with the proposal that Bicester Town Council (BTC) should be reconfigured so that BTC - Bicester South Ward be increased by one councillor and BTC -Bicester East Ward be decreased by one councillor, therefore retaining the same number of councillors.

YES/NO (compulsory)

Text box for comments

Thank you for taking time to complete this survey.

DONE

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Community Governance Review – possible change to the Ambrosden/Chesterton Parish Boundary

Cherwell District Council had reviewed the boundary between Ambrosden Parish Council and Chesterton Parish Council. Consideration has been given to moving the boundary so that the Orphan area shown on the map, which would be isolated from Ambrosden, would either be moved into Bicester Town Council or Chesterton Parish. It was considered that the Orphan area was more rural in character and would be better placed in Chesterton.

Please tell us if you agree with these proposals.

The survey will close at 11.59pm on Friday 14 September 2018.

I am:

Chesterton Resident	(tick box)
Ambrosden Resident	(tick box)
Town/Parish Council Councillor	(tick box)
Other (please state)	(tick box)

Do you agree with the proposal that the Orphan area shown on the map should be incorporated into Chesterton Parish?

YES/NO (compulsory)

Text box for comments

Thank you for taking time to complete this survey.

DONE

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Cherwell District Council and South Northants Council

Council

30 October 2018

31 October 2018

<p>Constitutional Update Report: Scheme of Delegation</p>
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Report of Assistant Director Law and Governance

This report is public

Purpose of report

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

1.0 Recommendations

Council is recommended:

- 1.1 To agree the proposed amendments to the officer scheme of delegation as set out in section 3.1 below and request the Monitoring Officer to update the constitution accordingly.

2.0 Introduction

- 2.1 As a principle of good governance it is necessary from time to time to review the constitution. As a result of the Council's new management structure being put in place a desktop review was carried out of the officer scheme of delegation to ensure delegations were clearly expressed, were allocated to the right officers and that officers have the appropriate powers for operational purposes. This report represents the proposals arising from the review.

3.0 Report Details

- 3.1 Sections 3.2.1 to 3.2.32 set out the proposed changes to the officer scheme of delegation. Powers have been allocated under the Executive Director or Assistant Director where the function currently sits. Following the creation of separate management teams for Cherwell and South Northants all of the delegations will be reallocated to the appropriate management team member by the Chief Executive on a temporary basis as set out in the constitution and a revised scheme of delegation will be prepared for approval by each council. For operational reasons it is important that these changes are approved ahead of that reallocation.

General Delegations to Chief Executive, Directors and Assistant Directors

Human resources

3.2.1 To manage the performance of officers including the performance appraisal process and authorising incremental progression.

Delegations to specific officers

Executive Director Place and Growth

3.2.2 To maintain an up to date Local Plan and other development plan documents, Brownfield site register, Self-build register.

3.2.3 To maintain Community Infrastructure Levy and Developer Contributions policies.

Executive Director Wellbeing

3.2.4 To carry out and determine reviews of Assets of Community Value as required.

Assistant Director Communities

3.2.5 To determine and list Assets of Community Value (ACV).

3.2.6 To appoint inspectors and authorised officers (including for the issue of fixed penalty notices) as required by legislation for the purposes of public protection and protecting public space.

Assistant Director Economic Development and Regeneration

3.2.7 To serve notices seeking possession of residential Council tenancies in consultation with the Assistant Director: Housing. **[CDC only]**

3.2.8 To provide business and employment services, including apprenticeships, job clubs and business advice.

3.2.9 To acquire and manage properties for the purpose of residential housing accommodation subject to the Assistant Director: Property, Investment and Contract Management being satisfied as to the consideration payable for such acquisition **[CDC only]**

Assistant Director Environmental Health and Licensing

3.2.10 In accordance with the Civil Contingencies Act 2004 to develop plans to help prevent emergencies or control or mitigate their effects.

3.2.11 Taking action under the Anti-Social Behaviour Act 2003 and any subsequent legislation falling within the service area, where necessary in consultation with the Assistant Director Law and Governance.

Assistant Director Environmental Services

3.2.12 To exercise the Council's powers with respect to seizure of stray dogs and dog control orders.

3.2.13 To take action under the Control of Pollution (Amendment) Act 1989 to deal with waste licence offences.

3.2.14 To exercise the Council's powers in respect of dogs considered to be dangerous or dangerously out of control under all relevant legislation including but not limited to the Dogs Act 1871 and Dangerous Dogs Act 1991. Authority to institute legal proceedings to be exercised subject to the Assistant Director Law and Governance being satisfied as to the evidence and the process being followed.

3.2.15 To authorise officers to act for the purpose of enforcing the Microchipping of Dogs (England) Regulations 2015.

3.2.16 Taking action under the Anti-Social Behaviour Act 2003 and any subsequent legislation falling within the service area, where necessary in consultation with the Assistant Director Law and Governance.

Assistant Director Finance and Procurement

3.2.18 To make amendments to the Councils discretionary rate relief criteria and policies in consultation with the Cabinet/Executive Portfolioholder/Lead member.

Assistant Director Housing

3.2.19 To amend the Council's Housing Allocations Policy in consultation with the Cabinet/ Executive Portfolioholder/Lead member and associated documents as necessary and which do not trigger the statutory obligation to consult the persons affected by the changes pursuant to section 168(3) of the Housing Act 1996.

3.2.20 To enter into leases of private sector housing accommodation to provide accommodation for homeless persons.

Assistant Director Leisure and Sport

3.2.21 To provide, maintain and develop a wide range of play, sporting and cultural activities for the benefit of the community.

Assistant Director Planning Policy and Development

3.2.22 To serve notices under the Building Act 1984 in respect of breaches of building regulations and in respect of making safe dangerous structures.

3.2.23 To sign Completion Certificates and Occupation Certificates

3.2.24 To undertake street naming and numbering

3.2.25 To make revisions to the Local List of Buildings of Architectural or Historic Interest and undertake public consultation on such revisions.

3.2.26 To maintain a register of Buildings at Risk

3.2.27 To undertake listed building surveys

3.2.28 To issue community protection notices

- 3.2.29 To agree statements of common ground that may be necessary with developers and statutory bodies as part of the 'development consent' process.
- 3.2.30 To arrange planning site visits as required in consultation with the Chairman of Planning Committee.
- 3.2.31 All functions under Part 8 of the Anti-social Behaviour Act 2003 relating to high hedges.

Assistant Director Property, Investment and Contract Management

- 3.2.32 To take any necessary steps to secure the health and safety of employees, contractors, members and visitors when on the Council's premises or otherwise conducting the business of the Council.

3.3 Proper Officer and Authorised Officer Appointments

Legislation Act	Section	Purpose of Appointment	Proper Officer/ Authorised Officer
Environment Act 1995	Section 108	To carry out registered keeper detail checks	Assistant Director Environment

4.0 Conclusion and Reasons for Recommendations

- 4.1 The proposed amendments are in keeping with good governance practice and procedural in nature and their adoption is recommended.

5.0 Consultation

- 5.1 Directors and Assistant Directors have been consulted.

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 officer scheme of delegation. This is recommended

Option 2: Not to amend the officer scheme of delegation. This is rejected as it would adversely impact the council operationally and could expose the council to legal risk.

7.0 Implications

Financial and Resource Implications

- 7.1 There are no financial implications arising directly from this report.

Comments checked by:
Adele Taylor, Interim Executive Director Finance and Governance, 0300 003 0103
adele.taylor@cherwellandsouthnorthants.gov.uk

Legal Implications

- 7.2 The Monitoring Officer has prepared this report, whilst there are no legal implications arising from its adoption, there are likely to be legal implications should the amendments not be agreed.

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

Not applicable – this report is made pursuant to a statutory requirement.

Lead Councillor

Councillor Peter Rawlinson, Portfolioholder for Finance and Governance SNC
Councillor Tony Illot, Lead member for Finance and Governance CDC

Document Information

Appendix No	Title
N/A	N/A
Background Papers	
N/A	
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