



Meeting of Council

Monday 17 October 2022

Members of Cherwell District Council,

A meeting of Council will be held at Bodicote House, Bodicote, Banbury, Oxon OX15 4AA on Monday 17 October 2022 at 6.30 pm, and you are hereby summoned to attend.

Yvonne Rees
Chief Executive

Friday 7 October 2022

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 11 - 12)

To receive communications from the Chair and/or the Leader of the Council.

4 Petitions and Requests to Address the Meeting

The Chair to report on any requests to submit petitions or to address the meeting.

Addresses may be presented by:

- A Local Government elector for the area,
- A person who is wholly or mainly resident in the area,
- A Council Taxpayer or National Non-Domestic Ratepayer for the area

Addresses must be on an item on the Agenda before the meeting and not exceed 5 minutes. No person may address more than one meeting on any particular issue.

Requests to address the meeting (including the reason for the address) should be submitted to democracy@cherwell-dc.gov.uk The deadline for petitions and requests to address this meeting is noon on Friday 14 October 2022.

Full details of public participation at meetings is available in the Constitution.

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 13 - 28)

To confirm as a correct record the Minutes of Council held on 18 July 2022.

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 Portfolio Holder Decisions as set out in the Minute Book (circulated separately) be received and to report that since the last meeting of Council held on 18 July 2022 one decision has been taken by the Executive which was not included in the 28 day notice, relating to Responding to the Cost of Living Crisis.

- b) Minutes of Committees

The Leader of the Council to formally propose that the minutes of committees as set out in the Minute Book (circulated separately) be received.

8 Questions (Pages 29 - 30)

- a) Written Questions

One written question has been submitted with advance notice in accordance with the Constitution. This is attached to the agenda.

Question from:	Question topic:
Councillor Ian Middleton	Lord Harrington visit to Cherwell District Council

A written response to the question will be published on the afternoon of the working day before the meeting.

The Member who submitted the written question may ask a supplementary question provided it is relevant to the reply and does not introduce any new matter. The Member to whom the question was addressed may reply to such supplementary question or undertake to reply in writing.

b) Questions to the Leader of the Council

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

Council Business Reports

9 Community Governance Review (CGR) - results of second consultation stage and final recommendations (Pages 31 - 46)

** Please note that due to the size of the documents, the appendices to this report have been published as a supplement to the main agenda **

Report of Chief Executive

Purpose of report

To update Council on the outcome of the stage two consultation that was held between 4 July and 23 September 2022; to delegate authority to the Monitoring Officer to complete the required legal order; to update Members on the upcoming Oxfordshire County boundary review being carried out by the Local Government Boundary Commission for England, and the ongoing Parliamentary Boundary Review.

Recommendations

The meeting is recommended:

- 1.1 To approve a change in the boundary between Ambrosden and Blackthorn for area A, as shown by the dotted black line on map 1.
- 1.2 To approve a change in the next ordinary year of elections for Ambrosden and Blackthorn parish councils, bringing them forward to 2023.

- 1.3 To approve a change in the boundary between Bodicote and Banbury for area F1, as shown by the dotted black line on map 2, to take effect in May 2024.
- 1.4 To agree that Merlin Close remain in Bodicote.
- 1.5 To approve a change in the boundary between Bodicote and Banbury for area F, as shown by the dotted black line in the inset box on map 3, to take effect in May 2024.
- 1.6 To approve a change in the boundary between Bodicote and Banbury for area E, as shown by the dotted black line on map 3, to take effect in May 2024.
- 1.7 To approve a change in the boundary between Drayton and Banbury for area D, as shown by the dotted black line on map 4, to take effect in May 2024.
- 1.8 To approve a change in the boundary between Drayton and Banbury for area C, as shown by the dotted black line on map 4, to take effect in May 2024.
- 1.9 To approve an increase in the number of Banbury Town Councillors by one, to be allocated to the Hardwick West Town Ward, to take effect in May 2024.
- 1.10 To approve a Banbury-only Community Governance Review to take place after the County boundary review has concluded, in advance of the 2028 local elections.
- 1.11 To approve a change in the boundary between Bicester, Ambrosden, Blackthorn and Launton for area L, as shown by the dotted black lines on map 5, to take effect in May 2023.
- 1.12 To approve a change in the next ordinary year of election for Launton Parish Council, bringing them forward to May 2023.
- 1.13 To approve a change in the boundary between Chesterton and Bucknell for areas G and H, as shown by the dotted black lines on map 6, to take effect in May 2023.
- 1.14 To approve a change in the boundary between Bicester and Bucknell for area I, as shown by the dotted black lines on map 6, to take effect in May 2023.
- 1.15 To approve a change in the boundary between Hanwell and Horley for area O, as shown by the dotted black line on map 7.
- 1.16 To approve a change in the boundary between Horley and Wroxton for area N, as shown by the dotted black line on map 7.
- 1.17 To approve an increase of one parish councillor for Begbroke Parish Council, increasing from six to seven, taking effect in May 2023.
- 1.18 To approve an increase of two parish councillors for Chesterton Parish Council, increasing from seven to nine, taking effect in May 2023.

- 1.19 To approve an increase of one parish councillor for Somerton Parish Council, increasing from five to six, taking effect in May 2023.
- 1.20 To delegate authority to the Monitoring Officer, in consultation with the Working Group, to prepare and finalise the required Reorganisation Order to implement approved recommendations.
- 1.21 To approve an extension of the Terms of Reference of the Working Group to cover the County boundary review, and delegate authority to the Chief Executive, in consultation with the Working Group, to consider and draft a response to the LGBCE consultations at the relevant times.
- 1.22 To note the update on the Parliamentary Boundary Review.

10 **Review of Allocation of Seats to Political Groups** (Pages 47 - 58)

** Please note Appendices 1 and 2 will follow **

Report of Chief Executive

Purpose of report

To review the allocation of seats to political groups in light of the disbanding of the Joint Shared Services and Personnel (JSSP) Committee and Joint Appeals Panel and to adopt the Minutes of the final meeting of the JSSP Committee.

Recommendations

The meeting is recommended:

- 1.1 To agree the revised allocation of seats on committees that are subject to the political balance requirements as set out in Appendix 1 (to follow).
- 1.2 To note changes to committee membership in accordance with the nominations made by political Group Leaders as set out in Appendix 2 (to follow).
- 1.3 To adopt the minutes of the meeting of the Joint Shared Services and Personnel Committee held on 4 July 2022 (Appendix 3).

11 **Calendar of Meetings 2023/2024** (Pages 59 - 68)

Report of Assistant Director Law, Governance and Democratic Services & Monitoring Officer (Interim)

Purpose of report

Council is asked to consider and agree the proposed calendar of meetings for the municipal year 2023/2024 (Appendix 1).

Recommendations

The meeting is recommended:

- 1.1 To approve the calendar of meetings for Cherwell District Council for the municipal year 2022/2023 (Appendix 1).

12 **Changes to Personnel Committee Terms of Reference** (Pages 69 - 72)

Report of Interim Monitoring Officer.

Purpose of report

The Council has a suite of employment law policies which give employees the opportunity to work flexibly or seek other changes to their terms and conditions. A recent introduction is a Flexible Retirement Policy, which will be considered by personnel Committee on 17 October.

This report seeks changes to the Terms of Reference of Personnel Committee, to make it possible for that committee to determine formal applications by senior officers to consider changes to their terms and conditions of employment.

Recommendations

The meeting is recommended:

- 1.1 To approve additional wording to the Personnel Committee's Terms of Reference, to add *'To determine formal applications by the Head of Paid Service, s151 Officer, Monitoring Officer and Corporate Directors for changes to their terms and conditions of employment, including flexible retirement requests'*.
- 1.2 To note that such applications by officers at Assistant Director grade and below would be determined by officers at the appropriate management level.

13 **Appointment of Monitoring Officer** (Pages 73 - 76)

Report of Chief Executive

Purpose of report

To appoint a Monitoring Officer following recruitment to the post of Assistant Director Law, Governance and Democratic Services.

Recommendations

The meeting is recommended:

- 1.1 To appoint Shiraz Sheikh as the Council's Monitoring Officer with effect from 18 October 2022.

14 **Notification of Urgent Action - Appointment of Data Protection Officer** (Pages 77 - 82)

Report of Chief Executive

Purpose of report

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

Recommendations

The meeting is recommended:

- 1.1 To note the urgent decision taken by the Chief Executive as set out at Appendix 1.

15 Exclusion of the Press and Public

The following item of business 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 items have been marked as exempt, it is for the meeting to decide whether or not to consider each of 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 a decision in public, they are recommended to pass the following recommendation:

“That, in accordance with Section 100A(4) of Local Government Act 1972, the press and public be excluded from the meeting for the following items of business, on the grounds that they could involve the likely disclosure of exempt information as defined in paragraph 3 of Schedule 12A of that Act 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 Bicester Depot

** Please note this report will follow “”

Exempt Report of Corporate Director Resources

17 Readmittance of the Press and Public

Council to resolve to readmit the press and public to the meeting

18 Motions (Pages 83 - 86)

To debate the following motions which have been submitted with advance notice, in accordance with the Constitution (to be debated in the order submitted).

Topic	Proposer	Seconder
One Planet Living	Councillor Dan Sames	TBC
Fracking	Councillor Matt Hodgson	Councillor Amanda Watkins
Investment Zone	Councillor Ian Middleton	TBC
Water Sewage Transparency	Councillor Nick Cotter	TBC
Climate and Ecology	Councillor Dorothy Walker	Councillor Ian Middleton

Please note that the deadline to submit motions has passed. The deadline for Members to submit amendments to motions is noon on Thursday 13 October 2022. No amendments will be permitted after this deadline.

Any amendments submitted will be published as a supplement to the agenda on the afternoon of Friday 14 October 2022. Amendments for motions will be dealt with in the order submitted.

For information

Please note:

Members are advised that written questions and motions for the next scheduled Council meeting on Monday 19 December 2022 must be submitted to the Assistant Director Law, Governance & Democratic Services & Monitoring Officer, democracy@cherwell-dc.gov.uk, by noon on Wednesday 7 December 2022.

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@cherwell-dc.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 democracy@cherwell-dc.gov.uk, 01295 221589

This page is intentionally left blank

Chairman's Attendance 18 July 2022 – 17 October 2022

21 July

The Chairman attended the official opening of the new Community Space within Castle Quay, Banbury. This is a community space in the centre of Banbury which welcomes community organisations and groups to book times to pop up and showcase their services and engage with residents. This space is an excellent opportunity to show how CDC works in partnership to support local communities.

31 August

The Chairman was invited to RAF Croughton to meet with the new Base Commander and his senior team and have a tour of the base. The Chairman found the visit very interesting and informative.

4 September

The Chairman and his wife were invited by the Bicester Mayor and his Consort to a Civic Service and Parade at St. Edburg's Church in Bicester. Following the service, a parade left the church where a salute was taken in the Market Square. This was followed by refreshments at The Garth.

9 September

Following the death of Her late Majesty Queen Elizabeth II, the Chairman attended Bodicote House to lay flowers on behalf of Members and Officers in the grounds outside and to sign the Condolence Book and Letter of Condolence sent to King Charles III.

10 September

At the invitation of the Lord Lieutenant of Oxfordshire, the Chairman attended the Proclamation of the Accession of our new monarch, King Charles III in Carfax, Oxford. This followed the formal proclamation of Accession in London earlier in the day. The Proclamation was read by the High Sheriff who was accompanied by the Lord Lieutenant, civic, religious and military dignitaries from the County, City and Universities.

16 September

At the invitation of the Mayor and Bicester Town Council, the Chairman and his wife attended a Civic Commemoration Service at St. Edburg's Church in Bicester to mark the death of her late Majesty Queen Elizabeth II.

18 September

The Chairman attended a memorial service at the Church of the Immaculate Conception in Bicester to mark the death of her late Majesty Queen Elizabeth II.

During the period of mourning following the death of her late Majesty Queen Elizabeth, several events were either cancelled or postponed to be rearranged at a later date.

The Chairman was away on Annual Leave from 19 September – 3 October.

*Details correct at time of printing.

5 October*

The Chairman received an invitation to a new Dementia Café which was held in Morrisons Supermarket Café. This was an opportunity for new members to chat, relax and have fun with other members, their carers and friends in a relaxed environment.

16 October*

The Chairman was invited by the Mayor and Town Council of Henley-on-Thames to their Annual Civic Service at the Parish Church of St. Mary.

REMINDER: Chairman's Charity Dinner – Saturday 19 November 2022 at The Heyford Hotel, Upper Heyford.

Invitations have been e-mailed but if further information is required please contact Liz Matthews, Chairman's PA, on 01295 227967 or liz.matthews@cherwell-dc.gov.uk

Cherwell District Council

Council

Minutes of a meeting of the Council held at Bodicote House, Bodicote, Banbury, Oxon OX15 4AA, on 18 July 2022 at 6.30 pm

Present:

Councillor Les Sibley (Chairman)

Councillor Hannah Banfield
Councillor Andrew Beere
Councillor Rebecca Biegel
Councillor Nathan Bignell
Councillor Maurice Billington
Councillor John Broad
Councillor Hugo Brown
Councillor Phil Chapman
Councillor Mark Cherry
Councillor Colin Clarke
Councillor Patrick Clarke
Councillor Gemma Coton
Councillor Nick Cotter
Councillor Andrew Crichton
Councillor Sandy Dallimore
Councillor John Donaldson
Councillor Donna Ford
Councillor Ian Harwood
Councillor David Hingley
Councillor Matt Hodgson
Councillor Kieron Mallon
Councillor Nicholas Mawer
Councillor Fiona Mawson
Councillor Ian Middleton
Councillor Perran Moon
Councillor Richard Mould
Councillor Adam Nell
Councillor Dr Chukwudi Okeke
Councillor Angus Patrick
Councillor Chris Pruden
Councillor Eddie Reeves
Councillor George Reynolds
Councillor Dan Sames
Councillor Amanda Watkins
Councillor Douglas Webb
Councillor Fraser Webster
Councillor Bryn Williams
Councillor Barry Wood
Councillor Sean Woodcock

Councillors Present virtually (no voting rights):

Councillor Jean Conway
Councillor Katherine Tyson

Apologies for absence:

Councillor Jason Slaymaker
Councillor Mike Bishop
Councillor Ian Corkin
Councillor Simon Holland
Councillor Lynn Pratt
Councillor Dorothy Walker

Officers:

Yvonne Rees, Chief Executive (virtual)
Ian Boll, Corporate Director Communities
Stephen Hinds, Corporate Director Resources
Michael Furness, Assistant Director Finance & S151 Officer
Shahin Ismail, Assistant Director Law, Governance, Democratic Services & Procurement & Monitoring Officer Interim
Nicola Riley, Assistant Director Wellbeing and Housing Services
Simon Hope, Interim Head of Communications and Marketing
Natasha Clark, Governance and Elections Manager

20

Welcome

The Chairman welcomed Members, officers and guests to the meeting.

On behalf of Council, the Chairman welcomed Ian Boll, Corporate Director Communities and Steve Hinds, Corporate Director Resources to their first Full Council meeting. The Chairman also welcomed Matt Marsh, Deputy Monitoring Officer, to the meeting.

The Chairman advised that Councillors Tyson and Conway were joining the meeting virtually and could speak on items but had no voting rights or rights to propose or second items.

21

Declarations of Interest

There were no declarations of interest.

Communications

The Chairman made the following announcements:

Chairman's Engagements

A copy of the events attended by the Chairman or the Vice-Chairman was published with the agenda.

Chairman's Charity

The Chairman reminded Members that when he was appointed Chairman at the Annual Meeting, he had not yet chosen his charity for the year. The Chairman advised he was pleased to report that he would be raising money for Alexandra House of Joy who plan to open a centre for adults with learning disabilities in Bicester. The charity had today launched the Buy a Brick campaign and information about how to support the initiative had been provided to Members.

Former Chair's Charity

The Chairman invited the former Chair, Councillor Banfield, to address Council to report on the

Councillor Banfield addressed Council and advised that she and former Councillor Hughes, Chairman May 2019 to May 2021, had agreed to pool their charity funding. Former Councillor Hughes' charities, Rosie's Respite Caring for Young People, ARCH (Assisted Reading for Children), Katharine House Hospice, and Councillor Banfield's charities, Green Dome Trust Community Fridge, The Sunshine Multicultural Ladies Drop In Project and the Banburyshire Benefits Advice Centre had each received £620.

On behalf of Council, the Chairman commended Councillor Banfield and former Councillor Hughes for the donations they had made to their charities, particularly in light of the difficulties of fundraising during their terms of office due to covid restrictions.

Meeting Length

Due to the length of the agenda, out of courtesy to other Members, the Chairman asked Members to remain in your seat during items and advised, if needed, he would adjourn the meeting to allow for a comfort break at a suitable point.

Members' Pigeon Holes

Members were reminded to check their pigeon hole and take any post.

Parish Liaison Meeting

The Chairman invited the Leader, Councillor Wood, to address the meeting.

The Leader referred to the Parish Liaison Meeting which had taken place on Wednesday 8 June and had been extremely well attended and received. The Leader would ensure all Members were sent the notes of the meeting when available and encouraged all Members to attend in the future.

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

There were no petitions or requests to address the meeting.

24 **Urgent Business**

There were no items of urgent business.

25 **Minutes of Council**

The minutes of the meeting held on 18 May 2022 were agreed as a correct record and signed by the Chairman.

26 **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 at which it was reported, 28 February 2022, one key decision had been taken by Executive, in relation to a Proposal to Consult on a Hackney Carriage Tariff Increase.

b) **Minutes of Committees**

Resolved

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

27 **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 Broad: Cherwell Local Plan
Councillor Webb: Leadership structure
Councillor Woodcock: Housing waiting list

Councillor Watkins: Old garages, Banbury Ruscote
Councillor Middleton: Development in Kidlington

c) Questions to Committee Chairmen on the Minutes

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

28 **Disbanding of Joint Shared Services and Personnel Committee and Joint Appeals Panel**

The Assistant Director Law, Governance and Democratic Services and Monitoring Officer (interim) submitted a report which sought agreement to disband the Joint Shared Services and Personnel (JSSP) Committee as from 31 August 2022 following the end of the formal partnership arrangements between Cherwell District Council (CDC) and Oxfordshire County Council (OCC) and the conclusion of business for the Committee.

Resolved

- (1) That the Joint Shared Services and Personnel Committee be disbanded with effect from 31 August 2022 and the conclusion of its business noted.
- (2) That the Joint Appeals Panel be disbanded with effect from 31 August 2022.
- (3) That the interim Monitoring Officer be requested to update the Constitution to reflect the disbanding of the Joint Shared Services and Personnel Committee and Joint Appeals Panel accordingly effective 1 September 2022 and to add into the Chief Executive's delegations the power to terminate, extend or vary the new arrangements.
- (4) That the interim Monitoring Officer be requested to submit revised proportionality calculations with the Joint Shared Services and Personnel Committee and Joint Appeals Panel removed from the calculations and any committee allocation and appointment adjustments made accordingly to the 17 October Full Council meeting.
- (5) That it be noted at its meeting of 4 July 2022, the Joint Shared Services and Personnel Committee noted that operational oversight of the new arrangements for service areas would be undertaken by each respective Chief Executive and agreed delegated powers to terminated, extend or vary the new arrangements.

29 **Overview and Scrutiny Committee Annual Report 2021/22**

The Assistant Director – Law, Governance and Democratic Services (Interim) submitted a report which presented the Overview and Scrutiny Annual Report for 2021/22.

Resolved

- (1) That the Overview and Scrutiny Committee Annual Report 2021/22 be noted.

30

Amendments to Committee Membership

The Conservative Group Leader, Councillor Wood, advised Council of changes to membership of committees by Conservative Group members.

Resolved

- (1) That the following Conservative Group changes to committee membership be noted:

Overview and Scrutiny Committee
Remove: Councillor John Donaldson
Add: Councillor Bryn Williams

Planning Committee
Remove: Councillor Barry Wood as committee member to become named substitute
Add: Councillor Colin Clarke (previously named substitute)

Remove: Councillor Donna Ford as named substitute
Add: Councillor Bryn Williams as named substitute

31

Motions

The Chair advised that four motions had been submitted. Amendments to two of the motions had been submitted. In line with the Constitution, no further amendments were now permitted.

Motion to declare a Food Poverty Emergency

It was proposed by Councillor Moon and seconded by Councillor Biegel that the following motion be adopted:

“The long-term effects of the COVID pandemic, spiralling inflation and stagnant wages are leaving many adults and children across our communities hungry. Over 2m people in the UK are now reliant on food banks.

Many residents throughout Cherwell are facing the terrible choice of heating or eating. The situation this coming winter is set to get worse. Fuel bills and the cost of food are both likely to increase again in the autumn. The knock-on effects on declining mental health will increase the burden on the NHS.

This Council acknowledges the suffering of residents struggling to feed themselves and their families and declares a Food Poverty Emergency.

We commit to:

- Designating a Food Champion: a lead member for food poverty at Cherwell District Council
- Establishing and reporting to Overview and Scrutiny Committee on the scale of the food poverty crisis in Cherwell
- Drawing up a Cherwell Food Action Plan that supports local communities in helping to relieve the food poverty emergency, in line with the new countywide food strategy
- Developing a promotional campaign that raises awareness of underclaimed Healthy Start food vouchers
- Supporting local communities to reduce food waste and improve the food choices of residents and continuing to be an active member of the Cherwell Community Food Network."

No amendments to the motion having been proposed, the motion was debated as submitted. On being put to the vote the motion was unanimously agreed.

Cost of Living Crisis

It was proposed by Councillor Hingley and seconded by Councillor Middleton that the following motion be adopted:

"There is a pressing need to address the cost-of-living crisis.

Inflation is squeezing already stretched household budgets – propelled largely by energy price increases. On 1 April 2022, Ofgem increased the household energy price cap by 54 per cent - this excludes homes using solid fuel oil or bottled gas. However, the cap does not protect businesses. Energy cost rises affect all aspects of life: from logistics and food production to home heating and cooking. Many Cherwell families face the hard choice between heating and eating.

This crisis demonstrates the need to change our energy supply, not only to prevent a climate catastrophe, but also to maintain a functioning economy for all. The UK Government has announced tax reliefs for companies investing in "UK extraction". This move is encouraging more investment in North Sea oil and gas extraction, whilst hampering energy decarbonisation plans.

This Council therefore declares a 'Cost of Living Crisis' and calls on the Leader to write to the Government to:

1. Put in place schemes for subsidising bus and train travel, to ensure people can travel affordably and sustainably
2. Urgently review the energy cap to cover all types of domestic fuels and provide protection to SMEs.
3. Expand the coverage of the Rural Fuel Duty Rate Relief.
4. Provide immediate financial support for councils to aid the most vulnerable.
5. Demonstrate a real and immediate increase of investment in UK renewables to decarbonise the energy sector and prevent a future energy fuelled cost of living crisis.”

Councillor Sames proposed the following amendment (amendments struck through and in italics), which was duly seconded by Councillor Corkin.

~~“There is a pressing need to address the cost-of-living crisis.~~

~~-
Inflation is squeezing already stretched household budgets—propelled largely by energy price increases. On 1 April 2022, Ofgem increased the household energy price cap by 54 per cent—this excludes homes using solid fuel oil or bottled gas. However, the cap does not protect businesses. Energy cost rises affect all aspects of life: from logistics and food production to home heating and cooking. Many Cherwell families face the hard choice between heating and eating.—~~

~~-
This crisis demonstrates the need to change our energy supply, not only to prevent a climate catastrophe, but also to maintain a functioning economy for all. The UK Government has announced tax reliefs for companies investing in "UK extraction". This move is encouraging more investment in North Sea oil and gas extraction, whilst hampering energy decarbonisation plans.~~

~~-
This Council therefore declares a ‘Cost of Living Crisis’ and calls on the Leader to write to the Government to:~~

~~*We recognise the need to continue to support our communities at a time when the cost of living is increasing. We would like to thank our staff for ensuring that **£6.7m of the £7.7m** of Government funded resources, through **the Council Tax Rebate Scheme**, has already been provided to support our residents.*~~

~~*We will continue to work closely with the Government and the Leader of the Council will write to the Secretary of State for Levelling Up, Housing and Communities, requesting a meeting to discuss:*~~

1. ~~Put in place schemes for subsidising~~ *Subsidy for* bus and train travel, to ensure people can travel affordably and sustainably

2. ~~Urgently review~~ *A review of the energy cap to cover all types of domestic fuels and provide protection to SMEs.*
3. ~~Expand~~ *Expansion of the coverage of the Rural Fuel Duty Rate Relief.*
4. ~~Provide immediate~~ *Additional financial support for councils to aid the most vulnerable.*
5. ~~Demonstrate a real and immediate increase of~~ *Increasing investment in UK renewables to decarbonise the energy sector and prevent a future energy fuelled cost of living crisis."*

The amendment was debated and on being put to the vote was carried and therefore became the substantive motion for debate.

Council debated the substantive motion (the motion as amended), which on being put to the vote was carried and therefore approved.

Campsfield House, Kidlington, Motion

It was proposed by Councillor Middleton and seconded by Councillor Coton that the following motion be adopted:

"The Home Office intends to reopen Campsfield House Immigration Removal Centre in Kidlington, as part of the newly signed migrant deportation agreement signed with the Rwandan Government.

Before its closure in 2018, Campsfield detained hundreds of migrants - some for years. There were weekly demonstrations, prison protests, hunger strikes, two suicides, escapes and scores of legal challenges. Management switched between three of the UK's main private prison providers before the closure, following a damning enquiry into conditions.

The UK's 'Economic and Development Partnership' with Rwanda has been condemned as inhumane and illegal by international bodies, the UNHCR, politicians from all parties, legal experts and a large part of the British population. Not one migrant has yet been deported, due to legal challenges.

Reopening Campsfield is cruel, ineffective, and costly. Instead of criminalising and deporting migrants out of Cherwell, the government should re-invest in many of the aid projects working to mitigate the key drivers of migration. If the government does reopen Campsfield House, then this council should commit to ensuring that Cherwell District provides no direct support for it.

This Council therefore condemns the re-opening of Campsfield House and calls on the leader to write to the Government to:

1. Cancel the Campsfield House reopening as a detention centre.
2. Create safe havens and legal routes to apply for asylum in the United Kingdom.

3. Restore the UK's commitment to spend 0.7% of its Gross National Income on overseas aid to support countries to tackle the key drivers of migration.

No amendments to the motion having been proposed, the motion was debated as submitted. In the course of the debate it was proposed by Cotter and seconded by Councillor Woodcock that a recorded vote be taken. Having been proposed and seconded, a recorded vote was duly taken and Members voted as follows:

Councillor Hannah Banfield	For
Councillor Andrew Beere	For
Councillor Rebecca Biegel	For
Councillor Nathan Bignell	Against
Councillor John Broad	Abstain
Councillor Hugo Brown	Against
Councillor Phil Chapman	Against
Councillor Mark Cherry	For
Councillor Colin Clarke	Against
Councillor Patrick Clarke	Against
Councillor Gemma Coton	For
Councillor Nick Cotter	For
Councillor Andrew Crichton	For
Councillor Sandy Dallimore	Against
Councillor John Donaldson	Against
Councillor Donna Ford	Against
Councillor Ian Harwood	Against
Councillor David Hingley	For
Councillor Matt Hodgson	For
Councillor Kieron Mallon	Against
Councillor Nick Mawer	Against
Councillor Fiona Mawson	For
Councillor Ian Middleton	For
Councillor Perran Moon	For
Councillor Richard Mould	Against
Councillor Adam Nell	Against
Councillor Dr Chukwudi Okeke	For
Councillor Angus Patrick	For

Councillor Chris Pruden	For
Councillor Eddie Reeves	Against
Councillor George Reynolds	Against
Councillor Dan Sames	Against
Councillor Les Sibley	Against
Councillor Amanda Watkins	For
Councillor Douglas Webb	Against
Councillor Fraser Webster	For
Councillor Bryn Williams	Against
Councillor Barry Wood	Against
Councillor Sean Woodcock	For

The vote was lost and the motion therefore fell.

Refugee Crisis Motion

It was proposed by Councillor Middleton and seconded by Councillor Patrick that the following motion be adopted:

“The UK government response to the Ukrainian refugee crisis has been criticised for its slow start and unnecessary bureaucracy at a time of extreme stress for people fleeing a war zone.

Many of the problems associated with the Homes for Ukraine Scheme have been piled on to local authorities already dealing with the fallout from the pandemic and the emerging cost of living crisis.

Nevertheless, the generosity of our residents and the dedication and hard work of our housing team has ensured that hundreds of guests have been placed with hosts in Cherwell. But there is now some uncertainty about the longer-term prospects for these people as the conflict in their home country continues.

Ukrainian support groups such as the Opora network have reported that finding longer term accommodation may be hampered by requirements from landlords and lettings agencies for extensive reference checks, including proof of earnings in the UK going back some years along with other documentation. According to reports, many refugees have been told point blank that they have no chance of renting in the UK. This is a problem that may impact all refugees.

This Council therefore re-affirms its commitment to providing as much support as we are able to all refugees in Cherwell and calls on the leader to write urgently to the Home Secretary seeking reassurances on long-term support packages, including national agreements with landlords and lettings

organisations to prevent another major crisis that our housing and homeless agencies will have to deal with.”

Councillor Wood proposed the following amendment (amendments struck through and in italics), which was duly seconded by Councillor Mawer.

“The UK government response to the Ukrainian refugee crisis has been criticised for its slow start and unnecessary bureaucracy at a time of extreme stress for people fleeing a war zone. *Local authorities, already dealing with the fallout from the pandemic and the emerging cost of living crisis, are on the frontline of sorting out the issues from the Homes for Ukraine scheme.*

~~Many of the problems associated with the Homes for Ukraine Scheme have been piled on to local authorities already dealing with the fallout from the pandemic and the emerging cost of living crisis.~~

Nevertheless, the generosity of our residents and the dedication and hard work of our ~~housing team~~ *staff* has ensured that hundreds of guests have been placed safely with hosts in Cherwell. But there is now some uncertainty about the longer-term prospects for these people as the conflict in their home country continues.

~~Ukrainian support groups such as the Opora network have reported that finding longer term accommodation may be hampered by requirements from landlords and lettings agencies for extensive reference checks, including proof of earnings in the UK going back some years along with other documentation. According to reports, many refugees have been told point blank that they have no chance of renting in the UK. Reports from groups like Opora show that the likelihood of refugees becoming renters in the private sector is unlikely based on the documentation requirements from landlords and letting agents. This places a huge additional pressure on social housing availability. This is a problem that may impact all refugees.~~

This Council therefore re-affirms its commitment to ~~providing as much support as we are able to~~ *welcoming refugees and working in partnership with other agencies and organisations to provide longer term stability for all refugees in Cherwell and calls on the Leader to write urgently to the Home Secretary seeking reassurances on long-term support packages, including national agreements with landlords and lettings organisations to prevent another major crisis that our housing and homeless agencies will have to deal with. Lord Harrington, Minister for Refugees, offering an invitation to Cherwell to show how beneficial partnership working can be in resolving issues. We also request reassurance on long-term funding packages, delivering parity for refugees from different countries alongside national guidance to private landlords regarding letting properties to refugees and so prevent a major housing crisis.*”

The amendment was debated and on being put to the vote was carried and therefore became the substantive motion for debate.

Council debated the substantive motion (the motion as amended), which on being put to the vote was carried and therefore approved.

Resolved

(1) That the following motion be adopted:

“The long-term effects of the COVID pandemic, spiralling inflation and stagnant wages are leaving many adults and children across our communities hungry. Over 2m people in the UK are now reliant on food banks.

Many residents throughout Cherwell are facing the terrible choice of heating or eating. The situation this coming winter is set to get worse. Fuel bills and the cost of food are both likely to increase again in the autumn. The knock-on effects on declining mental health will increase the burden on the NHS.

This Council acknowledges the suffering of residents struggling to feed themselves and their families and declares a Food Poverty Emergency.

We commit to:

- Designating a Food Champion: a lead member for food poverty at Cherwell District Council
- Establishing and reporting to Overview and Scrutiny Committee on the scale of the food poverty crisis in Cherwell
- Drawing up a Cherwell Food Action Plan that supports local communities in helping to relieve the food poverty emergency, in line with the new countywide food strategy
- Developing a promotional campaign that raises awareness of underclaimed Healthy Start food vouchers
- Supporting local communities to reduce food waste and improve the food choices of residents and continuing to be an active member of the Cherwell Community Food Network."

(2) That the following motion, as amended, be adopted:

“We recognise the need to continue to support our communities at a time when the cost of living is increasing. We would like to thank our staff for ensuring that £6.7m of the £7.7m of Government funded resources, through the Council Tax Rebate Scheme, has already been provided to support our residents.

We will continue to work closely with the Government and the Leader of the Council will write to the Secretary of State for Levelling Up, Housing and Communities, requesting a meeting to discuss:

1. Subsidy for bus and train travel, to ensure people can travel affordably and sustainably
 2. A review of the energy cap to cover all types of domestic fuels and provide protection to SMEs.
 3. Expansion of the coverage of the Rural Fuel Duty Rate Relief.
 4. Additional financial support for councils to aid the most vulnerable.
 5. Increasing investment in UK renewables to decarbonise the energy sector and prevent a future energy fuelled cost of living crisis.”
- (3) That the following motion, as amended, be adopted:

"The UK government response to the Ukrainian refugee crisis has been criticised for its slow start and unnecessary bureaucracy at a time of extreme stress for people fleeing war. Local authorities, already dealing with the fallout from the pandemic and the emerging cost of living crisis, are on the frontline of sorting out the issues from the Homes for Ukraine scheme.

Nevertheless, the generosity of our residents and the dedication and hard work of our staff has ensured that hundreds of guests have been placed safely with hosts in Cherwell. There is uncertainty about the longer-term prospects for refugees while the conflict in Ukraine continues.

Reports from groups like Opora show that the likelihood of refugees becoming renters in the private sector is unlikely based on the documentation requirements from landlords and letting agents. This places a huge additional pressure on social housing availability. This is a problem that may impact all refugees.

This Council therefore re-affirms its commitment to welcoming refugees and working in partnership with other agencies and organisations to provide longer term stability for all refugees in Cherwell and calls on the Leader to write urgently to Lord Harrington, Minister for Refugees, offering an invitation to Cherwell to show how beneficial partnership working can be in resolving issues. We also request reassurance on long-term funding packages, delivering parity for refugees from different countries alongside national guidance to private landlords regarding letting properties to refugees and so prevent a major housing crisis.”

The meeting ended at 9.05 pm

Chairman:

Date:

This page is intentionally left blank

Council

Monday 17 October 2022

Agenda Item 8 (a), Written Questions

Question From: Councillor Ian Middleton

Question To: Leader of the Council, Councillor Barry Wood

Topic: Lord Harrington visit to Cherwell District Council

Question

“At the last full council meeting I brought a motion highlighting concerns that this council may face an upsurge in people presenting as homeless as a result of refugees not being able to secure private accommodation due to unmanageable reference requirements of private landlords. This is likely to negatively impact on our already overstretched homelessness service.

My motion called on you to make a case to the government that we and other councils will need a system of guarantees to private landlords and other arrangements in order to help refugees secure accommodation after the Homes for Ukraine scheme ends.

Instead of accepting that reasonable request you and your colleagues amended away that requirement and replaced it with an invitation to refugees Minister Lord Harrington to come to Cherwell and speak to us.

I and the rest of my group accepted this amendment pragmatically and on the basis of your verbal assurances that any meeting with the Minister would include members of all the parties represented on the council, in recognition that this is a cross-party, non-political issue.

However you reneged on that promise by only including Conservative members in the meeting with the Minister, excluding other members, all of whom will have to deal with this issue in their wards, myself included. Instead of seeking to tackle what could become a serious operational issue for this council, you chose instead to make it an opportunity for political grandstanding. Not only was that disrespectful to other members of the council, it was also counterproductive as we all had different experiences we could have related to the Minister.

Since the meeting there has been no formal report about the outcome of the meeting, save for a press release with vague references to discussions and a brief mention of the meeting having taken place in an internal memo.

Since that meeting Lord Harrington has resigned from the post of Minister for Refugees citing discontent with the way the government was handling these issue. It's unclear if he made any recommendations to government to address the

concerns raised in my motion or if these were discussed with him during the meeting.

This problem has not gone away. Fresh reports of these concerns are still being published [1]. Charities who were involved with the rematching service have also scaled back their support citing problems with the Homes for Ukraine scheme [2]. This can only add to the burden on councils.

It seems clear that the government is not going to tackle this very serious issue and is going to leave local authorities like ours to deal with this problem. If recent events are anything to go by, there are probably not going to be any significant additional resources made available to the council to tackle any increases in homelessness as a result, in fact quite the reverse. We need to tackle this issue seriously before circumstances potentially overwhelm us.

So could you please provide a full written report to ALL members on what was discussed with the minister during his visit, what assurances were given and how these have been implemented since.”

[1] <https://www.bbc.co.uk/news/uk-england-berkshire-63061116>

[2] https://www.theguardian.com/world/2022/oct/02/charity-refugees-at-home-ukrainians-find-uk-hosts-scale-back-work?CMP=share_btn_tw

Cherwell District Council

Council

17 October 2022

Community Governance Review (CGR) – results of second consultation stage and final recommendations

Report of Chief Executive

This report is public

Purpose of report

To update Council on the outcome of the stage two consultation that was held between 4 July and 23 September 2022; to delegate authority to the Monitoring Officer to complete the required legal order; to update Members on the upcoming Oxfordshire County boundary review being carried out by the Local Government Boundary Commission for England, and the ongoing Parliamentary Boundary Review.

1.0 Recommendations

The meeting is recommended:

- 1.1 To approve a change in the boundary between Ambrosden and Blackthorn for area A, as shown by the dotted black line on map 1.
- 1.2 To approve a change in the next ordinary year of elections for Ambrosden and Blackthorn parish councils, bringing them forward to 2023.
- 1.3 To approve a change in the boundary between Bodicote and Banbury for area F1, as shown by the dotted black line on map 2, to take effect in May 2024.
- 1.4 To agree that Merlin Close remain in Bodicote.
- 1.5 To approve a change in the boundary between Bodicote and Banbury for area F, as shown by the dotted black line in the inset box on map 3, to take effect in May 2024.
- 1.6 To approve a change in the boundary between Bodicote and Banbury for area E, as shown by the dotted black line on map 3, to take effect in May 2024.
- 1.7 To approve a change in the boundary between Drayton and Banbury for area D, as shown by the dotted black line on map 4, to take effect in May 2024.
- 1.8 To approve a change in the boundary between Drayton and Banbury for area C, as shown by the dotted black line on map 4, to take effect in May 2024.

- 1.9 To approve an increase in the number of Banbury Town Councillors by one, to be allocated to the Hardwick West Town Ward, to take effect in May 2024.
- 1.10 To approve a Banbury-only Community Governance Review to take place after the County boundary review has concluded, in advance of the 2028 local elections.
- 1.11 To approve a change in the boundary between Bicester, Ambrosden, Blackthorn and Launton for area L, as shown by the dotted black lines on map 5, to take effect in May 2023.
- 1.12 To approve a change in the next ordinary year of election for Launton Parish Council, bringing them forward to May 2023.
- 1.13 To approve a change in the boundary between Chesterton and Bucknell for areas G and H, as shown by the dotted black lines on map 6, to take effect in May 2023.
- 1.14 To approve a change in the boundary between Bicester and Bucknell for area I, as shown by the dotted black lines on map 6, to take effect in May 2023.
- 1.15 To approve a change in the boundary between Hanwell and Horley for area O, as shown by the dotted black line on map 7.
- 1.16 To approve a change in the boundary between Horley and Wroxton for area N, as shown by the dotted black line on map 7.
- 1.17 To approve an increase of one parish councillor for Begbroke Parish Council, increasing from six to seven, taking effect in May 2023.
- 1.18 To approve an increase of two parish councillors for Chesterton Parish Council, increasing from seven to nine, taking effect in May 2023.
- 1.19 To approve an increase of one parish councillor for Somerton Parish Council, increasing from five to six, taking effect in May 2023.
- 1.20 To delegate authority to the Monitoring Officer, in consultation with the Working Group, to prepare and finalise the required Reorganisation Order to implement approved recommendations.
- 1.21 To approve an extension of the Terms of Reference of the Working Group to cover the County boundary review, and delegate authority to the Chief Executive, in consultation with the Working Group, to consider and draft a response to the LGBCE consultations at the relevant times.
- 1.22 To note the update on the Parliamentary Boundary Review.

2.0 Introduction

- 2.1 On [18 October 2021](#) full Council approved Terms of Reference for a district-wide CGR, to start on 19 October 2021 and run to October 2022.
- 2.2 The first consultation stage ran from 22 November 2021 to 31 January 2022, and sought views from any interested parties (residents, parish councils, general

members of the public) on the issues for consideration put forward by town and parish councils and council officers.

- 2.3 On [18 May 2022](#), full Council approved recommendations for the second consultation stage that ran from 4 July to 9 September 2022.
- 2.4 The Parliamentary Boundary and Community Governance Review Working Group (the Working Group) have considered all consultation responses and are making their final recommendations.

3.0 Report Details

- 3.1 Details of the consultation were posted online on the [‘Let’s Talk Cherwell’](#) platform, with links provided from the [CGR page](#) of the Cherwell District Council website.
- 3.2 As during the first consultation, paper copy letters were posted out to addresses potentially affected by the proposals, to raise awareness of the consultation. Paper copies were also available from the Democratic and Elections Team on request.
- 3.3 All town and parish councils affected by the proposals were provided with links to the relevant documents, and encouraged to further publicise the consultation within their areas.
- 3.4 Democratic and Elections Officers offered to attend town and parish council meetings of the affected parishes, to answer questions on the CGR process in general or specific aspects of the proposals. No town or parish councils requested officer attendance at meetings.

Proposal 1 – Ambrosden/Blackthorn

- 3.5 Ambrosden Parish Council requested that the boundary with Blackthorn be reviewed, in light of development at Blackthorn Meadows in Ambrosden.
- 3.6 85 properties from Blackthorn Meadows have been built across the parish boundary, meaning they are in Blackthorn parish. Ambrosden Parish Council requested that the boundary be moved so that the 85 properties move into Ambrosden Parish.
- 3.7 85 documents were posted out, 1 per address, to the streets in Blackthorn Meadows potentially affected by a boundary move. None were returned as ‘undeliverable’.
- 3.8 14 responses were submitted, a return rate of 16.4% (responses were not limited to one per household).

Figures regarding recommendation to move the boundary

- 11 responses said yes, they agreed with the recommendation to move the boundary
- 2 responses said no, they did not agree with the recommendation
- 1 response said they had no view

- 3.9 Neither Ambrosden nor Blackthorn Parish Councils responded to the second stage consultation.
- 3.10 The Working Group considered the responses and as they are supported by residents in the affected area, and the affected area is a natural expansion of Ambrosden, the final recommendation is that the boundary be altered as shown by the dotted black line on **map 1**, with area A and the surrounding fields being moved from Blackthorn in to Ambrosden.
- 3.11 Boundary changes should take effect from the next ordinary year of election, which for Ambrosden and Blackthorn parishes is 2024.
- 3.12 As part of this CGR, consideration is also being given to boundary changes at Bicester (see paragraphs 3.59 - 3.70).
- 3.13 Bicester Town Council are due to have elections in 2023. It is therefore recommended that the term of office for Ambrosden and Blackthorn Parish Councils is shortened by one year, and their next local elections are brought forward to 2023. The boundary changes recommended by the Working Group will take effect in 2023.
- 3.14 Parish Councillors elected for Ambrosden and Blackthorn in 2023 will serve a five year term of office, with the next elections being held in 2028 as originally scheduled.

Proposal 2 – Banbury and surrounding areas/Bodicote

- 3.15 Banbury Town Council requested that all boundaries with neighbouring parishes be reviewed, in light of recent housing developments that have taken place across the town.
- 3.16 In addition to the general request from Banbury Town Council, the Street Naming and Numbering Team highlighted two specific areas of Bodicote Parish to be addressed during the review.
- 3.17 The first related to Longford Park, and two properties which appeared to be part of Bodicote Parish, rather than Banbury, following an earlier CGR in 2013.
- 3.18 The second related to a recent planning application that had been given permission, located on the edge of Longford Park and the current parish boundary between Bodicote, Banbury and Adderbury.
- 3.19 Following the first stage consultation, the Working Group recommended that residents in the Merlin Close area of Bodicote be consulted on the possibility of the boundary changing and the area moving into Banbury.
- 3.20 95 documents were posted out in total, to the properties in Longford Park specifically affected by a potential boundary move, residents of Merlin Close, the two properties on Longford Park Road and properties at the end of Salt Way.
- 3.21 Copies of the consultation documents were also provided to the David Wilson and Barratt show homes on Blackwell Drive, to raise awareness of the consultation

amongst prospective buyers and new residents who had recently completed their house purchase.

- 3.22 In early August the wording of consultation questions 1 to 3 was amended, and updated consultation documents were posted out to the 95 properties. Updated copies were also provided to the show homes.
- 3.23 Due to the amendment of the questions and following advice from the Monitoring Officer, the consultation period was extended by two weeks and closed on 23 September.
- 3.24 Responses to the original questions continued to be accepted, and were included in the final figures reported to the Working Group.
- 3.25 161 responses were submitted in total, 43 to the original questions and 118 to the revised questions.
- 3.26 The breakdown of responses was as follows:

Figures regarding possibility of moving the boundary between Bodicote and Banbury, so that area F1 is moved from Bodicote and becomes part of Banbury

- 7 responses said yes, the boundary should be moved
- 127 responses said no, the boundary should not be moved
- 1 response said they had no view

Figures regarding possibility of Merlin Close, area F2, moving out of Bodicote and into Banbury

- 6 responses said yes, it should move
- 107 responses said no, it should not move
- 25 responses had no view

Figures regarding properties in area F moving out of Bodicote and into Banbury, to formalise the changes already made to Council Tax and Electoral Register records

- 14 responses said yes they should be moved into Banbury
- 81 responses said no they should not be moved into Banbury
- 43 responses had no view

Figures relating to recommendation to move parish boundary so that area E becomes part of Banbury

- 7 responses said yes, the boundary should be moved
- 99 responses said no, the boundary should not be moved
- 30 responses had no view

- 3.27 Bodicote Parish Council responded to the consultation, submitting an overall statement alongside detailed response to each question.
- 3.28 Banbury Town Council responded to the consultation, and reiterated their support for the boundaries being altered.

- 3.29 The Working Group discussed the responses, and considered the existing development at Blackwell Drive in the context of the adopted Cherwell Local Plan 2011-2031.
- 3.30 The site of Banbury 17 covers the development at Blackwell Drive, and development within the neighbouring area of Banbury that starts at the A361 Bloxham Road and continues east towards Bodicote. Once all developments have been built out the area will include outdoor sports provision.
- 3.31 The Working Group discussed and the majority agreed that as Blackwell Drive will act as a spine road through the whole development, providing a link to the A361 Bloxham Road, and due to the associated facilities included in the development, the Bodicote development would be considered an urban extension of Banbury.
- 3.32 Regarding the junction of White Post Road and Blackwell Drive, the Working Group agreed that the recently built car park used by Bishop Loveday Primary School should remain in the same parish as the school.
- 3.33 The properties at the end of Salt Way and the adjacent grass verge would also remain in Bodicote. This would provide a 'buffer' area between the end of Banbury and the start of Bodicote.
- 3.34 The final recommendation of the Working Group is that the boundary between Bodicote and Banbury should be amended so that area F1, as shown by the dotted black line on **map 2**, becomes part of Banbury, with the new car park, cricket club, playing field and allotments remaining in Bodicote.
- 3.35 If approved, the changes will take effect from the next year of elections for Banbury and Bodicote in 2024.

Area F2, Merlin Way

- 3.36 The Working Group discussed the proposal and agreed that as Merlin Close is a private road with the only access and egress off the Oxford Road, and no possibility of access into Longford Park, the boundary should not be altered in that area.
- 3.37 The final recommendation of the Working Group is that no change be made to the boundary of Merlin Close, and that it remain in Bodicote.

Area F, two properties in Longford Park

- 3.38 The Working Group discussed the proposal and agreed that as the two affected properties had indicated at first consultation stage they were happy for the amendment to be made, the boundary should be amended.
- 3.39 The final recommendation of the Working Group is that the boundary in area F, shown by the dotted black line in the inset box on **map 3**, be amended to formalise the changes already made on council tax and electoral register records.
- 3.40 If approved, the changes will take effect from the next year of elections for Banbury and Bodicote in 2024.

Area E, outline planning application 19/01047/OUT

- 3.41 The Working Group discussed the proposal and the majority agreed that the development would be considered an urban extension of Longford Park, due to access and egress being via the existing Longford Park development.
- 3.42 The final recommendation of the Working Group is that the boundary in area E be moved, as shown by the dotted black line on **map 3**, so that it becomes part of Banbury.
- 3.43 If approved the changes will take effect from the next year of elections for Banbury and Bodicote in 2024.

Proposal 3 – Banbury/Drayton

- 3.44 Drayton Parish Council had previously contacted the council requesting a CGR be carried out in relation to the Castle Grange development.
- 3.45 283 properties forming part of Castle Grange have been built across the parish boundary, meaning they are in Drayton parish rather than Banbury.
- 3.46 Drayton Parish Council requested that consideration be given to moving this area into Banbury, and Banbury Town Council supported the proposal.
- 3.47 As well as the request from Drayton Parish Council, the Working Group highlighted one further area of development (planning application reference 18/01882/OUT) that they wished to consult on regarding possible boundary changes.
- 3.48 289 documents were posted out, 1 per address, to the properties in Castle Grange specifically affected by a potential boundary move, plus existing residential properties in the area of the outline planning application.
- 3.49 30 responses were submitted, a return rate of 10.3% (responses were not limited to one per household).

Figures regarding recommendation to move area C into Banbury

- 7 responses said yes they agreed with the recommendation to move the boundary
- 21 responses said no, they did not agree with the recommendation
- 2 responses stated no view

Figures regarding recommendation to move area D into Banbury

- 6 responses said yes they agreed with the recommendation
- 22 responses said no, they did not agree with the recommendation
- 1 response had no view

Figures regarding the need for additional councillors for Banbury Town Council, if the boundary changes went ahead

- 8 responses said yes, Banbury Town Council would need additional councillors
- 3 responses said no, Banbury Town Council would not need additional councillors
- 19 responses had no view

- 3.50 Banbury Town Council did not comment on the second consultation.
- 3.51 Drayton Parish Council reiterated their support for areas C and D moving into Banbury.
- 3.52 The Working Group agreed that as the Castle Grange development (area D) has always been considered an urban extension of Banbury, and due to the request from Drayton Parish Council to move the area into Banbury, the final recommendation is to amend the boundary so that area D, as shown by the dotted black line on **map 4**, becomes part of Banbury, taking effect in May 2024.
- 3.53 In relation to area C and planning application 18/01882/OUT, the Working Group agreed that due to the distance from the main settlement of Drayton, this too would be an urban extension of Banbury, and the final recommendation is to amend the boundary so that all of area C, as shown by the dotted black line on **map 4**, becomes part of Banbury, taking effect in May 2024.
- 3.54 Regarding the number of town councillors for Banbury, the Working Group agreed that Banbury Town Council should have its total number of town councillors increased by one, giving 23 in total, taking effect from the next scheduled elections for Banbury Town Council in 2024.
- 3.55 The additional councillor is to be allocated to the Hardwick West town ward, being the town ward that areas C and D will move in to.
- 3.56 Boundaries at different levels of local government in Banbury – town, district and county level – are not co-terminus, which can cause confusion for residents and elected representatives at all levels.
- 3.57 The Working Group further recommend that a Banbury-specific CGR be carried out, after the County boundary review has concluded, to consider the warding arrangements for Banbury Town Council in advance of the 2028 local elections.
- 3.58 For the avoidance of doubt, the 2024 local elections for Banbury Town Council will be conducted on existing town boundaries.

Proposal 4 – Bicester and surrounding areas

- 3.59 Councillor Dan Sames requested that the site of approved development at Wretchwick Way, planning application reference 16/01268/OUT, be included in the CGR.
- 3.60 The majority of the 1500 new home site is currently in Ambrosden parish, with some in neighbouring Blackthorn and Launton parishes. Councillor Sames requested the inclusion of the site in the CGR to consider moving the area into Bicester.
- 3.61 Six residential properties would be affected by a boundary move linked to the Wretchwick Way planning application. All six properties were sent a paper copy consultation document.
- 3.62 No large scale posting of documents took place as no further existing residential properties were identified as being affected by the proposals.

3.63 Two responses were submitted, from Bicester Town Council and Launton Parish Council.

Figures regarding recommendation to move the boundary so that area L is all within Bicester

- 0 responses agreed with the recommendation
- 1 response said no, they did not agree with the recommendation that all of Area L should be within Bicester
- 1 response had no view

Launton Parish Council would prefer the existing boundary between Launton and Ambrosden is unchanged, particularly as the planning application doesn't show any development in that area. This would allow the area to be a buffer between Launton and Bicester

3.64 Bicester Town Council commented on areas J and K (that had been under consideration during the first consultation), but made no comment on area L.

3.65 Launton Parish Council commented that they would prefer the existing boundary between Launton and Ambrosden to remain unchanged, particularly as the planning application doesn't show any development in that area. That would allow the area to be a buffer between Launton and the new development.

3.66 Launton Parish Council added that if the council were minded to alter the boundary, it should be on the Wretchwick side of the railway line (the southern side), at the bottom of the embankment.

3.67 The Working Group agreed that as previous developments on the outskirts of Bicester had been moved into the town, it would make sense for the Wretchwick Way development to be included in the town boundary.

3.68 The final recommendation is to amend the boundary so that all of area L, as shown by the dotted black lines on **map 5**, becomes part of Bicester, taking effect in May 2023.

3.69 As Ambrosden, Blackthorn and Launton Parish Councils are all affected by the boundary change, it is recommended that the terms of office for all three parishes are shortened by one year, and their next parish elections are held in 2023.

3.70 Parish Councillors elected for Ambrosden, Blackthorn and Launton in 2023 will serve a five year term of office, with the next elections being held in 2028 as originally scheduled.

Proposal 5 – Chesterton/Bucknell/Bicester

3.71 Chesterton Parish Council requested that the boundary between Chesterton and Bucknell be included in the CGR, due to a section along the B4030/Middleton Stoney Road where the existing boundary follows the Gagle Brook rather than following the road.

- 3.72 This means that for a short section an area north of the road is within Chesterton, and an area south of the road is in Bucknell. Chesterton Parish Council requested that the boundary be straightened so that it follows the road all the way to Bicester.
- 3.73 In addition to the request from Chesterton Parish Council, the Planning team highlighted a recent planning application on the outskirts of Bicester, planning application reference 14/02121/OUT. Part of the application site crosses the Bicester boundary meaning that it would sit within Bucknell.
- 3.74 No large scale posting of documents took place as there are no existing properties in the affected area.
- 3.75 Two responses were submitted.

Figures regarding recommendation to move the boundary so that area G becomes part of Chesterton

- 0 responses agreed with the recommendation to alter the boundary
- 1 response said no, they did not agree with the recommendation
- 1 response had no view

Figures regarding recommendation to move the boundary so that area H becomes part of Bucknell

- 2 responses had no view

Figures regarding recommendation to move the boundary so that all of area I becomes part of Bicester

- 0 responses agreed with the recommendation
- 1 response said no, they did not agree with the recommendation
- 1 response had no view

- 3.76 Bicester Town Council responded to the consultation, stating that the section of area I that crossed the current boundary should remain in Bucknell.
- 3.77 Neither Bucknell nor Chesterton Parish Councils responded to the second consultation.
- 3.78 The Working Group considered the responses and their final recommendation is that the boundary be altered so that areas G and H, as shown by the dotted black lines on **map 6**, become part of Chesterton and Bucknell respectively, taking effect in May 2023.
- 3.79 Regarding the area of planning application reference 14/02121/OUT, area I, the final recommendation is that the boundary between Bucknell and Bicester be amended, as shown by the dotted black line on **map 6**, so that all of area I is within Bicester, taking effect in May 2023.

Proposal 6 – Horley/Hanwell/Wroxton

- 3.80 Horley Parish Council requested inclusion in the CGR, to move the boundary between Horley and Wroxton, and Horley and Hanwell, to take in some additional land to Horley parish.

- 3.81 No large scale posting out of documents took place as there are no existing properties in the affected area.
- 3.82 No responses were submitted to the second consultation.
- 3.83 As there had been no objections to the proposals during the first stage consultation, the final recommendation of the Working Group is that the boundary be amended as requested, with areas N and O moving into the parish as shown by the dotted black lines on **map 7**.
- 3.84 Horley and Wroxton Parish Councils are next due to hold elections in 2026, with Hanwell Parish Council elections due in 2024.
- 3.85 As the request for a boundary change was made by Horley Parish Council, the Working Group are seeking their views on whether the current term of office should be shortened by two years.
- 3.86 If the terms of office for existing Horley and Wroxton parish councillors are shortened, they will next elect in 2024 for a two-year term, reverting to their four yearly term from 2026.
- 3.87 When the views of Horley Parish Council are known the Working Group will discuss with the Monitoring Officer and include relevant details in the legal order.

Proposal 7 – increase of Parish Council numbers at Begbroke, Chesterton and Somerton

- 3.88 As well as amending town and parish boundaries, a CGR can alter the number of town/parish councillors.
- 3.89 Three parish councils requested an increase in numbers, due to an increased workload; Begbroke, Chesterton and Somerton.
- 3.90 One consultation response was received from Somerton Parish Council, who reiterated that an extra parish councillor would help their increased workload.
- 3.91 The final recommendation of the Working Group is that Begbroke Parish Council have an increase of one parish councillor, from six to seven, taking effect at the next scheduled election for Begbroke in 2023.
- 3.92 The final recommendation of the Working Group is that Chesterton Parish Council have an increase of two parish councillors, from seven to nine, taking effect at the next scheduled election for Chesterton in 2023.
- 3.93 The final recommendation of the Working Group is that Somerton Parish Council have an increase of one parish councillor, from five to six, taking effect at the next scheduled election for Somerton in 2023.

Local Government Boundary Review for Oxfordshire

- 3.94 The Local Government Boundary Commission for England (LGBCE) have advised Oxfordshire County Council it will be carrying out an electoral review of the County divisions as significant variations have developed between the number of electors in each division since the last review, which was implemented in May 2013.

- 3.95 A report on the review is being considered by Oxfordshire County Council (OCC) at their Council meeting on [7 October 2022](#).
- 3.96 The timetable for the review is as follows
- Phase 1 – develop Council size proposal – 13 September to 19 December
Council size published by LGBCE – 14 February 2023
- Phase 2 – consultation on division arrangements – 21 February to 1 May 2023
Consultation on draft recommendations – 25 July to 2 October 2023
Final recommendations published by LGBCE – 9 January 2024
- Phase 3 – order laid before Parliament Spring 2024
Order made by Parliament Summer 2024
- Phase 4 – implementation of new arrangements at scheduled County elections 2025
- 3.97 Cherwell District Council (CDC) involvement in the review is limited to provision of electoral roll data, as this function is carried out at District and City Council level rather than County level.
- 3.98 As with other boundary reviews, CDC will be able to submit consultation responses to LGBCE at the relevant time.
- 3.99 Council are recommended to agree that the Terms of Reference for the Working Group be extended to cover the County boundary review, and delegate authority to the Chief Executive in consultation with the Working Group, so that they can consider consultation information from the LGBCE and draft a consultation response on behalf of CDC at the appropriate times.
- 3.100 The Working Group responding on behalf of CDC would not preclude individual Councillors or political groups submitting their own responses to the consultations.

Parliamentary Boundary Review

- 3.101 The Boundary Commission for England (BCE) have confirmed that revised proposals for Parliamentary boundaries will be published on 8 November.
- 3.102 A consultation period will run from 8 November to 4 December 2022, and this will be the final opportunity for people to be involved in the review.
- 3.103 Council has previously delegated authority to the Chief Executive, in consultation with the Working Group, to respond to BCE consultations on behalf of CDC.

4.0 Conclusion and Reasons for Recommendations

- 4.1 The Working Group have considered all consultation responses and information provided from the town and parish councils.

- 4.2 The final recommendations have been discussed in detail by the Working Group, with advice from the Monitoring Officer as required and reference to the guidance issued by the Department for Communities and Local Government (as it was).
- 4.3 Final recommendations relating to the CGR approved by Council will be incorporated into the required legal order, and implemented according to the timetable detailed for each proposal in section 3 of this report.

5.0 Consultation

Public consultation as detailed in section 3 above; full consultation reports are available via the [CGR page](#) of the Cherwell District Council website and the '[Let's Talk Cherwell](#)' platform.

Parliamentary Boundary and Community Governance Review Working Group.
Recommendations as detailed in section 3 above.

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 recommendations of the Working Group. This is rejected, as the Working Group have considered all consultation responses submitted and discussed all proposals in detail.

7.0 Implications

Financial and Resource Implications

- 7.1 Consideration of the final recommendations brings the Community Governance Review to an end. Appropriate notifications will be sent out to existing properties affected by approved final recommendations, the cost of which can be met from existing budgets.

Comments checked by:

Michael Furness, Assistant Director of Finance (S151 Officer). Telephone 01295 221845, michael.furness@cherwell-dc.gov.uk

Legal Implications

- 7.2 The Council is empowered to undertake a Community Governance Review by section 79 of the Local Government and Public Involvement in Health Act 2007 (the Act). The review must follow sections 88, 93 and 96 of the Act.

Comments checked by:

Shahin Ismail, Interim Assistant Director Law Governance and Democratic Services (Interim)/Monitoring Officer. Shahin.ismail@cherwell-dc.gov.uk

Risk Implications

- 7.3 The Community Governance Review process is an opportunity for the council to re-draw parish boundaries where the proposals are supported by electors, resulting in clarity regarding local identity and reducing the risk of elector confusion. Arising risks will be managed through the service operational risk and escalated to the leadership risk register as and when necessary.

Comments checked by:

Celia Prado-Teeling, Interim Assistant Director – Customer Focus. Telephone: 01295 221556 Celia.Prado-Teeling@Cherwell-DC.gov.uk

Equalities and Inclusion Implications

- 7.4 There are no equalities and inclusion implications arising directly from this report. The council will take steps to ensure that the outcome of the review reflects the identities and interests of the area(s) being reviewed and the need to ensure effective and convenient community governance, in line with the commitments stated in our equalities and inclusion framework.

Comments checked by:

Celia Prado-Teeling, Interim Assistant Director – Customer Focus. Telephone: 01295 221556 Celia.Prado-Teeling@Cherwell-DC.gov.uk

8.0 Decision Information

Key Decision N/A as not an Executive report

Financial Threshold Met: N/A

Community Impact Threshold Met: N/A

Wards Affected

All

Links to Corporate Plan and Policy Framework

N/A

Lead Councillor

N/A

Document Information

Appendix number and title

- Map 1 – Ambrosden and Blackthorn

- Map 2 – Banbury/Bodicote 1
- Map 3 – Banbury/Bodicote 2
- Map 4 – Banbury/Drayton
- Map 5 – Bicester and surrounding areas
- Map 6 - Chesterton/Bucknell/Bicester
- Map 7 - Horley/Hanwell/Wroxton proposals

Background papers

None

Report Author and contact details

Emma Faulkner, Democratic and Elections Officer. Democracy@cherwell-dc.gov.uk, 01295 221534

This page is intentionally left blank

Cherwell District Council

Council

17 October 2022

Review of Allocation of Seats to Political Groups

Report of Chief Executive

This report is public

Purpose of report

To review the allocation of seats to political groups in light of the disbanding of the Joint Shared Services and Personnel (JSSP) Committee and Joint Appeals Panel and to adopt the Minutes of the final meeting of the JSSP Committee.

1.0 Recommendations

The meeting is recommended:

- 1.1 To agree the revised allocation of seats on committees that are subject to the political balance requirements as set out in Appendix 1 (to follow).
- 1.2 To note changes to committee membership in accordance with the nominations made by political Group Leaders as set out in Appendix 2 (to follow).
- 1.3 To adopt the minutes of the meeting of the Joint Shared Services and Personnel Committee held on 4 July 2022 (Appendix 3).

2.0 Introduction

- 2.1 Council at its annual meeting on 18 May 2022 agreed the allocation of seats to political groups for the municipal year 2022/2023 based on political proportionality and appointed Members to Committees.
- 2.2 Council at its 18 July 2022 meeting agreed to disband the Joint Shared Services and Personnel Committee and Joint Appeals Panel with effect from 31 August and requested the interim Monitoring Officer submit revised proportionality calculations with the Joint Shared Services and Personnel Committee removed from the calculations and any committee allocation and appointment adjustments made accordingly to the 17 October Full Council meeting.

3.0 Report Details

Revised Committee Appointments

- 3.1 The disbanding of the Joint Shared Services and Personnel Committee and Joint Appeals Panel effective 1 September 2022 has resulted in eight fewer committee seats across committees that are subject to the political balance requirement. It is therefore necessary to review the allocation of seats on these committees.
- 3.2 There has been no change to the constitution of the Council since the 18 May 2022 Annual Council Meeting. The constitution of the Council (48 Members) remains:
- 25 Conservative (52.08%)
 - 10 Labour / Labour & Co-operative Party (20.83%)
 - 7 Liberal Democrat (14.58%)
 - 4 Independent (8.34%)
 - 2 Green (4.17%)
- 3.3 There has been no change to the Political Groups which had been formed, notified to the Chief Executive and reported to the Annual Council Meeting. Political Groups remain:
- Conservative Group – 25 members (all Conservative councillors)
 - Group Leader: Councillor Barry Wood
 - Progressive Oxfordshire Group – 11 members (comprising 7 Liberal Democrat, 2 Green and 2 Independent (Cllrs Broad and Cotter) councillors)
 - Group Leader: Councillor Katherine Tyson
 - Labour Group – 10 members (comprising all Labour / Labour & Co-operative councillors)
 - Group Leader: Councillor Sean Woodcock
 - Independent Group – 2 members (comprising 2 Independent councillors, Cllrs Sibley and Webster)
 - Group Leader: Councillor Les Sibley
- 3.4 The political balance committees has been reviewed in accordance with the principles of political proportionality set out in the Local Government and Housing Act 1989:
- Where there is more than one political group, all seats must not be allocated to the same group.
 - The majority of seats must be allocated to the group with the majority on the Council.
 - When considering all seats available for allocation the total of those given to each group should match their representation on the Council overall.
 - The number of seats on each individual committee allocated to groups should match their representation on the Council overall.
- 3.5 Applying these principles may not result in a precise mathematical allocation of seats. In these cases the allocations are rounded up at 0.5 and above. In the event that achieving political proportionality on all committees results in an overall over-

allocation of seats to a particular group, the group with the over-allocation will be asked which seat(s) they wish to relinquish. Any such seats will then be reallocated to group(s) with an overall under-allocation of seats.

- 3.6 Appendix 1 sets out the arithmetical product of the rules for the Council's committees subject to the political balance requirements. The figures show the adjustments which are necessary to achieve the balance across and within committees to comply with the rules.
- 3.7 Appendix 2 sets out the changes to Committee membership Group Leaders have advised they wish to make in light of the changes to the allocation of committee seats in accordance with the political balance requirements.

Minutes of 4 July 2022 Joint Shared Services and Personnel (JSSP) Committee

- 3.8 At its meeting of 4 July 2022 the Joint Shared Services and Personnel Committee resolved to recommend to the respective Cherwell District Council (CDC) and Oxfordshire County Council Full Council meetings that JSSP be disbanded with effect from 31 August 2022. This was agreed at the 18 July CDC Council meeting.
- 3.9 The law requires that minutes must be confirmed at the following meeting of a Committee. As the JSSP Committee has been disbanded it has no further meetings scheduled and it is therefore not possible for the Committee to agree the minutes of its 4 July 2022 meeting. As the JSSP Committee was established by Council, the minutes are subjected to Council for adoption.
- 3.10 The Minutes have been circulated to CDC members of the JSSP Committee. To date no proposed amendments to the draft Minutes have been received.

4.0 Conclusion and Reasons for Recommendations

- 4.1 When the governance arrangements of a local authority change, including disbanding of committees which are subject to the political balance requirements, it is necessary to review the allocation of seats on committees subject to political balance requirements and amend committee membership as necessary.

5.0 Consultation

Group Leaders in relation to the review of the revised proportionality calculations and committee appointments

Cherwell District Council members of the Joint Shared Services and Personnel Committee in relation to the 4 July 2022 minutes of the Committee

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. This is not recommended as nominations have been submitted by Group Leaders following consultation with their Groups and in accordance with the proportionality calculations.

7.0 Implications

Financial and Resource Implications

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

Comments checked by:

Michael Furness, Assistant Director of Finance & S151 Officer, 01295 221845
Michael.furness@cherwell-dc.gov.uk

Legal Implications

7.2 It is a legal requirement for Council to agree proportionality and make appointments to committees.

Comments checked by:

Shahin Ismail, Interim Assistant Director Law, Governance & Democratic Services & Monitoring Officer, Shahin.ismail@cherwell-dc.gov.uk

Risk Implications

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

Comments checked by:

Celia Prado-Teeling, Interim Assistant Director Customer Focus, 01295 221556, Celia.prado-teeling@cherwell-dc.gov.uk

Equalities and Inclusion Implications

7.4 Appointments are made using the principles of proportionality as set out in the Local Government and Housing Act 1989 (Section 15). Each Group appoints whomever it wishes to serve on a committee to fulfil its proportional entitlement.

Comments checked by:

Celia Prado-Teeling, Interim Assistant Director Customer Focus, 01295 221556, Celia.prado-teeling@cherwell-dc.gov.uk

8.0 Decision Information

Key Decision

Financial Threshold Met: N/A

Community Impact Threshold Met: N/A
Wards Affected

All

Links to Corporate Plan and Policy Framework

None, this report is pursuant to a statutory requirement

Lead Councillor

None

Document Information

Appendix number and title

- Appendix 1 – Revised Allocation of seats on committees subject to political balance requirements (to follow)
- Appendix 2 – Amendments to Committee appointments (to follow)
- Appendix 3 – 4 July 2022 Joint Shared Services and Personnel Committee minutes

Background papers

None

Report Author and contact details

Natasha Clark, Governance and Elections Manager, 01295 221589,
natasha.clark@cherwell-dc.gov.uk

This page is intentionally left blank

OXFORDSHIRE JOINT SHARED SERVICES & PERSONNEL COMMITTEE

MINUTES of the meeting held on Monday, 4 July 2022 commencing at 3.30 pm and finishing at 4.20pm

Present:

Councillor Ian Corkin – in the Chair

Councillors:

Liz Brighthouse OBE
Donna Ford
Liz Leffman

Eddie Reeves
Alison Rooke
Jason Slaymaker

Sean Woodcock
Phil Chapman

Officers:

Stephen Chandler
Lorna Baxter
Anita Bradley
Robin Rogers
Yvonne Rees
Stephen Hinds
Ian Boll
Nathan Elvery
Michael Furness
Shahin Ismail

Natasha Clark

OCC Interim Chief Executive
OCC Director of Finance & S151 Officer
OCC Director of Law & Governance & Monitoring Officer
OCC Programme Director
CDC Chief Executive
CDC Corporate Director Resources
CDC Corporate Director Communities
CDC Interim Chief Operating Officer
CDC Assistant Director of Finance & S151 Officer
CDC Interim Assistant Director Law, Governance &
Democratic Services and Monitoring Officer
Governance & Elections Manager

41/22 APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS

(Agenda Item 1)

Apologies were received from Councillor Barry Wood with Councillor Phil Chapman appointed as substitute and Councillor Ian Middleton, with no substitute appointed.

42/22 DECLARATIONS OF INTEREST - SEE GUIDANCE NOTE

(Agenda Item 2)

There were no declarations of interest.

43/22 MINUTES

(Agenda Item 3)

The Minutes of the meeting of the Committee held on 23 May 2022 were agreed as a correct record and signed by the Chair.

44/22 PETITIONS AND PUBLIC ADDRESS

(Agenda Item 4)

45/22 JOINT OFFICER TRANSITION WORKING GROUP (JOTWG) UPDATE AND RECOMMENDATIONS

(Agenda Item 5)

The Chief Executive (Cherwell District Council, CDC) and the Interim Chief Executive (Oxfordshire County Council, OCC) submitted a report which, in-line with the decision in February 2022, of both Councils to give notice to terminate the current s.113 partnerships between the Councils and the subsequent direction of travel for future working endorsed by the JSS&P Committee on 14 March, set out recommendations for future working arrangements for the eight services now within Phase 3 of the transition programme approved by the Committee.

46/22 EXCLUSION OF THE PRESS AND PUBLIC

(Agenda Item 6)

Resolved

That, in accordance with Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business, on the grounds that they could involve the likely disclosure of exempt information as defined in paragraphs 1, 2, 3 and 4 of Schedule 12A of that Act.

47/22 JOINT OFFICER TRANSITION WORKING GROUP (JOTWG) UPDATE AND RECOMMENDATIONS - EXEMPT MATTERS

(Agenda Item 7)

The OCC Programme Director presented exempt Annex B, which set out a summary of the proposal for each of the following service areas brought forward by the JOTWG following the due diligence and service review process: Regulatory Services & Community Safety; Emergency Planning; Digital & IT Services; Procurement & Contracts; Customer Service Centre; Continuous Improvement Team; Land Charges; and, Property, Investment & Facilities Management

In relation to Regulatory Services & Community Safety, the OCC Programme Director explained that Regulatory Services was the first service area to be shared between CDC and OCC prior to the s113 agreement with the first Director role established. It was recommended that the joint team continue to work across both councils and provide services for both councils, based on the agreed scope of the works to be delivered. Members supported the

recommendation commenting that it was best practice and sensible to continue the joint arrangements.

In relation to Emergency Planning, it was recommended that CDC commission emergency planning support from OCC through an agreed SLA to achieve similar outcomes to the previous arrangements. Each council would remain responsible for their individual statutory functions.

In relation to Digital & IT, it was proposed that the service would decouple, however OCC would continue to provide specific services to CDC via an SLA, as specified in a detailed Service Catalogue. In regard to Members' questions regarding the option for CDC to commission services from OCC, the OCC Programme Director and CDC Interim Chief Operating Officer explained that the Service Catalogue would only include services OCC believed it could deliver but would be under no obligation to accept a commission from CDC, and CDC would be able to commission from alternative providers.

In relation to Procurement and Contracts, Customer Services, Continuous Improvement, Land Charges and Property, Investment and Facilities Management, it was recommended that the services be decoupled with a separate provision of services by each council.

The presentation included an overview of the exempt staffing and financial aspects in relation to each service review. The Committee was advised that no specific posts were put at direct risk through the recommendations.

The Committee noted the exempt aspects of the report and presentation and endorsed the proposal for each service area.

48/22 READMITTANCE OF THE PRESS AND PUBLIC

(Agenda Item 8)

Resolved

That the press and public be readmitted to the meeting.

49/22 JOINT OFFICER TRANSITION WORKING GROUP (JOTWG) UPDATE AND RECOMMENDATIONS

(Agenda Item 9)

The Chair gave an overview of the recommendations. The final recommendation related to the disbanding of the Committee as the work it had been charged with had concluded with all joint services having been reviewed and future arrangements agreed. Each respective Council would be recommended to agree the disbanding of JSS&P Committee and delegate authority to the respective Chief Executive the power to terminate, extend or vary the new arrangements.

There being no further discussion on the report, the Committee unanimously agreed all recommendations.

Resolved

- (1) That the programme update be noted.
- (2) That the establishment of revised partnership working arrangements for Regulatory Services & Community Safety (through a joint management arrangement) and Emergency Planning (through the provision of a service level agreement) as set out in the exempt annex to the Minutes (as set out in the Minute Book), subject to the conclusion of suitable agreements between the Councils be agreed.
- (3) That the decoupling of partnership working arrangements managed through the current s.113 agreement for Digital & IT Services and establish a revised partnership working arrangement as set out in the annex to the Minutes (as set out in the Minute Book), subject to conclusion of suitable agreements between the Councils
- (4) That the completion of such agreements and any actions necessary to establish the revised partnership working arrangements be delegated to the Assistant Director Law, Governance and Democratic Services (CDC) and the Director of Law and Governance (OCC), in consultation with the Leaders of each Council.
- (5) That the decoupling of partnership working arrangements managed through the current s.113 agreement in the following services, as set out in the annex to the Minutes (as set out in the Minute Book) be agreed:
 - Procurement and Contracts
 - Customer Services
 - Continuous Improvement
 - Land Charges
 - Property, Investment and Facilities Management
- (6) That the final arrangements and actions necessary for transition in these services be delegated to the Chief Executive (CDC) and Interim Chief Executive (OCC) working through the Joint Officer Transition Working Group (JOTWG).

- (7) That each respective Council be recommended to agree that the Joint Shared Services and Personnel Committee be disbanded as from 31 August 2022 and delegated authority be granted to the respective Chief Executives to terminate, extend or vary the new arrangements.

Conclusion of Meeting

The work of Committee having concluded, it was confirmed that no further JSS&P Committee meetings would be required.

On behalf of OCC, the OCC Interim Chief Executive thanked CDC Members and officers commending the work that had been undertaken to collectively achieve outcomes that it was considered were in the best interest of residents.

On behalf of CDC the Chair and CDC Deputy Leader, Councillor Corkin, thanked officers for their work throughout the decoupling process. Councillor Corkin also thanked all teams and officers who had been involved in joint working between the two councils. Joint working would continue but would take different forms.

The Vice-Chair and OCC Deputy Leader, Councillor Brighthouse, thanked all officers who had been involved in joint working and the decoupling process commenting that this was a separation of formal joint working and it was important to find ways to work together in partnership to ensure best service provision for residents.

Councillor Brighthouse paid tribute and thanked the CDC Chief Executive, Yvonne Rees, for her hard work and contribution in the joint Chief Executive role.

OCC Leader, Councillor Leffman, thanked officers for their hard work in ensuring that the decoupling was a straightforward process. Elected Members and residents should take confidence that the process had been a well-managed piece of work with no change to service delivery by CDC or OCC.

..... in the Chair

Date of signing

Cherwell District Council

Council

17 October 2022

Calendar of Meetings 2023/2024

Report of Assistant Director Law, Governance and Democratic Services & Monitoring Officer (Interim)

This report is public

Purpose of report

Council is asked to consider and agree the proposed calendar of meetings for the municipal year 2023/2024 (Appendix 1).

1.0 Recommendations

The meeting is recommended:

- 1.1 To approve the calendar of meetings for Cherwell District Council for the municipal year 2022/2023 (Appendix 1).

2.0 Introduction

- 2.1 It is necessary for Council to agree a calendar of meetings to enable the business of the council to be programmed appropriately in conjunction with its statutory requirements and the Executive's and Committee's work programmes and to enable the corporate leadership team and senior managers to programme key dates into their work plans.
- 2.2 The proposed Cherwell District Council 2023/2024 calendar of meetings is attached at Appendix 1.

3.0 Report Details

Cherwell District Council (CDC) Meeting Calendar

- 3.1 The Cherwell District Council calendar of meetings has been prepared on the basis of the considerations set out in the paragraphs below and takes into account Bank Holidays, the summer period when meetings are traditionally avoided as far as practicable and the 2023 post-election and 2024 pre-election periods.

- 3.2 The calendar has been developed over time to meet the changing needs of the authority. Meeting dates are set to ensure that there are appropriate reporting lines to allow relevant committees to be informed, scrutinise and make valuable contributions to the decisions of Executive and Council.

Full Council

- 3.3 Council meetings are held on Mondays with the exception of the 2023/2024 Annual Council meeting which will be held on Wednesday 17 May 2023 (this was agreed by Council at its xx October 2021 meeting when the 2022/23 meeting calendar was agreed). This allows for the inclusion of proportionality calculations following the local elections taking place on Thursday 5 May 2022 and allows sufficient time for political groups to meet and nominate their committee members before the Annual Council meeting.
- 3.4 The 2024/25 Annual Council is included on the meeting schedule at Appendix 1. Maintaining the pattern and for the reasons set out at paragraph 3.3, it is proposed this be held on Wednesday 15 May 2024.
- 3.5 At the conclusion of the Annual Meeting, the first meetings of formal committees are held to appoint their Chairman and Vice-Chairman for the forthcoming municipal year.

Executive and Shareholder Committee

- 3.6 Meetings of Executive are scheduled on the first Monday of each month with the following exceptions: August and May when no Executive meetings are scheduled and January and April, as the first Monday in January and April are Bank Holidays.
- 3.7 The Shareholder Committee is a sub-committee comprising three Executive members who will be appointed by Executive at their first meeting of the 2023/24 municipal year. Shareholder Committee meetings are scheduled quarterly.

Overview and Scrutiny Committee and Budget Planning Committee

- 3.8 Meetings of the Overview and Scrutiny Committee and the Budget Planning Committee are scheduled to tie in with key activities undertaken by each Committee. The scheduling ensures that meetings enable feedback between the Executive and the respective Committee.
- 3.9 If the Overview and Scrutiny Committee establishes any scrutiny review working groups, these groups will set their own meeting dates.

Planning Committee

- 3.10 Meetings of the Planning Committee are scheduled every 4 weeks as far as practicable taking into account Bank Holidays and the election period.
- 3.11 It is mandatory for Planning Committee members and substitutes to have received training prior to sitting on the committee. This date is included as part of the 2023 Member Induction on the morning of the date of the first Planning Committee of the municipal year as Committee members will have been appointed at the Annual Council meeting the previous day.

Accounts, Audit and Risk Committee

- 3.12 The Accounts, Audit and Risk Committee is a key component of Cherwell District Council's corporate governance framework. It provides an independent and high-level focus on the adequacy of the risk management framework, the internal control environment, the integrity of the financial reporting and governance processes. The Accounts, Audit and Risk Committee has six scheduled meetings.
- 3.13 It is mandatory for Accounts, Audit and Risk Committee members to have received training prior to sitting on the committee. This date is included as part of the 2023 Member Induction programme. Additional training/briefings for Accounts, Audit and Risk Committee members will continue to be scheduled prior to or at the conclusion of scheduled meetings as this has been received favourably by Committee members.

Personnel Committee and Appeals Panel

- 3.14 The Personnel Committee is responsible for staffing matters in accordance with its Terms of Reference. In recent years meeting were arranged if required, following consultation with the Personnel Committee Chairman (or Vice-Chairman in their absence), HR and relevant Director(s). The 2023/24 meeting calendar includes scheduled quarterly Personnel Committee meetings to enable the Committee to receive regular staffing updates and support officers scheduling items that require decision by the Committee,
- 3.15 The Appeals Panel would only meet to determine appeals in accordance with its Terms of Reference. Meetings will be arranged if required, following consultation with the Appeals Panel Chairman (or Vice-Chairman in their absence), HR and relevant Director(s).

Licensing Committee and Licensing Sub-Committee

- 3.16 The Licensing Committee is responsible for licensing matters in accordance with its Terms of Reference. Previous meeting calendars have not included scheduled Licensing Committee meetings. The 2023/24 meeting calendar includes two scheduled meetings to enable the Committee to receive regular updates and conduct any necessary business in a timely manner..
- 3.17 The Licensing Sub-Committee is required to meet if decisions on applications under the Licensing Act 2003 and Gambling Act 2005 cannot be decided under delegated powers as valid objections/representations have been received and not withdrawn. The Licensing Sub-Committee has to meet within set timescales and meeting dates will be agreed with Sub-Committee members and Licensing Officers to ensure the statutory requirements are fulfilled.
- 3.18 The Licensing Subcommittee will be made up of any three Members drawn from the membership of the Licensing Committee who have received appropriate training. This training will be scheduled as part of the Member Induction programme.

Standards Committee

- 3.19 The Standards Committee is responsible for matters relating to Member conduct and the ethical framework in accordance with its Terms of Reference. In recent

years meeting were arranged if required, following consultation between the Standards Committee Chairman (or Vice-Chairman in their absence) and Monitoring Officer. The 2023/24 meeting calendar includes two scheduled Standards Committee meetings to enable the Committee to receive regular updates and conduct any necessary business in a timely manner.

Member Induction 2023 and All Member Seminars

- 3.20 Following Cherwell local elections an induction programme is scheduled between May and July to support newly elected Members and provide all information and support they need to fulfil their role. The sessions included on the meeting calendar are not an exhaustive list rather key sessions to ensure mandatory committee specific training is scheduled prior to the first meeting of the particular committee. Additional sessions and service specific bitesize briefings will also be scheduled. Member Induction sessions are also open to re-elected and standing councillors.
- 3.21 Following the induction programme dates for monthly “All Member Seminars” have been included on the proposed calendar of meetings. The briefings are scheduled monthly from September the day of the week varies in acknowledgement of other commitments Members have. Additional briefing and training sessions will be arranged throughout the year as necessary to cover matters as requested by Members or officers.
- 3.22 Member induction, briefing and training sessions are not open to the public. It is anticipated that sessions will be largely virtual in continuation of the well-received and well-attended virtual sessions over the past two municipal years. Virtual seminars also help the Council meet its climate change objectives by eliminating the need for travel, which in turn supports facilitates attendance for Members in reducing the time taken to travel.

Cherwell Parish Liaison Meetings

- 3.23 The bi-annual Parish Liaison Meetings are scheduled and organised by the Communities Team. The 2023/2024 meetings will be held on Wednesday 14 June 7pm – 9pm and Wednesday 8 November 6pm – 9pm. The dates are included on this report for information. Further details will be provided to Parish Councils and Members in advance of each meeting.

Publicising Meeting Dates and Addition of Meeting Dates to Calendars

- 3.29 Once agreed, all committee meeting dates listed at Appendix 1 will be added to the Council’s website. This online calendar is the most effective way to view accurate and up to date public meeting dates. Members (and anyone who wishes) can download meeting dates into their own calendar from the website.
- 3.30 The Democratic and Elections Team will send meeting requests to committee members to ensure Members have meeting dates in their calendars. After the May 2023 Annual Council Meeting, updated meeting requests will be sent as required to reflect any changes to committee membership.
- 3.31 For Member Induction, Seminar and Briefing sessions, the meeting requests will include details as to how to join the sessions virtually.

Amendments to the Calendar of Meetings

- 3.32 Members are reminded that the Council's Constitution sets out that no alterations to the dates and times of meetings shall take place unless Council, the Committee or Sub-Committee agrees an ad-hoc change or the Chairman of the relevant Committee or Sub-Committee, after consultation with the Assistant Director Law, Governance and Democratic Services, concurs with either a cancellation, or an alternative date or time.
- 3.33 If there are any changes to meeting dates Members will be notified via email, updated meeting requests sent and the website updated accordingly.

Format of Meetings

- 3.35 Committee members are required to attend formal meetings in person to be able to participate and vote. Formal meetings are held as hybrid meetings which enables non-committee members, officers and members of the public wishing to address a meeting to attend virtually. All meetings are webcast.
- 3.36 The majority of informal meetings and Member briefings are held virtually. This helps facilitate attendance for Members and supports the councils climate agenda by reducing travel where possible.

4.0 Conclusion and Reasons for Recommendations

- 4.1 It is believed that the proposed calendar of meetings for the municipal year 2023/2024 as set out at Appendix 1 will provide a suitable decision making framework for Cherwell District Council.

5.0 Consultation

Corporate Leadership Team

Support and recommend the adoption of the proposed calendar of meetings.

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 dates in the proposed calendar. This is not recommended as any changes to the proposed calendar may have a knock on effect to the meeting cycle or performance targets / statutory deadlines which may in turn require the whole calendar to be redrafted. The Constitution allows for in-year meeting dates to be added and changes to meeting dates and the process for this is set out at paragraphs 3.32 and 3.33.

7.0 Implications

Financial and Resource Implications

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

Comments checked by:

Michael Furness, Assistant Director Finance, 01295 221845,

Michael.furness@cherwell-dc.gov.uk

Legal Implications

- 7.2 Meetings which the Council is required by legislation to hold have been included on the meeting calendar. There are no other legal issues arising from this report.

Comments checked by:

Shahin Ismail, Interim Assistant Director Law, Governance & Democratic Services and Monitoring Officer. Shahin.ismail@cherwell-dc.gov.uk

Risk Implications

- 7.3 The Council needs to have in place a programme of meetings to ensure effective and efficient decision making.

Comments checked by:

Celia Prado-Teeling, Interim Assistant Director – Customer Focus, 01295 221556

Celia.Prado-Teeling@Cherwell-dc.gov.uk

Equalities Implications

- 7.4 There are no direct equalities implications associated with this report.

Comments checked by:

Celia Prado-Teeling, Interim Assistant Director – Customer Focus, 01295 221556

Celia.Prado-Teeling@Cherwell-dc.gov.uk

8.0 Decision Information

Key Decision

Financial Threshold Met: N/A

Community Impact Threshold Met: N/A

Wards Affected

All

Links to Corporate Plan and Policy Framework

All - Agreement of a calendar of meetings has significant implications for the Council's business planning and the programming of work.

Lead Councillor

Councillor Richard Mould, Portfolio Holder for Corporate Services

Document Information

Appendix number and title

- Appendix 1 – Proposed Calendar of meetings 2023/2024

Background papers

None

Report Author and contact details

Natasha Clark, Governance and Elections Manager,
01295 221589, natasha.clark@cherwell-dc.gov.uk

This page is intentionally left blank

Appendix 1 - Cherwell District Council Calendar of Meetings 2023/2024¹

V.1 – Council, 17 October 2022

Notes:

- Bank Holidays during the municipal year 2023/24: Monday 29 May 2023; Monday 28 August 2023; Monday 25 December 2023; Tuesday 26 December 2023; Monday 1 January 2024; Friday 29 March 2024; Monday 1 April 2024; Monday 6 May 2024
- Chair(man) and Vice-Chair(man) for all Committees for the municipal year 2023/24 will be appointed at the first meetings of Committees held at the conclusion of the Annual Council meeting
- Licensing Sub-Committee and Appeals Panel meetings will be arranged as required.
- Parish Liaison meeting dates 2023/2024: Wednesday 14 June 2023 (7-9pm), Wednesday 8 November 2023 (6-9pm)

Council	Executive	Shareholder Committee ²	Accounts, Audit & Risk Committee	Budget Planning Committee	Overview & Scrutiny Committee	Licensing Committee	Personnel Committee	Planning Committee	Standards Committee	Member Induction 2023 ³	All Member Seminar
Monday, 6.30pm	Monday, 6.30pm	Monday, 6.30pm	Wednesday, 6.30pm	Tues, 6.30pm	Tues, 6.30pm	Bi-annual, Wednesday 6.30pm	Wednesday, 6.30pm	Thurs, 4pm	Bi-annual, Wednesday, 6.30pm	6.30pm unless indicated, hybrid/virtual as set out	Monthly from September 2023 ⁴ , 6.30pm - 8.30pm
2023 Wednesday 17 May Annual Council 17 July 16 October 18 December 2024 26 February 2024/25 Wednesday 15 May 2024 Annual Council <i>(Scheduled elections on 2 May 2024: Cherwell local elections (one third seats, one third of parishes) and Police & Crime Commissioner elections)</i>	2023 5 June 3 July 4 September 2 October 6 November 4 December 2024 8 January ⁵ 5 February 4 March 8 April ⁶	2023 26 June 25 September 27 November 2024 12 February	2023 31 May 26 July 27 September 15 November 2024 17 January 20 March	2023 25 July 26 September 31 October 5 December 2024 23 January 5 March	2023 23 May (7.30pm) ⁷ 27 June 1 August 19 September 24 October 28 November 2024 30 January 12 March	2023 21 June 2024 24 January	2023 14 June (7.30pm) ⁸ 2 August 1 November 2024 7 Feb	2023 18 May 15 June 13 July 10 August 7 September 5 October 2 November 7 December 2024 11 January 8 February 7 March 4 April	2023 28 June 2024 31 January	2023 Mon 15 May, virtual, Constitution Basics Wed 17 May 4pm – 5.30 ⁹ pm in person, Member Welcome Event Thurs 18 May, 10am – 12noon hybrid – Planning Committee ¹⁰ Mon 22 May 6.30pm virtual – Code of Conduct Tuesday 23 May 5.30pm – 7.30pm hybrid – Scrutiny training Tues 30 May 6.30pm virtual - Accounts, Audit & Risk Committee ¹¹ Tuesday 6 June virtual – Local Government Finance Monday 12 June virtual – Meeting Procedures Wednesday 14 June 6.30pm - 7.30pm in hybrid – Personnel Committee training Tuesday 11 July 6.30pm – 8.30pm – To be allocated	2023 Wednesday 20 September Wednesday 11 October Thursday 9 November Wednesday 29 November (in place of December date) 2024 Thursday 25 January Wednesday 21 February Thursday 21 March

¹ Dates are subject to change. The website will be updated and Members notified accordingly.

² Shareholder Committee comprises three Executive members to be appointed by Executive at their 5 June 2023 meeting

³ This is not an exhaustive list of induction sessions rather key sessions to support newly elected councillors and to ensure mandatory training is scheduled. Additional sessions and service specific bitesize briefings will also be scheduled.

⁴ Member induction runs from May – July 2023. Traditionally no sessions are scheduled in August.

⁵ 1 January 2024 is New Year's Day so a Bank Holiday.

⁶ 1 April 2024 is a Bank Holiday, Easter Monday. The Easter Bank Holidays impact on agenda publication which must be on Wed 27 March.

⁷ Scrutiny training scheduled immediately prior to the first meeting to facilitate attendance for OSC members

⁸ Personnel Committee training scheduled 6.30pm – 7.30pm immediately prior to the first meeting to facilitate attendance of Personnel Committee members

⁹ This is on the day of the Annual Council meeting consistent with arrangements in 2022. The timing allows for photos before Annual Council, laptop collection, return of forms, queries etc.

¹⁰ It is mandatory for Planning Committee members and named substitutes to have attended training prior to attending a committee meeting therefore training must be scheduled prior to the first meeting

¹¹ It is mandatory for AARC members to have attended training prior to attending a committee meeting therefore AARC training must be scheduled prior to the meeting date

This page is intentionally left blank

Cherwell District Council

Council

17 October 2022

Changes to Personnel Committee Terms of Reference

Report of Interim Monitoring Officer

This report is public

Purpose of report

The Council has a suite of employment law policies which give employees the opportunity to work flexibly or seek other changes to their terms and conditions. A recent introduction is a Flexible Retirement Policy, which will be considered by personnel Committee on 17 October.

This report seeks changes to the Terms of Reference of Personnel Committee, to make it possible for that committee to determine formal applications by senior officers to consider changes to their terms and conditions of employment.

1.0 Recommendations

The meeting is recommended:

- 1.1 To approve additional wording to the Personnel Committee's Terms of Reference, to add *'To determine formal applications by the Head of Paid Service, s151 Officer, Monitoring Officer and Corporate Directors for changes to their terms and conditions of employment, including flexible retirement requests'*.
- 1.2 To note that such applications by officers at Assistant Director grade and below would be determined by officers at the appropriate management level.

2.0 Introduction

- 2.1 At its meeting on 17 October, the Personnel Committee will be considering the adoption of a flexible retirement policy. This and other HR policies allow for applications to be made by officers for changes to their terms and conditions. It is therefore important that the Council determines how such applications will be decided.
- 2.2 It is proposed that any such applications from the most senior officers in the Council are determined by members, the appropriate committee being the Personnel Committee. Applications below this level would be delegated at officer level.

3.0 Conclusion and Reasons for Recommendations

- 3.1 In the interests of clarity and transparency, the council should have in place appropriate approval levels for requests by officers to any changes to their terms and conditions. This report provides a framework for such approvals so that there is clarity in the organisation as to who would be determining such applications.

4.0 Consultation

None

5.0 Alternative Options and Reasons for Rejection

- 5.1 The alternative options are to consider other committees having the function to determine senior officer terms and conditions changes, however as Personnel Committee has responsibility overall for HR functions, other options have been rejected.

6.0 Implications

Financial and Resource Implications

- 6.1 There are no financial implications associated with this report.

Comments checked by:

Michael Furness, Section 151 Officer and Assistant Director of Finance,
Michael.Furness@cherwell-dc.gov.uk

Legal Implications

- 6.2 The Council must have in place clear and transparent arrangements for determining applications by officers that result in a change to their terms and conditions of employment.

Comments checked by:

Shahin Ismail, Interim Monitoring Officer, Shahin.Ismail@cherwell-dc.gov.uk

Risk Implications

- 6.3 There are no risk management implications arising directly from this report. Any arising risks will be managed by the relevant service operational risk register and escalated to the leadership risk register as and when necessary.

Comments checked by:

Celia Prado-Teeling, Interim Assistant Director – Customer Focus, 01295 221556
celia.prado-teeling@cherwell-dc.gov.uk

Equalities and Inclusion Implications

- 6.4 All proposals are developed in line with the commitments set in our Equalities and Inclusion Framework, including a screening for relevance against our statutory duties to promote equality and an impact assessment (ECIA) has been completed.

Comments checked by:

Celia Prado-Teeling, Interim Assistant Director – Customer Focus, 01295 221556

celia.prado-teeling@cherwell-dc.gov.uk

7.0 Decision Information

Key Decision

Financial Threshold Met: N/A

Community Impact Threshold Met: N/A

Wards Affected

N/A

Links to Corporate Plan and Policy Framework

N/A

Lead Councillor

N/A

Document Information

Appendix number and title

- None

Background papers

None

Report Author and contact details

Claire Cox, Assistant Director of HR, OD and Payroll

Claire.cox@cherwell-dc.gov.uk

01295 221549

This page is intentionally left blank

Cherwell District Council

Council

17 October 2022

Appointment of Monitoring Officer

Report of Chief Executive

This report is public

Purpose of report

To appoint a Monitoring Officer following recruitment to the post of Assistant Director Law, Governance and Democratic Services.

1.0 Recommendations

The meeting is recommended:

- 1.1 To appoint Shiraz Sheikh as the Council's Monitoring Officer with effect from 18 October 2022.

2.0 Introduction

- 2.1 The Local Government and Housing Act 1989 requires the Council to appoint a Monitoring Officer to be responsible for specified statutory functions.
- 2.2 In light of the decision to end the formal partnership arrangements between Oxfordshire County Council and Cherwell District Council, Shahin Ismail was appointed Interim Monitoring Officer from 9 February 2022 pending recruitment to the post of Assistant Director Law, Governance and Democratic Services.
- 2.3 Following a recruitment process, Shiraz Sheikh was appointed Assistant Director Law, Governance and Democratic Services commencing his employment with Cherwell District Council on 17 October 2022.

3.0 Report Details

Monitoring Officer

- 3.1 Section 5 of the Local Government and Housing Act 1989 requires the Council to designate one of its officers to be the Monitoring Officer. The Monitoring Officer cannot be the Council's Head of Paid Service or its Chief Finance (Section 151) Officer. The Council is obliged to provide the monitoring officer with such staff, accommodation and other resources as they, in their opinion, requires to fulfil their statutory duties.
- 3.2 It is the duty of the Monitoring Officer to prepare a report to full Council or Executive in relation to non-executive and executive functions respectively where they are of the opinion that any proposal, decision or omission by the council has given rise to, or is likely to or would give rise to a contravention of any enactment or rule of law, or to maladministration. Such a report must be considered by Members within 21 days and the implementation of any relevant decision must be held in abeyance until the report is considered.
- 3.3 The Monitoring Officer also has responsibility pursuant to sections 27-34 of the Localism Act 2011 to administer the ethical regime for members of the Council and all parish councillors in the Council's district, as well as acting as the Monitoring Officer for all such parish councils.
- 3.4 In addition the Monitoring Officer, as one of the three statutory officers, has a general role in ensuring and advising on the lawfulness the Council's actions.
- 3.5 In light of decision to end the formal partnership between Cherwell District Council and Oxfordshire County Council, Shahin Ismail, Interim Assistant Director Law, Governance and Democratic Services, has undertaken the role of Interim Monitoring Officer.
- 3.6 With the appointment of Shiraz Sheikh to the role of Assistant Director Law, Governance and Democratic Services, it is recommended that Council formally appoint him as the Council's Monitoring Officer, effective from 18 October 2022.
- 3.7 Shiraz Sheikh is a very experienced local authority Deputy Monitoring Officer and senior leader at West Berkshire Council. Shiraz is also a very experienced solicitor.
- 3.8 Subject to his appointment, Shiraz Sheikh will be requested to appoint at least one Deputy Monitoring Officer to act in his absence.

4.0 Conclusion and Reasons for Recommendations

- 4.1 In accordance with statutory requirements it is recommended that Shahin Ismail be appointed as the Council's Monitoring Officer on an interim basis.

5.0 Consultation

- 5.1 Leader of the Council and the Executive – no objections received

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 appoint an alternative officer. This is rejected because Shiraz Sheikh has the necessary skills and experience to fulfil the role and was appointed following a rigorous competitive interview process.

Option 2: Not to appoint a Monitoring Officer. This is rejected as the Council is legally required to appoint to the statutory post

7.0 Implications

Financial and Resource Implications

- 7.1 There are no financial implications arising directly from this report. The role of Monitoring Officer is included within the salary budget for the Assistant Director Law, Governance and Democratic Services.

Comments checked by:

Michael Furness, Assistant Director of Finance,
michael.furness@cherwell-dc.gov.uk, 01295 221845

Legal Implications

- 7.2 These are set out in the body of the report. It is necessary for full Council to approve the appointment of a Monitoring Officer.

Comments checked by:

Shahin Ismail, Interim Assistant Director Law, Governance and Democratic Services, shahin.ismail@cherwell-dc.gov.uk

Risk Implications

- 7.3 The council has a statutory duty to appoint a Monitoring Officer. Making the recommended appointment will ensure the council fulfils this duty.

Comments checked by:

Celia Prado-Teeling, Interim Assistant Director Customer Focus,
01295 221556, Celia.prado-teeling@cherwell-dc.gov.uk

Equalities and Inclusion Implications

- 7.4 There are no specific equalities implications arising from this report.

Comments checked by:

Celia Prado-Teeling, Interim Assistant Director Customer Focus,
01295 221556, Celia.prado-teeling@cherwell-dc.gov.uk

8.0 Decision Information

Key Decision

Financial Threshold Met: N/A

Community Impact Threshold Met: N/A

Wards Affected

All

Links to Corporate Plan and Policy Framework

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

Lead Councillor

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

Document Information

Appendix number and title

- None

Background papers

None

Report Author and contact details

Natasha Clark, Governance and Elections Manager

Email: natasha.clark@cherwell-dc.gov.uk Tel: 01295 221589

Cherwell District Council

Council

17 October 2022

Notification of Decision Taken Under Urgency Powers – Appointment of Data Protection Officer

Report of Chief Executive

This report is public

Purpose of report

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

1.0 Recommendations

The meeting is recommended:

- 1.1 To note the urgent decision taken by the Chief Executive as set out at Appendix 1.

2.0 Introduction

- 2.1 The Constitution states that the Chief Executive may take an urgent decision or exercise any power which the Council has if the decision is considered urgently necessary in the interests of the Council. Such a decision has been taken in relation to the appointment of a Data Protection Officer.

3.0 Report Details

- 3.1 The role of Data Protection Officer (DPO) is a statutory appointment required under the provisions of article 37 of the General Data Protection Regulations as in force in the UK (GDPR) and clause 69(1) Data Protection Act (DPA) 2018.
- 3.2 The Council's current Data Protection Officer was an employee of Oxfordshire County Council (OCC), appointed pursuant to the shared working agreement entered into by Cherwell District Council (CDC) and Oxfordshire County Council pursuant to section 113 of the Local Government Act 1972.

- 3.3 In light of the decision to end the formal partnership working arrangement between OCC and CDC all joint services were reviewed. As part of this review, it was agreed that Information Governance would be fully decoupled as at 31 August 2022 with a separate provision of the service by each Council. It was therefore necessary for Cherwell District Council to appoint a CDC officer as Data Protection Officer.
- 3.4 The appointment of Data Protection Officer would ordinarily be taken by Council. As the next meeting of Council was not until 17 October 2022, the Chief Executive used the provisions in the Constitution to take an urgent decision to appoint Shahin Ismail, Interim Assistant Director Law, Governance and Democratic Services, as the Council's Data Protection Officer from 11 August 2022 (date of the urgent decision to 17 October 2022) and Shiraz Sheikh Assistant Director Law, Governance and Democratic Services, as the Council's Data Protection Officer from 17 October 2022.

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 a Data Protection Officer.

5.0 Consultation

None

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:

Joanne Kaye, Strategic Finance Business Partner, 01295 221545,
joanne.kaye@cherwell-dc.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:
Helen Lolas, Team Leader & Solicitor, 07801 400941,
helen.lolas@cherwell-dc.gov.uk

Risk Implications

- 7.3 There are no risk implications arising directly from this report as it is reporting urgent action already taken. Taking this decision mitigated the possible risk of not being compliant with our Data Protection obligations.

Comments checked by:
Celia Prado-Teeling, Interim Assistant Director Customer Focus,
01295 221556, Celia.prado-teeling@cherwell-dc.gov.uk

Equalities and Inclusion Implications

- 7.4 There are no equalities implications arising directly from this report. The principles reflected in our equalities and inclusion framework are always taken into consideration during any decision making process.

Comments checked by:
Celia Prado-Teeling, Interim Assistant Director Customer Focus,
01295 221556, Celia.prado-teeling@cherwell-dc.gov.uk

8.0 Decision Information

Key Decision

Financial Threshold Met: N/A

Community Impact Threshold Met: N/A

Wards Affected

N/A

Links to Corporate Plan and Policy Framework

N/A – this report is made pursuant to a Constitutional requirement

Lead Councillor

N/A – this report is made pursuant to a Constitutional requirement

Document Information

Appendix number and title

- Appendix 1 – Urgent decision notice

Background papers

None

Report Author and contact details

Fay Ford, Interim Information Governance Manager, 01295 221505,

fay.ford@cherwell-dc.gov.uk

**Urgent Decision Taken by Chief Executive****Published on 27 September 2022****Decision:** Appointment of Data Protection Officer**Decision taker:** Chief Executive**Decision Date:** 11 August 2022**Is decision subject to Call-in?** No – not an Executive decision**Deadline for Call-in:** N/A**Is decision Exempt?** No**Is decision urgent?** Yes**Summary**

To appoint a Data Protection Officer in light of the end of the formal partnership working arrangements between Cherwell District Council and Oxfordshire County Council

Decision**Resolved**

- (1) That Shahin Ismail, Interim Assistant Director Law, Governance and Democratic Services, be appointed as the Council's Data Protection Officer with immediate effect to 17 October 2022.
- (2) That Shiraz Sheikh, Assistant Director Law, Governance and Democratic Services, be appointed as the Council's Data Protection Officer from 17 October 2022.

Reasons for Decision

Along with all public authorities, Cherwell District Council is required to designate one of its officers to carry out the statutory duties of the Data Protection Officer pursuant to Articles 37-39 of the GDPR.

The Council's current Data Protection Officer is an employee of Oxfordshire County Council (OCC), appointed pursuant to the shared working agreement entered into by Cherwell District Council (CDC) and Oxfordshire County Council pursuant to section 113 of the Local Government Act 1972.

In light of the decision to end the formal partnership working arrangement between OCC and CDC all joint services were reviewed. As part of this review, it was agreed

that Information Governance would be fully decoupled as at 31 August 2022 with a separate provision of the service by each Council. It is therefore necessary for Cherwell District Council to appoint a CDC officer as Data Protection Officer.

The Monitoring Officer is the Proper Officer for Access to Information and therefore, in accordance with statutory requirements, it is recommended that the Assistant Director Law, Governance and Democratic Services (with the Interim postholder holding this role until 16 October 2022 and the permanent post holder holding the role from 17 October 2022) be appointed as the Council's Data Protection Officer.

Options Considered

Option 1: To retain the current Data Protection Officer. This is rejected as the service has been decoupled and the current DPO is not a CDC employee.

Option 2: Not to appoint a Data Protection Officer. This is rejected as the Council is legally required to appoint to the statutory post.

Option 3: To appoint an alternative officer. This is rejected because Shahin Ismail and Shiraz Sheikh have the necessary skills and experience to fulfil the role.

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

None

Attachments

Report to Chief Executive – Appointment of Data Protection Officer

Yvonne Rees
Chief Executive

Council

Monday 17 October 2022

Agenda Item 18, Motions

Motion Proposer: Councillor Dan Sames

Motion Seconder: TBC

Topic: One Planet Living

Motion

“In 2019 CDC declared a climate a climate emergency committing to ensure our operations and activities are net zero by 2030 and to do our part to achieve a net zero district by 2030 through leading by example. CDC’s Climate Action Framework sets out the detail of how this will be achieved and emissions have reduced by 51% between 2008/09 to 2020/21.

However, responding to the climate emergency requires more than simply reducing carbon emissions. Currently our lifestyles consume the resources of 3 planets, we must do better to live within our means and the resources of one planet.

One Planet Oxfordshire is a collaboration of councils, businesses, schools and community groups that have a vision of a world in which people enjoy happy, healthy lives within their fair share of the earth’s resources, whilst leaving space for wildlife and wilderness. It’s about living and growing sustainably to minimise impacts on the environment and maximise benefits to people.

At August’s Overview and Scrutiny committee the ten One Planet principles that contribute to planning, delivering and committing to a more sustainable future were presented to offer a framework within which the council could operate.

These principles are:

- Health and happiness
- Equity and local economy
- Culture and community
- Land and nature
- Sustainable water
- Local and sustainable food
- Travel and transport
- Materials and product
- Zero waste
- Zero carbon energy

This council resolves to support the One Planet Oxfordshire shared vision and commits to review operations and activities using the One Planet Living Framework.”

Motion Proposer: Councillor Matt Hodgson

Motion Seconder: Councillor Amanda Watkins

Topic: Fracking

Motion

“Fracking involves injecting water, sand and other substances into subterranean rocks to extract the gas that is trapped between them. It has caused water pollution in the US, earthquakes there and in the UK, massively pollutes the environment and water table and contributes to greenhouse gases when burnt.

We've already seen earthquakes in Lancashire, and Quadrilla were forced to pause fracking there in 2018 after the British Geological Survey showed that there had been 17 earthquakes in 9 days.

Fracking was banned in 2019 by the Conservative government amid these concerns. These concerns have not gone away.

We now have a Prime Minister who believes fracking is fine again and has reversed that decision. Inexplicably so when investment in renewables is both more cost effective and much better for the environment. It is inexplicable that the government should be considering such environmental and climatic destruction when we are facing a climate catastrophe.

Liz Truss has said developers will be given permission "where there is local support". Various sites across the country have been identified as possibilities, some are in Cherwell. As this Council declared a climate emergency in 2019, and published the Climate Action Framework in 2020, which includes statements on moving towards net-zero carbon by 2030, we, as a council, need unite behind that and be seen to be standing by it. We, the Labour Group, I know, are united on this and we call upon this Council to declare the District of Cherwell a NO FRACKING ZONE.”

Motion Proposer: Councillor Ian Middleton

Motion Seconder: TBC

Topic: Investment Zones

Motion

“The government’s recent ‘mini-budget’ included plans for ‘investment zones’ within which the Chancellor said the Government would “get out of the way to get Britain building”.

The planning process for developers will be shortened and liberalised in these zones providing a more streamlined path towards planning consent. There are also plans to limit the ability for planning decisions to be overturned by the courts.

The government has also published plans for a 'sunset clause' on environmental protections introduced when the UK was in the EU. Environmental regulations such as Habitat Regulation Assessments will be scrapped in these zones, with no clarity as to how they will be replaced. This has been described as "an attack on nature" by the RSPB.

In addition, reports have suggested that the planned Environmental Land Management Scheme is to be scrapped. This would have paid farmers to improve nature on their land. There is now uncertainty that payment-by acre will be linked to any environmental measures.

Whilst Cherwell is not included in the initial list of 'Investment Zones' there will be an opportunity for all councils to express an interest in becoming one in the future.

This council therefore pledges that :

1. We do not support the 'Investment Zone' proposals and have no interest in becoming part of this scheme.
2. Environmental protection in Cherwell will be maintained at current or better levels regardless of any loosening of regulations
3. Local democracy will be upheld and respected in the planning process"

Motion Proposer: Councillor Nick Cotter

Motion Secunder: TBC

Topic: Water Sewage Transparency

Motion

"Earlier this year Thames Water welcomed Oxfordshire's first regional river designated as bathing water in Port Meadow's Wolvercote Mill Stream. It's important that this success is built on by Cherwell District council to protect our waterways from natural and man-made pollution.

Only 14% of the UK's waterways are in a good ecological condition, with water companies across the UK having discharged raw sewage into waterways 400,000 times in 2020 – more than 3 million hours of discharge.

In compliance with our climate change emergency motion, this Council has a duty to protect our natural environment. The government has so far failed to hold the water companies to account, so this council should work with Thames Water to increase transparency and minimise discharges into Cherwell's waterways.

This Council therefore will :

1. Seek to establish a local strategy that puts sewage treatment at the heart of its local plan

2. Ensure that an evidence base is compiled that assesses the cumulative impact of sewage discharges so that this is factored into decisions made within the local plan.
3. Seek to better understand the cumulative impact of wastewater discharge including untreated sewage into our local rivers on wildlife and residents
4. From 2023, request that Thames Water clarifies which treatment works will be managing sewage from new developments and the likely impact on the number of sewage discharges into watercourses
5. Requests that planning officers include a specific section on the impact on watercourses in all relevant reports relating to major developments”

Motion Proposer: Councillor Dorothy Walker

Motion Seconder: Councillor Ian Middleton

Topic: Climate and Ecology

Motion

“In 2019 this council recognised the importance of tackling impending ecological collapse by passing a climate emergency motion. We have also recently adopted the policy of One Planet Living.

The CLIMATE AND ECOLOGY BILL is a plan for a new UK law that addresses the full extent of the climate and nature crisis in line with the most up-to-date science.

The Bill is the only proposed legislation before Parliament that ensures a comprehensive and joined-up approach to the climate emergency. It was written by scientists, experts and campaigners and seeks to ensure that the UK plays its fair and proper role in limiting global temperatures to 1.5°C and has the cross-party backing of 150 parliamentarians.

It calls for urgent action from the Government to take into account our entire global carbon footprint by:

- Tackling the climate and nature crises together
- Doing our fair share to cut UK emissions to stay below 1.5°C of global warming
- Halting and reversing UK biodiversity loss by 2030
- Taking responsibility for the entirety of our global carbon and ecological footprints

To reinforce our commitment to tackling climate change, this council will show support for the CLIMATE AND ECOLOGY BILL by:

1. Taking into account the goals of The Bill when setting its own strategies, policies and targets.
2. Encouraging councillors to join the Zero Hour Campaign at www.zerohour.uk
3. Calling on all Oxfordshire MPs to support the CLIMATE AND ECOLOGY BILL when it is debated in Parliament”