

Cherwell District Council

Council

Minutes of a meeting of the Council held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 16 October 2017 at 6.30 pm

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

Councillor Andrew Beere
Councillor Claire Bell
Councillor Hugo Brown
Councillor Mark Cherry
Councillor Colin Clarke
Councillor Ian Corkin
Councillor Surinder Dhesi
Councillor John Donaldson
Councillor Sean Gaul
Councillor Carmen Griffiths
Councillor Timothy Hallchurch MBE
Councillor Chris Heath
Councillor Shaida Hussain
Councillor Tony Ilott
Councillor Alan MacKenzie-Wintle
Councillor James Macnamara
Councillor Kieron Mallon
Councillor Nicholas Mawer
Councillor Andrew McHugh
Councillor Alastair Milne-Home
Councillor Nigel Morris
Councillor Richard Mould
Councillor Lynn Pratt
Councillor Neil Prestidge
Councillor G A Reynolds
Councillor Sandra Rhodes
Councillor Barry Richards
Councillor Dan Sames
Councillor Les Sibley
Councillor Nigel Simpson
Councillor Jason Slaymaker
Councillor Nicholas Turner
Councillor Tom Wallis
Councillor Douglas Webb
Councillor Bryn Williams
Councillor Barry Wood
Councillor Sean Woodcock

Apologies
for
absence: Councillor David Anderson
Councillor Ken Atack
Councillor Hannah Banfield

Councillor Mike Bishop
Councillor David Hughes
Councillor Mike Kerford-Byrnes
Councillor D M Pickford

Officers: Yvonne Rees, Chief Executive
Scott Barnes, Director of Strategy and Commissioning
Ian Davies, Director of Operational Delivery
Richard Ellis, Director (Interim)
Paul Sutton, Chief Finance Officer / Section 151 Officer
James Doble, Interim Assistant Director Transformational
Governance / Monitoring Officer
Natasha Clark, Interim Democratic and Elections Manager

39 **Declarations of Interest**

11. Support for Banbury Business Improvement District (BID).

Councillor Surinder Dhesi, Declaration, as an employee of Marks and Spencer.

14. Loan for a Replacement Kidlington Girl Guides Building.

Councillor Surinder Dhesi, Declaration, as an honorary Girl Guide.

40 **Communications**

The Chairman made the following announcements:

Chairman's Dinner

The Chairman advised Council that his charity dinner was on Saturday 10 March at Exeter Hall, Kidlington. Tickets were £45 and could be bought from his PA, Liz Matthews. All proceeds will go to the charities he was supporting as Chairman.

Banbury Salvation Army – Chairman's Charity

The Chairman reported that he had added Banbury Salvation Army as a charity he would be supporting during his year as Chairman.

Chairman's Engagements

The Chairman reported that a copy of the events attended by himself or the Vice-Chairman was included with the agenda.

Post

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

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

There were no petitions or requests to address the meeting.

42 **Urgent Business**

There were no items of urgent business.

43 **Minutes of Council**

The minutes of the meeting held on 17 July 2017 were agreed as a correct record and signed by the Chairman.

44 **Minutes**

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

Resolved

That the minutes of the meeting of the Executive and Lead Member decisions as set out in the Minute Book be received and that it be noted that since the last meeting of Council held on 17 July 2017, two decisions had been taken by the Executive which were not included in the 28 day notice relating to: Franklins House, Bicester; and, Budget Strategy 2018/19 and Beyond.

b) **Minutes of Committees**

Resolved

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

45 **Questions**

a) **Written Questions**

There were no written questions.

b) **Questions to the Leader of the Council**

Questions were asked and answers received on the following issues:

Councillor Gaul: Syrian Refugees

Councillor Corkin: Charging for non-domestic waste and impact on fly-tipping

Councillor Dhesi: Provision of advice to individuals with mental health issues regarding council tax reductions

Councillor Dhesi: Drug problems in Banbury

Councillor Woodcock: Roll out of universal credit

Councillor Mallon: Drug problems in Banbury

c) **Questions to Committee Chairmen on the Minutes**

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

Motions

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

It was moved by Councillor Wood, and seconded by Councillor Hussain, that the following motion be adopted:

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

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

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

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

The motion was debated and subsequently agreed.

b) **Condition of BT Phones Boxes in the District**

It was moved by Councillor Wood, and seconded by Councillor Hussain, that the following motion be adopted:

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

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

In the course of the debate, Councillor Richards proposed an amendment to the motion to delete the words “or we do not want them at all”, which was duly seconded by Councillor Woodcock:

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

c) **Public Sector Pay Cap**

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

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

The following amendments to the motion were proposed by Councillor Wood and duly seconded by Councillor Reynolds.

“This council notes that by restraining the remit of the pay review bodies to a maximum uplift of no more than one percent there has been an impact on public sector staff including nurses, teachers, firefighters, police officers, the armed forces and the civil service. This has affected morale, recruitment and retention at a time when demand for services is on the increase. This council thus calls on the government to move to a more flexible position on public sector pay.”

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

Resolved

(1) That the following motion be adopted:

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

That Cherwell District Council adopt the following working definition of anti-Semitism:

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

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

Condition of BT Phones Boxes in the District

That Cherwell District Council formally request BT tidy up and clean up their phone boxes around our district. We want them presentable, on the inside and out.

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

Public Sector Pay Cap

This council notes that by restraining the remit of the pay review bodies to a maximum uplift of no more than one percent there has been an impact on public sector staff including nurses, teachers, firefighters, police officers, the armed forces and the civil service. This has affected morale, recruitment and retention at a time when demand for services is on the increase. This council thus calls on the government to move to a more flexible position on public sector pay.

47 **Chief Officer and Deputy Chief Officer Appointment Process**

The Chief Executive submitted a report to confirm the arrangements for the appointment of Chief Officers and Deputy Chief Officers.

Resolved

- (1) That, subject to a similar decision being made by South Northamptonshire Council, the terms of reference of the Joint Commissioning Committee and Officer Employment Procedure Rules be amended to confirm that Chief Officers' appointments will be member level decisions made by the Joint Commissioning Committee and that Deputy Chief Officer appointments will be made by the Head of Paid Service.
- (2) That authority be delegated to the Monitoring officer to amend the constitution, in accordance with resolution (1) above.
- (3) That it be agreed that any increased management restructure costs be included in the budget framework, with in year costs met from within existing budgets and future costs included in the 2018/19 budget; and that the Deputy Section 151 Officer be authorised to include these figures within the budget when finalised.

48 **Support for Banbury Business Improvement District (BID)**

The Head of Strategic Planning and the Economy submitted a report to seek Council approval, subject to a positive ballot, for Cherwell District Council to subsidise part of the annual costs of collecting the Levy on behalf of the Banbury Improvement District (BID) within a budget ceiling for a maximum five-year period and for the Chief Financial Officer to make the appropriate arrangements; for Cherwell District Council to provide a bridging loan to the BID to support its establishment and for repayment to occur within a three-year period and for the Chief Financial Officer to make the appropriate arrangements; for Cherwell District Council to meet the costs of creating the BID Levy collection system; and, for the Chief Financial Officer to make the appropriate arrangements.

Resolved

- (1) That, subject to a positive 'yes' ballot of businesses authority be delegated to the Chief Finance Officer in consultation with the relevant

Lead Member to meet the actual one-off capital cost, estimated to be £20,000 to create the necessary collection system.

- (2) That, subject to a positive 'yes' ballot of businesses authority be delegated to the Chief Finance Officer in consultation with the relevant Lead Member to subsidise a proportion of the annual revenue costs to collect the BID levy for a maximum period of five years of £9,000 a year.
- (3) That, subject to a positive 'yes' ballot of businesses and approval of budgets by Full Council, authority be delegated to the Chief Finance Officer in consultation with the relevant Lead Member to provide a bridging loan of up to £50,000 to the Banbury BID to cover the set-up, operational and project costs in its start-up phase to be entirely repaid to the Council within three years. The loan would be subject to an appropriate legal agreement being entered into to govern the drawdown loan facility and all financial requirements being satisfied.

49 **Community Governance Review - results of second consultation and final recommendations, and update regarding Parliamentary Boundary Review**

The Chief Executive submitted a report to consider the final recommendations from the Community Governance Review (CGR) Working group, following the second consultation phase. The report also provided a further update regarding the next stages of the Parliamentary Boundary Review.

Resolved

- (1) That the separation of the existing Upper Heyford Parish into two, as shown on the map at the annex to the Minutes (as set out in the Minute Book) be agreed.
- (2) That the parishes be named Upper Heyford and Heyford Park, with the outer boundary of Heyford Park being as shown on the map at the annex to the Minutes (as set out in the Minute Book).
- (3) That Upper Heyford Parish retaining six parish councillors, and Heyford Park having seven parish councillors be agreed.
- (4) That the number of Parish Councillors for Fritwell be increased by one, from six to seven.
- (5) That the number of Parish Councillors for Stratton Audley be increased by two, from five to seven.
- (6) That the number of Parish Councillors for Tadmarton be reduced by one, from seven to six.
- (7) That the number of Parish Councillors for Weston-on-the-Green be increased by one, from seven to eight.

- (8) That the number of Parish Councillors for Yarnton being increased by one, from nine to 10.
- (9) That authority be delegated to the Chief Executive to respond to the third consultation of the Parliamentary Boundary Review, in consultation with the CGR/Parliamentary Boundary Review Working Group

50 **Standards Arrangements - Appointment of Independent Persons**

The Monitoring Officer submitted a report to appoint statutory independent persons as part of the standards arrangements.

Resolved

- (1) That Mr Graham Matthews be re-appointed as an independent person pursuant to section 28(7) of the Localism Act 2011 for a term of four years expiring on the date of the annual meeting of Council in 2021.
- (2) That the appointment of a third independent person pursuant to section 28(7) of the Localism Act 2011 be agreed.
- (3) That, further to resolution (2), Mr Stuart Green be appointed as an independent person pursuant to section 28(7) of the Localism Act 2011 for a term of four years expiring on the date of the annual meeting of Council in 2021.

51 **Loan for a Replacement Kidlington Girl Guides Building**

The Director of Operational Delivery submitted a report to consider the creation of a capital budget for a loan to Kidlington Girl Guides to enable them to replace their current old and poor quality building.

Resolved

- (1) That the creation of a capital budget of up to £100,000 to Kidlington Girl Guides for a replacement Guide building be approved and delegated authority granted to the Chief Finance Officer to approve the final cost and loan agreement.

52 **Notification of Urgent Action: Stratfield Brake Sports Ground, Kidlington**

The Director of Operational Delivery submitted a report to inform Members of the decision taken under urgent powers in consultation with relevant Members to approve the award of an operating contract for Stratfield Brake Sports Ground and transitional financial support to Kidlington (KPC) and Gosford & Water Eaton Parish Councils (G&WEPC).

Resolved

- (1) That the urgent action taken to approve the award of an operating contract and associated actions for Stratfield Brake Sports Ground, Kidlington be noted.

53 **Amendments to Committee Membership**

The Leader of the Conservative Group, Councillor Wood, advised that this item had been withdrawn from the agenda.

54 **Exclusion of the Press and Public**

Resolved

That under Section 100A of the Local Government Act 1972, the public and press be excluded from the meeting for the following items of business on the ground that, if the public and press were present, it would be likely that exempt information falling under the provisions of Schedule 12A, Part 1, Paragraph 3 would be disclosed to them, and that in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

55 **Questions on Exempt Minutes**

There were no questions on exempt minutes.

56 **The Hill Youth and Community Centre - Budget Request**

The Chief Finance Officer submitted an exempt report to seek approval of an additional capital budget of £200,000 for the redevelopment of The Hill Youth and Community Centre in Bretch Hill, Banbury.

Resolved

- (1) That, in accordance with the agreed recommendations of the Executive, the additional capital budget of £200,000 for redevelopment of The Hill Youth and Community Centre be approved.

57 **Notification of Urgent Action: Franklins House, Bicester**

The Chief Finance Officer submitted an exempt report to notify Full Council of the urgent action relating to Franklins House, Bicester, taken by the Chief Finance Officer in consultation with the Chairman of Council.

Resolved

- (1) As set out in the exempt minutes.

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The meeting ended at 9.15 pm

Chairman:

Date: