

Cherwell District Council

Council

Minutes of a meeting of the Council held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 16 July 2018 at 6.30 pm

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

Councillor David Anderson
Councillor Hannah Banfield
Councillor Andrew Beere
Councillor Claire Bell
Councillor John Broad
Councillor Hugo Brown
Councillor Phil Chapman
Councillor Mark Cherry
Councillor Colin Clarke
Councillor Ian Corkin
Councillor Surinder Dhesi
Councillor John Donaldson
Councillor Sean Gaul
Councillor Carmen Griffiths
Councillor Timothy Hallchurch MBE
Councillor Shaida Hussain
Councillor Tony Ilott
Councillor Mike Kerford-Byrnes
Councillor Alan MacKenzie-Wintle
Councillor Kieron Mallon
Councillor Nicholas Mawer
Councillor Andrew McHugh
Councillor Tony Mephram
Councillor Richard Mould
Councillor Cassi Perry
Councillor Lynn Pratt
Councillor G A Reynolds
Councillor Sandra Rhodes
Councillor Alaric Rose
Councillor Dan Sames
Councillor Les Sibley
Councillor Jason Slaymaker
Councillor Nicholas Turner
Councillor Tom Wallis
Councillor Douglas Webb
Councillor Bryn Williams
Councillor Lucinda Wing
Councillor Barry Wood
Councillor Sean Woodcock

Apologies for absence: Councillor Mike Bishop
Councillor Chris Heath
Councillor Simon Holland
Councillor James Macnamara
Councillor D M Pickford
Councillor Neil Prestidge
Councillor Barry Richards

Officers: Yvonne Rees, Chief Executive
Jane Carr, Executive Director: Wellbeing
Adele Taylor, Interim Executive Director: Finance and Governance
Claire Taylor, Director: Customers and Service Development
James Doble, Assistant Director: Law and Governance / Monitoring Officer
Natasha Clark, Governance and Elections Manager

18 **Welcome**

The Chairman welcomed Councillor John Broad to his first meeting of Council following the recent election for the Bicester West ward.

19 **Declarations of Interest**

11. Joint Working Arrangements: Cherwell District and Oxfordshire County Councils & Cherwell District and South Northamptonshire Councils.
Yvonne Rees, Declaration, as the report referred to the establishment of a joint Chief Executive post and would leave the meeting for the duration of the item.

20 **Communications**

The Chairman and Chief Executive made the following announcements:

Chairman's Engagements

The Chairman advised that a copy of the events attended by himself or the Vice-Chairman was included in the published agenda pack.

Post

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

Member Seminar, Monday 23 July

The Chief Executive referred to the email sent to members regarding the Member Seminar on Monday 23 July which would focus on the council's vision for Banbury and the Canalside.

This was a really important seminar and opportunity for Members to consider the potential future for Banbury and the Canalside and what the council and others could do to positively influence the area.

The session would take attendees on a journey through what the council's overall framework for the area looks like, what proactive and positive steps have already been taken around shaping the area and what the potential aspirations could look like for the future.

This session would be led by the Executive Director: Place and Growth, Adrian Colwell, and the Interim Executive Director Finance and Governance, Adele Taylor, who would take Members through this journey for what the future of this area in Banbury could look like.

In response to a query from Councillor Mallon regarding the date which clashed with the County Locality AGM and that he felt that town and county councillors should have been invited to, the Chief Executive explained that the Member Seminar date was included on the calendar of meetings that had been agreed at the December 2017 Council meeting. The Member Seminar would specifically relate to the current position for CDC and enable CDC members to receive on this matter prior to any wider discussion and engagement.

Member Briefing – GDPR

The Chief Executive reminded Members that a briefing on GDPR would take place at 6pm on Tuesday 31 July in the SNC Council Chamber in Towcester.

This briefing had been held the previous month at Bodicote House and had received excellent feedback from attendees so any member who couldn't attend was encouraged to attend on 31 July.

This briefing would bring Members up to speed with what has changed with the General Data Protection Regulation (GDPR) which came into force on 25 May 2018 and how GDPR affects elected members.

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

There were no petitions or requests to address the meeting.

22 **Urgent Business**

There were no items of urgent business.

23 **Minutes of Council**

The minutes of the meeting held on 15 May 2018 were agreed as a correct record and signed by the Chairman.

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 report that since the last meeting of Council at which the minutes were submitted on 26 February 2018, one key decision had been taken by the Executive which was not included in the 28 day notice. This related to Joint Working Arrangements between Cherwell District Council and Oxfordshire County Council.

b) Minutes of Committees

Resolved

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

Questions

a) Written Questions

The Chairman advised Council that two written question had been submitted with advance notice in accordance with the Constitution.

The first question was from Councillor Rose and addressed to the Leader of the Council, Councillor Wood, and was in relation to housing base and council tax. A written answer had been tabled at the meeting (annex to the Minutes as set out in the Minute Book).

The second question was from Councillor Rose and addressed to the Leader of the Council, Councillor Wood, and was in relation to decriminalised parking in Cherwell. A written answer had been tabled at the meeting (annex to the Minutes as set out in the Minute Book).

Councillor Rose asked a supplementary question to which an answer was duly given.

b) Questions to the Leader of the Council

Questions were asked and answers received on the following issues:

Councillor Mawer: Dog on dog attacks

Councillor Sames: Illegal encampments on Cherwell District Council land

Councillor Gaul: Bicester Town Council pin badge

Councillor Banfield: Keeping dogs safe in the summer

Councillor Woodcock: Complaints about poor private sector housing

Councillor Bell: Provision of changing places facilities at leisure centres in the district

Councillor Dhesi: Cleanliness of Banbury pavements

Councillor Cherry: The Hill Community Centre

c) Questions to Committee Chairmen on the Minutes

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

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Motions

a) Guaranteed Interview Scheme for Veterans

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

“This Council instructs Officers to investigate and prepare a report for the Executive (and JCC if appropriate) that would consider the introduction of a guaranteed interview scheme for veterans together with a review of the current advertising arrangements for external vacancies to promote better access for veterans.

This Council notes that where this has been introduced by other Councils such as Durham and Cumbria, veterans are defined as those who are about to leave the regular Armed Forces or who have done so in the last three years.

Those leaving the Armed Forces face many challenges and sometimes discrimination in the job market. This policy will demonstrate our commitment to the Armed Forces Covenant that we as a council we're proud to be amongst the first to sign up to.

We acknowledge that veterans have many of the skills, experience and qualities that councils could use and utilise and as such, suitable employment within our council could aid the applicants, our organisation and the residents we serve.”

The motion was debated and subsequently agreed.

b) Modern Slavery

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

“Cherwell District Council believes that Modern Slavery is a scourge on our society and will do what it can to end it.

“This council calls on the government to review with past victims of the support mechanisms in place through the National Referral Mechanism to ensure they are fit for purpose and sufficient in length.

“And this authority undertakes to take the following steps:

- Train its corporate procurement team to understand modern slavery through the Chartered Institute of Procurement and Supply's (CIPS) online course on Ethical Procurement and Supply.
- Require its contractors to comply fully with the Modern Slavery Act 2015, wherever it applies, with contract termination as a potential sanction for non-compliance.
- Challenge any abnormally low-cost tenders to ensure they do not rely upon the potential contractor practising modern slavery.
- Highlight to its suppliers that contracted workers are free to join a trade union and are not to be treated unfairly for belonging to one.
- Publicise its whistle-blowing system for staff to blow the whistle on any suspected examples of modern slavery.
- Require its tendered contractors to adopt a whistle-blowing policy which enables their staff to blow the whistle on any suspected examples of modern slavery.
- Review its contractual spending regularly to identify any potential issues with modern slavery.
- Highlight for its suppliers any risks identified concerning modern slavery and refer them to the relevant agencies to be addressed.
- Refer for investigation via the National Crime Agency's national referral mechanism any of its contractors identified as a cause for concern regarding modern slavery.
- Report publicly on the implementation of this policy annually.
- Update our overarching Safeguarding policy to reflect this change."

In introducing the motion, Councillor Woodcock advised Council that the wording of his motion had slightly changed to that which had included in the published agenda following discussions with officers and other members.

Prior to the debate on the motion, Councillor Mallon proposed the following minor amendment to add an additional bullet point to the end of the motion with the following text: This Council condemns forced marriage as a type of modern slavery and will work with the Crime Partnerships within Oxfordshire and the office of the Police and Crime Commissioner to tackle the crime of forced marriage within the Thames Valley.

On being accepted by the proposer and seconder of the motion (Councillor Woodcock and Councillor Banfield respectively), the motion as amended was debated and subsequently agreed.

Resolved

- (1) That the following motion be adopted:

This Council instructs Officers to investigate and prepare a report for the Executive (and JCC if appropriate) that would consider the introduction of a guaranteed interview scheme for veterans together with a review of the current advertising arrangements for external vacancies to promote better access for veterans.

This Council notes that where this has been introduced by other Councils such as Durham and Cumbria, veterans are defined as those

who are about to leave the regular Armed Forces or who have done so in the last three years.

Those leaving the Armed Forces face many challenges and sometimes discrimination in the job market. This policy will demonstrate our commitment to the Armed Forces Covenant that we as a council we're proud to be amongst the first to sign up to.

We acknowledge that veterans have many of the skills, experience and qualities that councils could use and utilise and as such, suitable employment within our council could aid the applicants, our organisation and the residents we serve.

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

Cherwell District Council believes that Modern Slavery is a scourge on our society and will do what it can to end it.

This council calls on the government to review with past victims of the support mechanisms in place through the National Referral Mechanism to ensure they are fit for purpose and sufficient in length.

And this authority undertakes to take the following steps:

- Train its corporate procurement team to understand modern slavery through the Chartered Institute of Procurement and Supply's (CIPS) online course on Ethical Procurement and Supply.
- Require its contractors to comply fully with the Modern Slavery Act 2015, wherever it applies, with contract termination as a potential sanction for non-compliance.
- Challenge any abnormally low-cost tenders to ensure they do not rely upon the potential contractor practising modern slavery.
- Highlight to its suppliers that contracted workers are free to join a trade union and are not to be treated unfairly for belonging to one.
- Publicise its whistle-blowing system for staff to blow the whistle on any suspected examples of modern slavery.
- Require its tendered contractors to adopt a whistle-blowing policy which enables their staff to blow the whistle on any suspected examples of modern slavery.
- Review its contractual spending regularly to identify any potential issues with modern slavery.
- Highlight for its suppliers any risks identified concerning modern slavery and refer them to the relevant agencies to be addressed.
- Refer for investigation via the National Crime Agency's national referral mechanism any of its contractors identified as a cause for concern regarding modern slavery.
- Report publicly on the implementation of this policy annually.
- Update our overarching Safeguarding policy to reflect this change.
- This Council condemns forced marriage as a type of modern slavery and will work with the Crime Partnerships within Oxfordshire and the office of the Police and Crime Commissioner to tackle the crime of forced marriage within the Thames Valley

Result of Bicester West Election

The Chief Executive submitted a report to advise Council of the result of the election for the Bicester West ward held on 21 June 2018, to note the constitution of the council, political balance calculations and allocation of seats on committees that were subject to the political balance requirements following the election.

Resolved

- (1) That the results of the election for the Bicester West ward held on 21 June 2018 be noted.
- (2) That the constitution of the Council: Conservative: 36 (75%); Labour: 9 (19%); and Independent: 3 (6%); the following political balance calculations and the allocation of seats on committees that are subject to the political balance requirements following the election be noted:

Political Balance	TOTAL	CON	IND	LAB
Accounts, Audit & Risk Committee	8	6	0	2
Appeals Panel	10	7	1	2
Budget Planning Committee	12	9	1	2
Joint Appeals Committee	3	2	0	1
Joint Commissioning Committee	6	5	0	1
Joint Scrutiny Committee	5	4	0	1
Licensing Committee	12	9	1	2
Overview & Scrutiny	12	9	1	2
Personnel Committee	12	9	1	2
Planning Committee	18	14	1	3
Standards Committee	8	6	0	2
Proportional Total by Committee	106	80	6	20
Aggregate Entitlement	106	80	6	20
Adjustment Required	N/A	0	0	0

- (3) That the following appointments and amendments to Committees by the Independent Group in light of the revised allocation of seats on committees that are subject to the political balance requirements be noted:

Appeals Panel: appoint Councillor John Broad

Personnel Committee: Councillor Alaric Rose

Planning Committee: Remove Councillor Alaric Rose as substitute;
Add Councillor John Broad as substitute

28 **Joint Working Arrangements: Cherwell District and Oxfordshire County Councils & Cherwell District and South Northamptonshire Councils**

The Director for Customers and Service Development submitted a report which, following the announcement of plans to reorganise local government in Northamptonshire recommended, and set out the rationale, to give South Northamptonshire Council notice of the intention to end the Section 113 agreement thereby bringing to a close the current partnership between Cherwell and South Northants and their joint working arrangements.

The report also recommended the development of joint working arrangements with Oxfordshire County Council and the establishment of a joint Chief Executive post.

Prior to introducing the report, the Lead of the Council, Councillor Wood, made the following statement:

“This council notes the strength of the partnership between Cherwell and South Northants and the regret with which this working relationship must necessarily draw to a close. There are few partnerships that have been as long and successful as ours and over the eight years we have been working together we have delivered excellent services, flagship projects and sustained savings and efficiencies.

We wish our colleagues over the border every success with their future endeavours and whilst none of us know what the future brings we can be assured that there are councils and councillors in South Northants and Cherwell who are able to work in partnership for the benefit of local residents. We would like to formally record our thanks to colleagues and councillors across the border for their ongoing commitment and dedication to this partnership and whilst the formalities are coming to a close we can rely on on-going support and friendship between the two councils.”

Resolved

- (1) That it be agreed to give South Northamptonshire Council notice to end the Section 113 agreement that underpins the basis of joint working between the two authorities.
- (2) That relevant officers be requested to prepare a detailed plan to separate the joint working arrangements with South Northamptonshire; ensuring steps are put in place to maintain effective operational activity in accordance with the Section 113 agreement.

- (3) That it be agreed to develop joint working arrangements with Oxfordshire County Council (subject to the incremental development of specific business cases) and to enter into a Section 113 agreement (as the basis by which the joint working partnership will be delivered) delegating completion of the agreement to the Assistant Director Law and Governance in consultation with the Leader of the Council.
- (4) That the establishment of a Cherwell and Oxfordshire County Council joint Chief Executive and Head of Paid Service, in accordance with the proposed Section 113 agreement with Oxfordshire County Council, be agreed.
- (5) That the establishment of two non-executive joint committees between Cherwell District and Oxfordshire County Councils (a joint committee to deal with staffing matters and a joint appeals committee) be agreed and the Assistant Director Law and Governance (Cherwell), in consultation with the Director Law and Governance (Oxfordshire), be requested to develop terms of reference for adoption by the Councils in October (Cherwell) and November (Oxfordshire), enabling the implementation of staffing related matters as business cases are agreed for each element of joint working.
- (6) That the agreement of the Executive to establish an informal partnership working group between Cherwell District and Oxfordshire County Councils whose role will be to oversee the development and delivery of the joint working programme and also tasked with a review of joint working arrangements after the first six months of operation be noted.

29

'Making' of the Adderbury Neighbourhood Plan

The Executive Director: Place and Growth submitted a report to seek the 'making' of the Adderbury Neighbourhood Plan following the successful referendum held in Adderbury Parish on 21 June 2018 and the recommendation of the Executive at its meeting on 2 July 2018.

Resolved

- (1) That the referendum result of 21 June 2018 where 91.6% of those who voted were in favour of the Adderbury Neighbourhood Plan which is above the required 50% be noted.
- (2) That agreement be given to formally 'make' the Adderbury Neighbourhood Plan (annex to the Minutes as set out in the Minute Book) so that it continues to have effect as part of the statutory Development Plan for the District.
- (3) That the issuing and publication of a decision statement be approved.

30 **Cherwell Residential Design Guide Supplementary Planning Document Masterplanning and Architectural Guidance**

The Executive Director: Place and Growth submitted a report to seek adoption of the Cherwell Residential Design Guide, Supplementary Planning Document (SPD), Masterplanning and architectural guidance for development following the recommendation of Executive at its meeting on 2 July 2018.

In introducing the report, the Lead Member for Planning, Councillor Colin Clarke, thanked officers for their hard work in producing the SPD, which was a comprehensive, written in non-technical language so was accessible and easy to understand for all and commented he was confident the SPD would fulfil its aim of providing a level of certainty and consistency in the development process, while raising the quality of design throughout the District.

Resolved

- (1) That the final Cherwell Residential Design Guide Supplementary Planning Document (Design Guide) (annex to the Minutes as set out in the Minute Book) be formally adopted.
- (2) That the Executive Director for Place and Growth be authorised to publish an Adoption Statement.

31 **Amendment to the Constitution and Officer Scheme of Delegation - Cherwell Community Lottery**

The Executive Director: Wellbeing submitted a report to recommend a change to the Council's scheme of delegation, giving the Assistant Director – Communities, specific responsibility for running the Council's Community Lottery.

Resolved

- (1) That responsibility for running the Cherwell Community Lottery be delegated to the Assistant Director – Communities.
- (2) That authority be delegated to the Assistant Director – Law & Governance to amend the Constitution and the Scheme of Delegation to reflect resolution (1) above.

32 **Graven Hill Community Governance Review - Results of First Consultation and Recommendations for Second Consultation**

The Chief Executive submitted a report to provide an update on the Community Governance Review (CGR), including the results of the first consultation period held earlier this year. The report also sought consideration of the draft recommendations of the CGR Working Group that would form the basis of the second consultation phase which would start on 30 July 2018.

Resolved

- (1) That consultation on the proposed boundary between Bicester Town Council and Ambrosden being moved to incorporate Graven Hill into Bicester (as set out on the annex to the Minutes as set out in the Minute Book) be approved.
- (2) That consultation on the boundary between Ambrosden and Chesterton being moved to include the orphan area into Chesterton (as set out on the annex to the Minutes as set out in the Minute Book) be approved.
- (3) That consultation on the proposed allocation of councillors for Bicester Town Council (BTC), that is BTC - Bicester South Ward be increased by one councillor and BTC - Bicester East Ward be decreased by one councillor, therefore retaining the same number of councillors, be approved.

33 **Overview and Scrutiny Annual Report 2017/18**

The Assistant Director – Law and Governance submitted a report which presented the Overview and Scrutiny Annual Report for 2017/18.

Resolved

- (1) That the contents of the Overview and Scrutiny Annual Report 2017/18 (annex to the Minutes as set out in the Minute Book).

34 **Silverstone Heritage Centre Loan Facility**

The Interim Executive Director: Finance and Governance submitted a report to consider whether or not to provide a £1m loan facility to Silverstone Heritage Limited as part match-funding to their Lottery grant application for the delivery of the Silverstone Heritage Experience. Other Local Authorities (including South Northamptonshire Council) and LEP partners had already signed an agreement to loan up to £8m of funding to the experience. Works have already commenced on site, with a planned launch in spring 2019.

The loan facility was a partial match fund for a project to develop a visitor experience at Silverstone that focusses on the history and heritage of Silverstone and to understand the context and importance of the internationally renowned racing circuit. The experience would be a dynamic exhibition taking visitors through both the history of Silverstone as well as the current world of motor sport and the future. The work to build the facility had already commenced following a rigorous tender process by the Silverstone Heritage Experience for new building works and refurbishment of a hangar at the Silverstone. This meant that costs had now been fixed and there was more certainty about project delivery, with regular updates on project progress received by senior officers at the Council.

In introducing the report, the Lead Member for Financial Management and Governance, Councillor Ilott, advised that Executive, at its meeting held on 2 July 2018 recommended that Council should consider the application for a loan facility of up to £1 million, to the Silverstone Heritage Experience. This was to partially match fund the £9.1m of grant funding secured from Heritage Lottery Fund (HLF) and in addition to £8m of loans granted by Local Council partners and Local Enterprise Partnership.

Resolved

- (1) that the inclusion of up to £1 million within the capital programme as a provision to make a loan facility available to Silverstone Heritage Limited (SHL) be approved.
- (2) That approval be given to borrow in order to fund the loan, should that be necessary for cashflow purposes.

35 **Exclusion of the Press and Public**

There being no questions on the exempt appendices to agenda item 17, Silverstone Heritage Centre Loan Facility, or the exempt minutes, it was not necessary to exclude the press and public.

36 **Silverstone Heritage Centre Loan Facility - Exempt Appendices**

Resolved

- (1) That the exempt appendices be noted.

37 **Questions on Exempt Minutes**

There were no questions on the exempt minutes.

The meeting ended at 9.35 pm

Chairman:

Date: