

## **Cherwell District Council**

### **Council**

Minutes of a meeting of the Council held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 20 July 2009 at 6.30 pm

Present: Councillor Mrs Diana Edwards (Chairman)

Councillor George Parish  
Councillor Rick Atkinson  
Councillor Luke Annaly  
Councillor Ken Attack  
Councillor Alyas Ahmed  
Councillor Maurice Billington  
Councillor Norman Bolster  
Councillor Nick Cotter  
Councillor John Donaldson  
Councillor Andrew Fulljames  
Councillor Mrs Catherine Fulljames  
Councillor Michael Gibbard  
Councillor Timothy Hallchurch MBE  
Councillor Eric Heath  
Councillor Simon Holland  
Councillor Alastair Milne Home  
Councillor David Hughes  
Councillor Russell Hurle  
Councillor Tony Ilott  
Councillor Victoria Irvine  
Councillor James Macnamara  
Councillor Kieron Mallon  
Councillor Nicholas Mawer  
Councillor Nigel Morris  
Councillor P A O'Sullivan  
Councillor D M Pickford  
Councillor Neil Prestidge  
Councillor Devena Rae  
Councillor G A Reynolds  
Councillor Daniel Sames  
Councillor Leslie F Sibley  
Councillor Trevor Stevens  
Councillor Carol Steward  
Councillor Keith Strangwood  
Councillor Lawrie Stratford  
Councillor Rose Stratford  
Councillor Lynda Thirzie Smart  
Councillor Patricia Tompson  
Councillor Nicholas Turner  
Councillor Martin Weir  
Councillor Barry Wood  
Councillor John Wyse

Also present: Alan Webb, Director Service Redesign at Oxfordshire Primary Care Trust (PCT)  
Dr Jonathan McWilliam, Director of Public Health, Oxfordshire

Apologies for absence: Councillor Fred Blackwell  
Councillor Ann Bonner  
Councillor Colin Clarke  
Councillor Margaret Cullip  
Councillor Chris Smithson  
Councillor Douglas Webb  
Councillor Douglas Williamson

Officers: Mary Harpley, Chief Executive and Head of Paid Service  
Ian Davies, Strategic Director - Environment and Community  
Julie Evans, Strategic Director - Customer Service & Resources  
John Hoad, Strategic Director - Planning, Housing and Economy  
Mike Carroll, Head of Improvement  
Liz Howlett, Head of Legal & Democratic Services and Monitoring Officer  
Karen Curtin, Head of Finance  
Jo Smith, Communications Manager  
James Doble, Democratic, Scrutiny and Elections Manager

## 7 Petitions and Requests to Address the Meeting

The Chairman announced that she had agreed to a request by Odette Phipps to address the meeting, with regard to Executive Minute 17 regarding the Northwest Bicester proposed Eco-town.

## 8 Declarations of Interest

### **7. Presentation from Alan Webb, Director Service Redesign at Oxfordshire Primary Care Trust (PCT) and Dr Jonathan McWilliam, Director of Public Health, Oxfordshire.**

Councillor Timothy Hallchurch MBE, Personal, as a member of the County Council Health Overview and Scrutiny Committee.

Councillor Rose Stratford, Personal, as a member of Oxford Radcliffe NHS Trust.

### **10. Minutes of the Executive.**

Councillor Alyas Ahmed, Personal, due to being a County Councillor and the County Council holding a land interest at Gowells Farm.

Councillor Maurice Billington, Personal, due to being a County Councillor and the County Council holding a land interest at Gowells Farm.

Councillor Norman Bolster, Personal, due to being a County Councillor and the County Council holding a land interest at Gowells Farm.

Councillor Michael Gibbard, Personal, due to being a County Councillor and the County Council holding a land interest at Gowells Farm.

Councillor Mrs Catherine Fulljames, Personal, due to being a County Councillor and the County Council holding a land interest at Gowells Farm.

Councillor Timothy Hallchurch MBE, Personal, due to being a County Councillor and the County Council holding a land interest at Gowells Farm.

Councillor Kieron Mallon, Personal, due to being a County Councillor and the County Council holding a land interest at Gowells Farm.

Councillor G A Reynolds, Personal, due to being a County Councillor and the County Council holding a land interest at Gowells Farm.

Councillor Keith Strangwood, Personal, due to being a County Councillor and the County Council holding a land interest at Gowells Farm.

Councillor Lawrie Stratford, Personal, due to being a County Councillor and the County Council holding a land interest at Gowells Farm.

Councillor Barry Wood, Personal, persons known to him have an interest in land in Northwest Bicester, outside of the area under discussion.

## 9 **Communications**

The Chairman noted that since the last meeting the Kidlington North by-election had been held and Councillor Douglas Williamson has been returned as the newly elected Councillor for the Kidlington North Ward, unfortunately Councillor Williamson could not be present due to a previous commitment, but on behalf of all Councillors the Chairman congratulated him and welcomed him to the Council.

## 10 **Urgent Business**

The Chairman announced that whilst there were no items of urgent business, the Government announced its final list of eco town locations, which included NW Bicester. In light of this the Chairman had asked the Leader of the Council to address this issue under Minutes of Executive, agenda item 10. Any members wishing to ask the Leader of the Council questions regarding this were advised to do so under Executive Minute 17.

11 **Minutes of Council**

The minutes of Council held on 20 May 2009 were agreed and signed by the Chairman.

12 **Presentation from Alan Webb, Director Service Redesign at Oxfordshire Primary Care Trust (PCT) and Dr Jonathan McWilliam, Director of Public Health for Oxfordshire**

The Chairman welcomed Alan Webb, Director of Service Redesign at Oxfordshire Primary Care Trust and Dr Jonathan McWilliam, Director of Public Health for Oxfordshire to the meeting.

In order for questions to be asked following the presentation, it was agreed that Procedure Rules be lifted.

Alan Webb and Dr Jonathan McWilliam addressed the meeting regarding the work of the Primary Care Trust and the Third Annual Report of the Director for Public Health. A number of members asked questions and answers were duly provided.

The Chairman thanked Alan Webb and Dr Jonathan McWilliam for their attendance.

It was proposed by Councillor Wood and seconded by Councillor Reynolds that the recommendations as set out in the report be approved. By way of an amendment, it was proposed by Councillor L Stratford and seconded by Councillor Bolster that:

Recommendation 3 be amended to say: 'That this Council continues to support and encourage the Primary Care Trust in its healthcare improvement activities within Cherwell and that the Primary Care Trust recognises and accepts that we still require a replacement community hospital for Bicester at the earliest opportunity.'

And that an additional recommendation be inserted: 'That Council asks the Leader of the Council to write to the Health Minister, informing him of Cherwell District Council's eagerness to continue to work with the Primary Care Trust for the benefit of Cherwell residents and in particular for the delivery of a community hospital'.

Upon being put to the vote, the amendment and the substantive motion were agreed unanimously.

**Resolved**

- 1) That the Third Annual Report of the Director of Public Health for Oxfordshire be received and recommendations considered.
- 2) That the Council include in its annual service and financial planning process consideration of the Council's response to the key health issues for the Cherwell District.

- 3) That this Council continues to support and encourage the Primary Care Trust in its healthcare improvement activities within Cherwell and that the Primary Care Trust recognises and accepts that we still require a replacement community hospital for Bicester at the earliest opportunity.
- 4) That Council asks the Leader of the Council to write to the Health Minister, informing him of Cherwell District Council's eagerness to continue to work with the Primary Care Trust for the benefit of Cherwell residents and in particular for the delivery of a community hospital.

13 **Questions on Minutes of Council**

There were no questions on the minutes of Council meetings of 20 April and 20 May 2009.

14 **Executive Decisions - Special Urgency**

Since the meeting of Council on 20 April 2009 there had been no Executive decisions that had been taken that were subject to the special urgency provisions of the constitution.

15 **Minutes of the Executive**

It was proposed by Councillor Wood and seconded by Councillor Reynolds that the minutes of the Executives held on 27 April, 11 May and 15 June 2009 be received.

Questions were put and answered on Minutes 230, 234, 237, 242, 244 and 6

Mrs Odette Phipps addressed the meeting with regard to Executive minute 17 in opposition to the North West Bicester proposal.

It was proposed by Councillor Wood and seconded by Councillor Reynolds that the minutes of the Executive held on 6 July 2009 be received.

Many questions were put and answered on Minutes 17 (including the issues raised by the Government announcement on Eco towns and the issues raised by Mrs Phipps). A question was also put and answered on Minute 18.

**Resolved**

That the minutes of the meetings held on 27 April, 11 May, 15 June and 6 July 2009 be noted.

**(Councillor Fulljames and Councillor Mrs Fulljames left the meeting)**

16 **Investment Strategy**

Council considered a report of the Head of Finance seeking approval for the revised Investment Strategy 2009/10 which had been considered and recommended for approval by the Executive.

**Resolved**

That the revised Investment Strategy for 2009/10 (as set out in the minute book) be approved.

17 **Portfolio Holder Decisions**

**Resolved**

That the record of Portfolio Holder decisions be noted.

18 **Minutes of Accounts, Audit and Risk Committee**

It was proposed by Councillor Donaldson and seconded by Councillor Stevens that the minutes of the Accounts, Audit and Risk Committee as set out in the Council Minute Book be received.

**Resolved**

That the minutes of the meetings held on 15 April, 20 May, 18 June and 24 June 2009 be noted.

19 **Minutes of Appeals Panel**

It was proposed by Councillor Hallchurch and seconded by Councillor Steward that the minutes of the Appeals Panel as set out in the Council Minute Book be received.

**Resolved**

That the minutes of the meeting held on 20 May 2009 be noted.

20 **Minutes of Overview and Scrutiny Committee**

It was proposed by Councillor Sames and seconded by Councillor Milne Home that the minutes of the Overview and Scrutiny Committee as set out in the Council Minute Book be received.

**Resolved**

That the minutes of the meetings held on 7 April, 20 May and 9 June 2009 be noted.

21 **Minutes of Personnel Committee**

It was proposed by Councillor Irvine and seconded by Councillor Atkinson that the minutes of the meeting as set out in the Council Minute Book be received.

**Resolved**

That the minutes of the meeting held on 20 May 2009 be noted.

22 **Minutes of Resources and Performance Scrutiny Board**

It was proposed by Councillor Mawer and seconded by Councillor Steward that the minutes of the meetings of the Resources and Performance Scrutiny Board as set out in the Council Minute Book be received.

**Resolved**

That the minutes of the meetings held on 21 April, 20 May and 23 June 2009 be received.

23 **Minutes of Licensing Committee**

It was proposed by Councillor Heath and seconded by Councillor Gibbard that the minutes of the meetings of the Licensing Committee as set out in the Council Minute Book be received.

**Resolved**

That the minutes of the meetings held on 11 March, 20 May and 11 June 2009 be received.

24 **Written Questions**

There were no written questions.

25 **Motions**

There were no motions.

26 **Proportionality and Committee Appointments**

Council considered a report of the Head of Legal and Democratic Services on the proposed proportionality and resulting committee appointments following the Kidlington North By-election, with the political groups now standing at 44 members of the Conservative group, 4 members of the Liberal Democrat Group and 2 members of the Labour Group.

This change resulted in the following allocation of seats on proportional committees:

**Allocation of Seats of Proportional Committees**

<b>Committees</b>	<b>Con</b>	<b>Lab</b>	<b>LD</b>	<b>TOTAL</b>
Overview and Scrutiny Committee	10*	1*	1	12
Resources and Performance Scrutiny Board	11	0	1	12
Planning Committee	16	1	1	18
Licensing Committee	10*	1*	1	12
Personnel Committee	11	0	1	12
Appeals Panel	9	0	1	10
Accounts, Audit and Risk Committee	10	0	1	11
<b>Proportional Total by Committee</b>	<b>79</b>	<b>1</b>	<b>7</b>	<b>87</b>
<b>Aggregate Entitlement</b>	<b>77</b>	<b>3</b>	<b>7</b>	<b>87</b>
<b>Adjustment Required</b>	<b>- 2</b>	<b>+ 2</b>	<b>0</b>	

The Leader of the Conservative Group had informed the Chief Executive that the seats to be offered to the Labour Group were on the Overview and Scrutiny and Licensing Committees.

The above figures marked by an asterisk take account of this adjustment.

In light of the above changes the following amendments to committee memberships have been received by the political groups:



**Nominations from Political Groups**

		<b>Appeals Panel</b>	<b>Personnel Committee</b>	<b>Overview &amp; Scrutiny Committee</b>	<b>Licensing Committee</b>	<b>Standards Committee</b>
<b>Remove</b>	<b>Members</b>	Cllr Sibley	Cllr Parish	Cllr Prestidge	Cllr Hughes	Cllr Rae
	<b>Substitutes</b>	-	-	-	-	-
<b>Add</b>	<b>Members</b>	Cllr Hughes Cllr Rae	Cllr Williamson	Cllr Sibley	Cllr Parish	Cllr Williamson
	<b>Substitutes</b>	-	-	Cllr Parish	Cllr Sibley	-

**Resolved**

That the appointments to committees as set out in the above minute be approved.

27 **Standards Committee Annual Report**

Council considered a report of the Head of Legal and Democratic Services and Monitoring Officer on the work of the Standards Committee during the last year. It was proposed by Councillor Hallchurch and seconded by Councillor L Stratford that Council note the report. At the request of Councillor Reynolds it was accepted by way of a friendly amendment that the Standards Committee would provide Council with a breakdown of their costs in investigating cases in the next annual report.

**Resolved**

- 1) That the report be noted.
- 2) That the Standards Committee be requested to include a breakdown of costs in investigating cases in their next annual report.

28 **Proposed Changes to Full Council**

Council considered a report of the Chief Executive on proposed changes to the way Full Council operates in order to free time for additional items for discussion and debate for the benefit of Councillors and residents. It was proposed by Councillor Wood and seconded by Councillor Pickford that the recommendations as set out in the report be agreed.

**Resolved**

- 1) That the following changes to the way Full Council runs be approved:
  - a) Minutes of previous meetings to be moved in blocks rather than paged through, but with the ability to ask questions arising as now
  - b) Recommendations to Council to be considered individually
  - c) Leader's 'Question Time' to be introduced

- d) The extra time available to be used to hear presentations from partners and to debate more issues relevant to the District and its future
- 2) That the changes proposed to the Council Procedure Rules in the Constitution (as set out in the minute book) be approved.
- 3) That minor consequential changes required to other parts of the Constitution be delegated to the Head of Legal and Democratic Services in consultation with the Portfolio Holder for Democratic Services and Member Development.

29 **Exclusion of the Press and Public**

**Resolved**

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 paragraphs 1, 2, 3 and 4 of Schedule 12A of that Act.

30 **Exempt Minutes of Executive**

It was proposed by Councillor Wood and seconded by Councillor Reynolds that the exempt minutes of the Executive as set out in the Council Minute Book be received.

**Resolved**

That the exempt minutes of the meeting held on 6 July 2009 be noted.

31 **Exempt Minutes of the Appeals Panel**

It was proposed by Councillor Hallchurch and seconded by Councillor Steward that the exempt minutes of the Appeals Panel as set out in the Council Minute Book be received.

**Resolved**

That the exempt minutes of the meeting held on 6 May 2009 be noted.

32 **Exempt Minutes of the Personnel Committee**

It was proposed by Councillor Irvine and seconded by Councillor Atkinson that the exempt minutes of the Personnel Committee as set out in the Council Minute Book be received.

**Resolved**

That the exempt minutes of the meetings held on 10 June and 7 July 2009 be noted.

33 **Exempt Minutes of the Licensing Committee**

It was proposed by Councillor Heath and seconded by Councillor Gibbard that the exempt minutes of the Licensing Committee as set out in the Council Minute Book be received.

**Resolved**

That the exempt minutes of the meeting held on 11 March 2009 be received.

The meeting ended at 10.20 pm

Chairman:

Date: