

Cherwell District Council

Council

19 May 2022

Annual Council Business Report

Report of Chief Executive

This report is public

Purpose of report

To note the results of the 5 May 2022 district elections and agree the governance arrangements for the council following the elections to ensure for the municipal year 2022/2023.

1.0 Recommendations

** The recommendations are also included in the relevant section of the report **

The meeting is recommended:

- 1.1 To note the results of the District Elections held on 5 May 2022.
- 1.2 To note the constitution of Political Groups and notification of Group Leaders.
- 1.3 To appoint the Leader of the Council from the majority group.
- 1.4 To note the appointment of Deputy Leader of the Council, the membership of the Executive and the Executive portfolios for Municipal Year 2022/2023.
- 1.5 To agree the allocation of seats on committees that are subject to the political balance requirements as set out in Appendix 2.
- 1.6 To appoint members (and where required, substitute members) to serve on each of the committees in accordance with the nominations made by political groups (Appendix 3).
- 1.7 To appoint a non-Executive representative to the Oxfordshire Joint Health Overview and Scrutiny Committee.
- 1.8 To appoint a representative and named substitute to the Police and Crime Commissioner Scrutiny Panel.
- 1.9 To appoint an Executive member representative and Executive member substitute to the Future Oxfordshire Partnership.

- 1.10 To appoint three non-Executive representatives to the Future Oxfordshire Partnership Scrutiny Panel.
- 1.11 To appoint an Executive member and Executive member substitute to each of the Future Oxfordshire Partnership advisory sub-groups: Housing Advisory Subgroup, Infrastructure Advisory Subgroup, Oxfordshire Plan 2050 Advisory Subgroup and Environment Advisory Group.

2.0 Introduction

- 2.1 The Council's Constitution requires that at the annual meeting, Council shall:
- Note the results of the District Elections, if held, and the constitution of Political Groups and Group Leaders and elect the Leader of the Council if required
 - Conduct any business concerning the establishment of and appointments to the Executive, including the appointment of Deputy Leader and the allocation of functions to Lead Members
 - Conduct any business concerning the establishment of, and appointment to:
 - The Overview and Scrutiny Committee
 - The Standards Committee
 - Such other Committees as the Council consider appropriate

3.0 Report Details

5 May 2022 District Election Results

- 3.1 Councillors were elected to district wards as set out below. All councillors will serve a four year term, with the exception of one seat.
- 3.2 Following the resignation of Councillor Timothy Hallchurch MBE, a vacancy in the Launton & Otmoor ward was contested alongside the scheduled elections. The term of office for this seat is one year. The differing terms for this ward are indicated below.

Ward	Elected	Party
Adderbury, Bloxham and Bodicote	David Hingley	Liberal Democrats
Banbury Calthorpe and Easington	Ian Harwood	Conservative
Banbury Cross and Neithrop	Chuk Okeke	Labour
Banbury Grimsbury and Hightown	Rebecca Biegel	Labour & Co-operative
Banbury Hardwick	Andrew Crichton	Labour
Banbury Ruscote	Amanda Watkins	Labour
Bicester East	Donna Ford	Conservative

Bicester North and Caversfield	Nick Mawer	Conservative
Bicester South and Ambrosden	Christopher Pruden	Liberal Democrats
Bicester West	John Broad	Independent
Cropredy, Sibfords and Wroxton	Phil Chapman	Conservative
Deddington	Eddie Reeves	Conservative
Fringford and Heyfords	Barry Wood	Conservative
Kidlington East	Fiona Mawson	Green
Kidlington West	Jean Conway	Liberal Democrat
Launton and Otmoor	Gemma Coton (elected 4 year term) Angus Patrick (elected 1 year term)	Liberal Democrats Liberal Democrats

Recommendation

1.1 To note the results of the District Elections held on 5 May 2022.

Constitution of the Council and Constitution of Political Groups and Political Group Leaders

3.3 The current constitution of the Council (48 Members) is:

- 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%)

3.4 The following Political Groups have been formed and notified to the Chief Executive. Where appointed by Political Groups, Group Leaders are indicated.

- 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

Recommendation

1.2 To note the constitution of Political Groups and notification of Group Leaders.

Leader of the Council

- 3.5 The appointment of the Leader of the Council is a Council function in accordance with provisions of the Local Government Act 2000 as amended. The Leader of the Council comes from the majority group.
- 3.6 In accordance with the provisions of the Local Government Act 2000 as amended, the Leader of the Council, must be re-appointed every four years. Councillor Barry Wood's four year term as Leader finished at the end of his term of office as a councillor in May 2022. Therefore, it is necessary for Council to appoint a Leader.
- 3.7 The Leader of the Council shall be the Chairman of the Executive and it is their responsibility to determine the size and membership of the Executive (providing the membership comprises between two and nine members, not including the Leader). The Leader shall also determine the remit of each portfolio. Council does not have any decision-making in this regard.
- 3.8 All executive functions are vested in the Leader and it is the Leader's responsibility to determine how such functions shall be delegated. This responsibility can be a simple re-affirmation of the existing delegation of executive functions to Executive, and Officers. The Council does not have any decision making role in this regard.
- 3.9 The Leader will hold office until:
- they resign from the office
 - they are suspended from being a Councillor under Part III of the Local Government Act 2000 (although) he may resume office at the end of
 - the period of suspension)
 - the expiration of their term of office
 - they are no longer a councillor
 - they are removed from office by resolution of the council,

Recommendation

1.3 To appoint the Leader of the Council from the majority group.

Deputy Leader of the Council and Executive 2022/2023

- 3.10 The newly elected Leader of the Council will advise Council of their appointment of Deputy Leader and the Executive Portfolios for the Municipal Year 2022/23.

Recommendation

1.4 To note the appointment of Deputy Leader of the Council, the membership of the Executive and the Executive Portfolios for 2022/23.

Committee Appointments 2022/2023

- 3.11 The current constitution of the Council is set out at paragraph 3.3. The constitution of Political Groups will be published as an addendum to this report.
- 3.12 The Council is required by the Local Government and Housing Act 1989 to review the political balance on its committees on an annual basis. Appendix 1 summarises how the rules operate.
- 3.13 Appendix 2 sets out the arithmetical product of the rules for the Council's committees. The figures in Appendix 2 show the adjustments which are necessary to achieve the balance across and within committees to comply with the rules.
- 3.14 There are currently no committees on which the allocation of seats are not subject to the political balance requirements.
- 3.15 Appendix 3 sets out Group nominations to serve on each of the committees in accordance with the political balance requirements.

Recommendations

- 1.5 To agree the allocation of seats on committees that are subject to the political balance requirements as set out in Appendix 2.
- 1.6 To appoint members (and where required, substitute members) to serve on each of the committees in accordance with the nominations made by political groups (Appendix 3).

Appointment of Representatives

- 3.16 Council is asked to appoint a representative to the Oxfordshire County Council Health Overview and Scrutiny Committee for the municipal year 2022/2023. The representative cannot be a member of the Executive. The current appointed representative is Councillor Sandy Dallimore.
- 3.17 Council is asked to appoint a representative to the Police and Crime Commissioner Scrutiny Panel for the municipal year 2022/2023. The current appointed representative on the Police and Crime Commissioner Scrutiny Panel was Councillor Andrew McHugh. Councillor Tony Ilott is the current named substitute. Neither remain serving councillors.
- 3.18 Council is asked to appoint members as the council's representative (by precedent and custom across all Oxfordshire councils, the Leader) and named substitute (an Executive member) to the Future Oxfordshire Partnership (formerly Oxfordshire Growth Board) for the municipal year 2022/2023. In 2021/2022, Councillor Barry Wood was the council's representative and Councillor Colin Clarke his named substitute.
- 3.19 Council is asked to appoint members to the Future Oxfordshire Partnership Scrutiny Panel. The Scrutiny Panel comprises 18 councillors, three appointed annually by each constituent Council of the Future Oxfordshire Partnership. Three non-Executive members should be appointed by each constituent council having regard to the council's own political balance. It is a requirement at Panel meetings that at

least one member from each of the partners is in attendance for the meeting to be quorate.

- 3.20 In 2022/23, the representatives were Councillor David Hughes, Councillor Adam Nell and Councillor Sean Woodcock with substitutes permitted from the relevant political party.
- 3.21 The Future Oxfordshire Partnership has four advisory groups: Housing Advisory Group, Infrastructure Advisory Group, Oxfordshire Plan 2050 Advisory Group and Environment Advisory Group. The membership of each Advisory Group includes an Executive member of each partner authority and an Executive member substitute. It is custom across Oxfordshire councils that the Executive member whose portfolio most closely fits the role of the group is appointed to the respective Advisory Group.

Recommendations

- 1.7 To appoint a non-Executive representative to the Oxfordshire Joint Health Overview and Scrutiny Committee.
- 1.8 To appoint a representative and named substitute to the Police and Crime Commissioner Scrutiny Panel.
- 1.9 To appoint an Executive member representative and Executive member substitute to the Future Oxfordshire Partnership.
- 1.10 To appoint three non-Executive representatives to the Future Oxfordshire Partnership Scrutiny Panel.
- 1.11 To appoint an Executive member and an Executive member substitute to each of the Future Oxfordshire Partnership Advisory Groups: Housing Advisory Group, Infrastructure Advisory Group, Oxfordshire Plan 2050 Advisory Group and Environment Advisory Group.

4.0 Conclusion and Reasons for Recommendations

- 4.1 The Council is required to note the results of the District Council elections, appoint a Leader, agree the allocation of seats on committees that are subject to the political balance requirements and to agree the appointments to each of the Committees in accordance with the nominations made by political groups.

5.0 Consultation

Group Leaders

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:

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Legal Implications

7.2 It is a legal requirement for Council to appoint a Leader, agree proportionality after an election and make appointments to committees. It is for the Council Leader to appoint the Deputy Leader and the other Executive members, and to allocate Lead Member responsibilities.

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:

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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 – Local Government & Housing Act 1989 – Political Balance
- Appendix 2 - Allocation of seats on committees subject to political balance requirements
- Appendix 3 – Committee appointments

Background papers

None

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