

# **Cherwell District Council**

## **Council**

**17 May 2023 (Adjourned to 23 May 2023)**

## **Annual Council Business Report 2023/2024**

### **Report of Chief Executive**

This report is public

### **Purpose of report**

To note the results of the 4 May 2023 district elections and agree the governance arrangements for the council following the elections for the municipal year 2023/2024.

### **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 4 May 2023.
- 1.2 To note the constitution of Political Groups and notification of Group Leaders.
- 1.3 To appoint the Leader of the Council (if required).
- 1.4 To note the appointment of Deputy Leader of the Council, the membership of the Executive and the Executive portfolios for Municipal Year 2023/2024.
- 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 an Executive member substitute to each of the Future Oxfordshire Partnership Advisory Groups: Housing Advisory Group, Infrastructure Advisory Group, Environment Advisory Group and Planning Advisory Group (subject to approval by the Future Oxfordshire Partnership at its meeting of 13 June including confirmation of final title).
- 1.12 To appoint members to the Boundary Review Working Group.
- 1.13 To appoint a representative and named substitute to the Health and Wellbeing Board.

## 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 Portfolio Holders
  - 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

### 4 May 2023 District Election Results

- 3.1 Councillors were elected to district wards as set out below. All councillors will serve a four year term.

Ward	Elected	Party
Adderbury, Bloxham and Bodicote	Robert Pattenden	Liberal Democrats
Banbury Calthorpe and Easington	Lynne Parsons	Labour
Banbury Cross and Neithrop	Becky Clarke	Labour
Banbury Grimsbury and Hightown	Sean Woodcock	Labour & Co-operative
Banbury Hardwick	Besmira Brasha	Labour
Banbury Ruscote	Isabel Amelia Creed	Labour
Bicester East	Tom Beckett	Green

Bicester North and Caversfield	Simon Lytton	Liberal Democrats
Bicester South and Ambrosden	Nick Cotter	Liberal Democrats
Bicester West	Harry Knight	Independent – Bicester West Resident
Cropredy, Sibfords and Wroxton	Doug Webb	Conservative
Deddington	Andrew McHugh	Conservative
Fringford and Heyfords	Nigel Simpson	Conservative
Kidlington East	Ian Middleton	Green
Kidlington West	Lesley McLean	Liberal Democrat
Launton and Otmoor	Julian Nedelcu	Liberal Democrats

### **Recommendation**

1.1 To note the results of the District Elections held on 4 May 2023.

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

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

20 Conservative (41.67%)  
12 Labour / Labour & Co-operative Party (25.00%)  
10 Liberal Democrat (20.83%)  
3 Independent (6.25%)  
3 Green (6.25%)

3.3 Political Groups that have been formed will be notified to the Chief Executive. Where appointed by Political Groups, Group Leaders will also be notified. At the time of agenda publication, Political Groups had not been notified and will be published as an addendum.

### **Recommendation**

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

### **Leader of the Council**

3.4 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 political grouping.

3.5 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.

- 3.6 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,
- 3.7 Following the 4 May 2023 elections, an addendum will be published advising once political discussions have concluded and Council will appoint a Leader, if required.
- 3.8 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.
- 3.9 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.

### **Recommendation**

- 1.3 To appoint the Leader of the Council (if required).

### **Deputy Leader of the Council and Executive 2023/2024**

- 3.10 The Leader of the Council will advise Council of their appointment of Deputy Leader and the Executive Portfolios for the Municipal Year 2023/24.

### **Recommendation**

- 1.4 To note the appointment of Deputy Leader of the Council, the membership of the Executive and the Executive Portfolios for 2023/24.

### **Committee Appointments 2023/2024**

- 3.11 The current constitution of the Council is set out at paragraph 3.2. 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 (to follow) 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 (to follow) 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 2023/2024. The representative cannot be a member of the Executive.
- 3.17 Council is asked to appoint a representative to the Police and Crime Commissioner Scrutiny Panel for the municipal year 2023/2024.
- 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 for the municipal year 2023/2024.
- 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 The Future Oxfordshire Partnership has four advisory groups: Housing Advisory Group, Infrastructure Advisory Group, Environment Advisory Group and Planning Advisory Group \*subject to approval by the 13 June Future Oxfordshire Group meeting including confirmation of final title. 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, Environment Advisory Group and Planning Advisory Group (subject to approval by the Future Oxfordshire Partnership at its meeting of 13 June including confirmation of final title).

### **Boundary Review Working Group**

- 3.21 Council established an informal Community Governance & Boundary Review Working Group at the time the district wide community governance review commenced. The remit of the working group includes agreeing responses on behalf of the Council on boundary reviews. Oxfordshire County Council is currently undergoing a boundary review and this Council will have an opportunity to comment on the proposals.
- 3.22 The Working Group is not subject to proportionality but does reflect the political make up of the council, whilst ensuring each Group has a representative.
- 1.12 To appoint members to the Boundary Review Working Group.

### **Health and Wellbeing Board**

- 3.23 Council is asked to appoint a representative and named substitute to the Oxfordshire Health and Wellbeing Board.
- 1.13 To appoint a representative and named substitute to the Health and Wellbeing Board.

## **4.0 Conclusion and Reasons for Recommendations**

- 4.1 The Council is required to note the results of the District Council elections, appoint a new Leader (if required), 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:

Shiraz Sheikh, Monitoring Officer and Assistant Director Law & Governance

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### **Risk Implications**

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

Comments checked by:

Shona Ware, Assistant Director Customer Focus,

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### **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:

Shona Ware, Assistant Director Customer Focus,

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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

**Report Author and contact details**

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