

Cherwell District Council

Council

Minutes of a meeting of the Council held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 22 February 2010 at 6.30 pm

Present: Councillor Mrs Diana Edwards (Chairman)
Councillor George Parish (Vice-Chairman)

Councillor Luke Annaly
Councillor Ken Atack
Councillor Alyas Ahmed
Councillor Fred Blackwell
Councillor Norman Bolster
Councillor Ann Bonner
Councillor Colin Clarke
Councillor Margaret Cullip
Councillor John Donaldson
Councillor Michael Gibbard
Councillor Eric Heath
Councillor Alastair Milne Home
Councillor Russell Hurle
Councillor Tony Ilott
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 Chris Smithson
Councillor Trevor Stevens
Councillor Lawrie Stratford
Councillor Rose Stratford
Councillor Patricia Tompson
Councillor Nicholas Turner
Councillor Douglas Webb
Councillor Martin Weir
Councillor Douglas Williamson

Apologies
for
absence: Councillor Rick Atkinson
Councillor Maurice Billington
Councillor Nick Cotter
Councillor Andrew Fulljames
Councillor Mrs Catherine Fulljames

Councillor Timothy Hallchurch MBE
Councillor Simon Holland
Councillor David Hughes
Councillor Victoria Irvine
Councillor Carol Steward
Councillor Keith Strangwood
Councillor Lynda Thirzie Smart
Councillor Barry Wood
Councillor John Wyse

Officers: Mary Harpley, Chief Executive and Head of Paid Service
Ian Davies, Strategic Director - Environment and Community
John Hoad, Strategic Director - Planning, Housing and Economy
Mike Carroll, Head of Improvement
Phil O'Dell, Chief Finance Officer
Karen Curtin, Head of Finance
James Doble, Democratic, Scrutiny and Elections Manager

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Declarations of Interest

Members declared the following general interests:

Councillor G A Reynolds, Personal, as a County Councillor due to the County Council having a land interest at Gowell's Farm.

Councillor Kieron Mallon, Personal, as a County Councillor due to the County Council having a land interest at Gowell's Farm.

Councillor Michael Gibbard, , Personal, as a County Councillor due to the County Council having a land interest at Gowell's Farm.

Councillor Nicholas Turner, Personal, as a County Councillor due to the County Council having a land interest at Gowell's Farm.

Councillor Norman Bolster, Personal, as a County Councillor due to the County Council having a land interest at Gowell's Farm.

Councillor Lawrie Stratford, Personal, as a County Councillor due to the County Council having a land interest at Gowell's Farm.

Councillor Ann Bonner, Personal, as a County Councillor due to the County Council having a land interest at Gowell's Farm.

Councillor Alyas Ahmed, Personal, as a County Councillor due to the County Council having a land interest at Gowell's Farm.

Councillor Kieron Mallon, Personal, as a County Councillor due to the County Council having a land interest at Gowell's Farm.

Members declared interests in the following agenda items:

7. Minutes

Standards Committee Minutes 47 – Support to Parish Councils

Councillor George Reynolds, Personal as a Parish Clerk

61 **Communications**

The Chairman noted the sad passing of former District Councillor Harold Hart who served on the Council between 1974 and 1993 primarily on the Development Services Committee and North Area Planning Committee. Members of the Council joined the Chairman in remembering Mr Hart's service to the Council and the District by observing a one minute's silence.

The Chairman informed Members that there were still tickets available for the Chairman's Dinner on Friday 9 April at the Bicester Hotel Golf Club and Spa. The proceeds would be donated to the Chairman's two chosen charities the Alzheimer's Society and the Make a Wish Foundation.

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

There were no petitions and requests to address the meeting.

63 **Urgent Business**

There was no urgent business.

64 **Minutes of Council**

The minutes of the meeting of Council held on 18 January 2010 were agreed and signed by the Chairman.

65 **Minutes**

a) Minutes of Executive, Portfolio Holder Decisions and Executive Decisions made under Special Urgency

Resolved

That the minutes of the meetings of the Executive and Portfolio Holder decisions as set out in the Minute Book be received and that it be noted that since the last meeting of Council, no executive decisions have been taken that were subject to the special urgency provisions of the constitution.

b) Minutes of Committees

Resolved

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

66

Questions

a) Written Questions

There were no written questions.

b) Questions to the Deputy Leader of the Council

There were no questions to the Deputy leader.

c) Questions to Committee Chairmen on the minutes

There were no questions to the Committee Chairman on minutes.

67

Motions

There were no motions.

68

Members Allowances 2010/2011

Council considered a report of the Independent Remuneration Panel on the review of Members' Allowances for the 2010/2011 financial year, which proposed no increase on the 2009/10 allowances. It was proposed by Councillor Macnamara and seconded by Councillor Mallon that the recommendations as set out in the report be agreed.

Resolved

1) That the level of allowances for 2010/2011 be agreed as proposed by the Independent Remuneration Panel as set out below:

a) the basic allowance payable to all Members be £4,155;

b) the Special responsibility Allowances be paid as follows:

i)	Executive Members	£6,291
ii)	Leader of the Council (to which should be added the SRA as a Member of the Executive)	£7,209
iii)	Chairman of the Licensing Committee	£2,250

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| iv) | Chairman of the Overview and Scrutiny Committee | £3,702 |
| v) | Chairman of the Resources & Performance Scrutiny Board | £3,702 |
| vi) | Chairman of Planning Committee | £4,200 |
| vii) | Chairman of Standards Committee (Independent Member) | £1,296 |
| viii) | Chairman of Personnel | £1,296 |
| ix) | Chairman of the Accounts, Audit and Risk Committee | £2,250 |
| x) | Leader of the Opposition | £2,898 |
| xi) | Co-optees Allowance | £831 |
- c) the Carers' Allowance continues to be paid at its current levels and on the basis that:-
- iii) the allowance can only be claimed when an 'approved duty' is performed subject to the submission of receipts and, in the case of the childcare allowance, to that allowance not being paid to a member of the claimant's household; and
 - iv) the basis of the Carers' Allowance be the actual cost incurred up to the maximum hourly rates set out below and to a maximum cap of 20 hours per month:-
 - Childcare - £8 per hour
 - Dependent Relative Care - £15 per hour
- d) subject to the notification of any adjustments later in the year, HM Revenue and Customs specified mileage rates of 24p per mile for motorcycles regardless of the cc and 40p per mile (with no tax implications) regardless of the cc of the motor vehicle be paid up until such time any revisions are notified by HM Revenue and Customs and the revised rates then be implemented;
- e) the supplements relating to the payment of tolls and other parking charges continue to be paid;
- f) subject to the proviso detailed in (d) above, the HM Revenue and Customs specified rate of 20p per mile be paid for travel by bicycles and other 'non-motorised' forms of transport;
- g) the travelling allowance payment for electric or similar specialised vehicles remain at £1.10 per journey regardless of the distance travelled (with no tax implications);

- h) the specified occasions when Members travel otherwise than by their own vehicle continue to be included in the Allowances Scheme;
 - i) the subsistence allowances be paid at the levels index linked in accordance with the agreed formula; and
 - j) Members be reminded of the importance the Panel attaches to the completion of the activity questionnaire, the outcome of which will continue to be an important part of the information collated to inform the 2011/2012 review.
- 2) That the Head of Legal and Democratic Services is authorised to prepare an amended Members' Allowances Scheme, in accordance with the decisions of the Council for implementation with effect from 1 April 2010.
- 3) That the Head of Legal and Democratic Services is authorised to take all necessary action to revoke the current (2009/10) Scheme and to publicise the revised Scheme pursuant to The Local Authorities (Members' Allowances) (England) Regulations 2003 (as amended).
- 4) That the Independent Remuneration Panel are thanked for its thorough and detailed report, to agree to recruit two panel Members prior to the commencement of work on the 2011/12 allowance scheme, and set a fee of £300 for IRP Panel Members for the work carried out in 2009/10 and propose the same level of fee for 2010/11.

69 **Suspension of Standing Orders**

Resolved

That Standing Orders be suspended for the following agenda item with regard to the duration of speaking by proposers of motions and amendments and the order of dealing with speaking on amendments.

70 **2010/11 Service and Financial Planning Process, Corporate Plan, Revenue Budget and Capital Programme**

Council considered a report of the Chief Finance Officer which reviewed the Council's General Fund Budget, Capital Programme, Earmarked Reserves and General Fund Balances to ensure the robustness of the estimates included and which sought formal adoption of all parts of the Council's financial plans and Corporate Plan for the 2010/11 budget year.

It was proposed by Councillor Macnamara and seconded by Councillor Mallon, that the recommendations as set out in the report be agreed and that Overview and Scrutiny be requested to consider the issue of pedestrianisation in Kidlington.

Councillor Rae on behalf of the Opposition Group and Councillor Parish on behalf of the Labour Group, welcomed the budget and confirmed that they did not propose to move any amendments.

Members thanked the Finance team for their work in compiling the budget.

Resolved

Budget 2010/11

- (1) That having considered the report, the 2010/11 General Fund Budget and Capital Programme proposed by the Executive on 1st February 2010, as detailed in the Budget Book (Annex 1 to the minutes as set out in the minute book) be approved.
- (2) That Collection Fund Estimates contained in Annex 6 of the Budget Book (Annex 1 to the minutes, as set out in the minute book) be approved.
- (3) That the Prudential Indicators contained in Annex 9 of the Budget Book (Annex 1 to the minutes, as set out in the minute book) be approved.
- (4) That the final Service Plans for 2010/11 as proposed by the Executive on 1st February 2010 and summarised in the Budget Book (Annex 1 to the minutes, as set out in the minute book) be approved.
- (5) That the Corporate Plan as detailed in Annex 1 of the Budget Book (Annex 1 to the minutes, as set out in the minute book) be approved.
- (6) That the Treasury Management Strategy for 2010/11 proposed by the Executive on 1st February 2010 (Annex 2 to the minutes as set out in the minute book) be approved.

71 **Adjournment of Council Meeting**

The Deputy Leader of the Council confirmed that as there were no amendments to the budget it would not be necessary for the Council to adjourn to allow the Executive to meet to consider the amendments.

72 **Calculating and Setting Council Tax for 2010/2011**

Council considered a report setting out the proposed Council Tax for 2010/2011. It was proposed by Councillor Macnamara and seconded by Councillor Mallon that the recommendations as set out in the report be agreed. On being put to the vote, the motion was agreed unanimously.

Resolved

- (1) That the Calculations for the amount of Council Tax for 2010/11 as detailed in Annex 3 to the minutes as set out in the minute book be approved.

- (2) That the Setting of Council Tax for 2010/2011 as per the detailed recommendations in Annex 3 to the minutes as set out in the minute book be approved.

73

Section 151 Officer Arrangements

Council considered a report of the Chief Executive setting out the proposed Section 151 arrangements for the Council.

It was proposed by Councillor Reynolds and seconded by Councillor Macnamara that the recommendations as set out in the report be approved.

Resolved

- (1) That the Council confirms it is happy to pursue the principle of a shared Section 151 Officer and Chief Finance Officer with another local authority.
- (2) That the Chief Executive in consultation with the Leader of Council, be delegated authority to negotiate and conclude an arrangement for sharing a Section 151 Officer and Chief Finance Officer with South Northamptonshire District Council and confirm that if such arrangements are successfully concluded that the shared officer will be this Council's designated Section 151 Officer until end 28th February 2011.
- (3) That Phillip O'Dell continue as the Council's Section 151 and Chief Finance Officer after 31st March 2010 until such time as alternative arrangements are approved.
- (4) That it be noted that Phillip O'Dell has nominated the Head of Finance, Karen Curtin, as Deputy Section 151 Officer and Deputy Chief Finance Officer authorised to act in his absence and it is anticipated that a shared 151 Officer would do the same.

The meeting ended at 8.00 pm

Chairman:

Date: