

CHERWELL DISTRICT COUNCIL

Minutes of a meeting of the Cherwell District Council held at Bodicote House, Bodicote, Banbury, on 14 April 2003 at 6.30 pm.

Present: Councillor Mrs Hastings (Chairman)

Councillors Archer, Blackwell, Bolster, Cartledge, Dhesi, Doy, Mrs Edwards, A Fulljames, Mrs C Fulljames, Gasson, Gilmore, Godwin, Hallchurch, Harper, Heath, Mrs Higham, Horsnby-Smith, Hughes, Justice, Kempton, Laynes, Macnamara, Mallon, Mephram, Miall, Milne Home, O'Sullivan, Pack, Parish, Miss Pickford, Mrs Pratt, Reynolds, Spencer, Stansby, L Stratford, Mrs R Stratford, Miss Thirzie-Smart, Turner, Wood and Wyse.

Officers: G J Handley (Chief Executive), L R Angel (Assistant Chief Executive), G Simcox (District Treasurer), C R Baynes (Head of Corporate Services), P W Rooke (Chief Administration Officer), I Davies (Head of Leisure Services), A Jones (Head of Planning and Development Services), Mrs K Hindle (Head of Housing Services), Mrs E Edwards (Head of Environmental Services), C Lawrence (Personnel Manager), Mrs P Wilkinson (Senior Solicitor), A Eastman (Principal Committee Administrator).

Apologies for absence received from Councillors Billington, Fermoy, Hurle, MacLeod, Mrs Milne, Mold and Miss Smith.

A: MATTERS NOT OF AN EXEMPT OR CONFIDENTIAL NATURE

C.86/02 MINUTES

The Minutes of the meeting of the Council held on 3 March 2003 were approved as a correct record and signed by the Chairman.

C.87/02 CHAIRMAN'S COMMUNICATIONS

(a) Former Councillor Lorna Mansell

The Chairman announced that Councillor Mansell had resigned from the Council on 6 March 2003, following her move to France with her family.

(b) District Treasurer

The Chairman welcomed Graham Simcox to his first meeting of the Council as District Treasurer.

(c) Investors in People (IIP) Status and Comprehensive Performance Assessment (CPA) Guidelines

The Chairman announced that the Council had been re-accredited with its IIP status for the fifth year running.

She also announced that the CPA guidelines had now been published, and that the Council, together with all other Oxfordshire and Buckinghamshire District Councils, was to be inspected during the week commencing 23 February 2004, with the assessment expected to be published in Spring 2004. A programme of Member workshops and briefing information would be provided following the May District Council elections.

(d) **District Council Elections - 1 May 2003**

The Executive Leader (Councillor Reynolds) joined the Chairman in thanking the Members not seeking re-election on 1 May (former Councillor Mansell and Councillors Mold and Miss Smith), for the service which they had given to the Council.

(e) **End of Council Year**

The Chairman thanked the Officers (particularly the Chief Executive), and Mr David Markham and Councillor Billington (her Consorts) for all of the assistance which they had given to her in her year as Chairman of the Council.

C.88/02 **DECLARATIONS OF INTEREST**

- (a) Councillors Parish and Mallon declared a personal interest in all matters on the agenda relating to the largescale voluntary transfer (LSVT) of the Council's housing stock, as they were tenants of Council property.
- (b) Councillor Hornsby-Smith declared a personal interest in agenda item 9 (Record of Portfolio Holder Decisions) insofar as it related to the Kaleidoscope Centre, as he was Chairman of the Trustees of that organisation.
- (c) Councillor Doy declared a personal and prejudicial interest in Minute E.170/02 (Proposals for Decriminalised Parking Throughout Oxfordshire) having regard to his employment as a Thames Valley Police Traffic Warden.
- (d) Councillor Dhesi declared personal interests in all matters relating to the Horton Users Committee, of which she was a member.
- (e) Councillor Reynolds declared a personal and prejudicial interest in the Minutes of the Council Meeting held on 3 March 2003 insofar as they related to the Spiceball Park Sports Centre and Banbury Museum where his wife was an employee.
- (f) Councillor Wood explained that, whilst he was still an employee of the Defence Storage and Distribution Agency, the Agency no longer owned the land on which it was proposed to site the accommodation centre for asylum seekers at Bicester and, therefore, he no longer had a personal or prejudicial interest in that matter and was able to participate in the discussion and voting thereon.

C.89/02 **MINUTES OF THE EXECUTIVE**

It was moved by the Executive Leader (Councillor Reynolds) and seconded by Councillor L Stratford, that the Minutes of the meetings of the Executive held on 4 and 17 March 2003, and Minute E.183/02 of the meeting of the Executive held on 7 April 2003 (tabled at the meeting), be received.

RESOLVED that the recommendations of the Executive in Minutes E.166/02 and E.183/02 be adopted.

The Council noted the decisions contained in Minutes E.167/02 to E.173/02 inclusive and E.176/02 to E.180/02 inclusive.

A question was put and answered on Minute E.176/02.

C.90/02 KEY DECISION (SPECIAL URGENCY)

The Executive Leader reported that the following Minute recorded a key decision which had been the subject of the special urgency provisions in the Constitution (ie such decisions not included in the Forward Plan, taken since the last Council Meeting):-

Minute E.179/02 - Premature Repayment of Debt

C.91/02 PERSONNEL AND GENERAL COMMITTEE

It was moved by the Vice-Chairman of the Committee (Councillor Wood) and seconded by Councillor Spencer, that the Minutes of the meetings of the Personnel and General Committee held on 22 January and 19 March 2003 be received (with the exception of Minutes PG.30/02 and PG.31/02 which were considered at the Council Meeting held on 27 January 2003).

The Council noted the decisions contained in Minutes PG.32/02 to PG.35/02 inclusive and PG.41/02 to PG.43/02 inclusive.

A question was put and answered on Minute PG.33/02.

C.92/02 COUNCIL SIDE OF THE COUNCIL AND EMPLOYEE JOINT COMMITTEE

It was moved by the Chairman of the Council Side of the Council and Employee Joint Committee (Councillor Mrs R Stratford), and seconded by Councillor Miall, that the Minutes of the meeting of the Council Side held on 23 January 2003 be received.

The Council noted the decisions contained in Minutes CS.1/02 to CS.5/02 inclusive.

C.93/02 COUNCIL AND EMPLOYEE JOINT COMMITTEE

It was moved by the Chairman of the Council and Employee Joint Committee (Councillor Mrs R Stratford) and seconded by Councillor Miall, that the Minutes of the meeting of the Council and Employee Joint Committee held on 23 January 2003 be received, (with the exception of Minute J.1/02 which had been considered at the Council Meeting on 27 January 2003).

The Council noted the decisions contained in Minutes J.2/02 to J.5/02 inclusive.

C.94/02 ENVIRONMENT SELECT COMMITTEE

It was moved by the Chairman of the Committee (Councillor Harper) and seconded by Councillor Milne Home, that the Minutes of the meetings of the Environment Select Committee held on 14 January and 11 March 2003 be received.

The Council noted the decisions contained in Minutes ES.34/02 to ES.53/02 inclusive.

Questions were put and answered on Minutes ES.37/02 and ES.43/02.

C.95/02 **COMMUNITY SELECT COMMITTEE**

It was moved by the Chairman of the Committee (Councillor Miss Pickford) and seconded by Councillor Macnamara, that the Minutes of the meetings of the Community Select Committee held on 21 January and 18 March 2003 be received.

The Council noted the decisions contained in Minutes CS.36/02 to CS.42/02 inclusive and CS.45/02 to CS.51/02 inclusive.

C.96/02 **RESOURCES SELECT COMMITTEE**

It was moved by the Chairman of the Committee (Councillor Spencer) and seconded by Councillor Wood, that the Minutes of the meetings of the Resources Select Committee held on 28 January and 25 March 2003 be received.

The Council noted the decisions contained in Minutes RS.27/02 to RS.46/02 inclusive.

A question was put and answered on Minute RS.29/02.

C.97/02 **REGULATORY AND SERVICE APPEALS PANEL**

It was moved by the Chairman of the Council and seconded by Councillor Mrs Stratford (in the absence of the Chairman and Vice-Chairman of the Panel) that the Minutes of the meeting of the Regulatory and Service Appeals Panel held on 20 February 2003 be received.

The Council noted the decisions contained in Minutes RS.23/02 and RS.24/02.

C.98/02 **PERFORMANCE RELATED PAY AND APPEALS PANEL**

It was moved by the Chairman of the Panel (Councillor A Fulljames) and seconded by Councillor L Stratford, that the Minutes of the meeting of the Performance Related Pay and Appeals Panel held on 24 February 2003 be received.

The Council noted the decisions contained in Minutes PRP.3/02 and PRP.4/02.

C.99/02 **STANDARDS COMMITTEE**

It was moved by the Chairman of the Committee (Councillor Mrs Higham) and seconded by Councillor Turner, that the Minutes of the meeting of the Standards Committee held on 20 March 2003 be received.

RESOLVED that the recommendations of the Standards Committee in Minute STS.14/02 be adopted.

The Council noted the decisions contained in Minutes STS.15/02 to STS.20/02.

C.100/02 **RECORD OF PORTFOLIO HOLDER DECISIONS**

A schedule of the matters on which decisions had been made by individual portfolio holders since the meeting of the Council on 27 January 2003 was received.

C.101/02 **MOTIONS UNDER COUNCIL PROCEDURE RULE 11.2**

(a) **Asylum Seekers' Accommodation Centre at MOD Bicester, Piddington**

It was moved by Councillor Spencer, and seconded by Councillor Wood, that the following motion submitted under Council Procedure Rule 11.2 be adopted:-

'This Council deploras the total inadequacy of the Government in controlling the vast number of asylum seekers entering this country . It further totally rejects the principle of placing a unit for 750 asylum seekers at the tiny village of Piddington which inevitably will impact on all service providers in the District and particularly on the nearest large settlement of Bicester.'

It was then moved by Councillor Laynes, and seconded by Councillor Hornsby-Smith, that the motion be amended to read:-

'This Council rejects the principle of placing a unit for 750 asylum seekers at the tiny village of Piddington which will inevitably impact on all service providers in the District and particularly on the nearest large settlement of Bicester.'

On being put to the vote, this amendment was lost, and the substantive motion was carried.

RESOLVED that the motion as set out above be adopted.

(b) **Abbreviations**

It was moved by Councillor Turner, and seconded by Councillor Gilmore, that the following motion, submitted under Council Procedure Rule 11.2 be adopted:-

'CDC requests that when they receive all SOED's, taken by a PH, it should BP for the humble BB's to understand them, and request that the OIC ensure this by not using abbreviations.'

On being put to the vote, the motion was carried.

RESOLVED that the motion as set out above be adopted.

(c) **The Horton Hospital, Banbury**

It was moved by Councillor Parish, and seconded by Councillor Justice, that the following motion, submitted under Council Procedure Rule 11.2 be adopted:-

'This Council views with grave concerns the transfer of (cellular pathology services) and mortuary services in their entirety from the Horton Hospital to Oxford.

We ask the Chief Executive to write to Mike Williams Esq, Acting Chief Executive at the Oxford Radcliffe NHS Trust to express the Council's grave concerns.'

It was then moved by Councillor Macnamara, and seconded by Councillor Mrs Higham, that the motion be amended insofar as the Chief Executive be asked to write to the Right Honourable Alan Milburn MP, Secretary of State for Health, rather than to Mike Williams, the Acting Chief Executive of the Oxford Radcliffe NHS Trust.

After further discussion, both the mover of the motion and the mover of the amendment agreed to the motion being amended so that the Chief Executive be asked to write to both Mr Milburn and Mr Williams. The motion as thus amended was put to the vote, and was carried unanimously.

RESOLVED that the motion, as amended above, be adopted.

(**Note:** although Councillor Turner did not declare a personal or prejudicial interest in this matter, he chose to withdraw from the meeting during the discussion of this item, as a close family relation had connections with the pathology service.)

C.102/02 **COUNTY ELECTORAL DIVISION REVIEW**

The Council received a report from the Chief Administration Officer indicating that the County Council was conducting its County Electoral Division review, and had invited this Council to submit its comments by 22 April. A special meeting of the Personnel and General Committee was to be held on 17 April to consider the matter.

It was moved by the Executive Leader, seconded by Councillor Stratford, and

RESOLVED that the Personnel and General Committee be given delegated authority to submit comments on the above-mentioned matter to the County Council by the 22 April deadline.

C.103/02 **EXCLUSION OF THE PUBLIC AND PRESS**

It was moved by the Chairman, and duly seconded, that in accordance with Section 100A(4) of the Local Government Act 1972, the public and press be excluded from the meeting whilst the items in Part II of the agenda were considered on the grounds that they involved the likely disclosure of exempt information as identified by the numbered paragraphs in Part I of Schedule 12A to the Act as set out separately under each of the following item headings.

RESOLVED that the motion be adopted.

B: MATTERS CONTAINING EXEMPT INFORMATION

EXEMPT

C.104/02 MINUTES OF THE EXECUTIVE

(Paragraphs 8, 9, 11 and 12).

It was moved by the Executive Leader (Councillor Reynolds) and seconded by Councillor L Stratford, that the Minutes of the meetings of the Executive held on 4 and 17 March 2003, containing exempt information, be received.

The Council noted the decisions contained in Minutes E.174/02 and E.181/02.

C.105/02 PERSONNEL AND GENERAL COMMITTEE

(Paragraphs 1 and 11).

It was moved by the Vice-Chairman of the Committee (Councillor Wood) and seconded by Councillor Spencer, that the Minutes of the meetings of the Personnel and General Committee held on 22 January and 19 March 2003, containing exempt information, be received.

The Council noted the decisions contained in Minutes PG.36/02 to PG.39/02 inclusive and PG.44/02 to PG.52/02 inclusive.

C.106/02 COUNCIL SIDE OF THE COUNCIL EMPLOYEE JOINT COMMITTEE

(Paragraphs 1 and 11)

It was moved by the Chairman of the Council Side of the Council and Employee Joint Committee (Councillor Mrs Stratford), and seconded by Councillor Miall, that the Minutes of the meeting of the Council Side held on 23 January 2003, containing exempt information, be received.

The Council noted the matter referred to in Minute CS.6/02.

C.107/02 COUNCIL AND EMPLOYEE JOINT COMMITTEE

(Paragraphs 1 and 11).

It was moved by the Chairman of the Joint Committee (Councillor Mrs Stratford), and seconded by Councillor Miall, that the Minutes of the meeting of the Council and Employee Joint Committee held on 23 January 2003, containing exempt information, be received.

The Council noted the matters referred to in Minute J.6/02.

C.108/02 COMMUNITY SELECT COMMITTEE

(Paragraph 7).

It was moved by the Chairman of the Committee (Councillor Miss Pickford) and seconded by Councillor Macnamara, that the Minutes of the meeting of the Community Select Committee held on 21 January 2003, containing exempt information, be received.

The Council noted the decisions contained in Minute CS.43/02.

EXEMPT

C.109/02 **REGULATORY AND SERVICE APPEALS PANEL**

(Paragraphs 7, 14 and 15).

It was moved by the Chairman of the Council and seconded by Councillor Mrs Stratford (in the absence of the Chairman and Vice-Chairman of the Panel) that the Minutes of the meeting of the Regulatory Service and Appeals Panel held on 20 February 2003, containing exempt information, be received.

The Council noted the decision contained in Minute RSA.25/02.

C.110/02 **PERFORMANCE RELATED PAY AND APPEALS PANEL**

(Paragraph 1).

It was moved by the Chairman of the Panel (Councillor A Fulljames) and seconded by Councillor L Stratford, that the Minutes of the meeting of the Performance Related Pay and Appeals Panel held on 24 February 2003, containing exempt information, be received.

The Council noted the decisions contained in Minute PRP.5/02.

C.111/02 **END OF MEETING**

The meeting ended at 8.38 pm.