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ANNUAL COUNCIL MEETING

14 MAY 2008

To: All Members of the Council

30 April 2008

The **ANNUAL MEETING** of the Cherwell District Council will be held at Bodicote House, Bodicote, Banbury on Wednesday 14 May 2008, at 6.30 pm, and you are hereby summoned to attend.

M Harpley
Chief Executive

REVISED AGENDA

1 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

(Contact James Doble (01295 221587) to tender apologies.)

2 MINUTES

To approve as a correct record the Minutes of the meeting of the Council held on 21 April 2008 (attached).

3 ELECTION OF CHAIRMAN

To elect a Chairman of the Council for the year 2008/09.

The Chairman, when elected, to make a declaration of acceptance of office.

(**Note:** the Chairman cannot be a member of the Executive.)

4 ELECTION OF VICE-CHAIRMAN

To elect a Vice-Chairman of the Council for the year 2008/09.

The Vice-Chairman, when elected, to make a declaration of acceptance of office.

(**Note:** the Vice-Chairman cannot be a member of the Executive.)

5 COMMUNICATIONS

To receive such communications as the Chairman may desire to lay before the Council.

6 CONSTITUTION OF POLITICAL GROUPS

- (a) The Chief Executive to report that the results of the District Elections held on 1 May 2008 (contained in Annual Council Business Report attached).
- (b) The Chief Executive to report on the notifications of the constitution of Political Groups received prior to the meeting, on which the political balance on Committees will be recommended.
- (c) The Chief Executive to report on the notifications from the Political Groups of the names of their Leaders for 2008/09.

7 EXECUTIVE LEADER, DEPUTY EXECUTIVE LEADER, MEMBERSHIP OF THE EXECUTIVE AND ALLOCATION OF PORTFOLIOS

- (a) The Chief Executive to report whether there is any change in the political control of the Council, or to the leadership of the controlling Political Group, and then, whether in accordance with Article 7.03 of the Council Constitution, the Leader of the Council continues to hold that office. Otherwise, it will be necessary for the Council to elect a new Leader.
- (b) In accordance with Executive Procedure Rule 1.2ii), the Leader to report on the appointment of the Deputy Leader.
- (c) In accordance with Executive Procedure Rule 1.2i), the Leader to report on the membership of the Executive and the allocation of portfolios, (including any recommendation to the Council to reallocate the responsibility of functions to Portfolio Holders).

8 APPOINTMENT OF COMMITTEES

To consider whether to resolve:-

- (a) That the representation of the Political Groups on the Overview and Scrutiny Co-ordinating Group be in accordance with the Annual Council Business Report (attached);
- (b) That for the purposes of Section 15(3) to 15(5) of the Local Government and Housing

Act 1989, the representation of the Political Groups on the other Committees to be appointed for 2008/09 be in accordance with political balance requirements, being so far as is reasonably practicable a division of representation of the Groups which satisfies the principles set out in Section 15(5)." As set out in the Annual Council Business Report (attached);

- (c) That the representation of the Political Groups on the Standards Committee be in accordance with the recommendation in the Annual Council Business Report (attached);
- (d) To appoint Members (and, where appropriate, alternate Members) to serve on each of the Committees and other bodies set out in the Annual Council Business Report (attached), in accordance with the nominations to be made by the Political Groups*.
- (e) To appoint Members to serve on a body (the Standards Committee) not subject to the political balance requirements, set out in the Annual Council Business Report (attached), in accordance with the nominations to be made by the Political Groups*.

(**Note:*** a schedule of updates to the Political Group nominations will be tabled, and may be updated by the Group Leaders at the Council Meeting.)

9 APPOINTMENT OF REPRESENTATIVES

(a) Board of Charter Community Housing

To consider the appointment of representatives for 2008/09 to the Board of Charter Community Housing.

The 2007/08 representatives were:-

from the Conservative Group – Councillors Gibbard, Donaldson and Mrs Stratford
from the Labour Group – Councillor Sibley.

(b) County Council Health Overview and Scrutiny Committee.

To consider the appointment of a representatives for 2008/09 to the County Council Health Overview and Scrutiny Committee.

The 2007/08 representative was Councillor Mrs Stratford.

10 RETURN OF ATTENDANCES

To receive a return of attendance of Members at various meetings during 2007/08 (attached).

11 THE CONDUCT OF LOCAL AUTHORITY MEMBERS IN ENGLAND – THE LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN HEALTH ACT 2007

AMENDMENTS TO THE STANDARDS COMMITTEE'S TERMS OF REFERENCE (RESPONSIBILITY FOR FUNCTIONS (SCHEME OF REFERENCE AND DELEGATION))

Report of Monitoring Officer

The Local Government and Public Involvement in Health Act 2007 passed into law on 31 October 2007. The Act, amongst other things, amends the Local Government Act 2000 in respect of the operation of the ethical framework. The main amendments relate to the local filtering and investigation of complaints in respect of allegations of breaches of the Code of Conduct.

The Regulations (“The Standards Committee (England) Regulations 2008”) which amplify the changes to the 2000 Act were made on 14 April 2008, laid before Parliament on 17 April and came into force on 8 May 2008. This report details the amendments required to Part 3 of the Council’s Responsibility for Functions (Scheme of Reference and Delegation) so far as it relates to the Terms of Reference of the Standards Committee. The Standards Committee has the responsibility for the operation of the new local filtering regime.

The procedures relating to the new regime will be put in place once the relevant advice and guidance has been issued by the Standards Board for England.

The report is attached.

It is **RECOMMENDED** that the Council:-

- (1) approves the amendments to the Responsibility for Functions (Scheme of Reference and Delegation) relating to the Terms of Reference of the Standards Committee as set out in **Annex 1** to this report;
- (2) authorises the Head of Legal and Democratic Services to prepare the necessary operating procedures for the implementation of the new local filtering regime once the awaited guidance and advice is published by the Standards Board.

12 QUESTIONS UNDER COUNCIL PROCEDURE RULE 10.5

To receive written questions (if any), and written answers thereto, of which notice has been given in accordance with Council Procedure Rule 10.5.

Notes:

- (i) **At the conclusion of the foregoing business, Committees will meet to appoint their Chairmen and Vice-Chairmen, and to conduct any other business as may be specified. The schedule of agenda for these first meetings is included with these papers, on the green pages at the back of this agenda.**
- (ii) Would all Members please ensure that they sign the Attendance Register.
- (iii) At the conclusion of the proceedings, a buffet reception will be held in the Council Chamber.