

Meeting of Council

Monday 19 April 2010

Members of Cherwell District Council,

A meeting of Council will be held at Bodicote House, Bodicote, Banbury, OX15 4AA on Monday 19 April 2010 at 6.30 pm, and you are hereby summoned to attend.



Mary Harpley
Chief Executive

Friday 9 April 2010

AGENDA

1 Apologies for Absence

2 Declarations of Interest

Members are asked to declare any interest and the nature of that interest which they may have in any of the items under consideration at this meeting.

3 Communications

To receive communications from the Chairman and/or the Leader of the Council.

4 Petitions and Requests to Address the Meeting

The Chairman to report on any requests to submit petitions or to address the meeting.

5 Urgent Business

The Chairman to advise whether they have agreed to any item of urgent business being admitted to the agenda.

6 Thames Valley Police - Chief Constable Address

The Chief Constable of Thames Valley Police, Sara Thornton and her supporting officers will be invited to address Council, following which Members will be able to ask questions.

7 Minutes of Council (Pages 1 - 6)

To confirm as a correct record the Minutes of Council held on 22 February 2010.

8 Minutes

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

The Leader of the Council to formally propose that the minutes of the meetings of the Executive and Portfolio Holder decisions as set out in the Minute Book (circulated separately) be received and to report that since the last meeting of Council, one urgent Key Decision has been taken by the Executive which was not included in the Forward Plan.

The urgent Key Decision related to an update to the pay and grading structure. Details of the decision are set out in the Exempt minutes of the Executive meeting held on 1 March 2010.

- b) Minutes of Committees

The Leader of the Council to formally propose that the minutes of committees as set out in the Minute Book (circulated separately) be received.

9 Questions

- a) Written Questions

To receive any written questions and answers which have been submitted with advance notice in accordance with the constitution. A written response to the question will be circulated at the meeting.

After receiving the written response the member submitting the question will be entitled to ask a follow up or supplementary question.

b) Questions to the Leader of the Council

The Chairman to invite questions to the Leader of the Council (including any matters arising from the minutes).

Following a response to their question being provided members will be entitled to a follow up or supplementary question.

c) Questions to Committee Chairman on the minutes

The Chairman to invite questions to Chairmen of Committees on any matter arising from the minutes of their committee (if any).

10 Motions

To debate any motions which have been submitted with advance notice, in accordance with the constitution.

Recommendations from Committees

11 Constitution Update (Pages 7 - 42)

This report will be considered by Executive on 12 April 2010.

Report of Head of Legal and Democratic Services

Summary

To approve amendments and updates to the Council's constitution

Recommendations

The Executive is recommended to ask Council to approve the following:

- (1) To approve the changes to the scheme of delegation detailed in this report and to delegate to the Head of Legal and Democratic Services the detailed reallocation of powers reflecting the recent review of the Extended Management Team and the retirement of the Head of Safer Communities and Community Development.
- (2) To approve the revised Proper Officer provisions (Appendix 1).
- (3) To approve the changes to the Contract Procedure Rules detailed in this report.
- (4) To approve the revised and updated Finance Procedure Rules (Appendix 2).

12 Standards Committee - Appointment of Parish Representative (Pages 43 - 46)

Report of the Head of Legal and Democratic Services/Monitoring Officer

Summary

To appoint a parish representative to the Standards Committee to fill a vacancy.

Recommendation

- (1) To appoint David Carr to serve on the Standards Committee as Parish Representative to take effect following the parish elections 2010.

13 Exclusion of the Press and Public

The Chairman will, if necessary, move the exclusion of the press and public if members have indicated (under the relevant agenda item) they wish to ask a question on any matter arising from an exempt minute.

In making the decision, members should balance the interests of individuals or the Council itself in having access to the information. In considering their discretion members should also be mindful of the advice of Council Officers.

Should Members decide not to discuss the issue in public, they are recommended to pass the following recommendation:

“That, in accordance with Section 100A(4) of Local Government Act 1972, the press and public be excluded from the meeting for the following item(s) of business, on the grounds that they could involve the likely disclosure of exempt information as defined in paragraphs of Schedule 12A of that Act, as set out on in the Minute Book”.

14 Questions on Exempt Minutes

Members of Council will ask questions on exempt minutes, if any.

Information about this Agenda

Apologies for Absence

Apologies for absence should be notified to democracy@cherwell-dc.gov.uk or (01295) 221587 prior to the start of the meeting.

Declarations of Interest

Members are asked to declare interests at item 2 on the agenda or if arriving after the start of the meeting, at the start of the relevant agenda item. The definition of personal and prejudicial interests is set out in the constitution. The Democratic Support Officer will have a copy available for inspection at all meetings.

Personal Interest: Members must declare the interest but may stay in the room, debate and vote on the issue.

Prejudicial Interest: Member must withdraw from the meeting room and should inform the Chairman accordingly.

With the exception of the some very specific circumstances, a Member with a personal interest also has a prejudicial interest if it is one which a Member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice the Member's judgement of the public interest.

Local Government and Finance Act 1992 – Budget Setting, Contracts & Supplementary Estimates

Members are reminded that any member who is two months in arrears with Council Tax must declare the fact and may speak but not vote on any decision which involves budget setting, extending or agreeing contracts or incurring expenditure not provided for in the agreed budget for a given year and could affect calculations on the level of Council Tax.

Queries Regarding this Agenda

Please contact James Doble, Legal and Democratic Services james.doble@cherwell-dc.gov.uk, (01295) 221587