

**Meeting of Council**

**Monday 18 October 2010**

**Members of Cherwell District Council,**

**A meeting of Council will be held at Bodicote House, Bodicote, Banbury, OX15 4AA on Monday 18 October 2010 at 6.30 pm, and you are hereby summoned to attend.**



**Mary Harpley  
Chief Executive**

**Friday 8 October 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**

a) Petitions

A petition containing 11, 038 signatures has been submitted to the council which due to the number of signatures has met the threshold for debate by Council.

## The Hospital Bicester Deserves

Bicester deserves a hospital of its own, equipped for the needs of a growing town, delivered by local health authorities that listen to the views of the community

We the undersigned welcome and support the Cherwell District Council (CDC) plans to build a new Bicester community hospital with beds and then lease it back to the local primary care trust (PCT). It is a well known fact that Bicester is a fast expanding town yet provision for a new NHS community hospital with beds and much needed health care facilities for dementia respite and elderly care are still curtailed through lack of foresight on future patient requirements. A better plan is to use the land earmarked for a health village and care provision as proposed for the south west Bicester development – this alternative would provide the best healthcare for Bicester and its residents. We the undersigned petitioners find it unacceptable that should the primary care centre option go ahead, this will result in the closure of Bicester cottage hospital and the loss of 12 in-patient beds. We strongly urge the Oxon PCT to work with the CDC and partners to do all in its power to build and deliver the new 30 bed community hospital for Bicester – the healthcare facility an expanding town deserves.

Petition submitted by Councillor Sibley on behalf of Save our Community Hospital (the SOCH Campaign 2009 - 10 ) – Bicester

*The petition organiser will be given five minutes to present the and the petition will then be discussed by councillors for a maximum of 15 minutes. The council will decide how to respond to the petition. Council may decide:*

- *to take the action the petition requests*
- *not to take the action requested for reasons put forward in the debate,*
- *to commission further investigation into the matter, for example by a relevant committee.*

*Where the issue is one on which the council executive are required to make the final decision, the council will decide whether to make recommendations to inform that decision.*

### b) Requests to Address the Meeting

The Chairman to report on any requests 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 Minutes of Council (Pages 1 - 8)**

To confirm as a correct record the Minutes of Council held on 19 July 2010.

**7 Presentation by Cllr Michael Waine, Cabinet Member for Schools Improvement at Oxfordshire County Council and Sally Taylor, Head of Raising Achievement Service (Pages 9 - 22)**

Cllr Michael Waine, Cabinet Member for Schools Improvement at Oxfordshire County Council, and Sally Taylor, Head of the Oxfordshire Raising Achievement Service, will be invited to address Council, following which Members will be able to ask questions.

**8 Executive Decisions - Special Urgency**

The Leader of the Council to report for information, that since the last meeting of Council, no Executive decisions have been taken that were subject to the special urgency provisions of the constitution.

**9 Minutes**

a) Minutes of Executive and Portfolio Holder Decisions

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

b) Minutes of Committees

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

**10 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.

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 Chairmen on the minutes

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

## 11 **Motions**

To debate a motion which has been submitted with advance notice, in accordance with the constitution.

### High Speed Rail Route

This Council NOTES the Government proposal for a High Speed Rail route from London to Birmingham and that the publicised route impacts on Villages in the District.

This Council BELIEVES that there is an insufficient Business Case for this proposal.

This Council therefore INSTRUCTS Officers to prepare a report to the Executive setting out how the Council will campaign with like minded neighbouring Councils to "Stop HS2".

Proposed: Cllr Wood

Seconded: Cllr Mrs Fulljames

## **Council Business Reports**

## 12 **Executive Arrangements - Strong Leader Model** (Pages 23 - 34)

Report of Head of Legal and Democratic Services

### **Summary**

To consider arrangements for adopting the so called 'Strong Leader' model of Executive governance as required by the Local Government and Public Involvement in Health Act 2007, until this act is repealed later in the year.

### **Recommendations**

The Executive recommends Council:

- (1) To note that the Government intend to repeal these requirements later in the year and consequently to agree a minimal response to ensure legislative compliance as set out in the following recommendations and endorsed by the minister in his letter as set out in Appendix 1.
- (2) To note that Cherwell already operates a Strong Leader Model
- (3) To note that there have been no public responses to these proposals.
- (4) To agree the constitutional amendments as set out at Appendix 2.

## 13 **Bicester Town Centre Redevelopment Compulsory Purchase Order** (Pages 35 - 150)

Report of Head of Regeneration and Estates

## **Summary**

To seek authorisation for the making of a compulsory purchase order to facilitate the implementation of the redevelopment scheme (as proposed by Town Centre Retail (Bicester) Ltd and described in this report) to assemble the land interests required for the scheme, such interests being identified on the Order map and described in the schedule of land interests annexed to this report.

## **Recommendations**

The Council is recommended to resolve to make a compulsory purchase order in respect of:

- (1) the land shown coloured pink on the map attached at appendix one under Section 226(1)(a) of the Town and Country Planning Act 1990 (as amended) because it thinks that the acquisition will facilitate the carrying out of the development, redevelopment or improvement on or in relation to the land, and the development, redevelopment or improvement is likely to contribute to the promotion or improvement of the economic, social and environmental well-being of Bicester and the surrounding district; and
- (2) the new rights in relation to the land shown coloured blue on the map at appendix one under Section 13 of the Local Government (Miscellaneous Provisions) Act 1976, such land and new rights being described in the schedule of land interests at appendix two.

## **14 Proportionality and Committee Appointments Report (Pages 151 - 154)**

Head of Legal and Democratic Services

### **Summary**

To gain agreement to the amended constitution of Committees for Municipal Year 2010/11 and to advise Council of political group nominations following the results of the Kidlington North By-election.

### **Recommendations**

The meeting is recommended:

- (1) That the allocation of the seats on the Committees that are subject to the political balance requirements be agreed as set out in Table 1 below following the results of the Kidlington North by-election.
- (2) To appoint Members (and, where appropriate, substitute members) to serve on each of the Committees set out in Table 2 of the report in accordance with the nominations made by the Political Groups.

## **15 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”.

## **Information about this Agenda**

### **Apologies for Absence**

Apologies for absence should be notified to [democracy@cherwell-dc.gov.uk](mailto: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](mailto:james.doble@cherwell-dc.gov.uk), (01295) 221587