

# Meeting of Council

**Monday 20 April 2009**

**Members of Cherwell District Council,**

**A meeting of Council will be held at Bodicote House, Bodicote, Banbury, OX15 4AA on Monday 20 April 2009 at 6.30 pm, and you are hereby summoned to attend.**

**Mary Harpley  
Chief Executive**

**Wednesday 8 April 2009**

## 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 Minutes of Council**

To confirm as a correct record the Minutes of Council held on 23 February 2009.

**7 Questions on Minutes of Council**

The Chairman to invite any questions, on matters arising from the minutes of the Council meetings as set out at Agenda Item 6.

**8 Thames Valley Police - Address from the Chief Constable**

The Chief Constable of Thames Valley Police, Sara Thornton and her supporting officers will be invited to address Council, following which the Leader of the Council will propose that Procedural Rules are lifted to allow questions from members.

**9 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.

**10 Minutes of the Executive**

To consider the non-exempt minutes of the meetings of the Executive as set out in the Minute Booklet (**circulated separately**).

**Minutes of Committees**

To consider the non-exempt minutes of committee, as set out in the Minute Booklet, (**circulated separately**).

**11 Minutes of Accounts, Audit and Risk Committee**

**12 Minutes of Overview and Scrutiny Committee**

**13 Minutes of Resources and Performance Scrutiny Board**

**14 Portfolio Holder Decisions (Page 1)**

To consider a record of and allow questions on the Portfolio Holder decisions made since the last meeting.

**15 Written Questions**

To receive any written questions and answers which have been submitted with advance notice in accordance with the constitution.

**16 Motions**

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

**17 2009 04 06 Constitution Report, 06/04/2009 Executive (Pages 2 - 135)**

Report of Head of Legal and Democratic Services

**Summary**

To seek approval from the Council for the proposed changes to the constitution as considered by Executive and Standards Committee.

**Recommendations**

Council is recommended:

- (1) To consider and comment on the proposed changes to the constitution
- (2) To approve, subject to any amendments Council may wish to make, and subject to any comments or amendments from the Standards committee on 8 April, the attached Introduction, Terms of Reference and Scheme of Delegation, Rules of Procedure and Planning Guidance.
- (3) To recommend to Council that delegated powers be given to the Head of Legal and Democratic Services in consultation with the Leader of Council, to make any minor or consequential amendments that may be needed, in particular with inconsistencies or duplications that may exist within the part of the constitution not yet reviewed.
- (4) To agree that the financial limit for key decisions for 2009/2010 remains at £50,000

**18 Exclusion of the Press and Public**

The following agenda items contain exempt information as defined in the following paragraphs of Part 1, Schedule 12A of Local Government Act 1972.

Paragraph 1 – Information relating to any individual

Paragraph 2 – Information which is likely to reveal the identity of an individual.

Paragraph 4 – Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.

Members are reminded that whilst the following agenda items have been marked as exempt, it is for Council to decide whether or not to consider each of them in private or in public. 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 make a decision 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 of business, on the grounds that they could involve the likely disclosure of exempt information as defined in the above paragraphs of Schedule 12A.”

**Exempt Minutes**

To consider the exempt minutes of the Executive and committees, as set out in the Minute Book, **(circulated separately)**.

**19 Exempt Minutes of Executive**

## **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 Part 5 Section A of 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