

# Meeting of Council

Monday 21 February 2011

Members of Cherwell District Council,

A meeting of Council will be held at Bodicote House, Bodicote, Banbury, OX15 4AA on Monday 21 February 2011 at 6.30 pm, and you are hereby summoned to attend.



**Ian Davies**  
Interim Chief Executive

Friday 11 February  
2011

## 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 (Pages 1 - 10)**

To confirm as a correct record the Minutes of Council held on 8 December 2010.

#### **7 Minutes**

- a) Minutes of Executive, Portfolio Holder Decisions and Executive Decisions not included in the Forward Plan

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 no decisions have been taken by the Executive which were not included in the Forward Plan.

- 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.

#### **8 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).

## 9 Motions

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

## 10 Members Allowances 2011/12 (Pages 11 - 24)

Report of Head of Legal and Democratic Services

### Summary

To consider and determine the levels of the allowances to be paid to Members for the forthcoming 2011/2012 financial year following the submission of the report of the Council's Independent Remuneration Panel (IRP) on the review of the 2010/2011 Members' Allowances Scheme.

### Recommendations

Council is recommended:

- (1) To consider the levels of allowances to be included in the 2011/12 Members' Allowances Scheme, (that is recommending no change to the levels agreed for 2010/11) and whether the Panel's recommendations should be adopted or modified in any way.
- (2) To authorise the Head of Legal and Democratic Services to prepare an amended Members' Allowances Scheme, in accordance with the decisions of the Council for implementation with effect from 1 April 2011.
- (3) To authorise the Head of Legal and Democratic Services to take all necessary action to revoke the current (2010/11) Scheme and to publicise the revised Scheme pursuant to The Local Authorities (Members' Allowances) (England) Regulations 2003 (as amended).
- (4) To thank the Independent Remuneration Panel for its thorough and detailed report and set a fee of £300 for IRP Panel Members for the work carried out in 2010/11 and propose the same level of fee for 2011/12.

## 11 2011/12 Service and Financial Planning Process, Corporate Plan, Revenue Budget and Capital Programme (Pages 25 - 42)

\*\*Please note the Budget Book (Appendix 2) will be circulated on 16 February 2011\*\*

Report of Chief Financial Officer

### Summary

To review the Council's General Fund Budget, Capital Programme, Earmarked Reserves and General Fund Balances to ensure the robustness of the estimates included and to seek formal adoption of all parts of the Council's financial plans and Corporate Plan for the 2011/12 budget year.

## **Recommendations**

Council is recommended:

- (1) To consider the contents of this report in approving the General Fund Budget and Capital Programme for 2011/12 and to formally record that consideration.
- (2) To approve the 2011/12 General Fund Budget and Capital Programme proposed by the Executive on 7 February 2011, as detailed in the Budget Book in section Capital Investment.
- (3) To approve the Collection Fund Estimates contained in Annex 1 of the Budget Book.
- (4) To approve the Prudential Indicators contained in Annex 2 of the Budget Book.
- (5) To approve the final Service Plans for 2011/12 as proposed by the Executive on 7 February 2011 and summarised in the Budget Book.
- (6) To approve the Corporate Plan as detailed in Annex 5 of the Budget Book.

## **12 Adjournment of Council Meeting**

The Council to adjourn, if necessary, to allow the Executive to meet to consider Council proposals which do not accord with the Executive's recommendations.

## **13 Calculating the amounts of Council Tax for 2011/2012 and setting the Council Tax for 2011/2012 (Pages 43 - 58)**

Report of Chief Finance Officer and Head of Finance

### **Summary**

To detail the Calculations for the amounts of Council Tax for 2011/12 and the setting of Council Tax for 2011/2012.

### **Recommendations**

Council is recommended:

- (1) To approve the Calculations for the amount of Council Tax for 2011/12 as detailed in Annex 1.
- (2) To recommend the Setting of Council Tax for 2011/2012 as per the detailed recommendations set out in section 8 of Annex 1.

## **Council Business Reports**

### **14 Community Governance and Polling District Review 2012 (Pages 59 - 68)**

Report of Head of Legal and Democratic Services

#### **Summary**

To agree to hold a Community Governance and Polling District Review in 2012 and to agree to consult on the principle of including the development sites of Bankside (Banbury), North West and South West Bicester within the boundaries of Banbury and Bicester Town Councils respectively.

#### **Recommendations**

Council is recommended:

- (1) To agree to hold a Community Governance and Polling District Review in 2012
- (2) To agree to consult as part of the Community Governance Review on the principle of including the development sites of Bankside (Banbury), North West and South West Bicester within the boundaries of Banbury and Bicester Town Councils respectively.
- (3) To agree to inform the Local Government Boundary Commission for England of this intention to consult as part of their consultation on the boundary review of Oxfordshire.

### **15 Appointment of Shared Chief Executive**

Please note the interviews for post of shared Chief Executive will take place on 17 February 2011, therefore it is not possible to provide the report at the time of agenda publication. The report will be tabled at the meeting.

### **16 Interim Monitoring Officer Arrangements (Pages 69 - 72)**

Report of Head of Legal and Democratic Services

#### **Summary**

The purpose of this report is to appoint an interim Monitoring Officer from April 1 2011 for a temporary indefinite period until the new shared senior management team with South Northamptonshire is appointed.

#### **Recommendations**

Council is recommended to agree:

- (1) That Nigel Bell be appointed as the Council's interim Monitoring Officer with effect from 1 April 2011
- (2) That this appointment will continue until the Monitoring Officer role in the new shared senior management team is appointed and in post.

## 17 **Changes to Scheme of Delegation** (Pages 73 - 78)

Report of Head of Legal and Democratic Services

### **Summary**

The purpose of this report is to recommend changes to the Council's Scheme of Delegation.

### **Recommendations**

Council is recommended to agree:

- (1) That the delegated powers of the Head of Building Control and Engineering Services be amended to reflect changes in legislation and to agree combined delegated powers for the new shared team with South Northamptonshire.
- (2) That those powers held previously by the Head of Building Control and Engineering Services not related to Building Control be reallocated to the Head of Planning Policy and Economic Development and the Head of Housing Services as set out in the report.
- (3) That the power to act in emergencies be extended from Strategic Directors in the absence of the Chief Executive to all Heads of Service in the light of the reduced number of staff in the category and consequent risk that an authorised person is unavailable in an emergency.

## 18 **Changes to Committee Membership**

Council is asked to agree the following request of the Liberal Democrat Group:

<b>Committee</b>	<b>Substitutes</b>	
	<b>Delete</b>	<b>Add</b>
Planning	Cllr Williamson	Cllr Emptage

## 19 **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 decision 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 of business, on the grounds that it could involve the likely disclosure of exempt information as defined in paragraphs of Schedule 12A of that Act, as set out in the Minute Book.”

## 20 Questions on Exempt Minutes

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

**Councillors are requested to collect any post from their pigeon hole in the Members Room at the end of the meeting.**

### Information about this Meeting

#### 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.

#### Evacuation Procedure

When the continuous alarm sounds you must evacuate the building by the nearest available fire exit. Members and visitors should proceed to the car park as directed by Democratic Services staff and await further instructions.

#### Access to Meetings

If you have any special requirements (such as a large print version of these papers or special access facilities) please contact the officer named below, giving as much notice as possible before the meeting.

**Mobile Phones**

Please ensure that any device is switched to silent operation or switched off.

**Queries Regarding this Agenda**

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

**Ian Davies**  
**Interim Chief Executive**

Published on Friday 11 February 2011