

Meeting of Council

Tuesday 1 November 2011

Members of Cherwell District Council,

A meeting of Council will be held at Bodicote House, Bodicote, Banbury, OX15 4AA on Tuesday 1 November 2011 at 6.30 pm, and you are hereby summoned to attend.



Sue Smith
Chief Executive

Monday 24 October
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 - 8)

To confirm as a correct record the Minutes of Council held on 29 September 2011.

7 Minutes

- a) Minutes of Executive, Lead Member 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 Lead Member 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.

(N.B. There are no exempt minutes)

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.

Council Business Reports

10 Parliamentary Boundary Review (Pages 9 - 20)

Report of Chief Executive

Summary

To consider the proposals of the Parliamentary Boundary Review and agree the council's submission to the Local Government Boundary Commission for England on the Oxfordshire County Boundary Review.

Recommendations

Council is recommended to:

- (1) Consider and endorse the response on the Parliamentary Boundary Review which proposes the transfer of the Ambrosden & Chesterton and Launton wards of Cherwell District to the Henley constituency.
- (2) Delegate authority to the Chief Executive, in consultation with the member working group, to finalise the Council's submission to the Boundary Commission for England.
- (3) Agree that the member working group continues to meet as required to consider issues emerging from the on-going County and Parliamentary boundary reviews.

11 Proportionality and Committee Membership (Pages 21 - 24)

Report of Chief Executive

Summary

To gain agreement to the amended constitution of Committees for Municipal Year 2011/12 and to advise Council of political group nominations following the results of the Bicester North By-election.

Recommendations

Council is recommended to:

- (1) Agree 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 Bicester North by-election.
- (2) Appoint 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.

12 Declaration of Local Nature Reserve - Adderbury Lakes (Pages 25 - 28)

Report of Kevin Lane, Head of Service

Summary

To enable Members to decide whether to delegate authority to the Executive to consider requests from Parish Councils to delegate to them the power to establish Local Nature Reserves

Recommendations

Council is recommended:

- (1) To delegate to the Executive Lead Member the authority to consider requests from Parish Councils to delegate to them the power to establish local nature reserves.

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

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.

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

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Agenda Item 6

Cherwell District Council

Council

Minutes of a meeting of the Council held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 29 September 2011 at 6.30 pm

Present: Councillor Timothy Hallchurch MBE (Chairman)
Councillor Colin Clarke (Vice-Chairman)

Councillor Rick Atkinson
Councillor Ken Attack
Councillor Alyas Ahmed
Councillor Andrew Beere
Councillor Ann Bonner
Councillor John Donaldson
Councillor Tim Emptage
Councillor Michael Gibbard
Councillor Simon Holland
Councillor Alastair Milne Home
Councillor Chris Heath
Councillor David Hughes
Councillor Tony Ilott
Councillor Victoria Irvine
Councillor Mike Kerford-Byrnes
Councillor James Macnamara
Councillor Kieron Mallon
Councillor Nigel Morris
Councillor George Parish
Councillor D M Pickford
Councillor G A Reynolds
Councillor Alaric Rose
Councillor Leslie F Sibley
Councillor Trevor Stevens
Councillor Lawrie Stratford
Councillor Rose Stratford
Councillor Lynda Thirzie Smart
Councillor Nicholas Turner
Councillor Martin Weir
Councillor Douglas Williamson
Councillor Barry Wood

Apologies
for
absence: Councillor Maurice Billington
Councillor Fred Blackwell
Councillor Norman Bolster
Councillor Patrick Cartledge
Councillor Margaret Cullip
Councillor Mrs Diana Edwards
Councillor Andrew Fulljames
Councillor Mrs Catherine Fulljames
Councillor Russell Hurlle

Councillor Nicholas Mawer
Councillor P A O'Sullivan
Councillor Lynn Pratt
Councillor Neil Prestidge
Councillor Daniel Sames
Councillor Patricia Tompson
Councillor Douglas Webb

Officers: Sue Smith, Chief Executive
Calvin Bell, Director 3
Ian Davies, Director 1
Martin Henry, Director 2 (part, arrived during agenda item 11)
Kevin Lane, Head of Service 4
Karen Curtin, Head of Service 3
James Doble, Democratic, Scrutiny and Elections Manager

29 **Declarations of Interest**

The following interests were declared:

Councillor Barry Wood, Personal, as persons known to him have an interest in land in the area of, but outside the eco zone.

Interests were declared with regard to the following agenda items:

10. Management Restructure.

Kevin Lane, Prejudicial, as he was to be proposed as the Monitoring Officer for Cherwell District and South Northamptonshire Councils.

11. Oxfordshire County Boundary Review, Parliamentary Boundary Review and Polling Place Review.

Councillor Alyas Ahmed, Personal, as a member of Oxfordshire County Council.

Councillor Ann Bonner, Personal, as a member of Oxfordshire County Council.

Councillor G A Reynolds, Personal, as a member of Oxfordshire County Council.

Councillor Kieron Mallon, Personal, as a member of Oxfordshire County Council.

Councillor Lawrie Stratford, Personal, as a member of Oxfordshire County Council.

Councillor Michael Gibbard, Personal, as a member of Oxfordshire County Council.

Councillor Nicholas Turner, Personal, as a member of Oxfordshire County Council.

Councillor Timothy Hallchurch MBE, Personal, as a member of Oxfordshire County Council.

14. Business Case for Shared Democratic and Elections Team.

James Doble, Prejudicial, as his post was included within the Business Case.

30 **Communications**

Councillor Carol Steward

The Chairman paid tribute to Councillor Carol Steward who had passed away on 27 July 2011. Councillor Steward had been a Councillor on Cherwell District Council since May 2007 representing the Bicester North Ward. She was also a Bicester Town Councillor. Councillor Steward was a very active Councillor who contributed a great deal to the work of the Council and dedication to the community she represented.

The meeting held a minutes silence in memory of Councillor Steward following which tributes were paid by Councillor Wood on behalf of the Conservative Group, Councillor Sibley on behalf of the Labour Group and Councillor Emptage on behalf of the Liberal Democrat Group.

31 **Petitions and Requests to Address the Meeting**

There were no petitions or requests to address the meeting.

32 **Urgent Business**

There were no items of urgent business.

33 **Minutes of Council**

The minutes of the meeting held on 26 July 2011 were agreed as a correct record and signed by the Chairman.

34 **Minutes**

a) **Minutes of the Executive, Lead Member Decisions and Executive Decisions made under Special Urgency**

Resolved

That the minutes of the meeting of the Executive and Lead Member decisions as set out in the Minute Book be received and that it be noted that since the

last meeting of Council, no decisions had been taken that was subject to the special urgency provisions of the Constitution.

b) Minutes of Committees

Resolved

That the minutes of Committees as set out in the Minute Book be received.

35 **Questions**

a) Written Questions

There were no written questions.

b) Questions to the Leader of the Council

A question was asked and answer received on the following issue:

Changes to the National Planning Framework: Councillor Beere

c) Questions to Committee Chairmen on the minutes

There were no questions to the Committee Chairman on minutes.

36 **Motions**

There were no motions.

37 **Management Restructure**

(Kevin Lane, Head of Service 4, declared a prejudicial interest and left the meeting for this item)

The Chief Executive submitted a report to update Members on the formation of a Joint Management Team, to appoint a Section 151 and Monitoring Officer and to propose amendments to the constitution arising from the staff changes. Council welcomed members of the Joint Management Team to their new roles.

In the course of discussion it was noted that this had been an intensive period of work for the Joint Personnel Committee and Council thanked them for their endeavours.

Resolved

- (1) That the appointments to the posts in the Joint Management Team be noted as follows:

Directors:
Calvin Bell, Ian Davies, Martin Henry

Heads of Service:
Chris Rothwell, Ed Potter, Karen Curtin, Kevin Lane, Anne-Marie Scott, Andy Preston, Adrian Colwell, John Hoad.

- (2) That Martin Henry be appointed Section 151 Officer and Kevin Lane be appointed Monitoring Officer with effect from 1 October 2011.
- (3) That the constitutional amendments as set out below agreed and the Chief Executive be instructed to amend the Constitution as required:

“Transfer of functions

Where the name of a post is changed or its relevant functions are allocated to a different post, any delegated powers shall be retained by the renamed post or transferred to a different post as allocated by the Head of Paid Service.”

- (4) That the Joint Personnel Committee be thanked for their work in the appointments process.

38 **Oxfordshire County Boundary Review, Parliamentary Boundary Review and Polling Place Review**

The Chief Executive submitted a report which sought consideration of the proposals of the Oxfordshire County and Parliamentary Boundary Reviews and agreement of the Council’s submission to the Local Government Boundary Commission for England on the Oxfordshire County Boundary Review. It was noted that that the report had been circulated after the agenda as the Parliamentary Boundary Review proposals were not released until 12 September 2011 and the Member Working Group required time to consider the proposals.

In the course of discussion it was noted that the whole review process was complicated and caused unnecessary distress as a bottom up approach to reviews was not in force. It was also noted that the County Council review had inevitably led to rural and urban areas being placed together which, whilst undesirable, was an effect on the reduction in numbers of County Councillors. It was also noted that with regard to the review of Oxfordshire County Council, a submission had been received from Kidlington Parish Council, which proposed changes to Kidlington in the County Review but did not affect neighbouring electoral areas. With this in mind it was proposed that this be supported.

Resolved

- (1) That the response on the Oxfordshire County Boundary Review for submission to the Local Government Boundary Commission for England (as set out in the annex to these minutes as set out in the minute book) be endorsed.

- (2) That the Chief Executive be given delegated authority, in consultation with the member working group, to finalise the Council's submission to the Local Government Boundary Commission for England.
- (3) That the initial observations of the member working group on the Parliamentary Boundary Review which proposes the transfer of the Ambrosden & Chesterton and Launton wards of Cherwell District to the Henley constituency (as set out in the annex to these minutes as set out in the minute book) be noted.
- (4) That the member working group be requested to continue to meet to consider issues emerging from both boundary reviews.
- (5) That the timetable for the Parliamentary Boundary Review be noted and officers be requested to represent the Council at the forthcoming public hearings.
- (6) That the recommendations from the Polling Place Review (as set out in the annex to these minutes as set out in the minute book) be adopted and it be noted that these findings will be revisited in the Community Governance and Polling District Review in 2012.
- (7) That the submission received from Kidlington Parish Council, which proposed changes to Kidlington in the Oxfordshire County Council Boundary Review, be supported.

(Martin Henry, Director 2, joined the meeting)

39 **Calendar of Meetings: January - May 2012**

The Head of Service 4 submitted a report which sought consideration of the draft calendar of meetings for January – May 2012. In introducing the report the Leader of the Council noted that the creation of the calendar of meetings was now a complex task that involved scheduling the meetings of two district councils, whilst accommodating two county councils and four town councils and therefore unlike in previous years there was very little scope for members to make amendments.

Resolved

- (1) That the calendar of meetings for January – May 2012 (as set out as an annex to these minutes as set out in the minute book) be approved.

40 **Overview and Scrutiny Annual Report**

The Head of Service 4 submitted a report which presented the Overview and Scrutiny Annual Report for 2010/11.

Resolved

- (1) That the contents of the Overview and Scrutiny Annual Report 2010/11 be noted.

41

Business Case for Shared Democratic and Elections Team

(James Doble, Democratic, Scrutiny and Elections Manager, declared a prejudicial interest and left the meeting for this item)

The Head of Service 4 submitted a report to enable Council to consider the recommendation of the Joint Arrangements Steering Group (JASG) to implement a shared Democratic and Elections Team between this Council and South Northamptonshire Council (SNC).

Resolved

- (1) That the consultation comments and responses contained in the log tabled at the meeting be noted and in light of these comments group leaders should be notified as these proposals progress.
- (2) That the recommendation of the JASG to implement a shared Democratic and Elections Team between this Council and SNC be endorsed.
- (3) That Head of Service 4 be given delegated authority to take all necessary steps to implement the team in compliance with the Organisational Change Policy and in consultation with HR Officers at both Councils.

42

Exclusion of the Press and Public

Resolved

That, in accordance with Section 100A(4) of Local Government Act 1972, the press and public be excluded from the meeting for the following items of business, on the grounds that they could involve the likely disclosure of exempt information as defined in paragraphs 3 of Schedule 12A of that Act.

43

Business Case for a Shared Democratic and Elections Team - Exempt Appendix 4

Resolved

That the exempt annex to the Business Case for a Shared Democratic and Elections Team be noted.

The meeting ended at 7.55 pm

Council - 29 September 2011

Chairman:

Date:

Council

Parliamentary Boundary Review

1 November 2011

Report of Chief Executive

PURPOSE OF REPORT

To consider the proposals of the Parliamentary Boundary Reviews and agree the council's submission to the Boundary Commission for England on the Parliamentary Boundary Review.

This report is public

Recommendations

Council is recommended to:

- (1) Consider and endorse the response on the Parliamentary Boundary Review which proposes the transfer of the Ambrosden & Chesterton and Launton wards of Cherwell District to the Henley constituency.
- (2) Delegate authority to the Chief Executive, in consultation with the member working group, to finalise the Council's submission to the Boundary Commission for England.
- (3) Agree that the member working group continues to meet as required to consider issues emerging from the on-going County and Parliamentary boundary reviews.

Executive Summary

Introduction

Parliamentary Boundary Review

- 1.1 The Boundary Commission for England (BCE) is an independent and impartial non-departmental public body which is responsible for reviewing parliamentary constituency boundaries in England.
- 1.2 The BCE has the task of periodically reviewing all the parliamentary constituencies in England. In February 2011 it commenced a review on the basis of new rules laid down by Parliament which involves a significant reduction in the number of constituencies in England and requires constituencies to comply with new parameters so far as the number of electors in each constituency is concerned. The BCE will make final

recommendations to Government by October 2013.

1.3 The BCE timetable for the 2013 review is:

13 September 2011	Initial proposals published
13 September – 5 December 2011	Consultation open; includes regional public hearings
Spring 2012 (4 week period)	Publication of representations received on initial proposals
Late 2012 (8 week period)	Publication of revised proposals and public consultation; no public hearings
By 1 October 2013	Final recommendations to Government

1.4 The parliamentary boundary review proposals for the South East were received by Cherwell District Council on 13 September 2011. Copies of the documents which relate to Oxfordshire and Cherwell are on deposit in the Members Room. Information for the rest of the South East region is available from the Democratic and Elections office.

1.5 In summary the proposals as they relate to Oxfordshire and to Cherwell are that:

- Oxfordshire retains 6 constituencies.
- There will be no change to the Wantage (electorate; 79,775) and Witney (electorate; 78,220) constituencies as they are within 5% of the electoral quota.
- The Banbury and Oxford East constituencies are above the 5% limit and must be reduced.
- The Henley and Oxford West & Abingdon constituencies are also within the 5% of the electoral quota but it is proposed that they should take up the surplus from Banbury and Oxford East.
- To reduce the electorate of the Banbury constituency it is proposed that the Ambrosden & Chesterton and Launton wards of Cherwell District Council are transferred to the Henley constituency. This will be in addition to the existing Kirtlington and Otmoor wards of the Cherwell District.
- The new Henley constituency (electorate; 80,320) will also take in the Radley ward of the District of the Vale of the White Horse.
- The current Oxford West and Abingdon constituency will be renamed Abingdon and Oxford North (electorate; 79,704) and will continue to include the Kidlington North, Kidlington South and Yarnton, Gosford and

Water Eaton wards of the Cherwell District.

- The current Oxford East constituency will be renamed Oxford (electorate; 77,769) and will transfer the Carfax Ward to the Abingdon and Oxford North constituency.
- 1.6 Maps illustrating the impact of these proposals for Cherwell are attached at Appendix 1 a – c.
- 1.7 Members of the working group have considered the proposals and wish to make the following observations at this time:
- Conservative members – no objections to BCE proposals
 - Labour members – no objections to BCE proposals
 - Liberal Democrat members – no objections to BCE proposals
- 1.8 The boundary proposals for the Oxfordshire local authorities may be discussed at public hearings in Milton Keynes on 24 and 25 October 2011. However, it is not possible to establish in advance of the meetings who has registered to speak or what areas may be discussed. Officers have spoken to the other Oxfordshire local authorities and established that none of them are sending representatives to the public hearings. The transcripts of the hearings will be made public and the representations made will be published in the spring of 2012 so this Council will have a further opportunity to consider and respond to any subsequent changes to the boundary proposals. Therefore it was agreed by the working group that there was no need for the Council to be formally represented by officers at the public hearings.
- 1.9 The closing date for the submission of comments to BCE is 5 December 2011 which means that it is not possible to bring a report to a later Council meeting.
- 1.10 In summary the working group recommends that the Council should inform the BCE that there are no objections to the Parliamentary Boundary Review proposals for the transfer of the Ambrosden & Chesterton and Launton wards of Cherwell District to the Henley constituency.
- 1.11 The working group also recommends that it should continue to meet as required to consider issues emerging from the on-going County and Parliamentary boundary reviews and update Council accordingly.

Background

Parliamentary Boundary Review

- 1.12 The Parliamentary Voting System and Constituencies Act 2011 received Royal Assent on 16 February 2011. The Act requires the four UK Boundary Commissions to conduct a review of parliamentary constituencies in their respective parts of the UK and submit final reports on the reviews to Government before 1 October 2013.

- 1.13 The Boundary Commission for England (BCE) began its current review of parliamentary boundaries on 22 February 2011. Full details of the review can be found at <http://boundarycommissionforengland.independent.gov.uk>.
- 1.14 The BCE develops and publishes initial proposals for constituencies across England. Representations from the public about these proposals are then taken both in writing and at public hearings in each region of England. In light of all the views expressed about the initial proposals, the BCE may revise them and then conduct a further round of written consultation on the revised proposals.
- 1.15 The BCE is required to make a formal report to the Government by 1 October 2013, recommending any changes that it believes are appropriate to the distribution, size, shape, name or designation of constituencies in England. The review is therefore referred to as 'the 2013 Review'.
- 1.16 The Government will turn the recommendations of the BCE into draft legislation, which is then presented to Parliament. If Parliament approves the legislation, the recommended changes will be implemented for the next General Election after the date on which the legislation is passed.

Boundary and Polling District and Polling Place Review Working Group

- 1.17 Under Cherwell District Council's Constitution the power to deal with the issues outlined above rests with full Council. In order to meet the consultation response dates for the Parliamentary Boundary review, Council will need to agree responses at its meeting of 1 November 2011.
- 1.18 On 26 July 2011 Council agreed to establish an informal Member Working Group comprising two representatives of each political party to help shape and steer the process of responding to the boundary reviews and prepare the recommended consultation responses which Council will consider on 1 November 2011.

Conclusion

- 1.19 This report represents the comments and observations of the cross party working group established to consider the council's response to the various boundary reviews. It is recommended that council consider the working group's comments and observations in formulation of a submission to the Boundary Commission for England on the Parliamentary Boundary Review.

Key Issues for Consideration/Reasons for Decision and Options

The following options have been identified. The approach in the recommendations is believed to be the best way forward

- Option One** To agree the recommendations as set out
- Option Two** Not to agree the recommendations
- Option Three** To amend the recommendations

Consultations

None

Implications

Financial: Costs associated with this review (consultation and postage) have been met from the existing elections and electoral registration budget.

Comments checked by Karen Muir, Corporate System Accountant 01295 221559

Legal: No legal implications arising directly from this report regarding the Boundary reviews.

Polling Place Review - All authorities across England are legally required to carry out reviews every four years. Cherwell District Council completed its last review in 2007 and so it must have completed the process by the publication of the 2012 register on 1 December 2012.

Comments checked by James Doble, Democratic, Scrutiny and Elections Manager 01295 221587

Risk Management: No risk implications arising directly from this report regarding the Boundary reviews.

The polling place review ensures that the Council is meeting requirements to keep polling districts under regular review.

Comments checked by James Doble, Democratic, Scrutiny and Elections Manager 01295 221587

Wards Affected

All

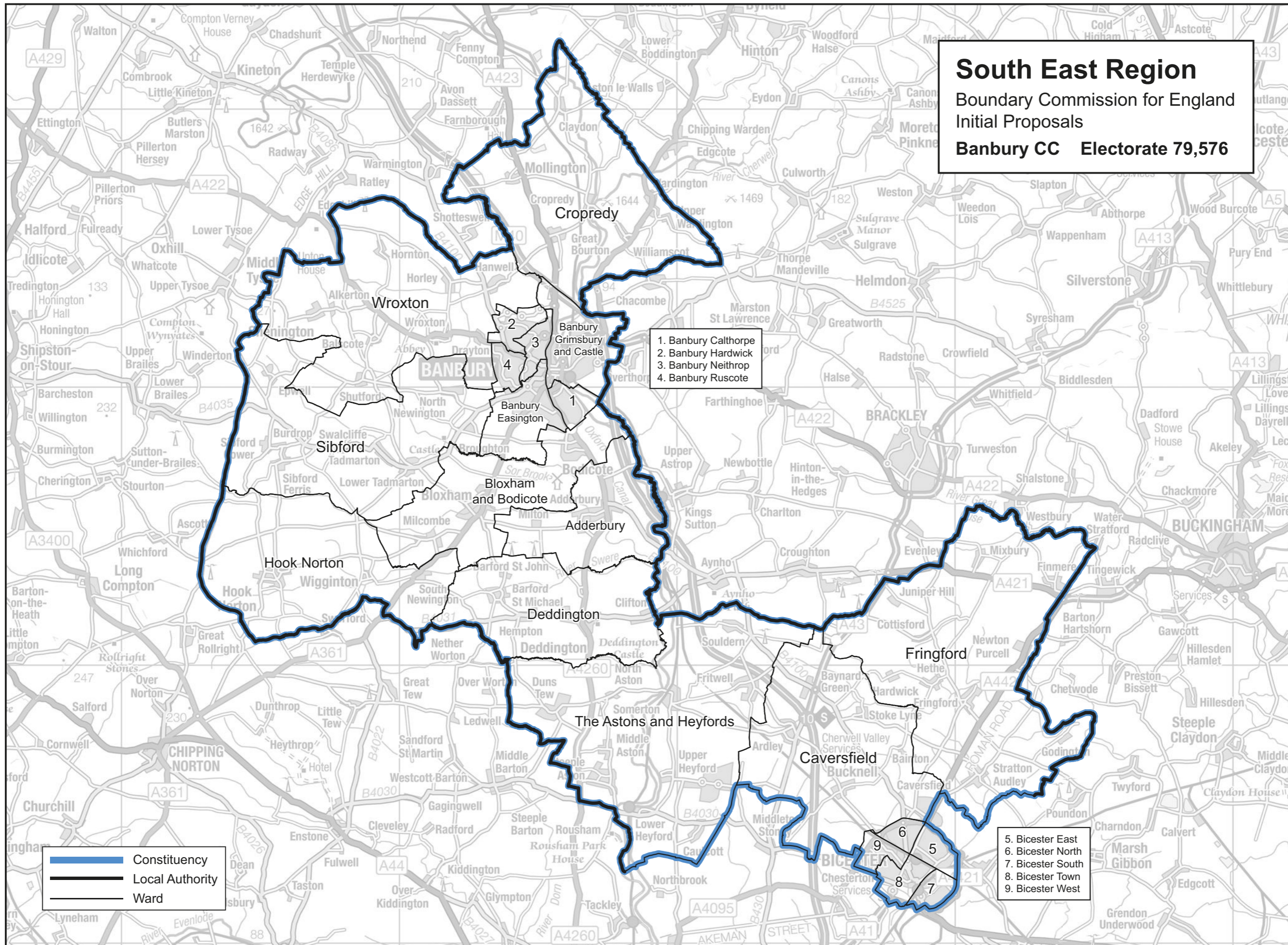
Document Information

Appendix No	Title
Appendix 1 a	Map of proposed Banbury Constituency
Appendix 1 b	Map of proposed Henley Constituency
Appendix 1 c	Map of proposed Abingdon and Oxford North Constituency
Background Papers	
OCC and BCE boundary review maps and reports which are on deposit in the Members Room.	
Report Authors	James Doble, Democratic, Scrutiny & Elections Manager Louise Aston, Elections Officer Catherine Phythian, Senior Democratic & Scrutiny Officer

**Contact
Information**

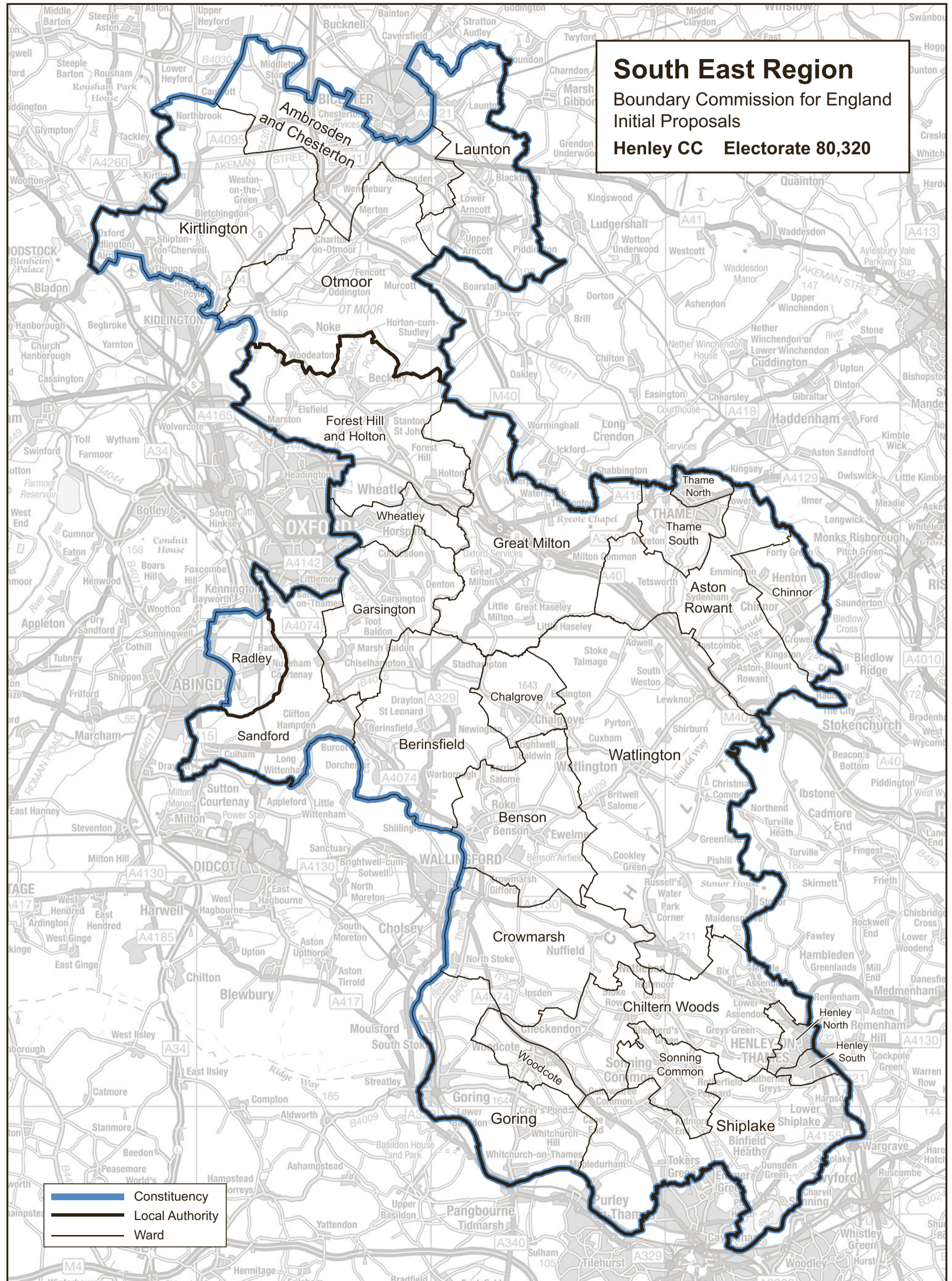
01295 221583

catherine.phythian@Cherwell-dc.gov.uk



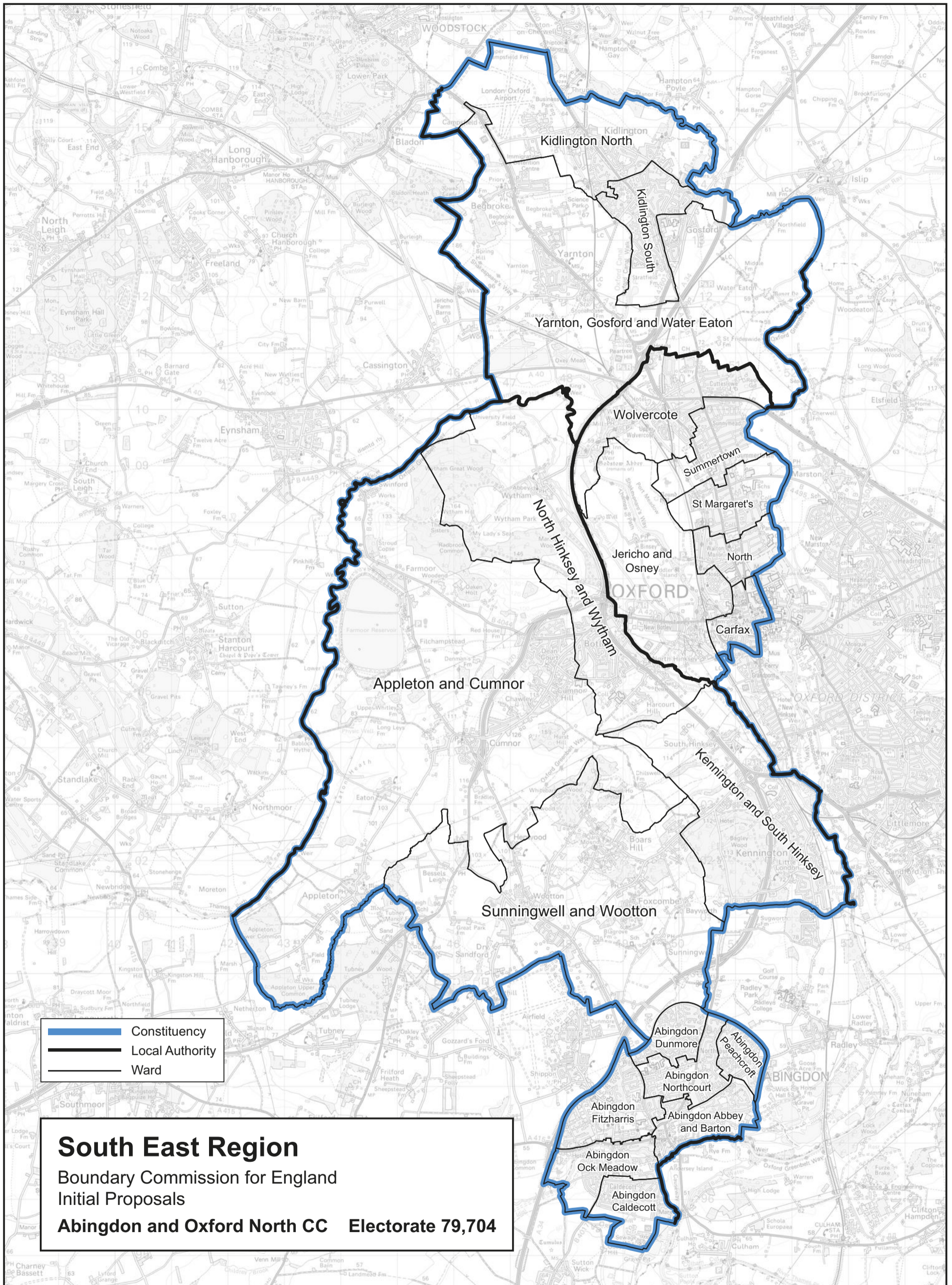
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Council

Proportionality and Committee Appointments

1 November 2011

Report of Chief Executive

PURPOSE OF REPORT

To gain agreement to the amended constitution of Committees for Municipal Year 2011/12 and to advise Council of political group nominations following the results of the Bicester North By-election.

This report is public

Recommendations

Council is recommended to:

- (1) Agree 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 Bicester North by-election.
- (2) Appoint 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.

Details

Bicester North By-Election Result

- 1.1 Councillor Melanie Magee was elected for the Bicester North Ward at the By-Election held on 29 September 2011.

Proportionality Calculations Following Bicester North By-Election

- 1.2 The results of the Bicester North By-Election has not changed the political control of the Council. The constitution of the Council and political groups is 43 Conservatives, 4 Labour and 3 Liberal Democrats.

1.3 Allocation of Seats to Proportional Committee

	TOTAL	CON	LAB	LD
Overview & Scrutiny Committee	12	10	1	1
Resources and Performance Board	12	10	1	1
Planning Committee	18	16	1	1
Personnel Committee	12	10	1	1
Licensing Committee	12	10	1	1
Appeals Panel	10	9*	1	0*
Accounts, Audit and Risk Committee	8	7	1	0
Joint Personnel Committee	5	4	1	0
Joint Appeals Committee	3	2	1	0
Proportional Total by Committee	92	77	9	6
Aggregate Entitlement	92	78	9	5
Adjustment Required		+1	0	-1

(Liberal Democrat seat to Conservative Group on Appeals Panel, agreed May 2011)

1.4 Allocation of Seats to Non Proportional Committees

	TOTAL	CON	LAB	LD
Standards Committee	8	6	1	1
Council and Employee Joint Committee	12	10	1	1
Joint Arrangements Steering Group	5	4	1	0

Changes to Committee Membership

1.5 Based on the calculation of proportionality as set out above, the Conservative Group has agreed the following allocations.

		Resources & Performance Scrutiny Board	Appeals Panel	Council & Employee Joint Committee	Planning Committee
Remove	Members	Vacancy	Vacancy	Vacancy	-
	Substitute	-	-	-	Vacancy
Add	Members	Cllr Magee	Cllr Magee	Cllr Magee	-
	Substitute	-	-	-	Cllr Magee

Key Issues for Consideration/Reasons for Decision and Options

The following options have been identified. The approach in the recommendations is believed to be the best way forward

Option One To agree the recommendations as set out

Option Two No to agree the recommendations as set out

Consultations

Conservative Group Leader Allocation to Committees detailed in body of report

Implications

Financial: There are no financial implications arising from this report.
Comments checked by Sarah Best, Senior Accounting Assistant 01295 221736

Legal: It is a legal requirement for Council to agree proportionality and appoint committees.
Comments checked by James Doble, Democratic, Scrutiny and Elections Manager 01295 221587

Risk Management: In ensuring the legal requirements are met risk to the authority is mitigated.
Comments checked by James Doble, Democratic, Scrutiny and Elections Manager 01295 221587

Wards Affected

All

Document Information

Appendix No	Title
None	
Background Papers	
None	
Report Author	Natasha Clark, Senior Democratic and Scrutiny Officer
Contact Information	01295 221589 Natasha.clark@Cherwell-dc.gov.uk

Council

Declaration of Local Nature Reserve – Adderbury Lakes

1 November 2011

Report of Kevin Lane, Head of Service

PURPOSE OF REPORT

To enable Members to decide whether to delegate authority to the Executive to consider requests from Parish Councils to delegate to them the power to establish Local Nature Reserves

This report is public

Recommendations

Council is recommended:

- (1) To delegate to the Executive Lead Member the authority to consider requests from Parish Councils to delegate to them the power to establish local nature reserves.

Executive Summary

Introduction

- 1.1 Adderbury Parish Council would like to designate land they own at Adderbury Lakes as a Local Nature Reserve (a “LNR”).
- 1.2 A LNR is a protected area of land designated by a local authority because of its local special natural interest and, where possible, educational and community value. Natural England sees LNRs as an important way to achieve its goal of maintaining England’s rich natural heritage, and giving people access to places where they can enjoy that heritage.
- 1.3 Section 21 of the National Parks and Access to the Countryside Act 1949 gives the District Council the power to acquire, declare, and manage nature reserves. The responsibility for selecting, acquiring and making arrangements for management of these reserves lies with local authorities. A local authority can only declare a local nature reserve after consultation with Natural England.

- 1.4 The Parish Council does not have the power to establish a LNR unless such power is delegated to them by the District Council.
- 1.5 The power under section 21 National Parks and Access to the Countryside Act 1949 to establish a LNR can be delegated (with the agreement of both parties) to Adderbury Parish Council pursuant to section 101 Local Government Act 1972.
- 1.6 In addition to considering the request from Adderbury Parish Council, Cherwell District Council may receive future requests from other Parish Councils for the delegation to them of powers to establish LNRs.

Conclusion

- 1.1 It is recommended that authority be delegated to the Executive Lead Member to consider requests from Parish Councils to delegate to them the power to establish local nature reserves.

Key Issues for Consideration/Reasons for Decision and Options

The following options have been identified. The approach in the recommendations is believed to be the best way forward

Option One To agree the recommendations as set out

Option Two Not to agree the recommendations

Consultations

None

Implications

Financial: There are no financial implications arising from the report.
 Comments checked by Karen Muir, Corporate System Accountant 01295 221559

Legal: The proposals in this report are in accordance with Countryside Act 1949.
 Comments checked by James Doble, Democratic, Scrutiny and Elections Manager 01295 221587

Risk Management: There are no risks to the Council arising from the proposals set out in this report.
 Comments checked by James Doble, Democratic, Scrutiny and Elections Manager 01295 221587

Wards Affected

All

Document Information

Background Papers	
None	
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