

Meeting of Council

Tuesday 26 July 2011

Members of Cherwell District Council,

A meeting of Council will be held at Bodicote House, Bodicote, Banbury, OX15 4AA on Tuesday 26 July 2011 at 6.30 pm, and you are hereby summoned to attend.



Sue Smith
Chief Executive

Monday 18 July 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 - 14)

To confirm as a correct record the Minutes of Council held on 18 May 2011.

7 Minutes

- a) Minutes of Executive, Portfolio Holder / 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 Portfolio Holder / 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.

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 Management Restructuring (Pages 15 - 22)

Report of Chief Executive

Summary

To update members on the management restructuring and to seek approval for the management structure and to amend the business case relating to the ring fencing of posts.

Recommendations

Council is recommended:

- (1) To agree the management structure as set out in paragraphs 1.4 and appendix 1 as recommended by the Joint Personnel Committee.
- (2) To agree that the ring fencing arrangements should be amended to allow any person placed at risk by this process to apply for any of the posts in the Joint Management Team or the three other posts as shown on the structure.
- (3) To note that a further report will be presented to Council to seek approval for the appointment of the statutory officers, namely the Section 151 Finance Officer and the Monitoring Officer.

11 South Northamptonshire Council and Cherwell District Council Joint Working – Variation to Section 113 Agreement (Pages 23 - 30)

Report of Interim Head of Legal and Democratic Services

Summary

For Council to consider and approve the recommendation of the Joint Arrangements Steering Group that the section 113 agreement between this Council and South Northamptonshire District Council (SNC) relating to the shared senior management team be varied so that its core provisions can be applied to any other shared working arrangements that have been, or may in future be, agreed between the two Councils.

Recommendations

Council is recommended:

- (1) To approve the completion of the appended Deed of Variation.

12 Accounts, Audit and Risk Committee Annual Report 2010/11 (Pages 31 - 42)

Report of Head of Finance

Summary

This report presents the annual report of the Accounts, Audit and Risk Committee for 2010/11 which was approved by the Committee on 22 June 2011.

Recommendations

Council is recommended:

- (1) To note the contents of this report and activities of the Accounts Audit and Risk Committee in 2010/11.

13 Treasury Management Annual Report 2010/11 (Pages 43 - 68)

Report of Head of Finance

Summary

This report presents information on treasury management performance and compliance with treasury management policy during 2010/11 as required by the Treasury Management Code of Practice.

Recommendations

Council is recommended:

- (1) To note the contents of this report in line with the Treasury Management Strategy.

14 Amendment to Committee Membership

Council is asked to agree the following request of the Labour Group:

Committee	Members		Substitutes	
	Delete	Add	Delete	Add
Joint Personnel Committee	Cllr Parish	Cllr Sibley	Cllr Sibley	Cllr Parish

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 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.”

16 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 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