

# Meeting of Council

Thursday 29 September 2011

Members of Cherwell District Council,

A meeting of Council will be held at Bodicote House, Bodicote, Banbury, OX15 4AA on Thursday 29 September 2011 at 6.30 pm, and you are hereby summoned to attend.



**Sue Smith**  
Chief Executive

Wednesday 21  
September 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 - 6)**

To confirm as a correct record the Minutes of Council held on 26 July 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.

#### **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 Restructure (Pages 7 - 10)

Report of Chief Executive

#### Summary

To update members on the formation of a Joint Management Team, to appoint a Section 151 Officer and to propose amendments to the constitution arising from the staff changes.

#### Recommendations

Council is recommended to:

- (1) Note the appointments to the posts in the Joint Management Team.
- (2) Agree that Martin Henry be appointed as Section 151 Officer with effect from 1 October 2011.
- (3) Agree the constitutional amendments as set out in paragraph 1.6 of this report and instruct the Chief Executive to amend the Constitution as required.

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

\*\* Please note that this report will follow as the Parliamentary Boundary Review proposals were not released until 12 September 2011 and the Member Working Group requires adequate time to consider the proposals \*\*

Report of Chief Executive

#### Summary

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

To agree the recommendations from the Polling Place Review.

**12 Calendar of Meetings: January - May 2012 (Pages 11 - 14)**

Report of Interim Head of Legal and Democratic Services

**Summary**

To consider the draft calendar of meetings for January – May 2012.

**Recommendations**

Council is recommended to:

- (1) Approve the calendar of meetings for January – May 2012.

**13 Overview and Scrutiny Annual Report (Pages 15 - 30)**

Report of Interim Head of Legal and Democratic Services

**Summary**

This report presents the Overview and Scrutiny Annual Report for 2010/11.

**Recommendations**

Council is recommended to:

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

**14 Business Case for Shared Democratic and Elections Team (Pages 31 - 84)**

Report of Interim Head of Legal and Democratic Services

**Summary**

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).

**Recommendations**

Council is recommended to:

- (1) Consider the consultation comments and responses contained in the log tabled at the meeting.
- (2) Consider the recommendation of the JASG to implement a shared Democratic and Elections Team between this Council and SNC.
- (3) (if the JASG recommendation is approved and SNC have resolved in similar terms) delegate authority to Head of Service 4 in the joint management team structure to take all necessary steps to implement the team in compliance with

the Organisational Change Policy and in consultation with the HR officers at both Councils.

## **15 Exclusion of the Press and Public**

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

3 – Information relating to the financial or business affairs of any particular person (including the authority holding that information).

Members are reminded that whilst the following item has been marked as exempt, it is for the meeting 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 items of business, on the grounds that they could involve the likely disclosure of exempt information as defined in paragraph 3 of Part 1, Schedule 12A of that Act.”

## **16 Business Case for a Shared Democratic and Elections Team - Exempt Appendix 4 (Pages 85 - 94)**

## **17 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](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