

# Meeting of Council

Thursday 8 December 2011

Members of Cherwell District Council,

A meeting of Council will be held at Bodicote House, Bodicote, Banbury, OX15 4AA on Thursday 8 December 2011 at 6.30 pm, and you are hereby summoned to attend.



**Sue Smith**  
Chief Executive

**Wednesday 30**  
**November 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 1 November 2011.

#### **7 Thames Valley Police - Address by Chief Constable**

The Chief Constable of Thames Valley Police, Sara Thornton and her supporting officers will be invited to address Council, following which Members will be able to ask questions.

#### **8 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.

#### **9 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).

**10 Motions**

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

## **Council Business Reports**

**11 Standards Committee Independent Member - Extension of Term of Office**  
(Pages 7 - 10)

Report of Head of Law and Governance / Monitoring Officer

### **Summary**

To seek approval of the extension of the term of office of Kenneth Hawtin, Independent Member of the Standards Committee.

### **Recommendations**

Council is recommended:

- (1) To approve the continued appointment of Kenneth Hawtin as an Independent Member of the Standards Committee until the Council makes a decision on the future of the Standards Committee in light of the Localism Act 2011.

**12 A Shared Information Services/Information Technology (IS/IT) service** (Pages 11 - 14)

Report of Head of Finance and Procurement

### **Summary**

To propose that the principle of a shared IS/IT service be adopted as part of the Cherwell District Council policy framework.

## **Recommendations**

Council is recommended to:

- (1) Adopt the principle of establishing a shared IS/IT service with South Northamptonshire Council as part of the Council's policy framework.

### **13 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.”

### **14 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](mailto:james.doble@cherwell-dc.gov.uk), (01295) 221587

This page is intentionally left blank

# Agenda Item 6

## Cherwell District Council

### Council

Minutes of a meeting of the Council held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 1 November 2011 at 6.30 pm

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

Councillor Ken Atack  
Councillor Alyas Ahmed  
Councillor Andrew Beere  
Councillor Maurice Billington  
Councillor Norman Bolster  
Councillor Ann Bonner  
Councillor Mrs Diana Edwards  
Councillor Tim Emptage  
Councillor Andrew Fulljames  
Councillor Mrs Catherine Fulljames  
Councillor Michael Gibbard  
Councillor Alastair Milne Home  
Councillor David Hughes  
Councillor Russell Hurle  
Councillor Tony Ilott  
Councillor Victoria Irvine  
Councillor Mike Kerford-Byrnes  
Councillor James Macnamara  
Councillor Melanie Magee  
Councillor Kieron Mallon  
Councillor Nigel Morris  
Councillor George Parish  
Councillor Lynn Pratt  
Councillor G A Reynolds  
Councillor Alaric Rose  
Councillor Daniel Sames  
Councillor Leslie F Sibley  
Councillor Trevor Stevens  
Councillor Lawrie Stratford  
Councillor Rose Stratford  
Councillor Patricia Tompson  
Councillor Nicholas Turner  
Councillor Douglas Webb  
Councillor Douglas Williamson  
Councillor Barry Wood

Apologies  
for  
absence: Councillor Rick Atkinson  
Councillor Fred Blackwell  
Councillor Patrick Cartledge  
Councillor Margaret Cullip

Councillor Simon Holland  
Councillor Chris Heath  
Councillor Nicholas Mawer  
Councillor P A O'Sullivan  
Councillor D M Pickford  
Councillor Neil Prestidge  
Councillor Lynda Thirzie Smart  
Councillor Martin Weir

Officers: Sue Smith, Chief Executive  
Calvin Bell, Director of Development  
Ian Davies, Director of Community and Environment  
Kevin Lane, Head of Law and Governance / Monitoring Officer  
Karen Curtin, Head of Finance and Procurement  
James Doble, Democratic, Scrutiny and Elections Manager

44 **Declarations of Interest**

There were no declarations of interest.

45 **Communications**

The Chairman welcomed Councillor Melanie Magee to her first council meeting following her recent election at the Bicester North By-election in September.

The Chairman reported that he had received the sad news that Councillor Diana Dallyn, Vice-Chairman of South Northamptonshire Council had passed away. Council joined the Chairman in sending condolences to her family and colleagues at South Northamptonshire Council.

The Chairman also advised members that the Chief Constable would be attending the next meeting of Council on 8 December to make a presentation and answer any questions.

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

There were no petitions or requests to address the meeting.

47 **Urgent Business**

There were no items of urgent business.

48 **Minutes of Council**

The minutes of the meeting held on 29 September 2011 were agreed as a correct record and signed by the Chairman.



49 **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, one Executive decision 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.

50 **Questions**

a) **Written Questions**

A written question was submitted by Councillor Beere regarding the number of residents claiming housing benefit within the district compared with 12 months ago. A written answer was provided that confirmed claims had increased by 2.8%. By way of a supplementary question Councillor Beere asked whether it would be possible for a list of social housing rent arrears to be published. In reply Councillor Wood stated that he was not sure if the Council had this information and would ask officers to let Council Beere know if this would be possible.

b) **Questions to the Leader of the Council**

Questions were asked and answers received in the following issues:

Waste Recycling Centre: Councillor Emptage  
Discount on unoccupied properties: Councillor Williamson  
Return of Icelandic investments: Councillor Lawrie Stratford

c) **Questions to Committee Chairmen on the minutes**

There were no questions to the Committee Chairman on minutes.

51 **Motions**

There were no motions.

52

### Parliamentary Boundary Review

The Chief Executive submitted a report which sought consideration of the proposals of the Parliamentary Boundary Review and agreement of the council's submission to the Local Government Boundary Commission for England on the Oxfordshire County Boundary Review.

#### Resolved

- (1) That 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 be endorsed.
- (2) That the Chief Executive, in consultation with the member working group, be delegated authority to finalise the Council's submission to the Boundary Commission for England.
- (3) That the member working group be requested to continue to meet as required to consider issues emerging from the on-going County and Parliamentary boundary reviews.

53

### Proportionality and Committee Membership

The Chief Executive submitted a report which sought agreement to the amended constitution of Committees for Municipal Year 2011/12 and advised Council of political group nominations following the results of the Bicester North By-election.

#### Resolved

- (1) That the allocation of the seats on the Committees that are subject to the political balance requirements be agreed as set out in the table below following the results of the Bicester North by-election.

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)

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

(2) Appoint Members to serve on each of the Committees set out in Table 2 below in accordance with the nominations made by the Political Groups.

(3)

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

**Declaration of Local Nature Reserve - Adderbury Lakes**

The Head of Law and Governance submitted a 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

**Resolved**

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

The meeting ended at 7.02 pm

Chairman:

Date:

## Council

### Standards Committee Independent Member – Extension of Term of Office

8 December 2011

#### Report of Head of Law and Governance / Monitoring Officer

##### PURPOSE OF REPORT

To seek approval of the extension of the term of office of Kenneth Hawtin, Independent Member of the Standards Committee.

This report is public
-----------------------

##### Recommendations

---

The Council is recommended:

- (1) To approve the continued appointment of Kenneth Hawtin as an Independent Member of the Standards Committee until the Council makes a decision on the future of the Standards Committee in light of the Localism Act 2011.

##### Executive Summary

---

##### Introduction

- 1.1 Through the Localism Act 2011, when the relevant sections come into force, the Standards Board/Standards for England regime will be abolished and local authorities will be required to draw up their own Codes of Conduct, and introduce “arrangements” to deal with complaints of breach of the code. These requirements differ to the existing arrangements and a decision of Council will be required at the appropriate future time to agree the arrangements to be put in place at Cherwell District Council.
- 1.2 The Standards Committee will meet in early 2012 to consider the future arrangements and to make recommendations to Council accordingly. Until such time as Council makes a decision, the current arrangements for the Standards Committee, as set out in the Council’s Constitution, remain in place.
- 1.3 The Constitution requires that at least 25% of the Standards Committee should be made up of Independent members (four Members). In May 2010,

Council reviewed the terms of office of the Independent Members. At that time it was agreed that the appointment of Mr Kenneth Hawtin would expire at the end of 2010/11. This was not extended as it was anticipated the standards regime would be abolished as set out in the draft Localism Bill published in December 2010.

- 1.4 However, the Bill was amended as it passed through Parliament, and the Standards Committee will need to meet again to make recommendations. To ensure the meeting complies with the Constitution the Committee will need to be composed of four independent members.

### **Proposals**

- 1.5 To confirm that Kenneth Hawtin, originally appointed in January 2009 for an initial two year term, continues as an Independent Member of the Standards Committee until the Council makes a decision on the future of the Committee in light of the Localism Act 2011.

### **Conclusion**

- 1.6 Until the Council makes a decision on the future of the Standards Committee in light of the Localism Act 2011 the current arrangements remain in place and it is necessary for the number of Independent members to be at least 25% of the total membership of the committee.

### **Key Issues for Consideration/Reasons for Decision and Options**

---

- 3.1 Under the existing arrangements for Standards Committees, at least 25% of the Members must be independent. If the appointment of Kenneth Hawtin is not extended, the Committee would not be able to meet and make recommendations to Council on a revised Code of Conduct and future arrangements for standards in the district.

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

<b>Option One</b>	Accept the recommendations as drafted
<b>Option Two</b>	Amend the recommendations
<b>Option Three</b>	Reject the recommendations

### **Implications**

---

**Financial:** The costs for the four Independent members are contained within the budget and have been included in the

savings attributed to the Democratic Services Value for Money Review.

Comments checked by Sarah Best, Service Accountant, 01295 221982

**Legal:**

Until the new standards arrangements are put in place, it is a legal requirement that the Standards Committee has a minimum 25% Independent members.

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

**Risk Management:**

There are no risk implications to this report

Comments checked by James Doble, Democratic, Scrutiny and Elections Manager 01295 22158

**Wards Affected**

---

All

**Document Information**

---

<b>Appendix No</b>	<b>Title</b>
None	
<b>Background Papers</b>	
	Local Standards Framework Guide for authorities
<b>Report Author</b>	Natasha Clark, Senior Democratic & Scrutiny Officer
<b>Contact Information</b>	01295 221589 Natasha.clark@Cherwell-dc.gov.uk

This page is intentionally left blank



## Council

### **A Shared Information Services/ Information Technology (IS/IT) service**

**December 8 2011**

### **Report of Head of Finance and Procurement**

#### **PURPOSE OF REPORT**

To propose that the principle of a shared IS/IT service be adopted as part of the Cherwell District Council policy framework.

This report is public
-----------------------

#### **Recommendations**

---

Council is recommended to:

- (1) Adopt the principle of establishing a shared IS/IT service with South Northamptonshire Council as part of the Council's policy framework.

#### **Executive Summary**

---

##### **Introduction**

- 1.1 In principle agreement to fully investigate the costs and benefits, risks and opportunities afforded by implementing a shared IS/IT service with SNC was given in July by Executive. Similar agreement was secured at South Northamptonshire's Cabinet.
- 1.2 Full investigation has now been completed and a business case made which indicates that there are both financial benefits for both councils from such an arrangement, and significant opportunities to benefit further, in the future, by exploiting the shared infrastructure to further streamline how ICT systems and applications support service delivery at both councils. The business case is currently being consulted on and will be presented to the Executive in January for consideration and agreement.
- 1.3 The business case has also been examined by overview and scrutiny and any comments will be fed in to the consultation process which is taking part in December.

## **Proposals**

- 1.4 That the principle of establishing a shared Information Services service be included within the policy framework of Cherwell District Council, subject to the Executive establishing that a shared Information Services service is in the interest of the Council.
- 1.5 That whilst initially the shared service will be established with South Northamptonshire Council, this does not preclude the Council establishing a shared service with more than one partner in the future.

## **Conclusion**

- 1.6 The investigation of the options indicates that a shared service is of benefit to Cherwell District Council, both in reduced revenue costs, and in terms of economies of scale in the future.

## **Background Information**

---

- 2.1 In November 2010 Joint Arrangement Steering Committee asked for work to be done to implement shared ICT arrangements in support of the shared management team. They also asked for investigation of how benefits could be accrued through sharing and harmonisation of applications.
- 2.2 The cessation of SNC's outsourced contract in April 2012 presented a more advanced opportunity, against which SNC commissioned SOCITM to review the options.
- 2.3 Of the seven options put forward the two recommended were to share, or to enter into a customer/supplier relationship.
- 2.4 The preferred option is to share on the basis that this is more in line with the shared service aspirations of the two councils. This position has been considered by the Joint ICT Working Group, the Joint Arrangements Steering Group and the SNC Cabinet. All have endorsed the need for each Council to consider 'in principle' support followed by the development of a full business case with clear benefits, estimated costs and risks prior to any formal commitment.
- 2.5 That business case has now been prepared proposing a shared service which can deliver ICT services to both authorities and manage the insource of SNC specific services at the end of the current outsource contract.
- 2.6 By adopting the principle of establishing a CDC/SNC shared IS/IT service as part of the policy framework Executive is enabled to consider the business case for final approval at its meeting in January. If this step were not then it would be necessary for the business case to be reported to full Council for approval. Given the fact that time is of the essence, the approved business case for the shared senior management team envisaged further shared working between the two Councils, both Councils have made medium term budget saving assumptions in anticipation of further shared working and SNC needs to have a solution in place by April 2012 when its current out source

contract terminates, Council is recommended to resolve as set out above.

### **Key Issues for Consideration/Reasons for Decision and Options**

---

- 3.1 The Shared Management Team business case requires 20% savings to be made through further shared working between the two councils. Without a shared ICT infrastructure opportunities for this kind of savings generation by services will be severely inhibited.
- 3.2 Cherwell District Council is already well-placed to take advantage of future opportunities but by sharing, gains additional financial benefits. For example in 2012/13 the capital required to refresh and extend the Council's infrastructure will be £347,000. By simply sharing the infrastructure with South Northamptonshire that investment need is reduced to capital of £208,500 and revenue investment of £91,730.

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

**Option One**                      Adopt the principle of a shared IS/IT service with SNC as part of the policy framework.

**Option Two**                      Do not adopt the principle of a shared IS/IT service with SNC as part of the policy framework, This is not recommended for the reasons set out in 2.6 above..

### **Consultations**

---

<b>Joint Management Team</b>	Every member of Joint Management Team was consulted as part of the business case development
<b>Information Services Staff</b>	All staff "in scope" are being consulted on the shared service team proposal
<b>External consultants</b>	The case – financial and technological - has been validated by external experts Methods Consulting

### **Implications**

---

**Financial:**                      There are clear financial benefits to Cherwell District Council from implementing a shared service and these are detailed in the business case on pages 7-9.

Comments checked by Karen Muir, Corporate System Accountant, , 01295 221559.

**Legal:**                              The section 113 agreement between the Councils enables a shared IS/IT service to be established. Adoption of the principle of such a shared service as part of the policy framework enables the final business case to be considered and approved by the Executive.

Comments checked by

Kevin Lane, Head of Law and Governance. Tel: 0300 0030107

**Risk Management:**

There is risk associated with this proposal. There is a moderate risk of service disruption during the period of establishing the shared infrastructure, but the proposal provided for additional transition resources to mitigate that risk. The technical approach of “parallel running” systems which are added to the infrastructure also mitigates this risk. The risk of not incurring the financial benefits is low.

Comments checked by Karen Muir, Corporate System Accountant, , 01295 221559.

**HR implications**

A joint organisational change policy is in place and will be followed to implement the staffing changes associated with the insource and creation of the shared team. There are change and TUPE issues but no risk of redundancy or significant detriment and the risks associated with the change are therefore low in terms of policy/legal challenge. There will be a level of disruption associated with change but this will be mitigated by clear project planning and communication

Comments checked by Anne Marie Scott, Head of Transformation, Tel: 0300 0030108

**Wards Affected**

---

All

**Document Information**

---

<b>Appendix No</b>	<b>Title</b>
Appendix 1	Executive Summary of the Business Case
<b>Background Papers</b>	
none	
<b>Report Author</b>	Karen Curtin, Head of Finance and Procurement
<b>Contact Information</b>	03000 030106 22 karen.curtin@Cherwellandsouthnorthants.gov.uk