## **Cherwell District Council**

### Council

Minutes of a meeting of the Council held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 16 May 2012 at 6.30 pm

Present: Councillor Colin Clarke (Chairman)

Councillor Lawrie Stratford (Vice-Chairman)

Councillor Ken Atack
Councillor Andrew Beere
Councillor Maurice Billington
Councillor Fred Blackwell
Councillor Norman Bolster
Councillor Patrick Cartledge
Councillor Margaret Cullip
Councillor Mrs Diana Edwards
Councillor Tim Emptage
Councillor Andrew Fulljames

Councillor Timothy Hallchurch MBE

Councillor Alastair Milne Home

Councillor Michael Gibbard

Councillor Chris Heath Councillor David Hughes Councillor Russell Hurle

Councillor Tony llott
Councillor Mike Kerford-Byrnes
Councillor James Macnamara
Councillor Melanie Magee
Councillor Kieron Mallon
Councillor Nicholas Mawer
Councillor Nigel Morris
Councillor P A O'Sullivan
Councillor George Parish
Councillor D M Pickford
Councillor Lynn Pratt
Councillor Neil Prestidge

Councillor Alaric Rose Councillor Daniel Sames Councillor Leslie F Sibley Councillor Trevor Stevens Councillor Rose Stratford

Councillor G A Reynolds

Councillor Lynda Thirzie Smart Councillor Douglas Webb Councillor Douglas Williamson

Councillor Barry Wood

Apologies Councillor Alyas Ahmed for Councillor Ann Bonner absence: Councillor John Donaldson

Councillor Simon Holland Councillor Victoria Irvine Councillor Nicholas Turner

Officers: Sue Smith, Chief Executive

Calvin Bell, Director of Development

lan Davies, Director of Community and Environment Martin Henry, Director of Resources / Section 151 Officer Kevin Lane, Head of Law and Governance / Monitoring Officer Natasha Clark, Team Leader, Democratic and Elections

### 1 Declarations of Interest

There were no declarations of interest.

## 2 Urgent Business

There were no items of urgent business.

### 3 Minutes of Council

The minutes of the meeting held on 27 February 2012 were agreed as a correct record and signed by the Chairman.

### 4 Chairman's Announcements

(The outgoing Chairman, Councillor Hallchurch, presided for the consideration of this matter.)

### **District Elections 2012**

The Chairman extended the Council's thanks to former Councillors Atkinson, Mrs Fulljames, Tompson and Weir for their service to the district during their time as councillors.

On behalf of Council, the Chairman welcomed Councillors Dhesi, O'Neill, Randall and Woodcock to their first meeting and congratulated them and all other councillors who were returned at the recent election.

### **Councillor Simon Holland**

The Chairman noted that Councillor Simon Holland was not at the meeting due to recent ill health. Members joined the Chairman in sending their best wishes to Councillor Holland and agreed that an attendance dispensation be granted with immediate effect to the next Council meeting on 16 July 2012.

## Local Government Chronicle (LGC) Award for Innovation

The Chairman reported that Cherwell District Council won the LGC award for Innovation for the Miller Road Young Persons Scheme. The Council won the

award as the project demonstrated the leading role a local authority can play in providing young people, not in employment, education or training, with new opportunities and skills in delivering affordable housing.

The Chairman invited Martyn Swann, Strategic Housing Manager and Craig Knight, Strategic Housing Facilitator to the rostrum and explained that Helen Town, who was the project lead officer was unable to join the meeting. At the request of the Chairman the Strategic Housing Manager and Strategic Housing Facilitator provided an overview of the project to Council.

The Lead Member for Housing praised the Housing Team for their ongoing hard work and advised Council that the Team had also been highly commended at the Municipal Journal awards for the Miller Road project.

Members extended their congratulations to the Strategic Housing Team.

# South Northamptonshire Council Local Government Chronicle (LGC) Award for Innovation

South Northamptonshire Council had also won an LGC award for Finance Team of the Year. Members congratulated colleagues at South Northamptonshire Council for winning the award.

# Former CIIr Mrs Catherine Fulljames

The Chairman invited former Councillor Mrs Catherine Fulljames to the rostrum and presented her with flowers in recognition of 20 years of public service.

# 23 Pioneer Regiment RLC

The Chairman advised Council of the sad news that Corporal Andrew Roberts and Private Ratu Silibaravi of the 23 Pioneer Regiment Royal Logistic Corp, which is based in Bicester, had recently lost their lives in Afghanistan. Council joined the Chairman in sending condolences to their families and colleagues.

## Councillor Paul Farrow, South Northamptonshire Council

The Chairman reported that he had received the sad news that Councillor Paul Farrow, 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 meeting held a one minutes silence in memory of Corporal Andrew Roberts, Private Ratu Silibarav and Councillor Paul Farrow of South Northamptonshire Council.

## Resolved

5

(1) That Councillor Simon Holland be granted an attendance dispensation with immediate effect to the next Council meeting on 16 July 2012.

#### Chairman's Allowance

(The outgoing Chairman, Councillor Hallchurch, presided for the consideration of this matter.)

The Head of Law and Governance submitted a report which sought consideration of a proposal to pay an allowance to the Chairman of Cherwell District Council.

### Resolved

(1) That consideration of the proposal to pay an allowance to the Chairman of the Council with effect from the municipal year 2012/13 be deferred to the July meeting of Council and that the Resources and Performance Scrutiny Board be requested to review the proposals and report back to Council.

## 6 Election of Chairman for the Municipal Year 2012/2013

(The outgoing Chairman, Councillor Hallchurch, presided for the consideration of this matter.)

It was moved by Councillor Wood and seconded by Councillor Reynolds, that Councillor Colin Clarke be elected as Chairman for 2012/13. There were no other nominations.

### Resolved

(1) That Councillor Colin Clarke be elected Chairman of the Council for 2012/13.

## 7 Investiture of Chairman

Councillor Clarke, having made and signed the required Declaration of Acceptance of Office was invested with the Chairman's Chain and took the Chair.

## 8 Chairman's Address

Councillor Clarke thanked Members for his appointment and addressed the Council. He indicated that he was keen to raise awareness of the role of the Chairman through visits to schools across the district.

### 9 Vote of Thanks to Immediate Past Chairman

The Chairman of the Council presented Councillor Hallchurch with his past Chairman's badge as a token of the Council's appreciation of his term of office.

Councillor Wood, Leader of the Conservative Group, Councillor Cartledge, Leader of the Labour Group, and Councillor Emptage, Leader of the Liberal Democrat Group, paid tribute to Councillor Hallchurch and thanked him for the dedication he had shown representing the Council, the services he had rendered to the District and gracious way he had presided over the deliberations of Council during his year of office.

Councillor Hallchurch then addressed the Council to report on his term of office. He paid particular thanks to Dr Jan Stokes-Carter, his consort for the year and Liz Matthews, the Chairman's PA and presented them with a token of his appreciation.

# 10 Past Chairman's Response

Councillor Hallchurch addressed Council to report on his term of office. He paid particular thanks to Dr Jan Stokes-Carter, his consort for the year and Liz Matthews, the Chairman's PA and presented them with a token of his appreciation.

## 11 Election of Vice-Chairman for the Municipal Year 2012/2013

It was moved by Councillor Wood and seconded by Councillor Reynolds, that Councillor Lawrie Stratford be elected as Vice-Chairman for 2012/13. There were no other nominations.

#### Resolved

(1) That Councillor Lawrie Stratford be elected Vice-Chairman of the Council for 2012/13.

# 12 Investiture of Vice-Chairman

Councillor Lawrie Stratford, having made and signed the required Declaration of Acceptance of Office was invested with the Vice-Chairman's Chain and took the Vice-Chairman's seat

## 13 Annual Council Business Report

The Chief Executive submitted a report which presented the results of the 3 May 2012 district elections, the constitution of Political Groups, the appointment of the Deputy Leader and Executive for the Municipal Year 2012/13 and sought agreement to the suggested constitution of Committees for the Municipal year 2012/2013. The report also sought nominations for representatives to the County Council Health Overview and Scrutiny Committee and Police and Crime Commissioner Scrutiny Panel.

The Chief Executive reported that there were district elections in 16 seats and Councillors were returned as follows:

Adderbury – Councillor Nigel Randall
Banbury Calthorpe – Councillor Alastair Milne Home
Banbury Easington – Councillor Fred Blackwell
Banbury Grimsbury and Castle – Councillor Ann Bonner
Banbury Hardwick - Councillor John Donaldson
Banbury Neithrop – Councillor Surinder Dhesi

Banbury Ruscote - Councillor Sean Woodcock

Bicester East - Councillor Lawrie Stratford

Bicester North - Councillor Nick Mawer

Bicester South - Councillor Dan Sames

Bicester Town - Councillor Debbie Pickford

Bicester West - Councillor Russell Hurle

Bloxham and Bodicote – Councillor Lynda Thirzie Smart

Caversfield - Councillor Jon O'Neill

Kidlington South – Councillor Maurice Billington

Yarnton, Gosford and Water Eaton – Councillor Trevor Stevens

The Chief Executive reported that the constitution of the Council and political groups was now 41 Conservatives, 6 Labour and 3 Liberal Democrats.

The Group Leaders were: Councillor Barry Wood, Leader of the Conservative Group and Leader of the Council; Councillor Patrick Cartledge, Leader of the Labour Group and Leader of the Opposition and Councillor Tim Emptage, Leader of the Liberal Democrat Group.

The Leader of the Council reported that for the Municipal Year 2012/13 he had reappointed Councillor Reynolds as Deputy Leader of the Council. The Leader reported that Councillor Macnamara would be stepping down from the Executive in 2012/13 and thanked him for his hard work, dedication and excellent service as a member of the Executive.

For the Municipal Year 2012/13, the Executive would comprise:

Councillor Barry Wood – Leader of the Council

Councillor George Reynolds – Deputy Leader of the Council

Councillor Nigel Morris - Lead Member for Clean and Green

Councillor Ken Atack - Lead Member for Financial Management

Councillor Nigel Turner - Lead Member for Performance and Customers

Councillor John Donaldson - Lead Member for Banbury Brighter Futures

Councillor Tony Ilott - Lead Member for Public Protections

Councillor Michael Gibbard – Lead Member for Planning

Councillor Norman Bolster – Lead Member for Estates and the Economy

Councillor Debbie Pickford – Lead Member for Housing

## Resolved

- (1) That the results of the District Elections held on 3 May 2012 be noted.
- (2) That the constitution of Political Groups and notification of Group Leaders: Conservative Group – Councillor Barry Wood; Labour Group – Councillor Patrick Cartledge; Liberal Democrat Group – Councillor Tim Emptage, be noted.
- (3) That the appointment of Councillor George Reynolds as Deputy Leader of the Council and the membership of the Executive and the Executive Portfolios for 2012/13 be noted.
- (4) That the allocation of seats on committees that were subject to the political balance requirements be agreed as set out below:

# **Allocation of Seats to Proportional Committees**

	TOTAL	CON	LAB	LD
Overview & Scrutiny	12	10	1	1
Resources & Performance Scrutiny Board	12	9*	2*	1
Planning Committee	18	15	2	1
Personnel Committee	12	10	1	1
Licensing Committee	12	10	1	1
Appeals Panel	10	8	1	1
Accounts, Audit & Risk Committee	8	7	1	0
Joint Personnel Committee	5	4	1	0
Joint Appeals Panel	3	2	1	0
Proportional Total by Committee	92	76	10	6
Aggregate Entitlement	92	75	11	6
Adjustment Required		- 1	+ 1	-

The Leader of the Conservative Group has indicated to the Chief Executive that the seat to be nominated to the Labour Group is on the Resources and Performance Scrutiny Board. The figures above marked by an asterisk take account of this adjustment.

(5) That the allocation of seats on committees not subject to political balance requirements be agreed as set out below:

# Allocation of Seats to Non-Proportional Committees

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

(6) That members (and where appropriate, substitute members) be appointed to serve on each of the committees and other bodies as set out below in accordance with the nominations to be made by political groups:

# **Overview and Scrutiny Committee**

# Membership (12 members with 3 named substitutes from each group)

Conservative (10) Labour (1) Liberal Democrats (1)

Cllr Ann Bonner Cllr Les Sibley Cllr Tim Emptage

Cllr Colin Clarke

Cllr Chris Heath

Cllr Melanie Magee

Cllr Kieron Mallon

Cllr Alastair Milne Home

Cllr Jon O'Neill

Cllr Nigel Randall

Cllr Dan Sames

Cllr Lawrie Stratford

### **Substitutes**

Conservative (3) Labour (3) Liberal Democrats (2)

Cllr Tim Hallchurch Cllr Andy Beere Cllr Alaric Rose

Cllr Lynn Pratt Cllr Patrick Cartledge Cllr Douglas Williamson

Cllr Rose Stratford Cllr Sean Woodcock

# **Resources and Performance Scrutiny Board**

Membership (12 members, 2 named substitutes from each group)

Conservative (9) Labour (2) Liberal Democrats (1)

Cllr Alyas Ahmed Cllr Patrick Cartledge Cllr Douglas Williamson

Cllr Maurice Billington Cllr Sean Woodcock

**Cllr Margaret Cullip** 

**Cllr Nick Mawer** 

Cllr Jon O'Neill

Cllr Neil Prestidge

Cllr Nigel Randall

Cllr Lawrie Stratford

Cllr Douglas Webb

### **Substitutes**

Conservative (3)

Cllr Diana Edwards

Cllr Andy Beere

Cllr David Hughes

Cllr Surinder Dhesi

Liberal Democrats (2)

Councillor Tim Emptage

Councillor Alaric Rose

**Cllr Rose Stratford** 

### **Planning Committee**

Membership (18 members, 12 named substitutes)

Conservative (15) Labour (2) Liberal Democrats (1)

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Cllr Ken Atack Councillor George Parish Councillor Tim Emptage

Cllr Fred Blackwell Councillor Les Sibley

Cllr Colin Clarke

Cllr Michael Gibbard

Cllr Chris Heath

**Cllr David Hughes** 

Cllr Russell Hurle

Cllr Mike Kerford-Byrnes

Cllr James Macnamara

Cllr Alastair Milne Home

Cllr Debbie Pickford

Cllr George Reynolds

**CIIr Trevor Stevens** 

Cllr Lawrie Stratford

Cllr Rose Stratford

**Substitutes** 

Conservative (10) Labour (1) Liberal Democrats (1)

Cllr Maurice Billington Cllr Surinder Dhesi

Cllr Douglas Williamson

Cllr Diana Edwards

Cllr Andrew Fulljames

Cllr Melanie Magee

Cllr Kieron Mallon

Cllr Jon O'Neill

Cllr Paul O'Sullivan

Cllr Lynn Pratt

Cllr Nigel Randall

Cllr Barry Wood

## **Personnel Committee**

Membership (12 members, unnamed substitutes who shall not be members of the Appeals Panel)

Conservative (10) Labour (1) Liberal Democrats (1)

Cllr Ken Atack Cllr Surinder Dhesi Cllr Alaric Rose

Cllr Norman Bolster

Cllr Mike Kerford-Byrnes

Cllr Melanie Magee

Cllr Lynn Pratt

Cllr George Reynolds

Cllr Lynda Thirzie-Smart

Cllr Lawrie Stratford

Cllr Rose Stratford Cllr Barry Wood

## **Licensing Committee**

Membership (12 seats and 5 substitutes based on proportional representation with each represented party having at least 1 substitute)

Conservative (10) Labour (1) Liberal Democrats (1)

Cllr Fred Blackwell Cllr George Parish Cllr Alaric Rose

Cllr Diana Edwards

Cllr Michael Gibbard

Cllr Tim Hallchurch

Cllr Tony Illott

Cllr Kieron Mallon

Cllr Paul O'Sullivan

Cllr George Reynolds

Cllr Rose Stratford

Cllr Douglas Webb

**Substitutes** 

Conservative (3) Labour (1) Liberal Democrats (1)

Cllr Margaret Cullip Cllr Andy Beere Cllr Tim Emptage

Cllr Debbie Pickford

Cllr Lynn Pratt

## **Appeals Panel**

# Membership (10 members with no substitutes)

Conservative (8) Labour (1) Liberal Democrats (1)

Cllr Fred Blackwell Cllr Sean Woodcock Cllr Tim Emptage

Cllr Colin Clarke

Cllr Diana Edwards

Cllr Tim Hallchurch

Cllr Simon Holland

Cllr Tony Illott

Cllr Paul O'Sullivan

Cllr Douglas Webb

## Accounts, Audit and Risk Committee

Membership (8 members with unnamed substitutes)

Conservative (7) Labour (1) Liberal Democrats (0)

Cllr Colin Clarke Cllr Andrew Beere

Cllr Andrew Fulljames

Cllr Mike Kerford-Byrnes

**Cllr Trevor Stevens** 

Cllr Lawrie Stratford

Cllr Rose Stratford

Cllr Barry Wood

# **Joint Personnel Committee**

# Membership (5 members, 3 named substitutes)

Conservative (4) Labour (1) **Liberal Democrats (0)** 

Cllr Ken Atack Cllr Les Sibley

Cllr Lynn Pratt

Cllr George Reynolds

Cllr Barry Wood

Substitutes

Conservative (2) Labour (1) **Liberal Democrats (0)** 

Cllr Norman Bolster Cllr George Parish

Cllr Lawrie Stratford

## **Joint Appeals Panel**

Membership (3 seats, 2 named substitutes)

Labour (1) Conservative (2) **Liberal Democrats (0)** 

Cllr Fred Blackwell Cllr Sean Woodcock

Cllr James Macnamara

**Substitutes** 

Conservative (1) Labour (1) **Liberal Democrats (0)** 

Cllr Colin Clarke Cllr Patrick Cartledge

## **Standards Committee**

Membership (8 members, up to 4 independent members, 2 parish council representatives; 8 substitute members)

Conservative (6) Labour (1) **Liberal Democrats (1)** 

Cllr Fred Blackwell Cllr Tim Hallchurch Cllr Andrew Beere

Cllr Douglas Williamson

Cllr Chris Heath

Cllr Russell Hurle

Cllr Paul O'Sullivan

Cllr Lawrie Stratford

### **Substitutes**

Conservative (6) Labour (1) **Liberal Democrats (1)** 

Cllr Ken Atack Cllr Patrick Cartledge Cllr Tim Emptage

Cllr Colin Clarke

**Cllr Margaret Cullip** 

Cllr Diana Edwards

Cllr James Macnamara

Cllr Rose Stratford

# **Council and Employee Joint Committee**

Membership (12 seats)

Conservative (10) Labour (1) Liberal Democrats (1)

Cllr Colin Clarke Cllr Patrick Cartledge Cllr Alaric Rose

Cllr Margaret Cullip

Cllr Russell Hurle

Cllr Tony Illott

Cllr Melanie Magee

Cllr Kieron Mallon

Cllr Nick Mawer

Cllr Lynn Pratt

Cllr Nigel Randall

Cllr Barry Wood

# Joint Arrangements Steering Group

# Membership (5 members, 3 substitutes)

Conservative (4) Labour (1) Liberal Democrats (0)

Cllr Ken Atack Cllr Les Sibley

**Cllr Nigel Morris** 

**Cllr Nicholas Turner** 

Cllr Barry Wood

**Substitutes** 

Conservative (2) Labour (1) Liberal Democrats (0)

Cllr Norman Bolster

Cllr Patrick Cartledge

Cllr Michael Gibbard

- (7) That Councillor Rose Stratford be appointed as Cherwell District Council's representative to the County Council Health Overview and Scrutiny Committee.
- (8) That Councillor George Reynolds be appointed Cherwell District Council's representative to the Police and Crime Commissioner Scrutiny Panel.

### 14 Recommendations from Standards Committee

The Head of Law and Governance submitted a report which enabled Council to consider the recommendations of Standards Committee with regard to the code of conduct to be adopted, and the statutory arrangements to be introduced to investigate and decide on allegations of breach, pursuant to the Localism Act 2011.

## Resolved

- (1) That the Oxfordshire Code of Conduct (set out in the annex to the minutes as set out in the minute book) with effect from 1 July 2012 or such other date as is legislatively required ("the effective date") and that it be endorsed for adoption by the Town and Parish Councils in Cherwell District be adopted.
- (2) That a free standing Standards Committee from the effective date comprising 8 elected members (7 from the Conservative Group and 1 from the Labour Group with Group Leaders to confirm appointed and substitute members to the Head of Law and Governance prior to the effective date), with the power to co-opt town/parish council members as it sees fit, for the purpose of hearing and determining complaints of Councillor misconduct with the terms of reference (set out in the annex to the minutes as set out in the minute book) be established and that such Committee replace the current Standards Committee.
- (3) That it be agreed that two independent persons be appointed by Council at a future date on the recommendation of a panel comprising two members of the new Committee plus the Head of Law and Governance and that authority to fix an initial allowance payment for such persons be delegated to the Head of Law and Governance in consultation with the Head of Finance and Procurement.
- (4) That authority be delegated to the Head of Law and Governance to take the necessary steps to establish a register of interests for District, Town and Parish Councillors and the required arrangements (including a complaints procedure and a hearing procedure) pending formal consideration by the new Committee in due course.
- (5) That it be agreed that the terms of appointment of Dr Sadie Reynolds and Derek Bacon as independent members of the current Standards Committee be extended until the effective date.

## 15 **Honorary Aldermen**

The Chief Executive submitted a report which enabled members to consider whether they wished to adopt a scheme for the appointment of Honorary Aldermen/ Alderwomen and Freemen/ Freewomen.

## Resolved

(1) That the procedure of appointment for Honorary Aldermen/Alderwomen and Honorary Freemen/Freewomen and their associated roles and privileges be adopted.

# 16 A Joint Performance Service, A Joint JMT (Joint Management Team) Support Service

The Director of Resources and Head of Transformation submitted a report which proposed that the principle of sharing performance, information management and consultation services with South Northamptonshire Council and the principle of a joint JMT (Joint Management Team) support service be adopted as part of the Cherwell District Council policy framework.

#### Resolved

(1) That the principle of establishing a shared Performance Management team and JMT support team with South Northamptonshire Council as part of the Council's policy framework be adopted.

# 17 Developments in Elections and Electoral Registration

The Chief Executive (as Returning Officer and Electoral Registration Officer) submitted a report which informed Members of the programme of elections to 2015, changes in electoral registration and the annual canvass and to seek delegated power for the Returning Officer to amend the Elections Fees and Charges schedule as a required in light of these developments.

### Resolved

- (1) That the growth in the electoral and electoral registration programme to 2015 be noted and that officers be requested to submit future reports to Council as appropriate.
- (2) That authority be delegated to the Returning Officer to amend the elections fees and charges schedule in order to address operational requirements as required.

The meeting ended a	t 7.40 pm
	Chairman:
	Date: