

# Meeting of Council

Wednesday 16 May 2012

Members of Cherwell District Council,

A meeting of Council will be held at Bodicote House, Bodicote, Banbury, OX15 4AA on Wednesday 16 May 2012 at 6.30 pm, and you are hereby summoned to attend.



**Sue Smith**  
Chief Executive

Tuesday 8 May 2012

## 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 Urgent Business**

The Chairman to advise whether they have agreed to any item of urgent business being admitted to the agenda.

**4 Minutes of Council (Pages 1 - 8)**

To confirm as a correct record the Minutes of Council held on 27 February 2012.

**5 Chairman's Announcements**

To receive communications from the Chairman of the Council.

**6 Chairman's Allowance (Pages 9 - 12)**

Report of Head of Law and Governance

**Summary**

To agree to pay an allowance to the Chairman of Cherwell District Council.

**Recommendations**

Council is recommended to:

- (1) Agree that an allowance of £2000 be paid to the Chairman of the Council with effect from the municipal year 2012/13.

**7 Election of Chairman for the Municipal Year 2012/2013**

**8 Investiture of Chairman**

**9 Chairman's Address**

**10 Vote of Thanks to Immediate Past Chairman**

**11 Past Chairman's Response and Result of Charity Appeal**

**12 Election of Vice-Chairman for the Municipal Year 2012/2013**

**13 Investiture of Vice-Chairman**

**Council Business Reports**

**14 Annual Council Business Report (Pages 13 - 18)**

\*\* Please note that Appendices 1 and 2 will follow as political groups are determining Committee membership \*\*

## **Summary**

To note 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 to gain agreement to the suggested constitution of Committees for the Municipal year 2012/2013.

## **Recommendations**

Council is recommended to:

- (1) Note the results of the District Elections held on 3 May 2012.
- (2) Note the constitution of Political Groups and notification of Group Leaders.
- (3) Note the appointment of Deputy Leader of the Council, the membership of the Executive and the Executive Portfolios for 2012/13.
- (4) Agree the allocation of seats on committees that are subject to the political balance requirements as set out in Table 1.
- (5) Agree the allocation of seats on committees not subject to political balance requirements as set out in Table 2.
- (6) Appoint members (and where appropriate, substitute members) to serve on each of the committees and other bodies set out in Tables 1 and 2 in accordance with the nominations to be made by political groups (Appendix 2 - to follow).
- (7) Appoint a representative to the County Council Health Overview and Scrutiny Committee.
- (8) Appoint a representative to the Police and Crime Commissioner Scrutiny Panel.

## **15 Recommendations from Standards Committee**

\*\* Please note this report will follow as the meeting of the Standards Committee is on 10 May 2012 \*\*

## **16 Honorary Aldermen (Pages 19 - 22)**

Report of Chief Executive

## **Summary**

The purpose of this report is to allow members to consider whether they wish to adopt a scheme for the appointment of Honorary Aldermen/ Alderwomen and Freemen/ Freewomen.

## **Recommendations**

Council is recommended to:

- (1) Consider whether it wishes to appoint Honorary Aldermen/Alderwomen and Freemen/Freewomen.

### **17 A Joint Performance Service, A Joint JMT (Joint Management Team) Support Service (Pages 23 - 28)**

Report of Director of Resources and Head of Transformation

#### **Summary**

To propose 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.

#### **Recommendations**

Council is recommended to:

- (1) Adopt 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.

### **18 Developments in Elections and Electoral Registration (Pages 29 - 32)**

Report of Chief Executive (as Returning Officer and Electoral Registration Officer)

#### **Summary**

The purpose of this report is to inform 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.

#### **Recommendations**

Council is recommended to:

- (1) Note the growth in the electoral and electoral registration programme to 2015 and request that Council receives future reports as appropriate.
- (2) Give delegated authority to the Returning Officer to amend the elections fees and charges schedule in order to address operational requirements as required.

## **FIRST MEETINGS OF COMMITTEES** (Pages 33 - 36)

At the conclusion of Council, Committees will meet to appoint their Chairmen and Vice-Chairmen. The agenda for these first meetings is included at the back of the agenda.

**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@cherwellandsouthnorthants.gov.uk](mailto:democracy@cherwellandsouthnorthants.gov.uk) or 01295 2215879 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 Natasha Clark, Democratic and Elections  
natasha.clark@cherwellandsouthnorthants.gov.uk, 01295 221589

# Agenda Item 4

## Cherwell District Council

### Council

Minutes of a meeting of the Council held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 27 February 2012 at 6.30 pm

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

Councillor Rick Atkinson  
Councillor Ken Attack  
Councillor Andrew Beere  
Councillor Maurice Billington  
Councillor Fred Blackwell  
Councillor Norman Bolster  
Councillor Ann Bonner  
Councillor Margaret Cullip  
Councillor John Donaldson  
Councillor Tim Emptage  
Councillor Alastair Milne Home  
Councillor Chris Heath  
Councillor David Hughes  
Councillor Russell Hurle  
Councillor Tony Ilott  
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 G A Reynolds  
Councillor Alaric Rose  
Councillor Daniel Sames  
Councillor Leslie F Sibley  
Councillor Trevor Stevens  
Councillor Lawrie Stratford  
Councillor Rose Stratford  
Councillor Lynda Thirzie Smart  
Councillor Patricia Tompson  
Councillor Nicholas Turner  
Councillor Douglas Webb  
Councillor Martin Weir  
Councillor Douglas Williamson  
Councillor Barry Wood

Apologies  
for  
absence: Councillor Alyas Ahmed  
Councillor Patrick Cartledge  
Councillor Mrs Diana Edwards  
Councillor Andrew Fulljames  
Councillor Mrs Catherine Fulljames  
Councillor Michael Gibbard  
Councillor Simon Holland  
Councillor Victoria Irvine

Officers: Sue Smith, Chief Executive  
Calvin Bell, Director of Development  
Ian Davies, Director of Community and Environment  
Martin Henry, Director of Resources / Section 151 Officer  
Kevin Lane, Head of Law and Governance / Monitoring Officer  
Karen Curtin, Head of Finance and Procurement  
James Doble, Democratic and Elections Manager

76 **Declarations of Interest**

There were no declarations of interest.

77 **Communications**

The Chairman announced that he had been informed of that former Councillor Tony Talents had sadly passed away. Tony was Chairman from 1987 to 1989 and again from 1989 to 1990. Council observed a period of silence in his memory.

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

There were no petitions or requests to address the meeting.

79 **Urgent Business**

There were no items of urgent business.

80 **Minutes of Council**

The minutes of the meeting held on 30 January 2012 were agreed as a correct record and signed by the Chairman.



81 **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. The item related to the contract for dry recyclables and whilst included in the Forward Plan it needed to be taken a month earlier than published as the proposed start date of the contract was before the next meeting of the Executive.

b) **Minutes of Committees**

**Resolved**

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

82 **Questions**

a) **Written Questions**

There were no written questions.

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

Questions were asked and answers received on the following issues:

National Planning Framework housing numbers: Councillor Lawrie Stratford  
Bicester Hospital: Councillor Sibley  
Free weekend car parking: Councillor Sibley  
Dial a Ride: Councillor Sibley

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

There were no questions to Committee Chairman on the minutes of meetings.

83 **Motions**

There were no motions.

84 **Members' Allowances 2012/13**

The Head of Law and Governance submitted a report to consider and determine the levels of the allowances to be paid to Members for the forthcoming 2012/2013 financial year following the submission of the report of the Council's Independent Remuneration Panel (IRP) on the review of the 2011/2012 Members' Allowances Scheme.

## **Resolved**

- (1) That the level of allowances to be included in the 2012/13 Members' Allowances Scheme, be agreed as set out in the annex to the minutes (as set out in the minute book).
- (2) That the Head of Law and Governance be authorised to prepare an amended Members' Allowances Scheme, in accordance with the decisions of Council for implementation with effect from 1 April 2012.
- (3) That the Head of Law and Governance be authorised to take all necessary action to revoke the current (2011/12) Scheme and to publicise the revised Scheme pursuant to The Local Authorities (Members' Allowances) (England) Regulations 2003 (as amended).
- (4) That the Independent Remuneration Panel be thanked for its thorough and detailed report and set a fee of £300 be paid to IRP Panel Members for the work carried out in 2011/12 and the same level of fee for 2012/13 be agreed.

85

## **2012/13 Service and Financial Planning Process, Corporate Plan, Revenue Budget and Capital Programme and Treasury Strategy**

The Chairman outlined that it was customary during the budget debate to suspend standing orders with regard to the duration of speeches by proposers of motions and amendments, also the order of dealing with and speaking on amendments. It was also agreed that the Estimates would be taken as one integrated set of financial figures and that the revenue and capital estimates, the Collection Fund Estimates 2011/2012 and the Corporate Plan and the Service Plans would not be debated separately.

Members signified agreement that speeches made by Group Leaders or any Member proposing the Budget, an alternative Budget, any amendments or commenting on the Budget would not be time limited.

The Chief Financial Officer (Director of Resources) and Head of Finance and Procurement submitted a report to review the Council's General Fund Budget, Capital Programme, Earmarked Reserves and General Fund Balances to ensure the robustness of the estimates included and to seek formal adoption of all parts of the Council's financial plans, treasury strategy and Corporate Plan for the 2012/13 budget year. Councillor Attack introduced the report and set out the proposed budget for the year.

The Leader of the Council, Leader of the Opposition and the Leader of the Liberal Democrat Group responded to the budget. The budget was debated at length by Members, during which no amendments were moved.

## **Resolved**

- (1) That the contents of the report in approving the General Fund Budget and Capital Programme for 2012/13 be noted.

- (2) That the 2012/13 General Fund Budget and Capital Programme considered by the Executive on 6 February 2012, with a final Collection Fund adjustment of £2k be approved.
- (3) That the Collection Fund Estimates contained in the Budget Book be approved.
- (4) That the Corporate Plan as detailed in the Budget Book be approved.
- (5) That the 2012/13 Treasury Strategy as outlined in Appendix 3 (set out in the annex to the minutes, as set out in the minute book) be approved
- (6) That the prudential indicators as outlined in Appendix 3 – Annex 1 (set out in the annex to the minutes, as set out in the minute book) be approved.
- (7) That the Council's adoption of the revised CIPFA Treasury Management and Prudential Codes published in November 2011 be approved.

86 **Calculating the amounts of Council Tax for 2012/2013 and setting the Council Tax for 2012/2013**

The Chief Finance Officer (Director of Resources) and Head of Finance and Procurement submitted a report to detail the Calculations for the amounts of Council Tax for 2012/13 and the setting of Council Tax for 2012/13.

**Resolved**

- (1) That it be noted that at its meeting held on 9 January 2012 the Executive calculated the Council Tax Base 2012/13:
  - a) for the whole Council area as 50,615 [item T in the formula in Section 31B of the Local Government Finance Act 1992, as amended (the "Act")]; and
  - b) For dwellings in those parts of its area to which a Parish Precept relates as in the attached Appendix 1(annex to the minutes as et out in the minute book).
- (2) That the Council Tax requirement for the Council's own purposes for 2012/13 (excluding Parish Precepts and Special Expenses) is £123.50.
- (3) That the following amounts be calculated for the year 2012/13 in accordance with Sections 31 to 36 of the Act:-
  - a) £76,018,304 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act, taking into account all precepts issued to it by Parish Councils and any additional special expenses.
  - b) £65,678,445 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (3) of the Act.

- c) £10,339,859 being the amount by which the aggregate at 8(a) above exceeds the aggregate at 8(b) above, calculated by the Council, in accordance with Section 31A(4) of the Act, as its Council Tax requirement for the year (Item R in the formula in Section 31B of the Act).
- d) £204.28 being the amount at 8(c) above (Item R), all divided by Item T (6(a) above), calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year (including Parish Precepts and Special Expenses);
- e) £4,088,906 being the aggregate amount of all special items (Parish Precepts and Special Expenses) referred to in Section 34(1) of the Act as per the attached Schedule 2.
- f) £123.50 being the amount at 8(d) above less the result given by dividing the amount at 8(e) above by Item T(6(a) above), calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no Parish Precept or special item relates;

(4) That it be noted that for the year 2012/13 the Oxfordshire County Council and the Thames Valley Policy Authority have issued precepts to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each category of dwellings in the Council's area as indicated below :-

<u>Valuation Band</u>	Oxfordshire County Council £	Thames Valley Police Authority £
A	774.47	102.87
B	903.55	120.01
C	1,032.63	137.16
D	1,161.71	154.30
E	1,419.87	188.59
F	1,678.03	222.88
G	1,936.18	257.17
H	2,323.42	308.60

(5) That the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the amounts shown in Appendix 2 (annex to the minutes as set out in the minute book) as the amounts of Council Tax for the year 2012/13 for each part of its area and for each of the categories of dwellings.

(6) That the Council's basic amount of Council Tax for 2012/13 is not excessive in accordance with principles approved under Section 52ZB Local Government Finance Act 1992.

87 **Oxfordshire County Boundary Review**

The Chief Executive submitted a report to update Members on the final recommendations report on Oxfordshire County Boundary Review.

**Resolved**

- (1) That the update on the County Boundary Review be noted.

88 **Localism Act 2011 - Update**

The Head of Law and Governance submitted a report to enable Council to receive an update on the provisions of the Localism Act 2011 that were now in force, note the areas of the Act in respect of which the Executive has requested further reports from officers and approve the statement of pay policy for 2012/13.

**Resolved**

- (1) That the implications of the Localism Act 2011 as previously circulated to Members and reported to Executive be noted.
- (2) That the provisions of the Act which were already in force be noted.
- (3) That the provisions of the Act in respect of which Executive has requested further reports from officers at the appropriate time be noted.
- (4) That the appended statement of pay policy for 2012/13 as required by the Act be approved (set out in the annex to the minutes as set out in the minute book).

89 **Business Case for a Shared Finance and Procurement Service**

The Head of Finance and Procurement submitted a report to propose that the principle of sharing finance and procurement functions with South Northamptonshire be adopted as part of the Cherwell District Council policy framework.

**Resolved**

- (1) That the principle of establishing a shared finance and procurement function with South Northamptonshire Council be included as part of the Council's policy framework.

## **Consideration of Council Response to Ombudsman Report**

The Head of Law and Governance submitted a report to enable Council to consider its response to an Ombudsman report finding maladministration with injustice following an investigation into complaints relating to the imposition of car parking Excess Charge Notices (ECN's) in April and May 2011. A copy of the report is set out in the annex to these minutes, as set out in the minute book.

### **Resolved**

- (1) That the contents, findings and recommendations contained in the appended Ombudsman report be noted.
- (2) That officers be instructed to take steps to reimburse all persons who incurred and paid excess charges in the Council's car parks between 4 and 13 April 2011 in respect of failing to pay parking charges applicable for "blue badge" holders and/or evening parking.
- (3) That officers be instructed to cancel all outstanding unpaid ECN's relating to excess charges incurred in the Council's car parks between 4 and 13 April 2011 in respect of failing to pay parking charges applicable for "blue badge" holders and/or evening parking.
- (4) That the Ombudsman be notified of the action that the council proposes to take as set out in (2) and (3) above.

The meeting ended at 8.00 pm

Chairman:

Date:

## Council

### Allowance for Chairman of the Council

16 May 2012

### Report of Head of Law and Governance

#### PURPOSE OF REPORT

To agree to pay an allowance to the Chairman of Cherwell District Council.

This report is public

#### Recommendations

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Council is recommended to:

- (1) Agree that an allowance of £2000 be paid to the Chairman of the Council with effect from the municipal year 2012/13.

#### Executive Summary

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##### Introduction

- 1.1 The Chairman of Cherwell District Council plays an important ambassadorial role for the district representing the council at many events throughout the year, providing positive publicity and raising the profile of the district.
- 1.2 Whilst the Chairman of the Council does traditionally have a budget to support their activities as Chairman, e.g. arranging events, paying for wreaths etc the Chairman does not currently receive an allowance to meet the expenses of office. This report seeks to address this issues

##### Proposals

- 1.3 The Chairman of Council is the oldest of the Council's offices. Unlike the Chairmen of committees, the Chairman of Council has both an administrative and ceremonial role. Whilst the administrative role is important, in terms of time spent it is the smaller of the two functions. The administrative role centres around the chairing of meetings of full council, (approximately 6 meetings per year). Currently the Chairman of Council does not receive a Special Responsibility Allowance for this administrative role and whilst the issue is under active consideration by the Independent Remuneration Panel

there are currently no plans for a Special Responsibility Allowance to be recommended. The administrative functions of the Chairman are consequently outside the scope of this report.

- 1.4 The ceremonial role of the Chairman takes up a considerable amount of time and can see the Chairman invited to attend over 100 events per year. In carrying out this role the Chairman has not to date received an allowance, therefore the majority of their costs on transport, attending events, clothing and out of pocket expenditure have fallen directly on the Chairman themselves. The Chairman does have access to a modest budget to cover transport hire and organising their own events, but this budget is only adequate to cover these costs and does not provide an allowance for the Chairman. Therefore it is the Chairman themselves who has to carry the cost of carrying out their role on behalf of the Council.
- 1.5 Cherwell District Council has always appointed to the office of Chairman based on merit. Councillors are nominated by their peers and are selected based on having made a large contribution to the community and/or work of the council. This is a long established and proud tradition and is the highest honour that the Council can bestow on a serving councillor. However, it is important that Councillors should not be put off from accepting this honour due to the personal cost to them of accepting this role. As a public body the council has a duty to ensure that it does not create barriers to equality of opportunity and it is believed the non-provision of an allowance could create such a barrier.
- 1.6 Following discussion with the Leader of Council, officers have identified that an allowance of £2,000 per annum would be adequate to cover the costs currently personally incurred by the Chairman. Funding for this allowance could be made available from within the existing members budget at no increased cost to the council

### **Conclusion**

- 1.7 In light of the issues outlined in this report, Council is recommended to agree to provide an allowance to the Chairman from the start of the municipal year 2012/13.

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

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

- |                   |   |
|-------------------|---|
| <b>Option One</b> | To agree to pay a Chairman's allowance of £2,000 per annum. |
| <b>Option Two</b> | To pay a Chairman's allowance at a different level          |



**Option Three**

Not to pay a Chairman's allowance.

**Implications**

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**Financial:** The allowance can be met from within existing member services budgets.

Comments checked by Sarah Best, Assistant Accountant 01295 22

**Legal:** Under section 3 (5) of Chapter 70 of Local Government Act 1972 Council gives the power to provide an allowance to the Chairman to cover the cost of expenses incurred in carrying out the cost of their office. Therefore the proposals set out in this report are in line with legislation.

Comments checked by Kevin Lane, Head of Law and Governance 0300 0030 107

**Risk Management:** There are no risk implications arising from this report

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

**Wards Affected**

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All

**Document Information**

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<b>Appendix No</b>	<b>Title</b>
None	
<b>Background Papers</b>	
None	
<b>Report Author</b>	James Doble, Democratic and Elections Manager
<b>Contact Information</b>	01295 221587 James.doble@Cherwellandsouthnorthants.gov.uk

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## Council

### Annual Council Business Report

19 May 2012

### Report of Chief Executive

#### PURPOSE OF REPORT

To note 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 to gain agreement to the suggested constitution of Committees for the Municipal year 2012/2013.

This report is public

#### Recommendations

\*\* The recommendations are also included in the relevant section of the report \*\*

Council is recommended to:

- (1) Note the results of the District Elections held on 3 May 2012.
- (2) Note the constitution of Political Groups and notification of Group Leaders.
- (3) Note the appointment of Deputy Leader of the Council, the membership of the Executive and the Executive Portfolios for 2012/13.
- (4) Agree the allocation of seats on committees that are subject to the political balance requirements as set out in Table 1.
- (5) Agree the allocation of seats on committees not subject to political balance requirements as set out in Table 2.
- (6) Appoint members (and where appropriate, substitute members) to serve on each of the committees and other bodies set out in Tables 1 and 2 in accordance with the nominations to be made by political groups (Appendix 2 - to follow).
- (7) Appoint a representative to the County Council Health Overview and Scrutiny Committee.
- (8) Appoint a representative to the Police and Crime Commissioner Scrutiny Panel.

**a) District Election Results**

The following were elected for the Wards shown at the district elections held on 3 May 2012:

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

**Recommendation**

- (1) To note the results of the District Elections held on 3 May 2012.

**b) Constitution of Political Groups**

The Chief Executive will report on the notifications of the constitution of Political Groups received prior to the meeting and on the notifications from the Political Groups of the names of their Leaders for 2012/13.

**Recommendation**

- (2) To note the constitution of Political Groups and notification of Group Leaders.

**c) Deputy Leader of the Council and Executive 2012/13**

The Chief Executive will report on:

- Any change in the political control of the Council.

Appendix 1 comprising the report of the Leader of the Council on Executive Portfolios for the Municipal Year 2012/13 is to follow and will be tabled at the meeting.

## Recommendation

- (3) To note the appointment of Deputy Leader of the Council, the membership of the Executive and the Executive Portfolios for 2012/13.

### d) Committee Appointments 2012/13

#### Table 1: Allocation of Seats of Proportional Committees

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 below marked by an asterisk take account of this adjustment.

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

**Table 2: Allocation of Seats of Non-Proportional Committees**

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

**Notes:**

**Overview and Scrutiny Committee and Resources and Performance Scrutiny Board** must not include any members of the Executive.

**Personnel Committee** must include at least one member of the Executive and may not include members of the Appeals Panel

**Appeals Panel** members may not serve as members or substitute members of the Personnel Committee.

**Standards Committee** must not include more than one member of the Executive, and must not include the Leader of the Council.

**Council and Employee Joint Committee** has a fixed membership, comprising the number indicated in the total column.

**Joint Personnel Committee** may not serve as members or substitute members of the Joint Appeals Committee

**Joint Appeals Committee** members may not serve as members or substitute members of the Joint Personnel Committee.

**Recommendations**

- (4) That the allocation of seats on committees that are subject to the political balance requirements be agreed as set out in Table 1.
- (5) That the allocation of seats on committees not subject to political balance requirements be agreed as set out in Table 2.
- (6) To appoint members (and where appropriate, substitute members) to serve on each of the committees and other bodies set out in Tables 1 and 2 in accordance with the nominations to be made by political groups (to follow).

## **e) Appointment of Representatives**

Council is asked to appoint representatives to the County Council Health Overview and Scrutiny Committee and to the Police and Crime Commissioner Scrutiny Panel.

The 2011/12 representative on the former was Councillor Mrs Rose Stratford. The latter is a new appointment

### **Recommendation**

- (7) To appoint a representative to the County Council Health Overview and Scrutiny Committee.
- (8) To appoint a representative to the Police and Crime Commissioner Scrutiny Panel.

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

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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
- Option Two** To amend and agree the revised recommendations

### **Consultations**

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- Political Groups** The responses of political groups will be tabled at the meeting.

### **Implications**

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- Financial:** There are no financial implications arising from the report.  
Comments checked by Karen Curtin, Head of Finance and Procurement, 0300 003 0106
- Legal:** It is a legal requirement for Council to agree proportionality after the District Elections and appoint committees. It is for the Council Leader to appoint the Deputy Leader and the other Executive members, and to allocate Lead Member responsibilities.  
Comments checked by Kevin Lane, Head of Law and Governance, 0300 003 0107

**Risk Management:** In ensuring the legal requirements are met risk to the authority is mitigated.

Comments checked by Claire Taylor, Corporate Performance Manager 0300 003 0112

**Wards Affected**

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All

**Document Information**

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<b>Appendix No</b>	<b>Title</b>
Appendix 1	Executive Portfolios 2012/13 – to follow
Appendix 2	Committee Membership – to follow
<b>Background Papers</b>	
None	
<b>Report Author</b>	James Doble, Democratic and Elections Manager
<b>Contact Information</b>	01295 221587 james.doble@cherwellandsouthnorthants.gov.uk



## Council

### Honorary Aldermen and Freemen

16 May 2012

### Report of Chief Executive

#### PURPOSE OF REPORT

The purpose of this report is to allow members to consider whether they wish to adopt a scheme for the appointment of Honorary Aldermen/ Alderwomen and Freemen/ Freewomen.

This report is public
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#### Recommendations

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The Council is recommended:

- (1) To consider whether it wishes to appoint Honorary Aldermen/ Alderwomen and Freemen/ Freewomen.

#### Details

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The Chairman has requested a report to this Council giving details of the honours which the Council, if it agrees, has the power to bestow:

- Honorary Alderman/ Alderwomen – for past Councillors who have given eminent service to the Council.
- Honorary Freeman/ Freewomen – a person of distinction who has given eminent service to the district

The power to appoint Honorary Alderman/ Alderwomen and Honorary Freemen/ Freewomen is contained within Section 249 of the Local Government Act 1972.

The Section also provides that the following people may be admitted to be Honorary Freemen/ Freewomen:

“persons of distinction and persons who have, in the opinion of the Council, rendered eminent services to the district.”

The title of Honorary Alderman/ Alderwomen can only be conferred on:

“persons who have, in the opinion of the Council, rendered eminent services to the Council as past members of that Council, but who are not then Councillors of the Council.”

In order to appoint Honorary Alderman/ Alderwomen and Honorary Freeman/ Freewomen the Council must approve a new procedure.

### **Procedure for Appointing Honorary Alderman/ Alderwomen and Honorary Freeman/ Freewomen**

Serving councillors may make nominations of individuals who have given eminent service to the Council (Alderman/ Alderwomen) and/or district (Freeman/ Freewomen). All nominations will be assessed by the Chairman and the Leader of the Council in consultation with the Chief Executive who then submit their recommendations to the Council.

The nomination process is undertaken in strict confidence. Details are only made public when the Council is asked to support the nomination and the proposed recipient agrees to accept the award.

The resolution to appoint to these positions has to be passed by at least 2/3 majority of members present at a specially convened meeting.

The resolution should recite the particular grounds upon which the Council have come to their decision.

### **Role and Privileges**

Honorary Freeman/ Freewomen and Honorary Alderman/ Alderwomen would receive the following privileges:

- The name of the recipient is inscribed on a roll of honour at the Council Offices.
- A formal ceremony is held at which the recipient is presented with a Scroll.
- A seat will be made available in the Aldermen and Freeman’s Gallery at meetings of full Council.
- An invitation to major Council events and ceremonies including Annual Council
- An electronic copy of the Members Bulletin
- Access to the members car park and members room at Bodicote House

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

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

- Option One**                      Accept the recommendations as drafted
- Option Two**                     Amend the recommendations
- Option Three**                  Reject the recommendations

## **Implications**

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- Financial:**                      Any ensuing modest cost could be met from existing budgets and would not be such as to merit an objection to the introduction of the scheme.  
Comments checked by Sarah Best, Service Accountant, 01295 221982
- Legal:**                            The process of appointing honorary aldermen/women and freemen/women is prescribed by section 249 of the Local Government Act 1092 and is set out above.  
Comments checked by Kevin Lane, Head of Law and Governance, 0300 0030107
- Risk Management:**        There are no risks arising directly from this report.  
Comments checked by James Doble, Democratic and Elections Manager 01295 22158

## **Wards Affected**

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All

## **Document Information**

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<b>Appendix No</b>	<b>Title</b>
None	
<b>Background Papers</b>	
None	
<b>Report Author</b>	James Doble, Democratic and Elections Manager
<b>Contact Information</b>	01295 221587 James.doble@Cherwellandsouthnorthants.gov.uk

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## Council

### **A Joint Performance Service A Joint JMT (Joint Management Team) Support Service**

**16 May 2012**

#### **Report of Director of Resources and Head of Transformation**

##### **PURPOSE OF REPORT**

To propose that the principle of sharing performance, information management and consultation services with South Northamptonshire Council and the principle of a joint Joint Management Team (JMT) support service be adopted as part of the Cherwell District Council policy framework.

This report is public
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##### **Recommendations**

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Council is recommended to:

- (1) Adopt 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.

##### **Executive Summary**

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###### **Introduction**

- 1.1 In November 2011 Joint Arrangement Steering Committee (JASG) asked for work to be done to identify potential areas for joint working and associated savings within the Resources Directorate.
- 1.2 At the March 2012 JASG meeting proposals for joint working business cases for performance management and JMT support were considered and endorsed for further development.

###### **Proposals**

- 1.3 The options associated with both business cases were reviewed by JASG and they have endorsed the continued development of the cases through the consultation and democratic decision making process.

### **Performance Business Case**

- 1.4 This business case seeks to bring the two separate teams that currently report into the shared Performance Manager into one team. The proposal highlights that this will bring greater resilience, will enable best practice to be employed across both councils and will make the team more effective and efficient. There is also an estimated cost reduction of approximately £25,000 attributable to the new arrangements.

### **JMT Support Arrangements Business Case**

- 1.5 The purpose of this business case is to ensure that appropriate and dedicated support is available for the JMT to ensure that they can carry out their duties and responsibilities as effectively as possible. Currently, interim arrangements are in place to support the team but permanent arrangements are required to provide this support going forward and this business case seeks to deliver this. The support arrangements contained within the draft business case can be met within existing budgets and will provide a dedicated, permanent resource that will enable the team to operate as effectively as possible.

### **Current Status of Business Cases**

- 1.6 Both business cases have been endorsed by JASG and at the time of drafting this report the Performance business case has completed the staff consultation phase and consideration is being given to the comments received. The JMT support arrangements business case is still in the staff consultation phase.
- 1.7 The cases outline clear benefits to be gained from the proposed shared services by both organisations in terms of increased resilience, consistent policies and procedures, best practice across the two authorities, efficiency and effectiveness.

### **Addition to the Policy Framework**

- 1.8 Prior to consideration by the Joint Arrangements Steering Group both business cases were endorsed by the Joint Management Team. By putting the business cases on the policy framework, the final business cases can be approved by Executive and Personnel Committee without having to return to full Council.
- 1.9 Both business cases will be subject to the following democratic decision making process:

- Staff consultation and engagement with unions
- Consideration at Scrutiny Committee (if deemed appropriate by relevant chairman)
- Consideration at Personnel Committee
- Consideration at Executive

- 1.10 Every business case that has been considered since the Joint Management Team proposals have been implemented have been put onto the policy framework in the way proposed in this report and the rationale for putting these business cases on the policy framework in this way is to avoid full council having to pore over the operation detail of each business case as it comes forward given the considerable democratic engagement that will take place as part of the approval process as detailed above.

### **Conclusion**

- 1.11 The preparation of both business cases indicates that sharing performance management and JMT support functions offer potential financial, efficiency and resilience benefits to Cherwell District Council.
- 1.12 That the principle of establishing a shared performance management function and shared JMT support be included within the policy framework of Cherwell District Council.

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

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- 2.1 The Shared Management Team business case requires 20% savings to be made through further shared working between the two councils and also encourages joint working to support organisational resilience, increased efficiency and the sharing of good practice. Without joint working opportunities being developed and implemented the original business case objectives will not be met and the savings targets for 2012/13 will be harder to achieve.
- 2.2 Cherwell District Council is already well-placed to take advantage of future opportunities but through sharing, gains additional financial benefits from reviewing information system requirements and business processes and increasing organisational resilience and capacity. By having joint performance management systems and shared JMT support the senior management capacity will be more fully supported and there is the potential to generate further savings through licence savings and standardised reports.
- 2.3 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 establishing a shared Performance Management team and JMT support team with South Northamptonshire Council as part of the Council's policy framework.

**Option Two**                      Do not adopt the principle of sharing Performance or JMT functions across the two councils. This is not recommended for the reasons set out in 2.1 above.

## Consultations

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<b>Joint Management Team</b>	Every member of Joint Management Team was consulted as part of the business case development
<b>Joint Arrangements Steering Group(JASG)</b>	This group considered the options presented as part of the business case development
<b>Affected Resources directorate staff and staff representatives</b>	All staff in scope are being consulted on the shared service functions proposed.

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### Implications

**Financial:** There are clear financial benefits to Cherwell District Council from implementing a number of shared functions. These savings are subject to agreeing cost allocations. Any redundancy costs can be met from the change revenue reserve.

Comments checked by Martin Henry, Director of Resources, Tel: 0300 0030102.

**Legal:** The section 113 agreement between the Councils enables shared services 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 small risk of service disruption during the period of establishing the shared functions but with a detailed project plan and risk register these risks can be mitigated.

Comments checked by Claire Taylor, Corporate Performance Manager, Tel: 0300 0030113.

**HR implications:** Moving to shared functions has some relatively significant HR issues including redundancy and changes to substantive job descriptions. However, a joint organisational change policy is in place and will be followed to implement the staffing changes associated with the creation of the shared functions. Provided the business case remains sound and the organisational change policy is strictly adhered to this should not present significant risk to the council.

There will be a level of disruption associated with change



but this will be mitigated by clear project planning and communication.

Comments checked by Stephanie Rew, HR Manager,  
Tel: 01295 227984.

### **Wards Affected**

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All

### **Document Information**

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<b>Appendix No</b>	<b>Title</b>
None	
<b>Background Papers</b>	
Reports to JASG - 7 March 2012 – proposed business case for Performance Management and JMT support	
<b>Report Author</b>	Claire Taylor, Performance Manager
<b>Contact Information</b>	0300 0030113 claire.taylor@cherwellandsouthnorthants.gov.uk

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## Council

### Developments in Elections and Electoral Registration

16 May 2012

#### Report of Chief Executive (as Returning Officer and Electoral Registration Officer)

##### PURPOSE OF REPORT

The purpose of this report is to inform 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.

This report is public

##### Recommendations

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Council is recommended:

- (1) To note the growth in the electoral and electoral registration programme to 2015 and request that Council receives future reports as appropriate.
- (2) To give delegated authority to the Returning Officer to amend the elections fees and charges schedule in order to address operational requirements as required.

##### Details

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Within the past two years there has been much discussion regarding the changes to elections and electoral registration as a result of government legislation including the Localism Act. These initiatives include elected Police and Crime Commissioners, an elected House of Lords, individual electoral registration, annual postal vote refresh, potential European referenda, neighbourhood planning and council tax referenda.

The Elections and Electoral Registration programme to 2015 is set out below:

## **2012**

May – District and Parish elections CDC  
May – Brackley Town Council By-election SNC  
June – Northamptonshire County Boundary Review Proposals  
June – Jul 2012 Community Governance Review CDC  
July – Oct - Annual Canvass SNC & CDC  
Nov - Police and Crime Commissioner Elections (Northamptonshire and Thames Valley)

## **2013**

Jan – Postal Vote refresh SNC & CDC  
May – County Council elections SNC & CDC  
Oct – Mar 2014 Individual Electoral Registration SNC & CDC

## **2014**

Jan – Postal Vote refresh SNC & CDC  
June – European Elections, District and Parish elections CDC

## **2015**

Jan – Postal Vote refresh SNC & CDC  
Early May – House of Commons, House of Lords and District elections SNC & CDC  
Late May – Parish elections SNC & CDC  
Aug – Sep – Individual electoral registration annual canvass

Additionally there could be by-elections, council tax polls, parish polls and neighbourhood planning referenda could be called at any time.

The government's programme for elections and electoral registration between now and 2015 is ambitious and involves several large scale projects with new legislation. For instance the Police and Crime Commissioner elections are being conducted in November using the supplementary vote system, at a time of year when inclement weather is not uncommon, similarly individual electoral registration will require the canvassing of individuals as opposed to households and obtaining signatures and national insurance numbers, resulting in increased administration, cost and complexity. Whilst external elections and individual electoral registration will be in part externally funded they will also have ongoing resource implications for the council. Work is currently taking place to quantify this resource and will be reported as part of the annual budget setting process.

With the creation of a shared management team and a shared democratic and elections team, there has also been a net reduction in the number of posts who have traditionally carried out election duties. Given this, I (in my capacity as Electoral Registration Officer and

Returning Officer) have been reviewing the operational aspects of these activities in light of shared arrangements and the challenges posed by the electoral and electoral registration programme. Whilst this review is ongoing (and it is likely that further reports will be brought to Council), in the interim it has been identified that due to the combined count in Northamptonshire and the devolved count in Thames Valley for November 2012 Police and Crime Commissioner elections there is a need for me to have ongoing operational flexibility within agreed budgets that appropriate staffing resources can be deployed to meet these requirements, which are not currently provided for in the schedule of elections fees and charges. Therefore it is recommended that I be given delegated authority to amend the elections fees and charges schedule in order to address these operational requirements.

### **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

- |                     |                                       |
|---------------------|---------------------------------------|
| <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:** Financial implications have been set out above as far as they are known at this stage and will be the subject of further reports when resources have been quantified.

Comments checked by Sarah Best, Service Accountant, 01295 221982

**Legal:** Carrying out elections and electoral registration are statutory responsibilities of the authority and the Council has a duty to provide adequate resources and assistance to the Returning Officer and Electoral Registration Officer.

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

**Risk Management:** There are reputational, legal and financial risks to the

authority in not providing adequate resources to address the new developments in elections and electoral registration. This report and future reports will seek to mitigate these risks.

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

### **Wards Affected**

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All

### **Document Information**

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<b>Appendix No</b>	<b>Title</b>
None	
<b>Background Papers</b>	
None	
<b>Report Author</b>	James Doble, Democratic and Elections Manager
<b>Contact Information</b>	01295 221587 James.doble@Cherwellandsouthnorthants.gov.uk

**Committee:** First Meetings of Committees  
**Date:** Wednesday 16 May 2012  
**Time:** 6.35pm or on the rising of Council which ever is later  
**Venue:** Bodicote House, Bodicote, Banbury, Oxon OX15 4AA

## AGENDA

Meetings of various Committees will be held immediately on the rising of the Council Meeting, in order to elect their Chairman and Vice-Chairman for 2012/13, and to conduct any other business as may be specified.

Members are asked to remain in their places at the conclusion of the Council Meeting and to stand for the period during which Committees of which they are a member are called into session.

The Chairman of the Council will preside over the election of the Chairman of each Committee who, once appointed, will preside over the election of the Vice-Chairman. In each case, the names of Members moved and seconded will be put to the vote, unless only one name is submitted, in which case that Member will be declared appointed unopposed.

### 1. Accounts, Audit and Risk Committee

- a) The Chairman of the Council will call for nominations for the office of Chairman.
- b) The Chairman of the Committee will then call for nominations for the office of Vice-Chairman.

### 2. Appeals Panel

- a) The Chairman of the Council will call for nominations for the office of Chairman.
- b) The Chairman of the Committee will then call for nominations for the office of Vice-Chairman.

**3. Licensing Committee**

- a) The Chairman of the Council will call for nominations for the office of Chairman.
- b) The Chairman of the Committee will then call for nominations for the office of Vice-Chairman.

**4. Overview and Scrutiny Committee**

- a) The Chairman of the Council will call for nominations for the office of Chairman.
- b) The Chairman of the Committee will then call for nominations for the office of Vice-Chairman.

**5. Personnel Committee**

- a) The Chairman of the Council will call for nominations for the office of Chairman.
- b) The Chairman of the Committee will then call for nominations for the office of Vice-Chairman.

**6. Planning Committee**

- a) The Chairman of the Council will call for nominations for the office of Chairman.
- b) The Chairman of the Committee will then call for nominations for the office of Vice-Chairman.

**7. Resources and Performance Scrutiny Board**

- a) The Chairman of the Council will call for nominations for the office of Chairman.
- b) The Chairman of the Committee will then call for nominations for the office of Vice-Chairman.



## **Information about this Agenda**

### **Apologies for Absence**

Apologies for absence should be notified to [democracy@cherwellandsouthnorthants.gov.uk](mailto:democracy@cherwellandsouthnorthants.gov.uk) or 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.

### **Queries Regarding this Agenda**

Please contact Natasha Clark, Team Leader – Democratic and Elections, 01295 221589, [natasha.clark@cherwellandsouthnorthants.gov.uk](mailto:natasha.clark@cherwellandsouthnorthants.gov.uk)

**Sue Smith**  
**Chief Executive**

Published on 8 May 2012

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