

Annual Meeting of Council

Tuesday 17 May 2016

Members of Cherwell District Council,

The Annual meeting of Council will be held at Bodicote House, Bodicote, Banbury, OX15 4AA on Tuesday 17 May 2016 at 6.30 pm, and you are hereby summoned to attend.



Sue Smith
Chief Executive

Monday 9 May 2016

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 (Pages 1 - 2)

To receive communications from the Chairman.

4 Urgent Business

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

5 Minutes of Council (Pages 3 - 16)

To confirm as a correct record the Minutes of Council held on 22 February 2016.

6 Election of Chairman for the Municipal Year 2016/17

7 Investiture of Chairman

8 Chairman's Address

9 Unveiling of the Cherwell Coat of Arms by The Right Honourable Sir Tony Baldry

10 Vote of Thanks to Immediate Past Chairman

11 Past Chairman's Response

12 Election of Vice-Chairman for the Municipal Year 2016/17

13 Investiture of Vice-Chairman

Council Business Reports

14 Annual Council Business Report (Pages 17 - 24)

** Appendix 1 and 2 to this report will follow as Political Groups are considering appointments to Committees **

Report of Chief Executive

Purpose of report

To note the results of the 5 May 2016 district elections, the constitution of Political Groups, appoint the Leader of the Council, note the appointment of the Deputy Leader and Executive for the Municipal Year 2016/17 and consider and agree the suggested constitution of Committees for the Municipal year 2016/2017.

Recommendations

The meeting is recommended:

- 1.1 To note the results of the District elections held on 5 May 2016.
- 1.2 To note the constitution of Political Groups and notification of Group Leaders.
- 1.3 To appoint a Leader of the Council.
- 1.4 To note the appointment of Deputy Leader of the Council, the membership of the Executive and the Executive Portfolios for 2016/17.
- 1.5 To agree the allocation of seats on committees that are subject to the political balance requirements as set out in Table 1.
- 1.6 To agree the allocation of seats on committees not subject to political balance requirements as set out in Table 2.
- 1.7 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 (Appendix 2 - to follow).
- 1.8 To appoint a representative to the Oxfordshire County Council Health Overview and Scrutiny Committee.
- 1.9 To appoint a representative to the Police and Crime Commissioner Scrutiny Panel.

15 Appointment of Section 151 Officer (Pages 25 - 28)

Report of Chief Executive

Purpose of report

To designate the appropriate officer of the Council as its Section 151 Officer as required by the Constitution and legislation.

Recommendations

The meeting is recommended:

- 1.1 To appoint Paul Sutton as the Council's Section 151 Officer with effect from 19 May 2016, subject to South Northamptonshire Council resolving in similar terms, and to request him to appoint a suitably qualified and experienced Deputy Section 151 Officer from the same date.

16 Standards Arrangements - Appointment of Independent Person (Pages 29 - 32)

Report of Head of Law and Governance

Purpose of report

To appoint a statutory independent person following the expiry of the fixed term of Mr Tom Edwards.

Recommendations

The meeting is recommended:

- 1.1 To appoint Mr Tom Edwards as an independent person pursuant to section 28(7) of the Localism Act 2011 for a term of four years expiring on the date of the annual meeting of Council in 2020.

17 Notification of Urgent Action (Pages 33 - 36)

Report of Chief Executive

Purpose of report

To notify Council of the taking of urgent action by the Chief Executive in accordance with constitutional requirements.

Recommendations

The meeting is recommended:

- 1.1 To note the urgent action taken by the Chief Executive.

FIRST MEETINGS OF COMMITTEES

At the conclusion of Council, Committees will meet to appoint their Chairmen and Vice-Chairmen. The agenda for these first meetings are included at the back of the Council 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 natasha.clark@cherwellandsouthnorthants.gov.uk or 01295 221589 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.

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

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Agenda Item 3

CHAIRMAN/VICE CHAIRMAN'S ENGAGEMENTS

23 February 2016 – 16 May 2016

Date	Event
February	
26 February	The Chairman and her husband attended RAF Croughton for a Winter Reception hosted by Col. Kevin Cullen, Commander 501 st Combat Support Wing based at RAF Alconbury and Col. Douglas Mellars, Commander, 422d Air Base Group. The event was an opportunity to meet RAF personnel and senior leadership and learn about activities at RAF Croughton.
27 February	The Chairman and her husband attended the opening of Strictly Bicester 2016 at the Bicester Community College. The event was organised by Step by Step Dance and was raising money for various local charities.
March	
1 March	The Vice Chairman attended a Medal Ceremony at Oxford Town Hall where nine British veterans from Oxfordshire, one from the Cherwell district, were presented with the Legion d'Honneur. This award has been awarded by the French government to D-Day veterans from different countries for the past few years as a way of honouring and thanking those who fought and risked their lives to secure France's liberation during the second world war.
4 March	The Chairman and her husband attended the Chairman of Oxfordshire County Council's Charity Dinner which was held at the Said Business School in Oxford.
5 March	The Chairman , together with the Regional Operations Director, cut the ribbon to officially open the new B&M store in Bicester town centre.
16 March	The Vice Chairman , at the invitation of the Mayor of Banbury, attended an event at Banbury Town Hall to mark the appointment of The Rt. Hon Sir Tony Baldry as High Steward of Banbury.
18 March	The Chairman and her husband attended a charity dinner hosted by the Chairman of South Northamptonshire Council. The event was held at Plum Park Hotel in Towcester.
25 March	The Chairman and her husband took part in the Mayor of Bicester's Charity Walk and attended the opening of the Eco Café. This is a 3 mile walk for residents/families and their dogs (if applicable) around the edge of the town to raise money for the mayor's charities. The new Eco Café is in Garth Park and supports the town's green agenda.
April	
9 April	The Chairman and her husband attended the Mayor of Thame's celebration dinner and dance at the Oxford Belfry Hotel at Milton Common. The event was to raise funds for the Thame and District Day Centre and Thame to Thame Earthquake Appeal.
26 April	The Chairman and her husband attended the official opening of the new Travel Lodge in Bicester.

May

- 9 May **The Chairman** and her husband both attended Bicester Town Council's annual meeting and mayor making which also incorporated the presentation of both the Good Citizen and Grant Aid awards for Bicester.
- 10 May **The Vice Chairman** and her consort attended the LGA's Royal Garden Party at Buckingham Palace.

- **Correct at time of printing on Monday 9 May 2016**

Cherwell District Council

Council

Minutes of a meeting of the Council held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 22 February 2016 at 6.30 pm

Present: Councillor Melanie Magee (Chairman)
Councillor Chris Heath (Vice-Chairman)

Councillor Ken Atack
Councillor Andrew Beere
Councillor Maurice Billington
Councillor Norman Bolster
Councillor Mark Cherry
Councillor Colin Clarke
Councillor Ian Corkin
Councillor Surinder Dhesi
Councillor John Donaldson
Councillor Carmen Griffiths
Councillor Timothy Hallchurch MBE
Councillor Simon Holland
Councillor David Hughes
Councillor Russell Hurle
Councillor Tony Ilott
Councillor Ray Jelf
Councillor Matt Johnstone
Councillor Mike Kerford-Byrnes
Councillor James Macnamara
Councillor Kieron Mallon
Councillor Nicholas Mawer
Councillor Alastair Milne Home
Councillor Nigel Morris
Councillor Richard Mould
Councillor D M Pickford
Councillor James Porter
Councillor Lynn Pratt
Councillor Neil Prestidge
Councillor Nigel Randall
Councillor G A Reynolds
Councillor Barry Richards
Councillor Dan Sames
Councillor Les Sibley
Councillor Lawrie Stratford
Councillor Rose Stratford
Councillor Lynda Thirzie Smart
Councillor Douglas Webb
Councillor Barry Wood
Councillor Sean Woodcock

Also

Present:

Apologies
for
absence: Councillor Claire Bell
Councillor Fred Blackwell
Councillor Michael Gibbard
Councillor Sandra Rhodes
Councillor Trevor Stevens
Councillor Nicholas Turner
Councillor Bryn Williams
Councillor Douglas Williamson

Officers: Sue Smith, Chief Executive
Calvin Bell, Director of Development
Karen Curtin, Commercial Director (Bicester)
Ian Davies, Director of Operational Delivery
Martin Henry, Director of Resources / Section 151 Officer
Paul Sutton, Head of Finance and Procurement
Kevin Lane, Head of Law and Governance / Monitoring Officer
Natasha Clark, Team Leader, Democratic and Elections

64 **Declarations of Interest**

Interests were declared in the following agenda items:

15. Appointment of Section 151 Officer.

Paul Sutton, Declaration, as he was to be proposed to be appointed as the Interim Section 151 Officer for Cherwell District and South Northamptonshire Councils and would leave the meeting for the duration of the item.

65 **Communications**

The Chairman made the following announcements:

Recording at meetings

Members of the public were permitted to film, broadcast and report on the meeting, subject to the efficient running of the meeting not being affected.

Chairman's Engagements

A copy of the events attended by the Chairman or the Vice-Chairman had been included in the agenda pack.

Calvin Bell and Martin Henry

The Chairman advised Council that Calvin Bell, Director of Development, and Martin Henry, Director of Resources, were attending their last meeting before leaving the council.

The Chairman thanked both Calvin and Martin for all their hard work, and the contributions they had made to the Council, and wished them all the best for the future. These sentiments were warmly endorsed by Council.

Members' Post

The Chairman reminded Members to collect any post from their pigeon holes.

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

There were no petitions or requests to address the meeting.

67 **Urgent Business**

The Chairman reported that she had agreed to add one item of urgent business to the agenda. The item was a recommendation from the Joint Commissioning Committee meeting of 16 February 2016, which had been held after publication of the Council agenda. To ensure the timely progress of the recommendations, a decision of Council could not wait until the next meeting of Council in May.

68 **Minutes of Council**

The minutes of the meeting held on 14 December 2015 were agreed as a correct record and signed by the Chairman.

69 **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, 5 decisions had been taken by the Executive which were not included in the 28 day notice. These decisions related to the Local Development Scheme, Asset Management Quarterly Update, Progress of Superfast Broadband, Award of Contract - Refuse Collection Vehicles and Award of Delivery of Capital Works Programme.

b) Minutes of Committees

Resolved

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

70

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:

Prosecutions for flytipping: Councillor Dhesi

Social Housing: Councillor Cherry

Fly tipping: Councillor Richards

Litter blitzes and graffiti: Councillor Sibley

Clean for the Queen: Councillor Mallon

c) Questions to Committee Chairmen on the minutes

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

71

Motions

a) Oxfordshire Clinic Commissioning Group

It was moved by Councillor Pratt, and seconded by Councillor Mould, that the following motion be adopted:

“This Council calls on Oxfordshire Clinic Commissioning Group to clarify and confirm the future arrangements for General Practice provision across Bicester especially in the context of projected housing growth.

This Council instructs the Executive to work closely and constructively with the CCG to protect and expand GP provision in a growing Bicester.”

The motion was debated and Councillor Dhesi proposed that “and Banbury” be added after “Bicester” in each paragraph. Councillor Woodcock seconded the proposal.

The motion as amended was debated and subsequently put the vote. The amendment was adopted and subsequently became the substantive motion.

The substantive motion was debated and subsequently put to the vote.

Resolved

That the following motion be adopted:

This Council calls on Oxfordshire Clinic Commissioning Group to clarify and confirm the future arrangements for General Practice provision across Bicester and Banbury especially in the context of projected housing growth.

This Council instructs the Executive to work closely and constructively with the CCG to protect and expand GP provision in a growing Bicester and Banbury.

72

Members Allowances 2016/17

The Head of Law and Governance submitted a report to determine the levels of the allowances to be paid to Members for the forthcoming 2016/2017 financial year following the submission of the report of the Council's Independent Remuneration Panel (IRP).

In presenting the report, Councillor Wood, Leader of the Council, thanked the Panel for their hard work in producing the report and acknowledged the recommendations and the Panel's reasoning. Councillor Wood proposed that a 0% increase be applied to all allowances. Councillor Reynolds seconded the proposal.

Resolved

- (1) That, subject to the following amendment, the recommendations of the Independent Remuneration Panel (annex to the Minutes as set out in the Minute Book) be agreed for inclusion in Members' Allowances Scheme:
 - A 0% increase to be applied to all allowances
- (2) That the Head of Law and Governance be authorised to prepare an amended Members' Allowances Scheme, in accordance with the decisions of the Council for implementation with effect from 1 April 2016.
- (3) That the Head of Law and Governance be authorised to take all necessary action to revoke the current (2015/2016) Scheme and to publicise the revised Scheme pursuant to The Local Authorities (Members's Allowances)(England) Regulations 2003 (as amended).
- (4) That the Independent Remuneration Panel be thanked for its report and a fee of £300 be set for Panel Members for the work carried out in 2015/2016 and the same level of fee proposed for 2016/2017.
- (5) That, in the event that any council controlled or influenced company (as defined by the Local Authorities (Companies) Order 1995) determines that its councillor directors should be remunerated, authority be delegated to the section 151 officer in consultation with the monitoring officer and the Lead Member for Financial Management to determine a comparable duty within the Members' Allowances Scheme in order to ensure compliance with statutory requirements.

73

Revenue and Capital Budget and Corporate Business Plan 2016/17

The Head of Finance and Procurement and Head of Transformation submitted a report to set the Council's General Fund Budget and to seek

formal adoption of all parts of the Council's financial plans for the 2016/17 budget year.

The report also detailed the proposed strategic priorities, the underpinning key objectives and outcomes for 2016/17 which had now been converted into a proposed business plan for the Council. The proposed business plan sits alongside the proposed budget for 2016/17 so as to demonstrate that the Council adopts a strategic and integrated approach to managing all of its resources by aligning the development and delivery of the Council's strategic business priorities and key outcomes to the proposed budget.

Councillor Atack introduced and proposed the Corporate Plan, Revenue and Capital Budgets and Treasury Strategy 2016/17.

Councillor Wood seconded the adoption of the budget. Councillor Woodcock, on behalf of the Labour Group, addressed Council in response to the budget.

Councillor Wood paid tribute to the Lead Member for Finance, the Director of Resources, Head of Finance and Procurement and the finance team who had worked hard on the budget process and submitted a balanced budget to Council.

A recorded vote was taken and members voted as follows:

Councillor Ken Atack – For
Councillor Andrew Beere – Against
Councillor Maurice Billington – For
Councillor Norman Bolster – For
Councillor Mark Cherry – Against
Councillor Colin Clarke - For
Councillor Ian Corkin – For
Councillor Surinder Dhesi – Against
Councillor John Donaldson – For
Councillor Carmen Griffiths – For
Councillor Tim Hallchurch MBE – For
Councillor Chris Heath – For
Councillor Simon Holland – For
Councillor David Hughes – For
Councillor Russell Hurle – For
Councillor Shaida Hussain – Against
Councillor Tony Ilott – For
Councillor Ray Jelf – For
Councillor Matt Johnstone - Against
Councillor Mike Kerford-Byrnes – For
Councillor James Macnamara – For
Councillor Melanie Magee – For
Councillor Kieron Mallon – For
Councillor Nicholas Mawer – For
Councillor Alistair Milne Home – For
Councillor Nigel Morris – For
Councillor Richard Mould – For
Councillor D M Pickford – For
Councillor James Porter – For

Councillor Lynn Pratt – For
Councillor Neil Prestidge - For
Councillor Nigel Randall – For
Councillor G A Reynolds – For
Councillor Barry Richards - Against
Councillor Daniel Sames – For
Councillor Les Sibley – For
Councillor Lawrie Stratford – For
Councillor Rose Stratford – For
Councillor Lynda Thirzie Smart – For
Councillor Douglas Webb – For
Councillor Barry Wood – For
Councillor Sean Woodcock – Against

Resolved

- (1) That the contents of the report in approving the General Fund Revenue Budget and Capital Programme for 2016/17 be noted and that consideration be formally recorded.
- (2) That the 2016/17 General Fund Budget and 2016/17 Capital Programme (contained in the annexes to the Minutes as set out in the Minute Book) proposed by Executive on 1 February 2016 be approved.
- (3) That the Collection Fund Estimates (annex to the minutes as set out in the Minute Book) be approved.
- (4) That the 2016/17 business plan and public pledges (annexes to the Minutes as set out in the Minute Book) be approved and authority delegated to the Head of Transformation in consultation with the Leader of the Council to make any minor amendments to the plan or pledges as required before final publication in March 2016.
- (5) That the contents of the section 25 statement from the Director of Resources in relation to the robustness of the estimates and the adequacy of reserves be noted.
- (6) That the Treasury Management Strategy (annex to the Minutes as set out in the Minute Book) including the Capital Prudential Indicators 2016/17 – 2018/19 be approved.
- (7) That the statement of pay policy for 2016/17 as required by the Localism Act (annex to the Minutes as set out in the Minute Book) be approved.
- (8) That the Transitional Relief Policy (annex to the Minutes as set out in the Minute Book) be confirmed and approved.
- (9) That it be noted that the level of Empty Homes Premium at 50% as recommended by Executive on 7 September 2015 would form a recommendation in the Council Tax Setting report.

- (10) That it be noted that the council tax discounts for 2016/17 as recommended by Executive on 1 February 2016 which will form part of the Council Tax setting report.

74 **Adjournment of Council Meeting**

The Leader of the Council confirmed that he did not require Council to adjourn to allow Cabinet to meet discuss any issues arising from the budget.

75 **Calculating the amounts of Council Tax for 2016/17 and setting the Council Tax for 2016/17**

The Chief Finance Officer and Head of Finance and Procurement submitted a report to detail the Calculations for the amounts of Council Tax for 2015-16 and the setting of Council Tax for 2015-2016.

Councillor Atack introduced and proposed the Council Tax for 2015-16, which was duly seconded by Councillor Wood.

A recorded vote was taken and members voted as follows:

Councillor Ken Atack – For
Councillor Andrew Beere – Abstain
Councillor Maurice Billington – For
Councillor Norman Bolster – For
Councillor Mark Cherry – Abstain
Councillor Colin Clarke - For
Councillor Ian Corkin – For
Councillor Surinder Dhesi – Abstain
Councillor John Donaldson – For
Councillor Carmen Griffiths – For
Councillor Tim Hallchurch MBE – For
Councillor Chris Heath - For
Councillor David Hughes – For
Councillor Shaida Hussain – Abstain
Councillor Tony Ilott – For
Councillor Matt Johnstone - Abstain
Councillor Mike Kerford-Byrnes – For
Councillor James Macnamara – For
Councillor Melanie Magee – For
Councillor Kieron Mallon – For
Councillor Nicholas Mawer – For
Councillor Alistair Milne Home – For
Councillor Nigel Morris – For
Councillor Richard Mould – For
Councillor D M Pickford – For
Councillor James Porter – For
Councillor Lynn Pratt – For
Councillor Neil Prestidge - For
Councillor Nigel Randall – For
Councillor G A Reynolds – For

Councillor Barry Richards - Abstain
Councillor Daniel Sames – For
Councillor Les Sibley – For
Councillor Lawrie Stratford – For
Councillor Rose Stratford – For
Councillor Lynda Thirzie Smart – For
Councillor Douglas Webb – For
Councillor Barry Wood – For
Councillor Sean Woodcock – Abstain

Resolved

- (1) That it be noted that at the Executive meeting held on 4 January 2016 the Council calculated the Council Tax Base 2016/17:
 - a) for the whole Council area as 50,357.1 [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 annex to the Minutes (as set out in the Minute Book).
- (2) That the Council Tax requirement for the Council’s own purposes for 2016/17 (excluding Parish Precepts and Special Expenses) be £6,219,102.
- (3) That the following amounts be calculated for the year 2016/17 in accordance with Sections 31 to 36 of the Act:-
 - a) £77,831,075 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) £67,156,898 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (3) of the Act.

£10,674,177 being the amount by which the aggregate at 3(a) above exceeds the aggregate at 3(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).
 - c) £211.97 being the amount at 3(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).
 - d) £4,455,075 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.

- e) £123.50 being the amount at 3(d) above less the result given by dividing the amount at 3(e) above by Item T(1(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 2016/17 the Oxfordshire County Council and the Police and Crime Commissioner for Thames Valley 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	Police and Crime Commissioner for Thames Valley
	£	£
A	854.43	111.31
B	996.83	129.86
C	1,139.24	148.41
D	1,281.64	166.96
E	1,566.45	204.06
F	1,851.26	241.16
G	2,136.07	278.27
H	2,563.28	333.92

- (5) That the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the amounts shown in the annex to the Minutes (as set out in the Minute Book) as the amounts of Council Tax for the year 2016/17 for each part of its area and for each of the categories of dwellings.

- (6) The Council's basic amount of Council Tax for 2016/17 not be excessive in accordance with principles approved under Section 52ZB Local Government Finance Act 1992.

- (7) That the following discounts and exemptions be approved:

- 1 In respect of properties within Class A and B as defined by the Council Tax (Prescribed Classes of Dwellings) (England) (Amendment) Regulations 2012 (furnished chargeable dwelling that are not the sole or a main residence of an individual) the discount provided by Section 11a of the Local Government Finance Act 1992 shall be zero.
- 2 In respect of properties within Class C as defined by the Council Tax (Prescribed Classes of Dwellings) (England) (Amendment) Regulations 2012 (a property that is unoccupied and substantially unfurnished) the discount provided by the Section 11A of the said Act shall be zero.

- 3 In respect of properties within Class D as defined by the said Regulations (chargeable dwellings that are vacant and undergoing major repair work to render them habitable) the discount provided by Section 11A of the said Act shall be reduced from 50% to 25%
- 4 No council tax discount shall be applied to dwellings that are unoccupied and unfurnished for more than two years and that council tax payable on such properties is increased from 100% to 150%

76

North West Bicester Supplementary Planning Document (SPD)

The Head of Strategic Planning and the Economy submitted a report to seek formal adoption of the North West Bicester Supplementary Planning Document.

In introducing the report, the Leader referred to the following list of amendments that had been published prior to the meeting and tabled for Members.

- Paragraph 4.265: delete existing text and insert: “The creation of a balanced and mixed community is a fundamental requirement of eco-towns and sustainable development. The development of approaches to Community Governance and the decisions on them will involve the Bicester Town Council.
- Paragraph 4.268: Add new bullet point: “Governance proposals should be appropriate to the scale and complexity of the development, and should complement existing democratic arrangements for parish and local governance.”
- Paragraph 4.270: after “Planning applications should be accompanied by long term governance structures” add “that complement the existing democratic arrangements.”
- Paragraph 6.7 after “to meet future needs” add “and that complement existing democratic arrangements for local governance (See appendix II paragraphs ET22.1 and ET 22.2).”
This requires the addition of ET 22.2 at the Appendix.
- Under ET 22 Community and Governance add reference ET 22,2 as well as ET 22.1

Councillor Wood proposed the adoption of the North West Bicester Supplementary Planning Document (SPD), subject to the amendments detailed above. Councillor Sames seconded to proposal.

Resolved

- (1) That it be resolved that Cherwell District Council, as local planning authority, adopt the North West Bicester Supplementary Planning Document (SPD) as amended (annex to the Minutes as set out in the Minute Book) as SPD and a Local Development Document in

accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012.

- (2) That prior to the publication of the Supplementary Planning Document, the Head of Strategic Planning and the Economy be authorised to correct any minor typographical, spelling or grammatical errors, and undertake any minor presentational improvements, if required prior to the SPD being published by the Council.

77 **Appointment of Section 151 Officer**

The Chief Executive submitted a report to appoint an Interim Section 151 Officer to replace Martin Henry who leaves the Council on 31 March 2016.

Resolved

- (1) That Paul Sutton be appointed as the Council's Interim Section 151 officer with effect from 1 April 2016 and he be requested to appoint a suitably qualified and experienced Deputy Section 151 Officer from the same date.

(Paul Sutton left the meeting for the duration of this item)

78 **Urgent Business: Three Way Working: Section 113 Agreements**

The Chief Executive submitted a report which provided an update on progress with regards to the implementation of the business case for the confederation approach to joint working agreed by Council in February 2015. The report included an update on the position with Stratford on Avon District Council who did not take any decisions in 2015 regarding their participation in the proposed confederation. The report also provided an update on the decisions to cease joint working with Stratford on Avon DC with the exception of the externally funded Transformation team.

The report requested Council to bring to an end the Section 113 agreements which enable shared working with Stratford and to extend the Section 113 agreement for the Transformation team.

Resolved

- (1) That the decision of the Executive that, following discussions with Stratford on Avon DC (SDC), no further three way joint working proposals with SDC be developed as SDC have indicated they do not wish to pursue the confederation as their future operating model, be noted.
- (2) That it be noted that the three councils have agreed to continue the operation of the three way transformation team until the secondment period finishes in March 2017 and that it be agreed that the Transformation Team Section 113 agreement (between Cherwell,

South Northants and Stratford on Avon) be extended to reflect this (subject to a similar decision being made by SDC).

- (3) That the decision of the Joint Commissioning Committee (16 February 2016) following consideration of a review that the legal and ICT services for Cherwell District Council and South Northamptonshire Council be provided by two way shared teams once the three way teams are disbanded, be noted.
- (4) That, in light of resolution (3) above, it be agreed that the section 113 agreement setting out the arrangements by which legal and ICT services are shared with Stratford on Avon DC be terminated and the specified six month notice period be used to the extent that it is necessary to wind down the three way services and that the Head of Law and Governance be delegated to waive this notice period should an early wind down be possible for either service.

79 **Exclusion of the Press and Public**

Resolved

That under Section 100A of the Local Government Act 1972, the public and press be excluded from the meeting for the following item of business on the ground that, if the public and press were present, it would be likely that exempt information falling under the provisions of Schedule 12A, Part 1, Paragraph 3 would be disclosed to them, and that in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

80 **Bicester Depot**

The Head of Environmental Services submitted an exempt report relating to Bicester Depot.

Resolved

- (1) As set out in the exempt minutes.
- (2) As set out in the exempt minutes.
- (3) As set out in the exempt minutes.
- (4) As set out in the exempt minutes.
- (5) As set out in the exempt minutes.
- (6) As set out in the exempt minutes.

81 **Questions on Exempt Minutes**

There were no questions on exempt minutes.

The meeting ended at 9.25 pm

Chairman:

Date:

Cherwell District Council

Council

17 May 2016

Annual Council Business Report

Report of Chief Executive

This report is public

Purpose of report

To note the results of the 5 May 2016 district elections, the constitution of Political Groups, appoint the Leader of the Council, note the appointment of the Deputy Leader and Executive for the Municipal Year 2016/17 and consider and agree the suggested constitution of Committees for the Municipal year 2016/2017.

1.0 Recommendations

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

The meeting is recommended:

- 1.1 To note the results of the District elections held on 5 May 2016.
- 1.2 To note the constitution of Political Groups and notification of Group Leaders.
- 1.3 To appoint a Leader of the Council.
- 1.4 To note the appointment of Deputy Leader of the Council, the membership of the Executive and the Executive Portfolios for 2016/17.
- 1.5 To agree the allocation of seats on committees that are subject to the political balance requirements as set out in Table 1.
- 1.6 To agree the allocation of seats on committees not subject to political balance requirements as set out in Table 2.
- 1.7 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 (Appendix 2 - to follow).
- 1.8 To appoint a representative to the Oxfordshire County Council Health Overview and Scrutiny Committee.

1.9 To appoint a representative to the Police and Crime Commissioner Scrutiny Panel.

2.0 Introduction

- 2.1 The Council's Constitution requires that at the annual meeting, Council shall:
- Note the results of the District Elections, if held, and the constitution of Political Groups and Group Leaders and elect the Leader of the Council if required
 - Conduct any business concerning the establishment of and appointments to the Executive, including the appointment of Deputy Leader and the allocation of functions to Lead Members
 - Conduct any business concerning the establishment of, and appointment to:
 - The Overview and Scrutiny Committee
 - The Standards Committee
 - Such other Committees as the Council consider appropriate

3.0 Report Details

District Election Results

- 3.1 The following were elected for the Wards shown at the district elections held on 5 May 2016. The terms of office are also set out:

Ward	Elected	Term of Office
Adderbury, Bloxham and Bodicote	Councillor Chris Heath	4 years
	Councillor Mike Bishop	3 years
	Councillor Nigel Randall	2 years
Banbury Calthorpe and Easington	Councillor Kieron Mallon	4 years
	Councillor Colin Clarke	3 years
	Councillor Nigel Morris	2 years
Banbury Cross and Neithrop	Councillor Surinder Dhesi	4 years
	Councillor Hannah Banfield	3 years
	Councillor Alastair Milne Home	2 years
Banbury Grimsbury and Hightown	Councillor Andrew Beere	4 years
	Councillor Claire Bell	3 years
	Councillor Shaida Hussain	2 years
Banbury Hardwick	Councillor John Donaldson	4 years
	Councillor Nicholas Turner	3 years
	Councillor Tony Ilott	2 years

Banbury Ruscote	Councillor Mark Cherry Councillor Sean Woodcock Councillor Barry Richards	4 years 3 years 2 years
Bicester East	Councillor Sean Gaul Councillor Richard Mould Councillor Tom Wallis	4 years 3 years 2 years
Bicester North and Caversfield	Councillor Lynn Pratt Councillor Jason Slaymaker Councillor Nick Mawer	4 years 3 years 2 years
Bicester South and Ambrosden	Councillor Dan Sames Councillor David Anderson Councillor Nick Cotter	4 years 3 years 2 years
Bicester West	Councillor Les Sibley Councillor Debbie Pickford Councillor Jolanta Maria Lis	4 years 3 years 2 years
Cropredy, Sibfords and Wroxton	Councillor George Reynolds Councillor Ken Atack Councillor Douglas Webb	4 years 3 years 2 years
Deddington	Councillor Bryn Williams Councillor Hugo Brown Councillor Mike Kerford-Byrnes	4 years 3 years 2 years
Fringford and Heyfords	Councillor James Macnamara Councillor Ian Corkin Councillor Barry Wood	4 years 3 years 2 years
Kidlington East	Councillor Maurice Billington Councillor Neil Prestidge Councillor Carmen Griffiths	4 years 3 years 2 years
Kidlington West	Councillor Sandra Rhodes Councillor Alan Mackenzie-Wintle Councillor Nigel Simpson	4 years 3 years 2 years
Launton and Otmoor	Councillor Simon Holland Councillor Tim Hallchurch Councillor David Hughes	4 years 3 years 2 years

Recommendation

1.1 To note the results of the District Elections held on 5 May 2016.

Constitution of Political Groups

- 3.2 The Chief Executive will report on the notifications of the constitution of Political Groups received prior to the meeting and the appointments of Group Leaders.
- 3.3 The two Independent Councillors have advised that they will be forming a Political Group.
- 3.4 Group Leaders have been appointed as follows:

Conservative Group: To be advised

Labour Group: To be advised

Independent Group: To be advised

Recommendation

1.2 To note the constitution of Political Groups and notification of Group Leaders.

Leader of the Council

- 3.5 In accordance with the strong leader model, the Leader of the Council's term of finished at the end of his term of office as a councillor in May 2016. Therefore Council is required to appoint a Leader.
- 3.6 The Leader of the Council will be a councillor elected to that position by Council. The Leader of the Council shall be the chairman of the Executive and shall have reserve powers to act in the absence or incapacity of any executive portfolio holder.
- 3.5 The Leader will hold office until:
- s/he resigns from the office
 - s/he is suspended from being a Councillor under Part III of the Local Government Act 2000 (although he may resume office at the end of the period of suspension)
 - the expiration of their term of office
 - s/he is no longer a councillor
 - s/he is removed from office by resolution of the council,

Recommendation

1.3 To appoint a Leader of the Council.

Deputy Leader of the Council and Executive 2016/17

- 3.7 The newly appointed Leader of the Council will table a report (Appendix 1 – to follow) appointing a Deputy Leader and setting out the Executive Portfolios for the Municipal Year 2016/17.

Recommendation

1.4 To note the appointment of Deputy Leader of the Council, the membership of the Executive and the Executive Portfolios for 2016/17.

Committee Appointments 2016/17

- 3.8 The current constitution of the Council is 38 (79%) Conservative, 8 (17%) Labour and 2 (4%) Independent councillors.

- 3.9 Under the Local Government (Committees and Political Groups) Regulations 1990 made pursuant to the Local Government and Housing Act 1989, allocations of committee seats are made to political groups and any member not in a political group is consequently not automatically entitled to seats on committees. The two Independent councillors have advised that they will be forming a political group. The proportionality calculations therefore take account of this.
- 3.10 The proportionality calculations require the Conservative Group to release one seat to the Independent Group. The Conservative Group has yet to advise which seat will be released. Once known, this will be published in an addendum to this report.
- 3.11 The proportionality calculations require the Labour Group to release two seats to the Independent Group. The Labour Group has yet to advise which seats will be released. Once known, this will be published in an addendum to this report.

3.12 **Table 1: Allocation of Seats of Proportional Committees**

	TOTAL	CON	LAB	IND
Accounts, Audit & Risk Committee	8	6	2	0
Appeals Panel	10	8	2	0
Budget Planning Committee	12	10	2	0
Joint Appeals Panel	3	2	1	0
Joint Personnel Committee	6	5	1	0
Licensing Committee	12	10	2	0
Overview & Scrutiny	12	10	2	0
Personnel Committee	12	10	2	0
Planning Committee	18	14	3	1
Standards Committee	8	7	1	0
Proportional Total by Committee	106	85	20	1
Aggregate Entitlement	106	84	18	4
Adjustment Required	N/A	-1	- 2	+3

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

	TOTAL	CON	LAB	IND
Joint Councils Employee Engagement Committee	3	2	1	0

3.13 **Notes:**

Overview and Scrutiny Committee 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.

Joint Commissioning Committee members 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 Commissioning Committee

Joint Scrutiny Committee must not include any members of the Executive or Joint Commissioning Committee

3.14 Appendix 2 (to follow) sets out 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.

Recommendations

1.5 To agree the allocation of seats on committees that are subject to the political balance requirements as set out in Table 1.

1.6 To agree the allocation of seats on committees not subject to political balance requirements as set out in Table 2.

1.7 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 (Appendix 2 - to follow).

Appointment of Representatives

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

- 3.16 The 2015/16 representative on the County Council Health Overview and Scrutiny Committee was Councillor Nigel Randall and on the Police and Crime Commissioner Scrutiny Panel was Councillor George Reynolds.

Recommendations

- 1.8 To appoint a representative to the Oxfordshire County Council Health Overview and Scrutiny Committee.
- 1.9 To appoint a representative to the Police and Crime Commissioner Scrutiny Panel.

4.0 Conclusion and Reasons for Recommendations

- 4.1 The Council is required to note the results of the District Council elections, appoint a Leader (if required), agree the allocation of seats on committees that are subject to the political balance requirements and also on committees not subject to political balance requirements and to agree the appointments to each of the Committees in accordance with the nominations made by political groups.

5.0 Consultation

Group Leaders

Nominations and information from group leaders has been included in the report and appendices

6.0 Alternative Options and Reasons for Rejection

- 6.1 The following alternative options have been identified and rejected for the reasons as set out below.

Option 1: To amend the appointments to Committee.

7.0 Implications

Financial and Resource Implications

- 7.1 There are no financial implications arising from the report.

Comments checked by:

Paul Sutton, Head of Finance and Procurement, 0300 003 0106,
tim.madden@cherwellandsouthnorthants.gov.uk

Legal Implications

- 7.2 It is a legal requirement for Council to agree proportionality after an election 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,
kevin.lane@cherwellandsouthnorthants.gov.uk

Risk Implications

7.3 In ensuring the legal requirements are met risk to the authority is mitigated.

Comments checked by:
Kevin Lane, Head of Law and Governance, 0300 003 0107,
kevin.lane@cherwellandsouthnorthants.gov.uk

8.0 Decision Information

Wards Affected

All

Links to Corporate Plan and Policy Framework

All

Lead Councillor

None

Document Information

Appendix No	Title
One	Executive Portfolios 2015/16 – to follow
Two	Committee Membership – to follow
Background Papers	
None	
Report Author	Natasha Clark, Team Leader, Democratic and Elections
Contact Information	01295 221589 natasha.clark@cherwellandsouthnorthants.gov.uk

Cherwell District Council

Council

17 May 2016

Appointment of Section 151 Officer

Report of Chief Executive

This report is public

Purpose of report

To designate the appropriate officer of the Council as its Section 151 Officer as required by the Constitution and legislation.

1.0 Recommendations

The meeting is recommended:

- 1.1 To appoint Paul Sutton as the Council's Section 151 Officer with effect from 19 May 2016, subject to South Northamptonshire Council resolving in similar terms, and to request him to appoint a suitably qualified and experienced Deputy Section 151 Officer from the same date.

2.0 Introduction

- 2.1 In accordance with section 151 of the Local Government Act 1982 and section 113 of the Local Government Finance Act 1988 there is a statutory requirement on the Authority to designate one of its officers as its Section 151 Officer/Chief Finance Officer. The individual is required to be a suitably qualified accountant holding a CCAB recognised professional accountancy qualification.
- 2.2 Following the appointment of a Chief Finance Officer it is necessary for full Council to designate the post holder as the Council's Section 151 Officer. Appointment of a Section 151 Officer is reserved to full Council by legislation and the Constitution.

3.0 Report Details

- 3.1 The most senior Finance role in any organisation plays a critical role in ensuring the overall success of the organisation or business. In local government each Council is required to appoint a statutory finance officer, known as a Section 151 Officer, who must hold a recognised qualification. The designation of Section 151 Officer

brings with it various personal duties and accountabilities which are set down in the relevant legislation.

- 3.2 Martin Henry, the former Section 151 Officer for both this Council and South Northamptonshire Council, left the Councils on 31 March 2016. Accordingly, Paul Sutton, Head of Finance and Procurement, was appointed as the Council's interim Section 151 Officer to cover the period between Mr Henry's departure and the formal appointment of the Chief Finance Officer and that post holder's designation as Section 151 Officer.
- 3.3 The Joint Commissioning Committee has resolved to appoint Paul Sutton as the Council's new Chief Finance Officer. Accordingly it is necessary for full Council formally to appoint Mr Sutton as the Section 151 Officer for the Council as well. The designation will be effective from 19 May 2016 subject to South Northamptonshire Council resolving in similar terms at its meeting on 18 May 2016.

4.0 Conclusion and Reasons for Recommendations

- 4.1 The Council is legally required to designate one of its officers as its Section 151 Officer. The Chief Finance Officer is the appropriate post holder to be designated with this statutory role.

5.0 Consultation

- 5.1 There has been no formal consultation with regard to the recommendation contained in this report but the Joint Commissioning Committee was fully involved in the recruitment of the Chief Finance Officer.

6.0 Alternative Options and Reasons for Rejection

- 6.1 The following alternative options have been identified and rejected for the reasons as set out below.

Option 1: To appoint an alternative officer of the Council as Section 151 Officer. This is rejected because the Chief Finance Officer is the most senior qualified finance officer employed by the Council and it is therefore appropriate for the post holder to be designated as such.

7.0 Implications

Financial and Resource Implications

- 7.1 There are no financial implications arising from this report.

Comments checked by:

George Hill, Corporate Finance Officer, 01295 751731,
George.hill@cherwellandsouthnorthants.gov.uk

Legal Implications

- 7.2 It is a legal requirement that the Councils appoint one of their suitably qualified officers as the Section 151 Officer pursuant to Section 151 of the Local Government Act 1972 and Section 113 of the Local Government Finance Act 1988. This must be done by each full Council.

Comments checked by:

Kevin Lane, Head of Law & Governance, 0300 003 0107,

kevin.lane@cherwellandsouthnorthants.gov.uk

8.0 Decision Information

Wards Affected

All.

Links to Corporate Plan and Policy Framework

Not applicable – this report is made pursuant to a statutory requirement.

Lead Councillor

Councillor Barry Wood, Leader of the Council.

Document Information

Appendix No	Title
N/A	N/A
Background Papers	
N/A	
Report Author	Sue Smith Chief Executive
Contact Information	0300 003 0100 Sue.smith@cherwellandsouthnorthants.gov.uk

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Cherwell District Council

Council

17 May 2016

Standards Arrangements - Appointment of Independent Person

Report of Head of Law and Governance

This report is public

Purpose of report

To appoint a statutory independent person following the expiry of the fixed term of Mr Tom Edwards.

1.0 Recommendations

The meeting is recommended:

- 1.1 To appoint Mr Tom Edwards as an independent person pursuant to section 28(7) of the Localism Act 2011 for a term of four years expiring on the date of the annual meeting of Council in 2020.

2.0 Introduction

- 2.1 The Localism Act 2011 requires the standards arrangements adopted by the Council to include provision for the appointment of at least one independent person.
- 2.2 The terms of office of one of the two independent persons appointed by the Council in 2012 expires with effect from the date this meeting. It is therefore necessary to re-appoint the existing independent person for a further term, or to appoint a replacement independent person as appropriate.

3.0 Report Details

- 3.1 Section 28(7) of the Localism Act 2011 requires the standards arrangements adopted by the Council to include provision for the appointment of at least one independent person. This Council's arrangements provide for the appointment of two independent persons.

- 3.2 The views of the independent person must be sought and taken into account by the Council before it makes any decision on any allegation of councillor misconduct that it has decided to investigate. The views of the independent person may also be sought by the Council in any other circumstances provided for in the adopted arrangements, and also by the councillor who is the subject of a complaint. This Council's arrangements provide for the monitoring officer to seek the views of the independent persons at other stages of the complaints process e.g. on first receipt in deciding whether there is a potential breach of the code of conduct at all and, if there is, whether it is in the public interest to carry out an investigation/seek an informal resolution/take no further action.
- 3.3 Section 28(8) of the Localism Act 2011 sets out the test of independence in the following terms:-
- (a) a person is not independent if the person is—*
- (i) a member, co-opted member or officer of the authority,*
- (ii) a member, co-opted member or officer of a parish council of which the authority is the principal authority, or*
- (iii) a relative, or close friend, of a person within sub-paragraph (i) or (ii);*
- (b) a person may not be appointed under the provision required by subsection (7) if at any time during the 5 years ending with the appointment the person was—*
- (i) a member, co-opted member or officer of the authority, or*
- (ii) a member, co-opted member or officer of a parish council of which the authority is the principal authority;*
- (c) a person may not be appointed under the provision required by subsection (7) unless—*
- (i) the vacancy for an independent person has been advertised in such manner as the authority considers is likely to bring it to the attention of the public,*
- (ii) the person has submitted an application to fill the vacancy to the authority, and*
- (iii) the person's appointment has been approved by a majority of the members of the authority;*
- (d) a person appointed under the provision required by subsection (7) does not cease to be independent as a result of being paid any amounts by way of allowances or expenses in connection with performing the duties of the appointment.*
- 3.4 In 2012 Mr Tom Edwards was appointed as one of the Council's independent persons with his term expiring on the date of today's meeting. The Council has publicised the vacancy in accordance with the above requirements and Mr Edwards has applied for re-appointment for a further four year term. Two other persons also applied to fill the role.

- 3.5 Mr Edwards has proved to be an excellent independent person who has provided full support to the monitoring officer when required on the receipt of complaints. Following consultation with the Chairman of the Standards Committee it is recommended that he be re-appointed for a further term expiring with the date of the annual meeting of Council in 2020.

4.0 Conclusion and Reasons for Recommendations

- 4.1 In accordance with statutory requirements it is recommended that Mr Tom Edwards be re-appointed as one of the Council's statutory independent persons for a further period of four years.

5.0 Consultation

- 5.1 The Chairman of the Standards Committee was consulted by the monitoring officer and is supportive of the recommendation.

6.0 Alternative Options and Reasons for Rejection

- 6.1 The following alternative options have been identified and rejected for the reasons as set out below.

Option 1: To appoint an alternative applicant. This is rejected because, although both other applicants submitted strong CVs, Mr Edwards is a proven, high quality, independent person and it would be in the Council's interests to maintain continuity in the role.

7.0 Implications

Financial and Resource Implications

- 7.1 Each independent person receives an annual allowance of approximately £700 and receives travel/mileage allowance. The allowances are met from existing revenue budgets in Law and Governance.

Comments checked by:

Paul Sutton, Head of Finance and Procurement 0300 0030106,
paul.sutton@cherwellandsouthnorthants.gov.uk

Legal Implications

- 7.2 These are set out in the body of the report. It is necessary for full council to approve the appointment of an independent person.

Comments checked by:

Kevin Lane, Head of Law & Governance, 0300 003 0107,
kevin.lane@cherwellandsouthnorthants.gov.uk

8.0 Decision Information

Wards Affected

All.

Links to Corporate Plan and Policy Framework

Not applicable – this report is made pursuant to a statutory requirement.

Lead Councillor

Councillor Barry Wood, Leader of the Council.

Document Information

Appendix No	Title
N/A	N/A
Background Papers	
N/A	
Report Author	Kevin Lane Head of Law and Governance
Contact Information	0300 003 0107 kevin.lane@cherwellandsouthnorthants.gov.uk

Cherwell District Council

Council

17 May 2016

Notification of Urgent Action

Report of the Chief Executive

This report is public

Purpose of report

To notify Council of the taking of urgent action by the Chief Executive in accordance with constitutional requirements.

1.0 Recommendations

The meeting is recommended:

- 1.1 To note the urgent action taken by the Chief Executive.

2.0 Introduction

- 2.1 At the meeting of the Executive on 4 April 2016 the Chief Executive was requested to take urgent action in consultation with the Chairman of Council in order to enable budgetary provision to be made available to enable the Council to contribute to a joint study in support of the devolution bid to be submitted by the district councils in Oxfordshire plus South Northamptonshire Council and Cotswold District Council.
- 2.2 It is a requirement of the Council's Constitution that Full Council is notified of urgent action taken by an officer under delegated authority.

3.0 Report Details

- 3.1 On April 2016 the Executive resolved to agree the undertaking of work with the other district councils and partners involved to further develop the initial unitary devolution proposals on behalf of district councils in Oxfordshire, South Northamptonshire and Cotswold.
- 3.2 The Executive also agreed that independent consultants be jointly appointed by the districts to undertake detailed work on viability sustainability and governance, specialist work on collaboration around Children and Adult Services, public consultation and involvement, and the preparation of a revised devolution deal.

Executive agreed to recommend to Council that a contribution of up to £50,000 be made available to facilitate those studies to be funded from General Fund balances.

3.3 In view of the need to confirm the Council's commitment to the joint appointment of consultants prior to this meeting of full council, the Chief Executive was also requested by the Executive to exercise her urgency action powers in the scheme of delegation contained in the Council's Constitution to implement the recommendation to full Council contained in paragraph 3.2 above.

3.4 The Chief Executive duly consulted with the Chairman of the Council and took the recommended decision to allocate and commit the relevant funding.

4.0 Conclusion and Reasons for Recommendations

4.1 The Chief Executive was requested by the Executive to exercise her urgent action powers which she duly did in consultation with the Chairman of the Council as set out above. It is necessary, under the Council's Constitution, for full Council to be notified of urgent actions such as this when it is taken by an officer under the Council's Scheme of Delegation.

5.0 Consultation

5.1 The Chief Executive consulted with the Chairman of the Council as required in the Council's Constitution.

6.0 Alternative Options and Reasons for Rejection

6.1 There are no alternative options. This report is for information only.

7.0 Implications

Financial Implications

7.1 None arising as a result of this report. The financial implications of committing the relevant funding were set out in the report to the Executive.

Comments checked by:

Paul Sutton, Head of Finance and Procurement

Tel: 0300 003 0106; E-mail: Paul.sutton@cherwellandsouthnorthants.gov.uk

Legal Implications

7.2 None arising from this report.

Comments checked by:

Kevin Lane, Head of Law & Governance

Tel: 0300 003 0107; E-mail: kevin.lane@cherwellandsouthnorthants.gov.uk

8.0 Decision Information

Wards Affected

All.

Links to Corporate Plan and Policy Framework

Sound Budgets and a Customer Focused Council.

Lead Councillor

Councillor Barry Wood

Document Information

Appendix No	Title
None	
Background Papers	
None	
Report Author	Sue Smith, Chief Executive
Contact Information	0300 003 0100 Sue.smith@cherwellandsouthnorthants.gov.uk

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Committee: First Meetings of Committees
Date: Tuesday 17 May 2016
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 2016/17, 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. Budget 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.

4. Licensing Committee

- b) 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. 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.

6. 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.

7. 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.

8. Standards 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.

Information about this Agenda

Apologies for Absence

Apologies for absence should be notified to Natasha Clark, 01295 221589
natasha.clark@cherwellandsouthnorthants.gov.uk prior to the start of the meeting.

Queries Regarding this Agenda

Please contact Natasha Clark, Team Leader – Democratic and Elections, 01295 221589,
natasha.clark@cherwellandsouthnorthants.gov.uk

Sue Smith
Chief Executive

Published on 9 May 2016

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