

Cherwell District Council

Council

Minutes of a meeting of the Council held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 29 September 2011 at 6.30 pm

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

Councillor Rick Atkinson
Councillor Ken Atack
Councillor Alyas Ahmed
Councillor Andrew Beere
Councillor Ann Bonner
Councillor John Donaldson
Councillor Tim Emptage
Councillor Michael Gibbard
Councillor Simon Holland
Councillor Alastair Milne Home
Councillor Chris Heath
Councillor David Hughes
Councillor Tony Ilott
Councillor Victoria Irvine
Councillor Mike Kerford-Byrnes
Councillor James Macnamara
Councillor Kieron Mallon
Councillor Nigel Morris
Councillor George Parish
Councillor D M Pickford
Councillor G A Reynolds
Councillor Alaric Rose
Councillor Leslie F Sibley
Councillor Trevor Stevens
Councillor Lawrie Stratford
Councillor Rose Stratford
Councillor Lynda Thirzie Smart
Councillor Nicholas Turner
Councillor Martin Weir
Councillor Douglas Williamson
Councillor Barry Wood

Apologies
for
absence: Councillor Maurice Billington
Councillor Fred Blackwell
Councillor Norman Bolster
Councillor Patrick Cartledge
Councillor Margaret Cullip
Councillor Mrs Diana Edwards
Councillor Andrew Fulljames
Councillor Mrs Catherine Fulljames
Councillor Russell Hurle

Councillor Nicholas Mawer
Councillor P A O'Sullivan
Councillor Lynn Pratt
Councillor Neil Prestidge
Councillor Daniel Sames
Councillor Patricia Tompson
Councillor Douglas Webb

Officers: Sue Smith, Chief Executive
Calvin Bell, Director 3
Ian Davies, Director 1
Martin Henry, Director 2 (part, arrived during agenda item 11)
Kevin Lane, Head of Service 4
Karen Curtin, Head of Service 3
James Doble, Democratic, Scrutiny and Elections Manager

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Declarations of Interest

The following interests were declared:

Councillor Barry Wood, Personal, as persons known to him have an interest in land in the area of, but outside the eco zone.

Interests were declared with regard to the following agenda items:

10. Management Restructure.

Kevin Lane, Prejudicial, as he was to be proposed as the Monitoring Officer for Cherwell District and South Northamptonshire Councils.

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

Councillor Alyas Ahmed, Personal, as a member of Oxfordshire County Council.

Councillor Ann Bonner, Personal, as a member of Oxfordshire County Council.

Councillor G A Reynolds, Personal, as a member of Oxfordshire County Council.

Councillor Kieron Mallon, Personal, as a member of Oxfordshire County Council.

Councillor Lawrie Stratford, Personal, as a member of Oxfordshire County Council.

Councillor Michael Gibbard, Personal, as a member of Oxfordshire County Council.

Councillor Nicholas Turner, Personal, as a member of Oxfordshire County Council.

Councillor Timothy Hallchurch MBE, Personal, as a member of Oxfordshire County Council.

14. Business Case for Shared Democratic and Elections Team.

James Doble, Prejudicial, as his post was included within the Business Case.

30 **Communications**

Councillor Carol Steward

The Chairman paid tribute to Councillor Carol Steward who had passed away on 27 July 2011. Councillor Steward had been a Councillor on Cherwell District Council since May 2007 representing the Bicester North Ward. She was also a Bicester Town Councillor. Councillor Steward was a very active Councillor who contributed a great deal to the work of the Council and dedication to the community she represented.

The meeting held a minutes silence in memory of Councillor Steward following which tributes were paid by Councillor Wood on behalf of the Conservative Group, Councillor Sibley on behalf of the Labour Group and Councillor Emptage on behalf of the Liberal Democrat Group.

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

There were no petitions or requests to address the meeting.

32 **Urgent Business**

There were no items of urgent business.

33 **Minutes of Council**

The minutes of the meeting held on 26 July 2011 were agreed as a correct record and signed by the Chairman.

34 **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, no decisions had been taken that was subject to the special urgency provisions of the Constitution.

b) Minutes of Committees

Resolved

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

35 **Questions**

a) Written Questions

There were no written questions.

b) Questions to the Leader of the Council

A question was asked and answer received on the following issue:

Changes to the National Planning Framework: Councillor Beere

c) Questions to Committee Chairmen on the minutes

There were no questions to the Committee Chairman on minutes.

36 **Motions**

There were no motions.

37 **Management Restructure**

(Kevin Lane, Head of Service 4, declared a prejudicial interest and left the meeting for this item)

The Chief Executive submitted a report to update Members on the formation of a Joint Management Team, to appoint a Section 151 and Monitoring Officer and to propose amendments to the constitution arising from the staff changes. Council welcomed members of the Joint Management Team to their new roles.

In the course of discussion it was noted that this had been an intensive period of work for the Joint Personnel Committee and Council thanked them for their endeavours.

Resolved

- (1) That the appointments to the posts in the Joint Management Team be noted as follows:

Directors:
Calvin Bell, Ian Davies, Martin Henry

Heads of Service:
Chris Rothwell, Ed Potter, Karen Curtin, Kevin Lane, Anne-Marie Scott, Andy Preston, Adrian Colwell, John Hoad.

- (2) That Martin Henry be appointed Section 151 Officer and Kevin Lane be appointed Monitoring Officer with effect from 1 October 2011.
- (3) That the constitutional amendments as set out below agreed and the Chief Executive be instructed to amend the Constitution as required:

“Transfer of functions

Where the name of a post is changed or its relevant functions are allocated to a different post, any delegated powers shall be retained by the renamed post or transferred to a different post as allocated by the Head of Paid Service.”

- (4) That the Joint Personnel Committee be thanked for their work in the appointments process.

38 **Oxfordshire County Boundary Review, Parliamentary Boundary Review and Polling Place Review**

The Chief Executive submitted a report which sought consideration of the proposals of the Oxfordshire County and Parliamentary Boundary Reviews and agreement of the Council’s submission to the Local Government Boundary Commission for England on the Oxfordshire County Boundary Review. It was noted that that the report had been circulated after the agenda as the Parliamentary Boundary Review proposals were not released until 12 September 2011 and the Member Working Group required time to consider the proposals.

In the course of discussion it was noted that the whole review process was complicated and caused unnecessary distress as a bottom up approach to reviews was not in force. It was also noted that the County Council review had inevitably led to rural and urban areas being placed together which, whilst undesirable, was an effect on the reduction in numbers of County Councillors. It was also noted that with regard to the review of Oxfordshire County Council, a submission had been received from Kidlington Parish Council, which proposed changes to Kidlington in the County Review but did not affect neighbouring electoral areas. With this in mind it was proposed that this be supported.

Resolved

- (1) That the response on the Oxfordshire County Boundary Review for submission to the Local Government Boundary Commission for England (as set out in the annex to these minutes as set out in the minute book) be endorsed.

- (2) That the Chief Executive be given delegated authority, in consultation with the member working group, to finalise the Council's submission to the Local Government Boundary Commission for England.
- (3) That the initial observations of the member working group on the Parliamentary Boundary Review which proposes the transfer of the Ambrosden & Chesterton and Launton wards of Cherwell District to the Henley constituency (as set out in the annex to these minutes as set out in the minute book) be noted.
- (4) That the member working group be requested to continue to meet to consider issues emerging from both boundary reviews.
- (5) That the timetable for the Parliamentary Boundary Review be noted and officers be requested to represent the Council at the forthcoming public hearings.
- (6) That the recommendations from the Polling Place Review (as set out in the annex to these minutes as set out in the minute book) be adopted and it be noted that these findings will be revisited in the Community Governance and Polling District Review in 2012.
- (7) That the submission received from Kidlington Parish Council, which proposed changes to Kidlington in the Oxfordshire County Council Boundary Review, be supported.

(Martin Henry, Director 2, joined the meeting)

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Calendar of Meetings: January - May 2012

The Head of Service 4 submitted a report which sought consideration of the draft calendar of meetings for January – May 2012. In introducing the report the Leader of the Council noted that the creation of the calendar of meetings was now a complex task that involved scheduling the meetings of two district councils, whilst accommodating two county councils and four town councils and therefore unlike in previous years there was very little scope for members to make amendments.

Resolved

- (1) That the calendar of meetings for January – May 2012 (as set out as an annex to these minutes as set out in the minute book) be approved.

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Overview and Scrutiny Annual Report

The Head of Service 4 submitted a report which presented the Overview and Scrutiny Annual Report for 2010/11.

Resolved

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

41 **Business Case for Shared Democratic and Elections Team**
(James Doble, Democratic, Scrutiny and Elections Manager, declared a prejudicial interest and left the meeting for this item)

The Head of Service 4 submitted a report to enable Council to consider the recommendation of the Joint Arrangements Steering Group (JASG) to implement a shared Democratic and Elections Team between this Council and South Northamptonshire Council (SNC).

Resolved

- (1) That the consultation comments and responses contained in the log tabled at the meeting be noted and in light of these comments group leaders should be notified as these proposals progress.
- (2) That the recommendation of the JASG to implement a shared Democratic and Elections Team between this Council and SNC be endorsed.
- (3) That Head of Service 4 be given delegated authority to take all necessary steps to implement the team in compliance with the Organisational Change Policy and in consultation with HR Officers at both Councils.

42 **Exclusion of the Press and Public**

Resolved

That, in accordance with Section 100A(4) of Local Government Act 1972, the press and public be excluded from the meeting for the following items of business, on the grounds that they could involve the likely disclosure of exempt information as defined in paragraphs 3 of Schedule 12A of that Act.

43 **Business Case for a Shared Democratic and Elections Team - Exempt Appendix 4**

Resolved

That the exempt annex to the Business Case for a Shared Democratic and Elections Team be noted.

The meeting ended at 7.55 pm

Council - 29 September 2011

Chairman:

Date: