

Electoral Review of Cherwell



**Cherwell District Council
Submission to the Local Government
Boundary Commission for England
on Council Size**

October 2013

1. Introduction
2. Guidance on Calculating Council Size
3. Cherwell District Council: An Overview
4. Electoral Cycle
5. Governance and Decision Making
 - Leadership
 - Regulatory
 - Demands on Time
6. Scrutiny Functions
7. Representational Role of Councillors
8. The Future
9. Conclusions

Appendices

- | | |
|-------------|---|
| Appendix 1: | Appointments to Outside Bodies and Partnerships 2013-14 |
| Appendix 2: | Outside Bodies – Roles and Responsibilities |
| Appendix 3: | Member Champions – Roles and Responsibilities |
| Appendix 4: | Member Champions Appointments |
| Appendix 5: | Overview & Scrutiny Committee Terms of Reference |
| Appendix 6: | Budget Planning Committee Terms of Reference |

1. Introduction

- 1.1 In May 2012 the Local Government Boundary Commission for England (“LGBCE” or “the Commission”) announced that it would be conducting an electoral review of Cherwell. The review was triggered by the Commission’s belief, and Cherwell District Council’s (“CDC) subsequent confirmation, that more than 30% of wards within CDC had an electoral variance in excess of 10% from the average for the Council.
- 1.2 The initial stage of an Electoral Review is to determine a preferred council size. This is the number of Councillors required to deliver effective and convenient local government.
- 1.3 Guidance from the LGBCE states that “All proposals on Council size, whether for changing the existing size or not, should be justified and evidence must be provided in support of the proposal.”
- 1.4 The Council has therefore prepared this submission dealing only with council size at this stage and it was approved by full Council on 21 October 2013. The submission makes the case for a Council of 48 councillors retaining an elections by thirds. A further submission on the number of wards and number of councillors per ward will be made at a later date.

2. Guidance on Calculating Council Size

- 2.1 The Commission has issued technical guidance which recommends that the following issues are considered when developing a proposal for council size:

Governance and Decision Making – The model of local governance used by the local authority impacts on the workload of councillors and the working practices of the council. This will therefore have an effect on the number of Councillors required by the Council.

Scrutiny Functions – The structure and responsibilities of scrutiny impacts on the workload of Councillors.

Representational Role of Councillors – Representation, engagement and leadership in relation to communities affects the workload and responsibilities of Councillors.

The Future – Future trends and developments, including Localism and policy development, service delivery and finance.

3. Cherwell District Council: An Overview

- 3.1 Cherwell District covers an area of 590 square kilometres (228 square miles) in north Oxfordshire. Named after the River Cherwell which flows through it, the District is located between London and Birmingham, at the most northern point of the South East region, where it meets the West Midlands and East Midlands. Cherwell borders Oxford City, South Oxfordshire, Vale of White Horse, West Oxfordshire, Aylesbury Vale, South Northamptonshire and Stratford on Avon Districts.
- 3.2 Approximately 141,868 people live in the district with 64 per cent of the population living in the principal centres of Banbury, Bicester and Kidlington; the remainder in more than 70 smaller settlements of between 50 and 3,500 people.
- 3.3 The majority of the District (approx.85 per cent) is made up of farmland with 14 per cent lying within the Oxford Green Belt, contributing to making Cherwell the thirteenth least densely populated district in the South East.
- 3.4 The population of Cherwell increased by almost 12 per cent between 1991 and 2001 and increased again by 7.7% between 2001 and 2011, resulting in an increase of almost 20% over the past 20 years. The latest growth predictions suggest that the population will continue to increase by a further 5.3% by 2016 and a cumulative 9.7% by 2021 to 155,600. Most of the recent growth has been in the towns of Banbury and Bicester and this trend will continue over the coming years. Bicester's population in particular is expected to increase significantly, predominately as a result of the Eco Bicester development which will see approximately 5,000 houses built over the next 20 years.
- 3.5 The current electorate is 109,172¹. The Council presently has 50 members who are elected from 28 wards, 13 of which are predominantly urban, covering Banbury, Bicester and Kidlington, and the remainder are predominantly rural. Six of the wards are represented by three Councillors each, ten are represented by two Councillors each and twelve are single-member wards.

¹ As at register published for November 2013

4. Electoral Cycle

- 4.1 Cherwell District Council currently elects by thirds. The Commission advises that if a local authority submits a council size proposal that is divisible by three, the assumption is in favour of three member wards and elections by thirds. The proposed Council size of 48 councillors is divisible by three.
- 4.2 The Council's Boundary Review Working Group (BRWG) was divided in its view on whether elections by thirds should be retained or the cycle changed to whole council elections.
- 4.3 The Conservative (majority party) and Labour (opposition) BRWG members supported the retention of elections by thirds whilst the Liberal Democrat BRWG members supported the move to all-out elections.
- 4.4 In light of the majority view of the BRWG supporting elections by thirds, this was recommended to the 21 October 2013 Full Council meeting. The decision of Full Council was **XXXXX**

5. Managing the Business of the Council

Leadership

- 5.1 Prior to the Local Government Act 2000, Cherwell District Council operated a committee system of governance with each committee having its own terms of reference and decision making powers within a particular council service area.
- 5.2 Under the Local Government Act 2000, CDC chose to have an Executive with Leader. At that time the Council agreed that the Executive would be appointed by the elected Leader (the 'strong' leader model).
- 5.3 The Executive consists of ten Members: the Leader, Deputy Leader and eight Lead Members. The portfolios broadly match the management team structure of the council: Clean and Green; Financial Management; Performance and Customers; Banbury Brighter Futures; Public Protection; Planning; Estates and the Economy; and, Housing. The Leader and Deputy Leader also have some cross Council responsibilities.
- 5.4 The budget and policy framework is determined by full Council. The Executive has delegated authority to take most decisions within that framework other than regulatory and staffing matters excluded by the Local Government Act 2000.

- 5.5 The Leader of the Council has determined that:
- The Executive shall collectively make all Key Decisions on behalf of Cherwell District Council.
 - The Executive may choose to delegate these to a Lead Member, officer, area committee or joint arrangements with another authority or refer them to the Leader of the Council for decision.
 - Executive Lead Members shall in the first instance make all Non-Key Decisions within their area of responsibility unless delegated in this Constitution to an officer. The Lead Member may decide to delegate these to an officer, area committee or joint arrangements with another authority or refer them to the Executive for collective consideration, who in turn may decide to refer it to the Leader of the Council for decision.
 - Officers shall take all decisions in the first instance delegated to them in the Council's Constitution within their area of responsibility. An officer may choose to refer a decision to a Lead Member, who in turn may decide to refer a decision to the Executive for collective consideration, who in turn may decide to refer it to the Leader of the Council for decision.
 - Even where Executive functions have been delegated, this does not prevent the discharge of delegated functions by the person or body who delegated them.
- 5.6 Executive Members serve on other decision making partnerships, sub-regional, regional and national bodies. Appointments are considered on an annual basis.
- 5.7 There is no job description or role profile for Executive members although responsibilities and delegations are set out in the Council's Constitution. Notwithstanding this, the Leaders role is considered a full time one in conjunction with his duties as a Ward Member. Lead Member roles are not considered to be full time but, combined with other committee and ward member commitments, involve an average of 20 – 30 hours per week.

Regulatory

- 5.8 In October 2012, a revised officer scheme of delegation was approved by Full Council in light of the implementation of the Joint Management Team, which came into effect on 1 October 2011 and is shared with South Northamptonshire Council.
- 5.9 In respect of planning, approximately 90% of planning applications are determined by officers under delegated authority. The following applications are excluded from the officer scheme of delegation: all major applications; where the recommendation to approve is a significant departure from the adopted development plan or other Council approved policies and/or strategies; applications called in by a Councillor; applications submitted by certain officers or an elected Member; applications affecting the Council's own

land or submitted by the Council; and, any other application the Head of Development Management, in consultation with the Chairman/Vice-Chairman, considers should be referred to Planning Committee due to its controversy or significance.

- 5.10 The Planning Committee comprises eighteen members (with twelve named substitutes) and is appointed by Council on a proportional basis. The Committee is primarily made up on non-executive members with specific reservation of a place for the Executive member with responsibility for planning matters. The Council's Constitution requires all Planning Committee members to have received formal training in the planning system before serving on the Committee.
- 5.11 The Committee meets on a four weekly cycle with meetings generally lasting 2 – 3 hours. Site visits are frequently held prior to the meeting.
- 5.12 In respect of Licensing, the scheme of delegation allows for the following applications to be granted, where no objection is made: personal licence; premises licence or club premises certificate; variation of a premises licence or club premises certificate; variation of a designated premises supervisor; transfer of a premises licence; and, request to be removed as a designated premises supervisor.
- 5.13 The Licensing Committee comprises twelve members (with five named substitutes) and is appointed by Council on a proportional basis. The Licensing Sub-Committee is made up of any three members of the Licensing Committee who have received appropriate training.
- 5.14 Meetings of both the Licensing Committee and Licensing Sub-Committee are held on an ad-hoc, as required basis. In 2012/13 there were four meetings each of the Licensing Committee and Licensing Sub Committee.
- 5.15 The Accounts, Audit and Risk Committee has responsibility for ensuring the Council's corporate governance arrangements are adequate and operating effectively; monitoring the Council's risk management procedures; overseeing the financial processes; and, considering reports from the Council's internal and external auditors. The Committee comprises eight members (with unnamed substitutes) and meets six times per year. Regular training and briefings are also held for Committee members.
- 5.16 The Standards Committee has responsibility for ensuring the highest standards of councillor behaviour. As required by the Localism Act the Standards Committee was re-constituted with effect from 1 July 2012. The

Standards Committee comprises eight members (with named substitutes) appointed by Council on a non-proportional basis. The Committee meets on an ad-hoc as required basis.

- 5.17 Attendance at meetings is generally high and all meetings are quorate. The value of a large pool of trained substitute members for Planning Committee and Licensing Committee and unnamed substitutes for other committees ensures that meetings are not abandoned or adjourned due to being inquorate.
- 5.18 The Council believes that each change to legislation, national or local policy needs to be considered on its own merits. Upon reflecting on changes, the Council will develop appropriate processes to ensure they are addressed and the Council continues to operate effectively.

Demands on Time

- 5.19 Cherwell District Council does not currently have a formal role description for Councillors.
- 5.20 The Member Development and Support Strategy was agreed by Executive in September 2009. The Strategy sets out the Council's commitment to member development and support. Executive responsibility for member development sits with the Leader of Council.
- 5.21 The development programme for elected members offers a range of formal and informal learning events including conferences, briefings, seminars, workshops and forums. In 2012/13 there were 18 formal training sessions arranged by Cherwell District Council. The total attendance at all events was 185 Cherwell District councillors and 20 external attendees.
- 5.22 The training sessions are categorised to help members choose the appropriate training to suit their individual requirements. There are six training categories:
- essential, which cover the broad skills for being a councillor, providing information on some of the basic principles of local government such as finance, and statutory issues around planning and licensing;
 - internal knowledge, which provides information specific to Cherwell District Council;
 - Committee skills, which are targeted at specific committees and roles;
 - Portfolio Holder, which focus on the knowledge and skills required in these roles (now called Lead Members);

- engagement, which relate to members' responsibilities as community leaders;
 - information, which refer to briefings on specific subjects as required.
- 5.23 In 2012/13 all of the categories were included in the Member Development programme. Sessions included planning training (mandatory for Planning Committee members), appraisal training for Members of the Joint Appraisal Sub-Committee responsible for carrying out the Chief Executive's appraisal, Local Government Finance, service planning, media, licensing (mandatory for members to sit on Licensing Sub-Committee) and Neighbourhood Planning.
- 5.24 In addition to the formal Member training events, bespoke 1-1 training was arranged for Members as requested to assist councillors in carrying out their roles, e.g. customer service shadowing, housing update. Members were also invited to attend events organised by other departments, for example, Getting to Know Your Community.
- 5.25 The Independent Remuneration Panel carries out an annual review of Members' Allowances. To inform their recommendations the Panel places great importance on the information gathered through an 'Activity Questionnaire'.
- 5.26 In 2012/13 twelve questionnaires were returned, representing 24% of councillors. The responses showed a great variation in the estimates of time Members spend on their roles as Councillors, ranging from 5 to 36 hours per week. Members who responded spent an average of 65.5 hours per month on council duties, 1.5 hours more than the previous year.
- 5.27 The Council appoints Councillors to various outside bodies and partnerships. These appointments are made annually either by Council or Lead Member decision (Appendix 1). There is guidance for Councillors appointed to an Outside Body on their roles and responsibilities (Appendix 2). A support officer from the service area is named to assist the Councillor in this role.
- 5.28 An annual review of outside bodies is undertaken by the Lead Member for Financial Management in the spring (towards the end of the municipal year) in advance of appointments being made in May/June, at the start of the municipal year. It is Council policy that Members serving as representatives on outside bodies should submit an annual report in writing on: the work of the outside body; the number of meetings of the outside body held and attended; their estimation of the value of the outside body to the Council; and, their estimation of the value of Council representation on that body. This feedback informs the outside bodies to which appointments will be made in the

following year. Of the current 63 representatives appointed to outside bodies, 33 are non-Executive members.

- 5.29 In May 2012 Executive formalised the role of Members Champions. Previously the roles and responsibilities of Champions had not been formalised but the decision in May 2012 approved Terms of Reference for Member Champions (Appendix 3) who are appointed by Leader of the Council.
- 5.30 The role of Member Champions complements the responsibilities of Lead Members and Committee Chairmen and enables a greater number of Councillors to be involved in the work of the Council. Member Champions will act as an advocate or spokesperson for a specific area of the Council's business and encourage communication and positive action over the issue they represent.
- 5.31 There are currently ten Member Champions each of whom has been appointed for a period which expires at the same time as the expiration of their term of office (Appendix 4). Of the ten Member Champions, all but one are non-Executive Members.
- 5.32 Cherwell District Council is very active in including councillors in its extended management arrangements that have become a necessary constituent part of modern management arrangements. Cherwell is a highly active authority in terms of regeneration with multi million pounds schemes across the district including North West Bicester Eco Development, Graven Hill and its Build! team, which focuses on bringing abandoned properties back into use working with a Community Land Trust the council has established. All of these initiatives require high levels of member involvement over and above that which would normally be associated with a district council. Due to this involvement, complexity and the level of work expected of Councillors, we believe there is a strong case for retaining a higher number of councillors than is needed solely for the internal council decision making and representative functions.
- 5.33 The Council does not play a role in attracting and retaining members. It has always been its policy that this is not something CDC would focus on beyond the provision of nomination packs, guidance and briefings. As the majority of Members are affiliated to a political party CDC cannot become involved in who will be put forward as candidates. In recent years there have only been two wards that have been uncontested as the three main parties are quite active across the District.

- 5.34 There have been no instances where the Council has been unable to discharge its duties due to lack of councillors.
- 5.35 CDC does not have individual or ward budgets for Members to allocate in their areas.

6. Scrutiny Functions

- 6.1 The Overview and Scrutiny Committee is appointed to discharge the functions conferred by Section 21 of the Local Government Act 2000 or Regulations under Section 32 of the Local Government Act 2000 on behalf of the Council. In particular it is responsible for scrutinising decisions and decision making, developing and reviewing policy, exercising call-in procedures and investigating matters of local concern.
- 6.2 The Council's scrutiny procedures were reviewed and amended in May 2013. The previous two scrutiny committee arrangement was replaced by an Overview and Scrutiny Committee and a Budget Planning Committee. The terms of reference for the committees are attached at Appendix 5 and Appendix 6 respectively.
- 6.3 The Overview and Scrutiny Committee is run on a select committee basis which delivers the following benefits:
- A consolidated approach to scrutiny, removing jurisdictional uncertainty and duplication
 - Use of performance Management to inform work programme
 - The ability to arrange different meetings dedicated to separate subjects, receiving witnesses and producing reports with quick turnaround times to Executive and Council as appropriate.
- 6.4 The Overview and Scrutiny Committee comprises twelve non-Executive members (with unnamed substitutes) who are appointed by Council on a proportional basis. The Committee meets formally every six weeks although Members undertake research and hold informal meetings outside of the formal meeting cycle as part of scrutiny reviews.
- 6.5 The Overview and Scrutiny Committee exercises overall responsibility for the Overview and Scrutiny Work Programme and ensures that it is sustainable with regard to the support and resources that are available to it and that it is considered in conjunction with other committees of the Council and their respective work programmes in order to minimise duplication of effort.

- 6.6 The Chairman of the Overview and Scrutiny Committee holds regular meetings with officers from the Democratic and Elections team to review the work programme. The Committee reviews its work programme as an agenda item at each meeting.
- 6.7 The workload of scrutiny is manageable largely due to the focus of the Committee in choosing topics for review and timetabling items on the work programme at the most appropriate time. Additionally the willingness and ability of Members to undertake scrutiny work outside of formal meetings ensures topics can be progressed in a timely manner. The Committee can establish 'Task and Finish' groups to undertake particular reviews in accordance with the annual overview and scrutiny work programme.
- 6.8 Alongside the establishment of the Overview and Scrutiny Committee, Council resolved to form the Budget Planning Committee as a committee of council. The Budget Planning Committee comprises twelve members (with unnamed substitutes) with a place reserved for the Lead Member for Financial Management, appointed by Council on a proportional basis. The Committee plays an important role in enabling year round focus on budget planning and monitoring which has become the norm at CDC. It enables the Council to shape budget considerations at a strategic level, feeding through proposals to the Executive. The role of the Executive in formulating and proposing the final budget to Council remains unchanged.

7. Representative Role of Councillors

- 7.1 Cherwell District Council is a relatively large rural district with three urban centres (Banbury, Bicester and Kidlington). There are 66 Parish Councils and 12 Parish Meetings in the district.
- 7.2 This section and section 8 were considered in great detail by the Boundary Review Working Group and the comments set out in these sections reflect the BRWG members' views, which received cross party agreement.
- 7.3 Each Councillor has their own approach to representation, which relates to their ward, its makeup and the area of the district in which it is situated. Some Councillors will deal with high levels of casework whilst other Councillors will have a lower level.
- 7.4 The most common issues Members tend to encounter are planning and housing. Members have seen an increase in queries in this area as the Council makes progress on its Local Plan and national changes to the welfare

system are implemented. Councillors generally deal with casework themselves and liaise with officers where required.

- 7.5 In addition to casework, Councillors play an active role in their community. Councillors will attend Parish Council meetings within their ward and act as a point of contact between the district and parish. There are a number of parishes in the district embarking on Parish Plans and Neighbourhood Plans in which the district councillors are actively involved.
- 7.6 Cherwell District Council has increased the amount of information and contact available online and residents can now access information directly via the Council's website. The Council uses GovMetric as a mechanism for capturing customer feedback about its services. A total of 2,949 responses were logged with the GovMetric system during the period 1 April 2013 to 30 June 2013. Website satisfaction rates are considerably lower than those for telephone satisfaction: 43.2% of respondents through the website rated their satisfaction as good, compared to 42.9% who rated their satisfaction as poor.
- 7.7 Councillors believe increased information on the website has not decreased the level of constituent casework they receive. Whilst direct contact from residents in the district to the Council has reduced, this has not been the case for Councillors. Indeed, technology has contributed to increased contact with Councillors being almost instantly contactable via email and mobile telephone with an expectation for a speedy response.
- 7.8 Councillors are often called upon as a last resort when constituents have exhausted all other avenues. There is an expectation from residents that the Councillor is a champion and advocate for their constituents who will work with and liaise with the council and other partners to assist with any problems.
- 7.9 Whilst many CDC Councillors are also Town/Parish and/or County Councillors, they are invariably contacted by residents in their capacity as district councillor. District councillors are at the optimum level to respond to the needs of the locality and act as a go between for the different tiers of local government.
- 7.10 Councillors have a dedicated Members' Room at the Council offices with PC's and stationery. Members are provided with IT equipment for use with their council business. However Cherwell District Council provides no dedicated administrative support, casework support or Members' Services Officers to support Members in dealing with casework. Members deal with casework and constituent work themselves within their own resources.

- 7.11 The last review of CDC's electoral arrangements was carried out by the Local Government Commission for England which recommended that the number of Councillors should be reduced from 52 to 50 and the number of wards reduced from 31 to 28 and elections continue to take place by thirds.
- 7.12 Since 2001 the Council has changed considerably to the governance and management arrangements as set out in this report. This has been to ensure best use of resources to meet the changing requirements of the district, the economic climate and in accordance with legislation during the period.
- 7.13 At the time of the review in 2000, the electorate was 97,702 (February 2000) with each Councillor representing an average of 1879 electors. Based on current electorate figures of 109,172, with 48 Councillors, each Councillor would represent an average of 2275 electors.
- 7.14 In relation to mechanisms for councillors to interact with young people, those not on the electoral register or minority groups or their representative bodies, the Leader of the Council has appointed Member Champions with a remit to support these groups as set out at paragraph 5.31.

8. The Future

Localism, Policy Development and Service Delivery

- 8.1 CDC considers that the localism agenda will have a significant impact on the scope and conduct of council business and increase the workload and responsibility of Councillors.
- 8.2 As set out in other sections of this report (e.g. paragraph 5.32), CDC is very active in including councillors in its extended management arrangements that have become a necessary constituent part of modern management arrangements. More complex management arrangements will become necessary with increasing numbers of councillors involved.
- 8.3 CDC will be a partner in a number of organisations which will require officer and elected Member representation. Councillors will be required to represent the Council and have greater knowledge in a number of areas to negotiate and ensure the interests of the Council and the district are met.
- 8.4 The Council has a number of shared services with South Northamptonshire Council (SNC) that are already implemented: Joint Management Team; Joint Management Support Team; Performance and Insight; Finance and Procurement; Democratic and Elections; Human Resources; ICT; Building

Control. CDC continues to explore opportunities to share other services with SNC and other local authorities.

- 8.5 Shared working has led to an altered role for Councillors, both in terms of having services operated by other Councils and this Council operating services for other authorities.

Finance

- 8.6 Cherwell District Council’s service and financial planning process is underpinned by a robust evidence base that is used to inform decision making. With regard to the medium term, there are a number of pressures facing the Council, which will require increasing efficiencies in order to deliver a balanced budget whilst there are also restrictions on council tax increases. Against this backdrop is the expectation that, future year’s budgets will come under increasing pressure with a growing emphasis on prioritisation, efficiency, innovation and collaboration in service delivery. The Council may therefore face difficult decisions in later years in order to sustain a balanced budget over the medium term. One of the most significant pressures facing the council over the medium term is the further reductions to the government’s Revenue Support Grant. It is anticipated that this will severely diminish over the medium term and the Council must respond to this likely reduction.

- 8.7 As part of the development of the MTFs and budget, analysis is undertaken of the key financial assumptions on which the budget will be based. The key areas covered included:

- Economic factors, such as inflation
- Treasury Management, including interest rates
- Demographic pressures on spending
- Asset Management, including a review of the Council’s portfolio
- Other spending pressures opportunities (revenue and capital).

- 8.8 The latest medium term revenue projections are summarised below.

	£m	£m	£m	£m	£m
Year	2014-15	2015-16	2016-17	2017-18	2018-19
Savings requirement	0.2	2.0	3.4	4.6	4.8

- 8.9 CDC’s financial forecasting process is dynamic and changes on a regular basis given emerging priorities, changes in demand for services and changes in external factors and therefore these figures are subject to further change prior to finalisation of the budget for 2014-15 but give an indication of the challenges currently being faced by the Council.

- 8.10 Cherwell District Council is proposing a reduction of two elected Members. This relatively small reduction is proposed as the Council does not believe there will be a reduction in activity overall within the district and that efficiencies can be achieved in other areas.
- 8.11 Cherwell District Council remains a hugely ambitious council in a time of reduced resources. The Joint Management Team demonstrates innovation in service delivery. CDC does not only consider its statutory role but is also an advocate for district and its residents. In recent years CDC has not deleted services, rather found alternative means of delivering services whilst also creating new services, for example Build!. With a reduced number of officers, there is a greater role for elected Members in carrying out the Council through the decision making process, whilst retaining their representative role and political role.

9. Conclusions

- 9.1 CDC considers that the role of Councillors will continue to evolve and become more intense and complex. Elected Members will be increasingly involved with partners as well as attending Committee meetings and having a representational role within their ward and the wider district.
- 9.2 Councillors will need to fulfil the role expected of them by the electorate in terms of representation and problem solving in addition to a more strategic role and representing the Council.
- 9.3 The table below sets out the number of permanent seats to be filled on Committees and number of meetings per annum. This does not take account of special meetings of standing committees or ad hoc meetings of

Meeting	Seats	Meetings per annum
Council	50	5
Executive	10	11
Overview & Scrutiny	12	10
Budget Planning Committee	12	10
Planning Committee	18 (12 named subs)	13
Personnel Committee	12	5

Licensing Committee	12 (5 names subs)	1 then ad-hoc
Appeals Panel	10	1 then ad-hoc
Accounts, Audit & Risk Committee	8	6
Joint Personnel Committee	5 (3 named subs)	Ad-hoc
Joint Appeals Panel	3 (2 names subs)	Ad-hoc
Standards Committee	8	1 then ad-hoc
Council and Employee Joint Committee	12	5
Joint Arrangements Steering Group	5 (3 names subs)	6

- 9.4 With a current Council size of 50 members, excluding Executive (who, excluding the reserved place on the Budget Planning Committee for the Lead Member for Financial Management and on the Planning Committee for the Lead Member for Planning generally have few appointments to other Committees) and Council, there is an average of 4.13 seats on committees available for non-executive members.
- 9.5 If the Committees that meet on an ad-hoc basis were excluded on the basis there is a lesser workload for these Committee members, there would be an average 3.18 seats on committees to be filled by non-executive councillors. However, it must be remembered that as the meetings are ad-hoc the frequency of meetings is difficult to determine as they are dependent on business need.
- 9.6 All Committee meetings start at 6.30pm, excluding Planning Committee which starts at 4pm. Licensing Sub-Committee and Appeals Panel meetings and some informal working group meetings or meetings with officers take place during the day. However as many Councillors work and/or have other commitments during the day which means that a move to daytime meetings would not be possible. It is important that the future size of the council is appropriate to ensure that all meetings, whether evening or day time, will be well attended.
- 9.7 In reaching the optimum number of Councillors of 48, the Council believes that it should be possible to slightly increase the average number of Committee seats per councillor without considerably increasing the volume of work for Councillors. A reduction of two councillors to 48 (divisible by three as the Council has resolved to retain elections by thirds) would result in an average of 4.66 seats on committees for non-executive members or 4.13

seats of committees, excluding ad-hoc committees, for non-executive members.

- 9.8 A greater reduction in the number of councillors would also require consideration to be given to appointments to outside bodies and Member Champions. It is likely that it would not be possible to maintain current appointments levels (63 to outside bodies and ten Member Champions), which would mean CDC no longer being represented on important organisations across the district and wider county and less representation for the areas covered by the remit of Member Champions.
- 9.9 The Council believes that a reduction in the number of Councillors by 2 to 48 would ensure that the governance, decision making and scrutiny functions of CDC would not be compromised and would remain effective whilst still ensuring Councillors are able to fulfil their representational role within their communities.

Appointments to Outside Bodies and Partnerships 2013/14

Outside Body	Appointee
Age Concern Oxfordshire	CLlr Paul O'Sullivan
Akeman Trust / Project Bicester	CLlr Norman Bolster
Banbury Charities	CLlr Colin Clarke CLlr Kieron Mallon CLlr Nigel Morris
Banbury CAB	CLlr Colin Clarke
Banbury Development Team	CLlr Michael Gibbard
Banbury in Bloom Working Party	CLlr Alastair Milne Home
Banbury Rural NAG	CLlr Ken Atack CLlr Douglas Webb
Banbury Ruscote, Hardwick & Neithrop NAG	CLlr Alyas Ahmed CLlr John Donaldson
Banbury Town, Grimsbury, Calthorpe & Easington NAG	CLlr Kieron Mallon
Banbury Town Centre Partnership	CLlr George Reynolds
Banbury Traffic Advisory Committee	CLlr Colin Clarke CLlr Alastair Milne Home
Bicester and District Chamber of Commerce	CLlr Rose Stratford
Bicester CAB	CLlr Debbie Pickford
Bicester Market Square Project Group	CLlr Norman Bolster
Bicester Rural NAG	CLlr Mike Kerford-Byrnes

Bicester Town NAG	Cllr Lawrie Stratford
Bicester Traffic Advisory Committee	Cllr Russell Hurle Cllr Diana Edwards Cllr Rose Stratford
Bicester Vision	Cllr Norman Bolster
Canal and River Trust South East Partnership	Cllr Ken Atack
Chasewell Community Association	Cllr Colin Clarke
Cherwell Community Land Trust	Cllr Nigel Randall
Cherwell Community and Voluntary Services	Cllr Nigel Randall
Cherwell Community Safety Partnership	Cllr George Reynolds
Cherwell Local Strategic Partnership	Cllr Barry Wood
Cotswold AONB Conservation Board	Cllr Ken Atack
Courtyard Youth Arts Centre (OCC)	Cllr Melanie Magee
Gypsy and Travellers Steering Group	Cllr Michael Gibbard
Health Overview & Scrutiny Committee (OCC)	Cllr Rose Stratford
Kidlington & District Information Centre	Cllr Michael Gibbard
Kidlington NAG	Cllr Maurice Billington
Kidlington Traffic Advisory Committee	Cllr Michael Gibbard Cllr Trevor Stevens
LGA Rural Committee	Cllr Ken Atack
Museums Joint Working Group	Cllr Rose Stratford
Otmoor Group	Cllr Timothy Hallchurch
Oxford Airport Consultative Committee	Cllr Michael Gibbard

	Cllr Trevor Stevens
Oxfordshire Association of Local Councils	Cllr Ken Atack
Oxfordshire Blue Plaques Board	Cllr Timothy Hallchurch
Oxfordshire Children and Young Peoples Board	Cllr George Reynolds
Oxfordshire Healthwatch	Cllr Mike Kerford-Byrnes
Oxfordshire Museums Council	Cllr Rose Stratford
Oxfordshire Rural Community Council	Cllr Ken Atack
Oxfordshire Safer Communities Partnership	Cllr George Reynolds
Oxfordshire School Organisation Stakeholder Group	Cllr James Macnamara
Oxfordshire Sports Partnership	Cllr Nicholas Turner
Oxfordshire Stronger Communities Alliance	Cllr John Donaldson
Oxfordshire Waste Partnership / Environmental and Waste	Cllr Nigel Morris
Sanctuary Group	Cllr Lawrie Stratford Cllr Michael Gibbard Cllr Debbie Pickford Cllr Les Sibley
Spatial Planning & Infrastructure Partnership	Cllr Barry Wood
Stratfield Brake Management Committee	Cllr Michael Gibbard
Thames Valley Police & Crime Panel	Cllr George Reynolds
The Mill Community Education & Arts Centre	Cllr Colin Clarke

STATEMENT OF ROLES AND RESPONSIBILITIES OF COUNCILLORS INVOLVED IN OUTSIDE BODIES

Partnerships are arrangements with one or more organisations, from any sector, who share the responsibility for agreeing and/or then delivering a set of planned actions or outcomes.

Most such partnerships will share risks and resources to some extent, and their work will have an identifiable impact on the Council's services and corporate priorities.

Outside Bodies are bodies or organisations (other than partnerships) to which the Council has agreed to appoint representatives.

Role of Representatives

- The role and responsibilities of representatives on partnerships and outside bodies will be set out in the governance document of that body which you will be provided with when you are appointed.
- Representatives on partnerships and outside bodies shall, at all times, act in the best interests of the district and residents of the district.
- Representatives on partnerships and outside bodies shall act as a conduit in keeping the Council informed of the work of the body to which they are appointed and the outside body informed of the work of the council.
- Each body to which an appointment is made by the Council will have a designated Council contact officer.
- Council representatives on outside bodies and partnerships shall act in accordance with the advice note for elected members on bodies external to the Council, as set out in its constitution.
- Unless expressly given the power in accordance with the Council's constitution, representatives on partnerships and outside bodies may not commit the Council to any course of action or indicate the support of the authority for any decision or policy.

TERMS OF REFERENCE AND ROLE OF MEMBER CHAMPIONS

Terms of Reference of Member Champions

- 1) Member Champions will only be appointed in support of agreed Council policies and objectives and shall be elected members of Cherwell District Council.
- 2) Member Champions may be created by Council, the Executive or the Leader of the Council. Member Champions will remain in their role until the expiration of their term of office as a Councillor, when the relevance of the appointment will be reviewed. The appointing body or office holder may decide at any point to review and terminate the appointment of a member Champion for good reason.
- 3) Member Champions shall have no Executive or decision making powers and may not instruct officers. Champions shall not duplicate the work of Committee Chairmen and Executive members and shall ensure they liaise and advise them appropriately. Member Champions may not commit the Council to any course of action or any Council resources.
- 4) A register of Member Champions shall be maintained by the Head of Law and Governance and incorporated within the appropriate section of the constitution.
- 5) Member Champions shall not attract a Special Responsibility Allowance, but shall be able to re-claim travelling and subsistence expenses in line with the agreed scheme and may attend appropriate events, seminars, training and conferences, subject to budget availability.
- 6) All such applications to attend events and for training and subsistence shall be determined by the Head of Law and Governance in consultation with the Leader of the Council, based on whether in consultation with the relevant lead officer it is felt to constitute value for money.
- 7) With regard to access to information Member Champions will be regarded as having 'a need to know' in terms of accessing information held by the authority in relation to the remit covered by their role.
- 8) Each Champion will have a link officer assigned from within the relevant or most appropriate service area. Officers will bring issues, initiatives and areas of work to the attention of Champions.
- 9) Champions may from time to time request to add agenda items or request to speak at a relevant meeting of the Council on an issue within the area to they have been appointed.

Role of Member Champions

Member Champions may carry out the following functions with the regard to the issue for which they have been appointed Champion, within the Terms of Reference as set out above:

- Ambassador - to raise the profile of an issue, provide a visible focus and raise the profile of an issue both internally and externally to the Council;
- Adviser to the Council in relation to the issue to provide a source expertise;
- Bringing issues to the Council's attention;
- Liaising with and providing a bridge between the Council and external groups, bodies and communities; and
- May be appointed by Council to outside bodies by virtue of office.

Member Champions

<u>Title of Member Champion</u>	<u>Appointee</u>	<u>Term Expires</u>
Business Champion	Councillor David Hughes	May 2016
Climate Change Champion	Councillor Daniel Sames	May 2016
Community Cohesion Champion	Councillor Alyas Ahmed	May 2014
Data Quality Champion	Councillor Mike Kerford-Byrnes	May 2015
Design Champion	Councillor Alastair Milne Home	May 2016
Heritage Champion	Councillor Rose Stratford	May 2015
Older Person's Champion	Councillor Paul O'Sullivan	May 2014
Rural Champion	Councillor Ken Attack	May 2015
Young People's Champion	Councillor Neil Prestidge	May 2015
Youth Employment and Apprenticeships Champion	Councillor Melanie Magee	May 2015

Overview and Scrutiny Committee

The Overview and Scrutiny Committee will:

- Innovate and challenge the way the Council operates
- Exercise the call in powers contained in the Constitution
- Add value to the Council through in-depth studies
- Add value to the Council through selective studies of external crosscutting issues
- Promote more informal smaller group working.
- Open up the local democratic process to greater public involvement.
- Add value to the Council through pre-decision scrutiny of Key Decisions through using the 28 day notice
- Be involved in performance management on a selective and strategic basis.
- Develop effective and positive channels of communication between itself and the Executive.
- Adopt a Select Committee style and approach wherever possible.
- Require effective and reliable officer support
- Be involved in the development of Policy
- Scrutinise areas of interest or concern and make recommendations to Executive and where appropriate full Council following the completion of such scrutiny

Terms of Reference

The Committee will be appointed to discharge the functions conferred by Section 21 of the Local Government Act 2000 or Regulations under Section 32 of the Local Government Act 2000

Scrutiny Committee

Co-ordinating and managing the scrutiny Work Programme and ensuring that there is effective and timely scrutiny of Council Policy and authority wide performance as well as holding the Executive to account.

The Overview and Scrutiny Committee will have a membership of 12 Councillors who are not members of the Executive, appointed on a Proportional Representation basis by Council.

Functions

Within its scope and terms of reference, the Overview and Scrutiny Committee will:

- (a) review and monitor the performance of the Council's services;
- (b) review and/or scrutinise policies, proposals, decisions made or actions taken in connection with the discharge of any of the Council's functions;
- (c) make reports and/or recommendations to the Council and/or the Executive in connection with the discharge of any functions;
- (d) consider any matter affecting the area or its inhabitants;
- (e) exercise the right to Call-in, for reconsideration, decisions made, but not yet implemented by the Executive.

- (f) consider matters arising from a Councillor Call for Action (CCfA) under Section 119 of the Local Government and Public Involvement in Health Act 2007 and Regulations thereunder; and
- (g) undertake the functions of the Council's crime and disorder committee for the purposes of Section 19 of the Police and Justice Act 2006, including CCfA relating to crime and disorder matters.

Specific Functions

- (a) **Scrutiny** - Within its scope and terms of reference Scrutiny may:
- (i) review and scrutinise the decisions made by and performance of the Executive and/or Committees and the appropriate Officers both in relation to individual decisions and over time;
 - (ii) review and scrutinise the performance of the Council in relation to its policy objectives, performance targets and/or particular service area;
 - (iii) question Members of the Executive and/or Committees and appropriate Officers about their decisions and performance, whether generally in comparison with service plans and targets over a period of time, or in relation to particular decisions, initiatives or projects;
 - (iv) make recommendations to the Executive and/or appropriate Committees and/or Council and/or any external bodies arising from the outcome of the scrutiny process;
 - (v) review and scrutinise the performance of major partnerships and other public bodies in the area and invite written reports and/or request them to address the Committee and local people about their activities and performance;
 - (vi) require Members of the Executive, the Chief Executive, Directors and Service Heads to attend to answer questions and give evidence on receipt of at least 5 days' written notice.
 - (vii) question and gather evidence from any person, not a Member or an Officer of the Council, with their consent;
- (b) **Advisory and Review** – Within its scope and terms of reference the Overview and Scrutiny Committee may:
- (i) assist the Council and the Executive in the development of its Policy Framework by in-depth analysis of policy issues,
 - (ii) conduct research, community and other consultation in the analysis of policy issues and possible options
 - (iii) consider and implement mechanisms to encourage and enhance community participation in the development of policy options,
 - (iv) make recommendations to Executive and/or appropriate Committees and/or Council and/or any external bodies arising from the outcome of the scrutiny process.
 - (v) review and scrutinise the performance of major partnerships and other public bodies in the area and invite written reports and/or request them to address Councillors and local people about their activities and performance.
- (c) **Annual Report** – The Overview and Scrutiny Committee will report annually to Council on function on their workings and make recommendations for future work programmes and amended working methods if appropriate.
- (d) **Work Programme** – The Overview Scrutiny Committee will exercise overall responsibility for the Overview and Scrutiny Work Programme and for ensuring that this is sustainable with regard to the support and resources that are available to it and that is considered in conjunction with other committees of the Council and their respective work programmes in order to minimise duplication of effort.

Proceedings of Overview and Scrutiny

The Overview Scrutiny Committee will conduct their proceedings in accordance with the Overview and Scrutiny Procedure Rules set out in this Constitution.

Budget Planning Committee

The Budget Planning Committee is a committee of council, convened under Local Government Act 1972 (as amended). The committee will make recommendations to the Executive as appropriate within its terms of reference.

The Committee will be comprised of 12 Councillors on a Proportional Representation basis to include the Executive Portfolio Holder for Financial Management.

The Committee will:

- Provide strategic overview of all matters that could significantly impact upon the finances of the authority
- Oversee the implementation of the forthcoming and ongoing financial reform that will significantly affect the Council
- Provide advice on the impact of business and housing growth in the district and estimate the financial impact of such growth
- Be responsible for supporting the budget setting strategy and process for:
 - the general fund
 - capital programme
 - assets
 - treasury management
 - reserves
 - investments
 - recommending the Committee's preferred option, for formal consideration by Executive, in light of the Council's stated priorities.
- Have a planning horizon which will be medium term (five years) including the medium term financial strategy
- Will also focus on major projects facing the Council that will have a significant impact on the resources of the Council as well as the budget setting round for the forthcoming financial year.
- Be responsible for considering how the council responds to: changes in the way the council is funded, value for money and other legislative initiatives and reforms.
- Innovate and challenge the way the Council manages its budget and financial affairs.

The Committee shall be administered by Democratic and Elections and supported primarily by the Director of Resources and the Head of Finance and Procurement, with other officers providing support as required depending on the subject matter under consideration.