

Cherwell District Council

Council

Minutes of a meeting of the Council held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 16 June 2014 at 6.30 pm

Present: Councillor Alastair Milne Home (Chairman)
Councillor Melanie Magee (Vice-Chairman)

Councillor Ken Atack
Councillor Andrew Beere
Councillor Claire Bell
Councillor Maurice Billington
Councillor Fred Blackwell
Councillor Norman Bolster
Councillor Ann Bonner
Councillor Mark Cherry
Councillor Colin Clarke
Councillor Surinder Dhesi
Councillor John Donaldson
Councillor Diana Edwards
Councillor Andrew Fulljames
Councillor Michael Gibbard
Councillor Carmen Griffiths
Councillor Timothy Hallchurch MBE
Councillor Chris Heath
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 Nigel Morris
Councillor Jon O'Neill
Councillor D M Pickford
Councillor Lynn Pratt
Councillor Neil Prestidge
Councillor Nigel Randall
Councillor G A Reynolds
Councillor Barry Richards
Councillor Alaric Rose
Councillor Dan Sames
Councillor Les Sibley
Councillor Lawrie Stratford
Councillor Rose Stratford
Councillor Lynda Thirzie Smart
Councillor Nicholas Turner
Councillor Douglas Webb

Councillor Barry Wood
Councillor Sean Woodcock

Apologies for absence: Councillor Simon Holland
Councillor Bryn Williams
Councillor Douglas Williamson

Officers: Sue Smith, Chief Executive
Karen Curtin, Director (Bicester)
Ian Davies, Director of Community and Environment
Martin Henry, Director of Resources / Section 151 Officer
Kevin Lane, Head of Law and Governance / Monitoring Officer
Natasha Clark, Team Leader, Democratic and Elections

1 **Declarations of Interest**

There were no declarations of interest.

2 **Communications**

Welcome

Following the recent election, the Chairman thanked former Councillors Ahmed, Cullip, Emptage, O'Sullivan and Ross for their service to the district during their time as councillors.

The Chairman welcomed Councillors Bell, Griffiths, Johnstone, Richards and Williams to the Council and congratulated them and all other councillors who were returned at the recent election.

The Chairman also welcomed former CDC Chairman Catherine Fulljames to the meeting.

Annual Council

The Chairman reminded Members that by convention the minutes of Committees, questions, petitions and motions were not taken at Annual Council and these, if any, would be considered at the next meeting.

Chairman's Engagements

The Chairman advised Members that a copy of the events attended by himself or the Vice-Chairman had been tabled.

Post

The Chairman reminded Members to collect post from pigeon holes after the meeting.

Special Council

The Chairman reminded Members that there would be a Special Council meeting at 6.30pm on Monday 7 July to consider the Council's warding pattern proposals for submission to the Boundary Commission.

3 **Urgent Business**

There were no items of urgent business.

4 **Minutes of Council**

The minutes of the meeting of Council held on 24 February 2014 and the Special Meetings of Council held on 10 April 2014 and 29 May 2014 were agreed as a correct record and signed by the Chairman.

5 **Election of Chairman for the Municipal Year 2014/2015**

(The outgoing Chairman, Councillor Lawrie Stratford, presided for the consideration of this matter and those preceding)

It was moved by Councillor Wood and seconded by Councillor Reynolds, that Councillor Alastair Milne Home be elected as Chairman for 2014/15. There were no there were no other nominations.

Resolved

- (1) That Councillor Alastair Milne Home be elected Chairman of the Council for 2014/15.

6 **Investiture of Chairman**

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

7 **Chairman's Address**

Councillor Alastair Milne Home thanked members for his appointment and addressed the Council.

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

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

Members paid tribute to Councillor Lawrie Stratford and thanked him for the dedication he had shown representing the Council, the services he had rendered to the District and gracious way he had presided over the deliberations of Council during his year of office.

9 **Past Chairman's Response**

Councillor Lawrie Stratford addressed Council to report on his term of office.

Councillor Lawrie Stratford reported that he had attended 80 functions during his term of office and raised £4400. Councillor Lawrie Stratford presented cheques of £1000 each to representatives from the Banbury Foodbank, the Bicester Foodbank, the Kidlington Foodbank and Katherine House Hospice. He confirmed that the remaining £400 would be donated to support a Parkinsons charity.

Councillor Lawrie Stratford paid particular thanks to Councillor Rose Stratford, his consort for the year and Liz Matthews, the Chairman's PA and presented them with a token of his appreciation.

Prior to the election of the Vice-Chairman, Councillor Kieron Mallon, outgoing Vice-Chairman, addressed Council and advised that he had enjoyed his year supporting the immediate past Chairman but he would not be seeking election as Chairman due to his involvement in campaigning for the 2015 General Election.

10 **Election of Vice-Chairman for the Municipal Year 2014/2015**

It was moved by Councillor Wood and seconded by Councillor Reynolds, that Councillor Melanie Magee be elected as Vice-Chairman for 2014/15. There were no other nominations.

Resolved

- (1) That Councillor Melanie Magee be elected Vice-Chairman of the Council for 2014/15.

11 **Investiture of Vice-Chairman**

Councillor Melanie Magee, having made and signed the required Declaration of Acceptance of Office was invested with the Vice-Chairman's Chain.

12 **Annual Council Business Report**

The Chief Executive submitted a report which presented the results of the 22 May 2014 district elections, the constitution of Political Groups, sought appointment of the Leader of the Council and the noting of the appointment of the Deputy Leader and Executive for the Municipal Year 2014/15 and requested Members to consider and agree the suggested constitution of Committees for the Municipal year 2014/2015. The report also sought nominations for representatives to the County Council Health Overview and Scrutiny Committee and Police and Crime Commissioner Scrutiny Panel.

The Chief Executive reported that there were district elections in 17 seats and Councillors were returned as follows:

Banbury Calthorpe – Councillor Colin Clarke
Banbury Easington – Councillor Kieron Mallon
Banbury Grimsbury and Castle – Councillor Claire Bell
Banbury Hardwick - Councillor Tony Ilott
Banbury Neithrop – Councillor Matt Johnstone
Banbury Ruscote – Councillor Barry Richards
Bicester West – Councillor Norman Bolster
Bloxham and Bodicote – Councillor Chris Heath
Deddington – Councillor Bryn Williams
Fringford – Councillor Barry Wood
Kidlington North – Councillor Douglas Williamson
Kidlington South – Councillor Carmen Griffiths
Kirtlington – Councillor Simon Holland
Otmoor – Councillor Timothy Hallchurch MBE
Sibford – Councillor George Reynolds
The Astons and Heyfords – Councillor James Macnamara
Wroxton – Councillor Douglas Webb

The Chief Executive reported that the constitution of the Council and political groups was now 40 Conservatives, 7 Labour, 2 Liberal Democrats and 1 Independent.

The Group Leaders were: Councillor Barry Wood, Leader of the Conservative Group and Leader of the Council; Councillor Sean Woodcock, Leader of the Labour Group and Leader of the Opposition and Councillor Douglas Williamson, Leader of the Liberal Democrat Group.

Councillor Reynolds proposed that Councillor Barry Wood be appointed Leader of the Council. Councillor Bolster seconded the proposal.

The newly appointed Leader of the Council, Councillor Wood, reported that for the Municipal Year 2014/15 he would reappoint Councillor Reynolds as Deputy Leader of the Council.

For the Municipal Year 2014/15, the Executive would comprise:

Councillor Barry Wood – Leader of the Council
Councillor George Reynolds – Deputy Leader of the Council
Councillor Ken Atack - Lead Member for Financial Management
Councillor Norman Bolster – Lead Member for Estates and the Economy
Councillor John Donaldson - Lead Member for Banbury Brighter Futures
Councillor Michael Gibbard – Lead Member for Planning
Councillor Tony Ilott - Lead Member for Clean and Green
Councillor Kieron Mallon – Lead Member for Performance and Customer
Councillor Debbie Pickford – Lead Member for Housing
Councillor Nicholas Turner - Lead Member for Joint Working and IT

Resolved

- (1) That the results of the District elections held on 22 May 2014 be noted.

- (2) That the constitution of Political Groups (40 Conservatives, 7 Labour, 2 Liberal Democrats and 1 Independent) and notification of Group Leaders: Councillor Barry Wood, Leader of the Conservative Group and Leader of the Council; Councillor Sean Woodcock, Leader of the Labour Group and Leader of the Opposition and Councillor Douglas Williamson, Leader of the Liberal Democrat Group, be noted.
- (3) That Councillor Barry Wood be appointed Leader of the Council.
- (4) That the appointment of the Deputy Leader of the Council, the membership of the Executive and the Executive Portfolios for 2014/15 be noted.
- (5) That the allocation of seats on committees that were subject to the political balance requirements be agreed as set out below:

	TOTAL	CON	LAB	LD
Accounts, Audit & Risk Committee	8	6 (-1)	1	1 (+1)
Appeals Panel	10	8	1 (-1)	1 (+1)
Budget Planning Committee	12	10	2	0
Joint Appeals Panel	3	2	1	0
Joint Personnel Committee	5	4	1	0
Licensing Committee	12	10	1 (-1)	1 (+1)
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	100	82	17	1
Aggregate Entitlement	100	81*	15*	4
Adjustment Required	-	-1	- 2	+3

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

	TOTAL	CON	LAB	LD
Council and Employee Joint	12	10	2	0
Joint Arrangements Steering Group	5	4	1	0

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

Proportional Committees

Accounts, Audit and Risk Committee

Membership (8 members with unnamed substitutes)

Conservative (6)

Cllr Ray Jelf

Cllr Mike Kerford-Byrnes

Cllr Nick Mawer

Cllr Dan Sames

Cllr Lawrie Stratford

Cllr Barry Wood

Labour (1)

Cllr Barry Richards

Liberal Democrats (1)

Cllr Douglas Williamson

Appeals Panel

Membership (10 members with no substitutes)

Conservative (8)

Cllr Fred Blackwell

Cllr Carmen Griffiths

Cllr Russell Hurle

Cllr Tony Ilott

Cllr Ray Jelf

Cllr Rose Stratford

Cllr Bryn Williams

Cllr Douglas Webb

Labour (1)

Cllr Claire Bell

Liberal Democrats (1)

Cllr Alaric Rose

Budget Planning Committee

Membership (12 members with unnamed substitutes)

Conservative (9)

Cllr Ken Atack

Cllr Carmen Griffiths

Cllr Tim Hallchurch

Cllr Mike Keyford Byrnes

Cllr Alastair Milne Home

Cllr Nick Mawer

Cllr Nigel Randall

Cllr Douglas Webb

Cllr Barry Wood

Labour (2)

Cllr Barry Richards

Cllr Sean Woodcock

Liberal Democrats (0)

Joint Appeals Panel

Membership (3 seats, 2 named substitutes)

Conservative (2)

Cllr Fred Blackwell

Cllr James Macnamara

Labour (1)

Cllr Claire Bell

Liberal Democrats (0)

Substitutes

Conservative (1)

Cllr Colin Clarke

Labour (1)

Cllr Andy Beere

Liberal Democrats (0)

Joint Personnel Committee

Membership (5 members, 3 named substitutes)

Conservative (4)

Cllr Ken Atack

Cllr Lynn Pratt

Cllr George Reynolds

Labour (1)

Cllr Mark Cherry

Liberal Democrats (0)

Substitutes

Conservative (2)

Cllr Norman Bolster

Cllr Lawrie Stratford

Labour (1)

Cllr Surinder Dhesi

Liberal Democrats (0)

Licensing Committee

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

Conservative (10)

Cllr Fred Blackwell
Cllr Colin Clarke
Cllr Diana Edwards
Cllr Michael Gibbard
Cllr Tony Ilott
Cllr Ray Jelf
Cllr Nigel Morris
Cllr George Reynolds
Cllr Douglas Webb
Cllr Bryn Williams

Labour (1)

Cllr Matt Johnstone

Liberal Democrats (1)

Cllr Alaric Rose

Substitutes

Conservative (3)

Cllr Debbie Pickford
Cllr Lawrie Stratford
Cllr Rose Stratford

Labour (1)

Cllr Andy Beere

Liberal Democrats (1)

Cllr Douglas Williamson

Overview and Scrutiny Committee

Membership (12 members with unnamed substitutes)

Conservative (10)

Cllr Maurice Billington
Cllr Ann Bonner
Cllr Diana Edwards
Cllr David Hughes
Cllr Jon O'Neill
Cllr Lynn Pratt
Cllr Neil Prestidge
Cllr Dan Sames
Cllr Lawrie Stratford
Cllr Bryn Williams

Labour (2)

Cllr Claire Bell
Cllr Sean Woodcock

Liberal Democrats (0)

Personnel Committee

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

Conservative (10)

Cllr Ken Atack

Cllr Norman Bolster

Cllr Ann Bonner

Cllr Tim Hallchurch

Cllr Simon Holland

Cllr Melanie Magee

Cllr Lynn Pratt

Cllr George Reynolds

Cllr Lynda Thirzie Smart

Cllr Barry Wood

Labour (1)

Cllr Mark Cherry

Cllr Surinder Dhési

Liberal Democrats (0)

Planning Committee

Membership (18 members, 12 named substitutes)

Conservative (14)

Cllr Fred Blackwell

Cllr Colin Clarke

Cllr Michael Gibbard

Cllr Chris Heath

Cllr David Hughes

Cllr Russell Hurle

Cllr Mike Kerford Byrnes

Cllr James Macnamara

Cllr Alastair Milne Home

Cllr Nigel Randall

Cllr George Reynolds

Cllr Trevor Stevens

Cllr Lawrie Stratford

Cllr Rose Stratford

Labour (3)

Cllr Andy Beere

Cllr Matt Johnstone

Cllr Barry Richards

Liberal Democrats (1)

Cllr Douglas Williamson

Substitutes

Conservative (10¹)

Cllr Ken Atack
Cllr Andrew Fulljames
Cllr Carmen Griffiths
Cllr Jon O'Neill
Cllr Debbie Pickford
Cllr Nicholas Turner
Councillor Bryn Williams
Cllr Barry Wood

Labour (1)

Cllr Sean Woodcock

Liberal Democrats (1)

Cllr Alaric Rose

Standards Committee

Membership (8 members, 8 substitute members)

Conservative (7)

Cllr Fred Blackwell
Cllr Chris Heath
Cllr James Macnamara
Cllr Nigel Randall
Cllr Lynda Thirzie Smart
Cllr Lawrie Stratford
Cllr Rose Stratford

Labour (1)

Cllr Andy Beere

Liberal Democrats (0)

Substitutes

Conservative (7)

Cllr Ken Atack

Cllr Colin Clarke
Cllr Diana Edwards
Cllr Tim Hallchurch
Cllr Russell Hurle
Cllr Jon O'Neill
Cllr Barry Wood

Labour (1)

Cllr Barry Richards

Liberal Democrats (0)

¹ Only 8 of 10 named substitutes appointed

Non-Proportional Committees

Council and Employee Joint Committee

Membership (12 seats)

Conservative (10)

Cllr Colin Clarke
Cllr Tim Hallchurch
Cllr Russell Hurle
Cllr Tony Ilott
Cllr Melanie Magee
Cllr Kieron Mallon
Cllr Nick Mawer
Cllr Lynn Pratt
Cllr Nigel Randall
Cllr Barry Wood

Labour (2)

Cllr Mark Cherry
Cllr Barry Richards

Liberal Democrats (0)

Joint Arrangements Steering Group

Membership (5 members, 3 substitutes)

Conservative (4)

Cllr Ken Atack
Cllr Norman Bolster
Cllr Nicholas Turner
Cllr Barry Wood

Labour (1)

Cllr Sean Woodcock

Liberal Democrats (0)

Substitutes

Conservative (2)

Cllr Michael Gibbard
Cllr Debbie Pickford

Labour (1)

Cllr Barry Richards

Liberal Democrats (0)

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

13 **Section 113 Arrangements - Authorisation of Staff to Issue Fixed Penalty Notices Policy Framework Decision**

The Head of Environmental Services submitted a report which sought approval of the Council (CDC) entering into an agreement under Section 113 of the Local Government Act 1972 with Banbury Town Council (BTC) to allow BTC officers to issue fixed penalty notices for offences committed under section 88 of the Environmental Protection Act 1990 and section 3 of the Dogs (Fouling of Land) Act 1996 and to make appropriate adjustments to the policy framework to permit this arrangement.

Resolved

- (1) That approval be given to Cherwell District Council (CDC) entering into an agreement with Banbury Town Council (BTC) pursuant to Section 113 of the Local Government Act 1972 that permits BTC officers to issue fixed penalty notices for offences committed under section 88 of the Environmental Protection Act 1990 and section 3 of the Dogs (Fouling of Land) Act 1996, and that the Head of Law and Governance accordingly be authorised to conclude such an agreement by negotiation with BTC within the parameters set out in this report.
- (2) That the principle of placing at the disposal of CDC, officers employed by BTC for the purpose of issuing fixed penalty notices be added to the adopted policy framework.

The meeting ended at 7.25 pm

Chairman:

Date: