

Cherwell District Council

Council

Minutes of a meeting of the Council held at Bodicote House, Bodicote,
Banbury, OX15 4AA, on 18 October 2010 at 6.30 pm

Present: Councillor Timothy Hallchurch MBE
(Vice-Chairman, in the Chair)

Councillor Rick Atkinson
Councillor Luke Annaly
Councillor Ken Atack
Councillor Alyas Ahmed
Councillor Maurice Billington
Councillor Fred Blackwell
Councillor Norman Bolster
Councillor Ann Bonner
Councillor Colin Clarke
Councillor Nick Cotter
Councillor John Donaldson
Councillor Tim Emptage
Councillor Michael Gibbard
Councillor Simon Holland
Councillor Alastair Milne Home
Councillor Russell Hurle
Councillor Tony Ilott
Councillor James Macnamara
Councillor Kieron Mallon
Councillor Nicholas Mawer
Councillor P A O'Sullivan
Councillor D M Pickford
Councillor Alaric Rose
Councillor Daniel Sames
Councillor Leslie F Sibley
Councillor Chris Smithson
Councillor Trevor Stevens
Councillor Carol Steward
Councillor Keith Strangwood
Councillor Lawrie Stratford
Councillor Rose Stratford
Councillor Lynda Thirzie Smart
Councillor Nicholas Turner
Councillor Douglas Webb
Councillor Martin Weir
Councillor Douglas Williamson
Councillor Barry Wood

Apologies for absence: Councillor George Parish
Councillor Margaret Cullip
Councillor Mrs Diana Edwards
Councillor Andrew Fulljames
Councillor Mrs Catherine Fulljames
Councillor Chris Heath
Councillor David Hughes
Councillor Victoria Irvine
Councillor Nigel Morris
Councillor Neil Prestidge
Councillor G A Reynolds
Councillor Patricia Tompson

Officers: Mary Harpley, Chief Executive and Head of Paid Service
Ian Davies, Strategic Director - Environment and Community
John Hoad, Strategic Director - Planning, Housing and Economy
Pam Wilkinson, Principal Solicitor
James Doble, Democratic, Scrutiny and Elections Manager

23 **Declarations of Interest**

There were no declarations of interest.

24 **Communications**

The Chairman advised the meeting that the Chairman of Cherwell District Council had given his apologies, as he was attending a service for the Horton General Hospital at St Mary's Church in Banbury where the campaign for the Horton began.

The Chairman welcomed Councillor Alaric Rose to his first meeting, following his election at the Kidlington North By-election in July and also expressed his best wishes to Councillor Diana Edwards, who had been in hospital after injuring her hip in a fall.

Lastly the Chairman congratulated the Chief Executive on her success in being appointed as Chief Executive to the London Borough of Hounslow and it was agreed that council would mark this achievement at the December meeting.

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

The Chairman advised that he had received a request to address the meeting by Mr Bernie Douglas in respect of the motion submitted by Councillor Wood and that Mr Douglas would be heard immediately prior to this item.

The Chairman further advised that Councillor Sibley wished to submit a petition to Council in accordance with the Councils petition scheme.

Councillor Sibley addressed council as the lead petitioner.

It was moved by Councillor Wood, and seconded by Councillor Cotter, that the action requested in the petition be agreed:

The proposal was debated and a recorded vote was requested by Councillors Sibley and Cotter and members voted as follows:

Cllr Atkinson	For	Cllr Mallon	For
Cllr Annaly	For	Cllr Mawer	For
Cllr Atack	For	Cllr O'Sullivan	For
Cllr Ahmed	For	Cllr Pickford	For
Cllr Billington	For	Cllr Reynolds	For
Cllr Blackwell	For	Cllr Rose	For
Cllr Bolster	For	Cllr Sames	For
Cllr Bonner	For	Cllr Sibley	For
Cllr Clarke	For	Cllr Smithson	For
Cllr Cotter	For	Cllr Stevens	For
Cllr Donaldson	For	Cllr Steward	For
Cllr Emptage	For	Cllr Strangwood	For
Cllr Gibbard	For	Cllr L Stratford	For
Cllr Hallchurch	For	Cllr Thirzie Smart	For
Cllr Holland	For	Cllr Tompson	For
Cllr Milne Home	For	Cllr Turner	For
Cllr Hughes	For	Cllr Webb	For
Cllr Hurle	For	Cllr Weir	For
Cllr Ilott	For	Cllr Williamson	For
Cllr Irvine	For	Cllr Wood	For
Cllr Macnamara	For		

Resolved

That the action requested in the petition be agreed.

26 **Urgent Business**

The Vice-Chairman reported that he had agreed to an item of urgent business being admitted to the agenda regarding interim Chief Executive and Head of Paid Service arrangements from 1 January 2011, on the basis that it was necessary for a recruitment process to take place prior to the next meeting where legally it would be required to make an appointment.

27 **Minutes of Council**

The minutes of the meeting held on 19 July 2010 were agreed as a correct record and signed by the Chairman.

28 **Presentation by Cllr Michael Waine, Cabinet Member for Schools Improvement at Oxfordshire County Council and Sally Taylor, Head of Raising Achievement Service**

The Chairman welcomed Councillor Michael Waine, Cabinet Member for Schools Improvement at Oxfordshire County Council and Sally Taylor, Head of Raising Achievement Service to the meeting.

Councillor Michael Waine and Sally Taylor addressed the meeting regarding educational achievement in the district. A number of members asked questions and answers were duly provided.

The Chairman thanked Councillor Michael Waine and Sally Taylor for their attendance.

29 **Minutes**

a) **Minutes of the Executive, Portfolio Holder Decisions and Executive Decisions made under Special Urgency**

Resolved

That the minutes of the meeting of the Executive and Portfolio Holder decisions as set out in the Minute Book be received and that it be noted that since the last meeting of Council, one Executive decision had been taken that was subject to the special urgency provisions of the Constitution.

b) **Minutes of Committees**

Resolved

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

30 **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:

Effect of waste incinerators on the district: Councillor Mawer
Waste incinerator at Ardley: Councillor Sibley
Success of the financial close down: Councillor Macnamara

Councillor Wood requested that his appreciation of the success of the financial close down be recorded in the minutes.

c) Questions to Committee Chairmen on the minutes

There were no questions to the Committee Chairman on minutes.

31 Motions

High Speed Rail Route

Mr Bernie Douglas addressed the meeting with regard to the motion.

It was moved by Councillor Wood, and seconded by Councillor Hughes, that the following motion be adopted:

‘This Council notes the Government proposal for a High Speed Rail route from London to Birmingham and that the publicised route impacts on Villages in the District.

This Council believes that there is an insufficient Business Case for this proposal.

This Council therefore instructs Officers to prepare a report to the Executive setting out how the Council will campaign with like minded neighbouring Councils to "Stop HS2".’

The motion was debated and subsequently agreed.

Resolved

That the motion as set out above be adopted.

32 Executive Arrangements - Strong Leader Model

The Head of Legal and Democratic Services submitted a report to consider arrangements for adopting the so called ‘Strong Leader’ model of Executive governance as required by the Local Government and Public Involvement in Health Act 2007, until this act is repealed later in the year.

Resolved

- (1) That it be noted the Government intend to repeal these requirements later in the year and consequently to agree a minimal response to ensure legislative compliance as set out in the following recommendations and endorsed by the minister in his letter as set out in Annex 1 to the minutes (as set out in the minute book).
- (2) That it be noted Cherwell already operates a Strong Leader Model
- (3) That it be noted there has been no public response to these proposals.
- (4) That the constitutional amendments as set out at Annex 2 to the minutes (as set out in the minute book) be agreed.

33 **Bicester Town Centre Redevelopment Compulsory Purchase Order**

The Head of Regeneration and Estates submitted a report to seek authorisation for the making of a compulsory purchase order to facilitate the implementation of the redevelopment scheme (as proposed by Town Centre Retail (Bicester) Ltd and described in this report) to assemble the land interests required for the scheme, such interests being identified on the Order map and described in the schedule of land interests annexed to this report.

Resolved

- (1) That a compulsory purchase order be made in respect of the land shown coloured pink on the map attached at annex 3 to the minutes (as set out in the minute book) under Section 226(1)(a) of the Town and Country Planning Act 1990 (as amended) because it thinks that the acquisition will facilitate the carrying out of the development, redevelopment or improvement on or in relation to the land, and the development, redevelopment or improvement is likely to contribute to the promotion or improvement of the economic, social and environmental well-being of Bicester and the surrounding district; and
- (2) That a compulsory purchase order be made in respect of the new rights in relation to the land shown coloured blue on the map attached at annex 3 to the minutes (as set out in the minute book) under Section 13 of the Local Government (Miscellaneous Provisions) Act 1976, such land and new rights being described in the schedule of land interests at annex 4 to the minutes (as set out in the minute book).

34 **Proportionality and Committee Appointments Report**

The Head of Legal and Democratic Services submitted a report to gain agreement to the amended constitution of Committees for Municipal Year 2010/11 and to advise Council of political group nominations following the results of the Kidlington North By-election.

Resolved

- (1) That the allocation of the seats on the Committees that are subject to the political balance requirements be agreed as set out below following the results of the Kidlington North by-election.

Committees	Con	Lab	LD	TOTAL
Overview and Scrutiny Committee	10*	1*	1	12
Resources and Performance Scrutiny Board	11	0	1	12

Planning Committee	16	1	1	18
Licensing Committee	10*	1*	1	12
Personnel Committee	11	0	1	12
Appeals Panel	9	0	1	10
Accounts, Audit and Risk Committee	10	0	1	11

Proportional Committee Aggregate Entitlement	Total by	79	1	7	87
Adjustment Required		- 2	+ 2	0	

(2) To appoint Members (and, where appropriate, substitute members) to serve on each of the Committees set out below in accordance with the nominations made by the Political Groups.

		Appeals Panel	Personnel Committee	Overview & Scrutiny Committee	Licensing Committee
Remove	Members	Cllr Sibley	Cllr Parish	Conservative Vacancy	Conservative Vacancy
	Substitutes	N/A	N/A	N/A	N/A
Add	Members	Cllr Cotter	Cllr Williamson	Cllr Sibley	Cllr Parish
	Substitutes	N/A	N/A	Cllr Parish	Cllr Sibley

35 Interim Chief Executive and Head of Paid Service Arrangements from 1 January 2011

The Leader of the Council submitted an urgent report to seek Council's approval to delegate responsibility to the Personnel Committee for identifying, if possible, an internal candidate for the position of interim Chief Executive and Head of Paid Service and for taking any decisions related to the recruiting of a shared Chief Executive and Head of Paid Service with South Northamptonshire Council which might be required before the next meeting of full Council on 8 December.

Resolved

- (1) That the Personnel Committee be asked to seek to recruit internally an interim Chief Executive and Head of Paid Service for between two and six months from 1 January 2011 and to bring a recommendation for the appointment to full Council on 8 December.

- (2) That the Personnel Committee be asked to take any decisions related to the recruitment of a shared Chief Executive and Head of Paid Service with South Northamptonshire Council which might be required in advance of a final decision about a shared management team on 8 December.

The meeting ended at 9.18 pm

Chairman:

Date: