



Cherwell

DISTRICT COUNCIL
NORTH OXFORDSHIRE

Meeting of Council

Monday 17 October 2022

Members of Cherwell District Council,

A meeting of Council will be held at Bodicote House, Bodicote, Banbury, Oxon OX15 4AA on Monday 17 October 2022 at 6.30 pm, and you are hereby summoned to attend.

**Yvonne Rees
Chief Executive**

Friday 7 October 2022

AGENDA

1 Apologies for Absence

2 Declarations of Interest

Members are asked to declare any interest and the nature of that interest which they may have in any of the items under consideration at this meeting.

3 Communications (Pages 11 - 12)

To receive communications from the Chair and/or the Leader of the Council.

4 Petitions and Requests to Address the Meeting

The Chair to report on any requests to submit petitions or to address the meeting.

Addresses may be presented by:

- A Local Government elector for the area,
- A person who is wholly or mainly resident in the area,
- A Council Taxpayer or National Non-Domestic Ratepayer for the area

Addresses must be on an item on the Agenda before the meeting and not exceed 5 minutes. No person may address more than one meeting on any particular issue.

Requests to address the meeting (including the reason for the address) should be submitted to democracy@cherwell-dc.gov.uk The deadline for petitions and requests to address this meeting is noon on Friday 14 October 2022.

Full details of public participation at meetings is available in the Constitution.

5 Urgent Business

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

6 Minutes of Council (Pages 13 - 28)

To confirm as a correct record the Minutes of Council held on 18 July 2022.

7 Minutes

- a) Minutes of Executive, Lead Member Decisions and Executive Decisions not included in the 28 day notice

The Leader of the Council to formally propose that the minutes of the meetings of the Executive and Portfolio Holder Decisions as set out in the Minute Book (circulated separately) be received and to report that since the last meeting of Council held on 18 July 2022 one decision has been taken by the Executive which was not included in the 28 day notice, relating to Responding to the Cost of Living Crisis.

- b) Minutes of Committees

The Leader of the Council to formally propose that the minutes of committees as set out in the Minute Book (circulated separately) be received.

8 Questions (Pages 29 - 30)

- a) Written Questions

One written question has been submitted with advance notice in accordance with the Constitution. This is attached to the agenda.

Question from:	Question topic:
Councillor Ian Middleton	Lord Harrington visit to Cherwell District Council

A written response to the question will be published on the afternoon of the working day before the meeting.

The Member who submitted the written question may ask a supplementary question provided it is relevant to the reply and does not introduce any new matter. The Member to whom the question was addressed may reply to such supplementary question or undertake to reply in writing.

b) Questions to the Leader of the Council

The Chair to invite questions to the Leader of the Council (including any matters arising from the minutes).

Following a response to their question being provided Members will be entitled to a follow up or supplementary question.

c) Questions to Committee Chairmen on the Minutes

The Chair to invite questions to Chairmen of Committees on any matter arising from the minutes of their committee (if any).

Council Business Reports

9 Community Governance Review (CGR) - results of second consultation stage and final recommendations (Pages 31 - 46)

** Please note that due to the size of the documents, the appendices to this report have been published as a supplement to the main agenda **

Report of Chief Executive

Purpose of report

To update Council on the outcome of the stage two consultation that was held between 4 July and 23 September 2022; to delegate authority to the Monitoring Officer to complete the required legal order; to update Members on the upcoming Oxfordshire County boundary review being carried out by the Local Government Boundary Commission for England, and the ongoing Parliamentary Boundary Review.

Recommendations

The meeting is recommended:

- 1.1 To approve a change in the boundary between Ambrosden and Blackthorn for area A, as shown by the dotted black line on map 1.
- 1.2 To approve a change in the next ordinary year of elections for Ambrosden and Blackthorn parish councils, bringing them forward to 2023.

- 1.3 To approve a change in the boundary between Bodicote and Banbury for area F1, as shown by the dotted black line on map 2, to take effect in May 2024.
- 1.4 To agree that Merlin Close remain in Bodicote.
- 1.5 To approve a change in the boundary between Bodicote and Banbury for area F, as shown by the dotted black line in the inset box on map 3, to take effect in May 2024.
- 1.6 To approve a change in the boundary between Bodicote and Banbury for area E, as shown by the dotted black line on map 3, to take effect in May 2024.
- 1.7 To approve a change in the boundary between Drayton and Banbury for area D, as shown by the dotted black line on map 4, to take effect in May 2024.
- 1.8 To approve a change in the boundary between Drayton and Banbury for area C, as shown by the dotted black line on map 4, to take effect in May 2024.
- 1.9 To approve an increase in the number of Banbury Town Councillors by one, to be allocated to the Hardwick West Town Ward, to take effect in May 2024.
- 1.10 To approve a Banbury-only Community Governance Review to take place after the County boundary review has concluded, in advance of the 2028 local elections.
- 1.11 To approve a change in the boundary between Bicester, Ambrosden, Blackthorn and Launton for area L, as shown by the dotted black lines on map 5, to take effect in May 2023.
- 1.12 To approve a change in the next ordinary year of election for Launton Parish Council, bringing them forward to May 2023.
- 1.13 To approve a change in the boundary between Chesterton and Bucknell for areas G and H, as shown by the dotted black lines on map 6, to take effect in May 2023.
- 1.14 To approve a change in the boundary between Bicester and Bucknell for area I, as shown by the dotted black lines on map 6, to take effect in May 2023.
- 1.15 To approve a change in the boundary between Hanwell and Horley for area O, as shown by the dotted black line on map 7.
- 1.16 To approve a change in the boundary between Horley and Wroxton for area N, as shown by the dotted black line on map 7.
- 1.17 To approve an increase of one parish councillor for Begbroke Parish Council, increasing from six to seven, taking effect in May 2023.
- 1.18 To approve an increase of two parish councillors for Chesterton Parish Council, increasing from seven to nine, taking effect in May 2023.

- 1.19 To approve an increase of one parish councillor for Somerton Parish Council, increasing from five to six, taking effect in May 2023.
- 1.20 To delegate authority to the Monitoring Officer, in consultation with the Working Group, to prepare and finalise the required Reorganisation Order to implement approved recommendations.
- 1.21 To approve an extension of the Terms of Reference of the Working Group to cover the County boundary review, and delegate authority to the Chief Executive, in consultation with the Working Group, to consider and draft a response to the LGBCE consultations at the relevant times.
- 1.22 To note the update on the Parliamentary Boundary Review.

10 **Review of Allocation of Seats to Political Groups** (Pages 47 - 58)

** Please note Appendices 1 and 2 will follow **

Report of Chief Executive

Purpose of report

To review the allocation of seats to political groups in light of the disbanding of the Joint Shared Services and Personnel (JSSP) Committee and Joint Appeals Panel and to adopt the Minutes of the final meeting of the JSSP Committee.

Recommendations

The meeting is recommended:

- 1.1 To agree the revised allocation of seats on committees that are subject to the political balance requirements as set out in Appendix 1 (to follow).
- 1.2 To note changes to committee membership in accordance with the nominations made by political Group Leaders as set out in Appendix 2 (to follow).
- 1.3 To adopt the minutes of the meeting of the Joint Shared Services and Personnel Committee held on 4 July 2022 (Appendix 3).

11 **Calendar of Meetings 2023/2024** (Pages 59 - 68)

Report of Assistant Director Law, Governance and Democratic Services & Monitoring Officer (Interim)

Purpose of report

Council is asked to consider and agree the proposed calendar of meetings for the municipal year 2023/2024 (Appendix 1).

Recommendations

The meeting is recommended:

- 1.1 To approve the calendar of meetings for Cherwell District Council for the municipal year 2022/2023 (Appendix 1).

12 **Changes to Personnel Committee Terms of Reference** (Pages 69 - 72)

Report of Interim Monitoring Officer.

Purpose of report

The Council has a suite of employment law policies which give employees the opportunity to work flexibly or seek other changes to their terms and conditions. A recent introduction is a Flexible Retirement Policy, which will be considered by personnel Committee on 17 October.

This report seeks changes to the Terms of Reference of Personnel Committee, to make it possible for that committee to determine formal applications by senior officers to consider changes to their terms and conditions of employment.

Recommendations

The meeting is recommended:

- 1.1 To approve additional wording to the Personnel Committee's Terms of Reference, to add *'To determine formal applications by the Head of Paid Service, s151 Officer, Monitoring Officer and Corporate Directors for changes to their terms and conditions of employment, including flexible retirement requests'*.
- 1.2 To note that such applications by officers at Assistant Director grade and below would be determined by officers at the appropriate management level.

13 **Appointment of Monitoring Officer** (Pages 73 - 76)

Report of Chief Executive

Purpose of report

To appoint a Monitoring Officer following recruitment to the post of Assistant Director Law, Governance and Democratic Services.

Recommendations

The meeting is recommended:

- 1.1 To appoint Shiraz Sheikh as the Council's Monitoring Officer with effect from 18 October 2022.

14 **Notification of Urgent Action - Appointment of Data Protection Officer** (Pages 77 - 82)

Report of Chief Executive

Purpose of report

To inform Council of a decision taken under urgency powers by the Chief Executive in relation to the appointment of a Data Protection Officer.

Recommendations

The meeting is recommended:

- 1.1 To note the urgent decision taken by the Chief Executive as set out at Appendix 1.

15 Exclusion of the Press and Public

The following item of business contains exempt information as defined in the following paragraph of Part 1, Schedule 12A of Local Government Act 1972.

- 3 Information relating to the financial or business affairs of any particular person (including the authority holding that information)

Members are reminded that whilst the following items have been marked as exempt, it is for the meeting to decide whether or not to consider each of them in private or in public. In making the decision, members should balance the interests of individuals or the Council itself in having access to the information. In considering their discretion members should also be mindful of the advice of Council Officers.

Should Members decide not to make a decision in public, they are recommended to pass the following recommendation:

“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 paragraph 3 of Schedule 12A of that Act and that in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.”

16 Bicester Depot

** Please note this report will follow “”

Exempt Report of Corporate Director Resources

17 Readmittance of the Press and Public

Council to resolve to readmit the press and public to the meeting

18 Motions (Pages 83 - 86)

To debate the following motions which have been submitted with advance notice, in accordance with the Constitution (to be debated in the order submitted).

Topic	Proposer	Seconder
One Planet Living	Councillor Dan Sames	TBC
Fracking	Councillor Matt Hodgson	Councillor Amanda Watkins
Investment Zone	Councillor Ian Middleton	TBC
Water Sewage Transparency	Councillor Nick Cotter	TBC
Climate and Ecology	Councillor Dorothy Walker	Councillor Ian Middleton

Please note that the deadline to submit motions has passed. The deadline for Members to submit amendments to motions is noon on Thursday 13 October 2022. No amendments will be permitted after this deadline.

Any amendments submitted will be published as a supplement to the agenda on the afternoon of Friday 14 October 2022. Amendments for motions will be dealt with in the order submitted.

For information

Please note:

Members are advised that written questions and motions for the next scheduled Council meeting on Monday 19 December 2022 must be submitted to the Assistant Director Law, Governance & Democratic Services & Monitoring Officer, democracy@cherwell-dc.gov.uk, by noon on Wednesday 7 December 2022.

Councillors are requested to collect any post from their pigeon hole in the Members Room at the end of the meeting.

Information about this Agenda

Apologies for Absence

Apologies for absence should be notified to democracy@cherwell-dc.gov.uk or 01295 221589 prior to the start of the meeting.

Declarations of Interest

Members are asked to declare interests at item 2 on the agenda or if arriving after the start of the meeting, at the start of the relevant agenda item.

Local Government and Finance Act 1992 – Budget Setting, Contracts & Supplementary Estimates

Members are reminded that any member who is two months in arrears with Council Tax must declare the fact and may speak but not vote on any decision which involves budget setting, extending or agreeing contracts or incurring expenditure not provided for in the agreed budget for a given year and could affect calculations on the level of Council Tax.

Evacuation Procedure

When the continuous alarm sounds you must evacuate the building by the nearest available fire exit. Members and visitors should proceed to the car park as directed by Democratic Services staff and await further instructions.

Access to Meetings

If you have any special requirements (such as a large print version of these papers or special access facilities) please contact the officer named below, giving as much notice as possible before the meeting.

Mobile Phones

Please ensure that any device is switched to silent operation or switched off.

Queries Regarding this Agenda

Please contact Natasha Clark, Democratic and Elections democracy@cherwell-dc.gov.uk, 01295 221589