

# Cherwell District Council

## Council

16 June 2014

### Annual Council Business Report

#### Report of Chief Executive

This report is public

#### Purpose of report

To note the results of the 22 May 2014 district elections, the constitution of Political Groups, to appoint the Leader of the Council, to note the appointment of the Deputy Leader and Executive for the Municipal Year 2014/15 and to consider and agree the suggested constitution of Committees for the Municipal year 2014/2015.

#### 1.0 Recommendations

\*\* The recommendations are also included in the relevant section of the report \*\*

The meeting is recommended:

- 1.1 To note the results of the District elections held on 22 May 2014.
- 1.2 To note the constitution of Political Groups and notification of Group Leaders.
- 1.3 To appoint a Leader of the Council.
- 1.4 To note the appointment of Deputy Leader of the Council, the membership of the Executive and the Executive Portfolios for 2014/15.
- 1.5 To agree the allocation of seats on committees that are subject to the political balance requirements as set out in Table 1.
- 1.6 To agree the allocation of seats on committees not subject to political balance requirements as set out in Table 2.
- 1.7 To appoint members (and where appropriate, substitute members) to serve on each of the committees and other bodies set out in Tables 1 and 2 in accordance with the nominations to be made by political groups (Appendix 2 - to follow).
- 1.8 To appoint a representative to the County Council Health Overview and Scrutiny Committee.

- 1.9 To appoint a representative to the Police and Crime Commissioner Scrutiny Panel.

## **2.0 Introduction**

- 2.1 The Council's Constitution requires that at the annual meeting, Council shall:
- Note the results of the District Elections, if held, and the constitution of Political Groups and Group Leaders and elect the Leader of the Council if required
  - Conduct any business concerning the establishment of and appointments to the Executive, including the appointment of Deputy Leader and the allocation of functions to Lead Members
  - Conduct any business concerning the establishment of, and appointment to:
    - The Overview and Scrutiny Committee
    - The Standards Committee
    - Such other Committees as the Council consider appropriate

## **3.0 Report Details**

### **District Election Results**

- 3.1 The following were elected for the Wards shown at the district elections held on 22 May 2014:

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

### **Recommendation**

- 1.1 To note the results of the District Elections held on 22 May 2014.

### **Constitution of Political Groups**

- 3.2 The Chief Executive will report on the notifications of the constitution of Political Groups received prior to the meeting.
- 3.3 Group Leaders have been appointed as follows:

Conservative Group: Councillor Barry Wood  
Labour Group: Councillor Sean Woodcock  
Liberal Democrat Group: Councillor Douglas Williamson

### **Recommendation**

1.2 To note the constitution of Political Groups and notification of Group Leaders.

### **Leader of the Council**

- 3.4 In accordance with the strong leader model, the Leader of the Council's term of finished at the end of his term of office as a councillor in May 2014. Therefore Council is required to appoint a Leader.
- 3.5 The Leader of the Council will be a councillor elected to that position by Council. The Leader of the Council shall be the chairman of the Executive and shall have reserve powers to act in the absence or incapacity of any executive portfolio holder.
- 3.6 The Leader will hold office until:
- s/he resigns from the office
  - s/he is suspended from being a Councillor under Part III of the Local Government Act 2000 (although he may resume office at the end of the period of suspension)
  - the expiration of their term of office
  - s/he is no longer a councillor
  - s/he is removed from office by resolution of the council,

### **Recommendation**

1.3 To appoint a Leader of the Council.

### **Deputy Leader of the Council and Executive 2014/15**

- 3.7 The newly appointed Leader of the Council will table a report (Appendix 1) appointing a Deputy Leader and setting out the Executive Portfolios for the Municipal Year 2014/15.

### **Recommendation**

1.4 To note the appointment of Deputy Leader of the Council, the membership of the Executive and the Executive Portfolios for 2014/15.

### **Committee Appointments 2014/15**

- 3.8 The current constitution of the Council is 40 (80%) Conservative, 7 (14%) Labour, 2 (4%) Liberal Democrat and 1 (2%) Independent.
- 3.9 Under the political balance regulations in the Local Government and Housing Act 1989, allocations are made to political groups, any member not in a political group is consequently not automatically entitled to seats on committees. Therefore in Table 1 below, all group percentage allocations have been rounded up. The figures marked by an asterisk take account of this adjustment.

- 3.10 The proportionality calculations require the Conservative Group to release a seat to the Liberal Democrat Group. The Conservative Group has advised that the relevant seat is on the Accounts, Audit and Risk Committee and is indicated below in brackets.
- 3.11 The proportionality calculations require the Labour Group to release two seats to the Liberal Democrat Group. The Labour Group has advised that the relevant seats are on the Appeals Panel and Licensing Committee and is indicated below in brackets

3.12 **Table 1: Allocation of Seats of Proportional Committees**

	<b>TOTAL</b>	<b>CON</b>	<b>LAB</b>	<b>LD</b>
Accounts, Audit & Risk Committee	<b>8</b>	<b>6 (-1)</b>	<b>1</b>	<b>1 (+1)</b>
Appeals Panel	<b>10</b>	<b>8</b>	<b>1 (-1)</b>	<b>1 (+1)</b>
Budget Planning Committee	<b>12</b>	<b>10</b>	<b>2</b>	<b>0</b>
Joint Appeals Panel	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
Joint Personnel Committee	<b>5</b>	<b>4</b>	<b>1</b>	<b>0</b>
Licensing Committee	<b>12</b>	<b>10</b>	<b>1 (-1)</b>	<b>1 (+1)</b>
Overview & Scrutiny	<b>12</b>	<b>10</b>	<b>2</b>	<b>0</b>
Personnel Committee	<b>12</b>	<b>10</b>	<b>2</b>	<b>0</b>
Planning Committee	<b>18</b>	<b>14</b>	<b>3</b>	<b>1</b>
Standards Committee	<b>8</b>	<b>7</b>	<b>1</b>	<b>0</b>
<b>Proportional Total by Committee</b>	<b>100</b>	<b>82</b>	<b>17</b>	<b>1</b>
<b>Aggregate Entitlement</b>	<b>100</b>	<b>81*</b>	<b>15*</b>	<b>4</b>
<b>Adjustment Required</b>	<b>-</b>	<b>-1</b>	<b>- 2</b>	<b>+3</b>

3.12 **Table 2: Allocation of Seats of Non-Proportional Committees**

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

3.13 **Notes:**

**Overview and Scrutiny Committee** must not include any members of the Executive.

**Personnel Committee** must include at least one member of the Executive and may not include members of the Appeals Panel

**Appeals Panel** members may not serve as members or substitute members of the Personnel Committee.

**Council and Employee Joint Committee** has a fixed membership, comprising the number indicated in the total column.

**Joint Personnel Committee** may not serve as members or substitute members of the Joint Appeals Committee

**Joint Appeals Committee** members may not serve as members or substitute members of the Joint Personnel Committee.

3.14 Appendix 2 (to follow) sets out members (and where appropriate, substitute members) to serve on each of the committees and other bodies set out in Tables 1 and 2 in accordance with the nominations to be made by political groups.

**Recommendations**

1.5 To agree the allocation of seats on committees that are subject to the political balance requirements as set out in Table 1.

1.6 To agree the allocation of seats on committees not subject to political balance requirements as set out in Table 2.

1.7 To appoint members (and where appropriate, substitute members) to serve on each of the committees and other bodies set out in Tables 1 and 2 in accordance with the nominations to be made by political groups (Appendix 2 - to follow).

**Appointment of Representatives**

3.15 Council is asked to appoint representatives to the County Council Health Overview and Scrutiny Committee and to the Police and Crime Commissioner Scrutiny Panel.

- 3.16 The 2013/14 representatives on the County Council Health Overview and Scrutiny Committee was Councillor Rose Stratford and on Police and Crime Commissioner Scrutiny Panel was Councillor George Reynolds.

#### **Recommendations**

- 1.8 To appoint a representative to the County Council Health Overview and Scrutiny Committee.
- 1.9 To appoint a representative to the Police and Crime Commissioner Scrutiny Panel.

### **4.0 Conclusion and Reasons for Recommendations**

- 4.1 The Council is required to note the results of the District Council elections, appoint a Leader (if required), agree the allocation of seats on committees that are subject to the political balance requirements and also on committees not subject to political balance requirements and to agree the appointments to each of the Committees in accordance with the nominations made by political groups.

### **5.0 Consultation**

Group Leaders

Nominations and information from group leaders has been included in the report and appendices

### **6.0 Alternative Options and Reasons for Rejection**

- 6.1 The following alternative options have been identified and rejected for the reasons as set out below.

Option 1: To amend the appointments to Committee.

### **7.0 Implications**

#### **Financial and Resource Implications**

- 7.1 There are no financial implications arising from the report.

Comments checked by:

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#### **Legal Implications**

- 7.2 It is a legal requirement for Council to agree proportionality after an election and appoint committees. It is for the Council Leader to appoint the Deputy Leader and the other Executive members, and to allocate Lead Member responsibilities.

Comments checked by:  
Kevin Lane, Head of Law and Governance, 0300 003 0107,  
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### **Risk Implications**

7.3 In ensuring the legal requirements are met risk to the authority is mitigated.

Comments checked by:  
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## **8.0 Decision Information**

### **Wards Affected**

All

### **Links to Corporate Plan and Policy Framework**

All

### **Lead Councillor**

None

### **Document Information**

<b>Appendix No</b>	<b>Title</b>
One	Executive Portfolios 2014/15 – to follow
Two	Committee Membership – to follow
<b>Background Papers</b>	
None	
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