

# Agenda

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## Council

Date: **Monday 15 May 2017**

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Time: **4.00 pm**

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Place: **Council Chamber, Town Hall**

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For any further information please contact:

**Jennifer Thompson, Committee and Members Services Officer**

Telephone: 01865 252275

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# Council

## Membership

<b>Lord Mayor</b>	<b>Councillor Mohammed Altaf-Khan</b>	
<b>Deputy Lord Mayor</b>	<b>Councillor Rae Humberstone</b>	
<b>Sheriff</b>	<b>Councillor Susan Brown</b>	
<b>Members</b>	<b>Councillor Colin Cook</b>	<b>Councillor Sajjad Malik</b>
	<b>Councillor Mohammed Abbasi</b>	<b>Councillor Chewe Munkonge</b>
	<b>Councillor Farida Anwar</b>	<b>Councillor Michele Paule</b>
	<b>Councillor Jamila Begum Azad</b>	<b>Councillor Jennifer Pegg</b>
	<b>Councillor Ruthi Brandt</b>	<b>Councillor Susanna Pressel</b>
	<b>Councillor Nigel Chapman</b>	<b>Councillor Bob Price</b>
	<b>Councillor Mary Clarkson</b>	<b>Councillor Mike Rowley</b>
	<b>Councillor Steven Curran</b>	<b>Councillor Gill Sanders</b>
	<b>Councillor Jean Fooks</b>	<b>Councillor Christine Simm</b>
	<b>Councillor James Fry</b>	<b>Councillor Craig Simmons</b>
	<b>Councillor Andrew Gant</b>	<b>Councillor Dee Sinclair</b>
	<b>Councillor Stephen Goddard</b>	<b>Councillor Linda Smith</b>
	<b>Councillor Angie Goff</b>	<b>Councillor John Tanner</b>
	<b>Councillor Mick Haines</b>	<b>Councillor Richard Tarver</b>
	<b>Councillor Tom Hayes</b>	<b>Councillor Sian Taylor</b>
	<b>Councillor David Henwood</b>	<b>Councillor David Thomas</b>
	<b>Councillor Alex Hollingsworth</b>	<b>Councillor Marie Tidball</b>
	<b>Councillor Dan Iley-Williamson</b>	<b>Councillor Ed Turner</b>
	<b>Councillor Pat Kennedy</b>	<b>Councillor Louise Upton</b>
	<b>Councillor Mark Ladbrooke</b>	<b>Councillor Elizabeth Wade</b>
	<b>Councillor Tom Landell Mills</b>	<b>Councillor Ruth Wilkinson</b>
	<b>Councillor Ben Lloyd-Shogbesan</b>	<b>Councillor Dick Wolff</b>
	<b>Councillor Mark Lygo</b>	

The quorum for this meeting is 12 members.

### **HOW TO OBTAIN A COPY OF THE AGENDA**

In order to reduce the use of resources, our carbon footprint and our costs we will no longer produce paper copies of agenda over and above our minimum requirements. Paper copies may be looked at the Town Hall Reception and at Customer Services, St Aldate's and at the Westgate Library

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- Viewed on our website – [mycouncil.oxford.gov.uk](http://mycouncil.oxford.gov.uk)
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## SUMMONS

A meeting of the City Council will be held in the Council Chamber, Town Hall, on Monday 15 May 2017 at 4.00 pm to transact the business set out below.

*Peter Sloman*

Proper Officer

## AGENDA

Pages

### PART 1 - PUBLIC BUSINESS

- 1 ELECTION OF LORD MAYOR FOR THE COUNCIL YEAR 2017/18
- 2 ELECTION OF DEPUTY LORD MAYOR FOR THE COUNCIL YEAR 2017/18
- 3 ELECTION OF SHERIFF FOR THE COUNCIL YEAR 2017/18
- 4 APOLOGIES FOR ABSENCE
- 5 DECLARATIONS OF INTEREST
- 6 ANNOUNCEMENTS BY THE LORD MAYOR
- 7 ANNOUNCEMENTS BY THE CHIEF EXECUTIVE
- 8 REPORT OF THE LEADER OF THE COUNCIL

Council elected Councillor Price as Leader from 16 May 2016.

Council will receive and note a report from the Leader on:

1. the appointment of the deputy Leader of the Council;
2. the appointment of Board Members;
3. the appointment of Shareholders for:
  - Oxford City Housing Limited
  - Oxford West End Development
  - Oxford Direct Services Holding Company; and
4. the Executive Scheme of Delegation as set out in the Council's Constitution.

**9 APPOINTMENT OF COMMITTEES FOR THE COUNCIL YEAR 2017/18**

7 - 12

The Acting Head of Law and Governance has submitted a report inviting Council to appoint committees for the Council year 2017/18 and members to serve on these.

Council is recommended to:

1. note the arrangements for determining Political Groups and achieving political balance within the Political Governance arrangements;
2. appoint the bodies as currently defined within the Council's constitution and included in the table at paragraph 9 of this report;
3. agree the nominations to committees made by political groups and attached within a document circulated separately;
4. appoint a member to the Joint Oxfordshire Health Overview and Scrutiny Committee;
5. agree that all members of Council will form the pool of members able to observe on appeals and some grievances; and
6. authorise the Head of Law and Governance to make any changes to the constitution as a consequence of these decisions.

**10 APPOINTMENT OF HEAD OF PAID SERVICE, RETURNING OFFICER AND ELECTORAL REGISTRATION OFFICER**

13 - 14

This report was first published with the agenda and republished with revised recommendations on 12 May 2017.

The Acting Head of Law and Governance has submitted a report asking Council to appoint statutory officers. This decision cannot be delayed until the next ordinary meeting of Council.

Council is asked to confirm the appointments of the Interim Chief Executive and Head of Paid Service, and to appoint a Returning Officer and Electoral Registration Officer.

**Officer Recommendations:** Council is asked to:

1. confirm the appointment of Gordon Mitchell as the Council's Interim Chief Executive and as Head of Paid Service;
2. approve the appointment of Tim Sadler, Executive Director of Sustainable City, as the Council's Returning Officer and Electoral Registration Officer.

both with effect from 15 May 2017.

**11 COUNCIL SCHEME OF DELEGATION FOR 2017/18**

The Chief Executive recommends Council to agree the Council's scheme of delegation for as set out in Section 5 of the Council's Constitution.

The Constitution is available on the [Council's website](#)

## 12 MATTERS EXEMPT FROM PUBLICATION AND EXCLUSION OF THE PUBLIC

If Council wishes to exclude the press and the public from the meeting during consideration of any aspects of the preceding agenda items it will be necessary for Council to pass a resolution in accordance with the provisions of Section 100A(4) of the Local Government Act 1972 specifying the grounds on which their presence could involve the likely disclosure of exempt information as described in specific paragraphs of Part 1 of Schedule 12A of the Act if and so long as, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

(The Access to Information Procedure Rules – Section 15 of the Council's Constitution – sets out the conditions under which the public can be excluded from meetings of the Council)

### **UPDATES AND ADDITIONAL INFORMATION TO SUPPLEMENT THIS AGENDA ARE PUBLISHED IN THE COUNCIL BRIEFING NOTE.**

Additional information, councillors' questions, public addresses and amendments to motions are published in a supplementary briefing note. The agenda and briefing note should be read together.

The Briefing Note is published as a supplement to the agenda. It is available on the Friday before the meeting and can be accessed along with the agenda on the council's website.

## **DECLARING INTERESTS**

### **General duty**

You must declare any disclosable pecuniary interests when the meeting reaches the item on the agenda headed “Declarations of Interest” or as soon as it becomes apparent to you.

### **What is a disclosable pecuniary interest?**

Disclosable pecuniary interests relate to your employment; sponsorship (ie payment for expenses incurred by you in carrying out your duties as a councillor or towards your election expenses); contracts; land in the Council’s area; licences for land in the Council’s area; corporate tenancies; and securities. These declarations must be recorded in each councillor’s Register of Interests which is publicly available on the Council’s website.

### **Declaring an interest**

Where any matter disclosed in your Register of Interests is being considered at a meeting, you must declare that you have an interest. You should also disclose the nature as well as the existence of the interest.

If you have a disclosable pecuniary interest, after having declared it at the meeting you must not participate in discussion or voting on the item and must withdraw from the meeting whilst the matter is discussed.

### **Members’ Code of Conduct and public perception**

Even if you do not have a disclosable pecuniary interest in a matter, the Members’ Code of Conduct says that a member “must serve only the public interest and must never improperly confer an advantage or disadvantage on any person including yourself” and that “you must not place yourself in situations where your honesty and integrity may be questioned”. What this means is that the matter of interests must be viewed within the context of the Code as a whole and regard should continue to be paid to the perception of the public.

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<sup>1</sup>Disclosable pecuniary interests that must be declared are not only those of the member her or himself but also those of the member’s spouse, civil partner or person they are living with as husband or wife or as if they were civil partners.

**To:** Annual Council  
**Date:** 15 May 2017  
**Report of:** Acting Head of Law and Governance  
**Title of Report:** Appointment of Committees for the Council year 2017-2018

<b>Summary and recommendations</b>	
<b>Purpose of report:</b>	To appoint committees and the members serving on them for the Council year 2017-2018
<b>Corporate Priority</b>	None
<b>Policy Framework</b>	None
<b>Recommendations:</b> That Council resolves to:	
<ol style="list-style-type: none"> <li>1. <b>Note</b> the arrangements for determining Political Groups and achieving political balance within the Political Governance arrangements;</li> <li>2. <b>Appoint</b> the bodies as currently defined within the Council's constitution and included in the table at paragraph 9 of this report;</li> <li>3. <b>Agree</b> the nominations to committees made by political groups and attached within a document circulated separately;</li> <li>4. <b>Appoint</b> a member to the Joint Oxfordshire Health Overview and Scrutiny Committee;</li> <li>5. <b>Agree</b> that all members of Council will form the pool of members able to observe on appeals and some grievances; and</li> <li>6. <b>Delegate authority</b> to the Head of Law and Governance to make any changes to the constitution as a consequence of these decisions.</li> </ol>	

<b>Appendices</b>	
Appendix 1	Nominations to seats on committees for 2017/18

## **Introduction and background**

1. This report is being submitted to Annual Council under Council Procedure Rule 11.1 (g), (h) and confirms the bodies appointed by the Council, the arrangements for political groups to be formed, the arrangements to achieve political balance and the nominations to each body appointed by the Council.
2. The Local Government and Housing Act 1989 provides a statutory basis for the rights of minority groups to secure representation on Council committees in proportion to their representative political strengths within the Council. To enable this the Council has to provide for:
  - Political Groups to be formed and Group Leaders elected.
  - Seats on committees to be allocated in accordance with “political balance”.

## **Forming Political Groups**

3. Key here is the requirement of individual members to indicate a wish to be a member of any particular Political Group or cease to be a member of a Political Group. These group formations are then used within political balance calculations. A Political Group comprises 2 or more members who have indicated, by notice to the Head of Law and Governance that they wish to be part of that group. The notice must include the name of the Group Leader. Optionally groups can also name a Deputy Group Leader.
4. Members elected as “independent” are able to come together, should they wish, to form a group using the same process.
5. Once formed, changes can be made by giving notice to the Head of Law and Governance. The wishes of the group can be made know by the Group Leader or the majority of the group unless a proposal is made to change Leadership. A change of Leadership must be notified by a majority of group members.
6. Changes to group membership would require a review of the allocation of seats on committees. Councillor Ladbroke has notified the Head of Law and Governance that he wishes to join the Labour Group. No other notifications have been received so other group membership declarations are as made in May 2016.

## **Political Balance (PB) Calculations**

7. With a few exceptions Council is bound to appoint to committees using the principles of political balance. This is contained within the Local Government and Housing Act 1989 and includes the following overriding principles which should be read hierarchically:
  - Where there is more than one group, all seats must not be allocated to the same political group.
  - The majority of seats must be allocated to the group with the majority on the Council.
  - When considering all seats available for allocation the total of those given to each group should match their representation on the Council overall.
  - The number of seats on each individual committee allocated to groups should match their representation on the Council overall



When making calculations officers will “round up”, at 0.5 and above. Whilst allocations will be made within this formula, clearly there will be occasions when a precise mathematical allocation cannot be implemented. When this is the case Group Leaders will work with the Head of Law and Governance to agree a satisfactory arrangement that fits within the principles of the hierarchy detailed above.

8. The allocations to Party Groups for 2017-2018 are circulated separately.

### Appointments to Committees

9. The table below contains the current bodies appointed to within the Council’s governance structure and the requirements of the constitution. Since May 2012 the Council has operated within the Strong Leader and Cabinet model of Executive arrangements. In 2016, Councillor Price was elected as Leader of the Council for 4 years. Elsewhere on the agenda Councillor Price will, if he has decided these, notify Council of the members he has appointed to the City Executive Board, their portfolios, and the appointees to the Shareholder’s Groups for the three Council companies.

Body	Seats No.	In PB calculation	Comment
Full Council	48	No	Formed by election by halves.
City Executive Board	10	No	Appointed by the Leader of the Council
Shareholder Groups for Council Companies	1- 10	No	Appointed by the Leader of the Council
Licensing and Gambling Acts Committee	15	No	<b>For appointment by Council</b> This committee discharges the responsibilities contained within the Licensing Act 2003 and the Gambling Act 2005. It must contain between 10 and 15 members. Members must be available to attend casework panels. Convention is that the spirit of political balance will apply to this Committee.
Oxfordshire Health Overview and Scrutiny Committee	1	No	<b>For appointment by Council</b> The County Council invites the Council to appoint 1 member to sit on this Committee which delivers the Health Scrutiny function for Oxfordshire. This includes both public and critical health functions.  This is a non-executive member of the administration unless they decide to allocate this to another group.

Appeals	All members	No	<p><b>For appointment by Council</b></p> <p>The Council's HR policies require that should an appeal be received against a decision to dismiss or some decisions within the grievance procedure then that hearing should be observed by a member.</p> <p>A pool of members is required. In previous years the pool has consisted of all members of Council.</p>
General Purposes and Licencing Committee	10	Yes	<b>For appointment by Council</b>
Appointments Committee	5	Yes	<p><b>For appointment by Council</b></p> <p>This must include 1 City Executive Board Member.</p>
Audit and Governance Committee	7	Yes	<b>For appointment by Council</b>
Standards Committee	7	Yes	<b>For appointment by Council</b>
East Area Planning Committee	9	Yes	<p><b>For appointment by Council</b></p> <p>Council may not appoint a councillor to more than one planning committee.</p>
West Area Planning Committee	9	Yes	<p><b>For appointment by Council</b></p> <p>Council may not appoint a councillor to more than one planning committee.</p>
Planning Review Committee	9	Yes	<p><b>For appointment by Council</b></p> <p>Council may not appoint a councillor to more than one planning committee.</p>
Scrutiny Committee	12	Yes	<p><b>For appointment by Council</b></p> <p>City Executive Board members cannot be members of this committee. The Council must appoint at least one Scrutiny Committee.</p> <p>The Chair of this committee must be an opposition group member.</p>
Disciplinary Committee	4	Yes	<p><b>For appointment by Council</b></p> <p>This is for disciplinary issues for Directors and Heads of Service.</p> <p>Must include a City Executive Board Member.</p>

10. The number of seats to be used in the political balance calculation is 72. Political Group nominations to these committees will be circulated separately.

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Report revised to include recommendation 1 and republished with the briefing note on 12 May 2017

**To:** Council

**Date:** 15 May 2017

**Report of:** The Chief Executive

**Title of Report:** Confirmation of appointment of Interim Chief Executive and Head of Paid Service, and appointment of Returning Officer and Electoral Registration Officer

## Summary and Recommendations

**Purpose of report:** To confirm the appointment of the Interim Chief Executive and Head of Paid Service, and to appoint a Returning Officer and Electoral Registration Officer.

**Policy Framework:** None

**Recommendations:** That Council resolves to:

1. **confirm** the appointment of Gordon Mitchell as the Council's Interim Chief Executive and as Head of Paid Service;
2. **approve** the appointment of Tim Sadler, Executive Director of Sustainable City, as the Council's Returning Officer and Electoral Registration Officer.

both with effect from 15 May 2017.

## **Background**

1. The Local Authorities (Standing Orders) (England) Regulations 2001 Schedule 1 requires that where the appointments committee is discharging, on behalf of the authority, the function of the appointment of an officer designated as the head of paid service, Full Council must approve that appointment.
2. Section 8 of the Representation of the People Act 1983 requires every district council to appoint an officer of the council to be Electoral Registration Officer.

3. Section 35 of the Representation of the People Act 1983 requires every district council to appoint a Returning Officer for district and parish council elections. The role is to ensure that the elections are administered effectively and that, as a result, the experience of voters and those standing for election is a positive one.

### **Electoral Registration Officer and Returning Officer**

4. The roles of Electoral Registration Officer and Returning Officer are currently held by the Peter Sloman. Due to his resignation it has become necessary to make new appointments.
5. It is proposed that the Tim Sadler, Executive Director of Sustainable City, is appointed as the Council's Electoral Registration Officer and the Council's Returning Officer with effect from 15 May 2017.
6. Unlike a Returning Officer, the Electoral Registration Officer cannot appoint a deputy themselves, unless the power to do so has been delegated to them by the council. The Council appointed Martin John as its Deputy Electoral Registration Officer in February 2004. This appointment remains unchanged.

### **Head of Paid Service and Interim Chief Executive**

7. Council on 24 April agreed to delegate authority to the Appointments Committee to appoint an Interim Chief Executive and that the person appointed as Interim Chief Executive will, as set out in the Constitution, be designated as Head of Paid Service from the first day of their formal employment in that role with Oxford City Council.
8. On 5 May, the Committee agreed to appoint Gordon Mitchell to that post. All Councillors including the Executive Board have been informed of that decision and no objections have been received from any Board member.
9. Notwithstanding that decision of Council, legally the appointment of a person as Head of Paid Service requires the formal approval of Full Council before it can be confirmed. Council is accordingly asked to confirm the appointment.

### **Legal issues**

10. There are no legal issues arising from the report.

### **Financial Issues**

11. There are no new financial issues arising from the report.

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**Background papers:** None