

OXFORDSHIRE COUNTY COUNCIL

MINUTES of the meeting of the Extraordinary County Council held at County Hall on Tuesday 25 August 2009 commencing at 10.00 am and finishing at 11.45 am

Present:

Councillor TONY CRABBE – in the chair

Councillors:

Alyas Ahmed	Janet Godden	David Robertson
Alan Armitage	Timothy Hallchurch MBE	Rodney Rose
Marilyn Badcock	David Harvey	John Sanders
Michael Badcock	Steve Hayward	Larry Sanders
Roger Belson	Mrs J. Heathcoat	Bill Service
Maurice Billington	Hilary Hibbert-Biles	Dave Sexon
Norman Bolster	Ray Jelf	Chip Sherwood
Ann Bonner	Peter Jones	C.H. Shouler
Liz Brighthouse	Steward Lilly	Peter Skolar
Iain Brown	Lorraine Lindsay-Gale	Roz Smith
Nick Carter	Sandy Lovatt	Val Smith
Louise Chapman	Sajjad Hussain Malik (Saj)	Richard Stevens
Jim Couchman	Kieron Mallon	Keith Strangwood
Roy Darke	Charles Mathew	John Tanner
Arash Fatemian	Keith R. Mitchell CBE	Alan Thompson
Mrs Anda Fitzgerald-O'Connor	David Nimmo-Smith	Melinda Tilley
Jean Fooks	Neil Owen	David Turner
Anthony Gearing	Zoé Patrick	Carol Viney
Michael Gibbard	Susanna Pressel	
John Goddard	Anne Purse	

The Council considered the matters, reports and recommendations contained or referred to in the agenda for the meeting, together with a schedule of addenda tabled at the meeting and decided as set out below. Except insofar as otherwise specified, the reasons for the decisions are contained in the agenda, reports and schedule, copies of which are attached to the signed Minutes.

58/09 MINUTES OF THE LAST MEETING

(Agenda Item 1)

RESOLVED: that the Minutes of the meeting of Council held on 16 June 2009 be approved and signed as a correct record.

59/09 APOLOGIES FOR ABSENCE

(Agenda Item 2)

Apologies for absence were received from Councillors Altaf-Khan, Atkins, Fulljames, Greene, Handley, Hannaby, Harbour, Hutchinson, Hudspeth, Reynolds, Seale, Stratford, N. Turner, Waine and Wilmshurst.

60/09 OFFICIAL COMMUNICATIONS

(Agenda Item 4)

The Chairman of the Council reported that Stephen New, Facilities Manager at Knights Court, had been appointed an MBE for Services as Sqn Ldr to the Thames Valley Air Training Corps in the Military Division.

61/09 APPOINTMENTS

(Agenda Item 5)

RESOLVED:

(a) To make the following changes to membership:

Scrutiny Committee	Existing Member	Proposed Member
Adult Services	Sherwood	L Sanders
Strategy & Partnerships	L Sanders	Sherwood

(b) On the nomination of the Oxfordshire Leaders' Group, to appoint Cherwell District Councillor Barry Wood of 16 Chinalls Close, Finmere, Buckingham MK18 4BQ to the vacancy for a District Council representative on the Pension Fund Committee.

62/09 SUSPENSION OF COUNCIL PROCEDURE RULES

The Chairman proposed that the process for consideration of the following item be as set out in the Schedule of Business, to allow debate on each of the sections of the report; individual votes on each of the recommendations and to take the amendments in the relevant sections rather than in the order in which they were received. It was accordingly:

RESOLVED: to suspend the relevant parts of the Council Procedure Rules.

63/09 REVIEW OF THE CONSTITUTION

(Agenda Item 7)

Council considered a report (CC7) that set out proposals relating to the Councils Constitution.

Councillor Mitchell moved and Councillor Robertson seconded recommendation (a) in the motion, on the structure of the Constitution.

Following debate, recommendation (a) was agreed *nem con*.

Councillor Mitchell moved and Councillor Robertson seconded recommendation (b) in the motion, relating to legislative changes.

Following debate, recommendation (b) was agreed *nem con*.

Councillor Mitchell moved and Councillor Robertson seconded recommendations (c) to (l) in the motion, relating to the Council procedures.

Councillor Patrick moved and Councillor Fooks seconded an amendment to recommendation (f)(1) in the motion.

Following debate, the amendment was lost by 40 votes to 18.

Following debate the substantive recommendations were then put to the vote and:

Recommendations (c), (d), (g)(1), (h), (i)(1), (j), (k) and (l) were agreed *nem con*.

Recommendations (g)(2) and (i)(2) were accordingly lost.

Recommendations (e)(2) and (f)(2) were agreed by 41 votes to 18.

Recommendations (e)(1) and (f)(1) were accordingly lost.

Councillor Mitchell moved and Councillor Robertson seconded recommendations (m) and (n) in the motion, relating to the Cabinet procedures.

Following debate, recommendations (m) and (n) were agreed *nem con*.

Councillor Mitchell moved and Councillor Robertson seconded recommendations (o) to (r) in the motion, relating to other changes to the Constitution.

Councillor Carter moved and Councillor Mathew seconded an amendment to the motion, adding a new recommendation (s).

Following debate, the amendment to the motion was agreed *nem con*.

Councillor Patrick moved and Councillor Fooks seconded an amendment to recommendation (o).

Following debate, the amendment to the motion was lost by 41 votes to 18.

Following debate the substantive recommendations were then put to the vote and:

Recommendation (o) was agreed by 41 votes to 18.

Recommendations (p) to (s) were agreed *nem con*.

RESOLVED:

- (a) approve the revised structure, including the changes set out in paragraph 14 of the report;
- (b) approve the changes set out in paragraphs 16 – 24 of the report in order to comply with legislation;
- (c) approve the proposal for ‘usual’ business in the morning, and themed debates and motions in the afternoon;
- (d) introduce a duty for the appropriate Director to inform the petitioner within 10 working days what action will be taken as a result of the petition;
- (e) confirm the current arrangements in relation to questions from members of the public;
- (f) confirm the current arrangements in relation to questions from members;
- (g) widen the scope of motions on notice;
- (h) (in the light of the decision at (g)) widen the scope of motions on notice to include issues involving other ‘public bodies’ listed at paragraph 33 of the report;
- (i) alternate the order of motions on the agenda by Party Group as set out in paragraphs 35 – 37 of the report, or
- (j) agree the introduction of themed debates as set out in paragraphs 38 – 42 of the report;
- (k) agree the Policy Framework as set out at Annex 2 to the report;
- (l) agree the amendments to the Virement Rules as set out at paragraph 44 of the report;
- (m) approve the proposed Question Time arrangements as set out in paragraphs 45 – 48 of the report;
- (n) adopt the amended wording for definition of ‘key decision’;
- (o) disband the Scrutiny Co-ordinating Group and amend the Scrutiny Procedure Rules accordingly;
- (p) approve the amended Financial Procedure Rules and Contract Procedure Rules;

- (q) authorise the Monitoring Officer to make the necessary amendments to the Constitution to give effect to (a) to (p) above;
- (r) instruct the Monitoring Officer to review the Constitution after 12 months of its operation; and
- (s) to ask the Monitoring Officer to bring a report back to the November County Council on the Protocol on Members' Rights and Responsibilities Section FF Para 10 with a view to strengthening member's rights to consultation and early information on emerging divisional issues and specifically including a reference to Section 106 issues in a Division.

.....in the Chair

Date of signing2009