

BANBURY TOWN COUNCIL

Minutes of a Meeting of Banbury Town Council held on Tuesday, 18 September 2018 at 6.30pm in the Town Hall, Banbury.

Present: Councillor Hussain (Town Mayor)
Councillors: Banfield, Beere, Bell, Beverly, Cherry, Dhesi, L. Donaldson, Fatemian, Ilott, Kilsby, Mallon, Milne Home, Richards, Ross, Turner and Wren.

Officers: Mark Recchia (Town Clerk)
Mark Hassall (Deputy Town Clerk & RFO)
Glenn Speakman (Planning & Administration Officer)

C.22/18 Apologies for Absence

Councillors Clarke and Woodcock.

C.23/18 Declarations of Interest

Councillor Turner declared a personal interest in respect of Planning Application No 16/0428/REM (Land adjoining and West of Warwick Road) and 18/01206/OUT (Broken Furrow, Warwick Road) listed in the Planning Committee minutes, as an adjacent landowner, and remained in the meeting but indicated that if these matters came under discussion he would leave the meeting.

C.24/18 Minutes of the Last Meeting

It was proposed by the Town Mayor, and **WAS RESOLVED** that the Minutes of the Meeting held on 26 June 2018 be approved as a correct record and signed by the Town Mayor.

C.25/18 Communications

The Town Mayor's communications had been circulated to those present.
IT WAS RESOLVED that the Communications be noted.

C.26/18 Questions - Elected Members and Members of the Public

There were no questions from Elected Members or members of the public.

C.27/18 Approval of Accounts and Annual Return 2017/18

The accounts and annual return 2017/18 was yet to be received at the time the meeting took place, as such it was deferred to a later meeting.

C.28/18 Planning Committee

It was proposed by Councillor Ilott, seconded by Councillor Donaldson and **RESOLVED** that the Minutes of the Planning Committee meetings held on 27 June, 25 July and 22 August 2018 be received.

C.29/18 General Services Committee

It was proposed by Councillor Wren, seconded by Councillor Donaldson and **RESOLVED** that the Minutes of the General Services Committee meeting held on 4 September 2018 be received.

C.30/18 Resources Committee

It was proposed by Councillor Mallon, seconded by Councillor Fatemian, and **RESOLVED** that the Minutes of the Resources Committee meeting held on 11 September 2018 be received.

It was further **RESOLVED** that:

- (1) the Council make no changes to the Internal Controls programme (as set out in Appendix 1 to the Resources Committee minutes).
- (2) It was **RESOLVED** that the Council discontinue the annual large grant scheme and increase the small grants maximum award to £500 per application.
- (3) It was **RESOLVED** that the Council approve the new Employee Handbook (as set out in Appendix 2 to the Resources Committee minutes).

C.31/18 Resolutions Moved on Notice

a. Resolution No 46

It was proposed by Councillor Mallon and seconded by Councillor Fatemian that:

“This Council decries the Ministry of Justice's decision to close the Banbury Magistrates' and County Court.

This Council notes that "the Banbury Court" is an integral part of the fabric of the town, and is already a combined justice centre hearing both civil and criminal cases. The Council therefore rejects any suggestion that it is underused and further observes that the Banbury Magistrates' and County Court provides an important alternative venue for criminal and civil justice, both in Oxfordshire and the surrounding counties, given the high volume of cases now heard out of Oxford.

This Council further notes the additional pressure that the closure would place on the Oxford Combined Court Centre and considers that further centralisation of services to Oxford will put additional strain on City congestion and, notably, on local Banbury people and those in the surrounding areas in need of access to justice, including the elderly, families with young children or without independent means of transport and those on low incomes.

Accordingly, this Council instructs the Leader to write to the Ministry of Justice to engage with local councils, particularly in light of the joint strategic partnership now in train between Oxfordshire County Council and Cherwell District Council, with a view to exploring the options of utilising space in public buildings to continue supporting locally administered justice and the needs of the people of North Oxfordshire, and the neighbouring counties.”

It was then moved by Councillor Cherry, seconded by Councillor Richards, that the word “decries” in the first paragraph be deleted and replaced by the word “deplores”. This amendment was accepted by the mover of the original motion.

It was then moved by Councillor Kilsby, seconded by Councillor Richards, that the third paragraph be deleted and replaced with the words “This Council places the highest importance upon access to justice for all defendants, plaintiffs and for families of those accused. The present proposals will hit the poorest especially hard, as the current rules will prevent local Solicitors in Banbury from representing legally aided clients, due to the archaic rules which require such firms to be located in close proximity to the court where the hearing is to take place”. This amendment was accepted by the mover of the original motion.

It was then moved by Councillor Kilsby, seconded by Councillor Richards, that the words “particularly in light of the joint strategic partnership now in train between Oxfordshire County Council and Cherwell District Council” in the fourth paragraph be deleted. This amendment was accepted by the mover of the original motion.

It was then proposed by Councillor Mallon and seconded by Councillor Fatemian that an additional fifth paragraph be added to the motion, as follows:

“And that the Leader of the council writes to the Police and Crime Commissioner and Chief Constable Thames Valley and the leaders of Oxfordshire County Council and Cherwell District Council to ask that they explore at the earliest opportunity continuation and co-location of all public sector services, Police, Fire, Council, Court and library services in one Banbury location as part of the regeneration of Banbury town centre”.

Following discussion and with the tacit agreement of the seconder and the meeting, the mover withdrew this amendment.

There then followed a period of debate upon the substantive motion, during which the mover of the original motion sought to withdraw the motion as now amended in its entirety. Following a short adjournment during which the Town Mayor and Town Clerk left the meeting room to confer, the Town Mayor ruled that the motion could only be withdrawn with the agreement of the seconder and of the meeting. A vote was then taken upon the substantive motion and it was unanimously **RESOLVED** that:

“This Council deplores the Ministry of Justice's decision to close the Banbury Magistrates' and County Court.

This Council notes that "the Banbury Court" is an integral part of the fabric of the town, and is already a combined justice centre hearing both civil and criminal cases. The Council therefore rejects any suggestion that it is underused and further observes that the Banbury Magistrates' and County Court provides an important alternative venue for criminal and civil justice, both in Oxfordshire and the surrounding counties, given the high volume of cases now heard out of Oxford.

This Council places the highest importance upon access to justice for all defendants, plaintiffs and for the families of those accused. The present proposals will hit the poorest especially hard, as the current rules will prevent local Solicitors in Banbury from representing legally aided clients, due to the archaic rules which require such firms to be located in close proximity to the court where the hearing is to take place.

Accordingly, this Council instructs the Leader to write to the Ministry of Justice to engage with local councils, with a view to exploring the options of utilising space in public buildings to continue supporting locally administered justice and the needs of the people of North Oxfordshire, and the neighbouring counties.”

b. Resolution No 47

It was proposed by Councillor Banfield and seconded by Councillor Dhesi that:

"Banbury Town Council commits to flying a rainbow flag for one week a year in commemoration of Pride".

There then followed a brief debate on the motion, where a number of Members spoke in support of the intention behind the motion. However, it was felt that with the very many other flag days in operation and only a single flagpole at the Town Hall a week was too long a period during which to fly the rainbow flag. An amendment was put forward by Councillor Mallon that the flag be flown for one day every year and this was accepted by the mover. The day proposed was 17 May (International Day Against Homophobia, Biphobia and Transphobia). It was then **RESOLVED** unanimously:

“That the Rainbow flag be flown from Banbury Town Hall on the 17th May every year in commemoration of Pride.”

C.32/18 Result of Hardwick West Bye-Election

The Council received and noted the result of the Hardwick West Bye-Election.

David Frederick Beverly (Con) had been elected. The Town Clerk reported that, subject to the approval of Council, Cllr Beverly would be appointed to the vacancies created by the resignation of Cllr John Donaldson. Cllr Beverly would therefore serve as a Member of the General Services Committee and the Appeals Panel, and as an Alternate Member of the Resources and Planning Committees, and as the Council’s representative on the Cherwell Community and Voluntary Service (CVS).

The Town Clerk also drew the attention of Council to an anomaly in the appointments to the Appeals Panel, to which Councillor Harrison was appointed at the Annual Council meeting, but as a serving member of the Resources Committee was ineligible to also serve on the Appeals Panel. This had been discussed with the Leader of the Council and it was proposed that Councillor Mepham be appointed to replace Councillor Harrison on the Appeals Panel.

It was then **RESOLVED** that:

- (1) the results of the Hardwick West Bye-Election be noted;
- (2) Councillor Beverly be appointed as a Member of the General Services Committee and the Appeals Panel, and as an Alternate Member of the Resources and Planning Committees, and as the Council’s representative on the Cherwell Community and Voluntary Service (CVS); and
- (3) Councillor Mepham be appointed to replace Councillor Harrison on the Appeals Panel.

The Meeting ended at 7:45pm.