

WEST OXFORDSHIRE DISTRICT COUNCIL

At the Meeting of the
WEST OXFORDSHIRE DISTRICT COUNCIL
held in the Council Chamber, Council Offices, Woodgreen,
Witney, on Wednesday 22 January 2014 at 2.00 pm.

PRESENT

Councillors: D A Cotterill (Chairman), Mrs L J Chapman (Vice Chairman), A J Adams, Mrs J C Baker, M A Barrett, M R Booty, M Brennan, A S Coles, Mrs E M Coles, J C Cooper, C Cottrell-Dormer, Mrs M J Crossland, C G Dingwall, P J G Dorward, Mrs J M Doughty, D S T Enright, Mrs E H N Fenton, W A Goffe, S J Good, J Haine, P J Handley, A D Harvey, Mrs H R Hibbert-Biles, S J Hoare, H J Howard, E H James, P D Kelland, R A Langridge, Mrs L E C Little, D E Millard, J F Mills, T J Morris, B J Norton, L D Poole MBE, Dr E M E Poskitt, W D Robinson, G A Saul and D A Snow.

45. CHAIRMANS ANNOUNCEMENTS

The Chairman welcomed those Members of the Independent Remuneration Panel present to the meeting and thanked them for their work on the Council's behalf.

Mr Cotterill also welcomed Councillor Geoff Saul who had been elected to represent the Chipping Norton ward to his first meeting of the Council.

46. MINUTES

RESOLVED: that the Minutes of the meeting held on 23 October 2013, copies of which had been circulated, be confirmed as a correct record and signed by the Chairman.

47. APOLOGIES FOR ABSENCE

Apologies for absence were received from A C Beaney, N G Colston, H G Davies, H B Eaglestone, Miss V E Hunt, Ms E P R Leffman, N A MacRae MBE, R D J McFarlane, T N Owen and Ms A K Roy-Barker.

48. DECLARATIONS OF INTEREST

Mr Harvey and Mr Robinson declared an interest in Agenda Item No. 11 – Sealing of Documents by virtue of being leaseholders of commercial properties owned by the Council.

49. RECEIPT OF ANNOUNCEMENTS

49.1 Councillor Mrs Ann Cooper

The Chairman advised Members of the death of Mrs Ann Cooper who had served on the District Council as representative for Woodstock from 1992 until 2002. Mr Cotterill reported that a number of councillors had attended her funeral in November.

Recognising her particular interest in housing Mrs Cooper was elected as Chairman of the Housing Committee in 1995, holding that office for three years and also served as Vice-Chairman of the Leisure and Tourism Committee. Before she retired from the Council in 2002, Mrs Cooper also served on the Recreation Committee, Policy and Co-ordinating Committee, the Finance and General Purposes Committee, Urgency Committee and the Finance and Management Overview and Scrutiny Committee.

In addition, Mrs Cooper represented the Council on numerous outside bodies including Age Concern Oxfordshire, the County Joint District's Housing Group, West Oxfordshire Housing's Shadow Board, Oxfordshire Play Association, Oxfordshire Playing Fields Association, Oxford and District Post and Telecoms Advisory Committees, Woodstock Traffic Advisory Committee and the Oxfordshire Archaeological Unit.

49.2 Councillor Dr Glen Lambert

Mr Cotterill reported of the death of former district councillor Dr N G Lambert who was elected as representative for Witney South in May 1992.

Initially appointed to the Housing and Public Health Committees, Dr Lambert also served on the Finance and General Purposes Committee, Policy and Co-ordinating Committee and the Recreation Committee.

In 1994 he was appointed Vice-Chairman of the Public Health Committee, serving in that capacity until his retirement in 1996

Dr Lambert also served on the Contracts, Industry and Employment and Drivers Licensing Sub-Committees and represented the Council on the Witney Traffic Advisory Committee throughout his term of office.

All those present at the meeting then stood in silence in memory of Mrs Cooper and Dr Lambert.

49.3 Graham and Pauline Evans

Mr Cotterill announced that Mrs Pauline Evans, who worked as a Customer Adviser for the Council from 1999 to 2010, and her husband Graham had been awarded British Empire Medals in the Queen's New Year Honours List for their contribution as volunteers.

The couple had established the Carterton, Witney and District branch of Save the Children in 1973 and had since raised more than £1.2m and helped thousands of children.

49.4 Flooding Issues

Mr Harvey, Cabinet Member for Environment, gave an update regarding the recent heavy rain and flooding. Mr Harvey reported that the council had undertaken significant work since 2007 to help alleviate flooding problems. In recent weeks all ditches that were the responsibility of the council had been cleared.

Mr Harvey expressed his thanks to all staff that had been involved in filling and distributing sandbags and providing help to residents in the district. Mr Harvey highlighted the work with other agencies in the evacuation of some residents.

Mr Harvey emphasised the importance of continuing to work to alleviate risk of flooding and the need to ensure that partner organisations were undertaking their duties in areas such as dredging of watercourses.

(Mrs Biles joined the meeting at this juncture)

Mr Cotterill highlighted the work that had been undertaken to protect properties in Burford and that there had only been minor flooding during the recent bad weather.

49.5 Economic Impact Figures for Tourism 2012

Mr Langridge, Cabinet Member for Tourism, advised of the outcomes of the economic impact figures for tourism in the district in 2012.

Tourist spending in the district was £268.2m which was an increase of 3.2% on the previous year and was the highest increase in Oxfordshire. It was reported that full time employment in tourism had increased to 3420 which equated to some 10% of the workforce in the district working in the tourism sector.

Mr Langridge reported that there had been 4.28m visits to the district and day visitor figures were up by 3.6% with associated expenditure increasing by 2.7% which was again the highest for the county.

Mr Langridge gave his congratulations to council staff and all people involved in the tourism industry.

49.6 Witney Post Office

Mr Langridge reported that a meeting had been held with representatives from the Post Office and WHSmith in response to concerns expressed, both by the Council and local residents, about the proposed move from the Market Square to the WHSmith branch in the Woolgate Centre.

At that meeting the layout of the store was discussed in detail and plans for the operation of the new post office were outlined. Mr Langridge gave an assurance that the situation would be monitored and if issues arose they would be brought to member's attention.

49.7 Community Network Presentation

Mr Booty, Cabinet Member for Innovation, Health and Community Safety, reminded members that there would be a presentation from Age UK regarding the new Community Network initiative immediately following the meeting.

49.8 Royal Garden Party

The Chairman proceeded to conduct the draw to select members to attend the Royal Garden Party.

The outcome was that Mr A S Coles and Mr N G Colston would attend.

50. PARTICIPATION OF THE PUBLIC

There were no submissions from members of the public under the provisions of the Council's Rules of Procedure.

51. RECOMMENDATIONS FROM THE EXECUTIVE AND COUNCIL'S COMMITTEES

The Council considered the report of the Chief Executive setting out recommendations made by the Cabinet and Council's Committees from 13 November 2013 to 15 January 2014.

Mr Norton in proposing the recommendations advised of a couple of changes to recommendations from the Cabinet meeting held on 15th January 2014.

There was an additional recommendation in respect of Minute No. CT/100/2013/2014 as follows:

- (v) the National Non-domestic Rates Return 1 (NNDR 1) for submission to the Department for Communities and Local Government (DCLG) as set out at Appendix E and delegate any amendments that are necessary to the Council's Chief Financial Officer (s.151) prior to its submission date of 31st January 2014.

In respect of the recommendation at Minute No. CT/106/2013/2014 the figure was reduced from £150k to £125k.

Mr Booty then seconded the proposition.

Mr Cooper preceded his comments by thanking councillors and staff for their best wishes following the death of his mother.

Mr Cooper referred to the recommendation regarding the budget proposals and suggested that it would be an opportune time to look in detail at the costs associated with the democratic process and review the number of elected members on the council. Mr Cooper indicated that the relevant committee could be tasked with looking at the issue together with changes to the committee structure and greater use of email distribution of papers.

Mr Hoare, Cabinet Member for Resources, acknowledged the issue and reminded members that a scrutiny committee could establish a task and finish group if they wanted to review matters in greater detail. In respect of costs Mr Hoare advised that savings had been made as a result of reducing the number of Cabinet members and restrictions on the number of special responsibility allowances that could be claimed. It was emphasised that member's allowances had been frozen for four years.

Mr Hoare suggested that the full impact of localism legislation and the Big Society agenda on member workload could not be fully assessed as yet. In respect of greater use of technology there had been consultation with members with a view to reducing reliance on paper documents. Mr Hoare highlighted that a balance needed to be struck between costs and ensuring that strong links were maintained with residents. Mr Hoare indicated he would welcome discussion on the issues in the future.

Mr Norton highlighted that the budget for members had been underspent in recent years. Mr Norton indicated that it was important to involve members in as many committees as possible and to maintain the reputation of the council. Mr Norton advised there were no immediate plans to reduce councillor numbers.

Mr Handley suggested that reducing the number of councillors could be detrimental as it would mean larger wards and that could be an issue in a predominantly rural area such as West Oxfordshire. Mr Handley emphasised the importance of ensuring that structures were in place to achieve a council membership that reflected the district and there were no barriers for people wishing to stand for election.

Mr Booty reported that some initial work had been done in respect of reducing councillor numbers but the process was fairly arduous and the savings in election costs were not significant. Mr Booty advised that he would provide Mr Cooper with more detailed information.

On being put to the vote the proposition was carried.

RESOLVED: that the recommendations, as amended, made by the Cabinet and the Council Committees during the period from 13 November 2013 to 15 January 2014 be approved in relation to:

- (a) 2013/2014 Budget and Performance Monitoring (Minute No. CT/80/2013/2014)
- (b) Release of Restrictive Covenants (Minute No. CT/85/2013/2014)
- (c) Council Tax Support Scheme for 2014/2015 (Minute No. CT/92/2013/2014)
- (d) Deployment of High Speed Broadband (Minute No. CT/93/2013/2014)
- (e) GO Shared Services – Amendments to Governance Arrangements (Minute No. CT/94/2013/2014)
- (f) 2014/2015 Budget and Council Tax Base (Minute No. CT/100/2013/2014)
- (g) Revised Medium Term Financial Strategy 2013-2023 (Minute No. CT/101/2013/2014)
- (h) Acquisition of Land in Chipping Norton (Minute No. CT/106/2013/2014)

52. REPORTS OF THE CABINET AND THE COUNCIL'S COMMITTEES

The reports of the meetings of the Cabinet and the Council's Committees held between 13th November 2013 and 15th January 2014 were received:

52.1 Review of Subsidised Bus Services in the Witney, Woodstock and Chipping Norton Areas (Minute No. CT/83/2013/2014)

Mr Poole referred to discussions at the Cabinet meeting regarding better transport integration in the district. Mr Poole acknowledged that the council had limited direct control but suggested that it would be appropriate for the Economic and Social Overview & Scrutiny Committee to consider whether issues could be brought to the attention of partner organisations.

Mr Norton advised that Cabinet had expressed strong views regarding the retention of bus services and a decision was awaited from Oxfordshire County Council.

52.2 Committee Work Programme (Minute No. ENV/38/2013/2014)

Mrs Biles referred to the flood prevention update that had been given and advised that there had only been limited flooding in the Wychwoods as a result of the measures that had been introduced since 2007. Mrs Biles emphasised the need to keep pressure on the Environment Agency to dredge watercourses. Mr Harvey responded that the council would be liaising with all the relevant organisations to ensure they were meeting their responsibilities.

Mr Enright highlighted that the recent flooding had been different in nature to that experienced in 2007 and the parish flood plans had been beneficial in preparing for such events. Mr Enright referred to the need for the various agencies to reflect on flooding events, share information and learn lessons.

Mr Mills outlined the work being undertaken by the Environment Overview and Scrutiny Committee and that there was liaison with a number of organisations. It was anticipated that a brief update would be given at the next meeting and a more detailed report would be received at the March 2014 meeting.

Mr Harvey clarified that the Parish Flood Reports were constantly reviewed and updated to take account of emerging issues and these would be reported to members accordingly.

Mrs Chapman highlighted the collaborative work between the responsible authorities and there would be a countywide flooding summit, hosted by Oxfordshire County Council, in March.

52.3 Trade Waste Collections (Minute No. ENV/43/2013/2014)

Mrs Coles sought an update regarding the possibility of free trade waste collections for newly established businesses. Mr Harvey requested officers contact Mrs Coles directly to provide a response.

52.4 Disposal of Land in Woodstock (Minute No. CT/107/2013/2014)

It was agreed that discussion on this item be deferred to later in the meeting so that it could be considered in exempt session.

53. SCHEME OF MEMBERS ALLOWANCES FOR 2014/2015

Consideration was given to the report of the Head of Legal and Democratic Services outlining the recommendations of the Independent Remuneration Panel and seeking agreement for a scheme of allowances for Members to be effective for the financial year 2014/2015.

Mr Norton thanked the Independent Remuneration Panel for their hard work in preparing the report.

Mr Norton then proposed that the current level of allowances be retained for 2014/2015. The proposition was seconded by Mr Hoare.

Mrs Biles thanked the panel for their recommendations and detailed report. Mr Coles concurred and suggested it may be beneficial in future years if some comparative data with other Oxfordshire authorities and Cotswold District Council was included.

Mr Handley highlighted potential changes to the pension scheme and the need for members to be advised if these were implemented as it could have a detrimental impact for some members. Mr Cooper expressed his thanks to the Panel and acknowledged that there could be some frustration that recommendations had not been approved in previous years.

Mr Hoare suggested that a further freeze on allowances was appropriate in the current climate. In respect of pensions it was advised that there had been a significant response to the consultation and it was important that it was resolved as swiftly as possible.

Mr Enright thanked the panel for their work and emphasised it was important to encourage participation in local politics and encourage candidates to stand for election so it was vital not to put barriers in the way. Mr Enright indicated that he considered a freeze to be appropriate.

On being put to the vote the proposition was carried.

RESOLVED:

- (a) That the recommendations of the Independent Remuneration Panel be set aside and that Members' Allowances for 2014/2015 remain unchanged;
- (b) That the information relating to the pension scheme set out in section four of the report be noted; and
- (c) That, in the event of the ability of councillors to access the pension scheme being removed, the Strategic Director be authorised to remove references to the pension scheme from the Council's scheme of allowances.

54. NOTICE OF MOTION – ENERGY EFFICIENT LIGHTING

The following motion had been received in the names of Mr H J Howard and Mr R A Langridge, namely:

"West Oxfordshire District Council adopts a policy of using energy efficient lighting where appropriate when new or replacement lighting is required for any council owned public space and corporate buildings within our district"

Mr Howard highlighted that there were three main factors which prompted the motion. Firstly it was a fact that global warming and subsequent climate change were facts of life and whilst it was disputed how much human activity impacted on this there was a need to reduce CO² emissions. There was also a duty to spend taxpayer's money effectively and whilst there would not be big savings it would still reduce outlay to some extent. Finally it would be positive for the council to set an example and encourage constituents to reduce their energy usage.

Mr Howard outlined that a number of benefits could be obtained from adopting more energy efficient lighting. These included savings on electricity of some 30% against traditional lighting, savings in CO² emissions, improved light coverage and a greater perception of safety for pedestrians. In addition it could improve the lighting on roads for drivers, be beneficial for health, reduce light pollution and finally modern lighting had a very long life span.

Mr Howard highlighted that a lot of authorities already replaced end of life lighting with the lowest possible wattage. There was also technology that allowed units to be dimmed further at certain times providing additional savings. In respect of costs Mr Howard advised that initial outlay for the lighting was similar to existing with the cost reducing rapidly as technology developed.

Mr Howard highlighted Bath and North East Somerset Council who had adopted a similar policy with great success. Public feedback was that residents felt safer at night and road users found the lighting better on highways.

Mr Howard then proposed his motion.

Mr Langridge seconded the motion and highlighted that a reduction in light pollution was a key benefit.

On being put to the vote the motion

WAS CARRIED

55. NOTICE OF MOTION – TRANSPARENCY OF LOBBYING, NON-PARTY
CAMPAIGNING AND TRADE UNION ADMINISTRATION BILL

The following motion had been received in the names of Mr D A Snow and Mr D S T Enright, namely:

"West Oxfordshire District Council is extremely concerned about the Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Bill currently working its way through parliament, and resolves to advise the Prime Minister of the severe blow this proposed legislation would have on our local democracy. Community Groups, Charities, and Church Based Organisations by their very nature often pursue or campaign on issues that coincide with, or are similar to that of political parties. If this Bill passes into law, any one of these groups could be breaking the law, simply by acting on the wishes of their supporters, and straying into the realms of what the government could deem "campaigning for political purposes". Legislation such as this could potentially silence the very community-spirited people that voted us into office! This Council believes this proposed legislation is hugely disrespectful to our electorate, whose voice should always be heard, however big or small, and especially in the run up to an election. As a council, we aim to guard this democratic freedom vigilantly".

Mr Snow introduced his motion and highlighted that the lobbying bill or 'gagging law' would be passed in to law before the next general election. The impact of the bill was to restrict third parties, including charities, from campaigning as part of the election process. Mr Snow indicated that the definition of an election was not clear in the proposed legislation. Mr Snow emphasised the need to retain the democratic rights of such organisations.

Mr Snow then read out a letter he had received from a resident who was a member of the Royal British Legion. The letter expressed concern at the possible erosion of the democratic rights of the organisation to campaign and this was a right that people had fought in two world wars to retain. It was indicated that the legislation would effectively gag organisations.

Mr Snow suggested that there were implications for everybody if the proposals were passed in to law. Mr Snow then read out his notice of motion and formally proposed the motion.

Mr Enright seconded the proposal and reserved the right to speak later in the debate.

Mr Cotterill suggested that the situation with the legislation was very fluid and members could benefit from more detailed information.

Mr Cotterill advised that in accordance with the Council constitution the matter should be referred to the Cabinet meeting on 12th February which would allow receipt of a report and also public participation. The motion would then be reported back to Council on 26th February for further consideration.

Mr Cooper expressed concern that the legislation was being discussed in parliament already and any delay in debating the matter was unacceptable.

Mrs Chapman then seconded the proposal and suggested it was difficult to debate the matter fully at this stage and members would be better placed to consider the motion once an independent report had been considered.

Mr Cooper reiterated his view that the matter needed to be debated at this meeting.

The Chief Executive clarified Section 11(e) of the Council Procedure Rules relating to action on a motion.

On being put to the vote the proposal

WAS CARRIED

(Mr Cooper requested that his vote against the foregoing resolution be recorded)

In response to Mrs Coles it was confirmed that public participation, in accordance with the agreed scheme, could be received at the Cabinet meeting.

Mr Snow reiterated that the legislation was already a long way through the process and any delay in debating the matter was not a good way forward.

56. SEALING OF DOCUMENTS

The Council received and noted the report of the Chief Executive which gave details of documents numbered 10925 to 10945 sealed since the last meeting.

57. EXCLUSION OF THE PUBLIC

RESOLVED: that the Council being of the opinion that it was likely, in view of the nature of the business to be transacted, that if members of the public were present during the following item of business there would be a disclosure to them of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 (Information relating to the financial or business affairs of any particular person (including the authority holding that information)), the public be excluded from the meeting

58. REPORTS OF THE CABINET AND THE COUNCIL'S COMMITTEES

Disposal of Land in Woodstock
(Minute No. CT/107/2013/2014)

Mr Cooper referred to the procedures relating to land sales and suggested that in future there should be a system whereby local members are advised of any proposal in their wards. Mr Hoare reminded members that items were outlined on the Cabinet Work Programme and questions could be raised from there.

Mr Norton acknowledged the problems that arose as a result of items being considered in closed sessions which meant that members could not divulge information but this needed to be balanced against the need for commercial sensitivity.

The meeting closed at 3.15pm

CHAIRMAN