

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 October 2014 at 2.00 pm.

PRESENT

Councillors: N A MacRae MBE (Chairman), Mrs M J Crossland (Vice Chairman), A J Adams, Mrs J C Baker, M A Barrett, A C Beaney, R J M Bishop, M R Booty, M Brennan, Mrs L C Carter, Mrs L J Chapman, A S Coles, Mrs E M Coles, N G Colston, J C Cooper, D A Cotterill, C Cottrell-Dormer, R A Courts, H G Davies, C G Dingwall, P J G Dorward, Mrs J M Doughty, H B Eaglestone, P Emery, D S T Enright, Mrs E H N Fenton, J Haine, A D Harvey, S J Hoare, E H James, P D Kelland, R A Langridge, Ms E P R Leffman, Mrs L E C Little, J F Mills, T J Morris, B J Norton, Dr E M E Poskitt, A H K Postan, W D Robinson, G Saul, T B Simcox, D A Snow and B J Woodruff.

25. THE DUKE OF MARLBOROUGH

The Chairman advised of the recent death of the 11<sup>th</sup> Duke of Marlborough and stated that he had written on behalf of the council to offer condolences to the Duke's family.

Mr MacRae then invited Mr Cooper, local councillor for Woodstock and Bladon, to speak. Mr Cooper expressed his sadness at the passing of the Duke who was born in 1926 and was godson of Winston Churchill. The Duke had served as a Captain in the army.

Mr Cooper paid tribute to the work the Duke had done to support the council including the provision of affordable housing in the vicinity of Blenheim. Mr Cooper highlighted his own family's connection with the Duke which went back to the 1960s.

All present then stood in silence in memory of the Duke.

26. MINUTES

**RESOLVED:** that the Minutes of the meeting of the Council held on 3 September 2014, copies of which had been circulated, be confirmed as a correct record and signed by the Chairman.

27. APOLOGIES FOR ABSENCE

Apologies for absence were received from Mr S J Good, Mr P J Handley, Mr H J Howard, Mr R D J McFarlane and Mr T N Owen.

28. DECLARATIONS OF INTEREST

There were no declarations of interest from members or officers.

29. RECEIPT OF ANNOUNCEMENTS

29.1 Remembrance Sunday Service for World War I Centenary

The Chairman reported that a service would be held on Sunday 9 November 2014 at 2.00pm at the Memorial Garden in Monahan Way, Carterton. The event would give Councillors and staff the opportunity to pay their respects at a service to mark Remembrance Sunday as part of ongoing commemorations of the centenary of World War One.

## 29.2 Christmas Carol Service

Mr MacRae advised that a civic Christmas carol service, in conjunction with the Mayor of Witney, would be held on Friday 19 December 2014 at St Mary's Church, Witney.

## 29.3 Demonstration of New Planning System

Members were reminded that a demonstration of the new planning IT system would be held at the conclusion of the meeting.

## 29.4 Councillor Ann Ducker MBE

Mr Norton advised of the recent death of Councillor Ann Ducker MBE, Leader of South Oxfordshire District Council, following a short illness. Mr Norton paid tribute to Mrs Ducker and confirmed that a memorial service would be held at Dorchester Abbey on 6 November 2014.

## 29.5 Local Plan Update

Mr Robinson, Cabinet Member for Strategic Planning and Housing, reported that there had been over 3000 responses to the local plan consultation. As a result it had not been possible to report the final draft Local Plan to Cabinet and Council in October 2014 which was the original intention and it would now be considered at a later date.

A workshop had been arranged for councillors on Thursday 13 November 2014, which would update members on the key issues arising from the consultation and explain the proposed way forward.

## 29.6 Flood Alleviation Works

Mr Harvey, Cabinet Member for Environment, reported that Oxfordshire County Council (OCC) was undertaking de-silting work under the bridge in Bridge Street, Witney. Mr Harvey highlighted that it was an opportune time to undertake the works as there was always a greater flood risk at this time of year.

Mr Mills concurred that the works would have a positive impact and that it was good that OCC were taking their duty as a riparian owner seriously. Mr Mills expressed the hope that OCC could also reach agreement with the developer in respect of transferring bridges on other developments so that similar works could be undertaken.

Mr Langridge, as local member, also expressed support for any flood alleviation works that could be undertaken.

## 30. PARTICIPATION OF THE PUBLIC

No submissions were received from the public in accordance with the Council's Rules of Procedure.

## 31. RECOMMENDATIONS FROM THE EXECUTIVE AND COUNCIL COMMITTEES

The Council considered the report of the Chief Executive setting out recommendations made by the Cabinet and the Council's Committees from 11 September to 15 October 2014.

The recommendations were proposed by Mr Norton and seconded by Mr Booty and on being put to the vote were carried.

**RESOLVED:** that the recommendations made by the Cabinet and the Council's Committees from 11 September to 15 October 2014 be approved in relation to:

(a) Budget Parameters (Minute No. CT/46/2014/2015);

(b) Revised Street Naming and Numbering Fees and Charges (Minute No. CT/47/2014/2015)

(c) Planning and Strategic Housing – Scheme of Delegation (Minute No. DC/09/2014/2015); and

(d) Anti-Social Behaviour, Crime and Policing Act 2014 (Minutes No. CT/57/2014/2015)

## 32. REPORTS OF THE CABINET AND THE COUNCIL'S COMMITTEES

The reports of the meetings of the Cabinet and the Council's Committees held between 11 September and 15 October 2014 were received:

### 32.1 Thames Valley Police – Annual Update (Minute No. E&S/27/2014/2015)

Mrs Carter made reference to discussion regarding domestic violence services and possible cuts in funding by OCC. Mrs Carter asked if the council could consider additional funding to cover any potential shortfall. Mr Hoare, Cabinet Member for Resources, reminded members that they could submit items as part of the budget process and these would be considered. Mr Hoare highlighted the pressures on council budgets and that this needed to be borne in mind.

### 32.2 Review of District Homelessness Strategy (Minute No. E&S/28/2014/2015)

Mr Saul highlighted the performance indicator relating to families being housed in temporary accommodation for over six weeks and asked what action was being taken as the council was one of only three councils in the area to exceed this timescale.

Mr Robinson responded that the figure related to just one family and the situation had arisen as there had been a delay in a housing association preparing a property for them. The family had taken the decision to remain in temporary accommodation for a longer period rather than moving elsewhere for a week. The situation was now resolved and the family had been housed.

### 32.3 Rural Superfast Broadband Project (Minute No. FMOS/25/2014/2015)

Mr Dingwall, Chairman of Finance and Management Overview & Scrutiny Committee, advised that the committee would be carefully monitoring the project and a further update from the providers would be received in the New Year. Mr Dingwall highlighted the importance of the project and encouraged councillors who had an interest to attend future meetings of the committee.

### 32.4 Review of District Homelessness Strategy (Minute No. CT/55/2014/2015)

Mr Enright asked if there was any update regarding information on the number of people on the housing waiting list, whether people had been removed from the list and figures relating to hidden homelessness.

Mr Robinson advised that there were approximately 800 people on the waiting list and none had been removed. Mr Robinson clarified that revised criteria had been agreed which meant that people needed to have points to be able to be added. In respect of hidden homelessness officers were analysing the information and would provide a written response.

Post meeting note:

Subsequent to the meeting the following information was provided regarding the number of hidden homeless:

In respect of the known number of 'sofa surfers' on the housing waiting list, it has been identified that there are 18 single people or couples without children (these applicants are under retirement age and not in a priority need category); and

In addition there are 23 applicants who are either pregnant or have one child (however some of these applicants are not actually 'sofa surfing', some will be occupying a bedroom but have displaced another member of the household who is sleeping in a living room or in another bedroom in the property in overcrowded conditions).

33. QUESTION BY A REGISTERED ELECTOR

In accordance with Standing Order No. 10(e) a written question had been received from Mr Sharone Parnes, as follows:

“Why is West Oxfordshire District Council (WODC) pervasively excluding London Oxford Airport from being:

- (a) formally informed by WODC, and
- (b) formally listed as a Consultee

in relation to WODC-administered planning applications or scoping opinions which pertain to Woodstock sites adjacent to the boundary with Cherwell District Council (CDC), and where the outcome of such applications if permission is granted may affect or be affected by not only helicopter circuits but also other airport-related operations, as well safety procedures and environmental considerations in which the Airport has key role as an experienced stakeholder?

I refer by way of current examples, to:

- the application for 58 new dwellings on Land NE of Marlborough School (including its pending construction access arrangements which will necessarily introduce site access traffic onto agricultural land within Cherwell District Council and which is adjacent to or under an active helicopter circuit and subject to aircraft drift);
- the application for 6 new floodlights on the pitch currently used by the Old Woodstock Football Club, of which the site is at an elevation higher than an airport runway in its direction, and should anyway be subject to such Airport considerations as bird nestings or flashing red lights on the masts;
- the WODC 29<sup>th</sup> September scoping opinion response in relation to the so-called 'Woodstock East' proposal for 1500 dwellings and accompanying development. WODC's letter indicated it is "happy to endorse" CDC's Sept 19<sup>th</sup> scoping opinion summary letter, but WODC excluded mention of the fact CDC's Sept 19<sup>th</sup> letter was only a draft document that did not include the Airport's submissions that appear in CDC's final version of Sept 22<sup>nd</sup> (in which CDC drew also attention to fact the Airport's submissions comprise "comments that are perhaps out of the ordinary").

Bearing in mind the significance of London Oxford Airport's comment on planning applications and scoping opinion consultations which may affect its operations and impact its viability as an important employment centre, the Airport's experience in implementing domestic and European safety and environment-related requirements, and the relevance of the Airport's insights as a consultee, is West Oxfordshire District Council willing to undertake that its administration of all future planning processes will keep the Airport adequately informed and invite its comment as a consultee; and is WODC willing to re-

administer the proposals listed above afresh, to facilitate inclusion of the Airport's responses?"

Mr Haine, Chairman of the Development Control Committee and Uplands Area Planning Sub-Committee gave the following response:

"London Oxford Airport is an officially safeguarded aerodrome. Through the planning application registration process the Council checks all applications against the official safeguarding map to determine whether to consult the airport operator. This follows the process set out in Circular 1/2003 (DfT/ODPM/NAFW). The official safeguarding map defines the circumstances in which consultation is required. The height of development is a key factor.

Neither of the two planning applications specified, for 58 dwellings on land to the North-East of Marlborough School, or for floodlights at the Old Woodstock Football Club, triggered the requirement to consult London Oxford Airport.

There is no statutory requirement to consult London Oxford Airport on any scoping opinion. Cherwell District Council did consult London Oxford Airport on the recent scoping opinion for a development proposing 1,500 dwellings to the South-East of Woodstock. This proposal affects land in both West Oxfordshire and Cherwell. West Oxfordshire District Council decided not to consult London Oxford Airport again, on the same proposal, as they had already been consulted by Cherwell District Council.

Given that the Council has met its statutory responsibilities on the specific proposals mentioned there is no need to consult London Oxford Airport on them at this stage.

The Council will continue to review planning applications against the official safeguarding map and consult London Oxford Airport when required."

#### 34. NOTICE OF MOTION – CHILD EXPLOITATION

Notice of the following motion had been given, in the names of Messrs H G Davies and M R Booty:

*'West Oxfordshire District Council is deeply concerned by the recent cases of child abuse both locally and nationally and resolves to support Thames Valley Police in assiduously investigating any and all reports of child abuse/exploitation and forced prostitution to ensure violators are brought to justice*

*This Council further confirms its support for the on-going work of Oxfordshire County Council Social Services in prioritising investigations into any and all possible cases of child grooming and abuse now and in the future, to ensure everything possible is done to prevent such abuse of our young people'*

Mr Davies highlighted recent high profile cases in Oxford, Rotherham and other parts of the country and expressed concern that such incidents were occurring nationally and more worryingly locally. Mr Davies referred to the Rix report that had been published in respect of the Rotherham cases which highlighted the scale and nature of the abuse which was truly horrifying.

Mr Davies outlined that large a number of children were identified as being 'at risk' in the country and inadequacies in the response by the responsible authorities in the past were highlighted.

Mr Davies in acknowledging that there were no cases under investigation in West Oxfordshire at present explained that he had brought forward the motion to express publicly the views on behalf of all the people in the district. Mr Davies suggested it was

vital that those in positions of trust with responsibility for protecting young people identified perpetrators and robust action was taken.

Mr Davies acknowledged that the district council did not have any direct responsibilities but it was still of concern for a number of reasons. Mr Davies highlighted operation Bullfinch in Oxford and that many young people from the district socialised in or visited the city. There were on-going investigations in Aylesbury and Banbury both of which were fairly close to the area. Finally Mr Davies suggested it was important that those providing frontline services to protect young people were aware of the council's support for their work in preventing further cases.

Mr Davies then proposed his motion. Mr Booty seconded the motion and reserved the right to speak.

Mr Kelland highlighted the positive work being undertaken to liaise with licensed premises to provide guidance on how to identify potential safeguarding issues. Mr Langridge expressed his support for the motion and advised that County Councillors had been fully briefed on matters. Mr Langridge suggested that the district council had a role in being vigilant and aware of potential exploitation and advised that staff in the leisure and housing functions had received some training on how to identify cases.

Mr Enright cautioned against being complacent as there were no on-going cases in the district as it was a problem that could arise anywhere. Mr Enright highlighted the work that schools were undertaking on safeguarding matters and expressed support for council staff to receive awareness training. Mr Mills suggested that everybody had a responsibility to be aware of the issues.

Mr Dingwall highlighted that in a number of cases perpetrators had been involved in the licensed taxi trade and as licensing authority the council needed to be cognisant of this. Mr MacRae, Chairman of the Miscellaneous Licensing Sub-Committee, gave an assurance that a robust approach was taken when the authority was advised of any criminal convictions or prosecutions and indeed licences had been revoked or applications refused.

Ms Leffman suggested that all members supported the motion but it was imperative that the council identified practical responses and processes to identify and address such issues. Ms Leffman advised that the Economic and Social Overview & Scrutiny Committee could have a role in this regard.

Mr Hoare highlighted that most cases had been focussed on urban areas but it could happen anywhere and identifying cases in rural areas could be difficult. Mr Hoare suggested that issues of political correctness needed to be put to one side and cases dealt with the same irrespective of ethnicity. Mr Snow concurred and Mr Harvey stated that awareness of issues was vital and that all reports of abuse were fully investigated.

Mr Booty thanked councillors for their support and highlighted that a lot of work was already undertaken. Mr Booty advised that the Health and Wellbeing Board was working with doctor surgeries and the Commissioning Group and the council's community safety team was working with schools.

Mr Booty suggested that Operation Bullfinch had been a wake-up call for all responsible authorities and it was vital that resources were in place, and reiterated that all reports of exploitation should be robustly investigated.

On being put to the vote the motion

**WAS UNANIMOUSLY CARRIED**

### 35. NOTICE OF MOTION – OVERVIEW AND SCRUTINY COMMITTEES

Notice of the following motion had been given, in the names of Mr J C Cooper and Ms E P R Leffman:

*“Council recognises the role of political groups in council affairs, and acknowledges the contribution of minority political groups, together with the importance of their role in the scrutiny of the executive and the development of policy.*

*Accordingly, Council resolves that the following be added to the end of paragraph 14 of the Overview and Scrutiny Procedure Rules in part 4 of the Constitution:*

*Where the Council has a political group with a majority of the seats on the Council, at least one of the Chairmen and Vice Chairmen of the Overview and Scrutiny Committees shall be a member of a political group other than the controlling group”.*

Mr Cooper, in introducing his motion, referred to parliamentary procedure where certain committees were chaired by opposition MPs. Mr Cooper suggested it would be beneficial to adopt a similar approach as it would show that the scrutiny function was genuinely inclusive and reflected the wider membership of the council. Mr Cooper acknowledged that if the motion was adopted there would need to be further discussion prior to the annual election of chairmen and vice chairmen, to establish exactly how it would work.

Ms Leffman seconded the motion and reserved the right to speak.

Mr Norton advised that he would not be supporting the motion and emphasised that opposition members could already be elected as a chairman or vice-chairman as it was a decision for the individual committee to make. Mr Norton highlighted that this had been the case in previous years with opposition members being appointed to chair planning meetings and as vice chairmen of scrutiny committees.

Mr Langridge indicated that he was an advocate of the scrutiny process and it worked well at the council. Mr Langridge suggested that meetings were not overly political and he did not consider a change to the current position was necessary.

Mr Saul highlighted that Oxford City Council reserved the chairmanship of one scrutiny committee for an opposition councillor so the idea was not a new one. Mr Saul suggested the role of scrutiny was to hold decision makers to account so it was logical that opposition members should have an important part to play.

Mr Hoare emphasised that the committees were appointed on a politically balanced basis and the role of the chairman was to facilitate debate and not to lead it. Mr Hoare acknowledged the need for all views to be expressed and suggested that the committees already had an inclusive approach which allowed all members to express a view. Mr Hoare indicated there was no need to make any constitutional changes.

Mr Booty highlighted that at Eastleigh Council, a Liberal Democrat authority, all the committee chairs were from the controlling group. Mr Booty suggested that the chairman of any committee had a duty to allow wide ranging discussion and to represent the views of the committee when decisions were made.

Mrs Chapman reiterated that all members should have the opportunity to speak and give their views and that would always be the same irrespective of whether the chairman was from the majority group or not.

Mr Enright suggested it would be positive to have chairmen or vice-chairmen from other groups as it reflected the wider membership of the council and that all parties were involved in the process.

Ms Leffman clarified that there was no criticism of the current chairmen and they had always encouraged all members to express a view at meetings. Ms Leffman highlighted that there were issues to be addressed and there was a lot of talent within the membership that could be used more effectively. Ms Leffman suggested that the proposal would be positive and demonstrate that the council was committed to including all the political groups in the scrutiny process. Ms Leffman asked members to support the motion.

On being put to the vote the motion

**WAS LOST**

36. NOTICE OF MOTION – SHORES GREEN FOUR WAY JUNCTION

Notice of the following motion had been given, in the names of Messrs R A Langridge and S J Hoare:

*“£3,587,289 for a transport scheme in Witney was returned to the developers/original landowner in October 2013. This funding could be used to deliver the much needed Shores Green four way junction. Accordingly, this council instructs the Leader of the council to write to the Leader of the County Council to seek to negotiate with the parties to the S106 agreement for the Madley Park site in Witney to make the funding available for Shores Green.”*

Mr Langridge introduced the motion and suggested that delivery of the Shores Green scheme was essential for Witney and the wider area. In particular it was needed to alleviate traffic congestion in Bridge Street and the motion was designed to try and expedite the situation. Mr Langridge highlighted the funding situation and suggested there was a moral imperative on the developer to make money available for delivery of the scheme.

Mr Langridge proposed the motion. Mr Hoare seconded and reserved the right to speak.

Mr Enright thanked Mr Langridge for bringing the motion to council and advised that he had made freedom of information requests to Oxfordshire County Council to establish the position regarding funding. Mr Enright concurred that a solution was needed to address traffic problems in the town and the four way junction was a cheaper option than the Cogges Link Road.

Mr Enright advised that money had been set aside by the County Council for the Cogges Link Road and following the deduction of costs associated with the public inquiry there was still £1,329,603 remaining.

Mr Enright then proposed an amendment that the Leader also be tasked with securing a pledge from the Leader of Oxfordshire County Council that the remaining funding from the Cogges Link Road could be put towards the Shores Green scheme. The amendment was seconded by Mr Coles.

Mr Norton indicated that the wording of the amendment may be too restrictive and whilst he was happy to negotiate he may be encumbered if he was being tasked with securing a pledge. Mr Norton also referred to some funding being used for the Ducklington Lane improvements.

Mr Norton referred to lessons learnt regarding large scale developments and the need to provide infrastructure in conjunction with development rather than afterwards when it may not be forthcoming. Mr Norton indicated that at the Cogges Link Inquiry the landowner had suggested that they would support the Shores Green scheme financially.

Mr Enright suggested that it was important to try and ring-fence the residual Cogges Link Road funding for Witney as it could be spent elsewhere in the county.



Mr Norton suggested that if the wording of the amendment was altered in such a way that he was being requested to attempt to secure a pledge that would be acceptable. Mr Enright agreed that it would be a positive way forward.

The proposer and seconder of the original motion agreed to the revised wording being included in their proposition.

Mr Hoare indicated that a lot of lessons had been learnt as a result of developments in the district and the need to secure and retain funding for infrastructure. Mr Hoare emphasised that the motion was not seeking to apportion blame but was an attempt to secure, through the leaders of the district and county councils, the funding that was pledged at the inquiry.

Mr Hoare suggested it was important to deliver much needed infrastructure. Mr Hoare indicated that it was positive that some recent planning permissions had included trigger points whereby development could not continue until certain infrastructure had been delivered. This prevented promises being made and then developers and /or landowners challenging infrastructure applications when they came forward.

The following revised proposal was then put to the vote:

“£3,587,289 for a transport scheme in Witney was returned to the developers/original landowner in October 2013. This funding could be used to deliver the much needed Shores Green four way junction. Accordingly, this council instructs the Leader of the council to write to the Leader of the County Council to seek to negotiate with the parties to the S106 agreement for the Madley Park site in Witney to make the funding available for Shores Green. Council also instructs the Leader to attempt to secure a pledge from the Leader of Oxfordshire County Council that the £1,329,603 remaining in its funds shall be earmarked for the development of Shores Green.”

On being put to the vote the motion

**WAS UNANIMOUSLY CARRIED**

37. SEALING OF DOCUMENTS

The Council received and noted the report of the Chief Executive which gave details of documents numbered 11023 to 11040B sealed since the last meeting.

The meeting closed at 3.10pm

CHAIRMAN