

WEST OXFORDSHIRE DISTRICT COUNCIL

At a Meeting of the
WEST OXFORDSHIRE DISTRICT COUNCIL
held in the Council Chamber, Council Offices, Woodgreen,
Witney, on Wednesday 25 October 2017 at 2:00pm.

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, Mrs L C Carter, Mrs L J Chapman, A S Coles, N G Colston, J C Cooper, D A Cotterill, C Cottrell-Dormer, 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, E J Fenton, A M Graham, P J Handley, Miss G R Hill, H J Howard, Ms E P R Leffman, R D J McFarlane MBE, J F Mills, T J Morris, T N Owen, A H K Postan, Mrs C E Reynolds, G Saul, H E T St John, C J A Virgin and G H L Wall.

32. MINUTES

RESOLVED: that the Minutes of the meeting of the Council held on 21 June 2017, copies of which had been circulated, be confirmed as a correct record and signed by the Chairman.

33. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors S J Good, J Haine, A D Harvey, E H James, P D Kelland, R A Langridge, Mrs L E C Little, K J Mullins, Dr E M E Poskitt, T B Simcox and B J Woodruff.

34. DECLARATIONS OF INTEREST

There were no declarations of interest from Members or Officers relating to items to be considered at the meeting.

35. RECEIPT OF ANNOUNCEMENTS

35.1 Ms Michelle Bignell

The Chairman advised Members that Ms Michelle Bignell had been shortlisted for the National Institute of Licensing's Jeremy Allen Award. The award was for licencing professionals who had shown excellence in their work and made a notable difference by consistently going the extra mile. Michelle and her team were being recognised for their work in transforming the way services were delivered.

35.2 Publica Go-Live Date

The Chairman advised that Publica was to go-live on 1 November. He thanked the Head of Paid Service and the Council's staff for their efforts in bringing this project to fruition.

35.3. Data Protection Training

The Chairman reminded Members that a training session on the new data protection legislation was to be held at the conclusion of the Council meeting. He stressed the importance of this subject and encouraged all Members to attend.

35.4 Community Energy England Award

The Leader of the Council advised that West Oxfordshire had been shortlisted by Community Energy England for an award for its work in support of the Southill Solar community energy project.

The planning team had worked to support the development of this community-owned solar farm and the applicants had expressed their appreciation of the speed in which their application had been dealt with, enabling them to secure favourable feed-in tariffs. Subsequently, the Council had agreed to re-finance the more expensive elements of their debt to de-risk the project.

35.5 LABC Central Building Excellence Awards 2017

The Leader of the Council advised that the Buttercross development in Witney, had won 'Best High Volume New Housing Development' at the LABC Central Building Excellence Awards 2017. The development would go on to compete in the Grand Finals of the Building Excellence Awards in November.

35.6 Oxfordshire 100% Business Rates Retention Pool Pilot

Mr Morris informed Members that, as reported in the local press, the Cabinet had agreed to participate in the submission of an application for Oxfordshire to become a 100% Business Rates Retention Pool pilot in 2018/2019. He advised that, following the introduction of new arrangements by the Government, all pilots would be subject to a 'no detriment' clause which would remove all risk to the Council.

35.7 Supporting Small Businesses - Discretionary Rate Relief Scheme,

Mr Morris advised that, despite writing to all eligible businesses twice, not all had applied for rate relief under the rate relief scheme introduced following the recent Business Rates revaluation. He asked all Members to promote the scheme within their Wards and encourage businesses to apply.

35.8 Waste Collection and Recycling Contract

Mrs Reynolds provided a comprehensive update on the introduction of the new waste collection and recycling service. A copy of her statement appears at Appendix A to the original copy of these minutes.

35.9 Housing Workshop – 29 November 2017

Mr Dingwall advised that a Housing Workshop was to be held from 4.00pm to 6.00pm on Wednesday 29 November and encouraged all Members to attend.

35.10 Rural Superfast Broadband Project.

Mr Dingwall advised that a £8 million contract had been signed with Gigaclear earlier in the week that would see full 'fibre to the premises' superfast broadband provided to 99.6% of residential and commercial properties in West Oxfordshire by the end of 2019. Rollout schedules would be available on the Council's website shortly.

35.11 Potential Alternative Affordable Housing Model

Mr Dingwall drew Members' attention to the Cabinet's recent decision to authorise Officers to progress such discussions and reach agreement with the Blenheim Estate to evolve an alternative affordable housing model. He advised that the proposed arrangements would offer a further flexible route for the provision of affordable housing whilst providing economic benefits to the District. The scheme would enable local landowners to retain ownership of their land and provide employment for local businesses. This was an innovative scheme and the Blenheim Estate was keen to work with the Council to promote the model to other institutional landowners on a national basis.

36. PARTICIPATION OF THE PUBLIC

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

37. RECOMMENDATIONS FROM THE EXECUTIVE AND COUNCIL COMMITTEES

The Council considered the report of the Head of Democratic Services setting out recommendations made by the Cabinet and the Council's Committees in the period from 31 August to 18 October 2017.

In proposing the recommendations, Mr Mills drew attention to the amendment to the recommendation at (c)(v) that the Section 151 Officer be authorised to apply for the Council to be recognised as a professional client for treasury management transactional purposes. He also advised Members of the additional recommendation at Minute No. CT/53(b)/2017/2018 that the Council confirm the Allocations Policy previously adopted as part of the digital nominations (Choice Based Lettings) scheme trial.

The recommendations were seconded by Mr Morris.

Mr Cooper made reference to the Budget Parameters and to the estimated cost of providing additional car parking facilities within the District. He suggested that more effective enforcement of current parking restrictions would lead to more efficient use of existing facilities hence minimising the number of additional parking spaces required and, in consequence, the overall cost.

Mrs Carter made reference to the recommendation at (a) regarding the provision of funding towards domestic abuse services in West Oxfordshire, noting that the County Council had decided to reduce these services some four years previously. She expressed her thanks to the Cabinet for their recommendation which would be gratefully received.

The recommendations were then put to the vote and were carried.

RESOLVED: that the recommendations made by the Cabinet and the Council's Committees in the period from 31 August to 18 October 2017 be approved in relation to:

- (a) The approval of funding of up to £35,000 per year for three years commencing in April 2018 towards domestic abuse services in West Oxfordshire as a budget commitment in advance of the formal budget setting process. (Minute No. CT/54(a)/2017/2018);
- (b) The recommendations that the budget parameters for 2018/19 be approved as follows (Minute No. CT/55/2017/2018):-
 - (i) inflation on pay budgets of 2.0% for all staff;
 - (ii) expenditure on utilities inflated in line with contractual changes;
 - (iii) expenditure on external budgets in line with contractual commitments – where no contractual commitments occur no inflation allowance given;
 - (iv) expenditure on the Publica contract to be in line with the inflation on pay budgets, less the business case savings;
 - (v) Fees and charges increase- target of 2.0% where discretionary and market will bear and administratively efficient to do so.
- (c) The recommendations that:-

- (i) the Council's Treasury Management Strategy Statement and Investment Strategy 2017/18 be updated to include Publica Group (Support) Ltd as an approved counterparty;
 - (ii) investments with Publica Group (Support) Ltd are limited to a maximum of £500,000 and for periods no longer than 1 year.
 - (iii) the Council's Treasury Management Strategy Statement and Investment Strategy 2017/18 be updated to include Ubico Ltd as an approved counterparty;
 - (iv) investments with Ubico Ltd are limited to a maximum of £500,000 and for periods no longer than 1 year.
 - (v) Officers be authorised to apply for the Council to be recognised as a profession client for treasury management transactional purposes; and
- (d) The recommendation that the Council confirm the Allocations Policy previously adopted as part of the digital nominations (Choice Based Lettings) scheme trial. (Minute No. CT/53(b)/2017/2018)

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

The reports of the meetings of the Cabinet and the Council's Committees held between 31 August and 18 October 2017 were received:

38.1 Financial Statements 2016/2017 and Audit Findings Minute No. A&GP/23/2017/2018

Mr Cooper questioned why Chipping Norton Town Council was permitted to occupy parts of the Guildhall, property in the District Council's ownership, rent free. In response, Mr Adams advised that he was not aware of the basis of this arrangement in any detail but understood that it was an historic agreement.

With regard to section 106 agreements, Mr Enright enquired whether it would be possible to create a public register giving details of developer contributions received and the projects to which they were to be applied. In response, Mr Mills indicated that, whilst Mr Haine would be able to respond in more detail, he believed that work was underway to devise appropriate arrangements.

38.2 Risk Management Updates Minute No. A&GP/29/2017/2018

Mr Graham enquired when a report on the work being undertaken with Cottsway Housing to identify any properties at risk in the wake of the Grenfell Tower fire would be available. Mr Adams undertook to advise Members once this work had been concluded.

38.3 Further Suggested Changes to the West Oxfordshire Local Plan 2031 Minute No. CAB/41/2017/2018

Mr Cooper reiterated the concerns that he had previously expressed regarding challenge to the Growth Board's assessment of Oxford City's unmet housing need and the ability for that to be met on sites within the City boundary.

38.4 Syrian Refugees - Update Minute No. E&S/44/2017/2018

Mr Graham enquired what measures were in place to assist the Syrian Refugees in integrating into the local community and, in particular, to improve their English language skills. The Chairman of Council indicated that details of the measures in place had been

reported to the Overview and Scrutiny Committee and that the question was more appropriate to that Committee.

38.5 A361 High Street, Burford, Proposed 7.5 Tonne Weight Restriction
Minute No. ENV/29/2017/2018

In response to concerns expressed by Mr Enright, Mr Mills indicated that the Cabinet had thought it prudent to await further information on the County Council's proposals before taking a decision on the matter.

38.6 Waste and Recycling Contract
Minute No. ENV/30.1/2017/2018

Ms Leffman made reference to recent press reports suggesting that some 90% of tetra paks went to landfill and questioned what happened to those collected in West Oxfordshire. In response, Mr Cotterill advised that not all material collected was suitable for recycling and that, whilst he did not know the exact percentage of material sent to landfill, a detailed analysis would be provided at the next meeting of the Environment Overview and Scrutiny Committee.

Mr Graham made reference to problems that had arisen in Charlbury and questioned how these would be addressed. In response, it was explained that any missed collections should be dealt with by the end of the week and, in response to a further question from Mrs Carter, that it was thought unnecessary to issue a press release as it was anticipated that the initial difficulties would be resolved quickly.

Ms Leffman suggested that a press release would be helpful to residents. In reply, Mr MacRae advised that the relevant information was already available on the Council's website.

Mr Enright questioned why the Council had ceased to collect flyaway plastics under the new contract and asked if this had been discussed by the Overview and Scrutiny Committee before a decision had been taken. He noted that Oxford City Council continued to do so and enquired whether it was only West Oxfordshire that had stopped collection, all authorities contracted to Ubico, or whether this was more widespread. In response, Mr Cotterill advised that, whilst the question had not been specifically addressed by the Overview and Scrutiny Committee, this had been a commercial decision. There was no market for flyaway plastics as the cost of processing such material exceeded the value of that recovered. The Council had paid Kier around £180,000 to collect flyaway plastics and in the current constrained environment this was money that could be better spent elsewhere.

38.7 Provision of Additional Car Parking Capacity
Minute No. CAB/58/2017/2018

Mr Coles sought an assurance that the policy on the strategic approach to parking capacity adopted by the Cabinet would apply to the Woodford Way car park given that it was designated as a temporary facility and identified as a site for residential development within the emerging Local Plan. In response, Mr Mills confirmed that this was the case and explained that the policy was considered to be the best basis for negotiation with developers. The Council did not want to see any loss of parking provision; the retail economy in Witney was successful and the retention of adequate parking provision was considered to be important to avoid loss of trade to the new Westgate development in Oxford. Further, Mr Mills indicated that it was wrong to assume that development of the site would result in the loss of parking provision, citing the adjacent Marriotts Walk development as an example of the solutions that could be achieved.

32. QUESTIONS BY MEMBERS

The following question, addressed to the Leader of the Council, was put by Ms E P R Leffman in accordance with paragraph 10 (c) (ii) of the Council's Rules of Procedure (Questions relating to urgent matters).

“At the Publica meeting on Monday evening, it was stated that a Members' Liaison Group would be formed to scrutinise Publica's performance. Does the Leader agree that a Members' Liaison Group should have been formed before, not after, the Publica launch, and, given that it will take time for the group to form and set its terms of reference, by when does he expect the group to be fully functioning?”

The Chairman of Council indicated that he did not consider that the question related to an urgent matter but, given that the Leader of the Council was prepared to respond, he consented to the question being put.

Mr Mills gave a comprehensive response, the text of which appears at Appendix B to the original copy of these minutes.

33. REVIEW OF MEMBER STRUCTURES AND DEMOCRATIC COSTS

The Council received and considered the report of the Strategic Director and Head of Paid Service regarding the Council's Member structures and democratic costs.

Mr Mills noted that the matter had been considered by the three Overview and Scrutiny Committees and had received full exposure to the democratic process. Given that the consensus had been that the current structures should be retained, Mr Mills proposed that no further action be taken on the matter. The proposition was seconded by Mr Morris.

Mr Cooper questioned whether the current arrangements were the best, suggesting that there should be a more defined structure. He expressed concern that the current Overview and Scrutiny Committees were inclined to defend Cabinet decisions and suggested that there should be provision for better liaison with representatives on outside bodies. Finally, Mr Cooper raised the question of cost, indicating that Members' expenses had increased from £90,000 in 2002 to £340,000 by 2016 and noted that this was the one cost centre that had not seen a reduction in costs.

Mr Cooper proposed an amendment that the number of Overview and Scrutiny Committees be reduced from three to two; one being inwardly focussed and the other directed externally. The amendment was seconded by Ms Leffman.

Mr Handley indicated that he could not support the recommendation and advised that the County council was considering a return to the committee system. West Oxfordshire's arrangements had been considered by the Overview and Scrutiny Committees and the consensus was that they worked well. Mr Handley indicated that the current system offered all Members the opportunity to be involved and considered it to represent good value for money. He opposed a reduction in the number of scrutiny committees and a reduction in the number of Members.

Mrs Chapman concurred, stating that there was a cost to democracy and the public needed the opportunity to attend council meetings.

With regard to liaison with outside bodies, Mr Mills drew attention to the report on the activities of the Growth Board considered by the Cabinet at its last meeting. He noted that current legislation did not allow for remote voting and expressed the hope that Members would support a change as more collaborative working made this desirable and technology made it a possibility. If formal meetings could be held through video conferencing there would be both financial savings and improved efficiency.

As the Council's representative to Wild Oxfordshire, Mr Coles advised that he had reported back on a number of events to Members by email and had placed information in the Members' Room.

Mr Fenton agreed that Members should report back on their work on outside bodies but questioned the merit of reducing the number of overview and scrutiny committees as the workload of each would increase. He considered three to be an adequate number and questioned the link between the number of committees and the level of expenses as travel expenses would be a minimal element of the whole.

Ms Leffman stressed that all Members had to represent their electorate and felt that it was important for the Council to question what it did and review how well and effectively it operated in order to satisfy the public. She considered that the question had not been adequately addressed as a new system was being put in place to merge the Council's staffing structure. She expressed concern that meetings of the Publica Board were to be held in private and felt that this was an inappropriate way in which to go about the management of the Council. It was essential that Members were able to conduct scrutiny in the right way.

Ms Leffman agreed that there should be closer liaison with outside bodies and, in conclusion, suggested that the Chairmanship of Overview and Scrutiny Committees ought not to be reserved to Members of the majority political group.

Mr Morris indicated that he could not support the amendment as the matter had already been thoroughly debated by the overview and scrutiny committees and all had recommended that no change be made as current arrangements were considered to be effective.

Mr Postan emphasised that, in addition to their scrutiny role, the overview and scrutiny committees had an important part to play in policy development. He reminded Members that the Finance and Management Overview and Scrutiny Committee had fostered valuable initiatives such as the Local Authority Partnership Purchase Mortgage Support Scheme.

Mr Dingwall noted that Mr Cooper was calling for more from the overview and scrutiny committees but considered that the number of committees was not important. Any Member could add items to the work programmes and if more was required then it could be requested. In relation to the creation of Publica, he noted that this had been a long time coming. The 2020 programme had been led by a joint committee with Member representation from all partner authorities.

Mr Emery indicated that Mr Cooper had been a member of the Finance and Management Overview and Scrutiny Committee in the past and remained welcome to attend its meetings in future.

The amendment was then put to the vote and **WAS LOST**

Mr Enright thanked Officers for the report and proposed a further amendment that the Chairmanship of one of the overview and scrutiny committees and one place on the Publica Board be allocated to a member of a minority group.

Mr Mills acknowledged that the chairmanship of overview and scrutiny committees was taken by members of minority groups in some authorities but noted that the recent Government review suggested that the role should be filled by the best person for the job; the current chairmen were effective and did a good job. Mr Mills also indicated that all Members were able to participate in meetings.

In seconding the amendment, Mr Cooper noted that one of the overview and scrutiny committees in South Oxfordshire was chaired by a Labour Member.

Ms Leffman advised that a similar precedent had been set by the County Council. She made it clear that her support for the amendment was in no way a criticism of the current incumbents but expressed the hope that the Council might consider the appointment of minority group members as chairmen or vice-chairmen in the coming municipal year.

Mr Morris opposed the amendment and noted that the report before Members was to consider the member structures, not the appointment of chairmen. He recognised that other authorities might chose to operate differently and noted that some authorities did not permit those not on the Executive to participate in its meetings whilst West Oxfordshire's Cabinet welcomed contributions from all Members. The appointment of chairmen was a matter for the respective committees and was dealt with at the first meeting of the municipal year.

Mrs Chapman stated that the current appointments reflected the wishes of the electorate as expressed through the ballot box. She felt that roles should be assigned on merit and noted that the committees voted for their chairmen having regard to their experience. She too indicated that attendance at meetings was open to all Members.

Mr Howard reiterated that it fell to each committee to appoint its chairman and Mr Handley indicated that, in chairing the Economic and Social Overview and Scrutiny Committee, he sought to be fair and transparent.

(Mr Dorward joined the meeting at this juncture).

Mr Coles expressed his support for the amendment which he had advocated in the past and which he believed reflected best practice and demonstrated transparency. He made it clear that his support for the amendment should not be viewed as a reflection on the current incumbents.

Mr Graham suggested that the Council should undertake a resource analysis and discuss the results with opposition groups. He believed that the Council should harness the available skills rather than adopt a 'winner takes all' approach.

Mr Adams suggested that it would be inappropriate for the Council to be prescriptive when it was for the relevant committee to decide on the appointment of its Chairman. In any event, the Chairman of a committee was required to act impartially. Mr Fenton concurred, indicating that the best person for the job should be appointed to the role.

The amendment was then put to the vote and **WAS LOST**

Mr Cooper proposed a further amendment that the Human Resources Committee should be disestablished at the end of the current municipal year. The Committee had not met for some time and the Council would have few direct employees by that time. Residual responsibilities could be exercised by the Audit and General Purposes Committee.

Mrs Chapman indicated that the Human Resources Committee retained certain functions and Mr MacRae noted that these would still need to be addressed by the Council.

The Head of Democratic services advised that, whilst it was perfectly valid to raise the question of the role of the Committee and how those responsibilities were to be delivered, it would be more appropriate to consider these in the light of a future report.

Mr Enright agreed that Mr Cooper's suggestion warranted further consideration but considered that this should be with the benefit of advice from the Council's Officers.

Mr Cooper concurred and it was **AGREED** that a report on future arrangements for the exercise of the Council's Human Resources function be submitted to a future meeting. Mr Mills suggested that, in the first instance, the matter should first be considered by the Finance and Management Overview and Scrutiny Committee.

The substantive motion was then put to the vote and was carried.

RESOLVED: That no further action be taken with regard to the Council's Member structures and democratic costs.

34. SEALING OF DOCUMENTS

The Council received and noted the report of the Head of Paid Service which gave details of documents numbered 11405 to 11433A sealed since the last meeting.

The meeting closed at 3:35pm

CHAIRMAN