

WEST OXFORDSHIRE DISTRICT COUNCIL

At a Meeting of the
WEST OXFORDSHIRE DISTRICT COUNCIL
held in the Council Chamber, Council Offices, Woodgreen,
Witney, on Wednesday 17 January 2018 at 2:00pm.

PRESENT

Councillors: N A MacRae MBE (Chairman), Mrs M J Crossland (Vice Chairman), A J Adams, Mrs J C Baker, A C Beaney, R J M Bishop, Mrs L C Carter, Mrs L J Chapman, A S Coles, N G Colston, J C Cooper, C Cottrell-Dormer, C G Dingwall, P J G Dorward, Mrs J M Doughty, H B Eaglestone, D S T Enright, Mrs E H N Fenton, E J Fenton, S J Good, J Haine, Miss G R Hill, E H James, P D Kelland, Mrs L E C Little, R D J McFarlane MBE, J F Mills, T J Morris, T N Owen, Dr E M E Poskitt, A H K Postan, Mrs C E Reynolds, G Saul, T B Simcox, H E T St John, C J A Virgin, G H L Wall and B J Woodruff.

35. MINUTES

RESOLVED: that the Minutes of the meeting of the Council held on 25 October 2017, copies of which had been circulated, be confirmed as a correct record and signed by the Chairman.

36. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors M A Barrett, D A Cotterill, P Emery, A M Graham, P J Handley, A D Harvey, H J Howard and Ms E P R Leffman.

37. DECLARATIONS OF INTEREST

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

38. RECEIPT OF ANNOUNCEMENTS

38.1 Mrs Susan Cotterill

The Chairman advised Members of the death of Mrs Susan Cotterill. Those present stood in silence as a mark of respect.

38.2 Mr Keith Butler

The Chairman advised that Mr Keith Butler, the Council's Head of Democratic Services, was unable to attend the meeting owing to illness. He noted that this was the first Council meeting at which he was not present in 19 years. Members wished Mr Butler a speedy recovery.

38.3. Mr Michael (Mick) Brennan

The Chairman advised Members that Mr Brennan had resigned from the Council for personal reasons. Members joined Mr MacRae in expressing their thanks to Mr Brennan for his contribution to the Authority.

38.4 Road Safety Poster Competition

Mr MacRae informed Members that he had recently had the pleasure of visiting eight local schools to present bicycles as prizes in his annual road safety poster competition. Hundreds of children from 28 schools had entered the competition which had been supported by the Rotary Club, the Lions Club, and Round Table amongst others.

38.5 Chipping Norton Theatre Youth Orchestra Big Band

The Chairman advised that the Oxfordshire Youth Orchestra Big Band was performing at the Chipping Norton Theatre on 23 February in aid of the Chairman's Charity Fund and invited Members to offer their support.

38.6 Special Council Meeting – 14 February 2018

The Chairman reminded Members that arrangements had been made for a special meeting of Council to be held at the conclusion of the Cabinet meeting on 14 February in order to give consideration to recommendations relating to the Oxfordshire Growth Deal.

38.7 Members' ID Badges

The Chairman advised that new ID badges were available for collection at the conclusion of the meeting.

38.8 Registration as Data Controllers

Mr Mills made reference to the recent email sent to all Members by the Registration Team at the Information Commissioner's Office regarding the need to register as a Data Controller.

He confirmed that this was not a 'scam e-mail' and advised Members that they did not need to do anything as the registration process was being dealt with centrally. The ICO had been advised that all Councillors' registrations would be completed by the Council.

Once registered as Data Controllers, Members representing local residents when handling their personal or sensitive information would be governed by the Data Protection Act 1998. There was also a requirement to adopt the new General Data Protection Regulations which were to come into force on 25 May 2018.

Additional Data Protection & GDPR training sessions would be provided to ensure that everyone understood any changes they may need to make when handling constituents' information.

38.9 Collapse of Carillion

Mr Morris made reference to the collapse of the construction company Carillion which had been put into compulsory liquidation earlier in the week. He confirmed that the Council held no contracts with that company.

Mr Enright enquired whether the consequential effects of the collapse on the Council had been assessed and whether it was exposed to any risk in relation to any other similar firms.

In response, Mr Morris advised that, whilst the potential impact had yet to become clear, the Council had the necessary resilience processes in place to address any effect. The way in which the Council had developed the delivery of shared services meant that it was not exposed in the same way.

38.10 West Oxfordshire Local Plan 2031 Examination

Mr Haine made reference to the letter received from the Inspector regarding the West Oxfordshire Local Plan 2031 Examination indicating that, other than in respect of the strategy/site allocations for the Burford – Charlbury sub-area, it was his conclusion that, subject to further modifications to the effect of those now proposed by the Council, the plan as previously proposed to be modified was likely to be capable of being found legally-compliant and sound.

Mr Haine indicated that this was good news for the Council as it would enable it to resist further speculative planning applications. Mr MacRae noted that it was good to see the hard work that had gone into the development of the Local Plan coming to fruition.

39. ROYAL GARDEN PARTY 2018

Members noted that, in accordance with the arrangements for nominations to attend Royal Garden Parties agreed by the Council on 7 September 2016, the Chairman, in consultation with the Leader of the Council had offered a place to the Head of Democratic Services, Mr Keith Butler, in recognition of his long service with the Council. The remaining place was taken by Mrs E H N Fenton being the applicant with the longest service with the Council at the close of the nomination period.

40. PARTICIPATION OF THE PUBLIC

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

41. 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 15 November 2017 to 10 January 2018.

The recommendations were proposed by Mr Mills and seconded by Mr Morris.

Whilst supporting the recommendations, Mr Cooper questioned the position taken by the Labour Group in the recent past of abstaining from voting on the budget. He noted that, whilst Labour Members had suggested an upgrade in Member training during the course of the previous year, they had not brought forward any specific proposals when the budget was considered in February 2017. He noted that the Liberal Democrat Group had initiated changes to the Council's pensions and investment policies and expressed the hope that, should Labour Members feel unable to support the budget for 2018/2019, they would put forward alternative proposals.

Secondly, Mr Cooper expressed concern at the likely overall increase in Council Tax. He noted the proposed increase of £5.00 at Band D in West Oxfordshire's precept, indicating that this would add to the burden arising from increases in the Police, County Council and local council precepts. Mr Cooper indicated that many elderly residents were unwilling to complete applications for Council Tax Benefit and stated that he would need to be convinced that the increase proposed by the Council was necessary and could not be absorbed elsewhere in the budget.

Mr Coles advised that the Labour Group had abstained from voting on the budget in recent years as a matter of principle whilst the Liberal Democrats had supported the Conservative budget.

Mr Owen questioned whether Mr Cooper could legitimately claim credit for changes to Council Policy when, as the majority group, the Conservative Group was able to impose its wishes with or without the support of other Members.

Mr Mills disagreed with that view, emphasising the important role played by opposition Members in the democratic process. He went on to suggest that the position on the question of unitary councils recently adopted by the County Liberal Democrat Group could see a rise in Council Tax of up to 20%. Mr Mills also advised that, with an increase of £5.00, West Oxfordshire would still remain the second lowest charging shire district in the country.

Mr Good paid tribute to Northmoor Parish Council which intended to reduce its precept for the coming year by £5.00.

RESOLVED: that the recommendations made by the Cabinet and the Council's Committees in the period from 15 November 2017 to 10 January 2018 be approved in relation to:

- (a) The 2018/2019 Budget and Council Tax Base – (Minute No. CT/99/2017/201); and
- (b) The inclusion of provision of £344,000 within the 2017/2018 capital programmes the replacement of the pitch surface at the Witney artificial turf pitch – (Minute No. CT/102/2017/2018)

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

The reports of the meetings of the Cabinet and the Council's Committees held between 15 November 2017 and 10 January 2018 were received:

42.1 Universal Credit Minute No. E&S/50/2017/2018

Mr Enright questioned what measures had been put in place by the Council to mitigate any difficulties experienced by residents in accessing the fully digitised Universal Credit system.

In the absence of the Chairman of the Committee, the Vice Chairman invited the Cabinet Member with responsibility for Leisure and Health to respond. Mrs Baker advised that, at present, only new claims made by those of working age were being dealt with. Uptake to date had been slow and Officers had been put in place to assist those having difficulty to access the system and to offer help and advice regarding budgeting. As yet, the impact of the new regime was not clear and, whilst there had been some increase in rent arrears, these tended to relate to those households already in arrears. The Council continued to work closely with registered social landlords to provide advice and assistance where necessary.

42.2 Call-in of Cabinet Decision – Further Suggested Changes to the West Oxfordshire Local Plan Minute No. CT/91/2017/2018

Mr Cooper expressed his dissatisfaction with the response he had received from Mr Haine regarding the questions he had raised during consideration by the Cabinet of the call-in request related to the further suggested changes to the West Oxfordshire Local Plan at its meeting held on 13 December 2017.

He noted that the question of a buffer zone to protect the Blenheim World Heritage site had initially been raised not by him but by Mrs Chapman. He stated that the response he had received failed to address the question of the number of world heritage sites that benefitted from designated buffer zones, nor, in the context of his queries in relation to Oxford's unmet housing need, did it indicate which, if any, sites within Oxford City West Oxfordshire had been suggested as being suitable for development. The reply did not address the question of parking provision in Woodstock, nor that in relation to traffic generation on the A4095.

Mr Cooper questioned whether the absence of reference to provision of a buffer zone at Blenheim rendered the Local Plan unsound, indicating that only six of the 33 World Heritage sites (including Gibraltar) were not protected by buffer zones. Mr Cooper stressed that the purpose of a buffer zone was not to preclude development but to ensure that any development was of a sufficiently high standard.

Mr Cooper stated that he had supported development within what would have comprised a notional buffer zone.

Mr Cooper asked whether the Cabinet would halt the Local Plan process, reiterating that he considered that he had not received an adequate response to the questions he had raised.

In response, Mr Haine indicated that he had provided Mr Cooper with a response giving details of the dates of meetings at which Oxford City's unmet housing need had been discussed. Whilst he had been unable to find information on the number of World Heritage sites having buffer zones, Mr Haine questioned why Mr Cooper had raised the issue when he was already aware of the answer.

43. QUESTIONS BY MEMBERS

The following questions submitted in accordance with the Council's Rules of Procedure were addressed.

43.1 Development Control – Decision Making Process

The following question, addressed to the Leader of the Council, was put by Mr A S Coles in accordance with paragraph 10 (c) (ii) of the Council's Rules of Procedure (Questions relating to urgent matters):-

“In light of new government rulings, and following events at Monday's Lowlands Planning sub-committee where members were dissuaded from one course of action by what can only be seen as a threat by the Secretary of State to remove the decision making process from this authority. What assurances can the Leader of the Council give concerned members that planning decisions will still be taken by members with the expertise, local knowledge and the understanding of the local community's needs free from undue pressure and influence from central government and the Secretary of State?”

Mr Mills indicated that this was an important question that required careful consideration and undertook to give a written response.

(A copy of the response provided is attached as Appendix A to the original copy of these minutes)

43.2 Call-in of Cabinet Decision Concerning Local Plan Issues

The following question, addressed to the Cabinet Member with responsibility for planning, was put by Mr J C Cooper in accordance with paragraph 10 (b) of the Council's Rules of Procedure (Questions by Members With Notice):-

“Can the cabinet member for planning please inform the Council what administrative actions, apart from placing it on the Economic & Social Committee agenda, were taken following the receipt of the call-in concerning local plan issues of the November cabinet meeting?”

In response, Mr Haine advised that there had been none.

43.3 Base 33 – Witney

The following question, addressed to the leader of the Council was put by Mr A M Graham in accordance with paragraph 10 (b) of the Council's Rules of Procedure (Questions by Members with Notice):-

“Can the leader of the council confirm what support the council gives to the organisation Base 33 in Witney and what further help is being given in light of the

current uncertainty of the organisation's status to continue providing the service so valued to and for the young people of the district?"

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

44. SCHEME OF MEMBERS' ALLOWANCES FOR 2018/2019

Consideration was given to the report of the Head of 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 2018/2019.

In proposing the recommendations, Mr Morris thanked the Members of the Allowances Panel for their work and emphasised the importance of the role of independent persons in reviewing Members' Allowances. The proposition was seconded by Mr Mills.

On being put to the vote the proposition was carried, and it was -

RESOLVED:

- (a) That the recommendations from the Independent Remuneration Panel as set out in the Appendix to the report, and specified in paragraph 3.4 be approved;
- (b) That the Section 151 Officer be authorised to amend the scheme of allowances as formally set out in Part 6 of the Council's Constitution to reflect any changes made as a result of (a) above; and
- (c) That in the event of the staff pay award for 2018/2019 being greater than 2%, and of the Council accepting the Panel's recommendations, the section 151 officer be further authorised to adjust the scheme as necessary.

45. PROGRAMME OF MEETINGS 2018/2019

The report of the Head of Democratic Services seeking agreement of a programme of meetings for the 2018/2019 civic year was received and considered.

Having been proposed by Mr Mills and seconded by Mr Morris the recommendations set out in the report were put to the vote and were carried.

RESOLVED:

- (a) That the Calendar of Meetings for 2018/2019 as set out in the Appendix to the report be approved; and
- (b) That the times for the first meetings of the Overview and Scrutiny Committees after the annual meeting of the Council be as set out in the Appendix, but that each Committee be invited to consider the timing of its subsequent meetings during the year.

46. SEALING OF DOCUMENTS

The Council received and noted the report of the Head of Paid Service which gave details of documents numbered 11434 to 11465 sealed since the last meeting.

The meeting closed at 2:35pm

CHAIRMAN