

WEST OXFORDSHIRE DISTRICT COUNCIL

Minutes of the meeting of the
West Oxfordshire District Council
held in the Council Chamber, Council Offices, Woodgreen,
Witney, on **Wednesday 23 January 2019** at 2:00pm.

PRESENT

Councillors: Maxine Crossland (Chairman); Alex Postan (Vice-Chairman); Alvin Adams, Alaa Al-Yousuf, Jeanette Baker, Andrew Beaney, Rosa Bolger, Andrew Coles, Julian Cooper, Derek Cotterill, Charles Cottrell-Dormer, Merylyn Davies, Pete Dorward, Jane Doughty, Harry Eaglestone, Duncan Enright, Hilary Fenton, Ted Fenton, Steve Good, Andy Graham, Jeff Haine, Peter Handley, David Harvey, Gill Hill, David Jackson, Ed James, Peter Kelland, Liz Leffman, Nick Leverton, Norman MacRae MBE, Martin McBride, Michele Mead, James Mills, Toby Morris, Kieran Mullins, Neil Owen, Carl Rylett, Geoff Saul, Harry St John and Ben Woodruff.

55. MINUTES

RESOLVED: That the minutes of the meeting of the Council held on 24 October 2018, copies of which had been circulated, be confirmed as a correct record and signed by the Chairman.

56. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Jake Acock, Richard Bishop, Laetisia Carter, Richard Langridge, David McFarlane MBE and Elizabeth Poskitt.

57. DECLARATIONS OF INTEREST

Insofar as it related to agreements between the Council and Cottsway Housing, Councillor Good declared an interest in Agenda Item No. 12 (Sealing of Documents) by virtue of his membership of the Cottsway Board.

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

58. RECEIPT OF ANNOUNCEMENTS

58.1 Mr Ed Coker and Mr Joe Walcott

The Chairman advised Members of the deaths of Mr Ed Coker and Mr Joe Walcott.

Mr Coker was first elected to West Oxfordshire in 1990 as a representative of Witney South, serving until 1992. During his initial term of office, he served on the Planning and Public Health Committees and the Lowlands Area Planning Sub-Committee.

He re-joined the Council for a further four year term in 1995 and was appointed to the Finance and General Purposes Committee, the Housing Committee and the Planning Committee and, in 1996, joined the Policy and Co-ordinating Committee.

Mr Walcott was first elected as representative for Carterton South in May 1995, representing that ward until his retirement in May 2013.

During that time he sat on the Housing, Planning and Policy and Co-ordinating Committees, the Environment Overview and Scrutiny Committee, Standards Committee, Licensing Committee and the Lowlands Area Planning Sub-Committee.

He had served two years as Vice-Chairman of the Council from May 2000 before his election as Chairman in 2002.

Joe presided over Council meetings with good humour and throughout his period of Chairmanship between 2002 and 2006, and had undertaken the role of ambassador for West Oxfordshire with enthusiasm and generosity.

From the time he was first elected, Joe offered his support to the residents of Carterton and was particularly passionate in his advocacy for the provision of leisure facilities in the town.

Councillor Crossland stated that Mr Walcott would be remembered fondly by Members and Officers alike. Having represented the Council at his funeral, it was clear that he had been held in great esteem by all sections of the community.

Those present stood in silence as a mark of respect.

58.2 Member Briefings

Councillor Crossland advised that there would be a briefing to update Members on the development of Publica in Committee Room One at the conclusion of the Council meeting. In addition, arrangements had been made for Members to receive feedback on the Local Government Association's Peer Challenge on Monday 4 February at 3:00pm.

58.3 Liberal Democrat Group Leader

The Chairman advised Members that Councillor Andy Graham had been appointed as Leader of the Liberal Democrat Group. The Deputy Leader of the Group was Councillor Liz Leffman.

58.4 Royal Garden Party 2019

Councillor Crossland advised that, in accordance with the arrangements agreed by the Council, she was to attend the Royal Garden Party as Chairman of the Council. As the applicant with the longest service with the Council, Councillor Beaney was to receive the remaining place.

58.5 Notice of Motion – 4G Coverage

Councillor Mills made reference to the letter received from the Department for Culture, Digital, Media and Sport in response to the concerns expressed regarding 4G coverage in West Oxfordshire in the Motion considered and approved by the Council in October 2018.

Councillor Mills indicated that he considered the response received to be unsatisfactory and that it was his intention to write to the Minister again to emphasise the Council's concerns in a more robust manner than perhaps Officers could employ.

58.6 Email Access for Councillors - Migration to GSuite

Councillor Morris made reference to the email sent to all Members regarding the impending migration of email access to GSuite. He asked any Members who had not yet set up their devices as requested to do so as soon as possible, because failure to do so could result in them being unable to receive email correspondence from the Council.

Help and support was available if required and training was to be made available shortly.

58.7 'Ask for Angela' Campaign

Councillor MacRae advised Members that the 'Ask for Angela' safety campaign, first introduced by Lincolnshire County Council, had been adopted in West Oxfordshire. The campaign enabled customers in the night-time economy who felt unsafe to seek assistance from staff by using the discreet code word 'ask for Angela'. Members of staff were trained to help the customer by calling a taxi, contacting friends or family or asking the individual causing the distress to leave the venue.

Councillor MacRae advised that 15 licensed premises had already signed up to the scheme and all Members were provided with an information pack and requested to promote the project and encourage licensed premises within their Wards to adopt the scheme.

Councillor MacRae thanked the Council's Officers and Police colleagues for their efforts in introducing the scheme to the District.

58.8 Safeguarding, Modern Slavery and 'County Lines'

Councillor MacRae advised Members that arrangements had been made for a Members' Seminar on Safeguarding, Modern Slavery and 'County Lines' to be held on Wednesday 27 February, at the conclusion of that day's Council Meeting.

He explained that 'county lines' was a form of criminal exploitation whereby gangs and organised crime networks exploited children to sell drugs. Often these children were made to travel across counties using dedicated mobile phone 'lines' to supply drugs.

59. PARTICIPATION OF THE PUBLIC

In accordance with the Council's Rules of Procedure, Mr Sharone Parnes had given notice of his wish to address the Council regarding 'Oxfordshire and the International Holocaust Remembrance Alliance definition of antisemitism'. A copy of his submission, encouraging the Council to adopt the IHRA definition, is attached as Appendix A to the original copy of these minutes.

Councillor Crossland thanked Mr Parnes for his participation in the meeting and proposed that consideration of his request be referred to the Economic and Social Overview and Scrutiny Committee for consideration. Having been duly seconded the proposition was carried unanimously.

RESOLVED: That the Economic and Social Overview and Scrutiny Committee be requested to give consideration to the adoption of the International Holocaust Remembrance Alliance definition of antisemitism and to make recommendations thereon to the Council.

60. 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 8 November 2018 to 16 January 2019. It was noted that the recommendations at (a) and (c) were to be dealt with later in the agenda.

The remaining recommendations at (b) and (d) to (j) were proposed by Councillor Mills and seconded by Councillor Morris and it was:-

RESOLVED: That the recommendations made by the Cabinet and the Council's Committees in the period from 8 November 2018 to 16 January 2019 be approved in relation to:-

- (a) The Council Tax Support Scheme for 2019/2020. (Minute No. CT/81/2018/2019);
- (b) Officer delegations in relation to the implementation of new enforcement powers in the Housing Act 2016 (Minute No. CT/82/2018/2019);
- (c) Charges for serving Enforcement Notices under the Housing Act 2004 (Minute No. CT/97/2018/2019);
- (d) The Council Tax Premium for long term empty properties (Minute No. CT/98/2018/2019);
- (e) Retail Relief for Business Rates (Minute no. CT/99/2018/2019);

- (f) The Budget 2019/2020 and revised Medium Term Financial Strategy 2019 - 2028. (Minute No. CT/100/2018/2019); and
- (g) Budgetary provision to enable the commencement of compulsory purchase proceedings in relation to the Unicorn public house, Great Rollright. (Minute No. CT/100/2018/2019).

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

The reports of the meetings of the Cabinet and the Council's Committees held between 8 November 2018 and 16 January 2019 were received.

61.1 Counter Fraud Unit Report (Minute No. A&GP/18/2018/2019)

Councillor Handley expressed concern over the lack of scrutiny training for Members and asked when the necessary arrangements would be put in place. In response, Councillor Adams undertook to discuss the matter with Officers.

61.2 'Water Day' 2018 (Minute No. ENV/40.1/2018/2019)

In response to a question from Councillor Haine, Councillor Harvey advised that the prosecution brought against Thames Water by the Environment Agency in relation to pollution of the Idbury and Littlestock Brooks (caused by the failure of the Milton-under-Wychwood (Bruern Road) Sewage Pumping Station) in August 2015 had been heard at Oxford Crown Court in December when a £2 Million fine had been imposed against the Company.

Councillor Harvey expressed his thanks to all those involved in organising the 'Water Day' which had been instrumental in raising awareness of problems in the rivers and water courses in West Oxfordshire.

61.3 Consideration of Bids for the Provision of an Electric Vehicle Charging Points Framework Agreement (Minute No. ENV/41.2/2018/2019)

Councillor Ted Fenton enquired whether more detailed information on the draft agreement was available. Councillor Harvey undertook to investigate further.

61.4 Planning Application for a New Motor Museum and Lodges at Enstone Airfield (Minute No. DC/13/2018/2019)

Councillor Cooper contended that there was sufficient knowledge and experience amongst Members of the Uplands Area Planning Sub-Committee to enable the application to be considered and determined in that forum rather than by the Development Control Committee as a whole.

In response, Councillor Haine advised that the decision to refer the application to the full Committee should not be taken as a reflection of the capability of the Sub-Committee. Given that this was an application of particular significance, Officers had concluded that it should be referred to the Development Control Committee for decision in accordance with paragraph E23 of the Officer Delegation Rules. Councillor Haine reminded Members that, whilst uncommon, there was precedent for such action when an application was considered to be of District-wide significance.

61.5 Proposed Re-Naming of Kethero Close, Shipton-Under-Wychwood (Minute No. CAB/80/2018/2019)

Councillor Leffman questioned why the Cabinet had not acceded to the request and whether it was true to say that it was the Council's policy not to name streets after those still living, suggesting that Potters Close in Charlbury had been named after Mr Nick Potter, a Member of the Town Council.

In response, Councillor Haine noted that the Cabinet's decision had not been subject to 'call-in' and reiterated that the Cabinet had been concerned that a change of name could be considered by some to be disrespectful to Mr Kethero's memory.

The original name had been chosen with the support of the Parish Council and Councillor Haine indicated that, whilst recognising that it would disappoint some, having considered the points set out in the report and made on behalf of local residents at the meeting, the Cabinet had seen no reason to approve the requested change of name. Councillor Haine also confirmed that it was the Council's policy not to name streets after those still living.

Councillor Enright considered that issues could arise if streets were named after those still living and indicated that the Council's policy reflected national guidance in this respect.

Councillor Handley considered the policy to be inappropriate, suggesting that there were streets in the District named after living individuals.

Councillor Mills advised that issues relating to established policy could be raised through the Overview and Scrutiny Committees. He stressed that there were good reasons not to name streets after living individuals and reiterated that the current policy reflected national guidelines.

Given that the current residents had expressed their support for the proposed change of name, Councillor Graham asked Councillor Haine if he would reconsider the decision.

Councillor Haine declined, indicating that the request had received full consideration.

61.6 Homelessness Strategy (Minute No. CAB/85/2018/2019)

Councillor Graham considered that the Strategy as presented required amendment as it offered no clear timescale for implementation. Further, there was no accurate information on the number of persons homeless or rough sleeping.

In response, Councillor Mills suggested that West Oxfordshire was leading the way in tackling homelessness in the County. By far the largest proportion of affordable housing to be provided under the Oxfordshire Plan was to be delivered by West Oxfordshire and the Cabinet had recently taken the decision to increase the Council Tax premium on empty properties to encourage owners to bring them back into use. Councillor Mills indicated that, whilst one person was one too many, homelessness figures varied on a day to day basis. He noted that the Council had recently completed the purchase of a property for use as emergency accommodation and advised that there were numerous other initiatives under development. Councillor Mills stressed that there was a strong political will to address the question of homelessness and invited all Members to bring forward any ideas they might have as to how to do so.

Councillor Graham stated that his point had been that Officers had yet to make the amendments to the Strategy called for by Members and stressed that it was important to have accurate information and timescales for implementation prior to approving the document.

Councillor Mills advised that the updated document had yet to be brought back before Members and, whilst the comments made would be taken into consideration, there would still be an opportunity to suggest any further revisions thought necessary.

62. COUNCIL TAX EXEMPTION FOR CARE LEAVERS

The Council gave consideration to the recommendations that had arisen from the Economic and Social and Finance and Management Overview and Scrutiny Committees and the Cabinet in relation to the Motion regarding Council Tax exemption for care leavers proposed by Councillors Rosa Bolger and Duncan Enright at the meeting held on 24 October 2018.

In proposing the recommendations as set out at paragraph 3.3 of the report, Councillor Bolger expressed her thanks to Officers and Members of the Overview and Scrutiny Committees for their contributions and, in particular, to Mr Aaron Miles for addressing the last meeting to share his experiences as a care leaver.

The adoption of this recommendation would be a small but significant way in which the Council could support this vulnerable group. Councillor Bolger was grateful for Members' support and pleased to note that West Oxfordshire would be the first authority in the County to take such a step. She invited Members to support the recommendations which would exempt care leavers from Council tax to the age of 25 thus providing a few years with one less burden whilst learning to manage their finances and avoid debt.

The proposition was seconded by Councillor Enright.

Councillor Mills expressed his support for the recommendations but pointed out that the recommendation at paragraph 3.3 (a) was to agree to exercise the discretion under Section 13A (1) (c) in principle. In doing so, Councillor Mills advised Members that the matter had been discussed by the Oxfordshire Leaders Group on 14 January when Officers from across the County had been requested to work up proposals to bring this into effect.

Councillor Mills stressed that this did not detract from the current recommendations which he was pleased to support as proposed.

Councillor Enright was pleased to note that this issue was being considered throughout the County and welcomed the common will amongst the district councils.

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

RESOLVED:

- (a) That the Council agrees, in principle, that it should exercise its discretion under Section 13A (1) (c) (Local Government Finance Act 1992) to apply a new Care Leavers Council Tax Discount Scheme; and
- (b) That Officers be instructed to seek to enter into an appropriate data sharing agreement with Oxfordshire County Council to enable that authority to share information about care leavers residing in the District;
- (c) That Oxfordshire County Council and Thames Valley Police be requested to agree to fund their share of the cost of any discount scheme; and
- (d) That the Cabinet be requested to make subsequent recommendations as to the detail of a proposed scheme, taking into account both the options set out in the previous reports to the Overview and Scrutiny Committees and Cabinet, and the as yet unknown financial implications.

63. NOTICE OF MOTION REGARDING WASTE WATER DISCHARGE

The Council gave consideration to the recommendations that had arisen from the Development Control Committee in relation to the Motion regarding waste water discharge proposed by Councillors Alex Postan and Michelle Mead at the meeting held on 24 October 2018.

In proposing the recommendation as set out at paragraph 3.3 of the report, Councillor Postan thanked the Development Manager for his assistance in framing a condition which would encourage developers to install the equipment envisaged in the original Motion.

Given the condition of the River Windrush and other water courses in the District, the adoption of such measures would be of benefit to local residents and the wider community

as a whole and Councillor Postan considered that it was right that the cost of addressing these issues should fall on the developer rather than on the public purse.

The proposition was seconded by Councillor Mead.

Councillor Haine noted that, whilst the provision of such equipment could not be required by condition, the proposal was as far as the Council could reasonably go.

Councillor Handley expressed his support for the proposition and enquired as to the cost. In response, Councillor Postan advised that the cost of fitting such equipment was minimal, being approximately £10.

Councillor Leffman considered that the provision of such equipment should be mandatory and proposed an amendment that the Council should write to the Ministry of Housing, Communities and Local Government suggesting that such arrangements be required to be implemented on a national basis.

The amendment was seconded by Councillor Graham and Councillors Postan and Mead agreed to amend their proposition accordingly.

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

RESOLVED:

- (a) That the following condition and informative be adopted for use in appropriate cases:

A full surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the size, position and construction of the drainage scheme and results of soakage tests carried out at the site to demonstrate the infiltration rate. Where appropriate the details shall include a management plan setting out the maintenance of the drainage asset. The Surface Water Drainage scheme should, where possible, incorporate Sustainable Drainage Techniques in order to ensure compliance with the Flood and Water Management Act 2010. The development shall be carried out in accordance with the approved details prior to the first occupation of the development hereby approved and shall be maintained in accordance with the management plan thereafter.

Reason: To ensure the proper provision for surface water drainage and/ or to ensure flooding is not exacerbated in the locality.

NB. In order to secure compliance with the above condition the applicant is strongly encouraged to incorporate on site storm storage cells and fat traps

Informative

Disposal of fat and debris to the drainage system pollutes watercourses and inhibits the flow of sewers giving rise to additional flood risk and additional harms/impacts arising from flooding when it does occur. You are strongly advised to consider the installation of grease and fat filters to drainage outlets as these are small and inexpensive but will help to ensure cleaner rivers and less flood harms

- (b) That Officers be requested to write to the Ministry of Housing, Communities and Local Government suggesting that such arrangements be required to be implemented on a national basis.

The Chairman thanked Members of the Overview and Scrutiny Committees and the Development Control Committee for the considered recommendations they had made with regard to the Motions.

64. SCHEME OF MEMBERS' ALLOWANCES FOR 2019/2020

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 2019/2020.

In proposing the recommendations, Councillor Morris thanked the Members of the Allowances Panel for their work. He reminded Members that the Panel was composed of independent persons and suggested that it was therefore incumbent upon Members to accept their recommendations. The proposition was seconded by Councillor Graham.

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; and
- (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 the changes made as a result of (a) above.

65. PROGRAMME OF MEETINGS 2019/2020

The report of the Head of Democratic Services seeking agreement of a programme of meetings for the 2019/2020 civic year was received and considered.

Councillor Jackson indicated that this was the first occasion that he had addressed a meeting of full Council since his election in May and took the opportunity to thank Officers for the advice and assistance he had received since that time. Councillor Jackson expressed some concern that the current number of meetings held during the daytime could result in the exclusion of large sections of society as many of those in full time employment could find it difficult to take time off. There was a danger that, in deciding the times of their meetings, the existing membership could create a self-perpetuating system.

Councillor Morris welcomed Councillor Jackson's first contribution and advised that it was not unusual for individual committees to decide on the start time of their meetings. He asked that they bear Councillor Jackson's comments in mind when doing so.

Councillor Coles also welcomed Councillor Jackson's contribution but cautioned against making assumptions as, whilst he worked full time, his shift patterns would make it more difficult for him to attend evening meetings.

Councillor Davies indicated that she found evening meetings difficult and felt that more evening meetings would present a barrier to those with young children. Councillor Bolger stated that the Council should do more to encourage diversity amongst its membership. She suggested that women were frequently the main carers and felt that there should be more variety in the start time of meetings. From a personal point of view, she found evening meetings caused issues over child care and a 2:00 pm start was difficult for those who had to collect children from school. Councillor Bolger suggested that a 12:00 noon start would be helpful.

Councillor Mills congratulated Councillor Jackson on his maiden speech. He noted that a variety of views had been expressed and it was clear that no arrangement would suit all.

Councillor Mills advised that there was statutory provision for time off work in the Employment Rights Act but, whilst good employers recognised the benefits of community service, he recognised that some were far from accommodating. In terms of public attendance, Councillor Mills advised that past experience had shown that if residents were interested in a particular issue, they would attend whenever the meeting was held.

Councillor Mills acknowledged that there were always difficult to reach groups and expressed the hope that the current digital transformation work would go some way towards addressing this.

Councillor Beaney indicated that afternoon meetings could prove difficult for those with child care responsibilities, particularly when end times were uncertain. Councillor Leffman noted that the County Council held morning meetings and Councillor Handley indicated that he would find this difficult as a principal carer.

Councillor Handley thought it was more appropriate for the individual committees to determine their start times.

Having been proposed and duly seconded the recommendations set out in the report were put to the vote and were carried.

RESOLVED:

- (a) That the Calendar of Meetings for 2019/2020 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.

(The Head of Democratic Services confirmed that it was within the remit of all committees to set the start time of their meetings).

66. SEALING OF DOCUMENTS

The Council received and noted the report of the Head of Paid Service which gave details of documents numbered 11605 to 11639C sealed since its last meeting.

The meeting closed at 3:15 pm

CHAIRMAN