

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 24 April 2019** at 2:00pm.

PRESENT

Councillors: Maxine Crossland (Chairman); Alex Postan (Vice-Chairman); Alvin Adams, Alaa Al-Yousuf, Jeanette Baker, Andrew Beaney, Richard Bishop, Rosa Bolger, Laetisia Carter, Louise Chapman, Andrew Coles, Julian Cooper, Derek Cotterill, Charles Cottrell-Dormer, Marilyn Davies, Harry Eaglestone, Duncan Enright, Hilary Fenton, Ted Fenton, Steve Good, Jeff Haine, David Harvey, Gill Hill, David Jackson, Richard Langridge, Nick Leverton, Norman MacRae MBE, Martin McBride, Michele Mead, James Mills, Toby Morris, Kieran Mullins, Neil Owen, Elizabeth Poskitt, Carl Rylett, Geoff Saul and Harry St John.

78. MINUTES

With regard to Minute No. C/69/2018/2019 (Declarations of Interest) Councillor Coles advised that he was employed by Stagecoach, not the Oxford Bus Company.

**RESOLVED:** That, subject to the amendment above, the minutes of the meeting of the Council held on 23 January 2019, copies of which had been circulated, be confirmed as a correct record and signed by the Chairman.

79. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Jake Acock, Nigel Colston, Pete Dorward, Jane Doughty, Andy Graham, Peter Handley, Peter Kelland, Liz Leffman and Ben Woodruff.

80. DECLARATIONS OF INTEREST

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

81. RECEIPT OF ANNOUNCEMENTS

81.1 Councillor David Walker

The Chairman advised Members of the death of Mr David Walker who had been a senior Member of the Council for many years.

Councillor Walker was first elected to represent Brize Norton and Curbridge in May 1979, serving in that capacity until his retirement in 1998.

He was initially appointed to the Finance and General Purposes and Planning Committees and the Lowlands Area Planning Sub-Committee.

In 1981 he became Vice-Chairman of the Finance and General Purposes Committee and was appointed Chairman the following year. At that time he was also appointed to the Policy and Co-Ordinating Committee.

He relinquished the Chairmanship of the Finance and General Purposes Committee in 1986 having been appointed Chairman of the Policy and Co-ordinating Committee, a position he held for the next 10 years.

Councillor Walker also served on the Personnel Sub-Committee, becoming its Chairman in 1995.

Those present then stood in silence in memory of Councillor Walker and in quiet reflection for those killed and injured in the recent terrorist attack in Sri Lanka.

## 81.2 Retiring Members

Councillor Crossland indicated that the following four Members of the Council were not seeking re-election.

### Jeanette Baker

Councillor Baker was first elected to represent Witney East in 2013 and was appointed to the Audit and General Purposes Committee and the Finance and Management Overview and Scrutiny Committee.

In 2015 she served as Vice-Chairman of the Finance and Management Overview and Scrutiny Committee.

In May of the following year she was appointed to the Cabinet, initially as portfolio holder with responsibility for Leisure and Health and latterly with responsibility for Leisure and Tourism.

### Pete Dorward

Elected to represent Witney Central in 2011, Councillor Dorward served on the Environment Overview and Scrutiny Committee and the Finance and Management Overview and Scrutiny Committee

### David McFarlane MBE

Councillor McFarlane represented Alvescot and Filkins since 1999. He initially served on the Environment and Leisure and Tourism Committees and was appointed as Vice-Chairman of the Finance and General Purposes Committee in 2000. Following the introduction of the Cabinet system he served on the Finance and Management Overview and Scrutiny Committee and became Chairman of the General Purposes Committee in 2001.

In 2002, he was appointed as Chairman of FMOS, a position he held until May 2008. He continued to serve on that Committee until 2011 when he became a member of the Environment Overview and Scrutiny Committee.

In 2013 he joined the Audit and General Purposes Committee where he continued to serve to date.

### Guy Wall

Councillor Wall represented Chipping Norton since May 2015 and served on the Finance and Management Overview and Scrutiny throughout his term of office. He was Vice-Chairman of that Committee during 2016/2017.

The Chairman thanked them all for their time, effort and hard work during their time in office and paid tribute to the difference they had made. Councillor Crossland also wished those Members seeking re-election well in the polls.

## 81.3 Oak Tree at Waterford Road, Madley Park, Witney

Following the presentation made by Ms Gaynor Langton at the Cabinet meeting the previous week, Councillor Mills provided an update regarding the Oak tree at Waterford Road, Witney.

He reminded Members that, as this mature oak tree had been found to be responsible for damage to an adjoining property, the Tree Preservation Order had been revoked and permission been granted to fell.

He advised that, when permission was granted to fell the tree, it was accompanied by a recommendation that options to retain the tree be explored. In recognition of the amenity and environmental value of the tree and its importance to local residents, officers had been acting on that recommendation, but it was clear that whatever the outcome, the tree must be pruned now, in order to minimise any further damage to property, and before any nesting takes place.

Accordingly, Officers had been instructed to engage suitable contractors to undertake that pruning as soon as possible, and to bring a report to Cabinet as soon as possible setting out the feasibility and cost of installing a root barrier in order to secure the retention of the tree in the longer term.

#### 81.4 Multi-Storey Car Park - Marriotts Close, Witney

Councillor Good advised Members that work was due to commence shortly on the refurbishment of the multi-storey car park at Marriotts Close in Witney. He confirmed that arrangements would be put in place to ensure that disruption was kept to a minimum and both Councillors and members the public were kept informed as work progressed.

#### 81.5 Member Briefing – Safeguarding and ‘County Lines’

Councillor MacRae advised that arrangements would be made for the Member briefing on safeguarding and ‘county lines’ that was to have been held at the conclusion of the last Council meeting to take place after the elections. He stressed that the briefing was intended to inform Members of the action being taken by the Council in general terms and that any specific issues or concerns should be reported to the Safeguarding Officer, Simon Wright.

#### 81.6 Mobile Phone Warning System

Councillor MacRae advised that he had recently attended the launch of a mobile telephone warning system designed to give an alert when a phone was in use in a passing vehicle. Two units had been installed on the Botley Road and the A34 and, whilst these only provided a warning and did not give rise to sanctions, they showed that the technology was available to indicate when a mobile phone was in use.

### 82. PARTICIPATION OF THE PUBLIC

In accordance with the Council’s Rules of Procedure, Ms Gaynor Langton had given notice of her wish to address the Council regarding an Oak Tree at Waterford Road, Madley Park, Witney. A copy of her submission is attached as Appendix A to the original copy of these minutes.

### 83. 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 7 March to 17 April 2019. In view of the confidential nature of the subject matter, Councillor Mills suggested that, in order to avoid the need to exclude the press and public from the meeting at this juncture, consideration of the recommendation at (g) be considered later in the meeting.

Councillor Cooper enquired whether the Leader of the Council was able to respond to the question he had raised at the Cabinet meeting regarding the provision of a stall to promote West Oxfordshire at the OVO Womens’ Cycle Race and that raised by Councillor Graham regarding the absence of a commuted sum for future maintenance of the weir at Woodford Mill.

Councillor Mills advised that he was still awaiting information from Officers on these questions but advised Councillor Cooper that Blenheim Palace had agreed to provide the Council with space on its own stall at the 'Countryfile Live' event. The question of staffing had yet to be resolved but Officers were looking into this further.

The recommendations at (a) to (f) were proposed by Mr Mills and seconded by Mr Morris and it was:-

**RESOLVED:** That the recommendations made by the Cabinet and the Council's Committees in the period from 7 March to 17 April 2019 be approved in relation to:-

- (a) The International Holocaust Remembrance Alliance definition of Antisemitism. (Minute No. E&S/71/2018/19);
- (b) The Publica Business Plan – Graduate and Paid Intern Scheme (Minute No. CT/125(b)/2018/19);
- (c) The application and Enforcement of Domestic Energy Efficiency Regulations. (Minute No. CT/129/2018/19);
- (d) The Order for Sale pursuant to the Charging Orders Act 1979 (Minute No. CT/132/2018/2019);
- (e) The OVO Energy Womens' Tour (Minute No. CT/142/2018/2019); and
- (f) Repairs to the Riverbank at Woodford Mill, Mill, Witney (Minute No. CT/145/2018/2019).

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

The reports of the meetings of the Cabinet and the Council's Committees held between 7 March to 17 April 2019 were received.

##### 84.1 Consultation on the Oxfordshire Plan 2050 (Minute No. E&S/70/2018/2019)

Councillor Enright welcomed the opportunity to respond to this public consultation document and, given the significance of the Oxfordshire Plan, questioned whether there would be opportunity to comment further as the plan progressed. He also enquired whether there was a timetable for such scrutiny.

In response, Councillor Mills advised that the current consultation was only the first stage of the consultation process and that there would be further consultation as the Plan developed.

The sub-group had recently given consideration to the demographic breakdown of responses received to date and were keen to engage as far and wide as possible. Officers were working with schools to engage with young people through courses such as geography and business studies and with students from the built environment school at Brookes University.

There would be a further opportunity for residents to comment on the Plan as it developed.

Councillor Rylett noted that it had been suggested that the dualling of the Cotswold Line could be identified as a specific objective in the review of the Oxfordshire Infrastructure Strategy. He questioned whether this was the most appropriate forum, who would be involved and whether there was a timescale for the review.

In response, Councillor Mills advised that all Oxfordshire authorities were working together to develop the latest Local Transport Plan. As part of that work, a rail study was currently being carried out taking account of all aspects including the impact of increased rail usage as a result of improvements to the rail network with the consequent reduction in the use of private vehicles.

The study was also considering the possible re-opening of the Cowley branch line which would provide a welcome alternative means of access to the City centre.

84.2 Local Plan Monitoring Report – Supplementary Planning Document for Woodstock (Minute No. CT/126/2018/2019)

Given that it was anticipated that new properties would be occupied by the end of the year, Councillor Poskitt questioned when the Supplementary Planning Document for Woodstock would be in place.

In response, Councillor Haine advised that Officers were currently working on the document and undertook to advise Councillor Poskitt when it was likely to be completed.

84.3 Officers in Attendance at Meetings (Minute No. F&M/75.2/2018/2019)

Councillor Mills indicated that it was difficult to recognise Officers present at meetings by reference to their job titles and requested that they be identified by name in minutes. Councillor St John requested that a list of Officers in attendance also be included.

84.4 Ubico Annual General Meeting (Minute No. F&M/77/2018/2019)

Councillor Cooper enquired as to the date of the Ubico Annual General Meeting. Councillor Cotterill undertook to enquire and advise Councillor Cooper accordingly.

84.5 Air Quality Management (Minute No. ENV/55/2018/2019)

Councillor Mills noted that no mention had been made of the report prepared by the Oxfordshire Health Improvement Board in relation to Air Quality Management and suggested that this should be made available to Members of the Environment Overview and Scrutiny Committee.

84.6 OVO Womens' Cycling Tour in Oxfordshire (Minute No. CT/142/2018/2019)

Whilst welcoming the decision to support the cycling tour, Councillor Davies noted that the sum of £30,000 equalled that she had requested to support the retention of the No. 11 bus service. She questioned why it had been decided to support this one-off event but not an ongoing project and whether the Blenheim Estate was supporting the tour.

Councillor Mills advised that support for the tour was not a one-off decision but a commitment to do so for a three year period. Any sponsorship received would be shared to reduce the participating council's contributions equally. The Cabinet had decided to support the tour as it would improve public health by encouraging physical activity and participation in sport as well as supporting local businesses and the wider economy.

Whether or not the Blenheim Estate offered financial support was not relevant to the Cabinet's decision to support the tour but any sponsorship that was secured would reduce the Council's commitment. The tour would support the wider visitor economy and encourage residents to adopt a more active lifestyle.

Councillor Cooper noted that Blenheim Palace was offering free access to visitors to the event.

84.7 Madley Park Playing Fields Project (Minute No. CT/I43/2018/2019)

Councillor Enright welcomed this project and noted that it had drawn the local community together in raising funds for the scheme. Facilities for children and young adults had been limited when the Madley Park development was first constructed and the provision of floodlighting would enable greater use to be made of the play area.

Whilst there had been some issues in the past with residents living on the Woodstock Road raising concerns in relation to the project, these residents were now largely supportive of the scheme having originally been rather sceptical, as they saw it as a way to protect the green space from future development. Consideration was being given to designating the land as a field in trust to ensure that it was retained as a leisure space.

Councillor Enright noted that the Cabinet report had been considered over the Easter period when it had been difficult for residents to express their views. He sought confirmation that the planning application would not be determined by Officers under delegated powers but be considered by the area planning sub-committee in order to give residents the opportunity to speak at the meeting as it was important that their ideas helped to formulate the plans.

Councillor Haine confirmed that this would be the case and Councillor Mills advised that the report had been brought before the Cabinet in order to allow the maximum opportunity for public consultation.

85. NOTICE OF MOTION – LOCAL GOVERNMENT FUNDING

The following motion had been received in the names of Councillors Rosa Bolger and Duncan Enright, namely:-

*“This council recognises the division in our country brought on by an unstable political climate, and recognises the importance of a united West Oxfordshire, where all residents feel supported by and connected to their local government.*

*The LGA estimate that there is a £3.1 billion gap in local government funding in 2019/20 which is set to grow to £8 billion by 2024/25. This funding gap must be addressed within the Spending Review 2019 before redistribution of local government funding through the Fairer Funding Review. Councils will also need to be protected from funding cuts resulting from the re-distributional impact of the Fairer Funding Review. One way to do this is to allow Councils to retain some funding locally from growth in business rates since 2013. At present MHCLG is proposing a full reset of the Business Rate Retention Scheme in 2020, which is not necessary and is not in line with their proposals for resets of the system in the future. Allowing Councils to retain some business rate growth would reduce the impact on any transitional relief scheme.*

*This council therefore agrees to object to central government's continued funding cuts to local government services and speak out at every opportunity to ensure West Oxfordshire District Council is not seen to be supporting further cuts.*

*This council resolves to begin these communications by writing to The Chancellor, Philip Hammond, Robert Courts MP and other relevant ministers to oppose further funding cuts to local government services in every region of the UK.”*

In accordance with paragraph 11(e) of the Council Procedure Rules the Chairman, considering it convenient and conducive to the conduct of the meeting, allowed the Motion to be considered at the meeting.

In introducing the Motion, Councillor Bolger indicated that, at a national level, there was a divide and a sense of unhappiness. Whilst the Council performed well and was at the forefront of efficiency, she felt strongly that Members should work together on a

cross-party basis locally and throughout the County to resist further cuts in Central Government Funding. Whilst West Oxfordshire did the best that it could with the funding available, it would be able to do more with additional funding.

The Local Government association had identified an increasing funding gap in local government funding and the Council should follow suit in expressing its concern to Central Government with Members working together showing a united front and representing local residents as a whole. She urged Members to support the Motion in order to provide stability and provide the level of front line services that residents deserved and expected.

Councillor Postan took issue with the terminology of the Motion given that there was a distinction between determining priorities and “cuts”.

Councillor Morris indicated that the Local Government Association’s discussion paper had identified potential shortfalls in areas such as adult social care, children’s services and homelessness. With regard to the latter, he reminded Members of the work that the Council was doing to address homelessness and the low levels of homelessness encountered suggested that this work had been successful.

Increased funding in the 2018 budget showed that the Government was listening to the concerns expressed as it had provided significant additional levels of funding for adult social care and rural support. Further, there had been no change to the allocation of the New Homes Bonus.

West Oxfordshire was not restricted to a 3% increase and had the flexibility to raise its Council Tax by a maximum of £5.00.

Whilst the Local Government association made reference to the Council Tax Cap, there were other options open to councils to reduce the deficit. These included the development of shared services and the creation of cost recovery vehicles. Authorities could then build on these by identifying ways to generate income such as entering into partnership arrangements such as that West Oxfordshire had with regard to leisure provision. They could diversify their investment portfolios; participate in business rates pools and pilots for the local retention of Business Rates.

West Oxfordshire had embraced such initiatives and showed what good, well run and efficient authorities could do whilst still planning for the future. Councillor Morris agreed that it was critical for all Members to work together as they had and would continue to do so in the future.

Councillor Morris expressed his disappointment that the opposition parties had chosen not to support the Council’s Budget some weeks earlier and noted that the Council had worked with the local Member of Parliament to secure additional funding and with Officers to protect front line services and keep Council Tax low.

The Council’s views on the fair funding review had already been expressed and were to be considered by the Ministry of Housing, Communities and Local Government in September. The Council had also expressed its concern at the cost of national policy and its disagreement with the proposed approach to using notional levels of Council Tax in the funding formula.

The Motion identified issues that were already known and suggested solutions that had already been done. This being the case, Councillor Morris considered that the opposition groups should have supported the budget. Councillor Morris indicated that he could not support the Motion as felt that the Motion was not necessary as the Council was already doing what was suggested.

Councillor Cooper indicated that the Council's present financial position reflected the fact that it had been run prudently since its creation in 1974. He expressed surprise that Members were not supporting the second element of the Motion and suggested that the Council Tax regime represented an underlying flaw in local government finance arrangements. It had been devised as a means of replacing the unpopular Community Charge and properties had not been subject to re-valuation for 20 years. The basic problem was that it was not based upon the ability to pay.

Councillor Cooper suggested that Members should support the second part of the Motion and considered that the best method of funding public services would be through land value taxation.

Councillor Coles stated that the problem with local government funding was the way in which it impacted on service provision. He cited issues such as the loss of the No. 11 bus service and the concerns expressed earlier in the meeting over the oak tree at Madley Park, indicating that a lack of adequate funding impacted upon the decisions that the Council might otherwise wish to take. The Notice of Motion put forward by Councillor St John was rooted in a lack of resources and he felt that the Council's position was not as healthy as Councillor Morris had implied. There were financial difficulties and Councillor Coles expressed surprise that Members felt unable to support the Motion. He urged them to reconsider and support the Motion for the benefit of all residents of west Oxfordshire.

Councillor Carter indicated that homelessness was a far greater issue in West Oxfordshire than had been recognised. The Economic and Social Overview and Scrutiny Committee had invited representatives from 'Homes for All' to attend a future meeting and Councillor Carter suggested that it was difficult to assess the true extent of homelessness as it was impossible to track those sleeping on sofas and in their cars as well as on the street.

Adult social care and children's services were particularly stretched with more children being taken into care than ever before.

Councillor Owen suggested that the problem was not a political issue or one of funding but the result of the population expanding to a point at which the demand for services outstripped the ability of the tax base to pay. This was not a party political issue.

Councillor Langridge indicated that, whilst it was right for the Council to be proud of its achievements, there were continuing financial pressures and the Authority had to take steps to 'stay ahead of the curve'. There was a disconnect between politicians and the public and Councillor Langridge saw this Motion as an attempt to achieve cross-party consensus for the benefit of local residents. He saw no harm in supporting the Motion and, whilst the Council could take pride in what it had achieved, it should say enough is enough.

Councillor Davies echoed the views expressed; the Council did good things but that did not mean that it could not do more with better funding. She urged Members to support the Motion in the best interests of West Oxfordshire's residents.

Councillor Mills agreed that this was not a party political issue but took exception to the 'talking down' of West Oxfordshire. When calling for increased funding, Members should recognise what was being achieved through the Growth Deal. Half of the proposed affordable housing had been delivered under the deal and emergency accommodation for the homeless had just been opened in Chipping Norton. The Council was also exploring innovative ways in which to bring forward affordable homes for others in housing need.



Councillor Mills stated that the loss of the No. 11 bus service was not simply a matter of funding but also a question of limited passenger numbers. He indicated that he was aware of the social issues facing many in Oxfordshire; those in West Oxfordshire were relatively fortunate whilst others were not and available funding went to support those in greatest need.

Councillor St John noted that, whatever the figures, all Government funding was public money and met by tax payers.

Councillor Poskitt suggested that failure to support the Motion was tantamount to voting in favour of cuts. The Council had done well so far but it had been a struggle.

Councillor Harvey acknowledged that this was a difficult issue but considered that the question was not the level of funding but how available funding was prioritised and apportioned. He believed that, whilst it was not perfect, the Council was fortunate in that it had the balance about right. Councillor Harvey was particularly pleased that it had been possible to maintain a weekly waste collection service and, whilst everyone would like to see more funding made available, the task at hand was to identify how the Council could prioritise expenditure to maintain and improve services going forward.

Councillor Saul indicated that the Motion was not critical of the Council's conduct but of the national funding formula and the uncertainty as to the future. There was a need for a better, more structured, funding formula.

Councillor Enright indicated that there was a significant level of instability, complexity and ambiguity throughout the world resulting in a time of great change and instability. There was a lack of trust in politicians, a breakdown in family structures and difficulties surrounding mental health in a society in which two adult earners were unable to meet their cost of living. There was a growth in demand for public services which needed to be addressed by a corresponding growth in funding for those services.

Councillor Enright stressed that the Motion was in no way critical of West Oxfordshire District Council but reflected the clear point made by all groups in the Local Government association that local government services were not adequately funded. Local government required funding from Central Government and all political parties contributed to the provision of local government services. Over the last 30 years, local government had been squeezed by successive Governments centralising power in the Capital. The local Government association had had enough and had identified an £8 Billion deficit across all local government. West Oxfordshire was 'ahead of the curve' in the initiatives brought forward and, whilst not all Members had been happy with some of the consequences, they appeared to be working reasonably well.

However, it was the County Council that had the primary responsibility for service provision in areas such as adult social care, children's services and education. All parties contributed to local government and the Motion was a cry against centralisation; local authorities should take back control.

Councillor Bolger was grateful for the support expressed and confused by those who felt unable to support the Motion. Failure to recognise the problems resulting from a reduction in services was evidence of a disconnect from reality.

Councillor Bolger urged Members to support what had been intended as a cross party Motion that was not asking for change but simply to start communication.

On being put to the vote the motion

**WAS LOST**

86. NOTICE OF MOTION – COUNCIL REPORTS: EQUALITY AND THE ENVIRONMENT

The following motion had been received in the names of Councillors Duncan Enright and Andrew Coles, namely:-

*“This Council is very concerned at the continued growth in use of voluntary sector emergency provisions such as food banks, and also recognises the increased demands on public services, resulting from inequality and insecurity.*

*The Council therefore agrees to add a statement at the end of each officer report, giving a statement or impact assessment of policies on equality and the environment in West Oxfordshire.*

*This will focus attention on the importance of tackling inequality, insecurity and environment, and encourage us all to look after each other and build strong community responses led by innovative and creative local government.”*

In accordance with paragraph 11(e) of the Council Procedure Rules, The Chairman indicated that she considered the subject matter of the foregoing motion to fall within the remit of the Economic and Social Overview and Scrutiny Committee.

Councillor Enright welcomed the suggestion of feedback from the Overview and Scrutiny Committee and requested that the Motion also be referred to the Environment Overview and Scrutiny Committee in order to receive that Committee’s views. He advised that he had first come across this model at the County Council and considered that such arrangements would prompt Officers to reflect on the content of their reports and ensure that it was in line with the priorities of the Council and central to its core values.

Councillor Enright did not consider this would place an unduly onerous burden on Officers and would ensure that the business of the Council reflected the key aims and objectives of the Authority.

In accordance with paragraph 11(e) of the Council Procedure Rules, The Chairman indicated that she considered the subject matter of the foregoing motion to fall within the remit of the Economic and Social and Environment Overview and Scrutiny Committees.

Accordingly, it was:

**RESOLVED:** that the motion having been duly proposed and seconded shall stand referred without discussion to the Economic and Social and Environment Overview and Scrutiny Committees.

87. NOTICE OF MOTION – SECTION 21, HOUSING ACT 1998

The following motion had been received in the names of Councillors Geoff Saul and Laetisia Carter, namely:-

*“This council believes strongly that a secure home is at the heart of all of our lives. It gives security, enables aspiration and gives children a stable home in which to grow up. This council believes that residents living in the private rented sector should have the security to build their lives and futures, and to become an active part of their community, just as residents in other housing tenures should expect. We note that nationally, the largest single reason for homelessness is eviction from the private rented sector.*

*Council therefore resolves to call on the Government to abolish section 21 of the Housing Act 1988 which allows eviction without the landlord having to establish fault on the part of a tenant, on the basis that the removal of this unfair clause would help to make renting more secure, improve standards, increase tenant confidence and ultimately contribute towards making renting a viable long term alternative to home ownership or social rent for the millions who currently cannot access either.”*

The Chairman advised that it was her intention to propose that the motion be referred to the Cabinet for consideration in conjunction with the Government’s announcement of its intention to repeal Section 21 of the Housing Act 1988.

Councillor Saul indicated that he would be happy to see the referral as he wished to see a debate regarding the private rented sector. Whilst his initial Notice had been critical of the Government, following the announcement on 15 May that it intended to abolish Section 21, he wished it to express support. Accordingly, and with the consent of his seconder, Councillor Saul amended the Notice of Motion to read as follows:-

*“This council believes strongly that a secure home is at the heart of all of our lives. It gives security, enables aspiration and gives children a stable home in which to grow up. This council believes that residents living in the private rented sector should have the security to build their lives and futures, and to become an active part of their community, just as residents in other housing tenures should expect. We note that nationally, the largest single reason for homelessness is eviction from the private rented sector.*

*This Council therefore resolves:*

*1. to support the Government’s decision to repeal section 21 of the Housing Act 1988 which allows eviction without the landlord having to establish fault on the part of a tenant, on the basis that the removal of this unfair clause would help to make renting more secure, improve standards, increase tenant confidence and ultimately contribute towards making renting a viable long term alternative to home ownership or social rent for the millions who currently cannot access either; and*

*2. to contribute to the Government’s planned consultation so as to help build a consensus on a new deal for private renting.”*

In proposing the revised Notice, Councillor Saul advised that Section 21 left tenants feeling insecure with six to twelve month tenancies which could be terminated by their landlord with only two months’ notice without reason. Tenants often had to endure poor standards of accommodation for fear of facing eviction should they make a complaint. Revocation of Section 21 would enable tenants to challenge their landlords without fear of eviction in reprisal.

Section 21 also encouraged landlords to impose increased rents on rent reviews and was the greatest single cause of homelessness in the UK with no fault evictions accounting for 28% of cases.

The Government now proposed open ended tenancies which would work for both parties and had indicated their intention to end no fault evictions, strengthen the grounds for eviction under Section 8 of the Act and simplify the Court process and to consult on a better system.

Councillor Saul considered this to be the correct approach in order to redress the balance between the rights of landlords and tenants without resulting in a decline in the availability of rented accommodation. It was important to open a debate around the private rented sector given the discrepancy between the UK and other European countries. For example, in Germany, some 55% of households lived in rented accommodation with tenancies averaging 11 years whilst in the UK only 20% of households rented with the average length of tenancies being 30 months. In the UK, 79% of tenants were not offered longer tenancies whilst 80% would have accepted had they been offered.

Section 8 of the act, which accounted for 62% of termination of tenancies, provided for eviction when a landlord wished to sell a property or move into it themselves. The Government proposed to preclude such eviction within the first two years of a tenancy and Councillor Saul suggested that the Council should support this suggestion or call for a three year moratorium period. He also suggested that landlords should be required to provide proof of their intent and offer compensation to the tenant for the early termination of their tenancy. In conclusion, Councillor Saul also suggested that tenants should be offered more control through the terms of their tenancy to allow them to re-decorate and keep pets.

In accordance with paragraph 11(e) of the Council Procedure Rules, The Chairman indicated that she considered the subject matter of the foregoing motion to fall within the remit of the Cabinet.

Accordingly, it was:

**RESOLVED:** that the motion having been duly proposed and seconded shall stand referred without discussion to the Cabinet.

#### 88. NOTICE OF MOTION – ENVIRONMENTAL PROBLEMS DURING DEVELOPMENT

The following motion had been received in the names of Councillors Harry St John and Ted Fenton, namely:-

*“That this Council asks the Development Control Committee to investigate and report back on how the use of clear and enforceable planning conditions and the imposition of monitoring fees might enable the better and more effective control of mainly environmental problems (e.g. dust, mud on roads, noise etc.) during the construction period on larger development sites in our towns and villages; and charging of monitoring fees would help to offset some or ideally all of the cost of additional staff time in the enforcement team needed to enforce such conditions”.*

In accordance with paragraph 11(e) of the Council Procedure Rules, The Chairman indicated that she considered the subject matter of the foregoing motion to fall within the remit of the Development Control Committee.

Accordingly, it was:

**RESOLVED:** that the motion having been duly proposed and seconded shall stand referred without discussion to the Development Control Committee.

#### 89. SEALING OF DOCUMENTS

The Council received and noted the report of the Head of Paid Service which gave details of documents numbered 11646 to 11665B sealed since its last meeting.

Councillor Morris made reference to the Funding Agreement for Affordable Housing under the Housing and Growth Deal and advised that the Council had delivered half of the Affordable Housing required under the Deal.

90. EXCLUSION OF THE PUBLIC

**RESOLVED:** that the Council being of the opinion that it was likely, in view of the nature of the business to be transacted, that if members of the public were present during the following items of business there would be a disclosure to them of exempt information as defined in paragraph 3 of Part I of Schedule 12A to the Local Government Act 1972, the public be excluded from the meeting.

91. ACQUISITION OF LAND AND PROPERTY TO SUPPORT ECONOMIC DEVELOPMENT

The Council gave consideration to the recommendations made by the Cabinet at its meeting held on 17 April 2019 as set out at Minute No. CT/149/2018/2019, together with the report of the Chief Finance Officer containing exempt information considered at that meeting.

The Chairman emphasised that the information contained in the report was of the utmost commercial sensitivity and would remain so until such time as negotiations were concluded.

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

Councillor Cooper proposed an amendment to the recommendation at (a) to delete the words "Head of Paid Service, in consultation with the Leader, Cabinet Member for Resources and Deputy Leader, Chief Finance Officer and Group Manager Legal Services" and replace them with the words "Urgency Committee".

The amendment was seconded by Councillor Coles and on being put to the vote

**Was Lost.**

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

**RESOLVED:** that:-

- (a) the Head of Paid Service, in consultation with the Leader, Cabinet Member for Resources and Deputy Leader, Chief Finance Officer and Group Manager Legal Services be authorised to submit an offer for the property identified in the report;
- (b) the offer terms as specified in the report be approved;
- (c) the Chief Finance Officer be authorised to update the Capital Strategy, Capital Programme, Investment Strategy and Treasury Management Strategy, on successful completion of negotiations;
- (d) the financial arrangements as set out at recommendation (e) of the report be approved; and
- (e) the Chief Finance Officer be authorised to update the Council's revenue budget for 2019/2020 and the Medium Term Financial Strategy for future years, to reflect the financial implications of the decisions at (a) to (d) above.

The meeting closed at 4:15 pm

CHAIRMAN