

Democratic Services

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4 May 2020

SUMMONS TO ATTEND

MEETING: WEST OXFORDSHIRE DISTRICT COUNCIL
PLACE: TO BE HELD REMOTELY BECAUSE OF SOCIAL DISTANCING REQUIREMENTS AND GUIDANCE (see [note](#))
DATE: WEDNESDAY 13 MAY 2020
TIME: 2.00 PM

RECORDING OF MEETINGS

The law allows the council's public meetings to be recorded, which includes filming as well as audio-recording. Photography is also permitted.

As a matter of courtesy, if you intend to record any part of the proceedings please let the Committee Officer know before the start of the meeting.

A G E N D A

- 1. Minutes of the meeting held on 26 February 2020 ([copy attached](#))**
- 2. Apologies for Absence**
- 3. Declarations of Interest**

To receive any declarations of interest from Councillors relating to items to be considered at the meeting, in accordance with the provisions of the Council's Local Code of Conduct, and any from Officers.
- 4. Receipt of Announcements**

To receive any announcements from The Chairman, Leader, Members of the Cabinet or the Head of Paid Service.
- 5. Participation of the Public**

To receive any submissions from members of the public, in accordance with the Council's Rules of Procedure.
- 6. Cabinet Membership and Portfolios for 2020/2021**

The Leader of the Council will advise the Council of the composition of the Cabinet for 2020/21, including the portfolios of Cabinet Members.

7. Reports of the Cabinet and the Council's Committees

To receive the reports of the following meetings of the Cabinet and the Council's Committees. Copies are attached:

- (a) [Economic and Social Overview and Scrutiny Committee](#) 27 February 2020
- (b) [Development Control Committee](#) 2 March 2020
- (c) [Cabinet](#) 18 March 2020

8. Virtual Meetings and Delegation Arrangements – Report of the Head of Democratic Services (copy attached)

Purpose:

To report to Council for information and to seek decisions on a range of matters relating to the administration of Council decision making in the context of the coronavirus pandemic.

Recommendations:

- (a) That the report be noted;
- (b) That the next annual meeting of the council shall take place in May 2021;
- (c) That, subject to the council's decision on recommendation (b), and to any alterations approved at this meeting, the proposed Virtual Meetings Procedure Rules in Annex 1 and the proposed Councillor Protocol for Virtual Meetings in Annex 2 to the report be approved and incorporated into the Constitution until such time as the Regulations cease to have effect;
- (d) That, in the event of a Licensing Panel being required to meet, the Chief Executive is authorised, in consultation with the Chairman of the Licensing Committee, to establish arrangements for the participation of interested parties which meet the statutory requirements;
- (e) That the delegations set out in paragraphs 3.2 to 3.4 of the report be approved, and the Constitution amended accordingly; and
- (f) That the proposed changes to the previously approved meetings programme for 2020/21 set out below paragraph 4.5 of the report be approved, for the reasons explained.

9. Chief Finance Officer/ Deputy Chief Executive (Statutory Section 151 Officer) Role – Report of the Chief Executive (copy attached)

Purpose:

To consider the proposed permanent full time Chief Finance Officer/ Deputy Chief Executive role, which would also be the Council's statutory Section 151 Officer. The report also states that an interim appointment to the Section 151 Officer role may be necessary in advance of the completion of the recruitment process for the permanent role. The budget for a full time Chief Finance Officer/ Deputy Chief Executive role was approved by Council in February 2020.

Recommendations:

- (a) That the report be noted;
- (b) That the outcome of the interview process for the Chief Finance Officer/Deputy Chief Executive be considered, and if appropriate the appointment of a candidate

be approved, subject to the successful completion of post-interview checks and processes; and

- (c) That the Council determines an interim appointment to the Section 151 role should that be necessary.

10. Sealing of Documents (copy attached)

Purpose:

To note the documents sealed since the last report.

Recommendation:

That the report be noted.



Giles Hughes
Chief Executive

This agenda is being dealt with by Keith Butler, Tel: (01993) 861521;
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Note: Councillors will be sent an invitation to the remote meeting via Cisco Webex.
Information for members of the public will be published on the website ahead of the meeting
(www.westoxon.gov.uk/meetings)

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 26 February 2020 at 2:00pm

PRESENT

Councillors: Harry Eaglestone (Chairman), Jane Doughty (Vice-Chairman), Jake Acock, Joy Aitman, Alaa Al-Yousuf, Luci Ashbourne, Richard Bishop, Rosa Bolger, Jill Bull, Laetisia Carter, Louise Chapman, Nathalie Chapple, Andrew Coles, Owen Collins, Nigel Colston, Julian Cooper, Derek Cotterill, Suzi Coul, Maxine Crossland, Marilyn Davies, Duncan Enright, Hilary Fenton, Ted Fenton, Andy Graham, Jeff Haine, David Harvey, David Jackson, Ed James, Richard Langridge, Liz Leffman, Nick Leverton, Dan Levy, Norman MacRae MBE, Martin McBride, Michele Mead, James Mills, Toby Morris, Kieran Mullins, Neil Owen, Elizabeth Poskitt, Alex Postan, Carl Rylett, Geoff Saul, Harry St John and Ben Woodruff.

Officers in Attendance: Giles Hughes (Chief Executive); Jenny Poole (Chief Finance Officer), Keith Butler (Head of Democratic Services), Frank Wilson (Group Finance Director Publica), Christine Gore (Executive Director Commissioning, Publica), Philip Alway (Business Manager Business Support Services, Publica) and Ben Amor (Democratic Services Officer).

65. MINUTES

RESOLVED: That the minutes of the meeting of the Council held on 22 January 2020 be approved as a correct record and signed by the Chairman.

66. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Andrew Beaney, Mike Cahill, Steve Good and Gill Hill.

67. DECLARATIONS OF INTEREST

Councillor Saul declared an interest in Agenda Item 16 – Sealing of Documents in relation to document I1783, because he was a solicitor at Bradley Saul Solicitors.

68. RECEIPT OF ANNOUNCEMENTS

68.1 Former Councillor Harriet Ryley

The Chairman referred to the recent passing of former Councillor Harriet Ryley, who had been elected to represent the Witney Central ward in May 2003 and served in that capacity for a single term, not standing for re-election in 2007. Harriet had served on the Finance & Management and Economic & Social Overview and Scrutiny Committees, and on the Standards Committee. As part of her contribution to the Council during that period Harriet personally researched the subject of scrutiny and wrote and submitted a review of the scrutiny function which was well-received. Harriet had also been appointed by the Council to the Board of Cottsway Housing, a position she continued with for a number of years after she ceased to be a member of the Council.

Members stood in silence to remember Harriet and to acknowledge her passing.

68.2 Oxford to Cambridge expressway

Councillor Mills informed Members that the Council had received a response from Highways England regarding the decision by Members at the January 2020 Council meeting to pass a motion opposing the expressway. Councillor Mills added that the letter would be circulated to all Members, but highlighted that no clear indication had been made as to the government's position in the matter.

68.3 Oxfordshire Growth Board

Councillor Mills reminded Members of the upcoming Growth Board meeting on 11 March 2020. He explained that the Board had recently highlighted that Members did not feel informed of the Board's work and that he therefore wished to briefly explain the meeting's agenda, which would include discussions on zero carbon emissions and Oxfordshire 2050.

68.4 Council Tax Bills 2020: EU Nationals

Councillor Mills explained that the 2020 Council Tax Bills sent to residents of the District would include information for residents who were EU nationals wishing to apply for settled status.

68.5 Coronavirus Outbreak

Councillor Mead informed Members of the closure of Burford School on 26 February 2020 following some students of the school returning from a trip to Italy. She added that the school would remain closed until 2 March 2020 to enable a thorough deep clean of the premises and advised Members that daily updates in relation to the virus outbreak were made at 2.00 pm at the gov.uk/coronavirus website.

Councillor Mead confirmed that the outbreak was not currently expected to cause any difficulties to the work of the Council and its Officers owing to the ability of Officers to work from home and to make contact through conference calls, if necessary.

68.6 Community Activity Support Grants

Councillor Mead reminded Members of the requirement to submit applications for grants up to a total of £500 by the closing date of 23 March 2020.

69. PARTICIPATION OF THE PUBLIC

In accordance with the Council's Rules of Procedure, Emma Kennedy of St Mary's Church, Chipping Norton had given notice of her wish to address the Council regarding the importance and effectiveness of empowering local communities to build a response to domestic abuse, and referencing the importance and effectiveness of the Freedom programme. A copy of her submission is attached as Appendix A to the original copy of these minutes.

The Chairman thanked Emma for her contribution and suggested that the matter be referred to the Council's Economic and Social Overview and Scrutiny Committee. This was proposed by Councillor Bull and seconded by Councillor Doughty, and it was -.

RESOLVED: That the matter be referred to the Council's Economic and Social Overview and Scrutiny Committee.

70. RECOMMENDATIONS FROM THE EXECUTIVE

The Council considered the report of the Head of Democratic Services setting out the recommendations made by the Cabinet at its meeting held on 12 February 2020, and the Chairman advised that the recommendations relating to the budget for 2020/21 would be considered after agenda item no. 8 relating to members' allowances.

In explaining the recommendation in relation to Community Infrastructure Levy, Councillors Mills informed Members that he wished to propose an amendment so that the first of the recommendations be amended to state 'i) (the Council) approves the Community Infrastructure Levy Draft Charging Schedule (DCS) attached at Annex A to the report, subject to the inclusion of a zero-rate CIL Charge in respect of strategic sites, for the purposes of a six-week period of public consultation in accordance with the Community Infrastructure Levy Regulations 2010 (as amended)'. This amendment was seconded by Councillor Morris.

Councillor Saul expressed his disappointment at the proposed zero rated CIL charge for strategic sites and commented that many of the receipts of funding by towns and villages within the District were much needed and regularly offset the impact of developments within these communities. He also questioned from where funding would be available if not through CIL. Whilst also appreciating the technical analysis that had been undertaken in relation to the recommendation, Councillor Saul commented that he could not support the proposal.

Councillor Enright commented that he wished to echo the comments made by Councillor Saul and explained that he considered the main benefit of CIL funding was that it trickled down to the communities immediately affected by areas of development.

Councillor Rylett stated that the proposal, if approved, would affect Witney especially and he encouraged Members to review the proposals carefully once consultation had commenced.

Councillor Graham was concerned the amendment had only been highlighted shortly before the meeting and that the administration had made no previous mention of its intention to propose such an amendment. He added that he considered there was a risk of sending an unwelcome message to the District's communities and therefore stated that neither he nor his political group would be supporting the proposal.

Councillors Cooper, Davies and Leffman jointly expressed that they considered the Council was taking the side of developers in enabling them to make the maximum profit possible at the cost of local communities and that the interest of local residents should be the Council's priority first and foremost.

Councillor Acock stated that he wished to request the Leader formally refer the matter to the Council's Development Control Committee or one of the Council's Overview and Scrutiny Committees.

In response, Councillor Haine explained that he fully understood the concerns of Members, but that the matter had been reviewed by independent consultants and that all five of the Council's strategic sites had shown negative viability. He emphasised that the proposal before the meeting was not a final decision in the matter, and that the matter would be subject to statutory consultation and consideration and recommendations from an independent examiner, and urged Members and others to make representations during the consultation for consideration by the Inspector.

Councillor Mills commented that he wished to respond to some points made by Members directly and in doing so, explained that he did consider the matter was being handled transparently as the decision would be followed by a public consultation. Councillor Mills added that there was the possibility that some development sites would still attract additional funding such as through Growth Deal funding or by S106 monies and emphasised that the matter had previously been considered at the Cabinet meeting on 12 February 2020, at which the fact that the final technical advice relating to strategic sites was then awaited had been mentioned, as had the possibility of zero rating for those sites.

Finally, he also stressed the consultation and consequent opportunity for interested persons and parties to give their views, for independent consideration.

A request was made for voting on the proposition to be recorded, and it was then put to the vote, with the voting being as follows:

For the proposition: Councillors Al-Yousuf, Bishop, Bull, Chapman, Colston, Cotterill, Coul, Crossland, Doughty, Eaglestone, Hilary Fenton, Ted Fenton, Haine, Harvey, James, Leverton, MacRae, McBride, Mead, Mills, Morris, Owen, Postan, St John and Woodruff.

Against the amendment: Councillors Acock, Aitman, Ashbourne, Bolger, Carter, Chapple, Coles, Collins, Cooper, Davies, Enright, Graham, Jackson, Langridge, Leffman, Levy, Mullins, Poskitt, Rylett and Saul.

There being 25 votes in favour and 20 against, the proposition was **carried**.

In proposing the recommendation with regard to Single Use Plastics, Councillor Mills explained that the matter had been considered by the SUP Working Party, Environment Overview and Scrutiny Committee and the Cabinet, and that he believed that it was not controversial.

Councillor Coles expressed his disappointment that despite the work of the Working Party over the previous 12 months, the Council was still using plastic milk bottles in its offices. He added that he considered the Council should 'practice what it preached' and therefore ensure the purchase of milk in glass bottles for use in the Council's offices.

In response, Councillor Harvey stated that he would investigate the matter further with Officers and respond back to Councillor Coles.

Councillor Al-Yousuf commented that he wished to thank all Members and Officers for their work in relation to the Working Party and for making positive recommendations to the Council's Climate Action Group.

RESOLVED: That, subject to the amendment recorded above in relation to the Community Infrastructure Levy, the recommendations made by the Cabinet at its meeting held on 12 February 2020 be approved in relation to:-

- a) Single Use Plastics (Minute No. CT/98/2019/2020; and
- b) Community Infrastructure Levy (Minute No. CT/102/2019/2020).

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

The reports of the meetings of the Cabinet and the Council's Committees held between 23 January and 12 February 2020 were received.

71.1 Homes For All Minute No. E&S/55/2019/2020

Councillor Leffman commented that a recent survey had highlighted that 78% of all councils nationally had established affordable housing companies and that she considered the Economic and Social Overview and Scrutiny Committee should investigate the Council setting up such a company.

71.2 Equal Opportunities Minute No E&S 56.4/2019/2020

Councillor Leffman enquired if the policy was being reviewed and stated that she wished to see facts regarding how the matter was progressing. She added that she hoped the Committee would be reviewing the matter further and would report back to the Council in due course.

In response, Councillor Carter explained she would investigate the matter further and report back.

71.3 Domestic Violence
Minute No. E&S/56.6/2019/2020

Councillor Acock asked if the Council was planning to organise a domestic violence training session for all Members as had taken place for Members at Cotswold District Council.

Councillor Carter responded that the matter had been being discussed for some time and reported that Oxfordshire Domestic Abuse Service (ODAS) would be reporting to the Committee at its next meeting and that the matter would also be referred to the Economic and Social Overview and Scrutiny Committee.

71.4 European Union Nationals – ‘Settled Status’
Minute No. E&S/56.7/2019/2020

Councillor Cooper enquired whether the updated statistics had been published.

In response, the Head of Democratic Services confirmed that an update had been sent in January 2020 to all Members who had sat on the Working Party at that time.

71.5 Council Website
Minute No. F&M/63/2019/2020

Councillor Rylett requested information on when the new Council website would be launched and stated that a dashboard for Councillors would be useful, as would a member Working Party.

In response, Councillor Cotterill explained that the matter was continually discussed at the Finance and Management Overview and Scrutiny Committee meetings and suggested that Councillor Rylett attend a future meeting of the Committee to be advised of progress.

71.6 Flood Prevention, Drainage and Sewerage Infrastructure Issues
Minute No. E46.1/2019/2020

Councillor Graham commented that he had read a recent report in the Guardian newspaper regarding the River Windrush detailing the issues of pollution and that he wished for the matter to be referred to the Environment Overview and Scrutiny Committee.

Councillor Al-Yousuf confirmed he was happy for the matter to be presented to the Committee. Councillor MacRae added that he had written to the Secretary of State on the matter in light of the motion passed at the previous meeting of the Council but was yet to receive a reply.

71.7 Flooding
Minute No. E46.7/2019/2020

Councillor Acock questioned when the Council would expect to update its Flooding Plans, having been asked by Ascott under Wychwood Parish Council to raise the issue given that the last Plan was dated 2008. He also asked whether the Council would look to arrange a training session for town and parish councillors on flooding.

Councillor Al-Yousuf responded that the matter would be discussed at the next Environment Overview and Scrutiny Committee meeting and in the meantime, he would seek to discuss the matter further with the relevant Officers.

Councillor Postan added that he wished to commend the work of Drainage Engineering Officer Laurence King for his work in relation to Shilton Parish, which he considered was an ideal model to be replicated elsewhere.

71.8 Single Use Plastics
Minute No. Env48.1/2019/2020

Councillor Poskitt commented that whilst she wished to applaud the work of the Council's Single Use Plastics Working Group, she hoped that the recommendations would be passed to town and parish councils within the District in order for those councils to also increase their efforts to reduce plastic use. She also enquired as to progress with the social media campaign.

Councillor Harvey responded that he would seek an update on this matter from Officers and respond to Councillor Poskitt.

71.9 Internal Audit Plan Progress Report
Minute No. A&GP 29/2019/2020

Councillor Chapple commented that she considered it important that parish/town councils knew about Section 106 monies and when they were entitled to funding. She therefore requested that details of all monies both allocated and planned for each District Ward be circulated to all Members.

Councillor Doughty confirmed that the Audit and General Purposes Committee was aware of this issue, as referenced in the minutes of its meeting held 6 February 2020.

71.10 Fly Tipping
Minute No. CAB 96.3/2019/2020

Councillor Rylett explained that whilst he welcomed the initiative, he was concerned that the number of Officers in the waste team had been reduced and that this would therefore compromise the work of the team in the future as a result.

In response, Councillor MacRae confirmed the success of the initiative could be measured by the fact road verges were free from waste and that there had been no changes to the levels of staff in the waste team.

71.11 Chipping Norton Customer Access Review
Minute No. CAB 99/2019/2020

Councillor Saul expressed disappointment at losing face-to-face services and wished to receive further information as to the services the library had agreed to provide.

Councillor Morris responded that he had been in contact with Members of the County Council who had instigated a similar scheme in Charlbury to detail how a similar scheme could be created in Chipping Norton.

Councillor Graham commented that he had received complaints from some residents that the decision had been made before a full consultation had been undertaken and this therefore represented a decision based on data and not user needs. Councillor Carter also added that as a Member of Chipping Norton Town Council, she was aware that the Town Council had expressed concerns to the Council at the time regarding a reduction in opening hours.

Councillor Coles considered that the Council was encouraging people not to use their respective visitor information centres and highlighted that residents could not sign-up to the Council's garden waste service at the centres.

In response, Councillor Morris explained that a report had been considered by Cabinet in early 2019 and that a decision had consequently been made to trial reduced hours at the Chipping Norton office and this had been discussed with the Town and County Council and the library. He added that there had been no objections made at that time and that a wide consultation had taken place.

72. SCHEME OF MEMBERS' ALLOWANCES FOR 2020/2021

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 2020/2021.

In proposing the recommendations, Councillor Mills thanked the Members of the Allowances Panel for their work. He reminded Members that the Panel consisted of independent persons and suggested that it was incumbent upon Members to accept its recommendations.

Attention was drawn to the fact that the figures in the report and recommendations were based on an increase of 2.5%, which was the amount anticipated/budgeted for the staff pay award. As that award had not yet been finalised, the increases were likely to be implemented during the financial year and backdated to 1 April 2020.

Councillor Enright expressed his thanks to the Panel for their work and explained that he understood the difficulty in increasing Members' allowances using public money, but there was a need to ensure that the allowances were sufficient to ensure that no individual was discouraged from standing as a Member of the Council because of financial constraints. He added that he was supportive of the recommendations of the panel and the notes made by them.

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

RESOLVED:

- (a) That the basic allowance and all special responsibility allowances be increased with effect from 1 April 2020, to match the staff pay award, and it be noted that the figures in the report were based on a 2.5% increase;
- (b) That in the event of the staff pay award not being in place at the start of the financial year 2020/2021, the increases be backdated to 1 April 2020;
- (c) That, in the event of the staff pay award effective from 1 April 2020 being an amount other than 2.5%, that amount be applied for Councillors, with the Chief Finance Officer being authorised to round the resulting figures to the nearest £10;
- (d) That subsistence allowances should continue to be payable at the same rate as for Council/Public staff and may therefore be increased with effect from April or otherwise during the financial year;
- (e) That no other changes be made to the rates of allowances and expenses for 2020/2021 or to the allowances scheme; and
- (f) 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 consequence of these decisions.

73. BUDGET 2020/2021

The Council considered the recommendations made by Cabinet at its meeting held 12 February 2020 relating to the updated Medium Term Financial Strategy, General Fund Revenue Budgets, the Capital Programme for 2020/21 to 2029/30, Fees and charges for

2020/21, the Council's Pay Policy Statement, the Council's Capital Strategy 2020/21, the Council's Investment Strategy 2020/21, the Council's Treasury Management Strategy 2020/21, Prudential Indicators and the planned contribution of £1,395 to General Fund balances in 2020/21.

Councillors Mills stated that he had great pleasure in proposing the recommendations from Cabinet to the Council and explained that the Council had had another busy year playing a continuing role in Oxfordshire's success. He added that the number of affordable homes within the District was increasing rapidly and he as Leader was pleased that the Council was continuing to invest in efforts to reduce homelessness. Councillor Mills also drew attention to the upcoming opening of the Carterton Leisure Centre; high-speed broadband provision and the improved levels of customer service and contact for residents contacting the Council.

Councillor Mills then proceeded to thank all Members and Officers for their involvement in the preparation of the Budget and for enabling the Council to allocate funds to meet the Council's priorities. He specifically drew attention to the recent appointment of a Climate Change Manager, Electric Vehicle Charging Points (EVCPs), funding for a review of the District's leisure provision and healthy play provision, and explained that the Council would continue to face a resource uncertainty whilst still needing to guarantee front line services in a period where savings continued to be necessary. Councillor Mills highlighted that the Council was continuing its low-level of Council Tax with the rates representing the second lowest level of a shire district across the country and confirmed the continuing availability of free car parking in the District. He concluded that the proposals therefore represented excellent value and should be supported by the Council.

Councillor Morris then formally seconded the proposals.

Councillor Enright stated that the past decade had seen a national level of austerity which had resulted in all public services facing crisis. He also referred to the District's housing prices remaining largely unaffordable and stated that whilst he and his group welcomed the new Council Plan, he considered the Council needed to continue to tackle issues such as climate change. Councillor Enright added that the Council's funding of housing associations was welcomed and that it was also rewarding to see the Council's leisure provision being increased. He therefore expressed both his and his group's support for the proposals.

Councillor Graham commented that whilst he could applaud the Council on some areas of the Budget; he considered a key issue was the lack of provision for young people within the District and the fact the Council did not have a young people plan. He added that he was also aware that residents were confused as to the services provided by the different levels of local authorities and considered that the Council should therefore seek to utilise some of its services by changing its approach and combining efforts with other authorities. Councillor Graham stated that for these reasons, he would not be supporting the Budget.

Councillor Davies expressed that the Budget proposals represented improved performance by the Council and stated that the recent efforts of the Deputy Leader to help vulnerable residents with council tax was the reason she would be voting in favour of the Budget.

Councillor Ashbourne questioned the underspend in the 2018/19 Council Budget and the fact that whilst supportive of this year's Budget, she considered the spending committed to should be adhered to by the Council. In response, Councillor MacRae explained that the CCTV budget which Councillor Ashbourne was specifically referring to was taking place behind the scenes and that he hoped the new system would be in place by the end of 2020.

Various Members expressed their support for the proposals and highlighted that the Council tax proposed represented one of the lowest in the country and that the quality of front line services would be maintained. Those Members expressed disappointment that the Budget would not be supported unanimously by all Councillors.

Councillor Cooper commented that whilst he would support the proposals, he considered that the Council should review its current process of majority group Members chairing each of the Council's Overview and Scrutiny Committees and that a process for ensuring all political groups of the Council had an option to make comments on the Budget should be established. Councillor Leffman also suggested that any amendments to the Budget should be highlighted to Members in advance of the Budget setting meeting to ensure appropriate scrutiny.

Councillor Ted Fenton wished to extend his thanks to the administration for their work in preparing what he considered was a balanced budget and one that would seek to minimise the effects of possible future financial challenges.

Councillor Morris then addressed the Council. In doing so, he extended his thanks to the Chief Finance Officer and her team for their work in preparing the Budget. He added that he considered the existing scrutiny arrangements could be reviewed in the future but highlighted that the Budget was also one that funded a large number of activities which did not fall within the statutory duties of the Council.

Councillor Mills then concluded the debate. He explained that the Budget and the indicated support from a number of Members highlighted that the administration had been listening to the views of all Members and residents and that he agreed the Council should continue to look towards the future, to engage young people and ensure that the Council continued to play a leading part in the success of Oxfordshire county.

As required by statute, voting on the proposition was recorded, and the voting was as follows.

For the proposition: Councillors Aitman, Al-Yousuf, Ashbourne, Bishop, Bolger, Bull, Carter, Chapman, Coles, Collins, Colston, Cooper, Cotterill, Coul, Crossland, Davies, Doughty, Eaglestone, Enright, Hilary Fenton, Ted Fenton, Haine, Harvey, Jackson, James, Langridge, Leverton, MacRae, McBride, Mead, Mills, Morris, Owen, Postan, Saul, St John and Woodruff.

Abstentions: Councillors Acock, Chapple, Graham, Leffman, Levy, Mullins, Poskitt and Rylett.

There being 37 votes in favour and eight abstentions, the proposition was **carried**.

RESOLVED: That the following be approved:

- (a) the updated Medium Term Financial Strategy at Annex A to the report;
- (b) General Fund revenue budgets as summarised at Annex B to the report;
- (c) the Capital Programme for 2020/21 to 2029/30 as set out at Annex D to the report;
- (d) Fees and charges for 2020/21 as set out in Annex E to the report;
- (e) the Council's Pay Policy Statement as set out in Annex F to the report;
- (f) the Council's Capital Strategy 2020/21 as set out in Annex G to the report;
- (g) the Council's Investment Strategy 2020/21 as set out in Annex H to the report;
- (h) the Council's Treasury Management Strategy 2020/21 as set out in Annex I to the report;

- (i) the Prudential Indicators as set out in Annex N to the report; and
- (j) the planned contribution of £1,395 to General Fund balances in 2020/21

74. COUNCIL TAX 2020/21

Councillor Mills informed the Council that he wished to propose the recommendations as per the published and circulated report. This proposition was seconded by Councillor Morris.

As required by statute, voting on the proposition was recorded, and the voting was as follows.

For the proposition: Councillors Aitman, Al-Yousuf, Ashbourne, Bishop, Bolger, Bull, Carter, Chapman, Chapple, Coles, Collins, Colston, Cooper, Cotterill, Coul, Crossland, Davies, Doughty, Eaglestone, Enright, Hilary Fenton, Ted Fenton, Graham, Haine, Harvey, Jackson, James, Leffman, Leverton, Levy, MacRae, McBride, Mead, Mills, Morris, Mullins, Owen, Poskitt, Postan, Rylett, Saul, St John and Woodruff.

Abstention: Councillor Acock.

There being 43 votes in favour and one abstention, the proposition was **carried** and the Council -

RESOLVED: That

- 1) for the purpose of the Local Government Finance Act 1992 Section 35(2), there are no special expenses for the District Council in 2020/21;
- 2) it be noted that at its meeting held on 15 January 2020 the Cabinet calculated the Council Tax Base for 2020/21:
 - a) for the whole Council area as 44,285.22 [item T in the formula in Section 31B of the Local Government Finance Act 1992, as amended (the “Act”)]; and
 - b) for dwellings in those parts of its area to which a Parish Precept relates as in the attached Schedule I.
- 3) the Council Tax requirement for the Council’s own purposes for 2020/21 (excluding Parish Precepts and Special Expenses) is £104.38
- 4) the following amounts be calculated for the year 2020/21 in accordance with Sections 31 to 36 of the Act:
 - a) £52,753,998 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act, taking into account all precepts issued to it by Parish Councils and any additional special expenses.
 - b) £44,201,727 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (3) of the Act.
 - c) £8,552,271 being the amount by which the aggregate at 4(a) above exceeds the aggregate at 4(b) above, calculated by the Council, in accordance with Section 31A(4) of the Act, as its Council Tax requirement for the year (Item R in the formula in Section 31B of the Act).
 - d) £193.12 being the amount at 4(c) above (Item R), all divided by Item T (2(a) above), calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year (including Parish Precepts and Special Expenses);

- e) £3,929,780 being the aggregate amount of all special items (Parish Precepts and Special Expenses) referred to in Section 34(1) of the Act as per the attached Schedule 2.
- f) £104.38 being the amount at 4(d) above less the result given by dividing the amount at 4(e) above by Item T(2(a) above), calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no Parish Precept or special item relates;
- g) the amounts shown in Schedule 2 being the amounts given by adding to the amount at 4(f) above, the amounts of the special item or items relating to dwellings in those parts of the Council's area shown in Schedule 2 divided in each case by the amount at 2(b) above, calculated by the Council, in accordance with Section 34(3) of the Act, as the basic amounts of its Council Tax for the year for dwellings in those parts of its area to which one or more special items relate;
- h) the amounts shown in Schedule 3 being the amounts given by multiplying the amounts at 4(f) and 4(g) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation Band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands;
- 5) it be noted that for the year 2020/21 the Oxfordshire County Council and the Police and Crime Commissioner for the Thames Valley have issued precepts to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each category of dwellings in the Council's area as indicated below:

Valuation Band	Oxfordshire County Council £	Police and Crime Commissioner for Thames Valley £
A	1,018.29	144.19
B	1,188.01	168.22
C	1,357.72	192.25
D	1,527.44	216.28
E	1,866.87	264.34
F	2,206.30	312.40
G	2,545.73	360.47
H	3,054.88	432.56

- 6) the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the amounts shown in Schedule 4 as the amounts of Council Tax for the year 2020/21 for each part of its area and for each of the categories of dwellings.
- 7) the Council's basic amount of Council Tax for 2020/21 is not excessive in accordance with principles approved under Section 52ZB Local Government Finance Act 1992.
- 8) the following Council/Public Officers: Chief Finance Officer, Group Manager – Resident Services, Legal Services Manager, Legal Executive, Business Manager – Operational Support, Revenues Manager, Revenues Lead and Court Officer be authorised to:

- a) collect and recover any National Non-Domestic Rates and Council Tax, and
- b) prosecute or defend on the Council's behalf or to appear on its behalf in proceedings before a magistrate's court in respect of unpaid National Non-Domestic Rates and Council Tax.

75. QUESTIONS ON NOTICE

In accordance with paragraph 10 (b) of the Council's Rules of Procedure, Councillor Julian Cooper had given notice of the following questions for the Cabinet Member with responsibility for Housing:

Can I ask if the portfolio member for Housing has any update on the closure of Ryegrass older persons unit in Woodstock?

Could I also enquire if the District Council has carried out any research on possible restrictive covenants on the land that was built on in the mid-nineteen sixties?

In response to the first question, Councillor Haine stated: "Cottsway have held face-to-face meetings with residents to inform them about the closures (St Mary's Court, Witney) and (Ryegrass, Woodstock). They are reassuring them that they will be supporting them to find alternative homes and the Council wants to ensure that residents are the first to hear about this directly from Cottsway, who have also spoken to the relevant Ward Councillors, myself as Cabinet Member for Housing and the Leader of the Council to inform us of the details.

There are 23 one-bedroom flats and three two-bedroom bungalows at St Mary's Court and 18 one-bedroom bungalows and one three bedroom-flat at Ryegrass.

You will recall that Cottsway have already closed other former older persons' schemes in West Oxfordshire following a review and as you will be aware, some of these sites have already been redeveloped to provide extra homes that meet modern housing requirements.

Cottsway have worked closely with the Council's housing team and with other partner agencies during previous closures to ensure that residents find alternative homes that meet their needs, and will do the same as they prepare to move residents on from St Mary's Court and Ryegrass. They have stated that they want their homes to meet the high standards their customers expect and deserve and the two housing schemes in St Mary's and Ryegrass which were built in the mid-1960s are now deemed to fall below this standard.

Cottsway have carefully considered a number of options and they believe the best long-term solution is to redevelop the sites, maximising the land available so that they can provide more homes for people in housing need, built to high standards. This work will start in 2022.

Officers and Community Welfare Officers have met with residents at the schemes and visited them in their homes, of those that could not attend the meetings and they have explained they will work with each and every resident to find alternative homes that meet their needs and to support them with the move.

Residents were invited to bring a family member or friend to the general meeting for support, and more detailed one-to-one discussions which each household are being planned. Residents are also to be given an information sheet explaining what is happening, why and how they will be supported, to take away and read.

Cottsway's Housing Team and dedicated Community Welfare Officers are experienced in working with customers to find and move to alternative homes and will provide a tailored support service for individuals where needed, working with partner agencies including West Oxfordshire District Council.

Residents have been informed of the financial support that they will receive, including a statutory Home Loss payment of £6,400 per household and a disturbance allowance will also be provided to help with practical costs such as removals, redecorating, fitting carpets, blinds and curtain rails etc.”.

In response to the second question, Councillor Haine stated: *“The Council has taken legal advice as to the various deeds and documents referred to in the title. There was a Conveyance in 1964 which transferred the land to Chipping Norton Rural District Council but this did not contain any covenants. There was an earlier Transfer in October 1962 which imposed some restrictive covenants. The effect of these covenants is that the landowner cannot use the property for any trade, profession or occupation and they cannot behave in such a way that would cause a nuisance or annoyance to the adjoining landowners. For the purposes of this answer, adjoining landowners mean those who owned land adjoining Ryegrass. It does not include those who own or occupy any of the properties at Ryegrass”.*

76. NOTICE OF MOTION – FIREWORK DISPLAYS

The following motion had been received in the names of Councillors Toby Morris and Suzi Coul, namely:-

“This Council resolves:

- (a) To ask for all public firework displays within the local authority boundaries to be advertised in advance of the event, allowing residents to take precautions for their animals and vulnerable people*
- (b) To actively promote a public awareness campaign about the impact of fireworks on animal welfare and vulnerable people – including the precautions that can be taken to mitigate risks*
- (c) To write to the UK Government urging them to introduce legislation to limit the maximum noise level of fireworks to 90dB for those sold to the public for private displays*
- (d) To encourage local suppliers of fireworks to stock ‘quieter’ fireworks for public display”.*

Councillor Morris proposed the motion and explained that the matter had been brought to his attention by local residents who had been made aware of a similar proposal by the RSPCA. He added that as a dog owner himself, he was sympathetic to the intentions of the motion and whilst he did not wish to advocate being a ‘kill-joy’ considered it was one the Council should support. Councillor Morris explained that most public displays would already be advertised in advance, but the requirement to implement a maximum noise limit was due to the majority of private displays not being advertised to local residents and he hoped for these reasons, Council would support the motion.

The motion was seconded by Councillor Coul.

Councillor Postan expressed the view that whilst fireworks were a part of British history, they were, in his view, an uncontrolled and unlicensed nuisance which caused risks to livestock and pets. He added that he considered the activity was one that should be licensed and he therefore supported a review of the Council’s licensing system, should the motion be supported, to ensure firework displays were included as part of that system.

Councillor Bolger commented that whilst she supported the intentions of the motion, she wished to propose an amendment to recommendations (c) and (d) of the motion so as to read; *“(c) To write to the UK Government urging them to introduce legislation to limit the environmental impact and maximum noise level of fireworks to 90dB for those sold to the public for private displays”;* and *“(d) To encourage local suppliers of fireworks to stock climate-friendly and ‘quieter’ fireworks for public display”.*

Councillors Morris and Coul confirmed that they were happy to accept the amendment as proposed by Councillor Bolger.

Councillor Leffman informed the Council that whilst she agreed with the views of Councillor Postan, she considered that the main issue was with private displays and was unsure how lowering the decibel level would address this issue. Councillor Leffman therefore proposed that the motion be referred to the Council's Environment Overview and Scrutiny Committee.

Councillor Morris and Coul confirmed that they were content for the motion, as amended, to be referred to that Committee, and it was -.

RESOLVED: That the revised motion, having been duly proposed and seconded, be referred to the Environment Overview and Scrutiny Committee for comment and advice.

77. NOTICE OF MOTION – POLICING IN WEST OXFORDSHIRE

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

“Despite remaining a low crime area residents of West Oxfordshire are rightly concerned about the increase in crime, particularly involving vulnerable people/young people and antisocial behaviour across the district. Our Community Safety Plan is reaching its end in 2021. Policing is under increasing financial pressure. West Oxfordshire District Council would like to work in closer partnership with Thames Valley Police to increase capacity to police our towns and villages. As a response to growing complex crime the Council resolves to negotiate with Thames Valley Police to put more police officers on patrol in West Oxfordshire, including the possibility of jointly funded posts.”

RESOLVED: That the motion having been duly proposed and seconded shall stand referred without discussion to the Economic and Social Overview and Scrutiny Committee for comment and advice.

78. NOTICE OF MOTION – ENVIRONMENTAL AWARDS

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

“In light of the climate emergency, the council will encourage businesses and organisations in the district to adopt more sustainable modes of operation. The council therefore resolves to investigate methods to encourage this by audit and award schemes to recognise good practice. These will include exploring best practice by local authorities, the inclusion of environmental measures in procurement decisions, considering awards similar to environmental health audits for food outlets, and discussion with West Oxfordshire Business Awards (WOBA) about sustainability awards.”

RESOLVED: That the motion having been duly proposed and seconded shall stand referred without discussion to the Environment Overview and Scrutiny Committee for comment and advice.

79. NOTICE OF MOTION – CCTV IN WITNEY

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

“Witney's CCTV system is nearly two decades old, and despite finances being identified by West Oxfordshire District Council and Witney Town Council, only slow progress is being made in replacing it effectively. The Council therefore resolves to call a meeting with stakeholders at the

earliest opportunity, and to seek to expedite the replacement of the system with a target date for completion by the end of Summer 2020.”

RESOLVED: That the motion having been duly proposed and seconded shall stand referred without discussion to the Economic and Social Overview and Scrutiny Committee for comment and advice.

80. NOTICE OF MOTION – TENANTS FORUM

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

“The Council welcomes the private landlords forum. To better understand and support this sector, the Council resolves to establish a private tenants forum to hear the voice of residents and understand their concerns and perspective.”

Councillor Saul proposed the motion and explained that the Landlords Forum had been a positive step towards ensuring good quality housing provision. He added that private rented households accounted for 15% of all homes within the District and for which private renters did not receive the same level of protection as those of housing associations. Councillor Saul concluded that the Forum provided the opportunity for tenants to share experiences which could be used to create awareness campaigns or to establish a private renter’s telephone helpline and/or private rented charter and stated that he hoped Members would support scrutiny of the motion.

RESOLVED: That the motion having been duly proposed and seconded shall stand referred without discussion to the Economic and Social Overview and Scrutiny Committee for comment and advice.

81. SEALING OF DOCUMENTS

The Council received and noted the report of the Head of Paid Service which gave details of documents numbered 11773 to 11783 sealed since its last meeting.

The meeting closed at 4.45 pm

CHAIRMAN

WEST OXFORDSHIRE DISTRICT COUNCIL

Minutes of the meeting of the **Economic and Social Overview & Scrutiny Committee**
held in Committee Room I, Council Offices, Woodgreen, Witney,
at 6.30pm on **Thursday 27 February 2020**

PRESENT

Councillors: Andrew Beaney (Chairman); Laetisia Carter (Vice Chairman); Jake Acock, Joy Aitman, Luci Ashbourne, Jill Bull, Jane Doughty, Harry Eaglestone, Andy Graham, Nick Leverton, Neil Owen and Carl Rylett

Also in attendance: Councillors Julian Cooper and Jeff Haine.

Officers in Attendance: Giles Hughes (Chief Executive); Jon Dearing (Group Manager for Resident Services); Chris Hargraves (Planning Policy Manager); and Keith Butler (Head of Democratic Services).

59. MINUTES

RESOLVED: That the minutes of the meeting of the Committee held on 23 January 2020 be approved as a correct record and signed by the Chairman.

60. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Suzi Coul.

61. DECLARATIONS OF INTEREST

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

62. CHAIRMAN'S ANNOUNCEMENT

The Chairman advised the Committee that (i) at its meeting on 2 April, the County Council's Lead Officer would be in attendance to explain the county-wide work being undertaken; and (ii) arrangements were being made for an awareness session open to all councillors to take place after the local elections in May, hopefully late in May or early in June.

63. PARTICIPATION OF THE PUBLIC

Janet Wilkinson of Rollright Parish Council and John Chaplin of Swerford Parish Council each addressed the Committee in relation to the agenda item concerning resources in the Planning Enforcement section.

Mrs Wilkinson referred to 30 years of concerns over a particular issue in her parish and stated that staff turnover and a lack of coherent responses to the parish council had not been helpful. She considered that more explanations were necessary as to why enforcement action was or was not taken, and referred to promises of information as to timescales which had not been kept.

The submission made by Mr Chaplin is attached to the original copy of these minutes, and the Group Manager Resident Services undertook to reply to some specific questions which were posed.

The Committee thanked Mrs Wilkinson and Mr Chaplin for their contributions.

64. GARDEN VILLAGE AREA ACTION PLAN (AAP) UPDATE

The Committee received and considered the report of the Planning Policy Manager, which provided a brief update on the progress of the Oxfordshire Cotswolds Garden Village Area Action Plan (AAP).

In speaking to the report, the Planning Policy Manager referred to the consultation exercises which had taken place in 2018 and 2019, and the many positive responses received, particularly in 2019 with good support for the proposed vision and thematic structure of the document. He further explained that the draft AAP: (i) would be considered by Cabinet and Council in April; and (ii) would then be subject to a six-week statutory consultation process, following which submissions would be forwarded to and considered by an independent Inspector. It was anticipated that the Inspector's hearing would take place in the summer, with a view to adoption of the AAP in the autumn; and noted that an outline planning application was expected to be submitted in the reasonably near future.

Queries were then raised about infrastructure and the Community Infrastructure Levy (CIL), and the Planning Policy Manager explained that the viability work relating to CIL was separate from the AAP process, and reminded the Committee of the consideration of CIL at the Council meeting the previous day, that evidence relevant to the Council's decisions would be available during the consultation on CIL, and that there would be a process of independent examination before the matter was finalised.

In response to further queries from Councillor Rylett, the Planning Policy Manager:

- explained that work was being carried out to seek to ensure that the garden village would have as low a carbon impact as possible. Evidence in relation to this would support AAP policies, and would be considered through the examination process
- agreed that the affordability of housing was a recurring theme, and that the AAP would seek to secure a balance of different affordable housing options, including with reference to local incomes. This would of course have a bearing on overall viability considerations
- stated that, in relation to community ownership of land, an adviser had been appointed to give advice on the potential for different options, including Community Land Trusts

Councillor Graham enquired whether it would be possible for a briefing on the AAP to be arranged for all Councillors prior to its consideration by Cabinet and Council, in order to ensure maximum understanding of the various issues, and the Chief Executive undertook to look into that possibility as soon as possible.

Comments were then made about the ongoing issue of congestion on the A40, and a request made that highways input into any Councillor briefing would be useful in that context. This was acknowledged, and the Planning Policy Manager referred to close working with county highways, and the need for the AAP to knit in with county proposals for the short and long term future of the A40 as effectively as it could, as well as facilitating opportunities for more home working and a much greater degree of walking and cycling with less focus on the use of the private car.

Finally, the desirability of the garden village being as accessible as possible in all respects was asserted.

RESOLVED: That the content of the report and the proposed next steps in relation to the progression of the Area Action Plan be noted.

65. RESOURCES IN THE HOUSING AND PLANNING ENFORCEMENT SERVICES

The Committee received and considered the report of the Group Manager for Resident Services, which reminded it of the request for a meeting to consider the level of staffing resources in these two service areas. The Group Manager gave a presentation in relation to each of the areas, in which he outlined the main services and functions which they undertook, and explained the current staffing structure.

During consideration of planning enforcement, the Group Manager referred to the plans for improvements, in particular to reduce the proportion of staff time which was spent dealing with queries about progress on existing cases, and to improve communications with complainants, the subjects of complaints, councillors and town and parish councils. He also advised that a high proportion of complaints did not result in a conclusion that there was a breach of planning control, and confirmed that the enforcement function was not a service which was shared with other authorities within the Publica partnership.

It was suggested that there was a perception that the enforcement function was failing, but the Chief Executive stressed that judgments as to whether enforcement action was appropriate needed to be made on a case by case basis, stated that where enforcement action was taken it was subsequently possible to prosecute for non-compliance and, in relation to applications for retrospective planning permission, explained that it was often the case that imposing conditions on a permission would overcome objections or concerns about specific aspects.

In response to a question about the recruitment and retention of staff, the Group Manager stated that planning enforcement staff often moved on into other areas of development control, and that there were active steps in hand to seek for the future to develop staff in-house and to include apprenticeship and graduate schemes. He also acknowledged a point made that communications and language were important considerations, and confirmed that those aspects were part of the current review of the service and its processes.

In conclusion, the Group Manager considered that the staffing levels and structure were sufficient, and that the proposed improvements would greatly increase the efficiency and effectiveness of the service; and the Committee was reminded that details of the current staffing structure had been circulated to all members of the Council following the meeting of the Council on 22 January.

In relation to housing, the staffing structure was more complex, and included officers working at different sites, and the Group Manager reported that there were a number of staff who were specific to West Oxfordshire and, in response to a question, stated that he considered that the staff in the service did receive sufficient support in the carrying out of their duties. Councillor Doughty expressed concerns about support and the well-being of staff, and also considered that communications were not adequate, and there was too much jargon used and not enough clear explanation of situations for customers. The Group Manager did not agree with those comments, and emphasised the intensive work involved in housing matters and the provision of associated support, including a very high number of face to face meetings and visits. He considered the staffing levels to be sufficient.

During further consideration, the Group Manager answered a number of detailed questions which related to the services provided and the management and maintenance of the housing waiting list, as opposed to the level of resources, and some Councillors requested the future availability of more information and statistics to assist with the monitoring of the services provided.

The Group Manager was thanked for his attendance and input, and the Committee –

RESOLVED: That the reports on the Planning Enforcement and Housing Services be noted.

66. PROPOSED CLOSURE OF RYEGRASS, WOODSTOCK AND ST MARYS COURT, WITNEY

The Group Manager for Resident Services updated the Committee on Cottsway Housing's decisions to close the above and seek to redevelop the sites, explaining that it had not been possible for Cottsway to be represented at the meeting because of its own meeting taking place the same evening. He undertook to try to answer questions which members might have, and to seek responses from Cottsway for any others.

Introducing the matter, he (i) commented that these were clearly decisions for Cottsway to take, but that the Council was working closely with Cottsway and would continue to do so; and (ii) advised that these processes usually took round two years to complete, for the obvious reasons of the need for sensitivity and to get things right for all tenants who were to be re-housed.

Councillor Cooper was grateful for this matter being included on the agenda, and for the answers given to the questions he had raised at the meeting of the Council held on the previous day. However, he was concerned at the impact of the proposals on senior citizens who were very worried and expressing concerns, and queried whether consultations had taken place with other Housing Associations, the extent of the examination of other options for the site, and whether refurbishment would be possible. In response, the Group Manager confirmed that Cottsway had carried out an extensive assessment of the options, before reaching its conclusion that redevelopment was the preferred option, and undertook to seek additional information on that aspect.

Councillor Doughty expressed disappointment at the proposed closure of St Mary's Court, and the fact that Ward Councillors had not been advised, and the Group Manager clarified the understandable Cottsway policy to inform tenants first, and its obligation to take their wishes into account.

Councillor Leverton referred to the previous closure of a site in Carterton, and the fact that it appeared to be have been well-managed, and the tenants well looked after and satisfied.

RESOLVED: That the report and update be noted, and that Cottsway's responses to issues to be raised with them be circulated to members of the Committee in due course.

The meeting closed at 8:30 pm

Chairman

WEST OXFORDSHIRE DISTRICT COUNCIL

Minutes of the meeting of the **Development Control Committee**
held in the Council Chamber, Council Offices, Woodgreen, Witney, Oxon on
Monday 2 March 2020 at 11:00 am.

PRESENT

Councillors: Jeff Haine (Chairman); Ted Fenton (Vice Chairman); Andrew Beaney, Richard Bishop, Mike Cahill, Owen Collins, Nigel Colston, Julian Cooper, Derek Cotterill, Maxine Crossland, Harry Eaglestone, Duncan Enright, Hilary Fenton, David Jackson, Dan Levy, Neil Owen, Elizabeth Poskitt, Alex Postan, Geoff Saul and Harry St John.

Officers: Phil Shaw (Business Manager Development Management); Chloe Jacobs (Planner)

11. MINUTES

RESOLVED: That the minutes of the meeting of the Committee held on 4 June 2019 be approved as a correct record and signed by the Chairman.

12. APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS

Apologies for absence were received from Councillors Steve Good and Nick Leverton and the following temporary appointments were reported:

Councillor Elizabeth Poskitt for Councillor Nathalie Chapple

Councillor Dan Levy for Councillor Carl Rylett

13. DECLARATIONS OF INTEREST

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

14. APPLICATION FOR DEVELOPMENT- NO OVEN COTTAGE, LITTLE TEW (APPLICATION NO. 19/ 01646/FUL)

The Committee received and considered the report of the Business Manager Development Management, which requested determination of the above application in the context of the previous decision of the Uplands Area Planning Sub-Committee to grant consent, subject to conditions, and to the view of the Business Manager that it was contrary to policy and would set an undesirable precedent.

Planner, Chloe Jacobs introduced this item and explained that two additional representations had been received, the applicants' agent had circulated a letter to all Members of the Committee and a letter of objection had been received from Savills regarding the flat roof and proposed massing within the plot. She explained that Little Tew was a small village, five miles from Chipping Norton, with one hundred and fifty houses, no shop or pub, although there was a church. It was a Grade II listed building within the heart of the conservation area. The proposed dwelling would sub-divide the plot and would fill the whole of the plot.

The Officer showed existing elevations, including elevations from the rear of the site and views from the garden to the church, together with photos of views through the village. Officers had spoken to the Church Warden in relation to the Yew trees, which were outside the application boundary and as such not for consideration under this application. Key representations from the Conservation Officer and the Policy Manager were highlighted.

Charlie Luxton, the applicant's agent, spoke. He advised that the Local Plan accepted new design in villages if the design was innovative. The design would not open the door for new applications. The proposal would reinstate the view of the church, removing the annex and reducing the hedge, was sustainable and the wall garden would right the wrongs of the current dwelling, it was a simple design. There was an extensive and robust discussion at the meeting of the Uplands Area Planning Sub-Committee and the Sub-Committee had agreed that it was a contemporary new home in the conservation area. If it did set a precedent, specific conditions could be placed on the decision.

Councillor St John sought clarification, in relation to the Yew hedge, which was shown on the photograph as being cut down in order to see the view of the church. Mr. Luxton explained that he had met with the Vicar and Church Warden and they were supportive of the Yew hedge being cut to a length of 2.5m and interplanting taking place. He had received a letter of support from the Vicar who liked the idea of getting day light into the church yard. Mr. Luxton reiterated that this was a unique application and the current building had been built in the 1970's next to a church of heritage importance.

The Business Management Development Management, Phil Shaw explained that he had exercised the right for this application to be heard by Development Control Committee so that they could determine whether it was policy compliant or whether it could set a precedent and undermine the strategy of the Local Plan. There were three tests which he set out to Committee; was the application policy compliant, were there sufficient material considerations to set policy aside, should the application be refused.

The Development Plan was the starting point and where it would be in conflict, permission should not be granted. He advised Members of paragraphs within the report relating to the provision for heritage assets; the conservation area for Little Tew and the important groups of buildings within the area; regarding the footprint of the proposed building being large scale; car parking; harm to the conservation area etc.

He also explained policies in the Local Plan – OS2, Locating development in the right places; H2 - Delivery of new homes and that residential development has to be of exceptional quality and innovative. NPPF paragraph 79 related to isolated homes in the countryside which in policy terms applied to this site, and which had to be truly outstanding and innovative.

Strategic Policy needed to be considered, the application was not exceptional or innovative; Little Tew was not a suitable or sustainable location, the site was at the centre of a Conservation Area, the pattern of development of the village was very dispersed and the site was very sensitive, the footprint was large scale, there would be increased activity on the site, the building would harm the character of the plot and appearance of the area, less than substantial harm meant that there was harm, it would impose itself into the street scene, the Officers did not believe that this development was sustainable or truly outstanding, did not enhance the conservation area, did not have eco or other requirements, and did not enhance the setting of the church.

Councillor Colston proposed that the application be refused as per officer's recommendation, as he considered it was setting a dangerous precedent, it was not considered exceptional and not in keeping with Little Tew. Councillor Cotterill seconded this proposal explaining that the dwelling would affect the setting of No Oven Cottage, there was no guarantee that the trees would be cut down, there was no information available to determine if this was innovative such as Passive House, rainwater harvesting.

Councillor Beaney, disagreeing with the officers recommendation, quoted the Local Plan Policies OS1 and 2, he was confused with OS3 reference, did not understand why OS4 had been missed out, and he considered the dwelling did meet the innovative design under H2. He was happy with EH9, first two parts of EH10 he considered did enhance the conservation area, EH12 was not attached to the report, and he was not convinced with reference to EH13, 14 and 15. The Business Manager explained the relevance of the quoted policies but it was agreed that OS3 should be OS4.

Councillor Owen supported the application with many misgivings, and explained it would be an attempt to right the wrongs of the previous generations.

Councillor Crossland highlighted that as this was a rare occasion that applications were put to Development Control Committee she felt strongly that Officer experience should be listened to and policy had been approved by Councillors, the application was not compliant with policies and did not bring benefit to the community, the design was not innovative.

The Business Manager Development Management, Phil Shaw, reminded Members it was their decision to make, Officers were there to advise Members.

Members' concerns related to the building not being innovative, it was contrived and if the ramifications of this application had been clear at the Uplands Area Planning Sub-Committee the decision may have been different although it was accepted that the proposal did have some advantages; the new garden wall would be built in aged Cotswold stone. Councillor Owen was concerned that the decision may harm the independent thought of Members of the Committee, although he understood that this application had been referred to the full Committee in order for them to consider Policy and Strategy.

The Officer recommendation of refusal was then put to the vote and was carried unanimously.

RESOLVED: That planning application 19/ 01646/FUL be **refused**, for the reasons set out in the report as amended by the substitution of OS4 for OS3.

[Note: After the meeting, and prior to the above decision being notified, the application was withdrawn].

15. UPDATE: GOOD PRACTICE GUIDANCE AND TRAINING

The Business Manager Development Management, Phil Shaw, introduced the report explaining that a previous resolution in 2016 endorsed the heads of terms which would be incorporated into new planning good practice guidance. This had not been completed and national legislation and case law meant that the guidance and training needed to be progressed, to ensure a degree of protection for the Council.

Members considered that training would be useful and should be offered to all Members of the Council to widen the pool of substitutes on Committee. It should be mandatory for Committee Members and those wishing to substitute, with training taking place following the elections in May 2020, with evening sessions as well as daytime sessions. They highlighted that they needed quick and easy reference and summaries of policies in order for them to be able to quote policy reasons easily.

Councillor St John considered that training should be held on National design standards.

RESOLVED:

- (a) That the need for updated Planning Good Practice Guidance be confirmed, based on the principles agreed in April 2016; and

- (b) That the Business Manager, Development Management be requested and authorised to arrange for the commissioning of external planning training, in consultation with the Chairman of the Committee.

The meeting closed at 12.35 pm

CHAIRMAN

WEST OXFORDSHIRE DISTRICT COUNCIL

CABINET

Record of decisions taken at the meeting of the **Cabinet** held in the Council Chamber, Council Offices, Woodgreen, Witney, Oxon on **Wednesday 18 March, 2020** at 2.00pm.

PRESENT

Councillors: Toby Morris (Deputy Leader, in the Chair); Jeff Haine, Norman MacRae MBE and Michele Mead.

Also in Attendance: Councillors Julian Cooper, Harry Eaglestone, Duncan Enright, Liz Leffman, Dan Levy and Alex Postan.

Officers in Attendance: Giles Hughes (Chief Executive); Jenny Poole (Chief Finance Officer); Jan Britton (Managing Director, Publica); Bill Oddy (Group Manager, Commercial Development); Frank Wilson (Executive Director, Finance); Keith Butler (Head of Democratic Services).

108. NOTICE OF DECISIONS

RESOLVED: That the record of the decisions taken at the meeting held on Wednesday 12 February 2020, copies of which had been circulated, be approved and signed as a correct record.

109. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors James Mills (Leader); David Harvey, Richard Bishop, Rosa Bolger, Andy Graham and Martin McBride.

110. DECLARATIONS OF INTEREST

Councillor MacRae disclosed a conflict of interest in agenda item no. 7 (Community Revenue Grants) in relation to the grant application made by the Soldiers of Oxfordshire Trust, of which he was a non-executive director. He would leave the room during the consideration of the grant applications.

111. PARTICIPATION OF THE PUBLIC

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

112. RECEIPT OF ANNOUNCEMENTS

112.1 Future Meetings and Public Access to Buildings

In light of the coronavirus situation, the Deputy Leader advised of the intention to request the cancellation of all councillor meetings for the period to the end of April, with the current exception of Cabinet and Council on 22 and 29 April respectively, which would be kept under review. In explaining the reasons and necessity for this, he also referred to the possibility of the government legislating to allow virtual meetings to take place. Detail on that was awaited and the possibility would be kept under review.

He also reported that in the interests of the health and well-being of all, face to face contact at Council buildings was currently possible only at the Woodgreen Office. This measure

would also free some staff resource to deal with other tasks necessary for the maintenance of key services.

112.2 Have Your Say

Councillor MacRae had attended this recent event held at the Corn Exchange in Witney. It had involved students from eight schools participating in debate about the use of funding for proposed projects, and they had been engaged and had demonstrated good thinking about the issues arising. Councillor MacRae thanked Thames Valley Police and others who had been involved in organising the event.

112.3 Waste Collections

Councillor MacRae advised that Ubico had detailed plans in place for the maintenance of the service during the current public health crisis, and that the services were fully functional at present. If or when it was not possible to maintain the usual service both the details and the reasons would be announced and published on the website.

112.4 Community Resilience

Councillor Mead briefly reported on the work being undertaken in relation to a community resilience hub to seek to ensure appropriate and necessary support for residents in the coming weeks. This was evolving as quickly as possible, and more information would of course be communicated when appropriate.

113. CCTV COMPLIANCE POLICY

The Cabinet received and considered the report of the Business Manager for Corporate Responsibility, which sought approval of a CCTV Compliance Policy which would govern the operation of CCTV operated by the Council as a data controller, including those which covered council buildings and public open spaces.

In proposing the approval of the proposed policy, Councillor MacRae explained its importance in relation to both statute and good housekeeping.

DECISION: That the CCTV Compliance Policy attached as Annex 1 to the report be approved, with immediate effect.

REASONS: There was a statutory necessity for the policy, with which the cabinet considered it would comply.

OPTIONS: None appropriate.

114. COMMUNITY REVENUE GRANTS 2020/21

Arising from his disclosure referenced in minute no. 110 above, Councillor MacRae left the room during the consideration of this item.

The Cabinet considered the report of the Business Manager Insight and Intelligence, which sought approval for proposed Community Revenue Grants for 2020/21, as itemised in Annex 1 to the report.

In introducing the report and proposing the recommendations in it, Councillor Mead explained that all the applications had been rigorously assessed against the applicable criteria, stated that the approval of the recommendations would leave just a very small amount of the available budget outstanding, and thanked officers for all their associated hard work.

The proposal was seconded by Councillor Haine; and Councillor Morris emphasised how pleasing it was that the Council had been able to maintain its ability to be able to provide such much needed support for its communities.

In supporting the recommendations and proposal, Councillor Enright was especially pleased to note the support for Volunteer Link Up, not least in the context of its role during the coronavirus crisis, and hoped that the Council would be able further to support Chipping Norton Theatre, given its current closure. Councillor Leffman agreed, and also referenced the importance of Age UK, and was appreciative in relation to Citizens Advice West Oxfordshire and the Thomas Gifford Trust.

DECISION: That Community Revenue Grant awards for 2020/21 be approved as recommended, and as specified in Annex I to the report.

REASONS: The Cabinet considered that the proposed awards satisfied the criteria for grants, and that the awards would help to support voluntary and community activity and partnership actions in line with the policy priorities outlined in the Council Plan 2020-24.

OPTIONS: None appropriate.

115. OUR HOUSE PROJECT UPDATE

The Cabinet considered the report of the Group Manager for Resident Services, which updated it on the 'Our House' project since its inception and future opportunities over the next two years.

Councillor Haine underscored the importance and success of the project and, in doing so, explained the roles and objectives of the project and of Aspire, which was a registered charity, and reported that a third property in Witney was proposed for the expansion of the project,

DECISION: That the report be noted and the development of the partnership opportunity with Aspire be supported, further continuing the already established partnership between the Council and Cottsway Housing Association.

OPTIONS: None appropriate.

116. AWARD OF CONTRACT FOR WELFARE BENEFIT, HOUSING, DEBT AND MONEY MANAGEMENT AND EMPLOYMENT ADVICE

The Cabinet considered the report of the Group Manager for Resident Services, which advised of the result of the tendering exercise for the commissioning of the Welfare Benefit, Housing, Debt and Money Management and Employment Advice contract to be effective from 1 April 2020.

In proposing the recommendation, Councillor Morris was of the opinion that the move to the commissioning approach had been beneficial, providing greater clarity and enabling measurable outcomes. He considered that the commissioning approach could also be beneficial, and better evidence value for money, in relation to some of the current revenue grants approved earlier in the meeting. The proposition was seconded by Councillor Mead.

Councillor Levy queried the process, insofar as it necessitated a great deal of work by any bidder, meaning that a lot of time and money was involved in arriving at the outcome which would have been expected. In response, Councillor Morris felt that there had been considerable effort needed in making a grant application under the previous system. The fact that the contract was for three years, with the possibility of an additional two, would alleviate

the impact of the bidding process, but that process was periodically necessary, to secure and demonstrate a sound and robust system.

DECISION: That the Welfare Benefit, Housing, Debt and Money Management and Employment Advice contracts be awarded to Citizens Advice West Oxfordshire (CAWO).

OPTIONS: None appropriate

117. PUBLICA BUSINESS PLAN 2020-2022

The Cabinet considered the report of the Chief Executive, which sought consideration of the Publica Business Plan, the draft of which was attached at Annex A to the report.

The recommendation was proposed by Councillor Morris and seconded by Councillor MacRae, both of whom were pleased with the refresh of the Business Plan and considered matters to be moving in the right direction.

Councillor Leffman queried the impact of the coronavirus situation on the Plan including, as an example, the consequences of any large scale staff absences. The Publica Managing Director advised that the Plan was strategic in nature, but agreed that it was possible that when reporting in future on progress in relation to the Plan, there could be less progress in some areas than hoped for as a consequence of the current demands. He would keep Cabinet members informed on that as necessary/appropriate.

Councillor Postan asserted the importance of a Councillor dashboard being provided via Salesforce, and the Managing Director replied that the importance and desirability of that were acknowledged, but the other pressures on ICT staff and capacity during the current circumstances were such that it was not the most immediate priority. In the context of more staff needing to work from home Councillor Leffman asked for phone contact numbers. The meeting was reminded of the dedicated Councillor support number, which remained the best option, and details would again be circulated to all members.

DECISION: That the Leader (as Shareholder representative) be recommended to approve the Publica Business Plan 2020-22, with the Chief Executive being authorised, in consultation with the Leader, to approve finalised photos for the publication, as well as any minor typographical changes which could be necessary.

REASONS: To support the Council's aim to provide efficient and value for money services, whilst delivering quality front line services.

OPTIONS: None appropriate.

118. INVESTMENT IN A REPLACEMENT WEIGHBRIDGE

The Cabinet considered the report of the Group Manager, Commissioning, which sought approval for the purchase of a replacement weighbridge. Councillor MacRae explained the necessity for the replacement and proposed the recommendations, and that proposition was seconded by Councillor Mead.

DECISIONS:

- (a) That approval be granted for the investment of £25,000 for the purchase of a replacement weighbridge;
- (b) That the Group Manager – Commissioning be authorised, following consultation with the Chief Finance Officer and the Cabinet Member for Environment, to award the contract for purchase and installation; and

- (c) That the Ubico contract sum be varied to reflect the reduced costs of staffing resource and maintenance.

REASONS: The Cabinet considered that the proposals would improve efficiency, reduce ongoing revenue costs and carbon.

OPTIONS: None appropriate.

119. QUARTER THREE BUDGET AND PERFORMANCE MONITORING

The Cabinet considered the report of the Chief Finance Officer, which (i) provided details of the Council's operational and financial performance in 2019/20 Quarter 3; and the updated corporate risk register; and (ii) sought to enable Councillors to assess financial and operational performance. The recommendations were proposed by Councillor Morris, who drew attention to some of the main financial matters, including reference to the fact that there would be a future report relating to Building Control, and expressing his support for the suggested funding for Living Oxford. The proposal was seconded by Councillor Mead.

Discussion then took place around the Community Infrastructure Levy, with the rationale for the decisions taken by Council at its meeting on 26 February being explained, as was the fact that the charging schedule had not been determined, as the Council decisions related only to the imminent consultation, which would be followed by independent examination prior to future consideration. Mention was also made of section 106 funding and the perceived lack of transparency/information and the need for town and parish councils to be clear as to the situation in their particular area; and the Chief Executive referred to new regulations relating to reporting on developer contributions, which would help the Council to improve on these aspects.

Queries were raised about the number of families in emergency accommodation, and whether that was linked to the apparent underperformance in the delivery of affordable housing. In response, Councillor Haine explained that affordable housing delivery should improve in years two and three, and Councillor Morris stated that the emergency accommodation figures were a "snapshot" and that the two families included in the report had both now been offered accommodation by Cottsway.

Finally, (i) Councillor Cooper was advised that the comment in the report relating to car parking in Woodstock reflected the slight delay and the need to adjust timescales; and (ii) Councillor Postan disputed the complete accuracy of comments relating to Electric Vehicle Charging Points, and Councillor Morris acknowledged his views, but did not feel that they related to the purposes of the report before the meeting.

DECISIONS:

- (a) That the Quarter three 2019/20 financial and service performance be noted;
- (b) That approval be given for an allocation £5,000 to Living Oxford in 2019/20, to be funded through the one-off economic development revenue budget; and
- (c) That the amendments to key task delivery timelines be approved, as set out at paragraph 4.12 of the report.

OPTIONS: None appropriate.

The meeting closed at 2.50 pm

Leader of the Council



WEST OXFORDSHIRE
DISTRICT COUNCIL

WEST OXFORDSHIRE DISTRICT COUNCIL

Name and date of Committee	Council – Wednesday 13 May 2020
Report Number	Agenda Item No. 8
Subject	Virtual Meetings and Delegation Arrangements
Wards affected	All
Accountable member	Cllr James Mills, Leader of the Council Email: james.mills@westoxon.gov.uk
Accountable officer	Keith Butler Head of Democratic Services Tel: 01993 861521 Email: keith.butler@westoxon.gov.uk
Summary/Purpose	To report to Council for information and to seek decisions on a range of matters relating to the administration of Council decision making in the context of the coronavirus pandemic.
Annexes	Annex 1 – Virtual Meetings Procedure Rules Annex 2 – Councillor Protocol for Virtual Meetings
Recommendations	<p>(a) That the report be noted;</p> <p>(b) That the next annual meeting of the council shall take place in May 2021;</p> <p>(c) That, subject to the council's decision on recommendation (b), and to any alterations approved at this meeting, the proposed Virtual Meetings Procedure Rules in Annex 1 and the proposed Councillor Protocol for Virtual Meetings in Annex 2 be approved and incorporated into the Constitution until such time as the Regulations cease to have effect;</p> <p>(d) That, in the event of a Licensing Panel being required to meet, the Chief Executive is authorised, in consultation with the Chairman of the Licensing Committee, to establish arrangements for the participation of interested parties which meet the statutory requirements;</p> <p>(e) That the delegations set out in paragraphs 3.2 to 3.4 below be approved, and the Constitution amended accordingly; and</p> <p>(f) That the proposed changes to the previously approved meetings programme for 2020/21 set out below paragraph 4.5 of this report be approved, for the reasons explained.</p>
Corporate priorities	N/A
Key Decision	N/A
Exempt	No
Consultees/ Consultation	None

I. BACKGROUND

- 1.1. This report addresses a number of issues where decisions are required in order to organise and facilitate the conduct of Council meetings and business during the coronavirus pandemic, in particular arising from the current requirements for people to stay at home where possible, the social distancing requirements, and the redeployment of Council and Publica resources to maintain essential services and to provide support to residents and communities.
- 1.2. The report also proposes (i) amendments to officer delegations to seek to ensure the ability for the Council to act in situations of emergency or urgency; and (ii) some changes to the meetings programme for 2020/21 as a consequence of District Council elections now being scheduled to take place on 6 May 2021.

2. VIRTUAL MEETINGS

- 2.1. The Coronavirus Act 2020, and Regulations made under that Act, make provisions as to the holding of meetings both in terms of when they are required and the ability, in the period to May 2021, for meetings to be held “remotely”, i.e. without the previous legislative requirement for members of a local authority to be present at the same place to conduct business. The requirement for the Council to hold an annual meeting before the end of May has been removed, and this meeting has not been convened as such. Appointments which would have been made will accordingly remain in place either until the annual meeting of the Council in May 2021 or until such other time as the Council may decide. As far as memberships of Committees are concerned, Group Leaders can, as always, notify changes should they wish, subject to their allocations of seats on those bodies under the political balance provisions.
- 2.2. Included at [Annex 1](#) (page 5); and at [Annex 2](#) (page 8) are recommended Virtual Meetings Procedure Rules; and a Councillor Protocol for Virtual Meetings, respectively. These have been produced following some limited discussion with the Leader of the Council and the other political Group Leaders but are, of course, subject to Council approval. The following paragraphs seek to provide additional comment on some of what is proposed.
- 2.3. [Paragraph 2](#) of Annex 1 reflects the facts that (i) this meeting has not been convened as an annual meeting of the council; and (ii) there is now no statutory requirement for the council to hold an annual meeting until May 2021. Should the council wish to hold an annual meeting it is free to amend that paragraph accordingly. Recommendation (b) above is also relevant.
- 2.4. [Paragraph 5](#) of Annex 1 relates to the ability to vary the programme of meetings. This reflects the facts that (i) this report does not otherwise explicitly address the question of which meetings will take place in coming months; but (ii) for the time being, demands on the council are such that many staff who would potentially contribute to meetings are very heavily engaged in other matters relating to the current pandemic, and many have been redeployed from their usual roles. In this context it is also important to recognise that it may be some while before “business as usual” is fully in place again, and that virtual meetings in themselves present other challenges in how meetings are conducted and how easily that business can be facilitated.
- 2.5. Paragraphs [7.1 and 7.2](#) of Annex 1 propose amendments to the existing public participation provisions. The suggestion that participation at virtual meetings is by way of written submissions has been made in an attempt to balance ease of administration and the wish to minimise technological risks and the risk of

disruption, with the desire that the rights of the public are not unduly negated. The suggested maximum numbers of words for submissions are based on average speaking speeds and reflect the fact that under the existing scheme participants at planning meetings have a maximum of three minutes; with a maximum of five minutes at all other meetings.

- 2.6. [Paragraph 7.3](#) of Annex I proposes authority for arrangements to be made for any meeting of a Licensing Panel which may be required. Necessarily, these will be different, because of the statutory position whereby interested parties may attend and speak at such meetings, and the requirement for cross-examination to be possible.
- 2.7. [Paragraph 8](#) of Annex I suggests that the ability to submit motions to Council meetings is disappplied at any meeting held virtually. This suggestion reflects both the complications around the management of virtual meetings and the fact that other demands on staff resources mean that there may be a delay in the consideration of any motion referred to Cabinet or a Committee for consideration and report back.
- 2.8. The remaining content of both annexes is hopefully self-explanatory, but I will of course be able to try to answer any questions which may arise at the meeting.
- 2.9. Council's attention is also drawn to the recommendation relating to the review of the procedures contained in [paragraph 12](#) of Annex I.

3. EMERGENCY AND URGENCY DELEGATIONS

- 3.1. The current pandemic has highlighted the fact that there are insufficient emergency/urgency powers available to take decisions where it is not possible to obtain the approval of the Council, Cabinet or a Committee or Sub-Committee. Of course, the use of and need for emergency powers could apply to situations other than a pandemic.
- 3.2. It is recommended that Council authorises (i) the Chief Executive, in consultation with the Chief Finance Officer and/or the Monitoring Officer as appropriate, to take any necessary decision in cases of emergency; and (ii) the Chief Executive, in consultation with the Chief Finance Officer and/or the Monitoring Officer as appropriate, to take a decision in relation to any function of the Cabinet or of a Committee or Sub-Committee where the matter is urgent and cannot reasonably await the next meeting of that body, and subject also to consultation with the Leader or in their absence the Deputy Leader of the Council; or with the Chairman or in their absence the Vice Chairman of the Committee or Sub-Committee, as the case may be.
- 3.3. In the context of paragraph 3.2, emergency shall mean any situation in which the officer believes that failure to act would seriously prejudice the Council's or the public's interests. Such interests are to be interpreted widely and include (but are not limited to) the risk of damage to property or threat to the health or wellbeing of an individual; and also the power to commence or defend legal proceedings in any court or tribunal.
- 3.4. Any decision under the above provisions shall be recorded and published, and reported to Council, Cabinet or the appropriate Committee or Sub-Committee, such report to include the reasons that the powers needed to be used.

4. MEETINGS PROGRAMME FOR 2020/21

- 4.1. The meetings programme for 2020/21 was approved by Council on 22 January 2020.
- 4.2. The programme is influenced by scheduled elections, partly because of the demands of the administration of elections, and partly because of the statutory requirement

for the annual meeting of the council to take place very soon after councillors come into office on election or re-election. The annual meeting in May 2021 was scheduled for Wednesday 12 May, in the circumstances that there were no ordinary District Council elections scheduled, it being the year in the cycle when the County Council has its elections.

- 4.3. The ordinary elections to the District Council which would have taken place on 7 May 2020 are now scheduled instead for 6 May 2021 and the councillors elected will come into office on Monday 10 May, making it impractical to hold the annual meeting on the currently scheduled date.
- 4.4. Changing the annual meeting date will necessitate consequential changes to meetings of the Lowlands Area Planning Sub-Committee, and to the Cabinet meeting which would have taken place on the date now suggested for the annual meeting.
- 4.5. The proposed changes are as follows:

Original Meeting and Date	Revised Meeting Date
Lowlands Monday 8 March 2021	Monday 15 March 2021
Lowlands Monday 12 April 2021	Monday 19 April 2021
Annual Council Wednesday 12 May 2021	Wednesday 19 May 2021
Lowlands Monday 17 May 2021	Monday 24 May 2021
Cabinet Wednesday 19 May 2021	Wednesday 26 May 2021

5. FINANCIAL IMPLICATIONS

- 5.1. This report has no financial implications.

6. LEGAL IMPLICATIONS

- 6.1. The recommendations in the report and the contents of the annexes are compliant with the statutory provisions in place further to the Coronavirus Act 2020 and The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panels Meetings) (England and Wales) Regulations 2020.

7. ALTERNATIVES/OPTIONS

- 7.1. Subject to any advice as to the statutory position which may be required to be given at the meeting, council is able to vary the recommendations in this report as it sees fit.

8. BACKGROUND PAPERS

- 8.1. None

Virtual Meetings Procedure Rules

These rules set out temporary arrangements for the effective management of virtual meetings. These arrangements override any equivalent provision in the Council's procedures and in the event of any conflict these temporary arrangements should take precedence. These rules have been made by the Council in order to implement The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panels Meetings) (England and Wales) Regulations 2020 (the 'Regulations') and will remain in force until 5 May 2021; or until such time as the those Regulations are repealed.

1. General

- 1.1 A virtual meeting is a meeting of the Council, Cabinet, Committee or Sub-Committee of the Council held by remote access and where virtual attendance by Members of the Council is by way of Cisco Webex or such other platform as provided. Councillors in virtual attendance will not be able to sign an attendance list, but a list will be kept and completed for each meeting by Democratic Services.
- 1.2 Attendance of the public at a virtual meeting which is open to the public will be via the streaming of the meeting on the Council's facebook page, or such other platform as may be provided.
- 1.3 The Council, Cabinet and all Committees of the Council may hold all such virtual meetings that are deemed necessary and where such meetings are held these rules of procedure shall apply.
- 1.4 Should the regulations allowing virtual meetings remain in force throughout the period to May 2021, the Chief Executive will nonetheless be able to call physical meetings should social distancing and other considerations allow, subject to prior consultation with the Leader of the Council and, for Council meetings, the Chairman of Council. Subject to this, all meetings of the Council, Cabinet, Committees and Sub-Committee for the period to May 2021 shall take place virtually.

2. Annual Meeting of the Council

- 2.1 The Annual Meeting of the Council will not be held on 20 May 2020 as previously scheduled, and the appointments to the Chairman and Vice Chairman of the Council and appointments to other Committees and Sub-Committees will remain the same until the Annual meeting is held or until such time as the Council determines.

3. Notice of and Summons to the Meeting

- 3.1 The Chief Executive will give notice to the public of the time and place of any meeting by publication of the details on the website.
- 3.2 At least five clear working days before a meeting, the Chief Executive will send a summons signed by him or her to every member of the Council, Cabinet, Committee or Sub-Committee. The summons will give the date and time of each meeting and specify the business to be transacted and will be accompanied by the reports which are available. The summons and papers may be sent by post or by electronic means, as desired by any councillor.
- 3.3 The business for any virtual meeting will be as determined by the Chief Executive in consultation with the applicable Chairman.

4. Availability of Documents for the Public

- 4.1 Agendas and reports and associated papers which are available for the public will be published on the Council's website at least five clear working days before the meeting (www.westoxon.gov.uk/meetings)
- 4.2 When the Council offices at Woodgreen, Witney, are again open to the public, agendas and reports and associated papers will also be available for inspection at those offices.

5. Moving or cancelling virtual meetings

- 5.1 The Chief Executive may, following consultation with the Chairman of the relevant meeting move or cancel a virtual meeting without notice.

6. Access to Virtual Meetings

- 6.1 Members of the public and the press will be able to access virtual meetings via streaming on the Council's facebook page or such other platform provided.
- 6.2 Members of the public and the press will not be able to access those parts of any meeting where the meeting has resolved to exclude them by reason of the consideration of exempt or confidential information.

7. Petitions and Public Participation

- 7.1 A person wishing to present a petition or address a meeting may make their request as they do under the Council's existing rules, whether in relation to Council, Cabinet and Committee meetings, or under the separate scheme which relates to meetings of the Area Planning Sub-Committees.
- 7.2 Where a request has been made and accepted, the requester may supply his or her submission by the deadline for making the request, and that submission will be read to the meeting by an officer in attendance. Submissions may be no more than 450 words for meetings of the Area Planning Sub-Committees; and no more than 750 words for other meetings to which the scheme applies.
- 7.3 Necessarily, different arrangements will have to apply to any meeting of a Licensing Panel which may take place. Should such a meeting be held during the restricted period, the arrangements for interested parties to participate will be made at that time, and advised accordingly, under the authority granted by the Council on 13 May 2020.

8. Motions

- 8.1 Where Full Council meetings are held virtually the provision for members to submit a Motion will be disapplied.

9. Voting

- 9.1 At a meeting using virtual meeting technology any matter will be decided by a majority of those in attendance, physically or virtually by an electronic vote which shall record each member and how they have voted. Should this option not be available for technical or other reasons, voting will be by roll-call.
- 9.2 If, prior to a vote on any matter is taken, a request is made by any member and supported by three others, the minutes of the meeting shall record how each member present cast his or her vote. Such will be established by reference to the electronic vote on the matter, or via roll-call.
- 9.3 The Chairman or the host will record the outcome of votes and announce the decision to the meeting.

10. Exclusion of the Public

- 10.1 Where a meeting resolves to exclude the public during the consideration of exempt or confidential information, the live streaming of the meeting will cease. Should the meeting be re-opened to the public for further business, the live streaming will recommence.
- 10.2 Where the public has been excluded, each Member in remote attendance must ensure that there are no other persons present who are not entitled to be (either hearing or seeing) consideration of such items, and/or recording the proceedings. Any Member in remote attendance who failed to disclose that there were in fact persons present who were not so entitled would be likely to be in breach of the Council's Code of Conduct.

11. Quorum and Technical Failings

- 11.1 The quorum for any virtual meeting shall not be affected by these rules.
- 11.2 In the event of any apparent failure of the technology being used for a virtual meeting, the Chairman shall determine whether the meeting is still quorate. Where a meeting remains quorate, the business of the meeting will continue. If it is not quorate the Chairman will adjourn the meeting for such period as deemed necessary to seek to resolve the technical issues.
- 11.3 Should any aspect of a councillor's remote attendance/participation fail, the Chairman may call a short adjournment to determine whether a connection can quickly be re-established. If the connection is not restored, the meeting should continue to deal with the business, providing the meeting remains quorate.
- 11.4 Where a meeting is open to the public, and the live streaming of the meeting fails, the meeting shall either be adjourned until such time as it is re-established, or closed and the remaining business transacted at a later date.

12. Review

- 12.1 These rules will be kept under regular review by the Chief Executive and Monitoring Officer, who shall be authorised to update them if such is deemed to be immediately necessary.
- 12.2 These rules will, in any event, be reviewed by the Council no later than the end of October 2020.

Councillor Protocol for Virtual Meetings

General points about councillors joining and participating in a virtual meeting

- Councillors are encouraged to join the meeting well in advance (i.e. at least fifteen minutes before the scheduled start time) in order to avoid disrupting the meeting and to try to ensure any technical issues can be resolved.
- Where using video-enabled equipment, councillors should leave their cameras on throughout the meeting as far as practicable.
- Councillors should try to go to a quiet location for the Meeting.
- **In all cases councillors will need to unmute their microphone before speaking and mute when they have finished speaking.**
- The Chairman will remind councillors to mute their microphones when not speaking. This is done in order to reduce feedback and background noise.
- Councillors are reminded that virtual meetings are generally public meetings and members of the public will be able to view them and Councillors should be mindful of this in their conduct and dress code.
- Non-verbal communication such as body language may be picked up and broadcast even when not speaking.
- Please be patient with one another and the Chairman of the meeting.

Protocol for councillors speaking at meetings

- Where a councillor is in attendance at a virtual meeting online, he/she will indicate his/her wish to speak via the host, by using the chat facility. The chat facility should not be used for any other purpose
- Notwithstanding this, in the case of Council and Cabinet meetings, councillors who wish to speak on a particular item are encouraged to indicate their wish to speak to Democratic Services in advance of the meeting. The Chairman will follow the relevant rules when determining who may speak, as well as the order and priority of speakers. The Chairman's ruling in this regard shall be final.
- **At the end of a discussion/debate, when all speakers have been heard, the Chairman will ask those present if anyone else wishes to speak.**
- Interruptions, such as 'point of order' should be kept to an absolute minimum and raised at the end of a speech not during.
- When referring to reports or making specific comments, councillors should refer to the report and page number so that all members and where applicable the public have a clear understanding of what is being discussed at all times.

Dealing with Disclosable Pecuniary Interests (DPI)

- Where a member has disclosed a DPI or other declaration in an agenda item that requires them to be absent from the meeting for that item, the host will remove the member from the meeting for the duration of the item
- If the member has joined the meeting by telephone rather than online he or she must end the call and await email confirmation that the item has been concluded before re-joining it. Failure to do so would be a breach of the council's code of conduct and in the case of a DPI a criminal offence.

Interpretation of standing orders

- Where the Chairman is required to interpret the Council's existing standing orders in light of the requirements of virtual participation, he or she shall take advice from the Monitoring Officer or, at a Cabinet, Committee or Sub-Committee meeting, the Democratic Services Officer prior to making a ruling. The Chairman's decision in all cases shall be final.



WEST OXFORDSHIRE
DISTRICT COUNCIL

WEST OXFORDSHIRE DISTRICT COUNCIL

Name and date of Committee	Council: Wednesday 13 May 2020
Report Number	Agenda Item No. 9
Subject	Chief Finance Officer/ Deputy Chief Executive (Statutory Section 151 Officer) Role
Wards affected	ALL
Accountable member	Cllr James Mills, Leader Email: James.Mills@westoxon.gov.uk
Accountable officer	Giles Hughes, Chief Executive Email: Giles.Hughes@westoxon.gov.uk
Summary/Purpose	To consider the proposed permanent full time Chief Finance Officer/ Deputy Chief Executive role, which would also be the Council's statutory Section 151 Officer. The report also states that an interim appointment to the Section 151 Officer role may be necessary in advance of the completion of the recruitment process for the permanent role. The budget for a full time Chief Finance Officer/ Deputy Chief Executive role was approved by Council in February 2020.
Annex	Annex A - Job Description and Employee Specification
Recommendations	(a) That the report be noted; (b) That the outcome of the interview process for the Chief Finance Officer/Deputy Chief Executive be considered, and if appropriate the appointment of a candidate be approved, subject to the successful completion of post-interview checks and processes; and (c) That the Council determines an interim appointment to the Section 151 role should that be necessary.
Corporate priorities	Modern Council Services and Sustainable Finance - Delivering excellent modern services whilst ensuring the financial sustainability of the Council.
Key Decision	No
Exempt	No
Consultees/ Consultation	N/A

1. BACKGROUND

- 1.1. Late last year Cotswold District Council informed the Council that it no longer wished to share a Finance Officer (Section 151) role. This retained role is a key role for both of the Councils, and there was a concern that a shared role was no longer appropriate given the importance of its responsibilities and the scale of future challenges.
- 1.2. The Council is required to employ a Section 151 Officer and so as a consequence it needs to make alternative arrangements. A full time Chief Finance Officer/Deputy Chief Executive role is proposed to strengthen the Council's retained officer structure and to act as the Section 151 Officer. Recruitment to this role is currently underway. An interim approach may be required from 13 May 2020 to cover any gap before a permanent appointment is made. Given the statutory nature of both permanent and interim roles these appointments need to be agreed by Council.

2. MAIN POINTS

- 2.1. A copy of the Job description and employee specification for the Chief Finance Officer/Deputy Chief Executive role is [attached](#).
- 2.2. The Chief Finance Officer/Deputy Chief Executive will be the strategic financial lead within the Council and will work closely with Members, the Chief Executive and the rest of the senior management team. It will have Section 151 responsibility for ensuring the sound management of the Council's finances and resources. It will also play a key role in ensuring strong working relationships with key partners and guiding the development of wider strategies and plans.
- 2.3. Section 151 Officers have a number of statutory duties, including the duty to report any unlawful financial activity involving the authority (past, present or proposed) or failure to set or keep to a balanced budget.
- 2.4. The change from a shared role to a fulltime role will help strengthen the management and leadership capacity of the Council, which is important given the financial and COVID 19 recovery related challenges facing local government. In addition, there do not appear to be any realistic options for sharing a Chief Finance Officer role with any of the neighbouring Councils at present.
- 2.5. The recruitment process for the role is underway. Interviews are expected to take place in the weeks beginning 4 and 11 May. An update will be provided at Council. It is likely that an interim appointment will need to be made to a Section 151 role at Council which will need to remain in place until a new permanent Chief Finance Officer/Deputy Chief Executive commences employment with the Council.

3. FINANCIAL IMPLICATIONS

- 3.1. None. Additional funding of £50,000 for the new Chief Finance Officer/Deputy Chief Executive full time post is included within the 2020/21 budget. Interim arrangements, including any backfilling that might be necessary, can also be funded from this budget.

4. LEGAL IMPLICATIONS

- 4.1. The Council is required to have a Section 151 Officer.

5. RISK ASSESSMENT

- 5.1. The Chief Finance Officer/ Deputy Chief Executive role will help manage financial and other risks facing the Council.

6. ALTERNATIVE OPTIONS

6.1. The Council is required to have a Section 151 officer. The Council could choose to have a more narrowly focussed role and could choose to apply a different salary.

7. BACKGROUND PAPERS

7.1. None

Job description and employee specification

Job title:	Chief Finance Officer	Location:	Witney
Reports to:	Chief Executive	Working hours:	37 hours per week
Job number:	CE003	Salary range:	Up to £75,000 p.a.
Supervises:	Not applicable (the post holder will deputise for the Chief Executive)		
Purpose:	<ul style="list-style-type: none"> To lead and direct the Council's financial strategy and operations, with its service delivery partner Publica taking Section 151 responsibility for ensuring the sound management of the Council's finances and resources. To support and deputise for the Chief Executive in ensuring strong working relationships with key partners, and in providing strategic advice on policy, performance and commissioning, in order to enable the delivery of the Council's priorities, objectives and plans, in an efficient and effective way within the resources allocated. For guidance on the statutory and non-statutory duties associated with this role please see the additional document – CIPFA - The Role of Chief Finance Officer (CFO). 		
Key responsibilities:	<ul style="list-style-type: none"> Ensure that the Council has effective policies and strategies that deliver the Council's priorities and long term financial sustainability. Lead the development of the Council's Medium Term Financial Strategy and the annual budgeting setting process, and budget monitoring processes engaging with Publica staff. Perform the statutory duties of the Section 151 Officer. Support the Chief Executive in developing and maintaining strong relationships with key partners and stakeholders. Input into the Council's commissioning of services, ensuring the services provided by Publica, Ubico and other providers efficiently meet the Council's priorities. Work with the Publica Finance Director to ensure that the objectives set out in the Medium Term Financial Strategy and Council budgets are met. Promote the Council's interests as a shareholder in Publica and Ubico Limited. Develop and maintain positive working relationships with elected members. Promote good governance by upholding high standards of conduct and behaviour and ensuring there is transparency and accountability in decision-making. Ensure that corporate risks are identified and evaluated, and that internal control processes are in place. Support and provide professional advice to the Council, Cabinet, Committees and all Members, to enable them to act in accordance with current legislation and best practice. To act as the Council's Client Officer for internal audit services which are provided by SWAP Internal Audit Services and to support the Chair of the Audit and General Purposes Committee in the role of the Member Board of SWAP Internal Audit Services. 		



	<ul style="list-style-type: none">• To act as the Council's Client Officer for the Counter Fraud Service which is a shared service hosted by Cotswold District Council. This will include representing the Council on the Counter Fraud Partnership Board. <p>Other</p> <ul style="list-style-type: none">• Carry out such other duties as the Council may reasonably require. <p>This job description sets out the key outcomes required. It does not specify in detail the activities required to achieve these outcomes.</p> <p>General Accountabilities</p> <ul style="list-style-type: none">• Working to add value to, and be a valued member of the team, and to be valued by customers• The post holder is responsible to maintain a safe working environment and ensure as reasonably practicable that safe working practices are adopted by employees within this work environment• Work in compliance with the Codes of Conduct, Regulations and policies• Exercise proper and absolute integrity in respect of all confidential matters and the confidentiality of personal and sensitive information;
<p>Essential requirements, qualifications, skills and abilities:</p>	<p>Qualifications</p> <ul style="list-style-type: none">• CCAB recognised accounting qualification• Educated to degree level or equivalent <p>Experience</p> <ul style="list-style-type: none">• Extensive post qualification experience at a senior level within an accountancy and audit environment• Experience of providing strategic direction and strong leadership in a previous senior Finance or management role• Experience of providing advice, information and support to members and external parties with minimal supervision• Extensive experience of successful strategic financial management, financial planning and budget preparation• Proven ability to implement and monitor highly effective and efficient financial controls• Experience of preparing and presenting accurate and timely financial statements and comprehensive commentary in accordance with relevant regulations/ guidelines• Experience of report writing and presenting at Committee / Board level and at Corporate Team level <p>Skills</p> <ul style="list-style-type: none">• A high level of skill in working across a broad range of technical accounting subject areas• Ability to interpret and communicate financial information at an advanced level• An ability to interpret and communicate complex financial information in plain English to non-financial managers and members• Ability to work to tight deadlines and meet conflicting demands• Communicates effectively at all levels (excellent verbal and written skills)• Good practical level of IT skills - MS Office• Demonstrate integrity, fairness and high personal and professional standards.• Achieves results through others• Sound management judgement and personal credibility• Is customer focussed, responsive, and co-operative with customers



	<ul style="list-style-type: none">• Proactive and self-motivated• Flexible approach to work• Works together with employees, colleagues and members to resolve problems and implement change initiatives• Ability to work to tight deadlines and meet conflicting demands• Ability to maintain confidentiality in accordance with Data Protection
Desirable requirements qualifications, skills and abilities:	<ul style="list-style-type: none">• Previous experience of undertaking duties of Chief Finance Officer as set out in section 151 of the Local Government Act 1972• Previous experience of working in Local Government
Special conditions:	<ul style="list-style-type: none">• There may be a requirement to work at other locations to meet the needs of the business• There will be a requirement to attend evening committee meetings• The requirement to travel will be an essential feature of the performance of the above duties• Expected to work reasonable additional hours in line with the needs of the service• You will the need use of a car for work purposes
Date of Issue:	March 2020
Date reviewed:	
Reviewed by	Giles Hughes Job Title: Chief Executive

WEST OXFORDSHIRE DISTRICT COUNCIL

Wednesday, 13 May 2020

Schedule of documents sealed out of meeting by the Chairman, Deputy Leader and the Head of Democratic Services, since the last meeting of the Council.

<u>Registration Number</u>	<u>Description of documents</u>	<u>Parties in addition to the Council</u>
<u>MISCELLANEOUS</u>		
I1784	Lease plus plan – Eden House, Avenue Four, Witney	ICE Oxford Ltd (2)
I1785	S.106 Agreement plus plan – 21-27 Market Square, Witney	Perrers Properties Ltd (2), Handelsbanken Plc (3)
I1785A	Duplicate	
I1785B	Triplicate	
I1786	Underlease plus plans – Unit E, Newman Court, Downs Road, Witney	Accident Solution Centre Ltd (2)
I1787	Street Closure Order – Town and Police Clauses Act 1847 – Chipping Norton on Friday 8 May 2020	
I1788	Street Closure Order – Town and Police Clauses Act 1847 – Chipping Norton on Friday 8 May 2020	
I1789	Street Closure Order – Town and Police Clauses Act 1847 – Woodstock on Saturday 9 May 2020	
I1790	Street Closure Order plus plan – Town and Police Clauses Act 1847 – Chipping Norton on Saturday 27 and Sunday 28 June 2020	
I1791	Street Closure Order – Town and Police Clauses Act 1847 – Witney on Sunday 26 April 2020	
I1792	Street Closure Order – Town and Police Clauses Act 1847 – Middle Barton on Sunday 10 May 2020	
I1793	Rent Review Memo – Unit H, Newman Court, Downs Road, Witney	Anthony Philip Saunders (2)
I1793A	Duplicate	
I1794	Deed of Release plus plan – 15 Hillside Road, Middle Barton	Stephen John William Rogers and Sandra Jane Rogers (2)
I1794A	Duplicate	
I1795	Lease of Garage plus plan – 2 Brook Hill, Woodstock	Marie-Claire Kassir (2)
I1796	Transfer of part of land at Chichester Place Brize Norton plus plan -	Simon and Janet Morris (2)
I1796A	Duplicate	
I1797	Licence to occupy Unit B Swain Court, Witney plus plans	Daniel Dixon (T/A Dixon Automotives)(2)
I1797A	Duplicate	
I1798	Funding Agreement – Development at Blenheim Court, Carterton	Cottsway Housing (2)
I1798A	Duplicate	