

Tuesday, 10 January 2023
Reissued 10 January 2023

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COUNCIL

You are summoned to a meeting of the Council which will be held in the Council Chamber, Woodgreen, Witney OX28 1NB on **Wednesday, 18 January 2023 at 2.00 pm.**



Giles Hughes
Chief Executive

To: Members of the Council

Councillors: Julian Cooper (Chair), Andrew Coles (Vice-Chair), Andrew Prosser, Mike Cahill, Joy Aitman, Alaa Al-Yousuf, Luci Ashbourne, Andrew Beaney, Jill Bull, Nathalie Chapple, Owen Collins, Suzi Coul, Jane Doughty, Harry Eaglestone, Duncan Enright, Ted Fenton, Andy Graham, Jeff Haine, Gill Hill, David Jackson, Richard Langridge, Liz Leffman, Nick Leverton, Norman MacRae MBE, Michele Mead, Elizabeth Poskitt, Carl Rylett, Geoff Saul, Harry St John, Ben Woodruff, Mathew Parkinson, Colin Dingwall, Andy Goodwin, Mark Johnson, Lysette Nicholls, Dean Temple, Alex Wilson, Lidia Arciszewska, Hugo Ashton, Michael Brooker, David Cooper, Natalie King, Dan Levy, Charlie Maynard, Rosie Pearson, Rizvana Poole, Alaric Smith and Ruth Smith

Recording of Proceedings – The law allows the public proceedings of Council, Cabinet, and Committee Meetings to be recorded, which includes filming as well as audio-recording. Photography is also permitted. By participating in this meeting, you are consenting to be filmed.

As a matter of courtesy, if you intend to record any part of the proceedings please let the Democratic Services officers know prior to the start of the meeting.

AGENDA

1. **Minutes of Previous Meeting (Pages 7 - 14)**
To approve the minutes of the meeting held on 19 October 2022.
2. **Apologies for Absence**
To receive any apologies for absence
3. **Declarations of Interest**
To receive any declarations from Members of the Committee on any items to be considered at the meeting
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**
Anyone who lives in the district or who pays council tax or business rates to the Council is eligible to read a statement or express an opinion at this meeting. You can register to speak by sending your written submission of no more than 750 words to democratic.services@westoxon.gov.uk by no later than 10.00am on the working day before the meeting.
6. **Members' Questions**
The following question has been submitted by a Member of Council in accordance with the Council Procedure Rules (Constitution Part 5, rule 10). Oral responses will be provided at the meeting. Following receipt of the answer to their question a Member is entitled to ask one supplementary question at the meeting.

Question I. Councillor MacRae to Councillor Arciszewska, Cabinet Member for the Environment. At the Cabinet Meeting of 17th August 2022, it was agreed that an additional £75,000 [over the cost of diesel machine replacement] was allocated to purchase two new pavement/road sweepers for Chipping Norton and Woodstock. Have these electrically powered sweepers been ordered; at what total cost; and what is the anticipated delivery date?

Recommendations from Cabinet

7. **Pan Regional Oxford to Cambridge (Pages 15 - 18)**
Purpose:
To consider whether the Council should be a participant in the proposed pan-regional partnership for the Oxford to Cambridge area.

Recommendation:
Cabinet on 14 December 2022 resolved to recommend to Council to:
 - a) Agree that West Oxfordshire be a participant in the proposed pan-regional partnership for the Oxford to Cambridge area

8. **Draft West Oxfordshire Council Plan 2023 - 2027** (Pages 19 - 22)

Purpose:

A review of the Council's strategic priorities has been undertaken which are presented in the Draft West Oxfordshire Council Plan 2023 – 2027. Five strategic priorities for the District are identified which reflect the wide ranging issues and challenges requiring focus and attention over the immediate and longer term. The Draft Council Plan has been discussed by the Overview and Scrutiny Committees and finalised in response to the views and insights given through this process. The Draft West Oxfordshire Council Plan 2023 – 27 is now presented to Full Council for consideration and adoption.

Recommendations:

That Council resolves to approve the Draft West Oxfordshire Council Plan 2023 – 27 and agree its adoption.

9. **Approval of Council Tax base and 2023/24 Budget Update** (Pages 23 - 74)

Purpose:

This report provides an update on the developing budget for 2023/24. To consider:

- 1) The draft base budgets for 2023/24
- 2) Fees and charges for 2023/24
- 3) Adoption of the Council Tax Base for 2023/24
- 4) The submission of the business rates return

Recommendations:

Subject to the decisions of Cabinet on 11 January 2023, Council is recommended to resolve to:

- 1) Approve the Council Tax Base shown in Annex G, calculated as £47,078.85 for the year 2023/24
- 2) Authorise the Chief Finance Officer to submit the National Non Domestic Rates Return 1 (NNDRI) to the Ministry of Housing, Communities and Local Government by the submission date of 31st January 2023
- 3) Authorise the Chief Finance Officer to approve the annual uprating of allowances and non-dependent deductions in the Local Council Tax Support Scheme in line with national regulations.

Reports to Council

10. **Programme of Meetings for 2023/24** (Pages 75 - 86)

Purpose:

To set a programme of Council and committee meetings for 2023-24.

Recommendations:

The Council resolves to:

- a) Approve the changes to the programme of meetings for January to May 2023 as explained in paragraph 2.3 and shown in Annex A;
- b) Approve the programme of meetings for June 2023 to May 2024 as shown in Annex B;
- c) Delegate authority to the Monitoring Officer, in consultation with Group Leaders, to make changes to the programme of meetings in the event that there is any future decision of Council to change the committee structure or committee remits that impacts the programme of meetings;

- d) Agree that, subject to any alternative proposals Council considers and agrees, meeting start times will be rolled forwards from 2022/23.
- e) Delegate authority to the Democratic Services Business Manager to set meeting dates for the Performance and Appointments Committee, member training and briefing sessions and any working groups established by the Council.

11. **Recommendations from the Constitution Working Group (Pages 87 - 178)**

Purpose:

To consider proposals from the Constitution Working Group for amendments to the West Oxfordshire District Council Constitution to adopt a new Glossary, Summary & Explanation, Articles, Functions of Responsibility, Standards Sub-Committee Procedure Rules and Monitoring Officer Protocol.

Recommendations:

Council is recommended to resolve to:

1. Approve the Glossary at Annex A to this report and formally adopt it as part of the Council's Constitution from 19th January 2023;
2. Approve the Summary & Explanation at Annex B to this report and formally adopt it as part of the Council's Constitution from 19th January 2023;
3. Approve the Articles at Annex C to this report and formally adopt it as part of the Council's Constitution from 19th January 2023;
4. Approve the Functions of Responsibility at Annex D to this report and formally adopt it as part of the Council's Constitution from 19th January 2023;
5. Approve the Standards Sub-Committee Procedure Rules at Annex E to this report and formally adopt it as part of the Council's Constitution from 19th January 2023;
6. Approve the Monitoring Officer Protocol at Annex F to this report and formally adopt it as part of the Council's Constitution from 19th January 2023;
7. Note the amendments made to the Constitution under delegated authority by the Monitoring Officer as summarised at paragraph 2.7 of this report.

12. **Appointment of Independent Remuneration Panel (Pages 179 - 182)**

Purpose:

To seek approval to appoint members of the public to the Council's Independent Remuneration Panel, which is responsible for assessing and making recommendations on the allowances paid to councillors.

Recommendations:

That Council resolves to:

1. Approve the appointment of Michael Paget-Wilkes and Janet Eustace to the Council's Independent Remuneration Panel;
2. Delegate authority to the Monitoring Officer to make one or more further appointments to the Council's Independent Remuneration Panel, subject to the Panel comprising no more than 5 people;
3. Agree that members of the Independent Remuneration Panel will be paid £250 per year.

13. **Dispensations (Pages 183 - 186)**

Purpose:

To approve a number of general dispensations to councillors under the Localism Act 2011 for a period of four years.

Recommendations:

That Council resolves to:

- a) approve, under Section 33 of the Localism Act 2022, the general dispensations listed at paragraph 2.1, for all elected members and co-opted members of West Oxfordshire District Council, until 17 January 2027.

Motions on Notice

14. Motion A: Public Houses - Proposed by Councillor St. John, Seconded by Councillor Langridge.

If a public house is closed for whatever reason, and the applicant can prove they have tried to make it viable, or have failed to find a buyer for the pub as a pub at a realistic price reflecting its true commercial value (over a realistic marketing period of at least 12 months), and not some exaggerated hope value for residential conversion, the Council's policy (currently defined in E5) will seek, in the first instance, to see the building reused for a suitable community use.

If there is no obvious need or demand for that type of use, then the Council's second preference would be conversion to affordable housing to provide smaller dwellings for local people resident in the parish or adjoining parishes, and this should be secured in perpetuity by a suitable S106 agreement to supplement the known shortage of affordable dwellings for local people especially in rural villages. The third preference should be commercial use - office, workshops or even retail to encourage more employment opportunities in rural locations.

Council resolves to:

- I. Consider options, as part of the current Local Plan review, for amending planning policies to give effect to the preferences set out in this motion for the reuse of public houses that are no longer viable as public houses.

15. Motion B: Development Grampian Conditions - Proposed by Councillor. St. John, Seconded by Councillor Langridge.

This Council will seek to impose suitable 'Grampian' conditions on any development where the connection of the new dwellings or commercial space would impose additional flows of sewage and/or surface water into the local foul or surface water drainage systems, where these are unable to cope due to lack of adequate existing capacity.

This has been evidenced by pipe bursts, flooding, regular blockages and resultant flooding or surcharging either from main pipes, or at the eventual Sewage Treatment Works (STWs) serving the appropriate local system. When a system is upgraded to cope with the additional flows the development generates, then the development can proceed in accordance with the Local Plan. In particular the Council is concerned about schemes where surface water from a new development is proposed to be connected directly to a foul sewer unless the foul system has the capacity to treat the additional flows without storm events occurring at STWs – i.e. release of untreated sewage into the river system due to excess surface water in the system.

Council wishes to reduce/minimise the risk of untreated foul water being released onto land, into residents' property and into our river systems where Council Policy is to improve water quality, minimise pollution and enhance our natural environment - where

necessary through suitable controls.

Council resolves to:

- I. Consider any options, as part of the current Local Plan review, for giving effect to this motion through planning policy.

16. **Motion C: Swift Nesting Sites - Proposed by Councillor St. John, Seconded by Councillor Dingwall.**

Council is pleased to note that, to encourage nesting by swifts, swift brick planning conditions are already imposed as a matter of course on applications where the size and aspect of the building is appropriate. Council wishes to increase the availability of suitable nesting sites on domestic and commercial buildings for a bird that is a quintessential part of our spring and summer months and whose numbers have been declining rapidly for various reasons.

Council resolves to:

- I. Consider options, as part of the current Local Plan review, for incorporating the practice of imposing swift brick conditions into a suitably worded planning policy.