

Public Document Pack



Tuesday, 10 January 2023
Reissued 10 January 2023

Tel: 01993 861522
e-mail - democratic.services@westoxon.gov.uk

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:

1. 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.

WEST OXFORDSHIRE DISTRICT COUNCIL

Minutes of the meeting of the
Council

Held in the Council Chamber at 2.00 pm on **Wednesday, 19 October 2022**

PRESENT

Councillors: Julian Cooper (Chair), Andrew Coles (Vice-Chair), Joy Aitman, Alaa Al-Yousuf, Lidia Arciszewska, Luci Ashbourne (to item 34), Hugo Ashton, Andrew Beaney, Michael Brooker, Jill Bull, Mike Cahill, Owen Collins, David Cooper, Suzi Cooper, Colin Dingwall, Harry Eaglestone, Duncan Enright, Ted Fenton, Andy Goodwin, Andy Graham, Jeff Haine, Gill Hill, David Jackson, Mark Johnson, Natalie King, Richard Langridge, Nick Leverton, Dan Levy, Norman MacRae MBE, Charlie Maynard, Martin McBride, Michele Mead, Lysette Nicholls, Mathew Parkinson, Rosie Pearson, Rizvana Poole, Elizabeth Poskitt, Andrew Prosser, Carl Rylett, Geoff Saul, Alaric Smith, Ruth Smith, Harry St John, Dean Temple and Alex Wilson.

Also present: India Mae Thompson. West Oxfordshire District Council Youth Champion.

Officers: Giles Hughes (Chief Executive), Jan Britton (Managing Director, Publica), Frank Wilson (Group Finance Director - Publica), Elizabeth Griffiths (Chief Finance Officer, Deputy Chief Executive and Section 151 Officer), Susan Sale (Interim Monitoring Officer), Andrew Brown (Business Manager Democratic Services), Michelle Ouzman (Strategic Support Officer) and Janet Eustace (Democratic Services)

CL.25 Minutes of Previous Meeting

The minutes of the meeting held on Wednesday 20 July 2022 were approved and signed by the Chair as a true record of the meeting subject to Councillor St John being shown as present and Councillor Jackson sending apologies.

Councillor MacRae raised a point of order under Rule 15.14. on a question previously asked. Councillor MacRae asked Councillor Aitman for an update on the Monahan Way pitches and on the work needed at the play area in the Country Park. Councillor Aitman said that she had not received an update and undertook to discuss with Councillor MacRae outside the meeting.

CL.26 Apologies for Absence

Apologies for absence were received from Councillors: Chapple, Doughty, Leffman and Woodruff.

CL.27 Declarations of Interest

There were no declarations of interest.

CL.28 Receipt of Announcements

Chairman of the Council

- (a) Tribute to her late Majesty Queen Elizabeth II

The Chair and Leaders of the political groups paid tribute to her late Majesty Queen Elizabeth II in particular her dedication to public service over an exceptionally long reign.

The Council observed a period of silence in memory of Her Majesty.

Council

19/October2022

(b) Presentation of past Chairman Badge to Councillor McBride

The Chair presented a past Chairman Badge to Councillor McBride. Councillor McBride said it had been an honour to Chair the Council and to represent the West Oxfordshire over a wider sphere. He thanked Councillors for the support he had received and for the opportunity to serve.

(c) Other announcements

The Council congratulated Cllr Booker on the new arrival in his household. Secondly the Chair reminded the meeting it was St Frideswide's Day who is the patron saint of Oxfordshire. Thirdly the Chair asked councillors to put 10 March 2023 in their diaries as Mr Simon Hoare M.P. The Chairman of the Northern Ireland select committee was coming to address the authority on the future of the province. Fourthly the Chair sadly informed the Council that the Chair's reception on 11 November 2023 had been cancelled due to technical reasons.

The Leader of the Council

Councillor Andy Graham, Leader of the Council, thanked Councillors for their kind wishes during his recent illness and thanked Councillor Enright for deputising in his absence. The Leader updated the Council on the rising number of COVID cases and said that the Council remained committed to supporting the NHS.

The Leader introduced the newly appointed Youth Champion, India Mae Thompson, from Finstock. He listed her many sporting achievements on the world stage and looked forward to her representing the Council at future events.

Cabinet member for Stronger, Healthier Communities

Councillor Joy Aitman reminded Council that there would be a briefing after the meeting to report on the work of the Cost Of Living Crisis Working Group.

Cabinet Member for the Environment

Councillor Lidia Arciszewska said that the Council was organizing a 'Waterways Day' at Woodgreen on Friday 18 November. The event would focus on the current state of watercourses, their ecology and how to manage them to prevent flooding. Thames Water, WASP, OCC and other organizations and community groups would be in attendance. All Councillors were invited to attend.

CL.29 **Appointments to Future Oxfordshire Scrutiny Panel**

The Chair invited Council to approve the appointment of three non-executive members to the Future Oxfordshire Scrutiny Panel. Nominations had been received for Councillors Julian Cooper, Richard Langridge and Charlie Maynard.

Council

19/October2022

Council **resolved** to appoint Councillors Julian Cooper, Richard Langridge and Charlie Maynard to the Future Oxfordshire Scrutiny Panel.

CL.30 Participation of the Public

There were none.

CL.31 Members' Questions

The following questions were asked at the meeting, and below are the recorded answers:

Question 1. Councillor MacRae for Councillor Enright (Cabinet Member for Economy). As a largely rural area with infrequent transport links, the residents of our District are, in many ways reliant on taxis to enable them to carry out activities such as shopping and visits to medical facilities. The energy situation we are experiencing has resulted in a massive increase in fuel prices and therefore a very marked increase in taxi operating costs, thus potentially putting some operators at risk of going out of business. The new rates for fares, which came into effect on 12 October, would help the taxi drivers but would put increased pressure on residents who could ill afford to pay more.

Answer: It is recognised that taxis are a very important part of the District's infrastructure. There are a range of issues that might be considered including licensing which it might be possible to harmonise across a wider area. More discussions were being held with officers to discuss the options. Councillors were encouraged to come forward with proposals.

Supplementary Question Councillor MacRae: Following the adoption of the Hackney Carriage and Private Hire Licensing Policy, which came into effect on 1 October 2021, it was proposed that a second piece of work would follow in 2021/22. This would look at the vehicle part of the Council's Policy and review in line with the Council's climate change priorities. It was also promised that a consultation, supporting the DfT's Statutory Standards for the taxi/private hire trade, would be carried out to identify if there are local circumstances which indicate that the installation of CCTV in vehicles would have either a positive or an adverse net effect on the safety of taxi and private hire vehicle users, including children or vulnerable adults, and taking into account potential privacy issues. What progress has been made on this and when can Council be made aware of the results of the review?

Answer: Councillor Enright would ask for an update for Councillor MacRae.

Question 2. Councillor MacRae to Councillor Arciszewska (Cabinet Member for the Environment). How many times have there been reports of multiple (i.e. involving several or all households in a street) missed bin collections in the last six months?

Answer: 4,729,943 collections have been made in the last six months (1/4/22-30/9/22). The collection accuracy remains high at 99.85%. 25 premises have reported repeat missed collections during this period.

Council

19/October2022

Supplementary Question Councillor MacRae: Whilst I realise that the Cabinet member feels she has more important things to do than chase up missed bin collections, as she advised Cllr Fenton in a recent email, does she agree with me that providing a waste collection service is one of the most significant services for which all households pay their Council Tax? What steps has she taken to reverse the decline in the service that residents have noticed since the current administration came into office? I can quote a personal example of the unacceptable decline in waste services where I, and some of my neighbours had a missed food bin collection on Friday last. As we ask, I completed a missed collection report on Friday, had an automated receipt – number 01185727, timed at 1547, advising that the aim was to return within two working days i.e. Monday or Tuesday. The bin was still there when I left to come here Is this an acceptable level of service, I certainly don't think so?

Answer: Officers are saying that the service is improving. Those collections which are missed are the result of human error. There have been some problems with the introduction of in-cab technology but as operatives are becoming more accustomed to using the technology, missed collections are reducing.

Question 3. Councillor Fenton to Councillor Arciszewska (Cabinet Member for the Environment). How many of the District's Street Trade Waste are due for upgrade within the next two years?

Answer: One. Witney Sewage Treatment Works is the only one in the District due to be upgraded in terms of increasing capacity within the current AMP7, which runs from 2020 - 2025. According to information obtained from Thames Water the project is expected to be completed by March 2024.

I view this upgrade inadequate in terms of both quantity and quality, given the scale of pollution occurring in our rivers. With that in mind, I will give you an update of the actions we are taking and the progress we have made to date:

1. We've been working closely with WASP to query TW's stated population data per STW. This is important as the population of a STW catchment area is a key input into calculating the necessary capacity of a STW. If the population data is false, so will be the STW's capacity calculation. As a result of this work, TW have now admitted publicly that they use two different sets of books to calculate population. This is deeply concerning and needs to be fixed. We have asked for both sets of population data for each of the last ten years by each STW catchment area. We will compare these datasets to our own population data calculations.
2. We're seeking confirmation of the exact formula and inputs that TW uses to calculate STW capacity. With all of this data in hand, we will be able to draw our own conclusions as to which STWs are most under-capacity. We've also asked TW to provide their own views as to which STWs are most under-capacity.

19/October2022

3. We've asked TW to provide the make and model of the volume flowmeters it installs to measure volume flows into the environment from STWs ranging in size from Witney's down to a 15l/s size. We've asked them to outline what data can be captured from the magflow volume flowmeter at Witney STW's outlet and whether all data that TW receives from this flowmeter be made publicly available by year end?
4. We've asked TW to provide a list of all phosphoric strippers either already installed at STWs in our area, or planned to be installed during AMP 7 (i.e by Dec 2025). We've asked for TW's views as to which future installations they view as representing the best bang for their buck.
5. We've asked TW to provide an overview of TW leak fixing activity in West Oxfordshire and upstream on the Evenlode and Windrush catchments. Over the past year, how many people days have been spent fixing this, fixing how many leaks, over the past year? Plus a summary of what works are planned going forward in the area.
6. TW have confirmed that all STW sewage spill data will be available in real time online by year end. We intend to hold them to this commitment.

We met with TW on Friday 7th October and have another meeting with them on the 4th November to run through the above data, which they will be providing us ahead of the meeting.

Supplementary Question Councillor Fenton: What action can the Council take if Thames Water's performance fails to improve?

Answer: The District Council has no legal powers and so must work with Thames Water to motivate them to improve their performance.

Question 4. Councillor Al-Yousuf to Councillor Graham (Leader) and Councillor Rylett (Cabinet Member for Planning and Sustainable Development). Do you agree that this Council is in a planning crisis because it cannot demonstrate a 5 year housing land supply and therefore needs an emergency response?

Answer: Whilst I acknowledge that the District Council cannot currently demonstrate a 5-year supply of deliverable housing land, this is not a planning crisis that requires an emergency response – rather it is a common issue faced by many local authorities and requires a measured and robust plan of action.

Whilst the final figure is still being verified, the total number of housing completions for 2021/22 is expected to exceed 1,000 units which is a very strong performance and would mean that nearly 6,500 new homes will have been built in West Oxfordshire since the start of the Local Plan in 2011. This is a significant uplift in housing delivery compared to long-term past trends.

Council

19/October2022

Looking forward, the Council is currently in the process of finalising a new Housing Land Supply Position Statement for the period 1st April 2022 – 31st March 2027 which will set out the number of homes expected to come forward over that 5-year period. In preparing the statement, Officers have been seeking additional information from landowners and developers to provide clearer evidence to support any assumptions made. It is anticipated that the updated position statement will be published later this month.

Officers are also seeking to identify suitable opportunities to increase the capacity of sites where the principle of residential development has already been established and have started a review of the Local Plan which will consider future housing needs and provide an opportunity to identify additional housing sites in a plan-led manner in consultation with local communities and other key stakeholders.

Supplementary Question Councillor Al-Yousuf: When will the Council issue an updated public position statement? It is important to regain public confidence in the planning system.

Answer: Councillors have already received advice and a more detailed statement will be issued by the end of the month. This issue is not unique to West Oxfordshire with 37% of other planning authorities in a similar position. Government has recognised that planning legislation is not working and that more control needs to be given to local councils.

At this point the Chair advised that the time allowed for Members Questions had expired but that he would allow a further question which had been tabled under the Urgent Question procedure.

Question 5: Councillor MacRae for Councillor Graham (Leader of the Council). Councillors received the following advice from Democratic Services on 13th October – “The postal strike will affect delivery of the following Committee Papers: Council 19 October, Audit and Governance 26 October and Economic and Social 24 November. It is highly likely that these will get caught up in the backlog so we will not be posting these papers. Electronic versions will be sent to you once published and paper copies will be available on the day of the meeting.”

When accessing the papers on my PC, I am provided with the ‘Public’ version that does not include sensitive ‘green’ pages as I am not on the internal intranet system. It is important, for me, and I am sure others, to have all papers in advance of meetings in order that they can be fully considered. If the disruption to postal services continues as advised above and perhaps beyond, how do Councillors access ‘green pages’ other than by driving into Woodgreen to collect them in person.

Answer: Members can register for restricted papers on the Modern.gov app. Andrew Brown, Business Manager, Democratic Services has circulated instructions on how this can be done and I have asked him to recirculate this. Members can also access private papers via the Intranet. A link is included when the papers are published. For Members unable to use either of these methods, Democratic Services will, on request, email restricted papers. The private

Council

19/October2022

pack for the Performance and Appointments Committee meeting on 26 October was circulated to members of that committee by email.

Councillors reported that the Intranet link was not working. Democratic Services was asked to investigate.

CL.32 Recommendations from Cabinet and the Council Committees

There were none.

CL.33 Motion - Proposed by Councillor Pearson

Councillor Pearson, introduce the motion that West Oxfordshire District Council should resolve:

- a) To support the Climate and Ecology Bill;
- b) For the Leader to write to Robert Courts, MP letting him know that the motion has been passed, and urging him to sign up to support the Bill.
- c) For the Leader to write to Zero Hour, the organisers of the cross-party campaign for the Bill, expressing the Council's support (joinus@ceebill.uk).

In debate it was noted that the Private Member's Bill had been drafted by scientists, lawyers and activists. It had been gathering support from a broad range of campaign groups, businesses and charities. The Bill allowed for the creation of a Citizens' Assembly that would put forward recommendations contributing to the work of both the UK Government and UK Parliament in delivering an essential climate and ecological emergency strategy. The District Council must set an example by tackling the climate and nature crises; doing what it can to cut emissions and halting and reverse UK biodiversity loss.

Points in opposition to the motion included ceding constitutional rights to an unelected Citizen's Assembly, the involvement of the more extreme activists and the rapid transitional from fossil fuels before alternatives are available.

The Council **resolved** 25 in favour and 20 against:

- a) To support the Climate and Ecology Bill;
- b) For the Leader to write to Robert Courts, MP letting him know that the motion has been passed, and urging him to sign up to support the Bill.
- c) For the Leader to write to Zero Hour, the organisers of the cross-party campaign for the Bill, expressing its support (joinus@ceebill.uk).

Councillor Ashbourne left the meeting.

CL.34 Report of the Constitution Working Party

Councillor Fenton introduced the report which set out proposals from the Constitution Working Group for amendments to the Constitution to adopt new Council Procedure Rules, Officer Employment Procedure Rules and a Protocol on the Conferment of Honorary Titles. He thanked Councillors who had served on the Group some on whom had now left the Council.

Council

19/October2022


Councillor Fenton mentioned that Councillor Coul would no longer be on the working group and would be replaced by Councillor Mead. He explained that the Council Procedure Rules had been extensively rewritten but that future amendments would be marked up to allow alterations to be tracked. He confirmed that the Protocol on Conferment of Honorary Titles did not preclude the award of titles to those Councillors who had lost seats in elections.

The Council **resolved** to:

- a) establish a Working Group, to report to Council, to be known as the Constitution Working Group, with immediate effect until the Annual Council meeting in May 2023;
- b) approve the terms of reference of the Constitution Working Group as set out in Annex A to the report;
- c) appoint to the membership of the Constitution Working Group as set out in Annex B to the report, but substituting Councillor Coul with Councillor Mead, and to note that the Group appoint Cllr Fenton as their Chair;
- d) approve the Council Procedure Rules at Annex C to the report and formally adopt them as part of the Council's Constitution from 20th October 2022;
- e) approve the Officer Employment Procedure Rules at Annex D to the report and formally adopt them as part of the Council's Constitution from 20th October 2022;
- f) approve the Protocol on Conferment of Honorary Titles at Annex E to the report and formally adopt it as part of the Council's Constitution from 20th October 2022;
- g) delegate authority to the Monitoring Officer to make minor and consequential amendments to the Constitution.

The Meeting closed at 3.35 pm

CHAIR

 <p>WEST OXFORDSHIRE DISTRICT COUNCIL</p>	<p>WEST OXFORDSHIRE DISTRICT COUNCIL</p>
<p>Name and date</p>	<p>COUNCIL – WEDNESDAY 6 JANUARY 2023</p>
<p>Report Number</p>	<p>AGENDA ITEM NO 7</p>
<p>Subject</p>	<p>PAN REGIONAL PARTNERSHIP FOR THE OXFORD TO CAMBRIDE AREA</p>
<p>Wards affected</p>	<p>All</p>
<p>Accountable member</p>	<p>Councillor Andy Graham, Leader; Email: andy.graham@westoxon.gov.uk</p>
<p>Accountable officer</p>	<p>Giles Hughes, Chief Executive Email: giles.hughes@westoxon.gov.uk</p>
<p>Summary/Purpose</p>	<p>To consider whether the Council should be a participant in the proposed pan-regional partnership for the Oxford to Cambridge area.</p>
<p>Annexes</p>	<p>None</p>
<p>Recommendations</p>	<p>Cabinet on 14 December 2022 resolved to:</p> <ul style="list-style-type: none"> (a) <i>Recommend to Council that West Oxfordshire be a participant in the proposed pan-regional partnership for the Oxford to Cambridge area</i> (b) <i>Approve a contribution of £4,000 towards the pan-regional partnership.</i>
<p>Corporate priorities</p>	<p>Climate Action: Leading the way in protecting and enhancing the environment by taking action locally on climate change and biodiversity.</p> <p>A Vibrant District Economy: Securing future economic success through supporting existing local businesses and attracting new businesses to deliver the economic ambitions of the Oxfordshire Local Industrial Strategy.</p>
<p>Key Decision</p>	<p>Yes</p>
<p>Exempt</p>	<p>No</p>
<p>Consultees/ Consultation</p>	<p>Leader, Deputy Chief Executive, Monitoring Officer and Head of Legal Services</p>

1. BACKGROUND

- 1.1 A new pan-regional partnership for the Oxford to Cambridge region is being proposed. This proposition has developed following discussions between local partners and government officials. The pan-regional partnership would bring together around twenty local partners including councils, local enterprise partnerships and the Arc Universities Group. The partnership would provide a vehicle to take forward shared economic and environmental ambitions.
- 1.2 The new pan-regional partnership would sit alongside other regional partnerships such as the Western Gateway, Midlands Engine and Thames Estuary. The Government is willing to help fund the new partnership, to supplement small contributions from local partners.

2 MAIN POINTS

- 2.1 Government policy supports regional partnerships which have a strong interest in collaboration. The basis for an Oxford to Cambridge pan-regional partnership is the shared interest in delivering sustainable economic growth with a higher quality natural environment.
- 2.2 The proposed new partnership would be an efficient and streamlined locally-led partnership of local government, universities and local enterprise partnerships.
- 2.3 The partnership would link with the Future Oxfordshire Partnership and with the other member Growth Boards across the region. It would involve partners in Bedfordshire, Cambridgeshire, Milton Keynes, Northamptonshire and Oxfordshire.
- 2.4 A new pan-regional partnership has the potential to provide a range of benefits locally. It can provide an additional vehicle to help deliver local priorities in the short and longer term. It would attract revenue funding support which can increase capability and the capacity to deliver value in areas of common interest. This would include capacity and capability to build future business cases and proposals for investment. It would also provide an open channel into government and help improve cross-departmental engagement within government.

Governance

- 2.5 A new Oxford to Cambridge Pan-regional Partnership Board is proposed to oversee the work and operations of the partnership and this would comprise of:
 - An Independent Chair as selected by the Board;
 - One Chair from each of the member Growth Boards or equivalent (including an additional Co-Chair from the Central Area Growth Board) – for Oxfordshire this would be the Chair of the Future Oxfordshire Partnership
 - One Chair representing each of the Programme Sub-Groups (Economy and Environment)
 - One Chair each from the main constituent stakeholder groups: LEPs, Arc Universities Group, England's Economic Heartland
 - Independent Stakeholders as selected by the Board (non-Executive)
 - Senior Government representatives (non-Executive)
- 2.6 The Board's prime function will be to oversee the delivery of the partnership's work programme, as agreed by the membership. Detailed terms of reference will be developed for the Board which will clearly state that the Board will not seek to impose decisions onto partners, whilst ensuring there continues to be respect for the sovereignty of each partner's formal, statutory and legal status. Subsidiarity will be a key working principle for the new Board in how it carries out its functions. It is anticipated the Board will meet quarterly, with

an annual conference where the activity of the region will be promoted, and all partners will meet as a plenary to consider future work priorities and progress.

- 2.7 To support programme delivery, two further Sub-Groups will be established (Economy and Environment). These will be comprised of relevant stakeholders and local partner representatives. The Sub-Groups will select their Chair who will also represent the Sub-Group on the Board. The Board will oversee the Communications programme directly as this underpins all activity.
- 2.8 A local authority will act as the accountable body to underpin finance and resource management.

Operations

- 2.9 A Chief Executive/Lead Officer group comprising similar representation to the main Board will support the programme delivery and effective management of the partnership through transition, supported by a lead CEO and Director role.
- 2.10 The OCPRP and its programme will be supported and delivered by a small operational team as follows: Director to oversee day to day operations and be the lead officer advocate for the partnership supporting the Board and the Chair; three programme leads for the thematic programme areas; lead for Communications; and an administrator. The nature and scope of the roles will be agreed through the Chief Executives Working Group. Operations will be supported (HR, finance, legal) by a Host Authority acting as the Accountable Body.
- 2.11 It is proposed to have senior responsible officers (SROs) for each of the major work programmes (Economy, Environment, Communications). This will ensure there is local ownership and commitment to the programme and will assist with the match-funding element which Government requires.
- 2.12 The SROs will work closely with their relevant Chair of the Programme Sub-Group as well as be the lead officer representative for the programme supported by a senior programme lead officer from the operational team.

Work Programme

- 2.13 An outline work programme has been developed and this reflects the level of budget available for 2022/23. A programme for 2023/24 would be developed and agreed by the Board in consultation with the whole partnership for presentation to Government for agreement in Spring 2023.
- 2.14 The outline work programme sets out three major programme areas; Economy, Environment and Communications. The programme includes an investment prospectus and atlas, environmental initiatives, and identity and brand development.
- 2.15 In April 2021 Cabinet endorsed the Oxford to Cambridge Arc Environment Principles. These have also been endorsed by a significant number of other stakeholders across the Arc. The establishment of the pan-regional partnership will provide a mechanism to take forward these principles and collaborate on action.

3 FINANCIAL IMPLICATIONS

- 3.1 The Government has agreed a first tranche of interim capacity funding support of £250,000 for the current financial year. The planned 2022.23 budget for the partnership does include a small local contribution this year from local partners of £4,000, and this will help unlock a second tranche of Government funding (£250,000).
- 3.2 There will also be local contributions of in-kind officer time on project oversight and delivery.

4 LEGAL IMPLICATIONS

- 4.1 There are no significant legal implications from involvement in the pan-regional partnership. The new partnership will not have the ability to impose its decisions on the Council and local sovereignty will be respected.

5 RISK ASSESSMENT

- 5.1 If the partnership fails to work effectively there could be a small reputational risk for the Council.

5 EQUALITIES IMPACT

- 6.1. No negative effect on different service users, customers or staff is expected from the implementation of the recommendations in this report.

6 CLIMATE CHANGE IMPLICATIONS

- 7.1 The new pan-regional partnership provides a useful forum for the Council to pursue its environmental and climate ambitions.

7 ALTERNATIVE OPTIONS

- 8.1 A decision could be made not to be a participant in the pan-regional partnership. The Council would therefore not be able to influence the work programme of the partnership.


8 BACKGROUND PAPERS

- 9.2 The following documents are of relevance to this report:

- Shared regional principles for protecting, restoring and enhancing the environment in the Oxford-Cambridge Arc, Reported to Cabinet April 2021 as part of the item on the Oxfordshire Growth Board Environment Advisory Group.

(END)

Agenda Item 8

 <p>WEST OXFORDSHIRE DISTRICT COUNCIL</p>	<p>WEST OXFORDSHIRE DISTRICT COUNCIL</p>
<p>Name and date of Committee</p>	<p>COUNCIL 18 JANUARY 2023</p>
<p>Report Number</p>	<p>AGENDA ITEM NO. 8</p>
<p>Subject</p>	<p>DRAFT WEST OXFORDSHIRE COUNCIL PLAN 2023 - 2027</p>
<p>Wards affected</p>	<p>All</p>
<p>Accountable Member</p>	<p>Cllr Andy Graham, Leader of West Oxfordshire District Council Email: andy.graham@westoxon.gov.uk</p>
<p>Accountable Officer</p>	<p>Giles Hughes, Chief Executive Officer Tel: 01993 861658 Email: giles.hughes@westoxon.gov.uk</p>
<p>Summary/Purpose</p>	<p>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.</p>
<p>Annexes</p>	<p>Annex I – West Oxfordshire Council Plan 2023 – 27</p>
<p>Recommendation</p>	<p>That Council approves the Draft West Oxfordshire Council Plan 2023 – 27 and agrees its adoption.</p>
<p>Corporate priorities</p>	<p>The Draft West Oxfordshire Council Plan 2023 – 27 presents a set of five new priorities for West Oxfordshire, reflecting the issues of strategic importance to the District during the time period of the Council Plan and beyond.</p>
<p>Key Decision</p>	<p>Yes</p>
<p>Exempt</p>	<p>No</p>
<p>Consultees / Consultation</p>	<p>The Draft West Oxfordshire Council Plan 2023 – 27 was informed by the ‘Your Voice Counts’ programme of consultation, comprising: a digital consultation open to all (24 August 22 to 5 October 22) which received over 4000 visitors and generated over 400 responses, a Town and Parish Council and Village Meeting Summit and a Stakeholder Event with attendance from a range of organisations active in West Oxfordshire from across the environment, social and economic sectors.</p>

--	--

1. BACKGROUND

- 1.1.** In May 2022 following the local elections a new administration was voted into power at West Oxfordshire District Council (made up of a cross party coalition, the West Oxfordshire Alliance). An early set of priorities highlighted particular issues they seek to address during their tenure.
- 1.2.** The current adopted Council Plan 2020 – 2024 sets out 6 priorities established by Council under the former administration: climate action; heathy towns and villages; a vibrant district economy; strong local communities; meeting the housing needs of our changing population and modern council services and sustainable finance.
- 1.3.** In July 2022 Cabinet agreed to revisit these priorities with a view to revising the Council Plan which was considered timely given the new administration, and that the context in which priorities of the Council Plan 2020 - 24 were developed had changed (not least by impacts of the Covid-19 pandemic).
- 1.4.** The review provided an opportunity for engagement with a wide range of stakeholders, including the general public, to test that the priorities in the Council Plan correctly reflect the challenges facing the District today. In order to do so, the ‘Your Voice Counts’ programme of engagement was designed to capture contributions from a wide range of stakeholders to inform both the Council Plan and Local Plan reviews. Inputs were invited from the general public via the digital platform ‘CommonPlace’ (receiving over 4000 visitors who submitted more than 400 contributions), and two in person events with Town and Parish Councils and stakeholder groups representing the environment, economic and social sectors.
- 1.5.** The outputs of the ‘Your Voice Count’s programme of engagement have been analysed to ensure that the priorities in the revised Council Plan correctly reflect the challenges facing the District today and will address the issues that matter the most to those that live and work here.
- 1.6.** The Council Plan will be underpinned by an Action Plan, to be reviewed annually, setting out actions to be taken by the Council to deliver the priorities in the Council Plan. These will include projects to be carried out by the Council and through working collaboratively with partner organisations. The stakeholder engagement event, held as part of the ‘Your Voice Counts’ consultation, provided an opportunity for a range of organisations active in the District with remits that relate to West Oxfordshire’s environment, economy and/or the community to share their local insight and expertise, identify where common interests lie and the potential for working jointly to deliver the priorities in the revised Council Plan. These will be detailed in the Action Plan where there is a commitment from partners to work with the Council on specific projects.
- 1.7.** An up to date Council Plan will helpfully provide a corporate policy framework against which other areas of Council activity will sit, for example the review of the Local Plan (as the spatial strategy for the development of the District) and the allocation of £1,000,000 UK

Shared Prosperity Fund and £716,216 Rural England Prosperity Fund monies to projects in the District.

2. MAIN POINTS

2.1. The draft Council Plan sets out a vision for the District that is 'Shaping West Oxfordshire as a District which offers a fulfilling and meaningful quality of life for our residents with opportunities for all to flourish, a thriving a prosperous place for entrepreneurs and businesses, where local people and visitors can enjoy the beauty and heritage of our landscape, built, farmed and natural environment.'

2.2. Five high level strategic priorities, of equal importance, underpin the delivery of the vision above. Subject to Cabinet approval, these are:

Putting Residents First

Putting Residents, Young and Old, at the Heart of What We Do

Enabling a Good Quality of Life for All

The Council will be a hive of activity to help build and support thriving towns and villages that provide residents with a high quality of life by supporting a vibrant local economy, homes and infrastructure that meet people's needs, excellent health and wellbeing and ensuring equal access to opportunity for all.

Creating a Better Environment for People and Wildlife

The Council will be a progressive custodian of our environmental resources, supporting a healthy natural landscape and functioning ecosystem which is rich in wildlife and habitats that are enjoyed by and benefit all.

Responding to the Ecological and Climate Emergency

The Council will be a community leader in responding to the challenges of climate change, including rapidly reducing greenhouse gas emissions and preparing the District and its communities for the impacts of climate change to ensure a fair transition for all to a future that will be defined by climate change.

Working Together for West Oxfordshire

The Council recognises that to deliver on our aspirations and the priorities in this Council Plan for West Oxfordshire, working collaboratively with others will be essential.

2.3. In addition to the vision and priorities above, a portrait of West Oxfordshire is included within the Council Plan to provide contextual data on a range of themes against which the priorities sit. This has been drawn from a wide range of sources including the latest Census 2021 data release and the recently published Oxfordshire Joint Strategic Needs Assessment (October 2022).

2.4. As part of the development process for the new Plan, the Council's Overview & Scrutiny Committees were given the opportunity to comment on the draft document. Overview and

Scrutiny Committee Members were invited to use their local insight and knowledge to test that the scope and framing of the proposed priority policy themes correctly reflects the range of strategic issues facing the District and how the Council, either working internally or with partners, can take action to address these. The resolutions arising from the Overview and Scrutiny Committees informed the finalisation of the Council Plan presented at Annex I.

3. NEXT STEPS AND TIMETABLE

- 3.1.** After adoption of the revised Council Plan, an Action Plan will be developed specifying actions to be taken including detail on the role of the Council in this, required partner inputs, resources required and anticipated outputs with defined 'measures of success' to enable the Council to demonstrate that the Council Plan priorities are being delivered.
- 3.2.** Progress on the delivery of the Council Plan priorities will be reported in detail via quarterly performance management reports, the Annual Monitoring Report (where the progress relates to spatial development and land use) and an Annual Statement that will a detailed annual overview of progress to date and actions required to further progress delivery of the Council Plan priorities for the following twelve months.

4. LEGAL IMPLICATIONS

- 4.1.** There are no legal implications arising directly from this Report.

5. RISK ASSESSMENT

- 5.1.** The purpose of the Council Plan is to direct effort towards priority issues and this should help ensure that resources are focussed on delivering what is most important to the Council. Any significant actions will be subject to the Council's corporate risk management approach and will, therefore, be tested in terms of risk likelihood, potential impact and identification of mitigation steps.

6. EQUALITIES IMPACT

- 6.1.** The pursuit of a revised Council Plan should have a positive effect in terms of its equalities impact. It will be appropriate to complete an informed Equalities Impact Assessment as the work is further specified following development of priorities in the Council Plan and plans for delivery are outlined in the supporting Action Plan.

7. CLIMATE CHANGE IMPLICATIONS

- 7.1.** None arising directly from this report. Addressing the climate and ecological crisis has been identified as a priority in the Council Plan and actions towards addressing the climate and ecological crisis will be detailed in the Action Plan which will follow the adoption of the Council Plan.


8. ALTERNATIVE OPTIONS

- 8.1.** Council could choose not to adopt the new Council Plan, but this would miss the opportunity to set out its up to date priorities.

9. BACKGROUND PAPERS

- 9.1.** None.

Agenda Item 9

 <p>WEST OXFORDSHIRE DISTRICT COUNCIL</p>	<p>WEST OXFORDSHIRE DISTRICT COUNCIL</p>
<p>Name and date of Committee</p>	<p>COUNCIL - WEDNESDAY 18 JANUARY 2023</p>
<p>Report Number</p>	<p>AGENDA ITEM NO. 9</p>
<p>Subject</p>	<p>UPDATE OF 2023/24 BUDGET</p>
<p>Wards affected</p>	<p>All</p>
<p>Accountable member</p>	<p>Cllr Dan Levy Cabinet Member for Finance Email: dan.levy@westoxon.gov.uk</p>
<p>Accountable officer</p>	<p>Elizabeth Griffiths, Section 151 Officer Email: elizabeth.griffiths@westoxon.gov.uk</p>
<p>Summary/Purpose</p>	<p>This report provides an update on the developing budget for 2023/24. To consider:</p> <ol style="list-style-type: none"> 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
<p>Annexes</p>	<p>Annex A – Detail of base budget changes by service area Annex B – Prior year comparison Annex C – Growth requests Annex D – Draft Capital Programme Annex E – Draft MTFS – v1 & 2 Annex F – MTFS Graphs Annex G – Council Tax Base Annex H – Proposed Fees & Charges 2023/24</p>
<p>Recommendation</p>	<p>Cabinet on 11 January 2023 is recommended to resolve to:</p> <ol style="list-style-type: none"> 1) Approve the draft fees and charges for 2023/24, as detailed in Annex H, for inclusion as part of the Budget recommendations to Council on Wednesday 15th of February 2023 <p>And recommend to Council to:</p> <ol style="list-style-type: none"> 2) Approve the Council Tax Base shown in Annex G, calculated as £47,078.85 for the year 2023/24 3) Authorise the Chief Finance Officer to submit the National Non Domestic Rates Return 1 (NNDRI) to the Ministry of Housing,

	<p>Communities and Local Government by the submission date of 31st January 2023</p> <p>4) 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.</p>
Corporate priorities	<p>Modern Council Services and Sustainable Finance:</p> <p>Delivering excellent modern services whilst ensuring the financial sustainability of the Council</p>
Consultation	<p>Initial Consultation took place with FMOS in December who, on review of the initial draft without the funding settlement, were concerned about the shortfall in budget and the fact that the MTFS was forecasting an ongoing shortfall which was consuming reserves with no plan in place to bring it back within the funding envelope.</p> <p>Residents have also been consulted in the annual statutory budget consultation and the feedback from that will be included in the report to Cabinet in February.</p>
Key Decision	No
Exempt	No

1. BACKGROUND

- 1.1. Each year the Council prepares its budget for the following year. A pre settlement draft was circulated in December for comment. This update includes the annual settlement which is given in December. A final draft of the budget along with strategy papers will be prepared in advance of Cabinet and Council meeting in February. Although the settlement is now known for 2023/24, there are still items such as unapproved growth which are under consideration and as such, this draft of the budget is still subject to change.

2. MAIN POINTS

- 2.1. For several years now we have been forecasting an expected drop in funding. This has meant that each year we tend to forecast that while funding is sufficient for the current year, a reduction in future year's funding will cause us to have a budget deficit. Predicting Govt funding is always difficult but the last few years have created even more uncertainty. Cycles of funding changes, such as baselines being reset on rates, were broken by the onset of the pandemic which saw huge amounts of central Govt cash being distributed through furlough schemes and business support grants. This has been followed by political turmoil and uncertainty and global economic upheaval. The settlement given this year has reversed the funding shortfall of the first draft – but while last year's settlement gave us a surplus of £1.6m after growth requests, due to the funding gap being much wider this year, the settlement gives us a surplus of only £345k before growth requests.
- 2.2. While we have operated for several years now under the threat of funding cuts, what we did not foresee was the huge rise in inflation in 2022. Even without any actual growth, in the same way that residents have seen their household bills increase exponentially, the Council is experiencing huge rises in the cost of external contracts, consumables, utility costs, borrowing costs and project expenditure. This of course aligns to a large increase in wage costs which, while less than inflation, is still a significant increase to our budget. This dramatic increase in base budget – which we can neither control in the short term nor avoid – means that we have used up any buffer in our funding envelope and even more normal inflationary increases in future years will take us beyond it, with funding cuts making the gap potentially insurmountable.
- 2.3. As part of our forward planning, and in line with our expectation of funding cuts, we have kept our costs very tightly controlled over the past few years and taken surpluses to reserves where possible. This has the double benefit that our current baseline budget has been as tightly controlled as possible and we do have sufficient reserves to cover expected deficits in the short term. This however, can only be temporary and we must identify and implement remedial cost cutting measures or we will relatively quickly drain those reserves. These are unlikely to be welcome or easy steps to take and will by necessity go beyond simple efficiency savings.
- 2.4. The Council had already put in place an investment strategy to generate additional income and had initiated efficiency projects in areas like Waste. While we have been quick to seize potential opportunities for investment, they have proved to be few and far between and the current economic climate has put further pressure on these not only in terms of future returns but also on the cost of borrowing. Given the difficulty we have experienced in finding suitable investment opportunities, achieving additional revenue from this source must be viewed as ad hoc and something to be pursued as a strategy when the opportunity presents itself but we cannot rely on it to address the funding gap. As the unexpected surge in inflation has widened the budget gap it's clear that while we will press on with these plans they remain helpful and important but are no longer sufficient to address the extent of the problem.

- 2.5. The table below shows the key first draft changes to budget and funding that turned a £1.6m surplus in 2022/23 into an expected £1.85m deficit in 2023/24, a swing of almost £3.5m.

2022/23 budget surplus		(1,609,731)
Budget Movements	£	£
<u>Changes in expenditure</u>		
Pay Inflation & Councillors Allowances	845,485	
Electricity & Gas Inflation	253,171	
Leisure Income Contingency	558,613	
Recycling sorting cost increase	80,000	
Loss of on street parking income	169,390	
One off growth reversal	(772,000)	
Ubico Contract cost increase	754,099	
Other adjustments identified in budget meetings	(133,912)	
Interest on external borrowing	539,518	
		<hr/> 2,294,363
<u>Changes in income</u>		
Waste Collection fees to Parish Councils	(50,000)	
Proposed Garden Waste licence increase by £5	(124,635)	
Other fees & charges increases	(90,621)	
Income expected from Investment Recovery Strategy	(1,142,396)	
Other adjustments identified in budget meetings	23,940	
Additional property rental income	(114,325)	
		<hr/> (1,498,037)
<u>Changes in funding</u>		
MRP	431,339	
Business Rates	102,000	
Council Tax	(339,072)	
Council Tax surplus	75,000	
Use of Earmarked Reserves	293,987	
New Homes Bonus	2,378,105	
2022/23 Service Grant	148,000	
Revenue Support Grant	79,268	
Potential Replacement Government Funding	(500,000)	
		<hr/> 2,668,627
<u>2023/24 DRAFT BUDGET SHORTFALL</u>		<hr/> 1,855,222

- 2.6. The settlement has increased our funding significantly for the coming year, temporarily reversing the deficit. It is worth remembering that all of these funding lines are entirely beyond our control. They are not earned or guaranteed and are just as likely to disappear at short

notice as to be maintained – which is why we cannot afford to be complacent about the unexpected providence of the current year.

Budget deficit presented to Scrutiny & Cabinet in Dec 22		1,855,222
	£	£
<u>Revenue changes</u>		
Interest on external borrowing	(173,156)	
Bulky Waste	(11,540)	
Investment Recovery Income	87,500	
		<u>(97,196)</u>
<u>Funding Changes</u>		
MRP	(19,100)	
Revenue Support Grant	(87,274)	
New Homes Bonus	(1,079,635)	
2022/23 Service Grant	(83,364)	
Lower Tier Grant	96,000	
Funding Guarantee Grant	(929,970)	
		<u>(2,103,343)</u>
2023/24 DRAFT BUDGET SURPLUS		<u>(345,317)</u>

- 2.7. The changes show a small increase in anticipated revenue from fees and charges and a reduction in investment under the investment strategy. This gives a positive benefit in the short term as the modelling anticipates a requirement to fund interest ahead of revenues being generated – which would be the case if any build out or renovations were required – but the longer term effect is a larger reduction in revenue than the funding costs of the project (obviously, as unless it returned a positive margin we wouldn't be investing in it).
- 2.8. Through the pandemic, large amounts of additional grant funding was given to the Council to provide additional support to the community and much of this was used to fund multiple fixed term posts. This funding, as expected, is finite and the term of these posts is coming to an end. Many of the service areas have asked for these roles to be made permanent but in the absence of the temporary additional funding that has paid for them for the last couple of years, these would be permanent additional strains on the budget.
- 2.9. Public officers were asked to bring forward efficiency requests for inclusion in the budget. This resulted in several initiatives being proposed. While the detail of them is still being reviewed, any that made it through the initial review by CExs, and are currently being investigated, have been included in the list of potential growth at Annex C. Some are shared posts or shared teams working across more than once Council. Where they are expected to generate compensating income or reduced costs, this has been noted. Where they require the agreement of all Councils to fund them this has been clarified. If WODC could choose to fund a smaller amount of additional resource on their own, this has also been noted on the table.

- 2.10. An initial review has been done of these by Cabinet and two posts have been removed on the basis that we expect to receive grant funding for them.
- 2.11. A short summary of growth requests not included in the budget draft is shown below with fuller detail included in Annex C.

Growth Requests	£	£
Climate Change Manager	53,030	
Market Towns Officer	35,960	
Democratic Services Assistant	12,033	
Biodiversity Land Management Post	46,859	
Climate Change Post	39,137	
Healthy Community Post (Voluntary Sector)	13,035	
Healthy Place Shaping Post	48,641	
Woodgreen Reception/Executive Assistant	41,275	
Finance Business Partner	19,114	
HR Specialists x 3	25,000	
Waste Partnership Manager	10,250	
Empty Homes Co-Ordinator	8,060	
Head of Commercial	95,100	
Environment and Regulatory Services additional resource	32,000	
Flooding/Land Drainage Post	45,000	
Asset Management Post	63,000	
Cyber Security Post	53,390	
Planning Policy Post - additional support for Local Plan	35,185	
		676,069
Additional contribution for Local Plan review	250,000	
Capital expenditure on new Planning software	166,000	
		416,000

- 2.12. Three of the posts above have already been converted to permanent posts during the year based on reports brought forward for consideration, namely the Climate Change Manager, the Market Towns Officer and the Cyber Security Post. They will inevitably be added to the baseline budget at some point because they are now permanent but for the coming year there is the option to carry on funding them from the earmarked reserves that have been used to fund them in 2021/22.
- 2.13. The key changes to our budget from 21/22 to 22/23 are as follows:
- Increases in salaries driven by inflation.
 - Sharp increases in utility costs and fuel – this has of course had a disproportionate impact on Ubico’s budget whose costs include the waste vehicle fleet
 - Uncertainty around the future income from the Leisure centres. GLL, our leisure operator, hold the utility risk in the contract and the huge increase in costs coupled with reduced usage is pushing the centres into a loss making situation.
 - Proposed £5 increase in Council Tax

- The reversal of one off growth items, for example, last year we included an additional £650k budget for the Local Plan review. Unspent funds from this year will be rolled to next but there is a request in the growth items for an additional £250k which has not yet been included in the budget. There is a possibility that this additional amount could cover the Planning Policy Post above which directly supports the Local Plan and this is under review with an outcome expected in mid January ahead of the final budget draft.
- 2.14. Council Tax is proposed to increase by £5 on a band D property. Tax base has increased by 1.96% and we have forecast that business rates won't have their baseline reset till 2025. Revised Council Tax base is shown in Annex G.
- 2.15. The draft Capital Programme in Annex D lists all potential capital expenditure in 2023/24. Some current projects may not be completed in 2022 and be included as "slippage" in the final review of the current financial year with the recommendation that they are carried forward to 2023/24. As always, inclusion in the Capital Programme at this stage is so that we ensure that we capture potential borrowing requirements and give visibility to potential programmes. It does not mean that spend is authorised – in most cases a business case will need to be brought forward for review – and it does not mean that the cash or budget is available and can therefore be spent elsewhere if plans change.
- 2.16. The Medium Term Financial Strategy (MTFS) at Annex E shows an increasing budget gap in future years. This is because we expect the baseline reset of business rates that has been deferred for several years now to happen in the medium term at the latest. While it should be noted that, for obvious reasons, the further into the future we project, the less certainty there is around the numbers, it's of paramount importance that we realise that this is where the danger lies. The Council has sufficient reserves to cover any shortfall arising in the very short term but if we increase base budget, we widen the funding gap not only next year but in every subsequent year, meaning that permanent increases in base budget have an exponential effect on our future financial stability.
- 2.17. 2 versions of the MTFS have been appended. One including the growth requests, one without. This shows the impact of additional growth on our budget. Even if we add none of it, without further intervention we will deplete reserves in 2027/28. With the additional growth to the budget we deplete them just beyond the end of the 2025/26 financial year. The graphs in Annex F show the impact ongoing of not reducing our budget. No matter how much we contribute to or draw from reserves in 2023/24, we must make alterations during the year that bring the budget back into balance going forward in order to prevent the outcomes shown in the current forecast. Both of these scenarios include replacement Govt funding which may not happen.
- 2.18. The issue with our financial forecast is not this year, it never was. We have a healthy amount of reserves which will buffer us through short term issues. A position not enjoyed by many of our fellow Councils. The issue is that with the unthinkable happening and Councils all around us filing S114 notices every week, Councils being no longer financially sustainable has become an all too vivid reality and we, while benefitting from past prudence, must take rapid action to stop us falling into the same category.

3. FEES & CHARGES

- 3.1. Fees and charges are set on three separate bases.

- Fees that are set centrally over which the Council has no control i.e. premises licences and penalty notices.
 - Fees that are set on a cost recovery basis i.e. Building Control, taxi licences and Street Trading. The Council is required to make sure that fees are set at a level that does not generate a profit compared to the cost of providing the service
 - Fees that are discretionary where the Council has full control. These are the commercial services that operate where the Council is in competition with the private sector i.e. Pre Application (Planning) advice, pest control, trade waste, bulky waste and green waste.
- 3.2. For the setting of the 2023/24 draft budget a comprehensive review has been undertaken to analyse the fees set on a cost recovery basis. This analysis has identified that no increase in fees is possible for Building Control and Markets as the cost of these services are being fully recovered. Land Charges been uplifted by 6%.
- 3.3. Other fee generating services i.e. food safety, private water supply testing, licences (excluding premises) and stray dogs were found to be under recovering their costs and therefore the fees have been uplifted as detailed in Annex H.
- 3.4. Discretionary fees have been increased by 10% where possible i.e. Pest Control, Trade Waste, Bulky Waste and Pre App (Planning) advice.
- 3.5. Green Waste licences are recommended to increase by £5, generating expected additional income of £166,000 with the increase of other discretionary and cost recovery fees expected to generate an additional £102,000.
- 3.6. Increasing the budget does not necessarily deliver an equivalent increase in income. Caution must be taken when considering the suggested fee increases against the backdrop of the cost of living crisis, where some residents of the District will no doubt be looking to cut back on their expenditure. This may affect Green Waste licence take up more than other services like Pest Control as it is more likely to be seen as a “nice to have” household cost.

4. KEY RISKS AND NEXT STEPS

- 4.1. As part of our contract with our Leisure provider, GLL, the rapidly rising costs of utilities in our Leisure Centres falls to them, but while contractually this is the position, this increase, which is outside of our budget but expected to be an additional £620k in 2023, jeopardises the income from our Leisure Centres to the Council - which should be rising to almost £1.8m per year and is a contractual income that the Council is heavily reliant on to fund other core services.
- 4.2. The pandemic changed the way that many people viewed Leisure Centres. With their mandated closure, customers were forced to find alternative ways to exercise, either investing in home equipment or using DVDs or apps. There has been a huge uptake of new products that allow users to connect to classes or training programmes from their own homes. Between this change in consumer habits and the current cost of living crisis, usage of the leisure centres has not returned to pre-pandemic levels.
- 4.3. Many of the facilities on offer around the district have always been loss making and disproportionately expensive to run but were supplemented by some of the more profitable elements. With those now also making a loss and utility costs rising quickly to unprecedented levels, our Leisure service is the single highest financial risk we currently face. Swimming pools can account for up to 80% of the utility cost of a leisure centre so these issues have a much

higher impact in Council owned facilities where typically the desire is to provide a large pool to give sufficient space for swim classes.

- 4.4. There is currently one shared resource between the three Publica Councils who looks after the contracts operationally. There is an urgent requirement, at least over the next couple of years, for additional resource to provide a strategic intervention on behalf of the Council to turn the centres around. This needs to cover everything from the much needed repairs in Chipping Norton to improving the marketing reach, bringing forward new activities to meet the changing demands of our residents, thereby encouraging increased usage of the centres, and designing and delivering a strategic response to the current situation. This additional resource is an option that is still under consideration and may not be approved but without intervention it is unlikely that we will realise the management income from the remaining years of the contract and our MTFS forecast will worsen.
- 4.5. We have already taken the short term decision to amend pool opening hours, allowing them to be closed and covered to retain heat at times of the day when they are currently very underused. This will help, but the savings over winter will be in the tens of thousands set against losses which are in the hundreds of thousands. It's entirely possible that we could have to close some facilities in order to reduce our losses and keep the main centres open. This will of course require careful and close management but what's at stake is not only millions of pounds of contractual income, but the ongoing viability of our Leisure provision in the district.
- 4.6. The costs of delivering our Waste service have also risen year on year for the last few years with unavoidable pressures, mainly from additional salary and fuel costs, this year pushing the budget up by around £750k. A project was already underway to bring in external consultants to identify any efficiency savings that could be implemented. This has identified an improved method of recycling which not only increases the levels of recycling but potentially saves a million pounds per year that we currently pay in processing costs. There is a cost of change associated with this and that is currently being worked on and we expect these figures to be provided in early January. This possibility to lower costs is obviously very welcome but again, will need to be supported at a strategic level over the next few years to see it successfully implemented. If appointed, the commercially focused resource referenced in 4.4 above would be expected to be accountable for both areas, including supporting the ongoing work on commercial areas such as trade waste where intervention has already started to turn around its loss making status. WODC will review its waste services to ensure that they offer excellent value for money and continue to result in excellent recycling rates.
- 4.7. As the Council pursues its Agile Working strategy, we expect to see our Elmfield offices freed up during 2023 and therefore able to be rented out to generate an additional income to the Council.
- 4.8. 2022/23 looks set to be a good year in terms of our ambitions to invest with two potential projects currently in due diligence. It should be remembered though that last year only a fraction of the expected budget was spent and while the MTFS carries an expectation of high levels of investment over the next few years, these are our ambitions but appropriate opportunities may not present themselves. With this in mind we have reduced the investment expectation over the next few years.
- 4.9. As well as attempting to manage these key risks and find any means to reduce expenditure, the Council does try to increase its income where possible and this is reflected in the rises in some (but not all) of the Fees and Charges where we have attempted to keep pace with the costs of providing that service. Outside of new projects that generate revenue as discussed above, it's

often difficult for Councils to raise additional income as most of our services are provided to residents who are also struggling with the effects of inflation on their own households.

- 4.10. The list of growth requests is long. It's a mixture of new posts and existing posts where the fixed term contract is coming to an end. Clearly with our current position and expected significant future funding cuts we cannot afford to simply add them in. Requests should be evaluated on the basis of whether they support a core service, whether they are either income generating or loss preventing, and, if we have no option but to have that post, the question should be asked as to whether that requirement is temporary or permanent. While we now know our funding settlement, the argument remains, any permanent growth to base budget, even if temporarily funded this year would be an additional strain in future years widening the expected gap – and would negate the benefit of some of the savings programmes we are trying so hard to implement.
- 4.11. In our forecast we have assumed that the rebasing of business rates, which was anticipated several years ago and is expected to reduce the Council's business rates income by around £1.5m, will not happen till 2025.

(END)

Detail of base budget changes by cost centre

Annex A

	2022/23		Reverse	Budget	2023/24	2021/2022	2022/2023	2023/2024
	budget	Pay inflation	one offs	change	budget	Actual	Budget	Estimate
Assets	(2,757,694)	60,279		90,084	(2,607,331)	(3,012,728)	(2,757,694)	(2,607,331)
Waste & Environmental	6,485,483	24,571		572,663	7,082,716	6,157,860	6,485,483	7,082,716
Comms & Marketing	165,158	11,539		90	176,787	125,464	165,158	176,787
Contracts	(255,532)	13,780		556,699	314,947	1,229,105	(255,532)	314,947
Corporate Finance	1,744,832	88,627		(284,725)	1,548,734	3,098,291	1,744,832	1,548,734
Corporate Responsibility	1,482,436	45,795	(97,000)	141,962	1,573,193	1,305,438	1,482,436	1,573,193
Customer Experience	1,010,417	88,945		36,879	1,136,241	762,652	1,010,417	1,136,241
Development Management	494,210	146,094		(15,143)	625,162	344,540	494,210	625,162
Env'l & Regulatory Services	95,748	7,174		10	102,932	91,563	95,748	102,932
Finance	750,015	43,282		6,982	800,279	733,264	750,015	800,279
Insight & Intelligence	1,171,647	35,478	(650,000)	(8,730)	548,395	529,498	1,171,647	548,395
Localities	642,402	23,208		(24,389)	641,221	540,972	642,402	641,221
Operational Services	1,241,235	124,683	(25,000)	110,137	1,451,056	1,327,612	1,241,235	1,451,056
People	276,205	19,725			295,931	266,156	276,205	295,931
Technology	1,180,850	93,103		75,628	1,349,581	1,042,561	1,180,850	1,349,581
	13,727,413	826,285	(772,000)	1,258,147	15,039,845	14,542,247	13,727,413	15,039,845

Assets:

This budget covers our operational buildings, commercial properties and our climate change programme. The impact of rising utility costs in 2023/24 is estimated at £227,000 for our operational buildings which is in part offset by anticipated additional rental income of £112,000 (not full year) for our Elmfield offices from Q2 next year. Most of the payment plans for our Investment Property income, put into place during the pandemic have now come to an end with the staff in this department successfully recovering a significant amount of the deferred rent from 2020/21 & 2021/22 and now working with our credit controller to manage ongoing.

The Climate Change programme has benefited from significant investment in additional fixed term resource in the last two financial years in order to help deliver on the Council's Priorities. There is over £100,000 in earmarked reserves which will fund initiatives going forward.

Waste & Environmental:

This budget covers grounds maintenance and waste and contains large parts of the Ubico budget. Work is being carried out to develop a range of options to deliver long term revenue savings from the Waste Service to offset the unsustainable annual increases seen in the last 3 financial years. The income budget for Green Waste has been increased by £124,000 reflecting a proposed uplift of £5 in license fees for 2023/24.

The Ubico budget has yet to be finalised but an initial increase of £754,000 has been included in this draft of the budget for 2023/24. This figure reflects the general uplift in pay inflation in response to the cost of living crisis, the significant increase in fuel costs and other inflationary pressures around goods and services.

Communications and Marketing:

Individual Business Managers have input into their marketing spend but work directly with the specialists in the Comms team who bring their expertise to each task and find the most effective and cost efficient way to reach the largest number of people. It is a priority to increase our engagement with residents via Social Media as well as more traditional channels. There are no material changes to the 2023/24 budget.

Contracts:

The main item in this budget is the Leisure contract. The expected growth in budget comes from an income contingency offsetting 50% of the contracted Management Fee due for the year, shown in the table above. GLL, who have the contract to operate the Leisure Centres are doing their best to return to a profitable operation and the Council are contractually entitled to receive the full Management Fee, however the substantial rise in utility costs, estimated to be an increase of £620k since 2019 coupled with a huge drop in facility usage since the pandemic, is delaying that return to profitability which in turn jeopardises the viability of our leisure offering. Steps are being taken to reduce losses in the short to medium term while we work with GLL to try to stabilise and improve the situation. Leisure contract income forms a huge part of the Council's revenue and is a crucial source of income which underwrites other core activities. The current situation in this service area represents one of the largest ongoing threats to our financial stability related to income within our control.

Corporate Finance:

This section covers centralised services like Legal and Treasury. The large reduction in expenditure reflects the culmination of Fixed Term posts funded by grants or specific earmarked reserves and brought in to support the Council's Covid response which expire at the end of the 2022/23 financial year. There are no other significant changes in the 2023/24 budget.

Corporate Responsibility:

These are central governance costs, members costs, election costs etc. The one off adjustment in the table reflects the reversal of the interim Monitoring Officer post in the 2022/23 budget and the one off additional contribution to the CAB for their continued Covid response. The recurring growth in the table includes the creation of a new Strategic Director of Governance which will encompass the responsibilities of the Monitoring Officer on a permanent basis.

Customer Experience:

There are a variety of services contained in this area from Customer Services and Front of House to Homelessness.

Development Management:

Planning application, appeals, conservation and flood defence are covered by this budget which has seen a modest increase in both income and costs. There is a risk around Planning income in 2023/24 that the high cost of borrowing and level of inflation could delay both major and domestic applications coming forward until the economic situation is more certain. At this stage, the income budget has been retained at the same level as 2022/23 but this may change in the final version of the budget as more intelligence is gathered.

Environmental and Regulatory Services:

There are no significant changes to highlight in this budget although a growth request has been put forward for additional resource.

Finance:

There are no significant changes to highlight in this budget although a growth request has been put forward for additional resource.

Insight and Intelligence:

The main focus of this budget is planning policy. The review of the Local Plan is underway and will finish in 2023/24. £650,000 was included in the base budget in 2022/23 to fund this extensive piece of work plus an additional £100,000 put into earmarked reserves from the General Fund surplus last financial year. While the £650k is no longer part of the base budget and the reversal of the one off growth item can be seen in the table. Unspent funds from the 2022/23 allocation will be available to spend on this next year and an additional request for funding forms part of the growth requests. The increased estimated cost to complete the work is mainly driven by the breakdown of the joint Oxfordshire plan which means that more work will have to be done by individual Councils.

Localities:

These are the budgets for communities, arts and tourism. There is a fixed term contract post that is coming to an end at the beginning of 2023/24 but there are no other material changes to this budget.

Operational Services:

This department covers all aspects of benefit payments and revenue collection, including fraud investigation. It also covers Car Parking, Pollution Control, Food Safety and Markets. There are a number of modest revenue savings that have been identified and removed from legacy budget lines. There is material growth in this budget from the transfer of On Street Parking Enforcement to Oxfordshire County Council on 1st April 2023 with a loss of budgeted income to this Council of £169,000. We would expect to see a saving in the Publica resource budget to partially offset this as fewer wardens will be required going forward.

People:

People covers human resources and training. There are no significant changes to highlight in this budget although a growth request for additional funding has been received.

Technology:

This budget predominantly covers ICT. There are increases in software licence support & maintenance to reflect the current market rate increases, which are linked to inflation. These rises have been deferred and negotiated down where possible and, as much as we can, we've found or generated savings to offset them. Additional cyber security protection is required to increase the Council's resilience and is included in the base budget as part of the software licence support costs.

2023/24 Proposed Revenue Budget comparison to prior year

Annex B

2021/2022 Actual £	Expenditure by Service Area	2022/2023 Budget £	2023/2024 Estimate £
(3,012,728)	Assets	(2,757,694)	(2,607,331)
6,157,860	Waste & Environmental	6,485,483	7,082,717
125,464	Communications & Marketing	165,158	176,787
1,229,105	Contracts	(255,532)	314,947
3,098,291	Corporate Finance	1,744,832	1,548,734
1,305,438	Corporate Responsibility	1,482,436	1,573,193
762,652	Customer Experience	1,010,417	1,136,241
344,540	Development Management	494,210	625,162
91,563	Environmental & Regulatory Services	95,748	102,932
733,264	Finance	750,015	800,279
529,498	Insight & Intelligence	1,171,647	548,395
540,972	Localities	642,402	641,221
1,327,612	Operational Services	1,241,235	1,451,056
266,156	People	276,205	295,931
1,042,561	Technology	1,180,850	1,349,581
14,542,248	Total Cost of Services	13,727,413	15,039,845
2021/2022 Actual £	Expenditure by Type	2022/2023 Budget £	2023/2024 Estimate £
1,632,693	Employees	1,029,844	1,201,486
1,494,279	Premises Related Expenditure	1,283,494	1,560,865
12,595	Transport Related Expenditure	16,500	16,310
6,170,304	Supplies & Services	5,523,807	4,857,628
17,681,346	Third Party Payments	18,569,718	19,804,649
18,481,453	Transfer Payments	15,112,480	15,112,480
1,723,465	Capital Charges	1,769,650	1,731,690
47,196,135	Total Cost	43,305,493	44,285,108
(32,655,391)	Income	(29,578,080)	(29,245,263)
14,540,744	Total Cost of Services	13,727,413	15,039,845

2023/24 Proposed Revenue Budget comparison to prior year

Annex B

	2022/2023 Budget £	2023/2024 Estimate £
Total Cost of Services	13,727,413	15,039,845
Capital Expenditure funded through revenue	540,100	540,100
Minimum Revenue Provision	454,902	867,141
Temporary loans interest	0	0
Interest on Long Term Borrowing	102,857	469,219
Capital charges - depreciation and amortisation	(1,769,650)	(1,731,690)
Net Operating Expenditure	13,055,622	15,184,615
Treasury and Investment Income	(1,139,501)	(2,157,124)
Net Expenditure	11,916,121	13,027,491
<u>Contributions to / (from):</u>		
General Fund Balance	1,609,731	345,316
Net contribution to / (from) Earmarked Reserves	(826,239)	(532,252)
Balance to be met from Government Grants & Council Tax	12,699,613	12,840,555
Transfers to / (from) Collection Fund	(210,394)	(135,394)
Revenue Support Grant	(79,268)	(87,274)
New Homes Bonus	(2,378,105)	(1,579,635)
Funding Guarantee Grant		(929,970)
Rural Services Delivery Grant	(133,225)	(133,225)
22/23 Services Grant	(148,000)	(83,364)
Lower Tier Grant	(96,000)	
Renewable Energy Schemes	(211,745)	(209,745)
Retained Business Rates (NNDR)	(4,161,675)	(4,061,675)
Net Requirement	5,281,201	5,620,273
Taxbase	46,172.42	47,078.85
Council Tax (at Band D)	£114.38	£119.38

Post	Details	Cost	FTE	Additional comments
Democratic Services Asst	Currently there are 2.2 FTE permanent staff in the team which is not sufficient to support 49 Councillors and a busy meeting schedule. This 22hr post supports the production of committee agendas, Forward Plan and Members Allowances.	12,033	0.59	WODC specific
Biodiversity Land Management Officer	This post has delivered Land Management Plans, established the Windrush in Witney Partnership and is contributing to the Biodiversity projects under the Prosperity Fund. The benefits of making the post permanent are being able to deliver key priorities of the Climate Change Strategy, be the lead delivery officer for Biodiversity net gain, project manage the Biodiversity Toolkit and support volunteer & community projects	46,859	1.00	WODC specific
Climate Change Officer	This post had implemented the Council's Carbon Action Plan, developed a PSDS bid for Carterton Leisure Centre and designed the Impact Assessment Tool to evaluate the sustainability of Council Priorities and projects. The benefits of the post being permanent are the management and development of the Impact Assessment Tool, assist in decarbonisation projects and provide recommendations on recycling and waste opportunities	39,137	1.00	WODC specific
Healthy Community Officer (Voluntary Sector)	Request to extend the current 0.5 FTE to 1 FTE, post fell vacant in September 2022	13,035	0.50	WODC specific
Healthy Place Shaping Officer	To embed healthy place shaping approach into the policies and practices of the Council. Was a FT project focused 2 year post. Project timespan is coming to an end.	48,641	1.00	WODC specific
HR Specialists x 3	HR is the beating heart of an organisation, ensuring that the most important asset, it's people, operate to the optimum level. Investment in this department will increase its capacity through hiring 3 specialists. This in turn will increase HR's capability and elevate the service, partnering strategically hand in glove with the wider businesses. Ultimately it is to enable the HR function to effectively support the drive for increased productivity and efficiencies through our people and processes from ever limited resources. The HR functionality is the key to unlocking the organisational potential, and that of its people. It is imperative we develop our culture and diversity, whilst communicating our broader offering, break down the silos, to not only attract best-in-class talent, but also to support the development of in-house talent, that we retain and grow over a longer time. This will reduce spend on agency fees by further developing the recruitment and talent team, create succession planning and targeted career pathways.	25,000	3.00	Shared posts. Would either require the other Councils to agree or would cost more for West to fund alone.
Waste Partnership Manager	WODC contributes 10k p.a. towards the total cost of £80,477 this year. The contributions are based on £50k from county, £10k x 5 WCAs to cover salary, on costs, and give a little bit of budget for conferences, projects etc as they arise. In addition to being responsible for coordinating county-wide waste and recycling organising the meetings and agenda content, supporting the chair etc. The postholder has a wealth of industry knowledge and contacts, which has proved immensely valuable in our responding to the Government consultations surrounding the Environment Bill and the implications for local authorities. With 2024 and the new waste service coming, translation of the new legislation policies is going to be the next big issue faced and with no guidance coming from Government on how Extended Producer Responsibility (EPR) or Deposit Return Scheme (DRS) is going to operate, there's going to need to be work done to support the implementation and protect the Oxfordshire Partner Councils interests. If the Partnership Manager post is removed, then the partnership will simply fold as there isn't the necessary resource available at any of the Oxfordshire authorities to take this on.	10,250	1.00	Shared post across County
Woodgreen Reception/Executive Asst	The change of administration at WODC has had a significant impact on the current Executive Assistant. The demands on her time, when coupled with her role providing support to the Management Team and the return to civic events (which are currently exceptionally high) means that she is struggling to meet the requirements of the role. Some temporary support is being provided via an agency at a cost of £600 per week. In addition Reception cover has been requested at the Woodgreen office as the decision was previously made to focus customer interaction on the Town Centre location.	41,275	1.00	WODC specific Hopefully if the new flexible chamber and committee rooms can be rented out this post could coordinate that and set rooms up and this additional income would offset some of the cost.
Finance Business Partner	The demands on the Finance team with increased audit requirements and a requirement for more support being given to other areas of the business has meant that additional resource is needed. More work required to determine exactly where the best place to add this in the structure is.	19,114	1.00	Shared post. Forest potentially supportive dependent on where this sits in the structure.
Empty Homes Co-Ordinator	Dealing with empty properties can have social, regenerative, financial and strategic benefits. To support this a Long Term Empty Strategy 2019-2024 was implemented across all 3 Districts and an Empty Home Coordinator post created. The post has contributed to 1,574 properties being removed from the long term empty database across the 3 partnership Councils since April 2021. The post is directly responsible for investigating properties reported to be empty, working with individual owners encouraging property sales. People purchasing empty homes increase local economic activity by providing for new expenditure on the houses themselves. The effect on the local economy goes beyond the immediate spend by the homeowner and each £1 spent will generate further economic activity that would not have existed without it. Empty homes are prone to anti-social behavior and can lock communities into a spiral of decline. The cost of dealing with this can fall to the emergency services with the cost of a single fire service callout being £1,970 and the police around £1,000.	8,060	0.81	Shared post

Growth Requests

Annex C

Post	Details	Cost	FTE	Additional comments
Head of Commercial	Recruitment of a post to manage the strategic management of waste and leisure. If we can't turn Leisure around we risk reputational damage, the loss of services and circa £1.5m income per year. The waste service will have multiple challenges over the next few years with the implementation of the revised service design to unlock financial savings. Once in post, additional resource may be required to support the waste and leisure services (marketing, financial management of customer payments etc) but the post holder should determine and present a case for these.	95,100	1.00	WODC specific This post is aimed at turning around the Leisure service on a strategic level and the amount of income at stake far outweighs the cost.
Environment and Regulatory Services	To cover regulatory duties and include the expansion of HMO licensing, dealing with poor housing conditions in the private rented sector, the better regulation of caravan and campsites and traveller sites and the processing of new fit and proper person applications, the capacity to enforce the Minimum Energy Efficiency Regulations, to engage with housing work targeted at energy efficiency and fuel property, to meet our air quality management responsibilities, ensuring the monitoring and delivery of the new action plans and meeting the new requirements of the Environment Act 2021, and to be able to respond effectively to an increasing number of private water supply investigations as a result of tightening regulations.	32,000	3.00	3 shared posts. If not supported by the other Councils then a WODC specific officer aimed at Housing inspections could be recruited.
Flooding/Land Drainage	Additional capacity to be shared with one other Council in the partnership	45,000	0.50	Shared post
Asset Management	Replacement for current consultancy spend. Should generate equivalent savings if not more. WODC has a large estate portfolio and an appetite to invest over the coming years. This post would support that.	63,000	1.00	WODC specific - should generate at least equivalent savings
Cyber Security	This is the additional Cyber resource already approved by Cabinet. Council approval as a growth item is required to add it to budget.	53,390	1.00	WODC specific
Climate Change Manager	Fixed term post made permanent. Post already approved by cabinet, currently funded from priorities reserve. This can either continue being funded from there for 23/24 or be added to the budget as growth.	53,030	1.00	WODC specific
Market Towns Officer	Post was a Covid funded post ref regeneration of high streets. Now moving on to rural prosperity fund. Post already approved by cabinet, currently funded from priorities reserve. This can either continue being funded from there for 23/24 or be added to the budget as growth.	35,960	1.00	WODC specific
Planning Policy Officer	This post was backfilling for resource seconded to the FOP but a continuation is requested to support the work on the Local Plan. May be able to extend the fixed term rather than making permanent. May be able to find grant funding. May be funded through the Local Plan one off funding request.	35,185	1.00	WODC specific
Total		676,069	20	
Digital Transformation of Development Management	This is a shared cost across three Publica Councils to facilitate Planning moving to a better software platform that allows on site access to the system bringing increased efficiency to the service.	166,000		One off capital spend
Revenue	Additional funding for the Local Plan review. Original budget was set before the breakdown of the Oxfordshire Plan	250,000		One off additional budget
		416,000		

Draft Capital programme December 2022

Annex D

Scheme	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	Total £
IT Provision - Systems & Strategy	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	1,000,000
Deployment of High Speed Broadband	1,230,366										1,230,366
Update Financial Management System (Agresso)		25,000									25,000
Idox System Upgrade (Planning)		150,000									150,000
Play Parks	100,000										100,000
Kilkenny Country Park Car Park											
Council Buildings Maintenance Programme	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	2,000,000
IT Equipment - PCs, Copiers etc	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	400,000
Agile Working		2,150,000									
Improvement Grants/Disabled Facilities Grants	807,750	800,000	800,000	800,000							3,207,750
Community Grants Fund	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	2,000,000
EVCP Woolgate	167,000										167,000
Affordable Housing	1,761,875										1,761,875
Electric vehicle recharging points	200,000										200,000
Replacement dog and litter bins	25,000	25,000	25,000	25,000	12,000	12,000	12,000	12,000	12,000	12,000	172,000
Weighbridge at Bulking Station			25,000					25,000			50,000
Replacement Street Sweepers					200,000	200,000	200,000	200,000	200,000		1,000,000
Ubico Fleet - Replace Vehicle Hire Costs	1,080,000		1,080,000								2,160,000
In-cab technology			40,000								40,000
Shop Mobility - Replacement stock	10,000				10,000				10,000		30,000
CCTV upgrading	300,000										300,000
Carterton Swinbrook Public Art (S106)	44,500										44,500
Chipping Norton Creative Project	28,297										28,297
Raleigh Crescent Play Area (s. 106)	75,000										75,000
Chipping Norton LC roof replacement		1,000,000									1,000,000
Madley Park Playing Field project	6,165										6,165
Cottsway - Lavendar Place Affordable Housing	99,000										99,000
Cottsway - Blenheim Court Growth Deal	170,500										170,500
Carterton Leisure Centre Upgrade PSDS	1,300,000										1,300,000
Replacement waste and recycling fleet		2,000,000	4,500,000								6,500,000
Town Centre Shop building renovation project	51,197										51,197
Investment Strategy for Recovery	22,599,538	5,000,000	5,000,000	5,000,000							37,599,538
	30,596,188	11,690,000	12,010,000	6,365,000	762,000	752,000	752,000	777,000	762,000	552,000	62,868,188

This page is intentionally left blank

Medium Term Financial Strategy Updated December 2022

Annex E (I)

	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32
Inflation			5%	3%	2%	2%	2%	2%	2%	2%
Taxbase	1.0279	1.0196	1.018	1.016	1.020	1.020	1.020	1.020	1.020	1.020
Base	13,518,681	13,055,622	14,129,719	15,000,846	15,576,969	15,881,067	16,100,619	16,255,597	16,545,648	16,762,358
Inflationary uplift			706,486	450,025	311,539	317,621	322,012	325,112	330,913	335,247
Inflation - Publica	502,649	517,121								
Inflation - Electricity & Gas		253,171								
Inflation - Ubico	(39,335)	754,099								
Leisure contract contingency		575,813								
MRP movement	332,431	412,239	127,500	135,500	127,500		(109,831)	29,000	(60,429)	
Interest on External Borrowing	(75,193)	366,362	393,589	87,169	26,328	(57,204)	(57,204)	(64,061)	(53,775)	(43,489)
One-off growth - reversal of prior year	(32,500)	(772,000)								
Recurring growth	355,922	248,984								
Fees & Charges		(226,796)								
Budget growth items pending approval	263,072									
Covid income reduction	(1,770,104)									
Investment Strategy income		(1,054,896)	(356,448)	(96,571)	(161,269)	(40,866)				
Target Budget (NOE)	13,055,622	14,129,719	15,000,846	15,576,969	15,881,067	16,100,619	16,255,597	16,545,648	16,762,358	17,054,116
Financed by:										
Revenue Support Grant	79,268	87,274								
Business Rates Share & Renewables	4,373,420	4,271,420	4,271,420							
Baseline Funding Level post 2025				2,461,375	2,461,375	2,461,375	2,461,375	2,461,375	2,461,375	2,461,375
New Homes Bonus	2,378,105	1,579,635								
Funding Guarantee (not guaranteed beyond 23/24)		929,970	1,000,000	500,000	500,000	500,000	500,000	500,000	500,000	500,000
Rural & Lower Tier grants	229,225	216,589								
Investment Income - Pooled Funds	1,139,501	1,102,228	1,137,499	1,173,899	1,211,464	1,250,231	1,290,238	1,331,526	1,374,135	1,418,107
Use of earmarked reserves	826,239	532,252	418,669	392,410	354,314					
Collection Fund	210,394	135,394	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000
Council Tax	5,281,201	5,620,273	5,960,944	6,299,780	6,674,105	7,060,883	7,460,463	7,873,201	8,299,465	8,739,630
Use of GF reserves	(1,609,731)	(345,316)	2,112,313	4,649,505	4,579,809	4,728,130	4,443,521	4,279,546	4,027,383	3,835,003
TaxBase	46,172	47,078	47,925	48,692	49,666	50,659	51,672	52,706	53,760	54,835
Band D	114.38	119.38	124.38	129.38	134.38	139.38	144.38	149.38	154.38	159.38
Tax increase	4.57%	4.37%	4.19%	4.02%	3.86%	3.72%	3.59%	3.46%	3.35%	3.24%
General fund balance	13,328,681	13,673,997	11,561,684	6,912,179	2,332,370	(2,395,760)	(6,839,281)	(11,118,827)	(15,146,210)	(18,981,213)

This page is intentionally left blank

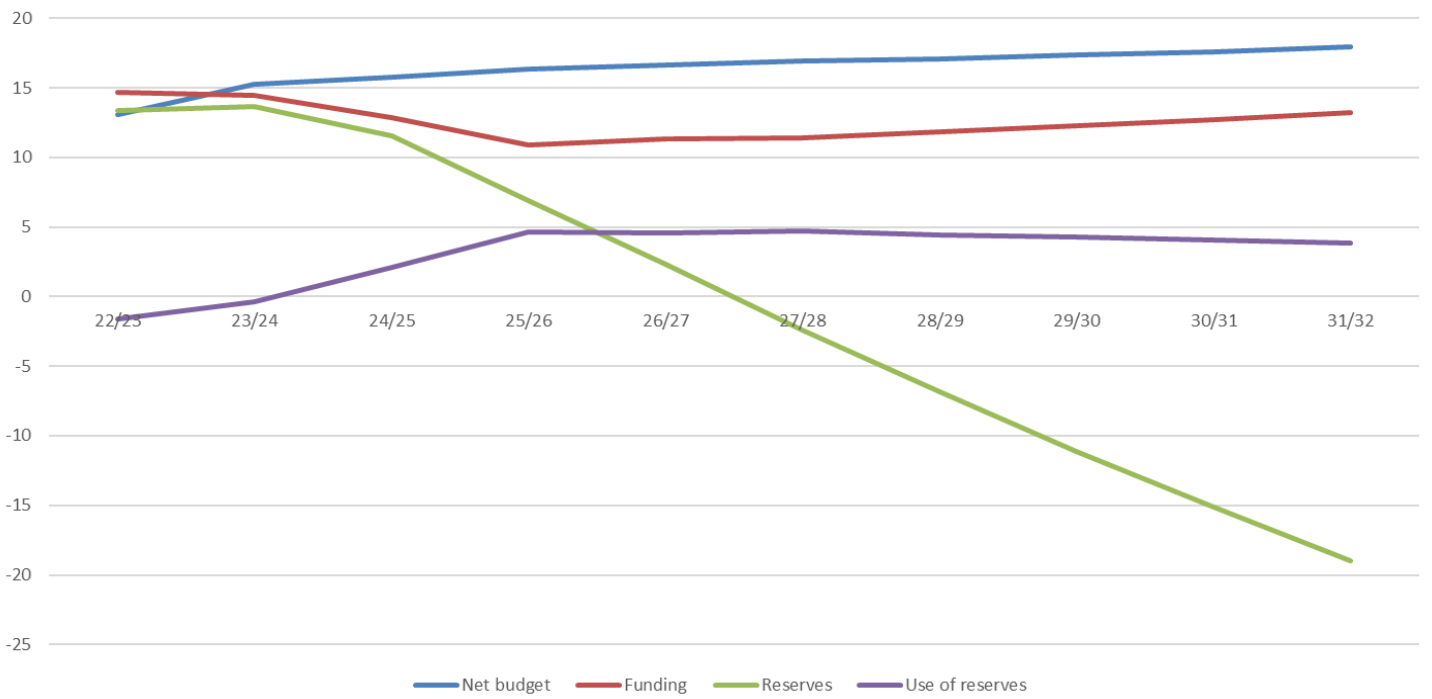
Medium Term Financial Strategy Updated December 2022 - including growth requests

Annex E (2)

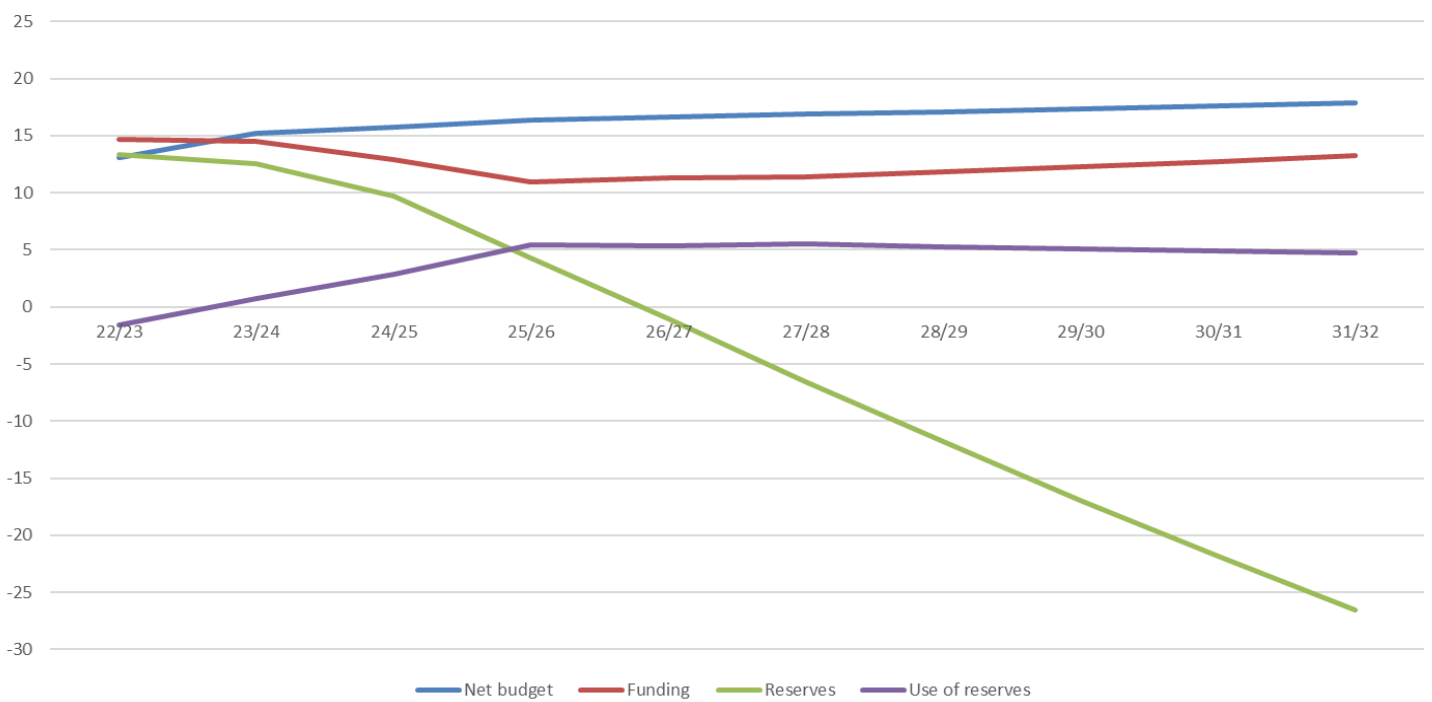
	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32
Inflation			5%	3%	2%	2%	2%	2%	2%	2%
Taxbase	1.0279	1.0196	1.018	1.016	1.020	1.020	1.020	1.020	1.020	1.020
Base	13,518,681	13,055,622	15,233,328	15,743,635	16,342,042	16,661,442	16,896,601	17,067,499	17,373,788	17,607,060
Inflationary uplift			761,666	472,309	326,841	333,229	337,932	341,350	347,476	352,141
Inflation - Publica	502,649	517,121								
Inflation - Electricity & Gas		253,171								
Inflation - Ubico	(39,335)	754,099								
Leisure contract contingency		575,813								
MRP movement	332,431	412,239	127,500	135,500	127,500		(109,831)	29,000	(60,429)	
Interest on External Borrowing	(75,193)	366,362	393,589	87,169	26,328	(57,204)	(57,204)	(64,061)	(53,775)	(43,489)
One-off growth - reversal of prior year	(32,500)	(356,000)	(416,000)							
Recurring growth	355,922	33,728								
Budget growth items pending approval	263,072	676,069								
Covid income reduction	(1,770,104)									
Investment Strategy income		(1,054,896)	(356,448)	(96,571)	(161,269)	(40,866)				
Target Budget (NOE)	13,055,622	15,233,328	15,743,635	16,342,042	16,661,442	16,896,601	17,067,499	17,373,788	17,607,060	17,915,712
Financed by:										
Revenue Support Grant	79,268	87,274								
Business Rates Share & Renewables	4,373,420	4,271,420	4,271,420							
Baseline Funding Level post 2025				2,461,375	2,461,375	2,461,375	2,461,375	2,461,375	2,461,375	2,461,375
New Homes Bonus	2,378,105	1,579,635								
Funding Guarantee (not guaranteed beyond 23/24)		929,970	1,000,000	500,000	500,000	500,000	500,000	500,000	500,000	500,000
Rural & Lower Tier grants	229,225	216,589								
Investment Income - Pooled Funds	1,139,501	1,102,228	1,137,499	1,173,899	1,211,464	1,250,231	1,290,238	1,331,526	1,374,135	1,418,107
Use of earmarked reserves	826,239	532,252	418,669	392,410	354,314					
Collection Fund	210,394	135,394	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000
Council Tax	5,281,201	5,620,273	5,960,944	6,299,780	6,674,105	7,060,883	7,460,463	7,873,201	8,299,465	8,739,630
Use of GF reserves	(1,609,731)	758,293	2,855,102	5,414,578	5,360,184	5,524,112	5,255,423	5,107,686	4,872,085	4,696,600
TaxBase	46,172	47,078	47,925	48,692	49,666	50,659	51,672	52,706	53,760	54,835
Band D	114.38	119.38	124.38	129.38	134.38	139.38	144.38	149.38	154.38	159.38
Tax increase	4.57%	4.37%	4.19%	4.02%	3.86%	3.72%	3.59%	3.46%	3.35%	3.24%
General fund balance	13,328,681	12,570,388	9,715,286	4,300,708	(1,059,476)	(6,583,588)	(11,839,011)	(16,946,697)	(21,818,782)	(26,515,382)

This page is intentionally left blank

WODC Budget, Funding & Reserves £m - no growth



WODC Budget, Funding & Reserves £m - with growth



This page is intentionally left blank

PARISH	TAXBASE		
	2022/2023 No.	2023/2024 No.	% change
ALVESCOT	205.72	211.28	2.70
ASCOTT-UNDER-WYCHWOOD	256.05	254.77	(0.50)
ASTHAL	157.19	158.45	0.80
ASTON,COTE,SHIFFORD & CHIMNEY	597.45	606.48	1.51
BAMPTON	1,240.76	1,330.46	7.23
BLACK BOURTON	125.40	122.69	(2.16)
BLADON	396.90	400.31	0.86
BLENHEIM	24.95	25.01	0.24
BRIZE NORTON	494.52	583.09	17.91
BROADWELL	71.58	70.31	(1.77)
BRUERN	36.83	36.53	(0.81)
BURFORD	801.85	853.24	6.41
CARTERTON	5,498.57	5,622.36	2.25
CASSINGTON	330.62	333.21	0.78
CHADLINGTON	381.74	382.92	0.31
CHARLBURY	1,352.69	1,362.25	0.71
CHASTLETON	70.51	68.84	(2.37)
CHILSON	56.97	56.34	(1.11)
CHIPPING NORTON	2,820.59	2,852.40	1.13
CHURCHILL & SARSDEN	347.77	355.97	2.36
CLANFIELD	360.00	363.17	0.88
COMBE	338.67	333.63	(1.49)
CORNBURY & WYCHWOOD	27.85	27.85	0.00
CORNWELL	27.72	26.77	(3.43)
CRAWLEY	80.67	81.15	0.60
CURBRIDGE & LEW	377.54	424.78	12.51
DUCKLINGTON	642.05	641.92	(0.02)
ENSTONE	569.45	581.06	2.04
EYNSHAM	2,146.05	2,142.95	(0.14)
FAWLER	48.54	47.21	(2.74)
FIFIELD	104.41	105.55	1.09
FILKINS & BROUGHTON POGGS	218.99	218.53	(0.21)
FINSTOCK	293.52	293.86	0.12
FREELAND	707.63	713.23	0.79
FULBROOK	244.94	242.09	(1.16)
GLYMPTON	42.77	44.60	4.28
GRAFTON & RADCOT	31.68	30.48	(3.79)
GREAT TEW	92.08	93.13	1.14
HAILEY	500.94	509.41	1.69
HANBOROUGH	1,377.89	1,415.17	2.71
HARDWICK WITH YELFORD	52.13	51.53	(1.15)

PARISH	TAXBASE		
	2022/2023 No.	2023/2024 No.	% change
HEYTHROP	66.62	74.20	11.38
HOLWELL	26.13	26.65	1.99
IDBURY	73.13	74.32	1.63
KELMSCOTT	42.59	44.82	5.24
KENCOT	63.86	65.05	1.86
KIDDINGTON WITH ASTERLEIGH	51.05	51.29	0.47
KINGHAM	387.79	390.91	0.80
LANGFORD	157.58	156.32	(0.80)
LEAFIELD	374.93	375.73	0.21
LITTLE FARINGDON	41.61	41.67	0.14
LITTLE TEW	101.42	100.78	(0.63)
LYNEHAM	87.51	86.36	(1.31)
MILTON-UNDER-WYCHWOOD	792.45	798.10	0.71
MINSTER LOVELL	685.51	691.49	0.87
NORTH LEIGH	933.06	994.38	6.57
NORTHMOOR	186.63	188.82	1.17
OVER NORTON	197.81	199.42	0.81
RAMSDEN	182.16	182.08	(0.04)
ROLLRIGHT	245.00	243.36	(0.67)
ROUSHAM	25.72	27.50	6.92
SALFORD	128.18	128.18	0.00
SANDFORD ST MARTIN	141.57	137.50	(2.87)
SHILTON	286.40	282.45	(1.38)
SHIPTON-UNDER-WYCHWOOD	694.15	701.34	1.04
SOUTH LEIGH	166.44	168.93	1.50
SPELSBURY	150.88	153.82	1.95
STANDLAKE	673.44	677.59	0.62
STANTON HARCOURT	469.85	492.86	4.90
STEEPLE BARTON	605.76	603.38	(0.39)
STONESFIELD	712.48	718.71	0.87
SWERFORD	89.73	88.65	(1.20)
SWINBROOK & WIDFORD	96.29	101.54	5.45
TACKLEY	495.87	502.82	1.40
TAYNTON	79.84	79.76	(0.10)
WESTCOT BARTON	85.04	87.62	3.03
WESTWELL	47.80	48.29	1.03
WITNEY	10,965.64	11,159.31	1.77
WOODSTOCK	1,657.26	1,708.78	3.11
WOOTTON	299.93	300.50	0.19
WORTON	49.12	48.60	(1.06)
TOTAL TAXBASE (No.)	46,172.41	47,078.85	1.96



West Oxfordshire District Council

www.westoxon.gov.uk

Fees and Charges 2023/2024

Increase 20%

Planning Services General Administration		2022/2023 Basic Charge £ p	2023/2024 Basic Charge £ p	VAT £ p	2023/2024 Total charge £ p	VAT Status
Access to Information/Inspection of Background Documents	Charge per document (after Committee date)	0.75	1.00	0.00	1.00	Non vatable
	Where documents are listed under a general description (after Committee date) During 5 days prior to Committee date only	6.50	8.00	0.00	8.00	Non vatable
	<i>Note: Members of the public may only inspect background documents 3 days prior to Committee date or thereafter.</i>					
	Administration Charge for Services Rendered	30 percent	30 percent		30 % + VAT	Vatable
Minutes/Agendas	Per Annum	206.10	247.00	49.40	296.40	Vatable
	Single Agenda	5.45	7.00	1.40	8.40	Vatable
Parish/Town Councils Per Annum		22.45	25.00	5.00	30.00	Vatable
Brownfields Register		0.00	15.00	3.00	18.00	Vatable
Self-Build register	Part 1 – for those who meet criteria (with local connections).	0.00	25.00	5.00	30.00	Vatable
	Part 2 – for those who meet national criteria, but not local connection.	0.00	10.00	2.00	12.00	Vatable

Libraries						
Dyeline Prints (Any type, with due regard to copyright restrictions)	A2 Size	8.50	10.00	2.00	12.00	Vatable
	A1 Size	10.70	13.00	2.60	15.60	Vatable
	From Paper Roll Larger than A1 Size	13.75	17.00	3.40	20.40	Vatable
Photocopying - (per sheet)	A4 size and foolscap	0.20	1.00	0.20	1.20	Vatable
	A3 size	0.20	1.00	0.20	1.20	Vatable
	A4 & A3 Colour Copies	0.30	1.00	0.20	1.20	Vatable
Local Plan		22.05	25.00	0.00	25.00	Non vatable

Increase 20%

Planning Services		2022/2023 Basic Charge £ p	2023/2024 Basic Charge £ p	VAT £ p	2023/2024 Total Charge £ p	VAT Status
Planning Applications – Maps	Up to 6 maps (one charge for the set):					
	1:500 scale*	4.40	5.00	0.00	5.00	Non vatable
	plus admin fee #	11.75	14.00	2.80	16.80	Vatable
	1:1250 scale*	15.65	19.00	0.00	19.00	Non vatable
	plus admin fee #	11.45	14.00	2.80	16.80	Vatable
Planning Applications – Maps	1:2500 scale*	64.70	78.00	0.00	78.00	Non vatable
	plus admin fee #	11.75	13.00	2.60	15.60	Vatable
*All maps are provided by the National maps Centre and are subject to change if the O.S. increase their fees						
# Only one admin fee is charged regardless of the number of maps purchased.						
Planning Applications - Weekly Press Lists		197.00	236.00	47.20	283.20	Vatable
Planning Decision Notices	Notice requested	11.75	14.00	2.80	16.80	Vatable
Compilation of Agreement. Minimum charge increased at Officer's discretion	Section 52 Agreement Per copy of Agreement	21.50	26.00	5.20	31.20	Vatable
	Section 106 Agreements Per copy of Agreement	19.00	23.00	4.60	27.60	Vatable
Tree Preservation Orders: Per copy of order		18.40	22.00	4.40	26.40	Vatable
Valuation Fee		At Cost	At Cost	-	At Cost	Vatable
High Hedges Complaint- £500- zero-rated VAT		500.00	600.00	0.00	600.00	Non vatable
Planning application fees are set by central government. Use this link to CLG planning portal.		http://ecab.planningportal.co.uk/uploads/english_application_fees.pdf				

Increase 6%

Planning Services		2022/2023	2023/2024	VAT	2023/2024	VAT Status
		Basic Charge £ p	Basic Charge £ p	£ p	Total Charge £ p	
Local Search Fees	Con29 only	127.50	135.50	27.10	162.60	Vatable
	Part II	0.00	21.50	4.30	25.80	Vatable
	Additional Questions	0.00	21.50	4.30	25.80	Vatable

No increase

Standard Legal and Estates Fees for Property Transactions		2022/2023	2023/2024	VAT	2023/2024	VAT Status
		Basic Charge £ p	Basic Charge £ p	£ p	Total Charge £ p	
Legal Fee	New Commercial Lease		500.00	100.00	600.00	Vatable
	Renewal Leases		100.00	20.00	120.00	Vatable
	Deed of Variation (at Tenant request)		250.00	50.00	300.00	Vatable
	Licence to Alter £250 £150 £400		250.00	50.00	300.00	Vatable
	Licence to Assign / Underlet £250 £150 £400		250.00	50.00	300.00	Vatable
	Deed of Grant/Release £500 £250 £750		500.00	100.00	600.00	Vatable
	Deed of Surrender £250 £150 £400		250.00	50.00	300.00	Vatable
	Licence for Use £150 £150 £300		150.00	30.00	180.00	Vatable
Estates Fee	Disposal - (at other party request) £500 £500 £1000		500.00	100.00	600.00	Vatable
	Deed of Variation (at Tenant request)		150.00	30.00	180.00	Vatable
	Licence to Alter £250 £150 £400		150.00	30.00	180.00	Vatable
	Licence to Assign / Underlet £250 £150 £400		150.00	30.00	180.00	Vatable
	Deed of Grant/Release £500 £250 £750		250.00	50.00	300.00	Vatable
	Deed of Surrender £250 £150 £400		150.00	30.00	180.00	Vatable
	Licence for Use £150 £150 £300		150.00	30.00	180.00	Vatable
	Letter Licence n/a £50 £50		50.00	10.00	60.00	Vatable
Schedule of Condition: depending on size of property £100 - £500						
Disposal - (at other party request)		500.00	100.00	600.00	Vatable	

Increase 10%

Planning Services: Pre Application Planning Advice		2022/2023	2023/2024	VAT	2023/2024	VAT Status
		Basic Charge	Basic Charge		Total Charge	
		£ p	£ p	£ p	£ p	
Written Advice 1-2 dwellings	less than 0.5ha (outline) less than 500m ² floorspace Change of use	182.70	201.00	40.20	241.20	Vatable
Meeting & Written Advice 1-2 dwellings	Meeting up to 1 hour Each additional meeting per hour	366.00 183.00	403.00 201.00	80.60 40.20	483.60 241.20	Vatable Vatable
Written Advice 3-14 dwellings	0.5-0.99ha (outline) 500-999m ² floorspace	366.45	403.00	80.60	483.60	Vatable
Meeting & Written Advice 3-14 dwellings	Meeting up to 1 hour Each additional meeting per hour	733.00 183.00	806.00 201.00	161.20 40.20	967.20 241.20	Vatable Vatable
Written Advice 15-100 dwellings	1-3.0 ha (outline) 1000-2999m ² floorspace	732.90	806.00	161.20	967.20	Vatable
Meeting & Written Advice 15-100 dwellings	Meeting(s) up to 2 hours Each additional meeting £183 per hour	1,465.00 183.00	1,612.00 201.00	322.40 40.20	1,934.40 241.20	Vatable Vatable
Strategic Development sites.	Meetings held in the context of an emerging Development Plan as an intrinsic part of the decision as to whether to allocate the site or not will be free.	2,988.00	3,287.00	657.40	3,944.40	Vatable
	At the point detailed site/design matters are discussed a fee is payable to cover a further 3 hours of meetings. Each additional meeting per hour	183.00	201.00	40.20	241.20	Vatable
Design Supplement.	For all non-Listed Building enquiries where a design input is required before a response can be made. This does not apply to enquiries relating solely	60.90	67.00	13.40	80.40	Vatable
Advertisement Consent.	Written Advise	182.70	201.00	40.20	241.20	Vatable
	Meeting & Written Advice	244.00	268.00	53.60	321.60	Vatable
Informal quick responses.	An e-mail description of the proposals along with payment of the £ 30 fee will be required. An informal response will be given by phone or e-mail within 3 working days of receipt. No meetings/ letters will be produced.	30.00	33.00	6.60	39.60	Vatable
Season Ticket.	Regular developers, agents or landowners may wish to negotiate a "season ticket" where, upon payment of an up front fee to cover the estimated cost of enquiries likely to be made during the coming year the need to complete the forms and payments for each enquiry can be avoided NB If the estimate is materially exceeded subsequent meetings will be charged at the standard rates above.					
Solicitor/agent letters requiring confirmation that conditions have been discharged or satisfied.		182.70	201.00	40.20	241.20	Vatable

Increase 10%

Resources		2022/2023 Basic Charge £ p	2023/2024 Basic Charge £ p	VAT £ p	2023/2024 Total Charge £ p	VAT Status
Administration	Freedom of Information enquiries (charge per hr for search costs over the £450 'Appropriate Limit'):	25.00	25.00	0.00	25.00	Non vatable
	Freedom of Information photocopying - per sheet	0.15	1.00	0.00	1.00	Non vatable
Summons Costs - Council Tax/NNDR	Council Tax - Summons on application for Liability Order*	65.00	65.00	0.00	65.00	Non vatable
	Council Tax - Costs of Liability Order hearing*	45.00	45.00	0.00	45.00	Non vatable
	NNDR - Summons on application for Liability Order*	75.00	75.00	0.00	75.00	Non vatable
	NNDR - Costs of Liability Order hearing* * As approved by the Magistrates Court	45.00	45.00	0.00	45.00	Non vatable
Miscellaneous properties	Garage rents	12.60	13.00	2.60	15.60	Vatable

Increase 10%

Environmental & Regulatory Services: Water Supplies		2022/2023 Basic Charge £ p	2023/2024 Basic Charge £ p	VAT £ p	2023/2024 Total Charge £ p	VAT Status
Private Water Supplies	Risk Assessment or Investigation (fee per hour)	56.25	62.00	0.00	62.00	Non vatable
	Sampling – each visit – fixed fee	110.25	121.00	0.00	121.00	Non vatable
	Granting and Authorisation - fixed fee plus hourly rate applies	110.25	121.00	0.00	121.00	Non vatable
Sample Analysis	Taken under Regulation 10					
	Taken during check monitoring	at cost	at cost		at cost	Non vatable
	Taken during audit monitoring					
Regulation of Pollution from Industrial Sources <i>Fees as laid down by the Secretary of State</i>	- Environmental Permitting Regulations 2010 <i>Please refer to www.gov.uk/local-authority-environmental-permit</i>					
Environmental Information Regulations – Search Fees	Basic administration charge	27.55	30.00	6.00	36.00	Vatable
	Contaminated Land information request	88.20	97.00	19.40	116.40	Vatable

Increase 5%

Environmental & Regulatory Services: Food Health & Safety		2022/2023 Basic Charge £ p	2023/2024 Basic Charge £ p	VAT £ p	2023/2024 Total Charge £ p	VAT Status
Export of Food Products	Food Export Health Certificate (including first hour of officer time)	60.00	64.00	0.00	64.00	Non vatable
	DEFRA Export Health Certificate	0.00	126.00	0.00	126.00	Non vatable
	Officer hourly rate after first hour	42.00	45.00	0.00	45.00	Non vatable
Other Products & Services	E-learning	35.00	35.00	0.00	35.00	Non vatable
	Safer Food, Better Business Information Pack	15.00	15.00	0.00	15.00	Non vatable
	Food Hygiene Rating Re-visit	180.00	190.00	0.00	190.00	Non vatable
	Condemned Food Certificate	90.00	95.00	0.00	95.00	Non vatable

Increase 10%

Environmental & Regulatory Services: Licencing Animal Welfare		2022/2023 Basic Charge £ p	2023/2024 Basic Charge £ p	VAT £ p	2023/2024 Total Charge £ p	VAT Status
Breeding of Dogs ¹	New Application	385.90	424.00	0.00	424.00	Non vatable
	Renewal (1 to 3 years depending on rating + annual inspection)	303.20	334.00	0.00	334.00	Non vatable
Horse Riding Establishments ¹	New Application	441.00	485.00	0.00	485.00	Non vatable
	Renewal (1 to 3 years depending on rating + annual inspection)	303.20	334.00	0.00	334.00	Non vatable
Pet Shops	New Application	297.70	327.00	0.00	327.00	Non vatable
	Renewal (1 to 3 years depending on rating)	253.60	279.00	0.00	279.00	Non vatable
Keeping or Training Animals for Exhibition	New Application	297.70	327.00	0.00	327.00	Non vatable
	Renewal (3 years)	253.60	279.00	0.00	279.00	Non vatable
Home Boarding for Dogs (Day-time or overnight care within the home environment)	New Application	297.70	327.00	0.00	327.00	Non vatable
	Renewal (1 to 3 years depending on rating)	253.60	279.00	0.00	279.00	Non vatable
Providing Boarding in Kennels	Dogs - New Application – up to 50 dogs	297.70	327.00	0.00	327.00	Non vatable
	Dogs - Renewal (1 to 3 years depending on rating) – up to 50 dogs	253.60	279.00	0.00	279.00	Non vatable
	Dogs - New Application – over 50 dogs	347.30	382.00	0.00	382.00	Non vatable
	Dogs - Renewal (1 to 3 years depending on rating)– over 50 dogs	303.20	334.00	0.00	334.00	Non vatable
	Cats - New Application – up to 50 cats	297.70	327.00	0.00	327.00	Non vatable
	Cats - Renewal (1 to 3 years depending on rating) – up to 50 cats	253.60	279.00	0.00	279.00	Non vatable
	Cats - New Application – over 50 cats	347.30	382.00	0.00	382.00	Non vatable
	Cats - Renewal (1 to 3 years depending on rating)– over 50 cats	303.20	334.00	0.00	334.00	Non vatable
Total charge is the amount as shown plus veterinary fees						

Increase 10%

Environmental & Regulatory Services: Licencing Animal Welfare		2022/2023 Basic Charge £ p	2023/2024 Basic Charge £ p	VAT £ p	2023/2024 Total Charge £ p	VAT Status
Providing Day Care for Dogs	New Application – up to 50 dogs	270.00	297.00	0.00	297.00	Non vatable
	Renewal (1 to 3 years depending on rating) – up to 50 dogs	253.60	279.00	0.00	279.00	Non vatable
	New Application – over 50 dogs	347.30	382.00	0.00	382.00	Non vatable
	Renewal (1 to 3 years depending on rating)– over 50 dogs	303.20	334.00	0.00	334.00	Non vatable
Supplementary Fees	Franchise Licence – Dog Boarding only ¹	121.30	133.00	0.00	133.00	Non vatable
	Host Fee ²	143.35	158.00	0.00	158.00	Non vatable
	Additional Activity ³	49.60	55.00	0.00	55.00	Non vatable
	Variation Fee e.g. amendment to a licence	27.60	30.00	0.00	30.00	Non vatable
	Inspection Fee ⁴	132.30	146.00	0.00	146.00	Non vatable
	Re-Rating Fee ⁵	137.80	152.00	0.00	152.00	Non vatable
¹ Host fees will be required in addition to this licence						
² Required per host family of a dog boarding franchise						
³ Payable in addition to the appropriate licence fees where more than one activity is undertaken at the same premises						
⁴ Payable if an inspection is required in addition to the initial inspection required included within the licence fee						
⁵ Inspection and licence amendment for re-rating of the current star rating						
Dangerous Wild Animals	New Application ¹	369.35	406.00	0.00	406.00	Non vatable
	Renewal (2 years) ¹	325.25	358.00	0.00	358.00	Non vatable
Zoos	s14(2) dispensation - New Application ¹	1,284.40	1,413.00	0.00	1,413.00	Non vatable
	s14(2) dispensation - Renewal (6 years) ¹	1,736.45	1,910.00	0.00	1,910.00	Non vatable
	No dispensation - New Application ¹	2,050.65	2,256.00	0.00	2,256.00	Non vatable
	No dispensation - Renewal (6 years) ¹	2,888.55	3,177.00	0.00	3,177.00	Non vatable
¹ Total charge is the amount as shown plus veterinary fees						

Environmental & Regulatory Services: Licencing Taxis		2022/2023 Basic Charge £ p	2023/2024 Basic Charge £ p	VAT £ p	2023/2024 Total Charge £ p	VAT Status
Drivers Licence	Hackney Carriage / Private Hire / Dual - 3 year – new application	262.50	263.00	0.00	263.00	Non vatable
	Hackney Carriage / Private Hire / Dual - 3 year – renewal	194.25	194.00	0.00	194.00	Non vatable
	Single Private Hire to Dual Licence transfer	56.65	57.00	0.00	57.00	Non vatable
Vehicle Licence – all 1 year	Hackney Carriage vehicle – new application	262.50	263.00	0.00	263.00	Non vatable
	Hackney Carriage vehicle – renewal	194.25	194.00	0.00	194.00	Non vatable
	Private Hire vehicle – new application	262.50	263.00	0.00	263.00	Non vatable
	Private Hire vehicle – renewal	194.25	194.00	0.00	194.00	Non vatable
	Transfer of vehicle licence – to another person	26.25	26.00	0.00	26.00	Non vatable
	Transfer of vehicle licence – to another vehicle (1 year)	189.00	189.00	0.00	189.00	Non vatable
	Transfer of vehicle licence – to another vehicle (remainder of plate)	90.30	90.00	0.00	90.00	Non vatable
	Temporary vehicle (Insurance Company)	262.50	263.00	0.00	263.00	Non vatable
	Change of registration number	90.30	90.00	0.00	90.00	Non vatable
Private Hire Operators	Operator Licence – 5 year – new application	420.00	420.00	0.00	420.00	Non vatable
	Operator Licence – 1 year – new application / renewal	105.00	105.00	0.00	105.00	Non vatable
Other Fees	Knowledge Test	78.75	79.00	0.00	79.00	Non vatable
	Replacement driver's badge	29.40	29.00	0.00	29.00	Non vatable
	Replacement external plate	34.65	35.00	0.00	35.00	Non vatable
	Replacement internal plate	29.40	29.00	0.00	29.00	Non vatable
	Vehicle bracket	10.50	11.00	0.00	11.00	Non vatable
	Administration charge for any other requests	26.25	26.00	0.00	26.00	Non vatable

No increase

No increase

Environmental & Regulatory Services: Licencing Street Trading		2022/2023 Basic Charge £ p	2023/2024 Basic Charge £ p	VAT £ p	2023/2024 Total Charge £ p	VAT Status
Street Trading Licences	Witney & Chipping Norton – annual	2,892.82	2,893.00	0.00	2,893.00	Non vatable
	Witney & Chipping Norton – 3 months	862.14	862.00	0.00	862.00	Non vatable
	All other consents – annual	1,933.99	1,934.00	0.00	1,934.00	Non vatable
	All other consents – 3 months	620.81	621.00	0.00	621.00	Non vatable
	Individual Trader Day Rate (per stall)	67.18	67.00	0.00	67.00	Non vatable

Environmental & Regulatory Services: Markets						
Chipping Norton	per day per 10' frontage or pro-rata	22.39	22.00	4.40	26.40	Vatable
	per day casual	31.18	31.00	6.20	37.20	Vatable
	plus per canopy, per pitch, per day	3.30	3.00	0.60	3.60	Vatable
Witney	per day per 10' frontage or pro-rata	23.38	23.00	4.60	27.60	Vatable
	per day casual	31.67	32.00	6.40	38.40	Vatable
	plus per canopy, per pitch, per day	3.30	3.00	0.60	3.60	Vatable
	Farmers Market - per site	349.39	349.00	69.80	418.80	Vatable

Increase 10%

Environmental & Regulatory Services: Licencing Other		2022/2023 Basic Charge £ p	2023/2024 Basic Charge £ p	VAT £ p	2023/2024 Total Charge £ p	VAT Status
Scrap Metal	Dealer (Site) Licence – New Application / Renewal	587.14	646.00	0.00	646.00	Non vatable
	Collector's Licence – New Application / Renewal	587.14	646.00	0.00	646.00	Non vatable
Cosmetic Piercing (Accupuncture, Tattoo, Ear Piercing & Electrolysis)	Premises registration (includes 1 practitioner)	206.76	227.00	0.00	227.00	Non vatable
	Personal registration (each additional practitioner at a registered premises)	153.20	169.00	0.00	169.00	Non vatable
Sex Shop, Sex Cinema or Sexual Entertainment Venue	Please contact ers@publicagroup.uk to discuss your requirements					
Houses in Multiple Occupation	HMO Licence (3 years)	683.55	752.00	0.00	752.00	Non vatable
Advisory Services						
The council offers regulatory service support and advice as part of the Better Business for all partnership (https://www.thegrowthhub.biz/support-hub/better-business-for-all); please contact ers@publicagroup.uk to discuss your requirements.						

Alcohol & Entertainment (Licensing Act 2003)

Fees as laid down by the Secretary of State – please refer to www.gov.uk

Increase 10%

Environmental & Regulatory Services: Licencing Caravan & Campsites		2022/2023 Basic Charge £ p	2023/2024 Basic Charge £ p	VAT £ p	2023/2024 Total Charge £ p	VAT Status
New site application	– 5 or less units	347.30	382.00	0.00	382.00	Non vatable
	– 6 to 24 units	463.05	509.00	0.00	509.00	Non vatable
	– 25 to 99 units	556.75	612.00	0.00	612.00	Non vatable
	– 100 to 199 units	639.45	703.00	0.00	703.00	Non vatable
	– 200 units and over	733.15	806.00	0.00	806.00	Non vatable
Annual Fee for existing site licence	– 5 or less units	292.15	321.00	0.00	321.00	Non vatable
	– 6 to 24 units	385.90	424.00	0.00	424.00	Non vatable
	– 25 to 99 units	479.60	528.00	0.00	528.00	Non vatable
	– 100 to 199 units	556.75	612.00	0.00	612.00	Non vatable
	– 200 units and over	644.95	709.00	0.00	709.00	Non vatable
Other Fees	Transfer / amendment of existing site licence	110.25	121.00	0.00	121.00	Non vatable
	Change Site Conditions	110.25	121.00	0.00	121.00	Non vatable
	Site Rules Deposit	55.15	61.00	0.00	61.00	Non vatable
	Administrative and other expenses to serve notice under the Mobile Homes Act	330.75	364.00	0.00	364.00	Non vatable

Set by legislation

Environmental & Regulatory Services: Licencing Gambling Act		2022/2023 Basic Charge £ p	2023/2024 Basic Charge £ p	VAT £ p	2023/2024 Total Charge £ p	VAT Status
Betting Premises (excluding Tracks)	New Premises	471.68	471.68	0.00	471.68	Non vatable
	Vary Premises	471.68	471.68	0.00	471.68	Non vatable
	Transfer of Premises	105.53	105.53	0.00	105.53	Non vatable
	Reinstatement of Premises	211.01	211.01	0.00	211.01	Non vatable
	Provisional Statement	471.68	471.68	0.00	471.68	Non vatable
	New Premises with Provisional	86.88	86.88	0.00	86.88	Non vatable
	Annual Fee	186.20	186.20	0.00	186.20	Non vatable
Notification of change		31.00	31.00	0.00	31.00	Non vatable
For all other premises licence fees, please contact ers@publicagroup.uk.						
The fees for gaming machine permits are set nationally – please refer to www.gamblingcommission.gov.uk						
Lotteries and Amusements (Fees set nationally)	Small Lottery – new application	40.00	40.00	0.00	40.00	Non vatable
	Small Lottery – renewal	20.00	20.00	0.00	20.00	Non vatable

Set by legislation

Environmental & Regulatory Services: Premises		2022/2023 Basic Charge £ p	2023/2024 Basic Charge £ p	VAT £ p	2023/2024 Total Charge £ p	VAT Status
Number of people						
*Events that exceed 5,000 people will be liable for an additional fee to be charged on an application for a premises licence authorising the event.	5,000-9,999	1,000.00	1,000.00	0.00	1,000.00	Non vatable
	10,000-14,999	2,000.00	2,000.00	0.00	2,000.00	Non vatable
	15,000-19,999	4,000.00	4,000.00	0.00	4,000.00	Non vatable
	20,000-29,999	8,000.00	8,000.00	0.00	8,000.00	Non vatable
	30,000-39,999	16,000.00	16,000.00	0.00	16,000.00	Non vatable
	40,000-49,999	24,000.00	24,000.00	0.00	24,000.00	Non vatable
	50,000-59,999	32,000.00	32,000.00	0.00	32,000.00	Non vatable
	60,000-69,999	40,000.00	40,000.00	0.00	40,000.00	Non vatable
	70,000-79,999	48,000.00	48,000.00	0.00	48,000.00	Non vatable
	80,000-89,999	56,000.00	56,000.00	0.00	56,000.00	Non vatable
	90,000 and over	64,000.00	64,000.00	0.00	64,000.00	Non vatable
Note: Fees are determined by Government						

Set by legislation

Environmental & Regulatory Services: Community Safety & Licensing (Licensing Act 2003) Premises Licences		2022/2023 Basic Charge £ p	2023/2024 Basic Charge £ p	VAT £ p	2023/2024 Total Charge £ p	VAT Status
Fees relating to applications for premises licences, club premises certificates, variations, (but not changes of name and address etc or changes of designated premises supervisor) the conversion of existing licences, and conversion/variations should be graduated using five bands as shown:	BAND A	100.00	100.00	0.00	100.00	Non vatable
	BAND B	190.00	190.00	0.00	190.00	Non vatable
	BAND C	315.00	315.00	0.00	315.00	Non vatable
	BAND D	450.00	450.00	0.00	450.00	Non vatable
	BAND E	635.00	635.00	0.00	635.00	Non vatable
The annual charges payable by those holding licences and club premises certificates:	BAND A	70.00	70.00	0.00	70.00	Non vatable
	BAND B	180.00	180.00	0.00	180.00	Non vatable
	BAND C	295.00	295.00	0.00	295.00	Non vatable
	BAND D	320.00	320.00	0.00	320.00	Non vatable
	BAND E	350.00	350.00	0.00	350.00	Non vatable
Particular types of premises which do not have non-domestic rateable values would be allocated to Band A The various non-domestic rateable values should be allocated to bands in the following way: Note:*Non-Domestic rateable value	BAND A				*£0-£4,300	Non vatable
	BAND B				*£4,301-£33,000	Non vatable
	BAND C				*£33,001-£87,000	Non vatable
	BAND D				*£87,001-£125,000	Non vatable
	BAND E				*£125,001 and over	Non vatable
*No fee or annual charge would be payable by church halls, chapel halls or other premises of a similar nature and village halls, parish and community halls or other premises of a similar nature for a premises licence authorising only the provision of regulated entertainment. No fee or annual charge would be payable by a school providing education for pupils up to year 13 or a sixth form college for a premises licence authorising only the provision of regulated entertainment carried on by the school or sixth form college.						
Temporary Events Notice		21.00	21.00	0.00	21.00	Non vatable
Personal Licence		37.00	37.00	0.00	37.00	Non vatable
Minor Variations procedure		89.00	89.00	0.00	89.00	Non vatable
Note: Fees determined by Government						

Set by legislation

Environmental & Regulatory Services: Community Safety & Licensing (Licensing Act 2003) Miscellaneous Fees		2022/2023 Basic Charge £ p	2023/2024 Basic Charge £ p	VAT £ p	2023/2024 Total Charge £ p	VAT Status
Miscellaneous Fees	Application for a grant or renewal of personal licence	37.00	37.00	0.00	37.00	Non vatable
	Temporary event notices	21.00	21.00	0.00	21.00	Non vatable
	Theft, loss etc of premises licence or summary	10.50	10.50	0.00	10.50	Non vatable
	Application for a provisional statement where premises being built, etc	195.00	195.00	0.00	195.00	Non vatable
	Notification of change of name or address	10.50	10.50	0.00	10.50	Non vatable
	Application to vary to specify individual as premises supervisor	23.00	23.00	0.00	23.00	Non vatable
	Application for transfer of premises licence	23.00	23.00	0.00	23.00	Non vatable
	Interim authority notice following death etc. of licence holder	23.00	23.00	0.00	23.00	Non vatable
	Theft, loss etc of certificate or summary	10.50	10.50	0.00	10.50	Non vatable
	Notification of change of name or alteration of club rules	10.50	10.50	0.00	10.50	Non vatable
	Change of relevant registered address of club	10.50	10.50	0.00	10.50	Non vatable
	Theft, loss etc of temporary event notice	10.50	10.50	0.00	10.50	Non vatable
	Theft, loss etc of personal licence	10.50	10.50	0.00	10.50	Non vatable
	Duty to notify change of name or address	10.50	10.50	0.00	10.50	Non vatable
	Right of freeholder etc to be notified of licensing matters	21.00	21.00	0.00	21.00	Non vatable
Note: Fees determined by Government						

Set by legislation

Environmental & Regulatory Services: Environmental Services Penalty Notices		2022/2023 Basic Charge £ p	2023/2024 Basic Charge £ p	VAT £ p	2023/2024 Total Charge £ p	VAT Status
Fine for Dog Fouling		50.00	50.00	0.00	50.00	Non vatable
Off Street Parking enforcement	Higher Level Contravention paid after service of charge certificate*	105.00	105.00	0.00	105.00	Non vatable
	Higher Level Contravention paid after 14 days but before service of charge certificate*	70.00	70.00	0.00	70.00	Non vatable
	Higher level contravention paid within 14 days*	35.00	35.00	0.00	35.00	Non vatable
	Lower Level Contravention paid after service of charge certificate*	75.00	75.00	0.00	75.00	Non vatable
	Lower level contravention paid within 14 days*	50.00	50.00	0.00	50.00	Non vatable
	Lower level contravention paid within 14 days*	25.00	25.00	0.00	25.00	Non vatable
Operational Guidance to Local Authorities: Parking Policy and enforcement. Department for Transport. Traffic Management Act 2004						
Nuisance parking	Fixed penalty notices (FPN's)*	100.00	100.00	0.00	100.00	Non vatable
	If paid within 14 days	75.00	75.00	0.00	75.00	Non vatable
Abandoned vehicles	Fixed penalty notices (FPN's)*	200.00	200.00	0.00	200.00	Non vatable
	If paid within 14 days	150.00	150.00	0.00	150.00	Non vatable
*statutory fee						

Set by legislation

Environmental & Regulatory Services: Penalty Notices		2022/2023 Basic Charge £ p	2023/2024 Basic Charge £ p	VAT £ p	2023/2024 Total Charge £ p	VAT Status
Depositing litter	Fixed penalty notices (FPN's)*	80.00	80.00	0.00	80.00	Non vatable
	If paid within 14 days	60.00	60.00	0.00	60.00	Non vatable
Graffiti & Fly-posting	Fixed penalty notices (FPN's)*	80.00	80.00	0.00	80.00	Non vatable
	If paid within 14 days	60.00	60.00	0.00	60.00	Non vatable
Unauthorised distribution of free printed matter	Fixed penalty notices (FPN's)*	80.00	80.00	0.00	80.00	Non vatable
	If paid within 14 days	60.00	60.00	0.00	60.00	Non vatable
Failure to comply with a waste receptacles notice	Fixed penalty notices (FPN's)*	80.00	80.00	0.00	80.00	Non vatable
	If paid within 14 days	60.00	60.00	0.00	60.00	Non vatable
Failure to comply with a street litter control notice	Fixed penalty notices (FPN's)*	110.00	110.00	0.00	110.00	Non vatable
	If paid within 14 days	83.00	83.00	0.00	83.00	Non vatable
Failure to comply with a litter clearing notice	Fixed penalty notices (FPN's)*	110.00	110.00	0.00	110.00	Non vatable
	If paid within 14 days	83.00	83.00	0.00	83.00	Non vatable
Failure to produce waste documents	Fixed penalty notices (FPN's)*	300.00	300.00	0.00	300.00	Non vatable
	If paid within 14 days	180.00	180.00	0.00	180.00	Non vatable
Failure to produce authority to transport waste	Fixed penalty notices (FPN's)*	300.00	300.00	0.00	300.00	Non vatable
	If paid within 14 days	180.00	180.00	0.00	180.00	Non vatable
Smoking in smoke free premises or work vehicles	Fixed penalty notices (FPN's)*	50.00	50.00	0.00	50.00	Non vatable
	If paid within 14 days	30.00	30.00	0.00	30.00	Non vatable
Failure to display no smoking signs	Fixed penalty notices (FPN's)*	200.00	200.00	0.00	200.00	Non vatable
	If paid within 14 days	150.00	150.00	0.00	150.00	Non vatable
Unlawful deposit of waste	Fixed penalty notices (FPN's)*	400.00	400.00	0.00	400.00	Non vatable
	If paid within 10 days	200.00	200.00	0.00	200.00	Non vatable
Householder Duty of Care	Fixed penalty notices (FPN's)*	400.00	400.00	0.00	400.00	Non vatable
	If paid within 10 days	200.00	200.00	0.00	200.00	Non vatable
Smoke and Carbon Monoxide Regulations	Fixed penalty notices (FPN's)*	5,000.00	5,000.00	0.00	5,000.00	Non vatable
Housing Act 2004 Charging for Notices	Charge for Notice served	355.00	355.00	0.00	355.00	Non vatable
Minimum Energy Performance Certificate	The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015.	5,000.00	5,000.00	0.00	5,000.00	Non vatable
*statutory fee						

No increase

BUILDING CONTROL – GENERAL NOTES

THE BUILDING ACT 1984 : THE BUILDING REGULATIONS 2010 (As amended)

The building owner or agent must make a building regulations application and pay a fee for the construction of new works. All work must comply with the 2010 Building Regulations (as amended).

The person carrying out the building works is to liaise with and meet the requirements of the Local Authority Building Control and give the required notice for certain key stages of works as detailed in the guidance below.

The charges set out on the following pages have been set in accordance with the Building (Local Authority Charges) Regulations 2010. The tables give the charges for various categories of work.

Full Plans Applications Charges

The 'charges' shown in the following tables relate to Full Plans Applications. For the definition and details of Full Plans Applications please visit the respective Council's website.

Building Notice Applications Charges

Where building work is of a relatively minor nature, the Building Notice charge is the same for the Full Plans Application charge except for Cotswold District Council where the Building Notice charge is as shown on the relevant Tables.

For the definition and details of Building Notice Applications please visit the respective Council's website.

A Building Notice Application will not, in the majority of situations, be accepted for new dwellings. It is also likely that new dwellings may potentially attract additional charges depending on what level of design input has been achieved by the applicant.

Regularisation Applications (Retrospective Works) Charges

The charge required when depositing an application for regularisation (or reversion) is 100% of the appropriate charge as listed in the following tables **excluding VAT**, with an additional 50% premium added to it. This type of application is exempt from VAT.

For the definition and details of Regularisation Applications please visit the respective Council's website.

Works to provide access and facilities for disabled persons

Charges are not payable when the proposed work is to provide access and facilities in an existing dwelling or an extension to store equipment or provide medical treatment for a disabled person. In order to claim exemption, the appropriate evidence as to the relevance of the adaptation for the person's disability must accompany the application.

No increase

Building Control	2022/2023 Basic Charge £ p	2023/2024 Basic Charge £ p	VAT £ p	2023/2024 Total Charge £ p	VAT Status
------------------	----------------------------------	----------------------------------	------------	----------------------------------	------------

TABLE A – NEW DWELLINGS e.g. flats, houses with total floor area of less than 300m²)

Dwellings 1	Full Plans Charge	606.00	606.00	121.20	727.20	Vatable
	Building Notice Charge	660.00	660.00	132.00	792.00	Vatable
Dwellings 2+		Price on application				
<p>a) Where more than 1 dwelling is proposed, charges will be calculated on an individual application basis; please contact Building Control for a competitive quotation.</p> <p>b) New dwellings over 300m² in floor area – charges to be</p> <p>c) No additional fees are payable for different associated garages, built at the same time as the dwelling(s) concerned.</p> <p>d) Local Authority Building Control (LABC) can provide competitively priced 10 year Structural Warranties for new housing (including conversions, social housing, self-build and completed housing) and commercial buildings. For more details and prices contact 0845 0540505 or www.labcwarranty.co.uk</p>						

TABLE B – DOMESTIC AND COMMERCIAL EXTENSIONS TO A SINGLE BUILDING

Erection / Extension of a garage (30m ² to 60m ²)	Full Plans Charge	296.00	296.00	59.20	355.20	Vatable
	Building Notice Charge	325.00	325.00	65.00	390.00	Vatable
Garage conversion to habitable accommodation	Full Plans Charge	222.00	222.00	44.40	266.40	Vatable
	Building Notice Charge	244.00	244.00	48.80	292.80	Vatable
Loft conversion up to 100m ²	Full Plans Charge	591.00	591.00	118.20	709.20	Vatable
	Building Notice Charge	650.00	650.00	130.00	780.00	Vatable
Loft conversion over 100m ²		Price on application				
Extension up to 20m ²	Full Plans Charge	458.00	458.00	91.60	549.60	Vatable
	Building Notice Charge	503.00	503.00	100.60	603.60	Vatable
Extension 20m ² up to 60m ²	Full Plans Charge	606.00	606.00	121.20	727.20	Vatable
	Building Notice Charge	660.00	660.00	132.00	792.00	Vatable
Extension 60m ² up to 100m ²	Full Plans Charge	762.00	762.00	152.40	914.40	Vatable
	Building Notice Charge	838.00	838.00	167.60	1,005.60	Vatable
Extension over 100m ²		Price on application				
Notes:						
a) References to floor area relate to the total internal area of all storeys.						
b) Where more than one extension is proposed, the floor areas must be added together to determine the total charge.						
c) Some alterations to buildings to improve facilities for disabled persons are exempt from charges. For details and advice please contact us.						

TABLE C – ALL OTHER WORK

Under £1,000	Full Plans Charge	111.00	111.00	22.20	133.20	Vatable
	Building Notice Charge	122.00	122.00	24.40	146.40	Vatable
£1,001 to £5,000	Full Plans Charge	222.00	222.00	44.40	266.40	Vatable
	Building Notice Charge	244.00	244.00	48.80	292.80	Vatable
£5,001 to £10,000	Full Plans Charge	296.00	296.00	59.20	355.20	Vatable
	Building Notice Charge	326.00	326.00	65.20	391.20	Vatable
£10,001 to £20,000	Full Plans Charge	407.00	407.00	81.40	488.40	Vatable
	Building Notice Charge	448.00	448.00	89.60	537.60	Vatable
£20,001 to £30,000	Full Plans Charge	577.00	577.00	115.40	692.40	Vatable
	Building Notice Charge	635.00	635.00	127.00	762.00	Vatable
£30,001 to £40,000	Full Plans Charge	704.00	704.00	140.80	844.80	Vatable
	Building Notice Charge	774.00	774.00	154.80	928.80	Vatable
£40,001 to £50,000	Full Plans Charge	813.00	813.00	162.60	975.60	Vatable
	Building Notice Charge	894.00	894.00	178.80	1,072.80	Vatable
£50,001 to £60,000	Full Plans Charge	998.00	998.00	199.60	1,197.60	Vatable
	Building Notice Charge	1,098.00	1,098.00	219.60	1,317.60	Vatable
£60,001 to £70,000	Full Plans Charge	1,073.00	1,073.00	214.60	1,287.60	Vatable
	Building Notice Charge	1,180.00	1,180.00	236.00	1,416.00	Vatable
£70,001 to £80,000	Full Plans Charge	1,183.00	1,183.00	236.60	1,419.60	Vatable
	Building Notice Charge	1,300.00	1,300.00	260.00	1,560.00	Vatable
Over £80,000		Price on application				

For competitive quotations for projects over £80,000 please contact the 01993 861651 or by emailing building.control@westoxon.gov.uk building control team on

No increase

Building Control	2022/2023 Basic Charge £ p	2023/2024 Basic Charge £ p	VAT £ p	2023/2024 Total Charge £ p	VAT Status
------------------	----------------------------------	----------------------------------	------------	----------------------------------	------------

TABLE C – ALL OTHER WORK *continued*

Electrical installations if not using a competent electrical engineer	Full Plans Charge	460.00	460.00	92.00	552.00	Vatable
	Building Notice Charge	506.00	506.00	101.20	607.20	Vatable
New windows install by non FENSA opp – up to 8 windows	Full Plans Charge	120.00	120.00	24.00	144.00	Vatable
	Building Notice Charge	132.00	132.00	26.40	158.40	Vatable
New windows install by non FENSA opp – over to 8 windows	Price on application					

Notes on additional services:

a) Local Authority Building Control (LABC) can provide competitively priced 10 year Structural Warranties for new commercial buildings.

For more details and prices contact 0845 0540505 or www.labcwarranty.co.uk.

b) SAP/EPC and SBEM calculations can be provided – price on application.

c) Air pressure testing can be provided – price on application.

For more information please contact:

The building control team on 01993 861651 or Email: building.control@westoxon.gov.uk

TABLE D – ADDITIONAL SERVICES

Additional Services	Charge to administer an application which has not been visited for 10 years.	146.00	146.00	29.20	175.20	Vatable
	Services will be charged on an hourly rate of £ 73.00 per hour (including VAT).	73.00	73.00	14.60	87.60	Vatable
<p>Other relevant services not covered by the previous tables may be undertaken on a 'cost recovery' basis. The following are examples of additional services which the Council may provide:</p> <ul style="list-style-type: none"> · Provision of Completion Certificates e.g. where requested more than six months after completion of the building work · Advisory work in connection with i) demolition of buildings and ii) dangerous structures 						

Increase 10%

Environmental Services		2022/2023 Basic Charge £ p	2023/2024 Basic Charge £ p	VAT £ p	2023/2024 Total Charge £ p	VAT Status
Dog Control (Release of an impounded Stray Dog)	Statutory Fee	25.00	25.00	0.00	25.00	Non vatable
	Kennelling per day	22.00	24.00	0.00	24.00	Non vatable
	Administration Fee	36.50	40.00	0.00	40.00	Non vatable
	Delivery Charge (Optional return of dog to owner by the kennels)	53.90	59.00	11.80	70.80	Vatable
Note: The cost of veterinary treatment will be passed on in full to the dog owner. Owners in receipt of an income-related benefit shall only be charged for kennelling and the delivery charge (if requested), plus any veterinary costs incurred. This only applies in respect of the first recorded stray. Thereafter, full charges apply.						
Dog Chipping	Standard (subject to availability)	18.20	20.00	4.00	24.00	Vatable
	Concessionary (subject to availability)	18.20	20.00	4.00	24.00	Vatable
Other Services	Public Sewer Searches*	30.00	30.00	0.00	30.00	Non vatable
	Chipping Norton Mop Fair	5,250.00	5,250.00	1,050.00	5,250.00	Exempt
	Woodstock Fair	2,625.00	2,625.00	525.00	2,625.00	Exempt
Home Improvement Agency:	Agency Fees for Grant-aided Works up to £5,000	17% of cost	15% of cost			As Applicable
	Agency Fees for balance of Grant-aided Works Above £5,000	14% of cost	15% of cost			As Applicable
	Small Repairs Fee - Estimates quoted at £20 per hour plus VAT (if applicable) plus cost of materials used					As Applicable
	Agency Fees for balance of Grant-aided Works Above £5,000	14% of cost	15% of cost			As Applicable
	Small Repairs Fee - Estimates quoted at £20 per hour plus VAT (if applicable) plus cost of materials used					As Applicable
*statutory fee						

Increase 8%

Street Signage, Naming and Numbering		2022/2023 Basic Charge £ p	2023/2024 Basic Charge £ p	VAT £ p	2023/2024 Total Charge £ p	VAT Status
Address and Street Name Amendments	Change of address	66.67	72.00	0.00	72.00	Non vatable
	Allocating a name to a property or allocating a number to a named property	66.67	72.00	0.00	72.00	Non vatable
	Change of a commercial building address	66.67	72.00	0.00	72.00	Non vatable
	Change of street name at residents, developers or parish/town council request	399.42	431.00	0.00	431.00	Non vatable
	Plus additional charge per property/unit where consultation with existing residents	44.10	48.00	0.00	48.00	Non vatable
Naming and numbering of a block of flats	Block of flats: up to 20 flats	199.50	215.00	0.00	215.00	Non vatable
	Block of flats: 21-50 flats	0.00	300.00	0.00	300.00	Non vatable
	Block of flats: 51+ flats	0.00	400.00	0.00	400.00	Non vatable
Naming and numbering of new properties including commercial buildings	Per Unit up to 5 plots	66.67	72.00	0.00	72.00	Non vatable
	6 - 25 plots	564.27	609.00	0.00	609.00	Non vatable
	26 - 75 plots	877.59	948.00	0.00	948.00	Non vatable
	76 - 150 plots	1,253.80	1,354.00	0.00	1,354.00	Non vatable
	151 - 250 plots	1,567.23	1,693.00	0.00	1,693.00	Non vatable
	251 - 350 plots	1,880.76	2,031.00	0.00	2,031.00	Non vatable
	351 - 500 plots	2,194.18	2,370.00	0.00	2,370.00	Non vatable
501 or more plots	2,507.61	2,708.00	0.00	2,708.00	Non vatable	
Additional charges where new street names are required:	1 - 5 new street names	250.85	271.00	0.00	271.00	Non vatable
	6 - 10 new street names	501.48	542.00	0.00	542.00	Non vatable
	10 or more new street names	627.06	677.00	0.00	677.00	Non vatable
Additional charge where new Court names are required	Per Court name	0.00	160.00	0.00	160.00	Non vatable
Charge for a developer amending plans after naming and numbering has commenced		133.35	144.00	0.00	144.00	Non vatable
Providing a Letter of Certification	Per letter of address certification	0.00	25.00	0.00	25.00	Non vatable
Charges for preparing site location plans and supervising the installation of street nameplates	1-4 Nameplates	209.90	209.90	41.98	251.88	Vatable
	5-8 Nameplates	269.80	269.80	53.96	323.76	Vatable
	9-12 Nameplates	329.80	329.80	65.96	395.76	Vatable
	13-16 Nameplates	389.80	389.80	77.96	467.76	Vatable
	17-20 Nameplates	449.80	449.80	89.96	539.76	Vatable
	21-24 Nameplates	509.70	509.70	101.94	611.64	Vatable
	25-28 Nameplates	569.60	569.60	113.92	683.52	Vatable
29+ Nameplates	599.50	599.50	119.90	719.40	Vatable	
The charges above include all necessary administration, site visits to carry out existing address checks, establishing any new street names required and the publishing of the new addresses to relevant organisations						

Increase 10%

Environmental Services: Pest Control		2022/2023 Basic Charge £ p	2023/2024 Basic Charge £ p	VAT £ p	2023/2024 Total Charge £ p	VAT Status
Pest Control - Domestic	Rats & Mice (per course of treatment)	58.90	65.00	13.00	78.00	Vatable
	<i>Note: Pest Control for rats and mice will be charged at the survey rate for occupiers of domestic premises in receipt of an income-related benefit</i>	19.50	21.00	4.20	25.20	Vatable
	Wasps	56.60	62.00	12.40	74.40	Vatable
	Second & Subsequent wasps nests treated during the same visit	28.10	31.00	6.20	37.20	Vatable
	Other Insects	74.10	82.00	16.40	98.40	Vatable
	Other Insects - all following visits	39.60	44.00	8.80	52.80	Vatable
	Abortive Calls and Surveys	19.50	21.00	4.20	25.20	Vatable
Pest Control - Commercial	All pests (except wasps) per hour (min 1 hour)	94.20	104.00	20.80	124.80	Vatable
	Wasps (includes materials)	94.20	104.00	20.80	124.80	Vatable
	Abortive Calls and Surveys per ½ hour (min ½ hour)	47.10	52.00	10.40	62.40	Vatable

Increase 10%


Environmental Services: Trade Waste		2022/2023 Basic Charge £ p	2023/2024 Basic Charge £ p	VAT £ p	2023/2024 Total Charge £ p	VAT Status
Commercial & Schedule 1 Waste (Refuse) Cost per collection	180 Litre Bin (Schedule 1 only)	5.40	6.00	0.00	6.00	Non vatable
	240 Litre Bin	7.20	8.00	0.00	8.00	Non vatable
	360 Litre Bin	11.20	12.00	0.00	12.00	Non vatable
	660 Litre Bin	14.60	16.00	0.00	16.00	Non vatable
	1,100 Litre Bin	20.70	23.00	0.00	23.00	Non vatable
	660 Litre Bin - Clinical	14.40	16.00	0.00	16.00	Non vatable
Commercial & Schedule 1 Waste (Refuse) Annual once per week collection	180 Litre Bin (Schedule 1 only)	280.80	312.00	0.00	312.00	Non vatable
	240 Litre Bin	374.40	416.00	0.00	416.00	Non vatable
	360 Litre Bin	582.40	624.00	0.00	624.00	Non vatable
	660 Litre Bin	759.20	832.00	0.00	832.00	Non vatable
	1,100 Litre Bin	1,076.40	1,196.00	0.00	1,196.00	Non vatable
	660 Litre Bin - Clinical	748.80	832.00	0.00	832.00	Non vatable
Commercial & Schedule 1 Waste (Recycling) Cost per collection	180 Litre Bin (Schedule 1 only)	3.53	4.00	0.00	4.00	Non vatable
	240 Litre Bin	4.74	5.00	0.00	5.00	Non vatable
	360 Litre Bin	7.34	7.00	0.00	7.00	Non vatable
	660 Litre Bin	10.15	10.00	0.00	10.00	Non vatable
	1,100 Litre Bin	14.41	14.00	0.00	14.00	Non vatable
Commercial & Schedule 1 Waste (Food)	23 Litre Caddy	3.90	4.00	0.80	4.80	Vatable
	140 Litre Bin	4.85	5.00	1.00	6.00	Vatable
	240 Litre Bin	5.68	6.00	1.20	7.20	Vatable
	360 Litre Bin	6.67	7.00	1.40	8.40	Vatable
	660 Litre Bin	9.14	9.00	1.80	10.80	Vatable
These charges are net of VAT as per a change in HMRC policy but may be subject to future review						

Increase 10%

Environmental Services:		2022/2023 Basic Charge £ p	2023/2024 Basic Charge £ p	VAT £ p	2023/2024 Total Charge £ p	VAT Status
Prepaid items	*Pre paid plastic sacks - per sack (Refuse)	2.90	3.00	0.00	3.00	Non vatable
	*Pre paid stickers - per sticker (Refuse)	2.90	3.00	0.00	3.00	Non vatable
	*Pre paid plastic sacks - per sack (Recycling)	2.40	3.00	0.00	3.00	Non vatable
	*Pre paid stickers - per sticker (Recycling)	2.40	3.00	0.00	3.00	Non vatable
*Service to be available where wheeled bins are unsuitable						
For Domestic use only:- Bulky household waste charges	Contaminated bin	106.60	117.00	0.00	117.00	Non vatable
Waste collection from commercial establishments. (See page 12.27 for chargeable items)						
Green Waste Collection		40.00	45.00	0.00	45.00	Non vatable
Recovery of Abandoned Trolleys (per trolley)		55.40	61.00	12.20	73.20	Vatable
Container Delivery	Black Boxes & Food Caddies*	5.30	5.00	0.00	5.00	Non vatable
	Household Waste Bin 240ltr*	10.50	11.00	0.00	11.00	Non vatable
	Larger Waste Bins 1100 & 660ltrs*	21.00	21.00	0.00	21.00	Non vatable
Emptying of litter/dog waste bins	Per empty	0.00	8.37	0.00	8.37	Non vatable

Increase 10%

Bulky Household Waste Collection Service		2022/2023 Basic Charge £ p	2023/2024 Basic Charge £ p	VAT £ p	2023/2024 Total Charge £ p	VAT Status
Normal Household items*	Up to 4 items	30.00	33.00	0.00	33.00	Non vatable
	Each additional item with a limit of up to two additional items	10.00	11.00	0.00	11.00	Non vatable
Non - standard household items	Non - standard household items	30.00	33.00	0.00	33.00	Non vatable
Please refer to www.Westoxon.gov.uk for the up to date list of collectable items.						
Note: The Council will not collect the following items: Asbestos, Bricks, Builders Rubble, Car Shells, Chemicals, Gas Bottles, Oil Drums, Paint, Trailers, Vehicle Engines (or other parts) or Vehicle wheels/tyres						

 <p>WEST OXFORDSHIRE DISTRICT COUNCIL</p>	<p>WEST OXFORDSHIRE DISTRICT COUNCIL</p>
<p>Name and date of Committee</p>	<p>COUNCIL – 18 JANUARY 2023</p>
<p>Report Number</p>	<p>AGENDA ITEM 10</p>
<p>Subject</p>	<p>WEST OXFORDSHIRE DISTRICT COUNCIL DRAFT PROGRAMME OF MEETINGS 2023-24</p>
<p>Wards affected</p>	<p>N/A</p>
<p>Accountable member</p>	<p>Cllr Andy Graham – Leader of the Council Email: andy.graham@westoxon.gov.uk</p>
<p>Accountable officer</p>	<p>Giles Hughes – Chief Executive Email: giles.hughes@westoxon.gov.uk</p>
<p>Report author</p>	<p>Andrew Brown – Democratic Services Business Manager Email: Andrew.brown@publicagroup.uk</p>
<p>Summary/Purpose</p>	<p>To set a programme of Council and committee meetings for 2023-24.</p>
<p>Annexes</p>	<p>Annex A – Programme of meetings for January 2023 to May 2023 with changes. Annex B – Draft programme of meetings for June 2023 to May 2024.</p>
<p>Recommendation(s)</p>	<p>The Council resolves to:</p> <ol style="list-style-type: none"> 1. <i>Approve the changes to the programme of meetings for January to May 2023 as explained in paragraph 2.3 and shown in Annex A;</i> 2. <i>Approve the programme of meetings for June 2023 to May 2024 as shown in Annex B;</i> 3. <i>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;</i> 4. <i>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;</i>

Corporate priorities	Delivering of services to the highest standards
Key Decision	NO
Exempt	NO
Consultees/ Consultation	Licensing Team Leader Planning Services Business Manager Finance Business Manager Local Management Team

1. BACKGROUND

- 1.1 Council is responsible for setting the dates and times of Council and committee meetings.
- 1.2 This report proposes some changes to previously agreed meeting dates in January to May 2023, and a recommended programme of Council and Committee meetings for June 2023 to May 2024. Meeting dates for Cabinet are a matter for the Leader of the Council and are included in the programme for completeness.
- 1.3 Setting meeting dates in advance allows for good governance, open and efficient decision making and helps members and officers to plan their workloads and availability.

2. PROGRAMME OF MEETINGS FOR JANUARY TO MAY 2023

- 2.1 Council on 26 January 2022 agreed a programme of meetings for the (current) 2022-23 municipal year up to the end of May 2023.
- 2.2 This report proposes the following changes to the programme of meetings for January to May 2023:
- a) That the Council meeting previously scheduled for 26 April is moved to 22 March to avoid the pre-election period of “heightened sensitivity”.
 - b) That the Uplands Area Planning Sub-Committee previously scheduled for Monday 2 May is moved to Tuesday 25 April to avoid very close proximity to the elections.
 - c) That the Annual Council meeting previously scheduled for 17 May 2023 is moved to 24 May 2024 to allow more time for the formation of political groups following the local elections and for those groups to nominate members to committee seats.
 - d) That the Lowlands Area Planning Sub-Committee previously scheduled for Monday 22 May is moved to Tuesday 30 May 2023 as a consequence of c).
 - e) That the Economic and Social Overview and Scrutiny Committee previously scheduled for 25 May 2023 is removed from the programme due to its proximity to the new meeting date for Annual Council.

- f) That the Uplands Area Planning Sub-Committee previously scheduled for Monday 29 May 2023 is moved back a week to Monday 5 June 2023 to avoid the Spring Bank Holiday.
- g) That member induction sessions are earmarked for Wednesday 10 May 2023. The intention is to hold two induction sessions; one afternoon and one evening session.

3. PROGRAMME OF MEETINGS FOR JUNE 2023 TO MAY 2024

- 3.1 The draft programme of meetings for 2023-24 has been formulated on a similar basis to recent years and is based on the current committee structure. Council is recommended to approve the programme of meetings as set out in Annex B. Should Council decide to make changes to its committee structure in future, a revised programme may need to be prepared and circulated. It is recommended that authority is delegated to the Director of Governance and Development (Monitoring Officer), in consultation with Group Leaders, to make changes to the programme as required following any such decision.
- 3.2 The principle used in timetabling meetings is that business needs to take place in a timely manner but that the broader needs of members will be taken into account. West Oxfordshire school holiday dates have been avoided where this does not adversely affect the overall meetings programme or the cycle of meetings.
- 3.3 District councillors may also serve as county councillors and/or parish councillors. Meetings of Oxfordshire County Council have been set up to May 2024, with most meetings of that authority starting in the morning (9.00am, 10.00am or 10.30am). Clashes with County Council meetings are few but where they do occur any members affected would be able to arrange a substitute for one meeting or the other.
- 3.4 Given that many of the officers who deliver the work of the Council and attend meetings are employed by Publica Group and work across at least two other local authorities, care has been taken to avoid Council and committee meetings at West Oxfordshire District Council clashing with major meetings of Forest of Dean District Council and Cotswold District Council. The avoidance of clashes means that some committees (e.g. Audit and Governance Committee) do not always meet on the same day of the week. The programme of meetings across the three councils is very busy meaning there is limited scope to move or add meetings without creating potential clashes for officers. It is likely that the Budget Council meeting will be held on the same date as Cotswold District Council meeting; 21 February 2024. This has been difficult to avoid due to the school holidays the previous week. However, the two meetings are likely to start four hours apart and this shouldn't cause difficulties for many officers.

4. ANNUAL COUNCIL MEETINGS

- 4.1 The Council is due to hold elections by third on 4 May 2023 and the pre-election period for those elections is expected to start on 27 March 2023. Saturday 6 May 2023 will be the Coronation of King Charles and Monday 8 May will be a public holiday. Members elected on 4 May 2023 will therefore commence their term of office on Tuesday 9 May 2023. The Annual Council meeting was previously set for Wednesday 17 May 2023, now the eighth day following the date of retirement of councillors. As explained at paragraph 2.2c) it is proposed that the Annual Council meeting is moved back a week to Wednesday 24 May 2023 to allow more time for the formation of political groups following the local elections and for groups to nominate members to seats on committees before the Annual Council meeting.
- 4.2 Elections by third will also take place on 2 May 2024 and it is proposed that the Annual meeting of Council following those elections is set for 22 May 2024. Again, this date will allow sufficient time between the elections and the Annual Council meeting for the formation of groups and the nomination of members to committee seats.
- 4.3 Council is responsible for appointing committees in accordance with the requirements of political balance. The responsibility for appointing sub-committees rests with the “parent” committee. The intention is to hold meetings of the parent committees immediately after the Annual Council meetings on 17 May 2023 and 22 May 2024 so that those committees may elect chairs and vice-chairs and appoint sub-committees at the beginning of the municipal year:
- Audit and Governance Committee for the Standards Sub-Committee;
 - Development Control Committee for the Uplands Area Planning Sub-Committee and Lowlands Area Planning Sub-Committee;
 - Licensing Committee for the Miscellaneous Licensing Sub-Committee.

5. COMMITTEES AND SUB-COMMITTEES THAT MEET AS REQUIRED

- 5.1 The following committees and sub-committees will generally only meet during the municipal year where there is specific business to consider and this report seeks a delegation to the Democratic Services Business Manager to set meeting dates for these committees and sub-committees as required:
- Performance and Appointments Committee is responsible for matters relating to the Council’s statutory officers.
 - Licensing Committee will consider licensing policies and determine certain licensing applications where representations have been received.
 - Development Control Committee is responsible for determining applications which in the opinion of the Senior Officer with responsibility for planning, are of significant local importance e.g. major housing development, or where either the Uplands or Lowlands area sub-committee proposes to make a decision which would be unlawful, seriously undermine policy, set adverse precedent or result in substantial costs being awarded against the Council.

- The Standards Sub-Committee is responsible for dealing with matters relating to standards and ethics and to sit in the capacity of a hearing panel to, in conjunction with the Independent Person, hear allegations that Members have failed to comply with the Member Code of Conduct. Two meeting dates are included in the programme but further meetings will be required if the sub-committee needs to meet as a hearing panel.
- Miscellaneous Licensing Sub-Committee and Licensing Panel meet as required to determine certain licensing applications. Regular dates are included in the programme which can be used for sub-committee meetings or panel hearings. These will be cancelled where there is no business and at times additional dates may be needed outside of the regular cycle of scheduled meeting dates.

6. CABINET AND SCRUTINY CYCLE

- 6.1** One change to the cycle of meetings from previous years is that an overview and scrutiny committee is scheduled to meet on the Wednesday prior to a Cabinet meeting. This is intended to allow for pre-decision scrutiny of Cabinet reports and will provide the opportunity for Scrutiny to submit recommendations to Cabinet on those decisions. There are three scrutiny committees which each meet four times per year. No Cabinet and Scrutiny meetings have been scheduled for August 2023, due to the summer holidays, or May 2024, due to the local elections, so there are two months in which scrutiny meetings are scheduled outside of the normal Cabinet and Scrutiny cycle; July 2023 and January 2024.

7. PLANNING SUB-COMMITTEES

- 7.1** The Development Control Committee agreed on 7 November 2022 that the Lowlands and Uplands area planning sub-committees would continue to meet on a 4-weekly cycle through the year as opposed to a monthly cycle. The draft programme for 2023-24 continues the regular 4-weekly cycle with the exception of a 5-week cycle from December 2023 to January 2024 taking account of the holiday period. There is also a three-week gap between Lowlands meetings in April 2024 to avoid close proximity to the May 2024 local elections.

8. FUTURE OXFORDSHIRE PARTNERSHIP

- 8.1** The Future Oxfordshire Partnership (FOP) is a joint committee comprising the leaders of the six councils of Oxfordshire together with key strategic partners working together to deliver a better future for the county. The Future Oxfordshire Partnership Scrutiny Panel is an informal panel comprising three non-executive members from each of the six councils and exists to provide oversight of the work of the FOP. The Council does not set meeting dates for the FOP or the FOP Scrutiny Panel but the expected meeting dates are included in the draft programme at Annex A for completeness. Meetings of the FOP start at 2.00pm and meetings of the FOP Scrutiny Panel start at 6.30pm.

9. MEETING START TIMES

9.1 No changes are proposed in this report to the recent start times of meetings. Under the Council Procedure Rules at Part 5A of the Constitution, committees and sub-committees may vary the timing of their meetings at their first meeting of the municipal year. The existing start times are as follows:

- Council meetings are held at 2.00pm
- Economic and Social Overview Scrutiny meetings start at 6.30pm.
- Finance and Management Overview and Climate and Environment Scrutiny meetings start at 2.00pm
- Audit and Governance meetings are held at 6.00pm
- Development Control meetings start at 11.00am
- Planning sub-committee meetings are held at 2.00pm
- Licensing Committee, Licensing Sub-Committee and Licensing Panel meetings start at 10.00am
- Standards Sub-Committee meetings start at 10.00am
- Cabinet starts at 2.00pm but that is a matter for the Leader rather than Council.

6. TRAINING AND BRIEFING DATES

6.1 It is intended that a member training scheme will be produced and approved prior to the May 2023 local elections which will articulate a member induction and training programme. It is also intended that a programme of regular member briefings will be produced. This report seeks a delegation to the Democratic Services Business Manager to set training and briefing dates.

7. MEMBER WORKING GROUPS

7.1 The Council may establish informal cross-party member working groups to perform particular tasks. Recent examples include the Constitution Working Group, Agile Working Group and the Cost of Living Working Group. This report seeks a delegation to the Democratic Services Business Manager to set meeting dates for member working groups.

8. FINANCIAL IMPLICATIONS

8.1 Members are entitled to claim mileage expenses for attending meetings and such costs can be met from existing budgets. The number of meetings within the recommended meeting programme is similar to previous years. It is anticipated that the majority of training will be delivered internally and will not therefore have a financial impact. Council has allocated a budget of £4,000 per annum which is available to fund externally-delivered training sessions and members' attendance at external training courses. There are no further direct financial implications.

9. LEGAL IMPLICATIONS

- 9.1** The responsibility for setting meeting dates for Council and Committee meetings rests with Council under the Local Government Act 1972 (Schedule 12). In a year of ordinary elections the Annual Council meeting must be held on the eighth day after the retirement of councillors, or such other day within twenty-one days of the date of retirement. In non-election years the Annual Council meeting may be held on any date in March, April or May.

10. RISK ASSESSMENT

- 10.1** If Council did not agree a programme of meetings for 2023/24 there is a risk that decision making would not be able to take place in a timely, effective and open and transparent manner. There are no other significant risks in relation to this report.

11. EQUALITIES IMPACT

- 11.1** The recommendations are not expected to differentially impact any groups with protected characteristics. Meetings are held in an accessible venue.

12. CLIMATE AND ECOLOGICAL EMERGENCIES IMPLICATIONS

- 12.1** Members are required to attend meetings in person so there will be emissions associated with journeys to and from meetings. Many members choose to have paper copies of agenda packs but alternatively members may prefer to access papers using the Modern.gov app or the extranet.

13. ALTERNATIVE OPTIONS

- 13.1** Should Council wish to consider alternative proposals it could request that a further report is presented to a future meeting.

14. BACKGROUND PAPERS

- 14.1** None

(END)

This page is intentionally left blank

Revised programme of meetings 2022/23 for WODC

Jan-23					Feb-23				
Mon	Tue	Wed	Thur	Fri	Mon	Tue	Wed	Thur	Fri
	2	3	4	5			1	2	3
		Lowlands					FMOS		
	9	10	11	12	6	7	8	9	10
Uplands		Cabinet			Uplands		Cabinet		
	16	17	18	19	13	14	15	16	17
		Council					Council		
	23	24	25	26	20	21	22	23	24
						Licensing		Economic	
	30	31			27	28			
Lowlands					Lowlands				
Mar-23					Apr-23				
Mon	Tue	Wed	Thur	Fri	Mon	Tue	Wed	Thur	Fri
		1	2	3	3	4	5	6	7
					Uplands				PH
	6	7	8	9	10	11	12	13	14
Uplands		Cabinet			PH		FMOS		
	13	14	15	16	17	18	19	20	21
							Cabinet		
	20	21	22	23	24	25	26	27	28
		Council	Climate		Lowlands	Uplands			
	27	28	29	30	31				
Lowlands			Audit						
May-23					*Annual Council meetings will be followed by meetings of committees to appoint sub-committees.				
Mon	Tue	Wed	Thur	Fri	Key				
	1	2	3	4		Previous meeting date no longer used			
PH			Elections			FOP / FOP Scru Future Oxfordshire Partnership / Future Oxfordshire Partnership Scrutiny Panel			
	8	9	10	11		Economic Economic and Social Overview & Scrutiny Committee			
PH		Induction				Climate Climate and Environment Overview & Scrutiny Committee			
	15	16	17	18		FMOS Finance and Management Overview & Scrutiny Committee			
	22	23	24	25					
		Council*							
	29	30	31						
PH	Lowlands					PH = Public holiday			

This page is intentionally left blank

Draft programme of meetings 2023/24

Jun-23					Jul-23				
Mon	Tue	Wed	Thur	Fri	Mon	Tue	Wed	Thur	Fri
			1	2	3	4	5	6	7
					Climate		Economic		
5	6	7	8	9	10	11	12	13	14
Uplands	FOP Scru						Cabinet		
12	13	14	15	16	17	18	19	20	21
	FOP	FMOS			Lowlands	Lic Sub / FOP Scru	Council		
19	20	21	22	23	24	25	26	27	28
Lowlands	Lic Sub	Cabinet			Uplands	FOP			
26	27	28	29	30	31				
Uplands			Audit						

Aug-23					Sep-23				
Mon	Tue	Wed	Thur	Fri	Mon	Tue	Wed	Thur	Fri
		1	2	3					1
7	8	9	10	11	4	5	6	7	8
							FMOS		
14	15	16	17	18	11	12	13	14	15
Lowlands	Lic Sub				Lowlands		Cabinet	FOP Scru	
21	22	23	24	25	18	19	20	21	22
Uplands					Uplands	Lic Sub			
28	29	30	31		25	26	27	28	29
PH						FOP	Council	Audit	

Oct-23					Nov-23				
Mon	Tue	Wed	Thur	Fri	Mon	Tue	Wed	Thur	Fri
2	3	4	5	6			1	2	3
		Economic					Standards		
9	10	11	12	13	6	7	8	9	10
Lowlands		Cabinet			Lowlands		Climate		
16	17	18	19	20	13	14	15	16	17
Uplands	Lic Sub				Uplands		Cabinet		
23	24	25	26	27	20	21	22	23	24
						Lic Sub / FOP Scru		Audit	
30	31				27	28	29	30	
						FOP	Council		

Dec-23					Jan-24				
Mon	Tue	Wed	Thur	Fri	Mon	Tue	Wed	Thur	Fri
				1	1	2	3	4	5
					PH				
4	5	6	7	8	8	9	10	11	12
Lowlands	FOP Scr	FMOS			Lowlands		Economic		
11	12	13	14	15	15	16	17	18	19
Uplands / FOP		Cabinet			Uplands		Cabinet		
18	19	20	21	22	22	23	24	25	26
	Lic Sub				FOP Scr	Lic Sub			
25	26	27	28	29	29	30	31		
PH	PH					FOP	Council		

Feb-24					Mar-24				
Mon	Tue	Wed	Thur	Fri	Mon	Tue	Wed	Thur	Fri
			1	2					1
			FMOS						
5	6	7	8	9	4	5	6	7	8
Lowlands		Climate			Lowlands		Cabinet		
12	13	14	15	16	11	12	13	14	15
Uplands		Cabinet			Uplands / FOP Scr	Lic Sub	Council		
19	20	21	22	23	18	19	20	21	22
	Lic Sub				Economic	Audit	FOP		
26	27	28	29		25	26	27	28	29
		Council					Standards		PH

Apr-24					May-24				
Mon	Tue	Wed	Thur	Fri	Mon	Tue	Wed	Thur	Fri
1	2	3	4	5			1	2	3
PH	Lowlands							Elections	
8	9	10	11	12	6	7	8	9	10
Uplands		Climate			PH		Induction		
15	16	17	18	19	13	14	15	16	17
	Lic Sub	Cabinet							
22	23	24	25	26	20	21	22	23	24
Lowlands							Council*		
29	30				27	28	29	30	31
					PH	Uplands			

 <p>WEST OXFORDSHIRE DISTRICT COUNCIL</p>	<p>WEST OXFORDSHIRE DISTRICT COUNCIL</p>
<p>Name and date of Committee</p>	<p>COUNCIL - 18 JANUARY 2023</p>
<p>Report Number</p>	<p>AGENDA ITEM NO.11</p>
<p>Subject</p>	<p>REPORT OF THE CONSTITUTION WORKING GROUP</p>
<p>Wards affected</p>	<p>ALL</p>
<p>Accountable member</p>	<p>Chair of Constitution Working Group: Ted Fenton Email: Ted.Fenton@westoxon.gov.uk</p>
<p>Accountable officer</p>	<p>Susan Sale, Interim Monitoring Officer Email: Susan.Sale@westoxon.gov.uk</p>
<p>Summary/Purpose</p>	<p>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.</p>
<p>Annexes</p>	<p>Annex A: Glossary Annex B: Summary & Explanation Annex C: Articles Annex D: Functions of Responsibility Annex E: Standards Sub-Committee Procedure Rules Annex F: Monitoring Officer Protocol</p>
<p>Recommendation/s</p>	<p>Council is recommended to resolve to:</p> <ol style="list-style-type: none"> 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.
Corporate priorities	All
Key Decision	NO
Exempt	NO
Consultees/ Consultation	Constitution Working Group, Group Leaders, Chief Executive, Chief Financial Officer, Democratic Services Business Manager, Interim Monitoring Officer.

1. BACKGROUND

The current Interim Monitoring Officer has been tasked with undertaking a review of the Constitution and ensuring that it is clear, comprehensive, accurate, lawful and fit for purpose.

To that end, the Constitution Working Group, reconvened in 22/23 with fresh membership and revised terms of reference.

The Constitution Working Group recommended to Council in October 2022 revised Council Procedure Rules, Officer Employment Procedure Rules and a Protocol on Conferment of Honorary Titles. These amended parts of the Constitution were formally adopted by the Council and came into effect on 20th October 2022.

The Constitution Working Group has met several times since the October Council meeting and considered other parts of the current Constitution and makes recommendations to Council for the adoption of further amended parts, to be effective from 19th January 2023.

2. MAIN POINTS

2.1 GLOSSARY OF TERMS

The proposed amended Glossary of Terms is set out at Annex A to this report. The primary amendment is the use of the term 'Executive', rather than 'Cabinet', to reflect changes to legislation and in particular the *Local Authorities (Executive Arrangements)(Meetings and Access to Information)(England) Regulations 2012*.

2.2 SUMMARY & EXPLANATION

Part I of the Constitution sets out the Summary and Explanation, and the proposed amended version can be found at Annex B to this report.

Part I has been amended to remove content which is better suited to the Articles of the Constitution and are included in Part 2. It also has been amended to include information about how the Council makes decision, clarify the public interest test when considering exempt information, the role of the Council's Audit & Governance Committee, the role of Council Officers and engagement by the Public

2.3 ARTICLES

Part 2 of the Constitution comprises the Articles and proposed amendments have been made, set out as tracked changes, at Annex C to this report.

- Article 1 about the Council has been amended to reflect that the full Council is the policy making body who then delegates policy implementation and service delivery to the Executive. It clarifies that the election of the Leader of the Council, and the establishment and appointment to non-Executive Committees, is a role for full Council. It also clarifies that full Council will elect a Chair who shall not be a member of the Executive. It confirms that Local Choice functions are to be considered Executive. And makes provision for the holding of Special Council meetings in accordance with legislation.
- Article 2 concerns the Chair of the Council and clarifies that the Chair is elected by full Council, is the Civic Head who represents the Council, that they remain accountable to full Council, and may only be removed by the Council. The role includes attending and hosting such ceremonial and civic events as the Council determines is appropriate, and promoting charities of the Chair's choice, to be supported by external resources.
- Article 4 provides clarity around the Leader's term of office, particularly in relation to elections.
- Article 5 clarifies the Council's non-Executive Committees, and that full Council is responsible for appointing to such Committees, with each 'parent' Committee appointing to their Sub-Committee. This article also makes provisions for mandatory training for members dealing with 'quasi judicial' or regulatory matters.
- Article 8 reflects the increased threshold for a key decision of £150,000 being considered significant expenditure or savings.
- Article 12 clarifies the role and responsibility of officers, including the three statutory officers.
- Article 13 sets out how the public may engage with the democratic process.

2.4 RESPONSIBILITY FOR FUNCTIONS

The Interim Monitoring Officer proposed amendments to Part 3 of the Constitution, in particular around terms of reference of Council Committee's, to ensure clarity and transparency. Changes include more detailed information regarding the difference between Committees and Sub-Committees, the procedure and authority for making appointments to Committees and Sub-Committees including the body with the power to make appointments and information about political balance, and clarity around substitutions and training requirements for members of Committees and Sub-Committees.

Council should note that some amendments have been suggested to the Council's three Overview and Scrutiny Committees, but that a larger piece of work has been requested by the Executive to consider the structure of the Council's Overview and Scrutiny function. Proposals will therefore be considered by the Constitution Working Group in due course, including the option of the Council having one Overview and Scrutiny Committee with three Sub-Committees, which may prove to be more streamlined and agile, and reduce complexities around the current overlap of the remit of the three different committees which has led to a need for simultaneous meetings on some occasions. It is anticipated that

a further report around the Council's overview and scrutiny function will be brought to Council later in 2023.

The proposed amendments may be summarised as follows:

- Definition of Key Decisions: It is proposed that the value at which something is considered financially significant for the purposes of a key decision is increased to be expenditure or savings of £150,000 rather than £50,000;
- References to Cabinet are amended to be reference to the Executive, in line with legislation;
- To provide clarity around Council's ability to make appointments to Outside Bodies in respect of non-Executive functions and the Executive's authority to make such appointments in respect of Executive matters and to advise the Council of such appointments;
- Authority to consider arrangements for investigating allegations into code of conduct complaints is removed from the remit of full Council and included within the remit of the Audit & Governance Committee;
- Inclusion of the power to confer honorary titles, in accordance with the newly adopted protocol, included within the remit of full Council;
- Clarity around the power of the Overview & Scrutiny Committees to report to full Council and/or the Executive;
- Clarity around the number of seats on the Overview & Scrutiny Committees, the appointment to such seats by full Council in accordance with political balance, quorum, no appointment of Executive Members, procedures around substitutes, election of Chairs and power to establish Sub-Committees;
- Clarity around the composition of Planning Sub-Committees, ensuring that the Development Control Committee retains the power to determine planning applications;
- Clarity that the Development Control Committee has the power to make recommendations to the Executive on the budget for the Committee, and to full Council, and has the power to establish Sub-Committees;
- Clarity around the number of seats on the Development Control Committee, how they are appointed to, in accordance with political balance, quorum, election of the Chair, and training requirements;
- Amendments to provide clarity around the terms of reference and remit of each of the Development Control Committee Sub-Committees ie Uplands and Lowlands, to ensure that the constitution provides that appointments to these Sub-Committees are made by the Development Control Committee, from their membership, and that appointments are made in accordance with the rules of political balance, unless members confirm they do not wish to take up their seats as allocated under those rules, which would enable the usual practice of allocating seats to reflect Ward membership to take place;
- Amendments have been proposed to the terms of reference of the Licensing Committee and its two Sub-Committees, the Miscellaneous Licensing Sub-Committee and the Licensing Panel Sub-Committee, with clarity around the remit of each Sub-Committee and confirmation that the Licensing Panel Sub-Committee, that deals with personal and premises licences, is not required by law to be politically balanced;

- Amendment is proposed to the terms of reference of the Audit & Governance committee to ensure they receive an annual report from the MO with a summary of conduct complaints received;
- Amendment is proposed to the terms of reference of the Audit & Governance Committee to enable it to report and make recommendations to full Council as well as the power to raise matters formally with the Executive;
- The Standards Panel is abolished and reconstituted as a Sub-Committee of the Audit & Governance Committee, to be known as the Standards Sub-Committee, with the remit of determining code of conduct complaints referred to it;
- The remit of the Performance and Appointments Committee is expanded to include the statutory role of disciplinary matters relating to statutory officers, in accordance with the Officer Employment Procedure Rules adopted in October 2022 by the Council;
- The Performance and Appointments Committee Panel that dealt with appraisal and performance of the Chief Executive is abolished with that function falling within the remit of the Committee;
- It is proposed that the Urgency Committee is abolished, with emergency and urgency functions to the Chief Executive, with consultation with key members included, be expanded.

2.5 STANDARDS SUB-COMMITTEE PROCEDURE RULES

It is proposed that the Standards Sub-Committee Procedure Rules, in Part 5 of the Constitution, be amended, and the proposed version is set out at Annex E to this report. Currently the Standards Sub-Committee, convenes a panel of 3 members, to hear and determine complaints of member code of conduct breaches, referred to it by the Monitoring Officer. This requires 3 members of the Sub-Committee of 5 to be selected for a Panel; the quorum remains 3, so if a member selected is not able to attend, the panel is inquorate and cannot proceed.

It is recommended, that as the primary remit of the Standards Sub-Committee is the hearing and determination of local code of conduct complaints referred to it, the convening of a panel of members is unnecessary, and there is benefit to such matters being referred to the full Sub-Committee of 5 members to consider. The quorum for the sub-Committee remains 3, so provides some flexibility, as provided 3 of the 5 members are able to attend, and do not have a conflict, the meeting may proceed.

2.6 MONITORING OFFICER PROTOCOL

It is proposed that West Oxfordshire District Council adopt a Monitoring Officer Protocol to be included in Part 6 of their Constitution with other Codes and Protocols.

Annex F sets out the proposed Protocol as recommended by the Constitution Working Group.

The provisions of the new Protocol may be summarised as follows:

- Clarity around the role and responsibility of the Monitoring Officer including the statutory obligation to make public report to the Council in cases of illegality;
- Describes the manner in which the Council expects the Monitoring Officer to discharge their functions;

- Clarifies the statutory requirements around the appointment of a Monitoring Officer;
- Confirms the role of the Deputy Monitoring Officer, when it is effective, and when the duties of the Monitoring Officer may be delegated and when they remain personal to the postholder;
- To confirm functions including reporting on illegality and maladministration, reporting on ombudsman decisions, maintaining the members register of interests and assessing and investigating member code of conduct complaints;
- Inclusion of the responsibility for monitoring, maintaining and interpreting the constitution;
- Provision of resources to support the Monitoring Officer function.

2.7 OTHER AMENDMENTS

The Constitution Working Group on 21st October 2022 noted the earlier decision of the 21/22 Group to remove the requirement for the sealing list to be considered at full Council, and endorsed this approach, noting that there were sufficiently robust and agile procedures in place for dealing with sealing.

The Constitution Working Group on 21st October 2022 gave further consideration to Council Procedure Rule 23.3 regarding whether Councillors should be required by the Constitution to stand when addressing Council. It was decided that the Constitution should be amended, under the Monitoring Officers delegations, to reflect the provision that Members should stand when addressing Council, where they are comfortable to do so.

The Constitution Working Group on 21st October 2022 gave further consideration to rules 11 and 12 of the Council Procedure Rules concerning both public and member questions to Council. They decided that the Constitution should be amended by the Monitoring Officer under delegated powers to reflect:

- There being no limit as to how many questions may be asked by a Member at full Council;
- There remain a total of 30 minutes allocated for public and member questions, with 15 minutes allocated to each, but a provision be included that should the 15 minutes for public questions not be fully utilised, the balance of time remaining could be added to the time allocation for member questions, retaining a 30 minute maximum for both;
- That questions from members to Council will be circulated in writing, together with written responses, in a briefing note, circulated to Councillors at least 24 hours in advance of the meeting, leaving only supplementary questions and answers to be dealt with at the meeting, with a view to easing time pressure.

3. FINANCIAL IMPLICATIONS

- 3.1.** There are no financial implications arising from this report.

4. LEGAL IMPLICATIONS

- 4.1.** Legal implications are addressed in the body of the report.

5. RISK ASSESSMENT

- 5.1. The changes proposed to the Constitution are proposed with a view to mitigating any current risk facing the Council by way of lack of transparency in process and procedures, leading to reputational damage, and potential non-compliance with statutory requirements.

6. EQUALITIES IMPACT

- 6.1. The Constitution is made available to all Members and the Public via the Council's website. Where accessibility difficulties are encountered, the Council can provide a copy of the Constitution in different formats.

7. CLIMATE CHANGE IMPLICATIONS

- 7.1. Not applicable

8. ALTERNATIVE OPTIONS

- 8.1. To not amend the Constitution which would lead to a lost opportunity in terms of improving agile decision making, promoting transparency and ensuring robust governance arrangements.

9. BACKGROUND PAPERS

- 9.1. West Oxfordshire District Council Constitution dated 18th May 2022 as amended.
Report to Council dated 19th October 2022
Minutes of the Constitution Working Group meetings

(END)

This page is intentionally left blank

Glossary of Terms

Article 4 Direction	A direction which restricts permitted development rights in a particular area
Executive	A number of elected Council members appointed by the Leader of the Council and who, together with the Leader, act as the body which is responsible for most formal decisions. Also sometimes known as the Cabinet.
Executive Member	A councillor who has been appointed by the Leader of the Council as a Member of the Executive. Executive Members remain in office until the next election unless they resign, are suspended, are no longer a member of the Council or are removed from office by the Leader.
Executive Work Plan	A plan to be published by the Executive and updated on a monthly basis in accordance with Regulations 13 and 14 of the 2000 Regulations, setting out Key Decisions which the Executive plans to take over the coming months
Call-in	The consideration by Overview & Scrutiny committee of a decision made, but not yet implemented, which may result in the recommendation that the decision be reconsidered by the person or persons who made that decision or that Full Council be recommended that the decision be reconsidered.
Chair	The person appointed to preside at meetings of Council or any Committee
Chief Executive	The officer with overall management and operational responsibility (including overall management responsibility for all officers). This post holder is also the “Head of Paid Service” as appointed in accordance with Section 4 of the Local Government and Housing Act 1989
Chief Finance Officer	The officer appointed by the Council under Section 151 of the Local Government Act 1972, to exercise the proper administration of the Council’s financial affairs, with specific responsibilities under the Local Government Act 1972 (currently the Deputy Chief Executive)
Clear working day	A clear working day excludes Saturday, Sunday and bank and public holidays (and in the case of committee agenda excludes the date of publication of the agenda and the date of the meeting)
Committee	A committee of the Council
Council	West Oxfordshire District Council
Deputy Leader	An Executive Member who has been nominated to act in the absence of the Leader. For the avoidance of doubt the Deputy Leader can exercise all the powers of the Leader in their absence

Exempt	<p>Information to be considered at a Council or Committee meeting in respect of which the public may be excluded (as defined by Schedule 12A of the 1972 Act (as amended)). Categories of exempt information are:</p> <ul style="list-style-type: none"> - Information relating to any individual - Information which is likely to reveal the identity of an individual - Information relating to the financial or business affairs of any particular person (including the authority holding that information) - Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority. - Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings. - Information which reveals that the authority proposes – <ul style="list-style-type: none"> (a) To give under any enactment a notice under or by virtue of which requirements are imposed on a person or task (b) To make an order or direction under any enactment - Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime
Executive	Sometimes known as the Cabinet
Executive Functions	Functions which may be discharged by the Leader, or delegated by the Leader to the Executive, a committee of the Executive, an individual member of the Executive, an officer or another local authority.
Head of Paid Service	The officer appointed in accordance with Section 4 of the Local Government and Housing Act 1989, i.e. the Chief Executive.
Key Decision	<p>A decision which is significant. This Council has previously determined the definition of a “key decision”, which is:</p> <ul style="list-style-type: none"> (i) any Executive decision which requires a budget expenditure, or generates savings, of £50,000 or more; (ii) any executive decision where the outcome will have a significant impact on communities living or working in an area comprising two or more District
Leader of a Political Group	The leader of a political group as defined in the Local Government (Committee etc.) Regulations 1990

Leader	Such person as the Council elects to be the Leader with powers outlined in the Local Government Act 2000 and Local Government and Public Involvement in Health Act 2007
Local Choice Functions	As defined by Regulation 3 and Schedule 2 to the Local Authority (Functions and Responsibilities) (England) Regulations 2000, where the authority has decided which functions are to be the responsibility of the Cabinet
Meeting	A meeting of the Council, Executive, a committee or sub-committees or task groups as the case may be
Member	In relation to the Council, an elected Councillor; in relation to any other body, a person appointed as a member of that body, whether or not entitled to vote
Monitoring Officer	The officer appointed by the Council in accordance with Section 5 of the Local Government and Housing Act 1989, to promote and maintain high standards of ethical conduct and ensure lawfulness and fairness of decision making or, if they are unable to act owing to absence or illness, the person nominated as their deputy
Overview and Scrutiny Committee	Committee or Committees of the Council established in accordance with Section 21 of the Local Government Act 2000, to assist in the development of policy and to review and scrutinise the decisions made by the Cabinet, committees and council officers (there is currently one Overview and Scrutiny Committee which also acts as the Council's Crime and Disorder Committee)
Personal Explanation	Where something material that was raised by a member in an earlier speech appears to have been misunderstood, a member may be permitted to correct that misunderstanding by way of personal explanation. The ruling of the Chair on the admissibility of a personal explanation will be final.
Political Balance Rules	As defined in the Local Government and Housing Act 1989 relating to proportional representation of political groups; on committees, sub-committees and certain other bodies
Political Groups	Any two or more councillors notifying the Monitoring Officer in the appropriate form is considered a political group for the purpose of seat allocation
Portfolio Holder	An Executive Member with a specific and detailed area of responsibility, and who may be delegated to take executive decisions
Proper Officer	An officer, appointed in accordance with the terms of Section 270(3) of the Local Government Act 1972, to carry out specified actions of the performance of certain specified duties on behalf of the Council
Regulation 3 and Regulation 4 proposals	Means applications made by the County Council themselves for example schools
Regulatory Committee	A committee undertaking quasi-judicial functions of the Council such as Planning or Licensing

Requisition	A document signed by five (5) elected members requesting that the Chair of council calls an extraordinary meeting of council
Task & Finish Group	a small working group of interested elected members who review specific issues of concern to Overview and Scrutiny in depth
The 1972 Act	The Local Government Act 1972
The 1989 Act	The Local Government and Housing Act 1989
The 2000 Act	The Local Government Act 2000
The 2007 Act	The Local Government and Public Involvement in Health Act 2007
Vice-Chair	The person appointed to preside in the absence of the Chair, at meetings of any properly constituted body

Part I: Summary

IA Summary and Explanation

IA.1 The Council

West Oxfordshire District Council ('the Council') is the local authority for the administrative area of the West Oxfordshire, which comprises an area of around 714 km² within Oxfordshire. The district has a population of approximately 109,800.

This constitution sets out the processes and procedures of how West Oxfordshire District Council will govern itself and make decisions.

The Council seeks to be cost effective and efficient in its operation and in delivering services, ensuring that it is open and transparent and accountable for its actions.

Each year, the Council appoints a ceremonial Chair of the District, who is responsible for Chaining meetings of the full Council (see Part 2: Article 2).

IA.2 Executive Model

The Council operates a Leader and Executive structure (see Part 2: Article 4).

The Council appoints the Leader of Council, who may then appoint up to nine Executive members to form an Executive, also known as the Cabinet. The functions for which the Executive will be responsible are identified in [Part 3D](#). It is responsible for most decisions that affect the day-to-day operations of the Council.

IA.3 Regulatory Matters

The Development Control and Licensing Committees, together with their Sub-Committees, will undertake the regulatory functions of the Council relating to determining planning applications and applications for public licences, e.g. caravan sites, gambling, liquor and public entertainment licenses, hackney carriages, etc. (See Part 2: Article 5). Meetings of all Committees will be in public except where exempt or confidential information is to be discussed and the meeting considered that the public interest does not outweigh the need to maintain the confidentiality of the information.

IA.4 Overview and Scrutiny

The Council has also appointed three strategic Overview and Scrutiny Committees that support the work of the Executive and the Council as a whole. The Overview and Scrutiny Committees may be consulted by the Executive on forthcoming decisions

and on the development of policies. The Overview and Scrutiny Committees will allow members of the public to have a greater say in Council matters by holding inquiries into matters of local concern, which can lead to reports and recommendations which advise the Executive and the Council. The Overview and Scrutiny Committees are able to 'call-in' certain categories of decisions made by the Executive but not yet implemented, and may recommend that the Executive reconsiders the relevant decision. (See Part 2: Article 3).

IA.5 Local Government and Social Care Ombudsman

Members of the Public, without prejudice to other legal rights and remedies, may complain to the Local Government and Social Care Ombudsman if they believe that the Council has not followed the procedures or processes properly, or to the Monitoring Officer if they believe that there is evidence which shows that a Councillor has breached the provisions of the Members' Code of Conduct. The Council has adopted a customer feedback process that enables members of the public to seek remedies locally before referring the matter to the Ombudsman.

IA.6 The Constitution

This document comprising the Constitution contains mandatory provisions required by central government and other relevant provisions, which have been modified to suit the circumstances relating to the Council. (See Part2: Article 10)

This Constitution was adopted by West Oxfordshire District Council on 27th April 2022 to be effective from 18th May 2022 and replaced all previous versions. It has since been amended as follows:

- 20th July 2022: Part 3D - Cabinet Functions
- 19th October 2022: Part 5A - Council Procedure Rules, Part 5K - Officer Employment Procedure Rules, Part 6K - Protocol for the Conferment of Honorary Titles

IA.7 How Decisions are made

The full Council agrees the policy framework and budget within which any other decisions within the Council are to be made. The Executive are responsible for most other major decisions.

The fact that the Executive is to make a Key and/or Exempt decision is published on the Executive work plan which is published on the Council's website not less than 28 calendar days before the decision is to be made. When such decisions are to be discussed at a meeting of the Executive this will be open to the public to attend, except where there are excluded due to exempt or confidential information being discussed. The Executive has to make decisions which are in line with the Council's overall policies and budget.

Executive members also take individual decisions, within the remit of their portfolios.

The Council has put in place procedures to ensure that before such decisions are taken, there is appropriate opportunity for consultation with all interested parties

and that the decisions must be recorded, in writing, kept and are available to the public.

The majority of the day to day decisions of the Council are delegated to Officers.

IA.8 Audit and Governance Committee

The Council has an Audit and Governance Committee responsible for overseeing the audit function, annual accounts and the work of the internal auditors, promoting and maintaining high standards of conduct of members and through its Standards Sub-Committee, determining standards matters.

IA.9 The Council's staff

The Council is an employer of staff, but has appointed the majority of its staff from the Publica Group UK; all such staff are known as Officers. Officers give professional and practical advice, implement decisions of Members, make and implement delegated decisions and manage day to day delivery of the Council's services. The statutory officers have specific duties to ensure that the Council acts within the law and uses its resources wisely. (See Part 2: Article 12).

IA.10 The Public

Members of the public have a number of rights in their dealings with the Council and these are set out in more detail in Part 2: Article 13. Some of these are legal rights, whilst others depend on the Council's own processes and procedures. The Citizen's Advice Bureau can advise on individuals' legal rights.

The Council welcomes and actively encourages participation by members of the public in its work.

Part 2: Articles of the Constitution

2A Article I – The Council

2A.1 The Role of the full Council

Full Council is the policy-making body from which the policy framework will be established. Council has responsibility for ensuring that the correct structures are in place for the effective implementation and delivery of its services. Once the structures are agreed and appointments made, the Executive (known as the Cabinet) will be delegated the responsibility of policy implementation and effective service delivery.

The election of the Leader and the establishment and appointment to non Executive Committees will be the responsibility of full Council.

On an annual basis full Council will elect a Chair, who shall not then be a member of the Executive. On an annual basis full Council will appoint a Deputy Chair, who shall not then be a member of the Executive.

2A.2 Functions of the full Council

Only the Council will exercise the functions set out in [Part 3B](#) of this Constitution.

Full Council will determine the responsibilities for the Council's functions which are not the responsibility of the Executive, also known as Local Choice Functions, and have determined that all functions of the Council that are not reserved to full Council are deemed to be Executive functions (see Part 3D.1).

2A.3 Council meetings

There are four types of Council meeting – the annual meeting; ordinary meetings; extraordinary meetings and special meetings. They will be conducted in accordance with the Council Procedure Rules in [Part 5A](#) of this Constitution.

There will be at least three ordinary meetings plus the annual meeting each year. Extraordinary meetings will be called as and when necessary as provided for in this Constitution. Special meetings will be called, for a specific purpose, where necessary in accordance with the law and the Council Procedure Rules.

2A.3 Responsibility for functions

The Council will maintain the lists in [Part 3](#) of this Constitution setting out the responsibilities for the Council's functions that are not the responsibility of the Cabinet.

2B Article 2 – Chairing the Council

2B.1 Role and function of the Chair of the Council

The Chair of the Council is elected to be the Civic Head of the Council, representing the Council as a whole in all civic and ceremonial matters, and to preside over meetings of the Council so that its business can be carried out efficiently and with regard to the rights of Councillors and the interests of the Community.

The Chair and Deputy Chair of the Council will be elected and appointed by the Council annually. They are both accountable to the full Council and may only be removed during their term by full Council.

The Chair, and, in their absence, the Deputy Chair will have the following roles and functions:

Chairing meetings of the Full Council

- to uphold and promote the purposes of the Constitution, and to interpret the Constitution when necessary, having taken advice from the Monitoring Officer or their representative;
- to preside over meetings of the Council in an impartial manner so that its business can be carried out efficiently and with regard to the rights of Councillors and the interests of the community;
- to ensure that the Council meeting is a forum for the debate of matters of concern to the local community and the place at which members who are not on the Executive nor are Committee Chairs are able to hold the Executive and Committee Chairs to account;
- to promote public involvement in the Council's activities;
- to be the independent conscience of the Council.

Civic and Ceremonial Role

- to attend such civic and ceremonial functions as the Council determine appropriate in order to promote the Council and its interests;
- to promote the Council as a whole and act as a focal point for the Community;
- to host such civic and ceremonial functions as the Council determines appropriate in order to promote the Council and its interests.

Charity

- The Chair may promote a Chair's Charity for the charity or charities of their choice during their term of office and will make external arrangements for

the provision of all the support necessary in relation to their involvement with or support of that charity appeal.

2B.2 Non-Eligibility for membership of the Executive

Neither the Chair nor the Deputy Chair can be a member of the Executive.

2C Article 3 – Overview and Scrutiny Committees

2C.1 Terms of reference

The Council will appoint the Overview and Scrutiny Committees set out in the table below to discharge the functions conferred by section 21 of the Local Government Act 2000 or regulations proposed under section 32 of the Local Government Act 2000

Committee Name	Scope
Economic & Social	<p>Policies and strategies of the Council and other bodies which affect the economic and social well-being of the district and its residents</p> <p>The provision of services by the Council and other bodies which affect the economic and social well-being of the district and its residents</p> <p>Scrutiny of crime and disorder partnerships imposed by Sections 19 and 21 of the Police and Justice Act 2006</p>
Climate & Environment	<p>Policies and strategies of the Council and other bodies which affect the environmental well-being of the district and its residents</p> <p>The provision of services by the Council and other bodies which affect the environmental well-being of the district and its residents</p>
Finance & Management	<p>The Council's budget, the management of its budget, treasury management, property and asset management, IT, staffing and other internal management arrangements, including the Constitution of the Council.</p>

In relation to the scrutiny of Health functions, the Council participates in County wide arrangements primarily administered by the Oxfordshire County Council, and appoints members / deputies to serve on a county-wide Health Scrutiny Joint Committee in accordance with arrangements approved by all the principal Councils in Oxfordshire.

2C.2 General Role

Overview and Scrutiny is an important element of the Council's Constitution. The Overview and Scrutiny Committees represent powerful public forums through which Councillors can monitor the implementation of the Council's policies and the quality of its services; make recommendations on the discharge of the Council's functions and/or other matters affecting the District and hold the Executive to account for their decisions and actions. Overview and Scrutiny is concerned with the overall wellbeing of the District and all factors affecting this and is an important mechanism for Councillors to represent their Wards and are a focus for stakeholder and community involvement.

Overview and Scrutiny Committees will be responsible for the functions and powers set out in [Part 3C](#) of this Constitution.

2C.3 Annual Report

Overview and Scrutiny Committees must report annually to full Council on their workings and make recommendations for future work programmes and amended working methods if appropriate.

2C.4 Proceedings of Overview and Scrutiny Committees

Overview and Scrutiny Committees will conduct their proceedings in accordance with the Overview and Scrutiny Procedure Rules set out in [Part 5C](#) of this Constitution.

2C.5 Power to co-opt people onto the Committee

Overview and Scrutiny Committees will have the power to co-opt any person or persons they think appropriate (except for a member of the Executive) onto the Committee, on whatever basis they think appropriate. Co-opted members may speak in debates but not vote.

2D Article 4 – The Executive

2D.1 Role

The Executive, also known as the Cabinet, carry out all of the local authority's functions as set out in [Part 3D](#) of this Constitution.

2D.2 Form and composition

The Executive will consist of the Executive Leader together with at least four, but not more than nine, Councillors, appointed to the Executive by the Leader.

2D.3 Leader

The Leader will be a Councillor elected by the Council at the annual meeting. Under the terms of the Local Government and Public Involvement in Health Act the Leader will hold office until the day following their normal day of retirement when they may seek re-election, or until:

- (i) they resign from the office; or
- (ii) they cease to be a Councillor other than on the normal day of their retirement as a Councillor; or
- (iii) the day of the next Annual Council Meeting after the Leader's normal day of retirement as a Councillor; or
- (iv) they are removed from office by resolution of the Council, in accordance with Council Procedure Rules.

The Leader shall appoint a Member of the Executive to be the Deputy Leader, who shall have all the powers, duties and responsibilities of the Leader in their absence.

2D.4 Other Executive Members

Only Councillors may be appointed to the Executive. There may be no co-optees and no deputies or substitutes for Executive members (other than the Deputy Leader who may deputise for the Leader in their absence). Neither the Chair nor Deputy Chair of the Council may be appointed to the Executive and members of the Executive (including the Leader) may not be members of an Overview and Scrutiny Committee nor act as Chairs of Regulatory Committees.

Other Executive members shall be appointed annually by the Leader who shall advise the Council formally of their appointments at the annual meeting. They will hold office until the next annual meeting, when they may be reappointed, or until:

- (i) they resign from office; or
- (ii) they are no longer Councillors; or
- (iii) they are removed from office by the Leader who must give written notice of any removal to the proper officer. The removal will take effect two clear

working days after receipt of the notice by the proper officer, and will be notified to full Council at the next ordinary meeting.

2D.5 Members of the Council who are not on the Executive

Members of the Council who are not on the Executive may attend meetings of the Executive. At the discretion of the Leader they may ask questions and/or join in debates, but they may not vote.

2D.6 Proceedings of the Executive

Proceedings of the Executive shall take place in accordance with the Executive Procedure Rules set out in [Part 5B](#) of this Constitution.

2D.7 Responsibility for functions

The Leader will maintain a list in [Part 3D](#) of this Constitution setting out which individual members of the Executive, Committees of the Executive, officers or joint arrangements are responsible for the exercise of particular Executive functions. The Leader will notify the Monitoring Officer of any changes which shall take effect two clear working days after such notification is received.

2D.8 Policy Advisors

Policy Advisors, who are Members of the Council, may be appointed by the Leader to advise Executive Members on any area for which they are responsible. An Executive Member may consult a Policy Advisor before making a decision but a Policy Advisor shall not have the power to take Executive decisions on behalf of or affecting the Council.

2E Article 5 – Regulatory and Other Committees

2E1. Council Committees

The Council will establish and appoint to the following Committees as set out in [Part 3](#) of this Constitution.

- Finance and Management Scrutiny Committee
- Climate and Environment Scrutiny Committee
- Economic and Social Scrutiny Committee
- Development Control Committee
- Licensing Committee
- Audit and Governance Committee
- Performance and Appointments Committee

2E.2 Committee Membership

The appointment of members to these Committees will be made in accordance with the Council Procedure Rules in [Part 5A](#) of this Constitution. Appointments will be made by the Council, in accordance with the rules relating to political balance, having received nominations from Group Leaders. However, where a Group Leader confirms to full Council that he is making no such nomination for a seat that his party is entitled to, appointment to that seat on a Committee will be made by the Council, in accordance with the Council's decision, regardless of political balance.

The Committee, at its first meeting following Annual Council, will elect its Chair for the year and consider the establishment of and appointment to any sub-Committees.

2E.3 Sub-Committees

Several Committees, in accordance with Part 3 of the Constitution, have the power to establish Sub-Committees and to appoint to their membership from the membership of the 'parent' Committee.

The Development Control Committee has the power to establish Sub-Committees and generally establishes:

- Uplands Sub-Committee, and
- Lowlands Sub-Committee

The Audit and Governance Committee has the power to establish Sub-Committees and generally establishes:

- Standards Sub-Committee

The Licensing Committee has the power to establish Sub-Committees and generally establishes:

- Miscellaneous Licensing Sub-Committee
- Licensing Panel Sub-Committee

2E.4 Appointments to Sub-Committees

Appointments to Sub-Committees are made by the 'parent' Committee; the body that established the Sub-Committee. The appointments are made by that Committee, from its own membership, in accordance with political balance. The only exception is where the Group Leader has confirmed to the Chair of the 'parent' Committee that no members of his political group on that Committee are nominated for appointment, in which case the parent Committee will appoint to that seat on the Sub-Committee, from its own membership but not necessarily in accordance with political balance.

A Sub-Committee will elect its own Chair at its first meeting.

2E.5 Training

Members of the Council wishing to serve on the Development Control Committee, the Uplands Sub-Committee or the Lowlands Sub-Committee, including as a substitute member, when they sit to determine Planning Applications, are required to attend mandatory Planning Training prior to participating in any such meeting. All Members sitting on the Development Control Committee, the Uplands Sub-Committee or the Lowlands Sub-Committee, when determining Planning Applications, are also required to attend any update training as may be identified by the Senior Officer with responsibility for Planning. Failure to attend update training may result in the member being removed from the Committee or Sub-Committee, as appropriate, when a Planning Application is being determined. Members of the Council wishing to serve on the Licensing Committee, its Licensing Panel Sub-Committee or Miscellaneous Licensing Sub-Committee, are required to attend Licensing training prior to participating in a meeting of the Panel. Members of the Licensing Panel Sub-Committee are also required to attend any update training as may be identified by the Senior Officer with responsibility for Licensing. Failure to attend training may result in the member being removed from the Committee or Sub-Committee.

Members of the Council wishing to serve on the Standards Sub-Committee of the Audit and Governance Committee, either as Sub-Committee members or as substitutes (from the Audit and Governance Committee) must have undertaken mandatory Standards Training prior to participating in any Standards Sub-Committee meeting to determine a standards hearing for a code of conduct complaint.

Members of the Performance and Appointments Committee are not required to undertake any mandatory training, but are required to take into account the advice of a professional officer allocated to support them when dealing with recruitment, appointment, performance, capability, disciplinary or dismissal matters.

2F Article 6 – Area Committees

2F.1 General

The Council may appoint area Committees as it sees fit, if it is satisfied:

- a) that to do so will ensure improved service delivery in the context of best value and more efficient, transparent and accountable decision making; and/or
- b) that to do so will enable the views of local people to be better taken into account in decision-making.

The Council will consult with relevant parish and town Councils and the chairmen of relevant parish meetings when considering whether and how to establish area Committees.

2F.2 Delegation of decision-making powers to area Committees

The Council may delegate decision-making powers to area Committees for functions which are not the responsibility of the Executive.

The Executive may delegate decision-making powers to area Committees for functions which are the responsibility of the Executive.

The Council and the Executive will include details of the delegations to area Committees in [Part 3](#) of this Constitution, including the functions delegated, showing which are the responsibility of the Executive and which are not, the composition and membership of the Committees, budgets and any limitations on delegation.

2F.3 Conflicts of interest – membership of area Committees and Overview and Scrutiny Committees

6.3.1 Conflict of Interest – If an Overview and Scrutiny Committee is scrutinising specific decisions or proposals in relation to the business of the area Committee of which the Councillor concerned is a member, then the Councillor may not speak or vote at the Overview and Scrutiny Committee meeting unless a dispensation to do so is given by the Standards Committee, in accordance with Regulations and guidance issued by the Secretary of State, or unless participation would be in accordance with the Council's Code of Conduct set out in [Part 6A](#) of the Constitution.

6.3.2 General Policy Reviews – where the Overview and Scrutiny Committee is reviewing policy generally the member must declare their interest before the relevant agenda item is reached. Under the Council's Code of Conduct this would be a personal interest but would not be prejudicial.

2F.4 Area Committees – access to information

Area Committees will comply with the Access to Information Rules in [Part 5G](#) of this Constitution.

Agendas and notices for area Committee meetings which deal with both functions of the Executive and functions which are not the responsibility of the Executive will state clearly which items are which

2F.5 Executive members on area Committees

A member of the Executive may serve on an area Committee if otherwise eligible to do so as a Councillor.

2G Article 7 – Joint Arrangements

2G.1 Joint Committees

The Council may establish joint arrangements with one or more local authorities to exercise functions that are not executive functions in any of the participating authorities. Such arrangements may involve the appointment of a Joint Committee with these other local authorities and the delegation of functions to the Joint Committee.

The Leader may establish joint arrangements with one or more local authorities to exercise functions which are executive functions. Such arrangements may involve the appointment of Joint Committees with these other local authorities and the delegation of functions to the Joint Committee.

A list of any joint arrangements entered into will be held by Democratic Services.

Any member who represents the Council on a Joint Committee or in any joint arrangement will be required to provide a written annual report, for consideration by Council at its meeting in April each year, detailing the work of the Joint Committee/arrangement over the past year and identifying key work streams for the forthcoming year. In addition the member has an ongoing duty to update relevant ward members of any work which impacts on their ward.

2G.2 Delegation to and from Other Local Authorities

The Council may delegate non-Executive functions to another Local Authority or, in certain circumstances, the Executive of another Local Authority. And the Executive may delegate Executive functions to another Local Authority or the Executive of another Local Authority in certain circumstances.

The decision whether or not to accept such a delegation from another Local Authority shall be reserved to full Council.

2G.3 Contracting Out

The Executive may contract out, to another body or organisation, functions which may be exercised by an Officer and which are subject to an Order under section 70 of the Delegation and Contracting Out Act 1994, or under contracting arrangements where the contractor acts as the Council's agent under usual contracting principles, provided there is no delegation of the Council's discretionary decision-making. Such decision to contract out shall be reserved to full Council.

2H Article 8 – Decision Making

2H.1 Responsibility for decision making

The Council will issue and keep up to date a record of what part of the Council or individual has responsibility for particular types of decisions or decisions relating to particular areas or functions. This record is set out in [Part 3](#) of this Constitution.

2H.2 Principles of decision making

Any decision taken must be in accordance with the terms of this Constitution.

Under the Constitution decisions are likely to be taken by the full Council, the Executive (both collectively and by individual members of the Executive), Committees and Sub-Committees, and by officers.

Whichever body or individual is responsible for taking a decision, it should be taken so far as possible in accordance with the following principles:-

- There should be a presumption in favour of decision-making being open and transparent, with members of the public being afforded effective access to relevant information and the processes by which decisions are taken;
- Due consultation should take place with those likely to be affected by a decision. So far as practicable, decision taking should be planned in advance and the public given due notification of forthcoming decisions;
- Where a decision is likely to have wide-ranging or significant impact on the community, additional time and emphasis should be given to consultation and members of the public actively encouraged to contribute their views;
- Decisions must be taken reasonably, with regard to all relevant considerations, and ignoring all irrelevant matters;
- Decisions should be taken on the basis of clear aims and desired outcomes from the resultant action;
- All realistic alternatives should be evaluated prior to the decision being taken;
- Appropriate professional advice should be obtained from suitably qualified officers of the authority;
- Decisions must be taken with regard to proportionality – ie the action must be proportionate to the desired outcome;
- Decisions must be taken with regard to any relevant statutory requirements and with respect for human rights;
- Decisions must be taken with regard to the Equality Act 2010 and the associated policy of the Council;
- Decisions must have regard to any relevant approved policies or procedures of the Council;
- Any decision taken must be formally recorded in accordance with the requirements of this Constitution. Where the decision is taken by the Executive, or a member of the Executive, the formal record should state

what alternative options were considered and the reasons for the decision that was taken

In some cases (eg where urgent action is necessary, or confidential matters are under discussion) it may not be practicable to fully comply with all these principles, but decision-makers should satisfy themselves that they have been complied with so far as reasonably practicable in the circumstances. Decision-makers may be held to account for any failure to comply with the principles.

2H.3 Types of decision

2H.3.1 **Decisions reserved to full Council** – Decisions relating to the functions listed in [Part 3B](#) will be made by the full Council and not delegated.

2H.3.2 Key decisions –

A “key decision” means an Executive decision which, is likely either:

- to result in the local authority incurring expenditure which is, or the making of savings which are, significant having regard to the local authority's budget for the service or function to which the decision relates; or
- to be significant in terms of its effects on communities living or working in an area comprising two or more wards within the District.

A decision shall be regarded as financially significant if it is a decision which either commits the Council to more than £150,000 in expenditure or would result in savings greater than £150,000.

A decision shall be regarded as significant in terms of its effects on two or more wards if any of the Head of Paid Service, the Chief Finance Officer or the Monitoring Officer, consider that the decision will fall within the statutory definition.

Key decisions can may only be taken in accordance with the requirements of the Cabinet Procedure Rules set out in [Part 5B](#) and the Access to Information Procedure Rules, set out in [Part 5G](#).

2H.3.3 **Decision making by the full Council** – the Council meeting will follow the Council Procedures Rules set out in [Part 5A](#) of this Constitution when considering any matter.

2H.3.4 **Decision making by the Executive** – the Executive will follow the Executive Procedures Rules set out in [Part 5B](#) of this Constitution when considering any matter.

2H.3.5 **Decision making by Overview and Scrutiny Committees** – Overview and Scrutiny Committees will follow the Overview and Scrutiny Procedures Rules set out in [Part 5C](#) of this Constitution when considering any matter.

2H.3.6 Decision making by other Committees and sub-Committees established by Council – all other Council Committees and sub-Committees will follow those parts of the Council Procedures Rules set out in [Part 5A](#) of this Constitution as apply to them. For example the Standards Sub-Committee will follow the Standards Procedure Rules.

2H.3.7 Decision making by Council bodies acting as tribunals – The Council, a Councillor or an officer acting as a tribunal or in a quasi judicial manner or determining/considering (other than for the purposes of giving advice) the civil rights and obligations or the criminal responsibility of any person will follow a proper procedure which accords with the requirements of natural justice and the right to a fair trial contained in Article 6 of the European Convention on Human Rights.

21 Article 9 – Finance, Contracts and Legal Matters

21.1 Financial Management

The management of the Council's financial affairs will be conducted in accordance with the financial rules set out in [Part 5I](#) of this Constitution.

21.2 Contracts

Every contract made by the Council will comply with the Contracts Procedure Rules set out in [Part 5G](#) of this Constitution.

21.3 Legal Proceedings

The Head of Legal Services is authorised to institute, defend or participate in any legal proceedings in any case where such action is necessary to give effect to decisions of the Council or in any case where the Head of Legal Services considers that such action is necessary to protect the Council's interests.

21.4 Authentication of documents

Where any document is necessary to any legal procedure or proceedings on behalf of the Council, it will be signed by the Head of Legal Services or other person authorised by them, unless any enactment otherwise authorises or requires, or the Council has given requisite authority to some other person.

Any contract with a value exceeding £10,000 entered into on behalf of the local authority in the course of the discharge of a Cabinet function shall be made in writing. In accordance with the Council's Contracts Procedure Rules set out in this Constitution such contracts must be signed in accordance with the Contract Procedure Rules. Any Contract with a value exceeding £100,000 shall be under the common seal of the Council.

21.5 Common Seal of the Council

The Common Seal of the Council will be kept in a safe place in the custody of the Head of Legal Services. A decision of the Council, or of any part of it, will be sufficient authority for sealing any document necessary to give effect to the decision. The affixing of the Common Seal will be attested by either the Chief Executive, Monitoring Officer, Chief Finance Officer, the Head of Legal Services or the Chair of the Council.

2J Article 10 – The Constitution

This constitution, and all of its appendices, is the **CONSTITUTION OF WEST OXFORDSHIRE DISTRICT COUNCIL**

2J.1 Powers of the Council

The Council will exercise all its powers and duties in accordance with the law and this Constitution. Should there be a conflict between the two, the law shall prevail.

2J.2 Purpose of the Constitution

The purpose of the Constitution is to:

- Enable the Council to provide clear leadership to the community in partnership with citizens, businesses and other organisations;
- Support the active involvement of citizens and encourage all sections of the District's communities to be involved in the Council's decision-making processes;
- Help Elected Members represent their constituents more effectively;
- Enable decisions to be taken efficiently and effectively;
- Create a powerful and effective means of holding decision-makers to public account;
- Ensure that no one will review or scrutinise a decision in which they were directly involved;
- Ensure that those responsible for decision-making are clearly identified to local people and that they explain the reasons for their decisions;
- Provide a means of improving the delivery of services to the community;
- Balance speedy and reasoned decision-making with adequate checks and balances;
- Place high standards of conduct and probity at the centre of decision-making.

2J.3 Structure and Interpretation of the Constitution

The Constitution is divided into Parts covering differing themes as follows:

- Part 1 Summary
- Part 2 Articles of the Constitution
- Part 3 Responsibility for Functions, Key Decisions and Executive Work Plan
- Part 4 Officer Scheme of Delegations
- Part 5 Policy & Procedure Rules
- Part 6 Codes & Protocols
- Part 7 Members' Allowance Scheme

Where the Constitution permits the Council to choose between different courses of action, the Council will always choose that option which it thinks is most appropriate given the purposes stated above.

2J.4 Review of the Constitution

A key role of the Monitoring Officer is to be aware of the strengths and weaknesses of the Constitution adopted by the Council and to make recommendations for the ways in which it could be amended in order to better achieve the purposes set out at 2J.2 above. In undertaking this task the Monitoring Officer may:

- Observe meetings of different parts of the Member and Officer structure;
- Undertake an audit of a sample of decisions;
- Record and analyse issues raised with them by Members, Officers, the public and other relevant stakeholders; and
- Compare practices in this Council with those in other comparable Councils, or with national examples of best practice.

2J.5 Changes to the Constitution

Changes to the constitution arising either from a review, a motion from Council, or from the Monitoring Officer, will only be approved by the full Council after consideration by the Monitoring Officer, and will usually be considered by a Constitution Working Group who may make recommendations to full Council.

The Monitoring Officer has delegated authority to update the Constitution arising from decisions of the Council or Executive or where legislation requires a change in wording or terminology. The Monitoring Officer also has delegated authority to make minor and/or consequential changes to the Constitution.

Where a delegation is made to an Officer by the Council, to last 12 months or more, that delegation may need to be reflected in Part 3 of the Constitution, in which case the Monitoring Officer has the authority to update the Constitution to reflect that change.

The Monitoring Officer has the authority to amend the Constitution in relation to matters that are predominantly managerial in their nature where there is agreement from the other two statutory officers, and where the matter has been subject to consultation with the Leader of the Council, or other appropriate member.

The Monitoring Officer has authority to amend the Constitution to implement decisions of the Leader in relation to the delegation by the Leader of Executive functions to the Executive, or to implement decisions of the Leader in relation to the composition and appointments to the Executive.

The Council must take reasonable steps to consult with local electors and other interested persons in the area when drawing up proposals to change from Leader and Executive structure to mayoral style Executive and must hold a binding referendum.

2J.6 Suspension or Waiver of the Constitution

The Articles of this Constitution may not be suspended or waived. The Procedure Rules may only be suspended by full Council, the Executive or a Committee, to the extent permitted within those Procedure Rules, and within the law.

The procedure to suspend any Council Procedure Rule will be by way of a motion; such motion will not be moved without notice unless at least one half of the membership of full Council or the relevant Committee are in attendance and present. The extent and duration

of any suspension must be proportionate to the result to be achieved, taking into account the purposes of the Constitution as set out in this article.

The following matters may be suspended in accordance with the above provision:

- The Council's procedural rules apart from those relating to quorums, declarations of interests, disturbances by the public and notice of motions;
- Financial procedure rules

A motion to suspend a particular rule shall state the particular purpose, and require a majority of at least half the total number of members appointed to that Committee.

2J.7 Interpretation

The Chair at any meeting shall take into account advice from the Monitoring Officer, or their representative, or legal advisor to the Committee, in interpreting the Constitution. The ruling of the Chair at any meeting as to the construction or application of the Constitution shall not be challenged at that meeting. Any dispute as to the operation of the Constitution should be referred in the first instance to the Monitoring Officer who will try to resolve the dispute between the parties involved.

2J.8 Publication

An electronic version of the Council's constitution shall be made available to all Members on being elected.

The Monitoring Officer shall ensure that a copy of the Constitution is published on the Council's website and that paper copies of the Constitution are available for inspection at Council Offices and available to purchase by members of the public on payment of a reasonable fee.

2K Article 11 – Roles and Responsibilities of all Councillors

2K.1 Role of Councillors

Councillors will participate constructively in the good governance of the District in the interests of all residents, businesses and communities. They will contribute actively to the formation and scrutiny of the Council's policies, budget, strategies, plans and service delivery.

Councillors will deal with the constituents' enquiries and representations, and will effectively represent the interests of the Ward for which they were elected and views of the constituents.

Councillors may also be required to represent the Council on an outside body, such as a governing body or charitable trust.

2K.2 Composition & Election

The Council comprises 49 Members, otherwise called Councillors. Councillors are elected by the voters of the Wards in the District in accordance with a scheme approved by the Secretary of State. Each member either represents a single Ward of electors where the number of electors is small or may share the representation of one Ward with one or more other Councillors where the number of electors is large. The division of the District into electoral wards is undertaken by the Local Government Commission and approved by the Secretary of State. Details of individual members and their Wards are available on the Council's website.

Only registered voters of the District or those living or working within the District are eligible to hold the office of Councillor.

The ordinary election of a third of all Councillors will be held on the first Thursday in May in each year, in three years out of four. A Councillors; term of office is four years starting on the fourth calendar day after being elected and finishing on the fourth calendar day after the date of the election four years later, unless they have been elected by a by-election when the term is the remainder of the vacated office they have filled.

2K.3 Duties of Councillors

The Duties of all Councillors include:

- To fulfil the statutory and locally determined requirements of an elected Member of the Council;
- To participate effectively as a Member of any working group to which the Councillor is appointed;
- To participate in the activities of an outside body to which the Councillor is

- appointed;
- To participate, as appointed, in the scrutiny of the services and policies of the Council and their effectiveness in meeting the strategic objectives of the Council and the needs of its residents.
- To participate in Working Groups;
- To represent the Council to the community and the community to the Council and to other relevant bodies. To provide a voice and advice for local individuals and interest groups in their dealings with the Council and, where appropriate, to advise them on the pursuit of complaints;
- To develop and maintain a working knowledge of the Council's services, management arrangements, powers and duties and constraints and to develop good working relationships with relevant officers of the Council;
- To develop and maintain a working knowledge of the organisations, services, activities and other factors which impact upon the Community's well-being and identity, including developing and maintaining good working relationships with local Town and Parish Councils and with local County Councillors.
- To contribute constructively to open government and democratic renewal through active encouragement to the community to participate generally in the government of the area.
- To keep up to date with all developments affecting the District and the Council including Government policies and prospective legislation.

2K.4 Rights of Councillors

- Councillors will have rights of access to such documents, information, land and buildings of the Council as are necessary for the proper discharge of their functions and in accordance with the law;
- Councillors will not make public information which is confidential or exempt without the consent of the Council or the Monitoring Officer or divulge information given in confidence to anyone other than a Councillor or Officer entitled to know it;
- Councillors shall not request to inspect any document or have access to any information relating to any matter in which they have a discloseable pecuniary interest unless they have received a dispensation from the Monitoring Officer.
- No Councillor shall have any claim by virtue of their position to enter any land or buildings occupied by the Council to which the public do not have access except with the permission of the management team; to exercise any power of the Council to enter or inspect other land or buildings, except where specifically authorised by the Council; to exercise any other powers of the Council.

2K.5 Conduct

Councillors will, when acting in their capacity as a Councillor, observe the Members Code of Conduct at Part 6A of this Constitution, and observe the Member / Officer Protocol in Part 6B of the Constitution.

2K.6 Allowances

Councillors will be entitled to receive allowances in accordance with the Members Allowance Scheme adopted by full Council.

2K.7 Political Groups

Councillors may belong to political groups. The groups are entitled to nominate Councillors to fill a proportion of the seats on certain Committees of the Council.

At meetings of the full Council, the Executive and Committees, individual Councillors may have regard to the views of their political group on policy matters, provided that they also take into account all other considerations. However, this would not apply to the determination of individual regulatory matters.

2L Article 12 – Officers of West Oxfordshire District Council

2L.1 Employment of Staff

The Council may employ such staff (referred to as ‘officers’) as it considers necessary to undertake the day-to-day operations arising out of the functions for which the Council is responsible. However, the Council acknowledges that upon the transfer of services to Publica on 1 November 2017, Publica will become the main responsible body for the employment of staff. Staff employed by a body other than the Council may, by law, be Officers of the Council.

2L.2 Statutory Officers

There are three officers which statute states must be appointed to the staff of the Council, namely the Head of Paid Service, the Chief Finance Officer (section 151 Officer) and the Monitoring Officer. These officers have special protection of employment rights and are known as the Council’s Statutory Officers.

2L.3 Functions of the Head of Paid Service (Chief Executive)

- This Officer is responsible as the employer of the salaried staff employed directly by the Council. The Head of Paid Service will report to Full Council on the manner in which the discharge of the Council’s functions is co-ordinated, the number and grade of Officers required for the discharge of functions and the organisation of Officers.
- The Head of Paid Service may not be the Monitoring Officer but may hold the post of Chief Finance Officer if they are a qualified accountant.

2L.4 Functions of the Chief Finance Officer (s151 Officer)

- This role has a personal responsibility, which requires the Officer to act independently of the Council but in the best interests of the Council. They have the responsibility of ensuring the lawfulness and financial prudence of decision making. After consulting the Chief Executive and the Monitoring Officer, the Chief Finance Officer will report to the Full Council and the Council’s external auditor if they consider that any proposal, decision or course of action is likely to cause a loss or a deficiency or if the Council is about to enter an item of account unlawfully.
- They have responsibility for the administration of the financial affairs of the Council.
- They contribute to the corporate management of the Council, in particular through the provision of professional finance advice.
- They provide financial information to the media, members of the public and the community.

2L.5 Functions of the Monitoring Officer

- This role has a personal responsibility, which also applies to the Deputy Monitoring Officer, and requires the Officer to act independently of the Council but in the best interests of the Council.
- Their role is to promote and maintain high standards of conduct within the Council by Officers and members.
- They must maintain an up-to-date version of the constitution and will ensure that it is widely available for consultation by members, officers and the public.
- They must ensure the lawfulness and fairness of decision-making. After consultation with the Chief Executive and Chief Finance Officer, the Monitoring Officer will report to Full Council if they consider that any proposal, decision or omission would give rise to unlawfulness or if any decision or omission has given rise to maladministration. Such a report will have the effect of stopping the proposal or decision being given effect to until the report has been considered.
- They must promote ethical governance to Parish councillors and the operation of the Code of Conduct for councillors.
- They contribute to the promotion and maintenance of high standards of conduct.
- They receive and act upon complaints made in respect of breaches of the Code of Conduct and undertake or arrange investigations where necessary.
- They manage the Standards regime and complaints into allegations of misconduct by councillors.
- They are the Proper Officer for access to information.
- The Monitoring Officer will ensure that decisions together with the reasons for those decisions and relevant officer reports and background papers are made publicly available as soon as possible.
- They contribute to the corporate leadership team of the Council
- They provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity to all councillors and will support and advise councillors and officers in their respective roles.
- They appoint their own Deputy Monitoring Officer, to act as the Monitoring Officer, in their absence.

2L.6 Provision of sufficient resources to the Chief Executive, Chief Finance Officer and Monitoring Officer

The Council will provide the Chief Executive, the Chief Finance Officer and the Monitoring Officer with such Officers, accommodation and other resources as are, in the statutory officers' opinion, sufficient to allow their duties to be performed.

The core roles of the Corporate Leadership Team shall be exercised in accordance with the principles of political neutrality and service to the whole Council, are as follows:

- Overall corporate and strategic management and ultimate operational responsibility (including overall management responsibility for all officers).
- Responsibility for regularly liaising with the Leader of Council to identify, review and prioritise the corporate agenda for the medium term of three years

and specifically the key strategic and financial issues which the Council will be considering over each four month period.

- Responsibility for publishing regularly the key strategic policy issues and financial proposals
- Provision of professional advice to all parties in the decision making process (Full Council, Strategic Overview and Scrutiny Committee and policy and regulatory committees).
- Responsibility for ensuring the provision of sufficient resources to undertake the functions of the Council to the standard of service identified in corporate objectives.
- Responsibility for a system of record keeping for all the Council's decisions.
- Representing the Council on partnership and external bodies (as required by statute or the Council).

2L.7 Conduct

Officers will comply with the Member / Officer Protocol found at Part 6B of the Constitution and with the Officer Code of Conduct

2L.8 Employment

The recruitment, selection and dismissal of Officers, including the Statutory Officers, will comply with the Officer Employment Procedure Rules found in Part 5K of the constitution.

2M Article 13 – The Public and the Council

2M.1 Voting and Petitions

The electoral register for the area will contain those members of the public who are eligible to have the right to vote in the elections of councillors and to sign a petition to request a referendum for an elected mayoral form of constitution.

2M.2 Information

Members of the public have the right to:

- (i) Attend meetings of the Council and its Committees and Sub-committees except where confidential or exempt information is likely to be disclosed, and the meeting is therefore held in private;
- (ii) Attend meetings of the Executive except where confidential, exempt information is likely to be disclosed, and the meeting is therefore held in private;
- (iii) Be made aware through the Cabinet Work Plan what and when key decisions will be considered by the Executive;
- (iv) See reports and background papers, and any records of decisions made by the Council, the Executive and any Committees;
- (v) Obtain a copy of the Constitution (for a reasonable fee);
- (vi) Inspect the Council's accounts and make their views known to the external auditor;
- (vii) Request disclosure of information in accordance with the provisions of the Freedom of Information Act 2000, Environmental Information Regulations 2005 and General Data Protection Regulations and any other legislation which is subsequently enacted to add to or replace this legislation;
- (viii) Raise questions at public meetings of the Council, Executive and Committees.

2M.3 Participation

Members of the public have the opportunity to participate in question time at Full Council meetings and may be invited to contribute to investigations and inquiries by the scrutiny and review committees. Interested persons in a planning application may request an opportunity to address the relevant planning committee on the application in accordance with the adopted [public speaking protocol](#) but this does not give any one the absolute right to be heard by the committee.

2M.4 Complaints

Members of the public have the right to complain to:

- (i) The Council itself, under its adopted [customer feedback procedures](#);
- (ii) An elected Member;

- (iii) The Local Government and Social Care Ombudsman, although the Ombudsman may request that the Council's internal complaints process is exhausted first.
- (iv) The Council's External Auditor

2M.5 Councillor Call For Action

Members of the public have the right to ask a local councillor to refer an issue to one of the Council's Strategic Overview and Scrutiny Committees for consideration. This is called 'Councillor Call For Action' and details of how this operates are set out at [Part 5C](#).

2M.6 Local Petition Scheme

The Council has agreed a local petitions scheme. This is set out in [Part 6E](#) of the Constitution. It provides details as to how the Council will respond to petitions.

This page is intentionally left blank

Part 3: Responsibility for Functions, Key Decisions and Cabinet Work Plan

3A Principles of Decision Making

3A.1 All decisions will be made in line with the Budget and Policy Framework and in accordance with the following principles:

- consideration of all relevant information
- compliance with finance, contract, and all other procedure rules
- ensure proper advice is taken and considered before decisions are reached
- where appropriate, consult with stakeholders and consider their responses before decisions are reached
- impartiality and an absence of bias or pre-determination
- any interests are properly declared
- decisions are properly recorded and published
- decisions are proportionate to the desired outcome
- respect for human rights
- equality impacts assessments are undertaken and considered
- climate change impacts are fully assessed and understood before decisions are made
- approach decision making on a transparent and open basis and decisions will be taken in a public forum wherever possible.
- consideration of alternative options
- reasons are given for decisions
- consideration is given to all financial implications

3A.2 The Council has arranged for some of its functions to be carried out by officers employed by Publica Group (Support) Limited, which is a company operated by the Council in partnership with Forest of Dean District Council, Cheltenham Borough Council and Cotswold District Council. Where it is necessary for delegated functions to be carried out by the Council, these will be delegated to officers who have a joint contract of employment with the Council. A “joint contract” is a contract of employment for Officers employed to undertake functions by both Publica and West Oxfordshire District Council.

The Council has also arranged for some of its functions to be carried out by the South West Audit Partnership and Counter Fraud Unit employed by Cotswold District Council. In cases where any of those functions need to be carried out by the Council a similar process in relation to the use of a joint employment contract will be utilised.

3A.3 Introduction

The Council consists of several distinct elements which are allocated certain functions by law. The most important elements are:

- Council (all councillors)
- Committees (undertaking specific functions delegated by Council / specified in law)
- The Executive (Leader and Cabinet)

These are the primary decision-making bodies within the Council, and they exercise different powers and functions. To assist the efficient working of the Council these bodies have delegated some of their functions to other parts of the Council including Sub-Committees and Officers.

3A.4 This part of the Constitution describes the way in which the Council's powers and functions are distributed amongst the various parts of the Council and who may lawfully exercise those powers within any limits or in accordance with any conditions.

3A.5 The law provides a framework under which functions:

- must not be the responsibility of the Executive – Non-Executive or Council Functions (see part 3B)
- may or may not be the responsibility of the Executive – Local Choice Functions
- must be the responsibility of the Executive – Executive functions (see part 3D)

3A.6 Functions which are not the responsibility of the Executive (called 'non-Executive Functions') are the responsibility of Council, Committees (and Sub-Committees) or Officers (exercising non-Executive Functions). Delegation of non-Executive Functions is set out in:

- [Part 3B 'Council Functions'](#),
- [Part 3C 'Committee Functions'](#) and
- [Part 4 'Officer Non-Executive Functions'](#).

3A.7 Functions which are the responsibility of the Executive (called "Executive Functions") may be delegated by the Leader of the Council to a Committee of the Executive, an individual Executive Member or an Officer. Executive Functions may also be delegated to another local authority or exercised jointly through a joint committee or Officer of another authority. The delegation of Executive Functions is set out in Part 3D 'Executive Functions' below.

3A.8 Any reference in this Part 3 of the Constitution to any Function, and any delegation of power includes all action associated with that Function or power and all related enforcement actions.

Key Decisions and Executive Work Programme

3A.9 Key Decisions

A Key Decision is an Executive decision that is likely to:

1. result in the local authority incurring expenditure which is, or the making of savings which are, significant having regard to the budget for the service or function to which the decision relates; or
 2. be significant in terms of its effects on communities living or working in an area comprising two or more wards in the area of the authority.
- 3A.10 The Council has decided that something is financially significant for these purposes if it is an Executive decision which requires a budget expenditure of £150,000 or more or generates savings of £150,000 or more.
- 3A.11 Key Decisions shall only be taken by Executive, unless such a decision has been specifically delegated by the Leader to a Executive Member or an Officer or unless the Leader, Chief Executive (or, in their absence or where they are unable to act, the Deputy Chief Executive) is making an urgent decision (as set out in the Council Procedure Rules).
- 3A.12 The Chief Executive will decide whether a decision will have a significant impact on two or more wards.
- 3A.13 A decision-taker may only make a Key Decision in accordance with the requirements of the [Access to Information rules](#).
- 3A.14 It is for the Chief Executive to decide which decisions are Key, subject to guidance from the Monitoring Officer who may require that a decision be treated as a Key Decision.
- 3A.15 In considering whether a decision is likely to be 'significant', the decision-maker should consider the strategic nature of the decision and whether the outcome will have an impact, for better or worse, on the amenity of a community or quality of service provided by the council to a significant number of people living or working in the locality affected. The following should be considered:
- the effect on businesses and communities
 - the expectation of the public and councillors as to whether the decision should be taken by the Executive
 - the anticipated interest of the public and of councillors
 - the effect on other council services and functions

3A.16 Executive Work Plan

The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 say that the Council must publish a notice containing information about any key executive decision which will be taken. This must be published 28 calendar days before the date of the decision and must contain information about any executive decision which will be taken by the Executive or an individual member of Executive in private session. The Executive Work Plan enables elected members, members of the public and the Scrutiny committees to consider which items they wish to examine and consider in good time before they are determined.

3A.17 The plan includes details of:

- items to be debated by the Executive which relate to policy or budget formulation
- items which will be subject to a recommendation to Council
- other matters to be considered by the Executive (when known)
- the names and responsibilities of current members of the Executive

3A.18 The Executive Work Plan is updated and published as a minimum monthly and covers all decisions proposed to be made by the Council, Executive, individual Executive members and Key Decisions made by officers within the following four months. In order to promote transparency of decision making it will also include details of any decisions that may be made within the next 12 months. Not all decisions will be known four months in advance and so advance notice of decisions will be included as soon as they become known

3A.19 There is also a requirement to publish details at least 28 calendar days in advance of any meeting if there is an intention to consider in private a Key Decision or any other executive decision - even if not a Key Decision. Both these requirements are achieved through the Executive Work Plan

3A.20 There may be occasions where it has not been possible to give notice of a Key Decision. When this occurs the following process must be followed:

- At least five clear working days before the decision is to be made the Monitoring Officer must inform (by written notice) the Chair of the Finance and Management Overview & Scrutiny Committee, the Chair of the Economic and Social Overview and Scrutiny Committee and the Chair of the Climate and Environment Overview and Scrutiny Committee.
- A copy of the notice must be placed on the website and made available for public inspection.
- The Monitoring Officer will prepare and publish a notice on the website setting out the reasons why the item did not appear on the Executive Work Plan.

3A.21 In accordance with Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, if less than five clear working days' notice of a Key Decision has to be given, or if an item has not appeared on the Executive Work Plan and a decision needs to be taken before the next edition of the Executive Work Plan is published, then the agreement of the Chair of the Finance and Management Overview & Scrutiny Committee (or, in their absence, the Vice-Chair of Finance and Management Overview & Scrutiny) that the making of the decision is urgent and cannot reasonably be deferred must be obtained in writing before the decision can be made. Their views must be included in the report alongside the explanation as to why the matter is urgent, why it cannot await the next edition of the Executive Work Plan and why it missed the last edition of the Executive Work Plan.

3A.22 In either case, the Chair of the Finance and Management Overview & Scrutiny Committee must report on such consultations/agreements at the next meeting of Finance and Management Overview & Scrutiny committee.

Call-in

3A.23 Call-in is the process which enables scrutiny to call-in a Key Decision to revisit it and delay its implementation. The process is intended to be used in exceptional circumstances for decisions which are believed to be contrary to the Council's decision making principles. More information regarding call-in can be found in Part 5 of the Constitution; Overview and Scrutiny Procedure Rules.

3A.24 As call-in delays the implementation of a decision there may be occasions, for example where it is necessary to protect the interest of the Council or public, where it is necessary to state in advance that call-in will not apply. In such circumstances the following process will apply:

- the Monitoring Officer will discuss the reasons for not applying the call-in rules with the Chair of the Finance and Management Overview and Scrutiny Committee;
- the decision making report will include details of the fact that the decision will not be subject to the rules of call-in and the views of the Chair of the Finance and Management Overview and Scrutiny Committee.

3B Council Functions

3B.1 The functions which may only be exercised by the Council are set out in the table below:

Council Functions	
1.	Determine which plans, strategies and polices shall comprise the Council's Policy Framework and from time to time approve, adopt and amend those plans, strategies and policies.
2.	Determine and amend the Council's Budget.
3.	Approve a departure from the approved Policy Framework and / or the approved Budget.
4.	Appoint and remove the Leader.
5.	Change the executive arrangements of the Council.
6.	Establish, abolish, and decide the terms of reference and the composition of Council and non-Executive Committees, and make appointments including co-opted members to them and other non-Executive bodies.
7.	Make and amend Procedural Rules, Financial Rules and Contract Rules.
8.	Change the name of the District or a Parish.
9.	Elect a Council Chair and appoint a Council Deputy Chair
10.	Promote or oppose parliamentary or private members bills
11.	Where it is the function of the Council, divide Parliamentary Constituencies and local government electoral divisions into polling districts.
12.	Appoint an Electoral Registration Officer and Returning Officer for local government elections.
13.	Make, amend, revoke, or re-enact by-laws.

14.	Fill Council or Parish Council vacancies in the event of insufficient nominations.
15.	Change ordinary year of election of parish councillors.
16.	Confirm the appointment of the Head of Paid Service (Chief Executive) and designate officers as the Monitoring Officer and the S151 Officer.
17.	Make a scheme for the payment of allowances to Members and determine the amount of all allowances payable to Members of the Council.
18.	Establish and abolish Joint Committees (in respect of non-Executive functions).
19.	Approve the Pay Policy Statement.
20.	To appoint or nominate individuals to outside bodies in respect of non-Executive Functions and revoke or withdraw such appointment or nomination where there is no Group Leader consensus on the decision to be taken. To note the Leader's appointments to outside bodies in respect of Executive Functions, as advised.
21.	Adopt or amend the Code of Conduct for Members
22.	Receive and consider statutory reports from the Head of Paid Service, the Section 151 Officer, and the Monitoring Officer.
23.	Authorise virements from the Council's approved Annual Revenue and Capital Budgets in excess of £150,000.
24.	Certain functions of local authorities are classified as "Local Choice" functions under the Local Government Act 2000 and the Local Authorities (Functions and Responsibilities) Regulations 2000, Schedule 2. The Council can decide which of these decisions should be taken by the Full Council and which should be taken by the Executive.
25.	Approval and allocation of the Council's annual borrowing limit
26.	The power to submit proposals to the Secretary of State for an Order under Section 10 (pilot schemes for local elections in England and Wales) of the Representation of the People Act 2000
27.	Any resolution for whole Council elections
28.	Any change in the name of electoral areas
29.	Any decision as to whether a casino should be in the District

30.	To undertake the function of Trustee in respect of all Trusts held by the Council (where applicable)
31.	Make changes to the Constitution (other than those which are delegated to the Monitoring Officer or any protocol which falls within the Terms of Reference of any Committee)
32.	Delegating functions to other local authorities and deciding whether to accept such a delegation from another authority
33.	Set the Council Tax
34.	Approving the acquisition or disposal of land or property outside of the Council's Recovery Investment Strategy over £1,000,000.
35.	Approving the acquisition or disposal of land and property made under the Council's Recovery Investment Strategy over £3,000,000
36.	Conferring Honorary Titles upon Aldermen and Alderwomen.
37.	All other matters which by law must be reserved to the Council

3B.2 Policy Framework

The policy framework comprises the following plans and strategies:

- [Council Plan](#)
- [Community Safety Plan](#)
- Plans and strategies which together comprise the Development Plan (the [West Oxfordshire District Local Plan](#) and the Council's input into all relevant Oxfordshire planning documents
- [Pay Policy](#)
- Licensing Policy Statements (Licensing Act 2003 and [Gambling Act 2005](#))
- [Budget](#), which includes:
 - [The Medium-Term Financial Strategy](#)
 - Capital Programme
 - Setting the Council Tax
 - Decisions relating to the control of the Council's borrowing requirements, the control of its capital expenditure and the setting of virement limits
 - The Capital, Treasury Management and Investment Strategies

3C Committee Functions

- 3C.1 Council has established the Committees set out in the table below to discharge certain functions but retains the right to a concurrent and overriding exercise of all functions in the table below. Unless otherwise required by law, a Committee or Sub-Committee may determine not to exercise a function delegated to it and refer that function upwards for determination by Council or the ‘parent’ Committee
- 3C.2 The Council must have at least one Overview and Scrutiny Committee, however the Council currently operates a model of three Overview and Scrutiny Committees which cover the following areas:
- Finance and Management
 - Climate and Environment
 - Economic and Social
- 3C.3 A Committee may establish such Sub-Committee(s) as it sees fit to undertake certain of its functions and the Table below include such Sub-Committees. (If applicable)

Scrutiny Committees: Finance and Management Overview and Scrutiny Committee, Climate and Environment Overview and Scrutiny Committee and Economic and Social Overview and Scrutiny Committee	
To perform a broad-based overview and scrutiny role across all areas of the Council, while discharging the functions conferred by the Local Government Act 2000 as amended and any associated regulations, including:	
1	Co-ordinate, champion, and lead on the scrutiny of Council and Executive decisions. Ensure consistency and compatibility between the policies and strategies of the Council contributing to the Continuous Improvement of Public Services
2	Have all of the functions, powers and duties conferred by Section 21 of the Local Government Act 2000 (as amended) including: <ul style="list-style-type: none"> - To review and scrutinise decisions - To make reports and recommendations to Council or Executive in relation to the discharge of any functions - To make reports and recommendations to Council or Executive on matters which effect the Council’s area or its residents
3	Determine the allocation of work in the event that the scope of the subject matter of a scrutiny study or investigation overlaps the role of more than one Sub-Committee or Working Group

4	Review the operation of the scrutiny process and work programmes of the Overview & Scrutiny Sub Committees and Working Groups and inform and advise Council in relation to priorities and the allocation of resources
5	Oversee and review the resources, support, training, and development of Overview & Scrutiny Members
6	Develop a positive “critical friend” approach to the role of scrutiny of the Council and Community issues and Review and scrutinise decisions made, or other action taken, by the Executive collectively or by individual Executive Members
7	Provide and co-ordinate the input to an annual report to Full Council on such issues or topics as the Committee sees fit and Produce special interest reports following topic reviews
8	Consider the management of matters called in for review under the Overview and Scrutiny Rules
9	Consider matters referred to it by the Councillors’ Call for Action
10	Finance & Management Overview & Scrutiny Committee only: Review and scrutinise the work of the Executive and consider, and comment, on the Corporate Plan, Community Strategy; and the draft Medium Term Financial Strategy, and annual Budget.
11	Review and scrutinise the content of the Executive Work Plan and monitor that actions required arising out of decisions made are implemented and evaluate the impact of decisions made
12	Review and scrutinise the decisions and policies of the Council (N.B. This does not apply to decisions made on quasi-judicial matters but can apply to the process by which such decisions are made)
13	Consider any matters which affect the authority, the District, or its residents. Liaise with other external organisations operating in the District, whether national, regional or local, to ensure that the interests of local people are protected or enhanced by collaborative working.
14	Overview the development of policies and strategies within the Council and scrutinise the effectiveness of the Council’s policies and strategies, in particular in achieving defined outcomes or objectives. Assist in the development of new policies and strategies, or the review of existing ones.
15	Review and assess the Council’s overall performance in relation to its policy objectives, performance targets and budgets and/or particular service areas, and make recommendations thereon to the Executive and/or the Council.

16	Review and assess the quality of service delivery, performance and efficiency across the Council, identify and promote best practice and make recommendations thereon to the Executive and/or the Council.
17	Consider and comment on service reviews/transformation.
18	Participate in county-wide joint scrutiny arrangements. Liaise with other external organisations operating in the area, whether national, regional or local, to ensure that the interests of local people are enhanced by collaborative working.
19	Review and scrutinise the performance of other public bodies in the area (inviting reports from them by requesting them to address the Committee and local people about their activities and performance).
20	Economic & Social Overview & Scrutiny Committee only: Act as the Council's Crime and Disorder Committee, having all the powers and functions, powers and duties conferred by Section 19 of the Crime and Justice Act 2006.
21	Finance & Management Overview & Scrutiny Committee only: To consider reports on the Council's Treasury Management function including: <ul style="list-style-type: none"> • Recommending the Treasury Management Strategy to Council • Recommending the half-year and outturn Treasury Management performance reports to Council Receiving updates from the Council's Treasury Management advisor and providing guidance to the S.151 Officer in exercising delegations under the Treasury Management Strategy
	Powers
22	The Committee has the power to: <p>Require the attendance of any Council Officer and/or Elected or Co-opted Members in order to respond directly to any issue under consideration;</p> <p>Report and make recommendations to Council and/or to the Executive;</p> <p>To review any issues referred to it by the Chief Executive, other Statutory Officer, or any other Council body,;</p> <p>To call expert witnesses from outside the Council to give advice on matters under review or discussion; and</p> <p>To establish Sub-Committees and Working Groups</p>

	<p>Where a matter falls within the remit of more than one Overview & Scrutiny Committee, the Chairs of the three Committees, will decide whether it shall be considered by one Committee, and which one, or by more than one, either consecutively or concurrently. If such agreement cannot be reached, the Chief Executive, in consultation with the Leader, will determine arrangements.</p>
	<p>Membership</p>
23	<p>There are 15 seats on the Finance and Management Overview and Scrutiny Committee. Appointment to such seats shall be by full Council in accordance with the regulations regarding political balance, unless a Group Leader confirms that a political group does not wish to take up their allocation of seats.</p> <p>There are 15 seats on the Economic and Social Overview and Scrutiny Committee. Appointment to such seats shall be by full Council in accordance with the regulations regarding political balance, unless a Group Leader confirms that a political group does not wish to take up their allocation of seats.</p> <p>There are 15 seats on the Climate and Environment Overview and Scrutiny Committee. Appointment to such seats shall be made by full Council in accordance with the regulations regarding political balance, unless a Group Leader confirms that a political group does not wish to take up their allocation of seats.</p> <p>The quorum for a meeting of any of the Overview and Scrutiny Committees is 4 members.</p> <p>No member of the Executive may be allocated a seat on any of the Overview and Scrutiny Committees. Any other Member is permitted to be allocated a seat on one or more Overview and Scrutiny Committee.</p> <p>Subject to Part 5A paragraph 2.3.8, substitute Members are permitted from all Members of the Council, other than Executive Members who may not act as a substitute Member on an Overview and Scrutiny Committee.</p> <p>Each of the Overview and Scrutiny Committees shall elect their own Chair.</p> <p>Each of the Overview and Scrutiny Committees has the power to establish a Sub-Committee, from the membership of the Committee, to appoint members to that Sub-Committee, and to establish its terms of reference. Any such Sub-Committee shall elect its own Chair and shall report back to its 'parent' Committee. The powers of any Sub-Committee are also exercisable by its 'parent' Committee.</p>

Development Control Committee

The Council separates its Planning decision making into four areas;

- decisions which are delegated to officers
- decisions in relation to the wards in the Uplands area of the District
- decisions in relation to wards in the Lowlands area of the District; and
- decisions of the Development Control Committee (such decisions relate to applications which in the opinion of the Senior Officer with Responsibility for Planning, are of significant local importance e.g. major housing development, or where either the Uplands or Lowlands Committee propose to make a decision which would be unlawful, seriously undermine policy, set adverse precedent or result in substantial costs being awarded against the Council

The responsibilities detailed below relate to the Development Control Committee:

1	To determine planning applications, including those of strategic significance that affect the District as a whole, the terms of planning agreements and such other matters as are considered appropriate from time to time, excluding matters relating to policy.
2	To determine matters relating to planning as a Local Planning Authority excluding strategic planning matters such as the preparation, adoption and review of the Council's statutory Local Development Plan and representation of the Local Planning Authority's view to other bodies as appropriate on strategic planning matters.
3	Without prejudice to the above roles and the Council's Scheme of Delegation, the Development Control Committee shall be responsible for those matters set out in Part A (Functions relating to Town and Country Planning and Development Control) of Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000
4	<p>To determine:</p> <ul style="list-style-type: none"> • Applications submitted by or on behalf of the District Council, or for development on Council owned land or where the Council has a direct interest, except where no objections are received or any application required in connection with flood prevention/alleviation schemes. For purposes of clarity, once the principle of development has been established by Committee, subsequent applications to discharge conditions or for minor variations may be determined in accordance with the Non-Executive Officer Scheme of Delegation • Applications submitted by a serving Member or Officer of the Council or a consultant employed by the Council, or in which they have a beneficial interest (i.e. they own the land or are a prospective purchaser), or submitted by an immediate relative to the above; with the exception of applications made by non-Planning staff (excluding those in politically restricted posts) for householder development.

5	<ul style="list-style-type: none"> ● Applications, which constitute a significant departure from the most up to date Local Plan that is formally approved or adopted by the Council for Development Management purposes. ● Applications which involve an agreement under S.106 of the Town & Country Planning Act 1990, or the proposed variation or discharge of a Section 106 deed, that materially differs from the Council's standard models or departs from the reasons for the original imposition of the obligation ● Applications which are accompanied by an Environmental Statement. ● Applications for the felling of a tree(s) protected by a Tree Preservation Order (except where exempted by the Act) and not associated with an application for planning permission, where there are objections received
	Powers
6	<p>The Development Control Committee has the power to:</p> <p>Make recommendations to the Executive on the budget for the Committee;</p> <p>To report and make recommendations to Council;</p> <p>Make recommendations to Full Council in terms of the level of delegation to Officers; and</p> <p>To establish Sub-Committees and Working Groups.</p>
	Membership
7	<p>There are 24 seats on the Development Control Committee. Appointments to those seats shall be made by full Council in accordance with the regulations regarding political balance, unless a Group Leader confirms to Council that the political group does not wish to take up their allocation of seats.</p> <p>The quorum for a meeting of the Development Control Committee shall be 6 Members.</p> <p>The Development Control Committee shall elect its own Chair from its membership. No Member of the Executive may be elected to the position of Chair of the Development Control Committee, but they may be allocated a seat on the Committee.</p> <p>No Member may have a seat on the Development Control Committee, whether as a Member of the Committee or a substitute Member, when they meet to determine a planning application, unless they have undertaken mandatory training.</p> <p>Subject to Part 5A paragraph 2.3.8, substitute members are permitted from amongst any Elected Members of the Council, subject to compliance with the training provisions.</p> <p>The Development Control Committee has the power to establish Sub-Committees, and to appoint members to those Sub-Committees from the membership of the Committee, and to</p>

	<p>establish the terms of reference for any such Sub-Committee. Any such Sub-Committee shall elect its own Chair and shall report back to its 'parent' Committee. The powers of any Sub-Committee are also exercisable by its 'parent' Committee.</p> <p>The Development Control Committee has established 2 Sub-Committees:</p> <ul style="list-style-type: none"> • The Uplands Sub-Committee, and • The Lowlands Sub-Committee
<p>The Uplands Sub-Committee</p>	
	<p>Powers</p>
<p>I</p>	<p>The responsibilities detailed below relate to the Uplands Sub-Committee who shall have the following power in respect of decisions in relation to wards in the Uplands area of the District, which includes the Wards of:</p> <ul style="list-style-type: none"> • Kingham, Rollright & Enstone • Chipping Norton • The Bartons • Stonesfield & Tackley • Chadlington & Churchill • Ascott & Shipton • Charlbury & Finstock • Woodstock & Bladen • Milton-under-Wychwood • Burford • Freeland & Hanborough <p>To determine planning applications, other than those of strategic significance that affect the District as a whole, the terms of planning agreements and such other matters as are considered appropriate from time to time, excluding matters relating to policy.</p> <p>To refer planning applications to the Development Control Committee where appropriate.</p> <p>To determine matters relating to planning as a Local Planning Authority excluding strategic planning matters such as the preparation, adoption and review of the Council's statutory Local Development Plan and representation of the Local Planning Authority's view to other bodies as appropriate on strategic planning matters.</p> <p>Without prejudice to the Council's Scheme of Delegation, the Uplands Sub-Committee shall be responsible for those matters set out in Part A (Functions relating to Town and Country Planning and Development Control) of schedule 1 to the Local Authorities (Functions and Responsibilities)(England) Regulations 2000.</p> <p>To determine:</p> <ul style="list-style-type: none"> • Applications submitted by or on behalf of the District Council, or for development on

	<p>Council owned land or where the Council has a direct interest, except where no objections are received or any application required in connection with flood prevention/alleviation schemes. For purposes of clarity, once the principle of development has been established by Committee, subsequent applications to discharge conditions or for minor variations may be determined in accordance with the Officer Scheme of Delegation.</p> <ul style="list-style-type: none"> • Applications submitted by a serving Member or Officer of the Council or a consultant employed by the Council, or in which they have a beneficial interest (ie they own the land or are a prospective purchaser) or submitted by an immediate relative to the above; with the exception of applications made by non-Planning staff (excluding those in politically restricted posts) for householder development. • Applications, which constitute a significant departure from the most up to date Local Plan that is formally approved or adopted by the Council for Development Management purposes. • Applications which involve an agreement under s106 of the Town and Country Planning Act 1990, or the proposed variation or discharge of a section 106 deed, that materially differs from the Council's standard models or departs from the reasons for the original imposition of the obligation. • Applications which are accompanied by an Environmental Statement. • Applications for the felling of a tree or trees protected by a Tree Preservation Order (except where exempted by the Act) and not associated with an application for planning permission, where there are objections received.
	<p>Membership</p>
<p>2</p>	<p>There are 12 seats on the Uplands Sub-Committee.</p> <p>Quorum for meetings of the Uplands Sub-Committee shall be 3 Members.</p> <p>Membership of the Uplands Sub-Committee must be from the membership of the Development Control Committee. Members are allocated to the Sub Committee by the Development Control Committee. Allocation of seats on the Uplands Sub Committee shall be in accordance with the regulations relating to political balance of Committees and Sub-Committees, unless political groups confirm that they do not wish to take up their allocation of seats on the Sub-Committee. If so, that would allow the Development Control Committee to appoint to the Uplands Sub-Committee without regard to political balance, but only from within its own membership. Usual custom and practice has resulted in appointments being made on the basis of Ward Member's of the Uplands area of the District.</p> <p>Subject to Part 5A paragraph 2.3.8, substitutes on the Uplands Committee are permitted from any Member of the Council. No Member may sit on the Uplands Sub Committee, either as a Member or a substitute Member, unless they have undertaken the mandatory training.</p> <p>The Uplands Sub-Committee shall elect their own Chair from their membership. An Executive member may not be the Chair of the Uplands Sub-Committee, but may be a member of that Sub-Committee.</p>

Lowlands Sub-Committee	
Powers	
I	<p>The responsibilities detailed below relate to the Lowlands Sub-Committee who shall have the following powers in respect of decisions in relation to Wards in the Lowlands area of the District, which includes the Wards of:</p> <ul style="list-style-type: none"> • Hailey, Minster Lovell & Leafield • Witney Central • Witney North • North Leigh • Brize Norton & Shilton • Witney West • Witney East • Eynsham & Cassington • Witney South • Carterton North West • Carterton North East • Carterton South • Ducklington • Alvescot & Filkins • Bampton & Clanfield • Standlake, Aston & Stanton Harcourt <p>To determine planning applications, other than those of strategic significance that affect the District as a whole, the terms of planning agreements and such other matters as are considered appropriate from time to time, excluding matters relating to policy.</p> <p>To refer planning applications to the Development Control Committee where appropriate.</p> <p>To determine matters relating to planning as a Local Planning Authority excluding strategic planning matters such as the preparation, adoption and review of the Council's statutory Local Development Plan and representation of the Local Planning Authority's view to other bodies as appropriate on strategic planning matters.</p> <p>Without prejudice to the Council's Scheme of Delegation, the Lowlands Sub-Committee shall be responsible for those matters set out in Part A (Functions relating to Town and Country Planning and Development Control) of schedule 1 to the Local Authorities (Functions and Responsibilities)(England) Regulations 2000.</p> <p>To determine:</p> <ul style="list-style-type: none"> • Applications submitted by or on behalf of the District Council, or for development on Council owned land or where the Council has a direct interest, except where no objections are received or any application required in connection with flood

	<p>prevention/alleviation schemes. For purposes of clarity, once the principle of development has been established by Committee, subsequent applications to discharge conditions or for minor variations may be determined in accordance with the Officer Scheme of Delegation.</p> <ul style="list-style-type: none"> • Applications submitted by a serving Member or Officer of the Council or a consultant employed by the Council, or in which they have a beneficial interest (ie they own the land or are a prospective purchaser) or submitted by an immediate relative to the above; with the exception of applications made by non-Planning staff (excluding those in politically restricted posts) for householder development. • Applications, which constitute a significant departure from the most up to date Local Plan that is formally approved or adopted by the Council for Development Management purposes. • Applications which involve an agreement under s106 of the Town and Country Planning Act 1990, or the proposed variation or discharge of a section 106 deed, that materially differs from the Council's standard models or departs from the reasons for the original imposition of the obligation. • Applications which are accompanied by an Environmental Statement. • Applications for the felling of a tree or trees protected by a Tree Preservation Order (except where exempted by the Act) and not associated with an application for planning permission, where there are objections received.
	<p>Membership</p>
<p>2</p>	<p>There are 13 seats on the Lowlands Sub-Committee.</p> <p>Quorum for meetings of the Lowlands Sub-Committee shall be 4 Members.</p> <p>Membership of the Lowlands Sub-Committee must be from the membership of the Development Control Committee. Members are allocated to the Sub Committee by the Development Control Committee. Allocation of seats on the Lowlands Sub Committee shall be in accordance with the regulations relating to political balance of Committees and Sub-Committees, unless political groups confirm that they do not wish to take up their allocation of seats on the Sub-Committee. If so, that would allow the Development Control Committee to appoint to the Lowlands Sub-Committee without regard to political balance, but still from within its own membership. Usual custom and practice has resulted in appointments being made on the basis of Ward Member's of the Lowlands area of the District.</p> <p>Subject to Part 5A paragraph 2.3.8, substitutes on the Lowlands Committee are permitted from any Member of the Council. No Member may sit on the Lowlands Sub Committee, either as a Member or a substitute Member, unless they have undertaken the mandatory training.</p> <p>The Lowlands Sub-Committee shall elect their own Chair from within their membership. An Executive Member may not be the Chair of the Lowlands Sub-Committee, but may be a member of the Sub-Committee.</p>

Licensing Committee

1	<p>To undertake all matters in relation to the statutory licensing and registration functions of the Council (save to the extent that such responsibility has been delegated to another sub-committee of this Committee or Officer by the Council) such duties to include liquor, entertainment and late night refreshment licensing and the Gambling Act 2005. The Committee's role includes the formulation and approval of policy guidelines with the exception of the following which are dealt with by the Council:</p> <ul style="list-style-type: none"> • Licensing Policy Statement - Licensing Act 2003 • Gambling Policy - Statement of Principles - Gambling Act 2005.
2	To hear and determine licence applications that are contentious and/or where objections have been lodged by statutory consultees, residents, other third parties or where officers have reservations about the appropriateness of an application or the suitability of an applicant.
3	Without prejudice to the above roles and the Council's Scheme of Delegation the Licensing Committee shall be responsible for those matters set out in Parts B and C (Licensing and Registration functions) of Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000, the Licensing Act 2003 and the Gambling Act 2005.
4	The Licensing Committee shall be empowered to set up a sub-committee or sub-committees to discharge functions and act in accordance with powers delegated by the Committee. In the context of the Committee's powers under the Gambling Act 2005, sub delegation may extend to the permitted discharge of functions by an officer.
5	To receive reports and determine policy in relation to street trading.
6	To approve policy and to determine fees in relation to scrap metal dealer licensing.
	Powers
7	<p>The Licensing Committee has the power to:</p> <p>Report and make recommendations to Council; and</p> <p>Establish and appoint to Sub-Committees and Working Groups</p>
	Membership
8	There are 11 seats on the Licensing Committee. Appointments to those seats shall be made by full Council in accordance with the regulations regarding political balance, unless a Group Leader confirms to Council that the political group does not wish to take up their allocation of seats.

	<p>The quorum for a meeting of the Licensing Committee shall be 3 Members.</p> <p>The Licensing Committee shall elect its own Chair from its membership.</p> <p>No Member may have a seat on the Licensing Committee, whether as a Member of the Committee or a substitute Member, when they meet to determine a licensing application, unless they have undertaken mandatory training.</p> <p>Subject to Part 5A paragraph 2.3.8, substitute members are permitted from amongst any Elected Members of the Council, subject to compliance with the training provisions.</p> <p>The Licensing Committee has the power to establish Sub-Committees, and to appoint members to those Sub-Committees from the membership of the Committee, and to establish the terms of reference for any such Sub-Committee. Any such Sub-Committee shall elect its own Chair and shall report back to its 'parent' Committee. The powers of any Sub-Committee are also exercisable by its 'parent' Committee.</p> <p>The Licensing Committee has established 2 Sub-Committees:</p> <ul style="list-style-type: none"> • The Miscellaneous Licensing Sub-Committee, and • The Licensing Panel Sub-Committee
--	--

Miscellaneous Licensing Sub-Committee	
Responsible for determining taxi, private hire and street trading applications in certain circumstances including when the applicant has previous convictions.	

	Powers
1	To determine applications where relevant offences feature on the Disclosure Barring Service (DBS) check.
2	To consider representations as made or to review a licence
	Membership

3	<p>There are 5 seats on the Miscellaneous Licensing Sub-Committee.</p> <p>Quorum for meetings of the Miscellaneous Sub-Committee shall be 3 Members.</p> <p>Membership of the Miscellaneous Licensing Sub-Committee must be from the membership of the Licensing Committee. Members are allocated to the Sub-Committee by the Licensing Committee. Allocation of seats on the Miscellaneous Licensing Sub-Committee shall be in accordance with the regulations relating to political balance of Committees and Sub-Committees, unless political groups confirm that they do not wish to take up their allocation of seats on the Sub-Committee. If so, that</p>
---	--

	<p>would allow the Licensing Committee to appoint to the Miscellaneous Licensing Sub-Committee without regard to political balance, but still from within its own membership.</p> <p>Subject to Part 5A paragraph 2.3.8, substitutes on the Miscellaneous Licensing Sub-Committee are permitted from any Member of the Licensing Committee. However, no Member may sit on the Miscellaneous Licensing Sub Committee, either as a Member or a substitute Member, unless they have undertaken the mandatory training.</p> <p>The Miscellaneous Licensing Sub-Committee shall elect their own Chair from within their membership.</p>
--	--

Licensing Panel Sub Committee

Responsible for determining Personal Licenses and Premises Licenses where representations are received, and for considering whether to grant Temporary Event Notices where objections are received from the Police or Environmental Health

Powers

1 To determine applications where representations are made, or to determine a review application.

2 To review a personal licence.

Membership

3 There are 3 seats on the Licensing Panel Sub-Committee. Quorum for meetings of the Licensing Panel Sub-Committee shall be 3 Members.

Membership of the Licensing Panel Sub-Committee must be from the membership of the Licensing Committee. Members are allocated to the Sub-Committee by the Licensing Committee. Allocation of seats on the Licensing Panel Sub-Committee does not need to be in accordance with the regulations around political proportionality, nor fixed for a specified period of time.

Usual practice is for the Chair or Deputy-Chair of the Licensing Committee to sit on the Licensing Panel Sub-Committee, together with two other Members from the Licensing Committee. Such two other members to be drawn on an alphabetical rota basis from the remaining members of the Licensing Committee. In the event of a Member being unable to sit for a particular meeting, the next Member on the rota would be appointed, with the former eligible to sit at the next meeting instead. In the event of neither the Chair nor the Deputy Chair being able to sit, the third member of the Licensing Panel Sub-Committee would be drawn from the membership of the Licensing Committee under the usual rota system.

Subject to Part 5A paragraph 2.3.8, substitutes on the Licensing Panel Sub-Committee are permitted from any Member of the Licensing Committee. However, no Member may sit on the Licensing Panel

Sub-Committee, either as a Member or a substitute Member, unless they have undertaken the mandatory training.

The Chair or Deputy Chair of the Licensing Committee will act as Chair of the Licensing Panel Sub-Committee. However, in their absence, the Licensing Panel Sub-Committee shall elect the Chair for that particular meeting from their membership.

Audit and Governance Committee

Governance, risk and control

- | | |
|---|---|
| I | <p>Monitor the adequacy and effectiveness of the Council's governance arrangements including:</p> <ul style="list-style-type: none">• Monitoring the effectiveness of the Chief Finance Officer's responsibility for ensuring an adequate internal control environment;• To approve the Risk Management Policy Statement and monitor its operation;• Monitoring the arrangements for the identification, monitoring and control of strategic and operational risk within the Council;• Monitoring the adequacy and effectiveness of the arrangements in place for combating fraud and corruption;• Providing an annual report to Council that its systems of governance are operating effectively, which includes the Committee's performance in relation to the terms of reference;• Reviewing and approving the annual Statement of Accounts, Annual Governance Statement and its associated assurance framework;• Considering the Council's arrangements to secure value for money and review assurances and assessments on the effectiveness of these arrangements;• Ensuring that Internal Audit has the right of independent access to the Committee and its Chair;• Reviewing and monitoring treasury management arrangements in accordance with the CIPFA Treasury Management Code of Practice;• Considering and advising changes to the Council's Constitution in respect of Contract Standing Orders and Financial Regulations;• Formulating and keeping under review a Code of Conduct to promote high ethical standards amongst Officers and doing anything that is considered to promote and maintain high standards of conduct by Officers;• Formulating and keeping under review the Council's 'whistle-blowing' policy;• Formulating and keeping under review the Council's arrangements for handling complaints and investigations by the Local Government Ombudsman, and• Monitor the adequacy and effectiveness of cyber security arrangements (the protection of information systems, hardware, software and associated infrastructure, the data on them, and the services they provide, from unauthorised access, harm or |
|---|---|

	misuse). This includes harm caused intentionally by the operator of the system, or accidentally, as a result of failing to follow security procedures
Ethics and Behaviours	
2	<p>To promote, maintain and assist the achievement of high standards of conduct by Councillors and co-opted members in accordance with the Council's Code of Conduct for Members.</p> <ul style="list-style-type: none"> ● To monitor the operation of the Code of Conduct for Members; ● To advise the Council on any amendment or revision of the Code; ● To secure adequate and appropriate training of Councillors and co-opted Members on the Code of Conduct for Members; ● To give general guidance and advice to Councillors on Members' interests and keep under review the Register of Members' Interests maintained by the Monitoring Officer; and ● To give general guidance and advice to Councillors and employees on gifts and hospitality ● To receive a report, at least annually, from the Council's Monitoring Officer with a summary of conduct complaints received, trends and key issues arising.
External Audit	
3	<p>Monitor the adequacy and effectiveness of the Council's external audit service and respond to its findings. Specifically:</p> <ul style="list-style-type: none"> ● Considering the appointment, nature and scope of the external audit of the Council's services and functions; ● Receiving and considering all external audit reports including the annual plan, annual audit letter and governance report; and ● Monitoring management's response to the external auditor's findings and the implementation of external audit recommendations.
Internal Audit	
4	<p>Monitor the adequacy and effectiveness of the Internal Audit service. Specifically:</p> <ul style="list-style-type: none"> ● Approving the Internal Audit Charter; ● Approving the annual risk based Internal Audit Plan; ● Receiving communications from the Chief Internal Auditor on the internal audit activity's performance relative to its plan and other matters, including the annual report and opinion; ● Receiving and considering major Internal Audit findings and recommendations; ● Monitoring management's response to Internal Audit findings and the implementation of the recommendations;

	<ul style="list-style-type: none"> • Making appropriate enquiries of management and the Chief Internal Auditor to determine whether there are inappropriate scope and resource limitations; • Agreeing the scope and form of the external assessment as part of the quality assurance and improvement plan; • Receiving the results of internal and external assessments of the quality assurance and improvement programme, including areas of non-conformance with professional standards; and • Approving significant consulting services not already included in the audit plan, prior to acceptance of the engagement, if this materially impacts on core assurance activity.
	Powers
5	<ul style="list-style-type: none"> • The Committee has the right to require the attendance of any Council officers and/or members in order to respond directly to any issue under consideration; • To review any issues referred to it by the Chief Executive, other statutory officer or any Council body; • The power to report and make recommendations to Council; • The power to call expert witnesses from outside the Council to give advice on matters under review or discussion; • The ability to raise issues at a meeting of the Executive; And • The power to establish Sub-Committees.
	Membership
6	<p>There are 17 seats on the Audit and Governance Committee. Appointments to those seats shall be made by full Council in accordance with the regulations regarding political proportionality, unless a Group Leader confirms to Council that the political group does not wish to take up their allocation of seats.</p> <p>The quorum for a meeting of the Audit and Governance Committee shall be 5 Members.</p> <p>The Audit and Governance Committee shall elect its own Chair from its membership.</p> <p>Subject to Part 5A paragraph 2.3.8, substitute members are permitted from amongst any Elected Members of the Council.</p> <p>The Audit and Governance Committee has the power to establish Sub-Committees, and to appoint members to those Sub-Committees from the membership of the Committee, and to establish the terms of reference for any such Sub-Committee. Any such Sub-Committee shall elect its own Chair and shall report back to its 'parent' Committee. The powers of any Sub-Committee are also exercisable by its 'parent' Committee, subject to when exercising the function of determination of a code of conduct complaint, the mandatory training must have been completed by all Members.</p> <p>The Audit and Governance Committee has established 1 Sub-Committee:</p> <ul style="list-style-type: none"> • The Standards Sub-Committee

Standards Sub-Committee

	Powers
1	<p>The Standards Sub-Committee is responsible for determining, in conjunction with the Independent Person, allegations that Members of the Council, and Members of Town and Parish Councils where West Oxfordshire District Council is the Principal Authority, have failed to comply with their Member's Code of Conduct. Specifically to determine allegations of breach of the code of conduct referred to it by the Monitoring Officer, and to, where appropriate, impose sanctions upon Members of West Oxfordshire District Council, and, where appropriate, recommend sanctions to the relevant Town or Parish Council in respect of their Members. Any such determination by the Standards Sub-Committee should be made in accordance with the Standards Sub-Committee Procedure Rules as set out in Part 5E of the Constitution.</p>
	Membership
2	<p>There are 5 seats on the Standards Sub-Committee. Quorum for meetings of the Standards Sub-Committee shall be 3 Members.</p> <p>Membership of the Standards Sub-Committee must be from the membership of the Audit and Governance Committee. Members are allocated to the Sub-Committee by the Audit and Governance Committee. Allocation of seats on the Standards Sub-Committee shall be in accordance with the regulations relating to political proportionality of Committees and Sub-Committees, unless political groups confirm that they do not wish to take up their allocation of seats on the Sub-Committee. If so, that would allow the Audit and Governance Committee to appoint to the Standards Sub-Committee without regard to political balance, but still from within its own membership.</p> <p>Subject to Part 5A paragraph 2.3.8, substitutes on the Standards Sub-Committee are permitted from any Member of the Audit and Governance Committee. However, no Member may sit on the Standards Sub-Committee, either as a Member or a substitute Member, when determining a code of conduct complaint, unless they have undertaken the mandatory training.</p> <p>The Standards Sub-Committee shall elect their own Chair from within their membership.</p>

Performance & Appointments Committee

1	To recommend the appointment of the Chief Executive, Chief Financial Officer and Monitoring Officer to Council.
2	To consider all relevant matters relating to the salaries and contractual terms of the Chief Executive/Head of Paid Service and Statutory Officers.
3	To approve terms for the retirement of the Chief Executive/Head of Paid Service.
4	To conduct grievance and disciplinary matters in respect of the Statutory Officers in accordance with the statutory procedures and the Officer Employment Procedure Rules as set out at Part 5K of the Constitution.
5	To suspend the Chief Executive and/or Statutory Officers whilst an investigation takes place into alleged misconduct.
6	To conduct appraisals of the Chief Executive
7	To manage and consider any disciplinary and/or capability and/or any grievance matters arising in relation to the conduct or performance of the Statutory Officers
8	<p>To carry out the function of an Investigating & Disciplinary Committee as set out in the JNC Conditions of Service for Chief Executives and the JNC Conditions of Service for Chief Officers.</p> <p>In respect of Statutory Officers to:</p> <ul style="list-style-type: none"> (a) decide whether the issues require any formal action; and if so, (b) whether the issue should be referred to an Independent Person; (c) be responsible for the appointment and terms of reference of the Independent Person; (d) receive and consider the report of the Independent Person; and (e) hold a capability or disciplinary hearing. <p>Following receipt of any Independent Person's report, to determine a course of action (up to and including dismissal) within the Council's powers under law and in accordance with the Council's procedures including the procedures set out in the Officer Employment Procedure Rules. To make recommendations to Council in respect of the proposed dismissal of a Statutory Officer.</p>
	Powers

9	<p>The Performance and Appointments Committee has the power to:</p> <p>Make recommendations to Council on the appointment or dismissal of Statutory Officers;</p> <p>To report to and make recommendations to Council;</p> <p>To suspend statutory officers whilst an investigation is pending; and</p> <p>To appoint an independent person, or panel of independent persons to report to them</p> <p>The Performance and Appointments Committee also has the power to establish Sub-Committees.</p> <p>In undertaking their duties the Performance and Appointments Committee must comply with the Officer Employment Procedure Rules set out at Part 5K of the Constitution.</p> <p>In undertaking their role in respect of recruitment, dismissal, conduct or performance, the Committee will be advised by an appropriate Officer with specialist knowledge of such matters, acting as advisor to the Committee.</p>
	<p>Membership</p>
10	<p>There are 5 seats on the Performance and Appointments Committee. Appointments to those seats shall be made by full Council in accordance with the regulations regarding political proportionality, unless a Group Leader confirms to Council that the political group does not wish to take up their allocation of seats. By practice and protocol, political groups usually appoint their most senior Members to the Performance and Appointments Committee, including the Group Leader.</p> <p>The quorum for a meeting of the Performance and Appointments Committee shall be 3 Members.</p> <p>The Performance and Appointments Committee shall elect its own Chair from its membership.</p> <p>Subject to Part 5A paragraph 2.3.8, substitute members are permitted from amongst any Elected Members of the Council.</p> <p>The Performance and Appointments Committee has the power to establish Sub-Committees, and to appoint members to those Sub-Committees from the membership of the Committee, and to establish the terms of reference for any such Sub-Committee. Any such Sub-Committee shall elect its own Chair and shall report back to its 'parent' Committee. The powers of any Sub-Committee are also exercisable by its 'parent' Committee.</p>

Urgency and Emergency Decisions

1	<p>The Chief Executive, or in their absence the Deputy Chief Executive, in consultation with the Chief Finance Officer and the Monitoring Officer, may take any necessary decision in cases of emergency.</p> <p>Emergency shall mean any situation in which the officer believes that immediate action is necessary and any 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 loss of life, serious injury to any person, significant damage to or loss of property, or serious threat to the health or wellbeing of an individual. A decision to take action includes the power to commence or defend legal proceedings in any court or tribunal</p> <p>Any decision under the above provisions shall be recorded on an Officer Decision Notice, regardless of value, and published, unless confidential or exempt. The decision shall be reported to Council, the Executive or the appropriate Committee or Sub-Committee, at the next reasonable opportunity, and such report shall include the reasons that the powers needed to be used.</p>
2	<p>The Chief Executive, or in their absence the Deputy Chief Executive, in consultation with the Chief Finance Officer and the Monitoring Officer, may take a decision in relation to any function of the Council, Executive or of a Committee or Sub-Committee where the matter is urgent and cannot reasonably await the next meeting of that body. In doing so, the Officer shall also consult with the Leader of the Council, or in their absence, the Deputy Leader of the Council and the Chair, or in their absence the Deputy Chair, of any relevant Committee or Sub-Committee, as the case may be.</p> <p>Any decision under the above provisions shall be recorded on an Officer Decision Notice, and published, unless exempt or confidential. The decision shall be reported to Council, the Executive or the appropriate Committee or Sub-Committee, such report to include the reasons that the powers needed to be used.</p>

Working Groups

1	<p>Working Groups may be formed by the Council, Executive, Executive Members, or by Committees, for ad hoc, project-specific tasks. Their work should be scoped upon formation, and time-limited and business to be discussed at any meeting will be prescribed in advance by terms of reference</p>
2	<p>Whilst Members of the Council will be invited to participate, other persons may be invited to attend at the discretion of the 'body' that formed the working group.</p>
3	<p>Working Groups are designed to facilitate discussion and the exchange of ideas on specific topics, which could include policy development but are not decision-making bodies.</p>

4	Working Groups will be serviced by subject matter expert officers and a record will be kept of the issues considered and the outcome of the Group's discussions will be circulated to body that formed the working group.
5	Working Groups may be formed to consider a cross-cutting issue, or to assist a scrutiny inquiry.

3D Executive Functions

3D.1 The Council operates a Leader and Cabinet form of Executive and the Leader of the Council specifies how the functions of the Executive (known as ‘Executive Functions’) will be carried out. All functions of the Council that are not reserved by law as Non-Executive (see Part 3C above), are Executive functions. Except where the law otherwise provides, it is at the Leader’s discretion to determine how decision-making in relation to Executive functions will be exercised. All “Local Choice” functions (ie those specified in regulations under section 13(3)(b)) of the Local Government Act 2000) are Executive functions.

3D.2 The Leader may discharge any Executive functions directly or may arrange for the discharge of those functions by:

- the Executive
- an Executive Committee
- an individual member of the Executive (Executive Member)
- an officer of the Council
- another local authority
- jointly with another local authority through a joint committee or Officer

3D.3 The Executive undertakes all Executive functions including:

- (a) proposing plans and strategies, including the overall Budget, the Policy Framework, and arrangements for the good governance of the authority, to Council to approve and adopt,
- (b) publishing in the Executive Work Plan all decisions by the Executive, individual Executive members and Key Decisions made by officers,
- (c) establishing Committees to discharge specific Executive functions, or establishing working groups or panels to review or advise on specific issues,
- (d) representing the Council locally, nationally, and international,
- (e) attending meetings of the Overview & Scrutiny Committees and any Working Groups when required to do so,
- (f) agreeing the acquisition and disposal of property (within limits set out in the Financial Rules and the Acquisition and Disposal Policy) and the management of the Council's land holdings,
- (g) proposing acquisition or disposal of land and property to Council where the financial implications exceed the threshold delegated to the Executive,
- (h) exercising the powers and duties of the Council in respect of leisure, museums, consumer protection and environmental health,
- (i) acting as waste collection authority, and
- (j) agreeing protocols for consultation and relations with outside bodies

3D.4 Delegations

The Leader has exercised the power of delegation in the manner set out below. A reference to ‘Executive Member’ means an Executive Member acting in portfolio and reference to ‘Officer’ means Chief Executive, Chief Finance Officer, Monitoring

Officer, or designated senior Publica employee, when acting as an employee of West Oxfordshire District Council.

- 3D.5 The Leader has directed that the Executive Functions delegated to Executive Members shall not be sub-delegated to Officers without prior consent.
- 3D.6 Each person or body to whom an Executive Function is delegated shall be empowered to take any step for the purposes of or in connection with the discharge of the Function and may do anything incidental or conducive to discharge of the Function or do anything expedient in connection with the discharge of the Function.
- 3D.7 The Leader may amend these delegations at any time by giving notice in writing to any person who currently holds the power and any person to whom the power is now to be delegated and to the Proper Officer (in this case the Monitoring Officer) setting out the change to be made; such amendment to take effect immediately on confirmation of receipt by the Proper Officer. The Proper Officer will ensure that this Part 3 of the Constitution is updated forthwith.
- 3D.8 Where an Executive Function has been delegated by the Leader this does not prevent the Leader from exercising that Function.
- 3D.9 In the absence of the Leader of the Council the person or persons designated by the Leader and notified by the Leader to the Proper Officer as having responsibility for the Leader's area(s) of responsibility is or are authorised to exercise the functions of the Leader pursuant to the Constitution.
- 3D.10 The following delegations are currently in place

Functions	Delegation
<p>The implementation of the approved policy and budget framework, except in relation to those functions identified as Council functions above, including the management, control and supervision of:</p> <ul style="list-style-type: none"> ● the Council's own financial and property resources ● housing and Council tax benefit ● leisure, sports, arts and tourism services ● housing provision, homelessness and the maintenance of the common waiting list ● the preparation and review of the Development Plan and other planning policies and procedures ● environmental health and protection ● grounds maintenance ● refuse collection, recycling and amenity cleansing ● measures to promote the economic, environmental and social well-being of the district ● measures to promote community safety and reduce drug abuse ● measures to promote skills training and development ● measures in pursuit of the Council's rural issues, 	<p>Functions delegated to the Chief Executive and Officers in accordance with Officer Scheme of Delegation (Part 4)</p>

<p>anti-poverty, and climate change/environment/sustainability strategies</p> <ul style="list-style-type: none"> measures to promote high quality services to the communities of the district 	
<p>Subscriptions and Donations to Voluntary Bodies - to approve the award of grants subject to any grant award not exceeding £1,000</p>	<p>Executive Member for Customer Delivery (in consultation with Chief Financial Officer)</p>
<p>Discretionary Rate Relief – to grant discretionary rate relief in accordance with the Council’s Discretionary Rate Relief policy, except for those decisions already delegated to officers under the Officer Scheme of Delegation (Part 4)</p>	<p>Executive Member for Finance (in consultation with the Chief Financial Officer).</p>
<p>Debt Write-Offs – to approve the writing off of debts, except for those already delegated to officers under the Officer Scheme of Delegation (Part 4)</p>	<p>Executive Member for Finance (in consultation with Chief Financial Officer)</p>
<p>Sport and Recreation Grants – to determine applications for Sport and Recreation grants which accord with the Council’s approved criteria up to a maximum of £3,000 per grant</p>	<p>Executive Member for Stronger Healthier Communities (in consultation with Chief Financial Officer)</p>
<p>Village Hall Grants – to determine applications for Village Halls (Minor Scheme) grants which accord with the Council’s approved criteria up to a maximum of £5,000 per grant</p>	<p>Executive Member for Stronger Healthier Communities (in consultation with Chief Financial Officer)</p>
<p>Arts and Sports Achievement / High Achievers Awards - To determine applications for Arts and Sports Achievement Awards and High Achievers Awards which accord with the Council’s approved criteria up to a maximum of £300 per grant for the Arts and Sports Achievement Awards and £1,000 per grant for the High Achievers Award</p>	<p>Leader of the Council (in consultation with Chief Financial Officer)</p>
<p>Playground Grants - To determine applications for Playground (Revenue) grants which accord with the Council’s approved criteria up to a maximum of £2,000 per grant and Playground (Capital) grants up to a maximum of £5,000 per grant</p>	<p>Executive Member for Stronger Healthier Communities (in consultation with Chief Financial Officer)</p>

This page is intentionally left blank

5E Standards Sub Committee Procedure Rules

These procedure rules apply to meetings of the Standards Sub-Committee, or the Audit and Governance Committee, when sitting to hear and determine a member code of conduct complaint referred to it by the Monitoring Officer.

1.0 DEFINITIONS

Complainant(s)	The person/people making the complaint.
Subject Councillor	The Councillor, co-optee, or Town or Parish Councillor against whom an allegation has been made.
Appointed representative	The Subject Councillor may be represented or accompanied during the meeting by a Solicitor, Counsel or, with the permission of the Standards Sub-Committee Members, another person.
Standards Sub-Committee	<p>A Sub-Committee of the Audit and Governance Committee in accordance with the provisions of the <i>Local Government Act 1972</i>.</p> <p>A meeting of the Standards Sub-Committee will consider whether the Subject Councillor has breached the Code of Conduct.</p> <p>A Sub-Committee of the Audit and Governance Committee, in accordance with the provisions of the Local Government Act 1972.</p> <p>Comprising 5 members of the Audit and Governance Committee, appointed by the Audit and Governance Committee.</p>
Independent Person	An Independent Person will be invited by the Monitoring Officer to attend the Standards Sub-Committee as a Member of the Sub-Committee. Their views are sought and taken into consideration before the Sub-Committee takes any decision on whether the Subject Councillor's conduct constitutes a failure to comply with the Code of Conduct, in accordance with the provisions of the

	<i>Localism Act 2011</i> , and as to any action to be taken following a finding of failure to comply with the Code of Conduct
Investigating Officer	The person appointed by the Monitoring Officer to undertake a formal investigation on behalf of the Monitoring Officer. This person may be another Officer of the Council, an Officer of another Council or an external third party investigator appointed for the purpose.
Investigating Officer's report	The report of the Investigating Officer to the Monitoring Officer, setting out their findings and recommendations in respect of the allegation.
Legal Advisor	The Officer responsible for providing legal advice to the Standards Sub-Committee. This may be the Monitoring Officer, another legally qualified Officer, or an external third party legal advisor appointed for the purpose.
Chair	The Chair of the Standards Sub-Committee elected by that Sub-Committee to chair meetings for the municipal year.
Code	The Members' Code of Conduct for the relevant Authority formally adopted by it at the relevant time.
The Monitoring Officer	The Officer designated as such by West Oxfordshire District Council in accordance with <i>section 5 of the Local Government and Housing Act 1989</i> .
Exempt Information	As defined in <i>Section 100A and Schedule 12A to the Local Government Act 1972</i>

2.0 INTRODUCTION

Where the Monitoring Officer considers that it is in the public interest for a complaint to be considered by the Standards Sub-Committee, a Sub-Committee meeting will be convened, to determine whether the Subject Councillor has failed to comply with the Code of Conduct.

The Monitoring Officer will seek to convene the Sub-Committee meeting within 25 working days of receipt of the final Investigator's report or as soon as practicably possible thereafter. The Standards Sub-Committee will comprise 5 members appointed to that Committee by the Audit and Governance Committee, plus an Independent Person allocated to each meeting on a case by case basis by the Monitoring Officer, to act as a co-opted member of that Sub-Committee. For a meeting of the Standards Sub-Committee to be quorate and proceed, a minimum of three elected members of the Standards Sub-Committee plus an Independent Person must be present.

3.0 PRE-HEARING PROCESS

The Monitoring Officer may invite the Subject Councillor to give a response in writing to the Investigator's report. This is done to establish what is likely to be agreed and what is likely to be in dispute at the hearing.

The Standards Sub-Committee, taking account of the advice of the Monitoring Officer, may issue directions about the way in which a Determination Hearing will be conducted, for example agreeing the number and identity of witnesses. Such directions may be given either before or at the Sub-Committee meeting, and may be decided at a pre-meeting or by correspondence involving all members of the Standards Sub-Committee.

Any pre-meeting to deal with pre-hearing process issues will be held in private without the Complainant or the Subject Councillor present.

4.0 DOCUMENTATION

Standards Sub-Committee meetings are subject to the normal rules for publication of Council Agendas and Access to Information.

The Agenda papers for the Standards Sub-Committee will include:

- Complaint form and documentation
- Subject Councillor's written response
- Investigating Officer's report
- Monitoring Officer report
- For reference: Code of Conduct, Standards Committee Local Hearing Panel Procedure Rules

The Agenda and documents will be published under the Council's rules for exempt information. Prior to the Sub-Committee meeting, any documentation issued or exchanged during the process must be treated by all recipients as confidential unless and until the Sub-Committee resolves that the press and public should be excluded from the meeting at which the allegations are going to be heard.

If the Sub-Committee agrees that the meeting should be held in public, the Investigating Officer's report will be made available to the press and public in attendance at the meeting. The Chair may, at their discretion, allow a short adjournment of the meeting to enable them to read the report.

5.0 DETERMINATION HEARING PROCEDURE

5.1 The Standards Sub-Committee will follow usual Committee procedures for apologies, and declarations of interests. The meeting shall be chaired by the elected Chair, or their deputy in their absence. In the absence of both the Chair and the Deputy, the Sub-Committee will elect a Chair for that particular meeting.

5.2 The quorum for a Sub-Committee meeting will be 3 elected Members. Substitute Members are allowed only from the membership of the Audit and Governance Committee. Members will only be able to sit on the Standards Sub Committee for a Determination Hearing if they have undertaken standards training .

- 5.3 The Sub-Committee will be assisted on matters of law and procedure by the Legal Advisor. The Sub-Committee may take legal advice, in private if necessary, from the Legal Advisor at any time during the hearing or while they are considering the outcome. The substance of any legal advice given should be shared with the Subject Councillor and the Investigating Officer.
- 5.4 The hearing will normally be held in public. However, the Sub-Committee will consider, having regard to any representations made by the Investigating Officer and / or by the Subject Councillor and advice from the Legal Advisor as to the public interest, whether to hear the matter, after the passing of a resolution to exclude the press and public from the meeting. Any such resolution may only be passed on the grounds set out in *Section 100A and Schedule 12A to the Local Government Act 1972*.
- 5.5 The Subject Councillor may be represented or accompanied by Counsel or a Solicitor or, with the permission of the Sub-Committee, any other person.
- 5.6 Normal hearing rules will apply in terms of providing opportunities to question witnesses and test evidence, subject to the principles of natural justice and the Human Rights Act 1998.
- 5.7 If the Subject Councillor (or their appointed representative) is not present, then the Sub-Committee will consider whether to proceed and hear the case and make a decision in absence, or whether to adjourn the hearing to another time or date. If the Subject Councillor has indicated that the hearing should continue in the absence of the Subject Councillor, this will normally happen.
- 5.8 The Chair will introduce the Members of the Sub-Committee, the Independent Person, the Legal Advisor, the Investigating Officer, the Subject Councillor and any other persons present.
- 5.9 The Legal Advisor will give a brief outline of the allegation before the Sub-Committee, namely that the Subject Member has failed to comply with the Code of Conduct, and outline the procedure to be followed and confirm that those present understand it.
- 5.10 The Investigating Officer will present the report into the allegation against the Subject Councillor including any findings of fact and make representations to substantiate the conclusion that the Subject Councillor has failed to comply with the Code of Conduct.
- 5.11 The Subject Councillor (or their representative) may question the Investigating Officer.
- 5.12 The Sub-Committee Members may question the Investigating Officer.
- 5.13 The Investigating Officer may call such witnesses as necessary (which may or may not include the Complainant).
- 5.14 The Subject Councillor (or their appointed representative) may question any witnesses called by the Investigating Officer.
- 5.15 The Sub-Committee Members may question any witnesses called by the Investigating Officer.

- 5.16 The Investigating Officer may ask further questions of any witnesses in order to clarify any point brought out in questioning of the witness by the Subject Councillor or the Sub-Committee.
- 5.17 The Subject Councillor (or their appointed representative) will present the case in relation to the Investigating Officer's findings and make representations about why the Subject Councillor considers that they did not fail to comply with the Code of Conduct. If the Subject Councillor admits that they breached the Code of Conduct the Sub-Committee may move to paragraph 5.32 below.
- 5.18 The Investigating Officer may question the Subject Councillor.
- 5.19 The Sub-Committee may question the Subject Councillor.
- 5.20 The Subject Councillor may call any witnesses.
- 5.21 The Investigating Officer may question any witness called by the Subject Councillor.
- 5.22 The Sub-Committee may question any witness called by the Subject Councillor.
- 5.23 The Subject Councillor may ask further questions of any witness in order to clarify any point brought out in questioning of the witness by the Investigating Officer or the Standards Sub-Committee.
- 5.24 The Independent Person may ask questions of the Investigating Officer, the Subject Councillor and any witness called by either of them, after such persons have been questioned by the Standards Sub-Committee.
- 5.25 The Investigating Officer will sum up the case in relation to the findings in their report.
- 5.26 The Subject Councillor (or their appointed representative) will sum up the case in relation to the findings in the Investigating Officer's report of whether there has been a breach of the Code.
- 5.27 The Independent Person will give their views to the Sub-Committee and these will be recorded in the Minutes of the meeting.
- 5.28 The Sub-Committee will then retire with the Legal Advisor. If the hearing has been in public the Committee will need to pass a resolution under *Section 100A of the Local Government Act 1972* to exclude the public from the meeting. The Sub-Committee must take into account the views of the Independent Person before reaching a decision. Decisions will be determined by a simple majority of those Members present and voting; the Independent Person does not have a vote. Where there are equal numbers of votes for and against the Chair will have a second casting vote and there is no restriction on how the Chairman chooses to exercise a casting vote.
- 5.29 The Sub-Committee will announce their decision as to whether there has been a breach of the Code in the presence of all parties, and this will normally be after passing a resolution that the public should no longer be excluded from the meeting. The Sub-Committee will provide reasons for their decision and will explain any reasons why any advice from the Independent Person has or has not been followed in giving its decision.

- 5.30 If the Sub-Committee decide that the Subject Councillor has not breached the Code, they shall dismiss the complaint and take no further action. However, they may still make general recommendations to the Council, its Audit and Governance Committee, the Monitoring Officer, or the Town or Parish Council, on any remedial actions, if it considers necessary to address the issues raised.
- 5.31 If the Sub-Committee decide that the Subject Member has breached the Code then the following paragraphs will apply.
- 5.32 The Sub-Committee may request, or allow, the Complainant, whether or not called as a witness, to make a statement in relation to the effect on the Complainant of any conduct of the Subject Councillor which is the subject of the breach. Such a statement may be made in person to the Sub-Committee or may be submitted in writing, but if submitted in writing, will be shown to both the Investigating Officer, the Subject Councillor and the Independent Person. A Complainant who makes such a statement may be questioned by the Sub-Committee, but may not be questioned in relation to the statement by the Investigating Officer or the Subject Councillor without the consent of the Sub-Committee.
- 5.33 The Investigating Officer may make representations as to whether the Sub-Committee should impose a sanction and what form any sanction should take.
- 5.34 The Sub-Committee may question the Investigating Officer in relation to any such representations.
- 5.35 The Subject Councillor (or their appointed representative) may make representations as to whether the Sub-Committee should impose a sanction and what form any sanction should take and may make representations as to mitigation.
- 5.36 The Sub-Committee may question the Subject Councillor in relation to any such representations.
- 5.37 The Legal Advisor will then raise any points that need to be addressed before the matter is determined.
- 5.38 The Independent Person will then give their views on the appropriate sanction, if any, to be imposed and their views will be recorded in the Minutes of the meeting.
- 5.39 The Sub-Committee will then retire with the Legal Advisor. If the hearing has been in public the Sub-Committee will need to pass a resolution under *Section 100A of the Local Government Act 1972* to exclude the public from the meeting.
- 5.40 The Sub-Committee will come to a decision as to sanctions. Any sanction imposed must be reasonable and proportionate to the breach found and the Legal Advisor may advise the Sub-Committee in this regard. The Sub-Committee has no power to suspend or disqualify the member or to withdraw or suspend allowances. The Sub-Committee may:
- Censure or reprimand the Subject Councillor;
 - Recommend to the Subject Councillor's Group Leader (or in the case of un-grouped members, recommend to Council or to Committees) that he/she be removed from any or all Committees or Sub-Committees of the Council;

- Recommend to the Leader of the Council that the Subject Councillor be removed from the Cabinet or removed from particular Cabinet Portfolio responsibilities;
- Recommend to Council that the Subject Councillor be replaced as Executive Leader of the Council;
- Instruct the Monitoring Officer to, or recommend that a Town or Parish Council, arrange training for the Subject Councillor;
- Publish its findings in respect of the Subject Councillor's conduct;
- Report its findings to Council, or to a Town or Parish Council, for information.

The above is not exhaustive.

- 5.41 The Sub-Committee will announce its decision in the presence of all parties, and this will normally be after passing a resolution that the public should no longer be excluded from the meeting. The Sub-Committee will give reasons for its decision and will explain the reasons why any advice from the Independent Person has or has not been followed in giving its decision.
- 5.42 The Monitoring Officer will, within 10 working days of the Sub-Committee meeting prepare a formal Decision Notice, and send a copy to the Complainant, to the Investigating Officer and to the Subject Councillor (and to the Town or Parish Council if appropriate). The Decision Notice will be published as part of the Minutes of the Sub-Committee meeting and will be placed on the Council's website, regardless of whether the Sub-Committee excluded the press and public for the meeting or not, unless the Monitoring Officer determines that it should remain confidential.
- 5.43 The findings and recommendations of the Sub-Committee are final and there is no right of appeal against the decision of the Standards Sub-Committee .
- 5.44 The Chair of the Sub-Committee has the right to depart from this procedure, in consultation with the Monitoring Officer, or Legal Advisor, at any determination hearing where it is considered it is sensible to do so, to deal with the case fairly, effectively and in the public interest, provided that the principles of natural justice are upheld.

This page is intentionally left blank

6G MONITORING OFFICER PROTOCOL

1.0 The Monitoring Officer

The Monitoring Officer is responsible for ensuring that the Council and its Members act lawfully, do not cause maladministration, and comply with the Code of Conduct for Members. The Monitoring Officer is the Council's primary source of advice on all legal issues, and to Members on their legal obligations but also has specific statutory duties, such as investigating complaints of Member misconduct and making public report to the Council in cases of illegality.

The purpose of this protocol is to enable Members to make use of the Monitoring Officer's ability to provide them with practical advice on legality and conduct, by setting out how the Monitoring Officer will carry out their functions.

2.0 Introduction

The Council recognises that an effective Monitoring Officer, positively engaged in the discharge of the Council's business, is essential to the effective running and sound governance of the Council.

Section 5(1) Local Government and Housing Act 1989 requires the Council to appoint an Officer as the Council's Monitoring Officer and gives that Officer personal responsibility to:

- Report on actual, and anticipated, illegality within the Councils;
- Report cases where the Ombudsman has found maladministration on the part of the Council;
- Maintain the Register of Members' Interests; and
- Administer, assess and investigate complaints to Members' misconduct.

The law does not prescribe exactly how the Monitoring Officer is to carry out these functions. Therefore, this protocol describes the manner in which the Council expects the Monitoring Officer to discharge these functions and how it expects Officers and Members to co-operate with the Monitoring Officer in order to enable them to discharge these functions effectively.

3.0 Appointment

The Monitoring Officer is appointed by Council, and may or may not be an employee of West Oxfordshire District Council. Where the Monitoring Officer is an employee of the Council and leaves that employment, they automatically cease to be the Monitoring Officer for the Council. The Council may appoint an Officer as Interim Monitoring Officer pending a permanent appointment.

The Monitoring Officer is a Statutory Chief Officer in line with Part 5K of the Constitution and is a direct report of the Chief Executive. Their appointment must therefore be made in accordance with the Officer Employment Procedure Rules at Part 5K of the Constitution.

4.0 Personal Responsibility

The Monitoring Officer is required to carry out the statutory functions of their post personally, with the exception that:

- The Monitoring Officer, (not the Council), will nominate an Officer as Deputy Monitoring Officer, with the power to act as Monitoring Officer where they are unable to act as a result of absence or illness; and
- In respect of the obligations relating to alleged breaches of the Members' Code of Conduct, the Monitoring Officer may arrange for any person to perform all or any of their functions, for example by delegating internally or by instructing an external lawyer to conduct a particular investigation.
- Whilst the statutory functions are personal to the Monitoring Officer, they may arrange for any Officer to assist them in the discharge of any non-statutory functions.

5.0 Functions

The functions of the Monitoring Officer are as follows:

5.1 Statutory Functions

- To report to the Council in any case where they are of the opinion that any proposal, decision or omission by the Council or any of its Committees, Sub-Committees, or any Member or Officer, has given rise to, or is likely to give rise to any illegality, in accordance with section 5(2)(a) Local Government and Housing Act 1989.
- To report to the Council in any case where the Ombudsman, after investigation, has reported that any proposal, decision or omission by the Council or any of its Committees, Sub-Committee, or any Member or Officer, has given rise to maladministration or injustice, in accordance with section 5(2)(b) Local Government and Housing Act 1989.
- To maintain the Register of Member's Interests in accordance with section 81(1) Local Government Act 2000 and section 29 Localism Act 2011.
- To administer, assess and investigate complaints of allegations of breach of the Members' Code of Conduct, in accordance with the Localism Act 2011.

5.2 Non-Statutory Functions

- Ensure that the Council has effective governance arrangements in place
- Providing an effective, robust and ongoing programme of elected member training and development
- Contribute to the corporate management of strategic risks;

- Provide and lead effective scrutiny of the Council
- To monitor and uphold the Constitution
- To act as principal Legal Advisor to the Council and the Cabinet
- To act as principal Legal Advisor to the Standards Sub-Committee, in particular when sitting as a Local Hearing Panel, to determine allegations of breach of Code of Conduct
- To provide advice to Members on conduct and ethics matters generally
- To consult regularly with the Chief Executive, the Chief Finance Officer and Auditors to identify areas where the probity of the Council can be improved or better protected and to take appropriate action.
- To investigate any applications for dispensation from a Member and to report and recommend to the Council as appropriate
- To report to the Council on resources which they consider they require for the discharge of their functions
- Responsibility for the service areas of Legal Services, Democratic Services, Member Development and Elections.

6.0 Advice and Decisions

The Monitoring Officer's responsibilities fall into 3 distinct categories:

6.1 Advice

A Member may seek advice from the Monitoring Officer, for example concerning their interests. The Monitoring Officer will provide their advice but ultimately it is for the individual Member to take their own decision as to their conduct in the light of that advice.

6.2 Decisions

Where the proposal, action or omission would cause the Council to act unlawfully, the Monitoring Officer may be required to decide whether there is any illegality that they are required to report to Council which would have the effect of suspending implementation of the action or decision until their report has been considered.

6.3 Advice and Decision

In some case, for example a Member conduct matter, the Monitoring Officer may be obliged to advise a Member whilst also being required to take action as Monitoring Officer.

7.0 Seeking the Advice of the Monitoring Officer

The Monitoring Officer will be most effective if they are able to advice on any issue at an early stage of policy formulation or implementation. Officers and Members should therefore routinely consult the Monitoring Officer in respect of new policy proposals and action programmes.

Members and Officers of the Council may consult the Monitoring Officer in confidence in respect of any proposal, decision or omission. Wherever possible, the Monitoring Officer will seek to avoid any illegality or maladministration by identifying alternative means of achieving the objective or rectifying any deficiency. The Monitoring Officer will only make a report on illegality public where the relevant Officer or Member progresses the matter despite having been advised not to by the Monitoring Officer. Before reporting to Council on any illegality or maladministration, the Monitoring Officer will consult with the Chief Executive and Chief Finance Officer.

The Monitoring Officer is responsible for advising Members on conduct and ethics matters and any Member can seek the confidential advice of the Monitoring Officer about their own position. Subject to any conflict of interest with the Council, the Monitoring Officer will advise whether in their view the conduct would amount to a breach of the Code, and will not disclose that advice unless required to do so by law or as part of an investigation into an alleged breach of the code. Members are encouraged to seek the advice of the Monitoring Officer concerning the conduct of another Member, prior to making a formal complaint, and they should do so in writing. The Monitoring Officer may make contact with the Member complained of, before responding.

8.0 Investigation

The Council expects the Monitoring Officer to investigate matters which give them concern as to possible illegality, maladministration or breach of code of conduct.

Where the Monitoring Officer is considering a complaint of a breach of the code of conduct they will follow the Council's procedures and arrangements set out for the assessment and investigation of such complaints.

Where the Monitoring Officer considers a complaint of illegality or maladministration and determines that the proposal, act or omission does, or would, give rise to maladministration or illegality, they shall seek to agree an alternative and lawful course of action and/or make a statutory report.

Upon receiving any complaint of illegality, maladministration or breach of the code of conduct, the Monitoring Officer will, where appropriate, seek to resolve the matter amicably and informally, but there may be circumstances where the matter is not appropriate for local resolution, is incapable of so being resolved, or if of such seriousness that a statutory report is the only appropriate response.

9.0 Reporting

Where the Monitoring Officer is of the opinion that illegality or maladministration has occurred or will occur, they will, after consulting with the Chief Executive and Chief Finance Officer, report to Council. Alternatively, to negate the need for a separate statutory report, they are also able to add their written advice to the report on the matter by any other Council officer, and/or to provide oral advice at any meeting of the Council.

10.0 Advice to Individual Members

Wherever possible the Monitoring Officer will provide advice to individual Members to support them in the discharge of their responsibilities as a Councillor. The Monitoring Officer will not however provide advice to a political group of the Council. The Monitoring Officer is designated as statutory officer to the Council, rather than to any individual Member or group of Members. Where the Monitoring Officer considers that providing advice to a Member is incompatible with their role as advisor to the Council, they may decline to provide such advice but can, at their discretion, secure such advice from an independent source at the Council's expense.

11.0 Monitoring and Interpreting the Constitution

The Monitoring Officer will monitor, and review on a regular basis, the effectiveness and operation of the Council's constitution so as to ensure that the aims and principles of the Constitution are given full effect and that the Constitution enables the Council to discharge its functions effectively.

In order to conduct such monitoring and review, the Monitoring Officer may:

- Consult any Member or Officer, other organisations and stakeholders
- Observe meetings of Members and/or Officers at any level
- Undertake an audit trail of a sample of decisions;
- Record and analyse issues raised with them by Members, Officers, the public or stakeholders
- Compare practices in this Council with those in other comparable authorities, or national examples of best practice
- Consider any relevant reports and recommendations of the Auditors and other regulatory agencies.

The Monitoring Officer will maintain an up to date copy of the Constitution and ensure that it is accessible to Members, Officers and the public and will make such amendments to the Constitution as are necessary to reflect changes of law, decisions made by Council and any other minor and consequential amendments.


The Monitoring Officer is responsible for advising on the interpretation of the Constitution.

12.0 Resources

The Council is required by statute to provide the Monitoring Officer with the resources which they consider are necessary for the fulfilment of their statutory duties.

For the purpose of carrying out their functions, the Monitoring Officer shall be provided with the following resources:

- The right of access to all documents and information held by or on behalf of the Council;
- The right of access to any meetings of Members or Officers of the Council, other than political group meetings;
- The right to require any Officer or Member of the Council to provide an explanation of any matter under investigation;
- A right to report to the Council and to the Executive, including the right to present a written report and to attend and advise verbally;
- The right of access to the Chief Executive and the Chief Financial Officer;
- The right, following consultation with the Chief Executive and the Chief Financial Officer, to notify the Police, the Council's auditors and other regulatory agencies of their concerns in respect of any matter and to provide them with information and documents in order to assist them with their statutory functions;
- The right to obtain legal advice at the Council's expense from an independent external source.

 <p>WEST OXFORDSHIRE DISTRICT COUNCIL</p>	<p>WEST OXFORDSHIRE DISTRICT COUNCIL</p>
<p>Name and date of Committee</p>	<p>COUNCIL 18 JANUARY 2023</p>
<p>Report Number</p>	<p>AGENDA ITEM 12</p>
<p>Subject</p>	<p>APPOINTMENT OF INDEPENDENT REMUNERATION PANEL</p>
<p>Wards affected</p>	<p>None directly</p>
<p>Accountable member</p>	<p>Cllr Andy Graham, Leader of the Council Email: Andy.Graham@westoxon.gov.uk</p>
<p>Accountable officer</p>	<p>Susan Sale, Monitoring Officer Email: Susan.Sale@Westoxon.gov.uk</p>
<p>Report author</p>	<p>Andrew Brown, Democratic Services Business Manager Email: Andrew.Brown@publicagroup.uk</p>
<p>Summary/Purpose</p>	<p>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.</p>
<p>Annexes</p>	<p>None</p>
<p>Recommendation(s)</p>	<p><i>That Council resolves to:</i></p> <ol style="list-style-type: none"> <i>1. Approve the appointment of Michael Paget-Wilkes and Janet Eustace to the Council's Independent Remuneration Panel;</i> <i>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;</i> <i>3. Agree that members of the Independent Remuneration Panel will be paid £250 per year.</i>
<p>Corporate priorities</p>	<p>Working Together for West Oxfordshire</p>
<p>Key Decision</p>	<p>NO</p>
<p>Exempt</p>	<p>NO</p>
<p>Consultation</p>	<p>N/A</p>

1. BACKGROUND

- 1.1** The Local Authorities (Members' Allowances) Regulations 2003 provides for local authorities to establish and maintain an Independent Remuneration Panel (IRP). The Council's IRP is responsible for the monitoring of the Councillors' Allowances Scheme and making recommendations to the Council regarding the scheme.
- 1.2** The Regulations require that an IRP comprising at least three independent members of the public review and assess councillors' allowances and make a recommendation on the scheme to be adopted by the Council. The Panel produces a report making recommendations about the payment and amount of allowances, the duties to which special responsibility allowance are applicable; and whether allowances should be index linked. The IRP also makes recommendations to the Council whenever the Council decides to either revoke or amend its current scheme. The Council has a duty to have regard to the recommendations of the IRP.
- 1.5** The Council currently has no IRP members and the Council's most recent scheme for councillors' allowances expired on 1 April 2022. Once appointed, an IRP comprising at least 3 persons will be able to form a view on the uplifting of allowances for the 2022/23 Council year (to be backdated to 1 April) and to make recommendations about a new allowances scheme to be effective from April 2023. The maximum duration of an allowances scheme is 4 years and multi-year schemes may be linked to an index based as staff pay or inflation.

2. APPOINTING AN INDEPENDENT REMUNERATION PANEL

- 2.1** Nationally IRP roles are difficult to fill as they are essentially voluntary positions, although some local authorities do pay their IRP members a modest sum.
- 2.2** The Council is legally required to advertise any vacancy for IRP members in such a manner as it considers is likely to bring it to the attention of the public, invite the submission of applications to fill the vacancy and have any proposed appointment approved by Council.
- 2.3** Accordingly, the role of Independent Remuneration Panel Members was advertised for 2 weeks on a number of platforms including the Council's website. The advert was set to close on 8 January 2023 and resulted in one application which is currently being assessed.
- 2.4** In addition, members of the Cotswold District Council IRP were approached and asked whether they would be interested in fulfilling the same role at West Oxfordshire District Council. This resulted in one proposed appointment.
- 2.5** Furthermore, a former member of staff who had previously served on the Council's IRP has been approached about the role and has agreed to be recommended for re-appointment.

3. SUMMARY OF PROPOSED APPOINTMENTS

- 3.1 Michael Paget-Wilkes is a current member of the Cotswold District Council IRP which he has served on for many years and a former Archdeacon of Warwick, a position held from 1990 to 2009.
- 3.2 Janet Eustace is a former member of the West Oxfordshire District Council IRP and an experienced parish clerk who recently served as the Council's Interim Democratic Services Manager from July to December 2023.
- 3.3 This report seeks a delegation to the Monitoring Officer to make further appointments to suitable candidates to ensure the Council has at least three but no more than five members appointed to its IRP.

4. FINANCIAL IMPLICATIONS

- 4.1 This report seeks agreement that IRP members will be paid a sum of £250 per annum. This is to recognise their commitment to the Council and the contribution that IRP members make, and to compensate them for their time. The £250 figure is based on the arrangements at Cotswold District Council. Although none of the proposed appointees have sought or requested any payment for fulfilling this role on behalf of the Council, local authorities across the country do experience difficulty recruiting and retaining IRP members. If agreed it is proposed that the payments will be funded from the budget for councillors' allowances and if Council approves the recommendation this will be reflected in the budget.

6. LEGAL IMPLICATIONS

- 6.1 Councillor allowances are a responsibility of full Council. The Council is required to have a scheme for councillor allowances in place prior to the start of each financial year. The appointment of IRP members is a decision for Council and anyone falling within any of the following criteria will not be eligible for appointment to the role. This was set out in the advert:

- An elected Member of the local authority
- A member of any committees of the local authority (including co-opted members)
- Anyone disqualified from becoming a member of the local authority
- Anyone with a close personal relationship with a member or officer of the Council
- Anyone working for an organisation that receives grants from the Council
- Anyone under 18 years of age

7. RISK ASSESSMENT

- 7.1 If the Council does not have a properly appointed IRP in place comprising at least three members of the public then Council will be unable to agree a new allowances scheme for the period from 1 April 2023.

8. EQUALITIES IMPACT

8.1 In appointing IRP members the Council should have 'due regard' to the need to eliminate discrimination and promote equality in relation to the following factors. As a minimum it would be preferable to have a gender balance on the IRP:

- Race
- Disability
- Gender, including gender reassignment
- Age
- Sexual Orientation
- Pregnancy and maternity
- Religion or belief

9. CLIMATE AND ECOLOGICAL EMERGENCIES IMPLICATIONS

9.1 There are no climate or ecological implications arising directly from this report.


10. ALTERNATIVE OPTIONS

10.1 If Council decides to not agree the recommendations in this report this will increase risk that the Council will be unable to agree a scheme for councillor allowances prior to the start of the new financial year; 1 April 2023.

11. BACKGROUND PAPERS

11.1 None

(END)

 <p>WEST OXFORDSHIRE DISTRICT COUNCIL</p>	<p>WEST OXFORDSHIRE DISTRICT COUNCIL</p>
<p>Name and date of Committee</p>	<p>COUNCIL – 18 JANUARY 2023</p>
<p>Report Number</p>	<p>AGENDA ITEM NO. 13</p>
<p>Subject</p>	<p>DISPENSATIONS</p>
<p>Wards affected</p>	<p>None directly</p>
<p>Accountable member</p>	<p>Cllr Andy Graham, Leader of the Council Email: Andy.Graham@westoxon.gov.uk</p>
<p>Accountable officer</p>	<p>Susan Sale, Monitoring Officer Email: Susan.Sale@westoxon.gov.uk</p>
<p>Report author</p>	<p>Andrew Brown, Democratic Services Business Manager Email: Andrew.Brown@publicagroup.uk</p>
<p>Summary/Purpose</p>	<p>To approve a number of general dispensations to councillors under the Localism Act 2011 for a period of four years.</p>
<p>Annexes</p>	<p>None</p>
<p>Recommendation(s)</p>	<p><i>That Council resolves to 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.</i></p>
<p>Corporate priorities</p>	<p>Modern Council Services and Sustainable Finance: Delivering excellent modern services whilst ensuring the financial sustainability of the Council</p>
<p>Key Decision</p>	<p>NO</p>
<p>Exempt</p>	<p>NO</p>
<p>Consultees/ Consultation</p>	<p>N/A</p>

1. BACKGROUND

- 1.1 The Localism Act 2011 prevents elected members from participating in any business of the Council where they have a Disclosable Pecuniary Interest (DPI) unless they have sought a dispensation under Section 33 of the Act. Applications must be made in writing and dispensations may be sought for a period of up to four years. Dispensations may be sought where the Council, having considered all relevant circumstances, considers that:
- a) So many Members of the decision making body have a disclosable pecuniary as to impede the business that may be transacted;
 - b) Without a dispensation the representation of different political groups on the body would be so upset as to alter the outcome of any vote;
 - c) The dispensation is in the interests of persons living in the area;
 - d) No Member of the Cabinet would be able to participate on the matter without a dispensation;
 - e) It is otherwise appropriate to grant a dispensation.
- 1.2 When granting dispensations the Council must specify the period for which it has effect, which may not exceed four years.
- 1.3 The Council's Constitution (Part 4: Officer Scheme of Delegation) delegates authority to the Monitoring Officer to grant dispensations to individual members to speak only or to speak and vote on matters where they have a DPI, and to grant dispensations in respect of conflicts of interest declared by a Cabinet member making a decision, or declared by a Cabinet member consulted by a member or officer taking such a decision.

2. GENERAL DISPENSATIONS

- 2.1 It is proposed that general dispensations to speak and vote on the following items are granted to all elected and co-opted members of West Oxfordshire District Council for the period up to and including 17 January 2027:
- Determining an allowance (including special responsibility allowances), travelling expense, payment or indemnity given to members;
 - Housing: where the member (or spouse or partner) holds a tenancy or lease with the Council as long as the matter does not relate to the particular tenancy or lease of the member (their spouse or partner);
 - Universal Credit and Housing Benefit: where the member (or spouse or partner) receives Universal Credit or Housing Benefit;
 - Any Ceremonial Honours given to members;
 - Setting the Council Tax or a precept under the Local Government and Finance Act 1992 (or any subsequent legislation); and
 - Setting a Local Council Tax Reduction Scheme or local scheme for the payment of business rates (including eligibility for rebates and reductions) for the purposes of the Local Government Finance Act 2012 (or any subsequent legislation).

3. COUNCIL TAX

- 3.1** Guidance issued by the Government Department for Communities and Local Government (DCLG) in 2012 (updated in 2013) expressed the view that a member was not required to seek and be granted a dispensation in order to take part in the business of setting the Council Tax or a local Council Tax support scheme because these are decisions affecting the generality of the public in the area rather than a member as an individual.
- 3.2** As the DCLG guidance is not statutory and has not been tested in court the Monitoring Officer considers it prudent to include Council Tax in the list of general dispensations at paragraph 2.1.
- 3.3** The dispensation for Council Tax relates to a member's DPI and does not affect a member's obligation under the Local Government Finance Act 1992 (Section 106) to declare and not vote if they are two months or more in arrears with their Council Tax when voting on the Council Tax or the Council's budget.

4. CONCLUSIONS

- 4.1** Council is recommended to agree the general dispensations listed in paragraph 2.1.

5. FINANCIAL IMPLICATIONS

- 5.1** There are no financial implications for the Council arising from the recommendation in this report.

6. LEGAL IMPLICATIONS

- 6.1** The legal implications arising from Section 33 of the Localism Act 2011 are set out in the body of the report.

7. RISK ASSESSMENT

- 7.1** Not putting in place the recommended general dispensations would mean that every elected and co-opted member would need to apply for a personal dispensation when the relevant matters arose. This would not be an efficient use of the Council's resources or in the public interest.

8. EQUALITIES IMPACT

- 8.1** There are no equalities impacts arising from this report and the recommendation would not have differential impacts on groups with protected characteristics.

9. CLIMATE AND ECOLOGICAL EMERGENCIES IMPLICATIONS

9.1 There are no climate and ecological emergencies implications arising from this report.

10. ALTERNATIVE OPTIONS

10.1 An alternative option would be to rely on the DCLG guidance in respect of Council Tax but this is not recommended for the reasons given in paragraph 3.2.

11. BACKGROUND PAPERS

11.1 There are no background papers.

(END)