

Tuesday, 16 May 2023

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DEVELOPMENT CONTROL COMMITTEE

You are summoned to a meeting of the Development Control Committee which will be held in the Council Chamber, Woodgreen, Witney OX28 1NB on **Wednesday, 24 May 2023 at 2.30 pm.**



Giles Hughes
Chief Executive

To: Members of the Development Control Committee (to be appointed at the Annual Council meeting on 24 May 2023).

Recording of Proceedings – The law allows the public proceedings of Council, Executive, 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. **Election of Chair**

Purpose:

To elect a Chair for the Civic Year 2023/24.

Recommendation:

That a Chair of the Development Control Committee be elected for the Civic Year 2023/24.

2. **Appointment of Vice Chair**

Purpose:

To appoint a Vice-Chair for the Civic Year 2023/24.

Recommendation:

That a Vice-Chair of the Development Control Committee be elected for the Civic Year 2023/24.

3. **Apologies for Absence**

To receive any apologies for absence.

4. **Appointment of Sub Committee (Pages 5 - 10)**

Purpose:


To invite the Development Control Committee to confirm the appointment of Sub-Committees for the Civic Year 2023/24.

Recommendations:

That the Development Control Committee resolves to:

1. Agree that seats on the Lowlands Sub-Committee and the Uplands Sub-Committee will be allocated based on ward rather than political balance, in accordance with Section 17 of the Local Government and Housing Act 1989;
2. Appoint the Chair of the Development Control Committee to the Lowlands Sub-Committee and the Uplands Sub-Committee;
3. Appoint a further 12 Members of the Development Control Committee who represent wards in the Lowlands area of the district to the Lowlands Sub-Committee;
4. Appoint a further 11 Members of the Development Control Committee who represent wards in the Uplands area of the district to the Uplands Sub-Committee;
5. Agree that the Vice Chair of the Development Control Committee will attend meetings of the Sub-Committee they are not appointed to as a non-voting member;
6. Note that any Member of the Council, having undertaken planning training, is permitted to substitute for a Member of a planning sub-committee, in accordance with the wishes of the Member being substituted.

(END)

 <p>WEST OXFORDSHIRE DISTRICT COUNCIL</p>	<p>WEST OXFORDSHIRE DISTRICT COUNCIL</p>
<p>Name and date of Committee</p>	<p>24 MAY 2023</p>
<p>Subject</p>	<p>APPOINTMENT OF PLANNING SUB-COMMITTEES</p>
<p>Wards affected</p>	<p>None</p>
<p>Accountable member</p>	<p>Chair of the Development Control Committee</p>
<p>Accountable officer</p>	<p>Andrew Brown, Democratic Services Business Manager (Interim Monitoring Officer) Email: Andrew.Brown@publicagroup.uk</p>
<p>Report author</p>	<p>Andrew Brown, Democratic Services Business Manager (Interim Monitoring Officer) Email: Andrew.Brown@publicagroup.uk</p>
<p>Summary/Purpose</p>	<p>To invite the Development Control Committee to appoint members to the Lowlands Sub-Committee and the Uplands Sub-Committee for the 2023/24 municipal year.</p>
<p>Annexes</p>	<p>A. Nominated Members (to follow).</p>
<p>Recommendation(s)</p>	<p><i>That the Development Control Committee resolves to:</i></p> <ol style="list-style-type: none"> <i>1. Agree that seats on the Lowlands Sub-Committee and the Uplands Sub-Committee will be allocated based on ward rather than political balance, in accordance with Section 17 of the Local Government and Housing Act 1989;</i> <i>2. Appoint the Chair of the Development Control Committee to the Lowlands Sub-Committee and the Uplands Sub-Committee;</i> <i>3. Appoint a further 12 Members of the Development Control Committee who represent wards in the Lowlands area of the district to the Lowlands Sub-Committee;</i> <i>4. Appoint a further 11 Members of the Development Control Committee who represent wards in the Uplands area of the district to the Uplands Sub-Committee;</i> <i>5. Agree that the Vice Chair of the Development Control Committee will attend meetings of the Sub-Committee they are not appointed</i>

	<p><i>to as a non-voting member;</i></p> <p><i>6. Note that any Member of the Council, having undertaken planning training, is permitted to substitute for a Member of a planning sub-committee, in accordance with the wishes of the Member being substituted.</i></p>
Corporate priorities	<ul style="list-style-type: none"> Working Together for West Oxfordshire
Key Decision	NO
Exempt	NO
Consultees/ Consultation	Political groups that are entitled to seats on the sub-committee have been asked to nominate members.

1. BACKGROUND

- 1.1 The Council's Constitution provides that the Development Control Committee will appoint a Lowlands Sub-Committee and an Uplands Sub-Committee.
- 1.2 The power to appoint members to sub-committees lies with the "parent" committee i.e. the Development Control Committee.

2. LOWLANDS SUB-COMMITTEE

- 2.1 The Lowlands Sub-Committee is responsible for determining certain planning applications, the terms of planning agreements and such other matters as are considered appropriate from time to time, excluding matters relating to policy, in respect of the 16 wards comprising the Lowlands area of the district:
 - 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

2.2 The provisions of the Local Government Act 1972 relating to sub-committees apply to the Lowlands Sub-Committee, meaning the membership must be appointed for a specified period of time (usually the duration of a municipal year), in accordance with political proportionality. Members of the Sub-Committee must be members of the Development Control Committee and must have undertaken planning training prior to participating in the determination of any application.

Table 1: Political proportionality on a 13 member Sub-Committee

Group	Liberal Democrat	Conservative	Labour	Green	Total
Real entitlement	5	5	3	1	14
Rounded entitlement	4.88	4.60	2.71	0.81	13
Seats allocated	5	4	3	1	13

**14 seats are initially allocated to groups; one seat too many. It is proposed that the Conservative Group loses its 5th seat as that group has the lowest proportional entitlement to its final seat (0.6 compared to 0.88, 0.71 and 0.81).*

3. UPLANDS SUB-COMMITTEE

3.1 The Uplands Sub-Committee is responsible for determining certain planning applications, the terms of planning agreements and such other matters as are considered appropriate from time to time, excluding matters relating to policy, in respect of the 11 wards comprising the Uplands area of the district:

- Kingham, Rollright & Enstone
- Chipping Norton
- The Bartons
- Stonesfield & Tackley
- Chadlington & Churchill
- Ascott & Shipton

- Charlbury & Finstock
- Woodstock & Bladon
- Milton-under-Wychwood
- Burford
- Freeland & Hanborough

3.2 The provisions of the Local Government Act 1972 relating to sub-committees apply to the Uplands Sub-Committee, meaning the membership must be appointed for a specified period of time (usually the duration of a municipal year), in accordance with political proportionality. Members of the Sub-Committee must be members of the Development Control Committee and must have undertaken planning training prior to participating in the determination of any application.

Table 1: Political proportionality on a 12 member Sub-Committee

Group	Liberal Democrat	Conservative	Labour	Green	Total
Real entitlement	5	4	3	1	13
Rounded entitlement	4.5	4.25	2.5	0.75	12
Seats allocated	5	4	2	1	12

**13 seats are initially allocated to groups; one seat too many. It is proposed that the Labour Group loses its third seat as it has the joint lowest proportional entitlement to its final seat (at 0.5, equal with the Liberal Democrat Group) and is the smaller of the two groups.*

4. APPOINTMENT BASED ON WARD REPRESENTATION

4.1 The Local Government and Housing Act 1989 (Section 17) provides provisions whereby political balance requirements do not apply if a different provision is made by the appointing body with no member voting against (a “nem con” vote). The Committee is recommended to appoint the Chair of the Development Control Committee to both sub-committees and to appoint members of the Development Control Committee to the remaining seats on the two sub-committees based on ward representation rather than political balance, as per the practice in previous years. The list of nominees the Committee is recommended to appoint is set out in Annex A.

5. SUBSTITUTE MEMBERS

- 5.1 The Constitution provides that any Member of the Council, with the requisite training, is permitted to substitute for a Member of the Lowlands Sub-Committee or the Uplands Sub-Committee, in accordance with the wishes of the Member being substituted.

6. FINANCIAL IMPLICATIONS

- 6.1 There are no financial implications arising directly from the recommendations in this report.

7. LEGAL IMPLICATIONS

- 7.1 The legal issues relating to the appointment of sub-committees are detailed in the body of the report.

8. RISK ASSESSMENT

- 8.1 Appointing a sub-committees in accordance with the provisions of the law and the Constitution will help to ensure that planning applications can be determined in a timely fashion and will reduce the risk of decisions being successfully challenged.

9. EQUALITIES IMPACT

- 9.1 The Committee is advised to have due regard to the need to promote equality when appointing Sub-Committees.

10. CLIMATE AND ECOLOGICAL EMERGENCIES IMPLICATIONS

- 10.1 There are no climate or ecological implications arising directly from the recommendations in this report.

11. ALTERNATIVE OPTIONS

- 11.1 If the Development Control Committee wishes to change the size of the planning sub-committees it could pass a resolution requesting that officers bring a report to a future meeting with alternative proposals.

12. BACKGROUND PAPERS

- 12.1 None

(END)

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