

Tuesday 19 September 2023

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## COUNCIL

You are summoned to a meeting of Council, which will be held in the Council Chamber, Woodgreen, Witney, Oxfordshire OX28 1NB on **Wednesday 27 September 2023 at 2.00pm.**



Giles Hughes  
Chief Executive

To: Members of the Council

Councillors: Andrew Coles (Chair), Elizabeth Poskitt (Vice-Chair), Joy Aitman, Alaa Al-Yousuf, Lidia Arciszewska, Thomas Ashby, Hugo Ashton, Andrew Beaney, Michael Brooker, David Cooper, Julian Cooper, Rachel Crouch, Colin Dingwall, Jane Doughty, Duncan Enright, Phil Godfrey, Andy Goodwin, Andy Graham, Jeff Haine, David Jackson, Edward James, Mark Johnson, Natalie King, Liz Leffman, Nick Leverton, Dan Levy, Andrew Lyon, Charlie Maynard, Martin McBride, Michele Mead, David Melvin, Lysette Nicholls, Mathew Parkinson, Rosie Pearson, Rizvana Poole, Andrew Prosser, Carl Rylett, Geoff Saul, Sandra Simpson, Alaric Smith, Ruth Smith, Harry St John, Tim Sumner, Dean Temple, Liam Walker, Mark Walker, Adrian Walsh, Alex Wilson and Alistair Wray.

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. **Apologies for Absence**  
To receive any Apologies for Absence from Members of the Council.
2. **Declarations of Interest**  
To receive any Declarations of Interest from Members of the Council on any items to be considered at the meeting.
3. **Minutes of Previous Meeting (Pages 9 - 18)**  
To approve the minutes of the previous meeting, held on Wednesday 19 July 2023.
4. **Receipt of Announcements**  
To receive any announcements from the Chair, Leader of the Council, Members of the Executive or the Chief Executive Officer.
5. **Participation of the Public**  
Any member of the public, who is a registered elector in the District, is eligible to ask one question at this meeting, of the Chair of the Council, any Member of the Executive or the Chair of any Committee, on any matter in relation to which the Council has powers or duties or which affects the District.

Notice, together with a written copy of the question, must be provided to Democratic Services by email to:

**democratic.services@westoxon.gov.uk**

or by post to:

**Democratic Services, West Oxfordshire District Council, Woodgreen, Witney, Oxfordshire OX28 1NB**

no later than 12.00pm on the seventh working day before the date of the meeting.

A response may be provided at the meeting, or provided within three clear working days of the meeting.

A total of 15 minutes is allowed for questions from members of the public.

6. **Questions by Members**  
The following questions have been submitted by Members of Council to Members of the Executive, 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, Members are entitled to ask one supplementary question at the meeting.  
The Questions and Answers will be detailed in the minutes of the meeting.

**Q1.** Councillor Alaa Al-Yousuf to Councillor Dan Levy, Executive Member for Finance:

What adjustment measures is the Executive Member for Finance contemplating to bring the budget back on track in the second half of the current fiscal year given the significant shortfall in income thus far, mainly investment property rent, and which is likely to continue for the rest of the fiscal year?

**Q2.** Councillor Alaa Al-Yousuf to Councillor Lidia Arciszewska, Executive Member for Environment:

What progress has the Executive Member for the Environment made with Thames Water in reaching a binding agreement or undertaking to reduce sewage pollution in our waterways as previously announced in a press release dated 24 March 2023?

**Q3.** Councillor Alaa Al-Yousuf to Councillor Duncan Enright, Deputy Leader of the Council and Executive Member for Economic Development:

Could the Executive Member for Economic Development please update the Council on the source and terms of funding for the purchase of Marriott's Walk?

**Q4.** Councillor Michele Mead to Councillor Dan Levy, Executive Member for Finance:

In the February 2023 budget, sixteen growth requests were made. Can you please tell us how many of these roles have been filled and into which positions?

**Q5.** Councillor Michele Mead to Councillor Andy Graham, Leader of the Council:

Did the Executive have their proposed "away day", and if so, when will members hear the outcomes and be advised of any KPIs set?

**Q6.** Councillor Liam Walker to Councillor Alaric Smith, Executive Member for Leisure and Major Projects:

Can the Executive Member confirm if Woodstock swimming pool will open next year on the same reduced opening times as this year?

**Q7.** Councillor Thomas Ashby to Councillor Lidia Arciszewska, Executive Member for Environment:

There are a lot of housing estates whereby greenspaces, including woodland areas are maintained by West Oxfordshire District Council. The Council has a Tree Management Policy whereby the Council absolves much responsibility, meaning residents need to pay from their own pocket if there is a tree overhanging their boundary or causing issues with their property. This is not fair. There are many elderly people who have issues with trees close to their property who shouldn't have to have the stress or pay out of their own pocket for tree maintenance.

Therefore, will the Executive Member ask officers to review West Oxfordshire District Council's Tree Management Plan, to ensure that trees which affect residential property can be investigated and maintained at a resident's or Councillors request?

## Reports from Officers

### 7. **Recommendations from the Constitution Working Group (Pages 19 - 68)**

#### Purpose:

To present the recommendations of the Constitution Working Group meetings held on 23 June 2023 and 11 August 2023, including a recommendation to replace the three existing overview and scrutiny committees with a single new overview and scrutiny committee.

#### Recommendations:

That Council Resolves to:

1. Agree to include in the Constitution that the Chair of an Overview and Scrutiny Committee must be an opposition member;
2. Agree to replace the three current overview and scrutiny committees with a single Overview and Scrutiny Committee with 24 Members with effect from 5 October 2023, and in doing so:
  - a) Agree to update Part 2: Articles and Part 3C: Committee Functions as shown in Annex A and Annex B respectively;
  - b) Authorise the Director of Governance to make other consequential amendments to the Constitution (at parts 1A, 3A, 3D, 5A, 5B, 5C, 5F, 5G, 6E, and 6H);
  - c) Delegate authority to the Director of Governance to appoint members to the Overview and Scrutiny Committee with effect from 5 October 2023 in accordance with political proportionality and the wishes of political groups;
  - d) Agree that the Overview and Scrutiny Committee will meet monthly on the dates set out in paragraph 3.7, with the first meeting being held on Wednesday 8 November 2023 at 5.30pm;
  - e) Request that the Council's Independent Remuneration Panel considers whether the Vice-Chair of the Overview and Scrutiny Committee should be paid a special responsibility allowance, and if so, at what level and any backdating to be applied, and report back to Council;
  - f) Note that a programme of member briefings is being developed as an alternative to officers providing information to members through verbal updates and presentations at overview and scrutiny committee meetings.
3. Agree to include in the Constitution (at Part 5A: Council Procedure Rules, paragraph 6.2) that the Monitoring Officer is authorised to cancel meetings and to reschedule meetings with reasons and in consultation with the Chief Executive and the relevant Chair of Council, a Committee or Sub-Committee, provided that the agenda for the meeting has not been published.
4. Agree to include in the Constitution (at Part 3C: Committee Functions) how the parish areas within the Brize Norton and Shilton ward and the Hailey and Minster Lovell and Leafield ward are split between the Lowlands and Uplands areas.
5. Agree to replace the requirement (at Part 3C: Committee Functions) that there are 13 seats on the Lowlands Sub-Committee and 11 seats on the Uplands Sub-

Committee with a rule that the Lowlands and Uplands sub-committees must have a minimum of 11 members, with the Chair of the Development Control Committee being appointed to both sub-committees and all other members of the Development Control Committee being appointed to either the Uplands or Lowlands sub-committee, depending on the ward they represent. Where wards cross the Lowlands and Uplands boundary the ward member may be appointed to either sub-committee.

6. Note that the Constitution Working Group agreed for the Director of Governance to address a number of items on the Constitution Working Group's work plan under delegated authority, as set out in paragraph 7.1.
7. Note that future versions of the Constitution will be published to the website using the Modern.gov system in order to improve transparency, ease of updating and version control.

8. **Strategic Partnership Update (Pages 69 - 74)**

Purpose:

To enable the Leader to provide an update to Council on his portfolio responsibility for Strategic Partnerships.

Recommendation(s):

That Council Resolves to:

1. Note the contents of the Strategic Partnership Report.

9. **Review of Political Proportionalities (Pages 75 - 78)**

Purpose:

To review the political proportionalities on committees following receipt of a notice that a member has joined a group.

Recommendations:

That Council Resolves to:

1. Agree the political proportionalities as set out in either Annex A (political proportionalities with three overview and scrutiny committees) or Annex B (political proportionalities with one overview and scrutiny committee), depending on the previous decision of Council on the number of Overview and Scrutiny Committee.
2. Note that group leaders are asked to confirm any changes to committee membership to the Monitoring Officer.
3. Note that any vacancies on committees shall be appointed to by the Monitoring Officer in accordance with the wishes of the political group to which the vacant seat is allocated and that Council will be asked to ratify and note the appointments at the next ordinary Council meeting.

ANNEXES TO FOLLOW

## Motions on Notice

10. **Motion A: Mobile Network Coverage – Proposed by Councillor Alaa Al-Yousuf, Seconded by Councillor Liam Walker.**

Mobile network coverage is inadequate in many rural areas of our District either because of Total Not Spots or the coverage failing to meet the “at least one Mobile Network Operator (MNO) measure”. Very often coverage is poor outdoors let alone indoors. It is therefore vital that MNOs expedite their investment in infrastructure. The four MNOs agreed with the Government in 2020 to build a Shared Rural Network with licence obligations to achieve good quality coverage across 88% of the landmass by June 2024, and 90% of the landmass to be covered by January 2027. To that end, the four MNOs created Digital Mobile Spectrum Limited (DMSL) as a joint venture to manage and run the Shared Rural Network programme.

As a largely rural District that makes a significant contribution to the national economy, West Oxfordshire deserves to be prioritised.

Council Resolves to:

1. Instruct the Leader to engage with Digital Mobile Spectrum Limited and, as a first step, invite it to send senior representatives to brief Councillors and residents at a public meeting at the earliest opportunity.

11. **Motion B: Keeping West Oxfordshire Safe and Tidy – Proposed by Councillor Jane Doughty, Seconded by Councillor Liam Walker.**

Over the last couple of years, we continue to witness a lack of grass cutting and weeding across Witney and West Oxfordshire. Re-wilding has been used as an excuse for this, when really our pavements are becoming unsafe for those walking and cycling, with weeds ultimately leading to the paths breaking up and generally towns becoming untidy.

There are suitable areas across the Town and District where wildflowers could be planted if our local authorities had the vision. Highway maintenance and safety should be our focus as the weeds growing from within our pavements will lead them to deteriorate quicker than usual, and the lack of cutting across some verges makes vision at junctions very poor for drivers, cyclists and pedestrians.

Council Resolves to ask the Leader of the Council to:

1. Write to Oxfordshire County Council requesting that:
  - o The Council review their grass cutting policies to include:-
    - Cutting grass verges at junctions more regularly;
    - Cutting grass verges one meter between the carriageway and the rest of the verge.
2. Ensure that the Council works with Witney Town Council/Oxfordshire County Council to develop a weeding policy so:
  - There is regular maintenance on pavements, kerbs and drains so that fewer potholes are created;

- Kerbs do not break away from the pavement;
  - Our District can look tidy and we see an improvement in our street scene.
3. Request that officers bring forward proposals to the Executive as part of the budget process for providing the Climate and Biodiversity Team with funding to ensure we see more wildflower meadows in appropriate areas.

(END)