

# Public Document Pack



Tuesday, 21 November 2023  
Reissued Wednesday 22 November 2023

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## COUNCIL

You are summoned to a meeting of Council, which will be held at Carterton Community Centre, Marigold Square, Shilton Park, Carterton, Oxfordshire OX18 1AX on **Wednesday, 29 November 2023 at 1.00 pm.**



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.

West Oxfordshire District Council, Council Offices, Woodgreen, Witney, OX28 1NB  
[www.westoxon.gov.uk](http://www.westoxon.gov.uk) Tel: 01993 861000

# 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 - 26)**  
To approve the minutes of the previous meeting, held on Wednesday 27 September 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 5A, Rule 12).  
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.

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**Q1. Councillor Andrew Lyon to Councillor Joy Aitman, Executive Member for Stronger, Healthy Communities:**

In July 2018, the previous administration voted to transfer the freehold of Unterhaching Park, in Witney Central ward, to Witney Town Council. It never materialised.

At the Executive meeting in June 2023, my fellow ward representative, Councillor Andrew Coles, asked for an update on the timeframe for transfer and was told that it was 'imminent'. Could I ask the Executive Member when the transfer will be happening please?

**Q2. Councillor Thomas Ashby to Councillor Andy Graham, Leader of the Council:**

Witney Buttercross Scout Group is one of the largest Scout Groups in the country with over 400 young people from the ages of 4-18. During this year, members of the Groups Trustee Board have engaged the Estates and Asset Team, as well as the Leader of the Council to try and explore pieces of land in Witney and the surrounding area which could be used for camping and outdoor activities.

However, discussions have so far not progressed. Please can the Leader of the Council ask relevant officers to engage with members of the trustee board at Witney Buttercross Scout Group, to see if suitable land can be identified for the use of Witney's young people?

**Q3. Councillor Jane Doughty to Councillor Joy Aitman, Executive Member for Stronger, Healthy Communities:**

I am pleased that after the hard work of local residents and councillors, planning applications for the shops and sports pavilion have been approved on Windrush Place. As part of the Section 106 contributions, there is a significant fund for an adventure play area, which would be of great benefit, not only to young people in my ward, but also the rest of the town.

Please can the Executive Member for Stronger, Healthy Communities confirm how much S.106 contributions there are, and can they work with officers to ensure that this project begins in the next financial year?

**Q4. Councillor Jane Doughty to Councillor Joy Aitman, Executive Member for Stronger, Healthy Communities:**

In July, the Executive Member confirmed that the District Council held regular meetings to ensure that the land for a Multi-Use Games area in Deer Park. Please can the Executive Member provide an update about how the progress is going and whether land will be transferred to Witney Town Council in early 2024?

**Q5. Councillor Michele Mead to Councillor Lidia Arciszewska, Executive Member for the Environment:**

At the last Executive meeting on 15 November 2023, you collectively agreed to raise the price of fly-tipping fines to the maximum levels allowed. I fully support this decision as like most of us, fly-tipping is in the top things complained about from residents. How

many reported fly-tipping incidents in the last year have we successfully fined?

**Q6. Councillor David Cooper to Councillor Geoff Saul, Executive Member for Housing and Social Welfare:**

Could the Executive Member confirm how many residents are recorded as homeless in West Oxfordshire?, and how does this compare to years 2020, 2021 and 2022?

**Q7. Councillor Alex Wilson to Councillor Andrew Prosser, Executive Member for Climate Change:**

What plans does this Council have to install more Electronic Vehicle (EV) charging facilities in West Oxfordshire for the year 2024??

**Q8. Councillor Dean Temple to Councillor Tim Sumner, Executive Member for Leisure and Major Projects:**

The Government, via Sport England, has awarded this council £354,000 for Witney, Chipping Norton and Carterton Leisure Centres. Can you confirm how this extra funding will now be spent?

**Q9. Councillor Martin McBride to Councillor Andy Graham, Leader of the Council:**

Please could the Leader confirm how much this administration has spent having Executive meetings on tour, including the cost of venues, travel and officer time?

**Q10. Councillor Liam Walker to Councillor Geoff Saul, Executive Member for Housing and Social Welfare:**

The Executive Member has the responsibility of neighbourhood policing in West Oxfordshire. Can he confirm if he's met with policing teams in the District, and what work is being done between the police and this Council as a result of these meetings?

### **Reports from Officers**

**7. Recommendations from the Executive (Pages 27 - 32)**

Purpose:

To agree recommendations made to Council by the Executive, from its meetings since 19 July 2023.

Recommendations:

The Executive Recommends that Council Resolves to:

1. Adopt the twenty-six Employment and Health & Safety Policies (included in Annex A of the original Executive report;
2. Delegate authority to the Chief Executive, in consultation with the Leader of the Council and the Director of Governance, to approve subsequent amendments to any West Oxfordshire District Council employment policies that may be necessary, in line with legal changes and best practice, to ensure the Councils policies remain compliant;
3. Agree to an increase in the fine levels to the maximum levels permissible, as

outlined in Table I;

4. Agree an early payment discount as outlined in Table I.

8. **Recommendations of the Constitution Working Group (Pages 33 - 42)**

Purpose:

To present recommendations of the Constitution working group relating to the adoption of Budget Procedure Rules and the terms of reference of the Performance and Appointments Committee.

Recommendations:

That Council Resolves to:

1. Approve the adoption of the Budget Procedure Rules (Annex A) as part of the Constitution (Part 5K);
2. Agree to amend the terms of reference of the Performance and Appointments Committee (Part 3C) to include responsibility for “To adopt and amend employment and health and safety policies”.

9. **West Oxfordshire District Council Draft Programme of Meetings 2024-2025 (Pages 43 - 54)**

Purpose:

To approve a programme of Council and Committee meetings for the municipal year 2024-25.

Recommendations:

That Council Resolves to:

1. Approve the Programme of Meetings for June 2024 to May 2025, as detailed in Annex A;
2. Delegate authority to the Director of Governance, 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 remit that impacts the programme of meetings;
3. Delegate authority to the Democratic Services Business Manager to set meeting dates for the Performance and Appointments Committee, member training, member briefing sessions, and any further working groups established by the Council.

10. **Appointment of Independent Persons (Pages 55 - 58)**

Purpose:

To appoint Alec Pridsam and Paul Evans as Independent Persons for the purposes of matters of Councillor conduct.

Recommendations:

That Council Resolves to:

1. Appoint Alec Pridsam and Paul Evans as Independent Persons for a period of 4 years;
2. Delegate Authority to the Director of Governance (Monitoring Officer) to extend the appointments for further periods of one year at a time if deemed appropriate.

11. **Change of Name - South Leigh Parish Council (Pages 59 - 60)**

Purpose:

To note, make a correction to, and amend the prior agreed name change from 'South Leigh and High Cogges Parish Council', to the Parish of 'South Leigh & High Cogges'.

Recommendation:

That Council Resolves to:

- I. Approve the agreed name of the Parish of South Leigh, to the Parish of 'South Leigh & High Cogges'.

**Motions on Notice**

12. **Motion A: Accountability of Large-Scale Housing Developers - Proposed by Councillor Lysette Nicholls, Seconded by Councillor Michele Mead.**

This Council feels that large scale developers need to be accountable for failing to build houses that have been approved by planning. With some developers not building in a timely manner, this has had a detrimental impact on West Oxfordshire's Local Plan.

Council Resolves to ask the Leader of the Council to:

- I. Write to the Secretary of State for Levelling Up, Housing and Communities, and all Oxfordshire MPs, informing them that West Oxfordshire District Council would like the criteria for large housing development, once approved, to be tightened up, and for developers to incur a financial penalty for not building in the approved timeframe.

13. **Motion B: Market Gardens - Proposed by Councillor Rizvana Poole, Seconded by Councillor Rosie Pearson**

This Council notes that, nationally, we have gone from providing 82.7% of our fruit and veg in 1988 to 55.6% of vegetables and 16.3% of fruit in 2020. Small-scale, low-impact market gardening is an industry that lacks Government support. One of the aims of the Oxfordshire Food Strategy, to which we have signed up, is "to grow our local food economy through local enterprises, local jobs and local wealth creation."

This Council believes that market gardening could be a source of good long-term jobs and is an efficient use of land – In South Oxfordshire, the market gardener Iain Tolhurst produces 120 tonnes of fruit and veg each year on just 7 hectares. This Council further believes that giving priority to healthy local food production addresses at least 4 of the Council's corporate priorities:

- Enabling a Good Quality of Life for All;
- Creating a Better Environment for People and Wildlife;
- Responding to the Climate and Ecological Emergency;
- Working Together for West Oxfordshire.

Council Resolves to:

- I. Request that the Local Plan Member Working Group gives consideration to the development of a policy or policies in the new West Oxfordshire Local Plan 2041, to positively encourage and support more opportunities for growing and consuming food locally in line with the Oxfordshire Food Strategy.

14. **Motion C: Youth Assembly - Proposed by Councillor Rosie Pearson, Seconded by Councillor Andy Graham.**

This Council notes that our 2022 Youth Needs Assessment, identified that 75% of young people were worried about climate change. In the same survey, 46% of those surveyed felt their voice was not heard. The Council also has aspirations that the newly refurbished Council Chamber will become far more of a community space.

This Council believes that action taken to address climate change can also benefit other aspects of young people's lives, such as mental health, physical fitness and engagement with society. This Council further believes that it would be appropriate to celebrate the refurbishment of our Council Chamber with an event dedicated to the future of our young people.

Council Resolves to:

1. Invite all secondary schools and colleges in the District (OR, failing this, those who took part in the Youth Needs Assessment) to nominate 2 or 3 students (preferably elected by the student body, or drawn from the school's eco-group where one exists) to attend a youth assembly to take part in the council chamber in 2024;
2. Ask that Officers, Executive Members and experienced members of the community, agree on questions to be put to the assembly for discussion, and to agree the finer details of the running of the assembly, with the aim being for assembly members to tell the Council how they would address the climate and nature emergency if they were in charge.

15. **Motion D: Barnard Gate Junction Safety Improvements - Proposed by Councillor Liam Walker, Seconded by Councillor Lysette Nicholls.**

The junction onto the A40 at Barnard Gate has, for some time, been a collision hotspot risking the safety of drivers and cyclists, along with impacting nearby communities when the road has to be closed. This council is concerned by the safety of this junction.

Council Resolves to ask the Leader of the Council to:

1. Write to the Cabinet Member for Transport Management at Oxfordshire County Council, to request that a road safety assessment is conducted, and to ask the County Council act on any suggested safety improvements.

(END)

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## WEST OXFORDSHIRE DISTRICT COUNCIL

### Minutes of the meeting of Council

Held in the Council Chamber at 2.00pm on **Wednesday 27 September 2023.**

#### PRESENT

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

Officers: Giles Hughes (Chief Executive), James Howse (Interim Director of Finance), Andrea McCaskie (Director of Governance), Frank Wilson (Executive Finance Director, Publica), Bill Oddy (Assistant Director, Commercial Development), Phil Martin (Assistant Director, Business Services), Andy Barge (Assistant Director, Communities), Andrew Brown (Business Manager, Democratic Services), Max Thompson (Senior Democratic Services Officer), Anne Learmonth (Democratic Services Officer), Michelle Ouzman (Democratic Services Officer), Barry Clack (Communications Officer), Elise Chowdhury (Communications Officer) and Trushar Patel (ICT Systems Engineer).

Other Councillors in attendance: Nil.

#### **CL.98 Apologies for Absence**

Apologies for Absence were received from the following Members:

Alaric Smith, Dean Temple, Geoff Saul, Michael Brooker, Rachel Crouch, Thomas Ashby, Mark Johnson, Lysette Nicholls and Liz Leffman.

#### **CL.99 Declarations of Interest**

There were no declarations of interest made by Members of the Council.

#### **CL.100 Minutes of Previous Meeting**

The minutes of the previous meeting, held on Wednesday 19 July 2023, were unanimously approved by Council, and signed by the Chair as a true & accurate record.

#### **CL.101 Receipt of Announcements**

Councillor Andrew Coles, Chair of the Council, welcomed all Members and Members of the Public to the meeting and stated that he hoped all attendees had had a refreshing summer break. The Chair also advised Council of a change to the order in which business would be considered, and that Agenda Item 9 would be considered ahead of Item 8.

The Chair advised Council of the passing of Colin James, a former Member and Chair of West Oxfordshire District Council. Councillor James was first elected to the Council in 1993 and was Chair for the municipal year of 1997-1998. The Chair stated that he had written to Councillor James' family, attended his funeral and expressed the condolences of the whole Council at a difficult time for his family.

Councillors Julian Cooper and Alaa Al-Yousuf also rose to pay tribute to Councillor James before Council was invited to observe a moment of reflection in memory of Councillor James.

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The Chair welcomed Hannah Lee to the meeting. Hannah Lee undertook a period of work experience with the Council's Democratic Services team in July 2023, and was in attendance at the meeting in the public gallery.

The Chair also welcomed and introduced James Howse & Madhu Richards to the meeting. James Howse had recently been appointed as the Council's Interim Director of Finance, and Madhu Richards had been appointed as the Council's new, permanent Director of Finance, taking up her role in October 2023.

The Chair thanked those in attendance who had supported the Afternoon Tea fundraiser held in August 2023, and was delighted to announce that the event had raised £1151 for charities associated with the Chair. The Chair also thanked the Vice-Chair of the Council, Councillor Elizabeth Poskitt, and Councillor Julian Cooper, for their support on the day of the event, as well as the assistance of Council Officers from the Executive Support team.

The Chair also advised Council that a fundraising quiz night was also being planned for a time in the future.

The Chair highlighted the official civic engagements that he had undertaken during the summer months. These included the Royal Air Force's Service of Commemoration for the Battle of Britain, and Carterton' Annual Civic Service.

The Chair also paid tribute to the Vice-Chair for work she had undertaken during the same period of time.

The Chair advised Council of the arrangements made by Democratic Services for the next meeting of Council, which would take place on Wednesday 29 November 2023. Owing to planned refurbishment works at Woodgreen as part of the Council's Agile Working Project, it had been arranged for the next meeting of Council to take place at Carterton Community Centre. It was also highlighted that owing to the availability of the external location, the next meeting would start at 1.00pm, rather than the usual time of 2.00pm. The Chair asked Members and Officers of the Council to note this in their diaries.

Councillor Andy Graham, Leader of the Council, rose to congratulate the Chair on his fundraising activities, and highlighted the impressive total that had been raised.

The Leader also advised Council of changes in Membership of the Executive, which would take place the day after the meeting of the Council.

Councillor Dan Levy would step down from the Executive with effect from the following day, and the Leader thanked Councillor Levy for his dedication, hard work and support during his time as a member of the Executive.

Councillor Alaric Smith would replace Councillor Levy as Executive Member for Finance, and Councillor Tim Sumner would join the Executive as Member for Leisure and Major Projects.

The Leader also took the opportunity to reassure Council that there was no overall change to the West Oxfordshire 'Alliance', given publicity and news that had arisen from Oxfordshire County Council prior to the meeting.

The Leader advised Council of the arrangements that had been made for the upcoming meeting of the Executive. Owing to the aforementioned refurbishment works, the Executive would once again hold an 'On Tour' meeting. The Leader advised that the next meeting of the Executive would be held at The New Warwick Hall in Burford on Wednesday 11 October 2023.

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The Leader also advised that the meeting would be ‘an evening trial meeting’ commencing at 6.00pm. It was further highlighted that by having an evening meeting, public participation and engagement would be heightened, and would allow more residents and Members of the Public to engage with the Executive.

The Leader also advised that the December 2023 meeting of the Executive was anticipated to take place in Minster Lovell, and that arrangements would be confirmed in due course as appropriate.

Councillor Duncan Enright, Deputy Leader of the Council and Executive Member for Economic Development, rose to congratulate Sports Direct for opening a new store of their franchise in Marriott’s Walk in Witney. The Deputy Leader highlighted the importance of an internationally renowned retailer being part of Witney and its District, making it the only sports retailer available in the area.

The Deputy Leader also advised Council on further plans that were in the offing at Marriot’s Walk, such as a fundraising abseil, Christmas Markets and a new attraction that would replace the Umbrellas.

The Leader also highlighted the importance of the Town Centres in the District, and the ongoing regeneration work that has been undertaken by Council Officers. The Deputy Leader paid tribute to the work of officers Will Barton and Emma Phillips, and said that Town Partnership Meetings would soon get underway across the district to help energise the regeneration projects, using funds made available by the Rural England Prosperity Fund.

Councillor Carl Rylett, Executive Member for Planning and Sustainable Development, rose to advise Council of the ‘Your Voice’ Local Plan consultation that would run until 25 October 2023. The Executive Member highlighted the importance of resident participation in the consultation, explaining that input would help protect the West Oxfordshire District and secure the plan up to the year 2041.

The Executive Member also advised that there would be Town and Parish Council events, such as workshops and drop-in sessions, which would feed into the consultation period, and the Executive Member further encouraged all residents to participate in the consultation.

Councillor Lidia Arciszewska, Executive Member for the Environment, advised Council that 23 November 2023 would be ‘Waterways Day’, taking place at The Corn Exchange in Witney. There would be an extensive list of speakers at the event, such as the Environment Agency and Oxfordshire County Council, and the Executive Member expressed a desire for maximum participation at the event.

Councillor Dan Levy, Executive Member for Finance, rose to advise Council of the upcoming Council Tax Support Scheme consultation, forming the initial stage of the Budget consultation for the next financial year, was open and would run until 22 October 2023.

#### **CL.102 Participation of the Public**

There was no public participation at the meeting.

#### **CL.103 Questions by Members**

Questions by Members, as listed on the agenda, and the responses to those questions, which were circulated in advance, were taken as read.

The Chair invited the questioners to ask a supplementary question and then invited the relevant Executive Members to respond.

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The Written Questions, Written Answers, Verbal Supplementary Questions and Verbal Supplementary Answers are detailed in a separate document appended to the Minutes of the Meeting.

#### **CL.104 Recommendations from the Constitution Working Group**

The Chair advised Members that there would be three separate votes in consideration of the agenda item, whereby Recommendation 1, Recommendations 2a to 2f, and Recommendations 3-7 would be taken as individual votes.

Councillor Mathew Parkinson, Chair of the Constitution Working Group, introduced and gave an overview of the report, which presented the recommendations of the Council's Constitution Working Group, made to Council from its meetings held on 23 June 2023 and 11 August 2023. The report also included a recommendation to replace the three existing Overview and Scrutiny Committees with a single, new Overview and Scrutiny Committee.

In debate, Members highlighted that the proposals would be of benefit to the Council's accountability process, would be a more effective use of Council time and holding the Executive and Council to account.

Multiple members thanked the work of the Constitution Working Group in this area and thanked the work of Officers involved in bringing the recommendations to Council.

Members also highlighted that it was reasonable to have an opposition member be Chair of the Overview and Scrutiny Committee.

Members also highlighted the importance of the views of those who would not sit on Committee should still be considered, and that this would further add to the effective scrutiny process. Members also stated that streamlining the process would give greater accountability where there was perceived lack of accountability in the past.

Reference was made to the work of the proposed Committee, and reassurance was given by Officers that there would be a formal work plan, thus helping to provide the Committee with timely reports and allowing for effective time to be taken to provide scrutiny to work in the correct manner.

Members questioned whether the quorum for the Council's Planning Sub-Committees should be reviewed in view of the change to the size requirements of the sub-committees. Reassurance was given whereby the quorum is calculated as being 25% of the Committee membership in attendance at a meeting for it to be convened and allow decisions to be made.

The Chair paid tribute to the Chairs of the Council's three individual Overview and Scrutiny Committees for their work, stewardship, and support to the Council in their times as Chairs of the Committees.

Councillor Mathew Parkinson proposed that Council agreed Recommendation 1 as detailed within the original report. This was seconded by Councillor Joy Aitman and was put to a vote. There were 36 votes in favour, 3 votes against and no abstentions. The vote carried.

Council **Resolved** to:

1. Agree to include in the Constitution that the Chair of an Overview and Scrutiny Committee must be an opposition member.

Councillor Mathew Parkinson proposed that Council agree Recommendations 2a to 2f as detailed within the original report. This was seconded by Councillor Joy Aitman and was put to a vote. There were 36 votes in favour, 3 votes against and no abstentions. The vote carried.

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Council **Resolved** to:

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.

Councillor Mathew Parkinson proposed that Council agree Recommendations 3 to 7 as detailed within the original report. This was seconded by Councillor Joy Aitman and was put to a vote. There were 37 votes in favour, 1 vote against and 1 abstention. The vote carried.

Council **Resolved** to:

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;

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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.

#### **CL.105 Review of Political Proportionalities**

Councillor Andy Graham, Leader of the Council, introduced the report, which reviewed the political proportionalities on Committees, following receipt of a notice that a Member of the Council had joined a political group.

The Leader and Deputy Leader of the Council both paid tribute to the work of Council Officers, and for the time that had been invested in ensuring that the political proportionalities of the Council's Committees were correct given the change in numbers within the Council's political groups.

Councillor Andy Graham proposed that Council agree the recommendations as listed within the original report, with reference to 'Annex A', contained within Recommendation 1, being disregarded. This was seconded by Councillor Duncan Enright, was put to a vote, and was unanimously agreed by Council.

Council **Resolved** to:

1. Agree the political proportionalities as set out in Annex B (political proportionalities with one 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.

#### **CL.106 Strategic Partnership Update**

Councillor Andy Graham, Leader of the Council, introduced the report, which provided an update to Council on his portfolio responsibility for Strategic Partnerships.

In debate, Members highlighted that local democracy functions best when local authorities within the same region work soundly together facing outwards, to achieve common goals and work in the best interest of residents. Members also referenced strengths and assets which were fundamental to the district such as Blenheim Palace and areas of the district contained with the Cotswolds Area of Outstanding Natural Beauty.

The Leader also highlighted the important roles that Oxfordshire Local Enterprise Partnership (OxLEP) and the Future Oxfordshire Partnership (FOxP) have within the sphere of local government, and how these organisations are also a vital mechanism for achieving common goals and making the best decisions.

Councillor Andy Graham proposed that Council agree to the recommendation contained within the original report. This was seconded by Councillor Duncan Enright, was put to a vote, and was unanimously agreed by Council.

Council **Resolved** to:

1. Note the contents of the Strategic Partnership Report.

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**CL.107 Motion A: Mobile Network Coverage – Proposed by Councillor Alaa Al-Yousuf, Seconded by Councillor Liam Walker.**

Councillor Alaa Al-Yousuf introduced the motion, which proposed that the Leader of the Council engaged with Digital Mobile Spectrum Limited (DMSL) to seek to address issues regarding perceived poor mobile network coverage in West Oxfordshire.

In debate, Members highlighted that the issues surrounding poor network coverage are not unique to West Oxfordshire, and that many areas of the countryside are affected by 'Total Not Spots'. It was further highlighted that in 2025, the use of telephone 'landlines' would cease, and mobile connectivity would be of even more vital importance. Members alluded to the ever-changing way in which professionals work, and behavioural changes surrounding the workplace, such as working from home and holding virtual meetings.

It was also highlighted that desired funding for improvements to connectivity would be available through the Rural England Prosperity Fund, and further improvement works could come to fruition in Section 106 agreements contained within applications for development.

In seconding the motion, Councillor Liam Walker stated that he was grateful for support from all sides of the Council Chamber, and that it was pleasing to see members in full agreement on such a vital issue.

Councillor Alaa Al-Yousuf proposed the motion as set out on the agenda paper, be adopted by Council. This was seconded by Councillor Liam Walker, was put to a vote, and was unanimously agreed by Council.

Council **Resolved** to pass the following Motion:

- I. 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:

- I. 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.

**CL.108 Motion B: Keeping West Oxfordshire Safe and Tidy – Proposed by Councillor Jane Doughty, Seconded by Councillor Liam Walker.**

Councillor Jane Doughty advised Council that the Motion was not being proposed. It was therefore treated as withdrawn and was not be considered at the meeting.

The Meeting closed at 3.45pm.

CHAIR

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Questions by Members – Council – 27 September 2023

<u>Written Question</u>	<u>Written Answer</u>	<u>Verbal Supplementary Question</u>	<u>Verbal Supplementary Answer</u>
<b>Q1 – Councillor Alaa Al-Yousuf, to Councillor Dan Levy, Executive Member for Finance.</b>			
<p>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?</p>	<p>The Council set the 2023/24 budget in February 2023 with a net operating expenditure total of circa £16m for the year to March 2024. The Quarter One Financial Performance showed an overall overspend of £0.3m against budget, largely due to vacant rental properties at Des Roches, Talisman &amp; Marriotts Close during the first part of the year.</p> <p>Measures have been taken to attract new tenants which has been successful. New leases have recently been agreed at all three sites. The Council receives regular advice from its property agents to ensure that rental terms are optimised. The in-year budget will continue to be monitored closely, and the full year budgetary impact of vacant properties will be updated within Quarter 2 reporting.</p> <p>A ‘line by line’ review of all budgets is currently also being undertaken by officers in advance of proposals being presented to</p>	<p>I thank him for the answer that he provided. I must say that the answer relates to the next financial year, whereas my question is about this financial year. So, given that we are at the halfway point, and we must have some forecasts, what is your forecast for the drawdown from the general reserve fund for the year as a whole, and would you agree with me that this could be £1,000,000 plus?</p>	<p>Specifically answering the question, I think that clearly there has been a problem with forecasting and I wouldn’t disagree with that, and as part of the budget process for next year, and as part of the reporting for this year, you will see how we’re doing. However, I don’t think we should be as negative as you appear to be – We have done a fantastic job of filling vacancies in the properties that we own. They will produce rental income for this Council, which is very much needed, and as Councillor Enright has previously said, you just have to look at Marriott’s Walk and how lively it is with its new tenants, to see that we are doing the right thing. I think that it is clearly disappointing to have less income than we were forecasting, but I don’t think that reflects in any way a bad performance. You will see that it will come right.</p>

	<p>Council with regard to the 2024/25 budget. As part of this, a specific review of investment property vacancy rate assumptions is being undertaken to ensure that the estimates contained within the budget are as accurate and prudent as possible.</p>		
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**Q2 – Councillor Alaa Al-Yousuf, to Councillor Lidia Arciszewska, Executive Member for Environment.**

<p>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?</p>	<p>Since the press release dated 24th March, progress continues to be made in regard to reducing sewage pollution in our waterways. The Validation Checklist has now been fully embedded within the Council Planning team and is pro-actively avoiding situations where developers were submitting plans that will have a detrimental impact on the existing sewage infrastructure, which in many locations is not meeting current levels of demand. Regular meetings with Thames Water (TW) have continued, which have focused on verifying the capacity of the 9 main Sewage Treatment Works (SWT) within the district to ensure that TW investment plans adequately meet both current and future demands. This</p>	<p>Thank you for the answer. I asked for what progress has been made since the press release of March, and the answer seems to be mostly about that, but I haven't come across anything new. So could you try again, and also you say that an agreement in principle has been reached. That was the situation back in March, but where is that agreement? Can we have more information on that?</p>	<p>The Grampian conditions are at the final stage now. The Officers are working very hard at the moment relaying the matrix of that condition, and it is going back and forth between our group and the groups within Thames Water. I expect the final version will be signed off very soon, hopefully within the next two weeks. A lot of work went into it, and it is a very important document, because we have to do that legally and responsibly, and equally, Thames Water want to do it the same way. In terms of progress on our work with Thames Water, apart from the Grampian conditions as Councillor Al-Yousuf already knows, we have introduced validation checklists for the sewage pollution and for infrastructure in our planning applications. That is</p>
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	<p>work has also challenged the fundamental elements of the way capacity is calculated, which has resulted in TW working closer with the Council's Local Planning Team.</p> <p>An agreement in principle has been reached with Thames Water who will refine their planning responses to the Council such as firstly acknowledge that there is an issue and secondly, wherever possible, that they will specify what is required to resolve the issues and by when that will be delivered. This will address the vast majority of cases but more recently our officers have additionally been working with their counterparts at TW to refine the condition such that it splits out the differences between 'Network' and 'Sewage Treatment' upgrades and is nuanced as regards whether it is a known and planned development where the required works are already identified or the far lesser number of schemes where the development has come in "off plan" and the required works to ameliorate the impacts have yet to be specified. This has resulted in</p>		<p>the first step to actually screen against planning applications that are in places where no developments should really be permitted, because there is no chance of further improving Thames Water infrastructure being taken into consideration.</p> <p>In addition, we have worked very hard with Thames Water, to resolve many different issues and more localised issues within the district of sewage infiltration, storm protection and on cracking pipes, like the ones in Eynsham and Brize Norton. So, there is a lot of work going on, and I suppose at some point soon, we will be able to bring that into public knowledge.</p>
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	<p>the production of a working model matrix.</p> <p>The Council will be running another 'Waterways' Day on the 23 November in the Corn Exchange, Witney, building upon the success of last year's event. This year the Environment Agency will be attending and presenting, along with other organisations including Thames Water, Windrush Against Sewage Pollution (WASP), Oxfordshire County Council (OCC), The Evenlode Catchment Partnership / Wild Oxfordshire &amp; Blenheim Estates.</p>		
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**Q3 – Councillor Alaa Al-Yousuf, to Councillor Duncan Enright, Deputy Leader of the Council and Executive Member for Economic Development.**

<p>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?</p>	<p>The Council did not borrow externally to fund the purchase of Marriott's Walk, and instead utilised internal funding built up from balances and reserves held. Indeed, currently the Council holds no external borrowing and therefore pays no interest.</p>	<p>The answer was that the Council did not borrow, although the business case that was presented a year ago or more, envisaged potential borrowing from the public works loan board, when interest rates were very low at the time, and could potentially have been fixed for 30 years at that level. That would have been an opportunity to secure very long-term cheap funding and release the Council's cash for other capital projects. Why did that not happen? Did you miss the</p>	<p>Yes, thank you very much indeed for following up on this, and can I thank Councillor Al-Yousuf as well as others across this chamber for their involvement in that through the Investment Oversight Board. I think that was a piece of work that was well done, and one that has cemented the long-term future of Marriott's Walk as a regeneration project, as well as making sure it was a sound use of the Council's money. I'm quite clear that this Executive is prudent in its use of taxpayers'</p>
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		<p>opportunity, and do you have any regrets about that?</p>	<p>money, and I know that our Officers follow that as well.</p> <p>I am confident that we made the best decision of the use of our resources in this case, but I take his point. Thank you.</p>
<p><b>Q4 – Councillor Michele Mead, to Councillor Dan Levy, Executive Member for Finance.</b></p>			
<p>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?</p>	<p>Of the 16 posts included as growth items within the 2023/24 Budget (set back in February of this year), it should first be emphasised that some of these related to converting previously fixed term contracts to permanent posts, and some also related to shared posts with other partner councils as part of the Publica arrangement.</p> <p>That said 12 of these posts have been filled in the areas of Democratic Services, Biodiversity, Climate Change, Waste Management, Customer Services, Empty Homes, Regulatory Services, Flooding, Asset Management, Cyber Security, Climate Change and Market Towns.</p> <p>Proposals to recruit 3 specialist shared Human Resources staff have not been progressed, due</p>	<p>Thank you for your response. My question is on the final bit of your substantive answer where you say that the recruitment of an additional finance member of staff is currently going on. Have you got a timeline on this, because surely out of the 16 people you were going to employ, this should have been a priority, rather being left to one of the last people to employ?</p>	<p>I don't think it's through the want of trying! It is certainly not a low priority, but I certainly agree with you that it is an important post and that we do need to fill it. I'm sure the new Section 151 Officer will be as keen as I am to get this filled.</p>

	<p>the lack of agreement with partner councils. The recruitment of an additional member of Finance staff is also currently ongoing and is therefore a work in progress.</p>		
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**Q5 – Councillor Michele Mead, to Councillor Andy Graham, Leader of the Council.**

<p>Did the Executive have their proposed 'Away Day', and if so, when will members hear the outcomes and be advised of any KPIs set?</p>	<p>The Executive did hold an 'Away Day' at the end of May this year. The purpose of the Away Day was to discuss the challenging financial picture facing the Council, and for a strategic discussion to take place on how the Council might respond in terms of service transformation, investment, and revenue generation.</p> <p>The discussion on the day fed into the first stages of the budget process for next year's budget (2024/25) and into early stages of work to revise the medium-term financial strategy. Both the budget and medium-term financial strategy will be reported through to Executive, Scrutiny and Council in due course.</p> <p>The Away Day did not set any new key performance indicators. On 13 September, the</p>	<p>I'm glad you enjoyed your away day, Councillor Graham. Can you give us an idea on when we will be presented with the Budget and the Medium-Term Financial Strategy? It's quite hard to trust that this is going to happen anytime soon, considering the way you have been managing the budget this year.</p>	<p>As you know from being a Leader, we do follow due process, and due process has been planned. If you look at the plans for the Budget, those are in keeping with normal practise, and that will continue. I think, in a way, that the budget has been managed really well by this Council, and there is nothing to suggest otherwise. I would actually just say that some of the external things that affect our budget, are things that this Conservative Government are bereft of actually addressing. When we get our local settlement that is constantly left until the last minute, it leaves all authorities in a very difficult position, So in a sense, I can say that apart from external, which we can't affect, other than putting pressure on the Government, which seems to have little impact, we are as a Council very diligent in terms of due</p>
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	<p>Executive resolved to ask officers to review the performance indicator data set to better reflect the emerging priorities and actions in the revised Council Plan.</p>		<p>process, and that will be followed through.</p>
<p><b>Q6 – Councillor Liam Walker, to Councillor Alaric Smith, Executive Member for Leisure and Major Projects.</b></p>			
<p>Can the Executive Member confirm if Woodstock swimming pool will open next year on the same reduced opening times as this year?</p>	<p>For the Summer season of 2023, the difficult decision was made to reduce the opening dates for Woodstock Outdoor Pool, due the energy price crisis which was being faced in the leisure industry (and throughout the UK) at the time.</p> <p>The outdoor pool operates as a loss-making service each year, but this loss is subsidised by the income generating elements of the Leisure contract as a whole. This is true for a number of the provided leisure services; however, the intention is that by combining the whole leisure offer with our appointed leisure contractor, we are able to deliver as many services as possible that suit the needs and requirements of the users, by combining profits and losses whilst still returning a</p>	<p>On the topic of Government funding, will the Leader then agree to reply to Sport England? The Government announced a £60 million pot of funding towards leisure centres. Will this Council be applying for that fund, and if so, a reminder that the deadline is 17 October 2023!</p>	<p><i>(answered by Councillor Graham, Leader of the Council)</i></p> <p>Thank you. That is noted.</p>

	<p>positive management fee payment to the Council.</p> <p>For the summer season of 2024, it is hoped that we will be able to return to a standard contract position for the outdoor pool, whereby it will open in April through to September. However, whilst energy prices have stabilised, they still remain high, and discussions will need to be made with GLL Better in the New Year to ascertain the financial burden that may still exist above the forecast losses from the original contract tender. Wherever possible, mitigations will be made to reach the contract position or as close to it as possible.</p>		
<p><b>Q7 – Councillor Thomas Ashby, to Councillor Lidia Arciszewska, Executive Member for Environment.</b></p>			
<p>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</p>	<p>The trees owned by West Oxfordshire District Council are managed under the Council's Tree Management Policy, which was approved by Council several years ago. The policy enables Officers to prioritise tree works in line with Council priorities and budgets. The main priority is to</p>	<p>N/A</p>	<p>N/A</p>



<p>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.</p> <p>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?</p>	<p>ensure that the tree stock is maintained in a safe condition.</p> <p>If Members of the public contact the Council to ask if non-safety works can be carried out to trees near their properties, these trees are inspected by the Tree Officer to ensure that they are not a risk to people or property. If they are not in an unsafe condition, in line with the policy, residents are advised that they are able to cut any branches back to their property boundary, at their own cost; however, the Council will not undertake this work.</p> <p>The tree team are currently considering how issues relating to trees on residential housing estates will be resolved, and an option appraisal is in its early stages and will be brought forward at such times when fully complete where members will be given more detailed and costed options.</p> <p>Consideration within this review will consider assistance to vulnerable members of the community and possibly those receiving benefits and subsidence living.</p>		
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 <p style="text-align: center;">WEST OXFORDSHIRE DISTRICT COUNCIL</p>	<p><b>WEST OXFORDSHIRE DISTRICT COUNCIL</b></p>
<p>Name and Date of Committee</p>	<p><b>COUNCIL – 29 NOVEMBER 2023</b></p>
<p>Subject</p>	<p><b>RECOMMENDATIONS FROM EXECUTIVE TO COUNCIL</b></p>
<p>Wards Affected</p>	<p>All</p>
<p>Accountable Member</p>	<p>Councillor Andy Graham – Leader of the Council. Email: <a href="mailto:andy.graham@westoxon.gov.uk">andy.graham@westoxon.gov.uk</a></p>
<p>Accountable Officer</p>	<p>Andrew Brown – Business Manager, Democratic Services. Email: <a href="mailto:andrew.brown@publicagroup.uk">andrew.brown@publicagroup.uk</a>.</p>
<p>Report Author</p>	<p>Max Thompson – Senior Democratic Services Officer. Email: <a href="mailto:max.thompson@westoxon.gov.uk">max.thompson@westoxon.gov.uk</a>.</p>
<p>Summary/Purpose</p>	<p>To agree recommendations made to Council by the Executive, from its meetings since 19 July 2023.</p>
<p>Annexes</p>	<p>Annex A – Recommendations from Executive to Council.</p>
<p>Recommendation(s)</p>	<p>The Executive Recommends that Council Resolves to:</p> <ol style="list-style-type: none"> <li>1. Adopt the twenty-six Employment and Health &amp; Safety Policies (included in Annex A of the <a href="#">original Executive report</a>);</li> <li>2. Delegate authority to the Chief Executive, in consultation with the Leader of the Council and the Director of Governance, to approve subsequent amendments to any West Oxfordshire District Council employment policies that may be necessary, in line with legal changes and best practice, to ensure the Councils policies remain compliant;</li> <li>3. Agree to an increase in the fine levels to the maximum levels permissible, as outlined in <a href="#">Table I</a>;</li> <li>4. Agree an early payment discount as outlined in <a href="#">Table I</a>.</li> </ol>
<p>Corporate Priorities</p>	<ul style="list-style-type: none"> <li>• Working Together for West Oxfordshire</li> </ul>
<p>Key Decision</p>	<p>NO</p>

Exempt	NO
Consultees/ Consultation	Executive, Director of Governance, Democratic Services Business Manager.

## **1. BACKGROUND**

- 1.1 The Council is required to consider recommendations made to Council by the Executive from its meetings since 19 July 2023.

## **2. MAIN POINTS**

- 2.1 The decisions recommended by the Executive, to be agreed by Council, are detailed within Annex A with hyperlinks added to signpost Members and the public to the original decisions taken by the Executive. All other decisions of the Executive were in the Executive's gift to make and no other recommendations have been made to Council at this time.

## **3. FINANCIAL IMPLICATIONS**

- 3.1 Any financial implications of the proposed decisions are as set out in the associated reports to the Executive.

## **4. LEGAL IMPLICATIONS**

- 4.1 Any legal implications of the proposed decisions are as set out in the associated reports to the Executive.

## **5. RISK ASSESSMENT**

- 5.1 Any risks associated with the proposed decisions are as set out in the associated reports to the Executive.

## **6. EQUALITIES IMPACT**

- 6.1 Any equality implications associated with the proposed decisions are as set out in the associated reports to the Executive.

## **7. CLIMATE AND ECOLOGICAL EMERGENCIES IMPLICATIONS**

- 7.1 Any climate and ecological emergency implications associated with the proposed decisions are as set out in the associated reports to the Executive.

## **8. BACKGROUND PAPERS**

- 8.1 None.

(END)


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## Annex A – Recommendations from Executive to Council.

<u>Date</u>	<u>Meeting</u>	<u>Recommendations</u>																									
11 October 2023	Executive	<p><a href="#">Human Resources (Employment) &amp; Health and Safety Policies.</a></p> <p>The Executive <b>Resolved</b> to:</p> <ol style="list-style-type: none"> <li>1. Recommend that Council adopts the twenty-six Employment and Health &amp; Safety Policies (<a href="#">included in Annex A of the original Executive report</a>).</li> <li>2. Recommend to Council to delegate authority to the Chief Executive, in consultation with the Leader of the Council and the Director of Governance, to approve subsequent amendments to any West Oxfordshire District Council employment policies that may be necessary, in line with legal changes and best practice, to ensure the Councils policies remain compliant.</li> </ol>																									
15 November 2023	Executive	<p><a href="#">Fixed Penalty Notice Level Increases for Fly Tipping and Waste Crime Offences</a></p> <p>The Executive <b>Resolved</b> to:</p> <ol style="list-style-type: none"> <li>1. Recommend to Council to agree to an increase in the fine levels to the maximum levels permissible, as outlined in Table 1;</li> <li>2. Recommend to Council to agree an early payment discount as outlined in Table 1;</li> </ol> <p style="text-align: center;">Table 1:</p> <table border="1" data-bbox="600 805 2011 1444"> <thead> <tr> <th data-bbox="600 805 786 970">Offence</th> <th data-bbox="786 805 929 970">Existing Fine</th> <th data-bbox="929 805 1180 970">Fine with Discount for early payment</th> <th data-bbox="1180 805 1476 970">New fine (Payment in 28 days)</th> <th data-bbox="1476 805 2011 970">Fine with proposed % discount (Payment within 14 days)</th> </tr> </thead> <tbody> <tr> <td data-bbox="600 970 786 1051">Fly-tipping</td> <td data-bbox="786 970 929 1051">£400</td> <td data-bbox="929 970 1180 1051">£200*</td> <td data-bbox="1180 970 1476 1051">£1,000</td> <td data-bbox="1476 970 2011 1051">£500</td> </tr> <tr> <td data-bbox="600 1051 786 1158">Duty of Care</td> <td data-bbox="786 1051 929 1158">£400</td> <td data-bbox="929 1051 1180 1158">£200*</td> <td data-bbox="1180 1051 1476 1158">£600</td> <td data-bbox="1476 1051 2011 1158">£300</td> </tr> <tr> <td data-bbox="600 1158 786 1294">Littering and graffiti</td> <td data-bbox="786 1158 929 1294">£80</td> <td data-bbox="929 1158 1180 1294">£60 **</td> <td data-bbox="1180 1158 1476 1294">£500</td> <td data-bbox="1476 1158 2011 1294">£250</td> </tr> <tr> <td data-bbox="600 1294 786 1444">Distribution of printed matter</td> <td data-bbox="786 1294 929 1444">£80</td> <td data-bbox="929 1294 1180 1444">£60**</td> <td data-bbox="1180 1294 1476 1444">£150</td> <td data-bbox="1476 1294 2011 1444">£75</td> </tr> </tbody> </table>	Offence	Existing Fine	Fine with Discount for early payment	New fine (Payment in 28 days)	Fine with proposed % discount (Payment within 14 days)	Fly-tipping	£400	£200*	£1,000	£500	Duty of Care	£400	£200*	£600	£300	Littering and graffiti	£80	£60 **	£500	£250	Distribution of printed matter	£80	£60**	£150	£75
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 <b>WEST OXFORDSHIRE DISTRICT COUNCIL</b>	<b>WEST OXFORDSHIRE DISTRICT COUNCIL</b>
Name and Date of Committee	<b>COUNCIL – 29 NOVEMBER 2023</b>
Subject	<b>RECOMMENDATIONS OF THE CONSTITUTION WORKING GROUP</b>
Wards Affected	NONE
Accountable Member	Councillor Mathew Parkinson – Chair of the Constitution Working Group. Email: <a href="mailto:Mathew.Parkinson@westoxon.gov.uk">Mathew.Parkinson@westoxon.gov.uk</a>
Accountable Officer	Andrea McCaskie – Director of Governance. Email: <a href="mailto:democratic.services@westoxon.gov.uk">democratic.services@westoxon.gov.uk</a>
Report Author	Andrew Brown – Business Manager, Democratic Services. Email: <a href="mailto:democratic.services@westoxon.gov.uk">democratic.services@westoxon.gov.uk</a>
Purpose	To present recommendations of the Constitution working group relating to the adoption of Budget Procedure Rules and the terms of reference of the Performance and Appointments Committee.
Annexes	Annex A – Proposed Budget Procedure Rules
Recommendations	That Council Resolves to: <ol style="list-style-type: none"> <li>1. Approve the adoption of the Budget Procedure Rules (Annex A) as part of the Constitution (Part 5K);</li> <li>2. Agree to amend the terms of reference of the Performance and Appointments Committee (Part 3C) to include responsibility for “To adopt and amend employment and health and safety policies”.</li> </ol>
Corporate Priorities	<ul style="list-style-type: none"> <li>• Working Together for West Oxfordshire</li> </ul>
Key Decision	NO
Exempt	NO
Consultees Consultation	Director of Finance.

## **1. BACKGROUND**

- 1.1** The Council's Constitution sets out how the Council operates, how decisions are taken and the procedures which are followed to ensure that decision-making is efficient, transparent and accountable to local people.
- 1.2** The Council has a legal duty to publish a Constitution and it should be reviewed at least annually. The Council has established a cross-party Constitution Working Group which meets regularly and makes recommendations to Council about amendments to the Constitution to keep up to date with changes to legislation, governance practice and the wishes of the Council.
- 1.3** The Constitution Working Group held a meetings 19 October 2023 and the recommendations arising from that meetings are detailed in this report.
- 1.4** This report proposes the adoption of Budget Procedure Rules and a change to the terms of reference of the Performance and Appointments Committee to include the responsibility for adding and amending employment policies.

## **2. BUDGET PROCEDURE RULES**

- 2.1** Currently the budget debate at the Budget Setting Council Meeting in February is covered by the normal Council Procedure Rules at Part 5A of the Constitution. Many authorities have adopted specific procedure rules for the budget debate and this is considered to be good practice.
- 2.2** When setting a budget it is important that any proposals before Council have been checked by finance officers to ensure that they are arithmetically sound and, if approved, could be implemented and that the implications have been considered. Currently, there is no deadline for amendments set out in the Council Procedure Rules.
- 2.3** The adoption of Budget Procedure Rules would establish a process for checking any amendments to the budget. It would also enable the Council to vary the time allowed for speeches during the budget debate. Currently proposer of motions (but not amendments) have 10 minutes and all other speeches are capped at 5 minutes.
- 2.4** The proposed Budget Procedure Rules have been recommended by the Constitution Working Group and are set out in Annex A. The Budget Procedure Rules feature:
  - A minimum time period of 5 clear working days between the Executive meeting where a budget is recommended to Council and the Budget Setting Council Meeting.
  - A deadline for any Member to submit an amendment to the budget (3 working days before the meeting) to ensure that Finance Officers can check that any amendments are arithmetically sound and could be implemented.
  - Provisions for minor changes to be made to submitted amendments until 9.00am on the day of the meeting, provided they do not have substantial impact and are agreed with the Director of Finance.
  - A deadline for approved amendments to be circulated to all members of Council (12.00pm on the day of the Budget Setting Council Meeting).
  - Additional time for the Leader of the Council (20 minutes) and the Member seconding the Executive's budget (10 minutes) to propose and second the Executive's budget.

- Specific provisions and additional time (15 minutes) for Opposition Group Leaders to speak on the Executive’s budget and to propose any approved amendments.
- Provisions for Council to debate the budget and amendments together and then vote on them sequentially.
- Additional time for Members to speak in debate (10 minutes) where both the Executive’s budget and amendments are being debated.

2.5 If approved, the proposed Budget Procedure Rules at Annex A would form Part 5K of the Council’s Constitution.

### **3. PERFORMANCE AND APPOINTMENTS COMMITTEE**

3.1 The Executive on 11 October 2023 considered a report titled “Human Resources (Employment) and Health and Safety Policies”. The Executive resolved to request that the Constitution Working Group considers the expansion of the terms of reference of the Performance and Appointments Committee to include responsibility for the adoption and amendment of Employment and Health and Safety Policies.

3.2 The Performance and Appointments Committee currently has responsibilities relating to the appointment and dismissal of statutory officers and conducting the appraisal of the Chief Executive.

3.3 The adoption of employment policies, as a non-executive function, could be the responsibility of full Council or delegated to a committee or officer. It was considered that the Performance and Appointments Committee would be an appropriate body to have this responsibility as this committee already deals with certain employment-related matters.

### **4. ALTERNATIVE OPTIONS**

4.1 Council could decide not to adopt Budget Procedure Rules in which case the normal Council Procedure Rules would continue to apply.

4.2 Council could decide not to expand the terms of reference of the Performance and Appointments Committee, in which case the responsibility for adopting and amending employment and health and safety policies would remain with full Council.

### **5. FINANCIAL IMPLICATIONS**

5.1 There are no financial implications arising from this report.

### **6. LEGAL IMPLICATIONS**

6.1 There are no legal implications arising from this report.

### **7. RISK ASSESSMENT**

7.1 If the Council does not adopt Budget Procedure Rules there is a risk that budget amendments may be tabled which have not been approved by finance officers.

### **8. EQUALITIES IMPACT**

8.1 There are no equalities impacts.

**9. CLIMATE AND ECOLOGICAL EMERGENCIES IMPLICATIONS**

9.1 There are no climate and ecological impacts.

**10. BACKGROUND PAPERS**

10.1 None.

(END)

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## PROPOSED PART 5K BUDGET PROCEDURE RULES

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### 1.0 Summary

The Council has a duty under *section 30(6) Local Government Finance Act 1992* to set a lawful budget in a timely manner.

Members have a fiduciary duty to Council Tax payers. This means they have a duty to facilitate the setting of a lawful budget; a process that requires flexibility and compromise.

Failure to set a lawful budget in time may lead to a loss of revenue, significant additional administrative costs, as well as reputational damage. Failure to set a budget may lead to intervention from the Secretary of State under *section 15 Local Government Act 1999*.

### 2.0 The Legal Duty

*Section 30(6) of the Local Government Finance Act 1992* provides that the Council has to set its budget before 11 March in the financial year preceding the one in respect of which the budget is set. This means the Council has a duty to set the budget before 11 March each year.

If the budget is set after that date, the Act says the failure to set a budget within the deadline does not, in itself, invalidate the budget. However, such delay may have significant financial, administrative and legal implications, including potential individual liability of any Member who contributed to the failure to set a budget.

*Section 66 of the 1992 Act* provides that failure to set a Council tax (or delay in setting a Council tax) shall not be challenged except by an application for judicial review. The Secretary of State and any other person with an interest or “standing” may apply for judicial review.

### 3.0 Financial Implications of Delay

Delay in setting the Council Tax means a delay in collecting the Tax due not only to the Council, but also the precepting authorities such as Oxfordshire County Council, the Police, and others including Town and Parish Councils on whose behalf the Council acts as a collection authority.

The Council has a legal duty to provide a range of statutory services (such as refuse collection, homelessness prevention etc) and is not absolved from its duty because of the late setting of the Tax. It also has to pay the monies due to the precepting authorities whether or not it collects any Council Tax.

Even if the Council sets the budget before the deadline but much later than the planned Budget Council Meeting, there is still likely to be some disruption to the administrative arrangements relating to the collection of Council Tax (such as printing, posting, delivery of demands) that have cost implications.

#### **4.0 Duty to Take Advice from the Chief Financial Officer**

*Sections 25 to 29 of the Local Government Act 2003* impose duties on the Council in relation to how it sets and monitors its budget. These provisions require the Council to make prudent allowance for the risk and uncertainties in its budget and regularly monitor its finances during the year. The legislation leaves discretion to the Council about the allowances to be made and action to be taken.

Section 25 also requires the Council's Chief Financial Officer to make a report to Council when it is considering its budget and Council Tax. The report must deal with the robustness of the estimates and the adequacy of the reserves allowed for in the budget proposals, so Members will have authoritative advice available to them when they make their decisions on the Executive's budget proposals and any alternative proposals.

The section, and the Council's Constitution, requires Members to have regard to the report in making their decisions. Any decision that ignores this professional advice, including the implications of delay, is potentially challengeable.

#### **5.0 The Budget Framework**

The Council will be responsible for the adoption of its budget, as set out in the Constitution (Part 3B.2). Once a budget is in place, it will be the responsibility of the Executive to implement it.

#### **6.0 Annual Process for Setting the Budget**

The process by which the budget shall be set is as follows:

The forthcoming annual Budget and Medium Term Financial Strategy is considered and agreed by Council in February each year.

In November or December each year detailed financial proposals for the forthcoming financial year in line with the Council's Medium Term Financial Strategy are considered by the Executive. The Overview and Scrutiny Committee will also consider the proposals and will have the opportunity to make recommendations to the Executive.

These proposals (administered and coordinated by the Chief Financial Officer) are built into the draft budget proposals for the Council and the draft Medium Term Financial Strategy is updated accordingly.

The meeting of the Executive in February will recommend a draft budget to the Council, and the level of Council Tax. The Proper Officer will then refer them, at the earliest opportunity, to the Council for decision.

The Executive meeting held to determine the Executive's budget proposals to Council must be held a minimum of 5 clear working days prior to the Council meeting being held to consider the budget for the Council.

## 7.0 The Budget Setting Council Meeting

- 7.1 The Executive's proposals will be presented to the Council under cover of a report from the Director of Finance, together with a budget pack and professional financial advice upon the proposal.
- 7.2 The Council will be asked to agree to suspend Council Procedure Rules for the meeting, where they conflict with these Budget Procedure Rules, to allow these Budget Procedure Rules to prevail.
- 7.3 The Council Budget Setting Meeting will be held in February of each year to set the budget for the forthcoming year. At the Council Budget Setting Meeting the Executive submits to the Council for its consideration in relation to the following financial year:
- Estimates of the amounts to be aggregated in making a calculation (whether originally or by way of substitute) in accordance with any of *sections 32 to 37 or 43 to 49 of the Local Government Finance Act 1992*;
  - Estimates of other amounts to be used for the purposes of such a calculation;
  - Estimates of such a calculation; or
  - Amounts required to be stated in a precept under *Chapter IV of Part 1 of the Local Government Finance Act 1992*.

The Executive will propose its recommendations relating to the above matters to the Council, which, if seconded, will be debated by the Council in accordance with the provisions below and voted upon.

The Council may:

- Adopt the Executive's proposals; or
- Amend them in accordance with the provisions set out below; or
- Refer them back to the Executive for further consideration.

Budget proposals can only be submitted to the Council by the Executive; others can propose amendments to the Executive's proposals. The decision on any amendment to the budget and on the budget (as amended, if applicable) will be made by way of a recorded vote in accordance with Council Procedure Rule 17.4 (Part 5A in the Constitution) and statutory requirements of the *Local Authorities (Standing Orders)(England)(Amendment) Regulations 2014*. The Leader must confirm that they accept the budget as agreed by Council or it has to be resubmitted to Council with the Executive's revised proposals, causing an inevitable delay.

- 7.4 If the Council accepts the recommendation of the Executive without amendment, the Council may make a decision which has immediate effect. Otherwise, it may only make an in-principle decision, and the Leader's verbal confirmation will be sought at the meeting that the Leader accepts the budget as agreed by the Council.
- 7.5 Any elected Member may put forward any amendments to the Executive's budget proposal to the Council. However, Members should not put forward proposals that would mean setting an unlawful budget and they must take Officer advice to ensure their proposals are in order. To this end any proposed amendments must be evaluated by the

Chief Financial Officer, or an Officer appointed by them for the purpose, to determine the service, financial and legal implications of implementing the amended proposals. The amended proposals are required to be submitted to the Chief Financial Officer, by email to [democratic.services@westoxon.gov.uk](mailto:democratic.services@westoxon.gov.uk) by no later than 12 noon 3 clear working days before the Council Budget Setting Meeting, excluding the date of the meeting itself (i.e. for a Council meeting on a Wednesday the deadline would be 12 noon on the previous Friday).

- 7.6 Any proposed amendment to any matter on the Council Meeting Agenda, other than the budget, which would have, or would likely to have, a significant effect on the Executive's proposed budget, must also be submitted to the Chief Finance Officer, by email to [democratic.services@westoxon.gov.uk](mailto:democratic.services@westoxon.gov.uk), by no later than 12 noon 3 clear working days before the Council Budget Setting Meeting, excluding the date of the meeting itself (i.e. for a Council meeting on a Wednesday the deadline would be 12 noon on the previous Friday).
- 7.7 The amended proposals, once received by the Chief Financial Officer, will be held confidentially by the Finance Officers involved and not shared with other political parties, with the exception that any amendments received from an Elected Member who is part of a Group will be shared with the relevant Group Leader. All amended proposals will be considered by Finance Officers by no later than 12 noon 1 clear working day before the day of the Council meeting, excluding the day of the meeting itself. Finance Officers will confirm the legality and impact of all proposed amendments. Any that in the Chief Financial Officer's opinion are unlawful shall be rejected. The Chief Financial Officer will then share all amended proposals, together with Finance sign off and comments, with the Chief Executive and Monitoring Officer by 5pm 1 clear working day before the day of the Council meeting, excluding the day of the meeting itself.
- 7.8 All proposed amendments will be shared with all Elected Members by 12 noon on the day of the Council meeting.
- 7.9 Following a period for negotiation, any minor amendments to proposed amendments, will be allowed up to 9am on the day of the meeting, provided they do not have substantial impact and are agreed with the Chief Financial Officer. By noon on the day of the Council meeting, Democratic Services Officers will circulate copies of all remaining proposed amendments to all Members of the Council. At the Council meeting, the Chair will refuse to accept any proposals for amendment that have not been through the above process, and signed off as being lawful proposals by the Council's Finance Officers. Further, at the Council meeting, the Chair will refuse to accept any amendments to amendments that have correctly been through the above procedure.
- 7.10 At the Council Budget Setting Meeting the Executive will propose their budget, with the Leader of the Council having up to 20 minutes for his speech. The proposal will need to be seconded and the Member seconding has 10 minutes available for this purpose. The seconder may speak at the time of seconding or reserve their speech for later on in the debate.
- 7.11 The Leader of the largest Opposition Group on the Council will have the right to speak first on the Executive's proposal and may propose any amendment which has been



signed off by the Chief Financial Officer and has 15 minutes maximum for their speech. The proposal will need to be seconded and the Member seconding the amendment has 10 minutes for this purpose and may make their speech at the time of seconding or reserve it for later in the debate on this amendment.

The Leader of the next largest Opposition Group will have the right to speak next on the earlier proposals put before Council, and may have 15 minutes to propose their own amendment, provided it has been signed off by the Chief Financial Officer, which shall need to be seconded with the seconder having a maximum of 10 minutes for this purpose and the right to reserve their speech until later in the debate.

This process continues until the Leader of each Opposition Group and all Members who are not in a Group have had the opportunity to speak, and the budget and all proposed amendments have been proposed and seconded.

- 7.12 The matter, being both the Executive's proposed and seconded budget and all amendments, that have been proposed and seconded, is then open to one full debate from all Members of the Council. Each Member may speak only once on this item, other than the Executive Leader, and any Group Leader or Member not in a Group who has submitted an amendment, who has a right of reply. Each speaker, other than as set out above, has a maximum of 5 minutes to speak where it is only the Executive's proposed budget under consideration, or 10 minutes where amendments have also been proposed and seconded.

The debate is managed by the Chair who has control of the debate and may use their discretion to ensure the effective, efficient, fair and orderly conduct of the business. The Chair's interpretation of these procedure rules and their application will be final.

- 7.13 At the end of the debate if any Member seconding a proposal (the substantive proposal or a proposed amendment) has reserved their seconder's speech to later in the debate, their speeches, of a maximum of 10 minutes, will be taken in the reverse order in which the motions were proposed and seconded.
- 7.14 When the debate has concluded the Leader of the Council, as the proposer of the substantive motion, and any Group Leader or Member not in a Group who has proposed an amendment will have a right of reply. Each speaker will be taken in the reverse order in which the motions were proposed and seconded, with the Leader of the Council having the last right of reply on behalf of the Executive. Any speaker with a right of reply has up to 10 minutes to respond.
- 7.15 When the debate has concluded, the Chair will if they think fit, sum up the debate before putting the amendments to the vote. In doing so they may request the Chief Financial Officer to draw the attention of the meeting to any relevant factors.
- 7.16 The Chair will then put the amendments to the vote in the order of the amendments proposed by the largest Opposition Group Leader first, followed by the next largest etc. Each amendment will be voted on in turn, with a recorded vote being taken, and administered by the Democratic Services Officer, on each amendment.

Some proposed amendments may impact on others and there may be inter dependencies. For example, if one amendment is lost it may result in others automatically being lost, whilst some amendments may have no impact on others and may stand alone regardless of the outcome of voting on other amendments. The Chief Financial Officer will advise accordingly and the Chair may adjourn the meeting to facilitate the provision of that advice.

- 7.17 Following the conclusion of the voting on the amendments, the Chief Financial Officer will confirm how the individual amendments that have been carried affect the Council Tax proposal as necessary.


There may be a need for a short adjournment to allow for the preparation of the Council Tax resolutions to reflect the budget proposals as amended/if amended to be printed and circulated prior to the substantive vote.

- 7.18 Once the amendments have each been voted upon and determined, the Chief Financial Officer will clarify any amendments that have been agreed and how they affect the budget. The Chair will then put the substantive motions, as amended if they have been amended, to the Council for a vote. A recorded vote will be taken and recorded by the Democratic Services Officer present.

- 7.19 If the budget proposal is accepted without amendment by Council, the Council may make a decision which has immediate effect. If the budget proposal is amended, and is approved as amended by full Council, the Leader of the Council will be asked by the Chair if they accept the budget as agreed by Council.

If the Leader of the Council confirms that they do accept the budget proposals as amended by Council, the Council decision will have immediate effect.

If the Leader of the Council does not accept the budget proposal as amended and agreed by the Council, the matter will be referred back to the Executive for further consideration and revised Executive proposals will need to be submitted to the Council at a future meeting; this will cause an inevitable delay to the lawful setting of the budget and the Council Tax and the associated consequences of such a delay will need to be considered.

 <p>WEST OXFORDSHIRE DISTRICT COUNCIL</p>	<p><b>WEST OXFORDSHIRE DISTRICT COUNCIL</b></p>
<p>Name and Date of Committee</p>	<p><b>COUNCIL – 29 NOVEMBER 2023</b></p>
<p>Subject</p>	<p><b>WEST OXFORDSHIRE DISTRICT COUNCIL DRAFT PROGRAMME OF MEETINGS 2024 – 2025.</b></p>
<p>Wards Affected</p>	<p>NONE</p>
<p>Accountable Member</p>	<p>Councillor Andy Graham – Leader of the Council. Email: <a href="mailto:andy.graham@westoxon.gov.uk">andy.graham@westoxon.gov.uk</a></p>
<p>Accountable Officer</p>	<p>Giles Hughes – Chief Executive. Email: <a href="mailto:giles.hughes@westoxon.gov.uk">giles.hughes@westoxon.gov.uk</a></p>
<p>Report Author</p>	<p>Max Thompson – Senior Democratic Services Officer. Email: <a href="mailto:max.thompson@westoxon.gov.uk">max.thompson@westoxon.gov.uk</a></p>
<p>Summary/Purpose</p>	<p>To approve a programme of Council and Committee meetings for the municipal year 2024-25.</p>
<p>Annexes</p>	<p>Annex A – Programme of Meetings for June 2024 to May 2025.</p>
<p>Recommendation(s)</p>	<p>That Council Resolves to:</p> <ol style="list-style-type: none"> <li>1. Approve the Programme of Meetings for June 2024 to May 2025, as detailed in Annex A;</li> <li>2. Delegate authority to the Director of Governance, 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;</li> <li>3. Delegate authority to the Democratic Services Business Manager to set meeting dates for the Performance and Appointments Committee, member training, member briefing sessions, and any further working groups established by the Council.</li> </ol>
<p>Corporate Priorities</p>	<ul style="list-style-type: none"> <li>• Working Together for West Oxfordshire</li> </ul>
<p>Key Decision</p>	<p>NO</p>

Exempt	NO
Consultees/ Consultation	<ul style="list-style-type: none"> <li>• Democratic Services Business Manager;</li> <li>• Senior Democratic Services Officer, Cotswold District Council;</li> <li>• Future Oxfordshire Partnership;</li> <li>• Oxfordshire County Council.</li> </ul>

## **1. BACKGROUND**

- 1.1** Council is responsible for setting the dates and times of Council and Committee meetings.
- 1.2** This report recommends a schedule of Council and Committee meetings from June 2024 until May 2025 inclusive. Dates for meetings of the Executive 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, efficient and effective decision making, helping members and officers to plan their workloads & availability.

## **2. PROGRAMME OF MEETINGS FOR JUNE 2024 TO MAY 2025**

- 2.1** The draft programme of meetings for 2024-2025 has generally 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 A. 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, in consultation with Group Leaders, to make changes to the programme as required following any such decision.
- 2.2** 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. Oxfordshire school holiday dates have been avoided wherever possible, so that it does not adversely affect the overall meetings programme or the cycle of meetings.
- 2.3** Meetings of the new Overview and Scrutiny Committee are scheduled to be held on the Thursday prior to (most) meetings of the Executive. This is to embed the role of Overview and Scrutiny in the Council's executive decision-making process, allowing time for recommendations to be produced and responded to by the Executive. Executive reports are subject to a robust internal clearance process and the timing of the process is such that Executive reports may not always be cleared for publication when the Overview and Scrutiny Committee agenda is published and on occasions may need to follow a couple of days later.
- 2.4** 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). At the time of writing this report, the Oxfordshire County Council meeting dates for the concurrent municipal year were not available. Clashes with County Council meetings have historically been few but where they do occur, any members affected would be able to arrange a substitute for one meeting or the other.
- 2.5** Given that many of the officers who deliver the work of the Council and attend meetings are currently 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. There is a possibility that the Budget Council meeting may be held on the same date as Cotswold District Council meeting; 21 February 2024. However, the two meetings are likely to start four hours apart and this should not cause difficulties for many officers.

### **3. ANNUAL COUNCIL MEETINGS**

**3.1** Local Elections for one third of seats on West Oxfordshire District Council, along with the election of the Thames Valley Police and Crime Commissioner, will take place on 2 May 2024, and the Annual Meeting of Council following those elections is set for 22 May 2024. This date allows sufficient time between the elections and the Annual Council meeting for the formation of groups and the nomination of members to committee seats.

**3.2** In May 2025 there are County Council elections but no seats on West Oxfordshire District Council are due for election. The Annual Meeting of Council in 2025 is recommended to be held on 21 May 2025.

**3.3** 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 22 May 2024 and 21 May 2025, 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); and
- Licensing Committee (for the Miscellaneous Licensing Sub-Committee).

### **4. COMMITTEES AND SUB-COMMITTEES THAT MEET AS REQUIRED**

**4.1** 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 – Responsible for matters relating to the appointment, performance, and dismissal of the Council’s statutory officers;
- Licensing Committee – Responsible for considering licensing policies and determining certain licensing applications where representations have been received;
- Development Control Committee – 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 – Responsible for dealing with matters relating to standards and ethics and to sit in the capacity of a hearing panel to, in consultation with an 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.

## **5. FUTURE OXFORDSHIRE PARTNERSHIP**

- 5.1** 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, however the expected meeting dates are included in the draft programme at Annex A for completeness. Meetings of the FOP start at 1.00pm and virtual meetings of the FOP Scrutiny Panel start at 6.30pm.

## **6. MEETING START TIMES**

- 6.1** No changes are proposed in this report to the current 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;
  - Overview and Scrutiny meetings start at 5.30pm;
  - 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;
  - Executive meetings start at 2.00pm, however that is a matter for the Leader rather than Council.

## **7. TRAINING AND BRIEFING DATES**

- 7.1** It is intended that a member training programme will be produced prior to the May 2024 local elections, which will articulate a member induction and training programme. There is also a programme of regular member briefings . This report seeks a delegation to the Democratic Services Business Manager to set training and briefing dates.

## **8. MEMBER WORKING GROUPS**

- 8.1** The Council may establish informal cross-party member working groups to perform particular tasks. Recent examples include the Constitution Working Group and the Local Plan Cross-Party Member Working Group. This report seeks a delegation to the Democratic Services Business Manager to set meeting dates for current and future member working groups.

## **9. ALTERNATIVE OPTIONS**

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

## **10. FINANCIAL IMPLICATIONS**

- 10.1** 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.

## **11. LEGAL IMPLICATIONS**

- 11.1** 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.

## **12. RISK ASSESSMENT**

- 12.1** If Council did not agree a programme of meetings for 2024/25, there is significant risk that decision making would not be able to take place in a timely, effective and open & transparent manner. There are no other significant risks in relation to this report.



**13. EQUALITIES IMPACT**

**13.1** The recommendations are not expected to differentially impact any groups with protected characteristics. Meetings are held in accessible venues.

**14. CLIMATE AND ECOLOGICAL EMERGENCIES IMPLICATIONS**

Members are required to attend meetings in person, which will result in emissions associated with journeys to and from meetings. Members have the right to choose to have paper copies of agenda packs, however where possible, Members are strongly encouraged to access papers using the Modern.gov App or the Extranet.

**15. BACKGROUND PAPERS**

None.

(END)

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**Draft Programme of Meetings 2024/25**

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

28	29	30	31		25	26	27	28	29
						FOP	Council	Audit	
Dec-24					Jan-25				
<b>Mon</b>	<b>Tue</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Mon</b>	<b>Tue</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>
2	3	4	5	6			1	2	3
Lowlands			O&S				PH		
9	10	11	12	13	6	7	8	9	10
Uplands		Executive			Lowlands			O&S	
16	17	18	19	20	13	14	15	16	17
	Lic Sub				Uplands		Executive		
23	24	25	26	27	20	21	22	23	24
		PH	PH			Lic Sub / FOP Scru			
30	31				27	28	29	30	31
						FOP	Council		
Feb-25					Mar-25				
<b>Mon</b>	<b>Tue</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Mon</b>	<b>Tue</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>
					3	4	5	6	7
								O&S	
3	5	6	7	8	10	11	12	13	14
Lowlands			O&S		Lowlands	FOP Scru	Executive		
10	11	12	13	14	17	18	19	20	21
Uplands		Executive			Uplands	Lic Sub / FOP			
17	18	19	20	21	24	25	26	27	28
	Lic Sub						Council	Audit	
24	25	26	27	28	31				
		Council			Standards				
Apr-25					May-25				
<b>Mon</b>	<b>Tue</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Mon</b>	<b>Tue</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>
	1	2	3	4				1	2
								Elections	
7	8	9	10	11	5	6	7	8	9
Lowlands					PH				
14	15	16	17	18	12	13	14	15	16
Uplands	Lic Sub		O&S	PH					
21	22	23	24	25	19	20	21	22	23

PH		Executive					A.Council		
28	29	30			26	27	28	29	30
Lowlands					PH	Uplands			

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 <b>WEST OXFORDSHIRE DISTRICT COUNCIL</b>	<b>WEST OXFORDSHIRE DISTRICT COUNCIL</b>
Name and Date of Committee	<b>COUNCIL – 29 NOVEMBER 2023</b>
Subject	<b>APPOINTMENT OF INDEPENDENT PERSONS</b>
Wards Affected	None
Accountable Member	Councillor Andy Graham – Leader of the Council. Email: <a href="mailto:Andy.Graham@westoxon.gov.uk">Andy.Graham@westoxon.gov.uk</a>
Accountable officer	Andrea McCaskie – Director of Governance. Email: <a href="mailto:democratic.services@westoxon.gov.uk">democratic.services@westoxon.gov.uk</a>
Report Author	Andrew Brown – Business Manager, Democratic Services. Email: <a href="mailto:democratic.services@westoxon.gov.uk">democratic.services@westoxon.gov.uk</a>
Purpose	To appoint Alec Pridsam and Paul Evans as Independent Persons for the purposes of matters of Councillor conduct.
Annexes	Nil.
Recommendations	That Council Resolves to: <ol style="list-style-type: none"> <li>1. Appoint Alec Pridsam and Paul Evans as Independent Persons for a period of 4 years;</li> <li>2. Delegate Authority to the Director of Governance (Monitoring Officer) to extend the appointments for further periods of one year at a time if deemed appropriate.</li> </ol>
Corporate Priorities	<ul style="list-style-type: none"> <li>• Working Together for West Oxfordshire</li> </ul>
Key Decision	NO
Exempt	NO
Consultees Consultation	N/A

## **1. BACKGROUND**

- 1.1** The Localism Act 2011 (Section 28) requires a relevant authority to have in place arrangements under which allegations made under the Code of Conduct can be investigated, and under which decisions on allegations of breaches of the Code can be made.
- 1.2** The arrangements must include provision for the appointment of at least one Independent Person whose views must be sought, and taken into account, before a decision is made on an allegation that has been investigated. The views of the Independent Person may also be sought at other stages of the complaints process and most authorities refer complaints to the Independent Person at an early stage in the process and particularly when the Monitoring Officer is carrying out an initial assessment of the complaint.
- 1.3** The Council currently has one Independent Person, Andrew Colling, who was appointed for a 4-year term commencing on 1 May 2021. In that time Andrew Colling has been consulted by the Monitoring Officer on over 25 code of conduct complaints and has acted as a consultee at standards hearings.
- 1.4** There are certain requirements set out in the Act. In summary, these are that an Independent Person may not be a current or past (within 5 years):
  - member, co-opted member or officer of the authority,
  - member, co-opted member or officer of a parish council of which the authority is the principal authority, or
  - relative, or close friend, of a person referred to above.

## **2. APPOINTMENT PROCESS**

- 2.1** The role of Independent Person was advertised through the normal recruitment channels. The Council received seven applications. Two candidates who met the qualifying criteria were shortlisted for interview by the Council's Monitoring Officer and Deputy Monitoring Officer; the Director of Governance and the Democratic Services Business Manager.
- 2.2** Officers concluded that both Alex Pridsam and Paul Evans demonstrated the appropriate level of integrity and professionalism and therefore recommend to Council that they are both appointed with immediate effect for a period of 4 years.
- 2.3** Alec Pridsam is a qualified accountant and statutory auditor who lives in the district.
- 2.4** Paul Evans is a Chair, Trustee, Management Consultant and Non-Exec Director within the private and charitable sectors who lives in the district.

## **3. ALTERNATIVE OPTIONS**

- 3.1** The Council could proceed with the current Independent Person however there would be a lack of resilience if that person was unavailable or had a conflict in relation to a particular complaint.



**4. FINANCIAL IMPLICATIONS**

5. There is no remuneration of Independent Persons, however, they are entitled to claim travel expenses and an allowance of £75 for up to four hours work and £150 for more than four hours work.

**6. LEGAL IMPLICATIONS**

- 6.1 The recommendations will help the Council to continue to meet its obligations under the Localism Act 2011.

**7. RISK ASSESSMENT**

- 7.1 There are no immediate risks considered to be arising from the contents of this report.

**8. EQUALITIES IMPACT**

- 8.1 The recruitment process has been undertaken in accordance with the Council's Equalities Policy.

**9. CLIMATE AND ECOLOGICAL EMERGENCIES IMPLICATIONS**


- 9.1 There are no climate and ecological impacts.

**10. BACKGROUND PAPERS**

- 10.1 None.

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 <b>WEST OXFORDSHIRE DISTRICT COUNCIL</b>	<b>WEST OXFORDSHIRE DISTRICT COUNCIL</b>
<b>Name and Date of Committee</b>	<b>COUNCIL – 29 NOVEMBER 2023</b>
<b>Subject</b>	<b>CHANGE OF NAME – SOUTH LEIGH PARISH COUNCIL</b>
<b>Wards affected</b>	<b>EYNSHAM AND CASSINGTON</b>
<b>Accountable member</b>	Councillor Andy Graham – Leader of the Council. Email: <a href="mailto:andy.graham@westoxon.gov.uk">andy.graham@westoxon.gov.uk</a>
<b>Accountable officer</b>	Giles Hughes – Chief Executive. Email: <a href="mailto:giles.hughes@westoxon.gov.uk">giles.hughes@westoxon.gov.uk</a>
<b>Report Author</b>	Sharon Ellison – Electoral Services Manager. Email: <a href="mailto:sharon.ellison@westoxon.gov.uk">sharon.ellison@westoxon.gov.uk</a>
<b>Purpose</b>	To note, make a correction to, and amend the prior agreed name change from ‘South Leigh and High Cogges Parish Council’, to the Parish of ‘South Leigh & High Cogges’.
<b>Annexes</b>	Nil.
<b>Recommendations</b>	That Council Resolves to: <ol style="list-style-type: none"> <li>I. Approve the agreed name of the Parish of South Leigh, to the Parish of ‘South Leigh &amp; High Cogges’.</li> </ol>
<b>Corporate Priorities</b>	<ul style="list-style-type: none"> <li>• Putting Residents First</li> <li>• Working Together for West Oxfordshire</li> </ul>
<b>Key Decision</b>	NO
<b>Exempt</b>	NO
<b>Consultees / Consultation</b>	Residents of South Leigh & High Cogges; Parish Councillor Nicky Brooks (Chair of Parish Council).

## **1. BACKGROUND**

Section 75 of the Local Government Act 1972 allows principal councils, at the request of a parish within the area, to change the name of the parish.

South Leigh Parish Council has asked the Council to consider its request to change its name to the Parish of 'South Leigh & High Cogges', this initial request was put before the Council in its meeting of 15 February 2022 where the name change was subsequently agreed.

Further to this agreement on 15 February 2022, the Legal team in preparing the 'official order' for this name change have found that the initial recommendation was to change the name of the parish to 'South Leigh and High Cogges Parish Council' and not the Parish of South Leigh and High Cogges.

This matter is therefore put before the Council again, to approve the recommended change.

## **2. MAIN POINTS**

At a meeting of the South Leigh Parish Council held on 15 November 2021, it resolved to delegate authority to the Chair of the Parish Council to make an application pursuant to section 75 of the local Government Act 1972 to change the name of the parish from South Leigh to be known as the Parish of South Leigh and High Cogges.

The former South Leigh Parish will be known as the Parish of '**South Leigh and High Cogges**' and consequent to this Parish name change, the administrating Parish Council will be known as the South Leigh and High Cogges Parish Council.

The Parish has two settlements namely the principal village of South Leigh itself and the much smaller hamlet of High Cogges which has at times felt overlooked. The name change of the Parish is intended to address this issue and make every parishioner feel included whilst retaining the two separate village/hamlet names.

## **3. FINANCIAL IMPLICATIONS**

None.

## **4. LEGAL IMPLICATIONS**

A change in Parish name must be communicated to the Secretary of State, Director General of Ordnance Survey and the Registrar General.

## **5. RISK ASSESSMENT**

None.

## **6. ALTERNATIVE OPTIONS**

None.

## **7. BACKGROUND PAPERS**

None.