

Public Document Pack



Tuesday 17 September 2024

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COUNCIL

You are summoned to a meeting of Council, which will be held in Council Chamber, Council Offices, Woodgreen, Witney, Oxfordshire OX28 1NB on **Wednesday 25 September 2024 at 4.00pm.**



Giles Hughes
Chief Executive

To: Members of the Council

Councillors: Elizabeth Poskitt (Chair), Andrew Coles (Vice-Chair), Joy Aitman, Lidia Arciszewska, Thomas Ashby, Hugo Ashton, Andrew Beaney, Michael Brooker, Adam Clements, David Cooper, Julian Cooper, Steve Cosier, Rachel Crouch, Jane Doughty, Genny Early, Duncan Enright, Roger Faulkner, Phil Godfrey, Andy Goodwin, Andy Graham, David Jackson, Edward James, Natalie King, Liz Leffman, Nick Leverton, Dan Levy, Andrew Lyon, Paul Marsh, Charlie Maynard, Martin McBride, Stuart McCarroll, Michele Mead, David Melvin, Rosie Pearson, Rizvana Poole, Andrew Prosser, Nigel Ridpath, Carl Rylett, Geoff Saul, Sandra Simpson, Alaric Smith, Ruth Smith, Tim Sumner, Sarah Veasey, 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 Tel: 01993 861000

AGENDA

1. **Apologies for Absence**

To receive any apologies for absence from members of the Council.
The quorum for Council is 17 members.

2. **Declarations of Interest**

To receive any declarations of interest from members on any items to be considered at the meeting.

3. **Minutes of Previous Meeting (Pages 7 – 22)**

To approve the minutes of the previous meeting, held on Wednesday 24 July 2024.

4. **Receipt of Announcements**

To receive any announcements from the Chair, Vice-Chair, Leader of the Council, Members of the Executive, or the Chief Executive.

5. **Participation of the Public**

A member of the public, who is a registered elector in the District, may ask questions of the Chair of 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.

A member of the public is limited to asking one such question at any meeting of the Council, other than Annual Council. No more than one question can be asked on behalf of any organisation or body at any Council meeting.

Notice that the question is to be asked, together with a written copy of the question, must be provided to the Director of Governance, via email to democratic.services@westoxon.gov.uk, or by post, and is to be received no later than Noon on the seventh working day before the day of the meeting.

The response will be recorded and incorporated into the minutes of the meeting. Where the reply cannot conveniently be given verbally, a written response within 3 clear working days, will be given and will also be circulated to all Members of the Council.

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).

Written responses will be circulated to Members and published on the Council's website at least one working day prior to the meeting. A Member submitting a question is entitled to ask one supplementary question at the meeting which must arise directly from the question or the response to it.

The supplementary questions and answers will be detailed in the minutes of the meeting.

Question 1: Councillor Julian Cooper to Councillor Hugo Ashton, Executive Member for Planning:

Can the Executive Member for Planning please update the Council on the progress of the Motion passed by Uplands Area Planning Sub-Committee on 13 November 2023 concerning World Heritage Site buffer zones?

Question 2: Councillor Andrew Coles to Councillor Lidia Arciszewska, Executive Member for Environment:

In light of a few complaints I have received recently regarding the way this Council manages its trees; in particular the trees on the Deer Park estate in Witney which overhang onto properties in Windrush Valley Road in my ward, and also the woodland at Loom Lane near the Old Bathing Place, would the Executive Member be willing to see that this Council undertakes a review of the Tree Management Policy to ensure it is fit for purpose and meeting the needs of residents?

Question 3: Councillor Michele Mead to Councillor Duncan Enright, Deputy Leader of the Council and Executive Member for Economic Development:

Please can you update us on which Towns benefitted from the UK shared prosperity funding?

Question 4: Councillor Michele Mead to Councillor Alaric Smith, Executive Member for Finance:

Quarter one figures show this council is already £250k overspent £91k of this is from people not buying green waste licenses can I ask will you consider reducing the cost of the license next year?

7. Appointments Made under Delegated Authority

Purpose

To update Council on appointments on committees and sub-committees made by the Monitoring Officer under delegated authority (Constitution Part 5A, 2.4).

Since the previous meeting of Council:

Councillor Elizabeth Poskitt has replaced Councillor Joy Aitman on the Oxfordshire Joint Health Overview & Scrutiny Committee.

Councillor Julian Cooper has resigned from the Future Oxfordshire Partnership Scrutiny Panel – replacement Member TBC.

Recommendation

That Council resolves to:

- I. Note and ratify the appointment(s) made under delegated authority.

Reports from Officers

8. Recommendations from the Executive (Pages 23 – 26)

Purpose:

To agree recommendations made to Council by the Executive, from its meetings since 24 July 2024.

Recommendation:

The Executive Recommends that Council resolves to:

- I. Agree to include an additional £750,000 in the revised Capital Budget for 2024/25, as set out in 2.25 of the original Executive report.

9. Recommendations from Constitution Working Group (Pages 27 – 46)

Purpose:

To present Council with recommendations from arising from a meeting of the

Constitution Working Group, held on Friday 19 July 2024.

Recommendations:

That Council resolves to:

1. Adopt the Lawyers in Local Government (LLG)'s Members Planning Code of Good Practice, as an addition to Part 6 of the Council's Constitution, following appropriate revision by Officers;
2. Agree to extend the time period for Councillor Call-In from 21 days to 28 days (from the date of notification), to align with the time period for representations;
3. Agree to make the size of the Lowlands and Uplands Area Sub-Committees more flexible in Part 3C: Committee Functions:
 - The Uplands and Lowlands Sub-Committees must have a minimum of 10 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. This would also be kept under review in future;
4. Agree that instruction be given to private practice solicitors or suitable counsel to undertake legal work when considered necessary or appropriate;
5. Agree to include the Protocol for Recording at Public Meetings in Part 6 of the Council's Constitution.

10. **Appointment of Independent Persons (Pages 47 – 52)**

Purpose:

To appoint two appropriately skilled and experienced members of the public to be "independent members" of the Audit & Governance Committee.

Recommendation:

That Council resolves to:

1. Appoint Gemma Collings and Richard Deuttenburg to the Council's Audit & Governance Committee for a four-year term, commencing immediately.

Motions on Notice

11. **Motion A: Winter Fuel Payments – Proposed by Councillor Thomas Ashby, Seconded by Councillor Michele Mead**

This Council deplores the government's decision to cut Winter Fuel Payments (WFPs). Age UK estimates that the government's changes to WFPs could hit 2 million people across the country, who badly need the money to stay warm this winter.

This Council resolves to:

1. Request that the Executive considers a report from officers with proposals for launching a District awareness campaign working with our local NHS partners, and charitable, civic and religious groups, to encourage elderly residents who are eligible for means-tested benefits such as Pension Credit to register and claim them to ensure that they continue to receive WFPs this Winter;
2. Request that the Leader of the Council writes to the Chancellor of the Exchequer, urging a review of the government's precipitous decision to means-

test WFPs without public consultation and asking HM Treasury to ensure that vulnerable pensioners, particularly those who are eligible for, but who do not – or cannot – claim, other benefits under current thresholds are protected from fuel poverty.

(END)

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WEST OXFORDSHIRE DISTRICT COUNCIL

Minutes of a meeting of Council.

Held in the Council Chamber, Council Offices, Woodgreen, Witney, Oxfordshire OX28 1NB,
at 2.00pm on **Wednesday 24 July 2024.**

PRESENT

Councillors: Elizabeth Poskitt (Chair), Andrew Coles (Vice-Chair), Joy Aitman, Thomas Ashby, Hugo Ashton, Andrew Beaney, Michael Brooker, Adam Clements, David Cooper, Julian Cooper, Steve Cosier, Rachel Crouch, Jane Doughty, Genny Early, Duncan Enright, Roger Faulkner, Phil Godfrey, Andy Goodwin, Andy Graham, David Jackson, Nick Leverton, Dan Levy, Paul Marsh, Martin McBride, David Melvin, Rosie Pearson, Rizvana Poole, Andrew Prosser, Nigel Ridpath, Carl Rylett, Geoff Saul, Sandra Simpson, Ruth Smith, Tim Sumner, Sarah Veasey, Mark Walker, Adrian Walsh, Alex Wilson and Alistair Wray.

Officers: Giles Hughes (Chief Executive), Madhu Richards (Director of Finance), Andrea McCaskie (Director of Governance), Andrew Brown (Business Manager, Democratic Services), Anne Learmonth (Strategic Support Officer), Max Thompson (Senior Democratic Services Officer), Barry Clack (Communications Officer) and Maria Harper (Democratic Services Assistant).

CL.172 Apologies for Absence

Apologies for absence were received from Councillors Lidia Arciszewska, Natalie King, Liz Leffman, Andrew Lyon, Stuart McCarroll, Michele Mead, Ed James, Liam Walker, Rizvana Poole and Charlie Maynard.

CL.173 Declarations of Interest

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

The Chair advised that the Council had taken legal advice regarding agenda item 7 (Recommendations from the Executive, Resolutions 7 to 10 (Publica Transition Plan)), as to whether officers who were present at the meeting and employed by Publica, who were in scope for Phase I of the transition, would need to declare an interest and/or leave the room whilst the Executive considered the agenda item.

The Chair advised Council that Publica employees did not have an interest in the context of public law decision making, as they were not the decision maker, however there was a need to avoid the appearance of bias. The Chair stated that Publica employees, who were in scope for Phase I of the transition, would leave the room whilst Council considered the agenda item. Officers employed by Publica who would advise members in relation to the Publica transition, were permitted to remain in the room, as, in accordance with the viewpoint of the Council's Director of Governance, the need for members to receive answers to questions outweighed the appearance of bias.

CL.174 Minutes of Previous Meeting

The Chair asked for the previous minutes to be amended with the following corrections;

I. Receipt of Announcements;

The Chair also announced and gave a brief overview of their chosen charities for the 2024/25 municipal year, which were:

- The Friends of Oxfordshire Museum;

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2. Appendix A, Local Plan Working Group:

- Councillor Julian Cooper would replace Councillor Poskitt on the Local Plan working Group, the Annex would be updated to reflect this change.

The amendments were noted by Democratic Services.

Councillor Andy Graham, Leader of the Council, proposed that the minutes of the previous meeting of Council, held on Wednesday 22 May 2024, be agreed by Council as a true and accurate record and signed by the Chair of the Council. This was seconded by Councillor Duncan Enright, was put to a vote, and was unanimously agreed by Council.

Council **Resolved** to:

1. Agree the minutes of the previous meeting, held on Wednesday 22 May 2024 as a true and accurate record.

CL.175 Receipt of Announcements

The Chair announced the sad news of the passing of Democratic Services Officer Michelle Ouzman at the end of June 2024. The Chair and the Council's Democratic Services Team attended Michelle's memorial service. Michelle was not only a valued member of the Democratic Services team at West Oxfordshire District Council, but Michelle had also served in the Women's Royal Air Force (WRAF). Michelle had been involved with various projects including working on the statutes for D-Day remembrance service. A statue had been commissioned in remembrance for Michelle and would be placed at the WRAF headquarters. A moment of silence was observed by Council to remember Michelle.

The Chair congratulated Councillor Charlie Maynard on his election as Member of Parliament for Witney. The Chair thanked Robert Courts for his service and all his work as the previous Member of Parliament for Witney.

The Chair gave feedback on her visit to the Council at Woodstock, Ontario, Canada. The Chair gave an explanation of the structure of the Council and the city of Woodstock. The Chair had visited the old Town Hall which was built in the same style as the Town Hall in Woodstock, Oxfordshire.

The Chair thanked the Elections Team for all their hard work over the past months covering the Local District Elections, The Police and Crime Commissioner Elections and the Parliamentary General Election.

Councillor Andy Graham, The Leader of the Council announced that there were now 3 Members of Parliament covering the West Oxfordshire District Council area. The Leader would be meeting with the MPs and future quarterly meetings were planned to ensure issues would be passed up to Parliament.

The Leader confirmed that Councillor Hugo Ashton had taken the place of Councillor Charlie Maynard as the Executive Member for Planning.

Councillor Duncan Enright reported back on the successful completion of the first phase of the capital grants from the Shared Prosperity Fund to small businesses across West Oxfordshire. 77 grants had been awarded after due diligence. This would support local businesses and provide jobs locally. The grants were across all sectors and geographically were spread broadly across the district. In the coming weeks visits were planned to discuss what the grants were being used for, to talk with small businesses and local members would be

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involved with these visits. Councillor Enright asked members to respond to these invites when received.

Councillor Enright announced that a skills initiative has been launched with Abingdon and Witney College. Places would be available on courses for areas such as hospitality, tourism and social care. Places would be available to local residents who wish to gain skills and accreditation in these areas which would benefit the local economy.

Councillor Andrew Prosser, Executive Member for Climate Action and Nature Recovery, reported that the first meeting had been held for the Cap-zero Project which the Council was co-funding. In future a shift would be made from use of fossil fuels to electricity. The communities of Eynsham and surrounding villages had been involved and members would be able to get involved as well. The purpose was to find ways for energy and renewable energy to be balanced and West Oxfordshire District Council would be the first in the country to take on this project and Councillor Prosser would report back on the project's process over the coming months.

CL.176 Participation of the Public

There was no public participation at the meeting.

CL.177 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 if they wished and then invited the relevant Executive Members to respond.

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.178 Recommendations from the Executive

The Chair advised that the recommendations numbering 1 to 10 would be taken one by one and voted on individually.

1: Approve the addition of the capital programme for the landlord's fitout works (letting of unit at Marriot's Walk).

Councillor Andy Graham, The Leader of the Council referred to Councillor Enright, Executive Member for Economic Development, to present the recommendation. Councillor Enright confirmed the fitout for Marriott's Walk. Capital Works would continue to improve Marriott's walk as well as the whole of the town centre. One unit that had been unoccupied since the opening of Marriott's Walk would shortly be coming into use by a local business. Every unit was in use or subject to negotiation for a business to move in.

Councillor Andy Graham proposed that Council approve the addition of the capital programme for the landlord's fitout works (letting of unit at Marriot's Walk).

This was seconded by Councillor Duncan Enright, was put to a vote, and was unanimously agreed by Council.

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Council **Resolved** to:

1. Approve the addition of the capital programme for the landlord's fitout works (letting of unit at Marriot's Walk).

2: Delegate authority to the Planning Policy Manager to submit the CIL charging schedule for independent examination in accordance with the Community Infrastructure Levy Regulations 2010 (as amended) including any minor modifications, subject to there being no significant issues raised during the six-week consultation period (Community Infrastructure Levy (CIL) Draft Charging Schedule).

The Leader presented the recommendation reminding Members that the item had been long standing and dated back to 2015. The full proposal would go out to consultation in early autumn. The consultation period had been extended from four weeks to six weeks and would start mid-August and finish at the end of September to enable everyone to have an opportunity to put forward views. The proposal would result in parish councils having more of a say regarding infrastructure. Section 106 agreements would not be affected. Other councils had been consulted.

In the debate it was clarified that the portfolio holder would review the consultation responses with the Planning Policy Manager and would decide whether any issues raised were considered to be significant.

The Chief Executive confirmed that the consultation would be an opportunity to reflect community views. The funding gap analysis would be important when the proposal goes to examination and the Inspector would need to take a view on that, and the justification for imposing the CIL. The funding gap analysis would not affect the consultation and was a separate exercise.

Councillor Andy Graham proposed that Council delegate authority to the Planning Policy Manager to submit the CIL charging schedule for independent examination in accordance with the Community Infrastructure Levy Regulations 2010 (as amended) including any minor modifications, subject to there being no significant issues raised during the six-week consultation period (Community Infrastructure Levy (CIL) Draft Charging Schedule).

This was seconded by Councillor Duncan Enright, was put to a vote, and was unanimously agreed by Council.

Council **Resolved** to:

1. Delegate authority to the Planning Policy Manager to submit the CIL charging schedule for independent examination in accordance with the Community Infrastructure Levy Regulations 2010 (as amended) including any minor modifications, subject to there being no significant issues raised during the six-week consultation period (Community Infrastructure Levy (CIL) Draft Charging Schedule).

3 and 4: Carry forward the capital budget of £4,086,328 (Finance Performance Report 2023-24 Quarter Four) and approve the transfers to and between the Earmarked Reserves as detailed in the report (Financial Performance Report 2023-24 Quarter Four).

Councillor Alaric Smith, Executive Member for Finance, presented the report for the Finance Performance Report 2023-24 Quarter Four. The majority of the underspend was related to the investment recovery programme where no suitable viability projects were identified or compliant with the investment strategy. Other underspend was Carterton SPS project, replacement of waste vehicles and the end of agile working. There was a need to bring

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forward the capital budget. Councillor Alaric Smith presented the report for Earmarked Reserves and listed the reserves as set out in the report.

Councillor Andy Graham proposed that Council:

1. Carry forward the capital budget of £4,086,328 (Finance Performance Report 2023-24 Quarter Four);
2. Approve the transfers to and between the Earmarked Reserves as detailed in the report (Financial Performance Report 2023-24 Quarter Four).

This was seconded by Councillor Duncan Enright, was put to a vote, and was unanimously agreed by Council.

Council **Resolved** to:

1. Carry forward the capital budget of £4,086,328 (Finance Performance Report 2023-24 Quarter Four);
2. Approve the transfers to and between the Earmarked Reserves as detailed in the report (Financial Performance Report 2023-24 Quarter Four).

5: Agree to utilise Housing Reserves as set out in section 4 of the report (Our House Project Funding Extension 2024-26).

Councillor Geoff Saul, Executive Member for Housing and Social Care, presented the report and confirmed that the housing reserves would enable the extension of the Our House Project for another 2 years. The project supported homeless young people helping with education, employment and training and providing supported accommodation. There would be 3 shared houses with accommodation support for 11 young people. The Our House Project was launched in 2018 with Cottsway Housing Association and has been hugely successful. Since 2022 the project has been funded by housing reserves. The current reserves were available due to previous underspends.

Councillor Geoff Saul proposed that Council agree to utilise Housing Reserves as set out in section 4 of the report (Our House Project Funding Extension 2024-26).

This was seconded by Councillor Andy Graham, was put to a vote, and was unanimously agreed by Council.

Council **Resolved** to:

1. Agree to utilise Housing Reserves as set out in section 4 of the report (Our House Project Funding Extension 2024-26).

6: Note the appointments to outside bodies, as set out in Annex B (Outside Body Appointments).

The Leader, Councillor Andy Graham, asked the Members to note the appointments to outside bodies, as set out in Annex B (Outside Body Appointments). Councillor Graham gave thanks to all involved across the Chamber as well as Officers, who worked on numbers of representation for the appointments. This would enable a good working partnership with Outside Bodies. The Annex had been updated and was for noting by Council.

Councillor Andy Graham proposed that Council agree to note the Members the appointments to outside bodies, as set out in Annex B (Outside Body Appointments).

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This was seconded by Councillor Duncan Enright, was put to a vote, and was unanimously agreed by Council.

Council **Resolved** to:

1. Agree to note the Members the appointments to outside bodies, as set out in Annex B (Outside Body Appointments).

There was a pause in proceedings to allow Publica staff to leave the Chamber.

7, 8, 9 and 10: The Publica Transition Plan Phase 1.

The Leader, Councillor Andy Graham, presented 7, 8, 9 and 10 of the recommendations which covered the Publica Transition Plan, Phase 1. Councillor Graham thanked all officers for their hard work bringing together a phased approach to the Publica transition. The Plan had been presented through staff briefings, Overview and Scrutiny Committee, Executive and now was before Council. All three Councils had worked together on the plan. Phase 1 covered the teams that would be brought back into West Oxfordshire District Council from 1 November 2024, including up to 87 staff. Phase 2 would follow later and was not detailed in the report.

Members asked what services and staff roles would look like from 1 November as there was not a detailed structure plan. There would be staff consultations happening to enable staff to engage with the transition. This would give the opportunity for staff to be part of the structure process. Sensitivity had to be observed to give all staff support where needed. Clarification was given on the role Director of Place, to provide senior leadership for locally based services in West Oxfordshire.

Members asked whether Publica would provide the services as needed and would third parties be brought in to cover work if not. The roles of shared services with Publica would be part of Phase 2 of the transition and as issues arose, they would be dealt with.

The Leader of the Council gave reassurance that staff were being supported to enable a seamless transition and avoid any problems in the future.

Councillor Andy Graham proposed that Council;

1. Approve the implementation of Phase 1 of the Publica Transition on the basis of the Detailed Transition Plan (Publica Transition Plan).

This was seconded by Councillor Duncan Enright, was put to a vote, and was agreed by Council. 31 votes for, 0 against and 7 Abstentions.

Councillor Andy Graham then proposed that Council;

2. Delegate to the Chief Executive in consultation with the Leader of the Council the decision to deal with any final detail matters arising from the Detailed Transition Plan (Publica Transition Plan).
3. Delegate authority to the Director of Governance in liaison with the Leader to update the constitution by making any consequential changes required as a result of Phase 1 of the Detailed Transition Plan (Publica Transition Plan).
4. Carry out a budget re-basing for the 2026/27 financial year so that the funding provided to Publica is proportionate to the services received Plan (Publica Transition Plan).

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This was seconded by Councillor Duncan Enright, was put to a vote, and was agreed by Council.

Council **Resolved** to:

1. Approve the implementation of Phase I of the Publica Transition on the basis of the Detailed Transition Plan (Publica Transition Plan).
2. Delegate to the Chief Executive in consultation with the Leader of the Council the decision to deal with any final detail matters arising from the Detailed Transition Plan (Publica Transition Plan).
3. Delegate authority to the Director of Governance in liaison with the Leader to update the constitution by making any consequential changes required as a result of Phase I of the Detailed Transition Plan (Publica Transition Plan).
4. Carry out a budget re-basing for the 2026/27 financial year so that the funding provided to Publica is proportionate to the services received Plan (Publica Transition Plan).

There was a pause in proceedings to allow Publica staff to return to the Chamber.

CL.179 Recommendations from the Council's Committees

Councillor Mark Walker, Chair of the Licensing Committee, presented the Pavement Licensing Policy. The policy was introduced in 2020 to enable local businesses to continue trading safely during Covid. As part of the Levelling Up and Regeneration Act 2023 the licensing policy would become permanent. The policy would ensure safe provision for use of pavement spaces. The costs of administering the policy would be covered by fees of £185 for new applications and £150 for renewal of existing licenses. The licence would be valid for 2 years. Approval of the policy would encourage more trade and support for businesses in the district. Councillor Walker recommended the policy for approval.

Councillor Mark Walker proposed that Council:

1. Approve the draft Pavement Licencing Policy, subject to any further amendments;
2. Approve the new fees as detailed in paragraph 3.3 of the original report (Annex A).

This was seconded by Councillor Dave Jackson, was put to a vote, and was unanimously agreed by Council.

Council **Resolved** to:

1. Approve the draft Pavement Licencing Policy, subject to any further amendments;
2. Approve the new fees as detailed in paragraph 3.3 of the original report (Annex A).

CL.180 Results of Member Survey on Council Start Times

Councillor Andy Graham, Leader of the Council, presented the report on the survey for Council meeting start times. The responses had produced varied views and highlighted issues such as work commitments and covering childcare. The Leader proposed the next Council meeting start at 4.00pm on 25 September 2024.

The 4.00pm start would be on a trial basis. The Leader recommended the report be noted and the Council meeting on 25 September start at 4.00pm.

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The debate followed and raised the following points. There would always be views on start times due to personal commitments however timings for Council meeting could be reviewed as the proposed time was a trial time. A later start time for meeting would give officers and staff a longer prep time. Staff views had not been included in the survey as the decision was for Councillors to make.

The Leader proposed that Council note the content of the report, and agree the Council meeting on 25 September start at 4.00pm on a trial basis. This was seconded by Councillor Alaric Smith, was put to a vote, and was unanimously agreed by Council.

Council **Resolved** to:

1. Note the content of the report;
2. Agree the Council meeting on 25 September start at 4pm as a trial.

CL.181 Motion A: Council of Sanctuary - Proposed by Councillor Rachel Crouch

Councillor Rachel Crouch introduced the motion which sought the Council's commitment to join the Council of Sanctuary. Councillor Crouch gave a brief overview of the Council of Sanctuary and how joining would benefit the work done in the district for asylum seekers and refugees in the area. Councillor Crouch also thanked the officers for all their hard work supporting those seeking asylum and refuge within the local communities.

The debate followed and raised the following points. The Members complimented staff for all their hard work over many years supporting the community and to be part of the Council of Sanctuary would enable a wider network of support. It would also promote a welcome culture within the district.

Members asked that any documents included with future motions be circulated as the electronic links did not work.

Members commented on how the local residents had made positive contributions to refugees with the aim of making sure newcomers were welcomed and are integrated into the community.

Councillor Rachel Crouch proposed the motion be adopted by Council. Councillor Crouch stated her gratitude to all Members for their support of the Motion and the importance of working together on a vital issue. This was seconded by Councillor Jane Doughty, was put to a vote, 33 votes for, 3 abstentions and was agreed by Council.

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

This council acknowledges the dedication and achievements of the officer team in fulfilling the council's obligations towards people seeking sanctuary in West Oxfordshire. The Council has acted promptly and efficiently to deliver support and housing for those seeking sanctuary (asylum seekers, refugees, guests), including using the main funding rounds for:

- 6 families via the Syrian Vulnerable Person Resettlement Scheme since 2015;
- The Afghan resettlement scheme since 2021;
- Support for people from Ukraine, including the Homes for Ukraine scheme since 2022;
- The Local Authority Housing Fund to provide follow-on housing for Afghan and Ukrainian residents, since 2023.

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In many cases, particularly surrounding work with the Home Office and the residents of the Witney Four Pillars Hotel, council officers have worked in diligent new ways to ensure people seeking sanctuary receive the best welcome to Witney that could be offered.

This council pledges to learn from these experiences, from the local volunteers who work with our sanctuary seekers, and from sanctuary seekers themselves; and from organizations with even more experience, to develop into a district with a joined-up strategy and framework for welcoming people who seek sanctuary.

<https://docs.google.com/document/d/1WeT7xRyDnqGr27As0BUEg6Aghw9wsVLg/edit>

To do this, the Council resolves to:

- I. Request that the Executive considers proposals to follow the Awards Process for becoming a Council of Sanctuary and to:
<https://docs.google.com/documentd/1WeT7xRyDnqGr27As0BUEg6Aghw9wsVLg/edit>
 - I.
 - Commit to joining the City of Sanctuary Local Authority Network, and to work towards recognition as a 'Council of Sanctuary'. (Steps 1-2 and Criteria 1-2 of the Process).
 - Prepare and submit an application for recognition as a Council of Sanctuary, and to deliver its Strategy over the ensuing 3 years, working towards the next accreditation cycle. (Steps 6-9 and Criteria 3-7).
 2. Develop a Strategy for People Seeking Sanctuary. This will be achieved through discussion with local groups and local people seeking sanctuary; via a Steering Group of councillors, local groups and officers; to identify what WODC can do better to facilitate a well-thought-through level of welcome and service for those seeking sanctuary within the community. (Steps 3-5 and Criteria 3-7).

CL.182 Motion B: Community Governance Reviews - Proposed by Councillor Ruth Smith

Councillor Ruth Smith introduced the motion which sought the Council's commitment to adopt a policy for Community Governance Reviews. Councillor Smith asked for a minor change to the motion wording to "by the end of 2024/25". Councillor Smith gave a brief overview of the Community Governance Review and how adopting this review would benefit the districts towns and parishes. The review would ensure community involvement and a possible redrawing of boundaries.

The debate followed and raised the following points. Members felt that the district had experienced a large change due to new housing estates and a "bottom up" approach would form the basis of a review for towns and parishes.

The review should be approached in an evolving way and not a catch up way.

The review with the minor amendment 2024/25 would work with the ongoing District Boundary Review, Local Plan and the Publica Transition Plan.

Councillor Ruth Smith proposed the motion be adopted by Council. Councillor Smith thanked all Members for their support of the Motion and the importance of going forwards with the review. This was seconded by Councillor Andy Graham, The Leader, was put to a vote, and was unanimously agreed by Council.

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

New developments on the boundaries between towns and villages and between larger and smaller villages bring with them the question of what structure of town and parish governance would best reflect the identities and interests of the new residents and the newly-shaped communities.

A Community Governance Review gathers evidence and viewpoints from the communities involved and may result in 're-parishing'; the redrawing of parish boundaries; changes to the number of councillors, changes to ward boundaries, changes to the name or type/style of 'Parish' council, grouping or ungrouping parishes and even the creation of new councils.

West Oxfordshire District Council has not routinely conducted such reviews since the Local Government and Public Involvement in Health Act 2007.

Council resolves to adopt, by the end of 2024, a policy for Community Governance Reviews, based on recommendations to be brought to the Executive when officers have considered it, to include: -

- The expected interval between reviews, per parish and as a whole district;
- The size of proposed developments that should trigger a CGR for parishes;
- Other considerations in line with the Local Government and Public Involvement in Health Act 2007 and the joint guidance on community governance reviews published by the Communities and Local Government Department and LGBC [Local Government Boundary Commission].

Links:

The webpage for the Vale of White Horse Community Governance and Electoral Issues Committee

<https://democratic.whitehorsedc.gov.uk/mgCommitteeDetails.aspx?ID=542>

Examples of recent local CGRs and evidence of a policy for regular reviews (Vale says every 4 years);

- Vale: <https://www.whitehorsedc.gov.uk/community-governance-review/>
- Cherwell: <https://www.cherwell.gov.uk/info/11/elections/315/communitygovernance-review>
- Vale and South working together every 4 years: <https://www.whitehorsedc.gov.uk/democracy/have-your-say-on-proposedchanges-for-parishes-in-south-oxfordshire-and-the-vale-of-white-horse/>

A 2011 NALC roundup of lessons from CGRs.

<https://www.nalc.gov.uk/library/ourwork/create-a-council-resources/1357-community-governance-reviews-some-lessonsfrom-recent-practice/file>

Government Guidance on Community Governance Reviews (2010)

<https://www.lgbce.org.uk/sites/default/files/2023-03/community-governance-reviewguidance.pdf>

- I. To adopt, by the end of 2024/25, a policy for Community Governance Reviews, based on recommendations to be brought to the Executive when officers have considered it, to include: -

Council

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- The expected interval between reviews, per parish and as a whole district.
- The size of proposed developments that should trigger a CGR for parishes.
- Other considerations in line with the Local Government and Public Involvement in Health Act 2007 and the joint guidance on community governance reviews published by the Communities and Local Government Department and LGBC [Local Government Boundary Commission].

The meeting closed at 3.57pm.

CHAIR

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Questions by Members – Council – 24 July 2024

<u>Written Question</u>	<u>Written Answer</u>	<u>Verbal Supplementary Question</u>	<u>Verbal Supplementary Answer</u>
Q1. Councillor Thomas Ashby to Councillor Tim Sumner, Executive Member for Leisure and Major Projects:			
How many hirings have we received for the new Council Chamber yet?	We are currently working on the marketing plan to ensure we will be in the best position to maximise the use of the facility.	N/A	N/A
Q2. Councillor Thomas Ashby to Councillor Tim Sumner, Executive Member for Leisure and Major Projects:			
When will the plans be released for the new 3G Pitch in Witney?	A report regarding the new 3G pitch will be presented to the Executive on 11 September 2024.	N/A	N/A
Q3. Councillor Jane Doughty to Councillor Alaric Smith, Executive Member for Finance:			
What are the plans to fill the shops in Marriotts Walk?	The Council has appointed letting agents to market the available units who have live discussions with interested parties for all of the vacant units. The interest is from a mix of Local and National retail/ leisure operators' and announcements will be able to be made when the legal commitments with the tenants have been secured.	N/A	N/A
Q4. Councillor Adrian Walsh to Councillor Alaric Smith, Executive Member for Finance:			

<p>Will a structural survey be undertaken at Marriotts Walk to ensure the long-term viability of storing electric vehicles?</p>	<p>No immediate concern was raised regarding this on the Council's acquisition. Such a survey will be part of the Council's Asset Management strategy actions.</p>	<p>I'd like to ask if any measures have been put in place for the enhanced fire risk posed by electric vehicles, particularly the difficulty of putting them out?</p>	<p>I don't have an immediate response to that – We will provide a response. -- Written response to Councillor Walsh, sent on 5 August 2024: <i>“There has been recent Government Guidance regarding this matter and this will be taken into account in the next Fire Risk Assessment (FRA) due for the property later this year. Any recommendations from the FRA will be actioned.”</i></p>
<p>Q5. Councillor Thomas Ashby to Councillor Lidia Arciszewska, Executive Member for Environment:</p>			
<p>Our grass verges are in a desperate state, making West Oxfordshire look untidy and dangerous in visibility splays. What plans does the Council have in place to coordinate, Towns / Parishes, District and County?</p>	<p>The maintenance of highway grass verges is the responsibility of Oxfordshire County Council who are the Highway Authority. The maintenance of highway grass verges is the responsibility of Oxfordshire County Council who are the Highway Authority.</p>	<p>Will the new Oxfordshire Council's Charter guarantee to solve these issues?</p>	<p><i>(answered by Councillor Andy Graham – Leader of the Council):</i> Interesting Question. It's certainly something that they can't guarantee, but I certainly think it's a good forum in which those issues can be raised. But I kind of think it's important for us as a Council, to facilitate the options in order to actually get ahead of this particular issue that you've raised and that many people in the community have raised as well. So I can actually give you an assurance that officers and the lead member, are actually now working on a more collaborative approach that will actually be more effective than the current status quo, which really is ineffective and actually gives rise to the concerns that have been expressed, not only by you but by members of our community.</p>

Q6. Councillor Ed James to Councillor Alaric Smith, Executive Member for Finance:			
Since taking over Marriotts Walk, what has the return on investment been to the District Council?	The return on investment was positive when compared with the forecasted level for the 1st Year post acquisition.	N/A	N/A
Q7. Councillor Adrian Walsh to Councillor Andy Graham, Leader of the Council:			
Does the Leader support the new MPs view that Witney North's housing plans are moved to the land at Ducklington Farm?	I will be seeing the new MP for Witney next week and I will ask for his view.	We don't need to wait until next week to know what the MPs views are – They're clearly available in the public domain. What we want to know is what the Leader's view is.	That wasn't the question. I've given you the answer to the question, which was "Does the Leader support the new MPs view?", and that view is, as he's only been a MP for a few weeks, I'd be surprised if I'd have had chance to talk to him. But I have got a meeting with him, and therefore if it is his view, which is what the question alludes to, then I will actually give that view once I have spoken to him.
Q8. Councillor Nick Leverton to Councillor Andy Graham, Leader of the Council:			
How much money has the Council spent on planning appeals?	£91,575 in 2022/23 £273,653 in 2023/24	Bearing in mind that the money against budget is 3x higher than we thought it actually would be, and we still don't have a 5-Year Housing Land Supply, can you confirm that the budget for appeals in 2025/26 will be a suitable amount to	As I had no notice of the question, I'll make sure you get a written answer. -- Written response to Councillor Leverton, sent on 5 August 2024: <i>"The budget for planning appeals, in the 2025/26 budget cycle, will be part of the annual budget setting review process which takes place every autumn. The budget figure set will take into account the longer-term</i>

		cover what is clearly the cost of doing business?	<i>trends and the performance against budget in recent years.”</i>
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Q9. Councillor Alex Wilson to Councillor Andy Graham, Leader of the Council:

Can the Leader confirm that WODC will continue with bi-weekly bin collections?	There are no plans to not continue with the bi-weekly bin collections.	It was just a quick one to attain reassurance from the Leader that with the waste contract coming up for renewal, that even if an option was presented where it might go to three or four weekly, that it will remain bi-weekly.	When we have that discussion, we'll actually certainly be putting that in front of our remit, if you like, in terms of messaging and that the current view is it that bi-weekly actually works really well and we'd like to see that happen. But I think that we need to wait and see the outcome of those meetings to see if there's anything that would change that.
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 <p>WEST OXFORDSHIRE DISTRICT COUNCIL</p>	<p>WEST OXFORDSHIRE DISTRICT COUNCIL</p>
<p>Name and Date of Committee</p>	<p>COUNCIL – 25 SEPTEMBER 2024</p>
<p>Subject</p>	<p>RECOMMENDATIONS FROM EXECUTIVE TO COUNCIL</p>
<p>Wards Affected</p>	<p>All</p>
<p>Accountable Member</p>	<p>Councillor Andy Graham – Leader of the Council. Email: andy.graham@westoxon.gov.uk</p>
<p>Accountable Officer</p>	<p>Andrew Brown – Business Manager, Democratic Services. Email: andrew.brown@publicagroup.uk</p>
<p>Report Author</p>	<p>Max Thompson – Senior Democratic Services Officer. Email: max.thompson@westoxon.gov.uk</p>
<p>Purpose</p>	<p>To agree recommendations made to Council by the Executive, from its meetings since 24 July 2024.</p>
<p>Annexes</p>	<p>Annex A – Recommendations from Executive to Council.</p>
<p>Recommendation</p>	<p>The Executive Recommends that Council resolves to:</p> <ol style="list-style-type: none"> I. Agree to include an additional £750,000 in the revised Capital Budget for 2024/25, as set out in 2.25 of the original Executive report.
<p>Corporate Priorities</p>	<ul style="list-style-type: none"> • Working Together for West Oxfordshire
<p>Key Decision</p>	<p>NO</p>
<p>Exempt</p>	<p>NO</p>
<p>Consultees/ Consultation</p>	<p>Executive, Director of Governance, Democratic Services Business Manager.</p>

1. BACKGROUND

- 1.1 The Council is required to consider recommendations made to it by the Executive, from its meetings since 24 July 2024.

2. MAIN POINTS

- 2.1 The decisions recommended by the Executive, to be agreed to by Council, are detailed within Annex A with hyperlinks added to signpost Members and the public to the original decisions taken by the Executive, along with other related documentation.
- 2.2 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)

Annex A – Recommendations from Executive to Council.

<u>Date</u>	<u>Meeting</u>	<u>Recommendations</u>
11 September 2024	Executive	Financial Performance Report 2024-25 Quarter One. The Executive Resolved to recommend to Council to: I. Agree that an additional £750,000 should be included in the revised Capital Budget for 2024/25, as set out in 2.25 in the report.

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 <p>WEST OXFORDSHIRE DISTRICT COUNCIL</p>	<p>WEST OXFORDSHIRE DISTRICT COUNCIL</p>
<p>Name and Date of Committee</p>	<p>COUNCIL – 25 SEPTEMBER 2024</p>
<p>Subject</p>	<p>RECOMMENDATIONS FROM THE CONSTITUTION WORKING GROUP</p>
<p>Wards Affected</p>	<p>None</p>
<p>Accountable Member</p>	<p>Councillor Alaric Smith – Chair of the Constitution Working Group Email: alaric.smith@westoxon.gov.uk</p>
<p>Accountable Officer</p>	<p>Andrew Brown – Business Manager, Democratic Services Email: andrew.brown@publicagroup.uk</p>
<p>Report Author</p>	<p>Max Thompson – Senior Democratic Services Officer Email: max.thompson@westoxon.gov.uk</p>
<p>Purpose</p>	<p>To present Council with recommendations from arising from a meeting of the Constitution Working Group, held on Friday 19 July 2024.</p>
<p>Annexes</p>	<p>Annex A – LLG Members Planning Code of Good Practice Annex B – Protocol for Recording at Public Meetings</p>
<p>Recommendations</p>	<p>That Council resolves to:</p> <ol style="list-style-type: none"> 1. Adopt the Lawyers in Local Government (LLG)’s Members Planning Code of Good Practice, as an addition to Part 6 of the Council’s Constitution, following appropriate revision by Officers; 2. Agree to extend the time period for Councillor Call-In from 21 days to 28 days (from the date of notification), to align with the time period for representations; 3. Agree to make the size of the Lowlands and Uplands Area Sub-Committees more flexible in Part 3C: Committee Functions: <ul style="list-style-type: none"> - The Uplands and Lowlands Sub-Committees must have a minimum of 10 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

	<p>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. This would also be kept under review in future;</p> <ol style="list-style-type: none"> 4. Agree that instruction be given to private practice solicitors or suitable counsel to undertake legal work when considered necessary or appropriate; 5. Agree to include the Protocol for Recording at Public Meetings in Part 6 of the Council's Constitution.
Corporate Priorities	<ul style="list-style-type: none"> • Putting Residents First • Working Together for West Oxfordshire
Key Decision	NO
Exempt	NO
Consultees/ Consultation	Constitution Working Group.

1. EXECUTIVE SUMMARY AND BACKGROUND

- 1.1** This report recommends changes to the Council's Constitution, following a hybrid meeting of the Constitution Working Group held on 19 July 2024 when the Working Group considered a number of items on its work plan. Council is recommended to approve the recommendations made to it by the Constitution Working Group.
- 1.2** 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.
- 1.3** The Council has a legal duty to publish a constitution, which should be reviewed at least annually. The Council has an established, cross-party Constitution Working Group, which meets regularly and makes recommendations to Council regarding amendments to the Constitution, keeping it up to date with changes to legislation, governance practice and the wishes of the Council.

2. MEMBERS PLANNING CODE OF GOOD PRACTICE

- 2.1** The Constitution Working Group considered a report which would recommend to Council the adoption of a version of Lawyers in Local Government (LLG)'s Members Planning Code of Good Practice, as an addition to Part 6 (Codes and Protocols) of the Council's Constitution.
- 2.2** The first protocol was first published in 2003 then refreshed in 2007 and is a nationally recognised protocol that was originally prepared in response to a series of successful court challenges concerning local planning authorities and members' conduct or conflicts of interests. The drafting of the Code was subject to consultation and comment from a number of local authorities through the machinery of LLG as well as with the Local Government Ombudsman and from firms of solicitors or counsel.
- 2.3** The Constitution Working Group reiterated at their meeting the need for good practise and highlighted the proposals were of a reasonable nature.

3. PLANNING CALL-IN

- 3.1** The Constitution Working Group considered a report, which considered a recommendation from the Planning Advisory Service (PAS) that the period for councillor call-in is extended from 21 days to 28 days (from the date of notification), to align with the time period for representations (Part 4F: Functions in relation to Planning, PDM4).
- 3.2** The Working Group agreed that '21' would be removed from Part 4F: Functions in relation to Planning, PDM4, and replaced with '28' to read:

"To determine (with or without planning conditions or obligations) all planning applications and applications for Advertisement Consent, Listed Building Consent, Conservation Area Consent (as amended), Certificates of Lawfulness, Time Limit Extensions, Variation of

Conditions (S73) or Prior Approval under the General Permitted Development Order under delegated powers, with the following exceptions.

(a) Planning Applications which within ~~21~~ 28 days of the date of registration any District Councillor requests (in writing) that it be determined by the Committee/Sub-Committee, stating the planning reasons for such referral.”

- 3.3 The Constitution Working Group resolved to recommend to Council to extend the time period for Councillor Call-In from 21 days to 28 days (from the date of notification), to align with the time period for representations.

4. PLANNING SUB-COMMITTEE SIZES

- 4.1 The Development Control Committee, at its meeting of 22 May 2024, was unable to appoint the required minimum of 11 members to both planning Sub-Committees, based on the nominations received from political groups of the members appointed to the Development Control Committee.
- 4.2 The Development Control Committee resolved to request that the Constitution Working Group revisit the rule on the sizes of the planning sub-committees to enable additional flexibility to political groups. Officers advised that a sub-committee size of 10 members was considered to be acceptable. The Working Group suggested the sizes of Area-Planning Sub-Committees be kept under review, stating that future demographics could change.
- 4.3 The Constitution Working Group resolved to recommend to Council to make the size of the Lowlands and Uplands Area Sub-Committees more flexible in Part 3C: Committee Functions.
- 4.4 The Constitution Working Group resolved to recommend to Council that the Uplands and Lowlands Sub-Committees must have a minimum of 10 members (currently 11), 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. This would also be kept under review in future.

5. DELEGATION TO THE HEAD OF LEGAL SERVICES TO APPOINT COUNSEL

- 5.1 The Constitution Working Group agreed to recommend to Council that instruction be given to private practice solicitors or suitable counsel to undertake legal work when considered necessary or appropriate by the Head of Legal Services.
- 5.2 The Working Group agreed that ‘junior barristers’ would be removed from Part 4C: Functions in relation to Legal Services, #3, and replaced with ‘suitable counsel’ to read “*Authority to instruct private practice solicitors or suitable counsel to undertake legal work when considered necessary or appropriate.*”

6. PROTOCOL FOR RECORDING AT PUBLIC MEETINGS

- 6.1 The Constitution Working Group considered a report which requested Members consider minor amendments to the Protocol for Recording of Public Meetings for various reasons.
- 6.2 The proposed changes were shown in red text in the original document contained within the agenda reports pack for the Working Group meeting held on Friday 19 July 2024.
- 6.3 It was suggested to the Working Group that Members refer to the Communications Protocol, the Member Code of Conduct, and the Council's communications team regarding any social media use during meetings.
- 6.4 The Working Group agreed to recommend to Council that the Protocol for Recording at Public Meetings be included in Part 6 (Codes and Protocols) of the Council's Constitution.

7. ALTERNATIVE OPTIONS

- 7.1 Council may choose not to accept recommended updates to its Constitution. By doing this, there is a risk in ensuring that decision-making is efficient, transparent and accountable to local people. This course of action is not recommended.

8. FINANCIAL IMPLICATIONS

- 8.1 There are no financial implications arising from this report.

9. LEGAL IMPLICATIONS

- 9.1 There are no legal implications arising from this report.

10. RISK ASSESSMENT

- 10.1 By not regularly considering updates to the Council's Constitution, which sets out how the Council operates, how decisions are taken and the procedures which are followed, there is a risk to ensuring that decision-making is efficient, transparent and accountable to local people.

11. EQUALITIES IMPACT

- 11.1 There are no equality implications arising from this report.

12. CLIMATE AND ECOLOGICAL EMERGENCIES IMPLICATIONS

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

13. BACKGROUND PAPERS

None.

(END)

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The Members Planning Code of Good Practice

Background

The Members' Planning Code of Good Practice was originally prepared in response to a series of successful court challenges concerning local planning authorities and the members' conduct or conflicts of interests. It replaced what was a number of individual and sometimes haphazard approaches in individual councils at the time. The drafting of the Model Code was subject to consultation and comment from a number of local authorities through the machinery of LLG as well as with the Local Government Ombudsman and from firms of solicitors or counsel. LLG then worked with the Local Government Association to publish the Code as part of a suite of guidance.

The Model Planning Code and Protocol was first published in 2003, was refreshed in 2007. Following the Localism Act 2011's introduction of the new law on members' conduct, the clarification in the law on bias and predetermination in that Act and in the courts¹ and commentary from the Committee on Standards in Public Life in better defining the Nolan Principles, it was reviewed and updated in 2014.

In 2017, the UK Supreme Court stated that the Code and Protocol "*offers sound practical advice*"².

The Model Council Planning Code and Protocol has thus now become a central plank of the guidance used by local authorities to give their members and others advice and to direct the business of the planning decisions to ensure fairness and legality. Many councils have incorporated it into their constitutional documents and a number have turned its provisions into standing orders to provide binding rules of procedure. The ability to do this was confirmed by the Court of Appeal in 2023³.

As we approach ten years since that last update, we have looked again at the Code and Protocol for use by local authorities. In doing this we would wish to thank Bevan Brittan and in particular Philip McCourt, together with Sharon Bridglingsingh, Director of Law and Governance at Milton Keynes City Council.

This refresh will help in having clarified some of the points concerning consistency and reasoning in decision making and underscores the potential impact of social media interactions upon proceedings.

The successful operation of the planning system relies on mutual trust and understanding of Member and officer roles. It also relies on the important legal principle that a decision-maker

¹ R (Island Farm Development Ltd) v. Bridgend County BC [2006] EWHC 2189 (Admin), [2007] LGR 60, approved R (Lewis) v. Redcar & Cleveland BC [2008] EWCA Civ 746, [2009] 1 WLR 83

² Para 62, Dover District Council (Appellant) v CPRE Kent (Respondent) [2017] UKSC 79

³ The Spitalfields Historic Building Trust, R (On the Application Of) v London Borough of Tower Hamlets [2023] EWCA Civ 917

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must not only ask themselves the right question, but to obtain the relevant information to enable them to answer it correctly and to be able and willing to understand it and then take it properly into account when making their decision. All of this requires Members and their officers ensuring that they act in a way which that is fair and impartial and is clearly seen to be so.

In reproducing the Model Council Planning Code and Protocol in 2023, we are seeking to endorse and ensure that those principles continue to be upheld.

LLG January 2024



The Members Planning Code of Good Practice Revised for Adoption by West Oxfordshire District Council – Draft Version

Introduction

The aim of this code of good practice: to ensure that in the planning process there are no grounds for suggesting that a decision has been biased, partial or not well founded in any way.

One of the key purposes of the planning system is to regulate the development and use of land in the public interest. **Your role as a Member of the Planning Authority is** to make planning decisions openly, impartially, with sound judgement and for justifiable reasons whilst not being involved if you have an interest or have pre-determined matters. You are also a democratically accountable decision-taker who had been elected to provide and pursue policies. You are entitled to be predisposed to make planning decisions in accordance with your political views and policies, as opposed to having pre-determined matters, **provided** that you have considered all material considerations and have given fair consideration to relevant points raised.

When the Code of Good Practice applies: this code applies to Members at all times when involving themselves in the planning process. (This includes when taking part in the decision making meetings of the Council in exercising the functions of the Planning Authority or when involved on less formal occasions, such as meetings with officers or the public and consultative meetings). It applies as equally to planning enforcement matters or site specific policy issues as it does to planning applications.

If you have any doubts about the application of this Code to your own circumstances you should seek advice early, from the Monitoring Officer or their staff, and preferably well before any meeting takes place.

1. Relationship to the Members' Code of Conduct

- **Do** apply the rules in the Authority's Code of Conduct first, which must be always be complied with. This is both the rules on disclosable pecuniary interests (and other interests included in the Authority's Code) and the general rules giving effect to the seven principles of public life: selflessness, integrity, objectivity, accountability, openness, honesty and leadership.
- **Do** then apply the rules in this Members' Planning Code, which seek to explain and supplement the Members' Code of Conduct for the purposes of planning and development control. If you do not abide by this Members' Planning Code, you may put:
 - the Council at risk of proceedings on the legality or maladministration of the related decision; and

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- yourself at risk of either being named in a report made to the Standards Sub-Committee or Council or, if the failure is also likely to be a breach of the Localism Act 2011, a complaint being made to the police to consider criminal proceedings.
- **Do** be aware that, like the Authority's Code of Conduct, this Planning Code is a reflection and summary of the law on decision making and not a direct replication of it. If in doubt, seek the advice of your monitoring officer or their staff advising at the meeting.

2. Development Proposals and Interests under the Members' Code

- **Do** disclose the existence and nature of your interest as required by your members Code of Conduct.
- **Do take into account when approaching a decision that** the Principle of integrity is defined, by the Committee on Standards in Public Life in 2013, in terms that "*Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships*". It is therefore advisable that you:
 - **Don't** seek or accept any preferential treatment, or place yourself in a position that could lead the public to think you are receiving preferential treatment, because of your position as a councillor. This would include, where you have a disclosable or other personal conflict of interest in a proposal, using your position to discuss that proposal with officers or Members when other members of the public would not have the same opportunity to do so.
 - **Do** note that you are not prevented from seeking to explain and justify a proposal in which you may have a conflict of interest to an appropriate officer, in person or in writing, but that the Members' Code of Conduct places additional limitations on you in representing that proposal
 - **Do** notify the Monitoring Officer in writing where it is clear to you that you have a disclosable pecuniary interest or other personal conflict of interest and note that:
 - you should send the notification no later than submission of that application where you can;
 - the proposal will always be reported to the Committee as a main item and not dealt with by officers under delegated powers;
 - you must not get involved in the processing of the application; and
 - it is advisable that you employ an agent to act on your behalf in respect of the proposal when dealing with officers and in public speaking at Committee.

3. Fettering Discretion in the Planning Process

(natural justice, predisposition and predetermination)

- **Don't** fetter your discretion and therefore your ability to participate in planning decision making at this Council by approaching the decision with a closed mind. Fettering your discretion in this way and taking part in the decision will put the Council at risk of a finding

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of maladministration and of legal proceedings on the grounds of bias, pre-determination or a failure to take into account all of the factors enabling the proposal to be considered on its merits.

- **Do** be aware that in your role as an elected Member you are entitled, and are often expected, to have expressed views on planning issues and that these comments have an added measure of protection under the law. Your prior observations, apparent favouring or objections in respect of a particular outcome will not on their own normally suffice to make a decision unlawful and have it quashed, but you must never come to make a decision with a closed mind.
- **Do** keep at the front of your mind that, when you come to make the decision, you
 - must keep an open mind and hear all of the evidence before you, both the officers' presentation of the facts and their advice and the arguments from all sides;
 - are not required to cast aside views on planning policy you held when seeking election or when otherwise acting as a Member, in giving fair consideration to points raised;
 - are only entitled to take account a material consideration and must disregard considerations irrelevant to the question and legal context at hand; and
 - are to come to a decision after giving what you feel is the right weight to those material considerations.
- **Do** be aware that you can be biased where the Council is the landowner, developer or applicant and you have acted as, or could be perceived as being, a chief advocate for the proposal. (This is more than a matter of membership of both the proposing and planning determination committees, but that through your significant personal involvement in preparing or advocating the proposal you will be, or perceived by the public as being, no longer able to act impartially or to determine the proposal purely on its planning merits.)
- **Do** consider yourself able to take part in the debate on a proposal when acting as part of a consultee body (where you are also a member of the parish council, for example, or both a district/borough and county councillor), provided:
 - the proposal does not substantially effect the well being or financial standing of the consultee body;
 - you make it clear to the consultee body that:
 - your views are expressed on the limited information before you only;
 - you must reserve judgement and the independence to make up your own mind on each separate proposal, based on your overriding duty to the whole community and not just to the people in that area, ward or parish, as and when it comes before the Committee and you hear all of the relevant information; and
 - you will not in any way commit yourself as to how you or others may vote when the proposal comes before the Committee.
- **Do** explain that you do not intend to speak and vote as a member of the Committee because you will be perceived as having judged (or you reserve the right to judge) the matter elsewhere, so that this may be recorded in the minutes.

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- **Do** take the opportunity to exercise your separate speaking rights as a Ward/Local Member (*where this is granted by the authority's standing orders*) where you have represented your views or those of local electors and fettered your discretion, but do not have a disclosable or other personal conflict of interest. Where you do:
 - advise the proper officer that you wish to speak in this capacity before commencement of the item;
 - remove yourself from the seating area for members of the Committee for the duration of that item; and
 - ensure that your actions are recorded in accordance with the Authority's committee procedures.

4. Contact with Applicants, Developers and Objectors

- **Do** refer those who approach you for planning, procedural or technical advice to officers.
- **Don't** agree to any formal meeting with applicants, developers or groups of objectors where you can avoid it. Where you feel that a formal meeting would be useful in clarifying the issues, you should seek to arrange that meeting yourself through a request to the Development Manager to organise it. The officer(s) will then ensure that those present at the meeting are advised from the start that the discussions will not bind the authority to any particular course of action, that the meeting is properly recorded on the application file and the record of the meeting is disclosed when the application is considered by the Committee.
- **Do** otherwise:
 - follow the rules on lobbying;
 - consider whether or not it would be prudent in the circumstances to make notes when contacted; and
 - report to the Development Manager any significant contact with the applicant and other parties, explaining the nature and purpose of the contacts and your involvement in them, and ensure that this is recorded on the planning file.

In addition in respect of presentations by applicants/developers:

- **Don't** attend a planning presentation without requesting an officer to be present.
- **Do** ask relevant questions for the purposes of clarifying your understanding of the proposals.
- **Do** remember that the presentation is not part of the formal process of debate and determination of any subsequent application, this will be carried out by the appropriate Committee of the planning authority.
- **Do** be aware that a presentation is a form of lobbying and, whilst you may express any view on the merits or otherwise of the proposal presented, you should never state how you or other Members would intend to vote at a committee.



5. Lobbying of Councillors

- **Do** explain to those lobbying or attempting to lobby you that, whilst you can listen to what is said, it may subsequently prejudice your impartiality, and therefore your ability to participate in the Committee's decision making, to express an intention to vote one way or another or such a firm point of view that it amounts to the same thing.
- **Do** remember that your overriding duty is to the whole community not just to the people in your ward and, taking account of the need to make decisions impartially, that you should not improperly favour, or appear to improperly favour, any person, company, group or locality.
- **Don't** accept gifts or hospitality from any person involved in or affected by a planning proposal. If a degree of hospitality is entirely unavoidable, ensure it is of a minimum, its acceptance is declared as soon as possible, including its addition to your register of interests where relevant.
- **Do** copy or pass on any lobbying correspondence you receive to the Development Manager] at the earliest opportunity.
- **Do** promptly refer to the Development Manager any offers made to you of planning gain or constraint of development, through a proposed s.106 Planning Obligation or otherwise.
- **Do** inform the Monitoring Officer where you feel you have been exposed to undue or excessive lobbying or approaches (including inappropriate offers of gifts or hospitality), who will in turn advise the appropriate officers to follow the matter up.
- **Do** note that, unless you have a disclosable or overriding other personal conflict of interest, you will not have fettered your discretion or breached this Planning Code through:
 - listening or receiving viewpoints from residents or other interested parties;
 - making comments to residents, interested parties, other Members or appropriate officers (making clear that you must keep an open mind);
 - seeking information through appropriate channels; or
 - being a vehicle for the expression of opinion of others in your role as a Ward Member.

6. Lobbying by Councillors

- **Don't** become a member of, lead or represent an organisation whose primary purpose is to lobby to promote or oppose planning proposals. If you do, you will be seen to have fettered your discretion on the grounds of bias.
- **Do** join general interest groups which reflect your areas of interest and which concentrate on issues beyond particular planning proposals, such as the Victorian Society, CPRE, Ramblers Association or a local civic society, but you should normally disclose that interest on the grounds of transparency where the organisation has made representations on a particular proposal and make it clear to that organisation and the Committee that you have reserved judgement and the independence to make up your own mind on each separate proposal



- **Don't** excessively lobby fellow councillors regarding your concerns or views nor attempt to persuade them that they should decide how to vote in advance of the meeting at which any planning decision is to be taken
- **Do** be aware of the power of social media posts or re-posting and be careful to not to give the impression that you will definitively vote in a certain way or act with a closed mind if you intend to participate in the decision making on behalf of the authority.
- **Don't** decide or discuss how to vote on any application at any sort of political group meeting, or lobby any other Member to do so. Political Group Meetings should never dictate how Members should vote on a planning issue.

7. Site Visits/Inspections

- **Do** try to attend site visits organised by the Council where possible.
- **Don't** request a site visit unless you feel it is strictly necessary because:
 - particular site factors are significant in terms of the weight attached to them relative to other factors or the difficulty of their assessment in the absence of a site inspection; or
 - there are significant policy or precedent implications and specific site factors need to be carefully addressed.
- **Do** ensure that you report back to the Committee any information gained from the site visit that you feel would benefit all Members of the Committee
- **Do** ensure that you treat the site visit only as an opportunity to seek information and to observe the site.
- **Do** ask the officers at the site visit questions or seek clarification from them on matters which are relevant to the site inspection.
- **Don't** hear representations from any other party. Where you are approached by the applicant or a third party, advise them that they should make representations in writing to the authority and direct them to or inform the officer present.
- **Don't** express opinions or views.
- **Don't** enter a site which is subject to a proposal other than as part of an official site visit, even in response to an invitation, as this may give the impression of bias unless:
 - you feel it is essential for you to visit the site other than through attending the official site visit,
 - you have first spoken to the Development Manager about your intention to do so and why (which will be recorded on the file) and
 - you can ensure you will comply with these good practice rules on site visits.

8. Public Speaking at Meetings

- **Don't** allow members of the public to communicate with you during the Committee's proceedings (orally, in writing or by social media) other than through the scheme for public speaking or through the Chair, as this may give the appearance of bias.

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- **Don't** participate in social media or exchanges by texting as a member of the committee during the committee's proceedings as this may give the impression of undue external influence and may give the appearance of bias.
- **Do** ensure that you comply with the Council's procedures in respect of public speaking.

9. Officers

- **Don't** put pressure on officers to put forward a particular recommendation. (This does not prevent you from asking questions or submitting views to the Development Manager, which may be incorporated into any committee report).
- **Do** recognise that officers are part of a management structure and only discuss a proposal, outside of any arranged meeting, with the Development Manager or those officers who are authorised by them to deal with the proposal at a Member level.
- **Do** recognise and respect that officers involved in the processing and determination of planning matters must act in accordance with the Council's Code of Conduct for Officers and their professional codes of conduct, primarily the Royal Town Planning Institute's Code of Professional Conduct. As a result, planning officers' views, opinions and recommendations will be presented on the basis of their overriding obligation of professional independence, which may on occasion be at odds with the views, opinions or decisions of the Committee or its Members.

10. Decision Making

- **Do** ensure that, if you request a proposal to go before the Committee rather than be determined through officer delegation, that your planning reasons are recorded and repeated in the report to the Committee.
- **Do** come to meetings with an open mind and demonstrate that you are open-minded having fully read the papers in advance of the meeting.
- **Do** comply with section 38(6) of the Planning and Compulsory Purchase Act 2004 and make decisions in accordance with the Development Plan unless material considerations indicate otherwise.
- **Do** come to your decision only after due consideration of all of the information reasonably required upon which to base a decision. If you feel there is insufficient time to digest new information or that there is simply insufficient information before you, request that further information. If necessary, defer or refuse.
- **Don't** vote or take part in the meeting's discussion on a proposal unless you have been present to hear the entire debate, including the officers' introduction to the matter. (Where a matter is deferred and its consideration recommences at a subsequent meeting, only Members who were present at the previous meeting will be able to vote. If this renders the Committee inquorate then the item will have to be considered afresh and this would include public speaking rights being triggered again).
- **Do** have recorded the reasons for Committee's decision to defer any proposal.

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- **Do** make sure that if you are proposing, seconding or supporting a decision contrary to officer recommendations or the development plan that you clearly identify and understand the planning reasons leading to this conclusion/decision. These reasons must be given prior to the vote and be recorded (it will help to take advice from officers when and where necessary to do this and, if there are no indications allowing you to do this in advance of the meeting, it may be helpful to request a short adjournment for these purposes to seek advice on the best grounds to consider an overturn). Be aware that you may have to justify the resulting decision by giving evidence in the event of any challenge.
Do remember that meetings are live streamed and recorded.

11. Training

- **Don't** participate in decision making at meetings dealing with planning matters if you have not attended the mandatory planning training prescribed by the Council.
- **Do** endeavour to attend any other specialised training sessions provided, since these will be designed to extend your knowledge of planning law, regulations, procedures, Codes of Practice and the Development Plans beyond the minimum referred to above and thus assist you in carrying out your role properly and effectively.
- **Do** participate in the annual review of a sample of planning decisions to ensure that Members' judgements have been based on proper planning considerations.

LLG January 2024

Acknowledgements

LLG would like to thank Philip McCourt, Legal Director at Bevan Brittan.

Bevan Brittan 

LLG would like to thank Sharon Bridglalsingh, Director of Law and Governance at Milton Keynes City Council.



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PROTOCOL FOR RECORDING AT PUBLIC MEETINGS

The Council records its own meetings which are held in public. Live streams and recordings of meetings are available to view of the Council's website.

Members of the public also have a right to record meetings held in public. This includes filming, audio recording, photographs and the use of social media and the internet at meetings.

There is no requirement to notify the Council if you intend to record a public Council meeting but, as a matter of courtesy and in the interests avoiding disruption, members of the public and the press are requested to tell ~~the Committee Officer named on the meeting agenda~~ a Democratic Services Officer or the Chair of the meeting of their intentions.

It should be noted that the Chair~~man~~ of the meeting has absolute discretion to suspend or terminate any activities that, in his or her opinion, are disruptive.

In order to avoid disruption those recording, and in particular those filming the meeting, will be required to do so from one fixed point. An individual "roaming" around the meeting room will inevitably be disruptive and will not be tolerated.

A notice is placed outside and inside each meeting room advising members of the public that the meeting may be recorded in order that they may make an informed decision as to whether or not to attend. The statutory right to record the meeting overrides any individual objection to being recorded.

The Council asks those recording the meeting:


- Not to edit the recording in a way that could lead to misinterpretation of the proceedings. This includes not editing an image or views expressed in a way that may ridicule or show a lack of respect towards those being recorded.
- To avoid recording members of the public present unless they are addressing the meeting.

Those intending to use large equipment, or wishing to discuss any special requirements are advised to contact ~~Committee Democratic~~ Services (email: enquiries@westoxon.gov.uk; telephone 01993 861000~~523~~) in advance of the meeting to seek advice and guidance. The use of flash photography or additional lighting will not be allowed unless it has been agreed in advance and can be done without disrupting the meeting.

At the beginning of each meeting, the Chair~~man~~ will ask if anyone intends to record proceedings and announce that the meeting is to be recorded should a notification have been received in advance.

~~Keith Butler, Monitoring Officer~~

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 WEST OXFORDSHIRE DISTRICT COUNCIL	WEST OXFORDSHIRE DISTRICT COUNCIL
Name and date of Committee	FULL COUNCIL - 25 SEPTEMBER 2024
Subject	APPOINTMENT OF INDEPENDENT MEMBERS TO THE AUDIT & GOVERNANCE COMMITTEE
Wards affected	ALL
Accountable member(s)	Cllr Carl Rylett – Chair, Audit & Governance Committee Email: carl.rylett@westoxon.gov.uk
Accountable officer(s)	Andrea McCaskie, Director of Governance, Monitoring Officer Tel: 01993 861294; Email: andrea.mccaskie@westoxon.gov.uk
Report Author(s)	Andrea McCaskie, Director of Governance, Monitoring Officer Tel: 01993 861294; Email: andrea.mccaskie@westoxon.gov.uk Andrew Brown, Business Manager for Democratic Services Tel: 01993 861634; Email: democratic.services@westoxon.gov.uk
Summary/Purpose	To appoint two appropriately skilled and experienced members of the public to be “independent members” of the Audit & Governance Committee.
Annexes	None
Recommendation/s	The Council resolves to: I. Appoint Gemma Collings and Richard Deuttenburg to the Council’s Audit & Governance Committee for a four-year term, commencing immediately.
Corporate priorities	Working Together for West Oxfordshire
Key Decision	No
Exempt	No
Consultees/ Consultation	Head of Legal Services Business Manager – Democratic Services Head of Internal Audit

	S151 Officer Chief Executive.
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I. BACKGROUND

I.1 Suitably qualified and experienced Independent Member(s) serving on Audit and Governance Committees can bring specialist knowledge and insight to the workings and deliberations of the Committee which, when partnered with elected Members' knowledge of working practices and procedures, ensure:

- An effective independent assurance of the adequacy of the risk management framework.
- Independent review of the Authority's financial and non-financial performance.
- Independent challenge to and assurance over the Authority's internal control framework and wider governance processes.
- Oversight of the financial reporting process.

I.2 The Chartered Institute of Finance & Accountancy (CIPFA) recommend in their publication, "Audit Committees – Practical Guidance for Local Authorities & Police" (2022) the following:

I.3 *"Including co-opted independent members (also known as lay members). A co-opted independent or lay member is a committee member who is not an elected representative but recruited to join the committee. The objective of including such members is to increase the knowledge and experience base of the committee, reinforcing its independence. Inclusion of lay members is a legislative requirement for authorities in Wales and for combined authorities in England"*.

I.4 The reasons for CIPFA's recommendation are as follows:

- *"To supplement the knowledge and experience of elected representatives in specific areas, such as audit or financial reporting.*
- *To provide continuity outside the political cycle. This is of particular importance where membership of the committee changes annually or because of elections*
- *To help achieve a non-political focus on governance, risk and control matters.*
- *Having two co-opted members rather than one will allow recruitment of members with different but complementary knowledge and experience, increase the resilience and continuity of the committee.*

Two co-opted members shows a commitment to supporting and investing in the committee.

While including co-opted members can bring real value to the committee, care is needed to ensure that the arrangement works well, both for the co-opted member and for the other committee members. It is essential that the co-opted member receives an adequate induction and ongoing support to provide organisational context and to build working relationships".

I.5 On Tuesday 19 March 2024, the Audit and Governance Committee considered a report which provided a summary of the findings, conclusions and responses from an Audit and Governance Committee self-assessment exercise based on the Chartered Institute of Public Finance and Accountancy (CIPFA) toolkit. The report outlined

how eleven Members of the Audit and Governance Committee had completed a survey, along with three non-Audit and Governance Committee Members. The key areas in the survey included organisational knowledge, Audit and Governance Committee role and functions, governance, internal audit, financial management and reporting, external audit, risk management, counter fraud, values of good governance and treasury management.

1.6 One of the questions in the survey was as follows:

CIPFA recommends that Independent Members (not Councillors) who have knowledge and experience of Audit are introduced to the Audit and Governance Committee? What is your view on this?

1.7 Of the 14 responses to this question, 13 of the respondents supported the introduction of Independent Members to the Committee. The Audit and Governance Committee agreed to recommend to Council that up to 2 Independent Members (not Councillors) be recruited to the Audit and Governance Committee. This recommendation was agreed by full Council at its annual meeting on 22 May 2024.

1.8 Full Council, at its meeting on 22 May 2024, approved a recommendation from the Audit and Governance Committee to commence the recruitment of up to two Independent (non-elected) Members of Audit & Governance Committee, an associated recruitment campaign pack, and an allowance of £75 for up to 4 hours and £150 for more than 4 hours being entitled to travel and subsistence.

2. RECRUITMENT

2.1 The role was advertised on the normal platforms and social media channels with a positive response resulting in ten applications across two recruitment campaigns (the first recruitment campaign was unsuccessful). The interview panel comprised the Director of Governance, the Head of Internal Audit and the Democratic Services Business Manager. Following a robust selection and interview process, two candidates – Gemma Collings and Richard Deuttenburg - demonstrated that they met all of the requirements of the person specification for the role and will bring appropriate expertise to the Committee. Therefore, Gemma Collings and Richard Deuttenburg are recommended for appointment.

2.2 Gemma Collings is Head of Finance and Business Support for an independent marketing agency.

2.3 Richard Deuttenburg is a Chief Risk and Compliance Officer working for the main service provider of a major international alliance.

2.4 Both candidates recommended for appointment live outside of the West Oxfordshire district area but within a reasonable travelling distance of the Council offices in Witney.

3. ALTERNATIVE OPTIONS

3.1 Council could decide not to proceed with the recommended appointments but this option is not recommended given that Council has previously agreed to recruit two Independent Members and the candidates have met all of the requirements.

4. FINANCIAL IMPLICATIONS

4.1 The Members' Allowances Scheme 2023/24 provides that co-opted members of committees may claim a co-optees' allowance of £75 for up to four hours and £150 for more than four hours but less than 24 hours, in respect of attendance at any meeting of the committee, or at a conference or training event, where attendance is authorised by the Council.

4.2 Co-opted members of committees are also entitled to travel and subsistence allowances on the same basis as councillors.

4.3 Any such costs will be funded by the budget for members' allowances.

4.4 There will be a mid-term review of the Members' Allowances Scheme in late 2024 and any changes to the Scheme will be considered by the Independent Remuneration Panel and recommended to full Council in early 2025.

5. LEGAL IMPLICATIONS

5.1 The Council's Audit and Governance Committee is defined by the Local Government Act 2000 and its purpose is to give assurance to elected members and the public about the governance, financial reporting and performance of the Council. The appointment of Independent Members on the Committee is not a legal requirement but is considered to be good practice and will assist and promote good governance.

6. RISK IMPLICATIONS

6.1 The Audit and Governance Committee has a role in overseeing the Council's internal controls and risk management arrangements. The appointment of Independent Members is intended to strengthen the expertise and skills of the Committee.

6.2 If the Council chose not to appoint one or more Independent Members to the Audit and Governance Committee there is a risk that the Committee would not operate in accordance with good practice.

7. EQUALITIES IMPACT

7.1 Equalities issues were taken into account as part of the recruitment and selection exercise. Council is advised to have due regard to equalities issues when making appointments.

8. CLIMATE AND ECOLOGICAL EMERGENCIES IMPLICATIONS

8.1 There will be a requirement for the two Independent Members to travel to meetings of the Audit and Governance Committee. However, any emissions associated with this travel are likely to be more than offset by the recent reduction in the size of the Committee from 17 to 11 Councillors.

9. BACKGROUND PAPERS

None.

(END)