

WEST OXFORDSHIRE DISTRICT COUNCIL

Minutes of the meeting of the Council

Held in the Council Chamber, Council Offices, Woodgreen, Witney, Oxfordshire OX28 1NB
at 2.00 pm on **Wednesday, 27 November 2024**

PRESENT

Councillors: Elizabeth Poskitt (Chair), Andrew Coles (Vice-Chair), Joy Aitman, Lidia Arciszewska, Thomas Ashby, Hugo Ashton, Mike Baggaley, Andrew Beaney, Adam Clements, Julian Cooper, Steve Cosier, Rachel Crouch, Jane Doughty, Genny Early, Duncan Enright, Roger Faulkner, Phil Godfrey, Andy Goodwin, Andy Graham, David Jackson, Edward James, Liz Leffman, Nick Leverton, Dan Levy, Andrew Lyon, Paul Marsh, Stuart McCarroll, Michele Mead, David Melvin, Rosie Pearson, 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

Officers: Giles Hughes (Chief Executive Officer), Andrew Brown (Head of Democratic and Electoral Services), Madhu Richards (Director of Finance), Christine Elsasser (Interim Democratic Services Officer), Andrea McCaskie (Director of Governance), Anne Learmonth (Democratic Services Officer), Maria Harper (Democratic Services Assistant) and Ana Prelici (Senior Democratic Services Officer)

CL.194 Apologies for Absence

Apologies for absence were received from Councillors Michael Brooker, David Cooper, Natalie King, Charlie Maynard, and Martin McBride.

Councillor Michele Mead left the meeting at the end of item 13.

Councillor Julian Cooper left the meeting at the end of item 13.

CL.195 Declarations of Interest

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

The Chair advised that in relation to Item 16 on the agenda, there was an exempt report relating to the salaries and terms and conditions of the Council's Chief Officers. Those Officers would leave the room for the duration of that item.

CL.196 Minutes of Previous Meeting

The Chair requested a minor amendment relating to the Chair's Reception held at Woodgreen.

Councillor Andy Graham, Leader of the Council, proposed that the minutes of the previous meeting of Council, held on Wednesday 25 September 2024, be agreed by Council as a true and accurate record and signed by the Chair of the Council subject to the minor amendment. This was seconded by Councillor Duncan Enright and was put to a vote.

There were 42 votes for, 0 votes against and 2 abstentions. The vote was carried.

Council resolved to:

- I. Agree the minutes of the previous meeting, held on Wednesday 25 September 2024 as a true and accurate record.

CL.197 Receipt of Announcements

Councillor Elizabeth Poskitt, the Chair of the Council, welcomed Members and Officers to the meeting. The Chair gave an update of their engagements since the last meeting of Council in September 2024 and also announced the following upcoming events:

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- There would be an event in aid of the Mayor's charities on 31 January 2025 at Woodstock Town Hall and more information would follow.
- Thanks were given to those who had bought cake and jam with the proceeds being donated to charity.
- There was a Christmas staff event on the morning of 16 December at 10am -11am in the Committee Rooms downstairs at the Woodgreen Council Offices.
- Congratulations were given to the newly elected Councillor Mike Baggaley for Chipping Norton.

Councillor Andy Graham, the Leader announced the following:

- Various work was being carried out in regard to the winter fuel payment uplift program which was using data to target people at risk of crisis. The Council had communicated to residents about the support available, encouraging people to sign up to pension credit. The Executive Member for Stronger Healthy Communities would continue to work on this.
- The Council had received Innovation Funding to increase participation and digital consultation for complex planning consultations. Officers were thanked for their work on the project. Members would be trained on how to use the platform.
- The West Oxfordshire District Council Voice had been circulated at a cost of 60 pence per copy. After a request from Councillor Ashby, The Leader confirmed he would ensure that the communications team would circulate electronic copies to Councillors and Town and Parish Councils.
- The flooding impact was far worse than forecast by Environment Agency (EA) and the Met Office. The Council's teams had responded to the situation quickly, carrying out door knocking on Monday evening. Officers at Ubico, within the flood management and emergency management teams, were thanked for their work.
- The Chair added her sympathies to those who would be out of their homes due to the flooding.
- In response to a query from a member, the Leader confirmed that it was an immediate priority to check sandbag stocks.

Councillor Duncan Enright, the Deputy Leader, announced the following:

- Further sympathy was expressed to those impacted by the floods. There was a whole series of events and markets across the district. Woodstock Festival, Witney and Carterton Christmas Lights switch on and the Chipping Norton gift market was on 8 December. The Christmas market at Marriott's walk was on from 5-8 December and would be larger than last year. Events were on Cotswold.com. The Deputy Leader wished everyone a Happy Christmas.

Councillor Andrew Prosser thanked staff for dealing with floods and Councillor Booker and colleagues within the fire department. He said that Miller's Mews had also flooded but was grateful for the support received. There would be a route map published soon.

Councillor Geoff Saul stated that there were two bids on behalf of the Community Partnership that had been successful. Monday would see the start of 16 days of activism project against gender-based violence and a domestic abuse was taking place in Chipping Norton on the 16 December.

Councillor Hugo Ashton explained that Botley West Solar Farm application had been submitted on 15 November. The Inspector had 28 days to validate the application. A local impact report was being prepared and would be presented to Development Control

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Committee in February and there would need to be relevant representations prepared by the Council.

Councillor Lidia Arciszewska explained that the Witney flood monitoring system was up and running. She expressed thanks to the Witney Flood Group for setting it up and the project was conceived at Waterways Day in 2022 and could prevent and manage flooding in the future.

Giles Hughes, the Chief Executive, welcomed the staff who transferred from Publica on 1 November 2024 and highlighted the names and roles of the senior staff to have transferred. The Chief Executive welcomed Ana Prelici as the Senior Democratic Services Officers who had joined on Monday.

Madhu Richards, the Director of Finance, said that the budget consultation had opened on 18 November and would run until 15 December.

Councillor Julian Cooper announced that it was the 150th birthday of Sir Winston Churchill.

CL.198 Participation of the Public

There was no public participation at the meeting.

CL.199 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.200 Recommendations from the Executive

Councillor Andy Graham, The Leader of the Council, referred to Councillor Smith, Executive Member for Finance, to present the recommendation.

Councillor Smith explained that the recommendation was to introduce 100% Council Tax premiums on second homes from 1 April 2025 to levy the maximum level of premium for Empty Homes as set out in the Levelling Up and Regeneration Act 2023 with graduated premiums for long term empty properties up to a 300% premium for properties empty for 10 years or more. This would incentivise owners to bring properties in to use and would also be a revenue stream to help to provide for local services.

In response to a question it was clarified that legislation determined the charge on substantially unfurnished properties and advice needed to be taken on what the maximum charge for the levy was under legislation. Councillor Andy Graham proposed that Council approve the recommendations 1-4.

This was seconded by Councillor Alaric Smith was put to a vote, and was there were 42 votes for, 1 against and 1 abstention. The vote was carried.

Council Resolved to:

- I. Agree from 01 April 2025 to levy the maximum level of premium for Empty Homes as set out in the Levelling Up and Regeneration Act 2023:
 - i. Premium of 100% for dwellings which are unoccupied and substantially unfurnished (Empty Homes Premium) after 1 year up to 5 years of becoming empty;
 - ii. Premium of 200% for dwellings which are unoccupied and substantially unfurnished (Empty Homes Premium) between 5 years and 10 years;

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- iii. Premium of 300% for dwellings which are unoccupied and substantially unfurnished (Empty Homes Premium) for 10 years or more.
2. Agree from 1 April 2025 to the implementation of a premium (Second Homes Premium) of 100% for dwellings that are no one's sole or main residence and which are substantially furnished.
3. Note that where premiums are to be applied, the Council is mindful of the outcome of the government consultation which recommends exceptions in certain circumstances outlined within the report may be amended, and as such guidance may change.
4. Agree that any amendments to the guidance which may change the criteria for Premiums be delegated to the Chief Finance Officer in consultation with the Executive Member for Finance.

CL.201 Gambling Act 2005 Statement of Principles (Policy) Review 2024

Cllr David Jackson, Vice-Chair of the Licensing Committee, introduced the report that detailed the proposed revisions to the Council's Statement of Principles (Gambling Act 2005), based on legislative requirements, statutory guidance and any amendments following public consultation.

Section 349 of the Gambling Act 2005 (the "Act") required the licensing authorities before each successive period of three years to:

- a) Prepare a statement of the principles that they propose to apply in exercising their functions under this Act during that period, and;
- b) Publish the statement.

The next "successive period" would start on 31 January 2025. However, the Statement needed to

be adopted by 31 December 2024 as it must be published at least 4 weeks before the date on which it comes into effect on the authority's website and also be available for inspection by the public.

Before determining its Policy, the Authority was required to consult with the police, persons who represent the interests of gambling businesses and those who represent the interests of persons who were likely to be affected by gambling businesses.

It was to be noted that there were no responses from consultees. The benefit of making a 'no casino' resolution meant that any applications for a casino in the West Oxfordshire District area would be determined by Full Council. If a 'no casino' resolution was not renewed, then if the operator had the necessary planning permission, it was likely that the application for a casino would automatically be granted.

Councillor David Jackson proposed that Council approve the recommendations.

This was seconded by Councillor Mark Walker, was put to a vote, and agreed unanimously.

Council resolved to:

1. Approve the Statement of Principles; and,
2. Agree that the Council continues to adopt a "no-casino resolution" for inclusions in the published Gambling Act 2005 Licensing Policy Statement

CL.202 Review of standards arrangements

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Councillor Carl Rylett, the Chair of the Audit Committee introduced the report, which considered the Council's Member Code of Conduct Complaint Handling Arrangements and the Standards Sub-Committee Procedure Rules following a review by Officers and the Council's Independent Persons.

There were a number of learnings taken from a complaint that progressed to the local hearing stage, which was the first hearing held since the incumbent Director of Governance joined the Council. The Council's complaint handling arrangements and the Standards Sub-Committee Procedure Rules were considered to have generally worked well but could be strengthened in certain respects, in particular around complaints brought by third parties. Officers, following receipt of external legal advice and in conjunction with three Independent Persons, had reviewed the documents and presented amended versions showing changes which were attached at Annex A and B respectively. The main substantive changes were listed in the cover report.

Councillors queried the report and were provided with the following answers:

- The changes in section 6.1 would be made and the error free version was being approved.
- The Monitoring Officer could reopen the matter if further changes to either document was considered necessary in future.
- Comments were made about the language being gender neutral and there was greater clarity around defining bullying and disrespect which provided more clarity for all.

Councillor Carl Rylett proposed that Council approve the recommendations. This was seconded by Councillor Ruth Smith was put to a vote, and it was agreed unanimously.

Council resolved to:

1. Adopt the revised Member Code of Conduct Complaint Handling Arrangements (Annex A2).
2. Adopt the revised Standards Sub-Committee Procedure Rules (Annex B2) following a review undertaken by officers and the three Independent Persons

CL.203 Review of political proportionalities

Councillor Andy Graham, the Leader of the Council introduced the review of the political proportionalities on committees following receipt of a notice that a Member had joined a political group.

On Friday 15 November 2024 a notice was received by the Proper Officer confirming that Councillor Michael Baggaley had joined the Liberal Democrat Group on the Council and that a review of the political proportionalities on committees was requested. Councillor Baggaley was elected at the Chipping Norton by-election held on 14 November 2024. Annex A showed the proportionalities on committees with changes since the previous review of political proportionalities, at the 22 May 2024 Annual Meeting of Council given in brackets. The Liberal Democrat Group had gained one seat on the Development Control Committee and one seat on the Overview and Scrutiny Committee, both from the Labour Group. The Labour Group had a vacant seat on the Overview and Scrutiny Committee and had been asked to confirm which Member would come off the Development Control Committee.

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Where there were changes to be made to the membership of committees, the relevant group leaders were asked to announce the nominated Members at the meeting alternatively notify the Monitoring Officer

for appointment under delegated authority. If required, the Monitoring Officer would use their delegated authority to appoint to vacancies on committees in accordance with the wishes of political groups (Constitution Part 5A, rule 5.1.1). Such appointments would be reported to the next meeting of Council for noting and ratification.

Councillor Andy Graham proposed that Council approve the recommendations.

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

Council resolved to:

1. Agree the political proportionalities as set out in Annex A.
2. Appoint Councillor Mike Baggaley to sit on the Overview & Scrutiny Committee and the Development Control Committee.

CL.204 Council Size Proposal (Phase I of the Electoral Review of West Oxfordshire District)

Councillor Alaric Smith, as Chair of the Constitution Working Group, introduced the report that considered the submission of a Council Size Proposal to the Local Government Boundary Commission for England as part of the electoral review of West Oxfordshire, and any associated change to the electoral cycle for the District Council and Town and Parish Councils within the West Oxfordshire district area.

The Chair of the Constitution Working Group explained the following points;

- There hadn't been an electoral review of the district since 2001.
- A review was now taking place and the outcomes would take effect from the local elections in 2027.
- The aim was to address electoral inequalities whereby some wards contain too many or too few electors per councillor, as a result of new developments and population movements over time.
- Phase I of the review was to consider the appropriate number of Councillors on the District Council.
- The Draft Council Size Proposal at Annex A had been overseen by the cross-party Constitution Working Group and sought an unchanged size of 49 Councillors.
- Having considered the issues and the results of the Member survey, the Working Group believed that 49 was the right number of Councillors for West Oxfordshire to ensure that the governance arrangements of the Council could continue to function and that communities across the District could be represented effectively. The size of 49 was supported by the vast majority of Members who completed the survey (and thanks was given to those of you who did so).
- The size of the Council would ultimately be a decision for the Local Government Boundary Commission for England. The Council didn't have to submit a Council Size Proposal but the Working Group believed that it was in the Council's interests to do so to inform the Commission's decision.
- The Council also needed to consider whether it was wished to retain a mix of 1, 2 and 3 Member wards. If so, the Council would need to hold whole-Council elections every 4 years from 2027.

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- Any decision to change the electoral cycle could only be taken at a specially convened full Council meeting with a 2/3 majority in favour. This was the Working Group's recommended option.
- If it were to be decided to move to whole-Council elections then the Council would have the power to harmonise town and parish council elections with its own electoral cycle, should it wish to do so.
- The alternative was to retain elections by thirds. This would require the Council to have a uniform pattern of 3-Member wards across the whole district. This would result in some extremely large 3-Member wards which would be challenging to represent effectively. The size of the Council would also need to be divisible by 3 (i.e. 48 or 51 Members but not 49).
- Phase 2 of the review would involve consultation on ward boundaries once the Council size had been determined, and this phase would follow the County Council elections in May 2025.
- The Working Group's conclusions were reflected in the recommendations which were to;
 - Approve the Draft Council Size Proposal at Annex A with a delegation for minor amendments and improvements.
 - Note that in any event there will be whole-Council elections on new boundaries in 2027, meaning the members elected in 2026 will serve a 1 year term.
 - Agree in principle to move to whole-Council elections and agree to hold a special meeting of full Council on 29 January (after the ordinary full Council meeting) to take a formal decision to change the electoral cycle.
 - Authorise the Chief Executive to consult with town and parish councils on the option of harmonising their electoral cycles with our own electoral cycle if we move to whole-Council elections every four years from 2027.

Councillors made the following comments:

- It was a nuanced decision. A four-year term would give administrations time to take medium term decisions and help to mitigate against short-term decision making. It also provided for stability for 3 years but then then instability of whole-Council elections. Therefore it was felt that all out elections were probably preferable in terms of what it delivers for residents.
- Neither option was ideal and there were concerns about continuity of governance.
- There were concerns about grouping 1 and 2-Member wards together resulting in huge rural areas covering lots of parish councils. As such the option of thirds would be practically very difficult.
- Going forwards the benefits of 1, 2 and 3-Member wards was worth retaining, based on real evidence and experience of what works. There were pros and cons for all options; however costs would be lower with whole-Council elections. It was important to consult town and parish councils on their electoral cycles.
- Proportional Representation was not available to local authorities at present.
- If the Council decided not to move to whole-Council elections it would need to revisit Council Size Proposal.
- The Chair reminded Members that a 2/3 majority was required at the convened special meeting of full Council on 29 January 2025 to change the electoral cycle.

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It was suggested and agreed by the proposer and seconder that the extraordinary meeting on 29 January 2025 be held on the rising of the ordinary meeting of full Council, rather than 4.00pm as proposed in the report.

Councillor Alaric Smith proposed that Council approve the recommendations.

This was seconded by Councillor Andy Graham was put to a vote, and it was unanimous.

Council resolved to:

1. Approve the Draft Council Size Proposal (Annex A) for submission to the Local Government Boundary Commission for England.
2. Delegate authority to the Head of Democratic and Electoral Services, in consultation with the Chair of the Constitution.
3. Working Group, to make any minor amendments required to finalise the document to reflect the discussion at full Council, correct typographical errors or otherwise strengthen and improve the proposal document.
4. Note that whole-Council elections will be held on new ward boundaries in May 2027 in any scenario.
5. Agree in principle to move to whole-Council elections every four years from May 2027.
6. Agree to convene a special meeting of full Council on 29 January 2025 for the purpose of formally deciding whether to change the electoral cycle to whole-Council elections every four years from May 2027 (which will require a 2/3 majority at the specially convened meeting).
7. Authorise the Chief Executive Officer to seek the views of town and parish councils on whether to harmonise ordinary elections of all town and parish councils within the district area with district council elections from May 2027, in the event that the District Council does decide to move to whole-Council elections from May 2027.

CL.205 Polling District and Places Review

Councillor Andy Graham, the Leader of the Council, introduced the report that updated Members on the review of the Parliamentary Polling Districts and Polling Places within West Oxfordshire, following the public consultation which was in place from 24 September to 4 November 2024.

A review of parliamentary polling districts and polling places within the West Oxfordshire District Council area had been undertaken. The process had involved inviting representations from such persons thought to have particular expertise in relation to access to premises or facilities for persons with varying disabilities. Representations were also sought from political parties within the district, the various political groups on the Council and from Town & Parish Councils and Parish Meetings. The representations had been considered by the Constitution Working Group which had endorsed the recommended changes arising from the review which are set out in Annex A and summarised in section 3 of the report.

It was explained that the new County Council division changes resulted in 3 new polling districts within Witney. Members wished to thank the Electoral Services Manager and her team and the following points by Members were to be noted:

- The next review would be undertaken before too long and the remaining issues could be sorted within that time.

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- In some places there were awkward arrangements i.e. in Curbridge parish with housing developments on the other side of A40.
- Polling district JD2 was split and it was a long walk to Davenport Road. Polling Stations should be in heart of communities.
- Regarding Shilton Old School, another polling district could be established in Bradwell Grove.

Councillor Andy Graham proposed that Council approve the recommendations.

This was seconded by Councillor Alaric Smith, was put to a vote, and there were 43 votes in favour and 1 abstention. The vote was carried.

Council resolved to:

1. Note the consultation feedback as set out in Annex A.
2. Approve the recommended changes to polling districts and polling places as set out in Annex A.
3. Approve the full schedule of polling districts and polling places set out in Annex B.
4. Note that the Council will undertake a further review of polling districts and polling places following the Local Government Boundary Commission for England's electoral review of West Oxfordshire District Council.

CL.206 Results of Member Survey on Meeting Start Times

Councillor Andy Graham, the Leader of the Council, introduced the report that presented the results of the Member Survey on Council start times which Council agreed to undertake following a trial of a 4.00pm start time for the 25 September full Council meeting.

Full Council meetings presently started at 2.00pm.

The results of the survey were set out in Annex A and Annex B. Of the 31 Members who responded, 13 (42%) favoured retaining a 2.00pm start time, 12 (39%) favoured moving to 4.00pm and 6 (19%) were unsure.

Councillor Andy Graham proposed that Council approve the recommendation to note the report. This was seconded by Councillor Duncan Enright.

Councillor Thomas Ashby proposed that Council change the start time of meetings to 4.00pm. This proposal was seconded by Councillor Liam Walker. The proposal was put to a vote, and there were 19 votes in favour, 20 votes against and 5 abstentions. The vote was not carried.

Council resolved to:

1. Note the report.

CL.207 Motion A: Suicide Prevention (Proposer: Cllr Alex Wilson, Cllr Michele Mead)

Councillor Alex Wilson introduced the motion that was set out as follows:

We as a Council could and should be calling for further support for those who struggle with their mental health and the thoughts that may come from this. The motion was a further step forward in the correct direction in supporting the many people who struggle and to assist our officers and Mental Health Champion, once chosen, to increase the support available.

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Councillor Alex Wilson proposed the motion and Councillor Liam Walker seconded the motion.

Councillor Steve Cosier explained that he felt there was moral case for supporting mental health and early help. Preservation and support of strategy goes beyond party politics. He wanted positive advocates for mental health and proposed an amendment. Councillor Stuart McCarroll seconded the amendment as he felt it would improve the motion.

Councillor Wilson accepted the amendment and Members thanked Councillor Wilson for his motion and his work around it. A Member suggested writing to the MP Layla Moran.

The motion was put to a vote, and it was agreed unanimously.

The Council resolved to:

1. Join the Zero Suicide Alliance network.
2. Promote existing safeguarding and suicide prevention training and resources to all council workers and signpost to the council's wellbeing pages and Mental Health First Aiders.
3. Include appropriate signposting to suicide prevention and/or mental health support in cost-of-living material, on the online community hub, and in arrears letters.
4. For the Council Leader to write to local MPs informing them of the situation and calling for them to lobby for the increased awareness and for an increase in support of the national suicide prevention strategy put forward under the Conservative Government in September 2023
5. Positive advocates to be provided for mental health.

CL.208 Matters exempt from publication

The press and public were excluded from the meeting during its consideration of item 16. A resolution was passed in accordance with the provisions of Section 100A(4) of the Local Government Act 1972 specifying the grounds on which their presence could involve the likely disclosure of exempt information as defined in paragraphs 1 and 3 of Schedule 12A of the Act.

CL.209 Salaries and Terms and Conditions of Chief Officers

The purpose of the item was to consider the salary for the Chief Executive Officer, Director of Finance and Director of Governance and Regulatory Services, to ensure that additional duties and Line Management responsibilities are reflected in salary and that salaries are consistent with that of the newly recruited Director of Place.

Initial agreement had been sought from the Leader and a recommendation was passed by Performance and Appointments Committee (13.11.24).

In addition, as per the WODC Constitution to move the Chief Executive. and Directors to the terms and conditions of Joint National Committee (JNC), from National Joint Council (NJC) which was also recommended to Council by the Performance and Appointments Committee (13.11.24).

The Members discussed the item, it was put to a vote and the recommendations were agreed.

The Council resolved to:

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- I. Approve the appropriate salary for the post of Chief Executive Officer, Director of Finance, and Director of Governance effective from 1 November 2024 and the movement to Joint National Committee (JNC) Terms and Conditions.

The Meeting closed at 4.02 pm

CHAIR