

WEST OXFORDSHIRE DISTRICT COUNCIL

Minutes of the meeting of the Council

Held in the Council Chamber at 2.00 pm on **Wednesday, 15 February 2023**

PRESENT

Councillors: Julian Cooper (Chair), Andrew Coles (Vice-Chair), Joy Aitman, Alaa Al-Yousuf, Lidia Arciszewska, Luci Ashbourne, Hugo Ashton, Andrew Beaney, Michael Brooker, Jill Bull, Mike Cahill, Nathalie Chapple, Owen Collins, Colin Dingwall, Jane Doughty, Harry Eaglestone, Duncan Enright, Ted Fenton, Andy Graham, Jeff Haine, Gill Hill, David Jackson, Mark Johnson, Natalie King, Richard Langridge, Liz Leffman, Nick Leverton, Dan Levy, Norman MacRae MBE, Martin McBride, Michele Mead, Lysette Nicholls, Mathew Parkinson, Rosie Pearson, Elizabeth Poskitt, Andrew Prosser, Carl Rylett, Geoff Saul, Alaric Smith, Harry St John, Alex Wilson and Ben Woodruff

Officers: Giles Hughes (Chief Executive), Elizabeth Griffiths (Chief Finance Officer, Deputy Chief Executive and Section 151 Officer), Susan Sale (Monitoring Officer), Frank Wilson (Group Finance Director - Publica), Andrew Brown (Business Manager, Democratic Services), Max Thompson (Democratic Services Manager) and Georgina Dyer (Chief Accountant).

Other Councillors in attendance: Nil.

CL.51 Apologies for Absence

Apologies for Absence were received from the following Councillors.

C Maynard, D Temple, R Poole, R Smith, S Coul, D Cooper and A Goodwin.

CL.52 Declarations of Interest

There were no declarations of interest declared by members at the meeting.

CL.53 Minutes of Previous Meeting

The minutes of the previous meeting held on Wednesday 18 January 2023, were accepted as a true record, and agreed unanimously by Council.

Councillor Michele Mead, Leader of the Conservative Group, raised two points of order on the minutes of the previous meeting under Rule 15.14 (Questions Previously Asked).

1. Page 7, Paragraph 4 – Councillor Andy Graham, Leader of the Council, committed to write to Councillor Mead regarding financial implication that would incur should the current arrangements for the Council's Monitoring Officer be extended.
2. Page 10, Agenda Item CL42 – Councillor Andy Graham, Leader of the Council, committed to write to Councillor Mead regarding the costs incurred for the West Oxfordshire Council Plan consultation.

Councillor Graham further committed to provide these answers to Councillor Mead in writing.

Councillor Harry St. John queried whether the three Motions that were put at the last meeting, were being referred to the right Scrutiny Committees.

The Chief Executive stated that thought has gone into the referral process and briefly explained the rationale for which committee the motions were being referred to.

Council

15/February2023

It was then noted that the minutes of the previous meeting did state which committees the motions were being referred to.

Councillor Matthew Brooker rose to ask for clarification as to who closed the previous meeting. It was subsequently confirmed that the Chair closed the meeting.

CL.54 Receipt of Announcements

Councillor Andy Graham, Leader of the Council, rose to announce that February 2023, was LGBTIQ+'s History Month, and as such the Pride flag was raised above the Woodgreen offices to commemorate it. The raising of the flag symbolises the problems that some members of the LGBTIQ community have experienced and that the Council remains an all-inclusive one, whilst also remaining fully committed to equality and diversity. Councillor Graham also praised Councillor Andrew Coles, Vice-Chair of the Council, for work that he had completed within the local area, including Witney Pride.

Councillor Andrew Prosser, Executive Member for Climate Change, rose to announce that following recent engagement work with Town and Parish Councils, that a meeting will be held at 6.00pm on Wednesday 8 March 2023 at Woodgreen. The meeting will follow on from engagement work undertaken on Climate Change, where attendees can share ideas around best practice, and effective, forward thinking ways to combat climate change.

The Chair of the Council, Councillor Julian Cooper, stated that the thoughts of the Council were with the people of Turkey and Syria after the devastating earthquake that had hit the region. The Chair also paid tribute to the efforts of service personnel at Royal Air Force Station Brize Norton for the logistical work undertaken to ensure that humanitarian aid and specialist equipment was reaching the areas that needed it the most.

The Chair also reminded Members that they are all invited to a presentation with Simon Hoare MP, Member of Parliament for North Dorset, former Member of West Oxfordshire District Council, and Chair of the Northern Ireland Select Committee on 10 March 2023. The presentation will discuss the future of the Ulster province.

CL.55 Participation of the Public

There was no public participation at the meeting.

CL.56 Questions by Members

The following question was asked at the meeting by Councillor Harry. St. John, with the answer from Councillor Carl Rylett, Executive Member for Planning and Sustainability.

QI: Blenheim Solar Farm - I realise that as a Nationally Significant Infrastructure Project application, the decision will be out of our hands and ultimately depends on the Inspectors report to the Secretary of State for a final decision.

However, how is the WODC Development Control Committee going to handle it once more detail is forthcoming, as clearly it would be a large enough proposal to merit all Planning members to debate how WODC responds to it when officially consulted?

I have heard that the applicants have offered to pay the salary of an officer whose time would be solely dedicated to the application. Can that be right, or is that in relation to the Enstone Car museum case?

Council

15/February2023

AI: The application is unusual in that it will be determined by the Secretary of State as opposed to the District Council. Because it is unusual (the first one of its type ever submitted in the District) the scheme of delegation that applies to planning matters does not specify where it will be commented upon (e.g. Council, Executive, DC Committee, Uplands, Lowlands, Officers etc.). That matter is still being worked through and will of course ultimately be determined by Members.

The application has absorbed and will in future require a huge amount of Officer time. The District receives no fee for processing the application. We are thus seeking for the costs of the Officer time that has had to be reallocated to this project to be reimbursed to the District by way of Planning Performance Agreement (PPA). These are a standard part of the planning process whereby councils can seek for their costs to be met in return for meeting the deadlines set out in the PPA for providing responses at predetermined times.

Councillor St. John then asked the following supplementary question:

Q1a: I think it is clear from the process that we can seek to claim the cost of an officer's burden. When do we think we may get an answer on that from the powers that be?, because as a Council, it seems to me that we need to make clear what our position is and that ought to be discussed by the Development Control Committee, not just Lowlands or Uplands. Obviously, the officers will have to do a lot of work to give us the pros and cons. At this stage, we don't know enough details to start the process, but it is looming.

A1a: I can certainly assure Council that there will be opportunities for Members to be involved in the process and to be fully informed. Exactly what that looks like is slightly premature at this stage, but you will be informed shortly. I think that the answer makes clear that situation of the extra officer resource and the difficulties that it creates for the Council, is very standard practice in this type of large application for there to be a planning performance agreement.

CL.57 Appointment of Deputy Electoral Registration Officers

Councillor Andy Graham, Leader of the Council, introduced the report which recommended to Council the delegation of the appointment of Deputy Electoral Registration Officers to the Electoral Registration Officer.

Due to the changes to legislation that have been brought in by the Elections Act 2022, it was felt necessary that the Council appointed a Deputy Electoral Registration Officer. Council was currently the only body able to appoint these, as set out in the Representation of the People Act 1983. The Council's Chief Executive Officer is the Electoral Registration Officer as appointed by the Council in September 2021. However, there is no assigned deputy should the ERO be unable to act in the position due to sickness, leave or other reasons.

Councillor Graham proposed to agree delegation of the appointment of Deputy Electoral Registration Officers. This was seconded by Councillor Duncan Enright, was put to a vote and was agreed unanimously by Council.

Council Resolved to:

1. Delegate authority to the Council's Electoral Registration Officer to appoint Deputy Electoral Registration Officer(s) to act in place of the Electoral Registration Officer as appropriate, and where they are unable to act personally to this post.

Council

15/February2023

CL.58 Appointment of Director of Governance

Whilst the item of business was heard, the Council's Interim Monitoring Officer, Susan Sale, left the Council Chamber.

Councillor Andy Graham, Leader of the Council, introduced the report which would recommend to Council the appointment of Andrea McCaskie as the new Director of Governance (Monitoring Officer) for West Oxfordshire District Council, and to outline interim arrangements.

In February 2022, West Oxfordshire District Council resolved to designate Susan Sale as the Council's Monitoring Officer on an interim 12 month basis with effect from 1 March 2022. Susan Sale is also the Head of Law and Governance at Oxford City Council and is also designated as the Monitoring Officer for that authority. Susan has handed in her notice to Oxford City Council and will leave their employment on the 16 April 2023.

Councillor Graham gave Council a brief overview of the recruitment process, and highlighted the recent meeting of the Performance and Appointments Committee which had interviewed shortlisted candidates including Ms McCaskie, and after deliberation, recommended that Ms McCaskie be appointed.

Councillor Graham proposed to appoint Andrea McCaskie as the Council's Director of Governance and Monitoring Officer. This was seconded by Councillor Michele Mead, was put to the vote and was agreed unanimously by Council.

Council Resolved to:

1. Approve the appointment of Andrea McCaskie as the Director of Governance and Monitoring Officer for West Oxfordshire District Council on a permanent full time basis.
2. Note that the provisional verbal offer of employment has been made, subject to two references, medical clearance and eligibility check (BPSS check) in accordance with the Council's policies.
3. Agree the appointment commences on a date to be mutually agreed between the successful candidate and the Chief Executive.
4. Agree that the appointment is made on a salary of £80,000 per annum.
5. Approve the extension of the current interim Monitoring Officer arrangement with Susan Sale until 16 April 2023, or until Andrea McCaskie starts, whichever is the sooner.
6. Agree that should there be a gap between the 16 April 2023 and the start of Andrea McCaskie's employment then Andrew Brown the current Deputy Monitoring Officer should be designated as the Council's Monitoring Officer for that interim period.

The Monitoring Officer returned to the Council Chamber.

CL.59 Recommendations from the Executive (formerly Cabinet) to Council

Councillor Andy Graham, Leader of the Council, introduced the report which was to consider and approve recommendations made to Council by the Executive, since its meeting on 16 November 2022. Councillor Graham advised Council that Councillor Dan Levy, Executive Member for Finance, would propose the first recommendation from the Cabinet meeting of 16 November 2022, whilst Councillor Geoff Saul, Executive Member for Housing and Social

Council

15/February2023

Welfare, would propose recommendations two and three. Councillor Graham further advised that he would be seconding both proposals.

The three decisions that were recommended by the Executive to be adopted by Council, were detailed within Annex A of the main Agenda Item report.

Councillor Michele Mead rose to query if there was a specific reason why both the 2023/34 Budget and Council Tax were not listed as recommendations from the Executive, but noted that they were Agenda items at the meeting, and that this had been seen as a traditional working practice previously.

After consultation with the Monitoring Officer, the Chair stated that this is not required constitutionally, but that the points were noted for future reference.

Councillor Ben Woodruff rose to query the recent name change of the Executive, from Cabinet. Councillor Graham responded stating that it was owing to a recommendation made to Council by the Constitution Working Group.

Councillor Levy introduced the first recommendation from the meeting of Cabinet on 16 November 2022, in which Cabinet resolved to recommend to Council that approval be given to approve the increase to income bands, as detailed within paragraph 2.5, from 1 April 2023.

This was proposed by Councillor Levy and seconded by Councillor Graham. The recommendation was put to a vote and was unanimously agreed by Council.

The second and third recommendations were introduced by Councillor Saul from the meeting of the Executive on 8 February 2023, in which the Executive resolved to recommend to Council to allocate Capital Funding of £2m to match fund the capital grant payable by Department for Levelling Up, Communities and Local Government in the event of a direct acquisition approach, and further resolved to recommend to Council to allocate Section 106 funding to support the business case up to a maximum of £40,000 per unit to gap fund the scheme to deliver affordable rents in the event of a direct acquisition approach.

This was proposed by Councillor Saul and seconded by Councillor Graham. The recommendations were put to a vote and was unanimously agreed by Council.

Council **Resolved** to:

- I. Approve the recommendations made by the Executive:
 - Cabinet resolved to recommend to Council that approval be given to approve the increase to income bands, as detailed within paragraph 2.5, from 1 April 2023 – 16 November 2022;
 - Executive resolves to recommend to Council to allocate Capital Funding of £2m to match fund the capital grant payable by Department for Levelling Up, Communities and Local Government in the event of a direct acquisition approach – 8 February 2023.
 - Executive resolves to recommend to Council to allocate Section 106 funding to support the business case up to a maximum of £40,000 per unit to gap fund the scheme to deliver affordable rents in the event of a direct acquisition approach – 8 February 2023.

Council

15/February2023

CL.60 Report of the Chief Finance Officer on the Budget

The Chair announced that the Agenda item of the Chief Finance Officer's Report on the Budget was to be taken with and incorporated within Agenda Item 11, 2023-2024 Budget and Medium Term Financial Plan, and was to be incorporated within the minutes of Agenda Item 11.

Council therefore **Resolved** to:

1. Note the Report of the Chief Finance Officer on the Budget, as an additional recommendation within Agenda Item 11.

CL.61 2023-2024 Budget and Medium Term Financial Plan

Councillor Jane Doughty left the Council Chamber ahead of the Budget Agenda item. Councillor Michele Mead later updated Council to advise that councillor Doughty had been taken to hospital owing to an illness, and that the thoughts of the Council were with her at the time.

Ahead of the introduction of the report, Councillor Andy Graham, Leader of the Council, asked if any Members needed any formal clarification on the budget papers, as a result of more than one version of a document being presented at the meeting. A supplementary paper was provided in addition to the main budget papers in advance of the meeting.

Councillor Ted Fenton asked if any of the MTFS (Medium Term Financial Strategy) figures in the supplement were vastly different to those that had been circulated prior. The Chief Finance Officer responded stating that there was a slight variation on the figures as a result of the Executive meeting that took place 7 days before the Council meeting. Whilst initial reports were published within the normal timescales, this was before the meeting of the Executive. There were slight variations in the figures as a result of an amendment made by Executive, and the final figures for consideration were contained within the supplement.

Councillor Graham introduced the report and outlined the proposals for the budget. A copy of the Leader's Speech is attached to the original copy of the minutes as an appendix.

Councillor Graham explained that the budget proposals were brought together after a recent consultation with residents of West Oxfordshire, and amidst ongoing certainty, both politically and nationally within Central Government, and also as a result of the ongoing conflict in Ukraine.

An overview of the work that the administration have recently undertaken to make the Council more transparent and available to residents of the district. This has seen events such as 'Executive on Tour', and live Question & Answer sessions on social media platforms.

Councillor Graham concluded by thanking Council Officer's for their ongoing hard work, and also the Council's Finance Team who had worked with the Administration to develop the Council's budget.

Councillor Michele Mead, Leader of the Opposition, responded stating that the introduced budget would lead to the Council becoming bankrupt in approximately 2 years. Councillor Mead also highlighted that the administration were committed to spending money, rather than adopting a balanced approach, notwithstanding recent hikes in the cost of energy and fuel.

Councillor Mead summed up stating that the budget, which is not something the oppositions could support, was one of convenience for the administration, and that many years of work by previous administrations was set to be scuppered with the Council destined for bankruptcy.

Council

15/February2023

In the wider budget debate it was highlighted by several members that the proposed budget would lead to the Council becoming bankrupt in the next 2-3 years, and that reserves would reduce in further, forthcoming budgets. This was counteracted by members of the Executive who stated that a 'cliff edge' within the budget forecasts was owing to uncertainty of future funding from central government. Whilst it was further acknowledged that having funds in reserve was in the round a good idea, it may not be a current, viable option as a result of levels of inflation that would ultimately mean that reserve funding is worth less overall.

Further representations were made by Members stating that the Council needed to be seen to be taking the lead on helping residents of the District with the help to limit the impact of the cost of living crisis and the climate emergency, as a result of a perceived shortfall in government support. The recent Council purchase of Marriott's Walk shopping centre in Witney was also praised by Members, which will go a long way to supporting businesses and residents of Witney, whilst also providing regeneration and opportunity to the town, as well as income for the Council. A similar ideology could follow suit in the future.

It was also highlighted that whilst there are external pressures being felt generally, the Budget would see money being spent, just as quickly as it is received, and that this methodology of budgeting was not sustainable in the longer term. Care and consideration needed to be given to the items within the budget ascertaining to growth, whilst also being in a position to fulfil the Council commitments made in documents such as Council Plans and Local Plans.

During the debate, the Chair of the Council, urged members to not be personal within their remarks, and that the Council has a long standing tradition of politeness within political debate. Members also took the opportunity to remind one another that several issues within the local community, such as reductions in speed limits, and the condition of roads within the District, were not a matter for the Budget Debate, and also not the District Council.

Many Members throughout the debate took the opportunity to thank the work of the Chief Finance Officer and the wider Finance Team for their work in preparing the budget for consideration at the meeting. Emphasis was placed on external pressures being felt, and Members were keen to acknowledge work undertaken in the run up to the meeting.

It was highlighted that as a result of the Council's Agile Working Project, Council Officers and wider staff are able to work more flexibly and remotely if needed, which would free up space within Council buildings. This would see the Council's Elmfield site being leased out, and would also enable Council Meetings to be livestreamed in the future. This is as a result of Audio and Visual Equipment being installed in the Council's Committee Rooms, with the Council Chamber following on in due course. The Executive member for Customer Delivery was also keen to note that this investment in technology helps the Council become more transparent, in times where awareness of local government activity is on the rise.

It was noted that Climate Change remains a priority for the residents of the District and that the officer posts contained within the budget are essential in ensuring that action on climate change is taken by the council.

Several members highlighted the Council Tax base that was contained within the budget. It was noted that Council Tax needed to be raised so that appropriate levels of revenue funding were maintained, and that by not raising Council tax levels, the base would not be built upon.

It was also highlighted that traditional working practices of local government were now not always front and centre of the day to day operational output seen at local government level.

Council

15/February2023

Recent external pressure and events that have taken place over recent years have seen more emphasis on helping residents with debt management, the provision of basic essentials and signposting help to those that need it to most. It was recognised that the work of volunteers was invaluable, and that modern local governments have had to adapt from what was traditionally accepted as 'the norm'.

Several members raised concerns as to how the budget debate had been conducted, and that much of the debate had related to 'point scoring' and that no alternative solutions had been put forward, or that no amendments had been tabled.

Councillor Dan Levy, Executive Member for Finance, and seconder of the recommendations, was keen to reassure Members that the Council would not go bankrupt, and that it was right to adopt a worst case scenario approach to what funding it would receive from central government. Spending money and not being overly cautious of spending money was as a result of the levels of inflation seen across the economy. Councillor Levy finished by stating that the work being undertaken and the money being spent to ensure that Council meetings are livestreamed and open & transparent to the public, is the least that the Executive can do to ensure that the Council is seen as a fully engaging one.

In formally summing up the Budget Debate, Councillor Graham stated that he was very happy to see that the whole Council has been working collaboratively and together to ensure that it presented a balanced budget for consideration, and that no stone had been left unturned in the budget decision making processes. Many people face strong challenges in their daily lives, and the Council was mandated to assist those who are struggling by investing in the people of the District, investing in regeneration of towns & villages, and working together in partnership for an all-round better District.

Councillor Graham proposed that Council agree the Budget resolutions and this was seconded by Councillor Dan Levy. In accordance with legislation, a recorded vote on the proposition was taken and the result was as follows:

FOR the proposition: J Aitman, L Arciszewska, L Ashbourne, H Ashton, M Brooker, M Cahill, N Chapple, A Coles, O Collins, J Cooper, D Enright, A Graham, D Jackson, N King, R Langridge, L Leffman, D Levy, M Parkinson, R Pearson, E Poskitt, A Prosser, C Rylett, G Saul, A Smith.

AGAINST the proposition: A Al-Yousuf, A Beaney, J Bull, C Dingwall, H Eaglestone, T Fenton, J Haine, G Hill, M Johnson, N Leverton, N MacRae MBE, M McBride, M Mead, L Nicholls, H St. John, A Wilson, B Woodruff.

Abstentions: Nil.

There being **24 votes For**, **17 Against**, and **Nil Abstentions** with 8 Members not in attendance. The vote was carried.

Council **Resolved** to Approve:

1. The General Fund revenue budgets as summarised in Annex B;
2. The updated Medium Term Financial Strategy in Annex E;
3. The Capital Programme for 2023/24 to 2031/32 as set out in Annex D;
4. Fees and Charges, as previously circulated and set out in Annex H;
5. The Council's Pay Policy Statement as set out in Annex J;
6. The Council's Capital Strategy as set out in Annex K;

Council

15/February2023

7. The Council's Investment Strategy as set out in Annex L;
8. The Council's Treasury Strategy as set out in Annex M.

CL.62 Council Tax 2023/2024

Councillor Andy Graham, Leader of the Council, introduced the report, which was to enable the Council to calculate and set the Council Tax for 2023/2024.

The Council is lawfully required to make resolutions in respect of the tax base (Schedules 1 and 2) and aggregate levels of Council Tax. The aggregate levels of Council Tax comprise the 'basic amount' – Parish and District levy (Schedules 1 and 2), amounts for each Council Tax band (Schedule 3) and precepts for Oxfordshire County Council and the Police & Crime Commissioner for Thames Valley (Schedule 4).

Councillor Graham proposed that Council agree to the resolutions as set out in the report annexes and was seconded by Councillor Duncan Enright. In accordance with legislation, a recorded vote on the proposition was taken and the result was as follows:

FOR the proposition: J Aitman, A Al-Yousuf, L Arciszewska, L Ashbourne, H Ashton, A Beaney, M Brooker, J Bull, M Cahill, N Chapple, A Coles, O Collins, J Cooper, C Dingwall, H Eaglestone, D Enright, T Fenton, A Graham, J Haine, G Hill, D Jackson, N King, R Langridge, L Leffman, N Leverton, D Levy, N MacRae MBE, M McBride, M Mead, L Nicholls, M Parkinson, R Pearson, E Poskitt, A Prosser, C Rylett, G Saul, A Smith, H St. John, A Wilson.

AGAINST the proposition: M Johnson, B Woodruff.

Abstentions: Nil.

There being **39** votes **For**, **2** **Against**, and **Nil Abstentions** with 8 Members not in attendance. The vote was carried.

Council **Resolved** to:

- I. Agree the resolutions set out in Annex A to the report.

The Meeting closed at 3.40 pm

CHAIR