



WEST OXFORDSHIRE
DISTRICT COUNCIL

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Name and date of Committee	COUNCIL – 25 MARCH 2026
Subject	CONSTITUTION WORKING GROUP RECOMMENDATIONS (DELEGATIONS, PLANNING COMMITTEES AND MEMBER QUESTIONS)
Wards affected	None
Accountable member	Councillor Alaric Smith, Chair of the Constitution Working Group Email: Alaric.Smith@westoxon.gov.uk
Accountable officer	Andrea McCaskie, Director of Governance and Regulatory Services Email: democratic.services@westoxon.gov.uk
Report author	Andrew Brown, Head of Democratic and Electoral Services Email: democratic.services@westoxon.gov.uk
Summary/Purpose	To present recommendations from the Constitution Working Group related to delegations for regulatory matters, a review of the planning committee process and Member Questions.
Annexes	Annex A – Part 4E: Functions in relation to Regulatory Matters, with proposed changes shown. Annex B – Action plan for recommendations arising from Planning Advisory Service Annex C – Extract of Part 3C: Committee Functions, with proposed changes shown. Annex D – Process for Determining Planning Applications. Annex E – Roles and Responsibilities on Planning Committees. Annex F – Extract of Part 5A: Council Procedure Rules
Recommendation(s)	That Council resolves to: <ol style="list-style-type: none">1. Approve the updates to Part 4E: Functions in Relation to Regulatory Matters, as shown in Annex A.2. Agree to rename the Development Control Committee to “Strategic Planning Committee”, with effect from the start of the 2026/27 civic year.

	<ol style="list-style-type: none"> 3. Agree to combine the two area planning sub-committees (Lowlands and Uplands) into a single, district-wide 12-Member “Development Management Sub-Committee” (quorum 3), with effect from the start of the 2026/27 civic year. 4. Agree to amend Part 3C: Committee Functions, as shown in Annex C, from the start of the 2026/27 civic year to give effect to recommendations 2 and 3. 5. Agree that the new Development Management Sub-Committee will meet on the Lowlands meeting dates in 2026/27, with the Uplands dates held for overspill meetings, should the sub-committee need to adjourn and reconvene. 6. Request that the Council’s Independent Remuneration Panel meets to consider the implications of changing the planning committee structure for the Members’ Allowances Scheme 2023-27 and formally report back to the May Council meeting with any recommendations. 7. Agree that the Process for Determining Planning Applications (Annex D) and Roles and Responsibilities on Planning Committees (Annex E) be included in the Constitution as appendices to Part 6Q: Members Planning Code of Good Practice. 8. Agree to amend the rules for Member Questions, as shown in Annex F, Part 5A Council Procedure Rules to: <ol style="list-style-type: none"> a) Introduce a word limit of 250 words on Member Questions. b) Introduce a time limit of 1 minute for supplementary Member Questions. c) Rotate the order of Member Questions by political group, in the same way that Motions rotate.
Corporate priorities	<ul style="list-style-type: none"> • Putting Residents First • Working Together for West Oxfordshire
Key Decision	NO
Exempt	NO
Consultees/ Consultation	<p>Constitution Working Group Chairs and Vice Chairs of planning sub-committees Executive Member for Planning Head of Planning Development Manager Service Leader – Environmental and Regulatory Services</p>

1. EXECUTIVE SUMMARY

- 1.1** This report presents recommendations from the Constitution Working Group (CWG) about delegations for regulatory matters, proposed changes to the planning committee structure and other amendments following a review by the Planning Advisory Service, and member questions at full Council.

2. BACKGROUND

- 2.1** The CWG held meetings on 29 January 2026 and 26 February 2026 and the recommendations arising from those meetings are contained within this report.

3. DELEGATIONS FOR REGULATORY FUNCTIONS

- 3.1** The Service Leader for Environmental and Regulatory Services (ERS) has reviewed their delegations and requested that a number of additional powers are listed in Part 4E: Delegations in Relation to Regulatory Matters. This is largely a tidying up exercise to ensure that all relevant powers that ERS rely on are listed in the Constitution.
- 3.2** A version of Part 4E is attached as Annex A with proposed amendments shown in red text. The various powers have also been reordered alphabetically for ease of reference. Full Council is recommended to approve the updated Part 4E.

4. PLANNING COMMITTEE REVIEW

- 4.1** In September and October 2025, the Planning Advisory Service (PAS) undertook a review of the planning committee function at West Oxfordshire District Council ('the Council'). The review was led by a local government planning expert with over 30 years' experience and a Cabinet Member for Planning from another district council.
- 4.2** The purpose of the review was to help ensure that the Council stays within the Governments' major application quality performance measure. The review focused on what is going well, identifying barriers to success and areas for improvement. It involved reviewing webcasts of meetings dating back to May 2025 and interviews with Members and Officers.
- 4.3** PAS produced a report with a series of recommendations for improving the Council's approach to the planning committee function. The Council's response to the recommendations was considered by an officer working group ('OWG') which included the Director of Governance and Regulatory Services, together with officers from Planning Services and Democratic Services. The CWG considered the PAS recommendations and the views of the OWG, together with a resulting action plan. The Council's response to the PAS recommendations is included at Annex B and the PAS report is available as a background paper. The actions that require a Council decision are explained in the following paragraphs.

5. RENAMING DEVELOPMENT CONTROL COMMITTEE

- 5.1** PAS have recommended that the Council renames the Development Control Committee to better reflect its wider purpose of dealing with strategic planning matters (e.g. Nationally Significant Infrastructure Projects). The OWG agreed that a change of name would be appropriate because “control” of development is considered to be outdated terminology. Council is recommended to agree the change of name from Development Control Committee to “Strategic Planning Committee” with effect from the start of the 2026/27 civic year.
- 5.2** PAS have noted the benefit of having “parent” committee and sub-committee model with the ability of the Head of Planning to refer applications to the committee from the sub-committee for final determination where they feel this is appropriate. The OWG and the CWG agreed with retaining the committee as it provides a useful review mechanism. The alternative would be for applications to be referred to full Council by the Head of Planning for final determination, which is not recommended.

6. SINGLE PLANNING SUB-COMMITTEE

- 6.1** PAS have recommended that the Council replaces the Lowlands and Uplands area planning sub-committees with a single district-wide Development Management Sub-Committee. Their rationale for recommending this change is based on the relatively small number of applications on agendas, and improving consistency of decision-making and efficiency.
- 6.2** PAS and the CWG noted feedback from members that holding regular and often short meetings is not the best use of member time, given the need to travel in for meetings from across the district. The CWG also noted that a number of meetings have been cancelled due to lack of business. The CWG considered data on the length of meetings and noted that, had the two sub-committees been combined a year ago, all but two meetings would have concluded within 4 hours.
- 6.3** Going forward it is expected that the Governments’ new national planning scheme of delegation will significantly reduce (potentially halve) the number of planning applications determined by members. Maintaining the existing committee structure would therefore be expected to result in more cancelled meetings and fewer applications on meeting agendas.
- 6.4** West Oxfordshire District has a single Local Plan which applications must be determined against. PAS have highlighted the risks of inconsistent decision making. While local knowledge is important, the PAS report raised concerns over local knowledge of members, supporters and or objectors being given too much weight (i.e. above the relevant knowledge of expert consultees).
- 6.5** PAS also highlight that having two sub-committees is more expensive due to duplication of work and impacts the efficient operation of the planning service. CWG heard that the views of PAS were shared by senior planning officers.
- 6.6** PAS stated that the majority of councils have a single planning committee. Within Oxfordshire, West Oxfordshire is the only local authority to operate multiple planning committees; the other districts each have a single planning committee. Oxford City Council

replaced two area committees with a city-wide committee in 2021 and has maintained that model since. Cherwell has operated a single committee model since at least 2008.

- 6.7** It is recommended that full Council agrees to replace the two area planning sub-committees with a single Development Management Sub-Committee comprising 12 Members (appointed annually by the Development Control/Strategic Planning Committee), with a quorum of 3 Members.
- 6.8** Council is recommended to amend Constitution Part 3C: Committee Functions, as shown in Annex C, to give effect to the recommended changes to the planning committee structure. No changes are proposed to the responsibilities of the Development Control Committee other than to renaming the committee the Strategic Planning Committee and replacing references to Lowlands and Uplands with Development Management Sub-Committee. It is also recommended that the quoracy requirement is also amended from 4 members to 3 to bring it in line with the quoracy requirements of the Council's other committees. The proposed Development Management Sub-Committee would have the same remit and responsibilities of Lowlands and Uplands but on a district-wide basis.
- 6.9** Full Council is further recommended to agree that in 2026/27 the Development Management Sub-Committee will meet on dates and times earmarked for the Lowlands Area Planning Sub-Committee (generally the second Monday of each month) and that the Uplands dates (generally the third Monday of each month) will be set-aside for "overspill" meetings should the Sub-Committee be unable to complete its business within the time limit of 3 hours and decide to adjourn rather than extend the meeting length (which can be done hourly by a majority vote). This would ensure that any remaining applications not dealt with at the first meeting could be determined in a timely fashion at the overspill meeting, which would be a continuation of the meeting held the previous Monday. It would be unlikely that members of the public would need to attend the second date, CWG commented that applications with public speakers could be dealt with first, as is often the usual practice. The expectation is that the overspill dates would rarely need to be used, especially once the new national scheme of delegation is in place which is expected to significantly reduce the number of applications determined by Members.
- 6.10** If Full Council agrees to change the structure of planning committees it is recommended that the Council requests that its Independent Remuneration Panel (IRP) meets to consider consequential amendments to the Members' Allowances Scheme 2023-27 ('the Scheme'). Currently the Scheme provides that the Chair of the Development Control Committee will receive a special responsibility allowance (SRA) of 0.25x basic allowance and the Chair of an Area Planning Committee will receive an SRA of 1.25x basic allowance. The IRP would consider the issues and make recommendations to the May 2026 Council meeting about what allowances should be paid to planning chairs under the new committee structure.

7. PLANNING PROCESS AND ROLES AND RESPONSIBILITIES

- 7.1** The PAS report made further recommendations for improvements to how planning meetings operate. PAS believe that there should be a clearer process for determining

applications and a clearer demarcation of roles at meetings, specifically between the roles of ward councillors and voting members.

- 7.2 PAS recommended a review of the Members Planning Code of Good Practice to address these issues. The Code of Good Practice within the Constitution (Part 6Q) is a national document which was produced by Lawyers in Local Government (LLG). Rather than amend the content of that document the CWG recommend that two documents produced by officers are appended to it.
- 7.3 Firstly, the Process for Determining Planning Applications attached at Annex D takes the form of a flow chart which is intended to assist chairs and provide clarity to members and the public about the steps that will be followed in determining planning applications. PAS had suggested that the officer presentation is provided in one part rather than two as is currently the case (with public speaking in between). However, the officer working group and the CWG held the view that the current process works well so these stages have not been combined in the flow chart.
- 7.4 Secondly, the Roles and Responsibilities in Relation to Planning Committees attached at Annex E has been produced to clearly set out the different responsibilities associated with the roles of voting members, ward members, chairs and vice-chairs at planning meetings. The intention is to help to ensure that the different roles do not risk becoming blurred and to avoid risks that voting members are perceived to have pre-determined applications.

8. OTHER PAS RECOMMENDATIONS

- 8.1 PAS made a number of other recommendations which relate to operational matters. These were discussed with the CWG but do not require a Full Council decision (e.g. improvements to webcasting, timing of pre-meetings, etc.). Some recommendations were not felt by the OWG and/or CWG as necessary and are not proposed to be taken forwards. For example, PAS had recommended that more time be given to supporters if the Town or Parish Council or Ward Members are objecting to the application (or vice-versa if the Parish Council or Ward Member support the application). This was considered but it was not accepted as the current system provides a sufficient balance of views and is one which is commonly used by many other councils. The proposed change could also cause confusion for speakers as they would not know how much time they had to speak until the day of the meeting.
- 8.2 The full list of PAS recommendations, which was considered by the CWG, is included at Annex B with a comment and any actions provided against each recommendation.

9. MEMBER QUESTIONS AT FULL COUNCIL

- 9.1 CWG was asked to consider whether it was necessary to include any additional rules around member questions at full Council meetings. Currently, Member Questions are included on Council agendas as submitted by members and in the order they were received. There is an ability for questions to be rejected by the Monitoring Officer in certain circumstances but there is no restriction on the length of questions for example. Member questions and responses are taken as read at the Council meeting and a total of 15 minutes

is provided for supplementary questions and responses but there is no restriction on the time taken to ask or respond to individual supplementary questions.

- 9.2 CWG considered options for strengthening the governance around member questions in Part 5A Rule 11 of the Constitution and discussed whether to recommend specific parameters or a broader discretion to officers to edit Member Questions to ensure they are clear and concise. CWG took the former approach of recommending specific parameters.
- 9.3 The majority view on CWG was to introduce a word limit on Member Questions to ensure that they cannot be overly long, as has happened on a small number of occasions in the past. A limit of 250 words per Member Question is recommended.
- 9.4 CWG opted not to recommend the introduction of a limit on the number of questions that can be submitted by a single member at any one meeting of Full Council.
- 9.5 CWG recommend a time limit of 1 minute per supplementary question given that there is an overall time limit of 15 minutes at the meeting and there are often several Member Questions that may result in supplementary questions and answers. CWG opted not to recommend a time limit on the response to a supplementary question.
- 9.6 CWG agreed with the principle of rotating the order of questions by group on the same basis that the order of Motions rotates i.e. any question from the largest political group will be taken first, followed by each other political group in order of size, followed by any question from a member not part of a political group.
- 9.7 Full Council is recommended to agree to the updated version of Part 5A Rule 11, as shown in Annex F with changes in red text, in order to give effect to these proposed changes to the Member Question rules.

10. ALTERNATIVE OPTIONS

- 10.1 Council could decide to not agree the recommendations in this report but that approach is not recommended for the reasons set out in this report.
- 10.2 The alternative to listing the ERS powers in full is to rely on a general delegation. That would be a legitimate approach but would be less transparent than listing the various powers in the Constitution.
- 10.3 If Council decided not to combine the two areas planning sub-committees into a single district-wide sub-committee then it is likely that, once the new national scheme of delegation is in place, there will be a significant increase in the numbers of cancelled and short sub-committee meetings.

11. FINANCIAL IMPLICATIONS

- 1.1. The merger of the two area planning sub-committees would be a more efficient use of Council resources but would not be expected to deliver cashable savings and is not the reason for the recommendation.
- 11.1 The financial implications of any changes to the Members' Allowances Scheme 2023-27 would need to be set out in a future report following consideration by the Council's IRP.

12. LEGAL IMPLICATIONS

12.1 The Council has a duty to keep the Constitution up to date under S9P of the Local Government Act 2000. There are no other legal implications arising from this report.

13. RISK ASSESSMENT

13.1 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.

14. EQUALITIES IMPACT

14.1 The recommendations in this report are not considered to have any differential impacts on any groups with protected characteristics.

15. CLIMATE AND ECOLOGICAL EMERGENCIES IMPLICATIONS

15.1 The proposed merger of the two area planning sub-committees would be expected to result in a slight reduction in emissions associated with travel to and from meetings.

15.2 There are no other climate and ecological emergencies implications arising from this report.

16. BACKGROUND PAPERS

16.1 The following documents have been identified by the author of the report in accordance with section 100D.5(a) of the Local Government Act 1972 and are listed in accordance with section 100 D.1(a) for inspection by members of the public:

- West Oxfordshire District Council Planning Committee Review, September – October 2025

16.2 These documents will be available for inspection online at www.westoxon.gov.uk or by contacting democratic services democratic.services@westoxon.gov.uk for a period of up to 4 years from the date of the meeting.

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