Summons to attend a meeting of Council

to be held on Wednesday 18 July 2012 at 7.00 PM
Civic Hall, Portway, Wantage, OX12 9BY

Margaret Reed
Head of Legal and Democratic Services

A large print version of this agenda is available. In addition any background papers referred to may be inspected by prior arrangement.

Please note that this meeting will be held in a wheelchair accessible venue. If you would like to attend and have any special access requirements, please let the Democratic Services Officers know beforehand and they will do their very best to meet your requirements.

Note: please remember to sign the attendance register.
Agenda

Open to the public including the press

Map and vision
(Page 6)

A map showing the location of the venue for this meeting is attached. A link to information about nearby car parking is http://www.whitehorsedc.gov.uk/transport/car_parking/default.asp

The council’s vision is to take care of your interests across the Vale with enterprise, energy and efficiency.

1. Apologies for absence

To receive apologies for absence.

2. Minutes
(Pages 7 - 18)

To adopt and sign as a correct record the council minutes of the annual meeting held on 16 May 2012.

3. Declarations of interest

4. Chairman's announcements

To receive any announcements from the Chairman.

5. Statements, petitions and questions from the public relating to matters affecting Council

Any statements, petitions and questions from the public under standing order 32 will be made or presented at the meeting.

6. Urgent business

To receive notification of any matters which the chairman determines should be considered as urgent business and the special circumstances which have made the matters urgent.

7. Petitions under standing order 13

To receive petitions from members of the council under standing order 13 (if any).

8. Questions under standing order 12
To receive questions from members of the council under standing order 12:

(1) Question from Councillor Sandy Lovatt to Councillor Matthew Barber:

Will the Leader please confirm that the two hour free parking has led to an increase in visitors to Vale towns?

(2) Question from Councillor Eric Batts to Councillor Matthew Barber:

Will the Leader please confirm the increased funding for area committees?

(3) Question from Councillor Fiona Roper to Councillor Matthew Barber:

Will the Leader explain what the Cabinet has done to assist Vale and Downland Museum?

(4) Question from Councillor Jenny Hannaby to Councillor Reg Waite:

At a previous Council meeting, I asked that a solution be found to increase our excellent recycling rates by providing the public with a means to recycle their small electrical goods. Officers must be congratulated on finding a solution and welcome the installation of WEEE bins in our market towns as a pilot scheme. When the viability of this new service is proven, which I believe it will be, can the Cabinet member for waste assure Council that the scheme will be rolled out across the rest of the Vale, including the larger communities such as Botley?

(5) Question from Councillor Jenny Hannaby to Councillor Reg Waite:

Council recognises the weather has played a large part in our new ground maintenance contractors not to able to fulfil their contractual duties regarding the grass cutting in the Vale. Can Council be assured the contractors will have adequate resources to catch up with the backlog when more clement weather occurs?

9. Recommendations from Cabinet and committees

At its meeting on 12 July cabinet will consider a report seeking additional resources to expedite the local plan core strategy. Any recommendation to council will be circulated prior to the council meeting.

10. Science Vale UK Enterprise Zone - fast tracking planning application protocol

(Pages 19 - 21)

To consider the strategic director’s report on the introduction of a fast track planning application protocol to encourage new business development and rapid growth in business rates in the Enterprise Zone (report attached).
11. Review of appointments to outside bodies  
(Pages 22 - 37)  
To consider the report of the monitoring officer on a review of council appointments to outside bodies (report attached).

12. Localism Act: standards of conduct  
(Pages 38 - 45)  
To consider the report of the monitoring officer on the impact of the secondary legislation on some of the council decisions on the new standards arrangements, which were taken at the Council meeting on 16 May 2012 (report attached).

13. Virements  
In accordance with the virement policy, all virements of £10,000 and over and virements across service areas require prior authorisation of the Cabinet and must be reported to the council. This information will be reported at the meeting.

14. Report of the leader of the council  

(1) Urgent executive decisions  
In accordance with the overview and scrutiny procedure rules, an executive decision can be taken as a matter of urgency, if any delay by the call-in process would seriously prejudice the council’s or the public’s interest. Treating the decision as a matter of urgency must be agreed by the chairman of the Scrutiny Committee and must be reported to the next meeting of the council, together with the reasons for urgency.

To receive any details of urgent executive decisions taken since the last ordinary meeting of the council, (if any).

(2) Delegation of executive functions  
To receive details of any changes to the Leader’s scheme of delegation.

(3) Matters affecting the authority arising from meetings of joint committees, partnerships and other meetings  
To receive the report of the leader (if any).

15. Notices of motion under standing order 11  
To receive notices of motion under standing order 11:

(1) Motion to be proposed by Councillor Robert Sharp, seconded by Councillor Melinda Tilley:

“This Council congratulates the town and parish councils within the Vale for
the excellent way in which they celebrated HM The Queen's Diamond Jubilee, ensuring that all the people of the Vale were able to join in the celebrations. This Council also notes with gratitude the efforts made by Vale officers and members in supporting these celebrations and organising the Vale's own Jubilee Beacon.”

(2) Motion to be proposed by Councillor Elaine Ware, seconded by Councillor Jason Fiddaman:

“This Council congratulates all those who took part in the organisation for the Olympic Torch Relay through the Vale in Abingdon on Tuesday 10th July. The event was a great success and helped to nurture the Olympic spirit amongst all those who attended.”

(3) Motion to be proposed by Councillor Andrew Crawford, seconded by Councillor Richard Webber:

"The Vale of White Horse District Council is aware that its recently abandoned interim housing supply policy has caused concern and confusion across the district, and that there is much mis-information circulating. Council therefore asks the chief executive to convene a public meeting within the next six weeks to which each parish council should be invited to send up to three councillors/officers so that the background to the abandonment of the policy and consequent implications can be explained, the council's future housing planning strategy explained, and that the timetable should allow time for any questions from parish councillors to be addressed."
Minutes of a meeting of the Council
held at 7.00 PM on Wednesday 16 May 2012
at the Guildhall, ABINGDON

Open to the public, including the press

Present:

Members: Councillor Alison Thomson (Chairman), Mike Badcock (Vice-Chairman),
John Amys, Marilyn Badcock, Matthew Barber, Yvonne Constance, Roger Cox,
Andrew Crawford, Tony de Vere, Gervase Duffield, Jim Halliday, Jane Hanna,
Jenny Hannaby, Anthony Hayward, Dudley Hoddinott, Bob Johnston, Angela Lawrence,
Pat Lonergan, Sue Marchant, Julie Mayhew-Archer, John Morgan, Mike Murray,
Jerry Patterson, Judy Roberts, Robert Sharp, Melinda Tilley, Margaret Turner, Reg Waite,
Elaine Ware, Richard Webber, John Woodford, Eric Batts, Jane Crossley,
Charlotte Dickson, Jason Fiddaman, Debby Hallett, Holly Holman, Simon Howell,
Mohinder Kainth, Sandy Lovatt, Ron Mansfield, John Amys, Gill Morgan, Helen Pighills,
Kate Precious, Fiona Roper and Janet Shelley

Officers: David Buckle, Steven Corrigan, Steve Culliford, Susan Harbour, Anna Robinson,
Margaret Reed

Number of members of the public: 10

Co.1 Election of chairman

RESOLVED: to appoint Councillor Alison Thomson as Chairman of the council for the ensuing year.

Councillor Alison Thomson read out the oath of office, signed her declaration of acceptance of office and made an acceptance speech.

She reviewed her time as Chairman of the Council over the past year and thanked councillors, especially Councillor Sue Marchant as Vice-Chairman, her family and Mark Hewer for their support. She reported that over £4,000 had been raised for her chosen charities during the year. She reported that her chosen charities for the forthcoming year would include the Faringdon Family Centre and FAZE youth club.

Co.2 Election of vice-chairman

Councillor Sue Marchant reviewed her year as Vice-Chairman and the privilege she felt in undertaking the role. She thanked Councillor Alison Thomson, the Chairman of the council, and Mark Hewer for their support during the year.
Councillors Matthew Barber and Richard Webber paid tribute to Councillor Marchant in recognition of her work as Vice-Chairman of the council.

Councillor Mike Badcock was nominated as Vice-Chairman.

**RESOLVED:** to appoint Councillor Mike Badcock as Vice-Chairman of the council for the ensuing year.

The Chairman presented Councillor Mike Badcock with the Vice-Chairman’s chain of office.

Councillor Mike Badcock read out the oath of office, signed his declaration of acceptance of office and made an acceptance speech.

**Co.3 Apologies for absence**

Apologies for absence were submitted on behalf of Councillors Tim Foggin, Bill Jones, Peter Jones and Aidan Melville.

**Co.4 Minutes**

**RESOLVED:** to adopt the minutes of the meeting held on 22 February 2012 as a correct record and agree that the Chairman signs them.

**Co.5 Declarations of interest**

Councillor Fiona Roper declared a personal interest in the recommendation from Cabinet in respect of the Vale and Downland Museum as a trustee of the museum.

**Co.6 Chairman’s announcements**

The Chairman referred to details of her and the Vice-Chairman’s recent engagements details of which were circulated with the Vale information sheet.

She advised that at the previous Council meeting there was insufficient time to consider the four motions submitted under standing order 11. Although these were included on the agenda for consideration at this meeting the Chairman advised that Councillor Sandy Lovatt had withdrawn his two motions set out below:

(1) ‘This Council welcomes the report by Mary Portas, “The High Street Review”, published last December. We note that her recommendations are at the heart of this Council’s economic and community development policy and that some have been enacted already, such as the two-hours’ free parking scheme. This Council is pleased that its approach has such distinguished endorsement of its policies and requests the Leader of the Council write to Mary Portas to declare our support for her initiative.’

(2) ‘This Council commends the town councils of Abingdon, Faringdon and Wantage for the swiftness with which they have addressed the economic and community development issues that confronted them after the recent elections. This Council will continue to support their efforts to improve the vitality of their communities.’

Two motions therefore remained for consideration at this evening’s meeting. These would be considered after agenda item 19.
For the benefit of members of the public item 13 on the interim housing supply was brought forward for consideration after item 9.

Co.7 Urgent business

None.

Co.8 Petitions under standing order 13

Councillor Jane Hanna presented a petition on behalf of 38 Marcham residents, objecting to the interim housing supply policy.

In accordance with the council’s petition scheme the petition would be referred to Cabinet for consideration.

Co.9 Interim housing supply

The Chairman of Council allowed Councillor Roger Cox, Cabinet member for planning, the opportunity to address Council on the interim housing supply and Councillor Richard Webber, leader of the opposition, the opportunity to respond.

Councillor Roger Cox stated that the Interim Housing Supply Policy (IHSP) was intended to address the current shortfall of 1,000 homes whilst the council produced its Core Strategy in order to protect the council against development by appeal and large losses of Section 106 contributions towards improving local infrastructure.

People were invited to suggest sites for development to avoid speculative applications and facilitate a process to bring forward housing sites in a managed way. Although, the National Planning Policy Framework limited the council’s ability to adopt a formal policy, the work had not been wasted. Much of the work that had been put into the IHSP could be rolled forward, and the results of the consultation with public and parishes and the results of the site screening would contribute to the council’s ability to deal with forthcoming planning applications.

In response Councillor Richard Webber stated that he understood the argument for an IHSP but criticised its handling which had damaged the reputation of the council, left the council vulnerable to planning by appeal and jeopardised working relationships between some parish councils and the district council. The public were concerned about the lack of consultation on those sites identified for potential development and had created concern in some communities. He requested a special Council meeting to discuss the issue, the way forward and the cost to the council in terms of resources and reputation. He called on the administration to concentrate resources on the completion of the core strategy.

Co.10 Questions under standing order 12

(1) Question from Councillor Bob Johnston to the Leader of the Council, Councillor Matthew Barber:

‘Could Councillor Matthew Barber describe the steps he has taken to investigate the malfunctioning of the out of hours service over the New Year weekend, when callers could ring, receive an answer that they had reached the Vale, then it rang off (This resulted in calls being logged, but not answered)?’
Answer

“Since then we have worked with our telephony contractors to prevent any recurrence. The telephone system has been upgraded to the latest software version to stop the same software bug from affecting the telephone system. Over the most recent bank holiday weekend we had both IT staff and our contractor’s engineer checking that the system was working correctly and on standby in case of any problems. No issues were reported. Similar arrangements are planned for the next bank holiday”.

(2) Question from Councillor Richard Webber to the Leader of the Council, Cllr Matthew Barber:

‘Given that there is a potential saving to both VWHDC and SODC of more than £500K per annum per Council, why has the present administration already missed more than eighteen months of potential savings by dragging its feet in negotiations with SODC over proposals for shared accommodation?’

Answer

“I note that Councillor Webber’s mathematics hasn’t improved. We have been in control of this council for just over twelve months, not eighteen months. I fear that he similarly overestimates the savings that could be achieved. Whilst undoubtedly significant money could be saved, we will not sacrifice the quality of service provided to the public. We continue to share staff and contracts with great success. Work continues to look at the feasibility of shared accommodation, and when a firm proposal is ready to be considered it will be put to both Councils”.

In response to a supplementary question Councillor Barber stated that he did not accept that any time had been wasted investigating the option of shared accommodation.

(3) Question from Councillor Jerry Patterson to the Cabinet member for Planning, Councillor Roger Cox:

‘Is the current administration content with the way that public consultation on the proposed interim housing supply policy has/is being carried out?’

Answer

“Concurrent with this we will be increasing the resources available to officers to accelerate the work on the Core Strategy. A revised timetable will be published as soon as possible.

We consulted all stakeholders including Vale residents, parish councils, landowners and developers on this innovative policy designed to bring forward a balanced supply of housing. The mechanisms were well tried, for example through the Vale website, and specific questions were dealt with by both local councillors and Vale officers. We held a workshop in Wantage Civic Hall where chairmen of parish councils and parish clerks worked through the issues in small groups and discussions were facilitated by officers and the IHSP was re-drafted in light of those consultations. Councillors are aware of the large numbers of expressions of interest, the responses to them and the screening of
potentially suitable sites, all of which clearly demonstrates the level of community involvement and interest in IHSP”.

In response to a supplementary question Councillor Roger Cox confirmed that he was of the view it was better to invest time in accelerating work on the core strategy and more resources would be found to do this.

(4) Question from Councillor Dudley Hoddinott to the Cabinet member for Finance, Councillor Matthew Barber:

‘Given that the current budget depends on the new homes bonus delivering around £9m over the next five years, what contingency plans does the cabinet member for finance have should the new homes bonus fail to deliver such a figure?’

Answer

“I am pleasantly surprised to find that the Lib Dems are as concerned as I am about ensuring a balance budget in future years. I am particularly pleased that this concern comes from Councillor Hoddinott who only a couple of months ago was proposed we increase the budget by almost another million pounds this year. I am pleased to see his conversion to sensible budgeting”.

Supplementary question

“This week’s Vale press release has stated that the interim Housing Supply Policy is dead, it is being replaced by a ‘Statement’ which would appear to have little value. How can the Cabinet member for finance reassure my constituents that future New Homes Bonuses will not be obtained at the expense of our residents, by housing from ‘planning by appeal’ as a result of the Interim Housing Supply Policy opening the floodgates for developments to the detriment of our towns and villages ?”

Councillor Barber responded that the planning committee remained independent from concerns over the council’s finances and would ensure that decisions would be made on good planning grounds.

(5) Question from Councillor Richard Webber to the Cabinet member for Economy, Leisure and Property, Councillor Elaine Ware:

‘In 2011 the Wantage Summer Festival and Faringdon Arts Festival both applied for funding from the District Council which was duly granted and helped fund two very successful events, both of which attracted many visitors to the Vale. Please can she advise me how/when the organisers can apply to the District Council for financial help with this year’s festivals?’

Answer

I understand that the Wantage Summer festival has already received a grant from the Vale for this year’s festival.

In response to a supplementary question about the uncertainty regarding the revenue eligibility for grants Councillor Ware confirmed the existence of a reserved revenue amount set aside for grants such as these and that
organisers could apply at any time providing they met the grant application criteria.

Co.11 Recommendations from the Cabinet

At its meeting on 11 May 2012 Cabinet considered reports on Vale and Downland Museum, Wantage and Bury Street Abingdon. Cabinet’s recommendations to Council were circulated prior to the Council meeting.

Bury Street, Abingdon

RESOLVED: to authorise the head of economy, leisure and property to enter into an agency agreement under s101 of the Local Government Act 1972 committing the council to maintain and manage the surface of Bury Street on behalf of Oxfordshire County Council on the terms set out in the report.

Vale and Downland Museum, Wantage

RESOLVED: to

(a) add £100,000 to the capital programme to fund an additional grant to the Vale and Downland Museum Trust to enable it to pay for building works associated with the museum

(b) approve a virement of £53,000 from contingency fund to pay for an increased revenue grant to the Vale and Downland Museum Trust for 2012/13.

Co.12 Appointments to committees, panels and joint committees

Council considered the report of the head of legal and democratic services on the appointment to those committees required to be politically balanced together with the Licensing Acts Committee and the Standards Committee, area committees and joint committees. A revised recommendation was circulated prior to the meeting to reflect the withdrawal of the proposal for a joint scrutiny committee, the abolition of the Personnel Committee and the reduction of the Planning Committee membership from 15 to 14.

The Chairman referred to the following recommendation, tabled at the meeting, and invited Council to agree it.

That for the 2012/13 municipal year Council:

1. appoints the committees and panels and allocates seats to each political group as set in the schedule circulated at the meeting;

2. appoints councillors and substitutes to sit on the committees and panels as set out in the schedule circulated at the meeting;

3. appoints councillors to the Licensing Acts Committee as set out in the schedule circulated at the meeting;

4. appoints committee chairmen and vice-chairmen as set out in the schedule circulated at the meeting;

5. appoints Councillors Roger Cox, Timothy Foggin, Mohinder Kainth, Angela Lawrence and Julie Mayhew-Archer as the district councillors and Mrs Rita
Atkinson, Mr Edward Carter and Mr Robert Fyfe as the parish council representatives on the Standards Committee;

6. appoints all local members representing the wards covered by the relevant area committees to those committees;

7. appoints Councillor Alison Thomson as the council’s representative on the Oxfordshire Joint Health Overview and Scrutiny Committee and Jenny Hannaby as substitute

8. appoints Councillor Bill Jones as the council’s representative and Councillor Sandy Lovatt as substitute on the Thames Valley Police and Crime Panel

9. authorises the head of legal and democratic services to make appointments to any vacant committee or panel and substitute positions in accordance with the wishes of the relevant group leader

**RESOLVED:**

1. appoint the following committees and panels for the 2012/13 year and to appoint the membership and substitutes, chairmen and vice-chairmen as indicated to sit on them:

**SCRUTINY COMMITTEE, 12 MEMBERS POLITICALLY BALANCED**

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<tr>
<th>Conservative (7)</th>
<th>Liberal Democrat (4)</th>
<th>Non group councillor</th>
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<tr>
<td>Eric Batts</td>
<td>Andrew Crawford</td>
<td>Angela Lawrence</td>
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<td>Jane Crossley</td>
<td>Tony de Vere</td>
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<td>Charlotte Dickson</td>
<td>Jim Halliday (Chairman)</td>
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<td>Jason Fiddaman</td>
<td>Julie Mayhew-Archer</td>
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<td>Bill Jones</td>
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<td>Fiona Roper</td>
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<tr>
<td>Melinda Tilley</td>
<td>(Vice-Chairman)</td>
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**Substitutes:** All other councillors from the relevant political group (not Cabinet members). Aidan Melville to act as substitute for Angela Lawrence

**AUDIT AND GOVERNANCE COMMITTEE, 10 MEMBERS POLITICALLY BALANCED**

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<tr>
<th>Conservative (6)</th>
<th>Liberal Democrat (4)</th>
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<tr>
<td>Mike Badcock</td>
<td>Julia Bricknell</td>
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<td>Jane Crossley</td>
<td>Andrew Crawford</td>
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<td>Simon Howell (Vice-Chairman)</td>
<td>Dudley Hoddinott (opposition spokesperson)</td>
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<td>Kate Precious</td>
<td>Judy Roberts</td>
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<td>Mike Murray (Chairman)</td>
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<td>Robert Sharp</td>
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**Substitutes:** All other councillors from the relevant political group

**PLANNING COMMITTEE, 14 MEMBERS POLITICALLY BALANCED**

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<td>Eric Batts</td>
<td>Bob Johnston</td>
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<td>Roger Cox</td>
<td>Sue Marchant</td>
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<td>Anthony Hayward</td>
<td>Jerry Patterson (opposition spokesperson)</td>
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<td>Bill Jones</td>
<td>Helen Pighills</td>
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Vale of White Horse District Council – Council minutes
Wednesday, 16TH MAY, 2012

<table>
<thead>
<tr>
<th>Names</th>
<th>GENERAL LICENSING COMMITTEE, 15 MEMBERS POLITICALLY BALANCED</th>
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<tr>
<td>Conservative  (9)</td>
<td>Liberal Democrat (5)</td>
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<tr>
<td>John Amys</td>
<td>Dudley Hoddinott</td>
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<td>Marilyn Badcock (Vice-Chairman)</td>
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<td>Mike Badcock</td>
<td>Ron Mansfield</td>
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<td>Anthony Hayward</td>
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<td>Mohinder Kainth</td>
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<td>Janet Shelley</td>
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<td>Melinda Tilley (Chairman)</td>
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Substitutes: All other councillors from the relevant political group provided they have received the appropriate training. Angela Lawrence to act as substitute for Aidan Melville

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<tr>
<th>Names</th>
<th>APPEALS COMMITTEE, 3 MEMBERS POLITICALLY BALANCED</th>
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<tr>
<td>Conservative  (2)</td>
<td>Liberal Democrat (1)</td>
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<tr>
<td>Matthew Barber</td>
<td>Richard Webber</td>
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<td>Roger Cox</td>
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Substitutes: All other councillors from the relevant political group provided they have received the appropriate training.

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<th>Names</th>
<th>LICENSING ACTS COMMITTEE, 15 MEMBERS POLITICALLY BALANCED</th>
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<td>Conservative  (9)</td>
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2. appoint Roger Cox, Timothy Foggin, Mohinder Kainth, Angela Lawrence and Julie Mayhew-Archer as the district councillors and Mrs Rita Atkinson, Mr Edward Carter and Mr Robert Fyfe as the parish council representatives on the Standards Committee;

3. appoint all local members representing the wards covered by the relevant area committees to those committees for the 2012/13 municipal year;
4. appoint Councillor Alison Thomson as the council’s representative on the Oxfordshire Joint Health Overview and Scrutiny Committee and Jenny Hannaby as substitute

5. appoint Councillor Bill Jones as the council’s representative and Sandy Lovatt as substitute on the Thames Valley Police and Crime Panel

6. authorise the head of legal and democratic services to make appointments to any vacant committee or panel and substitute positions in accordance with the wishes of the relevant group leader.

Co.13 Amendments to the council’s constitution

Council considered the report of the head of legal and democratic services on proposed changes to the council’s constitution.

RESOLVED: to

1. amend delegation 4.1 to the chief finance officer to include authority to offer business rate discounts;

3. authorise the head of legal and democratic services to make the necessary changes to the council’s constitution to reflect the allocation of skin piercing, animal welfare and scrap metal and motor salvage operations to the head of health and housing and the allocation of street trading to the head of legal and democratic services;

4. amend delegation 1.2(d) of the head of economy, leisure and property as set out in paragraph seven of the report of the head of legal and democratic services to the Council meeting on 16 May 2012;

5. authorise the head of legal and democratic services to make any minor or consequential amendments to the constitution required for clarification, consistency and compliance with the council’s style guide.

Co.14 Localism Act:- standards of conduct

Council considered the report of the monitoring officer that set out the background to and current position concerning the revised code of conduct for councillors, invited Council to adopt the revised code with effect from 1 July 2012, make amendments to the council’s constitution as a result of the adoption of the new code, and agree the appointment of the proper officer for dealing with code of conduct complaints, and appoint persons who will act as consultees on code of conduct complaints.

Councillors expressed the following concerns:

- Lack of councillor involvement in the development of the new process
- Lack of provision in the proposals for councillor involvement in consideration of complaints
- Process should be clearly defined and publicly available
- The independent person will not be accountable leading to potential claims of secrecy or lack of fairness in how the council makes decisions
- Heavy workload for the monitoring officer

Margaret Reed, Monitoring Officer, reiterated that Council was required to adopt a revised Code of Conduct before 1 July and make arrangements for the appointment of
independent persons to act as consultees on code of conduct complaints. The Standards Committee had considered the draft code at its meeting in April. The Audit and Governance Committee would have responsibility for code of conduct issues in place of the Standards Committee with effect from 1 July 2012 and would in due course be invited to agree the procedures for dealing with complaints. The code would be kept under review and if new regulations involved changes she would contact the group leaders with details.

RESOLVED: to

1. adopt the code of conduct set out in appendix 1 to the report of the monitoring officer to the Council meeting on 16 May 2012 as the code of conduct which is expected of councillors and co-opted members of Vale of White Horse District Council with effect from 1 July 2012, or such later date as may be specified in regulations for the implementation of the new standards framework, and in place of the council’s existing code of conduct;
2. authorise the monitoring officer to add to the code of conduct the relevant text from the secondary legislation concerning disclosable pecuniary interests;
3. designate the monitoring officer as the proper officer for receipt of code of conduct complaints and the audit and governance committee as the committee responsible for dealing with allegations about potential breaches of the code of conduct that the monitoring officer considers it inappropriate for officers to deal with;
4. approve the amendments to the constitution arising from the new standards framework with effect from 1 July 2012 as set out in the electronic copy of the constitution on the council’s website for the meeting of the council on 16 May 2012;
5. subject to 1 to 4 above, authorise the Head of Legal and Democratic Services to include the code of conduct in the constitution and to make any consequential amendments to the constitution arising from the adoption of the code including minor or consequential amendments required for clarification, consistency and compliance with the council’s style guide;
6. appoint independent persons for a period consistent with the anticipated secondary legislation that sets out the terms of such appointments during the transitional period to the new standards of conduct framework.

Co.15 Councillor Peter Jones

Council recalled that at its meeting in February 2012 it had approved the non-attendance of Councillor Peter Jones at meetings of the council due to his ill health and ongoing recovery.

Council noted that Councillor Peter Jones remained unwell and his recovery was ongoing. Council therefore approved his absence from any meetings of the authority until 31 December 2012.

RESOLVED: to approve the non-attendance of Councillor Peter Jones at meetings until 31 December 2012 due to his ill health and ongoing recovery.

Co.16 Virements

In accordance with the virement policy, the Council noted all virements of £10,000 and over, approved since its last meeting.
Co.17 Report of the leader of the council

Council received the Leader of Council’s report and noted his revised scheme of delegation that designated Councillor Eric Batts as ‘special adviser to cabinet’ on the West Way area development in Botley.

Co.18 Notices of motion under standing order 11

No new notices of motion were submitted under standing order 11.

Co.19 Uncompleted business - motions under standing order 11

In accordance with standing order 27(5) regarding the duration of meetings the Council meeting held on 22 February 2012 concluded at 9.56pm. In accordance with standing order 27(6), that provides that any business not disposed of by the end of a meeting shall be included on the agenda for the next appropriate meeting four motions were deferred until this meeting. As notified by the Chairman of the council (see Minute Co.6) Councillor Sandy Lovatt had withdrawn his motions.

Council considered the following motions.

(3) Motion moved by Councillor Gervase Duffield and seconded by Councillor Tony de Vere:

‘This Council calls on the Government to change the basic instruction to OFWAT requesting less encouragement in huge capital projects and more in terms of good customer value for money.’

In supporting the motion councillors expressed the view that the interests of the consumer were not currently the primary concern of the water companies. Repairing leaks did not generate income whilst large capital infrastructure projects did. In the case of infrastructure projects more weight should be given to the views of local residents. Currently the water companies could employ huge resources, funded by customers, to support their argument with no financial or professional support provided to those who may object to a proposal.

RESOLVED:

To call on the Government to change the basic instruction to OFWAT requesting less encouragement in huge capital projects and more in terms of good customer value for money.

(4) The motion as set out on the agenda paper for the meeting on 22 February 2012 is set out below:

‘This Council recognises the concern regarding the future of Wantage Leisure Centre and Civic Hall and that the Leisure Centre is fundamental to the day to day functioning of the King Alfred’s Academy and that the Civic Hall would be better used if the Academy were to be more involved with day to day management.'
Council therefore requests that officers urgently commence detailed discussions with the Academy regarding their usage of the Leisure Centre and Civic Hall and their management.’

With the agreement of Council, in accordance with standing order 24(4)(a), Councillor Jenny Hannaby moved and Councillor Jane Hanna seconded the following altered motion:

‘This Council recognises the concern regarding the future of Wantage Leisure Centre and Civic Hall and that the Leisure Centre is fundamental to the day to day functioning of the King Alfred's Academy and that the Civic Hall would be better used if the Academy were to be more involved with day to day management.

Council therefore requests that officers urgently commence detailed discussions with the Academy regarding their usage of the Leisure Centre and Civic Hall and their management.’

The mover and seconder of the motion, with the agreement of Council, accepted an amendment to replace ‘commence’ in the first line of the second paragraph with ‘continue’.

In supporting the amended motion councillors were of the view that working together with the Academy offered the best solution for the survival of the facilities.

**RESOLVED:**

That Council recognises the concern regarding the future of Wantage Leisure Centre and Civic Hall and that the Leisure Centre is fundamental to the day to day functioning of the King Alfred's Academy and that the Civic Hall would be better used if the Academy were to be more involved with day to day management.

Council therefore requests that officers urgently continue detailed discussions with the Academy regarding their usage of the Leisure Centre and Civic Hall and their management.

**Co.20 Exempt information under section 100A(4) of the Local Government Act 1972**

None.

The meeting closed at 8.25pm
Science Vale UK – Enterprise Zone fast track planning application protocol

Recommendation

the delegation to the Head of Planning is amended so that the officer can grant or refuse planning applications for the erection of buildings (excluding dwellings) extensions and plant up to 10,000 square metres gross floor space or 15 metres in height within the Science Vale UK Enterprise Zone.

Purpose of report

1. To encourage new business development and rapid growth in business rates in the Enterprise Zone the council is introducing a fast track planning application protocol. An amendment of the delegation to the Head of Planning will support the fast track protocol.

Strategic Objectives

2. The Enterprise Zone contributes to the Vale of White Horse District Council’s strategic objective of supporting a vibrant local economy and the objective to promote Science Vale UK as a world leading area for science and technology.
Background

3. The Enterprise Zone will benefit the Vale by creating new jobs and generating business rates growth that will be retained by the Oxfordshire Local Enterprise Partnership and reinvested to improve local infrastructure. To encourage new business development and rapid growth in business rates the council is introducing a fast track planning application protocol. The protocol will also involve Oxfordshire County Council. The application protocol will result in all Enterprise Zone applications being determined within six weeks.

4. It is likely that many of the new businesses wanting to locate in the Enterprise Zone will be creating a large number of new jobs and will have a requirement for large premises.

5. The existing Constitution requires that the planning committee grants or refuses applications for the erection of buildings (excluding dwellings) extensions and plant over 1,000 square metres gross floor space or 15 metres in height. Therefore in order to maintain the fast track protocol it is likely that additional meetings of the planning committee will have to be convened to determine Enterprise Zone applications.

6. To avoid the cost of convening additional meetings it is proposed that the delegation to the Head of Planning to grant or refuse planning applications for the erection of buildings (excluding dwellings) extensions and plant is amended from up to 1,000 square metres to up to 10,000 square metres gross floor space or 15 metres in height. This amendment would only apply to applications for planning permission within the Science Vale UK Enterprise Zone.

Options

7. The council could maintain existing planning application processes, and not introduce a fast track planning application protocol. However there is a risk that development and the creation of new jobs may be delayed or even lost to another area.

8. The Chairman of the Planning Committee could be requested to convene an additional meeting if this is required in order to determine an Enterprise Zone application within six weeks. This would result in extra costs for the council and could be an inconvenience for committee members.

Financial Implications

9. The amendment of the Head of Planning’s delegation will not result in any additional financial commitments.

Legal Implications

10. The existing delegation to the Head of Planning is set out in Part 9 of the constitution. An amendment to the delegation will require a resolution in favour by the full council.

Conclusion

11. The fast track planning application protocol satisfies the Government’s requirement that an Enterprise Zone offers a simplified approach to planning. The protocol will ensure that the Government formally confirms that specified sites at Harwell Oxford
and Milton Park have Enterprise Zone status and business rates growth can be retained.

12. The protocol is an interim measure pending the preparation and adoption of Local Development Orders (LDOs). LDOs allow local planning authorities to extend permitted development rights for certain types of development. This means that during the period of an LDO certain types of development can proceed without the need for the submission or determination of a planning application.

13. Amending the delegation to the Head of Planning not only avoids the cost of convening additional planning committee meetings but also demonstrates the Vale’s commitment to providing simplified planning within the Enterprise Zone.

**Background papers**

- Enterprise Zone Fast Track Planning Application Protocol
- Constitution (reference Part 9, page 351)
- Certified maps showing the boundaries of the Science Vale UK Enterprise Zone
Council report

Report of Head of Head of Legal and Democratic Services
Author: Steven Corrigan
Telephone: 01235 547675
E-mail: steven.corrigan@southandvale.gov.uk
To: Council
DATE: 18 July 2012

Review of appointments to outside bodies

Recommendations

That Council
1. ceases to make appointments to those outside bodies set out in paragraphs 6 and 7 of this report;
2. agrees that trustee appointments are only made in circumstances where there is a clear requirement in the trust deed for such an appointment.

Purpose of report

1. To consider a proposal to cease making appointments to a number of outside bodies.

Strategic objectives

2. Relevant appointments to outside bodies assist the council in the achievement of all its strategic objectives. Reviewing the appointments ensures the council manages its resources effectively.

Background

3. The council appoints to around 60 outside bodies across the district and nationally. Details of the outside bodies the council currently makes appointments to, the appointees and those bodies to which the council no longer makes appointments (see paragraph 4 of this report) are set out in appendix 1 attached. The number of appointments has remained fairly constant over a substantial period of time and a significant proportion of these appointments have been made without a clear recognition of the potential benefits to the council. In light of this the Leader of
Council asked officers to undertake a review to ensure the appointments reflect the new executive arrangements, focus the council on ensuring that its activities support the delivery of the corporate plan and reflect the representational role of ward councillors. In addition the review had regard to the fact that at its meeting on 22 February 2012 Council agreed its business case for submission to the Local Government Boundary Commission for undertaking a review of councillor numbers. That document made reference to the need for a review as follows:

_Historically, the council has nominated councillors to sit on a wide variety of outside bodies. Recent analysis has indicated, however, that a review is overdue with the rationale for some external appointments lost over time. The expectation is that the council will nominate many fewer councillors to sit on outside bodies at its next annual meeting in May._

**The review**

4. The initial stage of the review involved establishing whether the outside body existed and whether the council was appointing member(s) to bodies it had ceased membership of. As a result of this process the following outside bodies have been deleted from the list:

A. No longer paid members
   - Oxfordshire Museums Council
   - South East Employers
   - South East England Councils

B. No longer exists
   - Abingdon Joint Economic Forum
   - Besselsleigh Wood Management Committee
   - Central Oxfordshire Club regional Steering Group
   - Swindon Sub-Regional Study Members Steering Group
   - Thames Valley Waste Forum
   - Traffic Advisory Committee for Abingdon
   - Vale of White Horse Local Strategic Partnership Board

5. Matthew Barber, Leader of Council, Richard Webber, Leader of the Opposition, David Buckle, Chief Executive, and Steven Corrigan, Shared Democratic Services Manager met on 28 February to consider a paper that set out suggested criteria to assess the suitability of the current appointments and sought agreement as to whether or not the council should appoint a representative(s) to serve on an outside body in the future. Each outside body was categorised as one of the following:

   - Strategic/regional
   - Statutory
   - Community
   - Trustee appointments

**Strategic representation**
6. The council currently makes appointments to a number of strategic/regional organisations. The meeting agreed the council should continue to be represented at a strategic level where there is a clear benefit to the council or the body supports the delivery of the council’s corporate plan. It agreed that the council should not make appointments to the following bodies:

- Cranfield University DCMT – does not support delivery of the corporate plan
- Local Government Association Rural Association – no benefit to the council
- Oxford Brookes University Court – does not support delivery of the corporate plan
- Oxfordshire Buildings Trust – does not support delivery of the corporate plan
- Oxfordshire Playing Fields Association – does not support delivery of the corporate plan
- Oxfordshire School Organisation Stakeholder Group – does not support delivery of the corporate plan
- UKAEA Culham Local Liaison Committee – not within the district
- Wilts and Berks Canal Trust – does not support delivery of the corporate plan

**Community representation**

7. The council currently makes appointments to a number of outside bodies that deal with a wide range of economic, environmental and social issues many specific to a particular area of the district. Whilst recognising that the council has made appointments for a number of years and that some ward councillors may have developed a strong link with the organisation, particularly if it serves their ward, having a community link is not necessarily a reason for continued council representation. There should be a demonstrable link with the council’s corporate objectives. The fact that the council might cease to make such appointments would not prevent outside bodies approaching individual councillors to become members. Councillors would be free to become members in line with their representational ward role although they would be doing so in a private capacity and not as a representative of the council. The review proposes that the council cease to make appointments to the following outside bodies because they are focused on a particular community without a demonstrable link to the council’s corporate plan:

- Abbey Fishponds
- Abingdon and District Twin Towns Society
- Abingdon Bridge drop-in centre management committee
- County Hall Museum (Abingdon) Sub-Committee
- Cumnor Village Hall Committee of Management
- Fogwell Road Management Committee
- Foyer, Abingdon
- Friends of Abbey Meadow Open Air Pool
- Stanford-in-the-Vale Community Bus
- Sutton Courtenay Millenium Park Management Committee
Statutory

8. The council makes appointments to a number of organisations because of statutory requirements/legal agreements. The review proposes that the council continues to make appointments to the following which include appointments arising from joint use agreements:

- Choose Abingdon Partnership
- Faringdon Joint Economic Forum
- Faringdon Leisure Centre
- Wantage Joint Economic Forum
- Wantage Leisure Centre Liaison Committee

Trustee appointments

9. The council appoints a number of councillors as trustees to outside bodies. A trustee has a specific set of responsibilities quite different to other outside bodies – including ultimate responsibility and in some cases being liable for any debts or losses. Given the legal obligations and potential conflict of interest with their role as a council representative it is important the appointed councillor has a clear understanding of their role and the organisation before accepting a trusteeship. Such appointments should only be made where there is a specific requirement for a council appointment. Legal services are currently reviewing details of appointments within this category to establish the basis for the appointments. Council is invited to agree that if no appointment is required, either now or in the future, that it ceases to make such appointments. The following outside bodies are affected:

- Albert Memorial (Abingdon) Trust
- Court Hill Trust
- Vale and Downland Museum Trust
- Old School Cumnor
- Long Furlong Community Centre Association
- North East Abingdon Community Centre Association
- Preston Road Community Centre Association

10. The decisions made at that meeting were considered at group meetings. The following summarises the views of the Liberal Democrat group:

- Many constitutions would have to be altered
- Many organisations suffer from poor attendance by nominated District Councillors - Liberal Democrat Councillors would be happy to take on those appointments where others do not have the time - they were not given that opportunity post May 2011 election
- Abandoning so many organisations will be rightly seen as the Vale distancing itself from its own communities
- Many organisations see their appointed Vale Councillors as an opportunity to lobby their District Council. This is perfectly proper and does not necessarily oblige the Council to offer financial support
- The Liberal Democrat Group understands that for Officers, many outside appointments seem rather pointless and time consuming and many others are
rather obscure, However the Group feels that this is a measure of lack of understanding of what particular organisations do

- Ultimately, this is a political decision much more than an organisational irritant and that the community benefits of maintaining the status quo far outweigh the convenience of the proposed wholesale rationalisation

11. Following the meeting on 28 February officers wrote to the affected outside bodies advising that the council was minded not to make appointments to them. Each was invited to submit information supporting continued council representation including any constitutional or legal requirement. The letter made it clear that the organisation was free to approach councillors to become a member although this would not be a district council appointment. In addition the letter made it clear that the change would have no impact on the Council's willingness to continue supporting local community groups.

12. Responses received are attached at appendix 2.

Financial Implications

13. Appointees are able to reclaim any costs incurred on travel when acting as a representative of the council on outside bodies. A reduction in appointments would realise a minimal saving.

Legal Implications

14. The circumstances in which the council is required to make appointments are set out in the body of the report.

Conclusion

15. A review of council appointments to outside bodies has been undertaken to ensure appointments are made to organisations that enable the council to be represented at a strategic level, which benefit the council and support delivery of its corporate plan or meet a statutory requirement. The review concluded that councillors should be free to become members of outside bodies in a private capacity especially within their ward. Council is invited to consider the proposal to cease making appointments to those organisations set out in paragraphs 6 and 7 of this report and to agree that trustee appointments are only made where there is a clear requirement in the trust and to consider the representations received and attached at appendix 2.

Background paper: Letters to outside bodies
REPRESENTATIVES ON OUTSIDE BODIES
<table>
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<tr>
<th>OUTSIDE BODY</th>
<th>NO OF REPS</th>
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<tbody>
<tr>
<td>Abbey Fishponds</td>
<td>1</td>
<td>Councillor Julie Mayhew-Archer</td>
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<tr>
<td>Abingdon and District Twin Towns Society</td>
<td>1</td>
<td>Councillor Holly Holman</td>
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<td>Abingdon Bridge Drop-in Centre Management Committee</td>
<td>1</td>
<td>Councillor Jason Fiddaman</td>
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<tr>
<td>Abingdon Joint Economic Forum</td>
<td>5</td>
<td>Councillor Marilyn Badcock, Councillor Jason Fiddaman, Councillor Holly Holman, Councillor Pat Lonergan, Councillor Helen Pighills. No longer exists.</td>
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<td>Albert Memorial (Abingdon) Trust</td>
<td>2</td>
<td>Councillor Holly Holman, Councillor Jim Halliday</td>
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<td>Appleford and Sutton Courtenay Liaison Committee (Waste)</td>
<td>1</td>
<td>Councillor Gervase Duffield</td>
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<tr>
<td>Besselsleigh Wood Management Committee</td>
<td>1</td>
<td>Councillor Dudley Hoddinott, No longer exists</td>
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<td>Central Oxfordshire Club Regional Steering Group</td>
<td>4</td>
<td>Councillor Roger Cox, No longer exists</td>
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<tr>
<td>Choose Abingdon partnership</td>
<td>2</td>
<td>Councillor Holly Holman, Councillor Elaine Ware</td>
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<tr>
<td>Citizens Advice Bureau (Abingdon)</td>
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<td>Councillor Mike Badcock</td>
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<td>County Hall Museum (Abingdon) Sub-Committee</td>
<td>1</td>
<td>Councillor Marilyn Badcock</td>
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<tr>
<td>Court Hill Trust</td>
<td>5</td>
<td>Councillor Charlotte Dickson (appointed until May 2015 – 4 year term), Councillor Bill Jones (appointed until May 2015 – 4 year term), Councillor John Morgan (appointed until May 2013 – 4 year term), Terry Fraser (appointed until May 2013 – 4 year term), Rosemary Packer (appointed until May 2013 – 4 year term)</td>
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<td>Cranfield University DCMT</td>
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<td>Councillor Elaine Ware</td>
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<td>Cumnor Village Hall Committee of Management</td>
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<td>Councillor Dudley Hoddinott</td>
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<td>Didcot Power Station Local Liaison Committee</td>
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<td>Councillor Gervase Duffield</td>
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<td>Faringdon Area Project Forum</td>
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<td>Councillor Mohinder Kainth</td>
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<td>Faringdon Joint Economic Forum</td>
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<td>Councillor Roger Cox&lt;br&gt; Councillor Jim Halliday&lt;br&gt; Councillor Mohinder Kainth&lt;br&gt; Councillor Ron Mansfield&lt;br&gt; Councillor Robert Sharp</td>
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<td>Councillor Jason Fiddaman&lt;br&gt; Officer – Head of Legal &amp; Democratic Services</td>
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<td>Councillor Jason Fiddaman</td>
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<td>Friends of Abbey Meadow Open Air Pool</td>
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<td>Councillor Marilyn Badcock (Observer)</td>
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<td>Independent Advice Centre (serving Wantage, Grove and District)</td>
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<td>Councillor Gill Morgan</td>
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<td>King Alfred’s Educational Charity</td>
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<td>Councillor Jenny Hannaby (appointed until 31 December 2013 – 5 year term)</td>
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<td>Letcombe Brook Steering Group</td>
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<td>Councillor Kate Precious</td>
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<td>Councillor Matthew Barber</td>
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<td>Local Government Association – Rural Commission</td>
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<td>Councillor Matthew Barber</td>
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<td>Long Furlong Community Association Committee</td>
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<td>Councillor Sandy Lovatt</td>
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<td>Councillor Peter Jones</td>
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<td>North Wessex Downs Area of Outstanding Natural Beauty</td>
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<td>Councillor Janet Shelley&lt;br&gt; Councillor Angela Lawrence (sub)</td>
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<td>Oxford Brookes University Court</td>
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<td>Councillor Dudley Hoddinott (appointed for a 4 year term until May 2015)</td>
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<td>Oxfordshire Museums Council</td>
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<td>Oxfordshire Playing Fields Association</td>
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<td>South East Employers</td>
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<td>South East England Councils, to include related Boards</td>
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<td>Stanford-in-the-Vale Community Bus</td>
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<td>Councillor Roger Cox</td>
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<td>REPRESENTATIVES APPOINTED</td>
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</table>
| Traffic Advisory Committee for Wantage and Grove | 3          | Councillor John Amys  
Councillor Charlotte Dickson  
Councillor John Morgan |
| UKAEA Technology – Culham Local Liaison Committee| (1 + 1 SUB)| Councillor Tony de Vere  
Councillor Richard webber (substitute) |
| UKAEA Technology – Harwell Local Liaison Committee| 2          | Councillor Margaret Turner  
Councillor Reg Waite |
| Vale and Downland Museum Trust                   | 1          | Councillor Fiona Roper                                      |
| Wantage Joint Economic Forum                    | 5          | Councillor John Amys  
Councillor Charlotte Dickson  
Councillor Jenny Hannaby  
Councillor Sue Marchant  
Councillor Fiona Roper |
| Wantage Leisure Centre Liaison Committee         | 2          | Councillor Fiona Roper  
Councillor Elaine Ware |
| Wilts and Berks Canal Trust                      | 2          | Councillor Simon Howell  
Councillor Kate Precious |
| Vale of White Horse Local Strategic Partnership  | 1          | Councillor Matthew Barber  
No longer exists |
Oxfordshire School Organisation Stakeholder Group

The School Organisation Stakeholder Group is one mechanism through which Oxfordshire County Council fulfills its statutory responsibilities to consult with stakeholders on school provision. It was set up to reflect the changes in legislation in relation to school organisation arrangements contained within the *Education and Inspections Act 2006*. A formal consultation was undertaken that centred on the remit, terms of reference and membership of the group. A report to Cabinet in 2007 outlined the outcome of that consultation and discussed how the stakeholder group would operate. The Cabinet approved the creation of a stakeholder group which would consist of 20 members (including opposition group Members, Members from the district councils, Learning & Skills Council, Catholic and Anglican dioceses, governors and head teachers) plus the Cabinet Members for Children, Young People & Families and Schools Improvement and officers.

The key activities of the Oxfordshire County Council School Organisation Stakeholder Group are to:

- Discuss overall strategic development of educational provision in the county, in the context of Local Authorities’ statutory duties.
- Discuss developing options for changes in school organisation, including new schools and school expansions in response to changes in local population.
- Comment on statutory information and any written comments and objections as part of the statutory process.

Recent changes to legislation related to school organisation arrangements, particularly the *Academies Act 2010* and *Education Act 2011*, maintain the need for a formal decision making process for community, voluntary controlled, voluntary aided and foundation schools. There is a continuing need for a stakeholder group to provide knowledge and expertise for advisory purposes. Many aspects of new legislation will create additional roles for the Group, in advising on the authority’s response to Free School, United Technical Colleges and other new academy proposals. In particular, the large scale housing developments proposed across districts will require new academies to be created, and the Group will have a key role in advising on the selection of new academy providers.

Given the changes in the nature of education provision, and the major housing developments being proposed, the loss of District Council representation on the Group would be detrimental to the county’s ability to strategically plan school places in ways that support district councils’ housing objectives, and also hamper
us in our statutory consultation duties. I would also note that the Vale’s representative to the group attends regularly and always plays an active part in discussion, contributing valuable local knowledge to inform decision-making.

**Comments from Councillor Dudley Hodinott on Cumnor Village Hall and Cumnor Old School**

A short time ago the Vale was questioning the need for Vale representatives on outside bodies. I believe it is good that the Vale representatives are on these bodies. In addition it is a legal requirement to be on some of them.

At present I am the Vale representative on two local charities Cumnor Village Hall (registered charity number 300146) and Cumnor Old School (No. 1037031). For Cumnor Village Hall the Charity Commission’s legal requirement is that there must be an appointed member from the Vale of White Horse District Council on the Committee of Management. Members of the Committee are the managing trustees of the charity. I am also a Managing Trustee of the Cumnor Old School Charity.

Therefore the Charity Commission’s requirements must be changed before Vale representatives can be removed from being trustees.

If any local members in the Vale do not want to be Vale representatives, I believe these positions should be opened to any other Councillors.

**The Abingdon Bridge drop in Centre Management Committee.**

I can confirm that the trustees are content that no district council appointment is made to the management committee of The Abingdon Bridge.

**LGA Rural Commission**

Thank you for your note.

The LGA invites all member authorities to join the Rural Commission and/or Urban Commission, but there is no requirement for you to join. Membership to the Rural Commission is always open to member authorities so you can re-join at any time if you wish to do so.
Cumnor Village Hall

(Cumnor Village Hall is a registered charity, number 300146)

A.H. Harker
Secretary to the Management Committee

Rocklands,
112 Cumnor Hill,
Oxford,
OX2 9HY.
01865 862289

24 April 2012

Steven Corrigan
Shared Democratic Services Manager
Vale of White Horse District Council
Abbey House
Abingdon
Oxfordshire
OX14 3JE

Dear Mr Corrigan,

Cumnor Village Hall Management Committee

Thank you for your letter of 16th April to our Bookings Secretary, Mrs Meadows, communicating the District Council’s intention to cease to appoint a representative to the management committee of Cumnor Village Hall.

This would cause us some problems. In 1999 we established a new scheme of governance for the Village Hall, replacing the original Trust Deed which had become totally outdated. According to that scheme one member must be appointed to the Committee by each of Cumnor Parish Council and Vale of White Horse District Council. The scheme gives the committee powers to add to the list of organisations entitled to appoint members, but not to remove the powers from those two organisations.
I should add that the two most recent appointees of the District Council, Harry Dickinson and Dudley Hoddinott, have been valuable members of the committee and that we have benefited greatly from their local knowledge as well as their wider experience within the Council.

I appreciate that the District Council may wish both to reduce the load on its councillors by making appointments to fewer outside bodies and also to reduce costs by avoiding the expenses claims arising from attendance at the associated meetings, but I hope that in this case you will be able to revise your decision.

Yours sincerely

A.H. Harker
Cllr Matthew Barber  
Vale of White Horse District Council  
Abbey House  
Abbey Close  
Abingdon  
OX14 3JE

29 May 2012

Dear Matthew,

I write further to Steven Corrigan’s letter explaining Vale of White Horse’s review of appointments to outside bodies.

South East England Councils (SEEC) provides a strong collective voice for local government to ensure the needs of South East communities and businesses are heard by Government. SEEC is a member-led body, with a very small but effective staff team funded by council subscriptions. We carry a unique mandate as the voice representing all tiers of democratically-elected councillors in the South East.

Following your resignation in July 2011, it is a regret that Vale of White Horse is one of only a small number of councils across the South East not currently in SEEC membership. I would like to take this opportunity to encourage you to consider re-joining SEEC.

Our remit to promote local government’s strategic interests, and our coverage across South East England, fall very much within the criteria for ‘strategic and regional outside organisations’ that your review indicates you should be involved with.

As a member-led organisation our voice carries greater weight the more councils we represent. I believe it is vital that local authorities work together to make a collective case for the South East. We must ensure our quest for fairer funding, investment and devolution of powers is not overshadowed by other areas of the country and the growing cities’ agenda.

SEEC members have significantly raised the profile of South East concerns, influencing national and European policy. Our work ensures member council views are heard in Westminster, Whitehall and the corridors of Brussels. Notable achievements this year include:

- Arguing for a fairer financial settlement for South East local authorities
- Influencing the Localism Bill, for example on removing local issue referendums from the Bill

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KT1 2DN

t: 020 8541 7553  
e: policy@secouncils.gov.uk
• Persuading ministers and EU to consider alternatives to enforced, costly refurbishment of council buildings to meet EU energy efficiency proposals
• A skills workshop including a Ministerial speaker and best practice case studies
• Creation of a data dashboard giving a strategic overview of key trends in the economy, demographics, funding and migration.

To give you a further flavour of SEEC’s work, I enclose a summary of our remit and our latest newsletter. I believe our membership fee offers very good value for money at £1,705 pa, and I would be very happy to talk through any questions you may have about membership.

I would be delighted if you were to re-join SEEC for 2012-13. Our AGM is on 21 June in London and if you were to re-join we would be pleased to welcome you to the meeting.

Yours sincerely

[Signature]

Cllr Paul Carter
Chairman SEEC and Leader Kent CC

cc. Steven Corrigan, Shared Democratic Services Manager, Vale of White Horse DC
Localism Act: standards of conduct

Recommendations

That Council

1. endorses the decision of council on 16 May 2012 to adopt the code of conduct as the code of conduct which is expected of councillors and co-opted members of Vale of White Horse District Council with effect from 1 July 2012 in place of the council’s existing code of conduct, and now subject to the inclusion of the definition of disclosable pecuniary interests as set out in the full code of conduct attached at appendix 1;

2. designates the monitoring officer as the proper officer for receipt of requests for dispensations under section 33 of the Localism Act 2011;

3. amends the terms of reference of the Audit and Governance Committee to include the power to grant dispensations to councillors under section 33 of the Localism Act 2011;

4. subject to the above, authorises the Head of Legal and Democratic Services to include the code of conduct in the constitution and to make any consequential amendments to the constitution arising from the adoption of the code including minor or consequential amendments required for clarification, consistency and compliance with the council’s style guide;

5. considers the recommendations put forward by the interview panel and appoints two independent persons for a period to be advised by the monitoring officer at the council meeting.

Purpose of Report

1. This report provides an update on the impact of the secondary legislation on some of the council decisions on the new standards arrangements, which were taken at the Council meeting on 16 May 2012.
Strategic Objectives

2. High standards of conduct underpin all the council’s work and the achievement of all its strategic objectives.

Background

6. In May 2012 Council agreed to adopt a revised code of conduct with effect from 1 July 2012 or such later date that was specified in secondary legislation that was awaited at the time. Council also agreed the appointment of independent persons to act as consultees to the monitoring officer on code of conduct complaints.

7. At the time officers had had sight of the Localism Act 2011 (the Act), which set out the requirements for the new standards framework. Council was asked to take decisions in May so that the council would be compliant with the Act as officers understood the requirements at the time. Officers included a caveat in the report that secondary legislation would confirm the date at which the new framework would come into effect and would also clarify some of the unknown aspects of the Act. Officers anticipated that the implementation date would be 1 July but many believed that that could not be the date given the lateness of the legislation and the enormity of the work to be undertaken to meet that deadline. On 8 June secondary legislation became available that confirmed that the effective date would be 1 July. It also raised questions about some of the decisions taken so far to implement the new framework. This report therefore revisits the arrangements that have been called into question by the secondary legislation.

CODE OF CONDUCT

8. In May, Council adopted a code of conduct and agreed that the monitoring officer should insert into the code the wording on disclosable pecuniary interests when it became available from the secondary legislation. Rather than being able to do that the wording of the secondary legislation is such that officers now question the validity of any decisions taken before the Commencement Order came into force on 7 June and Council is therefore asked to endorse its decision to adopt the code of conduct and on this occasion to include the wording on disclosable pecuniary interests set out in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 made on 6 June and laid before Parliament on 8 June. The full version of the code of conduct is at appendix 1.

INDEPENDENT PERSONS AND DEALING WITH MISCONDUCT COMPLAINTS

9. In May, the report to Council explained that the Localism Act created a new category of independent person (IP) who the monitoring officer must consult at various stages of the process when dealing with allegations of misconduct by councillors. Although the Act prevents existing co-opted independent members from serving as IPs for the next five years we understood that, because of the difficulties faced by councils in recruiting independent persons, regulations would allow the existing independent representatives to become independent persons for a transitional period although we were aware that the terms would be set out in the awaited regulations. So that independent persons were in post at 1 July, we asked Council to agree to appoint the current independent members in line with their appointments made at the meeting in February 2011 until 30 June.
10. The regulations clarify that, whilst appointment of former independent representatives is permissible, such appointments must be by application after advertisement of the posts.

11. We have advertised the posts. The closing date for applications was Friday 6 July and interviews will take place on Friday 13 July. Councillors Yvonne Constance and Robert Sharp will interview the applicants with the monitoring officer and a recommendation on who Council should appoint will be made at the Council meeting on 18 July. The Department for Communities and Local Government made a further Order on 2 July to restrict the term of appointment of anyone who was a former member of the standards committee. Depending on who is recommended the monitoring officer will advise Council on the terms of office, which comply with the legislation.

DISPENSATIONS

12. The Localism Act specifies that a councillor or co-opted member may apply to the proper officer to request a dispensation when they would not be able to either participate (or participate further) in any discussion of a matter at a meeting, or participate in any vote, or further vote, taken on a matter at a meeting.

13. The Act states that a dispensation may be granted in circumstances where:

- so many councillors have a disclosable pecuniary interest (DPI) and are thus prohibited from participating that it would impede the transaction of the business without a dispensation; or

- the representation of different political groups on the body would be so upset as to alter the likely outcome of any vote on the matter without a dispensation; or

- granting of a dispensation would be in the interest of the inhabitants of the authority's area; or

- every member of the cabinet would be prevented from participating in Cabinet business because of a DPI if no dispensation was granted; or

- it is otherwise appropriate to grant the dispensation.

14. Whereas the Local Government Act 2000 required a Standards Committee to consider and grant a dispensation, the Localism Act permits the delegation of this responsibility.

15. Council is asked to designate the monitoring officer as the proper officer for receipt of requests for dispensations. The terms of reference of the Audit and Governance Committee need to be amended to include power to grant dispensations to councillors under section 33 of the Localism Act 2011. This power relates only to district councillors as parish councils now have powers to determine their own applications for dispensations. In due course the committee will receive a report asking it to consider the circumstances in which that power could be delegated to the monitoring officer.

Financial Implications

16. The cost of implementing the arrangements and providing training will be met from existing budgets.
Legal Implications
17. The legal implications are set out in the body of the report.

Human Resource Implications
18. Adoption of the revised code and provision of advice on it will be carried out within existing resources. Officers will provide training.

Conclusion
19. I recommend Council endorses the decision of Council on 16 May 2012 to adopt the code of conduct as the code of conduct which is expected of councillors and co-opted members of Vale of White Horse District Council with effect from 1 July 2012 in place of the council’s existing code of conduct, and now subject to the inclusion of the definition of disclosable pecuniary interests as set out in the full code of conduct attached at appendix 1 and authorise me to include the code of conduct in the constitution. I also recommend council appoints me as the proper officer for receipt of requests to grant a dispensation, expands the terms of reference of the Audit and Governance Committee to include power to grant dispensations and appoints two independent persons to act as consultees on code of conduct complaints.

Background papers
- Council report, 16 May 2012
- Localism Act 2011, chapter 7
- The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012
- The Localism Act 2011 (Commencement No. 6 and Transitional, Savings and Transitory Provisions) Order 2012
- The Localism Act 2011 (Commencement No. 6 and Transitional, Savings and Transitory Provisions) (Amendment) Order 2012
Code of conduct

1. This code of conduct is adopted pursuant to the council’s duty to promote and maintain high standards of conduct by members and co-opted members\(^1\) of the council.

2. This code applies to you as a member or co-opted member of this council when you act in that role and it is your responsibility to comply with the provisions of this code.

**SELFLESSNESS**

3. You must serve only the public interest and must never improperly confer an advantage or disadvantage on any person including yourself.

**OBJECTIVITY**

4. In carrying out public business you must make decisions on merit, including when making appointments, awarding contracts, or recommending individuals for rewards or benefits.

**ACCOUNTABILITY**

5. You are accountable for your decisions and actions to the public and must submit yourself to whatever scrutiny is appropriate to your office.

**OPENNESS**

6. You must be as open as possible about your actions and those of your council, and must be prepared to give reasons for those actions.

**HONESTY AND INTEGRITY**

7. You must not place yourself in situations where your honesty and integrity may be questioned, must not behave improperly and must on all occasions avoid the appearance of such behaviour.

**LEADERSHIP**

8. You must promote and support high standards of conduct when serving in your public post, in particular as characterised by the above requirements, by leadership and example in a way that secures or preserves public confidence.

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\(^1\) A “co-opted member” for the purpose of this code is, as defined in the Localism Act section 27 (4) “a person who is not a member of the council but who

a) is a member of any committee or sub-committee of the council, or

b) is a member of, and represents the council on, any joint committee or joint sub-committee of the council;

and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee”.

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GENERAL OBLIGATIONS

9. You must treat others with respect and ensure that you are aware of and comply with all legal obligations that apply to you as a member or co-opted member of the council and act within the law;

10. You must not bully any person.

11. You must not do anything that compromises or is likely to compromise the impartiality of those who work for, or on behalf of the council.

12. You must not disclose information given to you in confidence by anyone, or information acquired by you of which you are aware, or ought reasonably to be aware, is of a confidential nature except where:
   (i) you have the consent of a person authorised to give it;
   (ii) you are required by law to do so;
   (iii) the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person, or
   (iv) the disclosure is:
       a) reasonable and in the public interest;
       b) made in good faith and in compliance with the reasonable requirements of the council.

13. You must not improperly use knowledge gained solely as a result of your role as a member for your own personal advantage.

14. When making decisions on behalf of or as part of the council you must have regard to any professional advice provided to you by the council’s officers.

15. When using or authorising the use by others of the resources of the council:
   (i) you must act in accordance with the council’s reasonable requirements;
   (ii) you must make sure that you do not use resources improperly for political purposes and do not use them at all for party political purposes.

REGISTERING AND DECLARING INTERESTS

16. You must, within 28 days of taking office as a member or co-opted member, notify the council’s monitoring officer of any disclosable pecuniary interest as defined by regulations made by the Secretary of State, where the pecuniary interest is yours, your spouse’s or civil partner’s, or is the pecuniary interest of somebody with whom you are living with as a husband or wife, or as if you were civil partners, as follows:

<table>
<thead>
<tr>
<th>Subject</th>
<th>Prescribed description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Employment, office, trade, profession or vocation</td>
<td>Any employment, office, trade, profession or vocation carried on for profit or gain.</td>
</tr>
<tr>
<td>Subject</td>
<td>Prescribed description</td>
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<tr>
<td>Sponsorship</td>
<td>Any payment or provision of any other financial benefit (other than from the council) made or provided within the relevant period in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992(3).</td>
</tr>
<tr>
<td>Contracts</td>
<td>Any contract which is made between the people referred to in paragraph 16 (or a body in which the relevant person has a beneficial interest) and the council - (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.</td>
</tr>
<tr>
<td>Land</td>
<td>Any beneficial interest in land which is within the area of the council.</td>
</tr>
<tr>
<td>Licences</td>
<td>Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer.</td>
</tr>
<tr>
<td>Corporate tenancies</td>
<td>Any tenancy where (to your knowledge)— (a) the landlord is the council; and (b) the tenant is a body in which you or those referred to in paragraph 16 have a beneficial interest.</td>
</tr>
<tr>
<td>Securities</td>
<td>Any beneficial interest in securities of a body where— (a) that body (to your knowledge) has a place of business or land in the area of the council; and (b) either - (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you or those referred to in paragraph 16 has a beneficial interest exceeds one hundredth of the total issued share capital of that class.</td>
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17. You must disclose the interest at any meeting of the council at which you are present, where you have a disclosable interest in any matter being considered and where the matter is not a ‘sensitive interest’².

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² A “sensitive interest” is described in the Localism Act 2011 as a member or co-opted member of a council having an interest, and the nature of the interest being such that the member or co-opted member, and the council’s monitoring officer, consider that disclosure of the details of the interest could lead to the member or co-opted member, or a person connected with the member or co-opted member, being subject to violence or intimidation.
18. Following any disclosure of an interest not on the council’s register or the subject of pending notification, you must notify the monitoring officer of the interest within 28 days beginning with the date of disclosure.

19. Unless dispensation has been granted, you may not participate in any discussion of, vote on, or discharge any function related to any matter in which you have a pecuniary interest as defined by regulations made by the Secretary of State. You must withdraw from the room or chamber when the meeting discusses and votes on the matter.