

# Minutes

of a meeting of the

## Council



held on Wednesday 14 May 2014 at 7.00 pm  
at the The Ridgeway (main hall first floor), The Beacon, (formerly Wantage Civic Hall), Portway, Wantage, OX12 9BY

### Open to the public, including the press

#### Present:

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

Officers: David Buckle, Steve Bishop, Steven Corrigan, Susan Harbour, Matt Prosser and Margaret Reed

Number of members of the public: 1

### Co.1 Election of chairman

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

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

### Co.2 Election of vice-chairman

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

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

### **Co.3 Apologies for absence**

Councillors Julia Reynolds, Val Shaw and Margaret Turner had sent their apologies for absence.

### **Co.4 Minutes**

**RESOLVED:** to adopt as a correct record the minutes of the Council meeting held on 19 February 2014 and agree that the chairman signs them, subject to the following amendment:

- Under minute Co.64 page Co.15 replace 'to fiscal procedure' with 'for fiscal prudence' in the second line of Councillor Roger Cox's address as seconder of the motion.

### **Co.5 Declarations of interest**

None.

### **Co.6 Chairman's announcements**

Councillor Badcock reviewed his year as Chairman of the council, thanked Councillor Batts and his escort, Marilyn Badcock, for all their support and Mr Hewer for his assistance during the year.

He advised Council of his chosen charities for the coming year – Royal British Legion Poppy Appeal and the National Eczema Society and gave advance notice of his charity dinner on 7 November 2014.

The Chairman congratulated two councillors on their election as mayor - Councillor Angela Lawrence as Mayor of Abingdon and Councillor Fiona Roper as Mayor of Wantage.

### **Co.7 Uncompleted business - motions under standing order 11**

In accordance with Standing Order 27(5) regarding the duration of meetings the Council meeting held on 19 February 2014 concluded at 9.30pm following a vote of councillors. In accordance with Standing Order 27(6), which provides that any business not disposed of by the end of a meeting shall be included on the agenda for the next appropriate meeting, Council considered the following motions.

- (1) Motion proposed by Councillor Jerry Patterson and seconded by Councillor Andrew Skinner

'Council resolves that the Vale's Abbey House building will continue to be branded as the "Vale of White Horse District Council", and that the signs and Vale Coat of Arms at the front and side entrances since the building's opening in 1992, will remain permanently in place where they are, regardless of any other authority or organisation sharing the accommodation. Furthermore, Council resolves that the official address of the Vale of White Horse District Council will continue to be at Abbey House.'

In supporting the motion councillors expressed the view that the branding of Abbey House was important to retain it as the headquarters of Vale of White Horse District Council.

However other councillors, whilst supporting the retention of the coat of arms and Abbey House as the council's official address, expressed the view that the branding proposals set out in the motion were unnecessary. Abbey House would continue to be branded as Abbey House and street signage could refer to council offices.

The chairman called for a recorded vote on the motion.

<b>For</b>	<b>Against</b>	<b>Abstentions</b>
Councillors:	Councillors:	Mike Badcock
Tony de Vere	John Amys	Eric Batts
Debby Hallett	Marilyn Badcock	Gervase Duffield
Jeanette Halliday	Matthew Barber	
Jim Halliday	Yvonne Constance	
Jenny Hannaby	Roger Cox	
Dudley Hoddinott	Charlotte Dickson	
Bob Johnston	St John Dickson	
Angela Lawrence	Jason Fiddaman	
Pat Lonergan	Anthony Hayward	
Ron Mansfield	Simon Howell	
Sue Marchant	Bill Jones	
Julie Mayhew-Archer	Mohinder Kainth	
Elizabeth Miles	Sandy Lovatt	
Jerry Patterson	Gill Morgan	
Helen Pighills	Mike Murray	
Judy Roberts	Kate Precious	
Andrew Skinner	Fiona Roper	
Catherine Webber	Robert Sharp	
Richard Webber	Janet Shelley	
John Woodford	Alison Thomson	
	Melinda Tilley	
	Reg Waite	
	Elaine Ware	
<b>Totals:</b>		
<b>20</b>	<b>23</b>	<b>3</b>

The chairman declared the motion lost.

- (2) Having received the consent of Council to alter a motion of which she had given notice, Councillor Jenny Hannaby moved and Councillor Yvonne Constance seconded the following motion – additional words shown in bold in accordance with standing order 24(4).

“Council notes that Network Rail is shortly to start an extensive programme of bridge works within the District, and that these have the potential to cause considerable inconvenience to Vale residents unless carefully planned and scheduled. Council therefore asks its officers to **continue to** work together with the County Council and Network Rail to **seek improvements to existing**

**structures where possible**, ensure the disruption is kept to a minimum and that all the relevant parish and town councils are kept fully informed.”

The mover and seconder welcomed the progress made. National Rail had listened to and understood residents’ concerns, held community drop in events, recognised the need to minimise disruption and widen footpaths and cycleways.

**RESOLVED:** to note that Network Rail is shortly to start an extensive programme of bridge works within the District, and that these have the potential to cause considerable inconvenience to Vale residents unless carefully planned and scheduled. Council therefore asks its officers to continue to work together with the County Council and Network Rail to seek improvements to existing structures where possible, ensure the disruption is kept to a minimum and that all the relevant parish and town councils are kept fully informed.

- (3) Motion proposed by Councillor Debby Hallett and seconded by Councillor Catherine Webber

‘Council resolves to fulfil its legal responsibility to create Air Quality Action Plans for Botley and for Marcham.’

In moving the motion Councillor Hallett noted that an Air Quality Management Area (AQMA) was created in 2001, that in 2009 an official report noted that nitrogen oxide levels needed to be reduced by 40 per cent and that in 2012 the Air Quality Updating and Assessment report concluded that an AQMA was required. She had requested updates on progress and at October’s Council meeting asked what measures would be put in place to mitigate against air pollution.

Councillor Cox, Cabinet member responsible, advised that the AQMA was being finalised in accordance with legislation.

**RESOLVED:** to fulfil its legal responsibility to create Air Quality Action Plans for Botley and for Marcham.

- (4) Having received the consent of Council to alter a motion of which he had given notice, Councillor Tony de Vere moved and Councillor Marilyn Badcock seconded the following motion – additional words shown in bold and deleted words shown by a strikethrough.

‘Council requests Cabinet to consider modifying the grants scheme ~~so that for~~ applications that have Vale-wide benefits ~~are handled in a more equitable and transparent manner than currently seems to be happening.~~’

An amendment proposed by Councillor Jim Halliday to add the words “so that they are handled in a more equitable and transparent manner” to the end of the motion was accepted by the mover and seconder of the motion with the consent of council.

In supporting the motion councillors noted that under the existing arrangement an area committee could fund a scheme from its grant own budget allocation which had district wide benefits without a contribution from the other area committees.

**RESOLVED:** to request Cabinet to consider modifying the grants scheme for applications that have Vale-wide benefits so that they are handled in a more equitable and transparent manner.

## **Co.8 Statements, petitions and questions from the public relating to matters affecting council.**

None.

## **Co.9 Urgent business**

None.

## **Co.10 Petitions under standing order 13**

None.

## **Co.11 Questions under standing order 12**

1. Question from Councillor Debby Hallett to the Leader of the Council, Matthew Barber

‘At the top of every Cabinet agenda is the following assertion: “The Council’s vision is to take care of your interests across the Vale with enterprise, energy and efficiency.”

For the people of Botley, there is one main interest at the moment: to ensure a redevelopment of West Way that’s appropriate to the needs of the local community.

At its meeting of 21 November 2013, in the public session about the redevelopment of West Way, Scrutiny Committee requested the following:

- Councillor Matthew Barber to clarify the site 1/2 map: when it was drawn up who it was presented to etc;
- Planning officers and planning committee to ensure that there is total separation between the strategic functions of the council, as exercised by Cabinet, and its role as the planning authority;
- Cabinet to inform the public and councillors about significant interaction with Doric;
- Cabinet to keep members properly and fully informed about this development, subject to the usual confidentiality rules;
- Cabinet to keep local members, and the public and the parish council involved where appropriate.

What concrete actions have the Leader, Cabinet and officers taken to satisfy these requests, and what outcomes have been achieved?’

Councillor Matthew Barber responded that everyone wanted to see the best development possible in Botley. He responded that at the Scrutiny Committee meeting it was established that the map discussed was an

outdated version of the site plan. He confirmed there had been a separation of the council's dual roles with officers providing clear guidance. Local councillors, the parish council and the public had been informed of developments and this would continue. He stated that he would ask the chief executive to provide a list of meetings that had taken place with local members, the parish council and interested groups. Councillor Barber stated that he would be meeting with Sovereign Housing and Doric in the next few weeks to address the issue of Field house and would report back.

As a supplementary question Councillor Hallett asked when Councillor Barber would respond in writing to the points raised in Minute SC62 of the Scrutiny Committee held on 21 November 2013.

Councillor Barber responded that he would do so forthwith.

2. Question from Councillor Jerry Patterson to Councillor Mike Murray

'Could the Cabinet Member for Planning Policy agree with the SHMA [Strategic Housing Market Assessment] report (page 183, para 9.63) that "The SHMA does not set housing targets"?'

Councillor Mike Murray responded that the SHMA is an evidence based document that identifies the assessed need for housing in the Vale and the rest of Oxfordshire in the period to 2031. Local authorities are required to address their identified housing need when setting housing targets. If an authority is able to demonstrate it is unable to accommodate or deliver the identified housing need then neighbouring authorities have a duty to cooperate to meet the need. This government requirement has been demonstrated in the rejection of local plans by the inspectorate.

Councillor Patterson responded that this response did not answer his original question. As his supplementary question Councillor Patterson asked for a response to his original question.

Councillor Murray drew attention to his original response which, in his view, answered the question.

3. Question from Councillor Jerry Patterson to Councillor Mike Murray

'Why did the Cabinet expect town and parish councils to be responsible for distributing the Vale's housing delivery update consultation leaflets?'

Councillor Murray responded that the council did not expect town and parish councils to distribute the leaflets. 53,000 were printed and distributed to public libraries, parish councils, elected members, interested parties listed on the council's consultation database and made available at the council offices. In response a councillor requested that the council provide a parish council in his ward with further copies for onward distribution. In the interests of fairness the council provided all parish councils with additional copies for distribution as they saw fit.

As his supplementary question, Councillor Patterson asked why it did not occur to anyone in Cabinet to send out the leaflets with the council tax bills.

Councillor Murray responded that this option was considered but that the leaflet information was not available prior to the despatch of the council tax bills.

4. Question from Councillor Julie Mayhew-Archer to Councillor Reg Waite

‘Could the Cabinet member for Waste explain to Council why the recycling rates in the Vale District have recently been below South Oxfordshire?’

Councillor Waite thanked Councillor Mayhew-Archer for her question which highlighted the competition between Vale of White Horse and South Oxfordshire district councils. He drew attention to the fact that during 2012/13 Vale of White Horse District Council’s recycling rate was higher than that of South Oxfordshire District Council. During 2013/14 the difference was only 0.44 per cent although Vale had better rates in five months of the year. The lower recycling rate could be due to a reduced number of customers having garden waste bins.

As her supplementary question Councillor Mayhew-Archer asked what measures would raise the recycling rate and what was an achievable target.

Councillor Waite responded that the council was taking measures to encourage people to buy less, turn food waste into energy in incinerators, offer small electrical, metal and textile recycling opportunities and continue a programme of education to ensure people use the correct bins to avoid contamination of recyclables.

5. Question from Councillor Jenny Hannaby to Councillor Reg Waite:

‘Could the Cabinet Member for Waste list the contamination rates for recycling collected in the Vale – either by collection day, or overall?’

Councillor Waite stated that the council’s contamination rates were good but some residents experienced difficulty deciding what goes in which bin. He provided the following quarterly contamination rates for the past 15 months:

- 4.73 %
- 3.32%
- 4.53%
- 4.46%
- Three months January 2014 to March 2014 5.5%

In response to a supplementary question Councillor Waite confirmed that he was confident the measures put in place would generate a 70% recycling rate.

6. Question from Councillor Angela Lawrence to the Leader of the Council, Matthew Barber:

‘Given the reorganisation of housing and environmental health following the departure of Paul Staines, what reassurance can the Leader give members that the essential and increasingly challenging management of providing appropriate homes for vulnerable people will not be compromised should someone whose skills may be more biased towards regeneration be appointed?’

Councillor Barber thanked Paul Staines, the former head of housing, for 24 years of loyal service to the Vale. He stated that Cabinet members will continue to support staff in the excellent work they do to help provide appropriate housing for vulnerable people. He fully expected performance to improve in this area.

In response to a supplementary question seeking clarification of the new housing and regeneration post, Councillor Barber undertook to discuss this outside the meeting.

## **Co.12 Recommendations from Cabinet, individual Cabinet members, and committees**

None.

## **Co.13 Report of the leader of the council**

Councillor Barber wished Matt Prosser well in his new role as Chief Executive of Weymouth and Portland and West Dorset councils.

## **Co.14 Review of 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.
  - (a) not reappoint the personnel committee;
  - (b) note that officers have delegated authority to take responsibility for staffing and health and safety matters;
  - (c) amend the terms of reference of the audit and governance committee to include responsibility for decisions on the determination of enhanced benefits in respect of redundancies and early retirements and matters relating to the Local Government Pension Scheme;
2. agree the revised officer employment procedure rules attached to the report of the Head of Legal and Democratic Services to Council on 14 May 2014;
3. agree to amend the council procedure rules to reflect The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 as set out in paragraph 10 of the report of the Head of Legal and Democratic Services to Council on 14 May 2014;
4. authorise the Head of Legal and Democratic Services to make the necessary amendments to the constitution to reflect the Crime and Policing Act 2014;

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**Co.8**



5. note the changes to the management structure set out in paragraphs 15 to 20 of the report of the Head of Legal and Democratic Services to Council on 14 May 2014;
6. authorise the Head of Legal and Democratic Services to make the necessary changes to the council's constitution to reflect the changes set out in the report of the Head of Legal and Democratic Services to Council on 14 May 2014;
7. 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.15 Appointments to committees, panels and joint committees for 2014/15**

Council considered the report of the Head of Legal and Democratic Services on the appointment of those committees which are required to be politically balanced together with the Licensing Acts Committee, area committees and appointments to joint bodies.

In light of Councillor Pighill's comment prior to the vote that, due to other commitments, she would be unable to fulfil the role of a planning committee member, Councillor Webber advised Council that he would make an alternative appointment in due course.

### **RESOLVED:** to

1. appoint the following committees and panels for the 2014/15 year and to appoint the membership, substitutes and chairmen and vice-chairmen as indicated to sit on them:

Names	<b>SCRUTINY COMMITTEE, 12 MEMBERS POLITICALLY BALANCED</b>	
Conservative (7)	Liberal Democrat (5)	
Eric Batts	Jim Halliday (Chairman)	
Sandy Lovatt	Tony de Vere	
Charlotte Dickson (Vice-Chairman)	Julie Mayhew-Archer	
Jason Fiddaman	Debby Hallett	
Mohinder Kainth	Richard Webber	
Fiona Roper		
Alison Thomson		
<b>Substitutes: All other councillors from the relevant political group (not Cabinet members).</b>		
Names	<b>AUDIT AND GOVERNANCE COMMITTEE, 10 MEMBERS POLITICALLY BALANCED</b>	
Conservative (5)	Liberal Democrat (4)	Non group councillor
Simon Howell (Chairman)	Dudley Hoddinott	Angela Lawrence
Mohinder Kainth (Vice-Chairman)	Judy Roberts	
Sandy Lovatt	Pat Lonergan	
Julia Reynolds	Andrew Skinner	
StJohn Dickson		

**Substitutes: All other councillors from the relevant political group. Non group councillors permitted to substitute for each other**

<b>Names</b>		<b>PLANNING COMMITTEE, 14 MEMBERS POLITICALLY BALANCED</b>	
Conservative (8)		Liberal Democrat (6)	
Robert Sharp (Chairman)		Jerry Patterson (opposition spokesperson)	
Sandy Lovatt (Vice-Chairman)		Bob Johnston	
Eric Batts		John Woodford	
Anthony Hayward		Sue Marchant	
Roger Cox		Helen Pighills	
Margaret Turner		Catherine Webber	
Bill Jones			
Janet Shelley			

**Substitutes: All other councillors from the relevant political group provided they have received the appropriate training. Non group councillors permitted to substitute for each other**

<b>Names</b>		<b>GENERAL LICENSING COMMITTEE, 15 MEMBERS POLITICALLY BALANCED</b>	
Conservative (8)		Liberal Democrat (6)	
Charlotte Dickson (Chairman)		Bob Johnston	
Marilyn Badcock (Vice-Chairman)		Dudley Hoddinott	
John Amys		Ron Mansfield	
Alison Thomson		Val Shaw	
Anthony Hayward		Elizabeth Miles	
Bill Jones		Jeanette Halliday	
Gill Morgan			
Eric Batts			

**Substitutes: All other councillors from the relevant political group provided they have received the appropriate training. Non group councillors permitted to substitute for each other**

<b>Names</b>		<b>APPEALS COMMITTEE, 3 MEMBERS POLITICALLY BALANCED</b>	
Conservative (2)		Liberal Democrat (1)	
Matthew Barber		Richard Webber	
Roger Cox			

**Substitutes: All other councillors from the relevant political group**

<b>Names</b>		<b>LICENSING ACTS COMMITTEE, 15 MEMBERS POLITICALLY BALANCED</b>	
Conservative (8)		Liberal Democrat (6)	
Marilyn Badcock (Chairman)		Dudley Hoddinott	
Charlotte Dickson (Vice-Chairman)		Ron Mansfield	
John Amys		Val Shaw	
Alison Thomson		Elizabeth Miles	
Anthony Hayward		Jeanette Halliday	
Bill Jones		Andrew Skinner	
Gill Morgan			
Eric Batts			

2. appoint all local members representing the wards covered by the relevant area committees as set out in minute Co.16 of the Council held on 21 May 2003 to those committees for the 2014/15 municipal year with the following chairmen:
  - Abingdon – Julie Mayhew-Archer
  - North East – Jerry Patterson
  - South East – Bill Jones
  - West – Simon Howell
3. appoint Alison Thomson as the council's representative on the Oxfordshire Joint Health Overview and Scrutiny Committee and Yvonne Constance as substitute;
4. appoint Bill Jones as the council's representative and Sandy Lovatt as an observer substitute on the Thames Valley Police and Crime Panel;
5. appoint Mr M Barber, as the Leader of Council, Mrs E Ware, as the Conservative member, and Mr R Webber, as the Liberal Democrat member, to the Joint Staff Committee; and
6. authorise the head of legal and democratic services to make appointments to any vacant committee or panel seat and substitute positions in accordance with the wishes of the relevant group leader.

## **Co.16 Notices of motion under standing order 11**

Councillors Jeanette Halliday and Jim Halliday declared a personal interest in this item because they live in close proximity to Old Abbey House. As this was not a disclosable pecuniary interest both councillors could take part in the discussion and voting on this motion.

Council considered the following motion submitted under standing order 11.

Motion proposed by Councillor Tony De Vere and seconded by Councillor Julie Mayhew Archer.

The Vale of White Horse District Council believes that community benefit interests should be taken into account in any disposal agreement for its Old Abbey House property interests. Council therefore asks the relevant Cabinet members to consult all the Vale's Abingdon councillors and Abingdon Town Council before any sale agreement is made.

An amendment moved by Councillor Lovatt to remove the words shown by a strikethrough was, with the consent of Council, accepted by the mover and seconder of the original motion.

The Vale of White Horse District Council believes that community benefit interests should be taken into account in any disposal agreement for its Old Abbey House property interests. Council therefore asks the relevant Cabinet members to consult all the Vale's ~~Abingdon councillors and Abingdon Town Council before any sale agreement is made.~~

### **RESOLVED:**

That the Vale of White Horse District Council believes that community benefit interests should be taken into account in any disposal agreement for its Old Abbey House property interests. Council therefore asks the relevant Cabinet members to consult all the Vale's councillors.

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**Co.11**

## **Co.17 Exclusion of the public, including the press**

**RESOLVED:** to exclude members of the press and public from the meeting for the following item of business under Part 1 of Schedule 12A Section 100A(4) of the Local Government Act 1972 and as amended by the Local Government (Access to Information) (Variation) Order 2006 on the grounds that:

- i. it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Act, and
- ii. the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

## **Co.18 Recommendations from Cabinet, individual Cabinet members, and committees**

Council considered Cabinet's decision, made at its meeting on 8 May 2014, on the awarding of the joint leisure management contract. In awarding the contract Cabinet recommended Council agree the capital and revenue budgets for the next ten years.

**RESOLVED:** to agree the revenue and capital budgets for the next ten years as set out in paragraph 30 and table five of the report of the Head of Economy, Leisure and Property to Cabinet on 8 May 2014.

The meeting closed at 8.25pm