

Council Agenda



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Date: 9 May 2017

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Summons to attend a meeting of Council

to be held on Wednesday, 17 May 2017 at 7.00 pm
The Ridgeway, The Beacon, Portway, Wantage, OX12 9BY

A handwritten signature in black ink, appearing to read "M Reed".

Margaret Reed
Head of Legal and Democratic Services

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Agenda

Open to the public including the press

Council's vision

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

1. Election of a chairman

To elect a chairman of Council for the municipal year 2017/18.

2. Appointment of a vice-chairman

To appoint a vice-chairman of Council for the municipal year 2017/18.

3. Apologies for absence

To record apologies for absence.

4. Minutes

(Pages 5 - 20)

To adopt and sign as a correct record the Council minutes of the meeting held on 15 February 2017 and 8 March 2017 (*attached*).

5. Declarations of disclosable pecuniary interest

To receive any declarations of disclosable pecuniary interests in respect of items on the agenda for this meeting.

6. Urgent business and chairman's announcements

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, and to receive any announcements from the chairman.

7. Public participation

To receive any questions or statements from members of the public that have registered to speak.

8. Appointments to committees, panels and joint committees for 2017/18

(Pages 21 - 26)

To consider the report of the head of legal and democratic services on the appointment to those committees required to be politically balanced, together with the Area Committees, Licensing Acts Committee and joint committees and to authorise any consequential changes to the constitution (*attached*).

9. Councillors' allowances scheme

(Pages 27 - 43)

To consider the report of the head of legal and democratic services, and the recommendations of the Joint Independent Remuneration Panel, on a revised councillors' allowances scheme to run from 1 April 2017 (*attached*).

10. Review of the council's constitution

(Pages 44 - 47)

To consider the report of the head of legal and democratic services and monitoring officer on proposed amendments to the council's constitution (*attached*).

11. Extension of term of offices of independent persons for code of conduct matters

(Pages 48 - 49)

To consider the report of the head of legal and democratic services, on an extension to the term of offices for the council's independent persons.

12. Report of the leader of the council

(1) Urgent cabinet decisions

In accordance with the scrutiny procedure rules, a Cabinet 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 Cabinet decisions taken since the last ordinary meeting of the council, (if any).

(2) Delegation of cabinet 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).



Minutes

of a meeting of the

Council

held on Wednesday 15 February 2017 at 7.30 pm
at The Ridgeway, The Beacon, Portway, Wantage, OX12 9BY

Open to the public, including the press

Present:

Members: Councillors Mike Badcock (Chairman), Reg Waite (Vice-Chairman), Alice Badcock, Eric Batts, Matthew Barber, Ed Blagrove, Yvonne Constance, Roger Cox, Margaret Crick, Stuart Davenport, Charlotte Dickson, St John Dickson, Katie Finch, Robert Hall, Debby Hallett, Jenny Hannaby, Anthony Hayward, Dudley Hoddinott, Simon Howell, Vicky Jenkins, Bob Johnston, Mohinder Kainth, Monica Lovatt, Sandy Lovatt, Ben Mabbett, Chris McCarthy, Mike Murray, Chris Palmer, Helen Pighills, Julia Reynolds, Judy Roberts, Robert Sharp, Janet Shelley, Emily Smith, Henry Spencer, Elaine Ware and Catherine Webber

Officers: Steven Corrigan, Simon Hewings (Capita), David Hill, William Jacobs and Margaret Reed

Number of members of the public: 4

Co.58 Apologies for absence

An apology for absence was submitted on behalf of Councillor Gervase Duffield.

Co.59 Minutes

RESOLVED: to approve the minutes of the meeting held on 14 December 2016 as a correct record and agree that the Chairman sign them as such.

Co.60 Declarations of interest

Councillor Emily Smith made a statement that she was employed by Oxfordshire County Council. However, as the subject of the motion (agenda item 17) would not directly impact on her employment she would take part in the discussion and voting on the item.

Co.61 Chairman's announcements

The Chairman provided housekeeping information.

Co.62 Statements, petitions and questions from the public relating to matters affecting council.

Mr Eastoe, an Abingdon resident, addressed Council on the planning application for 900 houses in North Abingdon. He expressed the view that the planning application should not be granted without major road improvements to the Lodge Hill interchange. Without these improvements there would be a detrimental impact on traffic flows in Abingdon and the surrounding areas. He proposed the inclusion of a section 106 agreement to require the necessary improvements to Lodge Hill prior to the commencement of any development.

The Chairman thanked Mr Eastoe for his address and advised that his comments would be passed to planning officers and that the application would be subject to consultation and consideration by the Planning Committee in due course.

Co.63 Urgent business

None.

Co.64 Petitions under standing order 13

None.

Co.65 Questions under standing order 12

A. Question from Councillor Bob Johnston to Councillor Roger Cox, Cabinet member for planning

'As there is a likelihood that the Lodge Hill slip roads as defined in the Local Plan Part 1 may not have the necessary funding to go ahead, there is public concern about the impact of traffic from strategic sites on local roads. Could the Cabinet member for planning tell me what traffic modelling (if any) was carried out by the Vale, its consultants or third parties such as developers, in preparation for Local Plan Part 1, of the impact of traffic on the A4183 (and other local roads) from the potential development which we now refer to as the "North Abingdon Site" if the new slip roads at Lodge Hill aren't provided?'

Answer

Councillor Roger Cox responded that comprehensive traffic modelling was undertaken to support new development allocated in Local Plan Part 1, and evidence was submitted in support of the plan. All work undertaken is summarised in the 'Evaluation of Transport Impacts Study, Final Report, November 2014' available in the Local Plan Part 1 examination library on the Vale website.

New slips at Lodge Hill were tested as part of the package of transport mitigation to support new housing allocations. The traffic modelling shows that the introduction of Lodge Hill slips would reduce traffic levels on key routes in Abingdon, with forecast flows to reduce on the A4183 and on Copenhagen Drive. Overall delays are also forecast to reduce.

No transport modelling evidence was submitted to the examination from the North Abingdon site promoter that looked specifically at traffic impacts with or without the Lodge Hill Slip Roads. Such transport modelling would be assessed as part of any planning application at this site.

Supplementary question

In response to a supplementary question Councillor Cox undertook to provide a written response setting out of the availability of the modelling evidence.

B. Question from Councillor Bob Johnston to Councillor Matthew Barber, leader of the council

‘In October 2014, Council passed a motion that called on officers to report on how the Vale could make and support the business case for a new express train service from Bristol to Bedford, stopping at Wantage/Grove, Didcot, Oxford, Bicester and Milton Keynes. What actions and decisions have been taken to move this forward?’

Answer

Councillor Barber responded that work is progressing on the business case for a station at Grove coordinated by Oxfordshire County Council with support from Vale of White Horse District Council. The Local Plan had identified a location for a station and negotiations were ongoing. A consortium had been established to take the matter forward to the East/West rail project.

Supplementary question

In response to a supplementary question Councillor Barber undertook to provide written details of the development of the business case and identified funding.

C. Question from Councillor Jenny Hannaby to Councillor Matthew Barber, leader of the council

‘In May 2016, Council passed a motion that called for ‘officers to work with Oxfordshire County Council (and other relevant local authorities, Network Rail and Great Western Railway) to produce a business case for an express rail link from Bristol to Milton Keynes via a new station at Grove / Wantage. It must include new track and signalling so as not to obstruct present and future high speed services from Paddington and link with the current electrification scheme.’ What actions and decisions have been taken to produce this business case?’

Answer

Councillor Barber referred to his answer to the previous question.

D. Question from Councillor Bob Johnston to Councillor Matthew Barber, leader of the council

‘In July 2015, Council passed a motion that requested the Environment Agency commission an independent review into the implications of the proposed Oxford Flood Alleviation Scheme, especially relating to possible flood risks in areas of the Vale downstream of Abingdon. What actions and decisions have been taken about this?’

Answer

Councillor Barber responded that the council had commissioned a company to undertake the necessary work. Modelling had been completed and passed to the Environment Agency. A report is expected later this month which would be shared with parish councils and the public.

Supplementary question

In response to a supplementary question Councillor Barber confirmed that he understood the delay had been caused by the Environment Agency agreeing the south section of the route.

E. Question from Councillor Debby Hallett to Councillor Roger Cox, Cabinet member for planning

‘In December 2015, Council passed a motion in support of the Housing Bill, which would build starter homes, grant automatic planning permission to build on brownfield sites, sell off high value vacant council assets and use the money to build more affordable homes in the same area, and extend right to buy to housing association tenants. How many starter homes have been sold in the year since? How many automatic permissions have been given for brownfield development? How many council assets have been sold off, and how many new affordable houses have those sales funded? How many housing association tenants have exercised their right to buy?’

Answer

Councillor Cox responded that the Bill became the Housing and Planning Act 2016 in May last year. We are waiting for the relevant Regulations to come into force so we can implement or act on the proposed changes.

F. Question from Councillor Emily Smith to Councillor Roger Cox, Cabinet member for planning

‘Could the Cabinet member for planning tell us about the timetable for the construction of the Lodge Hill slip roads?’

Answer

Councillor Cox responded that there is currently no timetable for the construction of the Lodge Hill Slip Roads as there is no confirmed funding, c. £13 million, for the scheme. Unfortunately, funds were not secured for the scheme in the latest round of bids to the Government by the Local Enterprise Partnership. Our Council will continue to work with the County Council and others to ensure planned development makes appropriate contributions towards the scheme and that opportunities for any third-party funding are actively pursued.

Co.66 Appointment of external auditors

At its meeting on 23 January 2017 the Joint Audit and Governance Committee considered a report on appointing external auditors and recommended that Council opt in to the appointing person arrangements made by Public Sector Audit Appointments for the appointment of external auditors.

RESOLVED:

To opt in to the appointing person arrangements made by Public Sector Audit Appointments (PSAA) for the appointment of external auditors.

Co.67 Treasury management mid-year monitoring 2016/17

Council considered Cabinet’s recommendations, made at its meeting on 3 February 2017, on the treasury management activities for the first six months of 2016/17.

Vale of White Horse District Council – Council minutes

The Joint Audit and Governance Committee had considered the report at its meeting on 23 January 2017 and had not recommended any adjustments to the strategy as a result of the first six months' activities. Likewise, Cabinet concluded that the treasury management activities had operated within the agreed parameters set out in the approved treasury management strategy.

RESOLVED: to approve the treasury management mid-year monitoring report 2016/17.

Co.68 Treasury management and investment strategy 2017/18 to 2019/20

Council considered Cabinet's recommendations, made at its meeting on 3 February 2017, on the council's treasury management strategy and investment strategy for 2017/18 to 2019/20.

The Joint Audit and Governance Committee considered the report at its meeting on 23 January 2017 and had not recommended any adjustments to the strategy. Cabinet agreed to recommend Council approve the strategy.

RESOLVED: to approve

1. the treasury management strategy 2017/18 set out in appendix A to the head of finance's report to Cabinet on 3 February 2017;
2. the prudential indicators and limits for 2017/18 to 2019/20 as set out in table 2, appendix A to the head of finance's report; and
3. the annual investment strategy 2017/18 set out in appendix A (paragraphs 24 to 63) and the lending criteria detailed in table 5 to the head of finance's report.

Co.69 Revenue budget 2017/18 and capital programme to 2021/22

The Chairman referred to regulations that require councils to record the names of those councillors voting in favour, against or abstaining from any vote on the budget, including amendments, and the council tax. In accordance with the regulations he would call for a named vote on each of these matters at this meeting.

The Chairman reminded councillors that they were not entitled to vote on any issue affecting the level or administration of the council tax or other decisions which might affect the making of any such calculation such as the budget, if they were over two months in arrears with their council tax payments. Where such circumstances applied, councillors were under a statutory obligation to disclose the restriction placed on them and refrain from voting at the relevant meeting. No councillor made any such declaration.

Appendix E, setting out the prudential indicators, was circulated to councillors prior to the meeting. Council noted the report of the chief finance officer, appendix G to the budget report, on the robustness of the budget estimates and the adequacy of the reserves.

Councillor Barber moved and Councillor Cox seconded a motion to approve Cabinet's recommendations as follows:

That Council:

1. sets the revenue budget for 2017/18 as set out in the appendix A.1 to the head of finance's report to Cabinet on 3 February 2017;
2. approves the capital programme for 2017/18 to 2021/22 as set out in appendix D.1 to the head of finance's report, together with the capital growth bids set out in appendix D.2 of the head of finance's report;
3. sets the council's prudential limits as listed in appendix E to the head of finance's report;
4. approves the medium term financial plan to 2021/22 as set out in appendix F.1 to the head of finance's report.

Councillor Roberts moved and Councillor Smith seconded an amendment to the above budget to provide for a grant fund of £100,000 for Children's Centres and £3,000 to pay for officer time to administer the grants.

Those councillors who spoke in support of the amendment expressed concern about the impact on local families and communities when Oxfordshire County Council ceases the provision of universal children's services on 1 March 2017. The children's centres in Botley, Abingdon, Grove and The Hanneys, Faringdon, Southmoor and Wantage provide essential wellbeing services to children under five and their families. They noted the efforts of both parents and the community groups working to find alternative ways of providing universal services for families. They expressed the view that Vale of White Horse District Council is in a position to help fund the set up costs for these projects in the coming year via the existing grants scheme following the same procedure as the New Homes Bonus and Community Capital Funds and therefore supported the inclusion of the additional funds to support these valuable organisations. A number of town and parish councils had committed funds to support their local Children's Centres.

Those councillors who spoke against the amendment stated that Oxfordshire County Council did not wish to see Children's Centres close and there may be additional funding. The view was expressed that the centres could access the existing grant schemes for funding and that, if required, additional funding could be found. Oxfordshire County Council will continue to comply with its statutory duty to provide early intervention services.

The Chairman called for a recorded vote on the amendment which was lost with the votes recorded as follows:

For	Against	Abstentions
Councillors	Councillors	Councillors
Margaret Crick	Alice Badcock	
Debby Hallett	Mike Badcock	
Jenny Hannaby	Matthew Barber	
Dudley Hoddinott	Eric Batts	
Bob Johnston	Edward Blagrove	
Helen Pighills	Yvonne Constance	
Judy Roberts	Roger Cox	
Emily Smith	Stuart Davenport	
Catherine Webber	Charlotte Dickson	
	St John Dickson	
	Katie Finch	
	Robert Hall	

For	Against	Abstentions
	Anthony Hayward	
	Simon Howell	
	Vicky Jenkins	
	Mohinder Kainth	
	Monica Lovatt	
	Sandy Lovatt	
	Ben Mabbett	
	Chris McCarthy	
	Mike Murray	
	Chris Palmer	
	Julia Reynolds	
	Robert Sharp	
	Janet Shelley	
	Henry Spencer	
	Reg Waite	
	Elaine Ware	
Total: 9	Total: 28	Total: 0

Councillors supporting the Cabinet's revenue and capital budget proposals supported the view that the council continued to manage its financial matters sensibly while maintaining services and continuing its capital programme. They supported budgetary provision for a new leisure centre to serve Wantage and Grove, and the replacement of the outdoor swimming pool in Abingdon and to carry out a deep cleanse of the district. The continued reduction in funding from government necessitated an increase in council tax to maintain services for residents.

A number of councillors expressed concern regarding the level of savings from the Corporate Services Contracts.

The Chairman called for a recorded vote on the budget which was carried with the votes recorded as follows:

For	Against	Abstentions
Councillors	Councillors	Councillors
Alice Badcock	Dudley Hoddinott	Margaret Crick
Mike Badcock		Bob Johnston
Matthew Barber		Helen Pighills
Eric Batts		Judy Roberts
Edward Blagrove		Emily Smith
Yvonne Constance		Catherine Webber
Roger Cox		
Stuart Davenport		
Charlotte Dickson		
St John Dickson		
Katie Finch		
Robert Hall		
Debby Hallett		
Jenny Hannaby		
Anthony Hayward		
Simon Howell		

For	Against	Abstentions
Vicky Jenkins		
Mohinder Kainth		
Monica Lovatt		
Sandy Lovatt		
Ben Mabbett		
Chris McCarthy		
Mike Murray		
Chris Palmer		
Julia Reynolds		
Robert Sharp		
Janet Shelley		
Henry Spencer		
Reg Waite		
Elaine Ware		
Total: 30	Total: 1	Total: 6

RESOLVED: to

1. set the revenue budget for 2017/18 as set out in the appendix A.1 to the head of finance's report to Cabinet on 3 February 2017;
2. approve the capital programme for 2017/18 to 2021/22 as set out in appendix D.1 to the head of finance's report, together with the capital growth bids set out in appendix D.2 of the head of finance's report;
3. set the council's prudential limits as listed in appendix E to the head of finance's report;
4. approve the medium term financial plan to 2021/22 as set out in appendix F.1 to the head of finance's report.

Co.70 Council tax 2017/18

Council considered the report of the head of finance on the setting of the Council Tax for the 2017/18 financial year.

In accordance with regulations requiring councils to record the names of those councillors voting in favour, against or abstaining from any vote on the council tax the Chairman called for a recorded vote which was carried with the voting being as follows:

For	Against	Abstentions
Councillors	Councillors	Councillors
Alice Badcock		
Mike Badcock		
Matthew Barber		
Eric Batts		
Edward Blagrove		
Yvonne Constance		
Roger Cox		
Margaret Crick		
Stuart Davenport		
Charlotte Dickson		
St John Dickson		

For	Against	Abstentions
Katie Finch		
Robert Hall		
Debby Hallett		
Jenny Hannaby		
Anthony Hayward		
Dudley Hoddinott		
Simon Howell		
Vicky Jenkins		
Bob Johnston		
Mohinder Kainth		
Monica Lovatt		
Sandy Lovatt		
Ben Mabbett		
Chris McCarthy		
Mike Murray		
Chris Palmer		
Helen Pighills		
Julia Reynolds		
Judy Roberts		
Robert Sharp		
Janet Shelley		
Emily Smith		
Henry Spencer		
Reg Waite		
Elaine Ware		
Catherine Webber		
Total: 37	Total: 0	Total: 0

RESOLVED:

1. to note that at its meeting on 14 December 2016 the council calculated the council tax base 2017/18:
 - (a) for the whole council area as **49,406.0** [Item T in the formula in Section 31B of the Local Government Finance Act 1992, as amended (the “Act”)]; and
 - (b) for dwellings in those parts of its area to which a parish precept relates as in column 1 of appendix 1.
2. that the council tax requirement for the council’s own purposes for 2017/18 (excluding parish precepts) is £6,012,216
3. that the following amounts be calculated for the year 2017/18 in accordance with Sections 31 to 36 of the Act:
 - (a) £75,059,973 being the aggregate of the amounts which the council estimates for the items set out in Section 31A(2) of the Act taking into account all precepts issued to it by parish councils.
 - (b) £65,407,511 being the aggregate of the amounts which the council estimates for the items set out in Section 31A(3) of the Act.

- (c) £9,652,462 being the amount by which the aggregate at (3)(a) above exceeds the aggregate at (3)(b) above, calculated by the council, in accordance with Section 31A(4) of the Act as its council tax requirement for the year. (Item R in the formula in Section 31B) of the Act).
 - (d) £195.37 being the amount at (3)(c) above (Item R), all divided by Item T (1(a) above), calculated by the council, in accordance with Section 31(B) of the Act, as the basic amount of its council tax for the year (including parish precepts).
 - (e) £3,640,246 being the aggregate amount of all special items referred to in Section 34(1) of the Act, as set out in column 2 of appendix 1.
 - (f) £121.69 being the amount at (3)(d) above less the result given by dividing the amount at (3)(e) above by Item T (1(a) above), calculated by the council, in accordance with Section 34(2) of the Act, as the basic amount of its council tax for the year for dwellings in those parts of its area to which no parish precept relates.
4. to note that for the year 2017/18 Oxfordshire County Council has stated the following amounts in precepts issued to the council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below:

Band A	£897.06
Band B	£1,046.57
Band C	£1,196.08
Band D	£1,345.59
Band E	£1,644.61
Band F	£1,943.63
Band G	£2,242.65
Band H	£2,691.18

5. to note that for the year 2017/18 the Police and Crime Commissioner for Thames Valley has stated the following amounts in precepts issued to the council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below:

Band A	£113.52
Band B	£132.44
Band C	£151.36
Band D	£170.28
Band E	£208.12
Band F	£245.96
Band G	£283.80
Band H	£340.56

6. that the council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the aggregate amounts shown in appendix 3 as the amounts of council tax for 2017/18 for each part of its area and for each of the categories of dwellings shown in appendix 3.
7. to note the allocation of the town and parish element of the council tax reduction scheme grant payable to each parish shown in appendix 4.
8. that the council's basic amount of council tax for 2017/18 is not excessive in accordance with principles approved under Section 52ZB Local Government Finance Act 1992.

Co.71 Pay policy statement 2017/18

Council considered the report of the head of HR, IT and technical services on the adoption of a pay policy statement to meet the requirements of the Localism Act.

RESOLVED: to approve the pay policy statement for 2017-18 attached to the report of the head of HR, IT and technical services to Council on 15 February 2016.

Co.72 Changes to the council's constitution

Council considered the report of the head of legal and democratic services and monitoring officer on a proposed change to the council's constitution to clarify the decisions which can be taken by full Council.

RESOLVED: to

1. amend the full Council section of Part 2: Decision Making of the revised constitution agreed by Council on 14 December 2016 with effect from 1 March 2017 to provide for full Council to be responsible for the adoption or approval of a plan or strategy (other than a plan or strategy forming part of the policy framework), where the Council determines that it should take the decision whether to adopt or approve that plan or strategy;
2. authorise the head of legal and democratic services to update the constitution to reflect the agreed amendments;
3. authorise the head of legal and democratic services to make any minor or consequential amendments to the constitution for consistency and to reflect the council's style guide;
4. determine that Council should itself take the decision whether to adopt or approve any proposals for unitary local government for Oxfordshire (including submitting the same to the Secretary of State and all further decisions following the Secretary of State's response), having considered recommendations of the Cabinet.

Co.73 Report of the leader of the council

The Leader of the council referred to a meeting he had attended on the East – West rail link.

He provided an update on unitary council proposals and explained how his opinion had moved from support of a three unitary authority model and combined authority devolution bid to a single unitary authority for Oxfordshire which offered the best way forward to improve the delivery of services to all the residents of Oxfordshire and address reduced government funding.

Co.74 Notices of motion under standing order 11

Motion moved by Councillor Hallett and seconded by Councillor Johnston:
'This council supports the proposal for a new countywide unitary authority.'

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Councillor Barber moved and Councillor Constance seconded the following amendment with the deletion of the words shown by strikethrough and additions in bold.

“This Council supports the ~~proposal for~~ principle of a new countywide unitary council for Oxfordshire but recognises that the One Oxfordshire discussion document currently being publicised by Oxfordshire County Council requires strengthening in order to maximise the benefits to, and influence of, local communities and to satisfy the concerns of residents about some aspects of the proposal including the need for more local decision making.

Council authorises the Chief Executive, in consultation with the Leader of the Council, to work with other partner councils to develop the terms of a proposal for local government change in Oxfordshire and present a detailed report to Council in due course.”

With the agreement of Council the mover and seconder of the original motion accepted the amendment.

Councillors supported the principle of a new countywide unitary council for Oxfordshire to transform the way services are delivered to the residents of Oxfordshire, maintain high quality services and secure investment in infrastructure. A number of councillors expressed concern regarding the current One Oxfordshire proposal put forward by Oxfordshire County Council. The view was expressed that the current proposal required improvement to ensure local accountability with decisions taken at a much more local level and to recognise the different needs of rural communities and those of Oxford City. It was important to involve as many parties as possible in the discussions on the proposals including those who opposed the idea.

RESOLVED:

THAT Council supports the principle of a new countywide unitary council for Oxfordshire but recognises that the One Oxfordshire discussion document currently being publicised by Oxfordshire County Council requires strengthening in order to maximise the benefits to, and influence of, local communities and to satisfy the concerns of residents about some aspects of the proposal including the need for more local decision making.

Council authorises the Chief Executive, in consultation with the Leader of the Council, to work with other partner councils to develop the terms of a proposal for local government change in Oxfordshire and present a detailed report to Council in due course.

The meeting closed at 9:25pm

Minutes

of a meeting of the

Council



held on Wednesday, 8 March 2017 at 7.00 pm
at the The Ridgeway, The Beacon, Portway, Wantage, OX12 9BY

Open to the public, including the press

Present:

Members: Councillors Mike Badcock (Chairman), Reg Waite (Vice-Chairman), Alice Badcock, Eric Batts, Matthew Barber, Yvonne Constance, Roger Cox, Margaret Crick, Stuart Davenport, Charlotte Dickson, St John Dickson, Katie Finch, Robert Hall, Debby Hallett, Jenny Hannaby, Anthony Hayward, Dudley Hoddinott, Simon Howell, Vicky Jenkins, Bob Johnston, Mohinder Kainth, Monica Lovatt, Ben Mabbett, Mike Murray, Chris Palmer, Helen Pighills, Julia Reynolds, Judy Roberts, Robert Sharp, Janet Shelley, Emily Smith, Elaine Ware and Catherine Webber

Officers: Mark Stone, David Hill, Steven Corrigan, Susan Harbour and Deidre Smith

Also present: Robin Rogers (Oxfordshire County Council)

Number of members of the public: 4

Co.75 Apologies for absence

Apologies were received from councillors Ed Blagrove, Sandy Lovatt, Chris McCarthy and Henry Spencer.

Co.76 Declarations of interest

There were no declarations of disclosable pecuniary interest.

Co.77 Chairman's announcements

The chairman provided housekeeping information. At the proposal of the chairman Council agreed to suspend Council procedure rules 44 and 45 which restrict the length of speeches and when a councillor may speak.

Co.78 Public participation

No members of the public had registered to speak at this meeting.

Co.79 Single unitary council for Oxfordshire

Council considered the report of the chief executive on proposals for a single unitary council for Oxfordshire. Council recalled that at its meeting on 15 February 2017, it had passed a motion supporting the principle of a single unitary council and authorised the chief executive and leader of the council to work with partner councils to develop the terms of a submission for local government change in Oxfordshire, and to submit a report to Council in due course.

Since that meeting, the chief executive and leader had worked with the leaders of Oxfordshire County Council and South Oxfordshire District Council to improve the county council's One Oxfordshire proposal to form a new submission 'A New Council for a Better Oxfordshire'. The Better Oxfordshire proposal was now presented to Council. The proposal would be put before South Oxfordshire District Council on 10 March 2017 and Oxfordshire County Council's Cabinet on 14 March 2017.

The Scrutiny Committee met on 27 February 2017 and its recommendations were reported to Cabinet that, in turn, met on 6 March 2017. The recommendations of both the Scrutiny Committee and Cabinet were set out before councillors. In supporting the recommendations Cabinet agreed an amendment to recommendation 7 to read (additional words shown in **bold** type):

“authorise the head of legal and democratic services, **in consultation with the leader and the chief executive**, to agree the terms of reference of the joint committee, which will include making recommendations regarding the initial functions of the implementation executive, and to make this council's appointments to the joint committee”.

Tabled at the meeting were three additional documents to provide clarification:

1. A vision of a governance structure for the new unitary authority;
2. A model of council tax in Oxfordshire; and
3. A comparison of the Better Oxfordshire proposal with the One Oxfordshire proposal and the governance arrangements in Cornwall and Wiltshire.

Council noted that the council tax modelling was based on figures published in the Oxfordshire districts' and county council's medium term financial plans, and assumed council tax increases across these councils in the lead up to the new unitary council being established. The figures also assumed that there would be a new council for the city of Oxford, setting a precept of £150 in a new town council role. The model showed that it would be possible to achieve levels of council tax no higher than would be expected under the current two-tier principal council system in Oxfordshire.

The leader of the council introduced Cabinet's recommendations, explaining that he had worked with the leaders of South Oxfordshire District Council and Oxfordshire County Council to improve the One Oxfordshire proposal and develop the Better Oxfordshire proposal. This offered the opportunity for greater efficiencies and improved governance arrangements with some decisions being made by executive area boards and bespoke arrangements for Oxford city area. The powers of these boards would be significant, with representatives of towns and parishes in a non-voting capacity. In addition there would be five local planning committees and a strategic planning committee to reflect Local Plan areas. Getting the Area Executive Boards right is a significant factor in the excellent delivery of a unitary authority. He noted that it is not for the Council to make the decision to abolish the council and the other principal authorities in Oxfordshire, but to make a recommendation to the

Secretary of State. The detailed proposals would be developed by a new joint committee.

Council debated the proposal and welcomed the progress made since the last Council meeting. Councillors believed that this single unitary council bid presented the best opportunity for an efficient form of local government in Oxfordshire. A single unitary council would be easier for the public to understand and offered significant benefits, not just in terms of financial savings, but in joined-up decision making and strategic thinking. Councillors supported the proposal as an immeasurable improvement on the One Oxfordshire proposal but recognised that the detail would require careful consideration, especially around local decision-making. Council welcomed the establishment of a joint committee with all principal councils in Oxfordshire invited to participate on it. Council also welcomed the inclusion of the Implementation Board as preferable to a shadow authority.

Council welcomed the protection of the current Local Plans and, although it was recognised that in developing the detail the council would have to make concessions, Council hoped that the reserves of councils would be retained for use in their areas and not be used to support services across Oxfordshire.

A number of councillors expressed the view that the level of knowledge required and workload expected of unitary councillors would be very different to that of current councillors. The role could become fulltime to manage the workload and therefore impact on the diversity of councillors by excluding working people/those with young families. The positions would require a greater level of remuneration to reflect the increased role.

Councillors praised the work of officers in putting together the Better Oxfordshire proposal.

RESOLVED

1. To note and commend the approach taken by the Leaders of Vale, South Oxfordshire, and the County Council in putting the interests of residents, business and communities first in bringing forward these proposals;
2. To consider the proposals, in particular taking note that 70 percent of those responding to the County Council's representative household survey supported the proposal for a new unitary council for Oxfordshire;
3. To respond to the recent letter from the Secretary of State and submit proposals to Government subject to any amendments required provided that they are materially in accordance with the attached proposal;
4. To delegate the power to make such amendments to the chief executive in consultation with the leader and with South Oxfordshire District Council and Oxfordshire County Council;
5. To ask officers to seek local support from key stakeholders and the wider public to promote the proposals to government and respond to any subsequent consultation undertaken by the Secretary of State;
6. To support the further development of the Area Executive Board (AEB) model. A joint committee, open to all Districts and City Councils across Oxfordshire and the County Council, should be formed as early as possible. This joint committee

should work with the existing County Council advisory group, local communities, Town and Parish Councils, and key delivery partners to develop detailed proposals that articulate the role, powers, format, scale and responsibilities of the AEBs which will be submitted to the Implementation Executive for inclusion with the proposed constitution of the new council;

7. To authorise the head of legal and democratic services, in consultation with the leader and the chief executive, to agree the terms of reference of the joint committee, which will include making recommendations regarding the initial functions of the implementation executive, and to make this council's appointments to the joint committee;
8. To ask officers to take steps to establish the City Convention to work with residents and local stakeholders to design the new model of governance in Oxford;
9. In light of the above decisions, and the absence of unanimity among the current local authorities, to confirm that Council does not support the proposals for a Mayor and Combined Authority as being the best structure for Oxfordshire.

The meeting closed at 8.15 pm

Council report



Report of Head of Legal and Democratic Services

Author: Susan Harbour

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To: COUNCIL

DATE: 17 May 2017

Appointments to committees, panels and joint committees 2017/18

Recommendations

That Council:

1. appoints the committees and panels for the 2017/18 year, allocates seats to each political group and appoints councillors and substitutes to sit on them in accordance with paragraphs 8-13 of this report and as set out in the schedule circulated at the meeting;
2. appoints chairmen and vice-chairmen as set out in the schedule circulated at the meeting;
3. appoints all local members representing the wards covered by the relevant area committees to those committees for the 2017/18 municipal year; in accordance with paragraph 14 of this report and as set out in the schedule circulated at the meeting;
4. appoints councillors to the Licensing Acts Committee in accordance with paragraphs 15-17 of this report and as set out in the schedule circulated at the meeting;
5. appoints a representative and a substitute on the Oxfordshire Joint Health Overview and Scrutiny Committee;
6. appoints a representative and an observer substitute on the Thames Valley Police and Crime Panel;
7. authorises 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;
8. authorises the head of legal and democratic services to amend the constitution as necessary to reflect the arrangements set out in this report.

Purpose of report

- 1. This report invites Council to agree appointments to those committees required to be politically balanced together with the Area Committees and the Licensing Acts Committee. It also invites Council to make appointments to joint bodies.

Background

- 2. The Council is required by the Local Government and Housing Act 1989 to appoint committees, review the political balance and to appoint councillors to the committees annually.
- 3. In summary the Council has a duty to ensure the following principles are adhered to:
 - (i) not all seats are allocated to the same political group
 - (ii) a majority group should get the majority of seats on each committee
 - (iii) the seats allocated to groups on a committee reflect the membership of the Council as a whole
 - (iv) the allocation of the total number of seats on all committees reflects the membership as a whole.
- 4. Ordinary committees are those that have decision-making powers but excluding the Licensing Acts Committee and area committees.

Strategic Objectives

- 5. This report supports the council’s corporate plan in that it ensures the council manages its business effectively. It is also in line with the council’s requirement to review the political complexion of committees and other bodies, having regard to the Local Government and Housing Act 1989.

Political balance

- 6. The number of seats held by the various political groups is currently as follows:

Conservative	29	(76.32%)
Liberal Democrat	9	(23.68%)

- 7. The Local Government (Committees and Political Groups) Regulations 1990 require a constituted political group to be two or more members.

Composition of committees

8. The ordinary committees and panels that are required to be politically balanced both individually, and overall, are set out below.

Committee	Members	Comments
Vale Scrutiny Committee	9	
Joint Scrutiny Committee	5	10 in total with South Oxfordshire District Council
Joint Audit and Governance Committee	4	8 in total with South Oxfordshire District Council
Planning Committee	11	
General Licensing Committee	12	
Community Governance and Electoral Issues Committee	6	
Appeals Panel	3	
Joint Staff Committee	3	6 in total with South Oxfordshire District Council
Corporate Services Joint Scrutiny Committee	2	10 in total with Hart, Mendip and South Oxfordshire district councils and Havant Borough Council
Totals	55	

- The membership of the General Licensing Committee and the Licensing Acts Committee are the same, although they are two separate entities. This allows for a sufficiently large, well trained pool of councillors from which to draw the Taxi Licensing and Licensing Panels, and avoids confusion as to which members are on which committee. These committees may appoint the same, or different chairmen and vice chairmen.
 - The co-chairs of the Joint Scrutiny committee should be the same as the chairs of the district Scrutiny committees to eliminate potential conflict around the call in arrangements and work programmes.
9. The terms of reference of the council's committees and panels are set out in the constitution.
10. The political balance calculation and the entitlements to seats on committees are set out in the tables below. Fractional entitlements of less than one half are rounded down and entitlements of one half or more are rounded up. Some adjustments must be made to ensure that the overall percentage of seats is correctly apportioned.

Group	Group members	Total of council	Total number of committee seats
Conservative	29	76.32%	42
Liberal Democrat	9	23.68%	13
TOTAL	38	100%	55

Committee	Total number of seats	Conservative	Liberal Democrat
Scrutiny	9	7	2
Planning	11	8	3
General Licensing Committee	12	9	3
Appeals Panel	3	2	1
Joint Scrutiny	5	4	1
Joint Audit and Governance	4	3	1
Community Governance and Electoral Issues Committee	6	5	1
Joint Staff Committee	3	2	1
Corporate Services Joint Scrutiny Committee	2	2	0
Total	55	42	13

11. If the Council wishes to allocate any seats not in accordance with the political balance requirements it can only do so if no councillor votes against the proposal.
12. At the special meeting held on 8 March 2017 Council supported the establishment of a joint committee to develop detailed proposals for the role, powers, format, scale and responsibilities of the Area Executive Boards proposed as part of the unitary council proposal. Council authorised the head of legal and democratic services, in consultation with the leader and the chief executive, to agree the terms of reference of the joint committee and to make this council's appointments to the joint committee. These decisions will be implemented if the Secretary of State supports the proposal for a new unitary council for Oxfordshire.

Substitutes

13. Each political group is entitled to the same number of preferred substitutes as the number of ordinary seats it holds on a committee or panel, and up to a maximum of three preferred substitutes where it has fewer than three members on a committee or panel. All substitutes for regulatory committees must have met the relevant training requirement, regardless of whether they are preferred or other substitutes.

Area Committees

14. In 2003, the Council established area committees with the terms of reference set out in the council's constitution. The areas were revised by Council in May 2015. In January 2011 the Executive delegated the award of community grants to the area committees. The area committees consist of councillors for the relevant area only. Council is invited to confirm the membership of the area committees for the next municipal year as those local members representing those areas. The Council is asked to note that the area committees do not need to be politically balanced and, therefore, the area committees are not included in the calculation of seats to political groups. Council is requested to appoint councillors to the area committees as set out in the schedule circulated at the meeting.

Licensing Acts Committees

15. The Licensing Acts Committee is a statutory committee and is not required to be included in the calculation of political balance. The whole committee meets rarely to deal with licensing and gambling policy matters but a membership of 12 provides a pool of councillors from which panels of three can be drawn to deal with hearings relating to premises licence applications and reviews, and gambling matters.
16. Council has previously agreed to appoint a committee in accordance with the political balance of the Council. The membership will mirror the membership of the General Licensing Committee and will, therefore, be politically balanced but will not in itself contribute to the total political balance of the council's committees.
17. As a statutory committee with a specified membership substitutes may not be appointed.

Eligibility to Sit on Committees and Panels.

- Any member of the council may be appointed to any committee with the following exceptions and caveats:
- No member of Cabinet may sit on any Scrutiny Committee;
- No member of Cabinet may sit on the Joint Audit and Governance Committee;
- No member of Cabinet may sit on the Planning Committee;
- No member may sit on an Area Committee if they do not represent that area;
- The Chairman or Vice Chairman of Council may not be the Chairman or Vice Chairman of any committee or panel;
- No Cabinet member may be the Chairman or Vice Chairman of any committee or panel;

- Most panels meet during the daytime, and only members who have some daytime availability should be selected for these panels. This includes General Licensing Committee and Licensing Acts Committee, which do most of their work through daytime panels.

Appointments

18. Officers have invited group leaders to submit the names of councillors they wish to sit on each of the above bodies. A table of nominations will be circulated at the meeting.

Joint Health Overview and Scrutiny Committee

19. Council is invited to appoint a representative and a named substitute to the Oxfordshire Joint Health Overview and Scrutiny Committee.

Thames Valley Police and Crime Panel

20. Council is invited to appoint a representative to the Thames Valley Police and Crime Panel. The constitution of the panel does not provide for formally appointed substitutes but Council may appoint one in an observer capacity.

Financial implications

21. There are no direct financial implications.

Legal implications

22. These are set out in the body of the report.

Conclusion

23. In deciding the committees and panels it wishes to establish for the 2017/18 year, Council is required to allocate seats to political groups in the same proportion as they hold on the council as a whole. Against that background, Council is invited to establish the committees and panels set out in the table in paragraph 8 of this report and to appoint councillors to them. Council is also invited to appoint councillors to the area committees and the Licensing Acts Committee and to appoint representatives to the Oxfordshire Joint Health Overview and Scrutiny Committee and the Thames Valley Police and Crime Panel. If all committee and panel seats and substitute places are not filled at the meeting, Council is invited to delegate authority to the head of legal and democratic services to make appointments in accordance with the wishes of the relevant group leader. Council is also invited to delegate authority to the head of legal and democratic services to amend the constitution as necessary.

Background Papers: None

Council



Report of Head of Legal and Democratic Services

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To: COUNCIL

DATE: 17 May 2017

Councillors' allowances scheme

Recommendations

That Council:

1. considers the recommendations of the Joint Independent Remuneration Panel;
2. authorises the head of legal and democratic services to finalise a councillors' allowances scheme based on the decision in 1 and to make any consequential amendments to the constitution;
3. agrees that the revised scheme should apply from 1 April 2017 but that any reductions will take effect from 18 May 2017;
4. thanks the members of the Independent Remuneration Panel for their work in reviewing the councillors' allowance scheme.

Purpose of Report

1. To consider the report and the recommendations of the Joint Independent Remuneration Panel (the panel) on a revised councillors' allowances scheme and to agree a scheme of allowances to run from 1 April 2017.

Background

2. The Local Government Act 2000 and Local Government (Members Allowances) (England) Regulations 2003 require the council to appoint an independent remuneration panel to review its councillors' allowances scheme and make recommendations on the level of allowances to be paid. Council is responsible for setting the scheme of allowances having regard to the panel's recommendations.

3. At its meeting in May 2016 Council agreed to establish a joint independent remuneration panel with South Oxfordshire District Council to carry out reviews of the councillors' allowances schemes at both councils.
4. At that meeting Council authorised the head of legal and democratic services to make appointments to the panel. Four members were appointed as panel members including Mark Palmer, Development Director, South East Employers who acted as chairman and provided a training programme for panel members. Officers from democratic services provided administrative support.

Panel report

5. The recommendations of the panel, which met three times during January 2017, are set out in the attached report at appendix 1. The report details the reasons and rationale for the recommendations made by the panel. The recommended allowances are summarised below:

	CURRENT ALLOWANCES £	2017/2018 RECOMMENDATIONS £	RATIONALE & METHODOLOGY
Basic Allowance	4,644	4,633	
Leader of The Council	18,151	18,532	4 x Basic Allowance
Deputy Leader	13,311	12,973	70% of Leader
Cabinet Members	8,470	9,266	50% of Leader
Chairman of Council	4,840	4,633	25% of Leader
Vice Chairman of Council	1,210	1,390	30% of Chairman of Council
Chairman of Scrutiny Committee	2,420	2,780	15% of Leader
Vice Chairman of Scrutiny Committee	1,210	Allowance withdrawn	
Chairman of Planning Committee	4,840	5,560	30% of Leader
Vice Chairman of Planning Committee	2,420	2,780	50% of Chairman of Planning Committee
Chairman of Audit and Governance Committee	1,210	1,390	7.5% of Leader
Leader of Main Opposition Group	1,210	1,853¹	10% of Leader
Chairman of General Licensing Committee	-	1,853	10% of Leader
Chairman of Licensing Acts	No allowance	No allowance	

¹ Allowance payable subject to the Political Group having at least 15% of the total Council Members (Vale of White Horse District Council 6 group members)

Committee			
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6. Council is required to approve a councillors' allowance scheme to comply with The Local Authorities (Members' Allowances) (England) Regulations 2003. The options are:-
- (i) to accept the recommendations of the Independent Remuneration Panel
 - (ii) to reject all or some of the recommendations of the Independent Remuneration Panel and agree alternative allowances if in any cases it does not consider them appropriate.
7. If Council agrees to implement a scheme from 1 April 2017 any increase in allowances will be backdated but it is recommended that any reductions should take effect from 18 May 2017.

Financial Implications

8. The 2017/18 budget includes £179,080 provision for councillors' basic allowances and £105,352 for special responsibility allowances. If all the recommendations within the report, totalling £276,128, are implemented these can be met from the current budget.

Legal Implications

9. Under the Local Government (Members Allowances) (England) Regulations 2003, local authorities are required to have Independent Remuneration Panels for the purpose of reviewing their schemes of councillors' allowances. Council is required to have regard to the recommendations of the panel when making or revising a scheme of allowances. However it does not have to accept the recommendations if it does not consider them appropriate.

Conclusion

10. The Independent Remuneration Panel has undertaken a review of the councillors' allowances scheme. Council is requested to consider the recommendations set out in the report and agree a scheme of allowances to run from 1 April 2017 with any reductions taking effect from 18 May 2017.



**A Review of Members' Allowances for
Vale of White Horse and South Oxfordshire District
Councils**

Report of the Independent Remuneration Panel

18th, 25th & 26th January 2017

**2 CROWN WALK, JEWRY STREET,
WINCHESTER
HANTS,
SO23 8BB**

1. Introduction

The Independent Remuneration Panel was convened to undertake a full review of Members' Allowances. The review was undertaken and the Panel convened in accordance with The Local Authorities (Members Allowances) (England) Regulations (SI 1021) (2003 Regulations).

The Panel met on 18th, 25th and 26th January 2017 and membership of the panel was:-

David Whittingham – Chief Executive, Oxford Brookes University and local resident
Ian Snowdon- local resident
Keith Brooks- local resident
Mark Palmer, Development Director, South East Employers (Panel Chairman)

A questionnaire was sent out by Survey Monkey to all Members of both Councils prior to the review and the Panel interviewed 21 District Council Members and 1 Officer. Fourteen of the 36 South Oxfordshire District Council Members completed the questionnaire, a 39% response rate. Fourteen of the 38 Vale of White Horse District Council Members completed the questionnaire, a 37% response rate. A comprehensive analysis of the two questionnaires are attached as **Appendix 1 and 2**.

The Panel would like to thank the Members who completed the questionnaire as well as the Members and the Officers we interviewed during the process. We have taken account of the views expressed to us by those Members and would like to thank them for their assistance in this review.

Additionally the Panel was assisted and supported throughout by Steven Corrigan (Democratic Services Manager) and Nicola Meurer (Democratic Services Officer). We would also like to thank these officers for their help and support.

Other information at our disposal included the current Scheme of Members' Allowances in both Councils and key member role profiles.

We also had the benefit of the Members' Allowance Survey for District and Borough Councils in the South East published by South East Employers in September 2016. The Survey has been used to support benchmarking and for this purpose we have used the Oxford district and city Councils as the benchmark group

Comprehensive details of the allowances in these Councils are attached as **Appendix 3**.

2. Terms of Reference

The Panel terms of reference were as agreed by both Councils **“To carry out reviews of the councillor’ allowances schemes at both councils and make recommendations on any changes to the schemes to the relevant Council”**.

This included a full review, to make recommendations as to the level of the Basic Allowance and of Special Responsibility Allowances for the year 2017/2018 and beyond for a maximum 4 year period. The review also included the Dependants’ Carers’ Allowance and the scheme for travelling and subsistence.

3. The Deliberations of the Panel

A key role of the Panel is to recommend a scheme of allowances which recognises both Members’ responsibilities and workloads. However, the Panel was mindful of the Council’s continued financial constraints when making its recommendations.

To develop a structured approach in determining allowances the Panel has used transparent formula and methodology for calculating the Basic Allowance and the Special Responsibility Allowances.

4. Basic Allowance

The present level of Basic Allowance at both Councils is £4,644. South Oxfordshire District Council Basic Allowance was brought to the same level as that of the Vale of White Horse District Council in May 2015.

The Panel when reviewing previous reports and recommendations could find no structured and coherent formula for calculating the Basic Allowance and was of the view that a structured formula for calculating the Basic Allowance will provide a foundation to allow a future Panel to better determine the allowance and also provide a transparent formula for how the Basic Allowance was arrived at.

In determining a formula, the Panel chose median hourly earnings for the South East of England area as a place of residence. This information is published by the Office for National Statistics each December as part of its National Statistics of Hours and Earnings (NOMIS) and in December 2016 this was **£14.85 per hour**.

The results of the Members’ Allowances questionnaire and subsequent interviews conducted as part of the review identified that 10 hours per week for the Front Line Councillor role for both Councils was appropriate. The Panel therefore chose **10 hours** to support the calculation of the Basic Allowance.

The Panel also looked at the level of the Public Service Discount (PSD). The PSD is the element of a Member’s activity that should be given on a purely voluntary basis. The

questionnaire responses had varying differences ranging from 10% to 50%. The average across the South East region is 35-50%. The Panel was of the view that a level of **40%** should represent the level of recommended "Public Service Discount". This was also the current level of PSD and the Panel heard no substantive views that warranted a change to this level

Based on these figures the level of Basic Allowance for Members of both Councils can be calculated as 10 hours x 52 weeks x £14.85 per hour - 40% Public Service Discount which gives an annual Basic Allowance of **£4,633**.

The questionnaire responses and subsequent interviews did not lead the Panel to support any significant increase in the level of Basic Allowance. The result of the questionnaire responses was that the majority of Members who responded in both Councils felt that the current level of Basic Allowance was appropriate. The benchmark comparative group of councils across Oxfordshire had very similar Basic Allowances and the current Basic Allowance was comparable with similar district and borough councils across the South East of England, £4,611.

Benchmark Councils- Basic Allowance (September 2016)

Council	Basic Allowances
Oxford City Council	£4,809
South Oxfordshire DC	£4,644
Vale of White Horse DC	£4,644
West Oxfordshire DC	£4,500
Cherwell DC	£4,152
Average	£4,536

RECOMMENDATION: The Basic Allowance for Members of Vale of White Horse and South Oxfordshire District Councils for the year 2017/2018 should be £4,633 subject to any future indexation.

5. Special Responsibility Allowances

This report for ease of reference sets out on page 11 the current allowances and **the level of allowances the IRP recommends for 2017/18. All the SRAs with the exception of the Leader of the Council and Vice Chairmen are calculated as a percentage of the Leaders Allowance.**

In determining which roles merit an SRA (Special Responsibility Allowance) the Panel was cognisant of the 2006 Statutory Guidance (May 2006, paragraphs 70 and 73) that states:

“SRAs may be paid to those members of the council who have significant additional responsibilities over and above the generally accepted duties of a councillor. These special responsibilities must be related to the discharge of the authority’s functions.”

When considering all the current roles that receive an SRA the Panel was of the view that all the roles with the exception of Vice Chairman of Scrutiny and Chairman of Licensing Acts Committee continue to involve a **“significant additional responsibility”** that will lead them to continue to attract an SRA.

Leader of the Council

In arriving at an indicative SRA for the Leaders allowance, the Panel has used a methodology that is specifically mentioned in the 2006 Statutory Guidance, namely the factor approach. This multiplies the Basic Allowance by an accepted factor to arrive at the recommended Leader’s SRA. Benchmarking shows that the average SRA for a South East Council Leader is just over three and a half times the Basic Allowance. The interviews and questionnaire responses demonstrated to the Panel that the Leaders’ across the two councils had a significant workload in accordance with the ‘strong leader model of governance’. The Panel are therefore proposing a factor of 4 times the Basic Allowance for the Leader of the Council. **4 x £4,633 = £18,532.**

RECOMMENDATION: The panel recommends that the SRA for the Leader of the Council should be a multiple of 4x the Basic Allowance, £18,532.

The following SRAs referred to are where the Panel are making recommendations that lead to a change to the amount payable to the existing allowances. The Panel also makes a recommendation to withdraw two allowances.

Deputy Leader

The strong leader model of governance (2007 Local Government Act) requires all Councils that adopt this model to have the role of Deputy Leader as a defined role as part of the councils’ cabinet/executive. However, in respect of member SRAs there is no requirement to differentiate between the SRA paid to a Deputy and the other Cabinet Portfolio Holders. Benchmarking shows that across district councils in the South East

there is only a marginal difference between the average SRA paid to Deputy Leaders and other Portfolio Holders.

The analysis of the questionnaires and interview response feedback did support the view that the role of Deputy Leader had greater responsibilities and a higher level of impact than other Cabinet Members. Currently only the Vale of White Horse DC pays an SRA for the role of Deputy Leader, this currently equates to around 73% of the current Leader's allowance.

Although the Panel recognised the value of the role of Deputy Leader it was of the view that the SRA should be no more than 70% of the Leader's allowance. Even at 70% this was still the highest as a percentage of the Leader's allowance across all South East district/borough councils. The closest figure was 67% in West Oxfordshire District Council with norm around 50-60%.

Based on 70% of the proposed Leaders allowance this will equate to an SRA of £12,973. This is the fifth highest SRA for a Deputy Leader across the South East:

Council	Deputy Leader SRA (£'s)	% of Leaders Allowance
Dartford BC	16,714	50
Basingstoke BC	15,117	66
Winchester CC	14,709	65
West Oxfordshire DC	13,500	67
South Oxfordshire District Council	12,973	70
Vale of White Horse DC	12,973	70

RECOMMENDATION: The Panel recommends that the SRA for Deputy Leader be at 70% of the proposed SRA for Leader, £12,973.

Cabinet Members

The Panel was of the view that like the role of Deputy Leader the Cabinet Member role had a high level of responsibility particularly with the approach to delegated decision making responsibility in both councils.

The importance of the role was reinforced during interviews and within the questionnaire responses. Across the vast majority of South East district and borough councils Portfolio Holders were receiving an SRA of between 40-60% of the leader's allowance. The highest being £12,000 in Wycombe DC and the lowest £2,808 in Eastbourne BC.

RECOMMENDATION: The Panel recommends that the SRA for Cabinet Members be at 50% of the proposed Leaders allowance, £9,266

Chairman and Vice Chairman of the Council

The Panel continues to recognise the importance of the role of Chairman and Vice Chairman of the Council particularly in promoting the role of the Councils and acting as an ambassador for the Councils.

RECOMMENDATION: The Panel recommends that the SRA for the Chairman of the Council be at 25% of the proposed Leader's allowance, £4,633. The Panel recommends that the SRA for Vice Chairman of the Council be at 30% of the Chairman's allowance, £1,390.

Chairman and Vice Chairman of Scrutiny

The current SRA for Chairman of Scrutiny reflects the fact that in both Councils the role of scrutiny is still working towards meeting its full potential. The Panel did hear that the Councils were committed to further developing the overview and scrutiny function during 2017/18. The current SRAs for Chairman of Scrutiny £2,071 (SODC) and £2,420 (VoWH)) are the lowest across the Oxfordshire district and City Councils and are also very low across comparable councils across the South East, in fact within the lower quartile of councils.

However, at this stage the Panel saw no current information both in respect of the interview responses and through the questionnaire analysis to justify a significant increase to the allowance.

In respect of the Vice Chairman, the Panel was of the view that this role was not properly defined or developed enough to justify an SRA.

RECOMMENDATION: The Panel recommends that the SRA for Chairman of Scrutiny be at 15% of the proposed Leader's Allowance, £2,780. The Panel recommends that the SRA for Vice Chairman of Scrutiny be withdrawn. The Panel would like to review the SRA for Chairman of Scrutiny in two years to determine if the overview and scrutiny function has developed within this period; and whether this will justify any increase to the allowance of both Chairman and Vice Chairman of Scrutiny.

Chairman and Vice Chairman of Planning

The interviews and questionnaire analysis supported the Panel view that the role of Chairman and Vice Chairman of Planning were both roles that had a high workload, around 21 meetings per annum and a significant external impact. The Panel was therefore of the view that the Chairman allowance should be increased.

RECOMMENDATION: The Panel recommends that the SRA for Chairman of Planning should be 30% of the proposed Leader's allowance, £5,560 and the SRA for Vice Chairman of Planning should be 50% of the Chairman's allowance, £2,780.

Chairman of Audit and Governance

The Panel was of the view that the Audit and Governance Committee continues to be an active committee with a degree of internal impact. The Panel recommends that the allowance be at 7.5% of the proposed Leader's Allowance.

RECOMMENDATION: The Panel recommends that the SRA for Chairman of Audit and Standards should be 7.5% of the proposed Leader's Allowance, £1,390.

Leader of Main Opposition Group

The role of opposition group leader is an important role to support local democracy and local democratic accountability. The opposition group leader also has to manage and develop the political group so that it can undertake the roles and responsibilities of a main opposition group.

The Panel was of the view that the Leader of the Main Opposition Group should receive a dedicated allowance based on a percentage of the Leader's allowance to be consistent with the calculation of all other SRAs below Leader.

The Panel was also of the view that the Main Opposition Group Leader did have significant responsibilities. However, the size of the group is important in terms of the workload and impact, the larger the group the more significant the role.

The Panel was therefore of the view that the SRA for Main Opposition Group Leader should only be awarded to a group that had **15%** of total Council Members. This will equate to 6 Group Members in Vale of White Horse District Council and 5 Members in South Oxfordshire District Council.

RECOMMENDATION: The Panel recommends that the SRA for Main Opposition Group Leader should be 10% of the proposed Leader's allowance, £1,853. The SRA will only be paid if the Group has at least 15% of total Council Members and will only be paid to the largest opposition group.

Chairman of General Licensing Committee and Chairman of Licensing Acts Committee

The Panel was of the view that the Chairman of General Licensing Committee still undertook a role of *significant responsibility* to justify an SRA. However; the Panel was informed that the number of meetings had reduced. The Panel also heard that the committee composition, members and Chairman for the Licensing Acts Committee was the same as the General Licensing Committee and this negated the need to have a separate SRA.

RECOMMENDATION: The Panel recommends that the SRA for Chairman of the General Licensing Committee be at 10% of the proposed Leaders Allowance, £1,853. The panel was of the view that the SRA for Chairman of the Licensing Acts Committee be withdrawn.

Currently Vale of White Horse District Council has 15 roles that are eligible to receive an SRA across 38 Members (39% of Members) and South Oxfordshire District Council has 16 roles that are eligible to receive an SRA across 36 Members (44% of Members).

Good practice referred to in the Members Allowances Regulations is that no more than 50% of roles should receive an SRA. Both Councils currently comply with the good practice referred to in the Members Allowances Regulations.

RECOMMENDATION: The SRAs for 2017/18 to be in accordance with those listed on page 11 of the report

6. Dependants' Carers' Allowance

Currently both Councils offer a Dependants' Carers' Allowance (DCA) at a rate linked to the Minimum Wage although take up has always been low. The Local Government Act 2000 explicitly clarifies the right of local authorities to pay a DCA, which members can claim to assist them with the costs of care for their dependants while undertaking approved Council duties.

The Panel was of the view that the Dependants' Carers' Allowance was important and should continue to be recommended. The Panel was also of the view that there were different types of care required ranging from basic care e.g. babysitting to very specialist care for adults and children. The actual cost of this care differed significantly therefore the Panel recommend that there should be two distinct classifications of supported care, basic and specialist care.

The allowances should only be paid for activities that fall within the schedule of Member Approved Duties and will include the travel time undertaken to be able discharge the approved duties and an additional fifteen minutes for handover.

RECOMMENDATION: In respect of basic care the Panel recommends that the Dependants' Carers' Allowance should be reimbursed to a maximum of £8.45 per hour upon production of receipts. This rate will be linked to the National Living Wage determined by the Living Wage Foundation and reviewed on an annual basis.

In respect of more specialist care this should be reimbursed at the actual cost upon production of receipts. In the case of reimbursement for specialist care, medical evidence that this type of care is required must also be provided.

7. Travel and Subsistence

The Council currently pays mileage allowances based on the HMRC rates.

RECOMMENDATION: The Panel recommends that the Council continue to adopt the HMRC rates for calculating reimbursement of Members mileage.

Any subsistence payments should be in accordance with those paid to Officers of the Council.

8. Index Linking

The index linking of the Basic Allowance is in most council's now linked to annual staff pay increases.

The Panel is of the view that any future index linking of the Basic Allowance and the Special Responsibility Allowances be at the rate of increase in staff salaries.

RECOMMENDATION: The Panel recommends that any index linkage agreed by the Council should be in line with staff salary increases for a maximum of four years from 2017/2018 to 2021/2022.

9. The One SRA Only Rule

The 2003 Members' Allowances Regulations do not limit the number of SRAs an individual Member can receive. Nevertheless, it is common and established good practice in most council's to have a '*One SRA Only Rule*' set out in their allowances scheme. The Panel was pleased to see that the Councillors' Allowances Scheme in both councils includes the '*One SRA Only Rule*'

10. Implementation of Recommendations

As permitted by the 2003 Members' Allowances Regulations (paragraph 10.6) it is recommended that the new Members' Allowances as set out in this report be implemented from April 2017

**Mark Palmer
Chairman of the Independent Remuneration Panel
February 2017**

	CURRENT ALLOWANCES £		2017/2018 RECOMMENDATIONS £	RATIONALE & METHODOLOGY
	Vale	South		
Basic Allowance	4,644 (38 councillors)	4,644 (36 councillors)	4,633	
Leader of The Council	18,151	18,423	18,532	4 x Basic Allowance
Deputy Leader	13,311	No allowance	12,973	70% of Leader
Cabinet Members	8,470	8,597	9,266	50% of Leader
Chairman of Council	4,840	4,913	4,633	25% of Leader
Vice Chairman of Council	1,210	1,228	1,390	30% of Chairman of Council
Chairman of Scrutiny Committee	2,420	2,071	2,780	15% of Leader
Vice Chairman of Scrutiny Committee	1,210	No allowance	Allowance withdrawn	
Chairman of Planning Committee	4,840	4,913	5,560	30% of Leader
Vice Chairman of Planning Committee	2,420	No allowance	2,780	50% of Chairman of Planning Committee
Chairman of Audit and Governance Committee	1,210	1,228	1,390	7.5% of Leader
Leader of Main Opposition Group	1,210	1,228	1,853 **	10% of Leader
Chairman of General Licensing Committee	No allowance	2,071	1,853	10% of Leader
Chairman of Licensing Acts Committee	No allowance	518	Allowance withdrawn	

**** Allowance payable subject to the Political Group having at least 15% of the total Council Members (Vale of White Horse District Council 6 group members, South Oxfordshire District Council 5 group members)**

Summary of Recommendations:-

- a) **The appropriate levels of Basic Allowance and Special Responsibility Allowances for 2017 / 2018 are as set out on page 9 of the report.**
- b) **The Dependants' Carers' Allowance should be re-prioritised as basic and specialist care**
- c) **The SRA for Leader of the Major Opposition Group will only be payable if the Group has at least 15% of the total Members of the Council.**
- d) **The SRA for Vice Chairman of Scrutiny be withdrawn**
- e) **The SRA for Chairman of the Licensing Acts Committee be withdrawn**
- f) **Index linking for the Allowances should be at the same rate as that applied to staff salaries for the year 2017 / 2018 for a maximum of four years.**

MEMBERS AND OFFICERS OF VALE OF WHITE HORSE DISTRICT COUNCIL & SOUTH OXFORDSHIRE DISTRICT COUNCIL INTERVIEWED BY THE INDEPENDENT REMUNERATION PANEL 18TH, 25TH & 26TH JANUARY 2017 (IN ORDER OF INTERVIEWS)

David Hill	Chief Executive. Vale of White Horse and South Oxfordshire District Councils
Councillor John Cotton	Leader. South Oxfordshire District Council
Councillor Matthew Barber	Leader. Vale of White Horse District Council
Councillor Elizabeth Gillespie	Cabinet Member for Development, Building Control, Housing and Grants. South Oxfordshire District Council
Councillor Eric Batts	Cabinet Member for Legal and Democratic, Community Safety, HR, IT and Technical Services. Vale of White Horse District Council
Councillor Mike Badcock	Council Chairman. Vale of White Horse District Council
Councillor Reg Waite	Council Vice Chairman. Vale of White Horse District Council
Councillor Paul Harrison	Council Chairman. South Oxfordshire District Council
Councillor Richard Pullen	Chairman of Scrutiny Committee and Co-Chairman of Joint Scrutiny. South Oxfordshire District Council
Councillor Debby Hallett	Leader of Opposition. Chairman of Scrutiny Committee and Co-Chairman of Joint Scrutiny. Vale of white Horse District Council
Councillor Toby Newman	Vice Chairman. South Oxfordshire District Council
Councillor Jane Murphy	Deputy Leader. South Oxfordshire District Council

Councillor Roger Cox	Deputy Leader. Vale of White Horse District Council
Councillor Charlotte Dickson	Chairman of General Licensing and Licensing Accts Committees. Vale of White Horse District Council
Councillor David Dodds	Chairman of General Licensing and Licensing Acts Committee. South Oxfordshire District Council
Councillor Felix Bloomfield	Chairman of Planning Committee. South Oxfordshire District Council
Councillor Toby Newman	Vice Chairman of Planning Committee. South Oxfordshire District Council
Councillor Sandy Lovatt	Chairman of Planning Committee. Vale of White Horse District Council
Councillor Janet Shelley	Vice Chairman of Planning Committee. Vale of White Horse District Council.
Councillor Simon Howell (phone interview)	Co-Chairman of Joint Audit and Governance Committee
Councillor Monica Lovatt	Vale of White Horse District Council
Councillor Nigel Champken Woods	South Oxfordshire District Council
Councillor Bob Johnston	Vale of White Horse District Council

Council



Report of Head of Legal and Democratic Services and Monitoring Officer

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To: COUNCIL

DATE: 17 May 2017

Review of the council's constitution

Recommendations

That Council:

1. agrees to include a three minute restriction on the length of each public question or statement at the Scrutiny, Joint Audit and Governance, General Licensing, Licensing Acts and Joint Staff Committee;
2. agrees that at special meetings questions and statements from members of the public must relate to the item due to be discussed;
3. to amend delegation 1.6 to the head of planning as set out in paragraph 6 of this report;
4. to include the delegation to the relevant head of service in respect of the council's grants policy in the council's constitution (paragraph 7 of this report);
5. to authorise the head of legal and democratic services to amend the council's officer employment procedure rules as set out in paragraph 11 of this report;
6. authorises the head of legal and democratic services to make any minor or consequential amendments to the constitution for consistency and to reflect the councils' style guide.

Purpose of Report

1. To consider proposed amendments to the council's constitution.

Strategic Objectives

2. The constitution underpins all of the council's areas of activities and, therefore, contributes to the achievement of all its strategic objectives.

Background

3. A full constitution review was undertaken and a revised constitution agreed by Council at its meeting in December 2016 in pursuance of the requirements of Section 37 of the Local Government Act 2000 to keep the constitution under review. This report addresses matters of clarification and consistency that have arisen since then.

Public speaking

4. At its meeting in December 2016 Council agreed to include provision for members of the public to ask a question, make a statement or present a petition for a period of 15 minutes at Council, Cabinet and committee meetings (with regulatory committees having their own rules). Council agreed that each question or statement should be restricted to three minutes with no provision for a supplementary question. In drafting the revised constitution this provision was not included in the rules for Scrutiny, Joint Audit and Governance, General Licensing, Licensing Acts and Joint Staff Committee. Officers recommend that this oversight is addressed to provide consistency across the committees. Specific rules for Planning Committee and the committees dealing with grant applications will not be altered.

Public involvement at special committee meetings

5. Under the Council procedure rules there is no provision for members of the public to ask a question or make a statement at a special meeting which does not relate to the item due to be discussed at that meeting. Officers recommend that this provision is extended to all committees to protect the special status of a meeting called for a specific purpose.

Head of planning delegations

Delegation 1.6

6. The wording of this delegation requires updating to reflect the latest legislation. It currently refers to the GPDO 1995 and should refer to 2015 and the wording should refer to notifications rather than applications.

Grants policy

7. On 30 March 2017 Councillor Elaine Ware, Cabinet member for housing, environmental health and grants, took a decision to amend the capital and new homes bonus grant policies. Part of the decision was to dispense with area committee meetings if:
 - we only receive three or fewer eligible applications;
 - the combined total of the applications is £10,000 or less;
 - the requests do not exceed the available budget

and to authorise the head of service with responsibility for grants to make the award decisions in consultation with the Chairman of the relevant committee.

8. The review group is asked to agree that this delegation is included in the council's constitution.

Political assistants to Political Groups

9. Under section 9 of the Local Government and Housing Act 1989, a local authority may appoint up to three assistants for political groups, subject to specific conditions including their remuneration. Where the number of groups entitled to a political assistant exceeds the legislative provisions Council must determine to which group(s) the political assistant should be allocated. The key features of this statutory provision are as follows:
 - the appointment is described as being “for the purpose of providing assistance, in the discharge of any of their functions as members of a relevant authority, to the members of any political group to which members of the authority belong”;
 - a Council may only have a maximum of three such posts at any given time, but appointments can only be made if posts are allocated to all of the groups who qualify;
 - the posts are fixed term and run until the Annual Meeting following an election (i.e. approximately four years).
10. A Council cannot make an appointment to a post allocated to any political group unless it has also allocated a post to all of the political groups which qualify. The appointment of a political assistant is the responsibility of the political group the assistant will serve. A political group does not have to take up the offer. Political assistants undertake work for the relevant political group.
11. Although Vale of White Horse District Council does not currently have political assistants there is currently no constitutional provision to allow Council to do so in the future. In light of this and to meet the statutory requirements to have these provisions within the constitution Council is recommended to approve the proposed changes set out below to the officer employment procedure rules.

Political Assistants to Political Groups

The Local Government and Housing Act 1989 enables Councils to create not more than three posts of Assistants to Political Groups.

- No such appointment shall be made until the Council has allocated such a post to each political group, which qualifies for one under The Local Government and Housing Act 1989.
- No such appointment shall be made in respect of any political group, which does not qualify for one under The Local Government and Housing Act 1989.
- Not more than one post shall be allocated to any political group.
- The appointment of an assistant to a political group shall be made in accordance with the wishes of that political group.
- Assistants to Political Group posts are responsible to the head of paid service as a member of staff.

- Disciplinary action and dismissal of an assistant to a political group shall be undertaken by the Chief Executive or an officer designated for that purpose by the Chief Executive.

Financial Implications

12. The democratic services budget for printing will meet the costs of producing copies of the amended constitution.

Legal Implications

13. Section 37 of the Local Government Act 2000 requires the Council to keep its constitution under review.

Conclusion

14. This report sets out proposals to amend the constitution. Officers and the The Joint Constitution Review Group recommend Council to approve the proposed changes for implementation from 22 May 2017.

Background Papers

None

Council



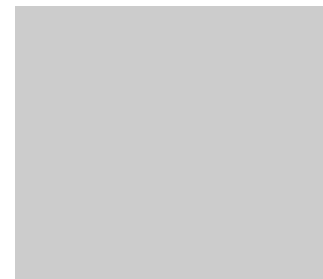
Report of Head of Legal and Democratic Services and Monitoring Officer

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To: COUNCIL

DATE: 17 May 2017

Extension of terms of office of independent persons for code of conduct matters

Recommendation:

That Council authorises the Monitoring Officer to extend the terms of office of the council's independent persons for code of conduct matters to 30 September 2019.

Purpose of Report

1. This report asks Council to authorise the Monitoring Officer to extend the terms of office of the council's independent persons for code of conduct matters to 30 September 2019.

Strategic Objectives

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

Background

3. The Localism Act 2011 created a new category of independent person who the Monitoring Officer must consult at various stages of the process when dealing with allegations of misconduct by district or parish councillors.
4. At its meeting on 18 July 2012, Council appointed Mr Martin Wright and Mr Chris Smith as the council's independent persons until 30 June 2017.

5. These appointments were made following an advertisement, application and interview process and with a positive vote by a majority of councillors as required by the Localism Act. The Localism Act does not prescribe a time limit on the terms of office of independent persons and these are therefore within the discretion of the council.
6. It would be open to the council to carry out a fresh recruitment process at this time or to reappoint the current independent persons for a further term. Since their appointment, the current independent persons have attended training, carried out their roles diligently and gained experience from which the council can benefit for a further period. Chris Smith has also been appointed as an independent person for South Oxfordshire District Council until 30 September 2019. The Monitoring Officer therefore recommends an extension of their terms of office until 30 September 2019 so that a joint recruitment exercise can be carried out at that time.
7. The independent persons have been asked to confirm their agreement to the proposed extension of their term of office.

Financial Implications

8. The cost of implementing the code of conduct arrangements, training independent persons and meeting their expenses is met from existing budgets

Legal Implications

9. The legal implications are set out in the body of the report

Risks

10. None

Other Implications

11. None

Conclusion

12. This report recommends Council to authorise the Monitoring Officer to extend the terms of office of the council's independent persons for code of conduct matters to 30 September 2019.

Background Papers

- Report to and minutes of the Council meeting on 18 July 2012