

# Council Agenda



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Date: 9 July 2019

Website: [www.whitehorsedc.gov.uk](http://www.whitehorsedc.gov.uk)

## **Summons to attend a meeting of Council**

**to be held on Wednesday 17 July 2019 at 7.00 pm**

**The Ridgeway, The Beacon, Portway, Wantage, OX12 9BY**

A handwritten signature in black ink that reads "Margaret Reed".

Margaret Reed

Head of Legal and Democratic

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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. Apologies for absence**

To record apologies for absence.

## **2. Minutes**

(Pages 9 - 19)

To adopt and sign as a correct record the Council minutes of the annual meeting held on 15 May 2019 - attached.

## **3. Declarations of disclosable pecuniary interest**

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

## **4. Urgent business and chair's announcements**

To receive notification of any matters which the chair determines should be considered as urgent business and the special circumstances which have made the matters urgent, and to receive any announcements from the chair.

## **5. Public participation**

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

## **6. Petitions**

To receive any petitions from the public.

## **7. Ashbury Neighbourhood Plan**

(Pages 20 - 24)

At its meeting on 12 July 2019, Cabinet will consider the head of planning's report on the Ashbury Neighbourhood Development Plan.

A copy of the report is attached. Cabinet's recommendations will be circulated to all councillors on Friday 12 July 2019.

## **8. Uffington and Baulking Neighbourhood Plan**

(Pages 25 - 29)

At its meeting on Friday 12 July 2019, Cabinet will consider the head of planning's report on the Uffington and Baulking Neighbourhood Development Plan.

A copy of the report is attached. Cabinet's recommendations will be circulated to all councillors on Friday 12 July 2019.

## **9. Establishment of a Climate Emergency Advisory Committee**

(Pages 30 - 39)

To consider the report of the head of legal and democratic on the establishment of a Climate Emergency Advisory Committee – report attached.

## **10. Appointment of substitute members to the Thames Valley Police and Crime Panel**

At its annual meeting Council appointed Councillor Neil Fawcett as the council's representative and Councillor Ruth Molyneaux as the observer substitute on the Thames Valley Police and Crime Panel. At its annual meeting the Thames Valley Police and Crime Panel agreed to change the membership rules of the panel to enable all 18 Thames Valley local authorities to appoint a named substitute member to the panel.

The appointed substitute will receive notification of meetings and agenda, and could attend meetings of the Panel, in the absence of the appointed member.

**RECOMMENDATION:** to appoint Councillor Ruth Molyneaux as the substitute member on the Thames Valley Police and Crime Panel.

## **11. Report of the leader of the council**

To receive any updates from the leader of the council.

## **12. Questions on notice**

To receive questions from councillors in accordance with Council procedure rule 33.

**Question 1: Councillor Simon Howell to Councillor Emily Smith, Leader of the council**

Officers put in place an excellent and detailed induction programme for new and returning councillors. Could the leader of the council summarise the level of attendance?

## **Question 2: Councillor Eric Batts to Councillor Catherine Webber, Cabinet member for planning**

What is the new administration's approach to the Local Plan Part 2 now that the inspector has found the plan to be sound?

## **Question 3: Councillor Elaine Ware to Councillor Emily Smith, Leader of the council**

Following the appointment of Cabinet members at the annual meeting of Council, could the leader of the council share the rationale for an expanded Cabinet arrangement to the maximum size allowed by the constitution?

### **13. Motions on notice**

To consider motions from councillors in accordance with Council procedure rule 38.

#### **(1) Motion to be proposed by Councillor Nathan Boyd, seconded by Councillor Simon Howell:**

Council notes that other neighbouring councils are dealing with their own local plans that are at various stages of development, discussion and inspection. Of particular note to residents in the Didcot area is the debate and discussion surrounding the South Oxfordshire District Council Local Plan.

This council is very concerned about the impact of decisions taken by South Oxfordshire District Council on residents in the Vale of White Horse.

Council requests that the leader of the council urgently writes to the leader of South Oxfordshire District Council and all South Oxfordshire councillors before any vote is taken on their Local Plan proposals to state the views of this council and the impact on residents in the area, specifically:

- This council opposes any withdrawal or major amendments to the South Oxfordshire District Council Local Plan that has the consequences of putting at risk the Vale of White Horse District Council delivery of the five year land supply, the loss of Housing Infrastructure funding for the area, and the loss of Growth Deal funding for the area.
- This council urges South Oxfordshire District Council to work collaboratively with Vale of White Horse District Council and other stakeholders to ensure the infrastructure funding is not delayed. Residents and visitors to the area desperately need this investment in infrastructure to be delivered.

#### **(2) Motion to be proposed by Councillor Alison Jenner, seconded by Councillor Andy Foulsham:**

Council notes that, given all possible routes through the government's chosen corridor, the Oxford to Cambridge Expressway will have a direct impact on communities, businesses, and the environment across the Vale of White Horse District. This council should therefore agree a position on this matter.

Council notes with concern the lack of public consultation and lack of clarity from

Government on proposals about whether an Expressway is the most effective way to enhance connectivity within the Oxford to Cambridge Arc and before Corridor B was chosen.

Council notes that published evidence on similar road building schemes, such as widening the M25, led to increased car use without any benefit in terms of congestion or journey time after a few years.

Council notes that the increased carbon emissions, damage to our countryside and biodiversity associated with road building would be significant.

Council notes our recent declaration of a Climate Emergency and our commitment to reducing our carbon footprint through our policies, decisions and actions. The Expressway will have a serious negative impact on the achievement of climate change targets at a time when all public bodies are being actively encouraged to improve air quality and contribute to significant carbon reductions.

Therefore, Council resolves to oppose the Oxford to Cambridge Expressway as proposed.

Council requests that the leader of the council, and members of the Cabinet, make our opposition to the road building scheme clear at relevant partnership meetings.

Council requests that the leader of the council write to the district's two Members of Parliament and to the Minister for Transport to make clear this council's position, as set out above, and to request that the following actions be taken:

- That the Expressway proposal be abandoned;
- That the estimated £3-7billion cost of the scheme to be invested instead into completing and enhancing phase three of the East-West Rail link and to local government to enhance cycle infrastructure and public transport;
- That all new transport schemes proposed by Department for Transport be subject to full public consultation and environmental assessments be published from the beginning;
- That the government prioritise rail and sustainable active travel when developing policy and awarding grant funding for infrastructure.

**(3) Motion to be proposed by Councillor Debby Hallett, seconded by Councillor Catherine Webber:**

1. Council notes the inspector's Report of the Examination of Vale's Local Plan Part 2, dated 25 June 2019. In his report, the inspector lists the four objectives of LPP2, one of which is to set out policies and locations for new housing to meet the unmet need of Oxford City.
2. Council notes that the inspector (in paragraph 26) reminds us that the Oxfordshire Growth Board agreed a 'working assumption' that Oxford City's unmet need was 15,000 homes, of which Vale should supply 2200 homes over the plan period. He says (in paragraph 28) that this 'working assumption' is to be 'confirmed or adjusted' through the examination of Oxford's Local Plan and the preparation of Oxfordshire's Joint Statutory Spatial Plan, which is currently in its early stages. He reminds us again (in paragraph 92) that the additional housing requirement is a 'working assumption' rather than definitive and warrants some caution in allocating sites in the LPP2'. There

- is no guidance or explanation of what this would mean in practice.
3. Council notes that Oxford City has submitted its Local Plan for examination, but the inspector has found some issues that require more work before it is ready to be examined in public hearings; he discusses the issues in his letter to that council (undated, but to be found on Oxford City's Local Plan examination website page). Inspector is concerned that the housing figures are based on figures in the 2014 SHMA, which are based on 2011 ONS population and household projections that 'are now a few years old' (page 2). He also points out there may have been double counting. Therefore, the housing need figure is questionable. This housing need figure 'could have a bearing on the level of unmet need which would have to be accommodated by neighbouring local authorities'.
  4. Council notes that LPP2 allocates 1200 homes at Dalton Barracks, for Oxford's unmet need. Dalton Barracks and the neighbouring village of Shippon are to be removed from the Green Belt for future housing development.
  5. Council notes that paragraph 137 of the National Planning Policy Framework (NPPF) requires Green Belt boundaries to only be modified under exceptional circumstances. The inspector for Vale LPP2 says (in paragraph 29) that the housing required for Oxford's unmet need must be close to Oxford, and much of it is to be social rented housing. The inspector says (in paragraph 55) that the number of houses to meet Oxford's unmet need, and the fact that they must be near Oxford, demonstrates there are exceptional circumstances to justify the removal of Dalton Barracks and Shippon from the Green Belt.
  6. Council notes that the Campaign to Protect Rural England wrote to the planning Inspectorate in May 2019 to object to the order in which Oxfordshire's Local Plans are being examined, citing rules in NPPF:

9 May 2019

[www.cpreoxon.org.uk](http://www.cpreoxon.org.uk)

Sarah Richards  
Chief Executive  
Planning Inspectorate

working locally and nationally to  
protect and enhance a beautiful,  
thriving countryside for everyone to  
value and enjoy

cc Mr Jonathan Bore, Mr Nick Fagan, Mr Paul Griffiths, Mr. Malcolm Rivett, Mr. David Reed.

By email:

[enquiries@planninginspectorate.gov.uk](mailto:enquiries@planninginspectorate.gov.uk)

...

It is made explicitly clear in para 137 of the NPPF that there must be a sequential process of determination of Oxford's need and exhaustive assessment of the City's internal capacity to accommodate it - including brownfield sites, higher densities and availability of non Green Belt land in neighbouring authorities - before consideration can be given to possible exceptional circumstances for release of Green Belt land. This has not been done.

The present sequencing of the examinations of Oxfordshire Local Plans turns para 137 on its head. The Local Plans of neighbouring authorities to release Green Belt land for Oxford's (notional) unmet need are being examined with exceptional circumstances taken as read before that of Oxford itself has been *assessed through the examination of its strategic policies*, as para 137 of the NPPF requires, or any independent and robust assessment of Oxford's level of need (as defined by the NPPF) and the City's capacity to meet it.

It is therefore unsound and unlawful for the Inspectorate to proceed with the examination of Local Plans to accommodate Oxford's unmet need on Green Belt sites in neighbouring authorities until both Oxford's level of need (as defined by the NPPF) and the City's capacity to meet it (as required by para 137) have been tested through the examination of Oxford's own plan rather than, as at present, that being the last Plan to be examined.

The reply from PINS failed to answer the question:



## The Planning Inspectorate

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Temple Quay House  
2 The Square  
Bristol, BS1 6PN

Direct Line: 0303 444 5326  
Customer Services: 0303 444 5000  
e-mail: Andy.Gadsby@Planninginspectorate.gov.uk

Helen Marshall  
Director  
CPRE Oxfordshire

Your Ref:

Our Ref:

Date: 13 May 2019

Inspectors are charged with assessing whether the local plan they are examining is sound and this includes assessing whether the plan is consistent with national policy and whether it is based on effective joint working on cross-boundary strategic matters. This is set out in the National Planning Policy Framework<sup>1</sup>. This also includes national policy on providing for housing needs.

In procedural terms it is for the individual Inspectors to determine how they should run their examinations within the framework set by the *Procedural Practice in the Examination of Local Plans*.

I hope this helps explain the position.

7. It is this council's opinion that in order for Vale's Local Plan to be sound, the exact, evidenced number of houses that Oxford requires in order to meet its real need should be determined before Vale includes them in Vale's Local Plan Part 2. Oxford's assessment of its housing need must include evidence that Oxford City has done all it can to accommodate its own need, including evidence that the use of land for employment sites over housing sites is justified and lawful. There must be a public examination of the Oxford City Local Plan to definitely identify the unmet need (if any) to precede any adoption of neighbouring authorities' Local Plans to accommodate it. Until this is done, there are no exceptional circumstances to allow removal of Dalton Barracks and Shippon from the Green Belt.
8. Council therefore requests the Leader of the council to write to the Minister for Housing, Communities and Local Government to:

- a. Let the Minister know that Vale is assessing its options with regard to the Local Plan Part 2 and of council's opinion as stated.
- b. Point out that in Oxfordshire the various Local Plans are *not* independent of each other. That fact should have been considered in the examination process by ensuring Local Plans that are part of another authority's evidence, as is Oxford City's Local Plan, are examined first. Current examination procedures are deficient.
- c. Point out that the Duty to Cooperate should include Oxford City's duty to have a clear evidenced housing target before asking its neighbours to help meet its need. This Duty to Cooperate should run both ways.
- d. Ask for the Minister's advice about how we should 'confirm or adjust' our Local Plan Part 2 once Oxford's unmet need is established, if our local plan is already adopted.
- e. Ask the Minister to explain to us how this Local Plan Part 2 can be considered sound and legal when the housing figures used are based solely on a 'working assumption' of Oxford's unmet need, the Plan allocates housing development in the Green Belt in clear contravention of paragraph 137 of the NPPF, and the Plan removes Dalton Barracks and Shippon from the Green Belt without the exceptional circumstances that the regulations require.

And to write to our two local Members of Parliament, explaining the situation and asking them for their support.

**(4) Motion to be proposed by Councillor Emily Smith, seconded by Councillor Debby Hallett:**

Council resolves to remove the current 'vision' of the council "taking care of your interests throughout the Vale with Enterprise, Energy and Efficiency" with immediate effect, and then develop a new vision statement that better reflects this council's priorities as part of the work on our new corporate plan.

# Minutes of the annual meeting of the Council



held on Wednesday 15 May 2019 at 7.00 pm  
at The Ridgeway, The Beacon, Portway, Wantage, OX12 9BY

**Open to the public, including the press**

**Present:**

Monica Lovatt (Chairman) – in the chair for the election of chairman

Members: Councillors Jerry Avery, Matthew Barber, Paul Barrow, Ron Batstone, Eric Batts, Samantha Bowring, Nathan Boyd, Cheryl Briggs, Andy Cooke, Andrew Crawford, Margaret Crick, Eric de la Harpe, Amos Duveen, Neil Fawcett, Andy Foulsham, Hayleigh Gascoigne, David Grant, Debby Hallett, Jenny Hannaby, Simon Howell, Alison Jenner, Bob Johnston, Diana Lugova, Robert Maddison, Sarah Medley, Ruth Molyneaux, Patrick O'Leary, Helen Pighills, Mike Pighills, Judy Roberts, Val Shaw, Emily Smith, Bethia Thomas, Max Thompson, Elaine Ware, Catherine Webber and Richard Webber

Officers: Steven Corrigan, Karen Dodd, Margaret Reed and Mark Stone

## Co.1 Election of chairman

The outgoing chairman, Monica Lovatt, reviewed her year as chairman of the council, thanked councillors, the vice-chairman, her husband as escort and officers for their assistance and support during the year. During the year she had attended many engagements and raised £4,300 for her chosen charity – Soldiers, Sailors, Airmen and Families Association (SSAFA).

Councillor Emily Smith paid tribute to Monica Lovatt in recognition of her work as chairman of the council during the past year.

Councillor Margaret Crick was nominated as chairman for the 2019/20 municipal year.

**RESOLVED:** to elect Councillor Margaret Crick as chairman of the council for the 2019/20 municipal year, until the next annual meeting of the Council in May 2020.

Monica Lovatt presented Councillor Margaret Crick with the chain of office.

Councillor Margaret Crick signed her declaration of acceptance of office, presented Monica Lovatt with the past chairman's badge and made an acceptance speech. She advised that her son will be her escort and that she will provide details of her chosen charities in due course.

Councillor Margaret Crick in the chair.

## **Co.2 Appointment of vice-chairman**

Councillor Jerry Avery was nominated as vice-chairman.

**RESOLVED:** to appoint Councillor Jerry Avery as vice-chairman of the council for the ensuing year.

The chairman presented Councillor Jerry Avery with the chain of office.

Councillor Jerry Avery signed his declaration of acceptance of office and made an acceptance speech.

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

Councillor Janet Shelley submitted an apology for absence.

## **Co.4 Minutes**

**RESOLVED:** to approve the minutes of the meeting held on 13 February 2019 as a correct record and agree that the chairman sign them as such.

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

None.

## **Co.6 Urgent business and chairman's announcements**

The Chairman provided housekeeping information and invited councillors and officers to join her for a buffet following the meeting.

## **Co.7 Election of leader of the council**

**RESOLVED:** to elect Emily Smith as leader of the Council for a four year period ending on the day of the next post election annual meeting in 2023.

Councillor Smith appointed Debby Hallett as deputy leader of the council and Andy Crawford, Neil Fawcett, Jenny Hannaby, Ruth Molyneaux, Helen Pighills, Judy Roberts, Bethia Thomas and Catherine Webber as Cabinet members with portfolios as follows:

Councillor Emily Smith: Council Leader

Councillor Debby Hallett: Deputy Council Leader and Corporate Services

Councillor Andy Crawford: Finance

Councillor Neil Fawcett: Legal and Democratic

Councillor Jenny Hannaby: Environmental and Technical Services

Councillor Ruth Molyneaux: Housing Needs, Community Safety and Licensing

Councillor Helen Pighills: Community Services

Councillor Judy Roberts: Partnership and Insight

Councillor Bethia Thomas: Development and Regeneration

Councillor Catherine Webber: Planning

She made no changes to the existing officer scheme of delegation set out in the council's constitution.

The Leader's scheme of delegation is appended to these minutes.

## **Co.8 Appointments to committees, panels and joint committees for 2019/20**

Council considered the report of the head of legal and democratic on the appointment of those committees and joint committees which are required to be politically balanced; together with the Licensing Acts Committee, the area committees and appointments to joint bodies.

The chairman referred to the following recommendation tabled at the meeting covering these appointments and to reflect the allocation of the vacant committee positions.

That for the 2019/20 municipal year Council:

1. appoints the committees and panels for the 2019/20 year and allocates seats to each political group as set out in the schedule circulated at the meeting;
2. allocates a seat on the Joint Staff Committee to the Conservative Group;
3. appoints Cheryl Briggs to the vacant seat on the Scrutiny Committee;
4. allocates one of the Liberal Democrat Group's seats on the Planning Committee to the Conservative Group;
5. allocates one of the Liberal Democrat Group's seats on the Appeals Panel to Cheryl Briggs
6. appoints councillors and substitutes to sit on the committees and panels as set out in the schedule circulated at the meeting;
7. appoints councillors to the Licensing Acts Committee as set out in the schedule circulated at the meeting;
8. appoints chairs/chairmen and vice-chairs/vice-chairmen as set out in the schedule circulated at the meeting;
9. appoints all local members representing the wards covered by the relevant area committees to those committees for the 2019/20 municipal year with the following chairs:
  - Abingdon and North East – Andy Foulsham
  - Faringdon – David Grant
  - Wantage – Hayleigh Gascoigne
10. appoints Paul Barrow as the council's representative and Andy Foulsham as substitute on the Oxfordshire Joint Health Overview and Scrutiny Committee;
11. appoints Neil Fawcett as the council's representative and Ruth Molyneaux as observer substitute on the Thames Valley Police and Crime Panel;
12. appoints Andy Cooke, Hayleigh Gascoigne and Matthew Barber to the Oxfordshire Growth Board Scrutiny Panel;
13. authorises the head of legal and democratic to make appointments to any vacant committee or panel seat and substitute positions in accordance with the wishes of the relevant group leader;

**RESOLVED:** to

1. appoint the following committees and panels for the 2019/20 municipal year and to appoint the membership, substitutes and chairs/chairmen and vice-chairs/vice-chairmen as indicated to sit on them (see table below);

<b>Planning Committee, 9 Members</b>		
<b>Liberal Democrat (8 – one seat to be offered to Conservative Group)</b>	<b>Conservative (1) plus additional Liberal Democrat seat</b>	
Jerry Avery	Eric Batts	
Ron Batstone	Janet Shelley	
Bob Johnston (Chair)		
Diana Lugova		
Rob Maddison		
Val Shaw (Vice-Chair)		
Max Thompson		

  

<b>Preferred substitutes</b>		
<b>Liberal Democrat (7)</b>	<b>Conservative (3)</b>	
Paul Barrow	Nathan Boyd	
Andy Cooke	Elaine Ware	
Amos Duveen	Simon Howell	
Hayleigh Gascoigne		
David Grant		
Eric de la Harpe		
Mike Pighills		

<b>Scrutiny Committee, 9 Members</b>		
<b>Liberal Democrat (7)</b>	<b>Conservative (1)</b>	<b>Non-group councillor</b>
Jerry Avery	Nathan Boyd (Chairman)	Cheryl Briggs
Ron Batstone		
Samantha Bowring		
Andy Cooke		
Andy Foulsham		
Rob Maddison		
Max Thompson		

  

<b>Preferred substitutes</b>		
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<b>Liberal Democrat (7)</b>	<b>Conservative (3)</b>
Paul Barrow	Elaine Ware
Hayleigh Gascoigne	Eric Batts
Alison Jenner	Janet Shelley
Diana Lugova	
Sarah Medley	
Patrick O'Leary	
Mike Pighills	

### **Joint Scrutiny Committee, 5 Members**

<b>Liberal Democrat (4)</b>	<b>Conservative (1)</b>
Amos Duveen	Nathan Boyd (Co-Chairman)
Hayleigh Gascoigne	
David Grant	
Mike Pighills	

#### **Preferred substitutes**

<b>Liberal Democrat (4)</b>	<b>Conservative (3)</b>
Samantha Bowring	Elaine Ware
Andy Foulsham	Eric Batts
Alison Jenner	Janet Shelley
Max Thompson	

### **Joint Audit and Governance Committee, 4 Members**

<b>Liberal Democrat (3)</b>	<b>Conservative (1)</b>
Amos Duveen	Simon Howell (Chairman)
Andy Foulsham	
Eric de la Harpe	

#### **Preferred substitutes**

<b>Liberal Democrat (3)</b>	<b>Conservative (3)</b>
Samantha Bowring	Elaine Ware
Andy Cooke	Nathan Boyd
Alison Jenner	Janet Shelley

## Community Governance and Electoral Issues Committee, 6 Members

<b>Liberal Democrat (5)</b>	<b>Conservative (1)</b>
Paul Barrow	Janet Shelley
David Grant (Chair)	
Alison Jenner	
Sarah Medley (Vice-Chair)	
Mike Pighills	

  

<b>Preferred substitutes</b>	
<b>Liberal Democrat (5)</b>	<b>Conservative (3)</b>
Patrick O'Leary	Simon Howell
Max Thompson	Elaine Ware
Vacancy	Eric Batts
Vacancy	
Vacancy	

## Joint Staff Committee, 3 Members

<b>Liberal Democrat (2)</b>	<b>Conservative (1)</b>
Debby Hallett (Chair)	Elaine Ware
Emily Smith (Vice-Chair)	
<b>Substitutes</b>	
<b>Liberal Democrat</b>	<b>Conservative</b>
The Leader may be substituted by another Cabinet member. Other members of the Committee may be substituted by any member of that Council's political group (executive or non-executive).	Other members of the Committee may be substituted by any member of that Council's political group.

## General Licensing Committee, 12 Members

<b>Liberal Democrat (10)</b>	<b>Conservative (2)</b>
Jerry Avery	Matthew Barber
Paul Barrow	Eric Batts
Ron Batstone (Vice-Chair)	
Margaret Crick	
Debby Hallett	
Alison Jenner (Chair)	

Diana Lugova	
Ruth Molyneaux	
Patrick O'Leary	
Val Shaw	
<b>NO SUBSTITUTES</b>	

### Licensing Acts Committee, 12 Members

<b>Liberal Democrat (10)</b>	<b>Conservative (2)</b>
Jerry Avery	Matthew Barber
Paul Barrow	Eric Batts
Ron Batstone (Vice-Chair)	
Margaret Crick	
Debby Hallett	
Alison Jenner (Chair)	
Diana Lugova	
Ruth Molyneaux	
Patrick O'Leary	
Val Shaw	
<b>NO SUBSTITUTES</b>	

### Appeals Panel, 3 Members

<b>Liberal Democrat (2)</b>	<b>Non-group councillor (1)</b>
Paul Barrow	Cheryl Briggs
Alison Jenner (Chair)	
<b>PREFERRED SUBSTITUTES</b>	
<b>Liberal Democrat (3)</b>	
Vacancy	
Vacancy	
Vacancy	

2. (with no councillor voting against) allocate one of the Liberal Democrat Group's seats on the Planning Committee to the Conservative Group;
3. (with no councillor voting against) allocate one of the Liberal Democrat Group's seats on the Appeals Panel to Cheryl Briggs
4. appoint all local members representing the wards covered by the relevant area committees to those committees for the 2019/20 municipal year with the following chairs:

- Abingdon and North East – Andy Foulsham
  - Faringdon – David Grant
  - Wantage – Hayleigh Gascoigne
5. appoint Paul Barrow as the council's representative and Andy Foulsham as substitute on the Oxfordshire Joint Health Overview and Scrutiny Committee;
  6. appoint Neil Fawcett as the council's representative and Ruth Molyneaux as observer substitute on the Thames Valley Police and Crime Panel;
  7. appoint Andy Cooke, Hayleigh Gascoigne and Matthew Barber to the Oxfordshire Growth Board Scrutiny Panel;
  8. authorise the head of legal and democratic to make appointments to any vacant committee or panel seat and substitute positions in accordance with the wishes of the relevant group leader.

## **Co.9 OVO Energy Women's Tour**

On 21 March and 30 April Councillor Cox, Leader of the council, took decisions to support Oxfordshire being a host venue for the OVO Energy Women's Tour 2019, 2020 and 2021 and to agree the funding arrangements for 2019.

Councillors welcomed the opportunity to host such a prestigious event which would bring economic and health benefits to the district.

**RESOLVED:** to

1. agree to fund the council's share of the hosting fee a sum of £26,666 for years two and three (2020 and 2021).
2. vire up to £10,000 from contingency to fund the council's share of delivery costs for 2019.
3. agree to the agreed costs of the 2020 and 2021 events being shared equally between the county council, the four district councils and the city council, the detail of which will be subject to the relevant budget setting process.
4. agree that sponsorship secured, regardless of which partner attracts it, will be used to reduce the hosting costs of 2020 and 2021 equally between the county council, the four district councils and the city council.

## **Co.10 Report of the leader of the council**

Councillor Emily Smith, Leader of the council, addressed Council. The text of her report is available on the council's [website](#).

## **Co.11 Motions on notice**

At its meeting on 13 February 2019 Council considered a motion submitted by Councillor Smith and seconded by Councillor Johnston. An amendment, moved by Councillor Blagrove and seconded by Councillor Cox, on being put was declared carried.

In accordance with Council Procedure Rule 12, which restricts the duration of meetings to three hours, the Chairman closed the meeting at 10.00pm. The debate on this motion was not concluded prior to the close of the meeting. Council Procedure Rule 12 provides that any business not disposed of by the end of a meeting shall be Vale of White Horse District Council – Council minutes

considered at the next ordinary meeting. As there is no provision for motions at the annual meeting of Council, the Chairman invited Council to consider whether to include this on the agenda for the July Council meeting or agree the withdrawal of the motion.

Councillor Emily Smith moved, and Councillor Bob Johnston seconded the withdrawal of the motion. On being put the motion was declared carried.

**RESOLVED:** to withdraw the motion set out on the agenda for the annual meeting of Council on 15 May 2019.

The meeting closed at 7.35pm

# Vale of White Horse District Council

## SCHEME OF DELEGATION OF THE LEADER OF THE COUNCIL TO CABINET MEMBERS AND OFFICERS

### Introduction

1. The Local Government Act 2000 provides that the leader may discharge any executive functions or may arrange for the discharge of any of those functions by the cabinet, by another member of the cabinet, by a committee of the cabinet or by an officer of the council.
2. This scheme of delegation to cabinet members and to officers is made pursuant to the Local Government Act 2000 and was approved by the leader of the council on 15 May 2019 and came into force immediately. This scheme replaces all previous schemes.
3. The scheme may be amended by the leader of the council at any time during the year. The scheme is subject to the general terms and conditions described below.

### Terms and conditions

4. Any decision taken by a cabinet member under this scheme of delegation shall only be taken having regard to any advice from the head of service responsible for the relevant function associated with the decision.
5. Any decision which could attract to the council adverse legal consequences shall be taken after consultation with the monitoring officer.
6. Any decision which could attract adverse financial implications shall be taken after consultation with the chief finance (section 151) officer.
7. Where functions may be discharged by a cabinet member under this scheme of delegation the cabinet member may arrange for the discharge of any of those functions by an officer of the council.
8. Any cabinet member exercising any delegated powers under this scheme also has the power to do anything which is calculated to facilitate or is conducive or incidental to the exercise of such delegated powers.
9. Once a cabinet member has exercised any delegated power under this scheme, he or she shall make a record of the decision which shall include the views of any officer consulted on the issue. The record of the decision shall be forwarded by the cabinet member or officer immediately to democratic services.

## **Responsibility for executive functions**

10. The following cabinet members are responsible and are delegated authority to take decisions in respect of the functions and projects set out below until they are amended or withdrawn by the leader in writing.

Councillor Emily Smith: Council Leader  
Councillor Debby Hallett: Deputy Council Leader and Corporate Services  
Councillor Andy Crawford: Finance  
Councillor Neil Fawcett: Legal and Democratic  
Councillor Jenny Hannaby: Environmental and Technical Services  
Councillor Ruth Molyneaux: Housing Needs, Community Safety and Licensing  
Councillor Helen Pighills: Community Services  
Councillor Judy Roberts: Partnership and Insight  
Councillor Bethia Thomas: Development and Regeneration  
Councillor Catherine Webber: Planning

11. I delegate authority to the chief executive to discharge all executive functions and to request any member of the cabinet to act on behalf of the leader in the leader's and deputy leader's absence.

12. I delegate authority to officers to discharge executive functions as set out in schedule 1 of the scheme of delegation in part 2 of the constitution.

## **Executive joint committee/partnership appointments**

13. I appoint Cabinet members to the following:

Oxfordshire Growth Board – Councillor Emily Smith, with Councillor Debby Hallett as substitute

Five Councils' Partnership Corporate Services Joint Committee – Councillor Emily Smith, with Councillor Debby Hallett as substitute

Safer Oxfordshire Partnership Oversight Committee – Councillor Ruth Molyneaux

South and Vale Community Safety Partnership – Councillor Ruth Molyneaux

## **Scrap Metal Sub-Committee**

14. I establish a Scrap Metal Sub-Committee (known as a Panel) comprising any three members of the Cabinet, to include the Cabinet member for housing and environment if he/she is available, to consider contested applications and authorise the head of legal and democratic to invite an appropriate panel to conduct a scheduled hearing.

Councillor Emily Smith, Leader of Vale of White Horse District Council  
15 May 2019

# Cabinet Report



Report of Head of Planning

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Wards affected: Watchfield and Shrivenham

Cabinet member responsible: Cllr. Catherine Webber

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To: CABINET

Date: 12 July 2019

## Making the Ashbury Neighbourhood Development Plan

### That Cabinet recommends to Council:

1. To make the Ashbury Neighbourhood Development Plan so that it continues to be part of the council's development plan.
2. To delegate to the Head of Planning, in consultation with the Cabinet Member for Planning and in agreement with the Qualifying Body, the correction of any spelling, grammatical, typographical or factual errors together with any improvements from a presentational perspective.

### Purpose of Report

1. To provide an update to the Cabinet on the progress of the Ashbury Neighbourhood Development Plan and to present the relevant considerations in relation to whether this plan should be made (formally adopted).

### Corporate Objectives

2. Strongly supporting the development of neighbourhood plans for our towns and villages.

## **Background**

3. Ashbury Parish Council successfully applied for the parish of Ashbury to be designated as a Neighbourhood Area under the Neighbourhood Planning (General) Regulations (2012).
4. The preparation of the Ashbury Neighbourhood Development Plan (the Plan) was led by the parish council ('the qualifying body') and a group of volunteers from the local community.
5. Following the formal submission of the Plan to the council, the council publicised the Plan and invited comments from the public and stakeholders.
6. The council appointed Mr Andrew Ashcroft to independently examine the Plan. Examiners are tasked with reviewing whether a neighbourhood plan meets the basic conditions required by legislation and whether it should proceed to referendum. The Examiner's report concluded that the Plan meets the basic conditions, and that subject to the modifications proposed in his report, the Plan should proceed to referendum.
7. The modifications proposed by the Examiner are largely minor in nature; re-wording and restructuring for clarity and to ensure the basic conditions are met. A full copy of the proposed modifications to the Plan are set out in the Examiner's Final Report<sup>1</sup> and in Appendices 1 and 2 of the Background Paper attached to this report. A few significant modifications were recommended by the examiner including:
  - (a) The deletion in the plan of a proposed Local Green Space (v. Chalk Springs) from Policy 6: Local Green Spaces as it is considered the definition of this proposed Local Green Space designation is unclear and the policy would be difficult to define when implementing the policy in decision-making.
  - (b) The inclusion in the Plan of an additional policy relating to chalk springs and watercourses (Policy 6A: Chalk Springs and watercourses). This approach would have a similar effect to the designation of this land as a proposed Local Green Space in the submission version of the Plan. This policy ensures development proposals take account of the character and geological and ecological significance of the chalk springs and Millstream watercourse between Ashbury and Kingstone Winslow, as specified in Figure 7.29 of the plan. The modification also includes the addition of supporting text to the new policy to provide some local context, and
  - (c) The inclusion of some additional policy wording in Policy 4: Spatial Plan of the plan to make an appropriate cross-reference to the wider development plan, in this instance the Local Plan 2031.
8. Having considered the Examiner's recommendations and reasons for them the Cabinet Member for Planning decided on 22 May 2019:
  1. to accept all modifications recommended by the Examiner;

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<sup>1</sup> Independent Examiner's Report to Vale of White Horse District Council on the Ashbury Neighbourhood Development Plan (2019), available at:  
<http://www.whitehorsedc.gov.uk/sites/default/files/Ashbury%20Neighbourhood%20Development%20Plan-Examiner's%20Report.pdf>

2. to determine that the Ashbury Neighbourhood Development Plan, as modified, meets the basic conditions, is compatible with the Convention rights, complies with the definition of a neighbourhood development plan (NDP) and the provisions that can be made by a NDP; and
  3. to take all appropriate actions to progress the Ashbury Neighbourhood Development Plan to referendum.
9. The modifications to the Plan were made and the referendum version of the Plan was published on 30 May 2019 alongside the decision statements required under Regulation 18(2)(a) of the Neighbourhood Planning (General) Regulations (2012).

## Options

10. The council's options are limited by statute. Paragraph 38A (4)(a) of the Planning and Compulsory Purchase Act 2004 sets out that the council must make a neighbourhood plan if more than half of those voting at the referendum have voted in favour of the plan being used to help decide planning applications in the plan area.
11. The only circumstance where the district council should not make this decision is where the making of the plan would breach, or would otherwise be incompatible with, any EU obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998).
12. Section 3 of the Neighbourhood Planning Act 2017, which came into force on 19 July 2017, amends section 38 of the Planning and Compulsory Purchase Act 2004 to ensure that neighbourhood plans have full legal effect once they have passed their local referenda. In the very limited circumstances that the council might decide not to make the neighbourhood development plan, it will cease to be part of the development plan for the area.
13. The Basic Conditions statement (specifically paragraph 8.1) submitted alongside the Ashbury Neighbourhood Plan explores the Plan's compatibility with EU obligations and legislation and concludes the Plan has regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and complies with the Human Rights Act 1998. The council's decision on 22 May 2019 (referred to in paragraph 8), published in the decision statement issued on 30 May 2019 (referred to in paragraph 9), confirmed that the Ashbury Neighbourhood Development Plan, as modified by the Examiner's recommendations, would not breach, nor otherwise be incompatible with EU obligations or human rights legislation.
14. Therefore, if the majority of those voting have voted in favour of the Ashbury Neighbourhood Plan being used to help decide planning applications in the plan area, to not make the plan would be in breach of these statutory provisions.

## Referendum

15. A referendum relating to the adoption of the Ashbury Neighbourhood Development Plan was held on Thursday 4 July 2019.
16. The question which was asked in the Referendum was: "*Do you want Vale of White Horse District Council to use the Neighbourhood Plan for Ashbury to help it decide planning applications in the neighbourhood area?*"

17. The result was as follows:

- a. Yes = 195 votes (94.2 %)
- b. No = 11 votes (5.31 %)
- c. Turnout = 46.2 %

18. The majority of local electors who voted, voted in favour of the Plan; therefore, the Ashbury Neighbourhood Plan has become part of the council's development plan.

19. As the plan was approved at the local referendum and the council is satisfied it would not breach and be otherwise incompatible with EU obligations or human rights legislation, the council is required to make the Ashbury Neighbourhood Development Plan so that it continues to be part of the council's development plan.

## **Financial Implications**

20. The Government makes funding available to local authorities to help them meet the cost of their responsibilities around neighbourhood planning. A total of £20,000 can be claimed for each neighbourhood planning area. The council becomes eligible to apply to receive this single payment once a date is set for the referendum, after a successful examination. The Government grant funds the process of progressing neighbourhood plans through the formal stages, including the referendum. Any costs incurred in the formal stages in excess of £20,000 is borne by the council. Staffing costs associated with supporting community groups and progressing neighbourhood plans through the formal stages are funded by the council.

## **Legal Implications**

21. The decision to make the Ashbury Neighbourhood Plan is a legal requirement in the Planning and Compulsory Purchase Act 2004. The only circumstance where the district council should not make this decision is where the making of the plan would breach, or would otherwise be incompatible with, any EU obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998). There is a requirement that the district council will publish a formal decision statement as required under the Neighbourhood Planning (General) Regulations 2012.

22. It is not considered that the Ashbury Neighbourhood Development Plan would breach, or would otherwise be incompatible with, any such obligation or rights. Therefore, the council should now proceed to make the plan.

## **Risks**

23. The council is required to comply with the statutory requirements (to consider whether the Ashbury Neighbourhood Development Plan should be made following successful local referendum), which this recommendation seeks to achieve. In view of the considerations referred to elsewhere in this report, as the majority of those voting have voted in favour of the plan at its local referendum, a decision not to make the plan would place the council at risk of a legal challenge.

## **Conclusion**

24. On the 22 May 2019, the council decided:

1. To accept all modifications recommended by the Examiner;

2. To determine that the Ashbury Neighbourhood Development Plan, as modified, meets the basic conditions, is compatible with the Convention rights, complies with the definition of a neighbourhood development plan (NDP) and the provisions that can be made by a NDP; and
  3. To take all appropriate actions to progress the Ashbury Neighbourhood Development Plan to referendum.
25. The local referendum was held on 4 July 2019 to meet the requirements of The Localism Act 2011 and The Neighbourhood Planning (Referendums) Regulations 2012.
26. As the majority of those voting have voted in favour of the Plan being used to help decide planning applications in the plan area, it is recommended that the Ashbury Neighbourhood Development Plan is made.

# Cabinet Report



Report of Head of Planning

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To: CABINET

Date: 12 July 2019

## Making the Uffington and Baulking Neighbourhood Development Plan

### That Cabinet recommends to Council:

1. To make the Uffington and Baulking Neighbourhood Development Plan so that it continues to be part of the council's development plan.
2. To delegate to the Head of Planning, in consultation with the Cabinet Member for Planning and in agreement with the Qualifying Body, the correction of any spelling, grammatical, typographical or factual errors together with any improvements from a presentational perspective.

### Purpose of Report

1. To provide an update to the Cabinet on the progress of the Uffington and Baulking Neighbourhood Development Plan and to present the relevant considerations in relation to whether this plan should be made (formally adopted).

### Corporate Objectives

2. Strongly supporting the development of neighbourhood plans for our towns and villages.

## **Background**

3. Uffington Parish Council successfully applied for the parishes of Uffington and Baulking to be designated as a Neighbourhood Area under the Neighbourhood Planning (General) Regulations (2012).
4. The preparation of the Uffington and Baulking Neighbourhood Development Plan (the Plan was led by the parish council ('the qualifying body') and a group of volunteers from the local community.
5. Following the formal submission of the Plan to the council, the council as required by the regulations publicised the Plan and invited comments from the public and stakeholders.
6. The council appointed Mr Andrew Ashcroft to independently examine the Plan. Examiners are tasked with reviewing whether a neighbourhood plan meets the basic conditions required by legislation and whether it should proceed to referendum. The examiner's report concluded that the Plan meets the basic conditions, and that subject to the modifications proposed in his report, the Plan should proceed to referendum.
7. The modifications proposed by the Examiner are largely minor in nature; re-wording and restructuring for clarity and to ensure the basic conditions are met. A full copy of the proposed modifications to the Plan are set out in the Examiner's Final Report<sup>1</sup> and in Appendices 1 and 2 of the Background Paper attached to this report. A few significant modifications were recommended by the examiner including:
  - (a) Deletion of Local Green Space 4 from Policy L3 and figure 7 as it did not meet the criteria included in paragraph 77 of the NPPF in that it is not demonstrably special or locally distinctive
  - (b) Restructure of Housing Policy H2 to remove reference to development in Baulking and re wording of Housing Policy H3 to improve clarity for development in Baulking.
8. Having considered the Examiner's recommendations and reasoning, on 24 April 2019 the (then) Cabinet Member for Planning decided:
  1. To accept all modifications recommended by the Examiner;
  2. to determine that the Uffington and Baulking Neighbourhood Development Plan, as modified, meets the basic conditions, is compatible with the Convention rights, complies with the definition of a neighbourhood development plan (NDP) and the provisions that can be made by a NDP; and
  3. to take all appropriate actions to progress the Uffington and Baulking Neighbourhood Development Plan to referendum.

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<sup>1</sup> Independent Examiner's Report to Vale of White Horse District Council on the Uffington and Baulking Neighbourhood Development Plan (2019), available at:

<http://www.whitehorsedc.gov.uk/sites/default/files/Uffington%20and%20Baulking%20Neighbourhood%20Development%20Plan%20-%20Examiner's%20final%20report.pdf>

9. The modifications to the Plan were made and the referendum version of the Plan was published on 30 May 2019 alongside the decision statements required under Regulation 18(2)(a) of the Regulations (2012).

## Options

10. The council's options are limited by statute. Paragraph 38A (4)(a) of the Planning and Compulsory Purchase Act 2004 sets out that the council must make a neighbourhood plan if more than half of those voting at the referendum have voted in favour of the plan being used to help decide planning applications in the plan area.
11. The only circumstance where the district council should not make this decision is where the making of the plan would breach, or would otherwise be incompatible with, any EU obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998).
12. Section 3 of the Neighbourhood Planning Act 2017, which came into force on 19 July 2017, amends section 38 of the Planning and Compulsory Purchase Act 2004 to ensure that neighbourhood plans have full legal effect once they have passed their local referenda. In the very limited circumstances that the council might decide not to make the neighbourhood development plan, it will cease to be part of the development plan for the area.
13. The Basic Conditions statement (specifically paragraph 5.1) and the Equalities and Human Rights Statement submitted alongside the Uffington and Baulking Neighbourhood Plan explores the Plan's compatibility with EU obligations and legislation and concludes that the Plan has regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and complies with the Human Rights Act, 1998. The council's decision on 24 April 2019 (referred to in paragraph 8), published in the decision statement issued on 30 May 2019 (referred to in paragraph 9), confirmed that the Uffington and Baulking Neighbourhood Development Plan, as modified by the Examiner's recommendations, would not breach, nor otherwise be incompatible with EU obligations or human rights legislation.
14. Therefore, if the majority of those voting have voted in favour of the Uffington and Baulking Neighbourhood Plan being used to help decide planning applications in the plan area, to not make the plan would be in breach of these statutory provisions.

## Referendum

15. A referendum relating to the adoption of the Uffington and Baulking Neighbourhood Development Plan was held on Thursday 4 July 2019.
16. The question which was asked in the Referendum was: "*Do you want Vale of White Horse District Council to use the Neighbourhood Plan for Uffington and Baulking to help it decide planning applications in the neighbourhood area?*"
17. The result was as follows:
  - a. Yes = 193 votes (87.7%)
  - b. No = 27 votes (12.3%)
  - c. Turnout = 29.9 %

18. The majority of local electors who voted, voted in favour of the Plan; therefore, the Uffington and Baulking Neighbourhood Plan has become part of the council's development plan.
19. As the Plan was approved at the local referendum and the council is satisfied it would not breach and be otherwise incompatible with EU obligations or human rights legislation, the council is required make the Uffington and Baulking Neighbourhood Development Plan so that it continues to be part of the council's development plan.

## **Financial Implications**

20. The Government makes funding available to local authorities to help them meet the cost of their responsibilities around neighbourhood planning. A total of £20,000 can be claimed for each neighbourhood planning area. The council becomes eligible to apply to receive this single payment once a date is set for the referendum, after a successful examination. The Government grant funds the process of progressing neighbourhood plans through the formal stages, including the referendum. Any cost incurred in the formal stages in excess of £20,000 is borne by the council. Staffing costs associated with supporting community groups and progressing neighbourhood plans through the formal stages are funded by the council.

## **Legal Implications**

21. The decision to make the Uffington and Baulking Neighbourhood Plan is a legal requirement in the Planning and Compulsory Purchase Act 2004. The only circumstance where the district council should not make this decision is where the making of the plan would breach, or would otherwise be incompatible with, any EU obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998). There is a requirement that the district council will publish a formal decision statement as required under the Neighbourhood Planning (General) Regulations 2012.
22. It is not considered that the Uffington and Baulking Neighbourhood Development Plan would breach, or would otherwise be incompatible with, any such obligation or rights. Therefore, the council should now proceed to make the plan.

## **Risks**

23. The council is required to comply with the statutory requirements (to consider whether the Uffington and Baulking Neighbourhood Development Plan should be made following successful local referendum), which this recommendation seeks to achieve. In view of the considerations referred to elsewhere in this report, as the majority of those voting have voted in favour of the plan at its local referendum, a decision not to make the plan would place the council at risk of a legal challenge.

## **Conclusion**

24. On the 24 April 2019, the council decided:
  1. To accept all modifications recommended by the Examiner;
  2. to determine that the Uffington and Baulking Neighbourhood Development Plan, as modified, meets the basic conditions, is compatible with the

Convention rights, complies with the definition of a neighbourhood development plan (NDP) and the provisions that can be made by a NDP; and

3. to take all appropriate actions to progress the Uffington and Baulking Neighbourhood Development Plan to referendum.
25. The local referendum was held on 4 July 2019 to meet the requirements of The Localism Act 2011 and The Neighbourhood Planning (Referendums) Regulations 2012.
26. As the majority of those voting have voted in favour of the Plan being used to help decide planning applications in the plan area, it is recommended that the Uffington and Baulking Neighbourhood Development Plan is made.

# Council report



Report of Head of Legal and Democratic

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To: COUNCIL

DATE: 17 July 2019

## Establishment of a Climate Emergency Advisory Committee

### Recommendations

That Council:

1. establishes a Climate Emergency Advisory Committee with the terms of reference and procedure rules set out in Appendix A to this report;
2. allocates seats to each political group and appoints councillors and substitutes to sit on it in accordance with paragraphs seven and eight of this report and as set out in the schedule circulated at the meeting;
3. appoints a chair and vice-chair as set out in the schedule circulated at the meeting;
4. authorises the head of legal and democratic to incorporate the terms of reference and procedure rules set out in Appendix A to this report into the council's constitution and to make any consequential changes to the constitution to reflect the decision of Council.

### Purpose of report

1. This report invites Council to consider whether to establish a Climate Emergency Advisory Committee and, if so, to allocate seats to each political group, appoint councillors and substitutes to sit on it and appoint a chair and vice-chair. It also asks Council to agree the necessary changes to the council's constitution.

### Background

2. At its meeting on 13 February 2019, Council supported a 'Climate Emergency' motion as set out below:

That Council notes that:

- a) the recent 2018 Intergovernmental Panel on Climate Change (IPCC) report states that we have just 12 years to act on climate change if global temperature rises are to be kept within the recommended 1.5 degrees Celsius;
- b) all governments (national, regional and local) have a duty to limit the negative impacts on climate breakdown, and local governments that recognise this should not wait for their national governments to change their policies. UK county, district and city councils need to commit to aggressive reduction targets and carbon neutrality as quickly as possible;
- c) districts are well placed to lead the world in reducing carbon emissions, as their responsibility for planning policies opens up a range of sustainable transport, buildings and energy opportunities;
- d) Council has already shown foresight when it comes to addressing the issue of Climate Change, having signed the Nottingham Declaration on Climate Change in 2007. In 2008, Council agreed a Climate Change Strategy, which provided the framework for the council to set about reducing the carbon footprint of its own activities and of the local community. Between 2008 and 2013, this council collaborated with the Energy Saving Trust on the development of a strategy to reduce area-wide carbon emissions, as well as with the Carbon Trust, to produce a Carbon Management Plan which sets out how the council planned to reduce energy and fuel use in its own buildings and vehicles. All of this has led to a 30% drop in energy use in our buildings through 2018; and
- e) Work has commenced on a review of the council's Climate Change Strategy and Carbon Management Plan in collaboration with the Oxfordshire Energy Strategy, with the aim of bringing a report to Cabinet as soon as possible, and no later than Autumn 2019, the review to come forward to include the feasibility of adopting an early carbon neutral target for the Vale, and proposals for regular reporting to Cabinet, Scrutiny Committee and where necessary full Council the progress with the strategy and plan.

**In light of the above, the Council therefore agrees to:**

1. Join other councils in declaring a Climate Emergency;
2. Ask the leader to write to the Secretary of State to seek confirmation of the Government's intention to work with local government on climate change strategies;
3. Ask that as officers, as per the council's policies, are currently reviewing policy and strategies, that specific consideration be given to how policies, and our related decisions and actions, affect our contribution to climate change, and where necessary, update these policies to reduce our impact wherever possible. As far as possible, the reporting templates for Council, Cabinet and committees to be amended to include an 'Environmental Impact' section;
4. Ask officers to provide the cost and availability of the most appropriate training options for members and officers about how to promote carbon neutral policies for future consideration by Cabinet;
5. Request the Cabinet member for housing and environment to bring to Council a report on the activities of the Oxfordshire Environmental Partnership, of which the Vale is a member on the Vale's environmental policies and strategies; and

6. Continue the positive collaborative work with partners across the district, county and wider region to deliver widespread carbon reductions.
3. In light of the adoption of the above motion, the Leader has indicated a wish to establish a Climate Emergency Advisory Committee to ensure the council is addressing climate change issues.

## **Terms of reference of the advisory committee**

4. The advisory committee would be established by Council but would advise the Cabinet and have no delegated decision making powers. The committee would meet in public and would be subject to the statutory requirements for publication of agenda, reports and minutes. The proposed terms of reference and procedure rules are set out in Appendix A to this report.

## **Political balance**

5. Unlike ordinary committees an advisory committee is not subject to the political balance rules. However, officers recommend that proportionality is applied as far as reasonably practicable to the advisory committee. The entitlement of political groups to seats on committees is as follows:

Conservative	6	(15.79%)
Liberal Democrat	31	(81.58%)
Non-group councillor	1	(2.63%)

6. The non-group councillor is not automatically entitled to a seat.

## **Composition of the committee**

7. Based on a committee of seven the entitlement to seats is as follows:

Liberal Democrat	5.71 = 6 seats
Conservative	1.11 = 1 seat
Non-group councillor	0.18 = 0 seat

## **Substitutes**

8. Officers propose that each political group is entitled to the same number of preferred substitutes as the number of ordinary seats it holds on the committee, and up to a maximum of three preferred substitutes where it has fewer than three members on the committee.

## **Eligibility to sit on committees and panels.**

9. As this is an advisory committee making recommendations to Cabinet, officers propose that no member of the Cabinet should sit on the committee. In accordance

with the council's constitution the Chair or Vice Chair of Council may not be chair or Vice Chair of the committee.

## **Appointments**

10. Officers will invite group leaders to submit the names of councillors they wish to sit on the committee. A table of nominations will be circulated at the meeting.

## **Financial implications**

11. It is proposed that the committee will be serviced within existing officer resources and it will therefore need to plan its work programme accordingly.
12. Chairing a new committee would not attract a special responsibility allowance under the current councillors' allowances scheme. Council can only change the scheme on the recommendation of an independent remuneration panel. Officers plan to convene the panel later in the year to review the scheme and to make recommendations to Council in advance of next year's budget setting. This role would be included within that review.
13. The financial implications of any recommendations made by the committee will be reported to the Cabinet when it considers them.

## **Legal implications**

14. These are set out in the body of the report and in the terms of reference and procedure rules set out in Appendix A to this report.

## **Conclusion**

15. The Leader has indicated a wish for Council to appoint a Climate Emergency Advisory Committee. Council is invited to establish the committee with the terms of reference and procedure rules set out in Appendix A to this report, to allocate seats to political groups in the same proportion as they hold on the council and appoint councillors and preferred substitutes to the committee. Council is also invited to delegate authority to the head of legal and democratic to incorporate the terms of reference and procedure rules into the council's constitution and to make any consequential changes to the constitution to reflect the decision of Council.

**Background Papers:** None.

## **Climate Emergency Advisory Committee procedure rules (Vale only)**

### **Purpose of the committee**

1. The committee is an advisory committee with no delegated decision making.
2. To advise Cabinet on matters relating to the climate emergency and environmental sustainability including, but not limited to:
  - Reviewing and making recommendations on ways in which the council can reduce damage to the global and local environment through its policies and practices.
  - Reviewing the internal operations of the council with a view to promoting sustainability, adopting best practice and strengthening the council's environmental performance.
  - Providing community leadership on the climate emergency and sustainability, facilitating and engaging public sector partners, businesses, community groups and the public.
  - Advising on how the council can contribute to delivery of
    - national legally-binding targets on the climate emergency
    - countywide targets on the climate emergency through the Oxfordshire Environment Partnership (OEP)
    - the council's own targets on the climate emergency
    - the Oxfordshire Energy Strategy Delivery Plan
  - Making recommendations on bids for external funding relating to the climate emergency.

### **Membership**

3. The committee will comprise seven councillors appointed annually by Council and will be politically balanced. The Council will appoint substitutes with an equivalent political balance. No member of the Cabinet will sit on the committee. The chair or the vice-chair of Council shall not act as chair or vice-chair of the committee.

## **Time and place of meetings**

4. The time and place of meetings will be notified in the agenda for each meeting. The committee meetings will take place in accordance with an agreed programme. In addition, extra meetings may be scheduled as required.

## **Notice of, and agenda for, meetings**

5. The head of legal and democratic will give notice to the public of the time and place of any meeting. At least five clear working days before a meeting, the head of legal and democratic will publish the agenda on the council's website and make it available for public inspection at the council's offices, except where the matter under consideration contains confidential or exempt information. The agenda will set out the date, time and location of the meeting, and will specify the business to be transacted. The agenda may contain reports about matters for the committee's consideration. Where not all reports are available with the agenda they will be published as soon as they become available. Committee agendas will also be available for six years after a meeting.

## **Chairing meetings**

6. The chair (or vice-chair in their absence), appointed by Annual Council each year, or by the committee if a vacancy arises, will preside over meetings and lead and guide the work of the committee.

## **Substitutes**

7. The council will appoint the same number of preferred substitutes in respect of each political group as that group holds ordinary seats on the committee. Each political group will be entitled to up to a maximum of three named substitutes where it has fewer than three members on the committee. A political group need not appoint to all available substitute places.
8. Substitute members will have all the powers and duties of any ordinary member of the committee but will not be able to exercise any special powers or duties exercisable by the person they are substituting. These powers and duties will only be attained by the substitute members from the start until the close of the meeting at which they are substituting.
9. Substitute members may attend meetings:
  - to take the place of the ordinary member for whom they are the substitute;
  - where the ordinary member will be absent for the whole of the meeting; and
  - after notifying the head of legal and democratic before the start of the meeting.
10. Where possible, absent members must be substituted by a preferred substitute who has been named, but where this is not possible any member of the same political group may act as a substitute.

## **Quorum**

11. A quarter of the members of the committee must be present for a legally valid committee meeting to be held. During any meeting, if the chair counts the number of councillors present and declares there is not a quorum present, then the meeting will adjourn immediately. Remaining business will be considered at a time and date fixed by the chair. If he/she does not fix a date, the remaining business will be considered at the next meeting.
12. If there is no quorum at the published start time for the meeting, a period of 15 minutes will be allowed. If there remains no quorum at the expiry of this period, the meeting shall be declared null and void. The business will be considered at a time and date fixed by the chair. If he/she does not fix a date, the remaining business will be considered at the next meeting.

## **Duration of meetings**

13. No meeting shall exceed two and a half hours in duration unless the committee, prior to the expiry of the period, vote for the meeting to continue for a further period not exceeding 30 minutes. Remaining business will be considered at the next meeting.

## **Meeting procedure**

14. The committee shall consider the following business:

- (a) To receive any apologies and notifications of substitutes;
- (b) Declarations of disclosable pecuniary interests and other interests;
- (c) Minutes of the previous meeting; and
- (d) The business otherwise set out on the agenda for the meeting.

## **Voting**

### **MAJORITY**

15. Any matter will be decided by a simple majority of those councillors voting and present in the room at the time the question was put.

### **CHAIR'S CASTING VOTE**

16. If there are equal numbers of votes for and against, the chair will have a second or casting vote. There will be no restriction on how the chair chooses to exercise a casting vote. If the chair does not exercise his/her casting vote, the motion being considered will be deemed to be lost.

### **SHOW OF HANDS**

17. Unless a recorded vote is requested under rule 18, the chair will take the vote by show of hands, or if there is no dissent, by the affirmation of the meeting.

## **RECORDED VOTE**

18. If three councillors present at the meeting request it, the names of those voting for and against the motion or amendment or abstaining from voting will be taken down in writing and entered into the minutes. If a recorded vote is requested, the vote shall be taken alphabetically.

## **RIGHT TO REQUIRE AN INDIVIDUAL VOTE TO BE RECORDED**

19. Where any councillor requests it immediately after the vote is taken, their vote will be so recorded in the minutes to show whether they voted for or against the motion or abstained from voting.

## **Attendance by others**

20. The committee or the chair of the committee may invite people to address them, discuss issues and/or answer questions. They may for example wish to hear from residents, stakeholders and councillors and officers and may invite such people to attend.

## **Public participation**

21. The public may address a committee meeting by asking a question, making a statement or presenting a petition. Every question, statement or petition must relate to an agenda item for that meeting. Public questions, statements or petitions will only be accepted at a special meeting of the committee if they relate to the item due to be discussed at that meeting.
22. An application to speak must be made in writing or by email to democratic services democratic.services@southandvale.gov.uk by 5.00 pm on the last working day before the day of the meeting. Persons who have registered to speak may appoint someone to speak on their behalf provided that written authority from the person who has registered to speak is given to democratic services before the meeting commences.
23. The public address session will be limited to fifteen minutes. No address shall exceed three minutes. Where the number of speakers exceeds the time available, each speaker's time will be reduced.
24. Questions or statements will be considered by the meeting in the order that they are registered with democratic services. Where multiple questions or statements are received from different people on the same subject, the chair may group these together. There is no provision to ask a supplementary question.
25. If an answer cannot be given to a question at a meeting, a written answer will be provided.
26. The chair of the meeting may suspend the operation of speaking rules at any time if he/she considers it necessary for the purpose of maintaining order.

## **Minutes**

27. The chair will sign the minutes of the proceedings at the next suitable meeting. The chair will move that the minutes of the previous meeting be signed as a correct record. Only the accuracy of the minutes may be discussed.

## **Record of attendance**

28. All councillors present must sign the attendance list provided at the meeting.

## **Exclusion of the public**

29. The public and press may only be excluded from attending a committee meeting for the consideration of confidential or exempt business or under rule 34 and 35 (disturbance by the public).

## **Councillors' conduct**

30. If more than one councillor speaks, the chair will ask one to speak. Other councillors must remain silent whilst a councillor is speaking unless they wish to make a point of order or a point of personal explanation.

### **CHAIR SPEAKING**

31. When the chair speaks during a debate, any councillor speaking at the time must stop.

### **COUNCILLOR NOT TO BE HEARD FURTHER**

32. If a councillor persistently disregards the ruling of the chair by behaving improperly or offensively or deliberately obstructs business, the chair may move that the councillor be not heard further. If seconded, the motion will be voted on without discussion.

### **COUNCILLOR TO LEAVE THE MEETING**

33. If the councillor continues to behave improperly after such a motion is carried, the chair may move that either the councillor leaves the meeting or that the meeting is adjourned for a specified period. If seconded, the motion will be voted on without discussion.

### **GENERAL DISTURBANCE**

34. If there is a general disturbance making orderly business impossible, the chair may adjourn the meeting for as long as he/she thinks necessary.

## **Disturbance by the public**

### REMOVAL OF MEMBER OF THE PUBLIC

35. If a member of the public interrupts the meeting, the chair will invite the person to stop. If they continue to interrupt, the chair will order their removal from the meeting room.

### CLEARANCE OF PART OF MEETING ROOM

36. If there is a general disturbance in any part of the meeting room open to the public, the chair may call for that part to be cleared and if necessary adjourn the meeting for as long as he/she thinks necessary.

## **Attendance by other district councillors at meetings**

37. Any councillor may attend a meeting of the committee. With the consent of the chair he/she may speak, but not vote, on any item on the agenda for the meeting.