

Council Agenda



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Summons to attend a meeting of Council

to be held on Wednesday 7 December 2022 at 7.00 pm
The Ridgeway, The Beacon, Portway, Wantage, OX12 9BY

A handwritten signature in black ink, appearing to read "P. Arran".

Patrick Arran
Head of Legal and Democratic

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Agenda

Open to the public including the press

1. Apologies for absence

To record apologies for absence.

2. Minutes

(Pages 8 - 20)

To adopt and sign as a correct record the Council minutes of the meeting held on 12 October 2022.

3. Declarations of interest

To receive declarations of disclosable pecuniary interests, other registrable interests and non-registrable interests or any conflicts of interest 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. Council Tax Reduction Scheme 2023/24

(Pages 21 - 26)

Cabinet, at its meeting on 11 November 2022, considered the report of the head of finance on a review of the Council Tax Reduction Scheme.

Cabinet supported changes to the scheme to help local residents during the current cost-of-living crisis and beyond.

RECOMMENDATION: that for the 2023/24 financial year onwards, the council continues to adopt the previous 2022/23 Council Tax Reduction scheme but with the following amendments:

- to remove the 91.5 per cent limit (cap) when calculating the council tax bill,
- to remove the band E restriction for all residents, so that qualifying residents will have their Council Tax Reduction calculated at 100 per cent of their council tax bill,

- after any deductions and based on their property's actual council tax band, and
- to reintroduce the second adult rebate scheme to working age residents, in order to give a maximum 25 per cent reduction where they live with another adult on a low income.

8. Council tax base 2023/24

(Pages 27 - 31)

Cabinet, at its meeting on 2 December 2022, will consider a report on the council tax base for 2023/24.

The report of the head of finance, which Cabinet will consider on 2 December, is **attached**.

Cabinet's recommendations will be circulated to all councillors following the Cabinet meeting.

9. Appointment of an independent member to the Joint Audit and Governance committee

(Pages 32 - 37)

At its meeting on 15 November 2022, the Joint Audit and Governance Committee considered a report on the principle of the appointment of an independent person to the committee. The report also proposed that the Independent Remuneration Panel consider an appropriate level of allowance for such a position and the independent persons who assist the monitoring officer with code of conduct matters.

The report of the monitoring officer, considered by the committee at its meeting on 15 November 2022, is attached.

The committee supported the recommendations subject to the inclusion in the committee's terms of reference of the power to dispense with the service of any independent person who is not adding value.

RECOMMENDATION: to

1. agree to co-opt one independent person on to the Joint Audit and Governance Committee on a non-voting basis;
2. approve the person specification attached at appendix 1 to the report of the monitoring officer to the meeting of the Joint Audit and Governance Committee meeting held on 15 November 2022;
3. authorise the head of legal and democratic and monitoring officer and the section 151 officer, in consultation with the Joint Audit and Governance Committee co-chairs, to undertake the recruitment process and appoint an independent person to the Joint Audit and Governance Committee for a period of four years until May 2027;
4. authorise the head of legal and democratic to make changes to the councils' constitution to reflect the appointment;
5. ask the Independent Remuneration Panel to consider an appropriate level of remuneration for the role of independent person to the Joint Audit and Governance Committee and the independent persons dealing with code of conduct matters if the committee consider that the roles should be remunerated.

10. Review of the council's constitution

(Pages 38 - 94)

To consider the report of the head of legal and democratic and monitoring officer on proposed changes to the council's constitution.

11. Elections - scales of fees and charges

(Pages 95 - 102)

To consider the report of the returning officer.

12. Report of the leader of the council

To receive the report of the Leader of the council.

13. Election of leader of the council

Councillor Emily Smith has given notice that she is resigning as Leader of the council effective from 7 December 2022.

Council is invited to elect a leader of the council in accordance with the Cabinet arrangements and procedure rules as set out in the council's constitution for a term of office beginning immediately and ending on the date of the annual Council meeting in May 2023 (following the district council elections scheduled for May 2023).

The leader of the council will be invited to report on:

- the appointment of the deputy leader of the council
- the membership of the Cabinet and the allocation of portfolios
- the leader's scheme of delegation to cabinet members and officers

14. Questions on notice

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

1. Question from Councillor Hayleigh Gascoigne to Councillor Judy Roberts, Cabinet member for development and infrastructure

Great Western Park has been almost complete for a few years now, and community assets, such as community centres, parks and green space have over this time been gradually transferred from the developer, Taylor Wimpey to the Council.

There has been some frustration from the community at not being able to use some of these facilities until this happens. Can you give an update on the handover of the parks and land to the Vale?

2. Question from Councillor Bob Johnston to Councillor Emily Smith, Leader of the Council

Given that consultation is now underway on the proposed Botley West Solar Farm spanning ours and two other districts, would the Leader agree with me that to deprive local councils of the power to determine the outcome would be an egregious example of centralised decision making?

3. Question from Councillor Alison Jenner to Councillor Debby Hallett, Cabinet member for Corporate Services and Transformation

New regulations on Voter ID include a limited list of acceptable documents for citizens wishing to exercise their right to vote. The Act they refer to addresses a problem which does not exist and the list to which it refers is very restricted. Most documents are ones for older people; very little provision is made for the sort of documents young people are likely to have; as not every young adult has a passport or a driving licence, each of which cost money to obtain.

I would like to ask the Cabinet member responsible for electoral issues what we, as a council, can do to enable voting by young people in good time to ensure their documentation is suitable for consideration at the polling station?

4. Question from Councillor Val Shaw, to Cllr Emily Smith, Leader of the Council

Several months ago, we voted on a Food and Farming motion, part of which specified the appointment of a Food and Farming Champion. Would you give us an update on this and what the council is considering in support for this sector? What contact has there been so far with this sector, and have we had any feedback from them?

15. Motions on notice

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

- (1) Motion to be proposed by Councillor Emily Smith, seconded by Councillor Bethia Thomas:

Local councils are on the frontline, working to support residents and businesses survive a cost-of-living crisis. Our council has worked hard to support our residents through Covid and provide support for local businesses over this period, but demand on our services is increasing rapidly.

Between 2010-11 and 2020-21, district councils saw a 35% real terms reduction in overall spending power.

Analysis by the District Councils Network (DCN) suggests a collective budget gap for district councils of almost £400m in 2022-23. The DCN expects this to rise to at least £600m in 2023-24 (17% of net expenditure), due to the combined impact of the measures in the Autumn Statement and the latest inflation forecasts.

Council Notes that:

- The Autumn Statement does not do enough to cover the budget pressures that councils face due to fuel, energy, pay inflation and pressures on services due to the cost-of-living crisis.
- Without a multi-year financial settlement from government, our council is hindered in our efforts to plan the use of our limited resources efficiently.
- The Autumn Statement was silent on several key points, including reforms to the New Homes Bonus, a business rates re-set, the future of DEFRA's waste consistency reforms and the Fair Funding Review.

Council Resolves to:

- Continue to do all we can with the limited resources we have to ensure residents and local businesses are supported during the cost-of-living crisis.
- Continue to liaise with the District Councils Network, Local Government Association and South East Councils partnerships to share information and lobby for sufficient funding to be devolved to local government.
- Ask the Leader of the Council to write to the Secretary of State for Communities, Housing and Local Government and the Chancellor of the Exchequer setting out the concerns raised in this motion and asking for:
 - A multi-year financial settlement for local government including certainty on the timing of any changes to the New Homes Bonus and the Business Rates reset and the DEFRA waste reforms
 - Greater financial flexibility for efficient, low spending councils like the Vale
 - The ability to recover the full cost of providing planning and licensing services; at a minimum the early implementation of increases to planning fees proposed earlier in 2022
 - Additional funding to address the inflationary cost pressures the council is facing and resources to help address increasing demand for council services

(2) Motion to be proposed by Councillor Diana Lugova, seconded by Councillor Judy Roberts:

Two-thirds of new homes built in England in the year to the end of March 2022 use gas for central heating and will require retrofitting at some point in the future. New homes should be built to be low-carbon, energy, and water efficient, climate resilient and no new homes should be connected to the gas grid.

This council is working towards the district being carbon neutral by 2045 but in relation to planning and building regulations we are constrained in our efforts by national legislation.

Council notes:

1. That building regulations do not require homes or commercial properties to be carbon zero in their construction or their operation, only that they need to be 'zero carbon ready by 2025'
2. That national planning legislation does not allow councils to enforce zero or

negative carbon standards as part of our local plans

3. In response to a Liberal Democrat amendment proposed to the Levelling Up and Regeneration Bill* minister Lee Rowley MP made clear the government would not support allowing local planning authorities to insist on zero carbon build

Therefore, council resolves to ask the leader to write to the Secretary of State for Levelling Up Housing and Communities to ask that Building Regulations are urgently updated to reflect an expectation that all new buildings must be zero or negative carbon in their construction and operation.

* [https://hansard.parliament.uk/Commons/2022-10-20/debates/d14be0c1-bf42-4216-bcf1-5d44a90261e9/Levelling-UpAndRegenerationBill\(TwentySixthSitting\)#contribution-74CD2C4A-38C7-42CD-B690-5E2BB436E3C1](https://hansard.parliament.uk/Commons/2022-10-20/debates/d14be0c1-bf42-4216-bcf1-5d44a90261e9/Levelling-UpAndRegenerationBill(TwentySixthSitting)#contribution-74CD2C4A-38C7-42CD-B690-5E2BB436E3C1)