

Minutes

of the annual meeting of the

Council

held on Wednesday 16 May 2018 at 7.00 pm

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



Open to the public, including the press

Present:

Members: Councillors Reg Waite (Chairman) – in the chair for the election of chairman

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

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

Number of members of the public: 2

Co.1 Election of chairman

The outgoing chairman, Councillor Reg Waite, reviewed his year as chairman of the council. He thanked councillors, his escort, Mrs Dee Waite, his vice-chairman, Councillor Monica Lovatt, officers and his chaplain, Pam Rolls, for their assistance and support. During the year he had attended many engagements and raised over £8,000 for his chosen charities – Children's Air Ambulance and the Alzheimer's Society.

Councillor Monica Lovatt was nominated as chairman for the 2018/19 municipal year.

RESOLVED: to elect Councillor Monica Lovatt as chairman of the council for the 2018/19 municipal year, until the next annual meeting of the Council in May 2019.

Councillor Reg Waite presented Councillor Monica Lovatt with the chain of office.

Councillor Monica Lovatt signed her declaration of acceptance of office, presented Councillor Waite with the past chairman's badge, her husband, Councillor Sandy Lovatt, with the escort's badge and made an acceptance speech. She advised that her chosen charity is Soldiers, Sailors, Airmen and Families Association (SSAFA).

Councillor Monica Lovatt in the chair.

Co.2 Appointment of vice-chairman

Councillor Ben Mabbett was nominated as vice-chairman.

RESOLVED: to appoint Councillor Ben Mabbett as vice-chairman of the council for the ensuing year.

The chairman presented Councillor Ben Mabbett with the chain of office.

Councillor Ben Mabbett signed his declaration of acceptance of office and made an acceptance speech.

Co.3 Apologies for absence

Apologies for absence were submitted on behalf of Councillors Mike Murray, Janet Shelley and Henry Spencer.

Co.4 Minutes

RESOLVED: to approve the minutes of the meeting held on 14 February 2018 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 to join her for refreshments following the meeting.

She advised that prior to the Council meeting Margaret Reed, Head of Legal and Democratic, had received written notice from Councillor Matthew Barber that he had resigned as leader of the council. On behalf of the council, the chairman thanked him for his service to the council as leader since 2011.

She congratulated Councillor Emily Smith on her election as leader of the Liberal Democrat Group and therefore leader of the opposition.

She advised that former councillor Tommy Thompson had died on Tuesday 24 April 2018. The funeral will be held on 22 May at 11.30am at St Giles Church, Great Coxwell.

Councillor Debby Hallett responded by wishing Councillor Matthew Barber best wishes for what comes next in his life having witnessed his growth from an intelligent decision maker to a wise leader and stated that he leaves some pretty big shoes to fill. Whilst she disagreed with his policies, and the way they have been implemented, she respected him as leader of the main political group and of the council. He tried to keep to his word, listened to those who disagreed with him, saw things from other people's perspective and worked to make things better.

Councillor Yvonne Constance made the following personal statement of appreciation for Councillor Matthew Barber's service to the Vale.

"All good things come to an end and I want to make a personal statement of appreciation for his service to the Vale.

We were both elected in 2003, when Matt was only 21, but it was very quickly clear he had an interest and a grasp of the issues way beyond his years. Born to the role I decided, and knew he followed a grandfather.

In 2011 he became leader of the Council and we benefitted immediately from his strong strategic vision; his intelligent appraisal of pros and cons of every issue; his decisiveness; his attention to impact on the residents, and from the articulate fluent statements about everything – always lightened by humour I have never been able to do!

And disagree we have done – more than once, but he leaves today with impressive achievements: These are the big strategic ones – all these achieved whilst ensuring an efficient and responsive Council was delivering services in the here and now:

- Delivered Part 1 of the Local Plan and houses to meet Housing Land Supply – ahead of all in the County, and I now know ahead of all in the Region too
- Made shared administration work with SODC, and without accepting any undue costs for the Vale
- Agreed a future for the Vale in the Unitary bid – still to be decided by the Minister
- Agreed future funding for infrastructure for the Vale in the Oxfordshire Growth Deal

These are big shoes to fill and I thank you Matt for exceptional service in your time as Leader of the Vale".

Co.7 Public participation

None.

Co.8 Election of leader of the council

RESOLVED: to elect Councillor Roger Cox as leader of the council for a term ending on the date of the annual meeting of Council in May 2019.

Co.9 Appointments to the Cabinet

Councillor Roger Cox appointed Councillor Ed Blagrove as the deputy leader of the council and councillors Alice Badcock, Eric Batts, Mike Murray, Robert Sharp and Elaine Ware as Cabinet members with portfolios as follows:

Councillor Roger Cox	Leader, planning, partnership and insight
Councillor Alice Badcock	Community services
Councillor Eric Batts	Legal and democratic
Councillor Ed Blagrove	Deputy Leader, corporate services
Councillor Mike Murray	Regeneration and development
Councillor Robert Sharp	Finance
Councillor Elaine Ware	Housing and environment

He appointed Cabinet members to the following:

Oxfordshire Growth Board – Councillor Roger Cox, with all other cabinet members as substitutes

Five Councils' Partnership Corporate Services Joint Committee – Councillor Roger Cox, with all other cabinet members as substitutes

Safer Oxfordshire Partnership Oversight Committee – Councillor Eric Batts

South and Vale Community Safety Partnership – Councillor Eric Batts

Co.10 Appointments to committees, panels and joint committees for 2018/19

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 2018/19 municipal year Council:

1. appoints the committees and panels and allocate seats to each political group as set out in the schedule circulated at the meeting;
2. allocates one of the Conservative Group's seats on the Planning Committee to the Liberal Democrat Group;
3. appoints councillors and substitutes to sit on the committees and panels as set out in the schedule circulated at the meeting;
4. appoints councillors to the Licensing Acts Committee as set out in the schedule circulated at the meeting;
5. appoints chairmen and vice-chairmen as set out in the schedule circulated at the meeting;
6. appoints all local members representing the wards covered by the relevant area committees to those committees for the 2018/19 municipal year with the following chairmen:
 - Abingdon and North East – Councillor Mike Badcock (Chairman); Councillor Helen Pighills (Vice-Chairman)
 - Faringdon – Councillor Simon Howell (Chairman); Councillor Anthony Hayward (Vice-Chairman)
 - Wantage – Councillor St John Dickson (Chairman); Councillor Ben Mabbett (Vice-Chairman)
7. appoints Councillor Monica Lovatt as the council's representative on the Oxfordshire Joint Health Overview and Scrutiny Committee;
8. appoints Councillor Eric Batts as the council's representative on the Thames Valley Police and Crime Panel;

9. appoints the following to the Oxfordshire Growth Board Advisory Sub Groups:
 - Infrastructure – Councillor Mike Badcock
 - Housing – Councillor Janet Shelley
 - Joint Statutory Spatial Plan – Councillor Anthony Hayward with all Conservative group members as substitutes;
10. appoints councillors Chris Palmer, Ben Mabbett and Debby Hallett to the Oxfordshire Growth Board Scrutiny Panel;
11. 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;
12. authorises the head of legal and democratic to amend the constitution as necessary to reflect the arrangements set out in the report of the head of legal and democratic to the Council meeting on 16 May 2018.

RESOLVED: to

1. appoint the following committees and panels for the 2018/19 municipal year and to appoint the membership, substitutes and chairmen and vice-chairmen as indicated to sit on them (see table below);

Planning Committee, 9 Members	
Conservative (6)	Liberal Democrat (3)
Anthony Hayward	Jenny Hannaby
Robert Hall	Bob Johnston
Sandy Lovatt (Chairman)	Catherine Webber
Ben Mabbett	
Stuart Davenport	
Janet Shelley (Vice-Chairman)	
Preferred substitutes	
Conservative (6)	Liberal Democrat (3)
Yvonne Constance	Margaret Crick
StJohn Dickson	Helen Pighills
Katie Finch	Emily Smith
Chris Palmer	
Julia Reynolds	
Reg Waite	

Scrutiny Committee, 9 Members	
Conservative (7)	Liberal Democrat (2)
Mike Badcock	Debby Hallett (Chairman)
Matthew Barber	Judy Roberts
Robert Hall	
Vicky Jenkins	
Sandy Lovatt	
Ben Mabbett	
Chris Palmer (Vice-Chairman)	
Preferred substitutes	
Conservative (7)	Liberal Democrat (3)
Yvonne Constance	Dudley Hoddinott
StJohn Dickson	Emily Smith
Anthony Hayward	Catherine Webber
Simon Howell	
Chris McCarthy	
Reg Waite	
Vacancy	

Joint Scrutiny Committee, 5 Members	
Conservative (4)	Liberal Democrat (1)
Mike Badcock	Debby Hallett (Co-Chairman)
Robert Hall	
Anthony Hayward	
Chris Palmer	
Preferred substitutes	
Conservative (4)	Liberal Democrat (3)
Katie Finch	Dudley Hoddinott
Sandy Lovatt	Judy Roberts
Vicky Jenkins	Emily Smith
Mohinder Kainth	

Joint Audit and Governance Committee, 4 Members

Conservative (3)	Liberal Democrat (1)
Mike Badcock	Dudley Hoddinott
Simon Howell (Co-Chairman)	
Chris Palmer	
Preferred substitutes	
Conservative (3)	Liberal Democrat (3)
Yvonne Constance	Helen Pighills
Henry Spencer	Judy Roberts
Reg Waite	Catherine Webber

Community Governance and Electoral Issues Committee, 6 Members

Conservative (5)	Liberal Democrat Group (1)
Yvonne Constance (Chairman)	Helen Pighills
Charlotte Dickson	
Gervase Duffield	
Ben Mabbett	
Janet Shelley	
Preferred substitutes	
Conservative (5)	Liberal Democrat (3)
Matthew Barber	Margaret Crick
Stuart Davenport	Bob Johnston
StJohn Dickson	Debby Hallett
Henry Spencer	
Reg Waite	

Joint Staff Committee, 3 Members

Conservative (2)	Liberal Democrat (1)
Ed Blagrove	Emily Smith
Roger Cox	
Substitutes	
Conservative	Liberal Democrat
The Leader may be substituted by another Cabinet member. Other members of the Committee may be substituted by any member of the council (Cabinet or non-Cabinet).	

General Licensing Committee, 12 Members

Conservative (9)	Liberal Democrat Group (3)
Mike Badcock	Margaret Crick
Eric Batts	Jenny Hannaby
Yvonne Constance	Dudley Hoddinott
Charlotte Dickson	
St John Dickson (Chairman)	
Robert Hall	
Chris McCarthy	
Julia Reynolds (Vice-Chairman)	
Reg Waite	
NO SUBSTITUTES	

Licensing Acts Committee, 12 Members

Conservative (9)	Liberal Democrat Group (3)
Mike Badcock	Margaret Crick
Eric Batts	Jenny Hannaby
Yvonne Constance	Dudley Hoddinott
Charlotte Dickson	
St John Dickson (Chairman)	
Robert Hall	
Chris McCarthy	
Julia Reynolds (Vice-Chairman)	
Reg Waite	
NO SUBSTITUTES	

Appeals Panel, 3 Members

Conservative (2)	Liberal Democrat Group (1)
Ed Blagrove	Debby Hallett
Roger Cox	
PREFERRED SUBSTITUTES	
Conservative (3)	Liberal Democrat (3)
Yvonne Constance	Jenny Hannaby

Charlotte Dickson	Bob Johnston
Elaine Ware	Emily Smith

2. (with no councillor voting against) allocate one of the Conservative Group's seats on the Planning Committee to the Liberal Democrat Group;
3. appoint all local members representing the wards covered by the relevant area committees to those committees for the 2018/19 municipal year with the following chairmen:
 - Abingdon and North East – Councillor Mike Badcock (Chairman); Councillor Helen Pighills (Vice-Chairman)
 - Faringdon – Councillor Simon Howell (Chairman); Councillor Anthony Hayward (Vice-Chairman)
 - Wantage – Councillor St John Dickson (Chairman); Councillor Ben Mabbett (Vice-Chairman)
4. appoint Councillor Monica Lovatt as the council's representative on the Oxfordshire Joint Health Overview and Scrutiny Committee;
5. appoint Councillor Eric Batts as the council's representative on the Thames Valley Police and Crime Panel;
6. appoint the following to the Oxfordshire Growth Board Advisory Sub Groups:
 - Infrastructure – Councillor Mike Badcock
 - Housing – Councillor Janet Shelley
 - Joint Statutory Spatial Plan – Councillor Anthony Hayward with all Conservative group members as substitutes
7. appoint councillors Chris Palmer, Ben Mabbett and Debby Hallett 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;
9. authorise the head of legal and democratic to amend the constitution as necessary to reflect the arrangements set out in the report of the head of legal and democratic to the Council meeting on 16 May 2018.

Co.11 Changes to the council's constitution

Council considered the report of the head of legal and democratic and monitoring officer on proposed amendments to the council's constitution.

RESOLVED: to:

1. amend the constitution in the Summary and Explanation section and the Cabinet Arrangements and Procedure Rules to update the key decision definition by amending paragraph (a) to read: "to incur expenditure, make savings or to receive income (except government grant) of more than £75,000.";
2. amend paragraphs 40 and 41 of the constitution's Summary and Explanation section relating to the authentication of documents and common seal of the council to allow the head of legal and democratic, the chief executive, the legal services manager or a senior lawyer to sign and attest the sealing of documents;
3. delete reference to the Five Councils' Partnership Scrutiny Committee in paragraph 83 of the Scrutiny Committees Procedure Rules;

4. amend paragraph 3 of the Planning Committee Procedure Rules to reflect the Vale Council's decision on 14 February 2018 to reduce its Planning Committee membership from 11 to nine;
5. authorise the head of corporate services "to act as the council's data protection officer under the General Data Protection Regulations" and reflect this responsibility in the Proper Officer and Authorised Officer section of the constitution;
6. authorise the head of development and regeneration: "To determine applications from registered housing providers to waive the 80 per cent equity share restriction on shared ownership dwellings, on a case-by case basis, where such a restriction has been included within a section 106 planning agreement, and where the application meets the established criteria for granting the waiver.";
7. authorise the head of development and regeneration: "To determine continuous market engagement requests and confirm support to Homes England for both grant and nil-grant applications from registered housing providers, for the inclusion of affordable dwellings or developments within the national affordable homes programme.";
8. amend the delegation to the head of housing and environment in paragraph 4.3: "~~To authorise and serve any notices and take all necessary actions relating to the collection of waste, the provision of dustbins and to secure the removal of rubbish. (S.34 PHA 1961)~~ **the council's duties as a waste collection authority as set out in sections 45 and 46 of the Environmental Protection Act 1990 (as amended).** [N.B. deleted text is crossed through, added text is in **bold type**];
9. authorise the head of housing and environment: "To authorise and serve any notices and take all necessary actions relating to the council's duties as a principal litter authority in accordance with section 89 of the Environmental Protection Act 1990 (as amended).";
10. amend the delegation to the head of housing and environment in paragraph 19.2: "To exercise the council's powers and duties under The Dangerous Wild Animals Act 1976, The Pet Animals Act 1951, The Breeding of Dogs Acts 1973 and 1991, The Animal Boarding Establishments Acts 1963 and 1970, The Zoo Licensing Act 1981, The Riding Establishments Acts 1964 & 1970, **and the Breeding and Sale of Dogs (Welfare) Act 1999**, including licensing and registration functions, taking of enforcement action, inspections, powers of entry and the appointment of inspectors.";
11. move the delegations in relation to local amenity/overgrown gardens from the head of housing and environment (section 21 refers) to the head of planning;
12. authorise the head of planning: "To authorise the making of footpath and bridleway dedication agreements.";
13. amend paragraph 11.1 of the head of planning's scheme of delegation regarding the collection of Community Infrastructure Levy: "To collect Community Infrastructure Levy revenue and calculate the chargeable amount under Regulation 40 of the Community Infrastructure Levy Regulations 2010. Appropriate budgets must be created as follows in accordance with the financial procedure rules:
 - (a) for the administration of Community Infrastructure Levy (five per cent of the Community Infrastructure Levy revenue)
 - (b) for the towns and parishes councils (15 or 25 per cent of the Community Infrastructure Levy revenue)

- (c) for the district council (remainder of the Community Infrastructure Levy revenue).”;
14. amend the delegations to the head of planning (paragraph 11.3) and the head of development and regeneration (paragraph 3.2): “To make payments to the **towns and parishes** in relation to the Community Infrastructure Levy Regulation 59 and 59D and approve payments (by 28 October and 28 April in any financial year) to the relevant receiving town ~~and~~ **or** parish council **or parish meeting**.”;
 15. amend paragraph 11.9 of the head of planning’s scheme of delegation regarding Community Infrastructure Levy recovery: “To deal with the recovery of the Community Infrastructure Levy including stop notices, liability orders and other enforcement mechanisms under Regulations 89 to ~~94~~ and 111 of the Community Infrastructure Levy Regulations 2010.”;
 16. amend paragraphs 74 and 75 of the Financial Procedure Rules to allow the head of planning to request and the head of finance to approve the creation of Community Infrastructure Levy budgets as follows:
 - “74. For section 106 or Community Infrastructure Levy agreements that provide clear and unambiguous details on how the receipts raised must be used, where that agreement has been approved by the Planning Committee and over which further discretion cannot be applied, then the ~~strategic management team~~ **head of planning** can request **and the head of finance can approve** the creation of the relevant revenue or capital budget.
 75. For all other section 106 and Community Infrastructure Levy agreements where contributions are received by the council, a budget for the spending of the receipt must be created as follows:
 - (a) For agreements of up to £20,000, budgets can be **requested by the head of planning and** approved by the ~~senior management team~~ **head of finance**.
 - (b) For agreements greater than £20,000 up to £100,000, budgets can be approved by the relevant Cabinet member in consultation with the Cabinet member for finance.
 - (c) For agreements of greater than £100,000, budgets must be approved by Council.”;
 17. amend Financial Procedure Rule 90 to make it explicit that no request for a supplementary estimate is necessary where it arises from a government grant for a specific purpose;
 18. amend Financial Procedure Rule 91 as follows to reflect the normal process for authorisations used elsewhere in the constitution: “The ~~leader of council in consultation with the chief executive and chief finance officer~~ **chief finance officer in consultation with the leader of council and chief executive** may increase the revenue or capital budget after considering a request from the relevant head of service where the council has:
 - (a) Received government grant outside of the usual budget setting cycle for which no budget exists.
 - (b) Received additional income for fees and charges that has led to additional costs that require a budget to give authority to spend.
 - (c) Received additional income from insurance claims.
 In all instances a budget no greater than the increase in income can be created.”
 19. agree to amend the Contract Procedure Rules as set out in appendix 1 to the report of the head of legal and democratic to the Council meeting on 16 May 2018;

20. authorise the head of legal and democratic to update the constitution to reflect the agreed amendments with effect from 1 June 2018; and
21. authorise the head of legal and democratic to make any minor or consequential amendments to the constitution for consistency and to reflect the council's style guide.

Co.12 Report of the leader of the council

Councillor Roger Cox, Leader of the council, thanked Council for his election as leader of the council which was an honour.

He thanked Councillor Reg Waite, the outgoing chairman of the council, and wished good luck to Councillor Monica Lovatt, Chairman of the council, and Councillor Ben Mabbett, Vice-Chairman of the council.

He expressed best wishes to Councillor Matthew Barber in his new role as full time deputy police and crime commissioner, Councillor Emily Smith as new leader of the opposition and Councillor Jane Murphy as the new leader of South Oxfordshire District Council.

He highlighted a number forthcoming events/issues:

- The chief executive embedding the new staffing structure with eight service areas;
- Ms Donna Pentelow, the new head of community services, joining the council on 25 July;
- The continued prospect of a unitary council;
- The implementation of the Growth Deal;
- The consultation on the Oxford/Cambridge Expressway;
- The commencement of the Examination in Public of the Local Plan on 3 July;
- The official opening of Abbey Meadows Pool on Saturday 16 June.

The meeting closed at 7.35pm

Chairman

Date