

Minutes

of a meeting of the

Council

held on Wednesday 12 February 2020 at 7.00 pm
at The Ridgeway, The Beacon, Portway, Wantage, OX12 9BY



Open to the public, including the press

Present:

Members: Councillors Margaret Crick (Chair), Jerry Avery, Matthew Barber, Paul Barrow, Ron Batstone, Eric Batts, Nathan Boyd, Cheryl Briggs, Andy Cooke, Andrew Crawford, 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, Helen Pighills, Mike Pighills, Judy Roberts, Val Shaw, Janet Shelley, Emily Smith, Bethia Thomas, Max Thompson, Elaine Ware, Catherine Webber and Richard Webber

Officers: Steven Corrigan, Simon Hewings, William Jacobs, Margaret Reed and Mark Stone

Number of members of the public: 3

Co.53 Apologies for absence

Apologies for absence were submitted on behalf of Councillors Bowring and O'Leary.

Co.54 Minutes

RESOLVED: to approve the minutes of the meeting held on 18 December 2019 as a correct record and agree that the chair sign them as such.

Co.55 Declarations of disclosable pecuniary interest

Councillor Duveen made a statement that as a potential recipient of changes to the council tax reduction scheme he would not take part in or vote on agenda item 7 – council tax reduction scheme 2020/21.

Co.56 Urgent business and chair's announcements

The chair provided general housekeeping information and advised there were no items of urgent business.

Co.57 Public participation

No members of the public had registered to address Council.

Co.58 Petitions

No petitions were submitted to Council.

Co.59 Council tax reduction scheme 2020/21

Council considered Cabinet's recommendations, made at its meeting on 3 February 2020, on the adoption and implementation of a modified council tax reduction scheme for the financial years 2020/21 onwards.

RESOLVED: to adopt, for 2020/21 onwards, the 2014/15 adopted council tax reduction scheme with the following amendments:

1. to remove the 91.5 per cent limit when calculating their council tax bill, and remove the band E restriction for single parents with children under age five, 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, as set out in the interim head of finance's report to Cabinet on 3 February 2020;
2. to widen the definition of who is considered disabled, in order to be exempt from paying council tax (e.g. council tax reduction will be calculated on 100 per cent of their council tax bill and their actual council tax band), as set out in the report; and
3. to disregard Bereavement Support Payments as income when calculating an applicant's council tax reduction, as set out in the report.

Co.60 Capital strategy 2020/21 to 2029/30

Council considered Cabinet's recommendation, made at its meeting on 3 February 2020, on the capital strategy for 2020/21 to 2029/30. Cabinet agreed to recommend Council approve the strategy.

RESOLVED: to approve the capital strategy 2020/21 to 2029/30 which is contained in appendix one of the interim head of finance's report to Cabinet on 3 February 2020.

Co.61 Treasury management mid-year monitoring report 2019/20

Council considered Cabinet's recommendations, made at its meeting on 3 February 2020, on the treasury management activities for the first six months of 2019/20 and an update on the current economic conditions with a view to the remainder of the year.

The Joint Audit and Governance Committee had considered the report at its meeting on 27 January 2020 and had not recommended any adjustments to the strategy as a result of the first six months activities. That committee and Cabinet had concluded that the treasury management activities had operated within the agreed parameters set out in the approved treasury management strategy and policy.

RESOLVED: to

1. note that the Joint Audit and Governance Committee is satisfied that the treasury activities are carried out in accordance with the treasury management strategy and policy; and
2. approve the interim head of finance's report to Cabinet on 3 February 2020.

Co.62 Treasury management and investment strategy 2020/21

Council considered Cabinet's recommendation, made at its meeting on 3 February 2020, on the council's treasury management and investment strategy for 2020/21.

The Joint Audit and Governance Committee had considered the report at its meeting on 27 January 2020 and had not recommended any adjustments to the strategy and resolved to recommend Cabinet to approve the treasury management strategy, the prudential indicators and limits for 2020/21 to 2022/23 and the annual investment strategy 2020/21 as set out in the report. Cabinet agreed to recommend Council approve the strategy.

RESOLVED: to

1. approve the treasury management strategy 2020/21, set out in appendix A to the head of finance's report to Cabinet on 3 February 2020;
2. approve the prudential indicators and limits for 2020/21 to 2022/23, as set out in appendix A to the head of finance's report; and
3. approve the annual investment strategy 2020/21, set out in appendix A (paragraphs 41 to 82) to the head of finance's report, and the lending criteria detailed in table 5 to that report.

Co.63 Revenue budget 2020/21 and capital programme to 2024/25

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

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

Council noted the report of the chief finance officer on the robustness of the budget estimates and the adequacy of the reserves.

Councillor Crawford, Cabinet member for finance, presented the Cabinet's proposals for the revenue budget 2020/21 and capital programme to 2024/25.

Council thanked officers and particularly William Jacobs and Simon Hewings for their part in preparing the draft budget. Council thanked William Jacobs for his service to the council and wished Simon Hewings well in the role.

Councillor Crawford moved and Councillor Smith seconded a motion to approve Cabinet's recommendations as follows:

1. set the revenue budget for 2020/21 as set out in appendix A.1 to the interim head of finance's report to Cabinet on 3 February 2020;
2. approve the capital programme for 2020/21 to 2024/25 as set out in appendix D.1 to the report, together with the capital growth bids set out in appendix D.3 of the report;
3. set the council's prudential limits as listed in appendix E to the report; and
4. approve the medium-term financial plan to 2024/25 as set out in appendix F.1 to the report.

Those councillors who spoke in support of Cabinet's recommendation noted the difficult funding issues facing the council with lower central government funding, lower investment returns and a need to use reserves to balance the budget. They welcomed the budget which identified base budget and service review savings with the deletion of vacant posts. The budget included funding to support manifesto commitments - a new local plan and climate change issues with grants to support community initiatives to help tackle climate change and a budget for the Climate Emergency Advisory Committee (CEAC) to fund its one year climate emergency work programme. The funding for transformation activity will be used to identify ways to generate income and identify further areas for savings.

A number of councillors spoke in opposition to Cabinet's budget. Small savings would have an adverse impact on small rural parishes – for example a charge for the production of neighbourhood plan maps which whilst saving £500 would involve greater costs for those involved in preparing plans. The budget proposals to axe jobs in planning enforcement and environmental health, community grants funding and reduce neighbourhood planning support would have a detrimental impact on customers. The budget provision for the CEAC was for one year only and capital spending had been cut. The budget failed to address the funding gap between expenditure and income with a continued reliance on reserves which was not sustainable.

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

For	Against	Abstentions
Councillors	Councillors	Councillors
Jerry Avery	Matthew Barber	
Paul Barrow	Eric Batts	
Ron Batstone	Nathan Boyd	
Cheryl Briggs	Simon Howell	
Andy Cooke	Janet Shelley	
Andrew Crawford	Elaine Ware	
Margaret Crick		
Eric de la Harpe		
Amos Duveen		
Neil Fawcett		
Andy Foulsham		

For	Against	Abstentions
Hayleigh Gascoigne		
David Grant		
Debby Hallett		
Jenny Hannaby		
Alison Jenner		
Bob Johnston		
Diana Lugova		
Robert Maddison		
Sarah Medley		
Helen Pighils		
Mike Pighills		
Judy Roberts		
Val Shaw		
Emily Smith		
Bethia Thomas		
Max Thompson		
Catherine Webber		
Richard Webber		
Total: 29	Total: 6	Total: 0

RESOLVED: to

1. set the revenue budget for 2020/21 as set out in appendix A.1 to the interim head of finance's report to Cabinet on 3 February 2020;
2. approve the capital programme for 2020/21 to 2024/25 as set out in appendix D.1 to the report, together with the capital growth bids set out in appendix D.3 of the report;
3. set the council's prudential limits as listed in appendix E to the report; and
4. approve the medium-term financial plan to 2024/25 as set out in appendix F.1 to the report.

Co.64 Oxfordshire Electric Vehicle (EV) Infrastructure Steering Group

Council noted that Oxfordshire County Council is proposing to develop an Oxfordshire Electric Vehicle Infrastructure Strategy to establish the principles and an action plan to deliver the charging infrastructure needed to support the transition to low emission vehicles in the county.

To assist with the development of the strategy, the county council had invited Vale of White Horse District Council to appoint a councillor to the Oxfordshire Electric Vehicle Infrastructure Steering Group. At its meeting on 28 January 2020 the Climate Emergency Advisory Committee considered an officer proposal that Vale of White Horse District Council's representative should be a member of the committee. The committee agreed to recommend Council to appoint Councillor David Grant as the council's representative.

RESOLVED: to

1. appoint Councillor David Grant as the council's representative on the Oxfordshire Electric Vehicle Infrastructure Steering Group;

2. appoint all members of the Climate Emergency Advisory Committee as substitute members.

Co.65 Pay policy statement 2020/21

Council considered the report of the acting deputy chief executive – transformation and operations on the adoption of a pay policy statement to meet the requirements of the Localism Act.

RESOLVED: to approve the pay policy statement for 2020/21 attached to the report of the acting deputy chief executive – transformation and operations to Council on 12 February 2020.

Co.66 Report of the leader of the council

Councillor Emily Smith, Leader of the council, provided an update on a number of matters. The text of her address is available on the council's [website](#).

Co.67 Questions on notice

A. Question from Councillor Janet Shelley to Councillor Catherine Webber, Cabinet member for planning

“What are the contingency plans to allocate additional housing should South Oxfordshire District Council withdraw its plan”?

Answer

“Firstly, we have an adopted Local Plan 2031 that deals with our own housing requirement as well as any unmet housing needs arising from elsewhere. The Oxfordshire Plan 2050 will consider the housing needs for the County going forward and any impact on housing needs from South Oxfordshire withdrawing its plan can be considered through that process and the subsequent and respective Local Plans, such as our new Vale Local Plan.

Secondly, South Oxfordshire have not identified any unmet housing needs and thus there is no unmet housing needs arising to be delivered/allocated for in the Vale or elsewhere in the County, regardless of whether their plan proceeds to Examination or is withdrawn”.

Supplementary question

In response to the following supplementary question, Councillor Webber undertook to provide a written response:

“So, you don’t have a contingency plan, yet when speaking as the local ward councillor for Grove at the Planning Committee meeting held on 8 January 2020, Councillor Hannaby implied that Local Plan Part 3 would identify a more appropriate location for a Class 1 retail food store in Grove. Would this plan not be a part of contingency planning”?

B. Question from Councillor Janet Shelley to Councillor Catherine Webber, Cabinet member for planning

“Can you confirm that the administration is fully supportive of Neighbourhood Plans”?

Written answer

“Yes, we strongly support neighbourhood planning. Our support includes:

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- Advice and guidance throughout the process
- A lead officer to attend meetings, where appropriate, and offer expert advice
- Advice on sources of funding and technical support
- Advice on engaging the wider community and key stakeholders
- Advice on what evidence is required to support policies
- Consultation on area designation proposals (where appropriate) as well as submitted plans
- Review of draft neighbourhood plans to ensure they meet the basic conditions
- Organising and paying for the independent examinations and referendums”

Supplementary question

Councillor Shelley referred to an email received from Oxfordshire Neighbourhood Plans Alliance (ONPA) regarding a recommendation to withdraw funding to help create neighbourhood plans by South Oxfordshire District Council. She asked whether Councillor Webber agreed that withdrawing early-stage financial support to towns and villages would deter communities from considering starting these plans, and that this is a time when neighbourhood involvement in future planning of the Vale is more important than ever.

In response Councillor Webber confirmed that the council continued to support the development of neighbourhood development plans. Other sources of funding are available from government to support the progression of neighbourhood plans. The council has a strong neighbourhood planning team which will continue to support and motivate groups throughout the process. Officers will continue to support communities in accessing the alternative sources of funding.

Co.68 Motions on notice

Councillor Alison Jenner moved, and Councillor Ron Batstone seconded the motion as set out in the agenda at agenda item 16

On being put to the vote the motion was agreed.

RESOLVED:

That Council notes the risks associated with modern life are significantly different from those of 1847 when the Town Police Clauses Act was passed, and even from those of the 1970s when the Local Government (Miscellaneous Provisions) Act 1976 came into force. Clearly, the legislation has not kept pace with developments, in particular with the way we use technology, apps, and mobile phones. It is difficult to facilitate a regulatory system when the legislation is based on the use of horse-drawn carriages and landline phones.

There is also a lack of consistency across the legislation. For example, the law requires a person who takes bookings for private hire vehicles to be licensed but there is no similar requirement for someone who does the same for hackney carriages. This lack, apart from the potential for sensitive personal information to fall into the wrong hands, can make it very difficult to investigate allegations of improper conduct by drivers of hackney carriages. This could undermine public confidence in the licensing regime. In addition, it provides a mechanism for private hire operators who have lost their licence to continue in business. They simply move to only “operating” hackney carriages, and no controls can be placed on them at all.

Examples of recent local issues include hackney carriage ‘operators’ who have pressured drivers to work excessively long hours with no proper breaks, and those

who do not maintain their vehicles properly and continually present vehicles to testing stations which fail the test. The overriding aim of any licensing authority when carrying out its functions relating to the licensing of hackney or private hire drivers, vehicle proprietors, and operators is the protection of the public.

The Oxfordshire district councils and the county council share information under a Joint Operating Framework, and there is a national register of revoked and refused licences operated by the National Anti-Fraud Network. However, this does not address situations where drivers have allowed their licence to lapse pending enforcement action at one local authority and apply to another authority without declaring that enforcement action or the previous licences held. Local authority prosecutions are not currently detailed on enhanced DBS disclosures and there are recent local examples of the councils only finding out about such prosecutions by chance and after the licence has been granted.

Council therefore requests that the Leader of the council write to the district's two Members of Parliament and to the Minister for Transport to request that the following action be taken:

1. The Government should move forward without delay on the three key measures recommended to achieve a safe service for passengers in the Taxi and Private Hire Vehicle Licensing Task and Finish Group report, namely:
 - The introduction of a national taxi licensing database;
 - Some form of cross border enforcement for local authorities;
 - National minimum standards for licences.
2. The Government should provide an update in respect of how they propose to deal with cross-border working;
3. The Government should legislate to require any person taking bookings for more than one vehicle to be licensed as an operator, with national standards for the information recorded by licensed operators in respect of bookings.

Co.69 Exclusion of the public

RESOLVED: To exclude members of the press and public from the meeting for the following item of business under Part 1 of Schedule 12A Section 100A(4) of the Local Government Act 1972 and as amended by the Local Government (Access to Information) (Variation) Order 2006 on the grounds that: (i) it involves the likely disclosure of exempt information as defined in paragraph 3 Part 1 of Schedule 12A of the Act, and (ii) the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Co.70 Corporate services contract

Council considered and agreed Cabinet's recommendation, made at its meeting on 3 February 2020, on the corporate services contract (see confidential minute).

The meeting closed at 8.15pm

Chair